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STATE OF WASH.
UTIL. AND TRANS.
COMMISSION

June 15, 2017

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:
Van Mall North Annexation

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-4196 and is scheduled to go into effect August 1, 2017.

Included with this letter are a copy of Staff Report No. 042-17, associated Exhibits including a legal description of the 1,266 acres of land and a map of the annexation area, and Ordinance M- 4196.

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.
Janis Koch – Clark County Public Health

4/10/17
4/17/17

RECEIVED
GROWTH MANAGEMENT
2017 JUN 19 AM 9:02
STATE OF WASH.
UTIL. AND TRANSP.
COMMISSION

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.

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:

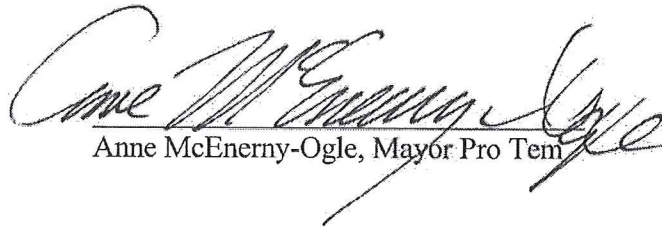
Ayes: Councilmembers Stober, Topper, McEnerny-Ogle, Turley, Hansen,
Buneman, Mayor Leavitt
Nays: Councilmembers None
Absent: Councilmembers None

Read second time: April 17, 2017

PASSED BY THE FOLLOWING VOTE: 6 - 0

Ayes: Councilmembers Stober, Topper, Turley, Hansen, Buneman,
Mayor Pro Tem McEnerny-Ogle
Nays: Councilmembers None
Absent: Councilmembers Mayor Leavitt

Signed this 17th day of April, 2017.

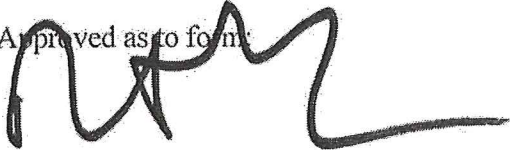

Anne McEnerny-Ogle, Mayor Pro Tem

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-211910

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.

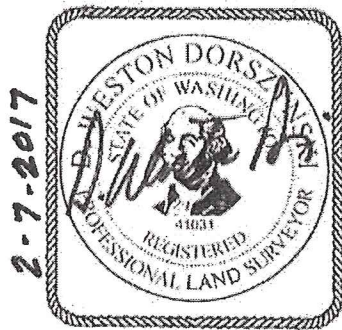
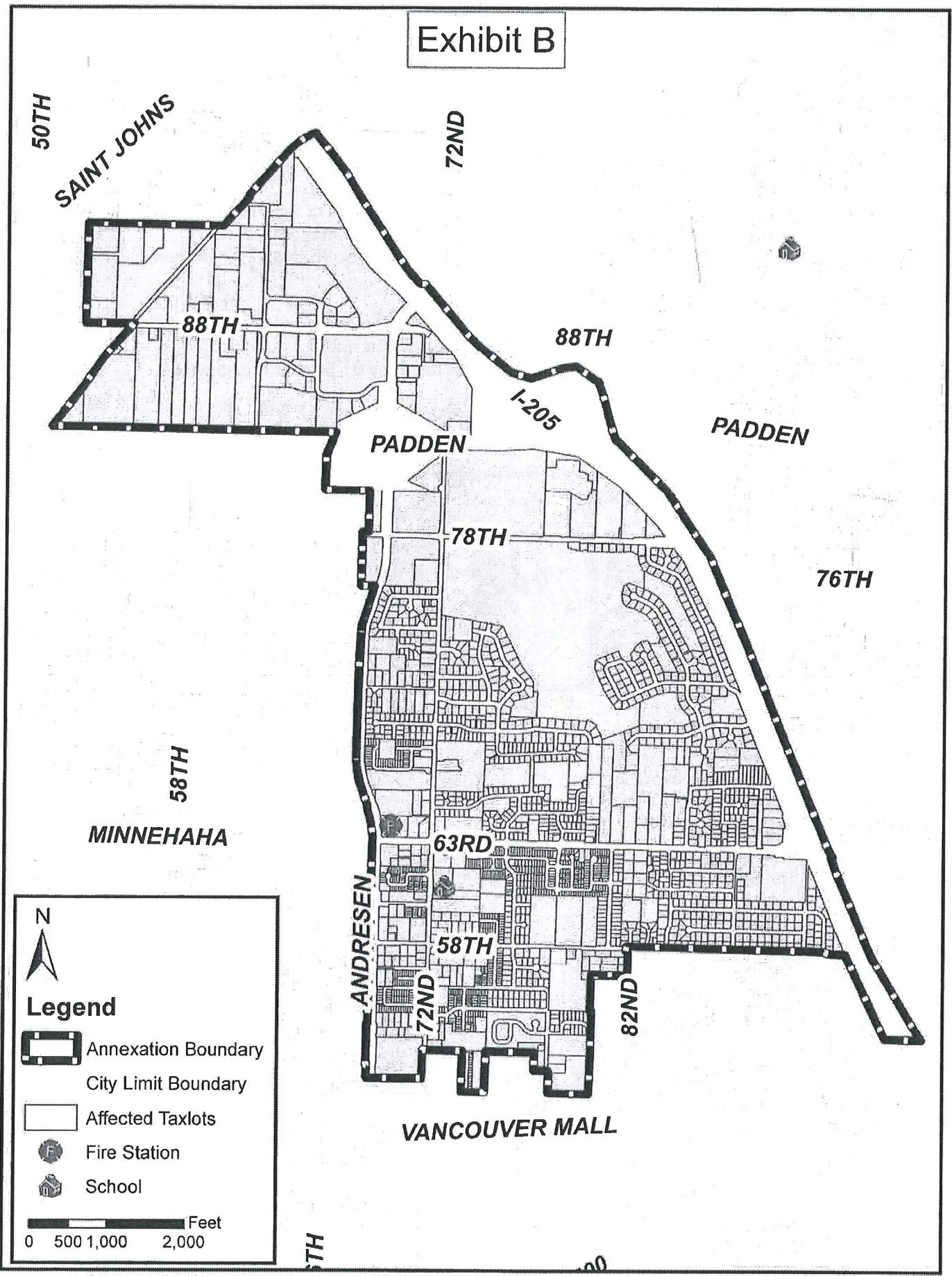
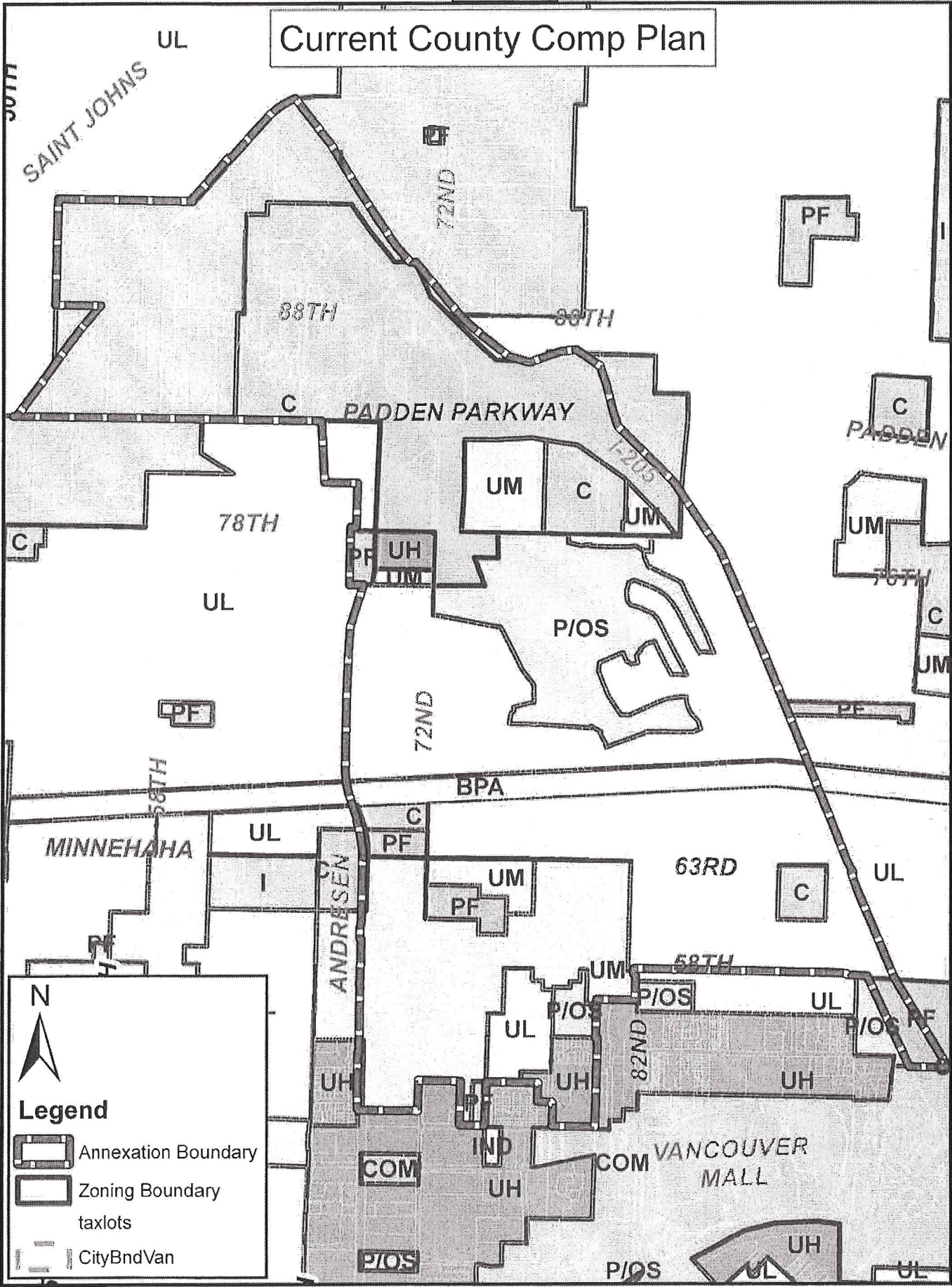


