

**SPECIAL JOINT CITY  
COUNCIL AND PLANNING  
COMMISSION MEETING**

**November 14, 2006  
6:30 p.m.**

**AGENDA**

City of



*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.*

*"Where Dreams Can Soar"*

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**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 – AB06-351 – Proposed Annexation And Related R-1 Zoning Of “Area 1-B”.** [A 3.6.12]
- B. Motion of the Bonney Lake City Council** to waive the provisions of BLMC 2.04.710 at this time to allow discussion and action immediately following the public hearing. [A 3.6.10]
- C. Motion of the Bonney Lake Planning Commission** to waive the provisions of BLMC 2.04.710 at this time to allow discussion and action immediately following the public hearing. [A 3.6.10]
- D. Joint Discussion** of public hearing testimony and issues associated with the proposed annexation and zoning of Area 1-B.
- E. Motion of the Bonney Lake Planning Commission** recommending R-1 zoning for Annexation Area 1-B. [A 3.6.10]
- F. AB06-353 – Resolution 1631 – A Resolution Of The City Council Of The City Of Bonney Lake, Pierce County, Washington, Formally Expressing Its Intent To Annex “Area 1-B”, A Territory Of Approximately 104 Acres Located Adjacent To The Current City Limits.** [O 3.2]
- G. 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 November 14, 2006.]





## Staff Report

"Annexation Area 1-B" – PLN 2005-0583; project 58100583

Staff Report: 11/8/06 for 11/14/06 Joint City Council/Planning Commission Hearing

**Date:** November 8, 2006

**Applicant(s):** City of Bonney Lake

**Annexation method:** Petition Method – RCW 35A.14.120

**Location:** Sections 27 and 34, Township 20N, R5E W.M.  
The annexation area borders existing city limits on the north and east sides. The southern border is the south edge of Kelly Lake Rd. E., which is also the Urban Growth Boundary. The western border is generally Church Lake Rd. E. The area contains the existing plats of Kelly Glen and Foxglove and four preliminary/proposed plats (Hemminger Plat, Highland Ridge, Ptarmigan Ridge, Kelly Lake Park).

**Staff Contact:** Shannon Mayfield-Porter, 253-447-4354

### SUMMARY

The City of Bonney Lake attempted to annex the entirety of "Annexation Area 1" (260 acres) in 2004/early 2005 using the alternative petition method (50% acreage, 50% voters). Staff was unable to secure the requisite number of signatures before the petitions expired (6 months); the annexation effort failed. Council agreed to break the 260 acre UGA into three smaller sub-areas to increase the possibility for a successful annexation.

**Sub-Area 1-A** The City is currently pursuing this annexation by "island method" (RCW 35A.14.295-297).

**Sub-Area 1-B** The City is concurrently pursuing annexation of Sub-Area 1-B by petition method (60% valuation). At the June 5, 2006 CDC meeting, Council members indicated that the City should proceed with annexing 1-A and 1-B now, and since there is little to no current interest from the property owners of 1-C, wait until a later date to annex 1-C.

**Sub-Area 1-C** No action at this time.

Annexation Area 1-B is approximately 104.02 acres – including acreage from parcels and right-of-way. There are 71 residential parcels total, some of which are in existing Kelly Glen and Foxglove plats. Highland Ridge and Ptarmigan Ridge have preliminary plat approval. Hemminger Plat has been filed with Pierce Co. and is awaiting preliminary plat approval. Kelly Lake Park withdrew their initial application to Pierce Co. and is waiting until after annexation to apply with the City of Bonney Lake.

On July 17, 2006, City Council authorized circulation of the official 60% Petitions. They were mailed to residents of the annexation area on August 24, 2006. On October 24, 2006, the City received the last petition necessary to meet the 60% assessed value requirement. Petitions were submitted to Pierce Co., and the Assessor-Treasurer certified the petitions on November 6, 2006. City Council and the Planning Commission must now hold public hearings to receive testimony about the annexation itself, and the proposed R-1 zoning.

### Existing comprehensive plan land use designation

The site is located within the City of Bonney Lake's approved Urban Growth Area created under RCW 36.70A.110. Per 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 area's location within the City's approved UGA. The current Pierce County Comprehensive Plan designation for the site is MSF, Moderate Density Single Family. The City's

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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, 1998, 2000, 2001, 2002, 2004 and 2005. Bonney Lake's Urban Growth Area was originally approved on May 28, 1996 with amendments approved in September, 1996 and November, 2003. The Comprehensive Plan designates the annexation area as Single Family Residential.

