

C E R T I F I C A T I O N

STATE OF WASHINGTON)
 : ss
COUNTY OF CLARK)

I, Carrie Lewellen, Deputy Clerk of the City of Vancouver, Washington, do hereby certify that the attached document is a true and correct copy of the original **Ordinance M-4196**, as on file in the office of the City Clerk of the City of Vancouver, Washington.

Dated this 18th day of April, 2017.



Carrie Lewellen, Deputy City Clerk

4/10/17
4/17/17

ORDINANCE NO. M-4196

AN ORDINANCE relating to the approval of the Vancouver Mall North annexation pursuant to RCW 35.13.150; 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 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 generally between Andresen Road and Interstate 205; and,

WHEREAS, the annexation request conforms to the general principles of the interlocal 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 signed initiation annexation petitions from property owners of at least 10% of the assessed value of land within the defined annexation area; and,

WHEREAS, pursuant to RCW 35.13.125, on February 13, 2017, Vancouver City Council met with the interested parties, considered public testimony, and approved Resolution M-3924 accepting the annexation request; defining the geographic extent of the proposed annexation; requiring the simultaneous adoption of the comprehensive plan designations; and not requiring assumption of all or any portion of the existing city indebtedness by the area to be annexed; and,

WHEREAS, on February 23, 2017, the City of Vancouver submitted an 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 February 28, 2017, 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 hearing to consider the proposed annexation and, pursuant to RCW 35.13.150, determined that the annexation should be made.

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 Van Mall North 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 between Andresen Road and Interstate 205. The legal description of the annexation boundary 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.

ORDINANCE - 2

Section 2. Comprehensive Plan and Zoning Designations: Pursuant to VMC 20.230, and as provided in Resolution M-3924 adopted by the City Council on February 13, 2017, the City designated city comprehensive plan and zoning designations for the annexing land so as to be the most similar to the county designations of such land. Subject to section 3 of this ordinance, the following table sets forth the comprehensive plan and zoning conversions.

County Comp Plan	County Zone	City Comp Plan	City Zone
UL	R1-6	UL	R-9
UL	R1-7.5	UL	R-6
UM	R-12	UH	R-18
UM	R-18	UH	R-18
UM	R-18	P/OS	Park
UM	R-22	UH	R-22
UH	R-30	UH	R-30
C	GC	COM	CG
C	CC	COM	CC
C	NC	COM	CN
I	IL	IND	IL
PF	PF (1)	PF	R-9
PF	PF (2)	PF	CN
PF	PF (3)	PF	R-18
PF	PF (4)	PF	R-22
P/OS	P/WL	P/OS	Park
P/OS	R1-6	UL	R-9
P/OS	R-43	UH	R-35
BPA	R-6	PF	R-9

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. As noted in Exhibit "E" there are two areas in which the Clark County Comprehensive Plan designations are inconsistent with the Vancouver Municipal Code annexation conversion Table-20.230.030. These areas shall have the Comprehensive Plan designations shown on the map attached hereto and incorporated herein as Exhibit "E".

Section 4. Indebtedness: As provided in Resolution M-3924 adopted by the City Council on February 13, 2017, the city will not require the property owners within the annexation boundary to accept any of the existing city indebtedness.

Section 5. 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.

Section 7. Effective Date: This ordinance shall become effective August 1, 2017.

Read first time: April 10, 2017

PASSED BY THE FOLLOWING VOTE:

Ayes: Councilmembers Stober, Topper, McEnerny-Ogle, Turley, Hansen, Burkman, Mayor Leavitt

Nays: Councilmembers None

Absent: Councilmembers None

Read second time: April 17, 2017

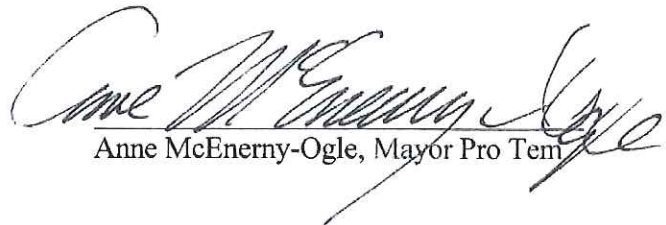
PASSED BY THE FOLLOWING VOTE: 6-0

Ayes: Councilmembers Stober, Topper, Turley, Hansen, Burkman, Mayor Pro Tem McEnerny-Ogle

Nays: Councilmembers None

Absent: Councilmembers Mayor Leavitt

Signed this 17th day of April, 2017.

