AGENDA

Meeting Time: 6:30 p.m.
Location: Bonney Lake City Council Chambers – 19306 Bonney Lake Blvd.

I. CALL TO ORDER – Mayor Neil Johnson

A. Roll Call: [A1.3]

Elected Officials: Mayor Neil Johnson, Deputy Mayor Dan Swatman, Councilmember David Bowen, Councilmember Phil DeLeo, Councilmember Mark Hamilton, Councilmember Dave King, Councilmember Cheryle Noble and Councilmember Jim Rackley.

Planning Commission: Chairman Randy McKibbin, Vice-Chairman Grant Sulham, Commissioner Quinn Dahlstrom, Commissioner David P. Eck, Commissioner Winona Jacobsen, Commissioner Katrina Minton-Davis and Commissioner Dennis C. Poulsen.

Agenda Items:

A. Joint Public Hearing – AB06-331 – Proposed Annexation And Related R-1 Zoning Of “Area 3.”

B. Adjournment

[This meeting will be followed at 7:00 p.m., or as soon thereafter as possible, by the regular City Council meeting scheduled for October 10, 2006.]
City of Bonney Lake, Washington
Council Agenda Bill (C.A.B.) Approval Form

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<th>Council/Wrksch Mtg Date:</th>
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<td>P&amp;CD/Bob Leedy</td>
<td>10/10/06</td>
<td>AB 06-331</td>
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**BUDGET INFORMATION**

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**Explanation:**

**Agenda Subject:** “Annexation Area 3” PUBLIC HEARING

**Administrative Recommendation:** Receive testimony on proposed annexation and related zoning (R-1)

**Background Summary:** On 8/22/06 City Council authorized circulation of the official 60% petitions to Annexation Area 3. Petitions exceeding the requisite 60% assessed value necessary for an annexation were received; the 60% Petitions were certified (sufficient per RCW) by Pierce Co. Assessor-Treasurer on 10/3/06. Council must now hold a hearing to receive testimony on the proposed annexation. The Planning Commission must hold a hearing on the proposed zoning of the annexation area.

**Proposed Next Steps (subject to change):**
10/16/06 CDC: Discussion of hearing testimony and 1st reading of Res 1621 authorizing filing of Notice of Intent
10/24/06 COUNCIL MTNG: Approval of Res. 1621 authorizing staff to file Notice of Intent with BRB
10/26/06: NOI filed with BRB (45 day review period begins)
12/19/06 Council to adopt ordinance making annexation effective
1/23/07 Annexation effective date

**Attachments:**
Staff report
Legal description (prepared 9/1/06, approved by Pierce CO. 9/7/06)
Map of annexation area
Timeline for processing annexation

**Council Committee Dates:**
- Finance Committee:
- Public Safety Committee:
- Community Development & Planning Committee: 8/14/06
- Council Meeting: 8/22/06, 9/26/06 (set hearing date)

**Agency/Commission Dates:**
- Planning Commission: 9/20/06
- Design Commission:
- Civil Service Commission:

**Board/Hearing Examiner Dates:**
- Park Board:
- Hearing Examiner:

**Council Action:**
Council Call for Hearing: Council Hearings Date:
Council Referred Back to: Workshop: Committee
Council Tabled Until: Council Meeting Dates:

**Signatures:**
Dept Dis: [Signature]
Mayor: [Signature]
Date City Attorney reviewed: n/a
APPLICATION SUMMARY

The City of Bonney Lake attempted to annex "Area 3" (less the Vandermark Rd. segment) in 2001 using the election method of annexation. Voters in the area rejected the annexation. In late 2003, the then-owner of the Bohemian Estates Plat (Euro-Way Homes) approached the City requesting to annex their 30 acre parcel. After lengthy discussions, Council generally preferred to annex the entire "Annexation Area 3" rather than piecemeal annexation of just one parcel. After much consideration and review of assessed valuation data from the parcels in the area, it was determined that a successful annexation was not likely. Until the 30 acre parcel is developed, the land value is too low to guarantee a successful annexation. The applicant withdrew their annexation application and instead entered into an Annexation Utility Agreement with the City. The City's intention was to wait until Bohemian Estates was finaled and its assessed value increased before beginning another annexation effort.

A second development is now in process (Tapps Hideaway), located just south of the Bohemian Estates and PSE properties. Tapps Hideaway will consist of 8 parcels, all of which have recorded Annexation Utilities Agreements with the City of Bonney Lake. The developer for Tapps Hideaway (tentatively 115 lots) intends to wait until after annexation to file their plat application with the City, providing the annexation is successful within a reasonable period of time. With the addition of the eight Tapps Hideaway parcels and one proposed shortplat, the City was able to secure the requisite 60% petitions (signatures representing 60% of the total assessed value of the area). The petitions were verified by Pierce Co. Assessor-Treasurer, per RCW, on 10/3/06.

