

**CITY OF FIRCREST
ORDINANCE NO. 1612**

**AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF
FIRCREST, WASHINGTON, ANNEXING CERTAIN REAL
PROPERTY, IDENTIFIED AS THE "62ND AVENUE WEST AND
44TH STREET WEST POTENTIAL ANNEXATION AREA" INTO
THE CITY OF FIRCREST, PURSUANT TO REVISED CODE OF
WASHINGTON (RCW) 35A.14.460, PROVIDING FOR THE
ASSUMPTION OF INDEBTEDNESS AND ZONING
REGULATIONS, PROVIDING FOR ADDRESSING, AND
PROVIDING FOR THE EFFECTIVE DATE OF THE
ANNEXATION.**

WHEREAS, *Vision 2040* includes a goal that unincorporated lands within urban growth areas will be annexed into existing cities; and

WHEREAS, the Pierce County Regional Council was created in 1992 by an interlocal agreement among Pierce County and the cities and towns of 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 and the Multi-County Planning Policies, and developing a consensus among jurisdictions regarding the development and modification of the Countywide Planning Policies (CPPs); and

WHEREAS, the Pierce County CPPs are written policy statements that 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 Area (PAA) 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 hosted, and county staff attended, a public open house on the proposed annexation on October 5, 2016; and

WHEREAS, the City of Fircrest City Council passed Resolution 1451 on October 25, 2016, directing City staff to negotiate an interlocal agreement with Pierce County to annex properties within its designated Potential Annexation Area; and

1 **WHEREAS**, FMC 12.26.010 allows the City Council to determine whether roadways
2 in areas annexed subsequent to 1996 shall retain their Pierce County street name and
3 addressing number; and

4 **WHEREAS**, the City has determined having one road split with two names (Rainier
5 Street and 60th Avenue Court West), would be detrimental to providing effective and
6 timely provision of emergency medical and law enforcement services; and

7 **WHEREAS**, the Planning Commission held a public hearing on September 5, 2017;
8 and

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

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

15 **WHEREAS**, the proposed annexation agreement was published twice, on September
16 21, 2017 and September 28, 2017 in the Tacoma Daily Index; and

17 **WHEREAS**, the City Council held a public hearing on October 10, 2017, notifying all
18 affected property owners and tenants; and

19 **WHEREAS**, on October 10, 2017, the City Council adopted Resolution 1495
20 authorizing the City Manager to sign the Annexation Interlocal Agreement and
21 Memorandum of Understanding related to the transfer of governmental services; and

22 **WHEREAS**, The City Council adopted Ordinance 1603 establishing pre-annexation
23 land use designation of Single Family Residential and a zoning classification of
24 Residential- 4; and

25 **WHEREAS**, the City Council has determined that the proposed annexation will be
26 consistent with the goals, objectives and policies of the City of Fircrest Comprehensive
27 Plan and that the proposed annexation will promote, rather than detract from, the public
28 health, safety, morals and general welfare by incorporating the urban growth area into
29 the City of Fircrest to better serve it with public facilities and services. Now, Therefore,

30 **THE CITY COUNCIL OF THE CITY OF FIRCREST DO ORDAIN AS
31 FOLLOWS:**

32 **Section 1.** The real property within the “62nd Avenue West and 44th Street West
Potential Annexation Area” described in Exhibit ‘A’ and depicted on Exhibit ‘B’
attached hereto and incorporated herein by reference, is hereby annexed to the City of
Fircrest pursuant to RCW 35A.14.460.

1 **Section 2.** Said annexed property shall be subject to the City of Fircrest Comprehensive
2 Plan and Zoning Code (FMC Title 22) and shall be designated in the Official Zoning
3 May as set forth in Ordinance No. 1603.

4 **Section 3.** Said annexed property shall be addressed as described in Exhibit 'C.'

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

8 **Section 5.** Notice of the effective date of the annexation, together with a description of
9 the property to be annexed, shall be published at least once each week for two weeks
10 subsequent to passage of this ordinance as required by RCW 35A.14.460.

11 **Section 6.** Severability. If any section, sentence, clause or phrase of this title shall be
12 held to be invalid or unconstitutional by a court of competent jurisdiction, such
13 invalidity or unconstitutionality shall not affect the validity or constitutionality of any
14 other section, sentence, clause or phrase of this title.

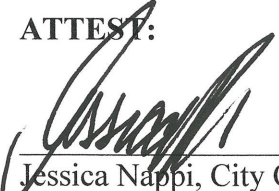
15 **Section 7.** Publication and Effective Date. This ordinance shall be effective forty-five
16 (45) days from the date that the Interlocal Annexation Agreement approved under
17 Resolution 1495 is fully executed by Pierce County and the City of Fircrest, as required
18 by law. A summary, including the effective date, will be published as required by law.

19 **PASSED BY THE CITY COUNCIL OF THE CITY OF FIRCREST,**
20 **WASHINGTON,** at a regular meeting thereof this 12th day of December 2017.


