SNOHOMISH COUNTY COUNCIL
Snohomish County, Washington

MOTION NO. 18-272

A MOTION CONCERNING THE COUNTY COUNCIL'S POSITION ON A PROPOSED PETITION METHOD ANNEXATION TO THE CITY OF LAKE STEVENS
BRB 04-2018 – RHODORA ANNEXATION

WHEREAS, Snohomish County (the “County”) has received notice of a proposal from the City of Lake Stevens (the “City”) to annex approximately 108 acres of land located in the Lake Stevens Urban Growth Area (“UGA”) bordered by 123rd Avenue SE on the east, Machias Cutoff Road to the south, and the City limits on the west; and further described in Washington State Boundary Review Board for Snohomish County (hereinafter "Boundary Review Board") File No. BRB 04-2018; and

WHEREAS, the proposed annexation is subject to Snohomish County Code Section 3.52.120, and Revised Code of Washington (RCW) 35.13.005, 35A.14.005 and .120, 36.115.050, .060 and .070, 36.93.157, .170 and .180, and 36.70A.020, .110 and .210; and

WHEREAS, the proposed annexation is generally consistent with the factors and applicable objectives of the Boundary Review Board, County Codes, and other applicable statutes governing the review of annexation actions. The proposed annexation is consistent with the adopted Countywide Planning Policies and is consistent with the County’s Growth Management Act (GMA) Comprehensive Plan as set out in a Snohomish County Department of Planning and Development Services (“PDS”) staff report dated August 8, 2018, which is incorporated herein as Attachment A; and

WHEREAS, the City and County have adopted a Master Annexation Interlocal Agreement effective October 26, 2005, to address the transition of services upon annexation; and

WHEREAS, the area proposed for annexation is included within the UGA for the City of Lake Stevens, the logical provider of municipal services; and

WHEREAS, RCW 36.93.157 requires that decisions of the Boundary Review Board be consistent with the GMA;

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 forthwith file this Motion with the Boundary Review Board, together with a copy of the PDS staff report dated August 8, 2018.

PASSED this 27th day of August, 2018.

SNOHOMISH COUNTY COUNCIL
Snohomish County, Washington

[Signature]
Council Vice-Chair

ATTEST:

[Signature]
Clerk of the Council
Attachment A
PDS Staff Report Dated August 8, 2018
MEMORANDUM

TO: Councilmember Stephanie Wright, Council Chair
    Councilmember Terry Ryan, Council Vice-Chair
    Councilmember Sam Low, District 5
    Councilmember Nate Nehring, District 1
    Councilmember Brian Sullivan, District 2

VIA: Barb Mock, Director
     Planning and Development Services

FROM: Eileen Canola, Senior Planner
      Planning and Development Services

SUBJECT: City of Lake Stevens – Rhodora Annexation, BRB #04-2018

DATE: August 8, 2018

The following report summarizes information and issues regarding the proposed annexation of the Rhodora area by the City of Lake Stevens. The report addresses factors and objectives that the Snohomish County Boundary Review Board (BRB) must consider in evaluating the annexation proposal. Those factors and objectives are considered because, if the Snohomish County Council chooses to invoke BRB jurisdiction, those would be the considerations that the BRB would take into account, and only matters related to the factors and objectives could be used to support any position regarding the annexation at the BRB.

The report also reviews consistency with applicable comprehensive plans and the Countywide Planning Policies (CPPs), impacts as required under Snohomish County Code (SCC), and comments submitted by Snohomish County departments, other public agencies, or members of the community regarding the proposed annexation. This report is provided pursuant to SCC 3.52.120, and Revised Code of Washington (RCW) 35.13.005, 35A.14.005 and .120, 36.115.050, .060, and .070, 36.93.157, .170, and .180, and 36.70A.020, .110, and .210. The 45-day review period to invoke BRB jurisdiction for the proposed annexation will expire on August 31, 2018.

The authority of the Snohomish County Council for reviewing annexations is set forth in RCW 36.93.100 and SCC 3.52.120. Under SCC 3.52.120, the Executive is required to review the annexation and make a recommendation to the County Council. The options for the County Council on this
proposed annexation are to invoke, or not invoke, the jurisdiction of the BRB. The County Council also has the option to state a position to oppose, or not oppose, the proposed annexation, or to not state a position with regard to the proposed annexation.

If BRB jurisdiction is invoked by the County Council or another party with standing to invoke jurisdiction, the position that the County Council adopts will be provided to the BRB in writing prior to the hearing on the proposed annexation.

