

ORDINANCE NO. 1795

AN ORDINANCE ANNEXING CERTAIN REAL PROPERTY TO THE CITY OF OAK HARBOR, ASSESSING ALL PROPERTY WITHIN THE ANNEXATION AREA AT THE SAME RATE AND BASIS AS OTHER PROPERTY WITHIN THE CITY, REQUIRING THE SUBJECT PROPERTIES TO ASSUME THEIR PROPORTIONATE SHARE OF THE CITY INDEBTEDNESS AND ASSIGNING ZONING FOR THE ANNEXED PROPERTY CONSISTENT WITH THE OAK HARBOR COMPREHENSIVE PLAN.

WHEREAS, the initiating party, representing not less than ten percent in assessed value of the property for which annexation is sought, filed an intent to commence annexation proceedings with the City of Oak Harbor on June 16, 2016; and,

WHEREAS, in conformance with RCW 35A.14.120, the City Council met with said initiating party on August 3, 2016 and authorized the circulation of a petition requiring signatures of property owners representing 60% or more of the assessed property value of the annexation area; and,

WHEREAS, said petition was received by the City of Oak Harbor and transmitted to the Island County Assessor for determination of sufficiency; and,

WHEREAS, a determination of sufficiency was made by the Island County Assessor on October 26, 2016; and,

WHEREAS, annexations are exempt from the State Environmental Policy Act (SEPA) pursuant to RCW43.21C.222. Environmental review and SEPA checklist submittal will be required, if necessary, with subsequent development applications; and,

WHEREAS, a public hearing was held before the City Council on March 21, 2017, notice of said hearing having been published as required by law; and,

WHEREAS, the City Council of the City of Oak Harbor, following due deliberation and careful consideration of the issues germane to the annexation petition, finds that the proposal is consistent with state and local laws pertaining to the annexation of property to the City of Oak Harbor and with the Urban Growth Area goals and policies in the Oak Harbor Comprehensive Plan;

NOW THEREFORE, the City Council of the City of Oak Harbor, do ordain as follows:

Section 1. That the following described property, situated in the County of Island, State of Washington and contiguous to the City of Oak Harbor, is hereby annexed to and incorporated into the City of Oak Harbor, Washington:

ID# R13209-495-1950 – The West 275 feet of the East 825 feet of the North half of the Northeast Quarter of the Northwest Quarter of Section 9, Township 32 North, Range 1 East of the Willamette Meridian; except the North 40 feet of said premises as deeded to Island County for the right-of-way under Auditor’s File Nos. 396312, 396313 and 396994.

ID# R13209-495-2230 – The West 275 feet of the East 550 feet of the North half of the Northeast Quarter of the Northwest Quarter of Section 9, Township 32 North, Range 1 East of Willamette Meridian; except the North 40 feet conveyed to Island County, by deed dated April 21, 1982, recorded under Auditor’s File No. 396318, records of Island County, Washington.

ID# R13209-495-2500 – The East 275 feet of the North half of the Northeast Quarter of the Northwest Quarter of Section 9, Township 32 North, Range 1 East of Willamette Meridian; except that portion lying within Fort Nugent Road.

ID# R13209-446-2310 – The North half of the Southeast Quarter of the Northeast Quarter of the Northwest Quarter of Section 9, Township 32 North, Range 1 East of Willamette Meridian.

Containing 16.73 acres, more or less. See Exhibit A, Attached.

Section 2. All said real property in the annexed area described in Section 1 shall be assessed and taxed at the same rate and on the same basis as other property in the City of Oak Harbor is assessed and taxed, assume existing indebtedness and be subject to the comprehensive plan as presently adopted or as hereafter amended.

Section 3. The annexed area described in Section 1 is hereby assigned zoning of R-1, Single Family Residential in accordance with the Oak Harbor Comprehensive Plan Land Use Map. The zoning provisions of the Oak Harbor Municipal Code shall be in full force and effect in the annexed area in accordance with this assignment.

Section 4. Severability. If any section, subsection, paragraph, sentence, clause, or phrase of this ordinance or its application to any person or situation should be held to be invalid or unconstitutional for any reason by a court of competent jurisdiction, such invalidity or unconstitutionality shall not affect the validity or constitutionality of the remaining portions of this ordinance or its application to any other person or situation.

Section 5. Effective Date.

This Ordinance shall become effective five (5) days following passage and publication as required by law.

PASSED by the City Council and APPROVED by the Mayor this 21st day of March, 2017.

Robert Severns, Mayor

Date

Attest:

Anna Thompson, City Clerk

Approved as to form:

Nikki Esparza, City Attorney

Date of Publication: _____

Effective Date : _____