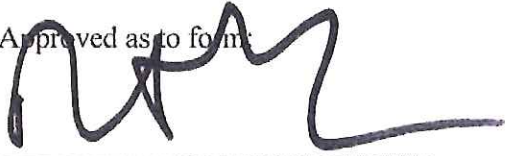

Anne McEnerny-Ogle, Mayor Pro Tem

Attest:



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

Approved as to form:



Brent Boger, Assistant City Attorney

SUMMARY

ORDINANCE NO. M-41910

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 Van Mall North annexation on August 1, 2017.

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

Van Mall North Annexation

LEGAL DESCRIPTION

A tract of land lying in the Northwest $\frac{1}{4}$, Southwest $\frac{1}{4}$ and Southeast $\frac{1}{4}$ of Section 5; Section 6; East $\frac{1}{2}$ of Section 7; Section 8; Southwest $\frac{1}{4}$ of section 9; Northwest $\frac{1}{4}$ of Section 16; Northwest $\frac{1}{4}$ of Section 17; Northeast $\frac{1}{4}$ of Section 18; Township 2 North, Range 2 East of the Willamette Meridian, Clark County, Washington, said tract being more particularly described as follows:

Beginning at the Southwest corner of the Short Plat recorded in Book 2, Page 586 records of said county, said point also being on the East right-of-way line of NE Andresen Road and the current City of Vancouver limit line (Village Associates M-3067);

Thence, continuing west along the current city limits line of Village Associates Annexation recorded in Ordinance M-3067 to the West line of NE Andresen Road;

Thence north, leaving the current city limits line, along the West right-of-way line of said Andresen Road 6400 feet more or less to the easternmost corner of Lot 44 on the North line of Brentwood West as recorded in Book G, Page 622 records of said county;

Thence west along the North line of said Brentwood West plat to the southeast corner of Meadow View subdivision as recorded in Book H, Page 462, records of said county;

Thence north along the East line of said Meadow View and the northerly extension thereof to the North right-of-way line of NE 78th Street;

Thence east along said North line of 78th Street, 74 feet more or less, to the East line of Parcel A, described in EXHIBIT A of Limited Warranty Deed 3990258;

Thence north along the East line of said Parcel A, 220 feet more or less to the northeast corner of said Parcel A which is in common with the southeast corner of the parcel shown on Survey Book 12, Page 71 records of said county;

Thence north 324 feet, more or less, along the easternmost leg of said surveyed parcel to the easternmost northeast corner of said surveyed parcel;

Thence west 587 feet, more or less, along the North line of said easternmost portion of said surveyed parcel to an inside corner of said surveyed parcel;

Thence north 450 feet, more or less, along an East line of said surveyed parcel to the northernmost northeast corner of said surveyed parcel;

Thence northeasterly across the state right-of-way for SR500 (Padden Expressway) to a Clark County brass disc in concrete, marking the Southeast corner of the Wright DLC as shown in survey Book 37, Page 3 and records of said county;

Thence west, 3670 feet more or less, along the South line of the Wright DLC to its intersection with the East right-of-way line of the Chelatchie Prairie Railroad;

Thence northeasterly 1630 feet, more or less, along said East right-of-way line to the South right-of-way line of NE 88th street;

Thence westerly across the tracks and along said South right-of-way line 590 feet, more or less, to the northwest corner of the surveyed parcel on Book 46, Page 56 records of said county;

Thence, leaving said right-of-way line, north 1356, more or less, along the West line of Lot 4 of the Wright Homestead Lots recorded in Book A of plats, Page 57 to the north line of said Wright Homestead Lots;

Thence east 1760 feet, more or less, along the North line of said Wright Homestead Lots to the East line of said Chelatchie Prairie Railroad right-of-way;

Thence northeasterly 1350 feet, more or less, along the East line of said railroad right-of-way to the West line of SR 205 right-of-way as shown on the Right-of-Way and Limited Access Plan of SR 205, Columbia River to Jct. SR 5 dated June 26, 1969;

Thence continuing northeasterly along said East railroad right-of-way line curving across the SR 205 right-of-way 390 feet, more or less, to the East right-of-way line of said SR 205;

Thence southeasterly along the East right-of-way line of SR 205 as shown on said plans, 600 feet, more or less, to an angle point 140 feet right of the LR Line at Highway Engineer's Station (HES) 493+00;

Thence continuing along said right-of-way line, 1500 feet, more or less, to an angle point 90 feet right of LR Line HES 478+00;

Thence continuing along said right-of-way line, 700.00 feet, more or less, to an angle point 90 feet right of LR Line HES 471+00;