Existing Comprehensive Plan Land Use Designation

The annexation territory is located within the City of Bonney Lake's approved Urban Growth Area created under RCW 36.70A.110. By RCW 35A.14.005, only territories within urban growth areas may be annexed by code cities. Pierce County has not completed a community plan for the area due to the annexation area's location within the City's approved UGA. The current Pierce County Comprehensive Plan designation for the annexation territory is MSF, Moderate Density Single Family. The City's Comprehensive Plan designates this property as Single Family Residential.

Proposed Comprehensive Plan Land Use Designation

The City of Bonney Lake has contemplated and planned for future growth within this portion of its UGA. The Comprehensive Plan for the City of Bonney Lake was adopted on May 30, 1995 with amendments approved in 1996.

"The City of Bonney Lake's mission is to protect the community's livable identity and scenic beauty through responsible growth planning and by providing accountable, accessible and efficient local government services."

Existing Zoning
The subject property is currently located in the City’s UGA within unincorporated Pierce County, and is zoned Moderate Density Single Family (MSF) by Pierce Co. A portion of the proposed annexation area abuts the city limits/Clarks Cove plat on the western side, the majority of which is zoned R-1, Low-Density Residential. The property abuts city limits/Maple Point Addition plat to the north, which is zoned R-2, Medium-Density Residential. The unincorporated rural property to the east is outside the city limits and urban growth boundary and is zoned R5 (Rural 5).

Proposed Zoning
To implement the adopted land use designation assigned by the city’s Comprehensive Plan, the proposed zoning for the annexation area is R-1, Low-Density Residential. The R-1 zone classification is consistent with the Comprehensive Plan Land Use Designation of Single-Family Residential.

REQUIREMENTS OF RCW 35A.14.120:
1.) Decide whether to accept, reject or geographically modify proposed boundaries of annexation area.
The boundary of the proposed annexation area is the most logical geographic area possible given the circumstances. City Council previously stated that their desire was to annex all of this UGA rather than piecemeal annexation. Pierce Co. is requesting that the City also include the Vandermark Rd. segment to “clean up” legal description errors from prior years. The City and County have both treated this segment of road as if it was all in the City (as it should have been); the addition of this segment in the legal description for Annexation Area 3 will authorize the map correction.

2.) Decide whether to require simultaneous adoption of a proposed zoning regulation, if such a proposal has been prepared and filed for the area to be annexed as provided for in RCW 35A.14.330 and 35A.14.340
BLMC 18.52.030 (F) The assignment of zoning to an annexation area shall be deemed a form of rezone, to be processed as a Type 6 permit or area-wide rezone depending on whether the annexation is site-specific or area-wide.
The City did not establish “preannexation zoning” for this area but it did adopt land use designations for its urban growth areas when the Comprehensive Plan was adopted. The adopted comprehensive plan land use designation for this parcel is low-density residential. The implementing zoning classification is R-1 low-density zoning. In accordance with the City’s adopted Comprehensive Plan and Municipal Code, the proposed zoning for this annexation area is therefore R-1 low-density residential. Staff recommends the simultaneous adoption of zoning, concurrent with annexation effectiveness.

3.) Decide whether to require assumption of all or any portion of existing city indebtedness by area to be annexed.
Council opted previously to require annexed residents to assume current city indebtedness (only outstanding bond is for Public Safety Building –2011). Even with assumption of current city indebtedness, residents will experience a slight decrease in their property tax rate over what they currently pay to the County road fund.

OTHER CONSIDERATIONS
If the annexation progresses to the point of adoption, Council will need to concurrently adopt an ordinance revising Council Ward 5 boundary to assign council representation to the newly annexed area.

