

BEFORE THE STATE OF WASHINGTON BOUNDARY REVIEW
BOARD FOR SNOHOMISH COUNTY

RECEIVED
JUL 09 2009
CITY OF LAKE STEVENS

In re:

CITY OF LAKE STEVENS SOUTHWEST
ANNEXATION PROPOSAL

BRB NO. 03-2009

DECISION

DECISION SUMMARY

City of Lake Stevens Proposed Southwest Annexation (BRB No. 03-2009) is hereby **APPROVED**.

PROCEDURAL HISTORY

On March 27, 2009, the City of Lake Stevens (the "City") filed a notice of intention with the Washington State Boundary Review Board for Snohomish County (the "Board") proposing an election method annexation of approximately 2,374 acres located south of the current City limits at Market Place/Chapel Hill Road, continuing south along the west UGA boundary to the southern UGA border (24th and 28th Streets), traveling north along Lake Stevens Road before joining the west lake shoreline ending at Chapel Hill Road. The notice of intention states that the annexation area contains an estimated 3,800 households with a population of 10,500 and an assessed valuation of \$1.25 billion. The City Council initiated the annexation by resolution.

The Board's jurisdiction was invoked by the City and Snohomish County (the "County").

PUBLIC HEARING

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2 On June 9, 2009, a quorum of the Board held a public hearing in public
3 meeting room #2 of the first floor of the Robert J. Drewel Building, 3000 Rockefeller
4 Avenue, Everett, WA. Notice of the meeting was given pursuant to RCW
5 36.93.160. During the meeting, the Board heard testimony from representatives of
6 the City and the County. The public hearing was continued to June 30, 2009, at
7 which time the Board heard additional testimony from representatives of the City,
8 the County, Lake Stevens School District, Lake Stevens Fire District, Lake Stevens
9 Sewer District, and Lake Stevens Chamber of Commerce. All representatives
10 spoke in favor of the proposal. In addition to testimony, the Board considered
11 written material and other evidence, including but not limited to the notice of
12 intention and attachments, the supplemental documentation submitted by the City,
13 and letters of support from Lake Stevens Sewer District and Lake Stevens Fire
14 District.
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DISCUSSION

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18 Following closure of the public hearing on June 30, 2009, the Board
19 deliberated and reached a decision. After discussing the annexation proposal,
20 pertinent testimony, and other evidence in the record, the Board reached a
21 unanimous decision to approve the annexation. In approving the annexation, the
22 Board, as discussed more fully below, considered all of the factors identified in
23 RCW 36.93.170 and the objectives of RCW 36.93.180, and determined that its
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1 decision is consistent with the growth management act pursuant to RCW

2 36.93.157.

3 A. FACTORS

4 The Board considered all of the factors identified in RCW 36.93.170.
5 Applicable interlocal annexation agreements have been entered into between the
6 City and the County. The County and City both have adopted comprehensive
7 plans. The proposed annexation has logical boundaries defined by the topography,
8 natural boundaries, and drainage basins. Municipal services are planned for and
9 addressed. Sufficient evidence was provided to ensure that public safety services,
10 both police and fire, would be provided. The City has provided evidence that
11 service levels would remain equal to what is now delivered. The City has carefully
12 considered the impact on citizens in the proposed annexation area and those
13 currently residing in the City of Lake Stevens. The City's Notice of Intention and
14 supporting fiscal analysis filed herein evidences its economic and fiscal
15 responsibility to provide urban level services to the proposed area. Public facilities
16 and services were considered with the purchase of property for development of a
17 civic campus comprised of City offices, Fire Department administration offices, Fire
18 station, and a new Sno-Isle Library. The County and the City both have adopted
19 comprehensive plans and negotiated appropriate interlocal agreements between
20 themselves. The City is a more capable municipal service provider than the County
21 and can more adequately provide necessary urban services to this area as
22 required by current use and development. A substantial amount of mutual effort
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1 has been made towards ensuring the success of this proposal through cooperation
2 among the County, City, Fire District, Sewer District, and School District.

3 B. OBJECTIVES

4 The Board considered each of the nine (9) objectives set forth in RCW
5 36.93.180 and whether each objective is applicable to this annexation, and if so,
6 whether it would be hindered or furthered.

7 1. Preservation of Natural Neighborhoods and Communities. This
8 objective is furthered. The proposal's boundaries help preserve natural and existing
9 neighborhoods and communities. The annexation is contiguous to the City and
10 utilizes City limits to the north, roadways to the east, and UGA boundary to the
11 west and south.
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13 2. Use of Physical Boundaries, Including But Not Limited to Bodies of
14 Water, Highways, and Land Contours. This objective is furthered particularly as
15 the boundary in the Hillcrest subarea follows a natural ridge line. This objective is
16 also furthered by this proposal in that it is another step in the process towards
17 having "One Community Around the Lake."
18

19 3. Creation and Preservation of Logical Service Areas. This objective is
20 furthered. The City has demonstrated its ability to provide police and fire services
21 at levels equal to current service levels. There is sufficient evidence of a long range
22 plan to deal with service needs associated with the annexation area as well as
23 financial capacity to meet those needs.
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1 4. Prevention of Abnormally Irregular Boundaries. This objective is
2 furthered as the boundaries use appropriate natural areas rather than artificial
3 ones.

