

**ORDINANCE NO. 2015-1496**

**AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF CHELAN, WASHINGTON ANNEXING CERTAIN REAL PROPERTY COMPRISING AN “ISLAND OF TERRITORY” SURROUNDED BY THE CITY OF CHELAN AND THEREBY INCORPORATING SAID PROPERTY WITHIN THE CORPORATE LIMITS OF THE CITY OF CHELAN; PROVIDING FOR THE ASSUMPTION OF EXISTING INDEBTEDNESS; AND ADOPTING A COMPREHENSIVE LAND USE PLAN AND ZONING DESIGNATION**

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**RECITALS**

A. Within this Ordinance No. 2015-1496:

*Chelan UGA* means the urban growth area designated by the County contiguous to the City;

*GMA* means the Washington state Growth Management Act, codified as RCW 36.70A;

*Lord Acres* means the area described in Exhibit A;

*Lord Acres 2015-02* means the properties that are a portion of Lord Acres not within the City, but within the City’s urban growth area, listed below and highlighted in Exhibit A:

- Tax Parcel No. 272210675190, ,
- Tax Parcel No. 272210675195; and
- Tax Parcel No. 272210675200;

*Unincorporated Island Annexation Process* means the process by which legislative bodies of code cities such as Chelan may by resolution and subsequent ordinance annex unincorporated territory containing less than 175 acres and having all the boundaries of such area contiguous to the code city under RCW 35A.14.295, .297 and .299;

*UGA* means urban growth area under GMA.

- B. Under GMA, counties are required to designate UGAs "within which urban growth shall be encouraged and outside of which growth can occur only if it is not urban in nature"; and
- C. Under GMA at RCW 36.70A.110(4), "in general, cities are the units of local government most appropriate to provide urban governmental services"; and
- D. Under the GMA at RCW 36.70A.110(7), "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
- G. Lord Acres is a geographically homogenous and complete area where it is expected to have significant urban growth and where urban governmental services can be supplied by the City, evidenced in the following actions of the City:
- under a participatory public process, the City completed the Lord Acres Subarea Plan in January 2009, which the City Council adopted as part of the City's comprehensive plan;
  - On April 23, 2015, the City Council adopted the Lords Acres Infrastructure Planning Report, which planned for full build-out of water, sewer and road infrastructure within Lord Acres; and
  - On May 14, 2015, the City Council recognizing Lord Acres is a benefit area for the construction of a regional sewer lift station and assessed a general facilities charge for the lift station.
- H. Lord Acres 2015-02 is 1.99 acres and is surrounded by the City on 100 percent of its boundaries;
- I. Lord Acres, generally, and Lord Acres 2015-02, specifically, should be governed, managed and planned by the City and pursuant to the laws of the City;
- J. The Unincorporated Island Annexation Process is the most appropriate mechanism under state law to annex the Lord Acres 2015-02;
- K. On September 24, 2015, the City Council passed Resolution 2015-1298 declaring the City Council's intent to annex Lord Acres 2015-02 into the City. As part of Resolution 2015-1298, and under the Unincorporated Island Annexation Process, the City Council scheduled a public hearing for October 22, 2015 to afford residents and property owners of Lord Acres 15-02 an opportunity to be heard on the issue of annexing Lord Acres 2015-02 into the City and directed the City's Staff to provide notice of the public hearing;

- L. The City Council held a public hearing on October 22, 2015 for the purpose of affording residents or property owners of Lord Acres 2015-02 an opportunity to be heard on the issue of annexing of Lord Acres 2015-02 into the City. Notice of the public hearing was properly given; and
- M. The City Council has carefully reviewed and considered the annexation of Lord Acres 15-02, and finds that the best interest of the City will be served and that it is appropriate to good government of the City to annex Lord Acres 2015-02 into the City.

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

**Section 1.** The above Recitals are incorporated in and made a part of this Ordinance.

**Section 2.** The City annexes Lord Acres 2015-02 to the City under the Unincorporated Island Annexation Process.

**Section 3.** All water rights appurtenant to Lord Acres 2015-02 shall be transferred to the City when development occurs, under CMC 13.40.030 and .040.

**Section 4.** Lord Acres 2015-02 shall be assessed and taxed at the same rate and on the same basis as the property within the City is assessed and taxed, to pay for all of the outstanding indebtedness of the City.

**Section 5.** Lord Acres 2015-02 shall be zoned as depicted in the official pre-annexation zoning map of the City. The Community Development Director shall insert the appropriate zoning for Lord Acre 2015-02 on the official zoning map of the City upon the effective date of this Ordinance.

**Section 6.** The title is approved as the summary of this Ordinance.

**Section 7.** The Clerk shall cause a summary of this Ordinance to be published in a newspaper of general circulation in the City and the City's official newspaper, and shall file a certified copy of this Ordinance with the Board of Commissioners for Chelan County.

**Section 8.** This Ordinance shall become effective forty-five days after passage, approval and publication.

**PASSED** at the regular session of the City Council of the City of Chelan, Washington, this 22<sup>nd</sup> day of October, 2015.

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Robert Goedde, Mayor

ATTEST:

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Peri Gallucci, City Clerk

APPROVED AS TO FORM:

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Allan Galbraith, City Attorney

Filed with the City Clerk: October 15, 2015  
Passed by the City Council: October 22, 2015  
Published: October 28, 2015  
Effective Date: December 12, 2015  
Ordinance Number: 2015-1496

**EXHIBIT A**  
**LORD ACREAGE AREA LA2015-02**

272210675190, 272210675195, 272210675200

The following parcels of land in Tracts 34 and 35, The Lord Acreage, recorded in Volume 3 of Plats, Page 34, located in Section 10 and 11, Township 27 North, Range 22 East of the Willamette Meridian, Chelan County, Washington more particularly described as follows: Beginning at the Southeast corner Lot 35, The Lord Acreage, located in Section 10 and 11, Township 27 North, Range 22 East of the Willamette Meridian, Chelan County, thence North 42°39' East for a distance of 127.4 feet along the Easterly line of Lot 35; thence North 85°48' West for a distance of 264.10 feet; thence South 15°47' West for a distance of 60 feet to the True Point of Beginning. thence South 15°47'00" West for a distance 93.00 feet; thence South 50°02'00" East for a distance 78.37 feet; thence South 77°01'00" East for a distance of 18.63 feet; thence South 57°01'50" West for a distance 299.27 feet; thence North 44°30'00" West for a distance 371.43 feet; thence North 09°30'00" West for a distance 15.73 feet; thence North 86°43'30" East for a distance 461.82 feet to the True Point of Beginning.