STAFF RECOMMENDATION
Receive testimony on proposed Annexation Area 3 and related zoning (R-1).
BEGINNING AT THE NORTHEAST CORNER OF THE SOUTHEAST QUARTER OF SECTION 27, TOWNSHIP 20 NORTH, RANGE 5 EAST, W.M., PIERCE COUNTY, WASHINGTON; THENCE SOUTH ALONG THE EAST LINE OF SAID SOUTHEAST QUARTER A DISTANCE OF 80 FEET, MORE OR LESS, TO A POINT OPPOSITE THE SOUTHEAST CORNER OF LOT 7, LAKE TAPPS CEDAR ADDITION ACCORDING TO PLAT THEREOF RECORDED IN VOLUME 18 OF PLATS, PAGE 88, RECORDS OF PIERCE COUNTY, WASHINGTON; THENCE WEST ALONG THE SOUTH LINE OF SAID LOT 7 AND THE EASTERLY PRODUCTION THEREOF, A DISTANCE OF 1040 FEET, MORE OR LESS, TO THE WEST RIGHT-OF-WAY LINE OF VANDERMARK ROAD EAST; THENCE NORTHERLY ALONG SAID WESTERLY RIGHT-OF-WAY LINE OF VANDERMARK ROAD A DISTANCE OF 2300 FEET, MORE OR LESS, TO THE INTERSECTION OF THE NORTHERLY RIGHT-OF-WAY LINE OF VANDERMARK ROAD EAST AND THE 545 FOOT CONTOUR LINE OF THE LAKE TAPPS RESERVOIR AS SHOWN ON LOT 1, CHURCH LAKE WATERFRONT TRACTS DIVISION NO. 2 AS RECORDED IN VOLUME 22, PAGE 16, RECORDS OF PIERCE COUNTY, WASHINGTON IN THE NORTHEAST QUARTER OF SECTION 27, TOWNSHIP 20 NORTH, RANGE 5 EAST; THENCE SOUTHEASTERLY, TO THE BRIDGE SHOWN ON SAID PLAT; THENCE NORTHEASTERLY ALONG SAID BRIDGE TO THE NORTHERLY RIGHT-OF-WAY LINE OF VANDERMARK ROAD EAST AT THE MOST SOUTHERLY CORNER OF LOT 1, MAPLE POINT ADDITION TO INLET ISLAND AS RECORDED IN VOLUME 24, PAGE 60, RECORDS OF PIERCE COUNTY, WASHINGTON; THENCE NORTHEASTERLY ALONG THE NORTHERLY RIGHT-OF-WAY LINE OF VANDERMARK ROAD EAST A DISTANCE OF 160 FEET, MORE OR LESS, TO THE WESTERLY RIGHT-OF-WAY LINE OF 207TH AVENUE EAST (FORMERLY Y.M.C.A. COUNTY ROAD); THENCE NORTHERLY ALONG SAID WESTERLY RIGHT-OF-WAY LINE OF 207TH AVENUE EAST A DISTANCE OF 324 FEET, MORE OR LESS, TO A POINT ON THE SOUTH LINE OF SECTION 22, TOWNSHIP 20 NORTH, RANGE 5 EAST, W.M.; THENCE EAST ALONG SAID SOUTH LINE A DISTANCE OF 31 FEET, MORE OR LESS, TO THE CENTERLINE OF 207TH AVENUE EAST; THENCE NORTHERLY AND NORTHWESTERLY ALONG THE CENTERLINE OF 207TH AVENUE EAST A DISTANCE OF 1460 FEET, MORE OR LESS, TO THE NORTH LINE OF THE SOUTHEAST QUARTER OF THE SOUTHEAST QUARTER OF SECTION 22, TOWNSHIP 20 NORTH, RANGE 5 EAST, W.M.; THENCE EAST ALONG SAID NORTH LINE A DISTANCE OF 1070 FEET, MORE OR LESS, TO SAID 545 FOOT CONTOUR ON THE LAKE TAPPS RESERVOIR; THENCE SOUTHEASTERLY ALONG SAID 545 FOOT CONTOUR A DISTANCE OF 240 FEET, MORE OR LESS, TO THE EAST LINE OF THE SOUTHEAST QUARTER OF SECTION 22, TOWNSHIP 20 NORTH, RANGE 5 EAST, W.M.; THENCE SOUTH A DISTANCE OF 1130 FEET, MORE OR LESS, TO THE SOUTHEAST CORNER OF SAID SECTION 22; THENCE SOUTH A DISTANCE OF 2640 FEET, MORE OR LESS, TO THE NORTHEAST CORNER OF THE SOUTHEAST QUARTER OF SECTION 27, TOWNSHIP 20 NORTH, RANGE 5 EAST, W.M. AND POINT OF BEGINNING.

EXCEPT THAT PORTION OF 218TH AVENUE EAST LYING SOUTHERLY OF THE NORTHERLY RIGHT-OF-WAY LINE IDENTIFIED IN PIERCE COUNTY ORDINANCE NO. 91-27.
TOGETHER WITH VANDERMARK ROAD IN THE NORTHEAST QUARTER OF THE
SOUTHEAST QUARTER OF SECTION 27, TOWNSHIP 20 NORTH, RANGE 5 EAST
LYING WESTERLY OF A LINE 30 FEET WESTERLY OF AND PARALLEL WITH THE
EAST LINE OF SAID SUBDIVISION.
City of Bonney Lake
Proposed Annexation Area 3

MAP LEGEND
- Urban Growth Boundaries*
- - Urban Growth Area Boundary
- Annexation Area 3
- Hydro - Surface Boundaries
- Water body
- Public Roads
- - Private roads
- Tax Parcels*
- City of Bonney Lake
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### Project Timeline

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<td>8/22/06</td>
<td>County Council: Action required, forward motion and approving circulation of 60% proof of work.</td>
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| 9/0/06 | County Council: Adoption of rezoning and planning process.

#### Zoning: R-3A, R-4, R-5A, R-5B

CITY OF BONNEY LAKE - PROPOSED "ANNEXATION AREA 3" PETITION METHOD ANNEXATION - RCW 36.70A.140-150  
DRAFT 9/23/06