

CITY OF SULTAN WASHINGTON

Ordinance NO. 1216-15

AN ORDINANCE OF THE CITY OF SULTAN, WASHINGTON, ANNEXING AN AREA OF UNINCORPORATED SNOHOMISH COUNTY COMMONLY KNOWN AS THE DOUGHNUT HOLE, ADOPTING SULTAN ZONING FOR THE ANNEXATION AREA; PROVIDING FOR SEVERABILITY; AND ESTABLISHING AN EFFECTIVE DATE.

WHEREAS, RCW 35A.14.295 authorizes the legislative body of a code city to resolve to annex an unincorporated island of property to the city containing less than one hundred seventy-five acres and having all of the boundaries of such area contiguous to the code city; and

WHEREAS, the Sultan City Council adopted Resolution 14-13 on December 18, 2014, which resolution stated the Council's intent to annex the unincorporated Snohomish County territory known as the "Doughnut Hole"; and

WHEREAS, notice of a public hearing on the Intent to Annex Resolution 14-13 was scheduled for January 8, 2015, and published in The Daily Herald newspaper on December 26, 2014 and January 2, 2015; and

WHEREAS, the Sultan City Council held a public hearing concerning the proposed annexation at the City Council meeting on January 8, 2015; and

WHEREAS, on March 12, 2015, the Snohomish County Boundary Review Board approved the proposed Notice of Intent to Annex and waived review by the Board Chair; and

WHEREAS, the City of Sultan Future Land Use map included in the 2011 Adopted Comprehensive Plan depicts this area as low/moderate density and unincorporated Public/Institutional overlay zone; and

WHEREAS, the Sultan City Council has determined that no residents live within the annexation area; and

WHEREAS, the Sultan City Council has determined that the interests of the citizens of Sultan would be served by annexation to Sultan because of the adjoining parks, trails, and utilities;

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

Section 1. Findings. The City Council adopts the recitals set forth above as findings.

Section 2. Annexation. The City of Sultan hereby annexes the unincorporated Snohomish County territory known as the "Doughnut Hole", legally described in Exhibit A and depicted on the map in Exhibit B.

Section 3. Conditions Upon Annexation.

- a) All properties within the Doughnut Hole Annexation area are assigned Sultan zoning Low Density and subject to the Public/Institutional Overlay.
- b) No Assumption of Existing Indebtedness. The property owners shall not be required to assume any of the outstanding bonded indebtedness of the City of Sultan.

Section 4. The annexation area is pre-designated Urban Conservancy under the city's Shoreline Master Program.

Section 5. Effective Date. The effective date of annexation and assignment of Sultan zoning shall be July 1, 2015, which is more than forty-five days from the date of passage of this ordinance pursuant to the requirements of RCW 35A.14.297 and .299.

Section 6. Publication. Notice including a description of the annexation, said effective date, and adoption of Sultan zoning shall be published in The Herald newspaper at least once each week for two weeks subsequent to passage of the ordinance.

Section 7. Severability. If any section, section, 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 of constitutionality of any other section, sentence, clause or phrase of this ordinance.

Section 8. Corrections by City Clerk. Upon approval of the City Attorney, the City Clerk is authorized to make necessary corrections to this resolution including, but not limited to, the correction of scrivener's/clerical errors, references to other local or state laws, codes, rules, or regulations, resolution numbering, and section/subsection numbers.

PASSED BY THE CITY COUNCIL AT A REGULAR MEETING THEREOF ON THE 14th DAY OF MAY, 2015.

CITY OF SULTAN

Carolyn Eslick, Mayor

ATTEST/AUTHENTICATED:

Laura Koenig, City Clerk

Approved as to form:

Amy Mill, City Attorney

Published: 05/18/2015

Effective: 05/23/2015