

CITY OF LAKE STEVENS
LAKE STEVENS, WASHINGTON

ORDINANCE NO. 1061

AN ORDINANCE OF THE CITY OF LAKE STEVENS, WASHINGTON ANNEXING APPROXIMATELY TWENTY (20) ACRES KNOWN AS THE “ADRIAN ANNEXATION,” INTO THE CITY PURSUANT TO RCW 35A.14.120; ASSIGNING ZONING AND COMPREHENSIVE PLAN DESIGNATIONS UPON ANNEXATION; REQUIRING ASSUMPTION OF A PROPORTIONATE SHARE OF CITY INDEBTEDNESS AND PROVIDING FOR SEVERABILITY AND AN EFFECTIVE DATE AND PROVIDING FOR SUMMARY PUBLICATION BY ORDINANCE TITLE ONLY.

WHEREAS, The Lake Stevens City Council (Council) adopted Ordinance No. 937 establishing the 2015 – 2035 Comprehensive Plan that sets planning goals, policies and implementation strategies for the Lake Stevens Urban Growth Area (UGA) pursuant to Chapter 36.70A RCW; and

WHEREAS, the City of Lake Stevens (City) and Snohomish County entered an updated Interlocal Agreement related to Annexation and Urban Development in the Lake Stevens UGA recorded under Auditors File No. 200511100706 on November 10, 2005; and

WHEREAS, the City Council has reviewed the City’s annexation strategy to determine whether it is consistent with current practices, policies and procedures and thus, the City Council adopted Resolution 2016-21; and

WHEREAS, pursuant to RCW 35A.14.120 the City Council adopted resolution 2018-27 accepting a 10% petition, authorizing the circulation of a 60% petition for annexation and designating comprehensive plan and zoning for the proposed “Adrian” annexation area; and

WHEREAS, pursuant to RCW 35A.14.120, the petitioner obtained the signatures of property owners representing more than 60% of the current total assessed value of all parcels within the proposed annexation area legally described in attached Exhibit A; and

WHEREAS, pursuant to RCW 35A.01.040 the Snohomish County Assessor’s Office on April 1, 2019, certified the 60% petition as sufficient; and

WHEREAS, the annexation area being contiguous with the existing City limits and within unincorporated Snohomish County, and may generally be described as an area of approximately twenty (20) acres, bounded on the north by an undeveloped lot, on the south and west by large lot residences, and on the east by Machias Road, as described in the legal description Exhibit A and depicted in the map attached as Exhibit B. Said unincorporated area is within the City’s Urban Growth Area; and

WHEREAS, on February 13, 2018 a properly noticed public hearing was held pursuant to RCW 35A.14.130 and all persons who wished to provide testimony were heard. At that hearing the City Council considered the Adrian Annexation, land use and zoning designations, and then issued a Notice of Intent to Annex and adopt land use and zoning designations for the annexed parcels by passing Resolution 2019-09 and;

WHEREAS, on April 18, 2019 the City submitted a Notice of Intent to the Snohomish Boundary Review Board and the Board reviewed said Notice and associated materials and deemed said Notice of Intent complete issuing an effective filing date of April 30, 2019.

WHEREAS, the 45-day review period for the Snohomish County Boundary Review Board expired on June 14, 2019 without a request for Board review; and

WHEREAS, the City Council conducted a second duly noticed public hearing on July 9, 2019, to consider the proposed annexation and the assignment of zoning and comprehensive plan designation by the adoption of this Ordinance No. 1061,

NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF LAKE STEVENS DO HEREBY ORDAIN AS FOLLOWS:

SECTION 1. Annexation. The property described in attached Exhibit A and depicted in attached Exhibit B is hereby annexed into the City of Lake Stevens.

SECTION 2. The area legally described in attached revised Exhibits A and B shall be required to assume it's proportionate share of the general indebtedness of the City of Lake Stevens at the time of the effective date of such annexation.

SECTION 3. In the area shown and described in attached Exhibits A and B, parcel 29060900300500 shall be designated in the City's Comprehensive Plan as MDR (Medium Density Residential) and on the City's Official Zoning Map as UR (Urban Residential); and parcels 29060900302400 and 29060900303300 shall be designated in the City's Comprehensive Plan and on the City's Official Zoning Map as P/SP (Public/Semi-Public) .

