

SNOHOMISH COUNTY COUNCIL
Snohomish County, Washington

MOTION NO. 22-010

CONCERNING THE COUNTY COUNCIL'S POSITION ON A PROPOSED PETITION
METHOD ANNEXATION TO THE TOWN OF DARRINGTON; BRB FILE NO. 07-2021
DARRINGTON CUMMINGS ANNEXATION

WHEREAS, Snohomish County (the "County") has received a notice of intention from the town of Darrington (the "Town") to annex approximately 3.61 acres of land adjacent to the Town's current corporate boundary, and within the Darrington Urban Growth Area ("UGA"); and

WHEREAS, the Town's annexation proposal is pursuant to chapter 35.13 RCW and further described in Washington State Boundary Review Board for Snohomish County (hereinafter "Boundary Review Board") BRB File No. 07-2021, which is incorporated herein as Attachment A; and

WHEREAS, the proposed annexation is subject to Snohomish County Code Section 2.77.040; chapter 35.13 RCW; RCW 36.115.050, .060, and .070; chapter 36.93 RCW; and RCW 36.70A.020, .110, and .210; and

WHEREAS, the Town and the County do not have an existing master annexation interlocal agreement; and

WHEREAS, chapter 35.13 RCW authorizes the annexation of unincorporated territory through the direct petition method; and

WHEREAS, the Town initiated the annexation process for the area known as the "Cummings Annexation" by adopting Resolution GR-329 and submitting a notice of intention with the Boundary Review Board, BRB File No. 07-2021; and

WHEREAS, the area proposed for annexation is included within the Town's UGA, and the Town is the logical provider of municipal services; and

WHEREAS, the proposed annexation is consistent with the factors and objectives of the Boundary Review Board, the County Code, the County's Growth Management Act (GMA) Comprehensive Plan, the Countywide Planning Policies, and other applicable statutes governing the review of annexation actions as set out in a Snohomish County Department of Planning and Development Services ("PDS") staff report dated December 17, 2021, which is incorporated herein as Attachment B; and

WHEREAS, RCW 36.93.100 establishes a 45-day period during which the County and certain other parties may review the proposed annexation and may choose to invoke the jurisdiction of the Boundary Review Board to hold a hearing on the annexation; and

WHEREAS, under SCC 2.77.040(4) the County Council, at a public meeting, shall determine whether to file a request for BRB review of a proposed annexation and given notice of its decision to the BRB;

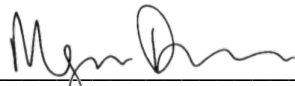
NOW, THEREFORE ON MOTION,

1. The Snohomish County Council does not oppose the annexation and will not invoke the jurisdiction of the Boundary Review Board.

2. The Council Clerk is directed to file this Motion with the Boundary Review Board, together with a copy of the PDS staff report dated December 17, 2021.

PASSED this 10th day of January, 2022.

SNOHOMISH COUNTY COUNCIL
Snohomish County, Washington



Council Chair

ATTEST:



Asst. Clerk of the Council

NOTICE OF INTENTION COVER SHEET

Washington State
Boundary Review Board
for Snohomish County

3000 Rockefeller, M/S #409
Everett, WA 98201
425-388-3445

As required by RCW 36.93, a Notice of Intention is hereby submitted for proposed annexation. Name of jurisdiction: Town of Darrington Name of proposal: Cummings Annexation
Proceedings were initiated under authority of RCW _____

By: Petition Method: Identify which petition method you are using; _____
i.e. 60% or double majority (owners of a majority of the acreage/majority of the registered voters residing in the area).
 Election Method: _____ number of qualified electors in area to be annexed or formed
_____ % of above figure represented by signers.

Is assumption of existing indebtedness to be required? no
Will simultaneous adoption of comprehensive plans be required? yes/update in 2022

Name each governmental unit having jurisdiction within the boundaries of the proposal: Town of Darrington
Snohomish County
The following other persons (attorneys, etc.) shall receive communication regarding proposal: _____

Special purpose district means any sewer district, water district, fire protection district, drainage improvement district, drainage and diking improvement district, flood control zone district, irrigation district, metropolitan park district, drainage district, or public utility district engaged in water distribution.

Signatures on petition 3 Assessed valuation 969,400.
Residences in area 3 Topography _____
Population of area 4 Current district boundaries and adjacent roads: Stillaguamish Lane, Squire Creek Road
Acreage 3.61 Proximity to other districts, cities, etc. _____
Square miles _____

	<u>Present</u>	<u>Proposed</u>
Sewers		
Water	<u>X Town of Darrington</u>	
Roads	<u>X</u>	
Fire Dist.	<u>X Darrington Fire Dist 24</u>	
Police	<u>X Snohomish County Sheriff</u>	
Growth Potential		

WASHINGTON STATE
BOUNDARY REVIEW BD.
SEP 14 2021
FOR SNOHOMISH COUNTY

Attachments:
\$50 Filing Fee
Notice of Intention (with attachments)
Perimeter legal (follow outside boundary)
Assessor and Vicinity Maps
Petition
Resolution of Intent
Petitioner (Spokesperson): Jake Cumming
Address: 27620 454th Ave NE, Darrington
Phone: 360 425-582-3302
Initiator (District or Proponent): Town of Darrington
Representative Signature: [Signature]
Address/Phone: (360) 436-1131

File No. 07-2021 Filed effectively this 2 day of December, 2021 by Gricelda Montes
Chief Clerk

**WASHINGTON STATE BOUNDARY REVIEW BOARD
FOR SNOHOMISH COUNTY**

ANNEXATION PROPOSALS CHECKLIST

Please visit our website at <https://snohomishcountywa.gov/135/Boundary-Review-Board> where you can find the Adopted Organization and Rules of Practice and Procedure as well as forms, instructions and other resources. Please also review the pertinent statutes: RCW 36.93, RCW 36.35, and RCW 36.35A.

