

PROCEEDINGS OF THE
WASHINGTON STATE BOUNDARY REVIEW BOARD
FOR KING COUNTY
RESOLUTION AND HEARING DECISION

IN RE: CITY OF RENTON
Fairwood Area
Proposed Annexation
King County, Washington

FILE NO. 2308

I. PUBLIC HEARING OVERVIEW

In January of 2010, the City of Renton, the proponent, filed a Notice of Intention with the Boundary Review Board to annex the Fairwood Area (File No. 2308) as prescribed by RCW 36.93 (Local Governmental Organization – Boundaries.) The City of Renton proposes to annex 3995 acres of land generally located in southeast King County. The application for annexation was based upon a Resolution of the Renton City Council pursuant to RCW 35.14A.

The Boundary Review Board conducted a Special Meeting/Public Hearing to consider the proposed annexation of the Fairwood Area to the City of Renton on March 22, 2010. The Board closed the Special Meeting/Public Hearing on March 22, 2010, and conducted deliberations to come to a preliminary decision in the matter of the proposed annexation.

Washington law requires the Board to: (1) examine the record (e.g., application materials; technical studies; fiscal studies; regulatory analyses; other documents, exhibits, statements and testimony); (2) determine the specific policies and guidelines are applicable to the proposed action; (3) review and weigh these elements; and (4) take the action that best advances those elements.

The Board reviewed the record for **File No. 2308** as prescribed by RCW 36.93. The Board directed particular attention to RCW 36.93.170 (Factors) and RCW 36.93.180 (Objectives.) Additional authorities applicable to **File No. 2308** include, but are not limited to: RCW 36.70A (State Growth Management Act); King County Comprehensive Plan/Countywide Policies, City of Renton Comprehensive Plan, and other applicable state, regional, and local regulations and guidelines.

The Board finds that the record for File No. 2308 contains sufficient documentation (e.g. planning activities; fiscal studies; evidence of community information programs, and certification of petitions and/or legislative action) to complete its review of the proposed annexation by the City of Renton of the Fairwood Area.

On the basis of the testimony, evidence and exhibits presented at said hearing, and the matters on record in said **File No. 2308**, it is the decision of the Board to **approve and modify the Fairwood Area Annexation (3995 acres) to include the entirety of the Soos Creek Park and Trail Area at 71.5 acres (north of SE 208th Street.)** pursuant The decision to modify is based upon the agreement among the City of Renton, the City of Kent, and King County for transfer of the Soos Creek Park and Trail territory.

The legal description for the Fairwood Area (including the Soos Creek Park and Trail Area) is attached hereto and marked as "Exhibit I", together with a map showing the boundaries of the area herein marked as "Exhibit II."

II. FINDINGS

RCW 36.93.170 FACTORS AFFECTING THIS PROPOSAL

The Board finds the following Factors (RCW 36.93.170) are applicable to the proposed annexation of the Fairwood Area (approximately 3995 acres) and to the proposed modification to include the entirety of the Soos Creek Park and Trail (north of SE 208th Street.) Additional authorities applicable to the proposal include, but are not limited to: RCW 36.70A, King County Comprehensive Plan/Countywide Policies. These State and local authorities are intended to ensure reasonable development regulations and adequate public services to local communities.

A brief review of key issues related to each applicable element is presented below:

RCW 36.93.170 (1) POPULATION AND TERRITORY

The Board finds the following factors to be applicable to File No. 2308: Population Density/Proximity to Other Populated Areas/Land Area/Land Uses; Comprehensive Land Use Plans; Topography, Natural Boundaries and Drainage Basins; Likelihood of Significant Growth in the Area During the Next Ten Years; and Population Density/Proximity to Other Populated Areas/Land Area/Land Uses. The following is a brief review of key issues related to these factors.

The entire annexation area lies within the Urban Growth Area defined by King County. Existing development includes a mix of residential types ranging from single-family detached dwellings and duplexes to multi-family apartments and condominiums. Commercial uses include restaurants, grocery stores, and office space. There are an estimated 8,700 dwelling units in the annexation area. It is anticipated that there would be up to 800 new single-family residences added to this community over time.

The City of Renton Comprehensive Plan provides for continuation of currently existing land uses. It is anticipated that future Renton zoning would allow less residential density than the current King County zoning because the City determines density using net density whereas the County determines density based on gross acreage. The City would essentially maintain commercial designations for the Fairwood Area. The Comprehensive Plan designations and anticipated Renton zoning are consistent with Renton's growth policies which provide for higher residential densities in its Urban Growth Center.

