

City of Port Orchard

CITY HALL • 216 Prospect Street, Port Orchard, WA 98366
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Agenda Staff Report

Agenda Item No.	<u>Business Item No. 7E</u>	Meeting Date:	<u>July 23, 2007</u>
Subject:	<u>Adoption of Ordinance No. 020-07 Approving the Annexation Request for Roland Property</u>	Prepared by:	<u>Joanne Long-Woods Planning Director</u>

Summary: The proposal is for approval of an Ordinance to allow for the annexation of property located at the corner of SE Sedgwick Road and Geiger Road SE, Parcel No. 022301-4-005-2003.

PROPONENT: Roland and Roland
1250 SW Club House Court
Port Orchard, WA 98367

AGENT: PACLAND
1144 Eastlake Ave., E.
Seattle, WA 98117

The Council conducted public hearings on the proposal on April 23, 2007 and July 23, 2007, heard testimony from the public and voted to approve the annexation request with the simultaneous adoption of the Comprehensive Plan designation of Commercial.

Recommendation: Approve Ordinance 020-07 for the annexation of the Roland property into the City of Port Orchard.

Motion for consideration: I move to approve Ordinance 020-07 for the annexation request for the Roland property, Parcel No. 022301-4-005-2003, into the City of Port Orchard and the simultaneous adoption of Comprehensive Plan designation of Commercial.

Fiscal Impact: N/A

Attachments: Ordinance No. 020-07, with attachments

City of Port Orchard
City Clerk
216 Prospect Street
Port Orchard, WA 98366

ORDINANCE NO. 020-07

AN ORDINANCE THE CITY OF PORT ORCHARD, WASHINGTON, ANNEXING CERTAIN REAL PROPERTY TO THE CITY, REQUIRING THE ANNEXED PROPERTY TO BE ASSESSED AND TAXED AT THE SAME RATE AND BASIS AS OTHER PROPERTY WITHIN THE CITY, AND ESTABLISHING THE COMPREHENSIVE PLAN DESIGNATION FOR THE PROPERTY. THE PROPERTY IS LOCATED IN THE SW QUARTER OF THE SE QUARTER OF SECTION 2 TOWNSHIP 23 NORTH, RANGE 1 EAST, W.M., IN KITSAP COUNTY, WASHINGTON

ASSESSORS ACCOUNT NUMBER: 022301-4-005-2003

WHEREAS, The City Council was notified in writing by the owner of 100% in value of the real property legally described and geographically depicted in Exhibit "A" attached hereto, of the owner's intention to commence annexation proceedings; and

WHEREAS, a meeting was held on the 14th day of August, 2006, between the initiating party of this annexation and the Council of the City of Port Orchard, at which time the Council accepted the notice of intention to commence annexation proceedings and authorized the circulation of an annexation petition for annexation of the real property legally described and geographically depicted in Exhibit "A" attached hereto. At the meeting the Council also determined that it would require the simultaneous adoption of a comprehensive plan designation, and the assumption of city indebtedness by the area to be annexed upon annexation; and

WHEREAS, the petition was circulated, filed with the City Council, and certified by the County Assessor as containing the signatures of owners as set forth in RCW 35.21.005, of 100% in value, according to the assessed valuation for general taxation, of the property to be annexed; and

WHEREAS, the City properly filed a Notice of Intention and related documents with the Kitsap County Boundary Review Board, which waived review pursuant to RCW 36.93.110; and

WHEREAS, the Property is currently designated Urban High Intensity Commercial/Mixed Use on the Kitsap County Comprehensive Plan Map. The most similarly corresponding designation in the City of Port Orchard Comprehensive Plan is Commercial; and

WHEREAS, pursuant to RCW 35.13.140, a public hearing was held on July 23, 2007, which hearing was duly noticed by the City Clerk through publication in a newspaper of general circulation in the City and the proposed annexation area, and through posting of a hearing notice in three public places within the territory proposed for annexation, specifying the time and place of the hearing and inviting interested persons to appear and voice approval or disapproval of the annexation; and

WHEREAS, the City Council has been fully advised and finds that all statutory requirements have been satisfied in order to accomplish the proposed annexation; now therefore

**THE CITY COUNCIL OF THE CITY OF PORT ORCHARD, WASHINGTON DO
ORDAIN AS FOLLOWS:**

Section 1. The unincorporated real property located in Kitsap County, Washington, contiguous to the City of Port Orchard and legally described and geographically depicted in Exhibit "A" attached hereto and incorporated herein by this reference, is hereby annexed to and made part of the City of Port Orchard, Kitsap County, Washington.

Section 2. As provided in the annexation petition, all property within the territory annexed shall be assessed and taxed at the same rate and on the same basis as other property within the City of Port Orchard, including assessments or taxes in payment of all or any portion of the outstanding indebtedness of the City contracted for, incurred prior to, or existing on, the date of annexation.