- Complete Notice of Intention Form with required attachments.
- Explanation of the nature of the action sought and reasons for the proposed action. (RCW 36.93.130)
- Explanation of how applicable Factors outlined in RCW 36.93.170 apply to the proposal.
- Explanation of how the proposal meets the applicable Objectives outlined in RCW 36.93.180.
- Perimeter legal description, using metes and bounds (boundary extending around the outside border of the entire proposal) and corresponding maps (Assessor's map, city maps, district maps, and vicinity maps) showing the subject property. RCW 36.93.130. The legal description should be prepared and stamped by a licensed engineer or surveyor. The Assessor's Office will determine sufficiency of the legal description, so it is strongly advised to consult with them on the legal description and maps prior to submittal of the notice of Intention. The Clerk is authorized to request changes to the legal description and/or maps and it is the responsibility of the jurisdiction submitting the NOI to make requested changes.
- Copy of annexation petitions. Each petition page must include the purpose, signature lines, map, and legal description on one piece of paper (both sides). Each signature must have the date signed. Petition certification should be done prior to submittal of the annexation to the Boundary Review Board.
- Copy of the legislative authority resolution of intent to annex or minutes of the meeting or hearing accepting the petition and approval to forward to the Boundary Review Board including affidavit of public notice.
- Explain how the proposal complies with RCW 36.70A.020, 36.70A.110, and 36.70A.210 of the Growth Management Act.
- \$50.00 Filing Fee. (RCW 36.93.120)

RESOLUTION NO. GR 329

A RESOLUTION of the Town Council of the Town of Darrington, Washington, establishing intent to annex 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, in Snohomish County, Washington, to the Town of Darrington.

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 is 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 4/22/2021, 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

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,

NOW, THEREFORE, BE IT RESOLVED BY THE TOWN COUNCIL OF THE TOWN OF DARRINGTON AS FOLLOWS:

Section 1. The Town of Darrington hereby declares its intent to annex the property described in Exhibit A and depicted in Exhibit B attached hereto and by this reference incorporated herein as fully set forth.

Section 2. It is further hereby declared, that upon annexation, the property described in Section 1 above shall be subject to the existing indebtedness of the Town of Darrington. Zoning and land use designations shall be applied which are consistent with the Darrington Comprehensive Plan.

Section 3. Upon the Snohomish County Boundary Review Board's approval of this annexation, the Town Attorney is directed to prepare an ordinance for council consideration annexing said property to the Town of Darrington.

Section 4. Ratification. Any act consistent with the authority and prior to the effective date of this Resolution is hereby ratified and affirmed.

Section 5. Severability. The provisions of this Resolution are declared separate and severable. The invalidity of any clause, sentence, paragraph, subdivision, section, or portion of this Resolution or the invalidity of the application thereof to any person or circumstance, shall not affect the validity of the remainder of the Resolution, or the validity of its application to other persons or circumstances.

Section 7. Effective Date. This Resolution shall become effective immediately upon adoption and signature as provided by law.

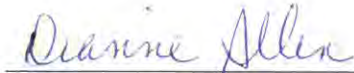
RESOLVED this 12 day of MAY, 2021.

TOWN OF DARRINGTON



Dan Rankin, Mayor

ATTEST:



Dianne Allen, Town Clerk

APPROVED AS TO FORM:

Grant Weed, Town Attorney

EXHIBIT A

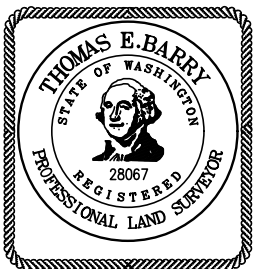
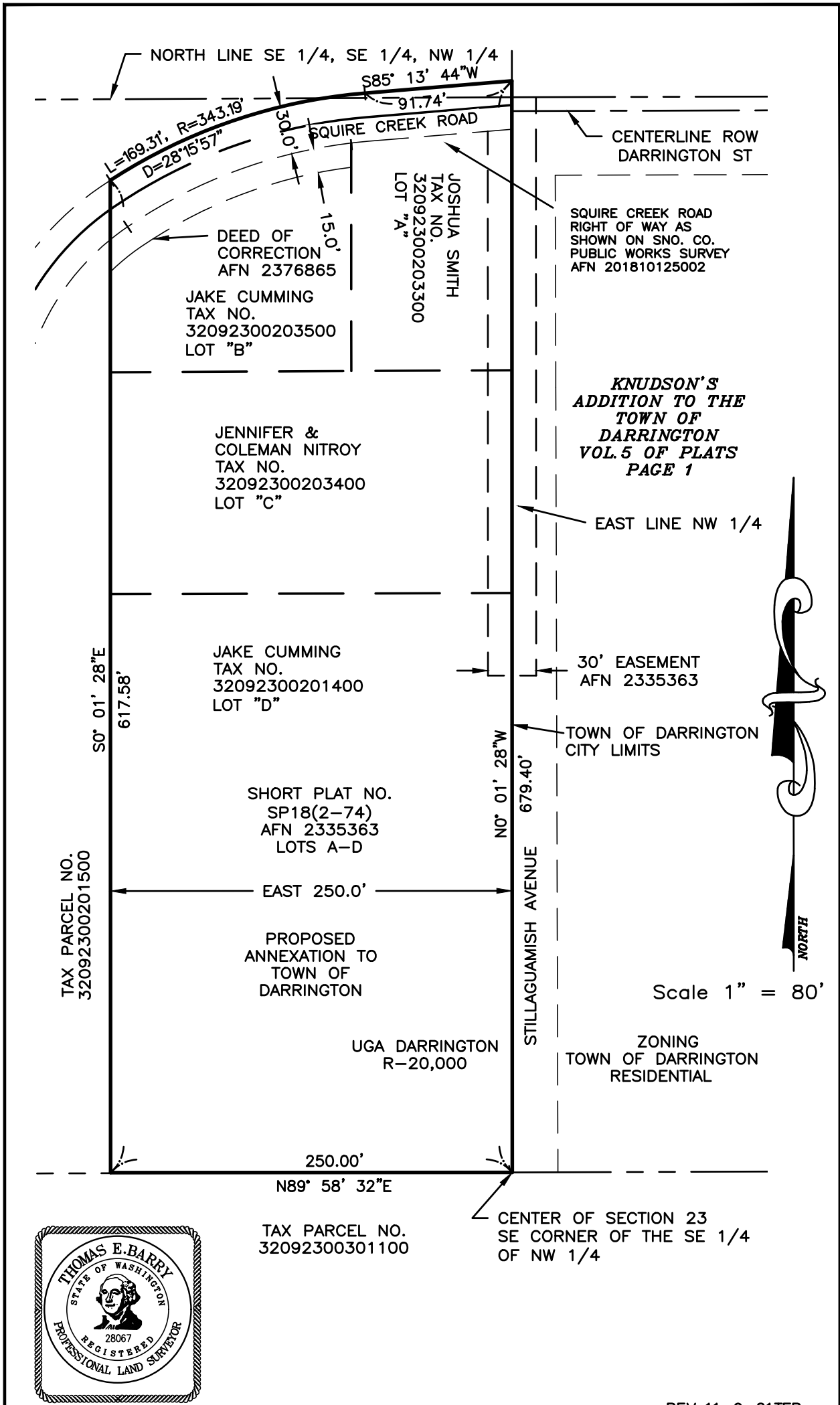
Jake Cumming Town of Darrington Annexation