#### **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.

#### **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 Low-Density Residential. The proposed City zoning for the area is also consistent with current County zoning. Future buildout under City zoning has been analyzed in its environmental documents and comprehensive land use plans.

#### **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. Annexation Area 1-A must be less than 100 acres in order to qualify for the "island method" of annexation. In order to meet that size requirement, the "Hemminger Plat" had to be included in Annexation Area 1-B. A segment of Kelly Lake Rd. E. that is adjacent and south of Springhaven Plat is also included in the annexation area. Technically, it should have been included in the Springhaven annexation. The annexation boundary for 1-B shall extend to the southern edge of Kelly Lake Rd. E., east to the western edge of 214<sup>th</sup> Ave. E. (all of 214<sup>th</sup> Ave. E. will be *excluded* from the annexation area).

##### **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. (E) The criterion for granting rezones shall be conformance to the comprehensive plan.*

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 single-family 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.**

City Council opted to require the newly annexed residents to assume the existing city indebtedness. The only outstanding General Obligation bond is for the Public Safety building with a final maturity date of 2011. Even with the bond, the City's property tax rate is lower than the Pierce Co. rate and residents will realize a savings in their property tax payment after annexation.

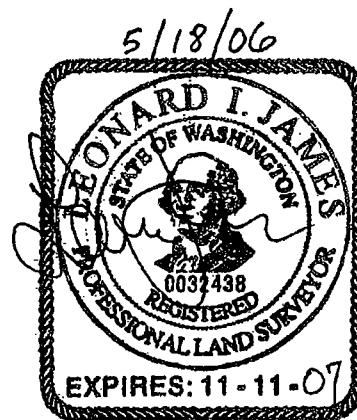
#### **STAFF RECOMMENDATION**

Approve Resolution 1631 authorizing the Notice of Intent to Commence Annexation Proceedings with the Pierce Co. Boundary Review Board.

Bonney Lake Annexation Legal Description (Revised 20060518)

