

5-14-07

5-21-07

ORDINANCE NO. M-384

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 2.5-acre Wilson I 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 Wilson I Annexation is located in Vancouver's urban growth area, and is contiguous to the City of Vancouver along Fourth Plain Boulevard; and,

WHEREAS, pursuant to RCW 35.13.125, the City of Vancouver received signed utility service covenants from several property owners of the Wilson I annexation area, providing over 75% support; and,

WHEREAS, pursuant to RCW 35.13.125 on April 16, 2007, Vancouver City Council met with the initiating parties 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 35.21.005, on April 26, 2007, the Clark County Assessor certified the signatures representing over seventy-five percent of the assessed valuation of such property in the 2.5-acre area proposed for annexation.

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 April 16 (M-3609), the 2.5-acre Wilson I Annexation area is unincorporated land located in Vancouver's urban growth area, and is contiguous to the City of Vancouver along Fourth Plain Boulevard. 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 April 16, 2007, (M-3609), 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. In Clark County, the land located in the Wilson I Annexation area has the General Commercial comprehensive plan designation and the Limited Commercial (CL) land use zoning designation. As per VMC Table 20.230.030-1 and surrounding designations, the Commercial and Mixed Use (C) comprehensive plan designation and General Commercial (GC) land use zoning designation are most similar to the existing county designations, and will be the designations applied upon annexation.

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 April 16, 2007, (M-3609), the city will not require the Wilson I Annexation property owners to accept any of the existing city indebtedness.

Section 5. Signature Certification: Pursuant to RCW 35.21.005, the County Assessor has issued the Certification of Sufficiency regarding the signature support for the Wilson I Annexation, as set forth in Exhibit "E".

Section 6. Signature Acceptance: City Council hereby accepts the certified signature supporting annexation of the 2.5-acre Wilson I Annexation area.

Section 5. Effective Date: This ordinance shall become effective thirty (30) days following the date of final adoption.

Read first time: 5-14-07

PASSED BY THE FOLLOWING VOTE:

Ayes: Councilmembers Smith, Leavitt, Stewart, Harris
Tonkovich, Jollota

Nays: Councilmembers None

Absent: Councilmembers Pollard

Read second time: 5-21-07

PASSED BY THE FOLLOWING VOTE:

Ayes: Councilmembers Smith, Leavitt, Stewart, Harris
Tonkovich, Jollota, Pollard

Nays: Councilmembers None

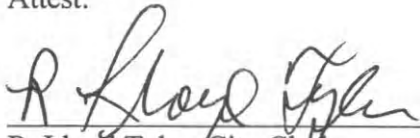
Absent: Councilmembers None

Signed this 21st day of May, 2007.



Royce E. Pollard, Mayor

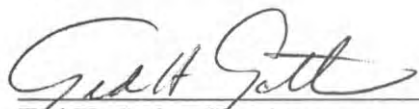
Attest:



R. Lloyd Tyler, City Clerk

~~By: Carrie Lewellen, Deputy City Clerk~~

Approved as to form:



Ted H. Gathe, City Attorney

SUMMARY

ORDINANCE NO. 11-3814

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 2.5-acre Wilson I Annexation thirty (30) days following the date of final adoption.

LEGAL DESCRIPTION

A tract of land lying in a portion of Van Atta's Subdivision, the Joseph Gher Donation Land Claim and the Southeast $\frac{1}{4}$ of the Southeast $\frac{1}{4}$ of Section 9, T 2 North, R 2 East of the Willamette Meridian, Clark County, Washington, being more particularly described as follows:

Beginning at an iron rod shown as set at the Southwest corner of Tax Lot 3/6 on Book 52, Page 16 of surveys, sheet 2 of 3, Clark County records, said point also being on the North line of Rosewood Avenue;

Thence South $1^{\circ}33'26''$ West a distance of 63.6 feet more or less to the South line of said Rosewood Avenue and the Northwest corner of Lot 1, Block A, Van Atta's Subdivision, Book D of Plats, Page 5, Clark County records;