SECTION 4. Severability. If any section, clause, phrase, or term of this ordinance is held for any reason to be invalid or unconstitutional, such decision shall not affect the validity of the remaining portions of this ordinance, and the remaining portions shall be in full force and effect.

SECTION 5. A summary of this ordinance consisting of its title shall be published in the official newspaper of the City. This ordinance shall take effect and be in force five (5) days after the date of publication.

SECTION 6. Upon passage of this ordinance a certified copy shall be transmitted to the Clerk of the Snohomish County Council as required by RCW 35A.14.440.

PASSED by the City Council of the City of Lake Stevens this 9th day of July 2019.




John Spencer, Mayor

ATTEST:



Kathy Pugh, City Clerk

APPROVED AS TO FORM:



Greg Rubstello, City Attorney

First and Final Reading: July 9, 2019
Date of Publication: July 12, 2019
Effective Date: July 17, 2019

Exhibit A

CITY OF LAKE STEVENS ANNEXATION LEGAL DESCRIPTION

That portion of the Southwest quarter of Section 9, Township 29 North, Range 6 East, W.M., in Snohomish County, Washington, described as follows:

Commencing at the Southeast corner of the Southwest quarter of said Section 9;

Thence West along the south line of said Section 9, 14 feet plus or minus, to the easterly right-of-way of North Machias Road and the True Point of Beginning;

Thence continuing West along the south line of said Section 9, 156 feet plus or minus, to the westerly right-of-way of Burlington Northern Santa Fe Railroad (Abandoned);

Thence Northerly along said westerly right-of-way of Burlington Northern Santa Fe Railroad (Abandoned) 770 feet plus or minus, to the intersection with the South line of the North 1/2 of the SE 1/4 of the SW 1/4 of said Section 9;

Thence continuing along the said westerly right-of-way of Burlington Northern Santa Fe Railroad (Abandoned), 350 feet plus or minus;

Thence Southwesterly 500 feet plus or minus, to a point, being 274.8 feet East from the West line on the South line of the North 1/2 of the SE 1/4 of the SW 1/4 of said Section 9,

Thence West along the said South line of the North 1/2 of the SE 1/4 of the SW 1/4, 274.8 feet to the West line of the SE 1/4 of the SW 1/4 of said Section 9;

Thence North along the said West line of the SE 1/4, of the SW 1/4, 648 feet plus or minus, to the south right-of-way of 16th Street NE;

Thence West along the south right-of-way of said 16th Street NE, 481 feet plus or minus, to a point 20 feet south of a point 892.63 feet, as measured along the south line, from the Southwest corner of the Northwest quarter of the Southwest quarter of said Section 9;

Thence North being at right angle to the said south line of the Northwest quarter of the Southwest quarter, 470 feet plus or minus, to the North line of the South 450 feet of said Northwest quarter of the Southwest quarter;