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 one invokes BRB jurisdiction, the annexation would still need to be finalized by city ordinance setting the effective date.

FINDINGS:

I. Background/Land Use/Zoning

The City of Lake Stevens has submitted a Notice of Intention (NOI) to the BRB for a proposed annexation of the Rhodora area by the direct petition method under RCW 35A.14.120.

The proposed Rhodora annexation is approximately 108 acres with 133 residences and an assessed valuation of $49,452,900, according to the NOI. The proposed Rhodora annexation is located in the Lake Stevens Urban Growth Area (UGA), east of the existing boundary of the City of Lake Stevens, bordered by 123rd Ave SE on the east and Machias Cutoff Road to the south. (see the maps in Exhibits A and B). The proposed annexation area is currently designated Urban Low Density Residential (4 dwelling units per acre and 6 dwelling units per acre) on the County’s future land use map with R-9,600 and R-7,200 zoning, respectively. The City proposes the Medium Density Residential future land use designation with High Urban Residential-3600 zoning, which provides for a denser development potential than under the existing County zoning. The exception to this City zoning is that property within 200 feet of the ordinary high water line of Lake Stevens would be zoned Waterfront Residential.

II. County Department/External Agency Review

The NOI for the proposed Rhodora Annexation was circulated for review to County departments and agencies. Comments, including those expressing no concerns, were received from Public Works, Parks, Finance, and the Sheriff’s Office. Comments have been incorporated into the staff report along with the Planning and Development Services (PDS) review under the relevant sections.

PDS requested that County departments and external agencies evaluate the annexation proposal against the factors and objectives in RCW 36.93.170 and .180 that the BRB must assess when considering an annexation. As required by SCC 3.52.120, fiscal, departmental, and countywide impacts were considered. The proposal was also reviewed for consistency with the Growth
Management Act (GMA), CPPs, and other local plans. Review material for the proposed annexation was sent to the following departments and agencies:

**County Departments/Agencies Contacted**

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<thead>
<tr>
<th>Assessor</th>
<th>Human Services</th>
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<tr>
<td>Auditor</td>
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<td>District Court</td>
<td>Planning and Development Services</td>
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<td>Emergency Management</td>
<td>Property Management</td>
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<tr>
<td>Enhanced 911 Office</td>
<td>Public Works</td>
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<td>Finance</td>
<td>Sheriff</td>
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**Other Agencies Contacted**

Puget Sound Energy
Snohomish County 911

**III. Analysis of Impacts and Consistency with State Statutes, County Code and Local Plans**

**A.** The following comments relate to RCW 36.93.157 -- “The decisions of a boundary review board located in a county that is required or chooses to plan under RCW 36.70A.040 [the Growth Management Act (GMA) -- who must plan] must be consistent with RCW 36.70A.020 [GMA Planning Goals], 36.70A.110 [Comprehensive Plans -- Urban Growth Areas] and 36.70A.210 [Countywide Planning Policies].”

1. RCW 36.70A.110(4) and 36.115.070 both state that it is the Legislature’s intent that cities are to be the primary provider of urban services and that counties are the unit of government most appropriate to provide regional governmental services.

2. Snohomish County and the City of Lake Stevens have both adopted comprehensive plans under the authority of chapter 36.70A RCW (GMA). Under both plans, the proposed annexation area is identified as urban and in the Lake Stevens UGA, intended to be eventually annexed to the City.

3. The City of Lake Stevens and Snohomish County have an adopted Master Annexation Interlocal Agreement (MAILA) effective October 26, 2005. The agreement addresses GMA land use, transfer of project and permitting, records transfer, roads and transportation, and surface water.

4. The annexation proposal is consistent with the CPPs. The proposal allows for the transition of unincorporated areas to incorporated areas within the UGA, capital facilities planning and the timely and coordinated extension of urban services which is supported by the following CPP policies:
JP-6 – The County and cities shall develop comprehensive plan policies and development regulations that provide for the orderly transition of unincorporated Urban Growth Areas (UGAs) to incorporated areas in UGAs. Mutual agreements may be utilized to address governance issues and expedite the transition.

DP-5 – The County and cities shall adopt comprehensive plans and development regulations (RCW 36.70A.040). In Urban Growth Areas (UGAs), such plans and regulations shall:

a. Achieve urban uses and densities;
b. Provide for urban governmental services and capital facilities sufficient to accommodate the broad range of needs and uses that will accompany the projected urban growth; and
c. Permit the urban growth that is projected to occur in the succeeding twenty-year period (RCW 36.70A.110(2)).

