

**ORDINANCE NO. 1048**

**AN ORDINANCE OF THE CITY OF GIG HARBOR, RELATING TO ANNEXATION AND ZONING, ANNEXING APPROXIMATELY 9.8 ACRES OF PROPERTY LOCATED EAST OF PEACOCK HILL AVENUE (ANX 05-910), ADOPTING SINGLE-FAMILY RESIDENTIAL (R-1) ZONING, AND REQUIRING THE PROPERTY OWNERS TO ASSUME THEIR PROPORTIONATE SHARE OF INDEBTEDNESS.**

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WHEREAS, on December 9, 2005, the City of Gig Harbor received a Notice of Intent to Annex approximately 9.8 acres of property located east of Peacock Hill Avenue, 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 January 23, 2006, the City Council met with the initiators of the petition voted (Ekberg/Kadzik, 7-0-0) 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 owners assume all of the existing indebtedness of the area being annexed, and requiring the submission of a wetland report; and

WHEREAS, on February 1, 2006, a petition for annexation of the property described in Exhibit A and graphically depicted on Exhibit B was received by the City; and

WHEREAS, on February 9, 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 January 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 and designates a wetland on the property as a Category II Palustrine Forested Broad Leaf Deciduous Seasonally Flooded wetland. The 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, 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 March 13, 2006, the City Council, following a public hearing on the annexation petition, voted (Young/Franich, 7-0-0) 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. 661); and

WHEREAS, on March 14, 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 March 27, 2006, the Chief Clerk of the Pierce County Boundary Review Board deemed the annexation proposal as complete, set the official filing date as March 21, 2006, initiated the forty-five (45) day review period, and noted that the period during which jurisdiction could be invoked would expire on May 5, 2006; and

WHEREAS, on May 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 May 22 and June 12, 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 9.8 acres of property located east of Peacock Hill Avenue, 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 9.8 acres of property located east of Peacock Hill Avenue, 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), 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.

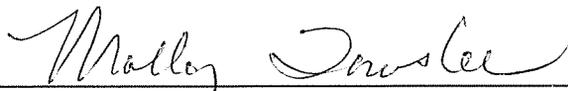
Section 5. This ordinance shall take effect five days after passage and publication as required by law.

PASSED by the Council and approved by the Mayor of the City of Gig Harbor this 12<sup>th</sup> day of June, 2006.

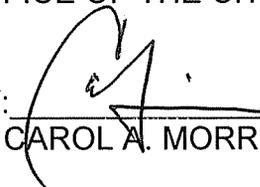
APPROVED:

  
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: 5/17/06  
PASSED BY THE CITY COUNCIL: 6/12/06  
PUBLISHED: 6/21/06  
EFFECTIVE DATE: 6/26/06  
ORDINANCE NO. 1048

**EXHIBIT 'A'**

**LEGAL DESCRIPTION**

That portion of Section 32, Township 22 North, Range 2 East, W.M. described as follows:  
The South Half of the South Half of the Northwest Quarter of the Southwest Quarter,  
Except Peacock Hill Avenue N.W. (Purdy Gig Harbor Road)  
Containing an area of 9.877 acres more or less.



*Accepted BCB  
12/27/05*

# Exhibit B RESOURCE PROPERTIES ANNEXATION (ANX 05-910) ANNEXATION AREA MAP

12/07/2005 17:21 FAX 425 827 8577

OTAK Inc.

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