

TG-130310-CT



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2013 FEB 25 AM 8:13
OFFICE OF THE
CITY CLERK
CITY OF VANCOUVER

February 19, 2013

Mr. Steven King, Acting Executive Secretary
Washington Utilities and Transportation Commission
PO Box 47250
Olympia, WA 98504-7250

Re: Intent to Exercise Jurisdiction over Solid Waste Collection in Newly Annexed Area:
Glenwood Hills

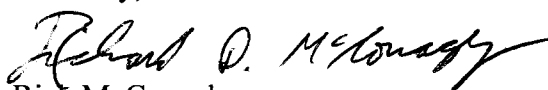
Dear Mr. King:

The City of Vancouver, a charter city of the first class, has determined that it wishes to contract for solid waste collection services within the city limits pursuant to RCW 81.77.020. This letter is to notify the Washington Utilities and Transportation Commission of the city's decision, pursuant to RCW 35.21.120 to exercise jurisdiction over the collection of solid waste within a newly annexed portion of the city limits. This annexation was authorized by Ordinance M-4042 and is scheduled to go into effect February 28, 2013.

Included with this letter are a copy of Staff Report No. 007-13, Ordinance M- 4042, a legal description of the 63 acres of land, and a map of the annexation area.

The City intends to contract with Waste Connections of Washington, the WUTC G-Certificate holder (certificate G-253) in this area to provide garbage, recycling and yard debris collection services.

Sincerely,



Rich McConaghy
Solid Waste Manager

Cc: Chris Thomas – Waste Connections of Washington, Inc.
Anita Largent – Clark County Environmental Services, Solid Waste

STAFF REPORT NO. 007-13

TO: Mayor and City Council
FROM: Eric Holmes, City Manager

DATE: 01/07/2013
01/28/2013



Subject: Annexation of a sixty-three-acre area located north of the current City limits generally between 81st Avenue and Interstate 205.

Objective: Annex a portion of the Van Mall North area using the direct petition method.

Present Situation: This annexation request contains 161 tax parcels comprising 63.35 acres. The area is located in Vancouver's unincorporated urban growth area and is a portion of the Van Mall North area as geographically defined in the City / County 2007 Annexation Blueprint. Sections of Glenwood Hills facility properties straddle the City / County jurisdiction line complicating permitting, land use, and other property management factors. Future Glenwood facility expansions are contingent on completion of the proposed annexation.

VMC 20.230.030 provides that City Council shall designate the City comprehensive plan and zoning designations for the annexing land so as to be most similar to the County designations of such land, absent adoption of a different designation approved by Council. In Clark County, the land comprising the Glenwood Hills Annexation area has the comprehensive plan designations of Urban Low Density Residential (UL), Urban Medium Density Residential (UM), and Open Space (P/OS). The current County land use zoning designations are R1-6, R-22, and P/WL. The Vancouver Municipal Code conversion table (VMC 20.230.030-1), establishes that upon annexation the area will convert to the City's Urban Lower Density (UL), Urban Higher Density (UH), and Open space (P/OS) Comprehensive plan designations and the corresponding R-6, R-22, and Park zoning designations.

Council shall now determine whether to:

1. Accept the certified signature supporting the annexation request; and
2. Re-confirm the September 17, 2012, decision regarding the geographic boundary, zoning designations, and the question of indebtedness; and
3. Set the date for final ordinance adoption and effective date for the annexation.

Advantage(s):

1. Ensures future development shall conform to City standards.
2. Supports request of a contiguous property owner.
3. Creates a more uniform City limit line.
4. Maintains covenant support percentage rate for future annexations

Disadvantage(s):

1. Annexation area is smaller, partial subarea as defined in the City / County Blueprint Plan. Smaller annexations are less efficient.
2. Annexation may not be desired by some affected property owners.

Budget Impact: Based on an analysis of expected revenues and expenditures, the annexation of the proposed area will not have a negative impact the City's financial situation.

