

WASHINGTON STATE BOUNDARY REVIEW BOARD FOR KING COUNTY
SPECIAL MEETING AND PUBLIC HEARING MINUTES
CITY OF SAMMAMISH CAMDEN PARK/244TH AVENUE NORTH AREA ANNEXATION
(FILE NO. 2287)
FEBRUARY 17, 2009

The following Minutes are a summary of the Special Meeting/Public Hearing for the City of Sammamish Camden Park/244th Avenue North Area Annexation (File No. 2287). Complete written transcripts are available for purchase from the Boundary Review Board.

I. CALL TO ORDER

Claudia Hirschev, Chair, convened the meeting of February 17, 2009 at 7:10 P.M.

II. ROLL CALL

The following members were present at the Special Meeting and Public Hearing:

Charles Booth	Robert Cook
AJ Culver	Robert George
Lynn Guttman	John Holman
Roberta Lewandowski	Roger Loschen
Michael Marchand	

III. PUBLIC HEARING

INTRODUCTION:

Chair Hirschev stated that the purpose of the Special Meeting is to conduct a Public Hearing on the Camden Park/244th Avenue North Area Annexation, a proposal submitted by the City of Sammamish to the Boundary Review Board in December 2008. The Boundary Review Board is charged with the task of providing independent review and decision-making with respect to applications for municipal annexation.

Chair Hirschev opened the public hearing. The Chair described the standards for a quasi-judicial public hearing and the scope of the hearing. She explained the process for taking public testimony. Chair Hirschev requested that Lenora Blauman describe the proposed annexation.

Mrs. Blauman reported that, on December 22, 2008, the City of Sammamish filed with the Boundary Review Board a Notice of Intention to annex the Camden Park/244th Avenue North Area (113 acres). The Camden Park/244th Avenue North Area Annexation is proposed based upon a Resolution by the Sammamish City Council approving a plan to incorporate this territory. This Resolution was approved in December 2008.

The City of Sammamish proposes the annexation of approximately 113 acres of land located on the east side of the City of Sammamish. The annexation was initiated through the 60% Direct Petition method under RCW 35A.14.120, - RCW 35.A.14.150. Annexation is sought by the proponents to develop under City of Sammamish regulations and processes and to receive Sammamish public services. City officials adopted a Resolution in support of this action in December 2008.

In order to serve the interests of the citizens of the proposed Camden Park/244th North Area, the City of Sammamish has invoked jurisdiction of the Boundary Review Board (in conjunction with the Notice of Intention) to request a public hearing for the Camden Park/244th North Area Annexation before the Boundary Review Board in order to permit public participation in the consideration of the proposed annexation.

Based upon the City of Sammamish's invoking of jurisdiction, the Boundary Review Board scheduled this public hearing to review the proposed basic Camden Park/244th Avenue North Area Annexation.

Following the conclusion of the public hearing, the Boundary Review Board will deliberate and make a decision with respect to the Camden Park/244th Avenue North Area. The Board will consider the state, regional, and local regulations which guide annexations. The Board can approve the Camden Park/244th Avenue North Area Annexation as proposed by the City of Sammamish. The Board can modify the Camden Park/244th Avenue North Area Annexation. The Board can deny the entire Camden Park/244th Avenue North Area Annexation.

PROPONENT PRESENTATION: CITY OF SAMMAMISH: KAMURON GUROL, ASSISTANT CITY MANAGER

At the Special Meeting/Public Hearing of February 17, 2009, Kamuron Gurol presented the proposed Camden Park/244th Avenue North Area Annexation. Following is a summary of the statement (including responses to inquiries).

Mr. Gurol reported that the City of Sammamish proposes the annexation of 113 acres, home to approximately 300 residents, known as the Camden Park/244th Avenue North Area. In May of 2008, the Sammamish City Council adopted the Resolution for annexation, pursuant to Chapter 35A.14 RCW.

This City based the Resolution upon a petition of citizens. The citizens defined the specific boundaries of the Camden Park/244th Avenue North Area Annexation. More specifically, the northern boundary of the Annexation Area is generally formed by NE 30th Place (if extended). The southern-most boundary is generally formed by NE 20th Street. The western boundary of the Annexation Area is adjacent to the City of Sammamish (formed by 244th Avenue NE.) The eastern boundary is variously formed by 248th Avenue NE, 248th Place NE, and 250th Avenue NE. The Camden Park/244th North Area Annexation is located wholly within the Urban Growth Area as designated by King County.