Thence southerly along the West line of said Van Atta's Subdivision a distance of 462.76 feet more or less to the Southwest corner of Lot 9, Block A, of said Van Atta's subdivision, the North line of NE Fourth Plain Road and the present City of Vancouver boundary (M-3758);

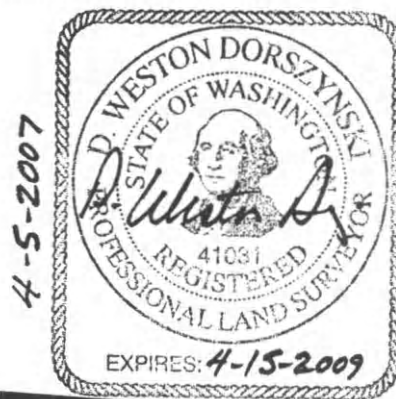
Thence northeasterly along said North line and the present City of Vancouver boundary a distance of 226.06 feet more or less to the Southeast corner of Lot 9, Block B, of said Van Atta's subdivision;

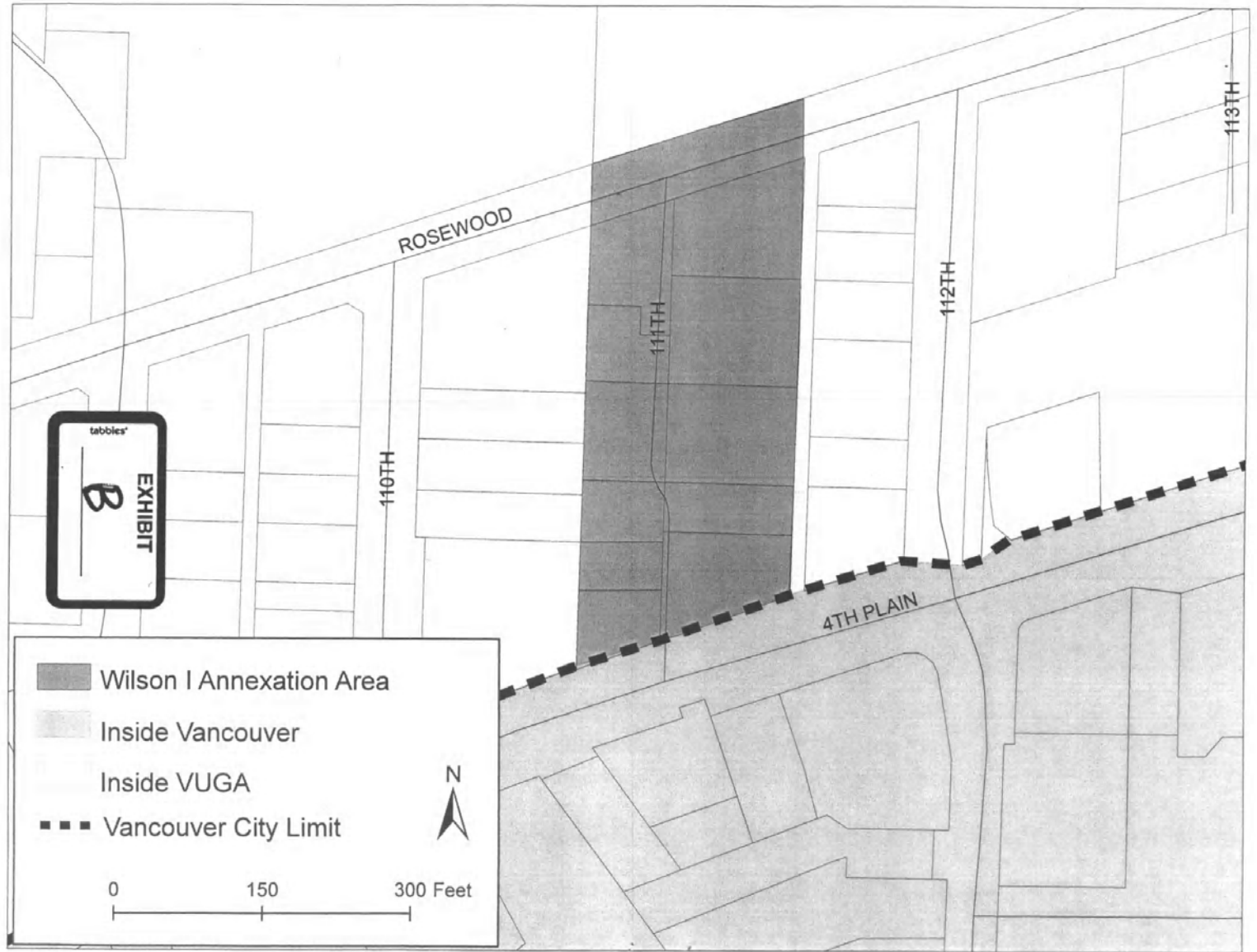
Thence leaving the present City of Vancouver boundary northerly a distance of 462.72 feet more or less along the East lines of Lots 9, 7, 6, 5, 4, 3, 2, and 1 Block B of said Van Atta's subdivision to the South line of said Rosewood Avenue;