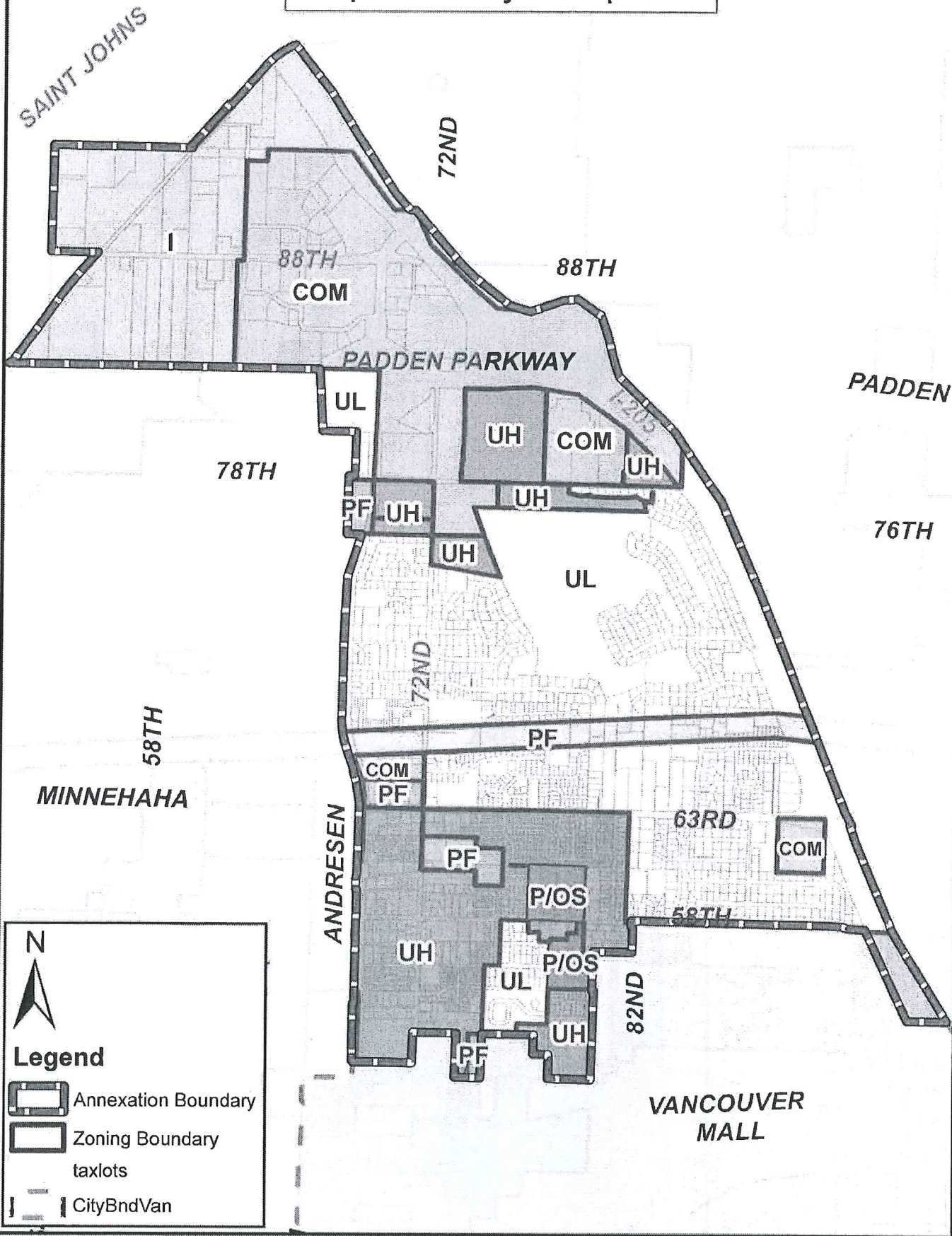
Exhibit B



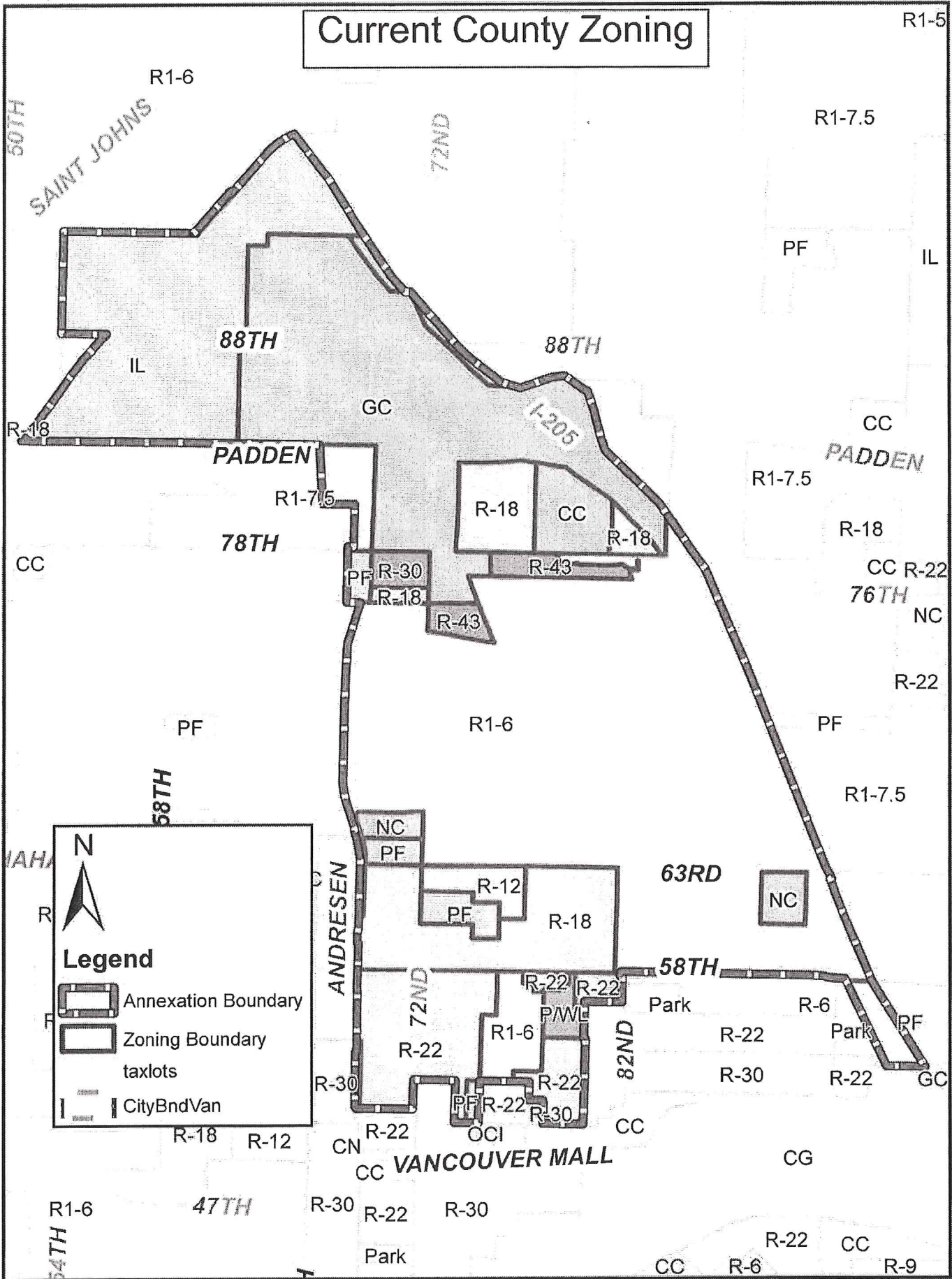
Current County Comp Plan



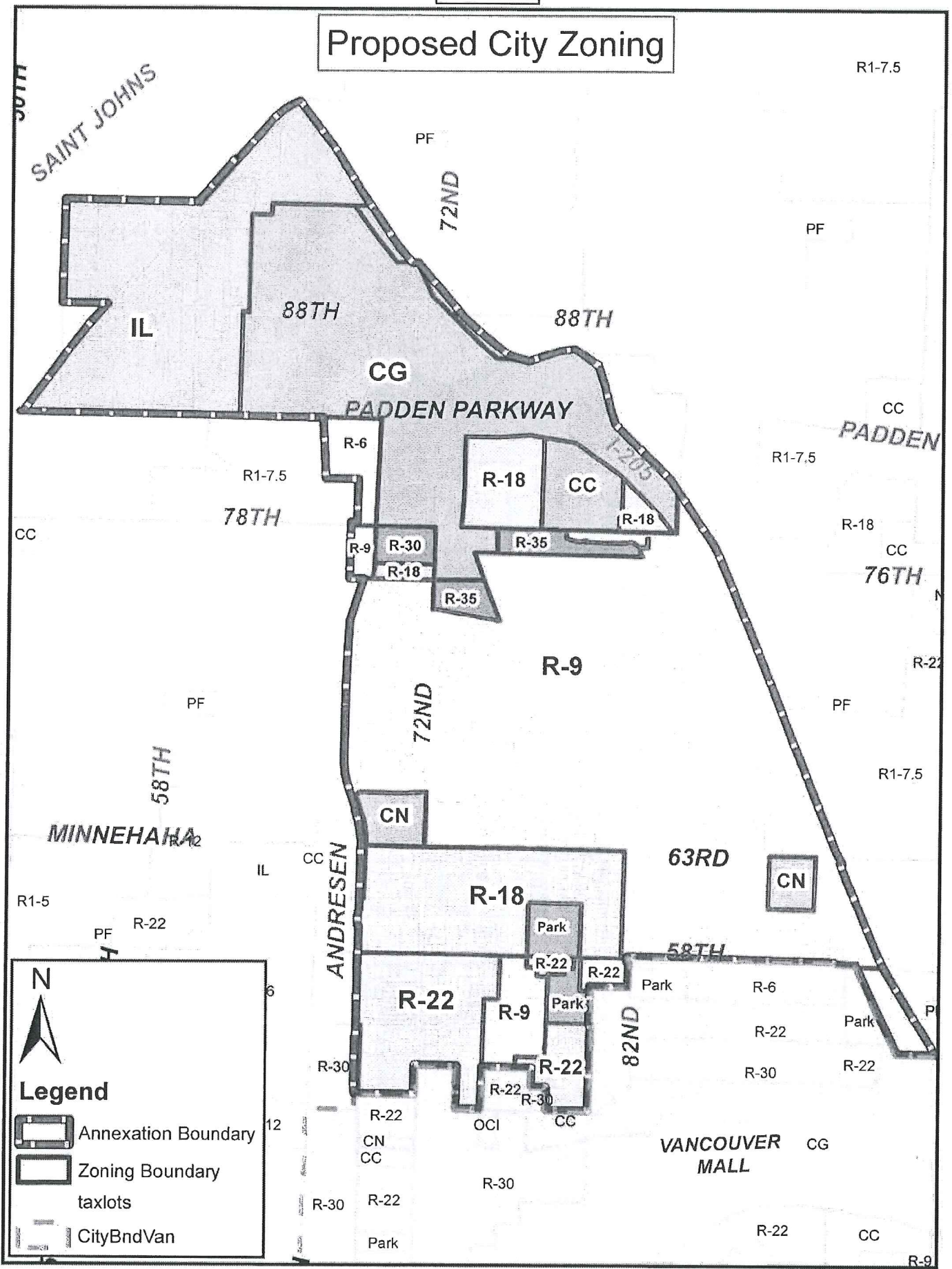
Proposed City Comp Plan



Current County Zoning



Proposed City Zoning

