

CITY OF SEQUIM ORDINANCE #2008-004

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) AND PUBLIC FACILITY (PF) AS THE OFFICIAL ZONING DESIGNATIONS FOR THE PARCELS 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 January 18, 2006 and amended the proposed annexation area to include additional land and required the simultaneous adoption of proposed zoning regulations and the assumption of all or any portion of existing City indebtedness by the area to be annexed; 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 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 October 23, 2007; 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 December 12, 2007; and,

WHEREAS, the Boundary Review Board, by letter dated February 27, 2008, cleared this action approval; 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 Title 20 of the Sequim Municipal Code and RCW Section 35A.14.130; and,

WHEREAS, the City of Sequim Planning Commission held a public meeting on the proposed annexation at their March 4, 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 March 10, 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 property, consistent with the designated Comprehensive Plan and zoning designations, as of the effective date of the annexation.

Section 4: That residential (R-II) and public facility (PF) 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. The PF zone is to be applied only to the City of Sequim owned parcel (7.62 acres) and is dedicated for park purposes

Section 5: That all right-of-way of S. Third Avenue adjacent to the subject properties be included within the proposed annexation.

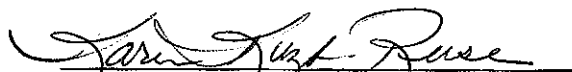
Section 6: Severability: If any section, subsection, or other portion of this Ordinance is for any reason held invalid or unconstitutional by any court of competent jurisdiction, such section, subsection, or portion shall be deemed a separate portion of this Ordinance and such holding shall not affect the validity of the remaining portions of this Ordinance.

Section 7: This Ordinance shall become effective five (5) days after passage and publication.

Section 8: Read for the first time and passed by the City Council of the City of Sequim, at a regular meeting thereof, held this 10th day of March, 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
Goff Annexation
Ord. 2008-004

**LEGAL DESCRIPTION
FOR GOFF ANNEXATION**

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November 20, 2007**

THAT PORTION OF THE SOUTHEAST QUARTER OF NORTHEAST QUARTER, THE NORTHWEST QUARTER OF THE SOUTHEAST QUARTER AND THE NORTHEAST QUARTER OF THE SOUTHEAST QUARTER OF SECTION 30, TOWNSHIP 30 NORTH, RANGE 3 WEST; W.M., CLALLAM COUNTY, WASHINGTON, DESCRIBED AS FOLLOWS:

BEGINNING AT THE SOUTHEAST CORNER OF THE SOUTHEAST QUARTER OF THE NORTHEAST QUARTER OF SECTION 30, TOWNSHIP 30 NORTH, RANGE 3 WEST, W.M.;

THENCE NORTH 88° 12' 29" WEST ALONG THE SOUTH LINE OF SAID NORTHEAST QUARTER, A DISTANCE OF 518.42 FEET TO THE TRUE POINT OF BEGINNING;

THENCE NORTH 02° 00' 08" EAST, A DISTANCE OF 437.44 FEET TO A POINT ON THE SOUTH LINE OF THE NORTH 220 FEET OF THE SOUTH HALF OF THE SOUTHEAST QUARTER OF THE NORTHEAST QUARTER;

THENCE NORTH 88° 12' 38" WEST ALONG SAID SOUTH LINE A DISTANCE OF 765.06 FEET TO A POINT ON THE EASTERLY MARGIN OF THIRD AVENUE;

THENCE SOUTH 02° 00' 08" WEST ALONG SAID EASTERLY MARGIN, A DISTANCE OF 437.41 FEET TO A POINT ON THE SOUTH LINE OF SAID SOUTHEAST QUARTER OF THE NORTHEAST QUARTER;

THENCE CONTINUING ALONG SAID EASTERLY MARGIN SOUTH 01° 32' 23" WEST, A DISTANCE OF 30.00 FEET TO A POINT ON THE SOUTHERLY MARGIN OF RESERVOIR ROAD;

THENCE NORTH 88° 12' 29" WEST ALONG SAID SOUTHERLY MARGIN A DISTANCE OF 60.00 FEET TO A POINT ON THE WESTERLY MARGIN OF THIRD AVENUE;

THENCE SOUTH 01° 32' 23" WEST ALONG SAID WESTERLY MARGIN, A DISTANCE OF 303.59 FEET;

THENCE SOUTH 88° 13' 56" EAST, A DISTANCE OF 60.00 FEET TO A POINT ON THE EASTERLY MARGIN OF THIRD AVENUE, SAID POINT ALSO BEING THE SOUTHWEST CORNER OF PARCEL B

**LEGAL DESCRIPTION
FOR GOFF ANNEXATION**

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OF SURVEY RECORDED UNDER VOLUME 62 OF SURVEYS, PAGE 34, RECORDS OF CLALLAM COUNTY, WASHINGTON;

THENCE CONTINUING SOUTH 88° 13' 56" EAST ALONG THE SOUTH LINE OF PARCEL B AND PARCEL A OF SAID SURVEY, A DISTANCE OF 625.45 FEET;

THENCE NORTH 01° 12' 12" EAST ALONG THE WESTERLY LINE OF SAID PARCEL A, A DISTANCE OF 168.32 FEET;

THENCE SOUTH 88° 12' 29" EAST, A DISTANCE OF 84.95 FEET TO A POINT ON THE CENTERLINE OF BELL CREEK AS SHOWN ON SAID SURVEY;

THENCE NORTH 16° 56' 11" WEST ALONG SAID CREEK CENTERLINE, A DISTANCE OF 174.21 FEET TO A POINT ON THE SOUTH LINE OF SAID SOUTHEAST QUARTER OF THE NORTHEAST QUARTER;

THENCE SOUTH 88° 12' 29" EAST ALONG SAID SOUTH LINE, A DISTANCE OF 110.86 FEET TO THE TRUE POINT OF BEGINNING.