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 B



DRAWN BY: C.J.T. DATE: MAY 2021 DWG. NO.: 21010 APPROVED BY: T.E.B.	ANNEXATION EXHIBIT B FOR JAKE CUMMING SE 1/4, NW 1/4 SEC 23, T.32N, R 9E. DARRINGTON, WA	METRON and ASSOCIATES INC. 307 N. OLYMPIC, SUITE 205 ARLINGTON, WASHINGTON 98223 (360) 435-3777
--	--	--

REV 11-9-21TEB



3000 Rockefeller Ave., M/S 604
Everett, WA 98201-4046
(425) 388-3311
www.snoco.org

MEMORANDUM

TO: Councilmember Stephanie Wright, Council Chair
Councilmember Megan Dunn, Council Vice-Chair
Councilmember Nate Nehring, District 1
Councilmember Jared Mead, District 4
Councilmember Sam Low, District 5

Dave Somers
County Executive

VIA: Michael McCrary, Director
Planning and Development Services

FROM: Eileen Canola, Senior Planner

SUBJECT: Town of Darrington Proposed Cummings Annexation – BRB File No. 07-2021

DATE: December 17, 2021

INTRODUCTION

The purpose of this staff report is to provide the County Council with a review and recommendation for the Town of Darrington (Town) proposed Cummings Annexation of approximately 3.61 acres as required by section 2.77.040 of the Snohomish County Code (SCC). The Town submitted a notice of intention (NOI) to the Snohomish County Boundary Review Board (BRB) – file no. 07-2021 (Attachment A to Motion), for which the 45-day review period ends on January 17, 2022. The BRB, consistent with its annexation review procedures outlined in Chapter 2.77 SCC, distributed the NOI to County departments including Planning and Development Services (PDS). Per SCC 2.77.040(4) within this 45-day review period, the County Council must determine whether to invoke BRB jurisdiction ('file a request for review').

The Town previously submitted and subsequently withdrew a NOI to the BRB for the Cummings Annexation that was BRB file no. 05-2021. The Town withdrew this proposal to amend the annexation boundaries to include the rights-of-way (ROWs) associated with Squire Creek Road, which is now reflected in this revised proposal, BRB file no. 07-2021.

If BRB jurisdiction is invoked during the 45-day review, by the county or another party, the BRB may hold public hearings and approve, deny, or modify the proposed annexation. BRB decisions must be consistent with Growth Management Act (GMA) provisions including the planning goals and framework for urban growth areas (UGAs) and Countywide Planning Policies (CPPs). State law also defines objectives (RCW 36.93.180) for board review and provides factors (RCW 36.93.170) for board

consideration in making its decision. If BRB jurisdiction is not invoked, the annexation would be deemed approved. If the annexation is approved by the BRB either following a public hearing or because no party invokes BRB jurisdiction, the annexation would need to be finalized by Town ordinance setting the effective date. The authority of the County Council for reviewing annexations is set forth in Revised Code of Washington (RCW) 36.93.100 and SCC 2.77.040.

The recommendation to the County Council from PDS is to not oppose and to not invoke the jurisdiction of the BRB. The rationale for this recommendation is discussed within the 'Review' section below that analyzes how the proposed annexation complies or is consistent with all requirements.

REVIEW

The following review and information on this proposed annexation is required by SCC 2.77.040, and provides: how the annexation meets the factors and objectives of the BRB under RCW 36.93.170 and 36.93.180; consistency of the annexation with the GMA, regional, and local policies; and the impacts to County operations and services.

1. Annexation Method

As indicated in the NOI, BRB file no. 07-2021, the proposed Cummings Annexation is using the 60 percent petition method of annexation. The Town adopted Resolution GR 329 accepting the annexation petition submitted to the Town.

2. Comments Received

PDS circulated the NOI for the proposed Cummings Annexation for review to County departments and received responses from the Department of Public Works (DPW), the Department of Conservation and Natural Resources (DCNR) – Surface Water Management (SWM) division, and Snohomish County Facility and Fleets. These comments have been incorporated into this staff report along with the PDS review under the relevant sections.