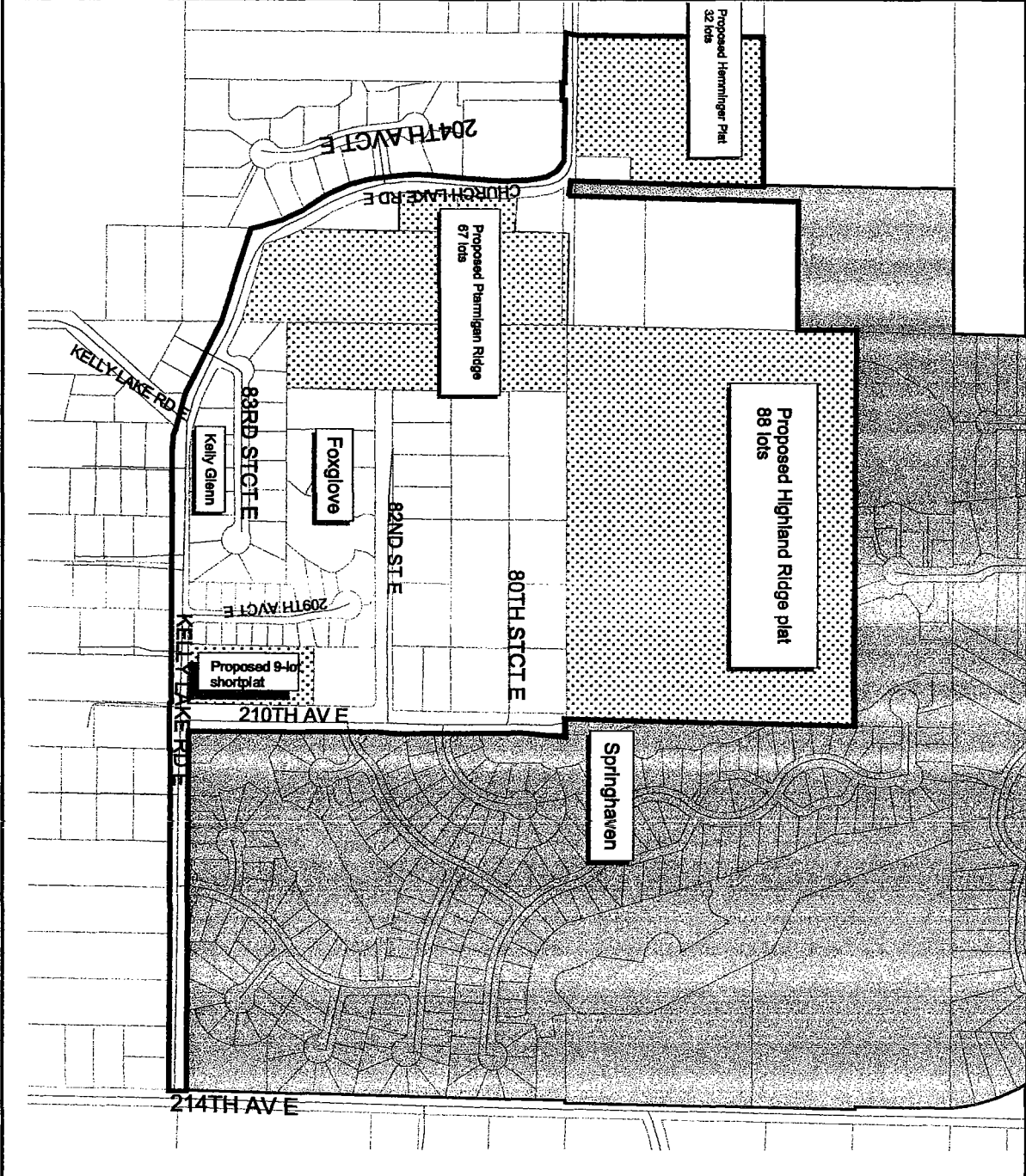
Commencing at the Northwest Corner of the Northeast Quarter of the Northwest Quarter of Section 34, Township 20 North, Range 5 East of the Willamette Meridian; thence along the north line of said subdivision South 89°22'15" East a distance of 330.00 feet to the True Point of Beginning; thence North 01°08'27" East a distance of 666.50 feet; thence South 89°26'36" East a distance of 519.95 feet to the west line of a tract of land conveyed to R.H. Carnakan and Emma Carnakan, husband and wife, by deed recorded March 12, 1928 under Recording No. 892764; thence along said west line South 01°02'14" West a distance of 667.15 feet to the north line of aforesaid Northeast Quarter of the Northwest Quarter of Section 34; thence along said line South 89°21'30" East a distance of 49.21 feet to the west line of the east 445.00 feet of the Southeast Quarter of the Southwest Quarter of Section 27, Township 20 North, Range 5 East of the Willamette Meridian; thence along said west line North 01°01'32" East a distance of 792.02 feet to the north line of the south 792.00 feet of said subdivision; thence along said north line South 89°22'15" East a distance of 445.01 feet to the east line of said subdivision; thence along said east line North 01°01'32" East a distance of 204.68 feet to the Southwest Corner of Tract A plat of Winterhaven as recorded under Pierce County Auditor Fee No. 200302195002; thence along the south line of said plat of Winterhaven South 89°46'23" East a distance of 1346.39 feet to the Southeast Corner of said plat of Winterhaven and the west line of Lot 145 plat of Springhaven as recorded under Pierce County Auditor Fee No. 200204255008; thence along the west line of said plat of Springhaven South 01°00'40" West a distance of 994.89 feet to the Southwest Corner of Tract R of said plat of Springhaven; thence along the south line of said Tract R South 89°37'55" East a distance of 52.45 feet to the west line of Tract J of said plat of Springhaven; thence along said west line of Tract J and continuing along the west line of said plat of Springhaven South 00°29'36" West a distance of 1297.64 feet to the north right of way of Kelly Lake Road East; thence along said right of way South 89°41'34" East a distance of 1242.76 feet to the west right of way of 214th Avenue East; thence along said right of way South 01°24'45" West a distance of 30.01 feet to the south line of the Northeast Quarter of the Northeast Quarter of Section 34, Township 20 North, Range 5 East of the Willamette Meridian; thence continuing along aforesaid west line of 214th Avenue East right of way South 01°24'24" West a distance of 30.01 feet; thence North 89°41'34" West a distance of 20.39 feet to a point of cusp for a return curve in the northeast corner of Lot 2 Short Plat 76-252 also being the Northeast Corner of Kelly Creek Garden Tracts and the south right of way of aforesaid Kelly Lake Road East; thence along said south right of way and said north line of Kelly Creek Garden Tracts North 89°41'34" West a distance of 1177.55 feet to Northeast Corner of Short Plat 8602260216; thence along the east line of said short plat South 0°54'52" West a distance of 5.00 feet to the south line of a 5.00 foot wide quit claim deed to Pierce County for right of way per Auditor's Fee Number 8602190320; thence along said south line North 89°41'34" West a distance of 130.42 feet to an angle point on said south line; thence North 89°42'14" West a