The County shall adopt such plans and regulations for its unincorporated territory. Each city shall adopt such plans and regulations for territory within its city limits. Additionally, cities may adopt such plans and proposed development regulations for adjacent unincorporated territory within its UGA or Municipal UGA (MUGA) to which the city has determined it is capable of providing urban services at some point in the future, via annexation.

When amending its comprehensive plan, the County shall give substantial consideration to the affected 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.

PS-1 – Jurisdictions should support cities as the preferred urban service providers.

B. 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.

1. Snohomish County and the City of Lake Stevens have both adopted comprehensive plans under the authority of chapter 36.70A RCW (GMA). Under both plans, the proposed annexation area is identified as urban and in the Lake Stevens UGA, intended to be eventually annexed to the City.

2. The County comprehensive plan delineates the proposed annexation area in the Lake Stevens UGA with the designation of Urban Low Density Residential (4 dwelling units per acre and 6 dwelling units per acre); the implementing zones are R-9,600 and R-7,200, respectively. The City proposes the Medium Density Residential future land use designation with High Urban Residential-3,600 zoning, which provides for a denser development potential than under the existing County zoning. The exception to this City zoning is that property within 200 feet of the ordinary high water line of Lake Stevens would be zoned Waterfront Residential.

3. The City of Lake Stevens and Snohomish County have an adopted MAILA effective October 26, 2005. The agreement addresses GMA land use, transfer of project and permitting, records transfer, roads and transportation, and surface water.

4. There is an existing 2005 Master Annexation Interlocal Agreement (MAILA) with the City of Lake Stevens.

   a. MAILA Section 9.1 concerns legal control and maintenance responsibilities for surface water drainage improvements or facilities. There are a total of three known stormwater facilities, one is a county-owned facility #0450, and the other two are private residential facilities #3759 and #2993. The Snohomish County Department of Public Works (DPW) – Division of Surface Water Management (SWM) will provide prior to annexation, easements and available documentation regarding these facilities, for negotiation of transfer per Section 9.1 of the MAILA. All such surface water assets and easements, known or unknown, need to be transferred to the City upon annexation.

   b. In Section 9.2 of the MAILA, references to Watershed Management Area and Clean Water District are now obsolete and should refer to Surface Water Management Utility District per SCC 25.10.275, which has replaced Watershed Management areas and the Stillaguamish Clean Water District, under Amended Ord. 17-020, July 5, 2017, effective date July 21, 2017. MAILA Section 9.2 concerns surface water management services in the proposed Rhodora Annexation area, to be provided through the calendar year in which
the annexation becomes effective. These services, which do not include road right-of-way drainage system management, will be of the same general level and quality of those provided to other property owners subject to service charges in the County. The City should be aware, that upon the effective date of annexation, the City becomes solely responsible for ensuring the requirements of the City’s NPDES Permit are met with respect to the annexation area. Any surface water management services the County continues to provide in the annexation area will not be designed or intended to ensure compliance with the City’s Phase II NPDES Permit.

5. The Snohomish County Public Works – Engineering Services Bridge Group provided the following comments: It appears that Snohomish County Bridge #200 will be annexed by the City of Lake Stevens. The County and City have an interlocal agreement for bridge inspection. It is recommended to amend the ILA to include Bridge #200 to continue the required inspections.

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.

1. The County is not a full municipal service provider. The City of Lake Stevens is a provider of urban municipal services as identified under chapter 36.70A RCW.

2. The Lake Stevens Sewer District commented on this proposed annexation stating that the proposed annexation would not cause any significant impact to the District’s ability to serve the community. The District’s planning assumptions with regard to build out conditions are based on the highest and best use of the entire UGA. Two-thirds of the proposed annexation area is currently within the Lake Stevens Sewer District’s corporate boundary, so the addition of the remaining 1/3 would have a nearly immeasurable impact on capacity in the collection system or treatment plant. The addition of the small annexation area not currently in the Sewer District to the City would not initiate, accelerate, or supersede the projects identified in the District’s comprehensive plan.