3. Locations/Acreage/Total Assessed Value / Residences

The proposed Cummings Annexation area is comprised of 3.61 acres adjacent to the existing Town limits and located west of Stillaguamish Avenue and south of Squire Creek Road. The assessed valuation of the proposed annexation area is \$969,400. The proposed area for annexation contains three residences with a population of 4.

4. Consistency of the proposal with growth management act planning goals, urban growth area designations, countywide planning policies, and the county's comprehensive plan

The following describes how the annexation proposal is consistent or inconsistent with GMA goals, UGA designations, and local policies.

- a. **GMA planning goals (RCW 36.70A.020):** The Cummings Annexation, as proposed in BRB file no. 07-2021, is consistent with GMA planning goal (1) Urban growth. This goal states, "Encourage development in urban areas where adequate public facilities and services exist or can be provided in an efficient manner." The entirety of the area proposed for annexation is within the Town's UGA. The proposed annexation area is currently served by the Town for

water, Darrington Fire District 24 for fire and emergency services, Snohomish County Sheriff for law enforcement, and Snohomish County Public Works (for road service and maintenance on Squire Creek Road).

b. UGA designations: The existing County's Future Land Use Map (FLUM) designation for the proposed annexation area is Urban Low Density Residential (3 dwelling units / acre) with R - 20,000 zoning.

c. Countywide Planning Policies (CPPs): The Cummings Annexation, BRB file no. 07-2021, is consistent with the Snohomish County CPPs in Development Patterns (DP) DP-7 and DP-19 which requires the County and cities to maintain annexation policies, and coordinate their comprehensive plans for among other things, the transfer of unincorporated UGAs to incorporated UGAs. Both the Town and County have adopted comprehensive plans that contain policies regarding annexation and the transition of unincorporated UGAs to incorporated UGAs. The proposed annexation area is in the Town's UGA.

- DP-7 "The County and cities shall coordinate their comprehensive plans (RCW 36.70A.100). Coordination in unincorporated territory planned by both the County and a city means that each plan should provide for the orderly transition of unincorporated to incorporated areas, including appropriate urban design provisions, by:
 - a. Creating a safe and attractive urban environment that enhances livability; and
 - b. Balancing actions necessary to meet the requirement of achieving urban uses and densities with the goal of respecting already established neighborhoods.When amending its comprehensive plan, the County shall give substantial consideration to the city's adopted plan for its UGA or MUGA. Likewise, the affected city shall give substantial consideration to the County's adopted plan for the same area.
However, nothing in this policy shall limit the authority of the County to plan for and regulate development in unincorporated territory for as long as it remains unincorporated, in accordance with all applicable county, state and federal laws. Similarly, nothing in this policy shall limit the authority of cities to plan for territory in and adjacent to their current corporate limits and to regulate development in their current corporate limits, in accordance with all applicable city, county, state and federal laws."
- DP 19, "City comprehensive plans should have policies on the annexation of areas within their unincorporated Urban Growth Area and/or Municipal Urban Growth Area.

d. Snohomish County Comprehensive Plan: The Cummings Annexation is consistent with the County Comprehensive Plan, and with the following policies of the General Policy Plan (GPP) that speak to the orderly transfer of facilities, services, and the exception of Darrington to comply with the requirements of GPP Policy Land Use (LU) 2.A.1 to maintain a minimum net density of 4 dwelling units per acre. Based on the Town's 2015 comprehensive plan, Darrington is constrained by on-site sewage treatment, therefore, residential densities are limited to approximately 2.9 units per acre. Based on the NOI, BRB file no. 07-2021, the Town plans to update its comprehensive plan in 2022 once the annexation is adopted to

establish a land use designation and zoning. The Town finds that the annexation proposal is consistent with its comprehensive plan. The Town and County do not have a Master Annexation Interlocal Agreement in effect to help guide the transition of services, pending permits, code enforcement cases.

- GPP Policy - Interjurisdictional Coordination (IC) Policy 1.B.1, “The county shall work with cities in planning for orderly transfer of service responsibilities in anticipation of potential or planned annexations or incorporations within UGAs.”
- GPP Policy LU 2.A.1 “Maintain development regulations that will require that new residential subdivisions achieve a minimum net density of 4 dwelling units per acre in all unincorporated UGAs, except (1) in the UGAs of Darrington, Index, and Gold Bar as long as those cities do not have sanitary sewer systems and (2) in areas without sanitary sewers which the sewer purveyor with jurisdiction, or in nearest reasonable servicing proximity will certify are either an unsewered urban enclave or are not capable of being connected to public sewers via annexation within the next six years or by the improvements provided pursuant to its adopted six year capital facilities plan, (3) where regulations for development on steep slopes require reduced lot or dwelling unit yields, or (4) where a lower density is necessary because of the existence of critical areas that are large in scope, with a high rank order value, and are complex in structure and function. Lot size averaging, planned residential developments, sewerage regulations and other techniques may be used to maintain minimum density or to insure later development at minimum densities is not inhibited when sanitary sewers become available.”

5. Impacts relevant to boundary review board considerations as established by state law.

The following comments relate to RCW 36.93.170 – Factors to be considered by the Boundary Review Board.

Factor 1. Population and territory; population density; land area and land uses; comprehensive plans and zoning, as adopted under chapter 35.63, 35A.63, or 36.70 RCW; comprehensive plans and development regulations adopted under chapter 36.70A RCW; applicable service agreements entered into under chapter 36.115 or 39.34 RCW; applicable interlocal annexation agreements between a county and its cities; per capita assessed valuation; topography, natural boundaries and drainage basins, proximity to other populated areas; the existence and preservation of prime agricultural soils and productive agricultural uses; the likelihood of significant growth in the area and in adjacent incorporated and unincorporated areas during the next ten years; location and most desirable future location of community facilities.

