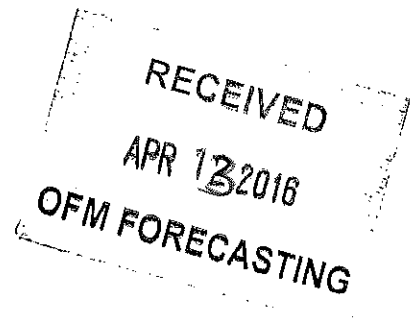


**CITY OF SULTAN  
WASHINGTON**

**Ordinance NO. 1216-15**



**AN ORDINANCE OF THE CITY OF SULTAN, WASHINGTON, ANNEXING AN AREA OF UNINCORPORATED SNOHOMISH COUNTY COMMONLY KNOWN AS THE DOUGHNUT HOLE, ADOPTING SULTAN ZONING FOR THE ANNEXATION AREA; PROVIDING FOR SEVERABILITY; AND ESTABLISHING AN EFFECTIVE DATE.**

WHEREAS, RCW 35A.14.295 authorizes the legislative body of a code city to resolve to annex an unincorporated island of property to the city containing less than one hundred seventy-five acres and having all of the boundaries of such area contiguous to the code city; and

WHEREAS, the Sultan City Council adopted Resolution 14-13 on December 18, 2014, which resolution stated the Council's intent to annex the unincorporated Snohomish County territory known as the "Doughnut Hole"; and

WHEREAS, notice of a public hearing on the Intent to Annex Resolution 14-13 was scheduled for January 8, 2015, and published in The Daily Herald newspaper on December 26, 2014 and January 2, 2015; and

WHEREAS, the Sultan City Council held a public hearing concerning the proposed annexation at the City Council meeting on January 8, 2015, and

WHEREAS, on March 12, 2015, the Snohomish County Boundary Review Board approved the proposed Notice of Intent to Annex and waived review by the Board Chair; and

WHEREAS, the City of Sultan Future Land Use map included in the 2011 Adopted Comprehensive Plan depicts this area as low/moderate density and unincorporated Public/Institutional overlay zone; and

WHEREAS, the Sultan City Council has determined that no residents live within the annexation area; and

WHEREAS, the Sultan City Council has determined that the interests of the citizens of Sultan would be served by annexation to Sultan because of the adjoining parks, trails, and utilities;

NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF SULTAN, WASHINGTON, DOES ORDAIN AS FOLLOWS:

Section 1. Findings. The City Council adopts the recitals set forth above as findings.

Section 2. Annexation. The City of Sultan hereby annexes the unincorporated Snohomish County territory known as the "Doughnut Hole", legally described in Exhibit A and depicted on the map in Exhibit B.

Section 3. Conditions Upon Annexation.

- a) All properties within the Doughnut Hole Annexation area are assigned Sultan zoning Low Density and subject to the Public/Institutional Overlay.
- b) No Assumption of Existing Indebtedness. The property owners shall not be required to assume any of the outstanding bonded indebtedness of the City of Sultan.

Section 4. The annexation area is pre-designated Urban Conservancy under the city's Shoreline Master Program.

Section 5. Effective Date. The effective date of annexation and assignment of Sultan zoning shall be July 1, 2015, which is more than forty-five days from the date of passage of this ordinance pursuant to the requirements of RCW 35A.14.297 and .299.

Section 6. Publication. Notice including a description of the annexation, said effective date, and adoption of Sultan zonings shall be published in The Herald newspaper at least once each week for two weeks subsequent to passage of the ordinance.

Section 7. Severability. If any section, section, clause or phrase of this ordinance should be held to be invalid by a court of competent jurisdiction, such invalidity or unconstitutionality shall not affect the validity of constitutionality of any other section, sentence, clause or phrase of this ordinance.

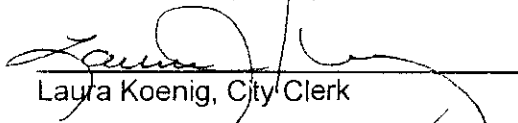
Section 8. Corrections by City Clerk. Upon approval of the City Attorney, the City Clerk is authorized to make necessary corrections to this resolution including, but not limited to, the correction of scrivener's/clerical errors, references to other local or state laws, codes, rules, or regulations, resolution numbering, and section/subsection numbers.

