

9-14-09
9-21-09

ORDINANCE NO. _____

AN ORDINANCE relating to approval of an annexation pursuant to RCW 35.13.125; establishing the geographic extent, defining the comprehensive plan and land use designations, and determining the assumption of all or any portion of existing city indebtedness; accepting the certified petitions supporting annexation; and providing for an effective date for the 29.3-acre Lake View B-Port annexation.

WHEREAS, pursuant to RCW 35.13.005, no city located in a county in which urban growth areas have been designated under RCW 36.70A.110 may annex territory beyond an urban growth area; and,

WHEREAS, pursuant to RCW 36.70A, the City of Vancouver has an urban growth area designated under the Growth Management Act; and,

WHEREAS, the Lake View B-Port annexation parcel is located in Vancouver's unincorporated urban growth boundary, west of the current city limits and extending south to NW Lower River Road; and,

WHEREAS, the annexation request conforms to the general principles of the Interlocal Agreement between the City and Clark County, dated December 2007; and,

WHEREAS, pursuant to RCW 35.13.410 on July 27, 2009, Vancouver City Council met with the initiating party and voted in support of the annexation request; defined the geographic extent of the proposed annexation; required the simultaneous adoption of the comprehensive plan designations as provided for in VMC Chapter 20.230; and did not require assumption of all or any portion of the existing city indebtedness by the area to be annexed; and,

WHEREAS, pursuant to RCW 35.13.125, the City of Vancouver received a signed annexation petition from the Lake View B-Port annexation area property owner; and,

WHEREAS, pursuant to RCW 35.21.005, on August 10, 2009, the Clark County Assessor certified that the signature represents support from over seventy-five percent of the total assessed valuation of the 29.3-acre area proposed for annexation.

NOW, THEREFORE,

BE IT ORDAINED BY THE CITY OF VANCOUVER:

Section 1. Location of Annexation Area: Pursuant to RCW 35.13, and as discussed and voted on by City Council on July 27, 2009 (M-3691), the 29.3-acre Lake View B-Port annexation area is located in Vancouver's unincorporated urban growth boundary, west of the current city limits and extending south to NW Lower River Road. The legal description of such annexing land is set forth in Exhibit "A", attached hereto and incorporated herein. A parcel map of such annexing land is set forth in Exhibit "B", attached hereto and incorporated herein.

Section 2. Comprehensive Plan and Zoning Designations: Pursuant to VMC 20.230, and as discussed and voted on by City Council on July 27, 2009, (M-3691) the city shall designate the city

comprehensive plan and zoning designations for the annexing land so as to correspond as reasonably close to the county zoning designation of such land, as provided for in VMC Table 20.230.030-1. In Clark County, this parcel has the Parks and Open Space (P/OS) comprehensive plan designation, and the Agricultural Wildlife District (AG/WL) land use zoning designation. As per VMC Table 20.230.030-1, surrounding zoning designations and current uses, upon annexation the parcel will change to the Open Space (OS) comprehensive plan designation, and receive the Vancouver Lake Greenway (GW Vancouver Lake) zoning designation.

Section 3. Comprehensive Plan and Zoning Maps: The comprehensive plan and zoning designations provided for in Section 2 are hereby applied to the land being annexed, as shown on the maps attached hereto and incorporated herein as Exhibits “C” and “D”.

Section 4. Indebtedness: As decided by City Council on July 27, 2009, (M-3691) the city will not require the Lake View B-Port annexation property owner to accept any of the existing city indebtedness.

Section 5. Signature Certification: Pursuant to RCW 35.21.005, on August 10, 2009, the County Assessor issued the Certification of Sufficiency regarding the signature support for the Lake View B-Port annexation, as set forth in Exhibit “E”.

Section 6. Signature Acceptance: City Council hereby accepts the certified signatures supporting annexation of the 29.3-acre Lake View B-Port annexation area.

Section 7. Effective Date: This ordinance shall become effective thirty (30) days following the date of final adoption.

Read first time:

PASSED BY THE FOLLOWING VOTE:

Ayes: Councilmembers

Nays: Councilmembers

Absent: Councilmembers

Read second time:

PASSED BY THE FOLLOWING VOTE:

Ayes: Councilmembers

Nays: Councilmembers

Absent: Councilmembers

Signed this _____ day of _____, 2009.

Royce E. Pollard, Mayor

Attest:

Approved as to form:

R. Lloyd Tyler, City Clerk
By: Carrie Lewellen, Deputy City Clerk

Ted H. Gathe, City Attorney

SUMMARY

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