

**CITY OF SEDRO-WOOLLEY
WASHINGTON**

ORDINANCE NO. 2055-23

AN ORDINANCE OF THE CITY OF SEDRO-WOOLLEY, WASHINGTON APPROVING ANNEXATION OF CERTAIN UNINCORPORATED AREA, KNOWN AS THE HOPKE-SALT ANNEXATION, INTO THE CITY, AND INCORPORATING THE SAME WITHIN THE CORPORATE LIMITS THEREOF, PROVIDING FOR THE ASSUMPTION OF EXISTING INDEBTEDNESS, REQUIRING SAID PROPERTY TO BE ASSESSED AND TAXED AT THE SAME RATE AND BASIS AS OTHER PROPERTY WITHIN SAID CITY, IMPOSING THE CITY'S COMPREHENSIVE LAND USE DESIGNATION, AND THE ZONING DESIGNATION UNDER THE OFFICIAL ZONING MAP ESTABLISHED BY SAID CITY.

WHEREAS, the City of Sedro-Wooley has received a petition for annexation pursuant to RCW 35A.14.120 of certain property generally located south of Railroad Avenue, south of and adjacent to city limits, being located in Section 19, Township 35 North, Range 5 East, W.M., said properties being contiguous to the city limits and legally described in **Exhibit A** attached hereto with County Parcel Numbers of P77289, P64982 and P64984 and including unopened railroad right of way; and

WHEREAS, the City received a 10% Petition Notice of Intent to Annex pursuant to the so-called Direct Petition Method of RCW 35A.14.120 on July 6, 2022, and the City Council accepted the proposal at its August 24, 2022 Council meeting; and

WHEREAS, the City received a Petition for Annexation which included signatures of owners of record of more than 60% of the assessed value of the Annexation Territory on October 13, 2022; and

WHEREAS, the City submitted the Petition for Annexation to the Skagit County Assessor on October 17, 2022 for a determination of sufficiency; and

WHEREAS, the Skagit County Assessor certified on October 20, 2022 that the petition signatures, provided in compliance with RCW 35A.14.120 through 35A.14.150 and RCW 35A.01.040, have an assessed value for general taxation of not less than 60% of the total assessed value for general taxation of all property in the proposed annexation area; and

WHEREAS, a duly advertised public hearing was held on said annexation petition before the Sedro-Wooley City Council on December 14, 2022, and the City Council heard

testimony from staff, the applicant and the public, and was fully advised in the premises; and

WHEREAS, the City Council unanimously approved the motion to “authorize the Mayor to sign Resolution 1112-22 and to allow staff to submit to the Skagit County Boundary Review Board for review and consideration the 60% annexation petition for the Hopke-Salt Annexation; and

WHEREAS, the City Council also declared in Resolution 1112-22, “ the property proposed for annexation shall be subject to the Residential R-5 land use classification and zoning designation as set forth on the current Sedro-Woolley Comprehensive Plan and Zoning maps.” Also, the City Council declared “the property proposed for annexation shall be subject to and assume a pro-rata share of indebtedness of the City which has been approved by the voters, contracted, or incurred prior to, or existing at the date of annexation”; and

WHEREAS, City staff submitted on May 5th, 2023 the proposed annexation to the Boundary Review Board which was deemed complete by the Boundary Review Board beginning the 45-day review period; and

WHEREAS, the 45-day review period ended on June 20, 2023, and with no request for review being filed as outlined in RCW 36.93.100 and RCW 36.93.120, the action is deemed approved by the Boundary Review Board; and

WHEREAS, the proposed annexation area is comprised of three parcels (17 acres) with proposed Comprehensive land use designations Residential and proposed zoning designation of Single Family Residential (SR 5) upon annexation; and

WHEREAS, upon annexation, the annexation area should be subject to the assumption of existing indebtedness and be assessed and taxed at the same rate and basis as other property within the City;

NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF SEDRO-WOOLLEY, WASHINGTON, HEREBY ORDAIN AS FOLLOWS:

Section 1. Annexation. The property legally described in **Exhibit A** and the boundaries depicted on the map attached as **Exhibit B** is hereby approved for annexation into the City of Sedro-Woolley.

Section 2. Assessment and Taxation. The property described in **Exhibit A**, shall be assessed and taxed at the same rate and on the same basis as other property within the City of Sedro-Woolley, including assessments or taxes for the payment of its pro rata share and all outstanding indebtedness of the City contracted or incurred prior to or existing on the effective date of the annexation is hereby imposed on said property in common with all properties within the City of Sedro-Woolley.

Section 3. Land Use Designation. The property described in **Exhibit A** hereby is subject to the City of Sedro-Woolley Comprehensive Plan and zoning regulations as adopted.

The property described in **Exhibit A** hereby is designated Single Family Residential 5 (SR 5) under the City's zoning regulations.

Section 4. Severability. The various parts, sections and clauses of this ordinance are hereby declared to be severable. If any part, sentence, paragraph, section or clause is adjudged unconstitutional or invalid by a court of competent jurisdiction, the remainder of the Ordinance shall not be affected thereby.

Section 5. Transmittal. The City Clerk shall:

1. File two certified copy of this ordinance, with the Skagit County Boundary Review Board.
2. Record a certified and true copy of this Ordinance with the Skagit County Auditor.
3. Provide notice of this annexation to the Office of Financial Management pursuant to RCW 35A.14.700.
4. Provide other notices as deemed necessary.

Section 6. Effective Date. This Ordinance shall take effect from and after five (5) days after its passage and publication as required by law.

PASSED AND APPROVED by the Sedro-Woolley City Council this _____ day of _____ 2022.

CITY OF SEDRO-WOOLLEY

Julia Johnson, Mayor

ATTEST:

By: _____
_____, City Clerk

APPROVED AS TO FORM:

By: _ Nikki Thompson, City
Attorney

Date of Publication: _____

Effective Date: _____