The City of Sammamish is proposing the Camden Park/244th Avenue North Area Annexation as an appropriate, timely action in order to permit the citizens to participate in local governance by the City of Sammamish, to develop properties under City of Sammamish regulations and to receive public services (e.g., water services, sewer services, police services, fire and medical emergency services) from the City of Sammamish.

The Camden Park/244th Avenue North Area is entirely within the boundaries of King County's Urban Growth Area. The Camden Park/244th Avenue North unincorporated area is included in the "Annexation Element" of the City of Sammamish Comprehensive Plan and is located within the Sammamish Potential Annexation Area. The proposed action is consistent with City of Sammamish Comprehensive Plan policies addressing annexation, including those provisions which call for inclusion of urban areas and provision of services. For example, the City's Comprehensive Plan supports:

- Coordination of future planning for annexation areas (LUP-16.6)
- Evaluation of annexation areas in consultation with King County (LUP-16.7)
- Coordination with King County and other jurisdictions of planning for services (LUP-16.8)
- Annexation of lands in response to citizen interest (LUP-16.9).
- Zoning and development of lands in accord with the Sammamish Comprehensive Plan (LUP-16.10)

The City of Sammamish has planned for growth in the Camden Park/244th Avenue North Area at essentially equivalent densities to those densities permitted currently under the jurisdiction of King County. More specifically, the City has proposed establishing zoning for Residential Use at R-1 (one unit per acres) in those areas with environmentally sensitive features such as rolling terrain. Other areas will be designated for Residential Use (R-4: four units per acre).

The City of Sammamish is planning to provide services to the Camden Park/244th Avenue North Area either directly or by contract with other providers. The City would provide for utilities, infrastructure, and amenities (e.g., parks, recreational facilities, open spaces), law and justice services, and human services.

More specifically, upon annexation of the Camden Park/244th Avenue North properties, the City of Sammamish has planned and can provide for land administration and urban services to the area either directly or via agreements between the City and service providers. For example, the City of Sammamish will assume responsibility for land use management through the City's Comprehensive Plan and land use regulations. The City of Sammamish will assume responsibility for protection of environmentally sensitive areas through the Comprehensive Plan, Critical Areas Ordinance, Stormwater Management Plan, and other regional and local guidelines.

Further, the City of Sammamish will provide the Camden Park/244th Avenue North properties with public services. The City has sufficient capacity to accommodate the build out of the estimated remaining developable land (at 16 – 20 new homes) in the entire proposed Camden Park/244th Avenue North Annexation Area. More specifically:

- The City currently provides water services to the Camden Park/244th Avenue North properties and will continue to do so through the Sammamish Plateau Water & Sewer District and the NE Sammamish Sewer and Water District.
- The City will regulate stormwater through Stormwater Management standards.
- The majority of Camden Park/244th Avenue North Area properties are currently on septic systems. With annexation, the City can also make sewer services available to this Area through the Sammamish Plateau Water & Sewer District and the NE Sammamish Sewer and Water District.

Sewer services would be provided upon property owner request. Sewers would only be required if the City or the King County Public Health Department deem that service to be necessary to protect public health and welfare.

- The City will provide for policing, fire protection, and emergency medical services consistent with levels of service currently provided to the existing City of Sammamish through contracts with Eastside Fire & Rescue Consortium and the Office of the King County Sheriff.
- The City will provide for local and regional amenities – e.g., libraries, parks, and recreation facilities -- to be available to residents of the area.
- Area students would continue to be served by the Snoqualmie Valley School District, the Lake Washington School District, and the Issaquah School District.

Mr. Gurol reported that King County Comprehensive Plan/Countywide Planning Policies support the Camden Park/244th Avenue North Area Annexation. For example, Countywide Planning policies encourage cities to annex territory within their designated potential annexation area. Other policies establish cities as the appropriate units to govern, develop, and serve Urban Areas. The Camden Park/244th Avenue North Annexation is reported to address key King County policies that call for contiguous orderly growth of local jurisdictions and for local services to urban.

City of Sammamish officials report that sufficient funds are available both at current development and at full development to provide a full array of services/facilities to the community. Costs of services will be essentially offset by property taxes, standard service fees, and other revenues based on population and provision of services, including property taxes, levies for capital facilities and public services, local improvement districts, latecomers' agreements.

Upon annexation to Sammamish, all services for the Camden Park/244th Avenue North Area reportedly will be efficiently coordinated under unified regulatory authorities administered by a single local government unit. Services would be equal to – or improved over – services currently provided by King County.

Thus, with annexation to Sammamish, the Camden Park/244th Avenue North Area will benefit from land use regulations and services that may be efficiently coordinated under unified regulatory authorities administered by a single local government unit.

