

ORDINANCE NO. 710

AN ORDINANCE OF THE TOWN OF DARRINGTON ANNEXING FOUR UNINCORPORATED PARCELS TOTALING 3.61 ACRES LOCATED WITHIN ITS URBAN GROWTH AREA AT 27620 459TH AVENUE NE, 27710 459TH AVENUE NE, 45XXX SQUIRE CREEK ROAD, AND 45830 SQUIRE CREEK ROAD, SNOHOMISH COUNTY, WASHINGTON TO THE TOWN OF DARRINGTON BY MEANS OF THE PETITION PROCESS; ADOPTING URBAN LOW DENSITY RESIDENTIAL ZONING OF THE AREA; ADOPTING ZONING REGULATIONS FOR THE ANNEXATION AREA; ESTABLISHING AN EFFECTIVE DATE OF 2/09/2022; AND PROVIDING FOR SEVERABILITY.

WHEREAS, on March 23, 2021, High Mountain Landscaping & Design, LLC, owner of 27620 459th Avenue NE (Tax Parcel # 32092300201400) and 45XXX Squire Creek Road (Tax Parcel # 32092300203500), submitted a Notice of Intent to Commence Annexation to the Town of Darrington; and,

WHEREAS, the Notice of Intent included four parcels with three separate owners; and,

WHEREAS, included with the Notice of Intent was a Petition to annex signed by Jake Cumming on behalf of High Mountain and Coleman Nitroy, the owner of 27710 454th Avenue; and,

WHEREAS, RCW 35.13.125 allows the owners of at least ten percent of property proposed to be annexed to request that the legislative body annex the subject property; and,

WHEREAS, on April 22, 2021, the Town Council met with the proponents to determine if the annexation should be accepted; and,

WHEREAS, the Town Council met and determined that it would accept the annexation, that simultaneous adoption of the comprehensive plan would be required, and that the annexation area should be required to assume all or a portion of the Town's indebtedness; and,

WHEREAS, the Annexation Petition was sent to Snohomish County for a determination of sufficiency and was found to be sufficient; and,

WHEREAS, the Town Clerk to the Town of Darrington caused Notice of Public Hearing on the resolution to annex to be posted and published in the manner provided by law; and,

WHEREAS, the Comprehensive Plan Future Land Use Map identifies the parcels as Urban Low Density Residential; and,

WHEREAS, the annexation is consistent with the Town's Comprehensive Plan; and,

WASHINGTON STATE
BOUNDARY REVIEW BD.

FEB 14 2022

FOR SNOHOMISH COUNTY

WASHINGTON STATE
BOUNDARY REVIEW BD.

MAR 03 2022

rec'd signatures.
FOR SNOHOMISH COUNTY

WHEREAS, the Town of Darrington Council, having determined that the annexation of the hereinafter described property to the Town of Darrington would be in the public interest and for the public welfare and in the best interest of the Town of Darrington and the citizens thereof, adopted Resolution GR 329 on May 12, 2021, thereby declaring their intent to annex the hereinafter property; and,

WHEREAS, the Revised Code of Washington provides for the annexation of territory outside of its limits for any municipal purpose, by majority vote of the Council if the territory is owned by the municipality, or all of the owners of the real property in the territory give their written consent to the annexation (RCW 35.13.180); and,

WHEREAS, pursuant to RCW 43.21C.222, annexations of territory by a city or town are State Environmental Policy Act exempt; and,

WHEREAS, the property described in Exhibit B is currently designated as Residential 20,000 sq. ft. on the Snohomish County Zoning Map; and,

WHEREAS, the Town of Darrington's Comprehensive Plan, adopted in 2015, established a future land use map designation for this property as Urban Low Density Residential, along with pertinent goals and policies, to guide the development of the annexation area over the next 20 years; and,

WHEREAS, the Urban Low Density Residential zoning of the property described in Exhibit B is consistent with the Town of Darrington's Comprehensive Land Use Plan designation as Urban Low Density Residential respectively, which zoning is shown on the map attached hereto as EXHIBIT D; and,

WHEREAS, pursuant to duly provided legal notice, the Town Council held a public hearing on said annexation on 9/08/21, and, as a result thereof, finds:

1. The annexation area described in Exhibit B should be annexed to the Town of Darrington.
2. The annexation area described in Exhibit B should be zoned Urban Low Density Residential pursuant to the Town of Darrington Future Land Use Zoning Map and that such zoning and classification is in accord with the Town of Darrington Comprehensive Plan, the General Plan of the Town of Darrington.
3. The owners of the real property within the annexation area shall be required to assume existing indebtedness of the Town of Darrington.
4. The needs of the Town and community do require the hereinafter set forth zoning classification, and the highest and best use for said property is as hereinafter determined.

