

CITY OF MAPLE VALLEY, WASHINGTON

ORDINANCE NO. O-13-541

AN ORDINANCE OF THE CITY OF MAPLE VALLEY, WASHINGTON, ANNEXING, PURSUANT TO INTERLOCAL AGREEMENT, THE APPROXIMATELY 156 ACRE PROPERTY COMMONLY KNOWN AS THE DONUT HOLE OR SUMMIT PLACE, PROVIDING FOR TAXATION AND ZONING OF THE SAME, AND ESTABLISHING AN EFFECTIVE DATE.

WHEREAS, the Maple Valley City Council adopted Resolution R-08-931 on November 10, 2008, commencing negotiations for an interlocal agreement with King County to annex the 156 acre property known as the Donut Hole or Summit Place (the "Property"); and

WHEREAS, the Maple Valley City Council adopted Resolution R-10-765 on May 3, 2010, authorizing the City Manager to sign an interlocal agreement that adopted a joint plan for the Property and contemplated future annexation by interlocal agreement; and

WHEREAS, RCW 35A.14.330 authorized the City Council to adopt proposed zoning regulations to become effective upon the annexation of any area that might reasonably be expected to be annexed by the City at any future time,

WHEREAS, on August 22, 2011, the City Council adopted Ordinance O-11-436 on which established the zoning designation "Master Planned Community" as pre-annexation zoning for the Property; and

WHEREAS, on the same date, the City Council adopted Ordinance O-11-437, amending the Official Zoning Map to reflect the zoning regulations of the City of Maple Valley, Washington, designating the Property as Master Planned Community, pre-annexation zoning, pursuant to the Council adoption of Ordinance O-11-436; and

WHEREAS, RCW 35A.14.460 authorizes annexation of territory such as the Donut Hole by interlocal agreement and subsequent ordinance; and

WHEREAS, the City Council adopted Resolution R-13-946 on September 9, 2013, approving the Interlocal Agreement ("Annexation Agreement") between the City of Maple Valley and King County relating to the annexation of the Property and authorizing the Maple Valley City Manager to execute the Agreement on behalf of the City of Maple Valley after the execution of the Agreement by the County Executive; and

WHEREAS, the County Executive executed the Annexation Agreement on October 9, 2013; and

WHEREAS, the City Manager executed the Annexation Agreement on October 9, 2013;

NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF MAPLE VALLEY, WASHINGTON DO ORDAIN AS FOLLOWS:

Section 1. Annexation of the Donut Hole / Summit Place Property. The Property, which is more particularly described on Exhibit A, a copy of which is attached hereto and incorporated by this reference as if set forth in full, is hereby annexed to and made a part of the City of Maple Valley.

Section 2. Assumption of City Indebtedness. The Property shall be assessed and taxed at the same rate and on the same basis as other property within the City of Maple Valley, including assessments or taxes in payment of all or any portion of the outstanding indebtedness of the City contracted, incurred prior to, or existing on, the date of annexation.

Section 3. Zoning Controls Adopted for Annexation Area. The Property annexed by this ordinance is hereby zoned in accordance with Ordinances O-11-436 and O-11-437, until such time that the zoning is changed or amended by the City as described in the Annexation Agreement.

Section 4. Contemporaneous Updates. The City's Comprehensive Plan and zoning map are hereby amended to conform to the annexation approved in this ordinance.

Section 5. Severability. Should any section, paragraph, sentence, clause or phrase of this ordinance, or its application to any person or circumstance, be declared unconstitutional or otherwise invalid for any reason, or should any portion of this ordinance be pre-empted by State or federal law or regulation, such decision or pre-emption shall not affect the validity of the remaining portions of this ordinance or its application to other persons or circumstances.

Section 6. Effective Date. This ordinance shall be published in the official newspaper of the City, and shall take effect and be in full force on December 1, 2013. The Property is annexed and becomes a part of the city upon that date.

Section 7. Notice. The city clerk shall cause notice of the effective date of the annexation, together with a description of the property to be annexed, to be published at least once each week for two weeks subsequent to passage of this ordinance, in one or more newspapers of general circulation within the city. The notice shall include a statement of the requirements set forth in Sections 2 and 3 above.

ADOPTED BY THE CITY COUNCIL AT A REGULAR MEETING THEREOF ON
THE 14th DAY OF OCTOBER, 2013.

CITY OF MAPLE VALLEY

William A. Allison, Mayor

ATTEST/AUTHENTICATED:

Shaunna Lee-Rice, City Clerk

Approved as to form:

Jeffrey Taraday, City Attorney

Date of Publication: October 29, 2013
Effective Date: December 1, 2013