

ORDINANCE NO. 1950

AN ORDINANCE of the City Council of the City of Omak providing for the annexation of certain territory to the City of Omak, Washington, and incorporating the same within the corporate limits thereof, providing for the assumption of existing indebtedness, providing the same shall be subject to the Comprehensive Land Use Plan, and assigning zoning classification.

WHEREAS, a Notice of Intent to Annex was filed with the City of Omak;
and

WHEREAS, a meeting was held with the initiating parties resulting in a decision by the City Council to:

- (1) Accept the proposed annexation;
- (2) Require the simultaneous designation of Heavy Industrial zoning use district classification;
- (3) Require the assumption of a pro rata share of all existing City indebtedness by the area to be annexed; and

WHEREAS, a Petition for Annexation was made in writing and filed with the City Council seeking annexation of the real property described as follows, all of which property is contiguous to the corporate City limits of the City of Omak:

All that part of Government Lot 3 (fractional Northwest quarter of the Southwest quarter) situated in Section 19, Township 34 North, Range 27 East, W.M., Okanogan County, Washington, lying northerly of the following described line; Commencing at the Northwest Corner of said Governmental Lot 3; Thence along the West boundary of said subdivision, South 00°21'23" East a distance of 342.56 feet to the point of intersection with the Southeasterly right of way line of Koala Drive and the True Point Of Beginning of herein described line; Thence South 53°29'50" East a distance of 265.30 feet, more or less, to the Northwesterly right of way line of State Route 97 and the Terminus of herein described line.

Okanogan County Parcel No. 3427190051 more specifically
described as Tax 51 PT Lot 3 NW/HWY;
and

WHEREAS, said petition was signed by the owners of the above-described real property; and

WHEREAS, the staff of the City of Omak filed a Staff Report dated November 12, 2024, attached hereto as **Exhibit A**, which staff report recommended approval with conditions; and

WHEREAS, the City Council fixed a date for a public hearing and caused notice thereof to be published and posted as required by law; and

WHEREAS, a public hearing was duly held by the City Council of the City of Omak on the 19th day of November, 2024, and after said hearing a motion was made, seconded and unanimously passed to approve the annexation of the subject property, adopt the Findings of Facts set forth in **Exhibit A**, subject to the conditions as set forth in **Exhibit A**.

NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF OMAK, WASHINGTON, DO ORDAIN as follows:

Section 1. Upon agreeing to meet all the conditions set forth in **Exhibit A** attached hereto, the real property described herein, being situated within the County of Okanogan, State of Washington, and being contiguous to the City of Omak, shall be annexed to and incorporated into the City of Omak.

Section 2. The City of Omak Zoning Map shall be amended to show Okanogan County Parcel #'s 3427190051 & 9400160013 as Heavy Industrial (HI).

Section 3. The City of Omak Comprehensive plan shall be amended to show and reflect the correctly identified land use designation of Okanogan County Parcel #'s 3427190051 & 9400160013.

Section 4. All property within the territory annexed shall, after the effective date hereof, be assessed and taxed at the same rate and on the same basis as the property within the City for any outstanding indebtedness of the City of Omak contracted prior to, or existing at the date of annexation.

Section 5. All property within the territory so annexed shall be subject to and be a part of the Comprehensive Plan of the City of Omak as now adopted, or as hereinafter amended.

Section 6. The subject real property shall be zoned Heavy Industrial.

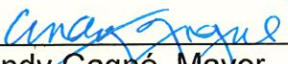
Section 7. A copy of this ordinance shall be filed and recorded as provided by law.

Section 8. This ordinance shall become effective from and after its passage by the Council, approved by the Mayor and five days after publication as required by law.


ORD 1950
April 21, 2025

PASSED BY THE CITY COUNCIL this 21st day of April, 2025.

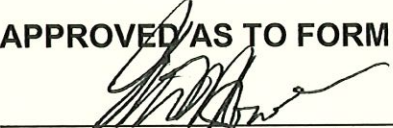
APPROVED:


Cindy Gagné, Mayor

ATTEST:


Connie Thomas, City Clerk

APPROVED AS TO FORM:


Michael D. Howe, City Attorney

MEMORANDUM

To: Cindy Gagné, Mayor
Omak City Council

From: Tyler Wells
Building Official / Permit Administrator

Date: April 21, 2025

Subject: **Ordinance 1950, Annexation of Parcel #3427190051**

The Attached Ordinance 1950, An Ordinance of the City Council of the City of Omak providing for the annexation of certain territory to the City of Omak, Washington, and incorporating the same within the corporate limits thereof, providing for the assumption of existing indebtedness, providing the same shall be subject to the Comprehensive Land Use Plan, and assigned zoning classification, is forwarded for your consideration.

The City Council of the City of Omak, during its September 16, 2024, meeting, reviewed and accepted a letter of intent for annexation submitted by Robert & Ronna Tollefson.

The City Council of the City of Omak received a petition for annexation on October 7, 2024, and by Resolution 68-2024 fixed the time for the public hearing on the annexation request.

The City Council of the City of Omak did preliminarily approve the annexation contingent on the conditions listed in the staff report dated November 12, 2024.

The applicants have completed the process of amending the City of Omak Comprehensive Plan maps and Zoning Map. The amendments to these maps are included in this Ordinance.

The property annexed by this Ordinance consists of approximately 1.08 acres of land with the boundaries of said property being contiguous to the City of Omak.