Thence North $1^{\circ}33'26''$ East a distance of 63.6 feet more or less to the North line of said Rosewood Avenue;

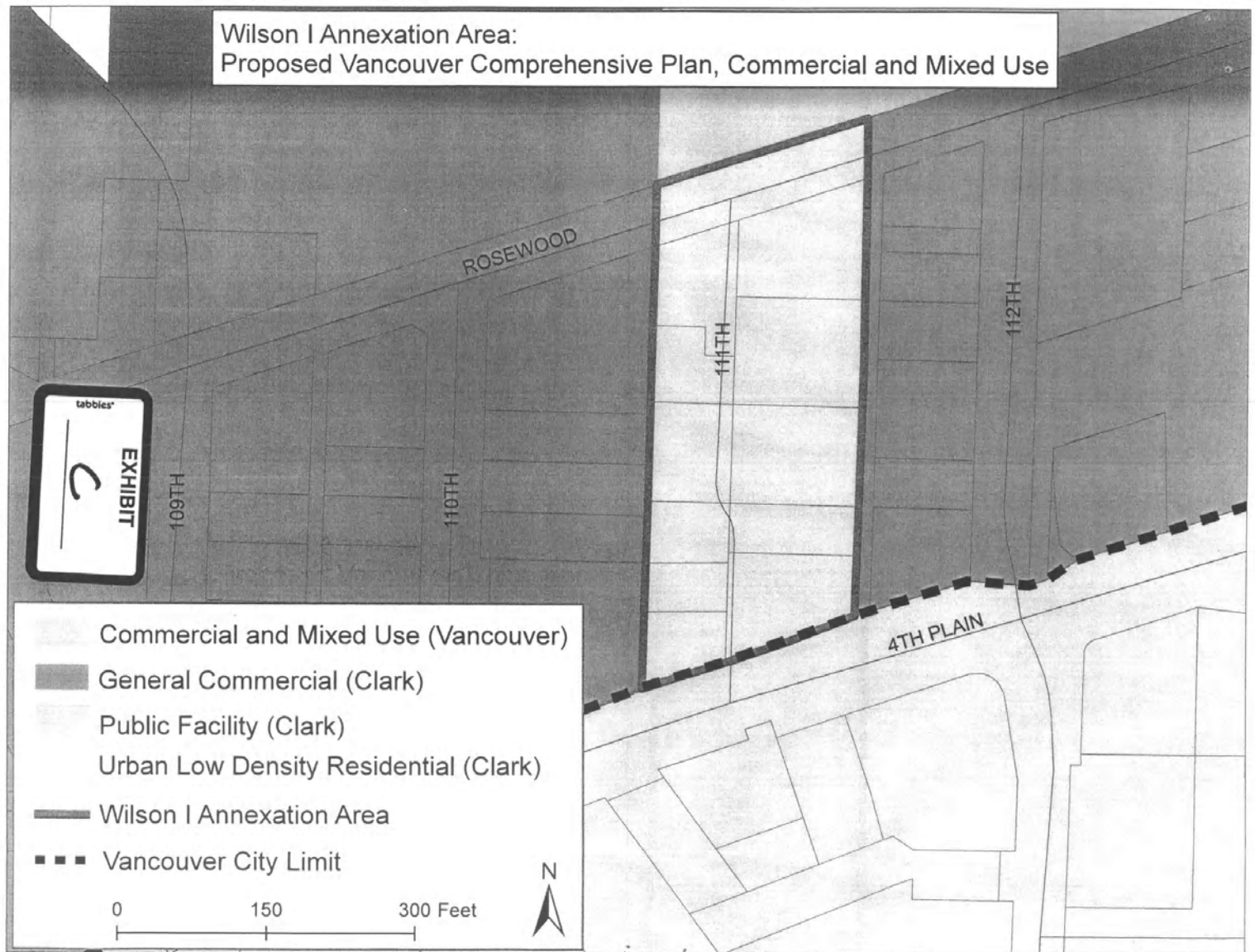
Thence South $72^{\circ}08'42''$ West along said North line a distance of 225.81 feet more less to the Point of Beginning;

