

CITY OF SEQUIM ORDINANCE #2008-009

**AN ORDINANCE OF THE CITY OF SEQUIM ANNEXING AN UNINCORPORATED
CONTIGUOUS AREA WITHIN THE SEQUIM URBAN GROWTH AREA OF
CLALLAM COUNTY PURSUANT TO RCW 35.13; 35A.01.040 AND 35A.14 AND
ESTABLISHING RESIDENTIAL (R-II) AS THE OFFICIAL ZONING DESIGNATION
FOR THE PARCEL WITHIN THE AREA OF ANNEXATION AS DESIGNATED IN
THE ORDINANCE AND THE ATTACHED EXHIBITS.**

WHEREAS, the initiating party represents not less ten percent of the acreage of the area have submitted to the City of Sequim an intention to commence annexation proceedings; and,

WHEREAS, the City Council met with said initiating party (RCW 35A.14.120) on July 19, 2006 and opted not to amend the proposed annexation area; and,

WHEREAS, by City Council acceptance, the initiating party was authorized to circulate a petition in a form as identified in RCW 35A.01.040; and,

WHEREAS, the annexation area encompasses 1 parcel totaling 0.69-acres; and,

WHEREAS, the annexation is a logical extension of the boundaries of the City of Sequim; and,

WHEREAS, the area of annexation is located within the scope of the City of Sequim Comprehensive Plan Update and urban growth area and is consistent with direction given for review of annexations identified in the Urban Growth Area Element (Chapter 4); and,

WHEREAS, the property is currently regulated under Clallam County zoning and must be pre-zoned for City of Sequim zoning, such zoning to become effective on the effective date of annexation; and,

WHEREAS, City urban services are in the vicinity of the annexation and adequate to serve the annexation area; and,

WHEREAS, the City of Sequim and Clallam County are required to do comprehensive land use planning under the Growth Management Act and have entered into an inter-local agreement for joint planning of the Sequim urban growth area through the adoption of consistent Comprehensive Plan Optimum Land Use Maps; and,

WHEREAS, as a result of compliance with the Growth Management Act and of the Service Extension Review Process agreement with the County, the comprehensive planning for urban services, including water and sanitary sewer service, by the City includes the entire urban growth area; and,

WHEREAS, by City Council acceptance, the initiating party was authorized to circulate a petition in a form as identified in RCW 35A.01.040; and,

WHEREAS, the circulated petition required signatures of property owners representing 60% or more of the assessed property value of the amended annexation area; and,

WHEREAS, said petition was received by the City of Sequim and transmitted to the Clallam County Assessor's Office for determination of sufficiency; and,

WHEREAS, a determination of sufficiency was made by the Clallam County Assessor on December 5, 2006; and,

WHEREAS, annexations are considered minor land use decisions and are categorically exempt from threshold determination and EIS requirements (RCW 43.21(C)222. Environmental review and SEPA checklist submittal will be required, if necessary, with subsequent development applications; and,

WHEREAS, a Clallam County Boundary Review Board was created by Resolution No. 115 on December 14, 2004 for adequate consideration on municipal and district boundaries; and,

WHEREAS, the required Boundary Review Board package was transmitted to Clallam County on March 21, 2008; and,

WHEREAS, the Clallam County Boundary Review completed their review and has issued a compliance letter on May 13, 2008; and,

WHEREAS, annexations are identified in Chapter 20.01.030 Table 2, Sequim Municipal Code, as a Type C-2 process involving a Planning Commission public meeting and a City Council public hearing; and,

WHEREAS, notification of said meetings were made in conformance with RCW Section 35A.14.130; and,

WHEREAS, the City of Sequim Planning Commission held a public meeting on the proposed annexation at their July 1, 2008 regularly scheduled meeting and passed a motion to recommend approval to the City of Sequim City Council; and,

WHEREAS, the City of Sequim City Council held a public hearing on the proposed annexation on July 14, 2008 for the purpose of receiving comments on the proposed annexation; and,

WHEREAS, it is the considered opinion of the City Council of the City of Sequim, that said area to be annexed be subject to the conditions and restrictions hereinafter stated and as set forth in the Petition for Annexation;

NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF SEQUIM DO ORDAIN AS FOLLOWS:

Section 1: That the area and property described in the attached Exhibit "A" Legal Description and shown in Exhibit "B" Map, be and is hereby annexed to the City

of Sequim and such annexation does not require the approval, except as to form, of any other agency.

