

**City of Lake Stevens
Lake Stevens, WA**

ORDINANCE NO. 1094

AN ORDINANCE OF THE CITY OF LAKE STEVENS, WASHINGTON ANNEXING APPROXIMATELY SIXTY (66) ACRES KNOWN AS THE “MACHIAS INDUSTRIAL ANNEXATION,” INTO THE CITY PURSUANT TO RCW 35A.14.120; ASSIGNING ZONING AND COMPREHENSIVE PLAN DESIGNATIONS UPON ANNEXATION IN CONFORMANCE WITH ORDINANCES 1073 AND 1074; REQUIRING ASSUMPTION OF A PROPORTIONATE SHARE OF CITY INDEBTEDNESS AND PROVIDING FOR SEVERABILITY AND AN EFFECTIVE DATE AND PROVIDING FOR SUMMARY PUBLICATION BY ORDINANCE TITLE ONLY.

WHEREAS, The Lake Stevens City Council (Council) adopted Ordinance No. 937 establishing the 2015 – 2035 Comprehensive Plan that sets planning goals, policies and implementation strategies for the Lake Stevens Urban Growth Area (UGA) pursuant to Chapter 36.70A RCW; and

WHEREAS, the City of Lake Stevens (City) and Snohomish County entered an updated Interlocal Agreement related to Annexation and Urban Development in the Lake Stevens UGA recorded under Auditors File No. 200511100706 on November 10, 2005 that provides for the orderly transition of services from the County to City; and

WHEREAS, the City Council has reviewed the City’s annexation strategy to determine whether it is consistent with current practices, policies and procedures and thus, the City Council adopted Resolution 2016-21; and

WHEREAS, pursuant to RCW 35A.14.120 the City Council adopted resolution 2017-015 accepting a 10% petition, authorizing the circulation of a 60% petition for annexation and designating comprehensive plan and zoning for the proposed “Machias Industrial” annexation area; and

WHEREAS, the City Council reaffirmed its support of Resolution 2017-105 and accepted an updated 10% annexation on August 27, 2019, authorizing the circulation of a 60% petition for annexation and designating comprehensive plan and zoning for the proposed “Machias Industrial Annexation” pursuant to RCW 35A.14.120; and

WHEREAS, pursuant to RCW 35A.14.120, the petitioner obtained the signatures of property owners representing more than 60% of the current total assessed value of all parcels within the proposed annexation area in attached Exhibit A and depicted in attached Exhibit B; and

WHEREAS, pursuant to RCW 35A.01.040 the Snohomish County Assessor’s Office certified the 60% petition as sufficient on September 25, 2020; and

WHEREAS, the city adopted land use and zoning designations for its Urban Growth Area with the adoption of Ordinances 1073 and 1074 for its Urban Growth Area. These Ordinances designated the subject properties in the City’s Comprehensive Plan as GI (General Industrial) and the on the City’s Official Zoning Map as GI (General Industrial); and

WHEREAS, the annexation area being contiguous with the existing city limits, lies within unincorporated Snohomish County, and may generally be described as an area of approximately 66 acres and associated right-of-way as depicted in the map attached as Exhibit C. Said unincorporated annexation area is within the City's Urban Growth Area and includes the abutting right-of-way; and

WHEREAS on August 11, 2020 the City Council considered the Machias Industrial Annexation, and accepted the 60% Petitions and issued a Notice of Intent to Annex the area by passing Resolution 2020-19; and

WHEREAS, on August 25, 2020 a properly noticed public hearing was held pursuant to RCW 35A.14.130 and all persons who wished to provide testimony were heard and City Council approved its intent to annex the proposed area; and

WHEREAS, on December 09, 2020 the City submitted a Notice of Intent to the Snohomish 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 December 30, 2020; and

WHEREAS, the 45-day review period for the Snohomish County Boundary Review Board expired on February 15, 2020 without a request for Board review; and

NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF LAKE STEVENS DO HEREBY ORDAIN AS FOLLOWS:

SECTION 1. Annexation. The property described in attached Exhibit A and depicted in attached Exhibit B is hereby annexed into the City of Lake Stevens on the effective date of this ordinance.

SECTION 2. The area legally described in attached Exhibit A and depicted in attached Exhibit B shall be required to assume its proportionate share of the general indebtedness of the City of Lake Stevens at the time of the effective date of such annexation.

SECTION 3. The area shown and described in attached Exhibits A and B, shall be designated in the City's Comprehensive Plan as GI (General Industrial) and on the City's Official Zoning Map as GI (General Industrial) consistent with Ordinances 1073 and 1074.

SECTION 4. Severability. If any section, clause, phrase, or term of this ordinance is held for any reason to be invalid or unconstitutional, such decision shall not affect the validity of the remaining portions of this ordinance, and the remaining portions shall be in full force and effect.

SECTION 5. 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 6. Upon passage of this ordinance a certified copy shall be transmitted to the Clerk of the Snohomish County Council as required by RCW 35A.14.440.

PASSED by the City Council of the City of Lake Stevens this 23rd day of February 2021.

Brett Gailey, Mayor

ATTEST:

Kelly Chelin, City Clerk

APPROVED AS TO FORM:

Greg Rubstello, City Attorney

First and Final Reading: February 23, 2021
Effective Date: