

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

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KING COUNTY COUNCIL

FILE NO. 2367

IN RE: CITY OF SEATTLE
North Highline "Y" Area:
King County, Washington

Notice of Intention for Proposed Annexation

I. PUBLIC HEARING OVERVIEW

In January, 2015, the proponent, City of Seattle, filed a Notice of Intention with the Boundary Review Board to annex territory that is commonly referred to as North Highline "Y" Area. The proposed annexation area total 2045 acres.

The North Highline "Y" Area is located immediately adjacent to the southern boundary of the City of Seattle. The North Highline "Y" Area's northernmost boundary is primarily formed by SW Roxbury Street and generally by South 96th Street (if extended). The southern boundary is formed by South 107th Street, South 108th Street, South 116th Street, SW 112th Street and SW 116th Street. The western boundary of the site is variously formed by the City of Seattle corporate boundary (at approximately 30th Avenue SW) and by Seola Beach Drive SW. The eastern boundary of the site is generally formed by SR 99 adjacent to the City of Tukwila.

The City of Seattle invoked the jurisdiction of the Boundary Review Board for the purpose of providing the affected citizens a public hearing before an independent body in order to obtain information and comment upon the proposed North Highline "Y" Area Annexation.

The Board conducted a Public Hearing to hear the proposal on June 13 and June 14, 2016. On June 14, 2016, the Board closed the Public Hearing, conducted deliberations on the issue, and directed staff and to come to a preliminary decision in the matter of File No. 2367 to provide staff to draft a proposed Resolution and Hearing Decision for the North Highline "Y" Area Annexation.

The Board reviewed File No. 2367 in accord with RCW 36.93. (Local Governments – Boundaries – Review Boards.) In its review, the Board concentrated on RCW 36.93.170 (Factors) and RCW 36.93.180 (Objectives.) The Board also considered RCW 36.70A, the Growth Management Act, the King County Comprehensive Plan, together with other applicable state, regional, and local regulations and guidelines.

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

At its Special Meeting/Public Hearing of June 14, 2016, the Board completed the public hearing process, conducted deliberations, and reached a preliminary decision in the matter of File No. 2367. The Board found the following:

- The record for File No. 2367 contains sufficient documentation (e.g., legal analyses, technical reports), evidence of community information programs, certification of petitions, and/or legislative action to complete its review of the North Highline "Y" Area Annexation.

- On the basis of the testimony, evidence, and exhibits before the Board, and the matters on record in said File No. 2367, it is the decision of the Board to approve the proposed Notice of Intention.
- The concepts, goals, and ideals contained in RCW 36.93, *et seq.*, the Growth Management Act, the King County Comprehensive Plan, King County Countywide Policies, and City of Seattle guidelines) encourage and support annexations of areas that are urban in nature.
- The legal description of the North Highline "Y" 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

RCW 36.93.170 identifies several factors that the Board must consider in its review of a proposed municipal annexation. The Boundary Review Board finds the following factors to be applicable to the Notice of Intention for Annexation of North Highline "Y" Area into the City of Seattle. The key issues related to each applicable factor follow:

RCW 36.93.170 (1) POPULATION AND TERRITORY

The Board considered the following factors to be applicable: Proximity to Other Populated Areas; Land Area/Land Uses; Comprehensive Land Use Plans; Topography, Natural Boundaries and Drainage Basins; and Proximity to Other Populated Areas.

The record demonstrates that the North Highline "Y" Area lies within the City of Seattle's Potential Annexation Area.

The proposed North Highline "Y" Area annexation addresses regional issues that the Board finds to be critical to this matter. These issues relate to the fact that the North Highline "Y" Area, is an urban community proposed as a single annexation to include adjacent and linked built communities (e.g., residences, commercial uses, industrial uses, public facilities; essential public uses, roadways, infrastructure, utilities), and connected natural environments (e.g., open spaces, waterways, topography, drainage basins).

The City of Seattle has demonstrated that it is the only jurisdiction with the ability to provide unified governance and urban services throughout the entire unincorporated area lying between the current boundaries of the City of Burien and the City of Seattle. The City has demonstrated commitment, capacity, and resources necessary to govern and serve current and future residents, commercial entities, industrial uses, public uses.

It is anticipated that the North Highline "Y" Area will increase in number of households and number of employment opportunities. Increased urbanization will require the increased governance and services best provided by the City of Seattle. With respect to the land uses and zoning, the North Highline "Y" Area is very similar to the land uses and zoning in the abutting areas of the City of Seattle. The City's comprehensive planning and zoning for the North Highline "Y" Area is consistent with King County's Comprehensive Plan and the Countywide Planning Policies.

The North Highline "Y" Area has varied topography, natural boundaries, and drainage basins. With respect to comprehensive planning and environmental protection plans, the North Highline "Y" Area Annexation is consistent with City of Seattle Comprehensive Plan and regulations, King County's Comprehensive Plan, Countywide Planning Policies, as well as other regional and local standards. Upon annexation, City would be able to administer (e.g., control and protect) these environmental features to the benefit of the community.

The Board finds that the record for the North Highline "Y" Area (File No. 2367) supports the City of Seattle's plan for governance and service to this community.

Therefore, the proposed annexation by the City of Seattle of the North Highline "Y" Area will advance RCW 36.93.170 (1).

RCW 36.93.170 (2) Municipal Services

The Board finds the following factors applicable to this matter: 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. The following is a brief review of key issues related to these factors:

The record establishes that the North Highline "Y" Area is a developed, urban territory that requires a full array of urban services. The evidence shows that the City of Seattle has the capacity (funding, human resources, and equipment) necessary to provide a full array of municipal urban services (directly or by contract) to the North Highline "Y" Area.

The Seattle Police Department will provide enhanced levels of service to the residents and businesses in the North Highline "Y" Area. The Seattle Fire District, independently and/or in concert with Fire Districts No. 11 and No. 2, will deliver fire protection services, basic life support emergency services and advanced life support services.

In addition to police and fire services, Seattle will also offer a number of other important urban services upon annexation, including, but not limited to: park and recreation services, library economic development services and business support services, Seattle's Department of Neighborhoods will also offer services, as will Seattle's Department of Education and Early Learning.

Existing utilities purveyors will continue to provide water and sewer service to the annexation area. The assumption of water and sewer districts is a separate process under RCW 35.13A and requires a separate review currently not before the Board.

The Board finds that the record for the North Highline "Y" Area (File No. 2367) supports the City of Seattle's plan for governance and service to this community.

Therefore, the proposed annexation by the City of Seattle of the North Highline "Y" Area will advance RCW 36.93.170 (2).

RCW 36.93.170 (3) Effects of Proposal

The record demonstrates that mutual economic and social interests exist within the proposed annexation area. Following is a brief review of key issues related to these factors.

The proposed North Highline "Y" Area annexation complies with RCW 36.93.170 (3). This finding is based upon the City of Seattle's plan to address the numerous mutual social and economic links that exist between the North Highline "Y" Area and the City of Seattle.

The evidence also establishes that the City of Seattle North Highline "Y" Area shares mutual social and economic links with the adjacent South Park "Sliver", and North Highline "Y" Area. The North Highline "Y" Area is adjacent to the City of Seattle. Citizens – residents and business owners – of the North Highline "Y" Area utilize facilities in the greater communities including housing, workplaces, commercial services, personal services, waterways, libraries, schools, parks and recreation programs. Citizens utilize local and arterial roads through the City. Other services including, but not limited to, policing, fire and emergency, and utilities are coordinated by regional service providers.

With respect to the general economic environment affecting the North Highline "Y" Area, the Board finds that the greater communities will achieve a stronger economic climate by working collaboratively to reach overarching decisions and implement steps to bring revenues and costs in line through establishment of a balanced budget. Appropriate apportionment of revenue and costs on a "fair share" basis among the citizens of the North Highline "Y" Area will ameliorate fiscal challenges and benefit the greater City of Seattle. The North Highline "Y" Area and the City of Seattle are also linked with respect to provision of utilities, infrastructure, and policing services.)

The North Highline "Y" Area. Annexation is the final step in Seattle's effort to annex the entire North Highline PAA. The City of Seattle is the only jurisdiction with the ability provide service to the area and access to unique funding sources as necessary to provide an appropriate range of urban level of services to the North Highline Annexation "Y" Area.

To obtain funding necessary to ensure ongoing sufficient fiscal capacity to govern and serve the North Highline "Y" Area, the City of Seattle worked with Legislature 2016 to ensure the passage of SSB 5864. The legislation created tax incentives to provide a unique opportunity to the residents and businesses of the North Highline "Y" Area to obtain consistent, quality urban services. Seattle is the only city that qualifies for the \$7.725 million tax incentive and, thus, is the only city that can provide the urban services to the North Highline "Y" Area.

If the North Highline "Y" Area Annexation is not approved by the Board, or if the annexation is rejected by the voters, no city will be able to annex this area. As a result, urban services will likely remain at basic level because there will be no resources available to Seattle to close the "financial gap" to permit increasing service levels to this community -- at least not without significantly reducing the level of service available to its existing community. Seattle is thus uniquely situated financially to annex the North Highline "Y" Area.

The Board finds that the record for the North Highline "Y" Area (File No. 2367) supports the City of Seattle's plan for governance and service to this community.

Therefore, the proposed annexation by the City of Seattle of the North Highline "Y" Area will advance RCW 36.93.170 (3).

RCW 36.93.180 OBJECTIVES

RCW 36.93.180 establishes several Objectives that the Board's decisions must advance. The Boundary Review Board has considered RCW 36.93.180 (Objectives), with respect to the North Highline "Y" Area Annexation as follows:

RCW 36.93.180 (1) PRESERVATION OF NATURAL NEIGHBORHOODS AND COMMUNITIES

The evidence supports the board's finding that Seattle's proposed annexation of North Highline "Y" Area will preserve natural neighborhoods or communities as identified in Objective 1. The North Highline "Y" Area is a natural neighborhood and community (i.e., "either geographically distinct areas or socially... distinct groups of residents") as that term is contemplated in RCW 36.93, *et seq.*

The North Highline "Y" Area annexation follows the boundaries of the Seattle Potential Annexation Area. It is a natural extension of Seattle's southern boundary and includes the remaining unincorporated urban area between Seattle and Burien.

Social neighborhoods" may also form the basis for logical boundaries. The record demonstrates that the North Highline "Y" Area shares social affiliation in that its neighborhoods are very similar in social, economic, and demographic characteristics to those located in the adjacent territory in the City of Seattle. The City of Seattle's proposed annexation will also support and strengthen these neighborhoods through the provision of urban services. These programs are planned to preserve, enhance, and strengthen the already-existing social and economic groups in the North Highline neighborhoods.

As such, the annexation of the North Highline "Y" Area would result in logical physical boundaries and social neighborhoods. This action would foster a more cohesive community by providing coordinated governance and service, thus eliminating unincorporated island areas that are difficult to serve..

The Board finds that the proposed North Highline "Y" Area annexation will advance RCW 36.93.180 (1) by preserving the North Highline "Y" Area and enhancing geographic and social connections of the neighborhoods with the adjacent City of Seattle.

RCW 36.93.180 (2) USE OF PHYSICAL BOUNDARIES, INCLUDING BUT NOT LIMITED TO BODIES OF WATER, HIGHWAYS, AND LAND CONTOURS

The evidence establishes that the proposed North Highline "Y" Area Annexation follows Seattle's Potential Annexation Area borders, and that it shares boundaries with the City of Seattle. Further, the proposed annexation is based upon clearly delineated physical boundaries (e.g., existing city limits, county streets, state highways, and waterways).

The Board finds that annexation of the North Highline "Y" Area will advance RCW 36.93.180 (2) by establishing defined physical boundaries (i.e. a distinct geographic area) for this territory.

RCW 36.93.180 (3) CREATION AND PRESERVATION OF LOGICAL SERVICE AREAS

The Board finds that the North Highline "Y" Area annexation will create and preserve a logical service area as established in Objective 3. The annexation will result in the incorporation of the only unincorporated area remaining between Seattle and Burien.

Seattle's Notice of Intention recites that the City shall provide a full complement of urban services to the area (either directly or by contract) that are equivalent to those benefits provided to the communities in the existing City of Seattle.

Specifically, the record demonstrates that the City's Comprehensive Plan includes goals and policies for the provision of housing, transportation, utilities, infrastructure, open space and recreation, human services, policing services, fire protection and emergency management services. Specifically – and key – services will include the following:

- The City of Seattle Fire Department will provide directly and/or (if appropriate/necessary) in cooperation with North Highline Fire District No. 11 and King County Fire District No. 2 a comprehensive range of fire protection services; basic life safety services, and advanced life support services.

The evidence shows that conceptual plans are in place and consideration of a range of implementation tools for these services are well underway. Work will continue with North Highline Fire District No. 11 and King County Fire District No. 2 to develop detailed plans, policies, resources management systems, and service programs. The evidence makes clear the City's commitment to ensure that public safety plans and implementation tools are to be fully approved and operational in the near future – and prior to the planned election in which the citizens of North Highline "Y" Area vote as to whether or not to join the City of Seattle.

- The Seattle Police Department shall serve the area from its Southwest Precinct and an unincorporated island will be removed from the service area of the King County Sheriff.
- When joined with the Duwamish Annexation, the North Highline "Y" Area Annexation will bring the entirety of the territory into the City of Seattle and allow for enhanced fire protection services and emergency response services under the aegis of the Seattle Fire Department. Basic Life Support services would be immediately equivalent to services currently provided to the community. Advanced Life Support services will immediately meet basic requirements, and the City plans for enhanced services. Park and recreation services, library services, economic development services, civic engagement services, and education and early learning services will be provided through the City of Seattle.
- Water and sewer service to the North Highline "Y" Area will not be affected by the annexation of this community to the City of Seattle. Assumption of water and sewer districts is a separate process under RCW 35.13A and requires a separate review currently not before the Board.

The evidence shows that the North Highline "Y" Area will receive more effective, efficient services as a single, unified community than it would receive if these communities remain unincorporated. No other entities are available and qualified to serve this area.

The Board finds that the proposed North Highline "Y" Area annexation will advance RCW 36.93.180 (3) based upon qualifications and resources available – and dedicated – to design plans and implement systems to provide: (1) comprehensive governance and services to the North Highline "Y" Area and (2) enhance geographic and social connections of the neighborhoods with the City of Seattle.

RCW 36.93.180 (4) PREVENTION OF ABNORMALLY IRREGULAR BOUNDARIES

The evidence shows that the proposed North Highline "Y" Area Annexation boundaries, as proposed, are not abnormally irregular. Approval of the North Highline "Y" Area annexation will not result in the creation of irregular boundaries. Rather, the North Highline Annexation "Y" Area proposal prevents abnormally irregular boundaries as the pending annexation of the North Highline "Y" Area will entirely complete the transfer of the unincorporated area into Seattle.

Annexation of the North Highline "Y" Area to Seattle will establish boundaries necessary to facilitate coordinated government and provide for more effective, efficient services to the affected communities.

The Board finds that approval of the annexation as submitted advances the objective stated in RCW 36.93.180 (4.)

RCW 36.93.180 (5) DISCOURAGEMENT OF MULTIPLE INCORPORATIONS

The record demonstrates that, in keeping with Objective 5, the North Highline "Y" Area annexation will discourage multiple incorporations. Specifically, the North Highline "Y" Area annexation will prevent the incorporation of a small community. The City of Seattle's annexation of the North Highline Annexation Area is the only feasible way to provide and fund the urban level of service that is expected of a city to the area's residents and businesses.

The State Growth Management Act and the King County Comprehensive Plan encourage governance of urban areas by local jurisdictions. Annexation to achieve local governance is preferred over incorporation of new communities.

The Board finds that annexation of North Highline "Y" Area to Seattle discourages multiple incorporations consistent with RCW 36.93.180 (5) and that approval of the annexation shall advance this objective.

