

## ORDINANCE NO. 1059

### **AN ORDINANCE OF THE CITY OF GIG HARBOR, RELATING TO ANNEXATION AND ZONING, ANNEXING APPROXIMATELY 38 ACRES OF PROPERTY LOCATED WEST OF CANTERWOOD BOULEVARD (ANX 04-04), ADOPTING SINGLE-FAMILY RESIDENTIAL (R-1) AND MEDIUM-DENSITY RESIDENTIAL (R-2) ZONING, AND REQUIRING THE PROPERTY OWNERS TO ASSUME THEIR PROPORTIONATE SHARE OF INDEBTEDNESS.**

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WHEREAS, the City of Gig Harbor received a Notice of Intent to Annex approximately 38 acres of property located west of Canterwood Boulevard, 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 October 24, 2005, the City Council met with the initiators of the petition and voted (Dick/Ruffo, 6-1-0) to authorize circulation of the annexation petition subject to certain conditions including adoption of pre-annexation Single-Family Residential (R-1) and Medium-Density Residential (R-2) zoning, requiring that the property owners assume all of the existing indebtedness of the area being annexed, and requiring the submission of a wetland report; and

WHEREAS, on May 18 and June 1, 2006, petitions for annexation of the property described in Exhibit A and graphically depicted on Exhibit B were received by the City; and

WHEREAS, on June 30, 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, On April 24, 2006, the applicant submitted of a wetland analysis report for the subject property pursuant to GHMC Section 18.08.090; and

WHEREAS, the wetland report has been reviewed and determined to be in conformance with the Gig Harbor Municipal Code.

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) and Medium-Density Residential (R-2) 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 Residential Medium; and

WHEREAS, on August 14, 2006, the City Council, following a public hearing on the annexation petition, voted (Payne/Dick, 6-0-0) to declare its intent to authorize and approve the annexation and the proposed pre-annexation Single-Family Residential (R-1)

and Medium-Density Residential (R-2) zoning for the area described in Exhibit A and graphically depicted on Exhibit B, subject to Boundary Review Board approval (Resolution No. 684); and

WHEREAS, on August 16, 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 August 29, 2006, the Chief Clerk of the Pierce County Boundary Review Board deemed the annexation proposal as complete, set the official filing date as August 21, 2006, initiated the forty-five (45) day review period, and noted that the period during which jurisdiction could be invoked would expire on October 5, 2006; and

WHEREAS, on October 11, 2006, the Pierce County Boundary Review Board issued a written decision approving the annexation of the property as described and graphically depicted in Exhibit A; and

WHEREAS, the City Council considered this Ordinance during its regular City Council meeting's of October 23<sup>rd</sup> and November 13<sup>th</sup>, 2006; 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 38 acres of property located west of Canterwood Boulevard, 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 38 acres of property located west of Canterwood Boulevard, 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; and

- 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) and Medium-Density Residential (R-2), in accordance with the Gig Harbor Municipal Code, Title 17.

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 13<sup>th</sup> day of November 2006.

APPROVED:

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MAYOR, CHARLES L. HUNTER

ATTEST/AUTHENTICATED:

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CITY CLERK, MOLLY M. TOWSLEE

APPROVED AS TO FORM;  
OFFICE OF THE CITY ATTORNEY:

BY: \_\_\_\_\_  
CAROL A. MORRIS

FILED WITH THE CITY CLERK: 10/18/06  
PASSED BY THE CITY COUNCIL: 11/13/06  
PUBLISHED: 11/22/06  
EFFECTIVE DATE: 11/27/06  
ORDINANCE NO. 1059

**Exhibit A**  
**McCORMICK RIDGE LLC ANNEXATION (ANX 04-04)**  
**LEGAL DESCRIPTION**

**ANNEXATION LEGAL**  
(ANX 04-04)

That portion of the Southeast quarter and the Northeast quarter of Section 25, Township 22 North, Range 01 East of the Willamette Meridian, in Pierce County, Washington.

**Beginning** at the Northeast corner of the Northwest quarter of the Southeast quarter of Section 25, Township 22 North, Range 1 East of the Willamette Meridian, also said point being on the Westerly right of way line of Canterwood Boulevard N.W.; Thence South along the East line of said Northwest quarter of the Southeast to the Southwest corner of Lot 1, Pierce County Large Lot Subdivision #2970, and the **True Point of Beginning**;

**Thence** continuing South along the East line of said Northwest quarter of the Southeast quarter to the Southeast corner of the North half of the Northwest quarter of the Southeast quarter;

**Thence** West to the Easterly right of way line of S.R. #16;

**Thence** Northwesterly along last said Easterly right of way line to the North line of the Northwest quarter of the Southeast quarter;

**Thence** continuing Northwesterly along last said Easterly right of way to the Southwest corner of the Short Plat recorded under A.F.N. 79-214, records of Pierce County, Washington;