4 5. Discouragement of Multiple Incorporations of Small Cities and
5 Encouragement of Incorporation of Cities in Excess of Ten Thousand Population in
6 Heavily Populated Urban Areas. This objective is furthered. Annexation of this
7 area discourages incorporation of a small city.

8 6. Dissolution of Inactive Special Purpose Districts. This objective does
9 not apply.

10 7. Adjustment of Impractical Boundaries. This objective is furthered.
11 The proposed annexation forms a practical boundary by including the entire
12 southwestern portion of the Lake Stevens Urban Growth Area.

13 8. Annexation to Cities of Unincorporated Areas Which Are Urban in
14 Character. This objective is furthered. The proposed annexation area is within the
15 UGA and is designated by both the City and the County comprehensive plans for
16 urban levels of development.

17 9. Protection of Agricultural and Rural Lands. This objective does not
18 apply.

19 C. GROWTH MANAGEMENT ACT

20 RCW 36.93.157 requires that the Board's decision to be consistent with the
21 following sections of the Growth Management Act ("GMA"): RCW 36.70A.020
22 (GMA planning goals); RCW 36.70A.110 (County's designation of urban growth
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1 areas and potential annexation areas); RCW 36.70A.210 (county-wide planning
2 policies).

3 This decision is consistent with RCW 36.70A.020, as all planning goals were
4 discussed and considered either during public testimony or as part of the written
5 documentation. Specifically, the decision is consistent with RCW 36.70A.020(1)
6 because urban services can be provided in an efficient manner, RCW
7 36.70A.020(2), because the annexation will reduce sprawl, RCW 36.70A.020(4)
8 because it will meet the housing needs for the City, RCW 36.70A.020(9) because
9 the City has planned for open space and recreation, RCW 36.70A.020(10) because
10 the City has considered environmental issues, and RCW 36.70A.020(10) because
11 the City did perform a comprehensive citizen participation effort designed to inform
12 the public about the annexation and its effect on the residents in the proposed
13 annexation area.
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15 The decision is consistent with RCW 36.70A.110 and RCW 36.70A.210.
16 The entire annexation is within the adopted UGA for the City. The decision is
17 consistent with RCW 36.70A.210, because the proposal is consistent with the
18 following Snohomish County GMA Comprehensive Plan – General Policy Plan
19 goals, objectives, and policies: Interjurisdictional Coordination (“IC”) policy 1.B.1
20 (planning for the orderly transfer of service responsibilities in anticipation of
21 planned annexations); IC policy 1.B.3 (securing a master annexation interlocal
22 agreement); IC policy 1.D.1 (securing secondary agreements and City participation
23 in planning and financing capital facilities within UGAs); Transportation (“TR”)
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1 objective 7.A (jointly planning with other transportation providers adequate
2 transportation systems); TR policy 7.A.4 (fulfilling the objectives of the regional
3 transportation plan and the County's and City's comprehensive plans); TR goal 8
4 (planning, developing, and maintaining transportation systems through
5 intergovernmental coordination); TR policy 8.A.1 (establishing a framework for
6 determining consistency among local transportation plans through interlocal
7 agreements); Capital Facilities ("CF") goal 3 (providing for management of storm,
8 flood, and base surface waters); and CF policy 3.E.1 (establishing clarity on the
9 public drainage system and conditions for transfer of drainage facilities as
10 annexations occur).

12 **DECISION**

13 **NOW THEREFORE**, the Board finds:

- 14 1. The jurisdiction of the Board was properly invoked and the Board has
15 jurisdiction over this matter.
- 16 2. Overall, the objectives of RCW 36.93.180 that are most pertinent to
17 the proposal would be furthered by the annexation.
- 18 3. A decision to approve the proposed annexation is consistent with
19 RCW 36.70A.020, RCW 36.70A.110 and RCW 36.70.210.
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21 Based upon the above, a motion was made, seconded, and passed on a
22 vote of 5:0 to **APPROVE** the City of Lake Stevens Southwest Annexation as
23 submitted.
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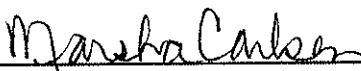
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1 Adopted by the Washington State Boundary Review Board for Snohomish
2 County by a vote of 3:0 this 7th day of July, 2009.

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4 WASHINGTON STATE BOUNDARY REVIEW BOARD
5 FOR SNOHOMISH COUNTY
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8 _____
9 ALISON SING, CHAIR

10 FILED THIS 8th day of July, 2009.

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13 _____
14 Marsha Carlsen, Chief Clerk

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16 NOTICE

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18 Pursuant to RCW 36.93.160(5), this decision shall be final and conclusive
19 unless within thirty (30) days from the date of this decision a governmental unit
20 affected by the decision or any person owning real property or residing in the area
21 affected by the decision files a notice of appeal in the Superior Court.
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