

**CITY OF GIG HARBOR
ORDINANCE NO. 690**

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF GIG HARBOR ADOPTING THE ANNEXATION FOR THE AREA KNOWN AS THE GIG HARBOR INTERCHANGE ANNEXATION (ANX 91-07) AS SUBMITTED BY PETITIONERS JAMES TALLMAN, ET.AL.

WHEREAS, on July 31, 1991, a petition for annexation of approximately 150 acres was submitted for the property; and,

WHEREAS, the petition which has been certified by the City Administrator as legally sufficient containing the signatures of not less than 60% of the owners of assessed evaluation and the legal description of the subject property are attached to this resolution as exhibit "A" and made a part hereto; and,

WHEREAS, such annexation proposal is within the Urban Growth Area as established by Pierce County in the Pierce County Comprehensive Plan; and,

WHEREAS, on the 23rd of October, 1991, the City Council met with the initiating party during regular session of the Council; and,

WHEREAS, at that time the Council set forth the requirements placed on the petitioner wishing to annex as follows:

- 1. Assumption by the property owners their portion of the City of Gig Harbor's indebtedness;**
- 2. The area shall be zoned as per Exhibit "B" of Council Resolution #398.**

WHEREAS, on May 18, 1992 a determination of non-significance was issued for the proposal, based upon a review of the environmental documents submitted by the petitioner, in accordance with the City of Gig Harbor Environmental Policy Ordinance, Title 18 of the Gig Harbor Municipal Code; and,

WHEREAS, at a public hearing of November 9th, 1992, the City Council considered the recommendation of the City Planning Commission on preannexation zoning for the area; and,

WHEREAS, following the public hearing on November 9, the City Council remanded the preannexation zoning to the Planning Commission for the development of a contract zoning agreement which would consider the following:

1. That they specifically address screening and buffers, not only between the properties, but also to properties across the street towards the waterfall business and any future development there.
2. That they specifically address development and ownership of the wetlands as it relates to wetlands directly and to how wetlands might be developed into a park.
3. Place emphasis on one and two, then establish uses for the parcels in the annexation.

WHEREAS, the Planning Commission, at open public meetings held on December 15, 1992; February 2, February 16, February 23, and March 2, 1993, recommended approval of the petition subject to certain conditions, including the execution and recording of an agreement with the City pertaining to the preannexation zoning of the property; imposing certain use and development restrictions in order to ameliorate the adverse impact of unrestricted use and development of property in the RB-2 zone; and

WHEREAS, the City Council, at a public hearing on November 8 and December 13, 1993, considered the concomitant agreement as recommended by the Planning Commission and, in consideration of testimony offered at the public hearings, does hereby declare its intent to authorize and approve said annexation, and to accept same as a part of the City of Gig Harbor; and,

WHEREAS, the City Council finds that the portion of the property to be annexed within the interchange area north of Wollochet Drive contains site characteristics and natural environmental constraints that make it unique and worthy of special land use considerations as reflected in the performance standards in the preannexation zoning concomitant agreement; and

WHEREAS, the City Council shall comply with the procedural requirements of RCW 35A.14 to the conclusion of this annexation.

NOW, THEREFORE, the City Council of the City of Gig Harbor ORDAINS as follows:

Section 1. The real property described in this ordinance as "Exhibit A" is hereby annexed into the City of Gig Harbor and is accorded a zoning designation as established in the concomitant agreement per Council Resolution # 398 and #427 and which area is also within a height overlay district, as per Section 17.62 of the Zoning Code.

Section 2. This ordinance shall be in full force and take effect five (5) days after publication, according to law.

PASSED by the City Council of the City of Gig Harbor, Washington, and approved by its Mayor at a regular meeting of the council on this 27th day of February, 1995.

Gretchen A. Wilbert, Mayor

ATTEST:

Mark E. Hoppen
City Clerk/Treasurer

Filed with the City Clerk: February 9, 1995
Passed by the City Council: February 27, 1995
Date Published: March 1, 1995
Effective Date: March 6, 1995

**SUMMARY OF ORDINANCE # 690
GIG HARBOR INTERCHANGE ANNEXATION**

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF GIG HARBOR ADOPTING THE ANNEXATION FOR THE AREA KNOWN AS THE GIG HARBOR INTERCHANGE ANNEXATION (ANX 91-07) AS SUBMITTED BY PETITIONERS JAMES TALLMAN, ET.AL.

Section 1. Legal description of the real property described in this ordinance as "Exhibit A" is hereby annexed into the City of Gig Harbor and is accorded a zoning designation as established in the concomitant agreement per Council Resolution # 398 and #427 and which area is also within a height overlay district, as per Section 17.62 of the Zoning Code. The annexation area is summarily described as being bounded on the west by 46th Street NW, extending from the intersection of Wollochet Drive NW and 46th Street NW, north to 72nd Street NW, then easterly approximately 1300 feet, thence northerly to the west right-of-way of SR-16, thence northerly along the right-of-way approximately 1300 feet, thence easterly approximately 1300 feet, thence south approximately 600 feet, thence westerly to the east right-of-way of SR-16, thence southerly following the right-of-way to Grandview Street street end, thence easterly to the east right-of-way line of the Tacoma City Light transmission line, thence southerly along the transmission line right-of-way approximately 3500 feet, thence westerly to Wollochet Drive NW, following Wollochet Drive NW to Hunt Street NW and ending at 46th Street NW, the point of beginning.

Section 2. Establishing an effective date of five (5) days after publication of a summary of this ordinance, according to law.

Submitted by:

Mark E. Hoppen
City Clerk/Treasurer