3. There is an existing 2013 Surface Water Management Services ILA (2013 ILA) with the City of Lake Stevens, which covers lake management of Lake Stevens and stormwater management services.

   a. Per Section III.F.8 of the 2013 ILA, along with the Pellerin Annexation, the proposed Rhodora Annexation would reduce the County’s payment share for phosphorus control and other services and provisions in connection with lake management, toward certain
minimums, and the City’s payment shares would increase accordingly. The proposed annexation does not affect the Parkway Crossing annual bond debt payments of $10,700 until 2021, under section VI.B of the 2013 ILA. However, pending lack of a rate increase, SWM will be contacting the City regarding possible renegotiation of the County provisions for lake management and other services under the 2013 ILA. The Parkway Crossing bond payments need to continue until 2021.

b. SWM provides surface water billing services to the City under a billing services ILA adopted in 2016 (2016 ILA). There would be a minor increase in City accounts billed under the ILA; no material change is otherwise anticipated under the 2016 ILA. Based on review of the NOI submitted to the BRB, Public Works expressed that there are no substantive concerns with the annexation as proposed.

c. Program service area and functions would adjust to the annexation and decreased revenues. However, pending lack of a rate increase, SWM will be contacting the City regarding renegotiating an existing interlocal agreement concerning County provisions for lake management and other services under the 2013 ILA. The Parkway Crossing bond payments need to continue until 2021.

d. Snohomish County Planning and Development Services estimated that based on the development capacity under County designation and zoning, it is estimated that a combined total of approximately $1,550,000 in one-time permit fees that would have been collected at the time of development will not be collected by the County once the area is annexed by the City.

e. The Public Works – Engineering Services-Bridge Group commented that the cost of bridge inspections and maintenance will be assumed the City.

f. Snohomish County Finance responded that the annexation proposal would have no significant financial impact on the County budget. The annexation will have minimal impact to each of the following 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 as well.

Factor 3. The effect of the proposal or alternative on adjacent areas, on mutual economic and social interests, and on the local governmental structure of the county.

There were no comments applicable to factor 3.

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

Objective 1. Preservation of natural neighborhoods and communities.
The proposed annexation area is within the Lake Stevens UGA and adjacent to the City of Lake Stevens, which lies to the west. The proposed Rhodora Annexation area is part of the natural community of the City of Lake Stevens and contains two existing subdivisions, North Starr and Fenner. Further, the City proposes to implement a land use designation of Waterfront Residential in the annexation area that is within 200 feet of the ordinary high water line of Lake Stevens that would be zoned Waterfront Residential. This waterfront related future land use designation and zoning would maintain consistency with the development potential of the existing surrounding waterfront community.

The proposed annexation therefore furthers this objective.

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

The proposed annexation area is adjacent to the City of Lake Stevens and uses the existing corporate limits as its western boundary. The proposed annexation area is defined along a physical boundary to the east with 123rd Ave SE and Machias Cutoff Road to the south. The annexation uses parcel boundaries and common ownership.

The proposed annexation therefore furthers this objective.

Objective 3. Creation and preservation of logical service areas.

The proposed annexation area is within the Lake Stevens UGA. The proposed annexation area is adjacent to the City of Lake Stevens, which lies to the west. The City of Lake Stevens is the logical service provider for municipal services in this area. Sewer service in the area is provided by the Lake Stevens Sewer District.

Based on review of the NOI submitted to the BRB, County departments have expressed no substantive concerns with the annexation as proposed. The annexation is not expected to create an impractical service boundary.

The annexation therefore furthers this objective.


The proposed annexation does not create an abnormally irregular boundary. The proposed annexation area is compact with straight edges and squared corners.

Upon review of the NOI submitted to the BRB, County departments have expressed no substantive concerns with the annexation as proposed. However, if the proposed annexation area were to include the unincorporated urban area to the south of the proposed annexation area or to the north, it would provide a more continuous and uniform transition for both jurisdictions. If approved, this annexation would create a noncontiguous unincorporated urban area, alternating between County and City jurisdiction. However, the City has indicated its intent to pursue annexation of the other unincorporated urban areas adjacent to the Rhodora annexation area.
The proposed annexation therefore 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 existing City boundary is not impractical. The proposed annexation area is adjacent to the City of Lake Stevens, which lies to the west, and is within the Lake Stevens UGA. The City of Lake Stevens is the logical service provider for municipal services.

County departments have expressed no concerns with the annexation as proposed. However, it was noted by PDS that there are differences in speed limits between County and City jurisdiction, that after annexation, it would be helpful to have a uniform speed limit of 25 mph from the Machias Cutoff Rd north into the City limits along South Lake Stevens Rd, if traffic warrants are met. Also there are portions of this roadway that are missing the sidewalks and pedestrian improvements common of more urban developments in the vicinity.