- a. Population and territory; population density; land area and land uses; assessed valuation.** The proposed Cummings Annexation area is comprised of 3.61 acres adjacent to the existing Town limits and within the Darrington UGA. The area proposed for annexation is located west of Stillaguamish Avenue and south of Squire Creek Road. The assessed valuation of the proposed annexation area is \$969,400. The proposed area for annexation contains three residences with a population of 4.

- b. **Comprehensive plans and zoning:** The existing County Comprehensive Plan Future Land Use Map designations and zoning for the annexation area is Urban Low Density Residential (3 dwelling units/acre) and R-20,000 zoning.
- c. **Applicable service agreements and interlocal agreements:** The Town and County have existing service agreements related to fire investigation services and plan review, social services, and public works projects. There is no existing Master Annexation Interlocal Agreement (MAILA) with the Town of Darrington. Should additional annexations be contemplated, development and execution of an MAILA may be helpful to facilitate the annexation and transition processes.
- d. **Likelihood of growth in the area and adjacent incorporated and unincorporated areas during the next ten years.** It is anticipated that once annexed, the area will be developed as allowed under the Town's zoning.
- e. **Location and most desirable future location of community facilities.** The County's SWM division of DCNR stated that there are no planned SWM projects in the area proposed for annexation.

Factor 2. Municipal services; need for municipal services; effect of ordinances, governmental codes, regulations and resolutions on existing uses; present cost and adequacy of governmental services and controls in area; prospects of governmental services from other sources; probable future needs for such services and controls; probable effect of proposal or alternative on cost and adequacy of services and controls in area and adjacent area; the effect on the finances, debt structure, and contractual obligations and rights of all affected governmental units.

- a. **Municipal services:** As indicated in the Town's 2015 comprehensive plan, Darrington is constrained by on-site sewage treatment, therefore, residential densities are limited to approximately 2.9 units per acre. The Town has an interlocal agreement with the County for fire investigation services and plan review, as needed by the Town. Law enforcement is currently provided by Snohomish County Sheriff and fire protection services is provided by Fire District 24. Once annexed, the Town will apply land use designation(s) and zoning that is consistent with Darrington's comprehensive plan.
- b. **Present cost and adequacy of governmental services and controls in the area:** The County's SWM division of DCNR stated that SWM annual revenue impact of \$448.66 reduction is anticipated in subsequent years after the annexation. Program service area and functions would adjust to the annexation and decreased revenues. The County's DPW had no comment on this proposed annexation as proposed in BRB file no. 07-2021.
- c. **Probable effect of proposal or alternative on cost and adequacy of services and controls in area and adjacent area:** The County's SWM division of DCNR stated that minor revenue impact is anticipated. Annual SWM revenues from the potential annexation area are about \$448.66 and SWM revenues would be reduced by this amount in subsequent years after the annexation. Program service area and functions would adjust to the annexation and decreased revenues.
- d. **The effect on the finances, debt structure, and contractual obligations and rights of all affected governmental units.** The annexation will have minimal impact to each of the

following County revenue sources: sales tax, real estate excise tax, permit fees, parks fees, grants, animal control, District Court fines, and emergency management. The annexation is expected to have minimal impact to County expenses.

6. Impacts relevant to boundary review board considerations as established by state law.

The following comments relate to RCW 36.93.180 - Objectives of the Boundary Review Board:

Objective 1. Preservation of natural neighborhoods and communities.

As a direct petition method of annexation, property owners are the initiators of this Cummings Annexation. The area proposed for annexation is bound on the east by Stillaguamish Avenue and south by Squire Creek Road, and therefore is not directly connected to another neighborhood or community.

The annexation would further this objective.

Objective 2. Use of physical boundaries, including, but not limited to bodies of water, highways and land contours.

The area proposed for annexation is bound on the east by Stillaguamish Avenue and south by Squire Creek Road.

The proposed annexation furthers this objective.

Objective 3. Creation and preservation of logical service areas.

The proposed annexation area is within the Darrington UGA and adjacent to the Town's boundary to the east and north, which facilitates the extension of services and infrastructure by the Town. The Town is the logical service provider for municipal services in this area.

The annexation as proposed furthers this objective.

Objective 4. Prevention of abnormally irregular boundaries.

The proposed annexation boundaries do not create abnormal or irregular boundaries. The annexation would create a continuous jurisdiction for the Town west of Stillaguamish Lane. The remaining urban, unincorporated portions with associated ROW that are west of the annexation proposal could be annexed in the future.

The annexation generally furthers this objective.

Objective 5. Discouragement of multiple incorporations of small cities and encouragement of incorporations of cities in excess of ten thousand population in heavily populated urban areas.

This objective does not apply to the proposed annexation.

Objective 6. Dissolution of inactive special purpose districts.

This objective does not apply to the proposed annexation.

Objective 7. Adjustment of impractical boundaries.

The annexation, as proposed provides practical boundaries.

The annexation does further this objective.

Objective 8. Annexation to cities or towns of unincorporated areas, which are urban in character.

The Cummings Annexation, as proposed in BRB file no. 07-2021, is within the Darrington UGA and the annexation area has a County future land use designation of Urban Low Density Residential (3 dwelling units/ acre) with R -20,000 zoning.

As proposed, the annexation does further Objective 8.

Objective 9. Protection of designated agricultural and rural resource lands.

This objective does not apply to the proposed annexation. The proposed annexation area is not designated agricultural land or rural resource land.

7. Impacts to county facilities and other county-owned property:

There are no County properties or facilities in the proposed annexation area.

8. Impacts to the provision of public facilities and services:

County departments were provided the opportunity to comment on the proposed annexation as described in the NOI, BRB file no. 07-2021. The following comments were received from County departments:

- a. The DPW stated that it had no comments on this proposal (BRB file no. 07-2021) as it addressed ROW issues that were in the previous NOI (BRB file no. 05-2021) for the Cummings Annexation.
- b. The SWM division of DCNR stated that a minor revenue impact is anticipated. Annual SWM revenues from the potential annexation area are about \$448.66 and SWM revenues would be reduced by this amount in subsequent years after the annexation. Program service area and functions would adjust to the annexation and decreased revenues.