I support the passage of this Ordinance

STAFF REPORT

DATE: November 12, 2024
TO: Mayor Cindy Gagne' and Omak City Council
FROM: Tyler Wells, Building Official
RE: TOLLEFSON ANNEXATION REQUEST

Proposal:

The City Council, during its September 16, 2024, meeting, reviewed and accepted a letter of intent for annexation from Robert and Ronna Tollefson for approximately 1.08 acres of land in North Omak. On October 7, 2024, the City received a petition for annexation of the property and, by Resolution 68-2024, fixed the time for public hearing on the annexation request.

Location Information:

The subject property is one (1) parcel totaling 1.08 acres of land lying in the northern part of the City, directly East of North 40 Outfitters retail establishment, and directly West of Highway 97, in unincorporated Okanogan County. The parcel is contiguous to the City of Omak corporate limits. Parcel #3427190051.

Current Use:

The subject property is currently vacant and undeveloped.

Current Comprehensive Plan Designations:

According to the Greater Omak Area Comprehensive Plan, recently updated in February 2024, this area is designated low density residential. It is important to note that the designation of properties outside of the corporate limits is strictly for planning purposes since the County has not adopted, approved or in any way acknowledged the City's desires for lands outside of the corporate limits. The County's Comprehensive designation for the parcel is Rural. Neighboring properties in the immediate vicinity vary from Industrial and Mixed-Use, with predominantly commercial uses.

Current Zoning:

The land is presently zoned as Rural-1 under the County's Zoning Ordinance.

Proposed Zoning, Comprehensive Plan Designation and Uses:

The petitioners request that the property be zoned Heavy Industrial.

The petitioners request that the comprehensive plan designation be changed from low density residential to Heavy Industrial. This change will require an amendment to the comprehensive plan under separate action by the city.

Floodplains, Shorelines, SEPA, Critical Areas and Other Environmental Constraints:

The property does not lie within a designated floodplain or shoreline area. According to the City of Omak's Critical Areas Map, the subject property lies within an area designated as having "high potential for aquifer recharge". As such any subsequent development shall comply with the City of Omak critical areas regulations as currently adopted or amended. Annexation proceedings are categorically exempt from SEPA review.

Reviewing Agencies:

The annexation petition and related materials have been circulated among city staff along with the required postings on the property and legal publications of notices in the Omak/Okanogan Chronicle. As of to date, no comments have been received.

Recommendations:

From various conversations with staff, it is the belief that the heavy industrial uses, the gun club/shooting range, and other commercial uses in immediate vicinity are not compatible with a residential designation. Currently the City of Omak has only two parcels of land that are designated as Heavy Industrial, both of which being in the immediate vicinity. This area appears to be the most ideal location to grow the Heavy Industrial use area. Being in very close proximity to a major state highway supports this type of designation/use. Residential uses are not nearly as compatible as the proposed heavy industrial designation.

Staff recommends that the City Council approve the proposed annexation by Ordinance subject to the following conditions:

1. That it is understood that the owners, heirs or assigns shall be responsible for any extension of streets, sidewalks, and/or utilities associated with development of the annexed property described above.

2. That plans for streets, utilities, sewer, storm drainage, and necessary fire suppression etc... and other proposed and/or required improvements, if any, be prepared by Washington registered professional engineer then submitted for review and approval by the City Public Works Director or other agency or department as appropriate (eg. electricity, cable, irrigation), in writing, prior to construction. Required improvements are specified in the City's Subdivision Ordinance, Chapter 17.28.
3. All improvements shall be inspected by appropriate City Public Works staff during construction, all required tests witnessed by appropriate City Public Works staff with written results provided to the City in a timely manner and reproducible as-built drawings provided to the City upon completion of construction by the developer.
4. The owners, heirs and assigns of the subject property agree to participate in a Road Improvement District or other transportation system (funding) entity if and when it is formed to the extent necessitated by the development.
5. That no development occurs until utility, storm drainage, landscaping and access plans are submitted and approved by the City.
6. That any easements required for extension of city utilities be granted to the city in a manner acceptable to the City and petitioner.
7. That if any archaeological material or human remains are encountered during the course of this undertaking, all activity will cease immediately and the Tribal Historic Preservation Officer of the CCT will be contacted as soon as possible. Activity on the undertaking will not resume until satisfactory arrangements have been made between the applicant and the Tribal Historic Preservation Officer.
8. That the owner will assume all or any portion of the existing city or town indebtedness in the area proposed to be annexed.
9. That final action on the approval of the annexation be dependent on approval of the proposed amendments to the Greater Omak Area Comprehensive Plan – land use designations map and the official zoning map, adopted pursuant Title 18 of the Omak Municipal Code, have been approved.

Findings of Fact:

1. That all requirements of Title 19 of the Omak Municipal Code and RCW 35.13.125 were followed during this process and that the applicants, heirs, and/or assignees as noted in the petition are required to adhere to these and future regulations for further land use actions of development proposals.
2. That the separate action of amending the comprehensive plan designation and zoning maps amendment will be required before the execution of final ordinance for annexation.
3. That the approval of the annexation process does not represent a granting of special privileges to the applicant.
4. That the public interest will be served by approval of the annexation process.
5. That all interested persons were given the opportunity to comment on behalf of this proposal during the public hearing before the Omak City Council held on November 18, 2024.
6. That annexations are exempt from SEPA review.
7. That the subject property is located within the Urban Growth Area as identified in the Greater Omak Areas Comprehensive Plan.
8. That there is adequate water capacity and wastewater treatment capacity to accommodate future needs of development.

"Exhibit B"

Proposed Zoning:
 HI - Heavy Industrial