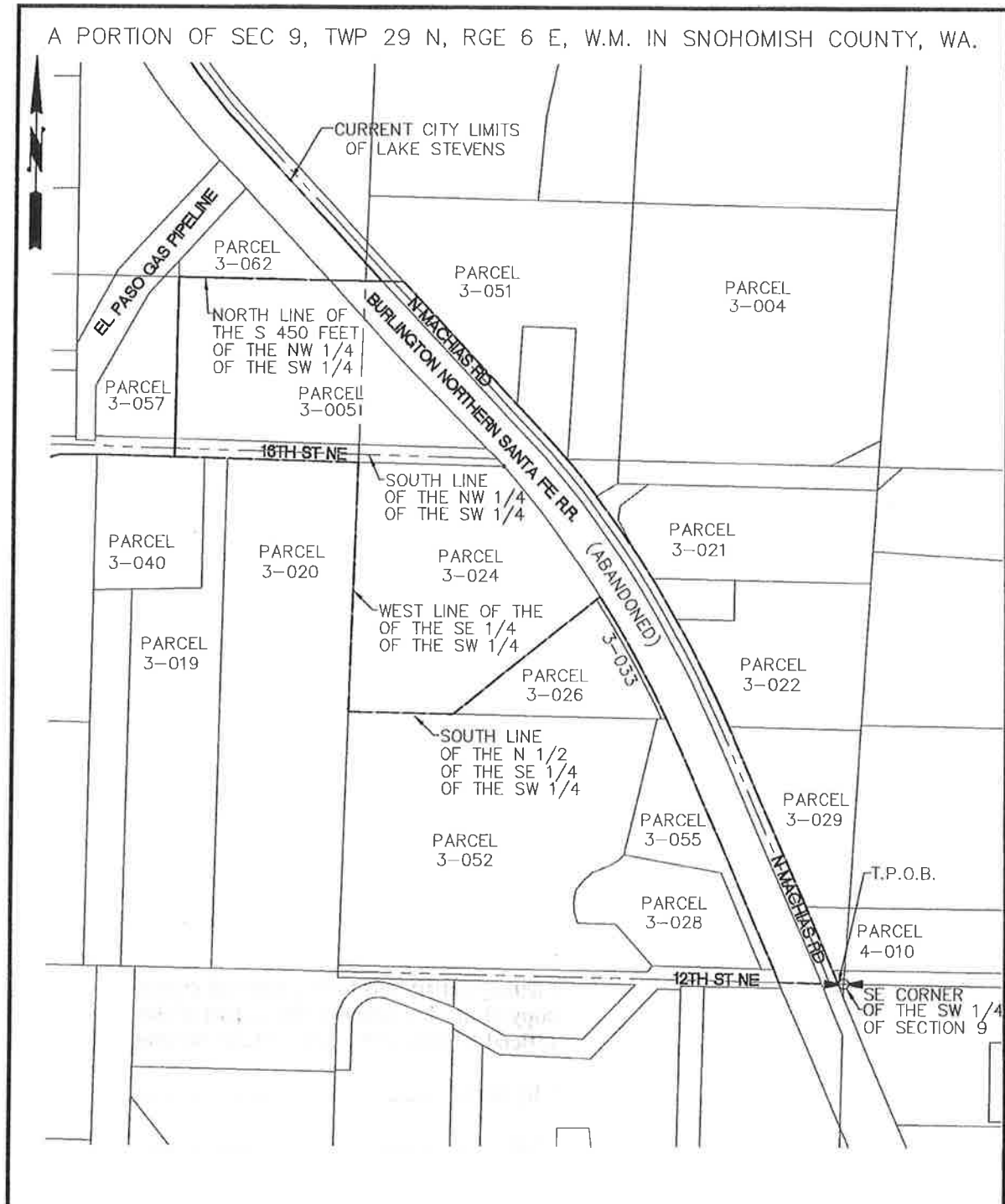
Thence East along said north line, 393 feet plus or minus, to the intersection with the westerly right-of-way of Burlington Northern Santa Fe Railroad (Abandoned);


Thence continuing East along said north line, 195 feet plus or minus, to the intersection with the easterly right-of-way of North Machias Road;

Thence southeasterly along the easterly right-of-way of said North Machias Road, 2,170 feet plus or minus, to the intersection with the south line of said Section 9 and the True Point of Beginning.



Exhibit B



<p>EXHIBIT "A"</p> <p>CITY OF LAKE STEVENS</p> <p>ANNEXATION</p> <p>LEGAL DESCRIPTION</p>	 <p>CHS ENGINEERS</p>	<p>12507 Bel-Red RD., Suite 101, Bellevue, WA 98005 www.chsengineers.com Ph: 425-637-3693</p>	<p>Scale</p> <p>1"=400'</p>
	<p>Drawn by <u>JPC</u> Project # <u>371825</u></p> <p>Checked by <u>RL</u> Date <u>03-12-19</u></p>	<p>Sheet</p> <p>1 / 1</p>	

I hereby certify this to be a true and correct copy of the document on file as part of the official records of the City of Lake Stevens

City Clerk Kathleen [Signature]

Date 7/11/2019