distance of 29.50 feet to the West line of said Short Plat 8602260216; thence along said west line North 0°55'07" East a distance of 5.00 feet to the Northwest Corner of said Short Plat 8602260216; thence continuing along said right of way North 89°42'14" West a distance of 853.07 feet to the beginning of a curve tangent to said line; thence westerly and northwesterly a distance of 206.69 feet along the curve concave to the north, having a radius of 533.00 feet and a central angle of 22°13'06" to the Northeast Corner of Lot 3 of Pierce County Short Plat 8305050332 and the beginning of the south right of way of Church Lake Road; thence continuing along said curve and said line a distance of 46.92 feet having a radius of 533.00 feet and a central angle of 05°02'36"; thence continuing along said right of way North 62°26'32" West tangent to said curve a distance of 236.98 feet; thence North 69°38'49" West a distance of 356.48 feet to the beginning of a non-tangent curve whose radius point bears South 74°51'48" West; thence northerly and northwesterly along said curve concave to the southwest, a distance of 217.76 feet having a radius of 718.54 feet and a central angle of 17°21'50" to a point of reverse curvature; thence northwesterly and northerly a distance of 219.72 feet along the arc of said curve concave to the east having a radius of 567.66 feet and a central angle of 22°10'36" to a point of compound curvature; thence northerly and northeasterly a distance of 226.83 feet along the arc of said curve concave to the east having a radius of 836.14 feet and a central angle of 15°32'36"; thence North 05°13'10" East tangent to said curve a distance of 163.39 feet to the beginning of a curve tangent to said line; thence northerly a distance of 190.64 feet along the curve concave to the west, having a radius of 705.91 feet and a central angle of 15°28'23" to a point of compound curvature; thence northerly, northwesterly and westerly a distance of 101.80 feet along the arc of said curve concave to the southwest having a radius of 85.71 feet and a central angle of 68°03'00"; thence on a line non-tangent to said curve North 89°22'15" West a distance of 193.44 feet; thence South 00°37'10" West a distance of 10.00 feet; thence North 89°22'15" West a distance of 60.00 feet; thence North 00°37'10" East a distance of 10.00 feet; thence North 89°22'15" West a distance of 168.29 feet; thence South 00°37'10" West a distance of 10.00 feet; thence North 89°22'15" West a distance of 6.81 feet; thence North 01°08'27" East a distance of 30.01 feet to the Point of Beginning.











**City of Bonney Lake: Proposed Annexation Area 1-B**  
**60% Petition method (RCW 35A.14.120); Project 58100583, Permit PLN 2004-00376**

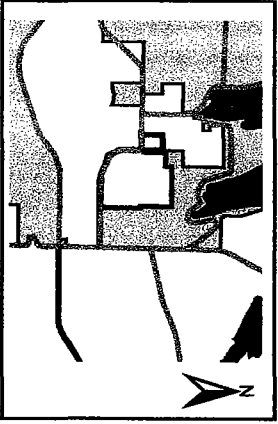
h:\city\_bon\delat\annex\2006\annex area 1-b only Oct 06.spr (emp) - "letter size -hearing" layout



**MAP LEGEND**

-  Annex Area 1-B
-  Tax Parcels
-  Roads
-  Proposed Plats (currently through Pierce Co.)
  -  Highland Ridge
  -  Parmigan Ridge
  -  Hemminger Plat
  -  Kelly Lake Park-9 lot sp

Scale 1:6800



11:33 Oct 19, 2006



**RESOLUTION NO. 1631**

**A RESOLUTION OF THE CITY COUNCIL OF CITY OF BONNEY LAKE, PIERCE COUNTY, WASHINGTON, FORMALLY EXPRESSING ITS INTENT TO ANNEX "AREA 1-B", A TERRITORY OF APPROXIMATELY 104 ACRES LOCATED ADJACENT TO THE CURRENT CITY LIMITS.**

