

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 21st day of March, 2017.



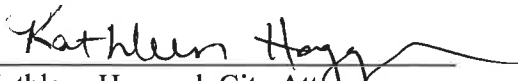
Neil Johnson, Jr., Mayor

AUTHENTICATED:



Harwood Edvalson, MMC, City Clerk

APPROVED AS TO FORM:



Kathleen Haggard, City Attorney

Passed: 3/21/2017
Valid: 3/21/2017
Published: 3/29/2017
Effective Date: 45 days after Res. 2575 fully executed
This Ordinance totals 11 page(s) AB17-07

**EXHIBIT A
KELLY CREEK VISTA PAA
ANNEXATION**

THOSE PORTIONS OF THE NORTHEAST QUARTER OF SECTION 33 AND THE NORTHWEST QUARTER AND NORTHEAST QUARTER OF SECTION 34, ALL IN TOWNSHIP 20 NORTH, RANGE 5 EAST, W.M. IN PIERCE COUNTY, WASHINGTON, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT THE NORTHWEST CORNER OF THE NORTHEAST QUARTER OF THE NORTHEAST QUARTER OF SAID SECTION 33, SAID CORNER BEING AT THE CITY LIMIT'S LINE OF THE CITY OF BONNEY LAKE AS ESTABLISHED BY ORDINANCE NO. 109, RECORDS OF SAID COUNTY; THENCE SOUTH ALONG SAID CITY LIMIT'S LINE AND THE WEST LINE OF SAID SUBDIVISION, 789.04 FEET MORE OR LESS TO A POINT ON THE NORTHERLY LINE OF THE CITY OF BONNEY LAKE CITY LIMIT'S LINE AS ESTABLISH BY RESOLUTION R98-154; SAID POINT BEING AN ANGLE POINT IN TRACT A OF THE PLAT OF MOUNTAIN VISTA PUD AS RECORDED UNDER RECORDING NO. 9912205007 RECORDS OF SAID COUNTY; THENCE CONTINUING ALONG SAID CITY LIMIT'S LINE SOUTHEASTERLY ALONG THE EASTERLY BOUNDARY LINE OF SAID PLAT TO THE NORTHWESTERLY MARGIN OF CHURCH LAKE ROAD; THENCE CONTINUING ALONG SAID CITY LIMIT'S LINE PERPENDICULAR TO SAID MARGIN SOUTHEASTERLY TO THE SOUTHEASTERLY MARGIN OF SAID CHURCH LAKE ROAD; THENCE CONTINUING ALONG SAID CITY LIMIT'S LINE AND SAID SOUTHEASTERLY MARGIN, SOUTHWESTERLY TO THE INTERSECTION WITH THE WEST LINE OF THE NORTHEAST QUARTER OF THE NORTHEAST QUARTER OF SAID SECTION 33; SAID LINE BEING COMMON WITH THE CITY OF BONNEY LAKE CITY LIMIT'S LINE AS ESTABLISHED BY RESOLUTION 3116 RECORDS OF SAID COUNTY; THENCE CONTINUING ALONG SAID CITY LIMIT'S LINE SOUTH ALONG SAID WEST LINE TO THE SOUTHWEST CORNER OF SAID SUBDIVISION; SAID CORNER BEING COMMON TO THE SOUTHWEST CORNER OF TRACT 'B' OF KELLY CREEK VISTA II, AS RECORDED UNDER RECORDING NO. 9208270869, RECORDS OF SAID COUNTY; THENCE LEAVING SAID CITY LIMIT'S LINE, EAST ALONG THE SOUTH LINE OF SAID SUBDIVISION AND THE SOUTH LINE OF SAID TRACT 'B' TO THE SOUTHEAST CORNER OF THE NORTHEAST QUARTER OF THE NORTHEAST QUARTER OF SAID SECTION 33; THENCE CONTINUING EAST ALONG THE SOUTH LINE OF THE NORTH HALF OF THE NORTHWEST QUARTER OF SAID SECTION 34 TO THE SOUTHEAST CORNER OF THE NORTHEAST QUARTER OF THE NORTHWEST QUARTER OF SAID SECTION 34; SAID CORNER BEING COMMON TO THE SOUTHWEST CORNER OF LOT 1 OF PIERCE COUNTY SHORT PLAT RECORDED UNDER RECORDING NO. 8305050332 RECORDS OF SAID COUNTY; THENCE SOUTHEASTERLY ALONG THE SOUTH LINE OF SAID LOT 1 TO THE SOUTHEAST CORNER THEREOF; THENCE NORTHEASTERLY ALONG THE EAST LINE OF SAID LOT 1 TO THE SOUTHERLY MARGIN OF CHURCH LAKE ROAD AND THE INTERSECTION WITH THE CITY OF BONNEY LAKE CITY LIMIT'S LINE AS ESTABLISHED BY ORDINANCE NO. 1218 RECORDS OF SAID COUNTY; THENCE ALONG SAID CITY LIMIT'S LINE AND SAID SOUTHERLY MARGIN NORTHWESTERLY, NORTHERLY AND WESTERLY TO THE NORTHEAST CORNER OF THE PLAT OF KELLY CREEK VISTA AS RECORDED UNDER RECORDING NO. 8410160215 RECORDS OF PIERCE COUNTY AND THE CITY OF BONNEY LAKE CITY LIMIT'S LINE AS ESTABLISHED BY ORDINANCE NO. NUMBER 560; THENCE ALONG SAID CITY LIMIT'S LINE SOUTHERLY ALONG THE EAST LINE OF SAID PLAT TO THE SOUTHEAST CORNER OF LOT 26 OF SAID PLAT; THENCE CONTINUING ALONG SAID CITY LIMIT'S LINE WESTERLY ALONG THE

