

I.R.C.

OCT 15 1990

Change #1  
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09/27/90

ORDINANCE NO. M-2900

AN ORDINANCE annexing to the City of Vancouver certain unincorporated land west of Fruit Valley Road and north of West Fourth Plain, which land is contiguous to the City; providing for such lands to be zoned as contemplated in the West Side Comprehensive Plan and by V.M.C. 20.03.120, that is, as ML, AO and R3 and to be covered by the provisions of new Ordinance M-2898, providing that the land will not be liable for outstanding City bonded indebtedness; providing for an effective date of October 2, 1990.

BE IT ORDAINED BY THE CITY OF VANCOUVER:

Section 1. By Resolution M-2600, adopted February 16, 1988, the City Council determined under R.C.W. 35.13.125 and R.C.W. 35.13.130 that it would accept petitions to annex certain lands west of Fruit Valley Road to the City. Thereafter, petitions were signed by persons owning property in the area proposed for annexation which represented more than 75% of the assessed valuation of said property, and the City Council after public hearing on July 18, 1988 accepted

such 75% petitions by Resolution M-2613, and transmitted the proposed annexation to the Clark County Boundary Review Board under R.C.W. Ch. 36.93.

Section 2. After public hearing on October 5, 1988 the Boundary Review Board modified the proposed annexation by deleting certain property at its northern edge, and then by Order dated October 16, 1988 entered findings and formally approved the proposed annexation, as thus modified. Opponents then appealed the BRB's action to Superior Court in Cause No. 88-2-03164-2 and after hearing the court on January 20, 1990 remanded the matter to the Board, and the Board gave the annexation further consideration and held another public hearing and then again on April 5, 1990 approved the (modified) annexation and again entered formal findings, on April 24, 1990. No appeal was taken and Cause No. 88-2-03164-2 now has been concluded and final judgment entered.

Section 3. City staff had promised the Boundary Review Board that they would recommend to City Council certain changes in the City's zoning text and although this of course was not legally binding Council has considered such zoning text amendments and on September 17, 1990, as had been recommended by staff and by City Planning Commission (SR \_\_\_\_\_), adopted Ordinance M-2898 to amend the text of the

zoning ordinance so as to include special regulation of land use in identified wetland and wildlife habitats.

Section 4. Pursuant to R.C.W. Ch. 35.13, and as discussed and recommended in SR \_\_\_\_\_, the following described unincorporated land, west of Fruit Valley Road and north of Fourth Plain, is hereby annexed to the City as of 12:01 a.m. on October 2, 1990. The legal description is as follows:

Beginning at the point of intersection of the easterly extension of the South line of the Michaelson tract, Book 298 of Deeds, Page 299, Records of Clark County, as shown in Book 1 of Short Plats at Page 416, Records of Clark County and the Westerly right-of-way line of the Northern Pacific Railroad mainline to Seattle, said point being South 2, 260 feet and East 210 feet from the one-quarter Corner Common to Section 4 and 9, township 2 North, Range 1 East, W.M., thence South 76° West 1900 feet along said easterly extension of the South line of said Michaelson tract, the South line of said Michaelson tract and the Westerly extension of the South line of said Michaelson tract to the mean high water line of Vancouver Lake; thence following said mean high water line of Vancouver Lake, excluding therefrom all beds, shorelands and tide lands of said Vancouver Lake, in a generally Southwesterly direction Southerly 1730 feet; thence Southerly 1370 feet; thence Southwesterly 150 feet; thence Westerly 410 feet; thence Northerly 900 feet; thence Northerly 1490 feet; thence Northeasterly 120 feet; thence Northerly 80 feet; thence Southwesterly 900 feet; thence Northeasterly 100 feet; thence Southwesterly 1030 feet; thence Southwesterly 1200 feet; thence Southwesterly 900 feet to a point of intersection of said mean high water

line with the west line of the Southeast one-quarter of Section 8, T. 2 N., R. 1 E., W.M.; thence leaving said mean high water line and continuing South 35 feet along the West line of said southeast one-quarter to the one-quarter corner common to Sections 8 and 17, T. 2 N., R. 1 E., W.M., thence South 550 feet along the west line of the Northeast one-quarter of Section 17, the West line of the Northeast one-quarter of Section 17, T. 2 N., R. 1 E., W.M. to a point of intersection with the mean high water line of Vancouver Lake; thence following said mean high water line, excluding therefrom all beds, shorelands and tidelands of said Vancouver Lake, in a generally easterly, southerly and northwesterly direction Easterly 830 feet; thence Northerly 360 feet; thence Northeasterly 120 feet; thence Southeasterly 140 feet; thence Southerly 340 feet; thence Northeasterly 1,180 feet; thence Easterly 300 feet; thence Southerly 640 feet; thence Southerly 340 feet; thence Southerly 700 feet; thence Southwesterly 150 feet; thence Southeasterly 120 feet; thence Easterly 120 feet; thence Southeasterly 140 feet; thence Southerly 210 feet; thence Southwesterly 200 feet; thence Northerly 550 feet; thence Northwesterly 180 feet; thence Northwesterly 710 feet; thence Northwesterly 520 feet; thence Southwesterly 340 feet; thence Southeasterly 400 feet; thence Northwesterly 160 feet; thence Westerly 100 feet; thence Southwesterly 780 feet; thence Southerly 670 feet; thence Southeasterly 1,140 feet; thence Southerly 550 feet; thence Northwesterly 1,120 feet; thence Northerly 580 feet; thence Northwesterly 410 feet; thence Northwesterly 420 feet; thence Northwesterly 740 feet to a point of intersection of said mean high water line and the West line of the said Northeast one-quarter; thence leaving said mean high water line and continuing south 130 feet along the West line of said Northeast one-quarter to a point of intersection with the North line of the Aluminum Company Tract; thence South 81°