Section 3. As provided in section VI-4 of the City of Port Orchard Comprehensive Plan, the property within the territory annexed is hereby designated Commercial on the City of Port Orchard Comprehensive Plan Map which is the most similarly corresponding designation to the County's Comprehensive Plan Designation. Zoning shall be determined by site plan specific rezone pursuant to Part 2, Section 11(f) of the City of Port Orchard Planning and Development Procedures when a development proposal is formally submitted. No land use applications shall be accepted by the City for any property within the annexation area until zoning for such property is determined through the site plan specific rezone process.

Section 4. The City Clerk is hereby directed to file a certified copy of this Ordinance with the Kitsap County Board of Commissioners. The Clerk is further directed to file a certificate of annexation with the State Office of Financial Management as directed by RCW 35.13.260, and to provide such other notice of this annexation as required by law.

Section 5. Severability. If any section, subsection, paragraph, sentence, clause, or phrase of this Ordinance is declared unconstitutional or invalid for any reason, such decision shall not affect the validity of the remaining portions of this ordinance.

Section 6. Effective Date of Annexation. This Ordinance shall be in full force and effect five (5) days after posting and publication as required by law. A summary of this Ordinance may be published in lieu of the entire Ordinance, as authorized by State law.

PASSED by the City Council of the City of Port Orchard, signed by the Mayor and attested by the City Clerk in authentication of such passage this 23rd day of July 2007.

Kim Abel, MAYOR

ATTEST:

Michelle Merlino, City Clerk

APPROVED AS TO FORM:

Sponsored by:

City Attorney

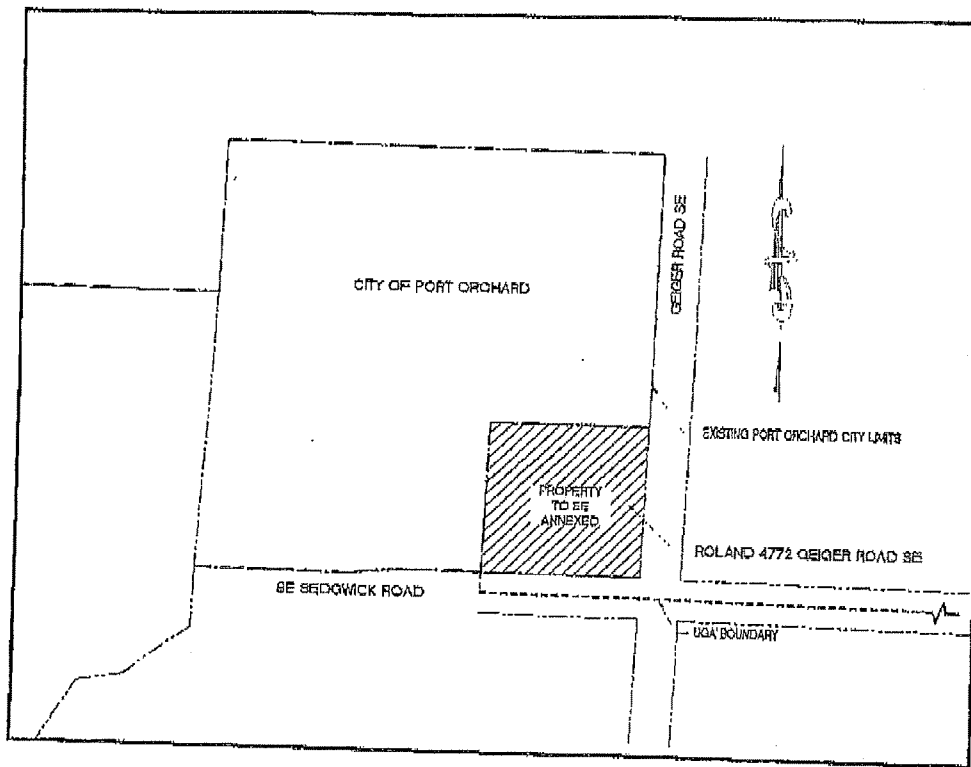
, Councilmember

ANNEXATION PETITION
EXHIBIT A

Legal description and Map of property proposed to be annexed

Parcel Number 022301-4-005-2003

A PORTION OF THE SOUTHWEST QUARTER OF THE SOUTHEAST QUARTER, SECTION 2, TOWNSHIP 23 NORTH, RANGE 1 EAST, W.M., DESCRIBED AS FOLLOWS: BEGINNING AT A POINT ON THE WEST SIDE OF COUNTY ROAD 682 FEET WEST AND 30 FBET NORTH OF THE SOUTHEAST CORNER OF SAID SOUTHWEST QUARTER OF THE SOUTHEAST QUARTER; THENCE NORTH 225 FEET ALONG THE WEST SIDE OF COUNTY ROAD; THENCE WEST 225 FEET; THENCE SOUTH 225 FEET, MORE OR LESS, TO THE NORTH SIDE OF COUNTY ROAD; THENCE EAST ON SAID COUNTY ROAD, 225 FEET TO THE POINT OF BEGINNING. SITUATE IN KITSAP COUNTY, WASHINGTON.



Petition for Annexation to the City of Port Orchard