Thence continuing along said right-of-way line, 800.00 feet, more or less, to an angle point 120 feet right of LR Line HES 463+00;

Thence continuing along said right-of-way line, 500.00 feet, more or less, to an angle point 140 feet right of LR Line HES 458+00;

Thence continuing along said right-of-way line, 250.00 feet, more or less, to an angle point 235 feet right of LR Line HES 455+50;

Thence continuing along said right-of-way line, 400.00 feet, more or less, to an angle point 575 feet right of LR Line HES 453+00;

Thence continuing along said right-of-way line, 210.00 feet, more or less, to an angle point 700 feet right of LR Line HES 451+29.49;

Thence continuing along said right-of-way line, 330.00 feet, more or less, to an angle point 700 feet right of LR Line HES 448+00;

Thence continuing along said right-of-way line, 775.00 feet, more or less, to an angle point 210 feet right of LR Line HES 442+00;

Thence continuing along said right-of-way line, 900.00 feet, more or less, to an angle point 150 feet right of LR Line HES 433+00;

Thence continuing along said right-of-way line, 1000.00 feet, more or less, to an angle point 120 feet right of LR Line HES 423+00;

Thence continuing along said right-of-way line, 900.00 feet, more or less, to an angle point 150 feet right of L Line HES 414+00 shown on said SR 205 Plans;

Thence continuing along said right-of-way line, 4000.00 feet, more or less, to an angle point 150 feet right of L Line HES 374+00;

Thence continuing along said right-of-way line, 700.00 feet, more or less, to an angle point 160 feet right of L Line HES 367+00;

Thence continuing along said right-of-way line, 800.00 feet, more or less, to an angle point 200 feet right of L Line HES 359+00;

Thence continuing along said right-of-way line, 550.00 feet, more or less, to the point of intersection with the South line of Government Lot 12 of Section 16, Township 2 North, Range 2 East, said point being on the current city limits of Fourth Plain/Van Mall Annexation described in Ordinance M-3039;

Thence, west 497, feet more or less, along the existing city limits as defined in said Fourth Plain/Van Mall annexation to the West line of said SR 205 right-of-way;

Thence northwesterly 1215 feet, more or less, along the current city limits as defined in Glenwood Hills Annexation in Ordinance M-4042 and said West line of SR 205;

Thence westerly 2830 feet, more or less, along the North right-of-way line of NE 58th Street to a point of intersection with West right-of-way line of NE 82nd Court;

Thence southwesterly across NE 58th Street to a point of intersection of the South right-of-way of NE 58th Street and the west right-of-way line of NE 82nd Avenue;

Thence southerly 333.47 feet along multiple courses of the West line of said 82nd Avenue to the Southeast corner of Amhurst Commons Condominiums Phase One as recorded in Book 311 of plats, Page 124 records of said county;

Thence westerly 478.43 feet along the south line of said Phase One, Phase Seven and Phase Eleven of Amhurst Commons Condominiums recorded in Book 700 of plats, Page 11 and Book 700 of plats, Page 19 respectively, records of said county, to an inside corner on the south boundary of said Phase Eleven;

Thence southerly 58.52 feet along the south running leg of the South line of said Phase Eleven and continuing southerly 410.93 feet along the West line of the surveyed parcel in Book 44 of surveys, Page 159 records of said county, to the North line of Lot 8 of Raymond Place subdivision recorded in Book J of plats, Page 27 records of said county;

Thence easterly 22.5 feet, more or less along the North line of said Raymond Place to the northeast corner of said plat;

Thence southerly 1078 feet, more or less, along the West line of Walters Subdivision Book F of plats, Page 33 records of said county, to the North line of NE 51st Street;

Thence west 520 feet, more or less, along the current city limit line as defined by said Fourth Plain/Van Mall Annexation and the North line of said 51st Street to the East right-of-way line of NE 78th Avenue;

Thence north 300 feet, more or less, along the current city limits line as defined by the 51st Street Annexation M-3073 and the East line of NE 78th Avenue to a point of intersection with the easterly extension of the North line of Lot 3, Short Plat Book 1, Page 388;

Thence west 180 feet, more or less, along the easterly extension and said North line to the East line of Bold Estates as recorded in Book J of plats, Page 140 records of said county;

Thence north 235 feet, more or less, along the current city limits as defined by the Bold Annexation and the East line of said Bold Estates to a point of intersection with the North line of Lot 7 of Jaggy Homestead Lots Book B of Plats, Page 12;

Thence west 640 feet, more or less, along said North line to the Northwest corner of said Lot 7;

Thence south 540 feet, more or less, along the West line of said Lot 7 to the North right-of-way line of said NE 51st Street;

