

RESOLUTION NO. 582

A RESOLUTION ADOPTING AN AMENDMENT TO THE COMPREHENSIVE PLAN ADOPTED BY RESOLUTION 478, as amended by Resolution 487.

R E C I T A L S:

1. Pursuant to the authority granted in RCW 35A.63, the City has exercised its authority in relation to planning matters.

2. The City determined it appropriate to undertake a review and update of the Comprehensive Plan currently in place as part of the updating of the Zoning Code. Through the adoption of Resolution 478, the City adopted a Comprehensive Plan by reference. It was thereafter amended by Resolution 487.

3. Since that time, the Plan has been amended to reflect modified conditions. In 2008, the City received a request from a property owner asking that a review be undertaken as to the characterization under the plan of a particular area within the City. That request is as shown upon that certain map attached to this Resolution as Exhibit ____, incorporated by this reference. The effect would be to modify the classification of the property in question, the legal description of which is attached as Exhibit ____, from single family residential to multi-family residential.

4. The matter was referred to the Planning Commission concurrently with a zoning modification which would make the zoning of the area consistent with the requested modification in the Plan. The Planning Commission has such public hearing as required by applicable

law. Upon completion of its hearings and its consideration, the matter was forwarded to the City Council, as required by RCW 35A.63.071.

5. Pursuant to the requirements of RCW 35A.63.072, on January 28, 2009, the Council a public hearing upon the proposed amendment to the Plan. All necessary notices were given and the public was given full opportunity to comment. It has considered all information received in relation to the proposed amendment to Plan and has determined it appropriate to move forward with adoption of the amendment.

6. In making its recommendation to the Council, the Commission noted the documented existence of wetlands upon the area in question, a factor not known at the time of the adoption of the Plan. It further took into consideration in making its recommendation the applicability of the eight factors set out upon the application to the request.

NOW, THEREFORE, BE IT RESOLVED AS FOLLOWS BY THE CITY COUNCIL OF THE CITY OF McCLEARY, THE MAYOR SIGNING IN AUTHENTICATION THEREOF:

SECTION I: The Council makes the following findings:

A. The Plan, if amended as set forth below, complies with the requirements of RCW 35A.63.

B. The Plan meets the present anticipated planning needs of the City.

C. The adoption of the amendment to the Plan is an appropriate and necessary exercise of the planning authority of the City.

D. The conclusions reached by the Planning Commission, as they relate to the matters set forth in Recital 6, are adopted by the Council.

SECTION II: That certain portion of the Land Use Element of the Comprehensive Plan previously adopted, designated as Figure 1, Future Land Use Map, a copy of which has been signed by the Mayor at the time of adoption, shall be and is hereby amended as set forth as set forth upon Exhibit _____, referenced above. An original of the Exhibit, signed and dated by the Mayor and Clerk-treasurer, shall be attached to the Comprehensive Plan of the City and shall hereafter be deemed controlling over any prior designations.

As amended, the total document shall serve as the Comprehensive Plan of the City for the purposes of and subject to the limitations set forth in RCW 35A.63. A copy of the Plan with attachments, as amended, shall be maintained on file in the Office of the Clerk-treasurer as provided by RCW 35A.63.072.

SECTION III. To the extent not amended by Section III, the Comprehensive Plan adopted pursuant to Resolution #478, as amended by Resolution 487, is hereby reaffirmed as if fully set forth herein.

PASSED THIS 11th DAY OF February, 2009, by the City Council of the City of McCleary, and signed in authentication thereof this 11th day of February, 2009.

CITY OF McCLEARY:

Wallace Bentley

WALLACE BENTLEY, Mayor

ATTEST:

Donnie Rostedt

DONNIE ROSTEDT, Clerk-Treasurer

APPROVED AS TO FORM:

Donnie Rostedt

RESOLUTION -B- 3
02/08/2009
DG/le

CITY OF McCLEARY
100 SOUTH 3RD STREET
McCLEARY, WASHINGTON 98557

DANIEL O. GLENN, City Attorney

RESOLUTION -B- 4
02/08/2009
DG/le

CITY OF McCLEARY
100 SOUTH 3RD STREET
McCLEARY, WASHINGTON 98557



Comprehensive Plan Change
from Single Family Residential
to Multi-Family Residential

MCCLEARY ROAD

STATE ROUTE 8

MOX CHEHALIS ROAD

3RD STREET

MCCLEARY SCHOOL



Exhibit A

LEGAL DESCRIPTION:

PARCEL No.618051332004

PARCEL A:

THE WEST HALF OF THE EAST HALF OF THE NORTHWEST QUARTER OF THE SOUTHWEST QUARTER OF SECTION 13, TOWNSHIP 18 NORTH, RANGE 5 WEST OF THE WILLAMETTE MERIDIAN; EXCEPT COUNTY ROADS; ALSO EXCEPT THAT PORTION DESCRIBED AS FOLLOWS;

BEGINNING AT A CONCRETE MONUMENT ON THE EAST LINE WHERE IT INTERSECTS THE SOUTH LINE OF STATE HIGHWAY No. 9; THENCE SOUTH ALONG SAID EAST LINE 180 FEET; THENCE WEST 120 FEET; THENCE NORTH TO THE SOUTH LINE OF STATE HIGHWAY No. 9; THENCE SOUTHEASTERLY ALONG SAID SOUTH LINE TO THE PLACE OF BEGINNING ALSO EXCEPT THAT PORTION CONVEYED TO THE STATE OF WASHINGTON BY WARRANTY DEED RECORDED MARCH 2, 1961 UNDER AUDITOR'S FILE No. 74674 AND BY WARRANTY DEED RECORDED FEBRUARY 20, 1996 UNDER AUDITOR'S FILE No. 960221044, RECORDS OF GRAYS HARBOR COUNTY; ALSO EXCEPT THAT PORTION DESCRIBED AS FOLLOWS;

BEGINNING AT THE EAST HALF OF THE WEST HALF OF THE EAST HALF OF THE NORTHWEST QUARTER OF THE SOUTHWEST QUARTER OF SAID SECTION 13, WHERE IT INTERSECTS THE SOUTH LINE OF THE OLD OLYMPIC HIGHWAY; THENCE ALONG SAID SOUTH LINE, AS PER RECORD OF SURVEY, RECORDED IN VOLUME 17 OF SURVEYS, PAGE 52 ON AUGUST 19, 1996 UNDER AUDITOR'S FILE No. 960903033, NORTH 56°07' 36" WEST A DISTANCE OF 22.61 FEET TO A 3/4" IRON PIPE; THENCE SOUTH 23°50' 44" WEST A DISTANCE OF 121.46 FEET TO THE TRUE POINT OF BEGINNING OF PARCEL HEREIN DESCRIBED; THENCE CONTINUING SOUTH 23°50' 44" WEST, A DISTANCE OF 134.61 FEET TO A 3/4" IRON PIPE; THENCE SOUTH 88°20' 56" EAST, A DISTANCE OF 46.23 FEET TO A 3/4" IRON PIPE; THENCE NORTH 3°46' 27" EAST, A DISTANCE OF 124.73 FEET TO THE TRUE POINT OF BEGINNING;

ALSO,

BEGINNING AT THE EAST LINE OF THE WEST HALF OF THE EAST HALF OF THE NORTHWEST QUARTER OF THE SOUTHWEST QUARTER OF SAID SECTION 13, WHERE IT INTERSECTS THE SOUTH LINE OF THE OLD OLYMPIC HIGHWAY; THENCE ALONG SAID SOUTH LINE, AS PER RECORD OF SURVEY RECORDED IN VOLUME 17 OF SURVEYS, PAGE 52 ON AUGUST 29, 1996, UNDER AUDITOR'S FILE No. 960903003, NORTH 56°07' 36" WEST A DISTANCE OF 22.61 FEET TO A 3/4" IRON PIPE, AND THE TRUE POINT OF BEGINNING; THENCE SOUTH 23°50' 44" WEST, A DISTANCE OF 121.46 FEET; THENCE NORTH 3°46' 27" EAST, A DISTANCE OF 138.46 FEET TO SAID SOUTH LINE OF OLD OLYMPIC HIGHWAY, AND A 3/4" IRON PIPE; THENCE ALONG SAID SOUTH LINE 56°07' 36" EAST, A DISTANCE OF 48.18 FEET TO THE TRUE POINT OF BEGINNING;

SITUATE IN THE COUNTY OF GRAYS HARBOR, STATE OF WASHINGTON.

PARCEL B;

ALL THAT PORTION OF THE SOUTHWEST QUARTER OF THE NORTHWEST QUARTER OF SECTION 13, TOWNSHIP 18 NORTH, RANGE 5 WEST OF THE WILLAMETTE MERIDIAN, WHICH LIES SOUTH OF OLD OLYMPIC HIGHWAY (PRIMARY STATE HIGHWAY No. 9) AND EAST OF THE SINE-McCLEARY ROAD No. 23D;

SITUATE IN THE COUNTY OF GRAYS HARBOR, STATE OF WASHINGTON.

Figure 1: Future Land Use Map

