06/01/2015
07/06/2015

ORDINANCE NO. M-4626

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 petition supporting annexation; and providing for an effective date for the Lapinskas 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 Lapinskas annexation parcel is located in Vancouver's unincorporated urban growth boundary, north of the current City limits at NW 52nd Street generally between NW Daniels Street and NW Columbia ST.

WHEREAS, the annexation request conforms to the general principles of the inter-local agreement between the City of Vancouver and Clark County, dated December 2007; and,

WHEREAS, pursuant to RCW 35.13.125, the City of Vancouver received a signed annexation petition from property owners of at least 10% of the assessed value of land within the defined annexation area; and,

WHEREAS, pursuant to RCW 35.13.410 on March 16, 2015 Vancouver City Council met with the initiating party, considered public testimony, and voted to accept 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 35.21.005, on April 14, 2015, the Clark County Assessor certified that the signature represents support from over sixty percent of the total assessed valuation of the proposed annexation area.

NOW, THEREFORE,

BE IT ORDAINED BY THE CITY OF VANCOUVER:

Section 1. Location of Annexation Area: Pursuant to RCW 35.13 the Lapinskas annexation is located in Vancouver's unincorporated urban growth boundary, north of the current city limits at NW 52nd Street generally between NW Daniels Street and NW Columbia ST. 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 March 16, 2015 (M-3856), 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. Currently the land located in the Lapinskas Annexation area has Clark County comprehensive plan designations of Urban Low Density Residential (UL), and zoning designations of R1-7.5. Under Vancouver zoning per VMC Table 20.230.030-1, upon annexation the comprehensive plan designation shall be Urban Lower Density (UL). Upon annexation the zoning designation shall be converted to R-6 as set forth in Exhibits "C" and "D" attached hereto and incorporated herein.

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 March 16, 2015 (M-3856), the city will not require the property owners within the annexation boundary to accept any existing city indebtedness.

Section 5. Signature Certification: Pursuant to RCW 35.21.005, the County Assessor issued a Certification of Sufficiency dated April 14, 2015 regarding the signature support for the Lapinskas annexation, as set forth in Exhibit "E".

Section 6. Signature Acceptance: City Council hereby accepts the certified signatures supporting annexation of the Lapinskas annexation.

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

Read first time: June 1, 2015

PASSED BY THE FOLLOWING VOTE:

Ayes: Councilmembers Tapper, McEnemy-Ogle, Turlay, Hansen, Bunkman, Smith, Mayor Leavitt

Nays: Councilmembers

Absent: Councilmembers

Read second time: July 6, 2015

PASSED BY THE FOLLOWING VOTE: 7-0

Ayes: Councilmembers Tapper, McEnemy-Ogle, Turlay, Hansen, Bunkman, Smith, Mayor Leavitt

Nays: Councilmembers None

Absent: Councilmembers None

Signed this 6th day of July, 2015.

Timothy D. Leavitt, Mayor

Attest:

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

Approved as to form:

Bronson Potter, City Attorney

SUMMARY

ORDINANCE NO. M-4120

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 petition supporting annexation; and providing for an effective date for the Lapinskas annexation thirty (30) days following the date of final adoption.

The full text of this ordinance will be mailed upon request. Contact Raelyn McJilton, Records Officer at 487-8711, or via www.cityofvancouver.us (Go to City Government and Public Records).

