

T6-151534



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STATE OF WASH.
UTIL. AND TRANSP.
COMMISSION

July 13, 2015

Mr. Steven King, Executive Director/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:
Lapinskas Property

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-4126 and is scheduled to go into effect August 6, 2015.

Included with this letter are a copy of Staff Report No. 085-15, associated Exhibits including a legal description of the .51 acres of land and a map of the annexation area, and Ordinance M-4126.


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: Derek Ranta – Waste Connections of Washington, Inc.
Pete DuBois – Clark County Environmental Services, Solid Waste

STAFF REPORT NO. 085-15

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

DATE: 7/6/2015

Subject: Annexation of property located in Vancouver’s unincorporated urban growth area, contiguous to the City of Vancouver boundary along the northern border of NW 52nd Street generally between NW Daniels and NW Columbia, an area .51 acres in size.

Key Points:

Property owner of two abutting properties (one inside City limits and one in Clark County) requesting annexation in order to submit a land use application and fees to a single jurisdiction rather duplicating fees and development applications to both jurisdictions.

Objective: Annex the Lapinskas site area, using the 60 percent petition method.

Present Situation: The Lapinskas annexation site contains a single family residence built around the 1950s. In Clark County, the subject site has the Urban Low (UL) density residential comprehensive plan and R1-7.5 land use zoning designations. The site is already served by City water and sewer service. The property owners also own the adjacent property within the Vancouver city limits located at 308 NW 52nd Street. The applicant is proposing to develop both properties with a land use development application. Due to the jurisdictional line location splitting the properties the applicant would need to submit development applications and review fees to both jurisdictions. To avoid the duplication of costs and conflicting development standards the applicant has requested to bring the property into the City of Vancouver.

Council shall now determine whether to:

1. Accept the certified signature supporting the annexation request; and
2. Re-confirm the March 16, 2015 Resolution M-3856 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. Implements City comprehensive plan annexation policies.
2. Supports the request of property owners for annexation.
3. Ensures that future development will have City Standard frontage improvements

Disadvantage(s):

1. Smaller annexations are less efficient.

Budget Impact: The amount of revenue generated vs. services provided from the annexation of this property is anticipated to be minimal.

Prior Council Review: March 16, 2015 Resolution M-3856- Council accepted the annexation request and adopted Resolution M- regarding the geographic boundary, comprehensive and zoning designations, and the question of requiring annexed properties to pay existing City indebtedness.

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Action Requested:

1. On Monday June 1, 2015 approve ordinance on first reading, setting date of second reading and public hearing for Monday July 6, 2015.
2. On Monday July 6, 2015, 2015 subject to second reading and public hearing, approve the ordinance.

Attachments:

- Notice of intent to annex
 - Legal description of applicant's property
 - Map of Applicant's Property
 - 10% property value documentation
- Map annexation area
- Legal description of annexation area
- Letter of acknowledgment and acceptance from Clark County
- Proposed Zoning Map
- Comprehensive Plan Map
- Lapinskas Annexation 10 percent resolution
- Letter from applicant to Council dated 5-20-15

To request other formats, please contact:

City Manager's Office

(360) 487-8600 | WA Relay: 711

Amanda.Delapena@cityofvancouver.us



**Exhibit A
Modified Legal Description**

Project Name: LAPINSKAS ANNEXATION WITH RIGHT OF WAY

TAX PARCEL: 101820-000

Lot 16, and the west 30 feet of lot 32, Home Crest, according to the plat thereof recorded in Volume "D" of Plats, Page 35, records of Clark County Washington

ALSO including a portion of right-of-way in the East half of the NW Quarter of Section 15 Township 2 North, Range 1 East of the Willamette Meridian further described as; all that portion of NW Columbia Street lying northerly of the easterly extension of the south right-of-way line of NW 52nd Street.