Prior Council Review: September 17, 2012 - Council accepted the annexation request and adopted Resolution M-3781 regarding the geographic boundary, comprehensive and zoning designations, and the question of requiring annexed properties to pay existing City indebtedness.

Action Requested:

1. On January 7, 2013, approve ordinance on first reading, setting date of second reading and public hearing for January 28, 2013.
2. On January 28, 2013 subject to second reading and public hearing, approve the ordinance.

Attachments: Ordinance for Glenwood Hills annexation with Exhibits

01/07/13

01/28/13

ORDINANCE NO. M-4042

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 Glenwood Hills area 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 Glenwood Hills annexation parcel is located in Vancouver's unincorporated urban growth boundary, north of the current City limits generally between 81st Avenue and Interstate 205.

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 a signed annexation petition from property owners of at least 10% of the assessed value of land within the defined annexation area; and,

WHEREAS, pursuant to RCW 35.13.410 on September 17, 2012, Vancouver City Council met with the initiating party, considered public testimony, and voted to accept 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 November 29th 2012, the Clark County Assessor certified that the signature represents support from over sixty percent of the total assessed valuation of the sixty-three 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 the Glenwood Hills annexation area is located in Vancouver's unincorporated urban growth boundary, north of the current City limits generally between 81st Avenue and Interstate 205. 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 September 17, 2012 (M-3781), 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 comprising the Glenwood Hills Annexation area has the comprehensive plan designations of Urban Low Density Residential (UL), Urban Medium Density Residential (UM), and Open Space (P/OS). The current County land use zoning designations are R1-6, R-22, and P/WL. The Vancouver Municipal Code conversion table (VMC 20.230.030-1), establishes that upon annexation the area will convert to the City's Urban Lower Density (UL), Urban Higher Density (UH), and Open space (P/OS) Comprehensive plan designations and the corresponding R-6, R-22, and Park zoning designations.

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 September 17, 2012 (M-3781), the City will not require the property owners within the annexation boundary to accept any of the existing City indebtedness.

Section 5. Signature Certification: Pursuant to RCW 35.21.005, the County Assessor issued a Certification of Sufficiency dated November 29th 2012 regarding the signature support for the Glenwood Hills annexation, as set forth in Exhibit "E".

Section 6. Signature Acceptance: City Council hereby accepts the certified signatures supporting annexation of the Glenwood Hills annexation area.

Section 7. Effective Date: This ordinance shall become effective thirty (30) days following the date of final adoption.

Read first time: January 7, 2013

PASSED BY THE FOLLOWING VOTE: 7-0

Ayes: Councilmembers Tunay, Hansen, Burreman, Smith, Stewart,
Harris, Mayor Leavitt

Nays: Councilmembers

Absent: Councilmembers

Read second time: January 28, 2013

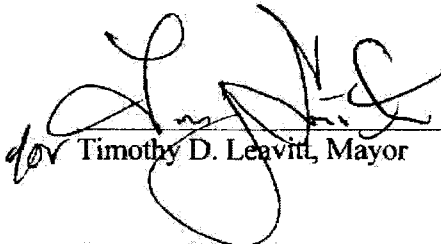
PASSED BY THE FOLLOWING VOTE: 6-0

Ayes: Councilmembers Tunay, Hansen, Burreman, Smith, Stewart,
Harris

Nays: Councilmembers


Absent: Councilmembers Mayor Leavitt

Signed this 28th day of January, 2013.




for Timothy D. Leavitt, 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. _____

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 Glenwood Hills annexation thirty (30) days following the date of final adoption.

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).