Exhibit A
Modified Legal Description

Project Name: LAPINSKAS ANNEXATION WITH RIGHT OF WAY

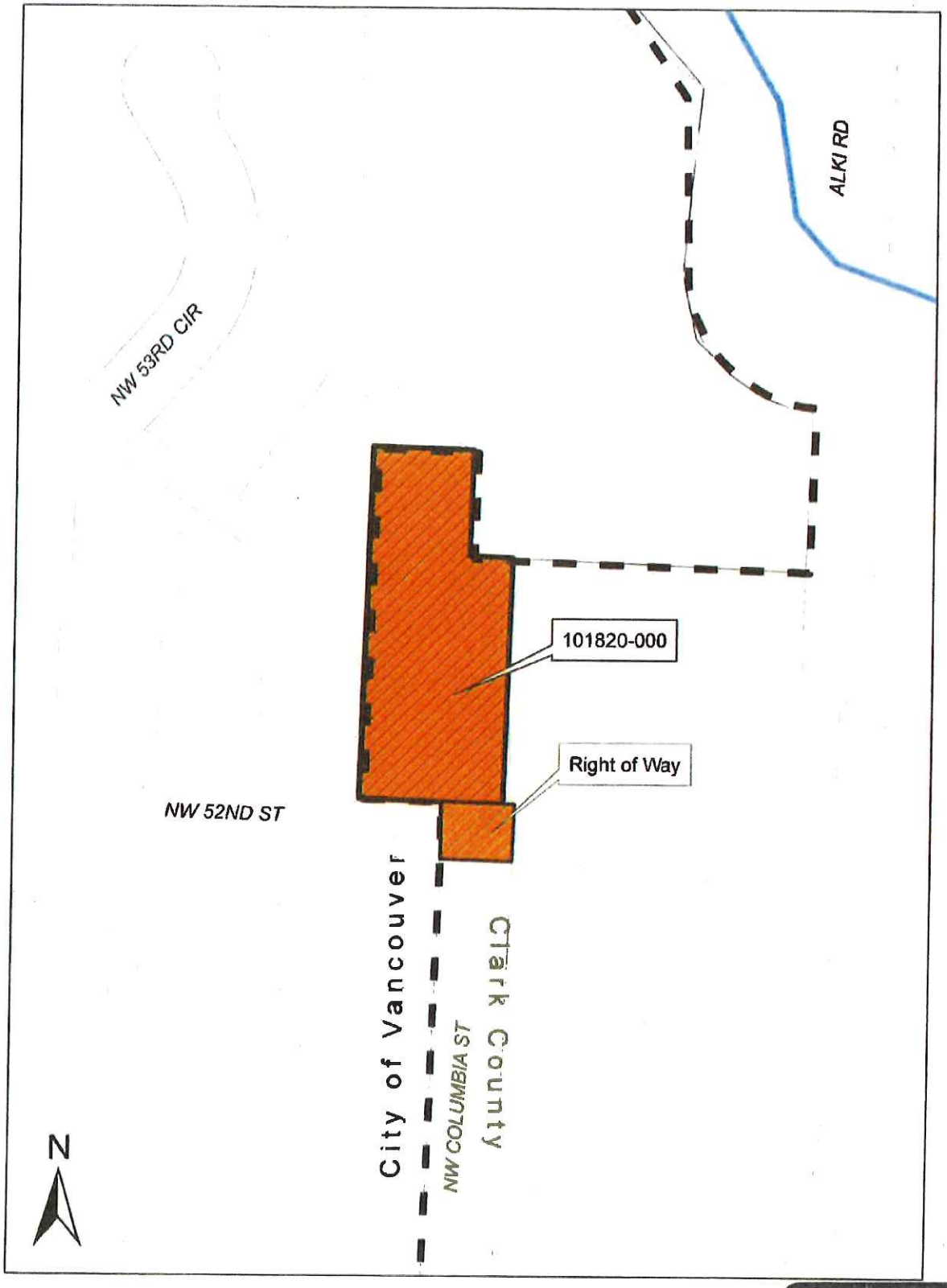
TAX PARCEL: 101820-000

Lot 16, and the west 30 feet of lot 32, Home Crest, according to the plat thereof recorded in Volume "D" of Plats, Page 35, records of Clark County Washington

ALSO including a portion of right-of-way in the East half of the NW Quarter of Section 15 Township 2 North, Range 1 East of the Willamette Meridian further described as; all that portion of NW Columbia Street lying northerly of the easterly extension of the south right-of-way line of NW 52nd Street.