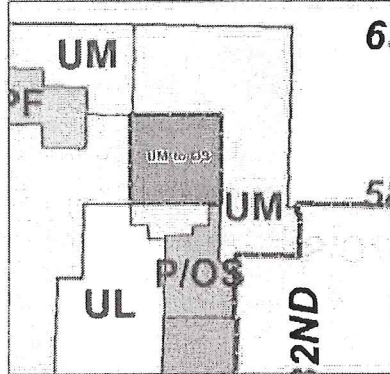


Legend

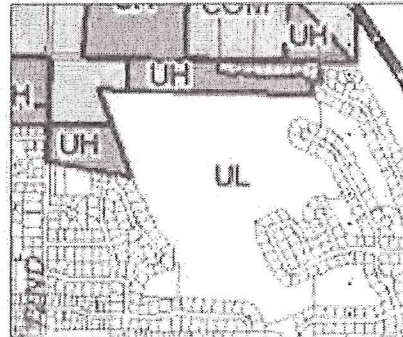
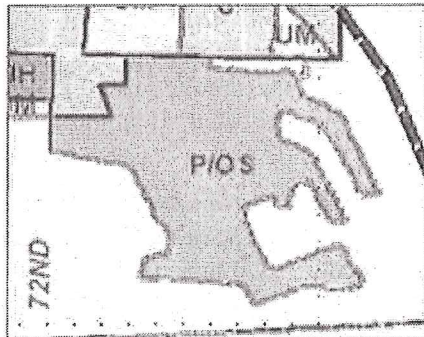
-  Annexation Boundary
-  Zoning Boundary
-  taxlots
-  CityBndVan

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.



