

ORDINANCE NO. 2009-1392

**AN ORDINANCE OF THE CITY OF CHELAN, WASHINGTON, PROVIDING FOR THE ANNEXATION OF UNINCORPORATED ISLANDS KNOWN AS MAKAI SHORE ANNEXATION AREA TO THE CITY; PROVIDING FOR THE ASSUMPTION OF EXISTING INDEBTEDNESS; ADOPTING A COMPREHENSIVE LAND USE PLAN AND ZONING DESIGNATIONS; AND REQUIRING NOTICE OF PASSAGE OF THE ORDINANCE.**

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**WHEREAS**, RCW 35A.14.295 and RCW 35A.14.297 authorize the City Council to resolve to annex into the City unincorporated territory containing residential property owners if the unincorporated territory contains less than one hundred acres and has at least eighty percent of its boundaries contiguous to the City's boundaries, to conduct a public hearing on the annexation, and to provide by ordinance for the annexation;

**WHEREAS**, the City Council adopted its Resolution No. 2009-1196 on May 28, 2009, declaring its intent to annex unincorporated territory , consisting of approximately 16 acres generally located east of Crystal View Estates along SR 150 and generally known as Makai Shore, which area is legally described on the attached Exhibit A, and the boundaries of which are shown on the map attached as Exhibit B (the "Makai Shore Annexation Area"), scheduling a public hearing on said annexation, and directing notice of said hearing to be given;

**WHEREAS**, the MaKai Shore Annexation Area is within the boundaries of the Urban Growth Area of the City and the annexation of the MaKai Shore Annexation Area is consistent with the provisions of the Comprehensive Plan of the City;

**WHEREAS**, the City has adopted proposed zoning regulations for the MaKai Shore Annexation Area, together with a pre-annexation zoning map pursuant Resolution No. 98-992 and RCW 35A.14.33 and RCW 35A.14.340;

**WHEREAS**, the City Council, after required public notice, held a public hearing on June 25, 2009 to receive public input to the annexation of the MaKai Shore Annexation Area;

**WHEREAS**, all statutory requirements have been satisfied, including without limitation those set forth in RCW35A.14.295.

**NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF CHELAN, WASHINGTON, does ordain as follows:**

**SECTION I.** The foregoing Recitals are incorporated into this Ordinance.

**SECTION II.** The MaKai Shore Annexation Area is annexed to and made part of the City.

**SECTION III.** The MaKai Shore Annexation Area shall assume its proportionate share of the City's indebtedness existing as of the date of the annexation and as modified in the future, and shall be taxed the same rate as other property owners within the City of Chelan, subject to applicable exemptions.

**SECTION IV.** All property within the MaKai Shore Annexation Area shall be zoned as depicted in the official pre-annexation zoning map of the City, as adopted by Resolution No. 98-992. The Community Development Director shall insert the appropriate zoning for the MaKai Shore Annexation Area on the official zoning map of the City upon the effective date of this Ordinance.

**SECTION V.** This Ordinance shall take effect and the property shall become part of the City of Chelan forty-five (45) days from the date of passage of this Ordinance, unless a petition for referendum is filed with the City Council, pursuant to the requirements of RCW 35A.14. 299.

**SECTION VI.** The Chelan City Clerk or her designee shall give notice of the proposed effective date of the annexation and notice that the Ordinance provides for assumption of indebtedness and the adoption of a proposed zoning regulations by publishing the Ordinance at least once a week for two consecutive weeks after the passage of the Ordinance, in the City of Chelan's official newspaper.

PASSED by the City Council and APPROVED by the Mayor of the City of Chelan, Washington at a regular meeting held this 25 day of June, 2009.

CITY OF CHELAN, WASHINGTON

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Robert Goedde, Mayor

ATTEST:

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Linda Allison-Liles, City Clerk

FILED WITH THE CITY CLERK: June 19, 2009  
PASSED BY THE CITY COUNCIL: July 23, 2009  
PUBLISHED: July 29, 2009  
EFFECTIVE DATE: September 12, 2009  
ORDINANCE NO.: 2009-1392