The proposed annexation furthers this objective to the extent that it applies.

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

The area is within the Lake Stevens UGA and designated in both the County and City comprehensive plans as urban, intended to be eventually annexed to the City. The City of Lake Stevens is the logical service provider for municipal services.

The proposed annexation therefore furthers this objective.

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.

D. The following comments relate to SCC Section 3.52.120 – Council Request for Review

1. Total assessed value, and impacts upon comprehensive plans, transportation systems, utility plans.
   a. The proposed Rhodora annexation is approximately 108 acres with 133 residences and an assessed valuation of $49,452,900, according to the NOI.
   b. Snohomish County and the City of Lake Stevens have both adopted comprehensive plans under the authority of chapter 36.70A RCW (GMA). Under both plans, the
proposed annexation area is identified as urban and in the Lake Stevens UGA, intended to be eventually annexed to the City. The County comprehensive plan delineates the proposed annexation area within the Lake Stevens UGA with the designation of Urban Low Density Residential (4 dwelling units per acre and 6 dwelling units per acre); the implementing zones are R-9,600 and R-7,200, respectively. The City proposes the Medium Density Residential future land use designation with High Urban Residential-3600 zoning, which provides for a denser development potential than under the existing County zoning. The exception to this City zoning is that property within 200 feet of the ordinary high water line of Lake Stevens would be zoned Waterfront Residential. The annexation is not expected to impact the ability to accommodate the adopted growth targets.

c. The Public Works – Engineering Services-Bridge Group commented that the cost of bridge inspections and maintenance will be assumed the City.

d. There are a total of three known stormwater facilities, one is a county-owned facility #0450, and the other two are private residential facilities #3759 and #2993. SWM will provide prior to annexation easement and available documentation regarding these facilities. All such surface water assets and easements, known or unknown, need to be transferred to the City upon annexation. Based on review of the NOI submitted to the BRB, the department of Public Works the expressed that there are no substantive concerns with the annexation as proposed.

e. Snohomish County Planning and Development Services estimated that based on the development capacity under County designation and zoning, it is estimated that a combined total of approximately $1,550,000 in one-time permit fees that would have been collected at the time of development will not be collected by the County once the area is annexed by the City.

f. The Lake Stevens Sewer District commented on this proposed annexation stating that the proposed annexation would not cause any significant impact to the District’s ability to serve the community. The District’s planning assumptions with regard to build out conditions are based on the highest and best use of the entire UGA. Two-thirds of the proposed annexation area is currently within the Lake Stevens Sewer District’s corporate boundary, so the addition of the remaining 1/3 would have a nearly immeasurable impact on capacity in the collection system or treatment plant. The addition of the small annexation area not currently in the Sewer District to the City would not initiate, accelerate, or supersede the projects identified in the District’s comprehensive plan.

2. Law enforcement, courts, parks, county budget, and community comments.

a. The Snohomish County Sheriff’s Office commented that based on the Sheriff’s Office historical calls for service information for the properties, it found the annexation to be
an average reduction of about 12 calls for service per year. If the City of Lake Stevens annexes the properties, the Sheriff’s Office expects to see a minimal change in the law enforcement services for the area.

b. Snohomish County Parks did not express concerns regarding significant impacts for County parks services.

c. For SWM, minor revenue impact is anticipated; however, the revenue impact may have cumulative effect with other cost provisions under a current ILA agreement with the City:

1. Annual SWM revenues from the potential annexation area SWM service charges are about $21,756.

2. Post annexation annual revenues would total about $1,117, for general bond debt payment that applies to all annexations since 2009 under Chapter 25 SCC provisions; this is a decrease in SWM annual revenue of about $20,640. A separate bond debt payment for the Parkway Crossing project under a 2013 interlocal agreement for lake management and SWM services would continue.

3. Annual bond debt payments are anticipated to last through 2021, the anticipated year of bond retirement for both the general bond debt addressed by the provisions of Chapter 25.20 SCC, unless the bond is refinanced. The Parkway Crossing bond debt payments, under the separate 2013 ILA, will also end after 2021.

d. Snohomish County Finance responded that the annexation proposal would have no significant financial impact on the County budget. The annexation will have minimal impact to each of the following 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 as well.