Mr. Gurol further reported that City of Sammamish governance plans and service programs meet the requirements of RCW 36.93 (Boundary Review Board Regulations) and, therefore, support the proposed Camden Park/244th Avenue North Area Annexation to the City of Sammamish.

PRESENTATIONS BY GOVERNMENT JURISDICTIONS:

No jurisdiction came forward to testify with respect to the Camden Park/244th Avenue North Area Annexation.

OPPONENT PRESENTATION (JURISDICTION):

No jurisdiction came forward to oppose the Camden Park/244th Avenue North Area Annexation.

GENERAL TESTIMONY:

Three residents testified on the matter of the Camden Park/244th Avenue North Annexation. A summary of testimony appears below:

Two residents testified in opposition to the proposed Camden Park/244th Avenue North Area Annexation. Concerns were identified with respect to the anticipation that assumption of jurisdiction by the City of Sammamish would result in increased land use/development density; increased taxes; increased requirements for infrastructure (e.g., sewer services), and further challenges to local and regional roadways.

One resident testified in support of the Camden Park/244th Avenue North Area Annexation. He reported that the community has been working for a considerable period of time to gain support for this action. Community members support affiliation with Sammamish in order to achieve development under the jurisdiction of the City of Sammamish and to receive from the City a full array of public services (e.g., sewer services).

REBUTTAL: CITY OF SAMMAMISH: KAMURON GUROL, ASSISTANT CITY MANAGER;
LYMAN HOWARD, FINANCE DIRECTOR

Mr. Gurol testified that the City of Sammamish has proposed annexation of the Camden Park/244th Avenue North Area based upon the inclusion of this area in the City of Sammamish Comprehensive Plan/Potential Annexation Area.

Preparatory to a decision to annex Camden Park/244th Avenue North Area at this time, the City of Sammamish – in an effort to support both the letter and the spirit of the law -- undertook substantial outreach to the community in order to ensure that citizens would have a full array of information concerning annexation to the community. A substantial majority of registered voters signed a petition in favor of annexation.

Mr. Gurol testified that citizens joining the City of Sammamish will benefit from annexation by virtue of gaining access to local governance. The City will work with the residents to provide for transition in a manner that benefits the entire community.

Mr. Gurol and Mr. Howard stated that the City has sufficient funding to govern and serve the Camden Park/244th Avenue North Area. Further, while property values may increase in this community following annexation, the rate of taxation for the City of Sammamish is less than the

taxation rate under the jurisdiction of King County. The City receives 70% of its funding from property taxes and that funding source is anticipated to remain stable despite the economic shifts in the region.

Mr. Gurol reported that citizens may expect improved services and facilities, including police services and emergency medical services by the King County Sheriff and Eastside Fire & Rescue.

The City of Sammamish has planned for growth in the Camden Park/244th Avenue North Area at essentially equivalent densities to those densities permitted currently under the jurisdiction of King County. More specifically, the City has proposed establishing zoning for Residential Use at R-1 (one unit per acres) in those areas with environmentally sensitive features such as rolling terrain. Other areas will be designated for Residential Use (R-4: four units per acre).

Citizens will also have access to quality utility services including water service, storm water service, and sanitary sewer systems. It is the general policy of the City of Sammamish to provide sewers only to properties within City limits. Sewers are customarily not required – although the City would require sanitary sewers in response to a directive from the King County Public Health Department and/or in the event that service is necessary to protect public health and safety.

The City has in place a comprehensive program to monitor, maintain, and improve roadways as necessary to protect public safety.

The City of Sammamish reports that three school districts serve the Camden Park/244th Avenue North Area. These are the Snoqualmie Valley District, the Issaquah District, and the Lake Washington District. The School Districts each establish a service area. The City of Sammamish does not establish school district boundaries.

Mr. Gurol concluded that the City has a commitment to annex the Camden Park/244th Avenue North Area (113 acres). The City has the necessary resources to govern and serve this community. In the event that the Boundary Review Board approves the proposed Camden Park/244th Avenue North Area Annexation, the City will provide for citizens of the Camden Park/244th Avenue North Area to voice their views concerning governance and the provision of public services/facilities.

The City looks forward to providing governance and service to the citizens of the Camden Park/244th Avenue North Area.

IV. DETERMINATION OF THE STATUS OF THE PUBLIC HEARING

At the completion of public testimony at the February 17, 2009 Special Meeting/Public Hearing for the Camden Park/244th Avenue North Area Annexation, Chair Hirschey instructed the Board with respect to procedures for closure (or continuation) of the public hearing. She reported that the Board could choose to continue the hearing to obtain more information, to close the public hearing while holding open the record for additional information, or to close the hearing and deliberate for a decision on the proposed action.