STAFF RECOMMENDATION

Based on the review detailed above, the proposed annexation is consistent with the GMA, the CPPs, and local comprehensive plans, the factors, and objectives of the BRB, and will have minimal impact to County budget and services. The annexation proposal furthers the GMA goals and CPP policies that cities and towns should be the primary providers of urban services that are existing or planned.

This conclusion has been reached by reviewing the annexation against the applicable BRB factors and objectives, County codes, and other applicable statutes and determining that the relevant factors and objectives that the BRB must consider would be advanced by the annexation.

The recommendation to the County Council from PDS is to **not oppose** the annexation and to **not invoke** the jurisdiction of the BRB.

cc: Ken Klein, Executive Director
Mike McCrary, Director, PDS
David Killingstad, Manager, PDS
Tom Teigen, Director, DCNR
Kelly Snyder, Director, DPW
Ryan Countryman, Council Legislative Analyst



Town of Darrington
P.O. Box 397
1005 Cascade Street
Darrington, WA 98241
(360) 436-1131

**Darrington
Short Plat Committee**

Application Approval Form

Project Name: Cummings Annexation
Project Applicant: High Mountain Landscape & Design
Project Type: ANNEXATION INTO TOWN LIMITS

We have completed reviewing the materials on file at the Town of Darrington regarding the proposed project. The documents have been reviewed specifically under the provisions of Darrington Municipal Code Titles 16 and 17.

To the extent of the information provided to us by the applicant, the applicant has fulfilled the requirements for the proposed project under Darrington Municipal Code, and we therefore approve of the proposed project.

Darrington Fire District

Scott Blum
Building Official

Bob Wash
Public Works Official

X
Planning Commission Chair

Short Plat Committee Chair (Planning Official)

Deanne Allen
Town Clerk



Town of Darrington
P.O. Box 397
1005 Cascade Street
Darrington, WA 98241
(360) 436-1131

**Darrington
Short Plat Committee**

Application Approval Form

Project Name: Cummings Annexation
Project Applicant: High Mountain Landscape & Design
Project Type: ANNEXATION INTO TOWN LIMITS

We have completed reviewing the materials on file at the Town of Darrington regarding the proposed project. The documents have been reviewed specifically under the provisions of Darrington Municipal Code Titles 16 and 17.

To the extent of the information provided to us by the applicant, the applicant has fulfilled the requirements for the proposed project under Darrington Municipal Code, and we therefore approve of the proposed project.

[Signature]
Darrington Fire District

Building Official

Public Works Official
[Signature]
Planning Commission Chair

Short Plat Committee Chair (Planning Official)

Town Clerk

Annexation Petition

High Mountain Landscaping & Design LLC is proposing an annexation of 3.61 acres into the town of Darrington WA.

The annexation parcels are as described:

Tax parcel# 32092300201400 2.05 acres located at 27620 459th Ave Ne Darrington WA, with a 2021 tax valuation of \$381,200.00. Signature attached.

Tax parcel# 32092300203400 .81 acres located at 27710 459th Ave Ne Darrington WA, with a 2021 tax valuation of \$386,000.00. Signature attached.

Tax parcel# 32092300203500 .46 acres located at 45XXX Squire Creek Rd. Darrington WA, with a 2021 tax valuation of \$57,200.00. Signature attached.

Tax parcel# 32092300203300 .29 acres located at 45830 Squire Creek Rd. Darrington WA, with a 2021 tax valuation of \$145,000.00. I do not have a signature from this homeowner.

Total tax valuation is \$969,800.00 at a 60% required valuation it would be \$581,880.00. Tax parcels listed 1,2, and 3 meet these criteria.

NOTICE OF INTENT TO COMMENCE ANNEXATION PROCEEDINGS

TO: TOWN COUNCIL OF THE TOWN OF DARRINGTON
1005 CASCADE STREET
P.O. BOX 397
DARRINGTON, WA 98241

PURPOSE: We the undersigned, do hereby notify the Darrington Town Council of our request to annex property into the town limits of the Town of Darrington, Washington.

The territory proposed to be annexed is within Snohomish County, Washington and is described on Exhibit "A" attached herein.

WHEREFORE the undersigned respectfully petition the Honorable Town Council and ask:

- a) That appropriate action be taken to entertain the petition, fixing a date for a public hearing, causing notice to be published and posted, specifying the time and place for such hearing and inviting all persons interested to appear and voice approval or disapproval of such annexation; and
- b) That following such hearing, and subsequent to approval by the Snohomish County Boundary Review Board, if such is convenient, the Town Council determine by ordinance that such annexation shall be effective and that property to be annexed shall become a part of the town limits of the Town of Darrington, Washington, subject to its laws and ordinances then and thereafter in force, including a Comprehensive Plan to become effective upon annexation if the same is provided pursuant to REC 35A.14.330.

The undersigned hereby petition the Darrington Town Council to annex the property described in Exhibit "A" into the town limits of the Town of Darrington, Washington, with that property assuming the proportionate share of the Town's bonded indebtedness and assuming the land use designations and zoning in the Comprehensive Plan and Darrington Zoning Code Official Zoning Map in accordance with the requirements of the Town Council of said Town, as noted in the minutes of entry of the records of the Town Council meeting.

This Petition is accompanied and has attached herein as Exhibit "B" a diagram that outlines the boundaries of the property sought to be annexed.

These pages are a group of pages containing identical text intended by the signers of this Petition to be presented and considered as one Petition and may be filed with other pages containing additional signatures which cumulatively may be considered a single Petition.


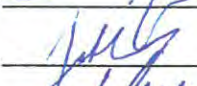
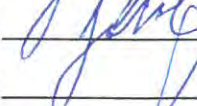
INSTRUCTIONS TO SIGNERS AND VOLUNTEER SOLICITORS

Payment for circulating Petition is prohibited by law.