**WHEREAS**, the City of Bonney Lake seeks to annex territory to the adjoining City of Bonney Lake corporate limits for the purpose of fulfilling Policies 3-3b and 3-3c, from the Comprehensive Plan Land Use Element to "Require properties within its UGA to annex prior to providing them with services" and "Strive for regular City boundaries", respectively; and

**WHEREAS**, the annexation is being processed by the petition method provided for in RCW 35A.14.120; and

**WHEREAS**, proposed "Annexation Area 1-B" is located in Sections 27 and 34, Township 20N, R5E W.M. and is bordered by existing city limits on the north and east sides. The southern border is the south edge of Kelly Lake Rd. E., which is also the Urban Growth Boundary. The western border is generally Church Lake Rd. E; and

**WHEREAS**, the legal description for the area was approved by the Pierce Co. Boundary Review Board on July 7, 2006; and

**WHEREAS**, the City of Bonney Lake adopted its Comprehensive Plan and Urban Growth Area (UGA) by Ordinance 721 on May 28, 1996, and adopted amendments to the Comprehensive Plan's UGA by Ordinance 721A on September 10, 1996; and

**WHEREAS**, the annexation area is entirely within the Pierce County Urban Growth Area and such incorporation-annexation is authorized by RCW 35A.14.120; and

**WHEREAS**, the proposed annexation represents a logical extension of the corporate limits of the City of Bonney Lake into its established UGA; and

**WHEREAS**, the proposed zoning classification for "Annexation Area 1-B" is R-1 (BLMC 18.14), the appropriate zone to implement the previously adopted Single Family Residential land use designation; and

**WHEREAS**; upon annexation approval, all property within the proposed annexation area 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; and

**WHEREAS**, the 60% Petitions for the annexation were deemed sufficient pursuant to the requirements of RCW 35A.01.040 by the Pierce County Assessor-Treasurer's office on November 6, 2006; and

**WHEREAS**, RCW 35A.14.130 requires the Bonney Lake City Council to hold a public hearing for the purpose of hearing testimony from residents of the proposed annexation area and Bonney Lake Municipal Code 14.140.080 requires the Bonney Lake Planning Commission to hold a public hearing to hear testimony on the proposed zoning of the annexation area; and

**WHEREAS**, the Bonney Lake City Council and Planning Commission held a joint public hearing to receive testimony on the annexation and proposed R-1 zoning on November 14, 2006; and

**WHEREAS**, the Bonney Lake City Council has determined that the interests of the people of the City of Bonney Lake will be best served if said territory is annexed to and becomes part of the City of Bonney Lake;

**NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF BONNEY LAKE, WASHINGTON THAT:**

**Section 1.** The City Council of the City of Bonney Lake hereby declares its intent to annex, via the 60% petition method, the real property described on Exhibit 'A' and depicted on Exhibit 'B' attached hereto and incorporated by reference, subject to the following requirements:

Proper City of Bonney Lake zoning shall be established for said territory by ordinance concurrent with approval of annexation.

**Section 2.** The City Council refers the matter to staff to file a Notice of Intention to Annex with the Pierce County Boundary Review Board for approval pursuant to the provisions of RCW 36.93. Following Board action, staff shall bring the matter back to Council for further action consistent with the provisions of RCW 35A.14.120.

**Section 3.** The City Council hereby conditionally approves the annexation of "Area 1-B" by petition method, pending review by the Pierce Co. Boundary Review Board.

**PASSED** by the City Council this \_\_\_\_\_ day of November, 2006.

\_\_\_\_\_  
Neil Johnson Jr., Mayor

ATTEST:

\_\_\_\_\_  
Harwood T. Edvalson, City Clerk

APPROVED AS TO FORM:

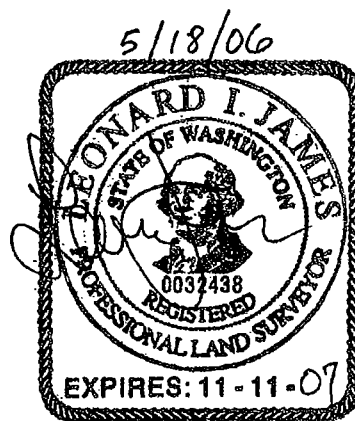
\_\_\_\_\_  
James Dionne, City Attorney