LEGAL DESCRIPTION

A tract of land lying in the North ½ of Section 17, the NW ¼ of Section 16, the SW ¼ of Section 9, and the South ½ of Section 8, 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 Lot 5, Block 2 of Walters Subdivision; Book F, Page 33, records of Clark County; and the North right-of-way line of NE 51st Street, said point being on the current city of Vancouver boundary line as established by ordinance M-3039 for the "Fourth Plain annexation" in December 1992;

Thence leaving said current city limits North 0°02'30" East along the West line of said subdivision a distance of 1077.59 feet to the northwest corner of Lot 1, Block 2 as shown on Book F, Page 33 of plats, records of Clark County, WA;

Thence North 88°53'11" West along the South line of the South half of the East half of Lot 1, Jaggy Homestead Lots a distance of 22.43 feet to the southwest corner of said Lot 1 of said subdivision as shown in Record of Survey Book 44, Page 159;

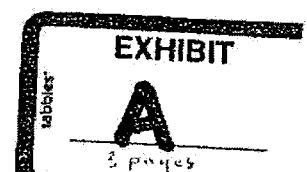
Thence North 1°17'02" East a distance of 469.45 feet, more or less, to the South line of the "Adjusted Parcel A" per Boundary Line Adjustment AP# 3101737 as shown on Record of Survey Book 49, Page 73, records of Clark County, WA;

Thence South 88°52'40" East along the South line of said "Adjusted Parcel A" a distance of 478.43 feet to the West right-of-way line of NE 82nd Avenue as shown on said survey;

Thence Northerly 333.47 feet, along the West right-of-way line of NE 82nd Avenue following a reverse curve and two courses to a point on the South right-of-way line of NE 58th Street as shown on said survey;

Thence northeasterly to a point on the North right-of-way line of NE 58th Street, said point being at the southwest end and point of tangency of curve #4, a 31.25 foot long, 20 foot radius curve as shown in Glen Field Estates subdivision Book H, Page 763 records of Clark County; said point being the point of intersection of the West right-of-way line of NE 82nd Court and the North right-of-way line of NE 58th Street;

Thence easterly along the North right-of-way line of NE 58th Avenue 2,830 feet, more or less, to the West right-of-way line of the Washington State right-of-way for Interstate 205;



Thence southeasterly along said State right-of-way for 1,215 feet, more or less, to the northeast corner of the parcel shown surveyed in Book 27, Page 116, said corner being where the boundary of the described area joins back to existing city limits boundary as defined in the "Fourth Plain" annexation established under Ordinance M-3039;

Thence North $88^{\circ}33'30''$ West a distance of 170.05 feet, along said existing city boundary to the East right-of-way line of NE 94th Avenue;

Thence northerly 136 feet, more or less, along the East right-of-way line of NE 94th to the easterly prolongation of the North right-of-way line of NE 54th Street as it intersects the East right-of-way line of NE 94th Avenue;

Thence west 520 feet, more or less, along the North right-of-way line of NE 54th Street to the southeast corner of the "Talarico" annexation defined under ordinance M-3062;

Thence north 460 feet, more or less, along the east line of said "Talarico" annexation and the existing city boundary to the northeast corner of said annexation;

Thence west 305 feet, more or less, along the North boundary of said annexation and the existing city boundary to the northeast corner of the "Hiller" annexation as designated in Ordinance M-3183;

Thence west 784 feet, more or less, along the North boundary of said "Hiller" annexation and the existing city boundary to the northwest corner of said annexation;

Thence south 220 feet, more or less along the West most boundary of said "Hiller" annexation and the existing city boundary to an angle point;

Thence east 220 feet, more or less, along the existing boundary of said "Hiller" annexation and the existing city boundary to an interior angle point;

Thence south 235 feet, more or less, along the existing boundary of said "Hiller" annexation to the North right-of-way line of NE 54th Street and the existing boundary of the "Fourth Plain" annexation as designated in Ordinance M-3039;

Thence westerly along the boundary of said existing "Fourth Plain" annexation and the North right-of-way line of NE 54th Street 670, feet more or less, to the Southeast corner of the existing "Talarico III" annexation as designated in Ordinance M-3388;

Thence north 445 feet along the East boundary of said existing "Talarico III" annexation per ordinance M-3388 to the northeast corner thereof;

Thence west 792 feet, more or less, along the North boundary of said existing "Talarico III" annexation and the "Talarico II" annexation as designated under Ordinance M-3141, to the northwest corner of said "Talarico II" annexation;

