

**CITY OF LAKE STEVENS
LAKE STEVENS, WASHINGTON**

ORDINANCE NO. 1143

AN ORDINANCE OF THE CITY OF LAKE STEVENS, WASHINGTON ANNEXING APPROXIMATELY 13.9 ACRES KNOWN AS THE “FAGERLIE 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 has adopted an Annexation Plan, under Resolution 2016-021, as a reasonable measure that provides an annexation strategy for the city and its UGA; 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 that provides for the orderly transition of services from the County to City; and

WHEREAS, pursuant to RCW 35A.14.120 the City Council adopted resolution 2022-01 accepting a 10% petition, authorizing the circulation of a 60% petition for annexation and designating comprehensive plan and zoning for the proposed "Fagerlie" 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 described in Exhibit A and depicted in Exhibit B; and

WHEREAS, pursuant to RCW35A.01.040 the Snohomish County Assessor’s Office certified the 60% petition as sufficient on April 12, 2022; and

WHEREAS, the applicants requested a land use designation of High Density Residential and zoning designation of R8-12 for the subject properties, which differ from those adopted for the UGA as part of Ordinance 1073 and 1074, as amended by Ordinances 1105 and 1106; and

WHEREAS, the annexation area is contiguous with the existing city limits, lies within unincorporated Snohomish County and the city’s UGA, and may generally be described as an area of approximately 13.9 acres depicted in the map attached as Exhibit B; and

WHEREAS, on May 10, 2022 the City Council held a properly noticed public hearing to consider the Fagerlie Annexation pursuant to RCW 35A.14.130, and accepted the 60% petition with the requested land use and zoning designations and issued a Notice of Intent to Annex the area by passing Resolution 2022-07; and

WHEREAS, on June 7, 2022 the City submitted a Notice of Intent to the Snohomish County Boundary Review Board, and the Board deemed said Notice complete with an effective filing date of June 15, 2022; and

WHEREAS, the 45-day review period for the Boundary Review Board expired on August 1, 2022 without a request for Board review, following the adoption of Motion 22-286 by the Snohomish County Council.

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

Section 1. Annexation. The property described in Exhibit A and depicted in Exhibit B is hereby annexed in the City of Lake Stevens on the effective date of this ordinance.

Section 2. The area legally described in Exhibit A and depicted in Exhibit B shall be require to assume its proportionate share of the general indebtedness of the City of Lake Stevens at the time of the effective date of the annexation.

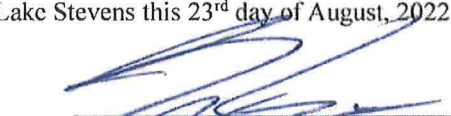
Section 3. The area shown and described in Exhibits A and B shall be designated in the City's Comprehensive Plan as High Density Residential and on the City's Official Zoning Map as R8-12.

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.

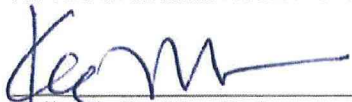
Section 5. Effective Date and Publication. A summary of this ordinance consisting of its title shall be published in the official newspaper of the City. This ordinance shall take effect and be in full force five days after the date of publication.

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 23rd day of August, 2022.


Brett Gailey, Mayor

ATTEST/AUTHENTICATION:


Kelly Chelip, City Clerk

APPROVED AS TO FORM:


Greg Rubstello, City Attorney

First and Final Reading: August 23, 2022

Published: 8/26/22

Effective Date: 8/31/22

BOUNDARY REVIEW BOARD
FOR SNOHOMISH COUNTY

BRB File # 05-2022

Res/Ord # Ordinance 1143

Adopted by Dist. 8/23/22*

BRB Sig. Clerk Clarkson

Date 10/11/22

***Effective date: August 31,
2022**

FINALIZED

SNOHOMISH COUNTY COUNCIL

Date: 10/12/22

07/19/22

Council Action Date



Debbie Eco, CMC
Clerk of the Council

EXHIBIT A

ANNEXATION DESCRIPTION

THAT PORTION OF THE NORTHEAST QUARTER OF THE NORTHWEST QUARTER OF SECTION 29, TOWNSHIP 29 NORTH, RANGE 6 EAST, W.M., IN SNOHOMISH COUNTY, WASHINGTON,