RCW 36.93.180 (6) DISSOLUTION OF INACTIVE SPECIAL PURPOSE DISTRICTS

The record demonstrates that Objective 6 is not directly applicable to File No. 2367 as this proposed North Highline "Y" Area annexation will not dissolve any *inactive* special purpose districts.

As reported previously (see RCW 36.93.180- Objective 3), the City of Seattle North Highline "Y" Area Annexation plans for utility districts currently serving the North Highline "Y" Area to continue to provide that service for the foreseeable future. Current providers include, but are not limited to, Valley View Sewer District, Southwest Suburban Sewer District; Water District 45, Water District 20.

The Seattle Police Department will replace the King County Sheriff's Office as the provider for a full array of public safety services and public safety programs in the North Highline "Y" Area.

The City of Seattle Fire Department will provide directly and/or (if appropriate/necessary) in cooperation with North Highline Fire District No. 11 and King County Fire District No. 2 a comprehensive range of fire protection services; basic life safety services, and advanced life support services. Plans and implementation tools for these services are essentially in place. Work will continue with North Highline Fire District No. 11 and King County Fire District No. 2 to develop detailed plans, policies, resources management systems, and service programs. Public safety plans and implementation tools are to be fully approved and operational in the near future – and prior to the planned election in which the citizens of North Highline "Y" Area vote as to whether or not to join the City of Seattle.

The Board finds that Objective 6 is not applicable to the annexation of North Highline "Y" Area to the City of Seattle.

RCW 36.93.180 (7) ADJUSTMENT OF IMPRACTICAL BOUNDARIES

The evidence shows that, in keeping with Objective 7, the North Highline "Y" Area annexation will rectify impractical boundaries (i.e., built environment and natural environment). Approval of the proposed North Highline "Y" Area annexation achieves practical boundaries – i.e., physical boundaries reflecting the common geographical and social characteristics of the North Highline "Y" Area and the southern neighborhoods of the City of Seattle.

The new boundaries will allow for the natural extension of Seattle's boundaries to link neighborhoods. The City of Seattle proposes to provide a uniform governance structure under which all of these neighborhoods enjoy a uniform level of quality urban services.

More specifically, the City of Seattle has demonstrated that it has capacity and resources necessary to govern and serve the community with a full array of direct and/or contracted coordinated, funded independent programs and systems -- including housing, transportation, utilities, policing; fire protection and emergency services; public facilities and services; human services; parks and recreation; libraries; and educational programs). Coordination with other entities (e.g., fire/emergency services; libraries, school, transportation systems) will occur as necessary to protect the quality of life for the North Highline "Y" Area.

The Board finds that annexation of the North Highline "Y" Area to the City of Seattle advances the objective stated in RCW 36.93.180 (7.)

RCW 36.93.180 (8) INCORPORATION AS CITIES OR ANNEXATION TO CITIES OF UNINCORPORATED AREAS WHICH ARE URBAN IN CHARACTER

The Board finds that, as contemplated in Objective 8, the North Highline "Y" Area is entirely within the King County Urban Growth Area and is located within the City of Seattle Potential Annexation Area.

The North Highline "Y" Area is urban in character. A full range of residential uses (e.g., single family home, multi-family units), neighborhood and community businesses, and industrial uses exist in the North Highline "Y" Area communities.

Annexation of the North Highline "Y" Area into the City of Seattle will result in the coordination of jurisdictions and promote uniform governance, development, and services appropriate for this urban territory. Basic services and enhanced services will be designed to serve an urban community. Further, the following key statutes and guidelines support inclusion of the North Highline "Y" Area in the City of Seattle: Growth Management Act, King County Comprehensive Plan and Countywide Planning Policies and the City of Seattle Comprehensive Plan,

The Board finds that coordinated governance and services should immediately benefit North Highline "Y" Area citizens.

The Board finds that annexation of North Highline "Y" Area to the City of Seattle advances the objective stated in RCW 36.93.180 (8.)

RCW 36.93.180 (9) PROTECTION OF AGRICULTURAL AND RURAL LANDS FOR LONG TERM PRODUCTIVE AGRICULTURAL/RESOURCE USE

The North Highline "Y" Area lies in the Urban Growth Area as established for King County. There are no agricultural or rural lands in the North Highline "Y" Area. Objective 9 does not apply to File No. 2367.

The Board finds that Objective 9 is not applicable to the annexation of North Highline "Y" Area to the City of Seattle.

CONSISTENCY WITH THE KING COUNTY COMPREHENSIVE PLAN/ COUNTYWIDE PLANNING POLICIES

The Boundary Review Board is required to consider the King County Comprehensive Plan and Countywide Planning Policies in its review of proposed annexations.

The record demonstrates that the City of Seattle's proposed annexation of North Highline "Y" Area satisfies and advances the relevant King County Comprehensive Plan policies and Countywide Planning Policies pertaining to transition of services from county to cities. Of key importance is King County Countywide Planning Policy LU-32 which states, in pertinent part:

"A city may annex territory only within its designated potential annexation area ... All cities shall phase annexations to coincide with the ability for the city to coordinate the provision of a full range of urban services to areas to be annexed."

In addition, the following provisions of the King County Comprehensive Plan Goals and Policies, together with Countywide Planning Policies, are advanced by the proposed North Highline "Y" Area Annexation:

U-102 Urban Growth Area designations demonstrate land and capacity to accommodate and serve area growth.

U-201; U-202; U-204; U-206: County encourages annexations of urban lands into local jurisdictions. Cities are the appropriate providers of local urban services to Urban Areas.

