

**ORDINANCE NO. 2134 (2013)**

AN ORDINANCE OF THE CITY OF BOTHELL, WASHINGTON, PROVIDING FOR ANNEXATION TO BOTHELL OF NINE SEPARATE UNINCORPORATED KING COUNTY TERRITORIES KNOWN, RESPECTIVELY, AS NORTH BLOOMBERG HILL; HILLSIDE ESTATES; SOUTH NORWAY HILL / 160<sup>TH</sup>; MAGNOLIA DAIRY / SOUTH WESTHILL; NORTH WESTHILL; WESTHILL ISLAND / NORTH; WESTHILL ISLAND / SOUTH; WESTHILL ISLAND / EAST; AND MAYWOOD ISLAND; PROVIDING FOR ADOPTION OF BOTHELL ZONING FOR THE ANNEXATIONS; WAIVING ASSUMPTION OF BONDED INDEBTEDNESS; SETTING AN EFFECTIVE DATE; AND PROVIDING FOR SEVERABILITY AND CORRECTIONS

---

WHEREAS, the Washington State Growth Management Act (the "Act"), codified as RCW 36.70A, requires counties planning under the Act to designate urban growth areas "within which urban growth shall be encouraged and outside of which growth can occur only if it is not urban in nature"; and

WHEREAS, the Act at RCW 36.70A.110(4) states that within such urban growth areas, "In general, cities are the units of local government most appropriate to provide urban governmental services"; and

WHEREAS, the Act at RCW 36.70A.110(7) states, "An urban growth area designated in accordance with this section may include within its boundaries urban service areas or potential annexation areas designated for specific cities or towns within the county"; and

WHEREAS, King County has collaborated with its municipalities to designate potential annexation areas for specific cities and towns within the County; and

WHEREAS, such designated potential annexation areas within King County are termed Potential Annexation Areas (PAAs) and are formally adopted in the King County Countywide Planning Policies (KCCPPs); and

WHEREAS, within King County exists unincorporated territory which has been designated in the KCCPPs as the Bothell PAAs; and

WHEREAS, citizens from the Bothell PAAs have on numerous occasions approached the City Council and City staff seeking to annex to Bothell in order to receive municipal services provided by the City; and

WHEREAS, the City Council has engaged in a thoughtful and deliberate process to evaluate the potential annexation of the PAAs, which process has included but has not been limited to planning and zoning; public outreach; fiscal analysis; and negotiation of transition of services from current providers to the City; and

WHEREAS, RCW 35A.14.480 provides for an annexation method revolving around the negotiation of an interlocal agreement between an annexing code city, the county in which it is located, and the fire protection district or districts that have jurisdiction over the territory proposed for annexation; and

WHEREAS, the Bothell PAAs comprise unincorporated territory which is within King County and the jurisdictions of King County Fire District 16 and King County Fire District 36; and

WHEREAS, to initiate the process of negotiating an interlocal agreement in accordance with RCW 35A.14.480, the City Council on February 23, 2010, adopted Resolution 1254 (2010) which stated the City's interest to enter into an annexation interlocal agreement negotiation process, and duly sent copies of such Resolution as notice to representatives of King County, Fire District 16 and Fire District 36; and

WHEREAS, further in accordance with RCW 35A.14.480, King County, Fire District 16, and Fire District 36 either responded affirmatively to said notice or did not respond within 45 days, thereby allowing the annexation interlocal agreement negotiation to proceed; and

WHEREAS, the City of Bothell, King County, Fire District 16 and Fire District 36 subsequently negotiated an interlocal agreement satisfying the requirements of RCW 35A.14.480 and addressing the service transition interests of each party, which agreement was approved by the Fire District 16 Board of Commissioners on May 21, 2013, the Fire District 36 Board of Commissioners on May 22, 2013, the Bothell City Council on May 21, 2013, and the King County Council on September 3, 2013; and

WHEREAS, concurrent with the interlocal agreement negotiations, the City conducted open houses, public meetings and public hearings to establish Bothell comprehensive plan designations and proposed zoning classifications for the PAAs, to take effect upon annexation, which designations and classifications were adopted by the City Council via Ordinance 2053 (2010); and