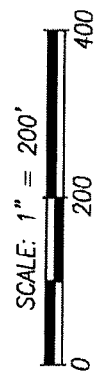
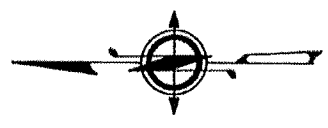
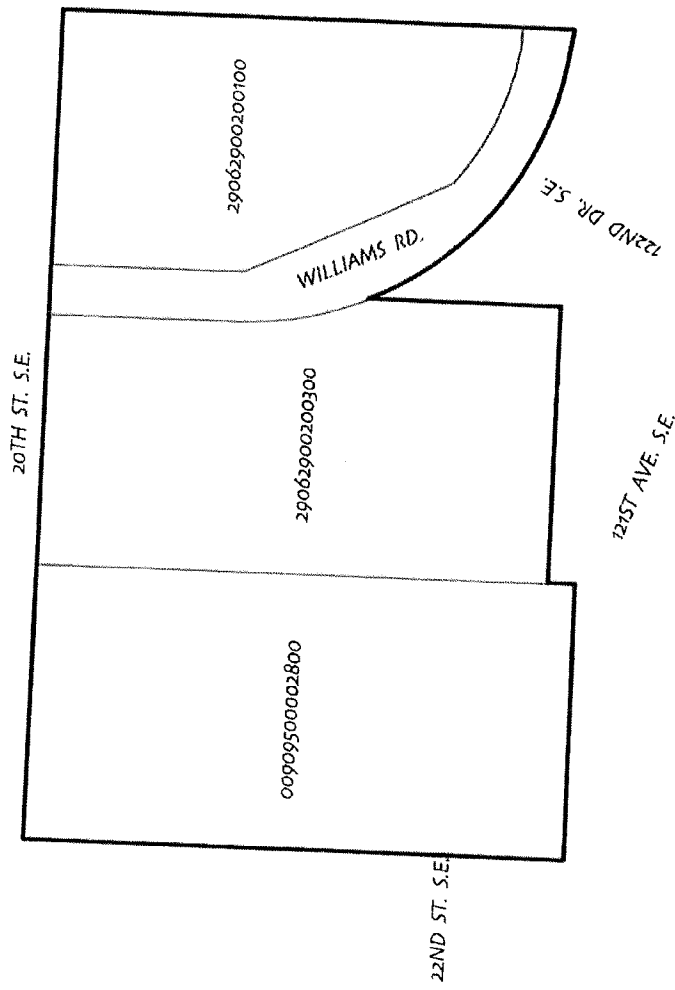
DESCRIBED AS FOLLOWS;

COMMENCING AT THE NORTHEAST CORNER OF THE NORTHEAST QUARTER OF THE NORTHWEST QUARTER OF SAID SECTION 29;
THENCE SOUTH 2°22'30" WEST ALONG THE EAST LINE OF SAID SUBDIVISION 30.00 FEET TO A POINT ON THE SOUTH MARGIN OF 20TH STREET SOUTHEAST (HEWITT AVENUE) ALSO **THE POINT OF BEGINNING**;
THENCE CONTINUEING SOUTH 2°22'30" WEST ALONG THE EAST LINE OF SAID SUBDIVISION 614.37 FEET TO A POINT ON THE SOUTH MARGIN OF WILLIAMS ROAD AS DESCRIBED IN A DEED RECORDED UNDER SNOHOMISH COUNTY AUDITOR'S FILE NO. 1829367;
THENCE NORTH 79°10'22" WEST ALONG SAID MARGIN OF WILLIAMS ROAD A DISTANCE OF 38.91 FEET TO A POINT ON A CURVE CONCAVE TO THE NORTHEAST WITH A CENTRAL ANGLE OF 58°36'36" AND A RADIUS OF 380.00 FEET;
THENCE ALONG SAID CURVE TO THE RIGHT AN ARC DISTANCE OF 388.72 FEET;
THENCE SOUTH 02°21'24" WEST A DISTANCE OF 233.72 FEET;
THENCE NORTH 87°52'48" WEST A DISTANCE OF 332.52 FEET;
THENCE SOUTH 02°20'18" WEST A DISTANCE OF 32.01 FEET;
THENCE NORTH 88°11'33" WEST A DISTANCE OF 332.52 FEET;
THENCE NORTH 02°19'13" EAST A DISTANCE OF 652.48 FEET TO A POINT ON THE SOUTH MARGIN OF 20TH STREET SOUTHEAST (HEWITT AVENUE);
THENCE SOUTH 87°33'42" EAST ALONG SAID MARGIN OF 20TH STREET SOUTHEAST (HEWITT AVENUE) A DISTANCE OF 998.13 FEET TO **THE POINT OF BEGINNING**;

SITUATE IN THE COUNTY OF SNOHOMISH, STATE OF WASHINGTON.

CONTAINING APPROXIMATELY 602,615 SF (13.83 ACRES).

EXHIBIT B



PCS 21-2510