Further, the North Highline "Y" Area Annexation is consistent with King County Comprehensive Plan/Countywide Planning Policies relating to:

- Environment
- Development Patterns
- Housing
- Transportation
- Public Facilities and Services

The evidence shows that, on balance, the proposed annexation is consistent with King County Comprehensive Plan and Countywide Planning Policies calling for annexation of urban communities to local jurisdictions. Planning for coordinated governance and service to the North Highline "Y" Area is necessary to achieve the provisions of the County Comprehensive Plan and Countywide Planning Policies. These linked communities will benefit from planning and implementation of cohesive policies, standards, programs, and synchronized service operations. Coordination of governance and services will better protect public safety, health, and welfare.

CONSISTENCY WITH GROWTH MANAGEMENT ACT

The evidence shows that the Seattle's proposed North Highline Annexation is consistent with Growth Management Act principles (RCW 36.70A) stating that cities are the units of local government most appropriate to provide urban governmental services. The North Highline "Y" Annexation furthers this principle by shepherding another urban area into a city that can provide a high level of urban governmental services.

RCW 36.93.157 directs that Boundary Review Board decisions must be consistent with the following three sections of the Growth Management Act:

- | | |
|------------------|------------------------------|
| ▪ RCW 36.70A.020 | Planning Goals |
| ▪ RCW 36.70A.110 | Urban Growth Areas |
| ▪ RCW 36.70A.210 | Countywide Planning Policies |

The record demonstrates that the key Growth Management Act policies guiding the provision of public services relevant to the proposed North Highline "Y" Area include:

- RCW 36.70A.020 (1) Urban Growth: Encourages development in urban areas where adequate public facilities and services exist or can be provided efficiently.
- RCW 36.70A.020 (10) Environment: Protect and enhance the environment and quality of life.
- RCW 36.70A.020 (11) Citizen participation and coordination in the planning process and ensure coordination between communities/jurisdictions to reconcile conflicts.
- RCW 36.70A.020 (12) Public facilities and services: Ensures that adequate public services and facilities are available to serve land developments.
- RCW 36.70A.110 (3) directs urban growth to areas with existing or available public services and facilities.
- RCW 36.70A.110 (4) states that "(in) general, cities are the units of local government most appropriate to provide urban ...services."
- RCW 36.70A.210 (1) calls for cities to be primary providers of governmental services in urban growth areas.

The evidence shows that the applicable provisions of the State Growth Management Act (RCW 36.70A) supports the North Highline "Y" Area Annexation.

Specifically, the City of Seattle has addressed Growth Management Act (GMA) criteria that are relevant to the North Highline "Y" Area annexation. The proposed North Highline "Y" Area annexation considers those GMA policies contained in RCW 36.70A.020, RCW 36.70A.110. These sections require planning goals for urban growth, provision of public services, provision of infrastructure, and preservation of environmentally sensitive areas within (and affected by) the local community.

The evidence shows that the proposed Notice of Intention defines a clear plan for maintenance of a quality level of governance, services, and infrastructure available to this community through its affiliation with the greater City of Seattle.

The Board finds that the State Growth Management Act (RCW 36.70A) supports the annexation of the North Highline "Y" Area to the City of Seattle.

III. BOUNDARY REVIEW BOARD FINDINGS AND DECISIONS

The Boundary Review Board conducted review and deliberation of File No. 2367 based upon the record of written documents and oral testimony, and, in keeping with applicable state, regional and local regulations. The Board concentrated on RCW 36.93 (Boundary Review Board Act); RCW 36.70A (Growth Management Act); King County Comprehensive Plan and Countywide Policies; and other relevant regulations and guidelines. The Board considered the following options:

- Approval of the North Highline "Y" Area Annexation as submitted by the City of Seattle, if this action advances the provisions of RCW 36.93 and other applicable regulations (e.g., State Growth Management Act, King County Comprehensive Plan and Countywide Plan Policies.)
- Modification of the annexation of the North Highline "Y" Area Annexation, if this action advances the provisions of RCW 36.93 and other applicable regulations (e.g., State Growth Management Act, King County Comprehensive Plan and Countywide Plan Policies.)
- Denial of the proposal of North Highline "Y" Area Annexation, if annexation is found to be inconsistent with RCW 36.93 and sets back one or more of the objectives that are required to be advanced by the decision of the Board.

The Boundary Review Board finds that the record for File No. 2367 is detailed and extensive. Jurisdictions and other affected parties have provided considerable evidence or testimony supporting their positions. The Board reviewed the entire record to reach its decision for the proposed North Highline "Y" Area Annexation.

With respect to RCW 36.93 – the Boundary Review Board Act -- The Board finds that the City of Seattle's proposed annexation of the North Highline "Y" Area is consistent with the provisions of Chapter 36.93 RCW, 36A.70 RCW, the King County Comprehensive Plan, the King County Countywide Policies, and other applicable state, regional, and local standards. Approval of the proposal addresses the objectives that are to be advanced by the decision of the Board. By way of example, but not limitation:

- RCW 36.93: The Board finds that the North Highline "Y" Area Annexation advances criteria established in RCW 36.93.170 including, but not limited to: population, territory, comprehensive planning, land uses, natural environment, municipal service needs and service resources, effects upon finances, debt structure, and contractual obligations, and mutual social and economic needs of the local governmental structure.
- RCW.36.93: The Board finds that the North Highline "Y" Area Annexation addresses criteria established in RCW 36.93.180 as follows:

RCW 36.93	NORTH HIGHLINE "Y" AREA (2045 ACRES)
OBJECTIVE 1 – PRESERVATION OF NATURAL NEIGHBORHOODS AND COMMUNITIES	ADVANCES CRITERION AS ANNEXATION INCLUDES PROPERTIES IN A NATURAL COMMUNITY
OBJECTIVE 2 – USE OF PHYSICAL BOUNDARIES	ADVANCES CRITERION AS ANNEXATION IS CONSISTENT WITH ESTABLISHED BOUNDARIES
OBJECTIVE 3 – CREATION AND PRESERVATION OF LOGICAL SERVICE AREAS	ADVANCES CRITERION AS SEATTLE HAS RESOURCES NECESSARY TO SERVE ENTIRE AREA TO PROTECT PUBLIC WELFARE.
OBJECTIVE 4 – PREVENTION OF ABNORMALLY IRREGULAR BOUNDARIES	ADVANCES CRITERION AS REGULAR BOUNDARIES SUPPORT A UNIFIED COMMUNITY AND STREAMLINE SERVICE PROVISION
OBJECTIVE 5 – DISCOURAGEMENT OF MULTIPLE INCORPORATIONS	ADVANCES CRITERION BY INCLUSION OF THE NORTH HIGHLINE "Y" AREA IN THE EXISTING CITY OF SEATTLE.
OBJECTIVE 6 – DISSOLUTION OF INACTIVE SPECIAL PURPOSE DISTRICTS	DOES NOT APPLY
OBJECTIVE 7 – ADJUSTMENT OF IMPRACTICAL BOUNDARIES	ADVANCES CRITERION AS PRACTICAL BOUNDARIES ARE CREATED TO SUPPORT A UNIFIED COMMUNITY AND TO STREAMLINE SERVICE PROVISION
OBJECTIVE 8 – INCORPORATION ...OR ANNEXATION TO CITIES OF UNINCORPORATED URBAN AREAS	ADVANCES CRITERION AS ANNEXATION WILL OCCUR TO SIGNIFICANT DESIGNATED URBAN POTENTIAL ANNEXATION AREA.
OBJECTIVE 9 – PROTECTION OF AGRICULTURAL AND RURAL LANDS ...	DOES NOT APPLY

- State Growth Management Act (Chapter 36.70A RCW) policies call for logical and orderly growth. RCW 36.93.157 specifies that Boundary Review Board decisions must be consistent with the Growth Management Act, including, but not limited to, the following key provisions of the Act:

- RCW 36.70A.020 Planning Goals
- RCW 36.70A.110 Urban Growth Areas
- RCW 36.70A.210 Countywide Planning Policies

This Act encourages local jurisdictions to govern urban lands when the provisions of RCW 36.70A are satisfied. RCW 36.70A calls for annexations to occur when a jurisdiction demonstrates necessary resources to govern and serve affected communities. The proposed City of Seattle annexation of the North Highline "Y" Area meets the provisions of RCW 36.70A because the proposed action addresses the governance needs/requirements of the greater affected communities.

- King County Comprehensive Plan and Countywide Policies: The King County Comprehensive Plan and Countywide Policies contemplate logical and orderly growth of communities. These County plans support local governance to assure balanced, sound, cost-effective governance for this community.

The Board finds that the proposed North Highline "Y" Area annexation is consistent with County goals and policies that support transfer of urban unincorporated areas to local governments. The North Highline "Y" Area Annexation also meets County goals which support coordination of governance and services to the greater community.

The Board finds that the City of Seattle is the only jurisdiction with the authority to annex the North Highline "Y" Area Annexation. Seattle is also the only City with the governance systems and financial resources necessary to provide urban levels of services to the North Highline "Y" Area. Seattle can provide residents and businesses of North Highline "Y" Area with the opportunity for a unified governance structure providing a comprehensive palette of urban services. The Board should approve this annexation to allow the citizens of North Highline "Y" Area to vote to decide whether to support or deny Seattle's proposed annexation.

CONFIRMATION OF DECISION

Chair Toy called for a motion for a final decision with respect to the proposed annexation by the City of Seattle of the North Highline "Y" Area.

Action: Claudia Hirschey moved and Ronald Little seconded a motion that the Boundary Review Board adopt the Resolution and Hearing Decision approving the proposed North Highline "Y" Area Annexation and direct staff to officially file this document with King County and the State of Washington on July 15, 2016.

The motion passed by a vote of eight in favor, one in opposition, and one abstention.

Chair Toy stated that the Boundary Review Board will file the Hearing and Resolution Report for the City of Seattle Notice of Intention to annex the North Highline "Y" Area on July 15, 2016. Filing of the Hearing and Resolution Decision Report will commence a 30 day appeal period to Superior Court.

Following the conclusion of the appeal period (August 14, 2016), the Board anticipates that the City of Seattle will work with King County to set a date for an election whereby the registered voters of the North Highline "Y" Area can inform the City as to whether the North Highline "Y" Area will join the City of Seattle.

NOW, THEREFORE,

BE IT RESOLVED BY THE WASHINGTON STATE BOUNDARY REVIEW BOARD FOR KING COUNTY THAT the action proposed in the Notice of Intention contained in said North Highline "Y" Area (File No. 2367) be, and the same is, hereby approved as described in Exhibits attached hereto and incorporated herein by reference.