Thence west 310 feet, more or less along the current city limits line as defined said Fourth Plain/Van Mall Annexation and the said north right-of-way line to the West line of Garden Terrace At The Mall Book 311 of plats, Page 500 records of said county;

Thence north 530 feet, more or less, along the current city limits line as defined by the Spartan Annexation in Ordinance M-3074 and said West line to the North line of Lot 5 of said Jaggy Homestead Lots;

Thence west 520 feet, more or less, along the North line of said Lot 5 and the westerly extension of said line to the West right-of-way line of NE 72nd Avenue;

Thence south 370 feet, more or less, along said West line to the SE corner of said Short Plat 2-586;

Thence west 614, feet more or less, along the current city limits defined in said Village Association annexation and the South line of said Short Plat recorded in Book 2, Page 586 to the East right-of-way line of NE Andresen Road and the point of beginning.

Described area contains approximately 1266 acres.

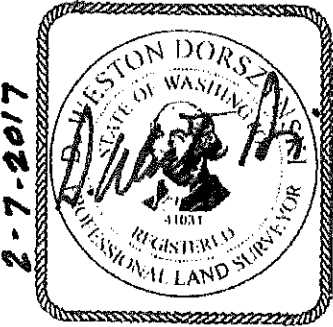
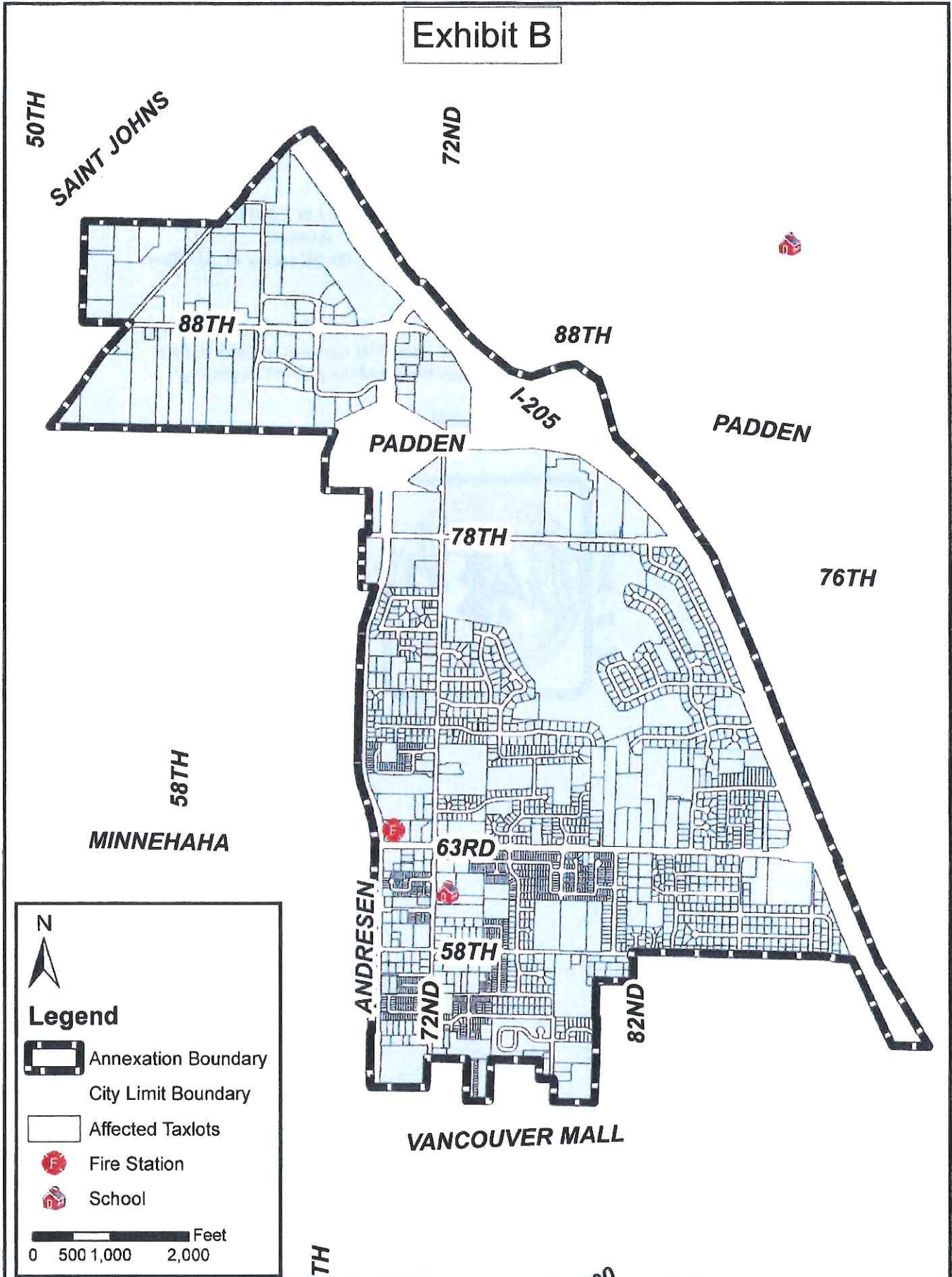







