

6-25-18
7-2-18

ORDINANCE NO. M-4236

AN ORDINANCE relating to the approval of the 5th Plain Creek Station annexation pursuant to RCW 35.13.150; establishing the geographic extent, confirming 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 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 Chapter 36.70A RCW, the City of Vancouver has an urban growth area designated under the Growth Management Act; and,

WHEREAS, the proposed annexation area is in Vancouver's urban growth boundary, and is contiguous to the City of Vancouver along the northern border of Fourth Plain Boulevard generally between Ward Road and NE 157th Ave; and,

WHEREAS, pursuant to RCW 35.13.125, the City of Vancouver received a signed initiation annexation petition from property owner for 100% of the assessed value of land within the defined annexation area; and,

WHEREAS, pursuant to RCW 35.13.125, on January 8, 2018, Vancouver City Council met with the interested parties, considered public testimony, and approved Resolution M-3957 accepting the annexation request; defining the geographic extent of the proposed annexation; requiring the

simultaneous adoption of the comprehensive plan and zoning designations; and not requiring assumption of all or any portion of the existing city indebtedness by the area to be annexed; and,

WHEREAS, on April 2, 2018, the City of Vancouver submitted the applicant's annexation petition to the Clark County Assessor having the signatures of owners of property within the annexation area owning at least sixty percent of the total assessed value of the area proposed for annexation; and

WHEREAS, pursuant to RCW 35.21.005, on April 12, 2018, the Clark County Assessor certified that the signature represents support from over sixty percent of the total assessed valuation of the area proposed for annexation; and

WHEREAS, the Vancouver City Council held a duly noticed public hearings to consider the proposed annexation and, pursuant to RCW 35.13.150, determined that the annexation should be made.

WHEREAS, the Vancouver City Council held duly noticed public hearings on a proposed comprehensive land use plan to become effective upon the annexation of the area, pursuant to RCW 35.13.177 and VMC 20.230.030, and determined upon annexation the Comprehensive Plan designation and zoning designations will change.

NOW, THEREFORE,

BE IT ORDAINED BY THE CITY OF VANCOUVER:

Section 1. Approval of Annexation: Pursuant to Chapter 35.13 RCW, the annexation of the 5th Plain Creek Station annexation area to the City of Vancouver is hereby approved. The annexation area is located in Vancouver's unincorporated urban growth boundary, north of the current City limits generally north of Fourth Plain Boulevard between Ward Road and NE 157th Avenue. The legal description of the annexation boundary is set forth in Exhibit "A", attached

hereto and incorporated herein. A 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 20.230.030 and RCW 35.13.177, and as provided in Ordinance M-4231 adopted by the City Council on May 21, 2018, and reaffirmed after a second public hearing on July 2, 2018, the designated Comprehensive Plan and zoning designations for the land proposed for annexation shall change. Upon annexation the Comprehensive Plan designation will change from Mixed Use (MX) to Urban High Density (UH) and Commercial (COM). The underlying zoning designations will change from Mixed Use (MX) to R-18 and General Commercial (GC). The comprehensive plan and zoning designations provided for herein are shown on the maps attached hereto and incorporated herein as Exhibits “C” and “D”.

Section 3. Indebtedness: As provided in Resolution M-3957 adopted by the City Council on January 8, 2018, the City will not require the property owners within the annexation boundary to accept any of the existing indebtedness.

Section 4. Filing with Clark County Council: The City Clerk shall cause a certified copy of this ordinance to be filed with the clerk of the Clark County Council in accordance with RCW 35.13.150. The City Clerk shall cause a copy of this ordinance and ordinance M-4231 to be filed with the Clark County auditor in accordance with RCW 35.13.178.

Section 5. Certificate of Annexation. The City Clerk will cause the certificate required under RCW 35.13.260 to be filed with the office of financial management within thirty (30) days of the effective date of annexation.

Section 6. Effective Date: This ordinance shall become effective July 3, 2018.

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 _____, 2018.

Anne McEnergy-Ogle, Mayor

Attest:

Approved as to form:

Natasha Ramras, City Clerk
By: Carrie Lewellen, Deputy City Clerk

E. Bronson Potter, City Attorney

SUMMARY

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 petition supporting annexation; and providing for an effective date for the 5th Plain Creek Station annexation on July 3, 2018.

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).