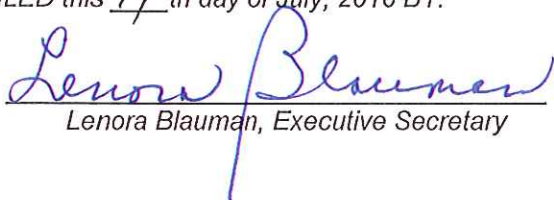
ADOPTED BY SAID WASHINGTON STATE BOUNDARY REVIEW BOARD FOR KING COUNTY by a vote of 8 favor, 1 in opposition, and 1 abstentions, on this 14th day of July 2016, and signed by me in authentication of its said adoption on said date.

WASHINGTON STATE BOUNDARY REVIEW BOARD FOR KING COUNTY



Stephen Toy, Chair

FILED this 14 th day of July, 2016 BY:



Lenora Blauman, Executive Secretary

EXHIBITS

- EXHIBIT I** **CITY OF SEATTLE NORTH HIGHLINE "Y" AREA: LEGAL DESCRIPTION OF ANNEXATION AREA BOUNDARIES**
- EXHIBIT II** **CITY OF SEATTLE NORTH HIGHLINE "Y" AREA: MAP OF ANNEXATION AREA BOUNDARIES**

REVISED

RECEIVED

EXHIBIT I

MAY 17 2016

WA State Boundary Review
Board For King Co

BOUNDARIES OF THE PROPOSED NORTH HIGHLINE ANNEXATION AREA

The legal description of the boundaries of the proposed North Highline Annexation Area, located in Sections 1 and 12, Township 23 North, Range 3 East, W.M., in Sections 4, 5, 6, 7 and 8, Township 23 North, Range 4 East, W.M. and in Section 32, Township 24 North, Range 4 East, W.M., all in King County, Washington, more particularly described as follows:

Beginning at the northeast corner of the existing City of Burien as established by City of Burien Ordinance No. 527, said corner also being the intersection of the westerly right-of-way line of Primary State Highway No. 1 as approved July 23, 1957 and shown on Sheets 1 through 4 of 7 of Engineer's Plans for section South 118th Street to Junction with Secondary State Road No. 1-K (State Route 509), as now established and hereinafter referred to as State Route 99 with the easterly extension of the south margin of South 108th Street, said point also being on the westerly limits of the City of Tukwila;

Thence departing from said city limits of Tukwila and westerly along the northern limits of the City of Burien as established by City of Burien Ordinance No. 527 and along said south margin of South 108th Street to the intersection with the east line of the Southwest quarter of the Southwest quarter of Section 4, Township 23 North, Range 4 East, W.M.;

Thence north 30 feet along said east line to the southeast corner of said Northwest quarter;

Thence west 30 feet along the south line of said Northwest quarter to the west margin of 20th Avenue South;

Thence northerly along said west margin to the north line of the south 136 feet of said Northwest quarter;

Thence westerly along said north line to the intersection with the east line of said Section 5, Township 23 North, Range 4 East, W.M.;

Thence southerly along said east line to the north margin of South 112th Street;

Thence westerly along said north margin to the intersection with the north line of Section 8, Township 23 North, Range 4 East, W.M.;

Thence westerly along said north line to the intersection with the east margin of State Route 509;

Thence southerly along said east margin to the north margin of South 116th Street;

Thence westerly along said north margin and the north margin of Southwest 116th Street to the west margin of 10th Avenue Southwest;

Thence northerly along said west margin to the north margin of Southwest 114th Street;

Thence westerly along said north margin to the east margin of 15th Avenue Southwest;

Thence northerly along said east margin to the south margin of Southwest 112th Street;

Thence westerly along said south margin to the present limits of the City of Seattle as established by City of Seattle Ordinance 84568 and the east margin of Seola Beach Drive Southwest (previously referred to as Qualhelm Avenue Southwest, Qualhelm Road or Seola Beach Road);

Thence northerly along said present City of Seattle limits and said east margin to the south margin of Southwest 106th Street;

Thence easterly along said south margin to the intersection with a line parallel with and 30 feet east of the east line of the West Half of the West Half of Section 1, Township 23 North, Range 3 East, W.M., also being the southerly extension of the east margin of 30th Avenue Southwest;

Thence northerly along said parallel line, also being the southerly extension, the east margin of and the northerly extension of 30th Avenue Southwest to a point on the south line of Section 36, Township 24 North, Range 3 East, W.M., said point being at the intersection with the south line of the present limits of the City of Seattle as established by City of Seattle Ordinance 16558 and the centerline of Southwest Roxbury Street (also known as Southwest 96th Street);

Thence easterly along said south lines and said centerline of Southwest Roxbury Street to the northwest corner of the Northwest Quarter of the Northeast Quarter of the Northeast Quarter of said Section 1, Township 23 North, Range 3 East, W.M. and the northwest corner of that portion of the present limits of the City of Seattle as established by City of Seattle Ordinance 74757 and the centerline intersection with 21st Avenue Southwest;

Thence southerly along the west line of said Northwest Quarter, the west line of said present City of Seattle limits as established by City of Seattle Ordinance 77429 and the centerline of said 21st Avenue Southwest to an angle point in said present City of Seattle limits and the centerline intersection with Southwest 98th Street;

Thence easterly along said present City of Seattle limits and the centerline of said Southwest 98th Street to the southeast corner of that portion of the present limits of the City of Seattle as established by said City of Seattle Ordinance 77429 being the southerly extension of the alley centerline of Block 2 of the unrecorded plat of Haines Heights Addition, unrecorded;

