

**CITY OF GIG HARBOR
RESOLUTION NO. 479**

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF GIG HARBOR, WASHINGTON, ACCEPTING THE ANNEXATION PETITION FOR THE AREA COMMONLY KNOWN AS GIG HARBOR NORTH (ANX 91-04) AND DECLARING THE CITY'S INTENT TO ADOPT PROPOSED ZONING REGULATIONS FOR THE ANNEXATION AREA AND TO ENTER INTO A DEVELOPMENT AGREEMENT WITH THE PROPERTY OWNERS FOR THE PROPERTY, REFERRING THE PETITION FOR ANNEXATION TO THE PIERCE COUNTY BOUNDARY REVIEW BOARD.

WHEREAS, on April 22, 1991, the City of Gig Harbor received a Notice of Intent to Annex 795 acres of property commonly known as Gig Harbor North, more particularly described in Exhibit A, attached hereto and incorporated herein as if fully set forth in full; and

WHEREAS, the Notice of Intent was signed by the owners of not less than ten percent (10%) in value, according to the assessed valuation for general taxation, of the property described in Exhibit A; and

WHEREAS, the City Council met with the initiators of the petition and authorized circulation of an annexation petition subject to certain conditions including adoption of pre-annexation zoning and assumption of a proportionate share of the City's indebtedness; and

WHEREAS, a petition for annexation was subsequently received by the City and certified by the City Administrator on May 5, 1993, as legally sufficient, and as containing the signatures of not less than 60% of the owners of assessed value, according to the assessed valuation for general taxation of the property described in Exhibit A; and

WHEREAS, the property described in Exhibit A and 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, on February 24, 1993, a Final Environmental Impact Statement was issued by the City of Gig Harbor for the proposal in accordance with the City's Environmental Policy Ordinance, Title 18 of the Gig Harbor Municipal Code; and

WHEREAS, the proposed zoning for the annexation area is described in Exhibit B, attached hereto and incorporated herein by this reference as if fully set forth; and

WHEREAS, the Pierce County Comprehensive Plan was substantially updated in November, 1994, and the Gig Harbor North annexation area was shown in the Plan as Employment Based Planned Community Overlay, Medium Single Family and Activity Center. All of the property included in the Gig Harbor North annexation area is included in the Planned Community Overlay; and

WHEREAS, the proposed land use plan and zoning is based upon the preferred alternative which was described in the 1992 DEIS and the 1993 FEIS for the Gig Harbor North Annexation; and

WHEREAS, the City of Gig Harbor Comprehensive Plan, adopted in November, 1994, established a land use map designation for the Gig Harbor North annexation area of Planned Community, Mixed-Use Overlay and Residential, along with pertinent goals and objectives, to guide the development of the annexation area over the next twenty years; and

WHEREAS, the City has been negotiating with the Gig Harbor North property owners to develop an annexation Development Agreement as needed to address public facility improvements for the annexation area; and

WHEREAS, the City has the authority to prepare a proposed zoning regulation to become effective upon the annexation of the area (RCW 35A.63.330); and

WHEREAS, the proposed zoning districts as shown on Exhibit C and the zoning district map as shown as Exhibit B are consistent with the City of Gig Harbor Comprehensive Land Use Plan; and

WHEREAS, at public hearings conducted on December 11, 1995 and January 22, 1996, the City Council considered the recommendation of the City Planning Commission on preannexation zoning for the area; and

WHEREAS, the Gig Harbor Council has provided its intent to annex the Gig Harbor North area, contingent upon the following conditions:

A. Assumption by the property owners of their portion of the City of Gig Harbor's indebtedness;

B. Imposition of zoning of the property as described in the attached Exhibit B;

C. Compliance with the terms of an annexation Development Agreement, attached hereto as Exhibit D, and by this reference incorporated herein as if set forth in full; and

WHEREAS, following the public hearing on January 22, 1996, the City Council approved the proposed zoning plan for the area and the annexation, subject to Boundary Review Board approval; and

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

THE CITY COUNCIL OF THE CITY OF GIG HARBOR, WASHINGTON, HEREBY RESOLVES AS FOLLOWS:

Section 1. The Gig Harbor City Council hereby declares its intent to authorize and approve the annexation of the Gig Harbor North property, as described in the legal description in Exhibit A, 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, all property within the territory known as the Gig Harbor North annexation area, and described in Exhibit A, 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 shall be zoned in accordance with the proposed zoning described in Exhibit B, attached hereto, and the zoning map shall contain a notation that there are conditions imposed on the property that must be satisfied when development occurs.

C. All development on the property described in Exhibit A shall conform to the proposed zoning standards in Exhibit C, and shall further comply with all of the terms of the Development Agreement attached hereto as Exhibit D.

Section 2. The Gig Harbor City Clerk hereby declares the property described in Exhibit A, which is the subject of the annexation petition, to be contiguous with the boundaries of the City of Gig Harbor.

Section 3. The City Council hereby authorizes the Mayor to submit all necessary documentation to the Pierce County Boundary Review Board in order to gain approval for the annexation provided in this Resolution. The City Council shall not take any further action on the annexation proposal until such time as the Pierce County Boundary Review Board has completed its review of the Notice of Intent to Annex.

RESOLVED by the City Council this 23rd day of September, 1996.

APPROVED:

MAYOR, GRETCHEN WILBERT

ATTEST/AUTHENTICATED:

CITY ADMINISTRATOR, MARK HOPPEN

APPROVED AS TO FORM;
OFFICE OF THE CITY ATTORNEY:

BY: _____

FILED WITH THE CITY CLERK: 9/10/96
PASSED BY THE CITY COUNCIL: 9/23/96
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