PASSED BY THE CITY COUNCIL AT A REGULAR MEETING THEREOF ON THE 14<sup>th</sup> DAY OF MAY, 2015.


CITY OF SULTAN

  
\_\_\_\_\_  
Carolyn Eslick, Mayor

ATTEST/AUTHENTICATED:

  
\_\_\_\_\_  
Laura Koenig, City Clerk

Approved as to form:

  
\_\_\_\_\_  
City Attorney

Published: 05/18/2015

Effective: 05/23/2015

**ATTACHMENTS:**

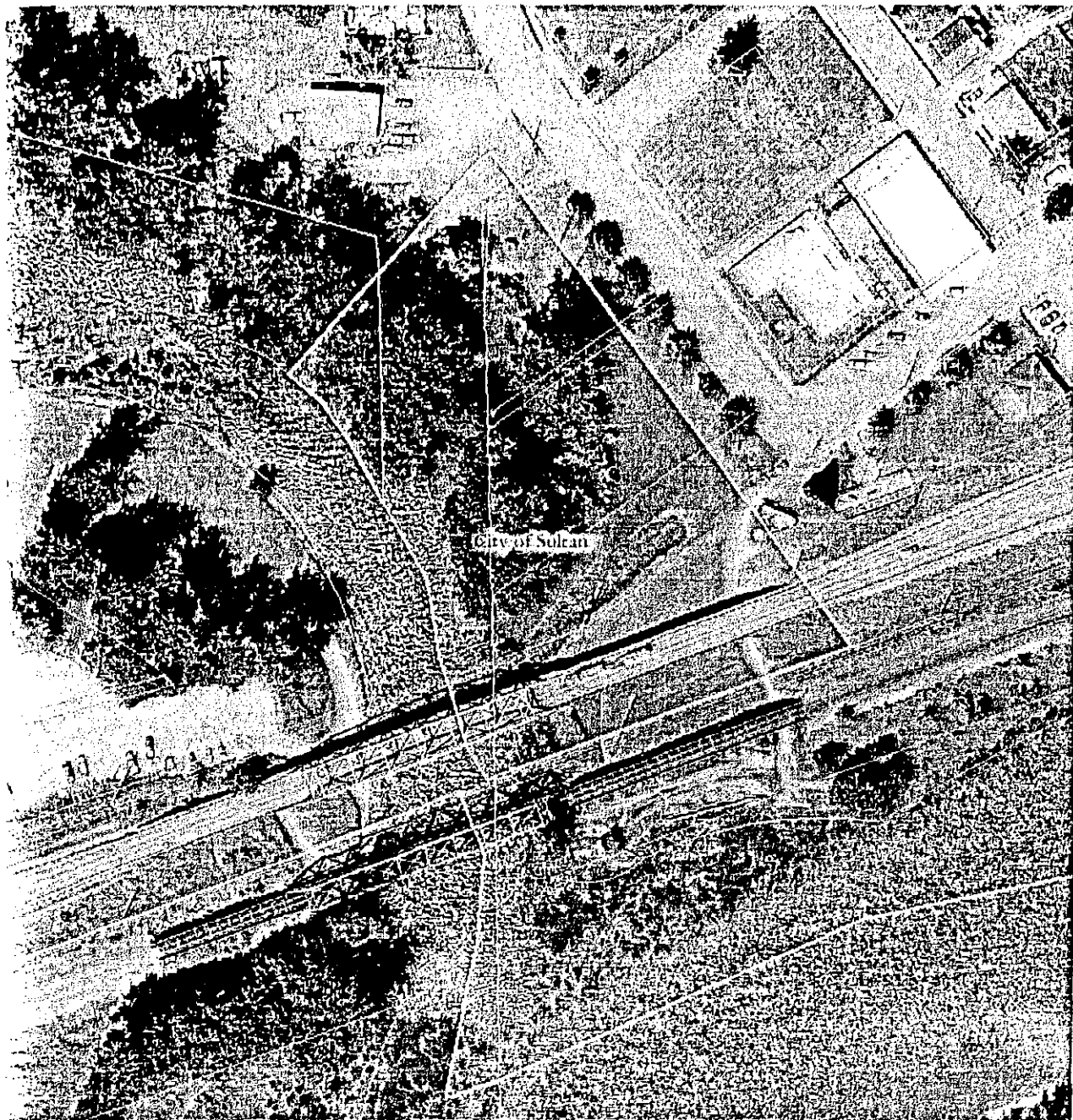
Attachment A: Aerial map of the annexation area