East 115 feet along the North line of said Tract; thence South  $32^{\circ}$  East 1,235 feet along the East line of said Tract to a point on the West line of the Joseph Petrain Donation Land Claim; thence South 567.23 feet along the West line of said D.L.C.; thence South  $45^{\circ}$  East 600 feet along the West line of said D.L.C. to a point of intersection with the South line of the said Aluminum Company of America Tract; thence West 1,100 feet along the south line of said Tract to a point of intersection with the West line of the Southeast one-quarter of said Section 17; thence West 850 feet along the south line of said Tract to a point of intersection with the Government meander line of Vancouver Lake said point being the Northwest corner of the Elmer Ruefner Tract; thence South  $25^{\circ}$  East 300 feet, South  $45^{\circ}$  West 495 feet, South  $5^{\circ}$  East 557 feet, North  $80^{\circ}$  West 726 feet, South  $65^{\circ}$  West 231 feet, South  $20^{\circ}$  East 640 feet and West 70 feet along said Government meander line and the Westerly line of the Elmer Ruefner Tract to a point of intersection with the North right-of-way line of Washington State Road 501 commonly known as Lower River Road; thence Southeasterly along said North right-of-way line to its intersection with the present city boundary; thence following said city boundary in an easterly and northerly direction to the point of beginning.

Section 5. V.M.C. 20.03.120 of the City Zoning Ordinance provides that City Council in an annexation ordinance shall designate the City zoning so as to correspond to county zoning (absent a different direction from the Planning Commission). Accordingly, the Vancouver Comp Plan as amended, including Ordinance M-2645, is applied to cover such land as there provided. All land which has been zoned ML

(light manufacturing); that is, all land east of the Bonneville Power Line, is hereby zoned ML; all land which has been zoned AG (Agriculture) or AG-WL (Agriculture Wildlife) is hereby zoned AO, agricultural open space, as such zoning is established in new Ordinance M-2898; and the land which has been zoned A2 (the trailer court at north end of area) is hereby zoned R3.

Section 6. Such zoning, including the Vancouver lowlands environmental combining district, is hereby applied to the land being annexed as shown on the map attached hereto as Exhibit "A".

Section 7. The provisions of new Ordinance M-2898 shall apply to the land annexed to the City by this ordinance as is shown on said map.

Section 8. As to environmental review under R.C.W. Ch. 43.21C: The comprehensive plan for the annexing area was the subject of an environmental impact statement dated November 3, 1986. The proposed annexation was the subject of an environmental assessment and a declaration of non-significance was issued on June 30, 1988. The Boundary Review Board in each of its reviews considered environmental issues, and it was in the process of such review that City staff advised the Board that it would recommend to the City Council

that the zoning text be amended so that land use controls in the annexing area could be identical to the County's controls, regarding protection of wetlands and wildlife habitats. A declaration of non-significance was issued as to the text amendments accomplished by Ordinance M-2898. By this annexing ordinance the Council has applied such zoning and controls to the annexing area and it is concluded that no additional SEPA reviews are required.

Section 9. As provided in Resolution M-2600 the land herein annexed shall not be liable for City bonded indebtedness which is outstanding as of the effective date of this Ordinance.

Section 10. This Ordinance shall go into effect at 12:01 a.m. on October 2, 1990.

PASSED BY THE FOLLOWING VOTE: 9-24-90

Ayes: Councilmembers Besserman, Hart, Wilson, Pollard,  
Horowitz, Jollota  
Nays: Councilmembers none  
Absent: Councilmembers Mayor Hagensen

Read second time:

PASSED by the following vote: 10-1-90

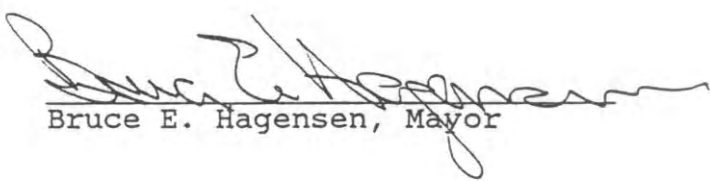
Ayes: Councilmembers Mayor Hagensen, Besserman, Hart, Wilson,  
Pollard, Horowitz, Jollota.  
Nays: Councilmembers none




Absent: Councilmembers none

SIGNED this 1 day of October,

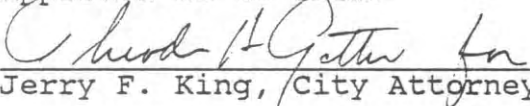
1990.