Thence south 445 feet, more or less, along the West boundary of said "Talatico II" annexation to the North right-of-way line of NE 54th street and the existing boundary of the "Fourth Plain" annexation per ordinance M-3039;

Thence westerly 300 feet, more or less, along the North right-of-way line of NE 54th Street and the existing boundary of said "Fourth Plain" annexation to the centerline of NE 82nd Avenue, said point also being on the East line of said Walters Subdivision;

Thence north along the East line of said Walters Subdivision 125 feet, more or less, to the Northeast corner of said Walters Subdivision;

Thence west 170 feet, more or less, along the North line of said Walters Subdivision and the current city limits per the "82nd Avenue" annexation per ordinance M-3233 to the Northwest corner of Lot 1, Block 1 of said subdivision;

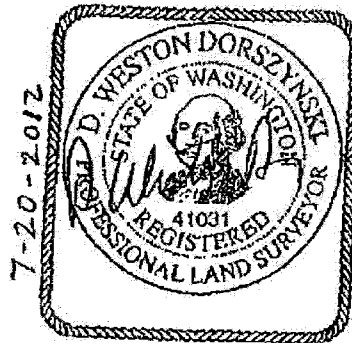
Thence south 997 feet, more or less, along the existing West boundary of said "82nd Avenue" annexation and the East boundary of Lots 2, 3, 6, 7, & 10 to the North line of the south 80 feet of Lot 10, Block 1 of said subdivision;

Thence west 140 feet, more or less, along the existing boundary of said "82nd Avenue" annexation and said North line to the East right-of-way line of NE 81st Avenue;

Thence south 80 feet, more or less, along the East right-of-way line of NE 81st Avenue and the West boundary of said "82nd Avenue" annexation to the southwest corner of said Block 1 of Walters subdivision, the North right-of-way line of NE 51st Street and the existing boundary of the "Fourth Plain" annexation as defined by ordinance M-3039;

Thence west 206 feet, more or less, along the North right-of-way line of NE 51st Street and said "Fourth Plain" annexation to the Point of Beginning.

Contains 63.35 acres more or less.



Proposed City Comp Plan

91ST
90TH
89TH
87TH
59TH
58TH

I-205

58TH

85TH

UL

57TH

90TH

91ST

OS

UH

UH

54TH

82ND

81ST

City of Vancouver

Legend

- Glenwood Annexation Area
- City Limits

Proposed Comprehensive Plan

- Urban Lower Density (UL)
- Urban Higher Density (UH)
- Open Space (OS)

