

**ORDINANCE NO. 20-892**

**AN ORDINANCE of the City of Federal Way, Washington, relating to annexing approximately twenty-one (21) acres known as the “S. 320<sup>th</sup> Street Annexation,” into the City pursuant to RCW 35A.14.120; assigning zoning and comprehensive plan designations upon annexation; requiring assumption of a proportionate share of City indebtedness and providing for severability and an effective date.**

---

WHEREAS, The Federal Way City Council (Council) adopted Chapter 8 of the Federal Way Comprehensive Plan, last amended by Ordinance 15-796 in 2015, establishing planning goals, policies and implementation strategies for Potential Annexation Areas (PAAs) in accordance with Chapter 36.70A RCW; and

WHEREAS, pursuant to RCW 35A.14.120 the City Council on November 19, 2019, accepted a 10% petition for the “S. 320<sup>th</sup> Street” proposed annexation area shown in Exhibit A, which action authorized the circulation of a 60% petition for annexation subject to conditions that the area be designated and zoned Community Business (BC) and further that the area assume its proportionate share of the City’s indebtedness; and

WHEREAS, pursuant to RCW 35A.14.120, on January 15, 2020, the annexation initiators filed with the City a petition, attached Exhibit B, signed by property owners representing more than 60% of the current total assessed value of all parcels within the proposed annexation area; and

WHEREAS, pursuant to RCW 35A.01.040 the King County Assessor's Office on January 15, 2020, certified the 60% petition as sufficient (Exhibit C); and

WHEREAS, the annexation area is contiguous with the existing City limits and within unincorporated King County, and may generally be described as an area of approximately twenty-one (21) acres, bounded on the west by Interstate 5, on the north by a residential neighborhood, the

east by the future 32nd Avenue S., and the south by S. 320th Street, as depicted in the legal description map and attached as Exhibit D and said unincorporated area is within the City's Urban Growth Area; and

WHEREAS, on March 17, 2020 a properly noticed public hearing was held pursuant to RCW 35A.14.130 and all persons who wished to provide testimony were heard. At that hearing the City Council considered the S. 320<sup>th</sup> Street Annexation, land use and zoning designations, and then issued a Notice of Intent to Annex and adopt land use and zoning designations for the annexed parcels by passing Resolution 20-783; and

WHEREAS, on April 10, 2020 the City submitted a Notice of Intent to the King County Boundary Review Board and the Board reviewed said Notice and associated materials and deemed said Notice of Intent complete issuing an effective filing date of April 15, 2020.

WHEREAS, on May 31, 2020 the 45-day notice and review period as required under Chapter 36.93.100 RCW lapsed and the jurisdiction of the Boundary Review Board was not invoked.

NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF FEDERAL WAY, WASHINGTON, DO ORDAIN AS FOLLOWS:

Section 1. Annexation. The property described and depicted in attached Exhibit D is hereby annexed into the City of Federal Way.

Section 2. Indebtedness. The area described in the attached Exhibit D shall be required to assume its proportionate share of the general indebtedness of the City of Federal Way at the time of the effective date of such annexation.

Section 3. Land Use. The area described in attached Exhibit D, shall be designated in the City's Comprehensive Plan as BC (Community Business) and the on the City's Official Zoning Map as BC (Community Business).

Section 4. Publication/Effective Date. A summary of this ordinance consisting of its title shall be published in the official newspaper of the City. This ordinance shall take effect and be in force five (5) days after the date of publication.

Section 5. Transmission. Upon passage of this ordinance a certified copy shall be transmitted to the Clerk of the King County Council as required by Chapter 35A.14.440 RCW, as well as the Office of Financial Management (OFM) and all special purpose districts as required.

Section 6. Severability. Should any section, subsection, paragraph, sentence, clause, or phrase of this ordinance, or its application to any person or situation, be declared unconstitutional or invalid for any reason, such decision shall not affect the validity of the remaining portions of this ordinance or its application to any other person or situation. The City Council of the City of Federal Way hereby declares that it would have adopted this ordinance and each section, subsection, sentence, clauses, phrase, or portion thereof, irrespective of the fact that any one or more sections, subsections, sentences, clauses, phrases, or portions be declared invalid or unconstitutional.

Section 7. Corrections. The City Clerk and the codifiers of this ordinance are authorized to make necessary corrections to this ordinance including, but not limited to, the correction of scrivener/clerical errors, references, ordinance numbering, section/subsection numbers and any references thereto.

Section 8. Ratification. Any act consistent with the authority and prior to the effective date of this ordinance is hereby ratified and affirmed.

PASSED by the City Council of the City of Federal Way this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_.

CITY OF FEDERAL WAY:

\_\_\_\_\_  
JIM FERRELL, MAYOR

ATTEST:

\_\_\_\_\_  
STEPHANIE COURTNEY, CMC, CITY CLERK

APPROVED AS TO FORM:

\_\_\_\_\_  
J. RYAN CALL, CITY ATTORNEY

FILED WITH THE CITY CLERK: \_\_\_\_\_  
PASSED BY THE CITY COUNCIL: \_\_\_\_\_  
PUBLISHED: \_\_\_\_\_  
EFFECTIVE DATE: \_\_\_\_\_  
ORDINANCE NO.: \_\_\_\_\_