CITY OF GIG HARBOR
ORDINANCE NO. 1267

AN ORDINANCE OF THE CITY OF GIG HARBOR, RELATING TO ANNEXATION AND ZONING, ANNEXING APPROXIMATELY 5 ACRES OF PROPERTY LOCATED TO THE EAST OF CANTERWOOD BOULEVARD AND APPROXIMATELY 400 FEET SOUTH OF 122ND STREET NW, (PL-ANX-12-0001), ADOPTING SINGLE-FAMILY RESIDENTIAL (R-1) ZONING, AND REQUIRING THE PROPERTY OWNERS TO ASSUME THEIR PROPORTIONATE SHARE OF INDEBTEDNESS.

WHEREAS, the City of Gig Harbor received a Notice of Intent to Annex approximately 5 acres of property located to the east of Canterwood Boulevard (BLVD) and approximately 400 feet south of 122nd Street NW, within the City's Urban Growth Area (UGA), located in Pierce County; and

WHEREAS, the Notice of Intent was signed by the owners of not less than ten percent (10%) of the acreage of the property; and

WHEREAS, on November 26, 2012, the City Council met with the initiators of the petition and voted (Guernsey/Malich, 6-0) to authorize circulation of the annexation petition subject to certain conditions including adoption of pre-annexation zoning (R-1) as depicted on the Official Zoning Map of the City and requiring that the property owners assume all of the existing indebtedness of the area being annexed; and

WHEREAS, on December 24, 2012, the petition for annexation of the property described in Exhibit A and graphically depicted on Exhibit B was received by the City; and

WHEREAS, on March 5, 2013, the Pierce County office of the Assessor-Treasurer certified the signatures on the petition for annexation of the property

described in Exhibit A and graphically depicted on Exhibit B; and

WHEREAS, the property described in Exhibit A and graphically depicted on Exhibit B proposed to be annexed is within the Urban Growth Area as established by Pierce County and included in the Comprehensive Plans of both the County and the City of Gig Harbor; and

WHEREAS, the City of Gig Harbor Comprehensive Plan, adopted in December, 2004, established the land use map designation for this area as Residential Low, with pertinent goals and objectives, to guide the development of the annexation area over the next twenty years; and

WHEREAS, the proposed pre-annexation zoning (R-1) being applied to the property described in Exhibit A and graphically depicted on Exhibit B is consistent with the City of Gig Harbor Comprehensive Land Use Plan designations; and

WHEREAS, on April 8, 2013, the City Council, following a public hearing on the annexation petition, voted to declare its intent to authorize and approve the annexation for the area described in Exhibit A and graphically depicted on Exhibit B, subject to Boundary Review Board approval (Resolution No. 927); and

WHEREAS, on May 14, 2013, the Notice of Intention, together with supporting documentation, was submitted to the Chief Clerk of the Pierce County Boundary Review Board; and

WHEREAS, on May 17, 2013, the Chief Clerk of the Pierce County Boundary Review Board deemed the annexation proposal as complete, set the official filing date as May 14, 2013, initiated the forty-five (45) day review period,

and noted that the period during which jurisdiction could be invoked would expire on June 28, 2013; and

WHEREAS, the City Council considered this Ordinance during its regular City Council meeting of July 22, 2013; Now, Therefore,

THE CITY COUNCIL OF THE CITY OF GIG HARBOR, WASHINGTON, ORDAINS AS FOLLOWS:

Section 1. The Gig Harbor City Council hereby approves the annexation of approximately 5 acres of property located east of Canterwood BLVD and approximately 400 feet south of 122 Street NW, located in Pierce County, as described in Exhibit A and graphically depicted on Exhibit B, attached hereto, as part of the City of Gig Harbor, contingent upon compliance with the following conditions:

A. Pursuant to the terms of the annexation petition, the approximately 5 acres of property located east of Canterwood BLVD and approximately 400 feet south of 122nd Street NW, located in Pierce County, as described in Exhibit A and graphically depicted on Exhibit B, shall be assessed and taxed at the same rate and on the same basis as property within the City, including assessments for taxes and payment of any bonds issued or debts contracted prior to or existing as of the date of annexation;

B. All property within the area described in Exhibit A and graphically depicted on Exhibit B shall be zoned R-1 as

depicted on the Official Zoning Map of the City in accordance with the Gig Harbor Municipal Code, Title 17.

Section 2. The Planning Director is hereby instructed to effectuate the necessary changes to the Official Zoning Map of the City in accordance with the zoning established in Section 1.

Section 3. The Gig Harbor City Clerk hereby declares the property described in Exhibit A and graphically depicted in Exhibit B to be contiguous with the boundaries of the City of Gig Harbor.

Section 4. The City Clerk is hereby directed to record a certified copy of this ordinance with the Office of the Pierce County Auditor.

Section 5. This ordinance shall take effect on October 1, 2013 after passage and publication as required by law.

PASSED by the Council and approved by the Mayor of the City of Gig Harbor this 22nd day of July, 2013.