**Exhibit A: Resolution 1631  
11/14/06, Annexation Area 1-B  
Legal Description (5/18/06)**

Bonney Lake Annexation Legal Description (Revised 20060518)

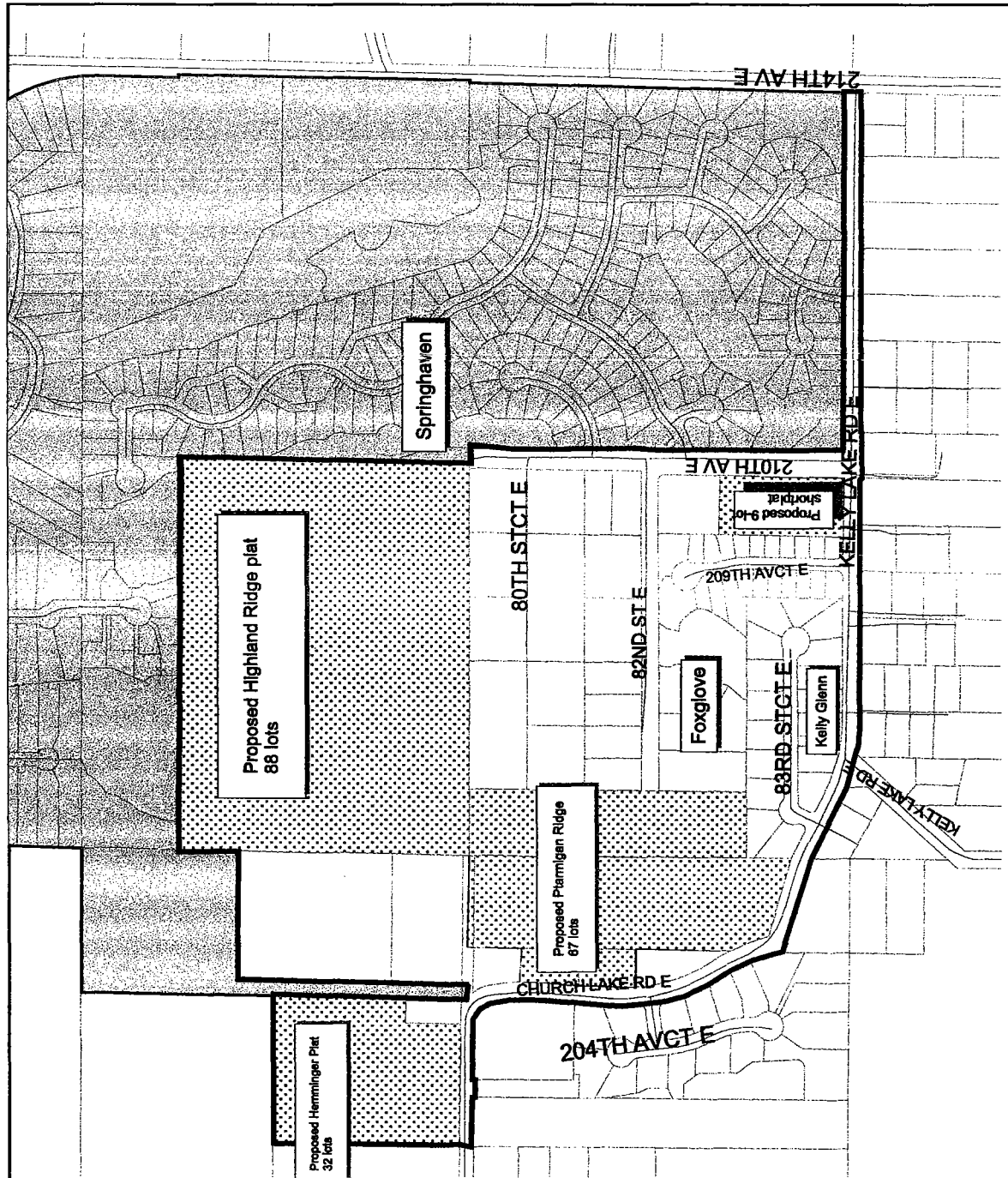
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**City of Bonney Lake: Proposed Annexation Area 1-B**

60% Petition method (RCW 35A.14.120); Project 58100583, Permit PLN 2004-00376



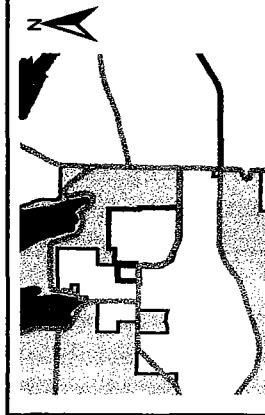
**MAP LEGEND**

- Annex Area 1-B
- Tax Parcels
- Roads

Proposed Plats (currently through Pierce Co.)