Exhibit B

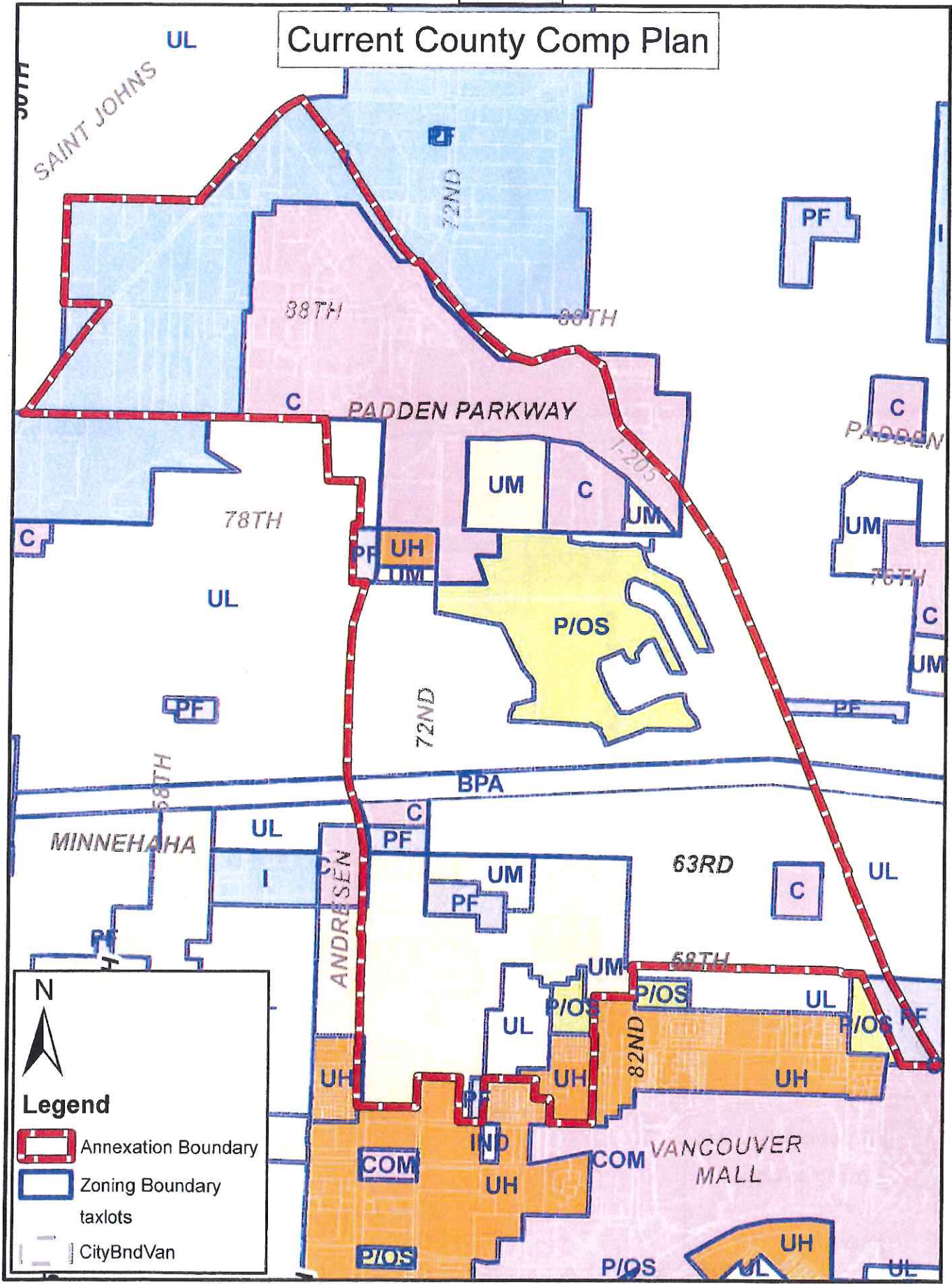


Legend

-  Annexation Boundary
-  City Limit Boundary
-  Affected Taxlots
-  Fire Station
-  School