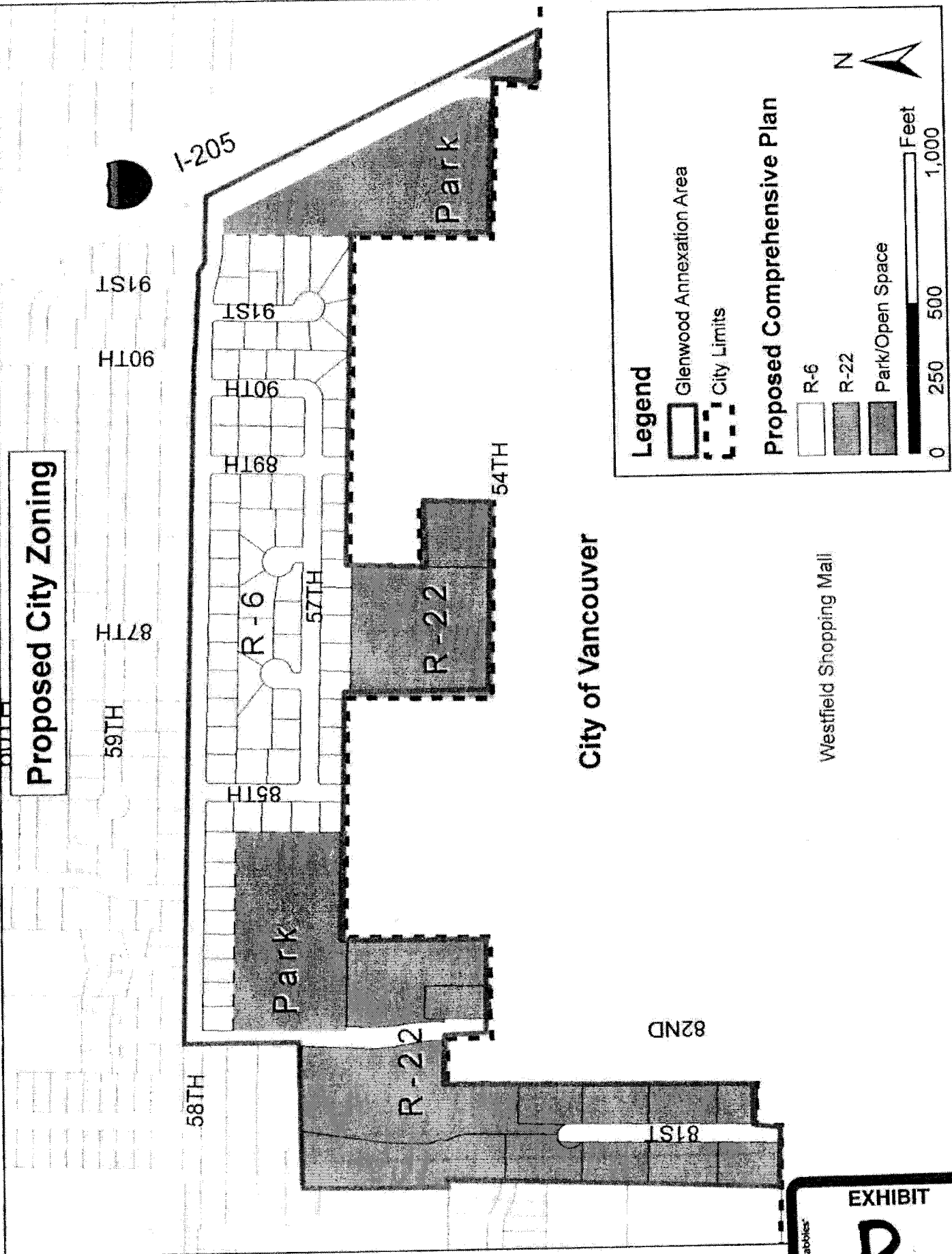


Westfield Shopping Mall

EXHIBIT



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Proposed City Zoning

City of Vancouver

Proposed Comprehensive Plan

Legend

- Glenwood Annexation Area
- City Limits

- R-6
- R-22
- Park/Open Space



Westfield Shopping Mall

EXHIBIT

D

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Certification of Sufficiency
Regency Place Annexation

The city of Vancouver on October 30, 2012, submitted for review by the Clark County Assessor, a petition to annex to the city approximately 63.35 acres of land known as the Glenwood Hills Annexation. Subject to the requirements of RCW 35.21.005, I now certify the following in my capacity as Clark County Assessor:

1. On October 30, 2012 the city of Vancouver submitted for certification by the Clark County Assessor a petition to annex to the city 162 parcels of land and associated road and public utility rights-of-way, totaling approximately 63.35 acres.
2. The legal description and map of the area proposed for annexation, as provided by the city of Vancouver, are attached to this certification. According to the map provided by the city, this area is located in unincorporated Clark County and within the urban growth boundary
3. The city is completing annexation pursuant to the direct petition method of annexation, RCW 35 13.125 through RCW 35 13 170.
4. The Clark County Assessor initiated determination of petition sufficiency on November 1, 2012 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 \$ 47,948,433
6. Petition signatures provided by the city of Vancouver represent signatures, in compliance with the RCW 35.13.125 through 35.13.170, of a combined total assessed value for general taxation of not less than 60% of the total assessed value for general taxation of all property in the proposed annexation area. This review did not address the legal sufficiency of any proxy or utility covenant, only the sufficiency of the presence of signatures thereon.

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 60% 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 29th day of November 2012.

Peter Van Nortwick
Clark County Assessor



Linda Latta
Clark County Deputy Assessor