

ORDINANCE #1632

AN ORDINANCE ANNEXING APPROXIMATELY 14.34 ACRES OF PROPERTY AND ASSOCIATED RIGHT OF WAY, LOCATED WITHIN THE FERNDALE URBAN GROWTH AREA (UGA) ON THE SOUTH SIDE OF NEWKIRK ROAD – INCLUDING THAT PORTION OF NEWKIRK ROAD ABUTTING THE ANNEXATION AREA

WHEREAS, on August 17, 2009, the Ferndale City Council accepted a Notice of Intent to initiate annexation proceedings from the various involved property owners who are the owners of parcels consisting of 14.34 gross acres of property proposed for annexation.

WHEREAS, at that August 17, 2009, 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, the Ferndale Planning Commission reviewed a Petition to Annex at a public hearing during their regular meeting of October 27, 2010, and voted to recommend approval by the City Council, with a zoning designation of RM 1.5 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 December 20, 2010. The Council also approved a RM 1.5 zoning designation for the entire annexation area, to take effect upon annexation of the area; and

WHEREAS, the mandatory Boundary Review Board forty-five day review was initiated on January 13, 2011 and lapsed without any party invoking jurisdiction on February 26, 2011; and

WHEREAS, the City shall accept responsibility for the maintenance and repair of Newkirk Road;

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

- Section 1:** The zoning designation for these properties shall be RM 1.5, Multi-Family Dwelling Units
- Section 2:** The annexed property shall assume its pro rata share of existing city indebtedness.
- Section 3:** The Ferndale City Council hereby annexes that property described and illustrated in Exhibits 1 and 2.
- Section 4:** This ordinance shall become effective on the March 15, 2011, 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 7th day of March, 2011.

Gary Jensen, Mayor

ATTEST:

Sam Taylor, City Clerk

March 16, 2011
Publication Date