Action: Lynn Guttman moved and John Holman seconded a motion that the Boundary Review Board proceed to close the record and enter into deliberations and preliminary decision-making for the City of Sammamish Camden Park/244th Avenue North Area Annexation (File No. 2287). The motion was adopted by unanimous vote.

V. DISCUSSION AND DELIBERATION

Chair Hirschey stated that the Board is required by statute to consider the state, regional, and local regulations which guide annexations. The Board may approve the Camden Park/244th Avenue North Area Annexation as proposed by the City of Sammamish. The Board may adjust the boundaries of the Camden Park/244th Avenue North Area Annexation. The Board may deny the entire Camden Park/244th Avenue North Area Annexation.

Chair Hirschey invited the Board members to begin discussion of the proposed annexation.

Action: Roger Loschen moved and AJ Culver seconded a motion that the Boundary Review Board direct the Executive Secretary to prepare a Resolution and Hearing Decision approving the Camden Park/244th Avenue North Area Annexation by the City of Sammamish, File No. 2287, as submitted to the Board on December 22,, 2008.

Board members offered the following statements with respect to review of the proposed City of Sammamish Camden Park/244th Avenue North Area Annexation:

- Citizens of the Camden Park/244th Avenue North Area have stated, by petition, their interest in joining the City of Sammamish.
- The City of Sammamish has a Comprehensive Plan, consistent with the requirements of the Growth Management Act (RCW 36.70A) which does provide for annexation of the Camden Park/244th Avenue North Area.
- City of Sammamish representatives have provided the Board with both substantial written documentation and oral testimony. These materials are sufficient for the Board to determine that the City of Sammamish is willing and has the capacity to undertake annexation in order to govern and provide services to the Camden Park/244th Avenue North Area.
- The proposed annexation generally satisfies the factors and objectives to be considered by the Board under the Boundary Review Board Act (e.g., RCW 36.93.170, RCW 36.93.180, et seq.), the State Growth Management Act (RCW 36.70A), and the City of Sammamish Comprehensive Plan. More specifically:
 - The proposed Camden Park/244th Avenue North Area Annexation satisfies RCW 36.93.180 Objective 1, which calls for the preservation of neighborhoods and Objective 2 which calls for use of physical boundaries to define an annexation area.
 - The Camden Park/244th Avenue North Area Annexation would also reportedly be consistent with Objective 3, which calls for creation of logical service areas, and Objective 5 and Objective 7, which call for the achievement of reasonable boundaries for a jurisdiction

The City of Sammamish has planned and can provide urban services to the Camden Park/244th Avenue North Area either directly or via agreements between the City and service providers (e.g., water, storm water, sanitary sewer, emergency services, law and justice, public health, parks and recreation).
 - The Camden Park/244th Avenue North Area Annexation is consistent with Objective 8, which calls for inclusion of urban areas within municipalities. The Camden Park/244th Avenue North Area is located in the Urban Growth Area as long established by King County. Similarly, the Camden Park/244th Avenue North Area is clearly established in the Sammamish Comprehensive Plan for annexation to the City of Sammamish.
- The City of Sammamish has in place plans, programs, and funding necessary to serve the citizens of the Camden Park/244th Avenue North Area in a manner equal to or better than the levels of service provided by King County. King County has limited resources to govern and serve areas such as Camden Park/244th Avenue North.
- City officials report anticipation that citizens will benefit from a slightly lower rate of taxation while achieving improved local governance and services. For example, citizens will benefit from a full array of public services, including policing, fire protection, and emergency medical services.
- Annexation would permit citizens to affiliate with a local government and thus to participate in the local government process.

VI. CONCLUSION

At the close of discussion, Chair Hirschey called for a motion for a preliminary decision with respect to the Camden Park/244th Avenue North Area Annexation.

Action: Roger Loschen moved and AJ Culver seconded restatement of a motion that the Boundary Review Board direct the Executive Secretary to prepare a Resolution and Hearing Decision approving the Camden Park/244th Avenue North Area Annexation by the City of Sammamish, File No. 2287, as submitted to the Board on December 22,, 2008. This Resolution and Hearing Decision shall be presented to the Board for consideration and final action on Thursday, March 12, 2009. The motion was adopted by unanimous vote.

VII. ADJOURNMENT

Action: AJ Culver moved and Robert Cook seconded a motion to adjourn the Boundary Review Board Public Hearing/Special Meeting. The Board voted unanimously in favor of the motion. The meeting was adjourned at 8:20 P.M.