**ANNEXATION BACKGROUND FACTS
ADDENDUM TO
STAFF REPORT
VAN MALL NORTH ANNEXATION**

ANNEXATION BACKGROUND AND POLICY

The following State and Local policies and plans guide annexation in the City of Vancouver:

The Growth Management Act (1990): The City of Vancouver and Clark County first adopted comprehensive plans in accordance to the GMA in 1994. The GMA requires counties to establish 20-year Urban Growth Area (UGA) boundaries to accommodate projected growth. The GMA also encourages cities to annex the UGA and provide urban-level services while counties provide regional services. Land outside the UGA cannot be annexed.

Community Framework Plan: In 1993, the Community Framework Plan was developed and adopted by Clark County and all of the incorporated cities/towns located in the county to provide regional guidance for local comprehensive planning. The Framework Plan was updated in 2000 and 2001, and incorporated in the City of Vancouver's 2003 Comprehensive Plan update and Clark County's 2007 Comprehensive Plan update. Section 9 of the Framework Plan lists the county-wide planning policies associated with annexation. These policies address: service provision, coordinated partnerships, and development of an analytical review process.

City of Vancouver Comprehensive Plan: In 1994, the City adopted its first Comprehensive Plan in accordance with the GMA. The Comprehensive Plan was updated in 2011. The Plan provides several annexation policies to guide development and implementation of the Blueprint. These policies address: procedure, coordinated partnerships related to services, and sequencing. The City of Vancouver's Comprehensive Plan clearly states that the City anticipates annexing the land located in the VUGA.

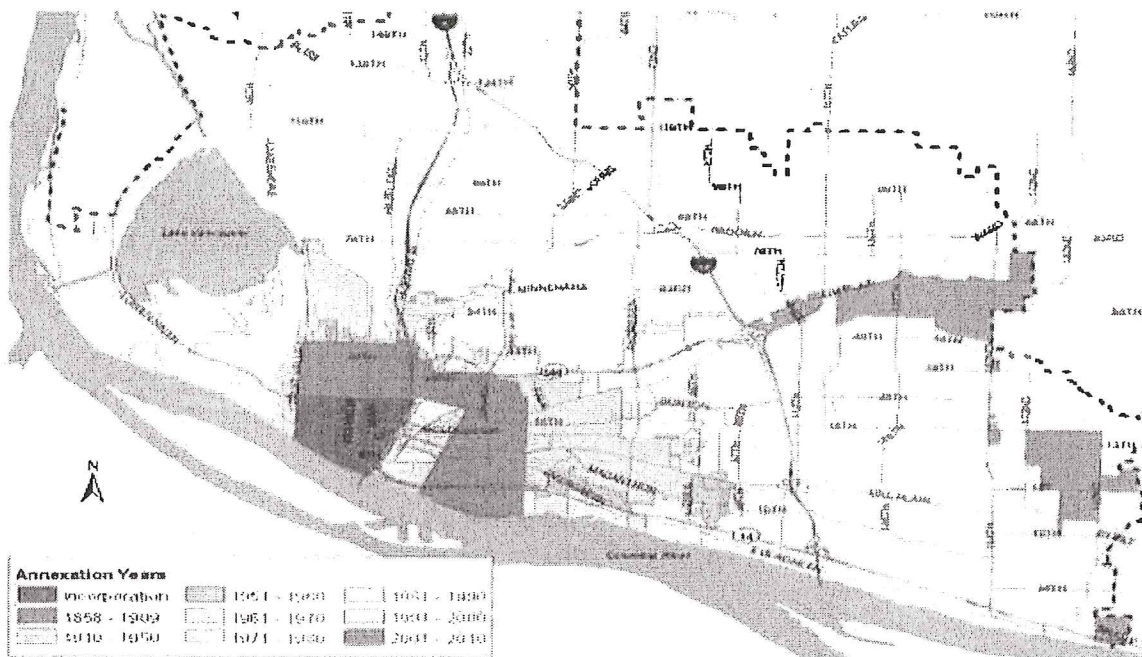
Clark County Comprehensive Plan: In 1994, the County adopted its first Comprehensive Plan in accordance with the GMA. The Comprehensive Plan was updated in 2004 and 2007. The Plan provides a number of policies related to annexation. The policies are directly related to service provision and annexation timing. The county also commits to actively support annexations which are 'balanced'.

City of Vancouver-Clark County Vancouver Urban Growth Area Annexation Blueprint: 20-Year Plan (2007): The Annexation Blueprint outlines a general annexation schedule for Vancouver's Urban Growth Area (VUGA). Originally adopted in 1993 in accordance with the Fourth Plain-Vancouver Mall agreement between the City of Vancouver and Clark County, the Blueprint enables the City, County and other affected agencies to plan for future annexations. The first update occurred in March 1995 following a number of sizable annexations. The update also addressed the 1994 expansion of the VUGA resulting from adoption of the first county Comprehensive Plan developed in accordance with the Growth Management Act. The second update occurred in December 1997 following the Cascade Park annexation. In 2007, the City of Vancouver and Clark County worked together to develop the current 20-year Blueprint in accordance with the Inter-Local Agreement resulting from adoption of Clark County

Comprehensive Plan 2004-2024, adopted in 2007. The Blueprint update reflects the VUGA expansions adopted in 2004 and 2007.¹

Annexation in the City of Vancouver

Since its incorporation in 1857, the City of Vancouver has grown via annexation. The City originally included approximately 920 acres (1.4 square miles) and 1,800 residents. Today the City is approximately 50 square miles with over 173,000 people. This growth is due in part to the active annexation efforts of the past 100 years. A total of 167 annexations were successfully completed by 2008. The first annexation, in 1909, contained 2,670 acres, quadrupling the geographic size of the City. The map below illustrates Vancouver's annexation history.²



¹ City of Vancouver-Clark County Vancouver Urban Growth Area Annexation Blueprint: 20-Year Plan (2007). City of Vancouver, WA.

² Ibid.

PUBLIC OUTREACH

The purpose of public outreach is to provide information about the proposed Van Mall North annexation; answer questions from residents, property owners and business; and help people understand the annexation process. In addition to direct and ongoing outreach through neighborhood associations, City staff members have utilized the following methods for communicating with residents, property owners, businesses, and interested citizens.

- City of Vancouver annexation webpages are regularly updated and include details on the proposed Van Mall North Annexation, Frequently Asked Questions, and the Annexation Analyzer. For more information, visit www.cityofvancouver.us/annexation.
- A designated staff person serves as the single point of contact for residents, businesses and property owners to ask questions, voice concerns and request information related to annexation.
Regular updates on the proposed Van Mall North annexation are provided in electronic and physical form. To sign up for email updates, visit the project website and complete the online form. Physical copies of all updates are available upon request.
<http://www.cityofvancouver.us/vanmallnorthannexation>.
- City of Vancouver Communications provides regular updates and information on annexation via social media platforms and other web venues.
- Technical contacts for various City Departments are available on the Frequently Asked Questions webpage. www.cityofvancouver.us/annexationFAQs
- The Annexation Analyzer allows property owners to understand the financial impacts annexation will have for them. Since the financial impact of annexation depends on several factors specific to the individual property, this is an important tool to help people understand the potential financial impacts of the proposed Van Mall North Annexation. www.cityofvancouver.us/annexationanalyzer
- Postage-paid comment forms are distributed at community and neighborhood meetings and are available at all City Council meetings on the counter outside Council Chambers.
- A factsheet on the proposed Van Mall North Annexation area is available via the annexation website and in paper format at City Council Meetings and upon request.
- An Annexation FAQ webpage is frequently updated and available via the City's website. www.cityofvancouver.us/annexationfaqs
- A Van Mall North Annexation open house was conducted August 24, 2016. Approximately 150 members of the public attended, and 37 City of Vancouver staff were present to answer questions and provide information.

