

ORDINANCE NO. 1572

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF BONNEY LAKE, PIERCE COUNTY, WASHINGTON, ANNEXING CERTAIN REAL PROPERTY, IDENTIFIED AS THE “KELLY CREEK VISTA POTENTIAL ANNEXATION AREA” AND THE “DELANY POTENTIAL ANNEXATION AREA”, INTO THE CITY OF BONNEY LAKE, PURSUANT TO REVISED CODE OF WASHINGTON (RCW) 35A.14.460.

WHEREAS, *Vision 2040* has the goal that unincorporated lands within the urban growth area will be annexed into existing cities; and

WHEREAS, the Pierce County Regional Council (PCRC) was created in 1992 by an Interlocal Agreement among the cities and towns of Pierce County and Pierce County, and charged with responsibilities, including, but not limited to: Serving as a local link to the Puget Sound Regional Council, promoting intergovernmental cooperation, facilitating compliance with the Growth Management Act (GMA) and the Multi-County Planning Policies, and developing a consensus among jurisdictions regarding the development and modification of the Countywide Planning Policies; and

WHEREAS, the Pierce County Countywide Planning Policies (CPPs) are written policy statements which are to be used solely for establishing a countywide framework from which the County and County municipal comprehensive plans are developed and adopted; and

WHEREAS, the Pierce County CPPs identify unincorporated “islands” as the highest priority for annexation; and

WHEREAS, RCW 35A.14.460 allows Pierce County to enter into an Interlocal Agreement with a city to annex an area within its Potential Annexation Areas (PAAs) when at least sixty percent (60%) of the boundary of the area is contiguous with a city; and

WHEREAS, RCW 35A.14.460(1) allows either the legislative body of a county or code city to initiate an annexation process by adopting a resolution commencing negotiations for an Interlocal Agreement; and

WHEREAS, the City of Bonney Lake passed Resolution 2427 on January 15, 2015, directing City staff to negotiate an Interlocal Agreement with Pierce County to annex properties within its designated Potential Annexation Area(s); and

WHEREAS, the proposed annexation areas meet the requirements of RCW 35A.14.460; and

WHEREAS, the City hosted, and county staff attended, a public open house on the annexation on March 9, 2016; and

WHEREAS, the City staff and County staff completed its negotiations in May 2016; and

WHEREAS, RCW 35A.14.460 requires a public hearing to be held by each legislative body, separately or jointly, before the agreement is executed; and

WHEREAS, RCW 35A.14.460 requires that each legislative body holding a public hearing shall, separately or jointly, publish the agreement at least once a week for two weeks before the date of the hearing in one or more newspapers of general circulation within the territory proposed for annexation; and

WHEREAS, the annexation agreement published the proposed agreement twice during the period of November 2, 2016 and November 9, 2016 in the Courier-Herald; and

WHEREAS, the Pierce County Council held a public hearing on November 29, 2016; and

WHEREAS, the City of Bonney held a public hearing on March 14, 2017; and

WHEREAS, the City provided notice of the public hearing to all affected property owners; and

WHEREAS, on March 21, 2017, the Bonney Lake City Council adopted Resolution 2575 authorizing the Mayor to sign the Annexation Interlocal Agreement and the Memorandum of Understanding (MOU) related to the transfer of governmental services; and

WHEREAS, the City Council adopted Ordinance 1110 establishing a future land use designation of Single Family Residential and a zoning classification of Single Family Residential (R-1); and

WHEREAS, annexation actions are exempt from the application of the State Environmental Policy Act (RCW 43.21C.222); and

WHEREAS, the Bonney Lake City Council has determined that the health, welfare and safety of the people of the City of Bonney Lake will be best served if said territory is annexed for city municipal purposes and assigned a zoning designation of public facilities.

**NOW THEREFORE, THE CITY COUNCIL OF THE CITY OF BONNEY LAKE,
WASHINGTON DO ORDAIN AS FOLLOWS:**

Section 1. The real property within the Kelly Creek Vista PAA described in Exhibit ‘A’ and depicted on Exhibit ‘B’ attached hereto and incorporated herein by reference, is hereby annexed to the City of Bonney Lake pursuant to RCW 35A.14.460.

Section 2. The real property within the Delany PAA described in Exhibit ‘C’ and depicted on Exhibit ‘D’ attached hereto and incorporated herein by reference, is hereby annexed to the City of Bonney Lake pursuant to RCW 35A.14.460.

Section 3. Staff is direct to bring back an Ordinance officially adopting a zoning classifications for the property located with the Kelly Creek Vista PAA and Delany PAA prior to the effective date of the annexation.

Section 4. All property within the territory hereby annexed shall be assessed and taxed at the same rate and on the same basis as other property within the City of Bonney Lake, including all indebtedness existing as of the effective date of the annexation.

Section 5. This Ordinance shall take effect and be in force forty-five (45) days from the date that Interlocal Annexation Agreement approved under Resolution 2575 is fully executed by Pierce County and the City of Bonney Lake, as required by law.

PASSED BY THE CITY COUNCIL this _____ day of _____, 2017.

Neil Johnson, Jr., Mayor

AUTHENTICATED:

Harwood Edvalson, MMC, City Clerk

APPROVED AS TO FORM:

Kathleen Haggard, City Attorney