

ORDINANCE # 1510

AN ORDINANCE ANNEXING APPROXIMATELY 45 ACRES OF PROPERTY LOCATED GENERALLY NORTH OF SMITH ROAD AT THE NORTHERN TERMINUS OF SHIELDS ROAD

WHEREAS, on February 3, 2008, the Ferndale City Council accepted a Notice of Intent to initiate annexation proceedings from various involved property owners who are the owners of three parcels consisting of forty gross acres of property proposed for annexation.

WHEREAS, at that February 3, 2008, meeting, the Ferndale City Council determined that an initial petition would be accepted; that the City would require the annexed property to assume its pro rata share of the existing city indebtedness; and that simultaneous adoption of zoning regulations would be required; and

WHEREAS, two additional petitioners, who together own approximately five gross acres in one shared parcel, joined the petition to annex prior to the establishment of a Terminal Date by the Whatcom County Assessor; and

WHEREAS, the Ferndale Planning Commission reviewed a Petition to Annex at a public hearing during their regular meeting of August 14, 2008, and voted to recommend approval by the City Council, with a zoning designation of RS 6.5 for the entire annexation area, to take effect upon annexation of the area; and

WHEREAS, the proposed annexation area is located within the Urban Growth Area as identified in the City's Comprehensive Plan; and the Short Term Planning Area as identified in the Whatcom County Comprehensive Plan; and

WHEREAS, the City Council voted to approve the proposed annexation at a public hearing during their regular meeting of September

2, 2008, with a zoning designation of RS 6.5 for the entire annexation area, to take effect upon annexation of the area; and

WHEREAS, an Interlocal Agreement was amended with Whatcom County, and a mandatory Boundary Review Board of Whatcom County review concluded on November 20, 2008, without invoking jurisdiction; and

WHEREAS, the City Council voted to approve a Comprehensive Plan Amendment to the western twenty acres of the subject property after a public hearing during their regular meeting on November 17, 2008, changing the Comprehensive Plan designation to High Density Residential;

NOW, THEREFORE, the City Council of the City of Ferndale does ordain as follows:

Section 1: The zoning designation for the eastern twenty-five acres of this property shall be RS 6.5, Residential Single Family.

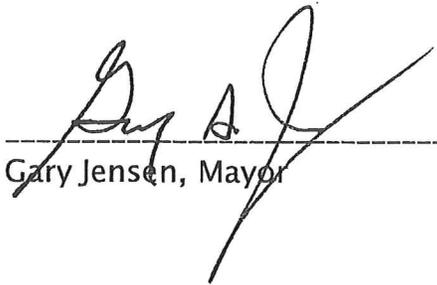
Section 2: The zoning designation for the western twenty acres of this property shall be RM 1.5, Multiple Family.

Section 3: The annexed property shall assume its pro rata share of existing city indebtedness.

Section 4: The Ferndale City Council hereby annexes that property described and illustrated in Attachments A and B.

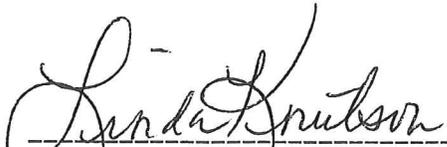
Section 5: This ordinance shall become effective on the January 1st, 2009, or the sixth day after publication, whichever is later, as set forth by state law.

Approved by City Council and signed by the Mayor this 15th day of December, 2008.



Gary Jensen, Mayor

ATTEST:



Linda Knutson, City Clerk

Publication Date

Exhibit B

NW $\frac{1}{4}$ of the SE $\frac{1}{4}$, Section 28, Township 39 N, Range 2 E, WM, Whatcom County
Washington

and

The S $\frac{1}{2}$ of the W $\frac{1}{2}$ of the W $\frac{1}{2}$ of the NE $\frac{1}{4}$ of the SE $\frac{1}{4}$ of Section 28, Township
39 N, Range 2 E, WM, Whatcom County Washington.