NOW, THEREFORE, BE IT ORDAINED BY THE TOWN COUNCIL OF THE TOWN OF DARRINGTON, WASHINGTON:

Section 1. The findings 1-4 above are here hereby incorporated by this reference and made a part of this Ordinance.

Section 2. The property legally described in Exhibit "B" and identified on the map attached hereto as Exhibit "C", with zoning designations as shown on Exhibit "D" is hereby annexed to the Town of Darrington, Washington.

Section 3. The annexation area is hereby zoned as Urban Low Density Residential, as depicted on the Future Land Use zoning map, which map is incorporated herein by reference.

Section 4. The owners of the real property within the annexation area shall be required to assume existing indebtedness of the Town of Darrington.

Section 5. The next regularly amended Zoning District Map prepared by and for the Town of Darrington shall show the annexation area zoned Urban Low Density Residential and within the jurisdiction of the Town of Darrington.

Section 6. The Town Clerk is hereby authorized and directed to file a certified copy of this ordinance with the County Auditor of Snohomish County and with the Board of County Commissioners of Snohomish County, Washington.

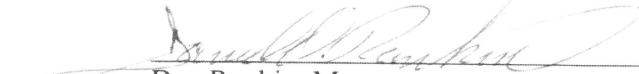
Section 7. The Town Clerk is hereby authorized and directed to provide, as required by RCW 35.13.270, notification by certified mail that includes a list of the Assessor's Tax Parcel numbers of all properties within the annexation, to the Snohomish County Treasurer and Assessor at least thirty days before the effective date of the annexation.

Section 8. This ordinance shall be in full force and effect five (5) days following passage and publication of this Ordinance.

Section 9. If any section, sentence, clause or phrase of this Ordinance should be held to be unconstitutional by a court of competent jurisdiction, such invalidity or unconstitutionality shall not affect the validity or constitutionality of any other section, sentence, clause or phrase of this Ordinance.

PASSED AND APPROVED by the Darrington Town Council this 9th day of February, 2022.

TOWN OF DARRINGTON


Dan Rankin, Mayor

ATTEST:

Dianne Allen
Dianne Allen, Town Clerk

APPROVED AS TO FORM:

Grant Weed
Grant Weed, Town Attorney

WASHINGTON STATE
BOUNDARY REVIEW BOARD
FOR SNOHOMISH COUNTY

FILE NO. 07-2021

RESO. NO. 770

ADOPTED BY DIST. 2/9/2022

BRB SIG. *Jricelda Montes*

DATE 3/4/2022

FINALIZED
SNOHOMISH COUNTY COUNCIL

Date: 03/07/22

01/10/22

Council Action Date

Debbie Eco

Debbie Eco, CMC
Clerk of the Council

**EXHIBIT A
CERTIFICATION**

I, the undersigned, Clerk of the Town of Darrington, Washington (the "Town"), hereby certify as follows:

1. The attached copy of Ordinance No. 770 (the "Ordinance") is a full, true and correct copy of an ordinance duly passed at a regular meeting of the Town Council of the Town held at the regular meeting place thereof on February 9, 2022, and signed by the Mayor on 2/09/22, as that ordinance appears on the minute book of the Town; and the Ordinance will be in full force and effect five (5) days after publication in the Town's official newspaper; and,
2. A quorum of the members of the Town Council was present throughout the meeting and a majority of those members present voted in the proper manner for the passage of the Ordinance.

IN WITNESS WHEREOF, I have hereunto set my hand this 2 day of 09, 2022.

