

ORDINANCE NO. 1187

AN ORDINANCE OF THE CITY OF WOODLAND ANNEXING AN AREA CONTIGUOUS TO THE CITY AND RELATED TO LAND USE APPLICATION NO. 209-927, COMMONLY REFERRED TO AS THE CRC AND HAMILTON MATERIALS ANNEXATION. THE PROPOSED ANNEXATION AREA IS LOCATED WITHIN THE CITY'S URBAN GROWTH BOUNDARY (UGB), SOUTHWEST OF THE EXISTING CITY LIMIT, WEST OF THE BURLINGTON NORTHERN SANTA FE (BNSF) RAIL LINE, AND GENERALLY SOUTH OF GUILD ROAD (E. SCOTT AVENUE), AND MORE PARTICULARLY SET FORTH HEREIN.

WHEREAS, the City Council authorized the Notice of Intent at their September 21, 2009 meeting;

WHEREAS, the City received a petition on October 21, 2009 and the Cowlitz County Assessor certified on October 26, 2009 that the petition was signed by the property owners of at least 60% in value;

WHEREAS, the City Council determined that the best interests of the City would be served if the said Property, legally described in Exhibit "A" attached hereto and incorporated herein, is annexed into the City and that said property should be subject to the existing City's indebtedness;

WHEREAS, at the March 10, 2010 meeting, the Planning Commission held a public hearing in accordance with Woodland Municipal Code Chapter 17.84.030 and recommended the City Council approve the requested annexation and zoning designations as Light Industrial (I-1) and Heavy Industrial (I-2), as shown in Exhibit "B" attached hereto;

WHEREAS, at the May 3, 2010 meeting, the City Council held a public hearing in accordance with RCW 35A.14.130 and .340 and approved the first reading of Ordinance 1187;

WHEREAS, by its adoption of Resolution No. 599 the City Council declared its intent to annex the said area and directed staff to submit the Notice of Intention to the Cowlitz County Boundary Review Board (BRB);

WHEREAS, the Notice of Intention was filed with the Cowlitz County BRB on August 2, 2010, and a review of the said annexation was duly conducted by the Cowlitz County BRB;

WHEREAS, the City received on September 28, 2010 a notice from the Cowlitz County BRB stating that the said Notice of Intention was deemed approved by the Cowlitz County BRB on September 15, 2010; and

WHEREAS, the City Council held a public hearing on October 18, 2010 in accordance with RCW 35A.14.130 and .340, and approved the final reading of Ordinance No. 1187.

NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF WOODLAND, STATE OF WASHINGTON, DOES HEREBY ORDAIN AS FOLLOWS:

Section 1. The proposed annexation area, an area that is contiguous and adjacent to the present corporate limits of the City of Woodland, is commonly known as the CRC and Hamilton Materials Annexation area. The proposed annexation area is located within the Urban Growth Boundary (UGB), southwest of the existing City Limit, west of the Burlington Northern Santa Fe (BNSF) rail line, and generally south of Guild Road (E. Scott Avenue), and legally described in Exhibit "A" attached hereto and should be and hereby is annexed to and made a part of the City of Woodland.

Section 2. Zoning designations of the annexation area as described in Section 1 of this Ordinance shall be Light Industrial (I-1) and Heavy Industrial (I-2) as shown in Exhibit "B" attached hereto.

Section 3. Assessment and taxation. On the effective date of this annexation, all property within the CRC and Hamilton Materials Annexation area shall be assessed and taxed at the same rate and on the same basis as the property the City of Woodland is assessed and taxed to pay for a portion of the outstanding indebtedness of the City of Woodland, contracted for, incurred prior to, or existing at, the date of annexation.

Section 4. All Conditions of Approval 1 through 5 outlined in the Planning Commission report for this annexation shall be met.

Section 5. Severability. If any section sentence, clause or phase of this ordinance is ruled invalid by a court of competent jurisdiction, the remaining portions of this ordinance shall remain valid and in full force and effect.

Section 6. This Ordinance shall become effective five days after passage, approval and publication as provided by law.

ADOPTED this 18th day of October, 2010.

CITY OF WOODLAND

Charles E. Blum

Charles E. Blum, Mayor

ATTEST:

Mari E. Ripp

Mari E. Ripp, Clerk/Treasurer

APPROVED AS TO FORM:

William Eling

William Eling, City Attorney