



ORDINANCE NO. 2016-08

AN ORDINANCE APPROVING THE ANNEXATION OF CERTAIN PROPERTY TO THE CITY OF LA CENTER (GRIFFITH TRUST and 3B NW, LLC) and REZONING THAT PROPERTY CONSISTENT WITH THE LA CENTER COMPREHENSIVE PLAN

The La Center City Council adopts the following findings:

WHEREAS, the Griffith Trust, Linda Fudge & Melody Cowan, et al. Trustees and 3B NW, LLC are the owners of certain real property (the "Annexation Territory") that includes three parcels totaling 2,463,318 square feet or 56.55 Acres, more or less, and the abutting rights-of-way contiguous with the City's corporate limits and located within the La Center Urban Growth Boundary; and

WHEREAS, the Annexation Territory is more precisely described as: #65 SEC 4 T4N R1EWM 20A (PIN 209748000); #22 SEC 4 T4N R1EWM 24.10A (PIN 209705000); and #63 SEC 4 T4N R13WM 12.45 M/L (PIN 209746000); and

WHEREAS, the Proponents presented the City with a Notice of Intent to Annex pursuant to the so-called Direct Petition Method of RCW 35A.14.120, and the City Council accepted the proposal at its June 28, 2016, special meeting; and

WHEREAS, the Proponents submitted a Petition for Annexation which included signatures of the owners of record of 100% of the assessed value of the Annexation Territory and a legal description and map; and

WHEREAS, the City caused the SEPA Determination of Non-Significance relating to rezoning of the subject land to be published on July 6, 2016, and the City, thereafter, received no comments; and

WHEREAS, on July 27, 2016 the City provided public notice in the Newspaper of Record of an opportunity for comment thereon by all interested citizens at a duly called and noticed public meeting; and

WHEREAS, the Clark County Assessor certified sufficiency of the petition; and

WHEREAS, the Clark County Boundary Review Board has been disbanded and therefore has no jurisdiction to invoke over the proposed annexation; and

WHEREAS, the City Council finds this annexation and zone change to be in the public's interest;

NOW THEREFORE, based on the foregoing Findings, the La Center City Council ordains as follows:

Section 1 - Annexation. That the Annexation Territory described as: #65 SEC 4 T4N R1EWM 20A (PIN 209748000); #22 SEC 4 T4N R1EWM 24.10A (PIN 209705000); and #63 SEC 4 T4N R13WM 12.45 M/L (PIN 209746000) as illustrated in Exhibit A, attached hereto and incorporated herein by this reference, is hereby annexed and incorporated into the City of La Center.

Section 2 - Land Use Designation and Zoning. The Annexation Territory shall have a comprehensive plan land use designation of Commercial and shall be zoned in accordance with LCMC 18.150 as Community Commercial (C-2). An Urban Holding (UH-10) zoning overlay is also applied per LCMC 18.190 and shall be maintained until a capital facilities analysis is accepted by the City per Resolution 05-262, at which point the City will remove the Urban Holding overlay.

Section 3 – Assessment and Taxation. The Annexation Territory shall be assessed and taxed by the City in the same manner as other similarly situated property within the City as of the effective date of this Ordinance.

Section 4 – Severability: If any portion of this ordinance is found to be invalid or unenforceable for any reason, such finding shall not affect the validity or enforceability of any other provision of this ordinance.

Section 5 – Transmittal: The City Clerk shall:

1. File a certified true copy of this Ordinance, with the Clark County Board of Commissioners and the Clark County Assessor pursuant to LCMC 18.290.050.
2. Record a certified true copy of this Ordinance with the County Auditor pursuant to LCMC 18.290.050.
3. Provide notice of this annexation to the Office of Financial Management pursuant to RCW 35A.14.700.

Section 6 – Effective Date: This ordinance shall go into effect ten days following its passage by the City Council and publication as required by law.

Approved and adopted this ___ day of August 2016 by a majority of the La Center City Council.

AYES: _____
NAYS: _____
ABSTAIN: _____
ABSENT: _____

Mayor of La Center

ATTEST:

APPROVED AS TO FORM:

Suzanne Levis, Finance Director/Clerk

Daniel Kearns, City Attorney