EXHIBIT
A

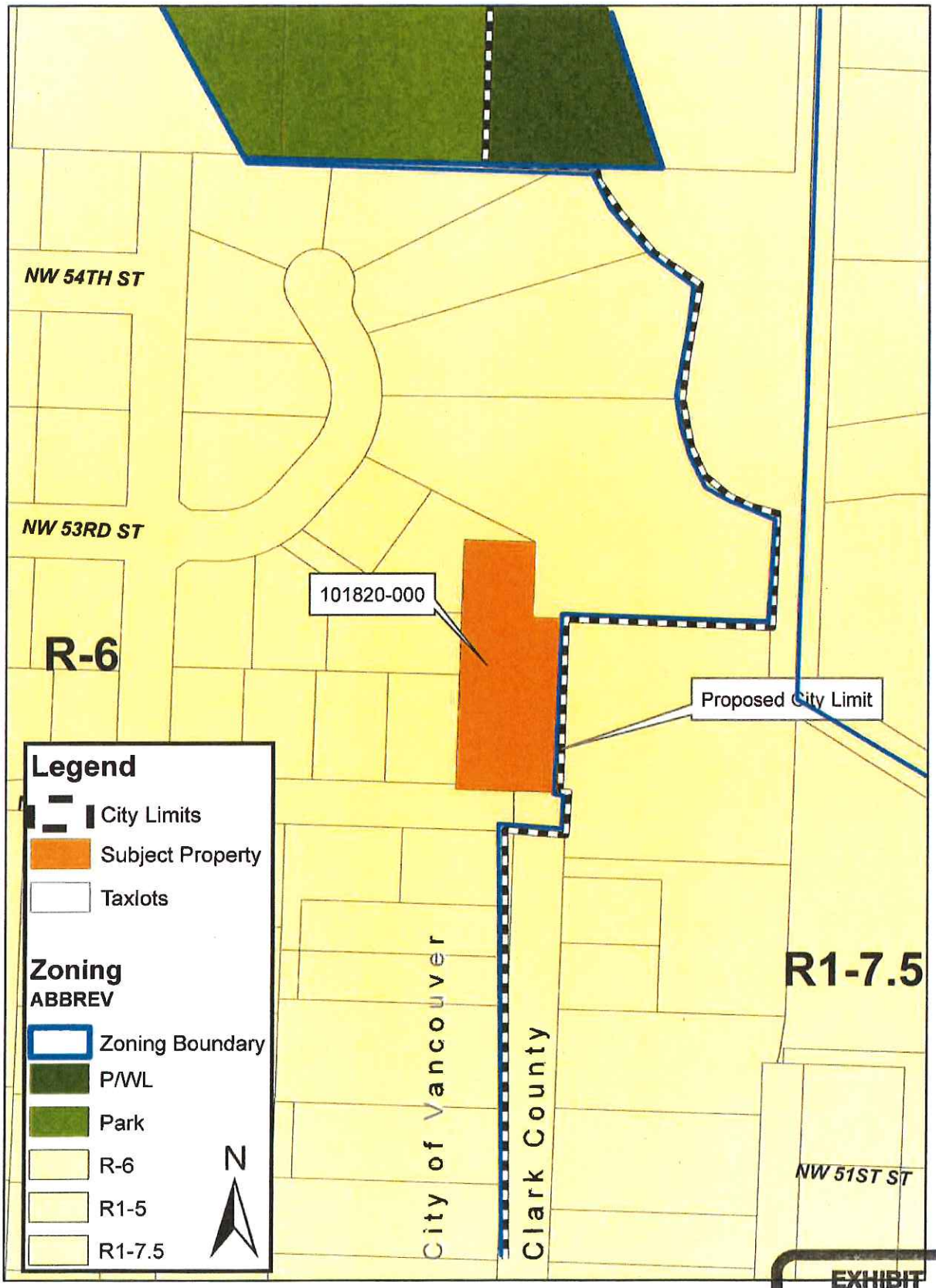
Lapinskas Annexation with Right of Way



EXHIBIT

B

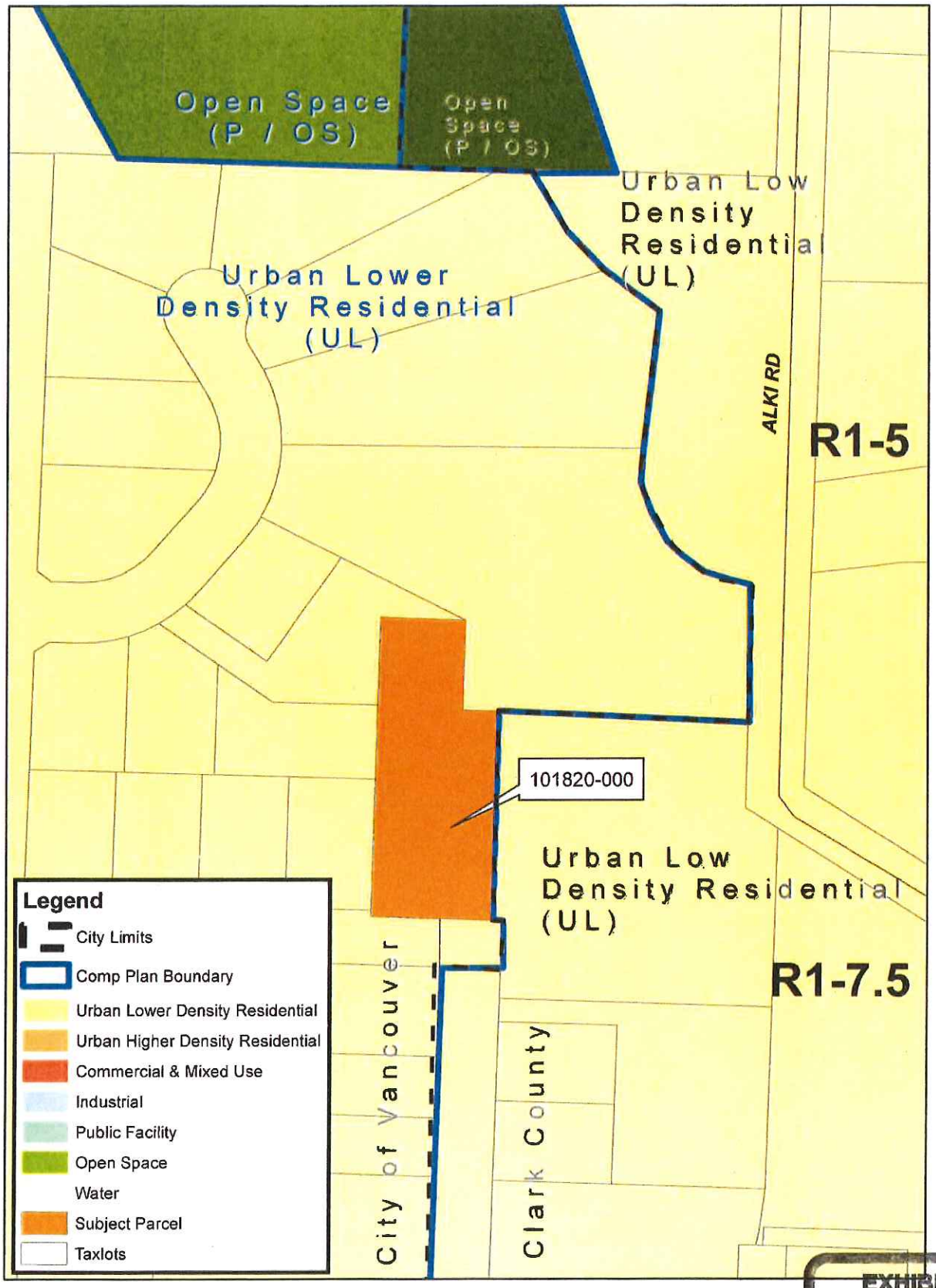
Proposed Zoning and City Limits



EXHIBIT

C

Proposed Comprehensive Plan and City Limits



EXHIBIT

D

Certification of Sufficiency
Lapinskas Annexation

The City of Vancouver on March 30, 2015 submitted for review by Clark County Assessor, a petition to annex to the City approximately 0.51 acres of land known as the Lapinskas Annexation. Subject to the requirements of RCW 35A.01.040, I now certify the following in my capacity as Clark County Assessor:

1. On March 30,2015 the City submitted for certification by the Clark County Assessor a petition to annex to the City 1 parcel of land and associated road and public utility rights-of-way, totaling approximately 0.51 acres.

2. The legal description and map of the area proposed for annexation, as provided by the City, are attached to this certification. According to the map provided by the City, this area is located in unincorporated Clark County and within the urban growth boundary.

3. The City is completing annexation pursuant to the direct petition method of annexation, RCW 35.13.

4. The Clark County Assessor initiated determination of petition sufficiency on April 14, 2015 which is the "terminal date" as defined in RCW 35A.01.040.

5. The area proposed for annexation has a certified annexation value for general taxation of $ 119,400.

6. Petition signatures provided by the City represent signatures, in compliance with the RCW35A.14.120 through 35A.14.150, of a combined total assessed value for general taxation of not less than 60% of the total assessed value for general taxation of all property in the proposed annexation area. This review did not address the legal sufficiency of any proxy or utility covenant, only the sufficiency of the presence of signatures thereon.

Therefore, based on the petition certification request and supporting materials submitted by the City, I hereby declare and certify that the petition represents the affirmative consent of properties totaling more than 60% of the value according to the assessed valuation for general taxation purposes of the property proposed for annexation.

Given under my hand and seal this April 14th, 2015.

Peter Van Nortwick
Clark County Assessor

EXHIBIT
E