Contains approximately 2.50 Acres





Wilson I Annexation Area:
Proposed Vancouver Comprehensive Plan, Commercial and Mixed Use



Wilson I Annexation Area:
Proposed Vancouver Zoning CG



- General Commercial (GC, Vancouver)
- Limited Commercial (CL, Clark)
- Low Density Residential (R1-7.5, Clark)
- Multi Family Residential (R-18, Clark)
- Wilson I Annexation Area
- Vancouver City Limit

0 150 300 Feet



ROSEWOOD

109TH

110TH

112TH

4TH PLAIN

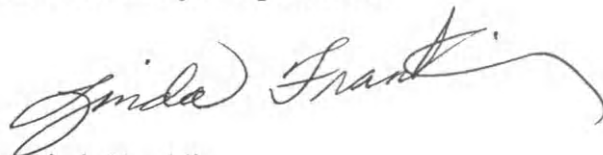
Certification of Sufficiency
Wilson 1 Annexation

The city of Vancouver on April 17, 2007 submitted for review by the Clark County Assessor, a petition to annex to the city approximately 2.5 acres of land known as the Wilson 1 Annexation. Subject to the requirements of RCW 35.21.005, I now certify the following:

1. On April 17, 2007 the city of Vancouver submitted for certification by the Clark County Assessor a petition to annex to the city 11 parcels of land and associated road and public utility rights-of-way, totaling approximately 2.5 acres.
2. The legal description and map of the area proposed for annexation are attached to this certification. This area is located in unincorporated Clark County and within Vancouver's urban growth boundary.
3. The city is completing annexation pursuant to the direct petition method of annexation, RCWs 35.13.125 through 35.13.170.
4. The county initiated the determination of petition sufficiency on April 24, 2007 which is the "terminal date" as defined in RCW 35.21.005.
5. The area proposed for annexation has a certified annexation value for general taxation of \$2,049,600.
6. Utility service covenants provided by the city of Vancouver represent signatures, in compliance with RCW 35.13.125 through RCW 35.13.170, of a combined total assessed value for general taxation of not less than 75% of the total assessed value for general taxation of all property in the proposed annexation area.

Therefore, based on the petition certification request and supporting materials submitted by the city of Vancouver, I hereby declare and certify that the petition represents the affirmative consent of properties totaling more than 75% 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 26th day of April 2007.



Linda Franklin
Clark County Assessor