0 500 1,000 2,000 Feet

Current County Comp Plan

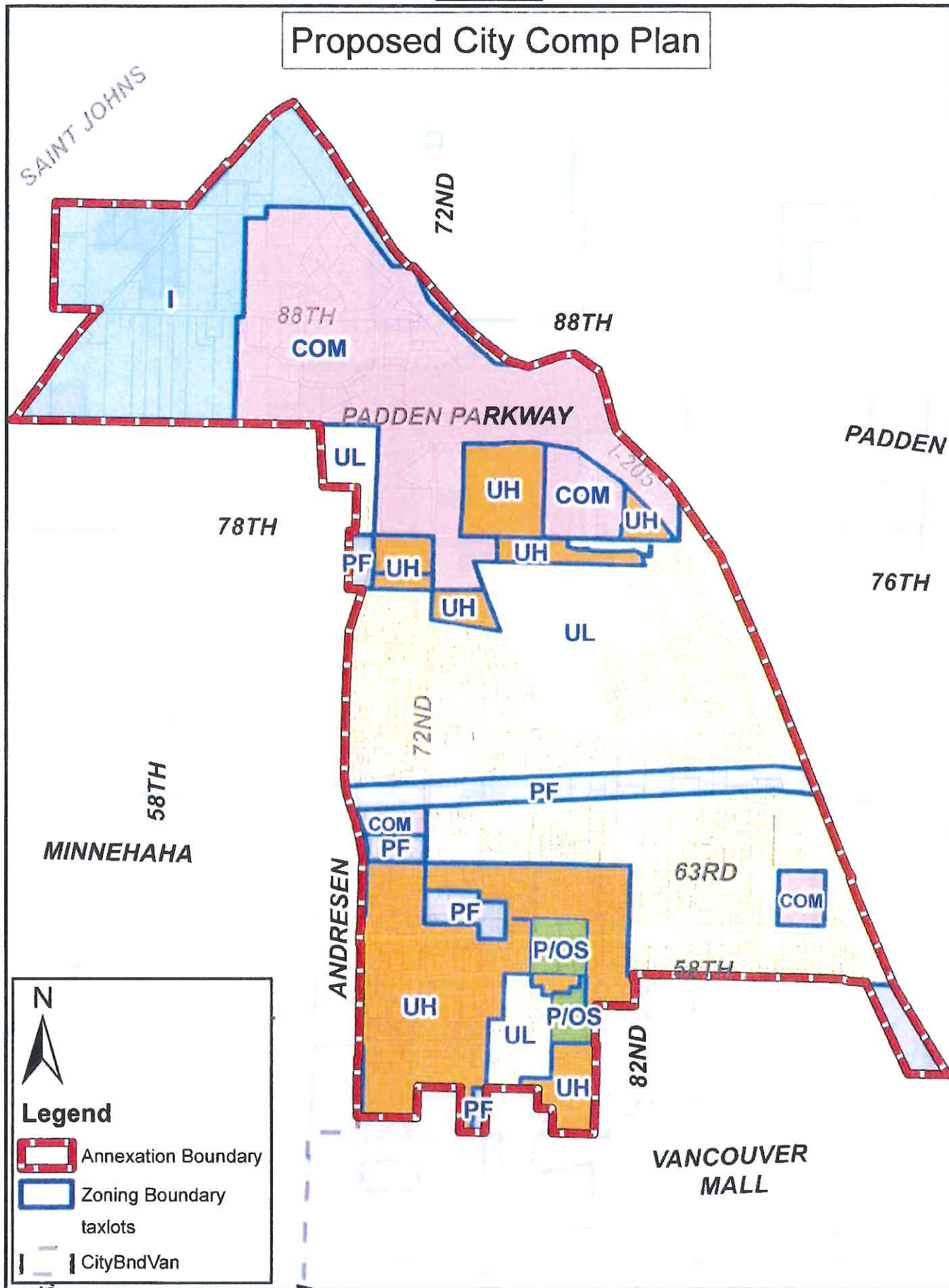


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