APPROVED:

MAYOR, CHARLES L. HUNTER

ATTEST/AUTHENTICATED:

CITY CLERK, MOLLY M. TOWSLEE

APPROVED AS TO FORM;
OFFICE OF THE CITY ATTORNEY:

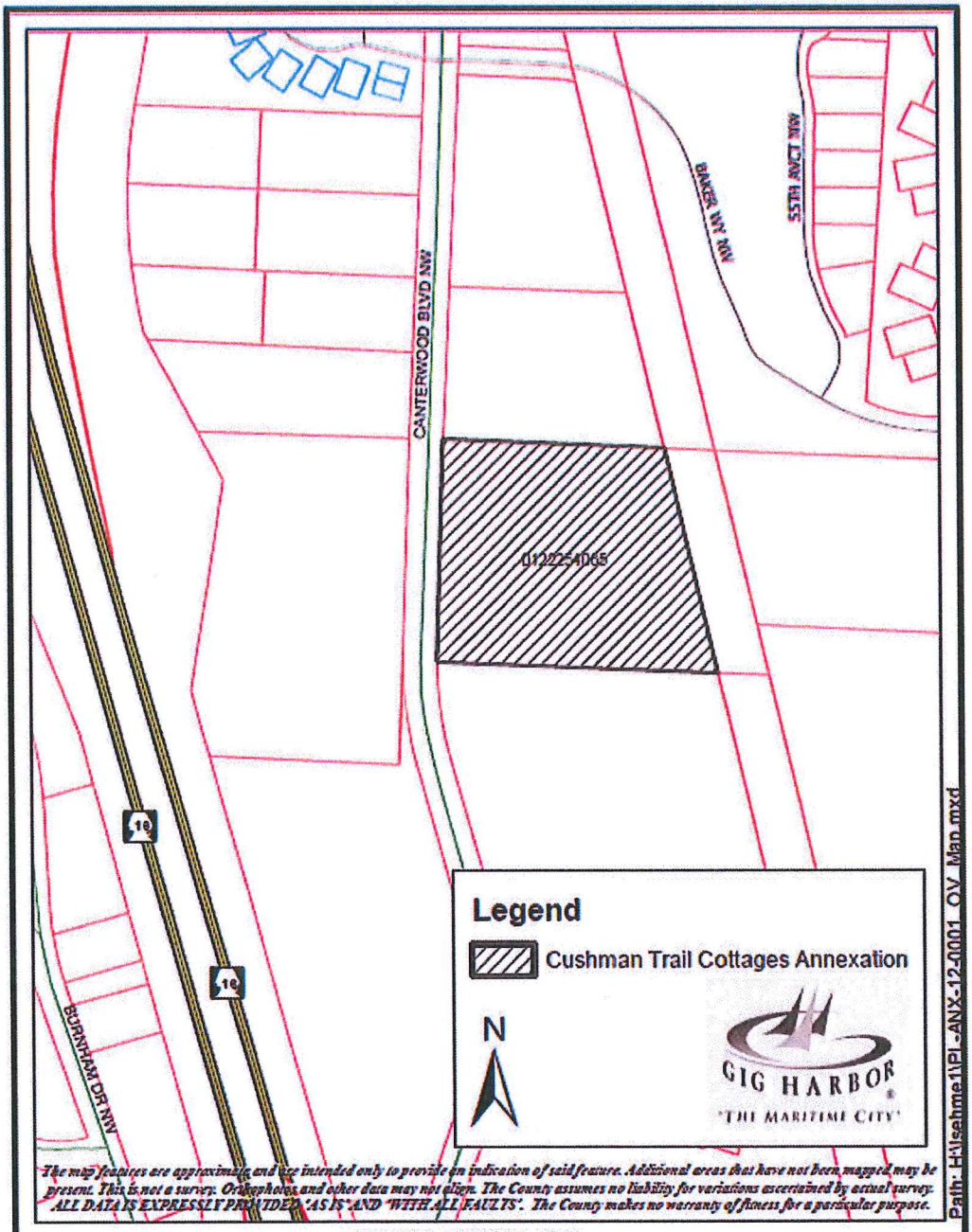
BY:

FILED WITH THE CITY CLERK: 07/16/13
PASSED BY THE CITY COUNCIL: 07/22/13
PUBLISHED: 07/31/13
EFFECTIVE DATE: 10/01/13
ORDINANCE NO. 1267

"Exhibit A"

LEGAL DESCRIPTION FOR PARCEL 0122254065

LOT ONE (1) OF PIERCE COUNTY LARGE LOT SUBDIVISION AS RECORDED ON NOVEMBER 29, 1979 IN BOOK 30 OF SURVEYS AT PAGE 70 UNDER RECORDING NO. 2970, EXCEPT CANTERWOOD BLVD NW PER AFN 9401110663.



"EXHIBIT B"

PL-ANX-12-0001: Cushman Trail Cottages Annexation Request