EXHIBIT

A

Lapinskas Annexation with Right of Way



EXHIBIT
B

Proposed Zoning and City Limits

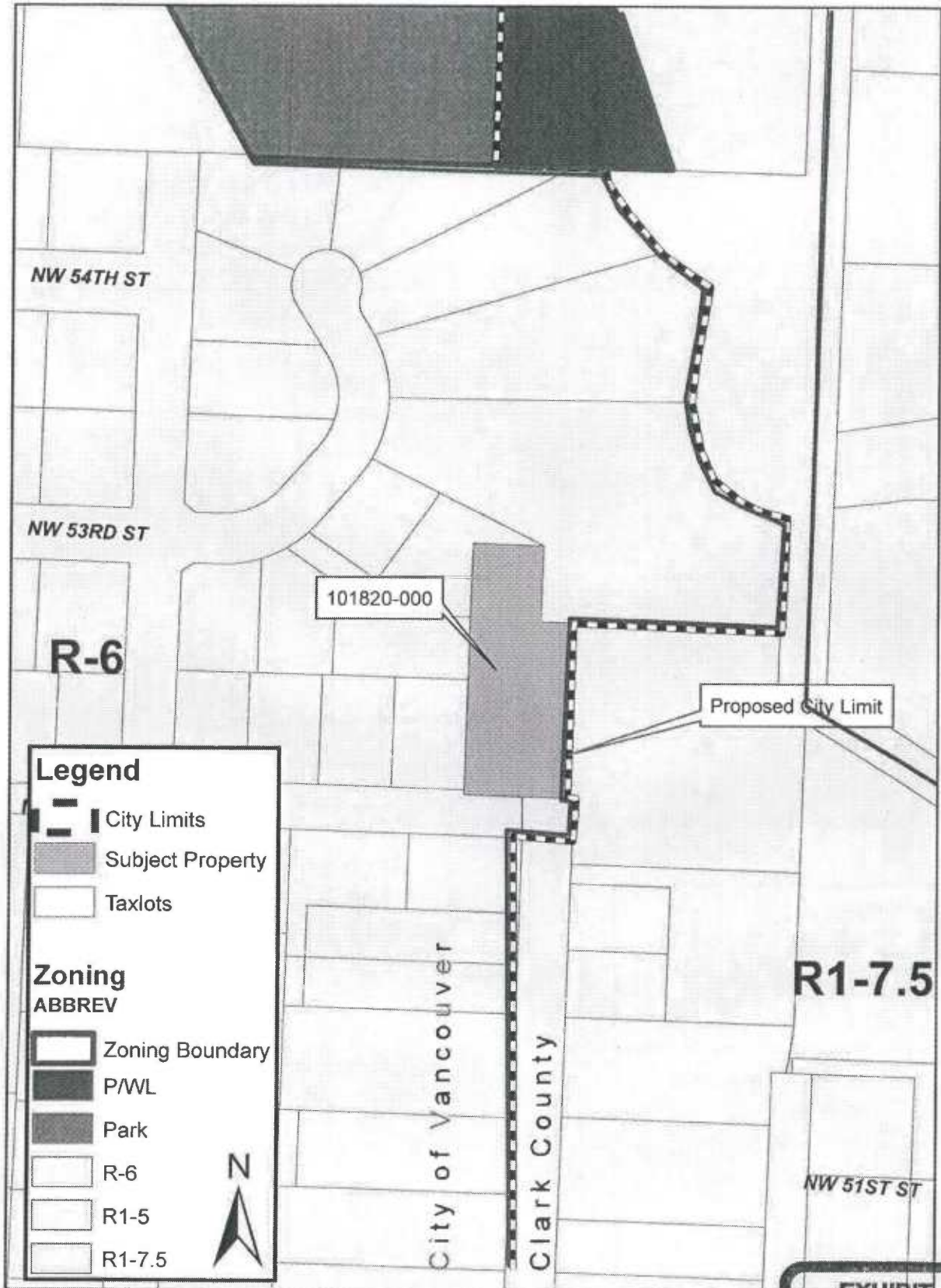
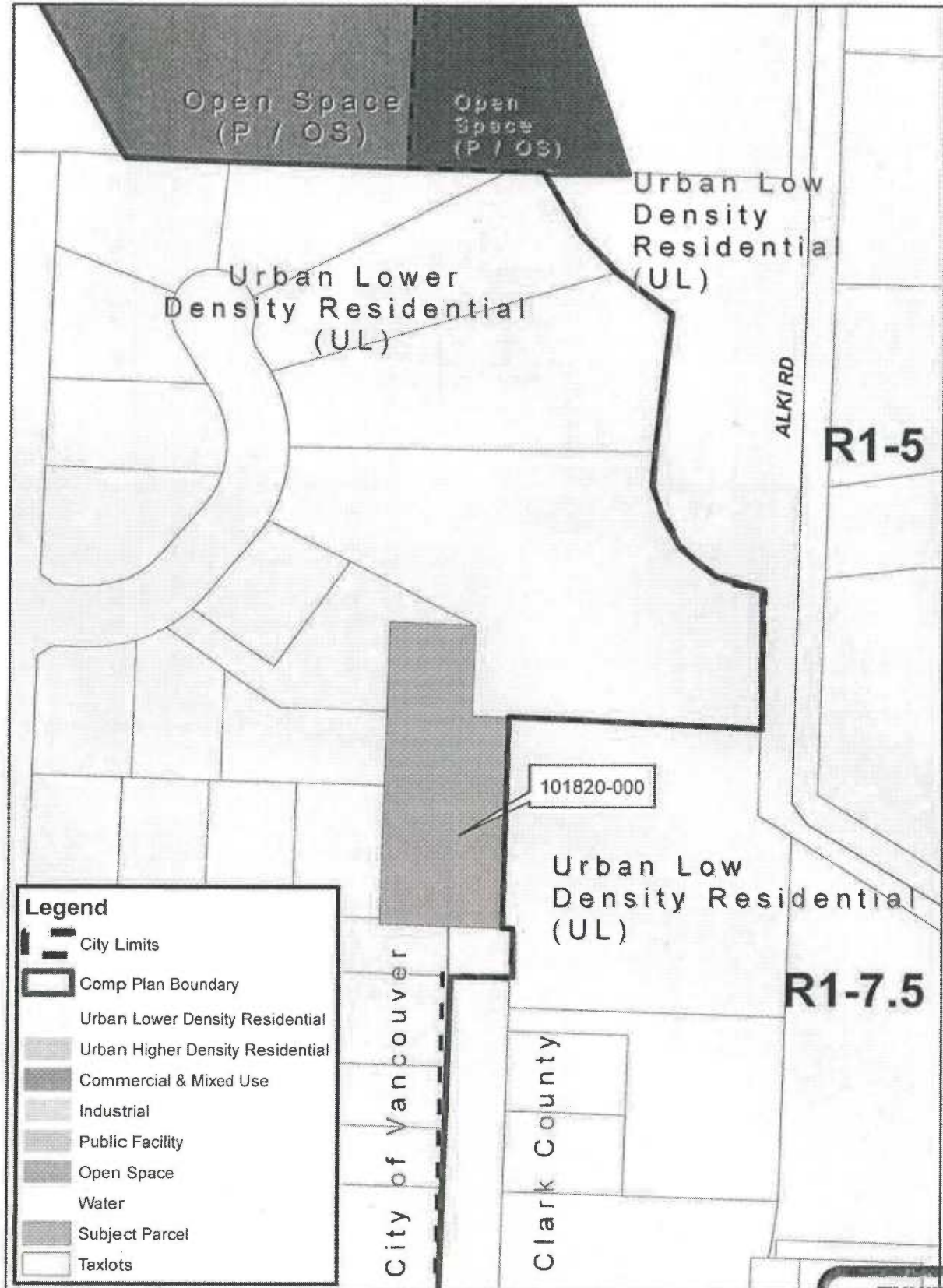