CONCLUSIONS:

Based on County review, PDS concludes that the subject annexation proposal is generally consistent with the applicable statutory provisions governing municipal annexations. The annexation proposal furthers the GMA goal and CPP policy that cities should be the primary providers of urban services. It was noted that if the proposed annexation area were to include the unincorporated urban area to the south of the proposed annexation area or to the north, it would provide a more continuous and uniform transition for both jurisdictions. If approved, this annexation would create a noncontiguous unincorporated urban area, alternating between
County and City jurisdiction. However, the City has indicated its intent to pursue annexation of the other unincorporated urban areas adjacent to the Rhodora annexation area.

The proposed annexation area is within the Lake Stevens UGA and adjacent to the City of Lake Stevens, which lies to the west. The City of Lake Stevens is the logical service provider for municipal services in this area.

This conclusion has been reached by comprehensively reviewing the annexation against the applicable BRB factors and objectives, County codes, and other applicable statutes and determining, overall, 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.

Attachments:

- Exhibit A – Map of the vicinity of the proposed City of Lake Stevens Rhodora Annexation
- Exhibit B – Map of the proposed City of Lake Stevens Rhodora Annexation
- Exhibit C – June 12, 2018 - City of Lake Stevens Staff Report Adopting a Resolution Accepting 60 Percent Rhodora Annexation Petition

cc: Ken Klein, Executive Director
    Barb Mock, Director, PDS
    Mike McCrary, Deputy Director, PDS
    Ikuno Masterson, AICP, Manager, PDS
    Jacqueline Reid, AICP, Supervisor, PDS
    Yorik Stevens-Wajda, AICP, Council Legislative Analyst
Exhibit C

LAKE STEVENS CITY COUNCIL

STAFF REPORT

Council Agenda Date: June 12, 2018

Subject: Adoption of Resolution 2018-018, Accepting the 60 Percent Rhodora Annexation Petition and Issuing a Notice of Intent to Annex and adopt Comprehensive Plan Designation and Zoning for annexed parcels

Contact Person/Department: Joshua Machen, AICP, Senior Planner
Russ Wright, Community Dev. Director

Budget Impact: none

RECOMMENDATION(S)/ACTION REQUESTED OF COUNCIL:

Approve Resolution 2018-018 to:

1. Accept the 60 percent Rhodora Annexation petition and give notice of intent to annex and
2. Require that upon annexation the simultaneous adoption of land use and zoning designations and require the assumption of all existing City indebtedness.

DISCUSSION:

On December 12, 2017, the City Council passed Resolution 2017-022 accepting the 10% Rhodora Annexation petition and authorizing the gathering of signatures for the 60% annexation petition. On May 9, 2018, the City submitted the 60% annexation petition with signatures from property owners representing more than 60% assessed valuation of the properties contained within the proposed annexation area to the County Assessor’s office. The Snohomish County Assessor’s office has validated the 60% petition (Attachment 1).

The property is approximately 93 acres and the signed petitioners own over 60% of the land value within the proposed annexation area. The proposed annexation area lies within unincorporated Snohomish County, and may generally be described as an area located just east of Lake Stevens city limits, which is at the parcels located on the northeast corner of South Lake Stevens Road and Machias Cutoff Rd. The proposed annexation extends north along the shore of Lake Stevens approximately 630 feet, then extends to the east to 123rd Avenue then south to Machias Cutoff Road including all the land and subdivisions bounded by 123rd Ave, Machias Cutoff and South Lake Stevens Road. Said unincorporated area is within the City of Lake Stevens Urban Growth Area.

In accordance with the adopted resolution 2017-022, the proposed zoning for the Rhodora Annexation area is proposed to be HUR (High Urban Residential) with a land use designation of Medium Density Residential.

Snohomish County has a Boundary Review Board that is required to review all annexations prior to approval by the City Council. Therefore, the resolution before you is to issue a “Notice of Intent to Annex”, which will be submitted to the Boundary Review Board. Once the board has reviewed the annexation proposal and provided their decision, the City Council will have the final decision whether to annex the
properties or adjust the boundaries and adopt final comprehensive plan designation and zoning for the annexed area.

Public Comment:
The City has received multiple public comment expressing concern and opposition to the annexation. The comment letters are attached (Attachment 3).

ATTACHMENTS
1. - Snohomish County Certificate of Sufficiency Rhodora Annexation
2. - Draft Resolution 2018-018 with exhibits
3. - Public Comment e-mail