Attachment B: Resolution NO. 14-13: Pursue Annexation of the Donut Hole

Exhibit A: Map of Annexation Boundaries

Exhibit B: Description of Annexation Boundaries

ATTACHMENT A: Aerial map of the annexation area



**CITY OF SULTAN  
WASHINGTON  
RESOLUTION NO. 14-13**

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**A RESOLUTION OF THE CITY OF SULTAN, WASHINGTON, DECLARING THE CITY'S INTENT TO ANNEX AN AREA OF UNINCORPORATED SNOHOMISH COUNTY COMMONLY KNOWN AS THE DOUGHNUT HOLE; DESCRIBING THE BOUNDARIES OF THE AREA TO BE ANNEXED; SETTING A DATE FOR A PUBLIC HEARING ON THE PROPOSED ANNEXATION; AND PROVIDING DIRECTION TO STAFF.**

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WHEREAS, the Snohomish County Council approved an amendment to their Future Land Use Map of the General Policy Plan to add three acres of undeveloped land that will remain designated Public/Institutional Use to the Sultan Urban Growth Area and rezone the subject three acres from Rural Use to Residential (R-7200), and

WHEREAS, the Sultan City Council desires to annex the "Doughnut Hole" into the City of Sultan to facilitate construction of a pedestrian/bicycle bridge connecting River Park to Sportsman Park crossing over the Sultan River; and

WHEREAS, RCW 43.21C.222 provides that annexation of territory by a city is exempt from the State Environmental Policy Act; and

WHEREAS, RCW 35A.14.295, .297, and .299 establish a process to annex unincorporated territory containing less than 175 acres with all boundaries contiguous to the City; and

WHEREAS, the area commonly known as the "Doughnut Hole" is three acres and has all of its boundaries contiguous to the City; and

NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF SULTAN, WASHINGTON, DOES RESOLVE AS FOLLOWS:

Section 1. Findings. The City Council adopts the above recitals in support of the annexation proposed by this resolution. The Council further finds that the best interests and general welfare of the City of Sultan would be served by the proposed annexation.

Section 2. Voters. The area consists entirely of vacant land. No voters reside within the area to be annexed.

