

**CITY OF GIG HARBOR
ORDINANCE NO. 1068**

AN ORDINANCE OF THE CITY OF GIG HARBOR, RELATING TO ANNEXATION AND ZONING, ANNEXING APPROXIMATELY 0.31 ACRES OF PROPERTY LOCATED AT THE CORNER OF SOUNDVIEW DRIVE AND 61ST STREET COURT NW (ANX 06-1302), ADOPTING SINGLE-FAMILY RESIDENTIAL (R-1) ZONING, IMPOSITION OF THE HEIGHT RESTRICTION STANDARDS (GHMC 17.62), 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 0.31 acres of property located at the corner of Soundview Drive and 61st Street Court NW, adjacent to the existing City limits and 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 August 14, 2006, the City Council met with the initiators of the petition and voted (Payne/Franich, 6-0-0) to authorize circulation of the annexation petition subject to certain conditions including adoption of pre-annexation Single-Family Residential (R-1) zoning, requiring that the property be subject to the Height Restriction Area standards (GHMC 17.62), and requiring that the property owners assume all of the existing indebtedness of the area being annexed; and

WHEREAS, on August 17, 2006, 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 August 23, 2006, 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 and Residential Medium, along 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 of Single-Family Residential (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 designation of Residential Low; and

WHEREAS, on October 23, 2006, the City Council, following a public hearing on the annexation petition, voted (Young/Conan, 6-0-0) to declare its intent to authorize and approve the annexation and the proposed pre-annexation Single-Family Residential (R-1) zoning for the area described in Exhibit A and graphically depicted on Exhibit B, subject to Boundary Review Board approval (Resolution No. 688); and

WHEREAS, on October 24, 2006, the Notice of Intention, together with supporting documentation, was submitted to the Chief Clerk of the Pierce County Boundary Review Board; and

WHEREAS, on October 27, 2006, the Chief Clerk of the Pierce County Boundary Review Board deemed the annexation proposal as complete, set the official filing date as October 25, 2006, initiated the forty-five (45) day review period, and noted that the period during which jurisdiction could be invoked would expire on December 11, 2006; and

WHEREAS, on January 2, 2007, the Pierce County Boundary Review Board issued a written decision approving the annexation of the property as described in Exhibit A and graphically depicted in Exhibit B; and

WHEREAS, the City Council considered this Ordinance during its regular City Council meetings of January 22 and February 12, 2007; 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 0.31 acres of property located at the corner of Soundview Drive and 61st Street Court NW, adjacent to the existing City limits, 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 0.31 acres of property located at the corner of

Soundview Drive and 61st Street Court NW, adjacent to the existing City limits, 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 as Single-Family Residential (R-1), in accordance with the Gig Harbor Municipal Code, Title 17; and
- C. All property within the area described in Exhibit A and graphically depicted on Exhibit B shall be subject to the Height Restriction Area standards (GHMC 17.62)

Section 2. The Community Development 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 five days after passage and publication as required by law.

PASSED by the Council and approved by the Mayor of the City of Gig Harbor this 12th day of February, 2007.

APPROVED:

MAYOR, CHARLES L. HUNTER

ATTEST/AUTHENTICATED:

CITY CLERK, MOLLY M. TOWSLEE

APPROVED AS TO FORM;
OFFICE OF THE CITY ATTORNEY:

BY:_____
CAROL A. MORRIS

FILED WITH THE CITY CLERK: 01/17/07
PASSED BY THE CITY COUNCIL: 02/12/07
PUBLISHED: 02/21/07
EFFECTIVE DATE: 02/26/07
ORDINANCE NO. 1068

Exhibit A
SHAFER ANNEXATION (ANX 06-1302)
LEGAL DESCRIPTION

Legal Description - Shafer ANX 06-1302

Shafer Annexation (ANX 06-1302) Legal Description

A PORTION OF THE NORTHWEST QUARTER OF THE NORTHEAST QUARTER OF SECTION 17, TOWNSHIP 21 NORTH, RANGE 2 EAST, WILLAMETTE MERIDIAN, DESCRIBED AS FOLLOWS:

LOT 2 OF BUTLER'S SOUND VIEW TRACT'S;

SITUATE IN THE COUNTY OF PIERCE, STATE OF WASHINGTON.

RECEIVED
CITY OF GIG HARBOR
AUG 1 / 2006
COMMUNITY
DEVELOPMENT

PIERCE COUNTY PLANNING
& LAND SERVICES

JUN 15 2006

PIERCE COUNTY

Exhibit B
SHAHER ANNEXATION (ANX 06-1302)
ANNEXATION AREA MAP

