

ORDINANCE NO. 2018-04

**AN ORDINANCE OF THE CITY OF BATTLE GROUND WASHINGTON,
PROVIDING FOR THE ANNEXATION OF CERTAIN REAL PROPERTY
KNOWN AS THE “PAYNE ANNEXATION”, SUBJECT TO ASSUMPTION OF
INDEBTEDNESS, AND ADOPTING PREANNEXATION ZONING CONTROLS
FOR SUCH PROPERTY.**

WHEREAS, the Payne Annexation area is proposed for approval by ordinance through the direct petition method per RCW 35A.14.120; and,

WHEREAS, on January 5, 2018 the City of Battle Ground received an initial Notice of Intent to annex approximately 4.5 acres located on the east side of N Parkway, approximately one mile north of Main Street; and,

WHEREAS, on February 20, 2018 the City Council conducted a meeting with the initiating parties as required by RCW 35A.14.120 and accepted the notice of intent to annex, with the understanding that the adopted pre-annexation zoning would apply to the property upon annexation and that the property proposed to be annexed would be subject to any outstanding indebtedness; and,

WHEREAS, a complete and sufficient annexation petition was submitted to the City of Battle Ground on March 5, 2018. The petition was transmitted to the Clark County Assessor; and,

WHEREAS, on March 21, 2018 the city received a response from the Clark County assessor indicating the petition contained valid signature representing more than the required 60% of the total assessed value; and,

WHEREAS, on May 7, 2018, the City Council held a duly advertised public hearing on the annexation proposal pursuant to RCW 35A.14.130; and,

WHEREAS, the City Council finds and concludes that the proposed annexation is consistent with the Comprehensive Plan and will allow for future orderly growth and adoption of the ordinance will further the public health, safety and welfare;

NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF BATTLE GROUND, WASHINGTON, DOES HEREBY ORDAIN AS FOLLOWS:

Section 1. The property, as set forth in Exhibit “A” and for which the petition for annexation is filed, shall be and is hereby made a part of the City of Battle Ground and annexed thereto.

Section 2. Pursuant to the terms of the annexation petition, all property within this territory to be annexed hereby shall be assessed and taxed at the same rate and on the same basis as the property within the City of Battle Ground, including assessments and taxes or taxes in payment of any bond issued or debts contracted by order existing at the time of annexation.

Section 3. In accordance with RCW 35A.14.330, and the City of Battle ground pre-annexation zoning map adopted under Ordinance No. 07-016, all property within the territory annexed by this ordinance is hereby zoned R3 and shall be subject to all development regulations of the City of Battle Ground in effect at the time of annexation.

Section 4. The City Clerk is hereby directed to file with the Board of County Commissioners of Clark County a certified copy of this ordinance. The City Clerk is further directed to file with the Office of Financial Management a certificate as required by RVW 35A.14.700 within thirty (30) days of the effective date of annexation.

Section 5. This Ordinance will become effective 45 days from the date of adoption.

ADOPTED AT THE REGULAR SESSION OF THE CITY COUNCIL OF THE CITY OF BATTLE GROUND, WASHINGTON, THIS 7 TH DAY OF MAY 2018.

CITY OF BATTLE GROUND

Mike Dalesandro, Mayor

Attest:

Approved as to form:

Kay Kammer, City Clerk

Chris Horne, Interim City Attorney