

3-08-10
3-15-10

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 330-acre Columbia River 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 Columbia River annexation area is located in Vancouver's unincorporated urban growth boundary along the Columbia River at SE 192nd Avenue; 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 35.13.125, on August 28, 2006, 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 36.70A, on February 2, 2009, the City of Vancouver, in anticipation of annexation, adopted the Riverview Gateway Subarea Plan, which further defined the comprehensive plan and zoning designations that would go into effect upon annexation; and

WHEREAS, pursuant to RCW 35.13.125, the City of Vancouver collected signed annexation petitions from the Columbia River annexation area property owners; and

WHEREAS, pursuant to RCW 35.21.005, on February 10, 2010, the Clark County Assessor certified that the signatures represent the required amount of support for the 330-acre annexation request.

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 August 28, 2006 (M-3556), the 330-acre Columbia River annexation area is located in Vancouver's unincorporated urban growth boundary, situated along the Columbia River at SE 192nd Avenue. 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 August 28, 2006, (M-3556) City Council shall designate the city comprehensive plan and zoning designations for the annexing land so as to be most similar to the county designations of such land, absent adoption of a different designation approved by Council. City staff worked with area stakeholders between the summer of 2006 and winter of 2008/09 to develop a future vision for the land located in this annexation area, as well as land located in the previously annexed WSDOT quarry. On February 2, 2009, Council adopted the resulting *Riverview Gateway Subarea Plan*. This plan identifies what comprehensive plan and zoning designations will apply to the area. In summary, the Urban Low Density Residential (LDR), Urban High Density Residential (HDR), Commercial Mixed Use (CMX) and Industrial (I) comprehensive plan designations will apply upon annexation. The R-4, Office Commercial Industrial (OCI) and Heavy Industrial (IH) zoning designations will apply south of SR-14, while the newly created Riverview Gateway Mixed Use (RGX) zoning designation, which requires master planning prior to urban development, will apply to the area north of SR-14. Also upon annexation, the property north of SR-14 will retain the Surface Mining overlay zoning designation; the County's Urban Holding-40 and Urban Holding-20 overlay zoning designations will be removed.

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 August 28, 2006, (M-3556) the city will not require the Columbia River annexation property owner to accept any of the existing city indebtedness.

Section 5. Signature Certification: Pursuant to RCW 35.21.005, on February 11, 2010, the County Assessor issued the Certification of Sufficiency regarding the signature support for the Columbia River annexation, as set forth in Exhibit "E".

Section 6. Signature Acceptance: City Council hereby accepts the certified signatures supporting annexation of the 330-acre Columbia River 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 _____, 2010.

Timothy D. Leavitt, 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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