

*Given out
at the hearing*



SULTAN CITY COUNCIL

AGENDA ITEM COVER SHEET

ITEM NO: 1-a Public Hearing

DATE: December 20, 2000

SUBJECT: Garth York Annexation

CONTACT PERSON: Christi Amrine, City Planner
Lara Thomas, Assistant Planner

SUMMARY: The applicant has filed and been approved for the intent to annex 40 acres south of 124th Street SE on October 4, 2000. Attached is a staff report and relevant exhibits. This subject property lies with the City of Sultan UGA. Based on existing city policies and comprehensive plan staff recommends approval of this annexation as proposed.

FISCAL IMPACT: See attached staff report and Exhibit 10, Letter from Finance Department.

RECOMMENDED ACTION: Council Approval

COUNCIL ACTION:

DATE:

STAFF REPORT TO: City Council
FROM: Planning Department
DATE: December 13, 2000
SUBJECT: DIRECT PETITION FOR Garth York Annexation 124th Street South

I. RECOMMENDED ACTION

Hold a public hearing (Exhibit 1, Affidavit of Posting and attached hearing notice) and adopt the attached **Resolution 00-20** (Exhibit 1) approving the 124th Street South Annexation.

II. DEPARTMENT CONTACT PERSONS

Christi Amrine, City Planner
Lara Thomas, Assistant Planner

III. WHAT IS THE POLICY QUESTION?

Is the proposed annexation consistent with City policy?

IV. BACKGROUND

- A. Proposal: The City has received an application to annex 40 acres on 124th Street South. The property is within the northern boundary of our UGA on 124th Street South (Exhibit 4, Notice of Intent dated 9-25-00 with attached parcel map and UGA map). The annexation area is bordered on the south by city limits and to the north the cities UGA, the tax parcel ID numbers are 292808-3-001 and 292808-3-002.
- B. Applicant: Garth York
Bear Paw Creek, Inc.
12202 Kellogg Lake Road
Sultan, Washington 98294
- C. Location: The property is in the City of Sultan's UGA on 124th Street South. The current zoning is Low/Moderate Density Zone.
Legal Description: See Exhibit 3, Petition for Annexation and Legal Description with map.
- D. Previous Action: The City Council approved the Notice of Intent on October 4, 2000, Exhibit 5, authorizing circulation of an annexation petition. Applicants have completed the petition and now seek Council approval.
- G. Land Use/Zoning: This property lies within the City of Sultans Urban Growth Area, see Exhibit 8 Sultan UGA Map updated on 5-29-99. Land annexed into the City shall be zoned Low Moderate Density. See Exhibit 3. Density for the Low

Moderate zone is a maximum of 6 units per acre Exhibit 6, Old Zoning Map 1995 and Exhibit 7 1999 Zoning Map.

- H. Utility Services: The City of Sultan provides neither sewer nor water services to the annexation area currently, although the site lies within the cities service areas. Sewer-The closest location for a sewer connection is a main trunk line at 132nd and Sultan Basin Road. The property will agree to a "No Protest LID" condition. Water-The annexation is within the cities water service area. The closest connection for water is a 12" water main in 124th Street SE including fire hydrants. Electricity-PUD No. 1 of Snohomish County is the electricity purveyor. Telephone-Verizon Communications is the communications purveyor. Cable-AT&T Broadband is the cable vision purveyor. See Exhibit 9, Memo from Public Works.
- I. Roadway Maintenance and Standards: Mitigation will be required for the Sultan Basin Road and SR-2 intersection. Improvements to 124th Street SE would be completed at the time of a development application. See Memo from Public Works (see Exhibit 9).
- J. Emergency Services: Fire protection is presently provided by Fire District #5 and Police protection is currently provided by Snohomish County. If annexed, the City of Sultan would become responsible for emergency and related services.
- K. Annexation: This annexation is proceeding using the Direct Petition Method as outlined in RCW 35A.14.120. The area requesting annexation has submitted a petition with signatures equaling 100% of the value of the area to be annexed, which exceeds the 60% required by State law. After the City Council holds a public hearing, the Council will vote to accept or deny the annexation. If accepted, the annexation will be subject to Snohomish County Boundary Review Board approval.

V. COMPLIANCE WITH CITY GOALS AND POLICIES

This section excerpts the relevant Comprehensive Plan annexation policies that should be considered for this action:

LU-IV.A-Identify an Urban Growth Boundary which accommodated the City's 20-year population and employment projections and can be supported by the public facilities and services.

This property, which seeks annexation, is inclusive of the adopted City of Sultan UGA, see Exhibit 8.

CF-IIC-Extend capital facilities and public services to the boundaries of the urban growth area as the densities allow.

Public facilities and connections to this site are within the near vicinity, see Exhibit 9.

As stated with Exhibit 3 item b, the petitioners understand and agree to the following, meeting city and comprehensive plan criteria:

1. *The purpose of the annexation is to obtain city zoning and services.*

2. *Properties will assume any indebtedness of the City of Sultan*
3. *Existing and proposed land use will be zoned to Low Moderate Density zoning designation to be consistent with adjoining properties.*
4. *Total acreage is 40.00 with an assessed value of 122,300.00*
5. *Utilities: Water is available as stated in Exhibit 9 and the site lies within the service area. There is currently no sanitary sewer service available in the area the city does not plan to extend service to the area in the near future. The property will agree to a "No Protest LID" condition.*
6. *SEPA requirements and site sensitive areas will be addressed at the time of development of the area.*
7. *The properties are with the UGA as amended by Snohomish County.*
8. *All property owners will comply with all applicable city, state and federal development standards and will adopt the City's Comprehensive Plan and Sultan Municipal Code and amendments thereto.*

Annexation Criteria

VI. IMPACT

- A. **Fiscal:** The impacts to the City would be the cost of road maintenance and police response to the newly annexed area. The City would receive offsetting revenues from property tax and utility taxes. The City may also provide future assistance for sewer extension as part of a citywide effort to eliminate septic systems. See Exhibit 10, Letter from Finance Department.
- B. **Other:** If the Direct Petition to annex is approved by resolution, the annexation will be complete when approved by the Washington State Boundary Review Board for Snohomish County. The City and review board shall review annexations by uses factors to be considered in RCW 36.93.170. a-r.

VI. ALTERNATIVES

- A. The Council may adopt the attached resolution and approve the 124th Street South Annexation, as recommended by staff. This action is consistent with the City of Sultan annexation and land use policies.
- B. The Council may deny the annexation. This is inconsistent with adopted City policy and UGA Map, which establishes the 20 growth projections for the City.
- C. The Council may alter the annexation, revising the size of the area or conditions of annexation, consistent with adopted City policies.