

AGENDA ITEM NO. 8b
MEETING DATE: October 6, 2015

TO: Tumwater City Council
council@ci.tumwater.wa.su

FROM: Mike Matlock, Community Development Director
mmatlock@ci.tumwater.wa.us

SUBJECT: **Ordinance O2015-008** - Eastside UGA Annexation

1) Attachments:

A. **Ordinance O2015-008** - Eastside UGA Annexation

2) Recommended Action:

Staff recommends Council approve the annexation ordinance.

3) Background:

Following the completion of a fiscal analysis for the eastern urban growth area in October 2013, the Tumwater City Council directed staff to engage the public and affected governmental agencies in discussions regarding the annexation. Following an extensive public outreach campaign the Council adopted a Resolution of Intent to annex the subject area on May 12, 2015 (R2015-008).

The annexation was subsequently sent to the Boundary Review Board and has been returned to the City for final action in the form of an ordinance. Approval of the ordinance would make the annexation effective on January 1, 2016.

4) Alternatives:

- Approve Ordinance O2015-008.
 - Reject Ordinance O2015-008.
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5) Fiscal Notes:

Fiscal impacts were examined in detail in the 2013 annexation analysis as well as during the annexation process.

Ordinance No. O2015-008

AN ORDINANCE of the City Council of the City of Tumwater, Washington, annexing certain contiguous property referred to as the "Eastside UGA," located within the Tumwater Urban Growth Area between the Deschutes River and Old Highway 99, in Thurston County, Washington, as more particularly described herein, to the City of Tumwater.

WHEREAS, on January 6, 2015, at a regularly scheduled meeting, the Tumwater City Council approved the proposed Eastside UGA annexation boundaries, and determined that properties within the newly annexed area will assume a proportionate share of indebtedness; and

WHEREAS, on April 13, 2015 the Thurston County Assessor certified that the petition to annex meets the sufficiency requirements of RCW 35A.01.040, including the requirement that it be signed by owners of more than sixty percent (60%) in value according to the assessed valuation for general taxation of said property; and

WHEREAS, the City Clerk of the City of Tumwater caused Notice of Public Hearing on the petition for annexation to be posted and published in the manner provided by law; and

WHEREAS, the annexation is consistent with the City of Tumwater adopted annexation policies, the County-wide Planning Policies, and the Joint Plan adopted by Thurston County and the City of Tumwater; and

WHEREAS, on May 12, 2015, the Tumwater City Council held a public hearing on said petition for annexation in the Logan Room of South Sound Manor located at 455 North Street SE, Tumwater, WA;

WHEREAS, on May 12, 2015, the Tumwater City Council, having determined that the annexation of the hereinafter described property to the City of Tumwater would be in the public interest and for the public welfare and in the best interest of the City of Tumwater and the citizens thereof approved Resolution R2015-008 and forwarded the annexation to the Boundary Review Board for Thurston County;

WHEREAS, on September 17, 2015, the Boundary Review Board for Thurston County returned the annexation to the City of Tumwater for final action;

WHEREAS, on October 6, 2015, the City Council of the City of Tumwater held a public meeting to discuss effectuating the annexation via ordinance O2015-008;

NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF TUMWATER, STATE OF WASHINGTON, DOES ORDAIN AS FOLLOWS:

Section 1. The Tumwater City Council hereby annexes 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 hereby further declared that upon annexation, the property described in Section 1 above shall be subject to existing indebtedness of the City of Tumwater.

Section 3. Zoning and land use designations shall be applied which are consistent with the Tumwater Comprehensive Plan.

Section 4. The Floodplain Overlay Zone shall be applied pursuant to the Tumwater Municipal Code and the Tumwater Comprehensive Plan.

Section 5. The Airport Overlay Zone shall be applied pursuant to the Tumwater Municipal Code.

Section 6. The Aquifer Protection Overlay Zone shall also be applied to the property described in Section 1 above.

Section 7. Corrections. The City Clerk and codifiers of this ordinance are authorized to make necessary corrections to this ordinance including, but not limited to, the correction of scrivener/clerical errors, references, ordinance numbering, section/subsection numbers and any references thereto.

Section 8. Ratification. Any act consistent with the authority and prior to the effective date of this ordinance is hereby ratified and affirmed.

Section 9. Severability. The provisions of this ordinance are declared separate and severable. The invalidity of any clause, sentence, paragraph, subdivision, section, or portion of this ordinance or the invalidity of the application thereof to any person or circumstance, shall not affect the validity of the remainder of the ordinance, or the validity of its application to other persons or circumstances.

Section 10. Effective Date. This ordinance shall be effective on January 1, 2016.

Adopted this 6th day of October, 2015.

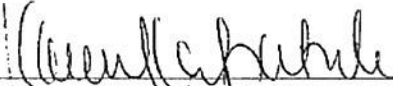
CITY OF TUMWATER

Pete Kmet, Mayor

ATTEST:

Melody Valiant, City Clerk

APPROVED AS TO FORM:



Karen Kirkpatrick, City Attorney

Published: _____