Section 2: That the entire area of annexation be and hereby is required to assume existing and future City indebtedness on a proportionate basis.

Section 3: That all laws and ordinances of the City of Sequim shall be in effect within the described parcels, consistent with the adopted Comprehensive Plan and zoning designations, as of the effective date of the annexation.

Section 4: That residential (R-II) as defined in Title 18 of the Sequim Municipal Code be established as the official zoning districts for the parcels within the area of annexation consistent with the designations and locations identified in the adopted City of Sequim Comprehensive Plan Update (August 2006); such zoning to become effective as of the effective date of the annexation.

Section 5: Severability: If any section, subsection, or other portion of this Ordinance is for any reason held invalid or unconstitutional by any court of competent jurisdiction, such section, subsection, or portion shall be deemed a separate portion of this Ordinance and such holding shall not affect the validity of the remaining portions of this Ordinance.

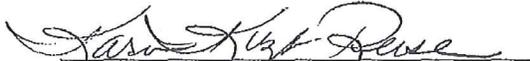
Section 6: This Ordinance shall become effective five (5) days after passage and publication.

Section 7: Read for the first time and passed by the City Council of the City of Sequim, at a regular meeting thereof, held this 14th day of July, 2008, the second reading having been waived by Council.



Laura Dubois, Mayor

ATTEST:



Karen Kuznek-Reese, CMC
City Clerk

APPROVED AS TO FORM:



Craig Ritchie
City Attorney

EXHIBIT A

LAND SURVEYING		935 North Fifth Avenue • P.O. Box 2199
MAPPING		Sequim, Washington 98382
DEVELOPMENT CONSULTING		Office (360) 681-2161 • Fax (360) 683-5310
CONSTRUCTION MANAGEMENT		Toll Free 1-888-681-2161 • E-mail: info@clarkland.com

LEGAL DESCRIPTION FOR FRANK SCHONIANS
August 3, 2007

THAT PORTION OF THE EAST HALF OF THE NORTHEAST QUARTER OF THE NORTHWEST QUARTER OF THE SOUTHWEST QUARTER OF SECTION 17, TOWNSHIP 30 NORTH, RANGE 3 WEST, W.M., CLALLAM COUNTY WASHINGTON, DESCRIBED AS FOLLOWS:

BEGINNING AT THE NORTHWEST CORNER OF SAID EAST HALF;
THENCE SOUTH 01°49'43" WEST ALONG THE WEST LINE OF SAID EAST HALF, A DISTANCE OF 30.00 FEET TO A POINT ON THE SOUTH MARGIN OF PORT WILLIAMS ROAD AND THE TRUE POINT OF BEGINNING;
THENCE CONTINUING SOUTH 01°49'43" WEST ALONG THE WEST LINE OF SAID EAST HALF, A DISTANCE OF 194.99 FEET;
THENCE SOUTH 88°00'10" EAST ALONG THE NORTH LINE OF LOT 1 OF SURVEY RECORDED IN VOLUME 12 OF SURVEYS, PAGE 62, RECORDS OF CLALLAM COUNTY, WASHINGTON, A DISTANCE OF 154.99 FEET;
THENCE NORTH 01°49'43" EAST PARALLEL WITH THE WEST LINE OF SAID EAST HALF, A DISTANCE OF 194.99 FEET TO A POINT ON THE SOUTH MARGIN OF PORT WILLIAMS ROAD;
THENCE NORTH 88°00'10" WEST ALONG SAID SOUTH MARGIN, A DISTANCE OF 154.99 FEET TO THE TRUE POINT OF BEGINNING.

THIS DESCRIPTION IS BASED ON THE WASHINGTON COORDINATE SYSTEM GRID, NORTH ZONE, NAD83/91. ALL BEARINGS ARE RELATIVE TO SAID GRID AND ALL DISTANCES HAVE BEEN REDUCED TO SAID GRID USING A COMBINED SCALE FACTOR OF 0.99993904. TO CONVERT GRID DISTANCES TO GROUND DISTANCES, MULTIPLY THEM BY A SCALE FACTOR OF 1.00006096.