1. Sign your name as you sign on all legal documents;
(married women sign "Mary D. Jones" not "Mrs. John D. Jones")
2. Only property owners should sign - The signature of record owner (as determined by the records of the County Auditor, shall be sufficient without the signature of his or her spouse).
3. In the case of mortgaged property, the signature of the mortgagor shall be sufficient without the signature of his or her spouse.
4. In the case of property purchased on contract, the signature of contract purchaser, (as shown by the record County Auditor, shall be deemed sufficient without the signature of his or her spouse).
5. Any officer of a corporation owning land within the area involved who is duly authorized to execute deeds or encumbrances on behalf of the corporation, may sign on behalf of such corporation, and shall attach to the Petition a certified excerpt from the bylaws of such corporation showing such authority.
6. When the property stands in the name of a deceased person or any person for whom a guardian has been appointed, the signature of the executor, administrator, or guardian, as the case may be, shall be equivalent to the signature of the owner of the property.

WARNING

Every person who signs this Petition with any other than his true name, or who knowingly signs more than one of these Petitions, or signs a Petition seeking an election when his not a legal voter, or signs a Petition when he is otherwise not qualified to sign, or who makes herein false statements shall be guilty of a misdemeanor.

Owner's Signature	Printed Name	Address (Street, Town County, Zip)	Phone	Tax Parcel#	Date
1. 	Glenn Mitrocy	27710 45th Ave	508-615-5521	32092300203400	3/22/2021
2. 	Jake Cumming	4500x Spauld Rd	425-582-3002	32092300203500	3/22/2021
3. 	Jake Cumming	27620 45th Ave NE	✓	32092300201400	3/22/2021
4.					
5.					
6.					
7.					
8.					



**TOWN OF DARRINGTON
TOWN COUNCIL
NOTICE OF PUBLIC HEARING**

There will be a **PUBLIC HEARING** on the proposed annexation of tax parcels:

32092300203500, 32092300203300, 32092300203400,
32092300201400

In to Town of Darrington town limits

This property is South of the Squire Creek Road and West of Stillaguamish Avenue.
These properties are zoned Residential.

Wednesday, September 8, 2021 7:00 pm

@

Town Hall, 1005 Cascade Street, Darrington, WA

Please contact Town Hall at 360-436-1131 for more information

High Mountain Landscaping Property *Cumming Anefation*



9/8/2021



Legend

- Parcel
 - Recent Sales 2021
 - Recent Sales 2020
 - Recent Sales 2019
 - City Boundary
 - County Park
 - National Forest
 - Water
- Street Types**
- Interstate
 - State Route
 - Local Road

All maps, data, and information set forth herein ("Data") are for illustrative purposes only and are not to be considered an official opinion or representation of the Snohomish County Assessor. The Data is provided "as is" and the Assessor makes no representation or warranty concerning the content, accuracy, currency, completeness or quality of the Data. The Assessor is not responsible for any errors or omissions in the Data. The Assessor is not liable for any use thereof and agrees to hold Snohomish County harmless from and against any damages, loss, or liability of individuals intended for use for commercial purposes and this no commercial use may be made of any data comprising this or individual contained herein.

TOWN COUNCIL MEETING
MINUTES

SEPTEMBER 8, 2021

I. CALL TO ORDER

- i. Mayor calls meeting to order at 7 PM

II. PLEDGE OF ALLEGIANCE

III. APPROVAL OF AGENDA

- i. Kerry motions to approve the Agenda with amendments. Neil seconds. All in favor. Motion is carried.

IV. APPROVAL OF PREVIOUS MEETING MINUTES

- i. Gary motions to approve August 11, 2021 minutes; Kerry seconds; All in favor. Neil abstains. Motion is carried.

V. Close Regular Meeting – 7:05pm

VI. Open Public Hearings – 7:05pm

1. Cumming Annexation –

- i. Kirsti noted that it would be nice to have the public hearings and council meeting information to be posted to Facebook going forward.

2. Town of Darrington Annexation – formerly DNR property

- i. The annexation will include the property purchased from DNR and the Airport Property.
- ii. Kirsti asks what the plan is for the properties. Dan explains that the DNR land was purchased to give access to the property that the Wood Innovation Center is going to be built on.

VII. Close Public Hearing – 7:10pm

IX. GUEST SPEAKERS

1. Adrienne Hall – LTAC grant

- i. Adrienne discusses what the LTAC grant is. Adrienne is looking for approval for the Town to apply for the grant for tourism. She discusses that See Source will collect data and compile reports from tourists. She explains that the council can pick 7 points of interest for the Town to receive data on so that the Town can improve its tourism. The company can tailor any type of report the Town would want. The highest number of individuals that come to the county during the summer months are under 40 and are into activities such as hiking and mountain biking. Gary asks what the time frame is that they collect the data? They are continuously collecting data and can go back 3 years. Adrienne explains that once the Town receives the grant, See Source would only need about 10 days to get the information together.

X. CONTINUED BUSINESS

1. Kirsti asks if there was anything decided for the cemetery board. There have only been two applications. There are 4 positions opened.
2. Gary asks about the open planning commission positions. There have only been two applicants for planning as well. Dan would like to wait until October to appoint new planning commission members.
3. Dan asks the council if they would like to wait a little longer to see if there would be anymore applicants for the cemetery board and they would like to.

XI. NEW BUSINESS

1. Adrienne Hall – LTAC grant

- i. Neil motions to approve submittal of LTAC grant and for the Mayor to sign. Billie seconds. All in favor. Motion is carried.