NEIGHBORHOOD OUTREACH

City staff initiated communications with Clark County neighborhood associations impacted by the proposed Van Mall North Annexation in early 2016. The focus of this initial outreach was on neighborhood associations that would be affected by the proposed annexation, including East Minnehaha, Green Meadows, Andresen/St. Johns, and Sunnyside neighborhood associations. Staff requested meetings with neighborhood leaders, attended general membership meetings, provided written information upon request, and opened an ongoing dialogue with affected associations (Figure 1, next page). All outreach was done in coordination with the office of the Clark County Public Information Officer.

In addition to those inside the proposed annexation area, other County neighborhoods have shown an interest in the project. City staff have responded to all requests for information from these neighborhoods as well.

City staff have also presented information on the proposed annexation to the Neighborhood Associations Council of Clark County (NACCC), an umbrella organization whose members represent individual neighborhood associations in unincorporated Clark County. The panel serves as a resource for the Board of County Councilors regarding neighborhood issues and is supported by County staff. The information presented by the City included an overview of the regulatory framework for annexation, the process and methods through which cities annex areas into their boundaries, and information about the Van Mall North Annexation currently being proposed. Outreach to neighborhood associations is ongoing, and City staff will continue to communicate regularly with neighborhood leaders and attend association meetings.

Figure 1: Outreach To Clark County Neighborhood Associations Regarding the Proposed Van Mall North Annexation, January 2016 – March 2017

	East Minnehaha	Green Meadows	Sunnyside	Andresen/ St. Johns	Other Neighborhoods in Clark County	Neighborhood Association Council of Clark County
Requested a meeting	✓	✓	✓	✓	N/A	✓
Met with Neighborhood Association	✓	✓	✓	N/A	✓	✓
Attended Neighborhood Association meetings	✓	✓	N/A	N/A	✓	✓
Provided information for newsletter	✓	N/A	✓	N/A	✓	N/A
Provided printed materials on annexation	✓	✓	✓	N/A	✓	✓
Invitation to open house	✓	✓	✓	✓	✓	✓
Ongoing communications & outreach	✓	✓	✓	✓	✓	✓

*N/A is used when the type of outreach was not applicable. Examples include neighborhood associations that do not meet regularly, neighborhood associations that do not have a newsletter, or if neighborhood leaders determined that staff provided sufficient information via the web and through email in lieu of a meeting.

TRANSPORTATION & INFRASTRUCTURE ASSESSMENT

Pavement Management and Street Maintenance

Pavement Management and street maintenance encompasses streets, curbs, sidewalks, signs and striping. There are approximately 22 centerline miles of public streets within the proposed annexation area. The overall condition of the pavement surfaces is good, with a majority of the streets having been resurfaced within the last three to four years. Approximately 30 percent of the annexation area lacks any existing sidewalks.

The City's existing pavement management policy allocates a set dollar amount per centerline mile annually for all streets in the City, which provides annual revenues to maintain street surfaces throughout the City. In addition, the City's 2017 budgeted expense per centerline mile for all other street maintenance is \$9,075 per mile.

Pursuant to existing policy, approximately \$357,000 per year would be allocated to the City's pavement management program due to annexation. In addition, approximately \$193,000 per year would be required to maintain streets within the annexation area.

Traffic Signals

There are eight public traffic signals within the annexation area. The existing traffic signal controller systems are not compatible with the City's systems, making it very difficult for City staff to maintain the signals. Therefore, as the traffic signals are replaced and/or upgraded in the future, the controllers will need to be modified to the City's standard. In the interim, the City will contract with Clark County for maintenance of the traffic signals.

The estimated cost estimate for Clark County to maintain the eight traffic signals is \$10,000 per year. In addition, the estimated energy costs for continuous operation of the traffic signals is \$5,000 per year.

Street Lighting

There are 456 existing street lights within the annexation area. Most of the lights are High Pressure Sodium (HPS) style lighting and not LED. There are approximately ten miles of arterial and neighborhood streets that do not have any existing street lighting.

The estimated energy costs for the existing street lighting is \$25,000 per year. A decision to upgrade the existing lighting to the LED technology would cost approximately \$70,000. The cost to install new street lights in non-lit areas is approximately \$4 million.

Water and Sewer Utilities

All water and sewer utilities within the annexation area are currently operated and maintained by the City and Clark Regional Wastewater District (CRWWD). There are 26 miles of underground infrastructure providing potable water service. Water Station #14 (Located at Andresen Road/NE 78th Street) is the primary treatment and distribution hub for water service in the annexation area.

There are 20 miles of underground infrastructure provide sanitary sewer service. Sanitary sewer in this area is collected and conveyed to the CRWWD Salmon Creek Treatment Plant. There is no anticipated change in water and sewer utility costs to the City as a result of the annexation.

Stormwater

Stormwater systems typically include underground mains, manholes, inlets, open channels, swales, culverts and treatment/flow control facilities. There are approximately 16 miles of publicly maintained underground storm mains, manholes, and inlets within the annexation area. In addition, there are five miles of ditches, swales and culverts and over 400 stormwater treatment and flow control facilities.

Summary

Given current expenditures for comparable infrastructure, the estimated cost to maintain public infrastructure within the annexation area is less than the projected revenues that the annexation will generate. A schedule of improvements has yet to be determined.

PETITION METHOD OF ANNEXATION

Vancouver uses the petition method of annexation by means of utility service covenants. The petition method requires approval from property owners representing at least sixty percent of the assessed value of the proposed annexation area. Utility service covenants are agreements between property owners outside current City limits and the City of Vancouver, wherein the City agrees to supply utility services outside current city limits in exchange for an agreement to sign a future annexation petition.

The typical steps involved in a petition annexation process would be as follows:

- The initiating parties submit a notice of their intention to commence annexation proceedings in writing, signed by the owners of not less than 10% in assessed value of the property sought for annexation.
- Within 60 days after having received an intent to annex notice, a public meeting with City Council is scheduled with the initiating parties to determine:
 1. If the City will accept the annexation;
 2. If the City will require simultaneous adoption of proposed zoning regulations;
 3. If the City will require that the area proposed for annexation to assume all or any portion of the existing city indebtedness;
 4. If the City will reject or geographically modify the proposed annexation area.
- City council will reject the proposal or approve a resolution allowing staff to collect the required signatures necessary to proceed with the annexation process.
- If the resolution passes, staff will proceed to collect and subsequently provide annexation petition and utility service covenant signatures to the County Auditor for certification. Upon successful review, the County Auditor will provide a certification of sufficiency letter to the City.
- Following Auditor certification, City staff will schedule a public hearing process with City Council to adopt the proposed annexation by ordinance.
- If the ordinance is adopted by City Council, notice is sent to vested and interested parties.
- City staff performs a census of the annexed lands to determine effective population gain and provides results to the Washington Office of Financial Management. The office of financial management will then provide an Annexation and Municipal Boundary Change Certificate approval.

LEGAL BASIS FOR ANNEXATION

Several questions have been asked regarding the process for the Vancouver Mall North Annexation. These questions have been raised during the citizen forum portion of council meetings. The questions are addressed below.

Question 1: Can the city use utility service covenants (“USCs”) be used to commence an annexation.