**Thence** continuing Northwesterly along said Easterly right of way to the Northwest corner of said Short Plat, also being the Southwest corner of the Short Plat recorded under A.F.N. 79-351, records of Pierce County, Washington;

**Thence** continuing Northwesterly along said Easterly right of way to the Northwest corner of last said Short Plat, also being the Southwest corner of the Condominium Plat of McCormick Ridge, a condominium recorded under A.F.N. 200309085001, records of Pierce County, Washington;

**Thence** continuing Northwesterly along said Easterly right of way to the Northwest corner of last said condominium, also being the Southwest corner of the Plat of Springhill Estates recorded under A.F.N. 9210010443, records of Pierce County, Washington;

**Thence** continuing Northwesterly and Northeasterly along said Easterly right of way to the Northwest corner of said Plat of Springhill Estates and the North line of the Northeast quarter of said Section 25;

**Thence** East along said North line of the Plat of Springhill Estates to the Northeast corner of said Plat, also being on the Westerly right of way line of the Tacoma-Lake Cushman Transmission Line Right of Way;

**Thence** Southeasterly along said Westerly right of way to the Westerly right of way line of Canterwood Boulevard N.W.;

**Thence** Southeasterly along a line projected and perpendicular to the West line of  
Canterwood Boulevard N.W. to intersect the East line of said right of way;

**Thence** Southerly along said Easterly right-of-way line to the South line of Lot 1, Pierce  
County Large Lot Subdivision #2970 and the boundary of City of Gig Harbor as  
established by Ordinance 746, dated January 27, 1997;

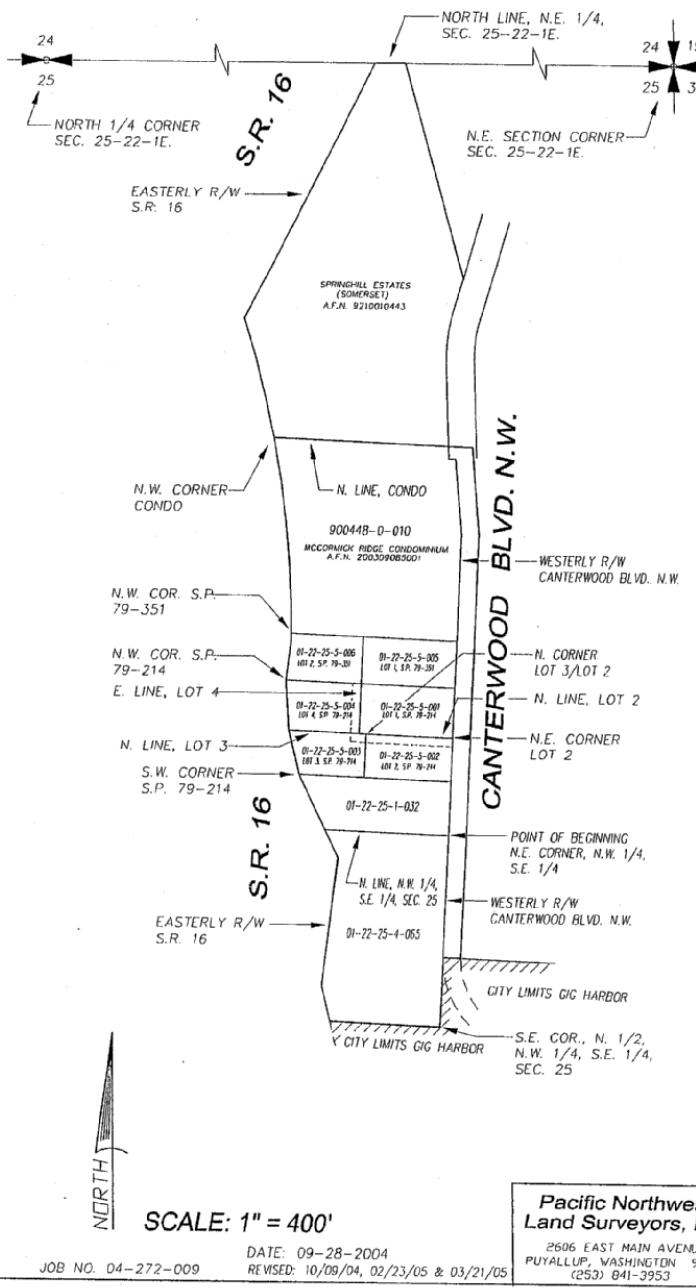
**Thence** Westerly along said City boundary to the **True Point of Beginning**.

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9/28/04 dds/jjn revised 11/9/04 jjn/dds revised 02/23/05 jjn/dds revised 03/21/05 jjn/dds revised 04/07/05

Acceptable to  
B&B 7/1/05

**Exhibit B**  
**McCORMICK RIDGE LLC ANNEXATION (ANX 04-04)**  
**ANNEXATION AREA MAP**

**PARCEL EXHIBIT**



Acceptable to  
Review 9/15