EXHIBIT A

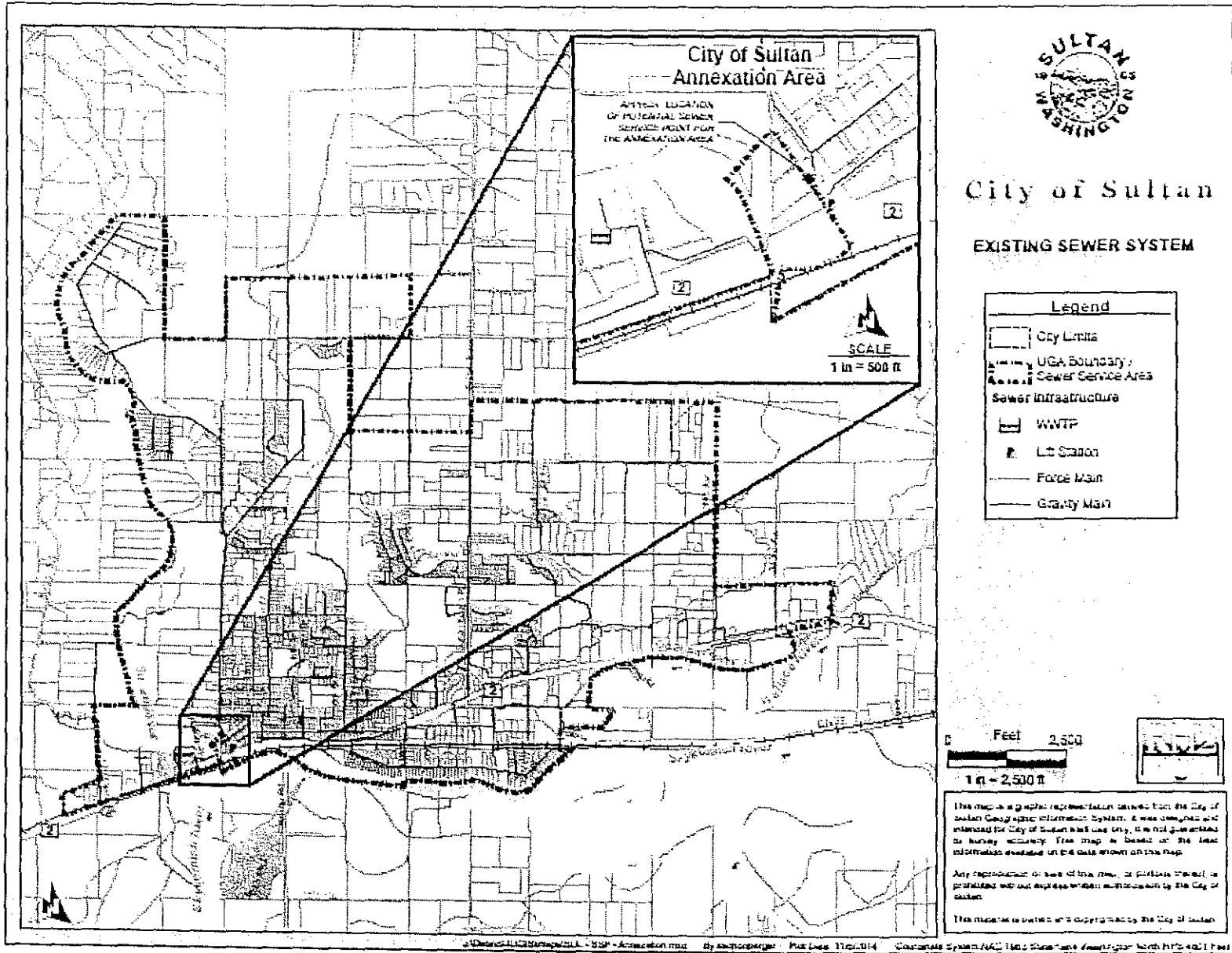


EXHIBIT B

BEGINNING at the intersection of the Southerly right of way margin of State Route 15 (State Route 2) as existing July, 1962 with the Easterly bank of the Sultan River, said intersection located in Government Lot 4, Township 27 North, Range 8 East, W. M., Snohomish County, Washington, also known as the Point of Beginning of City of Sultan Annexation Ordinance No. 261, effective from and after the 28<sup>th</sup> day of July, 1962; thence Northerly along said Easterly bank and the Easterly line of said Ordinance 261 to the southwesterly extension of the Northerly right of way margin of Alder Street as dedicated by the Plat of SULTAN CITY WASHINGTON, as recorded in Volume 1 of Plats, page 91, records of said County, and to the City Limits line established by City of Sultan Annexation Ordinance No. 106, as passed the 4<sup>th</sup> day of August, 1920; thence Northeasterly along said southwesterly extension and Ordinance No. 106 line to a point 48 feet southwesterly of its intersection with the Westerly right of way margin of First Street as dedicated on said Plat; thence Southeasterly along said Ordinance No. 106 line parallel with said Westerly margin to the Northerly right of way margin of the Great Northern Railroad right of way (now being the Burlington Northern Railroad), said Northerly margin being the same as said Southerly margin; thence Westerly along said margins and Ordinance No. 106 line to the POINT OF BEGINNING.