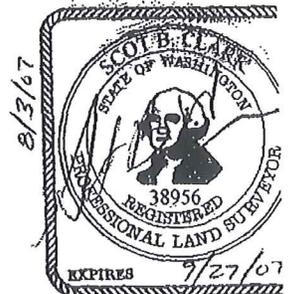
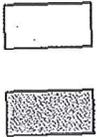
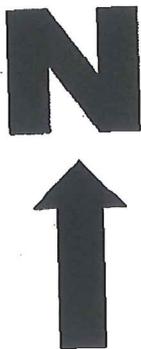
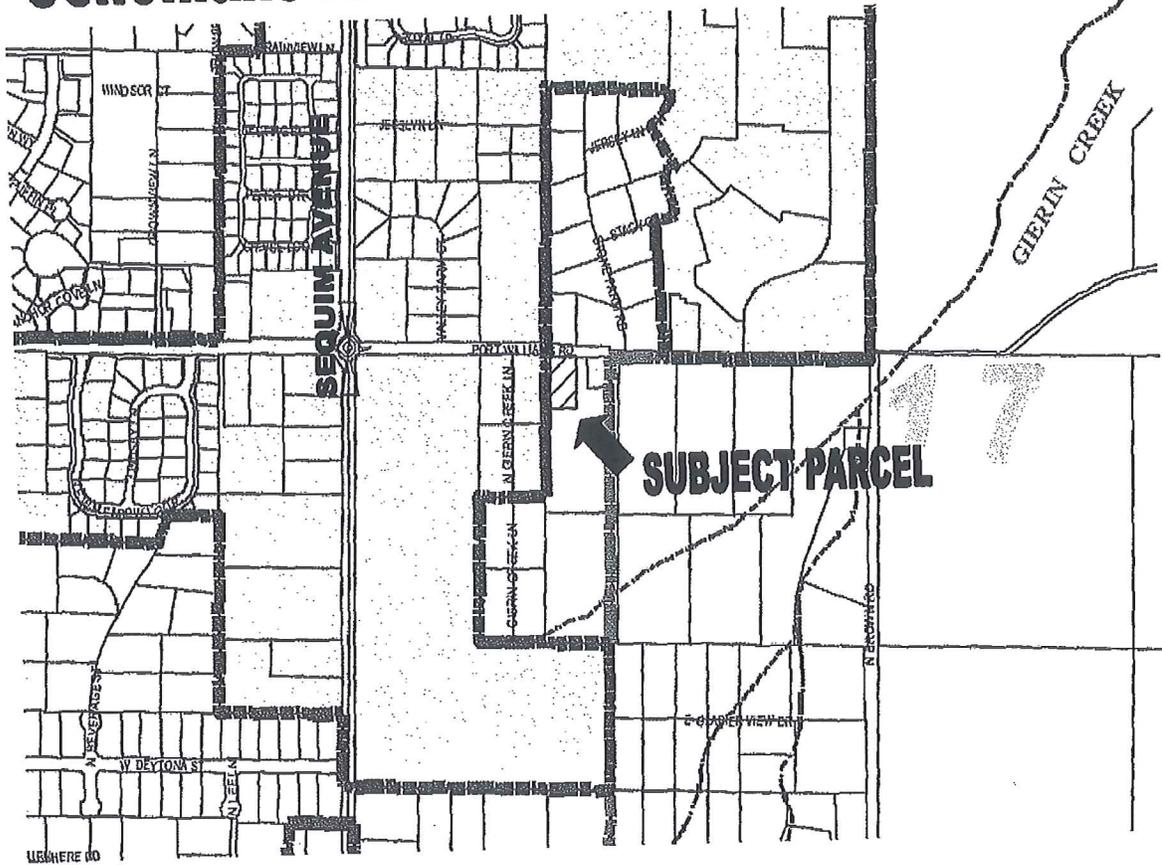


EXHIBIT "B"

Schonians Annexation - ORD. #2008-009



Within City of Sequim Urban Growth Area

Within City of Sequim