The King County Comprehensive Plan/Countywide Policies call for contiguous orderly growth of local jurisdictions (e.g., U-304, U-208, U-301, U-304.) The Comprehensive Plan anticipates transfer of the Fairwood community to a local jurisdiction. Several Countywide policies identify cities as the appropriate providers of local governance and urban services (e.g., FW-13, CO-1, CO-3; LU-31 - LU-34, LU-36, FW-13, LU-31.)

The State Growth Management Act (RCW 36.70A) also supports the annexation of the Fairwood Area. Annexation of this area is consistent with RCW 36.70.20 which addresses community planning goals, urban growth, services and infrastructure, and environmental preservation.

The Board finds annexation of the Fairwood Area (including the Soos Creek Park and Trail) is based upon a fiscal plan including the funding necessary to support basic required and/or expected land use planning, housing, public services, public facilities, and public amenities, and protection for the natural environment (e.g., topography, drainage basins, habitat areas, water bodies.)

The Board finds that annexation of the Fairwood Area (including the Soos Creek Park and Trail) will likely result in a viable, vibrant community both at its inception and as anticipated growth occurs in the future. Further, provisions for local planning and controls within the Fairwood Area are expected to result in positive effects to the surrounding built community and the natural environment.

RCW 36.93.170 (2) MUNICIPAL SERVICES

The Board finds the following factors to be applicable: need for municipal services; effects of ordinances, governmental codes, regulations and resolutions on existing uses; present cost and adequacy of governmental services and controls in area; probable future need for such services; costs; effect on the finance, debt structure and contractual obligations; and prospects of government services from other sources, and rights of other affected governmental units. Following is a brief review of key issues related to these factors.

The record demonstrates that the Fairwood Area (including the Soos Creek Park and Trail) will require municipal services and facilities. Service policies are established by the State Growth Management Act, the King County Comprehensive Plan, and the City of Renton Comprehensive Plan. For example, the State Growth Management Act requires local jurisdictions to plan and provide a full array of public services and facilities to its citizens. King County FW-13 states that cities are the appropriate provider of local urban services to Urban Areas. FW-29 and FW-30 address the need for jurisdictions to plan for and coordinate services. Additionally, King County/Countywide Policy CO-1 calls for a jurisdiction to plan for "(a) full range of urban services."

The City of Renton Comprehensive Plan and other documentation (e.g., comprehensive service plans; agreements) demonstrate that the City has the necessary basic fiscal resources to support governance of the Fairwood Area (including the Soos Creek Park and Trail.) Upon annexation, the City would assume responsibility for providing – either directly or by contract – basic public services and facilities including: water service, surface water management, sewer service, fire service, police service, emergency medical services, utilities, road maintenance, law and justice services, human services, libraries, and local parks and recreation services. King County would continue to serve the Soos Creek Park and Trail.

The City of Renton conducted fiscal analyses related to the proposed Fairwood Annexation. The Fiscal Study, which evaluated 2012 costs and revenues, has considered needs – and resources – for providing basic services (e.g., police, fire, water, solid waste management) at a level equivalent to levels of service provided to citizens in the existing City of Renton. For 2012, general fund costs would be \$11.4 million and revenues would total \$13.5 million resulting in a \$2.24 million surplus funding. Enterprise fund costs would be \$1.1 million and revenues would be \$0.8 million leading to a net cost of \$337,000.

The City also has planned for the anticipated increase in demand for services anticipated to occur with future growth in the Fairwood Area. The fiscal analysis demonstrates that the cost of such services will be largely offset by property taxes, services charges, and other revenues based on population. For example, upon annexation, property owners will assume their share of the regular and special levy rate of the City for capital facilities and public services.

The City would also have access to other resources to address these costs. The State of Washington has recently adopted legislation would permit the City access to sales tax funds in conjunction with the Fairwood Area Annexation.

Following annexation, therefore, the Fairwood community will receive the following services:

- The City of Renton will assume responsibility for providing police services to the Fairwood Area.
- The City of Renton will assume responsibility for providing fire/emergency services to the Fairwood Area. (The City is currently negotiating an agreement with Fire District No. 37 to ensure that quality services are maintained to the Fairwood Area and the surrounding community.)
- The City of Renton will assume responsibility for providing water services and sewer services to the Fairwood Area through a contract with Soos Creek Water & Sewer District and Cedar River Water & Sewer District.

