

ORDINANCE #2228

AN ORDINANCE OF THE COUNCIL OF THE CITY OF FERNDAL, WASHINGTON, ANNEXING APPROXIMATELY 110 ACRES OF PROPERTY AND THE THORNTON ROAD RIGHT OF WAY, LOCATED NORTH OF THE EXISTING FERNDAL CITY LIMITS

WHEREAS, on July 18, 2022, pursuant to FMC Chapter 13.38, the Ferndale City Council accepted a Notice of Intent to initiate annexation proceedings from a property owner of parcels consisting of approximately 110 acres of property proposed for annexation (the proposed annexation area or the Property); and

WHEREAS, on (date), the Property owner submitted an initial petition (the Petition) for consideration by the Ferndale City Council; and

WHEREAS, at the March 20, 2023, meeting, the Ferndale City Council determined that the initial Petition would be accepted; and that the City would require the proposed annexation area to assume its pro rata share of the existing City indebtedness; and

WHEREAS, the City of Ferndale Comprehensive Plan has designated the entire proposed annexation area as Low Density Residential on the City of Ferndale Comprehensive Plan Map; and

WHEREAS, the City of Ferndale Comprehensive Plan identifies the RS Medium-Single Family zoning as a correct zone to implement the Low Density Residential Comprehensive Plan Map designation; and

WHEREAS, the City of Ferndale Planning Commission reviewed the Petition at a public hearing during their regular meeting of February 15, 2023, and voted to recommend approval by the City Council, with a zoning designation of RS Medium-Single Family for the proposed annexation area, to take effect upon annexation; and

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

WHEREAS, the City of Ferndale Annexation Blueprint Annexation Phasing Plan: 2016-2036, a component of the City of Ferndale Comprehensive Plan, has identified the proposed annexation area as being appropriate for inclusion within the City at this time; and

WHEREAS, the City Council voted to approve the proposed annexation at a public hearing during their regular meeting of March 20, 2023, with a zoning designation of RS Medium-Single Family

Dwelling for the proposed annexation area, to take effect upon annexation; and

WHEREAS, a mandatory Whatcom County Boundary Review Board review of the proposed annexation concluded on July 3, 2023, without any party invoking jurisdiction, and the annexation (BRB 2023-02) was deemed approved; and

WHEREAS, a portion of Thornton Road, a County Road, and its right of way is located between the proponents' properties and the existing City Limits, and shall therefore be included in this annexation, with jurisdiction for maintenance, repair, and enforcement transferring from Whatcom County to the City of Ferndale upon annexation; and

WHEREAS, the City Council now desires to formally annex the proposed annexation area into the City through the passage of this Ordinance.

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

Section 1. The zoning designation for these properties shall be RS Medium-Single Family as illustrated within Attachment B.

Section 2. The annexed property shall assume its pro rata share of existing City indebtedness.

Section 3. The Ferndale City Council hereby annexes the Property described and illustrated in Attachments A.

Section 4. Effective Date. The annexation shall take effect August 15, 2023, or six days after publication, whichever is later, as set forth by state law.

APPROVED AND ADOPTED by the City Council of the City of Ferndale in regular session this 7th day of August 2023.

ATTEST:

Greg Hansen, MAYOR

Susan Duncan, MMC, CITY CLERK

Approved as to form:

Dannon Traxler, CITY ATTORNEY