21 **APPROVED:**

22 
23 Hunter T. George, Mayor

24 **ATTEST:**

25 
26 Jessica Nappi, City Clerk

27 **APPROVED AS TO FORM:**

28 
29 Michael B. Smith, City Attorney

30 **DATE OF PUBLICATIONS:**
31 **EFFECTIVE DATE:**

Exhibit A

62nd Avenue West and 44th Street West PAA Legal Description

That portion of the Northeast quarter of the Southwest quarter of Section 14, Township 20 North, Range 2 East, Willamette Meridian, in Pierce County, Washington described as follows:

Beginning at Southwest corner of lot 7 of Mount Vista Terrace 3rd Addition as recorded under A.F.N 1907450 in said County; Thence South 30 feet on a projected line parallel to the West line of said lot, said point being on centerline of 44th Street West; Thence East along the centerline of said Street, to a point that is projected South and parallel to the West line of Fircrest Greens as recorded under A.F.N 200508255015 in said County; Thence North on said projected line for 30 feet to the Southwest corner of lot 11 of said plat; Thence continuing North on along said West line of said plat to the Northwest corner of lot 21, said West line is also being the City Limits of Fircrest as established by ordinance 668 dated 9/15/1974; Thence West along the South line of Martin and Haddows 1st Addition as recorded under A.F.N 2163963 in said County to the Southwest corner of lot 3 of said plat, said line also being the City limits of Fircrest as established by Ordinance 549 dated 6/15/1966; Thence South along the East line of Maitlands 4th Addition as recorded under A.F.N 2117682 to the Southeast corner of lot 13 of said plat, said line also being the City limits of Fircrest as established by Ordinance 531 dated 10/18/1965; Thence West along said plat, and City limits line to the Northwest corner of lot 9 Mount Vista Terrace 3rd Addition as recorded under A.F.N 1907450 in said county, said point also being City Limits of Fircrest as established by ordinance 553 dated 8/10/1966; Thence South on the West line of lots 9, 8, and 7, said lines are also being the East line of said City Limits, to the Southwest corner of lot 7, and point of beginning.

Exhibit B

Potential Annexation Area

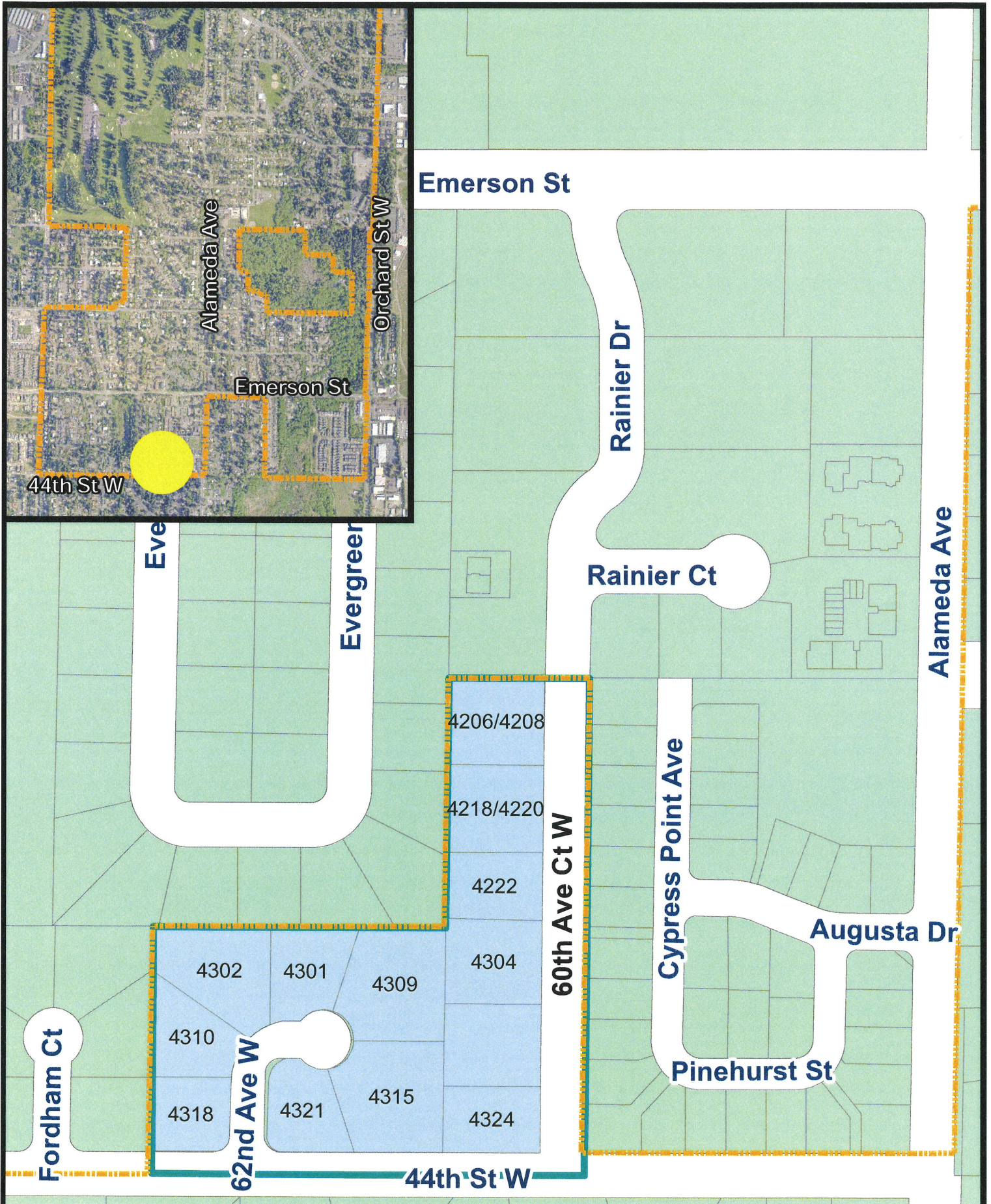


Exhibit C - Proposed Address Changes

 Affected Parcels