- Highland Ridge
- Ptarmigan Ridge
- Hemminger Plat
- Kelly Lake Park-9 lot sp

Scale 1:6800



11:33 Oct 19, 2006

City of Bonney Lake, 2006. All rights reserved. This map is a work of art. It is not intended to be used for any other purpose. It is not a legal document. It is not a survey. It is not a map. It is a work of art.

**Staff Report****“Annexation Area 1-B” – PLN 2005-0583; project 58100583****Staff Report: 11/8/06 for 11/14/06 Joint City Council/Planning Commission Hearing**

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**Date:** November 8, 2006**Applicant(s):** City of Bonney Lake**Annexation method:** Petition Method – RCW 35A.14.120**Location:** Sections 27 and 34, Township 20N, R5E W.M.  
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The City of Bonney Lake attempted to annex the entirety of “Annexation Area 1” (260 acres) in 2004/early 2005 using the alternative petition method (50% acreage, 50% voters). Staff was unable to secure the requisite number of signatures before the petitions expired (6 months); the annexation effort failed. Council agreed to break the 260 acre UGA into three smaller sub-areas to increase the possibility for a successful annexation.

**Sub-Area 1-A** The City is currently pursuing this annexation by “island method” (RCW 35A.14.295-297).

**Sub-Area 1-B** The City is concurrently pursuing annexation of Sub-Area 1-B by petition method (60% valuation). At the June 5, 2006 CDC meeting, Council members indicated that the City should proceed with annexing 1-A and 1-B now, and since there is little to no current interest from the property owners of 1-C, wait until a later date to annex 1-C.

**Sub-Area 1-C** No action at this time.

Annexation Area 1-B is approximately 104.02 acres – including acreage from parcels and right-of-way. There are 71 residential parcels total, some of which are in existing Kelly Glen and Foxglove plats. Highland Ridge and Ptarmigan Ridge have preliminary plat approval. Hemminger Plat has been filed with Pierce Co. and is awaiting preliminary plat approval. Kelly Lake Park withdrew their initial application to Pierce Co. and is waiting until after annexation to apply with the City of Bonney Lake.

On July 17, 2006, City Council authorized circulation of the official 60% Petitions. They were mailed to residents of the annexation area on August 24, 2006. On October 24, 2006, the City received the last petition necessary to meet the 60% assessed value requirement. Petitions were submitted to Pierce Co., and the Assessor-Treasurer certified the petitions on November 6, 2006. City Council and the Planning Commission must now hold public hearings to receive testimony about the annexation itself, and the proposed R-1 zoning.

**Existing comprehensive plan land use designation**

The site is located within the City of Bonney Lake's approved Urban Growth Area created under RCW 36.70A.110. Per 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 area's location within the City's approved UGA. The current Pierce County Comprehensive Plan designation for the site is MSF, Moderate Density Single Family. The City's

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“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.”

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, 1998, 2000, 2001, 2002, 2004 and 2005. Bonney Lake's Urban Growth Area was originally approved on May 28, 1996 with amendments approved in September, 1996 and November, 2003. The Comprehensive Plan designates the annexation area as Single Family Residential.

**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.

**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 Low-Density Residential. The proposed City zoning for the area is also consistent with current County zoning. Future buildout under City zoning has been analyzed in its environmental documents and comprehensive land use plans.

**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. Annexation Area 1-A must be less than 100 acres in order to qualify for the "island method" of annexation. In order to meet that size requirement, the "Hemminger Plat" had to be included in Annexation Area 1-B. A segment of Kelly Lake Rd. E. that is adjacent and south of Springhaven Plat is also included in the annexation area. Technically, it should have been included in the Springhaven annexation. The annexation boundary for 1-B shall extend to the southern edge of Kelly Lake Rd. E., east to the western edge of 214<sup>th</sup> Ave. E. (all of 214<sup>th</sup> Ave. E. will be *excluded* from the annexation area).