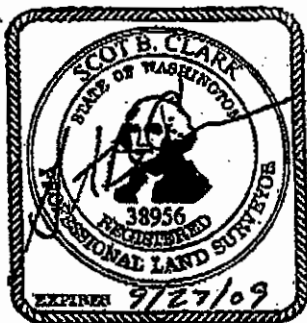
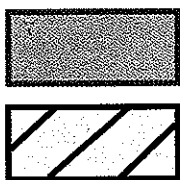
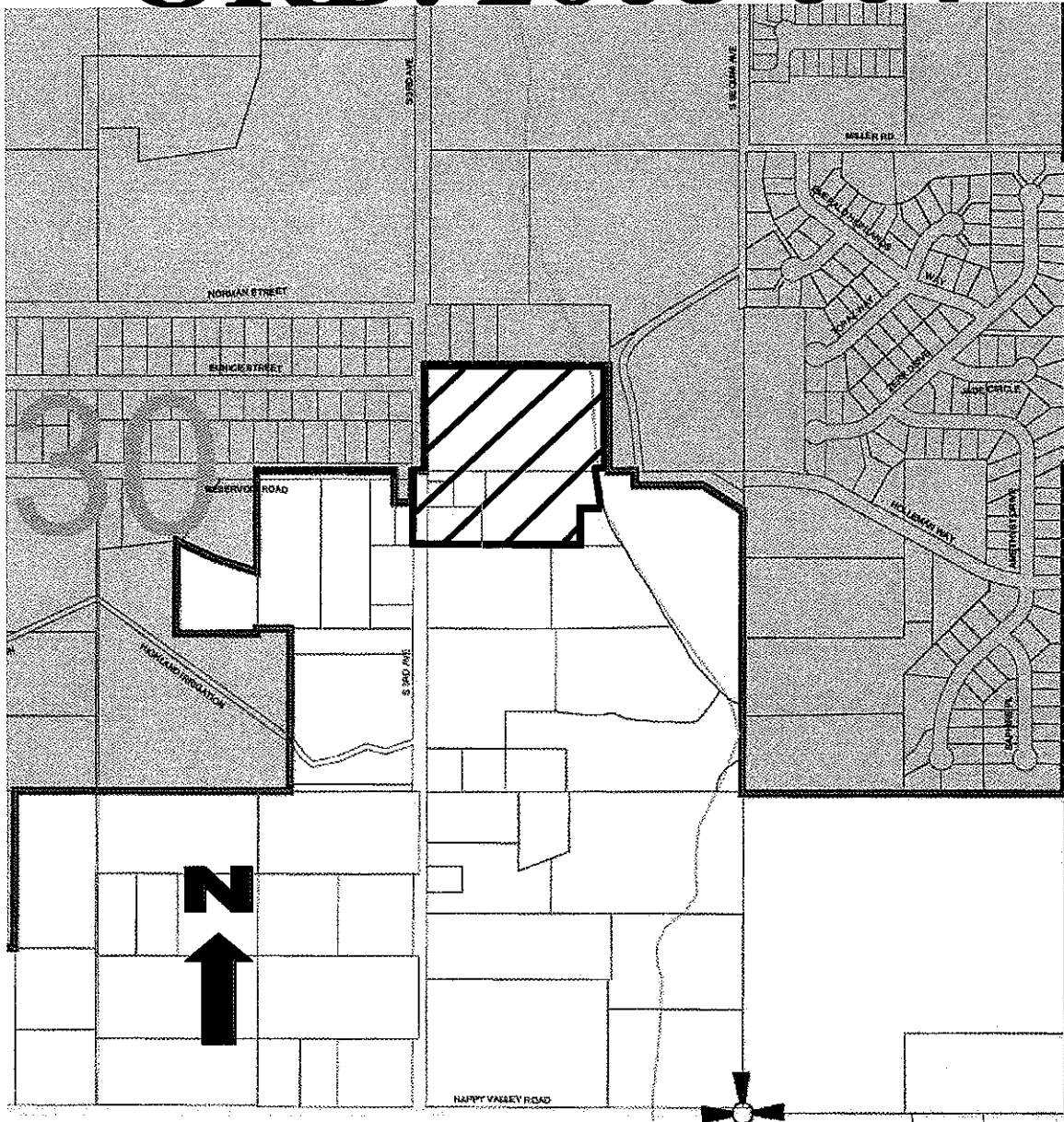


Exhibit B

Goff Annexation

ORD. 2008-004



Existing City Jurisdiction

Area of Proposed Annexation