SOUTHERLY LINE OF LOT 26 AND ITS WESTERLY EXTENSION TO THE SOUTHEAST CORNER OF LOT 25 OF SAID PLAT; THENCE CONTINUING WESTERLY ALONG SAID CITY LIMIT'S LINE AND THE SOUTHERLY LINES OF LOTS 25, 24, 23, 22, 21 AND 20 TO THE WEST LINE OF SAID PLAT AND THE EAST LINE OF THE NORTHEAST QUARTER OF SAID SECTION 33; THENCE CONTINUING ALONG SAID CITY LIMIT'S LINE NORTH ALONG THE WEST LINE OF SAID PLAT AND THE EAST LINE OF SAID SUBDIVISION TO THE NORTHEAST CORNER OF SECTION 33, TOWNSHIP 20 NORTH, RANGE 5 EAST W.M. AND TO THE CITY OF BONNEY LAKE CITY LIMIT'S LINE AS ESTABLISHED BY ORDINANCE NO. 109; THENCE WEST ALONG SAID CITY LIMIT'S LINE AND THE NORTH LINE OF SAID SECTION 33 TO NORTHWEST CORNER OF THE NORTHEAST QUARTER OF THE NORTHEAST QUARTER OF SAID SECTION 33 AND THE TRUE POINT OF BEGINNING.



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NE33-T20N-R05E



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DATE OF MAP REVISIONS 06/04/06
05-10-33-1

Public Service Building
2401 S. 28th Street, Room 142
Tacoma, Washington 98409

Geographic North Pole True, South Pole False, Datum: NAD83 UTM

Pierce County
Assessor-Treasurer

THIS IS NOT A SURVEY
DO NOT USE DATA FROM THIS MAP
WE ASSUME NO LIABILITY FOR ERRORS
ASCERTAINED BY ACTUAL SURVEY
FOR ASSESSOR'S USE ONLY

2

NW34-T20N-R05E



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DATE OF MAP PRODUCTION 06/04/18
01-20-18-18

Public Service Building
2401 N. 24th Street, Room 141
Tacoma, Washington 98409

Pierce County State Plane North, North Zone, NAD83-11

Pierce County
Assessor-Treasurer

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NE34-T20N-R05E



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DATE OF MAP REVISION 09/04/70
14-29-14-1

Public Services Building
3401 E. 26th Street, Room 142
Tacoma, Washington 98400

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Pierce County
Assessor-Treasurer

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City of
Bonney Lake

West Tapps Hwy. E.

Church Lake Rd. E.