**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. (E) The criterion for granting rezones shall be conformance to the comprehensive plan.*

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 single-family 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.**

City Council opted to require the newly annexed residents to assume the existing city indebtedness. The only outstanding General Obligation bond is for the Public Safety building with a final maturity date of 2011. Even with the bond, the City's property tax rate is lower than the Pierce Co. rate and residents will realize a savings in their property tax payment after annexation.

**STAFF RECOMMENDATION**

Approve Resolution 1631 authorizing the Notice of Intent to Commence Annexation Proceedings with the Pierce Co. Boundary Review Board.

CITY OF BONNEY LAKE - PROPOSED "ANNEXATION AREA 1 - SUBAREA 1-B" PETITION-METHOD ANNEXATION - RCW 35A.14.120-150  
 Zoning: RCW 35A.14.330-340

PROJECT TIMELINE

DATE DUE	TASK	COMPLETED
7/5/06	Legal description submitted to Pierce Co. for verification/approval	Approved 7/7/06.
July 17	<b>CDC MEETING:</b> Formal presentation of 10% petition and request to authorize circulation of official 60% petitions. MOTION shall include: 1.) accepting/rejecting/geographically modifying proposed annex. boundaries; 2.) proposed zoning 3.) whether to require assumption of current city indebtedness 4.) authorization to circulate official 60% petition	7/17/06
July 19	<b>PLANNING COMMISSION:</b> Staff report with background, status, discussion of annexation and zoning; agree to joint Council/PC meeting date for hearing	7/19/06
August 8	<b>COUNCIL MEETING:</b> Action required: formal motion authorizing circulation of 60% petitions (see above under 7/17 CDC MEETING)	8/8/06
August 22	<b>COUNCIL MEETING:</b> approval of 8/8 minutes (must have signed approved copy of minutes for 60% petition)	8/22/06
October 24	<b>COUNCIL MEETING:</b> Set joint public hearing date (with Planning Commission) on annexation and zoning	10/24/06
November 1	<b>PLANNING COMMISSION MEETING:</b> Set joint public hearing date (zoning) for annexation area per BLMC 14.140.080	11/01/06
11/14/06	<b>JOINT CC/PC WORKSHOP:</b> • Joint public hearing on proposed annexation AND zoning • Discussion of hearing testimony • Recommendation by the Planning Commission on zoning • Action on Resolution 1631 authorizing filing Notice of Intent to Annex with Boundary Review Board	
1/02/07	<b>BRB 45-day review period ends (assuming jurisdiction was not invoked)</b>	
1/2/07	<b>CDC:</b> 1 <sup>st</sup> reading of: 1.) Resolution with Interlocal Agreement between City and PC for post-annexation permit processing; 2.) Ordinance making annexation effective no less than 30-days from adoption (30 days required by RCW 35A.14.801 – need to provide 30 days notice to ATR before effective date to receive proper tax distribution) include assumption of indebtedness; and 3.) Ordinance assigning zoning to annexation area 4.) Ordinance revising Council Ward 5 boundaries.	
1/09/07	<b>CITY COUNCIL MTNG.:</b> Adopt Resolution and 3 Ordinances: RES _____ - Interlocal Agreement for post-annexation permit processing ORD _____ - Changes ward boundaries for Ward 5 to include annex. area ORD _____ - Makes annexation effective (30-days) ORD _____ - Assigns R1 zoning to annexation area	
2/12/07	<b>Annexation effective date (30-day referendum period actually ends 12/29/05)</b>	

SENT BY: MAYFIELD-PORTER CONSULTING;

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Pierce County

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State of Washington )  
County of Pierce )ss.

DECLARATION

I, Ken Madsen, Assessor-Treasurer of Pierce County, do hereby certify that the Petition entitled: **Area 1-B Annexation**, submitted to me by the **City of Bonney Lake**, bears the names and purported signatures of persons who are owners or part owners of parcels lying within the proposed annexation and are owners of 60% of the assessed value of the area proposed for annexation. The undersigned cannot certify the authenticity of the signatures of such named owners, because authenticated signatures of all such owners are not required to be kept in the records of Pierce County for such real property.

I declare under penalty of perjury under the laws of the State of Washington that I have read the foregoing declaration, and know the contents thereof to be true.

Dated this 6th day of November, 2006, in Tacoma, Washington.

Ken Madsen, Assessor-Treasurer



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