Yes. RCW 35.13.125 states that a direct petition method annexation may be commenced by ten percent of the residents or owners of ten percent of the property value within the annexation area. This is done through a “notice of intent” to annex which is filed with the city. At this point, it is not known if the notice of intent will be signed by residents, property owners, or if USCs will be used to support the notice of intent.

The USCs signed when property owners connected to the city’s water or sewer system state that the owner will sign any document “initiating” or “furthering” an annexation. The notice of intent is certainly such a document. The use of utility covenants to support a notice of intent to annex was examined in *Yakima County Fire Prot. Dist. No. 12 v. Yakima*, 122 Wn.2d 371, 384, 858 P.2d 245 (1993). In that case, the Supreme Court upheld the trial court’s decision that the USC was an enforceable contract requiring property owners to support an annexation including the requirement to sign a notice of intent to annex.

Question 2: Must the city request a property owner sign a petition before using the USC to support an annexation petition?

No. Although the USC states that the owner shall sign a petition “whenever so requested”, attaching the USC to a notice of intent or petition is the equivalent of a signature itself. In *People for Pres. & Dev. of Five Mile Prairie v. Spokane*, 51 Wn. App. 816, 820, 755 P.2d 836, 839, (Div. III, 1988) a utility covenant was attached to a petition over the objection of the property owner. The court held that attaching the covenant would count as a signature even though the owner objected to the annexation the court said:

The purpose of the signature requirement of RCW 35.13.130 is to insure that a significant number of the persons most affected by a decision to annex support that decision. Here, the Reeds' predecessors and the Krugers made a legal and binding promise to support annexation. Neither the City Council nor the courts can be parties to a breach of that contract by allowing them to withdraw that support now. We hold that the signed covenant was the substantial equivalent of the Reeds' and Krugers' signatures on the petition and, thus, the petition complied with RCW 35.13.130.

Contacting owners to request their signature would be a useless act when the owner does not have a legal right to refuse to sign. Courts do not require parties to perform useless acts. It should be noted that the covenants in the Five Mile Prairie case included the same

“whenever so requested” language as the city’s USCs. The court upheld attaching covenants in lieu of having the owners sign the petition.

Question 3: What is the significance of the language “The method of annexation provided for in RCW 35.13.130 to 35.13.160 [direct petition method] shall be an alternative method, not superseding any other.”

That language simply means that the direct petition method of annexation is an alternative to other methods of annexation such as the election method and it does not supersede or replace the other methods.

LAND USE

Upon annexation, the County Comprehensive Plan and zoning designations for the proposed annexation area will convert to the City designations that are the most similar. The assignment of these designations shall occur automatically and concurrently with the annexation (VMC 20.230.030).

Green Meadows

Through the City's neighborhood outreach efforts, staff has identified zoning as a critical issue for a group of property owners surrounding the Green Meadows golf course. The primary issue for these owners is the future status of the Green Meadows golf course. The current County Comp Plan designation is Open Space, reflecting the current use of the site. The underlying County zoning however is a mix of R1-6 low density residential, R-43 high density residential, and GC general commercial. Given current conditions, Green Meadows golf course properties would be converted as follows:

County Zone	City Zone
R1-6	R-9
R-43	R-35
GC	CG

In the Low-Density Residential Zone, zoning after annexation would reduce minimum lot sizes from 6,000 to 5,000 square feet and increase maximum units per acre by approximately 1 unit.


Jurisdiction / Zone	Minimum Lot Area	Max Average Lot Area	Units / Acre
City R-9	5,000 sf	7400 sf	5.9 - 8.7
County R1-6	6,000 sf	8500 sf	5.1 - 7.3

In the High-Density Residential Zone, zoning after annexation would increase minimum lot sizes and reduce maximum units per acre by approximately 8 units.

Jurisdiction / Zone	Minimum Lot Area	Max Average Lot Area	Units / Acre
City R-35	1,200 sf	-	30.1 - 35
County R-43	1,000 sf	-	20 - 43

The annexation itself does not substantially affect redevelopment. Green Meadows golf course is a privately held and operated. The golf course could sell or initiate redevelopment under the existing commercial and residential zoning codes at any time. The current owner of the golf course has not indicated any interest in a zone change to City staff. Actions related to land use changes would be processed separately from the annexation process.

STAFF REPORT NO. 042-17

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

DATE: 4/10/2017
4/17/2017

Subject: Van Mall North Annexation

Key Points:

- The proposed annexation is approximately 2 square miles in area.
- The expected population in the area is 4,600 persons.
- The annexation area is primarily served by City fire, water and sewer utility services.
- The City has collected annexation/utility covenant for more than 70 percent of the land valuation within the annexation area.
- January 2016 Council requested staff to evaluate the Van Mall North annexation area.
- Staff analyzed annexation alternatives and conducted public outreach.
- November 28, 2016, Council directed staff to proceed with initiating annexation process.
- February 13, 2017, City Council voted to accept 10% annexation petition.
- February 28, 2017, Clark County Assessor certified covenant signatures exceeding 60% of property values within annexation area.
- March 2017 City and County staff hold coordination meetings for transfer of service issues.

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 COMMISSION

Objective: Conduct public hearings to consider an ordinance to annex the Van Mall North area.

Present Situation: The proposed annexation area is located north of the current city limits generally between Andresen Road and Interstate 205. This annexation request contains approximately 1,270 acres.

VMC 20.230.030 provides that City Council shall designate the city comprehensive plan and zoning designations for the annexing land to be most similar to the county designations of such land. The following table indicates the proposed comprehensive plan and zoning designations.

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	PF	R-9
PF	PF	PF	CN
PF	PF	PF	R-18

PF	PF	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

Advantages: Council is now requested to confirm to staff to proceed with the next steps towards annexation for the following reasons:

1. Continues Van Mall North annexation of 2008.
2. Implements the 2007 City-County Blueprint.
3. Supports Vancouver's comprehensive plan policies.
4. Feasible using existing utility covenants.
5. Brings sewer, water, fire, and transportation customers into city limits.
6. Ensures that future development in annexation area will conform to City standards.
7. Budget impact is net positive.

Disadvantage(s): City accepts additional municipal service responsibilities for the annexation area; notably police and transportation and utility infrastructure.

Budget Impact: Annexation of the proposed area will positively impact the City's financial situation.

Prior Council Review:

- Council Retreat January 2016
- Workshop May 23, 2016
- Workshop November 28, 2016
- Resolution to accept annexation petition February 13, 2017

NEW CITY-COUNTY SERVICE TRANSFER PROCESS

City staff developed a process to address service transfer issues between City and County departments and prepare for the proposed August 1 Van Mall North annexation.

Process:

- Identified nine departments involved in service transfer:
 - City Manager's Office
 - Community & Economic Development
 - Finance
 - Fire
 - IT
 - Legal
 - Parks & Recreation
 - Police
 - Public Works
- Identified 53 City-County service transfer issues organized on a Gantt Chart
- Established a City staff contact and corresponding County staff contact for each service

- Identified service transfer Memoranda of Understanding (MOUs) and Interlocal Agreements
- Identified key dates
- Established regular City annexation meetings with representation from each department to identify status of each of the 53 transfer issues (on hold, underway or completed) and address obstacles to progress.

NEW INTERNAL COMMUNICATIONS STRATEGY

To prepare for the proposed Van Mall North annexation on August 1, City staff developed a new strategy for internal communications, with a focus on educating and informing those staff members who have close contact with the public and may encounter questions or concerns.