TOWN OF DARRINGTON



Dianne Allen, Town Clerk-Treasurer

EXHIBIT B
LEGAL DESCRIPTION OF AREA TO BE ANNEXED

That portion of the East 250.00 feet of the Southeast Quarter of the Northwest Quarter of Section 23, Township 32 North, Range 9 East, W.M., Snohomish County, Washington, lying South of the North right of way margin of Squire Creek Road, described as follows;

Beginning at the Southeast Corner of said Southeast Quarter of the Northwest Quarter; thence North $0^{\circ} 01' 28''$ West, along the East line of said Northwest Quarter, a distance of 679.40 feet to the North margin of Squire Creek Road, as shown on Record of Survey recorded under Snohomish County Auditor's File No. 201810125002; thence South $85^{\circ} 13' 44''$ West, along said North margin, a distance of 91.74 feet; thence Southwesterly, along said North margin, on a curve to the left, having a radius of 343.19 feet, an arc distance of 169.31 feet to the west line of the east 250.00 feet of said subdivision; thence South $0^{\circ} 01' 28''$ East, along said West line, a distance of 617.58 feet to the South line of said Subdivision; thence North $89^{\circ} 58' 32''$ East, along said South line, a distance of 250.00 feet to the **Point of Beginning**.

Situate in the County of Snohomish, State of Washington.

EXHIBIT C MAP OF ANNEXATION AREA

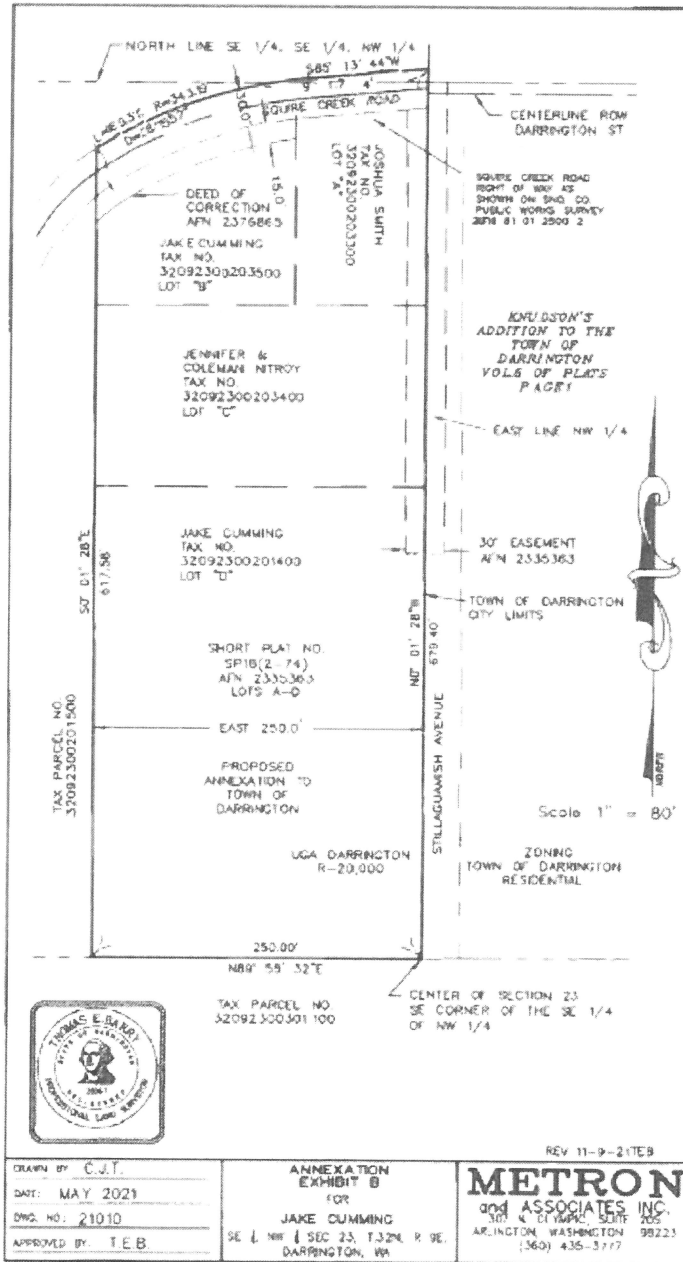


EXHIBIT D ZONING MAP