Kelly Creek Vista Annexation Exhibit B

Legend

 Kelly Creek Vista PAA Boundaries



Community Development Department

**EXHIBIT C
DELANY PAA
ANNEXATION**

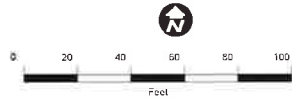
A PORTION OF GOVERNMENT LOT 1 IN THE NORTHEAST QUARTER OF SECTION 2,
TOWNSHIP 19 NORTH, RANGE 5 EAST, W.M., IN PIERCE COUNTY, WASHINGTON, BEING
MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING ON THE CITY OF BONNEY LAKE CITY LIMIT'S LINE AS ESTABLISHED BY
ORDINANCE NO. 903, RECORDS OF SAID COUNTY, BEING AT THE SOUTHEAST CORNER OF
SAID GOVERNMENT LOT 1, ALSO BEING THE SOUTHEAST CORNER OF TRACT C OF THE
REPLAT OF VIEW ROYAL ESTATES AS RECORDED UNDER RECORDING NUMBER 2666991,
RECORDS OF SAID COUNTY; THENCE NORTH ALONG SAID CITY LIMIT'S LINE AND THE EAST
LINE OF SAID LOT 1 AND THE EAST LINE OF SAID TRACT C TO THE SOUTHERLY MARGIN OF
SR 410; THENCE CONTINUING ALONG SAID CITY LIMIT'S LINE, WESTERLY ALONG SAID
SOUTHERLY MARGIN TO THE NORTHEAST CORNER OF LOT 1 OF PIERCE COUNTY SHORT
PLAT AS RECORDED UNDER RECORDING NUMBER 8203120157 RECORDS OF SAID COUNTY
AND THE WESTERLY MARGIN OF 229TH AVE EAST; THENCE CONTINUING ALONG SAID CITY
LIMIT'S LINE, SOUTH ALONG SAID WESTERLY MARGIN TO THE NORTHEAST CORNER OF LOT
20 OF SAID REPLAT OF VIEW ROYAL ESTATES; THENCE LEAVING SAID CITY LIMIT'S LINE,
EASTERLY ALONG THE NORTH LINE EXTENDED OF SAID LOT 20 TO THE SOUTHWEST
CORNER OF TRACT B OF SAID REPLAT; THENCE CONTINUING EASTERLY ALONG THE
SOUTHERLY LINE OF SAID TRACT B AND TRACT C OF SAID REPLAT TO THE SOUTHEAST
CORNER OF SAID TRACT C AND THE POINT OF BEGINNING.



Delany Annexation
Exhibit D

Legend
— Delany PAA Boundaries



City of Bonney Lake, Washington
City Council Agenda Bill (AB)

Department/Staff Contact: Public Services / Jason Sullivan	Meeting/Workshop Date: March 21, 2017	Agenda Bill Number: AB17-07
Agenda Item Type: Ordinance	Ordinance/Resolution Number: Ordinance No. D17-07	Councilmember Sponsor: Donn Lewis

Agenda Subject: Annexing the Kelly Creek Vista and Delany Potential Annexation Areas into the City of Bonney Lake

Full Title/Motion: 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.

Administrative Recommendation:

Background Summary: Ordinance No. D17-07 will officially annex the Kelly Creek Vista and the Delany Potential Annexation Areas into the City of Bonney Lake. Action on Ordinance No. D17-07 can occur following the public hearing and the City Council’s approval of Resolution 2575 authorizing the Mayor to sign the Annexation Interlocal Agreement and MOU. The annexation would be effective forty-five (45) days from the date of adoption of Ordinance D17-07

Attachments: Ordinance No. D17-07

BUDGET INFORMATION			
Budget Amount	Current Balance	Required Expenditure	Budget Balance
Budget Explanation:			

COMMITTEE, BOARD & COMMISSION REVIEW									
Council Committee Review: Date: _____ Forward to: _____	Approvals: Chair/Councilmember _____ Councilmember _____ Councilmember _____	Yes No <table border="1" style="width: 100%; height: 30px;"> <tr><td style="width: 50%;"></td><td style="width: 50%;"></td></tr> <tr><td></td><td></td></tr> <tr><td></td><td></td></tr> </table>							
		Consent Agenda: <input type="checkbox"/> Yes <input type="checkbox"/> No							
Commission/Board Review:									
Hearing Examiner Review:									

COUNCIL ACTION	
Workshop Date(s): 1/20/15, 2/7/2017	Public Hearing Date(s): 3/14/2017
Meeting Date(s): 1/27/15, 3/14/2017	Tabled to Date: 3/21/2017

APPROVALS		
Director: <i>John P. Vodopich, AICP</i>	Mayor:	Date Reviewed by City Attorney: (if applicable):