BEFORE THE STATE OF WASHINGTON BOUNDARY REVIEW BOARD FOR SNOHOMISH COUNTY

In re:	
CITY OF ARLINGTON THOMPSON ANNEXATION	BRB NO. 07-2010 DECISION

DECISION SUMMARY

City of Arlington Thompson Annexation (BRB No. 07-2010) is hereby **APPROVED.**

PROCEDURAL HISTORY

On December 15, 2010, the City of Arlington (the "City") filed a notice of intention with the Washington State Boundary Review Board for Snohomish County (the "Board") proposing a petition method annexation of approximately 14.04 acres located north of SR 531 (172nd ST NE) and east of SR9. The notice of intention states that the annexation area currently has an espresso stand, two single-family residences, and miscellaneous outbuildings located on the property.

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

PUBLIC HEARING

On May 17, 2011, a quorum of the Board held a public hearing in public meeting room #2 on the first floor of the Robert J. Drewel Building, 3000 Rockefeller Avenue, Everett, WA. Notice of the meeting was given pursuant to

RCW 36.93.160. During the meeting, the Board heard testimony from representatives of the City, the County, and the public. The Board received and considered written material and other evidence, including but not limited to the notice of intention and attachments.

DISCUSSION

Following the closure of the public hearing on May 17, 2011, the Board discussed the annexation proposal, pertinent testimony, and other evidence in the record and reached a unanimous decision to approve the annexation. In approving the annexation, the Board, as discussed more fully below, considered all of the factors identified in RCW 36.93.170 and the objectives of RCW 36.93.180, and determined that its decision is consistent with the growth management act pursuant to RCW 36.93.157.

A. FACTORS

The Board considered and discussed all of the factors identified in RCW 36.93.170. The Board found that the City's notice of intention adequately addressed the relevant statutory factors and supports its proposal to annex this area.

The Board specifically considered the population and territory and population density as well as municipal services and need for those services.

B. OBJECTIVES

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

1. Preservation of Natural Neighborhoods and Communities. The Board unanimously agreed this objective is furthered. Specifically, the proposal maintains natural neighborhoods and communities.

2. Use of Physical Boundaries, Including But Not Limited to Bodies of Water, Highways, and Land Contours. The Board unanimously agreed this objective is furthered. The proposed annexation uses SR9 and SR531 as western and southern boundaries respectively.

3. Creation and Preservation of Logical Service Areas. The Board determined that this objective is furthered. The proposal is contiguous to the City's current municipal boundaries and lies fully within the City's Urban Growth Area.

4. Prevention of Abnormally Irregular Boundaries. The Board determined that this objective is furthered. The annexation area is a rectangular shape and will close current gaps in rights-of-way upon the County's agreement with the City's recent ordinance.

5. Discouragement of Multiple Incorporations of Small Cities and Encouragement of Incorporation of Cities in Excess of Ten Thousand Population in Heavily Populated Urban Areas. This objective does not apply.

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

7. Adjustment of Impractical Boundaries. This objective does not apply.

8. Annexation to Cities of Unincorporated Areas Which Are Urban in Character. The Board determined that this objective is furthered as the area is urban in character.

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

C. GROWTH MANAGEMENT ACT

RCW 36.93.157 requires that the Board's decision to be consistent with the following sections of the Growth Management Act: RCW 36.70A.020 (GMA planning goals); RCW 36.70A.110 (comprehensive plans); RCW 36.70A.210 (county-wide planning policies and criteria for approval by County legislative authority).

This decision is consistent with RCW 36.70A.020, as all planning goals were discussed and considered either during public testimony or as part of the written documentation. Specifically, the decision is consistent with RCW 36.70A.020(1) development will occur within an urban growth area, RCW 36.70A(2) because it will reduce sprawl, RCW 36.70A.020(3) because transportation systems will be encouraged, RCW 36.70A.020(5) because economic development will be encouraged in this commercial area, RCW 36.70A.020(10) because the

environment is better served by the City providing services, and RCW 36.70A.020(12) because the City will provide for public facilities and services.

The decision is consistent with RCW 36.70A.110 because the City and County both have adopted comprehensive plans.

The decision is consistent with RCW 36.70A.210 because the County has developed countywide planning policies which are in place and the proposal is consistent with those policies. Specifically discussed and considered were OD-1 to promote development within urban growth areas in order to use land efficiently, add certainty to capital facility planning, and allow timely and coordinated extension of urban services and utilities for new development, OD-2 to allow development within the incorporated and unincorporated portions of the UGA, and OD-9 to develop comprehensive plan policies and development regulations that provide for the orderly transition of unincorporated to incorporated areas within UGA.

DECISION

NOW THEREFORE, the Board finds:

1. The jurisdiction of the Board was properly invoked and the Board has jurisdiction over this matter.
2. Overall, the objectives of RCW 36.93.180 that are most pertinent to the proposal would be furthered by the annexation.
3. A decision to approve the proposed annexation is consistent with RCW 36.70A.020, RCW 36.70A.110, and RCW 36.70.210

.

Based upon the above, a motion was made, seconded, and passed on a vote of 4:0 to **APPROVE** the City of Arlington Thompson Annexation as submitted. Adopted by the Washington State Boundary Review Board for Snohomish County by a vote of 4:0, this 7th day of June, 2011.

WASHINGTON STATE BOUNDARY REVIEW BOARD
FOR SNOHOMISH COUNTY

MARK BEALES, CHAIR

Filed this 8th day of June, 2011

Marsha Carlsen, Chief Clerk

NOTICE

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