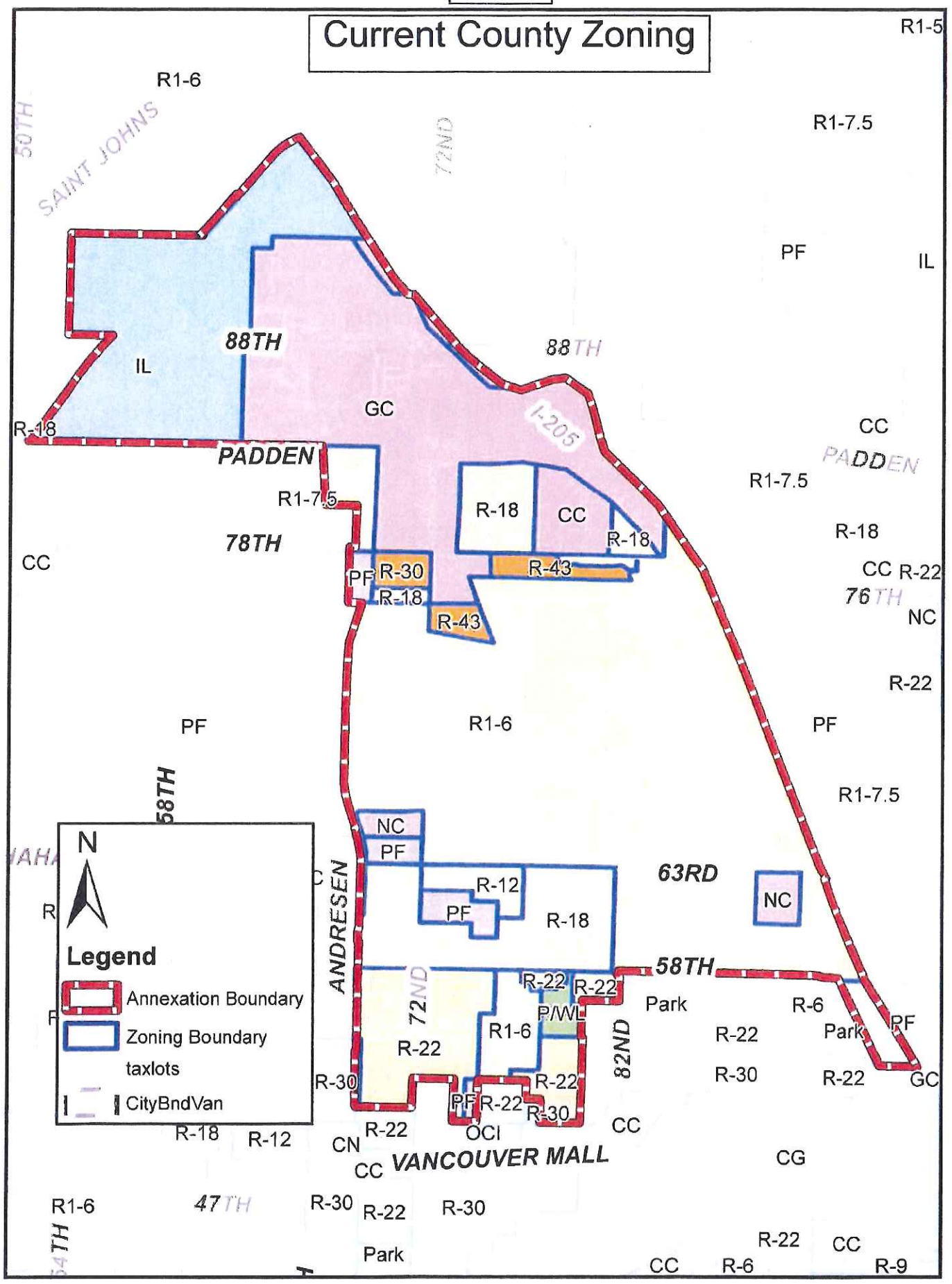
- Annexation Boundary
- Zoning Boundary
- taxlots
- CityBndVan