WHEREAS, following approval of the interlocal agreement, the City prepared and submitted to the King County Boundary Review Board (KCBRB) notices of intention for the proposed annexations, which proposed annexations were deemed approved by the KCBRB on November 15, 2013; and

WHEREAS, in accordance with the approved annexation interlocal agreement, the City has scheduled a hearing on the proposed annexation for November 19, 2013, and has provided due notice of such hearing pursuant to state law; and

WHEREAS, the Bothell City Council has determined that the interests of the citizens of Bothell and of Bothell's designated PAAs would be served by annexation to Bothell;

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

Section 1. ANNEXATION AND ADOPTION OF ZONING. The unincorporated King County territories known as North Bloomberg Hill; Hillside Estates; South Norway Hill / 160<sup>th</sup>; Magnolia Dairy / South Westhill; North Westhill; Westhill Island / North; Westhill Island / South; Westhill Island / East; and Maywood Island, as depicted and described on Exhibits A and B, respectively, attached hereto, are hereby annexed to the City of Bothell, and are simultaneously assigned Bothell zoning as established in Ordinance 2053 (2010).

Section 2. WAIVER OF ASSUMPTION OF BONDED INDEBTEDNESS. Property owners within the annexation areas shall not be required to assume any of the outstanding bonded indebtedness of the City of Bothell existing at the effective date of annexation.

Section 3. EFFECTIVE DATE OF ANNEXATION. The effective date of annexation and assignment of Bothell zoning shall be February 28, 2014.

Section 4. EFFECTIVE DATE OF ORDINANCE. This ordinance, being an exercise of a power specifically delegated to the City legislative body, is not subject to referendum, and shall take effect five (5) days after passage and publication of an approved summary thereof consisting of the title.

Section 5. SEVERABILITY. If any section, sentence, 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 or constitutionality of any other section, sentence, clause or phrase of this ordinance.

Section 6. CORRECTIONS. The City Clerk and the codifiers of this ordinance are authorized to make necessary corrections to this ordinance including, but not limited to, the correction of scrivener's/clerical errors, references, ordinance numbering, section/subsection numbers and any references thereto.

APPROVED:

---

MARK LAMB  
MAYOR

ATTEST/AUTHENTICATED:

---

KATHLEEN OESER  
ACTING CITY CLERK

APPROVED AS TO FORM:

---

JOSEPH N. BECK  
CITY ATTORNEY

FILED WITH THE CITY CLERK: November 12, 2013  
PASSED BY THE CITY COUNCIL: November 19, 2013  
PUBLISHED: November 25, 2013  
EFFECTIVE DATE: November 30, 2013  
ORDINANCE NO.: 2134 (2013)

**SUMMARY OF ORDINANCE NO. 2134 (2013)**

City of Bothell, Washington

---

On the 19th day of November, 2013 , the City Council of the City of Bothell passed Ordinance No. 2134 (2013). A summary of the content of said Ordinance, consisting of the title, is provided as follows:

AN ORDINANCE OF THE CITY OF BOTHELL, WASHINGTON, PROVIDING FOR ANNEXATION TO BOTHELL OF NINE SEPARATE UNINCORPORATED KING COUNTY TERRITORIES KNOWN, RESPECTIVELY, AS NORTH BLOOMBERG HILL; HILLSIDE ESTATES; SOUTH NORWAY HILL / 160<sup>TH</sup>; MAGNOLIA DAIRY / SOUTH WESTHILL; NORTH WESTHILL; WESTHILL ISLAND / NORTH; WESTHILL ISLAND / SOUTH; WESTHILL ISLAND / EAST; AND MAYWOOD ISLAND; PROVIDING FOR ADOPTION OF BOTHELL ZONING FOR THE ANNEXATIONS; WAIVING ASSUMPTION OF BONDED INDEBTEDNESS; SETTING AN EFFECTIVE DATE; AND PROVIDING FOR SEVERABILITY AND CORRECTIONS

The full text of this Ordinance will be mailed upon request.

---

KATHLEEN OESER  
ACTING CITY CLERK

FILED WITH THE CITY CLERK: November 12, 2013  
PASSED BY THE CITY COUNCIL: November 19, 2013  
PUBLISHED: November 25, 2013  
EFFECTIVE DATE: November 30, 2013  
ORDINANCE NO.: 2134 (2013)