

ORDINANCE NO. 2023-1614

**AN ORDINANCE OF THE CITY OF CHELAN,
WASHINGTON ANNEXING CERTAIN REAL PROPERTY
INTO THE CITY OF CHELAN KNOWN AS THE
SUNDANCE SLOPE ANNEXATION; PROVIDING FOR THE
ASSUMPTION OF EXISTING INDEBTEDNESS AND
ZONING DESIGNATIONS; AND ESTABLISHING AN
EFFECTIVE DATE**

RECITALS

WHEREAS, Sundance Slope, LLC filed a “Notice of Intent to Commence Annexation Proceedings to the City of Chelan Washington” with the City on April 26, 2022 to annex the property they own into the City under the “10% Petition” method authorized by RCW 35A.14.020, *et. seq.*

WHEREAS, the City Council considered the Notice of Intent to Annex on April 26, 2022, and tabled the agenda item to May 10, 2022, to allow for the inclusion of surrounding property.

WHEREAS, the City Council accepted the Notice of Intent to Annex on May 10, 2022, as revised, in *Exhibit A* (the “Annexation Area”) and depicted in *Exhibit B*. The Annexation Area would assume its share of the City’s indebtedness and the Annexation Area would be zoned as Special Use District (SUD) and Single Family Residential (R-L), according to the City’s pre-annexation zoning map.

WHEREAS, subsequent to the City Council’s acceptance of the Notice of Intent to Annex, the owners of all properties within the Annexation Area (the “Property Owners”) agreed that the Annexation Area be annexed into the City, thereby converting the process of annexation into the “60% Petition Method” authorized by RCW 35A.14.120, *et. seq.*

WHEREAS, Chelan County Assessor issued a “Determination of Sufficiency of Petition for Annexation” for the Chelan Fruit Annexation on May 11, 2023, *Exhibit C*.

WHEREAS, on June 13, 2023, the City Council approved Resolution No. 2023-1425, setting a Public Hearing date of August 8, 2023. Official notice of the public hearing was published in the Chelan Mirror on July 26 and August 2, 2023. Notice was posted in three locations within the general annexation area

WHEREAS, the City Council held the public hearing on August 8, 2023 and determined notice of the public hearing was properly given; and

WHEREAS, a Notice of Intention was submitted to the Washington State Boundary Review Board in and for the County of Chelan with the required fee on September 7, 2023, and

WHEREAS, the Washington State Boundary Review Board in and for the County of Chelan (BRB) approved the annexation as proposed in Notice of Intention (NOI) 2023-004 on October 24, 2023 pursuant to RCW 36.93.100(4), ***Exhibit D***.

WHEREAS, the City Council has carefully reviewed and considered the annexation of the Annexation Area, and finds that the best interest of the City will be served and that it is appropriate to good government of the City to annex the Annexation Area into the City.

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

Section 1. Incorporation of Recitals. The above recitals and the attached Exhibits are incorporated in and made a part of this Ordinance.

Section 2. Method of Annexation. The Annexation Area is annexed into the City under the “60% Petition Annexation Method” authorized by RCW 35A.14.120, *et seq.*

Section 3. Transfer of Water Rights. All water rights appurtenant to properties in the Annexation Area shall be transferred to the City at the time of development, under Chapter 13.40 of the Chelan Municipal Code.

Section 5. Assumption of Indebtedness. The properties within the Annexation Area shall be assessed and taxed at the same rate and on the same basis as the property within the City is assessed and taxed, to pay for all of the outstanding indebtedness of the City.

Section 6. Zoning Designation. The Annexation Area shall be zoned Special Use District (SUD) Single Family Residential (R-L), as depicted in the official pre-annexation zoning map of the City. The Community Development Director shall insert the appropriate zoning for the Annexation Area on the official zoning map of the City on the effective date of this Ordinance.

Section 7. Publication. The Clerk shall cause the title of this Ordinance to be published in a newspaper of general circulation in the City and the City’s official newspaper and shall file a certified copy of this Ordinance with the Board of Commissioners for Chelan County, Chelan County Treasurer, Assessor, and light, power and gas distribution businesses.

Section 8. Effective Date. This Ordinance shall become effective sixty days after passage, approval and publication.

PASSED at the regular session of the City Council of the City of Chelan, Washington on November 28, 2023.

CITY OF CHELAN,

By: _____
ROBERT GOEDDE, Mayor

ATTEST:

By: _____
PERI S. GALLUCCI, City Clerk

APPROVED AS TO FORM:

By: _____
QUENTIN D. BATJER, City Attorney

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