EXHIBIT
C

Proposed Comprehensive Plan and City Limits



Legend

- City Limits
- Comp Plan Boundary
- Urban Lower Density Residential
- Urban Higher Density Residential
- Commercial & Mixed Use
- Industrial
- Public Facility
- Open Space
- Water
- Subject Parcel
- Taxlots

EXHIBIT
D

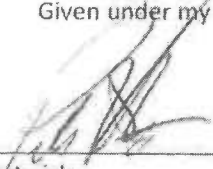
Certification of Sufficiency
Lapinskas Annexation

The City of Vancouver on March 30, 2015 submitted for review by Clark County Assessor, a petition to annex to the City approximately 0.51 acres of land known as the Lapinskas Annexation. Subject to the requirements of RCW 35A.01.040, I now certify the following in my capacity as Clark County Assessor:

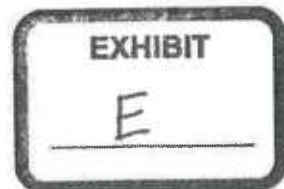
1. On March 30, 2015 the City submitted for certification by the Clark County Assessor a petition to annex to the City 1 parcel of land and associated road and public utility rights-of-way, totaling approximately 0.51 acres.
2. The legal description and map of the area proposed for annexation, as provided by the City, 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.
4. The Clark County Assessor initiated determination of petition sufficiency on April 14, 2015 which is the "terminal date" as defined in RCW 35A.01.040.
5. The area proposed for annexation has a certified annexation value for general taxation of \$ 119,400.
6. Petition signatures provided by the City represent signatures, in compliance with the RCW 35A.14.120 through 35A.14.150, 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, 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 April 14th, 2015.



Peter Van Nortwick
Clark County Assessor



06/01/2015
07/06/2015

ORDINANCE NO. M-4126

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 Lapinskas 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 Lapinskas annexation parcel is located in Vancouver's unincorporated urban growth boundary, north of the current City limits at NW 52nd Street generally between NW Daniels Street and NW Columbia ST.

WHEREAS, the annexation request conforms to the general principles of the inter-local 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 March 16, 2015 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 April 14, 2015, the Clark County Assessor certified that the signature represents support from over sixty percent of the total assessed valuation of the proposed annexation area.

NOW, THEREFORE,

BE IT ORDAINED BY THE CITY OF VANCOUVER:

Section 1. Location of Annexation Area: Pursuant to RCW 35.13 the Lapinskas annexation is located in Vancouver's unincorporated urban growth boundary, north of the current city limits at NW 52nd Street generally between NW Daniels Street and NW Columbia ST. 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 March 16, 2015 (M-3856), 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. Currently the land located in the Lapinskas Annexation area has Clark County comprehensive plan designations of Urban Low Density Residential (UL), and zoning designations of R1-7.5. Under Vancouver zoning per VMC Table 20.230.030-1, upon annexation the comprehensive plan designation shall be Urban Lower Density (UL). Upon annexation the zoning designation shall be converted to R-6 as set forth in Exhibits "C" and "D" attached hereto and incorporated herein.

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 March 16, 2015 (M-3856), the city will not require the property owners within the annexation boundary to accept any existing city indebtedness.

Section 5. Signature Certification: Pursuant to RCW 35.21.005, the County Assessor issued a Certification of Sufficiency dated April 14, 2015 regarding the signature support for the Lapinskas annexation, as set forth in Exhibit "E".

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

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

Read first time: June 1, 2015

PASSED BY THE FOLLOWING VOTE:

Ayes: Councilmembers *Tapper, McEnemy-Ogle, Turley, Hansen, Buneman, Smith, Mayor Leavitt*
Nays: Councilmembers
Absent: Councilmembers

Read second time: July 6, 2015

PASSED BY THE FOLLOWING VOTE: 7-0

Ayes: Councilmembers *Tapper, McEnemy-Ogle, Turley, Hansen, Buneman, Smith, Mayor Leavitt*
Nays: Councilmembers *None*
Absent: Councilmembers *None*

Signed this 6th day of July, 2015.



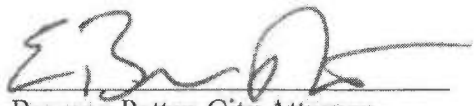
Timothy D. Leavitt, Mayor

Attest:



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

Approved as to form:



Bronson Potter, City Attorney

SUMMARY

ORDINANCE NO. M-41210

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 Lapinskas 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).