2. Adrienne Hall – LTAC grant with Sultan

- i. Adrienne presents a Hiking Trail booklet to the council that has been discontinued. Sultan would like to take the lead on writing a grant to have the booklets reprinted and the information updated. If the County does not want to reprint, the conspiring Cities and Towns can put in more information that pertains more to those Cities and Towns. The County gave a quote but Adrienne believes that they will be able to get it for less than what the County quoted. Adrienne is looking for approval to join with Skyvalley, Granite Falls, Sultan and Arlington to submit an LTAC grant to have the booklets reprinted.
- ii. Gary motions to approve submittal of LTAC grant in conjunction with the Town of Sultan and for the mayor to sign. Neil seconds. All in favor. Motion is carried.

3. Snohomish County REET grant – Old School Park Charging Station

- i. The Town applied for funding for a charging station, a bicycle repair station and dog/water fountain for Old School Park. The Town received \$10,000. The charging stations are \$23,000 so the Town would have to provide \$13,000 to put one in. The watering station was \$5,900 and the bike repair was \$1,600. The bicycle repair has an air pump and tools to make repairs.
- ii. Gary asks if the Town would be able to come up with the \$13,000. Dianne says that the Roads fund would be able to provide the \$13,000.
- iii. Gary would like to see the Charging station because the governor is pushing for more clean energy and zero emissions. Dianne believes that if the Town waits until 2022 REET Grant funding, that the Town would have a better chance of getting more money for the charging station because the governor is pushing for zero car emissions. Gary would also like to use the data from the LTAC grant as part of the REET Grant for 2022 to get a charging station
- iv. Neil motions to approve the Snohomish County REET grant for a watering station and bicycle station in Old School Park and for the mayor to sign. Reed seconds. All in favor. Motion is carried.

4. 2014 Snohomish County Grant (Oso Slide money) \$6,507 still left of the 4 million. - How do we want to spend? Striping? Or Darrington Street overlay?

- i. The estimate for striping the Mt. Loop is \$4,529.28
- ii. Gary asks if there is enough left over if it could be used for signs. Dianne explains that the street signs have already been taken care of.
- iii. If the Town could have done the overlay, the Town would have gone for TIB funding and would use this left-over money as a match but the county is not doing chip sealing.
- iv. Kirsti asks if the triangle at the junction of Fullerton and SR 530 was county. It is not. She explains that that triangle needs to be painted.
- v. Kerry asks about striping the streets in Town. The maintenance crew does have a striping machine and have been striping the streets.
- vi. Gary makes a motion to use the money left from the 2014 Snohomish County Grant to stripe the Mt. Loop. Neil seconds. All in favor. Motion carried.

5. USGS Glacier Peak Monitoring - Telemetry Proposed Sites

- i. The monitors need to have a direct line of sight to transmit in real time.
- ii. The three sites that they have in mind are well #1 on the south side of Town, River Time Brewery, and the T Mobile Tower at the west end of Seeman St. They would like the Council to discuss all three sites, but they would prefer well #1. Cadin did say that there is room in the well house but the frequencies would need to be different from the Town's well telemetry.
- iii. Gary likes the idea of using Well #1. He is concerned that the Town may decide in the future to sell the Brewery since it had been discussed in the past.
- iv. Gary asks if there is a timeline. Dan explains that Mt. Rainier is getting their equipment before Glacier Peak, so he believes 2023.

- v. Neil does not like the idea of the Brewery having the equipment because of the lease the Brewery has with the Town.
- vi. Neil motions to approve Well House #1 site. Billie seconds. All in favor. Motion is carried.

XII. MAYOR'S REPORT

Dan discusses the progress of the Darrington Wood Innovation Center. The hope is that the groundbreaking would be January. Dan has a verbal settlement from WSDOT on the entrance to the site and he has requested and is waiting on a written settlement.

Gary asks if there would need to be a turn lane put in at the entrance. Dan states that it would be up to WSDOT.

XIII. COUNCIL/BOARD/COMMISSION MEMBER REPORTS

1. Gary reports on the Community Center's Farmers market over the weekend. He states that the market generated \$12,000 for the Community Center. Gary believes that there were 10 or more vendors.
2. The windows for the foyer will be delivered next Monday and will be installed next Thursday. It is a \$29,000 project.

XIV. VISITORS

1. Kirsti asks what the Town's plans are for the Tower. While she was on vacation in Arizona, she noticed that there were branches put on the tower to make them more aesthetically pleasing. She is concerned that the Tower is going to depreciate the value of her home. She is wondering if the Town could get branches for the tower or who would be able to do that. She is wondering what the guidelines are to rent space on the tower. To rent space, an application would go before the Council for approval. She is requesting the information on what kind of radiation the tower emits.
2. Kirsti asks about the standards for placing headstones and placing remains in the cemetery. There was confusion when her father has passed and the past weekend there was a service just like the one, they were hoping for when her father passed. She asks what the process is. Dianne and Kim explain the process and that the issue that her family had is eliminated by the current process.
3. Jon asks if the information gathered from the tourism program is sold to a third party or if the Town would see individual names and numbers. Dan and Dianne explain that no, the Town will not receive detailed information.
4. Jon would like to know the Council's opinion on proof of vaccinations. Dan explains that the Town of Darrington is not perusing mandated vaccines for its employees. Jon is curious on the local governments position on the issue of vaccines and the potential need for vaccine cards. Dan states that the Town does not want to entertain anything that is radical and prevent the Town from receiving grant funding. Reed states for

himself that anything that involves heavy legal fees will likely be avoided by the council.

XV. ACCOUNTS PAYABLE APPROVAL

1. Accounts Payable/Monthly Payments

- i. Neil motions to approve accounts payable payments. Kerry seconds. All in favor. Motion is carried.

XVI. ADJOURN

Neil motions to adjourn September 08, 2021 Town Council Meeting at 8:21 pm PM; Billie seconds; all in favor; motion carried.



Dan O. Rankin, Mayor

ATTEST:



Dianne Allen, Clerk/Treasurer