

CITY OF REDMOND  
ORDINANCE NO. 2585

AN ORDINANCE OF THE CITY OF REDMOND,  
WASHINGTON, ADOPTING RMC CHAPTER 1.16,  
ANNEXATION PROCEDURES, ESTABLISHING  
PROCEDURES FOR OPTIONAL PUBLIC MEETINGS AND  
NOTICE OF PUBLIC HEARINGS FOR ANNEXATIONS,  
PROVIDING FOR SEVERABILITY, AND ESTABLISHING  
AN EFFECTIVE DATE

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WHEREAS, as part of the City's rewrite of its development regulations, the Redmond City Council has determined to move some provisions regarding annexation in the existing RCDG to a new RMC Chapter 1.16.

NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF REDMOND, WASHINGTON, DO ORDAIN AS FOLLOWS:

Section 1.      Classification.      This ordinance is of a general and permanent nature and shall become a part of the City Code.

Section 2.      Adoption of Chapter.      RMC 1.16, Annexation Procedures, is hereby added to read as follows:

Chapter 1.16                      ANNEXATION PROCEDURES

Sections:

- 1.16.010 Annexation procedures.
- 1.16.020 Public meetings.
- 1.16.030 Notice of public hearing.
- 1.16.040 Responsibility for notice.
- 1.16.050 Notice of final decision.

**1.16.010 Annexation procedures.**

(A) The procedures used by the City for annexation of unincorporated territory shall be as provided in the Revised Code of Washington (Chapter 35A.14 RCW) as supplemented by the procedures for optional public meetings and notice of public hearings as described in the following sections.

**1.16.020 Public meetings.**

(A) The Director of Planning and Community Development or his designee may require one or more public meetings to be conducted on an annexation in order to inform citizens about the proposed annexation prior to the public hearing. Notice of the public meeting shall be provided by mail in the same manner as required for public hearings.

**1.16.030 Notice of public hearing.**

(A) Notice Required. Whenever the City is required by law to conduct a public hearing on any annexation, notice of the public hearing shall be given as required in this section.

(B) Mailed Notice.

(1) Mailed notice of the public hearing on an annexation shall be provided to all owners of real property within the annexation area and within 500

feet of the annexation area at least 21 days before the public hearing. Mailed notice of a public hearing on annexation shall include the following information:

(a) The date, time, and place of the hearing;

(b) A statement of the right of any person to comment on the annexation, receive notice of and participate in any hearings, request a copy of the decision once made, and any appeal rights;

(c) A description of the extent of the annexation area; and

(d) A map depicting the boundaries of the annexation.

(2) No annexation shall be found to be invalid for failure to provide mailed notice as required in this section as long as the requirements of the other methods of notice provided for in this chapter have been met and there was a good faith attempt to comply with the mailed notice requirements.

(3) The real property tax records of the King County Department of Assessments shall be used for determining the property owner of record and the owner's address. Proof of mailing shall be completed stating the date of the mailing and listing all

mailing recipients entitled to notice under this chapter. Mailed notice to persons other than those required to receive notice under the code may be provided.

(4) All public notices shall be deemed to have been provided or received on the date the notice is deposited in the mail or personally delivered, whichever occurs first.

(C) Posted Notice. In addition to the posted notice required by the RCW, public notice shall also be posted at a designated location within City Hall and at least one other public building, such as the library, post office or community center.

(D) Public Notice Boards.

(1) Per state law, three public notice boards shall be posted in locations such as a roadway within the territory proposed for annexation. The public notice boards shall be erected at least 21 days prior to the public hearing. The party responsible for posting the public notice boards shall sign an affidavit, stating that the sign(s) were installed and the date and posting of property.

(2) The sign(s) shall be removed immediately following final action by the City Council.

(3) If the sign is removed prior to the City Council's final action, the applicant is responsible for immediate replacement of the sign.

(4) At least one of the three public notice boards required by this subsection shall be four feet by eight feet in size, placed no closer than five feet from the right-of-way, visible from at least one public street adjacent to or within the territory proposed for annexation, and placed in a manner that does not impair traffic or pedestrian safety.

(5) Content of Notice. Signs shall be prepared using templates or attachable letters. Hand lettered signs are not acceptable. The required sign shall include:

- (a) The title "Notice of Annexation";
- (b) The name of the annexation as listed on the application or notice of intent;
- (c) A graphic or written description of the proposed annexation boundaries;
- (d) The date, place and time of the public hearing;

(e) The name and telephone number of the responsible staff member in Department of Planning and Community Development;

(f) City of Redmond logo;

(g) Other information as the Director of Planning and Community Development or designee may determine to be necessary to adequately notify the public of the proposed annexation. Illustrations and guidelines for the signs required by this section shall be maintained on file in the Department of Planning and Community Development.

(E) Published Notice. Notice of the public hearing shall be published in the City's official newspaper as required by RCW.

**1.16.040 Responsibility for notice.**

(A) The Director of Planning and Community Development or designee is responsible for providing published legal notices, mailed notice and posted notice in public buildings. The initiators of the annexation are responsible for complying with the requirements for posted notice within the proposed annexation area. The Planning Director may take responsibility for on-site posted notice requirements.

1.16.050 Notice of final decision.

(A) The Director of Planning and Community Development or designee shall mail a Notice of Final Decision to the applicant, to each person who participated in the public hearing or submitted comments during the public comment period at any time prior to issuance of the decision, and to owners of real property within the annexation area and within 500 feet of the annexation area. The notice shall include:

(1) A description of the extent of the annexation area;

(2) A map depicting the boundaries of the annexation;

(3) A statement of the right of any person to request a copy of the decision.

Section 3. Severability. If any section, sentence, clause or phrase of this ordinance should be held to be invalid or unconstitutional by a court of competent jurisdiction, such invalidity or unconstitutionality shall not affect the validity or constitutionality of any other section, sentence, clause or phrase of this ordinance.

Section 4.      Effective Date. This ordinance shall take effect five (5) days after publication of an approved summary consisting of the title, or as otherwise provided by law.

ADOPTED by the Redmond City Council this 5<sup>th</sup> day of April, 2011.

CITY OF REDMOND

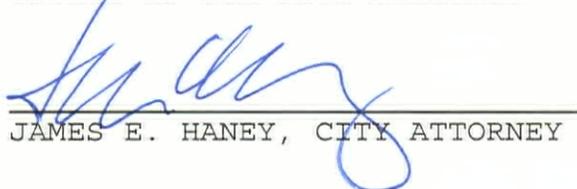
  
JOHN MARCHIONE, MAYOR

ATTEST:

  
MICHELLE M. MCGEHEE, CMC, CITY CLERK

(SEAL)

APPROVED AS TO FORM  
OFFICE OF THE CITY ATTORNEY

  
JAMES E. HANEY, CITY ATTORNEY

FILED WITH THE CITY CLERK:      March 30, 2011  
PASSED BY THE CITY COUNCIL:      April 5, 2011  
SIGNED BY THE MAYOR:              April 5, 2011  
PUBLISHED:                              April 11, 2011  
EFFECTIVE DATE:                        April 16, 2011  
ORDINANCE NO. 2585

ADOPTED 7-0: Allen, Carson, Cole, Margeson, Myers, Stilin and Vache