Thence northerly along that portion of the present limits of the City of Seattle as established by said City of Seattle Ordinances 74757 and 77429 and said southerly extension, the centerline of and the northerly extension of said alley to a point on the south line of said Section 36, Township 24 North, Range 3 East, W.M., said point being at the intersection with the south line of the present limits of the City of Seattle as established by said City of Seattle Ordinance 16558 and said centerline of Southwest Roxbury Street;

Thence easterly along said south lines, the north line of Section 6, Township 23 North, Range 4 East, W.M., and said centerline of Southwest Roxbury Street to a point on the north line of said Section 6 lying

654.11 feet from the northeast corner thereof, said point also being the northwest corner of that portion of the present limits of the City of Seattle as established by City of Seattle Ordinance 113271;

Thence South 05°28'00" West a distance of 30.07 feet to a point being the northeast corner of the land conveyed to the Housing Authority of the County of King, recorded under Auditor's File No. 4413217;

Thence south along said present City of Seattle limits and the east line of said tract of land 1,174 feet, more or less, to the north margin of Southwest 100th Street;

Thence easterly along said present City of Seattle limits and said north margin 686.29 feet to the east line of said Section 6;

Thence northerly along said present City of Seattle limits and said east line 186.07 feet;

Thence easterly along said present City of Seattle limits, South 88°38'48" East 95 feet;

Thence along said present City of Seattle limits, North 89°33'05" East for 94.68 feet to the west margin of Occidental Avenue South;

Thence northerly along said present City of Seattle limits and said west margin for 87.52 feet;

Thence southeasterly along said present City of Seattle limits, South 64°57'53" East to the northerly line of the unrecorded plat of Highlands Half Acre Tracts as noted on the survey recorded in King County under Recording No. 8103319002;

Thence along said present City of Seattle limits and said northerly line, North 75°47'11" East 537.72 feet;

Thence along said present City of Seattle limits, North 23°10'47" East 6.66 feet to the westerly margin of Myers Way South;

Thence easterly along said present City of Seattle limits to the intersection of the easterly margin of Myers Way South and the southerly margin of the City of Seattle Transmission Line Right-of Way;

Thence southerly along said present City of Seattle limits and said easterly margin of Meyers Way South to the north margin of South 100th Street;

Thence easterly along said present City of Seattle limits and said north margin and said margin extended to the easterly margin of State Road No. 1-K as constructed per Engineer's Plans, Sheets 7 through 9 inclusive, approved December 17, 1957, and revised September 14, 1984, as now established and hereafter referred to as State Route 509;

Thence generally northerly along said present City of Seattle limits and said east margin to the north line of the South Half of the Southwest Quarter of Section 32, Township 24 North, Range 4 East, W.M., also being the south margin of South Barton Street;

Thence easterly along said present City of Seattle limits as established by City of Seattle Ordinance 15917, said north line and said south margin of South Barton Street to the intersection with the west

line of the plat of Excelsior Acre Tracts as recorded in Volume 8 of Plats, Page 93, records of said King County;

Thence southerly along said present City of Seattle limits and said west line to the southwest corner of said plat of Excelsior Acre Tracts;

Thence easterly along said present City of Seattle limits, the south line of said plat and the south line of the plat of Excelsior Acre Tracts No. 2 as recorded in Volume 9 of Plats, Page 48, records of said King County, to the intersection with the westerly margin of State Route 99;

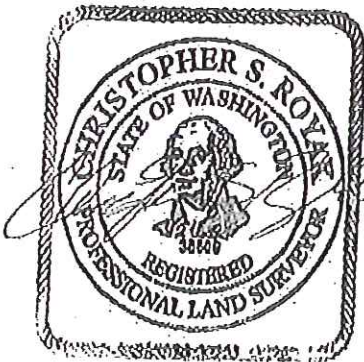
Thence departing said present City of Seattle limits, southeasterly along said Westerly margin to the intersection with the east line of Tract 8 of Moore's Five Acre Tracts as recorded in Volume 9 of Plats, Page 28, records of said King County;

Thence southerly along said east line to the north margin of South 96th Street;

Thence easterly along said north margin to the intersection with the westerly margin of State Route 99;

Thence southeasterly along said westerly margin to the intersection with the north line of Tract 55 of said plat of Moore's Five Acre Tracts and the present northwest corner of the City of Tukwila as established by City of Tukwila Ordinance 1670;

Thence southeasterly continuing along said westerly margin of State Route 99 and the present limits the City of Tukwila to the intersection with the easterly extension of the south margin of South 108th Street and the Point of Beginning.



5/11/16

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WA State Boundary Review
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King County
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for King County

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King County

Date: 5.27.2015

The information included on this map has been compiled by King County staff from a variety of sources and is subject to change without notice. King County makes no representation, warranty or guarantee of the accuracy or completeness of the information shown on this map. The information is provided for informational purposes only and is not intended for use in any legal proceeding. King County makes no warranty, representation or guarantee of the accuracy or completeness of the information shown on this map. Any errors or omissions are the responsibility of the user. The information is provided for informational purposes only and is not intended for use in any legal proceeding. King County makes no warranty, representation or guarantee of the accuracy or completeness of the information shown on this map. Any errors or omissions are the responsibility of the user.

Date: 02/12/2015

Exhibit 4 - North Highline Annexation Area Boundary