Communications Method	Staff Responsible	Timeline
Regular updates to the Management Leadership Team (MLT)	Chad Eiken, Teresa Brum	Tuesday MLT meetings as needed
Monthly meetings of citywide annexation team	Citywide Annexation Team	Monthly
Regular updates via City Currents	Rebecca Kennedy, Carol Bua, Sophie Banner	Monthly, or as new information becomes available: 4/24/17 Adoption of annexation ordinance & effective date
Presentation to Citywide Leadership Team	Teresa Brum	March 1, 2017
Presentations to individual departments and teams	Teresa Brum, Rebecca Kennedy, Bryan Monroe, Judi Bailey	Upon request <ul style="list-style-type: none"> • Presentation to CED Permitting staff on 3/33/17
Updated and maintained SharePoint page	Rosemary Armour	Ongoing
Regular Communications from Department heads/annexation project managers from within each department	Citywide Annexation Team	Monthly

Action Requested:

1. On Monday April 10, 2017, approve ordinance on first reading, setting date of second reading and public hearing for Monday April 17, 2017.
2. On Monday April 17, 2017, subject to second reading and public hearing, approve the ordinance and set an effective date of August 1, 2017.

Attachment(s):

- Notice of intent to annex
- Map annexation area
- Legal description of annexation area
- Comprehensive Plan Maps
- Zoning Maps
- Van Mall North Annexation 10 percent resolution
- Clark County Petition Signature Certification letter
- Ordinance with exhibits
- Annexation Background Facts, Addendum to Staff Report



To request other formats, please contact:
City Manager's Office
(360) 487-8600 | WA Relay: 711
Amanda.Delapena@cityofvancouver.us

**NOTICE OF INTENT TO COMMENCE ANNEXATION PROCEEDINGS
TO THE CITY OF VANCOUVER WASHINGTON**

TO: Honorable Mayor Tim Leavitt and City Council of Vancouver, Washington
P.O. Box 1995
Vancouver WA 98668

This is a Notice of Intent, submitted to the City Council of Vancouver, Washington, that states the undersigned property owners request that City Council commence annexation proceedings to annex certain property to the City of Vancouver.

This Notice of Intent is presented on behalf of the undersigned property owners who own real property in the unincorporated Vancouver Urban Growth Area, also within the area legally described in **Exhibit A** which is adjacent and contiguous to the City of Vancouver, Washington. The parties to this Notice of Intent to commence annexation proceedings request annexation of parcels as shown on the map provided as **Exhibit B**. The area proposed to be annexed is approximately 1,269 acres in size. The undersigned own more than ten percent of the assessed value of the total area as shown in the database provided as **Exhibit C**. This meets the requirements of RCW 35.13.125, the statute under which this Notice of Intent is filed. The City Council of the City of Vancouver, Washington, is hereby requested to proceed under RCW 35.13.125 and to schedule a public meeting to be held within sixty days after the filing of the Notice of Intent and to determine the following:

1. Whether the City of Vancouver will accept this proposed annexation as defined in **Exhibit A** and shown in **Exhibit B**; and,
2. Whether City of Vancouver shall require the simultaneous adoption of comprehensive plan and land use zoning designations; and,
3. Whether the City of Vancouver shall require the assumption of all or any portion of the existing City indebtedness by the area to be annexed.

The undersigned property owners hereby request the following:

1. That the City of Vancouver accept the proposed annexation as defined in **Exhibit A** and shown in **Exhibit B**; and,
2. That the City of Vancouver shall apply the simultaneous adoption of the most similar comprehensive plan and land use zoning designations as provided for by Clark County and as defined in VMC Table 20.230.030.1; and,
3. That the City of Vancouver shall not require the assumption of any portion of the existing City indebtedness by the area to be annexed.

Dated this 24th day of January, 2017

Suzanne Russo
(Signature)

Suzanne Russo
(Print Name)

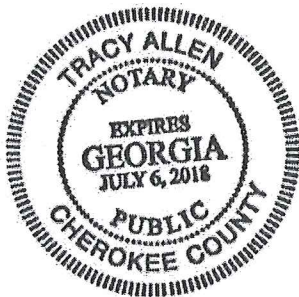
STATE OF Georgia)
) SS
COUNTY OF Cobb)

I hereby certify that I know or have satisfactory evidence that Suzanne Russo
(Print Name)

signed this instrument, on oath stated that (she/he) is authorized to execute the instrument as

Sr. Corporate Counsel of Home Depot
(Position/Title) (Name of Corporation)

and acknowledge it to be (her/his) free and voluntary act of such party for uses and purposes mentioned in the instrument.



Tracy Allen
(Signature of Notary)

Tracy Allen
(Print Name of Notary)

My Appointment Expires: 7-6-18

Notary Public for the State Georgia

The undersigned property owners hereby request the following:

1. That the City of Vancouver accept the proposed annexation as defined in Exhibit A and shown in Exhibit B; and,
2. That the City of Vancouver shall apply the simultaneous adoption of the most similar comprehensive plan and land use zoning designations as provided for by Clark County and as defined in VMC Table 20.230.030.1; and,
3. That the City of Vancouver shall not require the assumption of any portion of the existing City indebtedness by the area to be annexed.

Dated this 7th day of December, 20 16

[Signature]
(Signature)

Jeffrey S. Gordon
(Print Name)

STATE OF Washington
COUNTY OF Clark

SS

I hereby certify that I know or have satisfactory evidence that Jeffrey S. Gordon
(Print Name)
signed this instrument, on oath stated that (she/he) is authorized to execute the instrument as
Managing Member of The Grove at The Mall LLC
(Position/Title) (Name of Corporation)

and acknowledge it to be (her/his) free and voluntary act of such party for uses and purposes mentioned in the instrument.

Notary Public
State of Washington
Richard A Rudd
Commission Expires 9-17-2019

[Signature]
(Signature of Notary)
RICHARD A. RUDD
(Print Name of Notary)

My Appointment Expires: 9/17/19

Notary Public for the State Washington

The undersigned property owners hereby request the following:

1. That the City of Vancouver accept the proposed annexation as defined in **Exhibit A** and shown in **Exhibit B**; and,
2. That the City of Vancouver shall apply the simultaneous adoption of the most similar comprehensive plan and land use zoning designations as provided for by Clark County and as defined in VMC Table 20.230.030.1; and,
3. That the City of Vancouver shall not require the assumption of any portion of the existing City indebtedness by the area to be annexed.

Dated this 8 day of December, 2016

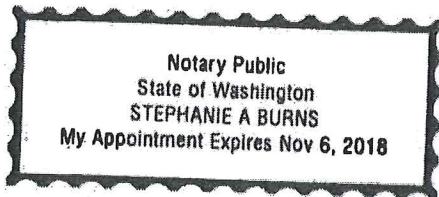
Gail E. Tsuboi
(Signature)

Gail E. Tsuboi
(Print Name)

STATE OF Washington)
) SS
COUNTY OF King)

I hereby certify that I know or have satisfactory evidence that Gail E. Tsuboi
(Print Name)
signed this instrument, on oath stated that (she/he) is authorized to execute the instrument as
Assistant Vice President of Costco Wholesale
(Position/Title) (Name of Corporation)

and acknowledge it to be (her/his) free and voluntary act of such party for uses and purposes mentioned in the instrument.



Stephanie A. Burns
(Signature of Notary)

Stephanie A. Burns
(Print Name of Notary)

My Appointment Expires: November 6, 2018

Notary Public for the State of Washington

The undersigned property owners hereby request the following:

1. That the City of Vancouver accept the proposed annexation as defined in Exhibit A and shown in Exhibit B; and,
2. That the City of Vancouver shall apply the simultaneous adoption of the most similar comprehensive plan and land use zoning designations as provided for by Clark County and as defined in VMC Table 20.230.030.1; and,
3. That the City of Vancouver shall not require the assumption of any portion of the existing City indebtedness by the area to be annexed.

