

ORDINANCE NO 850-2013

CITY OF GRANITE FALLS

**AN ORDINANCE OF THE CITY OF GRANITE FALLS,
WASHINGTON, APPROVING THE FIRST AMENDMENT
TO THE DEVELOPMENT/CONCOMITANT ZONING
AGREEMENT REGARDING THE DEVELOPMENT OF
SUNCREST FARMS PROPERTY AN AGREEMENT BY
AND BETWEEN THE CITY OF GRANITE FALLS AND
YG3, LLC**

WHEREAS, On May 7th, 2008, the City of Granite Falls City Council approved and entered into a Development/Concomitant Zoning Agreement with YG3, LLC in regards to the development of Suncrest Farms Property that set forth development standards and other provisions that apply to, govern, and vests in development; and

WHEREAS, YG3, LLC owns 81.88 acres of certain real property located within the City of Granite Falls, at 17701, 17703, and 17805 NE 100th Street, Granite Falls, Washington commonly known as the Suncrest Farms Property; and

WHEREAS, On April 30, 2013, YG3, LLC submitted proposed revisions to the approved Development/Concomitant Zoning Agreement regarding the development of the Suncrest Farms Property; and

WHEREAS, Granite Falls Unified Development Code (UDC) Section 19.4.0150, and RCW 36.70B.170, authorize the City to process a development agreement for a property within the city limits; and

WHEREAS, A development agreement is a Type 2 land use process in UDC 19.4.040, requiring a public hearing before the Planning Commission and recommendation to the City Council; and

WHEREAS, The City has provided advance notice of opportunity for participation in the public hearing by the public and adjacent land owners; and

WHEREAS, The Planning Commission held a public hearing on the First Amendment to the Development/Concomitant Zoning Agreement Regarding the Development Of Suncrest Farms Property on June 11th, 2013; and

WHEREAS, The Planning Commission issued a Recommendation on June 25th, 2013 and made findings of fact relative to the proposed Development Agreement amendments; and

WHEREAS, The Planning Commission recommends that the City Council APPROVE the proposed First Amendment To The Development/Concomitant Zoning Agreement Regarding the Development of the Suncrest Farms Property;

NOW, THEREFORE, THE CITY COUNCIL OF GRANITE FALLS, WASHINGTON, DO HEREBY ORDAIN AS FOLLOWS:

Section 1. Approval and Incorporation by Reference. The City Council of Granite Falls, Washington, does hereby adopt the Recommendation of the Planning Commission of the City of Granite Falls issued, June 25th, 2013 to APPROVE the FIRST AMENDMENT TO THE DEVELOPMENT/CONCOMITANT ZONING AGREEMENT REGARDING THE DEVELOPMENT OF SUNCREST FARMS PROPERTY AN AGREEMENT BY AND BETWEEN THE CITY OF GRANITE FALLS AND YG3, LLC which is attached hereto and incorporated by reference as though fully set forth;

Section 2. Authorization for Mayor to Execute. The Mayor is hereby instructed to execute the FIRST AMENDMENT TO DEVELOPMENT/CONCOMITANT ZONING AGREEMENT BY AND BETWEEN THE CITY OF GRANITE FALLS AND YG3, LLC.

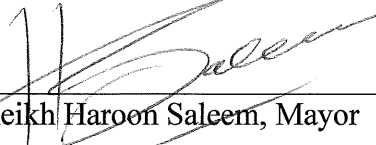
Section 3. Severability. If any section, sentence, clause, or phrase of the Ordinance should be held invalid or unconstitutional by a court of competent jurisdiction, such invalidity or unconstitutionality shall not affect the validity or constitutionality of any other section, sentence, clause, or phrase of this Ordinance.

Section 4. Publication and Summary. This Ordinance or summary thereof consisting of the title shall be published in the official newspaper of the City.

Section 5. Effective Date. This Ordinance shall be in full force and effect five (5) days after publication of the summary consisting of the title,

Passed and approved this 30th day of Nov. 2013.

CITY OF GRANITE FALLS:



Sheikh Haroon Saleem, Mayor

ATTEST:

Darla Reese
Darla Reese, City Clerk

APPROVED AS TO FORM:

Thom K. Wees for
Thom Graafstra, City Attorney

Date of publication Nov. 23, 13
Effective Date Nov. 28, 13

LEGAL DESCRIPTION

PARCEL A:

ALL THAT PORTION OF THE NORTHEAST QUARTER OF SECTION 14, TOWNSHIP 30 NORTH, RANGE 6 EAST, W.M., IN SNOHOMISH COUNTY, WASHINGTON, AND OF THE NORTHWEST QUARTER OF THE NORTHWEST QUARTER OF SECTION 13, TOWNSHIP 30 NORTH, RANGE 6 EAST, W.M., IN SNOHOMISH COUNTY, WASHINGTON, DESCRIBED AS FOLLOWS:

COMMENCING AT THE QUARTER CORNER COMMON TO SECTION 13 AND 14, TOWNSHIP 30 NORTH, RANGE 6 EAST, W.M., IN SNOHOMISH COUNTY, WASHINGTON;

THENCE NORTH 89°50'52" WEST ALONG THE EAST-WEST CENTERLINE, OF SAID SECTION 14 A DISTANCE OF 825.00 FEET TO THE TRUE POINT OF BEGINNING;

THENCE NORTH 1°57'23" WEST PARALLEL WITH THE EAST LINE OF THE NORTHEAST QUARTER OF SAID SECTION 14 A DISTANCE OF 1,716.00 FEET;

THENCE SOUTH 89°50'52" EAST PARALLEL WITH THE EAST-WEST CENTERLINE OF SAID SECTION 14 A DISTANCE OF 1,650.00 FEET;

THENCE NORTH 1°57'23" WEST PARALLEL WITH THE EAST LINE OF THE NORTHEAST QUARTER OF SAID SECTION 14 A DISTANCE OF 566.26 FEET;

THENCE SOUTH 89°42'08" WEST PARALLEL WITH THE NORTH LINE OF THE NORTHWEST QUARTER OF SECTION 13, TOWNSHIP 30 NORTH, RANGE 6 EAST, W.M., IN SNOHOMISH COUNTY, WASHINGTON, A DISTANCE OF 824.78 FEET TO A POINT ON THE WEST LINE OF THE NORTHWEST QUARTER OF SAID SECTION 13;

THENCE SOUTH 71°51'00" WEST A DISTANCE OF 1,369.15 FEET TO A POINT ON THE WEST LINE OF THE EAST HALF OF THE NORTHEAST QUARTER OF SECTION 14, TOWNSHIP 30 NORTH, RANGE 6 EAST, W.M., IN SNOHOMISH COUNTY, WASHINGTON;

THENCE SOUTH 1°52'08" EAST ALONG THE WEST LINE OF SAID EAST HALF A DISTANCE OF 1,845.43 FEET TO A POINT ON THE EAST-WEST CENTERLINE OF SAID SECTION 14;

THENCE SOUTH 89°50'52" EAST ALONG SAID EAST-WEST CENTERLINE A DISTANCE OF 493.54 FEET TO THE TRUE POINT OF BEGINNING; EXCEPT ROADS.

PARCEL B:

LOTS 1 THROUGH 3, INCLUSIVE, SNOHOMISH COUNTY SHORT PLAT NUMBER SP 355(12-86) RECORDED UNDER AUDITOR'S FILE NUMBER 8709030278, BEING A PORTION OF THE NORTHEAST QUARTER OF SECTION 13 AND THE NORTHWEST QUARTER OF SECTION 14, TOWNSHIP 30 NORTH, RANGE 6 EAST, W.M.

PARCEL C:

THE WEST 824.44 FEET OF THE SOUTH HALF OF THE NORTHWEST QUARTER OF SECTION 13, TOWNSHIP 30 NORTH, RANGE 6 EAST, W.M., IN SNOHOMISH COUNTY, WASHINGTON;

EXCEPT ANY PORTION THEREOF LYING WITHIN THE FOLLOWING DESCRIBED PARCEL:

COMMENCING AT THE WEST QUARTER CORNER OF SECTION 13, TOWNSHIP 30 NORTH, RANGE 6 EAST, W.M., IN SNOHOMISH COUNTY, WASHINGTON;

THENCE NORTH 1°57'23" WEST ALONG THE WEST LINE OF THE NORTHWEST QUARTER OF SAID SECTION 13 A DISTANCE OF 1,320.00 FEET TO THE TRUE POINT OF BEGINNING;

THENCE SOUTH 89°50'52" EAST A DISTANCE OF 825.00 FEET;

THENCE NORTH 1°57'23" WEST PARALLEL WITH THE WEST LINE OF THE NORTHWEST QUARTER OF SAID SECTION 13 A DISTANCE OF 80.91 FEET TO A POINT ON THE LINE OF THE SOUTHWEST QUARTER OF THE NORTHWEST QUARTER OF SAID SECTION 13;

THENCE 88°49'06" WEST ALONG THE NORTH LINE A DISTANCE OF 824.52 FEET TO THE NORTHWEST CORNER OF THE SOUTHWEST QUARTER OF THE NORTHWEST QUARTER OF SAID SECTION 13;

THENCE SOUTH 1°57'23" EAST ALONG THE WEST LINE OF THE NORTHWEST QUARTER OF SAID SECTION 13 A DISTANCE OF 61.70 FEET TO THE TRUE POINT OF BEGINNING;

EXCEPT ROADS.

SITUATE IN THE COUNTY OF SNOHOMISH, STATE OF WASHINGTON.