North Arrow: N

Proposed City Comp Plan



Current County Zoning



Proposed City Zoning

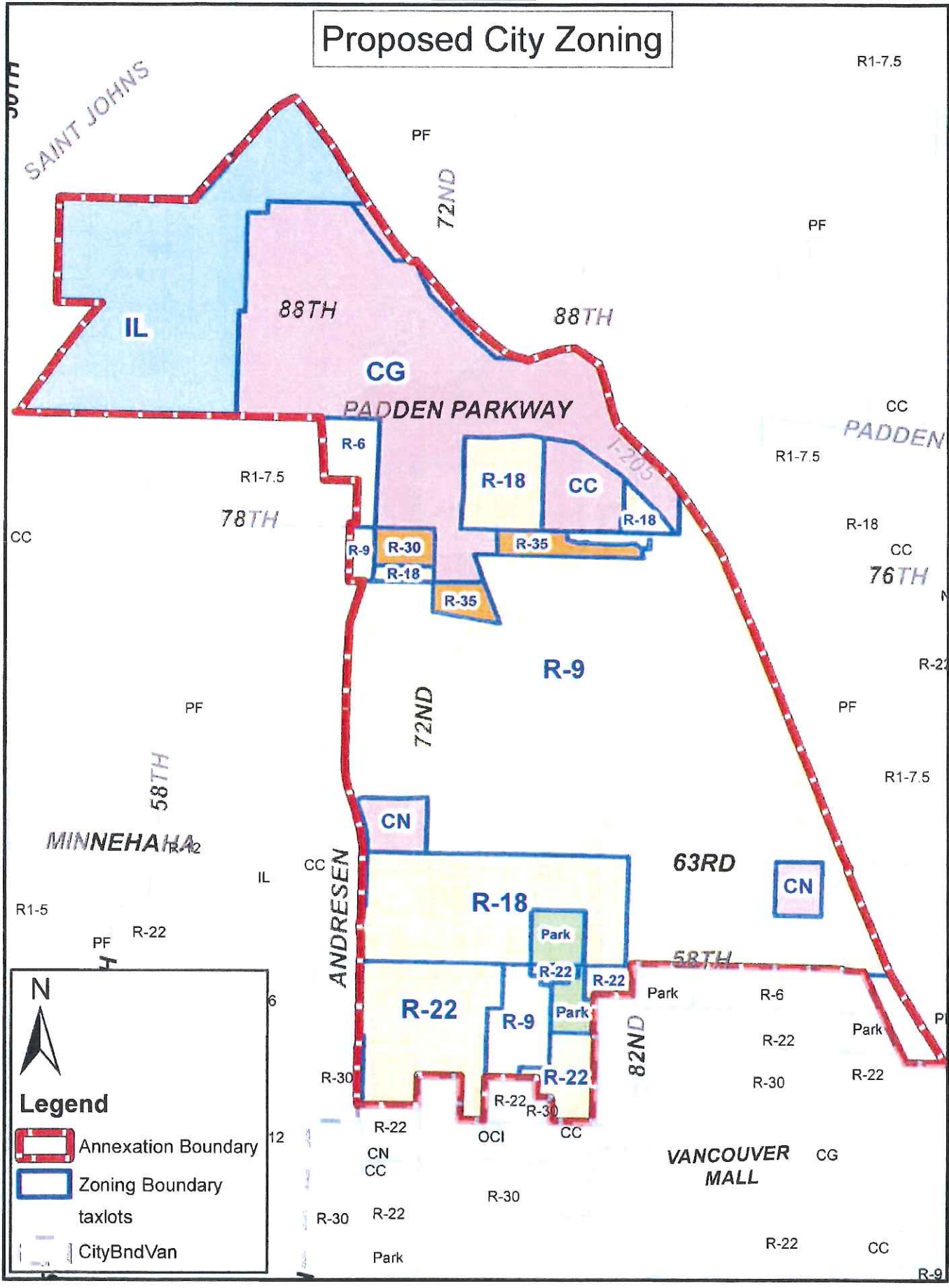
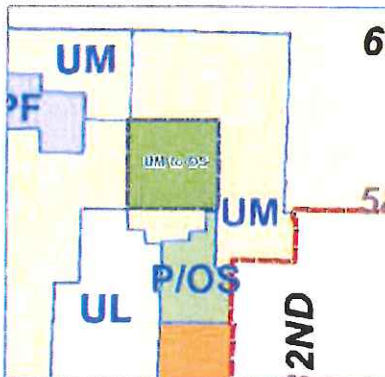


Exhibit E

The first exception to the Vancouver Municipal Code annexation conversion Table-20.230.030 is the City owned Shaffer Park located at 7708 NE 58th Street. This park is currently designated in the County Comp Plan as Urban Medium Density typically for residential uses. This property will convert from a County UM Comp Plan designation to a City Open Space (OS) designation which is the appropriate designation for a park property.



The second exception to VMC Table-20.230.030 is the Club Green Meadows properties. These properties have a Clark County Park / Open Space Comp Plan designation but have underlying low and high density (R1-6 and R-43) residential zoning. This does not follow either the prescribed County or City Comp Plan / Zoning hierarchies which would call for a residential designation. Typically, the zoning under the County Comp Plan P/OS designation would be a Park / Open Space zone or a Wildlife Refuge zone. Upon Annexation, the Comp Plan / zoning designation conflict will be resolved by converting the Comp Plan designation to UL for areas currently designated R1-6 and UH for areas currently zoned R-43.

