



Kalama City Council - Council Agenda Item Information Form

Council Meeting of March 15, 2017

Subject: 7A – New Business – Chilton II Intent to Annex

Prepared by: Coni McMaster, Clerk/Treasurer

Summary: See Attached Application submitted on March 7, 2017. Also attach is an information Sheet from the MRSC publication Annexation in Cities and Towns which outlines the process and things to consider regarding annexations. In February of 2014 the City finalized the annexation of 42 acres off of China Garden Road known as the Chilton Annexation. This 12 acres of property abuts that property and will be used in conjunction with the development of the 42 acres for siting of the water facility and road access.

Recommendation : These parcels abut the current City limit boundary lines and are owned by a single owner who is requesting the annexation. The property is within the City's growth boundary and water system boundary. As with the previous annexation, this property has potential for future development that will benefit the City. Staff is recommending the City Council accept the intent to annex, with the assumption of all or any portion of existing city indebtedness by the area to be annexed, and zoning the property as R-1 the same as the adjoining properties within the City limits.

Alternatives:

The City as the ability to accept, reject, or geographically modify the proposed annexation.

► **Draft/Suggested Motions:**

Option 1. *The City Council accepts the intent to annex, with the assumption of all or any portion of existing city indebtedness by the area to be annexed, and zoning the property as R-1 upon its annexation.*

Option 2. *The City Council rejects the intent to annex 11.97 acres presented by Chilton Inc.*

Option 3. *The City Council accepts the intent to annex, with the assumption of all or any portion of existing city indebtedness by the area to be annexed, and zoning the property as R-1 upon its annexation, provided the annexation area is modified to include additional property - ??????????????????????*

Excerpts from MRSC – Annexation by Washington Cities & Towns

This first section is the method and procedure the City has adopted. This portion addresses only the first step – the intent to annex process

6.3 The Sixty Percent Petition Annexation Method **First and Second Class Cities and Towns**

The most frequently used method of annexing territory in first and second class cities and in towns is by petition of the owners of at least 60 percent of the property value in the area, computed according to the assessed valuation of the property in the proposed annexation area for general taxation purposes.

A. Initiation of the 60 percent Petition Annexation (RCW 35.13.125)

A petition annexation is initiated by written notice to the city council of the intention to commence annexation proceedings. This notice may be signed by either:

1. Not less than 10 percent of the residents of the area proposed to be annexed;
2. Owners of not less than 10 percent of the value of the property for which annexation is petitioned, according to the assessed valuation for general taxation purposes; or
3. The board of directors of a school district.³⁰ RCW 28A.335.110.

B. Meeting on the Annexation Proposal (RCW 35.13.125)

After being notified of the proposed annexation, the city council is to set a date (within 60 days after the filing of the notice) for a meeting with the initiating parties to determine:

1. Whether the city will accept, reject, or geographically modify the proposed annexation;
2. Whether it will require the simultaneous adoption of a comprehensive plan, if such a plan has been prepared and filed as provided for in RCW 35.13.177 and 35.13.178; and
3. Whether it will require the assumption of all or any portion of existing city indebtedness by the area to be annexed.

If the council requires simultaneous adoption of a comprehensive plan or the assumption of indebtedness, it is to record this action in its meeting minutes.

The decision of the council whether to “accept” the proposed annexation is entirely within the council’s discretion. By accepting the proposed annexation, the council is not committing itself to ultimately annexing the territory proposed when a sufficient petition is presented to it. The decision to accept merely allows the annexation to go forward procedurally. If the council rejects the proposed annexation, the initiating parties have no right of appeal.

This section provides information on what to consider in evaluating the Annexation request.

2.3 Guidelines for Evaluating Proposed Annexations

Whether or not a city has formally adopted an annexation policy statement, it is important to establish criteria for evaluating specific annexation proposals. City policymakers should be consistent in dealing with annexation interests, and apply uniform standards when making decisions regarding annexation. City officials should be particularly concerned about the consequences of accepting an annexation proposal. In some fringe areas, the problems of utilities, sanitation, traffic, and law enforcement are so severe that solving them may place a great strain on the city's resources and may result in increased costs to all residents. Once again, GMA cities should address these issues in the context of comprehensive plan policies.

To be certain that each annexation is in the city's best interest, city officials should establish a set of guidelines by which to review and measure every proposed annexation.

These basic principles should be carefully considered in the selection of any area for annexation:

- The boundaries of the annexation area should be drawn in accordance with the ability (both from a geographic and economic standpoint) of the city to provide services. The need for services should be taken into account. The general terrain of the area should allow for expansion of utilities without prohibitive costs.
- The population and assessed valuation of the area should be sufficient to allow the area to pay its fair share of the cost of providing services.
- The area should contribute to the logical growth pattern of the city and should encourage orderly growth. Where possible, irregular boundaries should be avoided.
- It should be no larger than what the city is able to service adequately with capital improvements and services within a reasonable time.
- The area should be adaptable to anticipated expansion requirements of the city for residential or commercial/industrial purposes.
- The boundaries of an area should be drawn to include residents who are generally favorable toward annexation or where annexation can be demonstrated to be advantageous to the residents of both the fringe area and the city.
- In drawing boundaries of an annexation area, due regard should be given to special districts in the area. (See Section 4.1 on the consequences of annexation on special districts.)

If a proposed annexation can meet all or most of these criteria, the chances of a successful completion of the annexation will be greatly increased and the effect upon the city will be positive.

You can find the full publication on the MRSC website under publications.