  
Bruce E. Hagensen, Mayor

Attest:

  
\_\_\_\_\_  
H. K. Shorthill, City Clerk  
By David G. Vial, Deputy City Clerk

Approved as to form:

  
\_\_\_\_\_  
Jerry F. King, City Attorney

O.918:alc



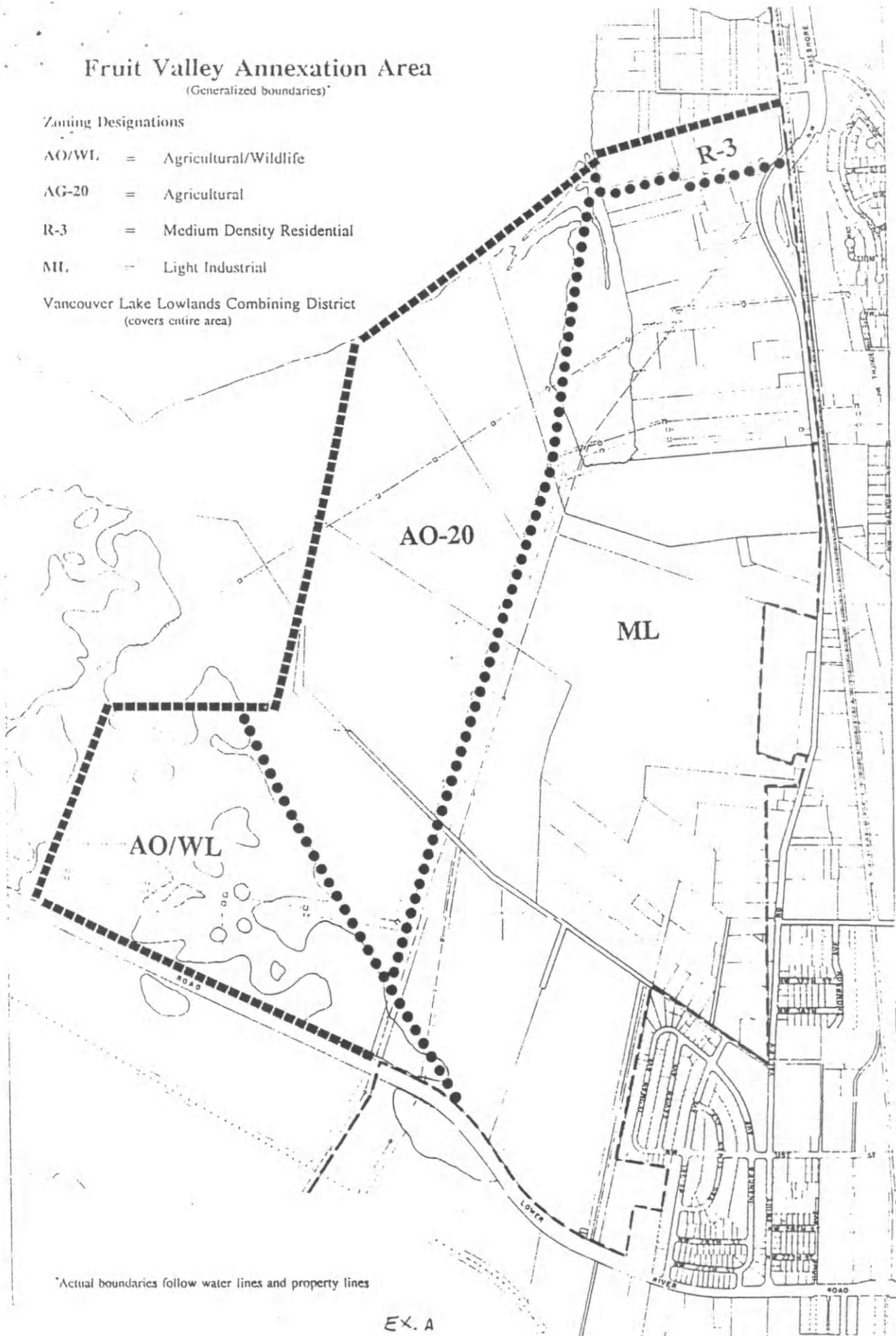
# Fruit Valley Annexation Area

(Generalized boundaries)\*

## Zoning Designations

- AO/WL = Agricultural/Wildlife  
AG-20 = Agricultural  
R-3 = Medium Density Residential  
ML = Light Industrial

Vancouver Lake Lowlands Combining District  
(covers entire area)



\*Actual boundaries follow water lines and property lines

EX. A