

TOWN OF WOODWAY

ORDINANCE 2024-657

AN ORDINANCE OF THE TOWN COUNCIL FOR THE TOWN OF WOODWAY, WASHINGTON, ANNEXING CERTAIN TERRITORY COMMONLY KNOWN AS POINT WELLS, PURSUANT TO INTERLOCAL AGREEMENT AS PROVIDED IN RCW 35A.14.296; PROVIDING FOR THE ASSESSMENT AND TAXATION OF REAL PROPERTY IN THE ANNEXATION AREA, APPLICATION OF THE TOWN'S COMPREHENSIVE PLAN, APPLICATION OF THE TOWN'S ZONING REGULATIONS IN CHAPTER 14.40 WMC, APPLICATION OF EXISTING INDEBTEDNESS, THE BENEFITS OF THE ANNEXATION, THE SUFFICIENCY OF THE TOWN'S SERVICES, PUBLIC NOTICE, CORRECTION OF ERRORS, SEVERABILITY; AND ESTABLISHING AN EFFECTIVE DATE AND AUTHORIZING SUMMARY PUBLICATION BY ORDINANCE TITLE ONLY.

WHEREAS, the Town of Woodway ("Town") and Snohomish County ("County") are required to plan under RCW 36.70A, the State's Growth Management Act, for growth within unincorporated areas of the County designated for urban growth and future annexation; and

WHEREAS, both the Comprehensive Plans of the Town and the County reflect this planning through the designation of an urban unincorporated area as the Town's municipal urban growth area ("MUGA"); and

WHEREAS, the Town's MUGA is adjacent to and within the same County-designated urban growth area as the Town; and

WHEREAS, the Town has planned for future urban growth within the Town's MUGA and annexation of the MUGA to the Town through the preparation of the Woodway Municipal Urban Growth Area Subarea Plan ("Subarea Plan"); and

WHEREAS, the Town's Subarea Plan and related policies were adopted by the Town Council in 2020, and provide for specific zone districts to implement the goals and policies of said Subarea Plan upon annexation of properties within the MUGA to the Town; and

WHEREAS, the Subarea Plan is incorporated into the Town's Comprehensive Plan, which has been reviewed and approved by the Washington State Department of Commerce as compliant with the State Growth Management Act and the Puget Sound Regional Council as consistent with the region's growth and transportation strategy; and

WHEREAS, the Town has previously adopted, in Woodway Municipal Code Chapter 14.40, pre-annexation zoning for its MUGA that will be applicable upon annexation; and

WHEREAS, the Town’s pre-annexation zoning for its MUGA includes a mixed-use Urban Village district at Point Wells; and

WHEREAS, the Town, the County, the City of Shoreline, and Olympic View Water & Sewer District, on October 10, 2023, executed an interlocal agreement to facilitate the annexation of the Town’s MUGA pursuant to RCW 35A.14.296; and

WHEREAS, the Town Council for the Town has determined that the above referenced process is the most appropriate mechanism under state law to annex the remainder of the Town’s MUGA; and

WHEREAS, on October 2, 2023, the Town Council adopted Resolution 2023-454, declaring its intent to annex the Town’s MUGA (“Annexation”), and authorized the Mayor to file with the Snohomish County Boundary Review Board a Notice of Intent to Annex, along with any other necessary documents; and

WHEREAS, the boundaries of the Annexation are depicted and described on Exhibits A and B to this Ordinance (“Annexation Area”), which are attached hereto and incorporated by this reference as if set forth in full; and

WHEREAS, the Town submitted the Notice of Intent to Annex the Annexation Area to the Snohomish County Boundary Review Board (“BRB”) and the proposal was deemed legally sufficient with an effective filing date of November 27, 2023; and

WHEREAS, following the 45-day review period and a special meeting on February 29, 2024, the BRB did not invoke its jurisdiction and deemed the Annexation approved; and

WHEREAS, the Annexation by the Town best serves the health, welfare and safety of the residents of the Town and the Annexation Area; encourages the most appropriate use of land within the Annexation Area; secures safety from fire; promotes a coordinated development between the Town and the Annexation Area; encourages the integration of any new development of the Annexation Area with the neighboring community; helps conserve and restore natural beauty and other natural resources; and facilitates the adequate provision of transportation, water, sewerage and other public uses; and

WHEREAS, the Town’s utilities, police, fire, and other services are sufficient to service the Annexation Area, and the Annexation is consistent with the State Growth Management Act, and

WHEREAS, after consideration of the public comment received, both written and oral, on this ordinance, the related facts and issues, the Town’s comprehensive planning and development regulations, the Town Council believes it is in the public interest and consistent with the Town’s planning to annex the Annexation Area.

NOW, THEREFORE, the Town Council of the Town of Woodway does hereby ordain as follows:

- Section 1. The above recitals are adopted as findings in support of this Ordinance.
- Section 2. The Annexation Area, both described and depicted in Exhibits A and B to this ordinance, which Exhibits are incorporated herein by this reference, is hereby annexed to the Town on the effective date of this ordinance.
- Section 3. The Annexation Area will be assessed and taxed at the same rate and on the same basis as other property within the Town's boundaries upon the effective date of this ordinance.
- Section 4. The Annexation Area shall be subject to the existing indebtedness of the Town upon the effective date of this ordinance.
- Section 5. The Town's Clerk-Treasurer shall provide a certified copy of this annexation ordinance and any other necessary documents to the County, including the BRB, in accordance with the requirements of RCW 35A.14.296.
- Section 6. The Town's Clerk-Treasurer is authorized to make any necessary corrections to this Ordinance and its exhibits, including but not limited to, the correction of scrivener's/clerical errors, references, resolution numbering, section/subsection numbers and any reference thereto.
- Section 7. If any part or portion of this ordinance is declared invalid for any such reason, such declaration of invalidity shall not affect any remaining portion. Any act consistent with this ordinance and prior to the effective date is hereby ratified and affirmed.
- Section 8. This ordinance shall be effective five (5) days after passage and summary publication of this ordinance by ordinance title only.

PASSED this 20th day of May 2024 by the Town Council of the Town of Woodway.

TOWN OF WOODWAY

Michael S. Quinn, Mayor

ATTEST:

Heidi K. S. Napolitano, Clerk-Treasurer

APPROVED AS TO FORM:

Greg Rubstello, Town Attorney

Date Passed by the Town Council:

Date Published:

Effective Date: