



## City Council

### Authorization of Hulbert Notice of Intent to Annex

**Agenda Date:** 9/22/2015  
**Agenda Item Number:** 6.B  
**File Number:** 15-0884

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**Type:** decision **Version:** 1 **Status:** Passed

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#### Title

Authorization of Hulbert Notice of Intent to Annex

#### Recommended Action

##### Committee Recommendation:

Move to authorize the applicants of the Hulbert Notice of Intent to Annex to submit a petition for the proposed annexation with a one-year time limit. Also move to require the adoption of the rezoning and the assumption of the City's bonded-indebtedness upon annexation.

##### City Manager Recommendation:

Move to approve the recommendations from the Land Use and Environment Committee.

#### Report

##### Issue:

Applicants submitted an Annexation Notice of Intent to the City on June 15, 2015. Pursuant to RCW 35A.14, upon receiving a Notice of Intention, the City Council must meet with the initiating party to determine whether the Council will:

1. accept the annexation as proposed,
2. geographically modify the proposed annexation, or
3. reject the annexation

##### Staff Contact:

Tim Smith, Principal Planner, Community Planning & Development, 360.570.3915

##### Presenter:

Tim Smith, Principal Planner, Community Planning & Development

##### Background and Analysis:

Under the petition method of annexation, an interested party may propose an annexation by submitting a 'Notice of Intent to Annex.' A Notice of Intent may be filed by an initiating party owning only ten percent of the assessed property value of the proposed area. The Hulbert Notice of Intent was submitted by Phillip and Therese Hulbert, Grace Slater, and Trong and Rani Hong, who

combined own all of the proposed area.

This Notice of Intent is for a proposed annexation that consists of four parcels totaling approximately 8.5 acres. The parcels are located in the Olympia Urban Growth Area and adjacent to the City in an area zoned single-family residential development (R-4-8). The two westerly parcels are developed with a landscape nursery. The two easterly parcels are developed with single family residences. Land uses in the vicinity consist of single family residences to the east, west and south. The Briggs Village development including senior apartments is to the north across Yelm Highway.

State law provides that parties submitting a Notice of Intent are entitled to a meeting with the City Council where the Council will determine whether to consider the annexation proposal, and what properties should be considered in the annexation. If the Council determines that an annexation should be considered, the applicant generally has one year in which to submit the more substantial 'Petition to Annex' leading to a public review of the proposal and ultimately a decision by the Council.

Acceptance of the annexation as proposed in the Notice of Intent, or a modified annexation area, does not commit the Council to annex the proposed area. It simply allows the annexation process to go forward. If the Council accepts the Notice of Intent as proposed, the annexation boundary will be finalized. The initiating parties would then be authorized to circulate an annexation petition. The petition must be signed by owners of at least 60 percent of the assessed property value within the annexation established by the City Council. Receipt of the petition leads to a public hearing and other substantial review processes.

City staff have evaluated the proposed area and discussed annexation options with public service providers. The adjacent section of Yelm Highway is already within the City. The adjacent section of Henderson Boulevard and the intersection are within the City of Tumwater. The southern boundary of the proposed annexation is the Urban Growth Boundary beyond which the City cannot annex property. The staff sees no better boundary to the west nor any immediate benefit to the public in expanding the annexation area. Thus staff recommends acceptance of the boundary as proposed. The area has been pre-zoned and will not, therefore, require either a comprehensive plan or a zoning amendment.

The Land Use & Environment Committee discussed the annexation proposal at the August 27, 2015 meeting. The committee recommends that Council accept the annexation boundary as proposed.

**Neighborhood/Community Interests (if known):**

There has been occasional interest in annexation in this vicinity of the City. If the Council accepts the proposal, City staff will notify adjacent property owners and other parties potentially interested.

**Options:**

1. accept the annexation as proposed in the Notice of Intent,
2. geographically modify the proposed annexation, or
3. reject the annexation

**Financial Impact:**

If the area is annexed, the property owners would be required to assume a proportionate share of the

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City's bonded-indebtedness