Dated this 12th day of December, 2016



[Handwritten Signature]
(Signature)

K. ANDREW HASLAM [Handwritten Initials]
(Print Name)

STATE OF Oregon)
) SS
COUNTY OF Multnomah)

I hereby certify that I know or have satisfactory evidence that K. Andrew Haslam
(Print Name)

signed this instrument, on oath stated that (she/he) is authorized to execute the instrument as

Interim Chief Asset Officer of Providence Padden Properties, LLC
(Position/Title) (Name of Corporation)

and acknowledge it to be (her/his) free and voluntary act of such party for uses and purposes mentioned in the instrument.

[Handwritten Signature]
(Signature of Notary)

Hannah Wilson
(Print Name of Notary)

My Appointment Expires: Oct. 14, 2017

Notary Public for the State Oregon

The undersigned property owners hereby request the following:

1. That the City of Vancouver accept the proposed annexation as defined in **Exhibit A** and shown in **Exhibit B**; and,
2. That the City of Vancouver shall apply the simultaneous adoption of the most similar comprehensive plan and land use zoning designations as provided for by Clark County and as defined in VMC Table 20.230.030.1; and,
3. That the City of Vancouver shall not require the assumption of any portion of the existing City indebtedness by the area to be annexed.

Dated this 8 day of February, 2017

[Signature]
(Signature)

JASON FUCHS
(Print Name)

STATE OF _____)
COUNTY OF _____)

SS

I hereby certify that I know or have satisfactory evidence that JASON FUCHS
(Print Name)
signed this instrument, on oath stated that (she/he) is authorized to execute the instrument as
MANAGER
(Position/Title) of AUK-GOLFSIDE LLC
(Name of Corporation)

and acknowledge it to be (her/his) free and voluntary act of such party for uses and purposes mentioned in the instrument.

(Signature of Notary)

(Print Name of Notary)

My Appointment Expires: _____

Notary Public for the State _____

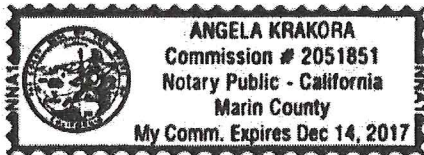
CALIFORNIA ALL-PURPOSE ACKNOWLEDGMENT

State of California

County of Marin

On 2-8-2017 before me, Angela Krakora, Notary
(Here Insert Name and Title of the Officer)

personally appeared JASON FUCHS
Name(s) of Signer(s)



who proved to me on the basis of satisfactory evidence to be the person(s) whose name(s) is/are subscribed to the within instrument and acknowledged to me that he/she/they executed the same in his/her/their authorized capacity(ies), and that by his/her/their signature(s) on the instrument the person(s), or the entity upon behalf of which the person(s) acted, executed the instrument.

I certify under PENALTY OF PERJURY under the laws of the State of California that the foregoing paragraph is true and correct.

WITNESS my hand and official seal.

Signature Angela Krakora
Signature of Notary Public

Place Notary Seal Above

OPTIONAL

Though the information below is not required by law, it may prove valuable to persons relying on the document and could prevent fraudulent removal and reattachment of this form to another document.

Description of Attached Document

Title or Type of Document: Notice of Intent to Commence Annexation Proceedings

Document Date: 2-8-2017 Number of Pages: 6

Signer(s) Other Than Named Above: _____

Capacity(ies) Claimed by Signer(s)

Signer's Name: Jason Fuchs

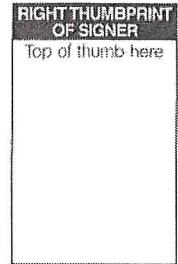
- Individual
- Corporate Officer — Title(s): Manager
- Partner — Limited General
- Attorney in Fact
- Trustee
- Guardian or Conservator
- Other: _____



Signer Is Representing: _____

Signer's Name: _____

- Individual
- Corporate Officer — Title(s): _____
- Partner — Limited General
- Attorney in Fact
- Trustee
- Guardian or Conservator
- Other: _____



Signer Is Representing: _____

Exhibit B

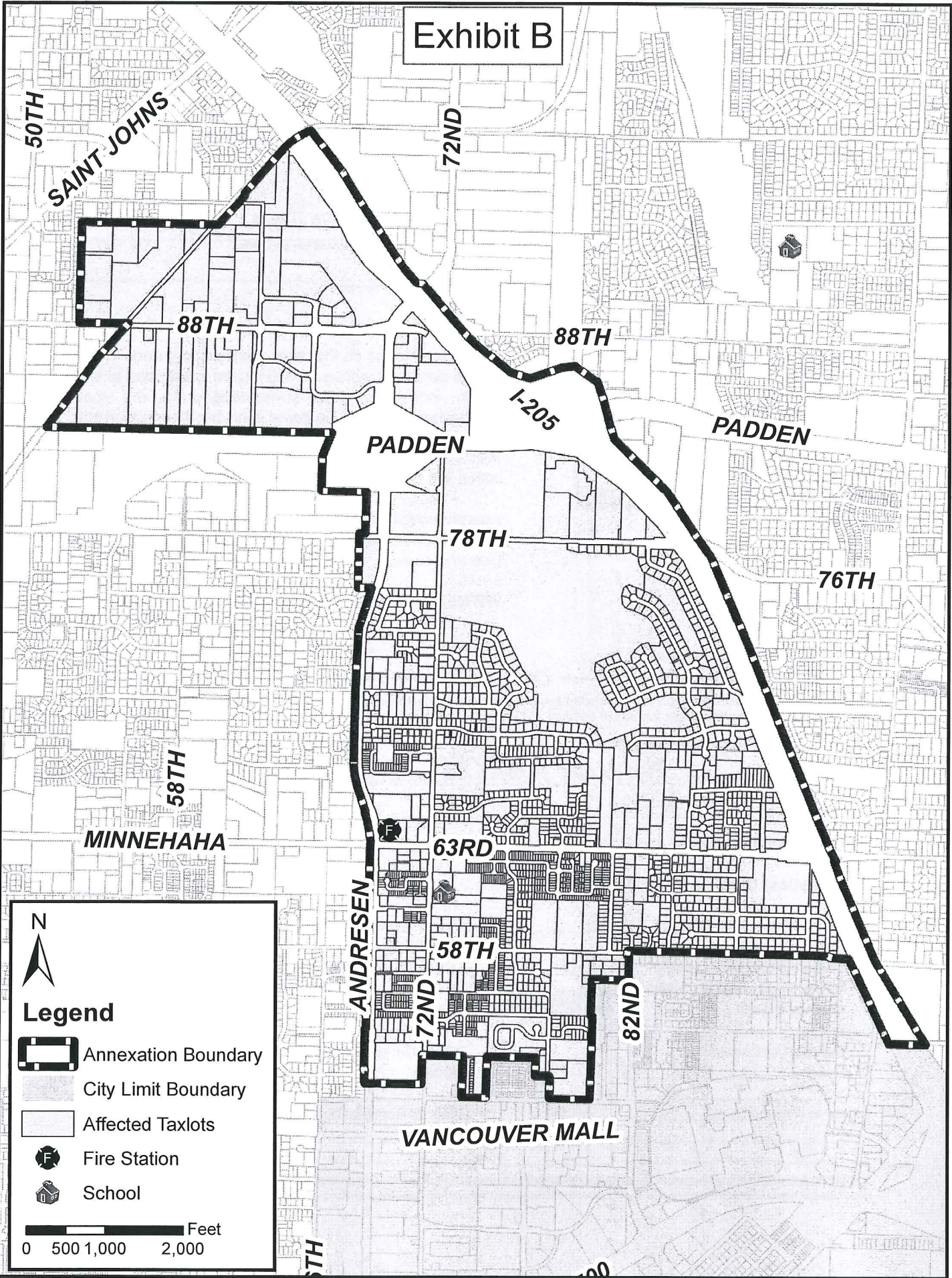


EXHIBIT A

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;

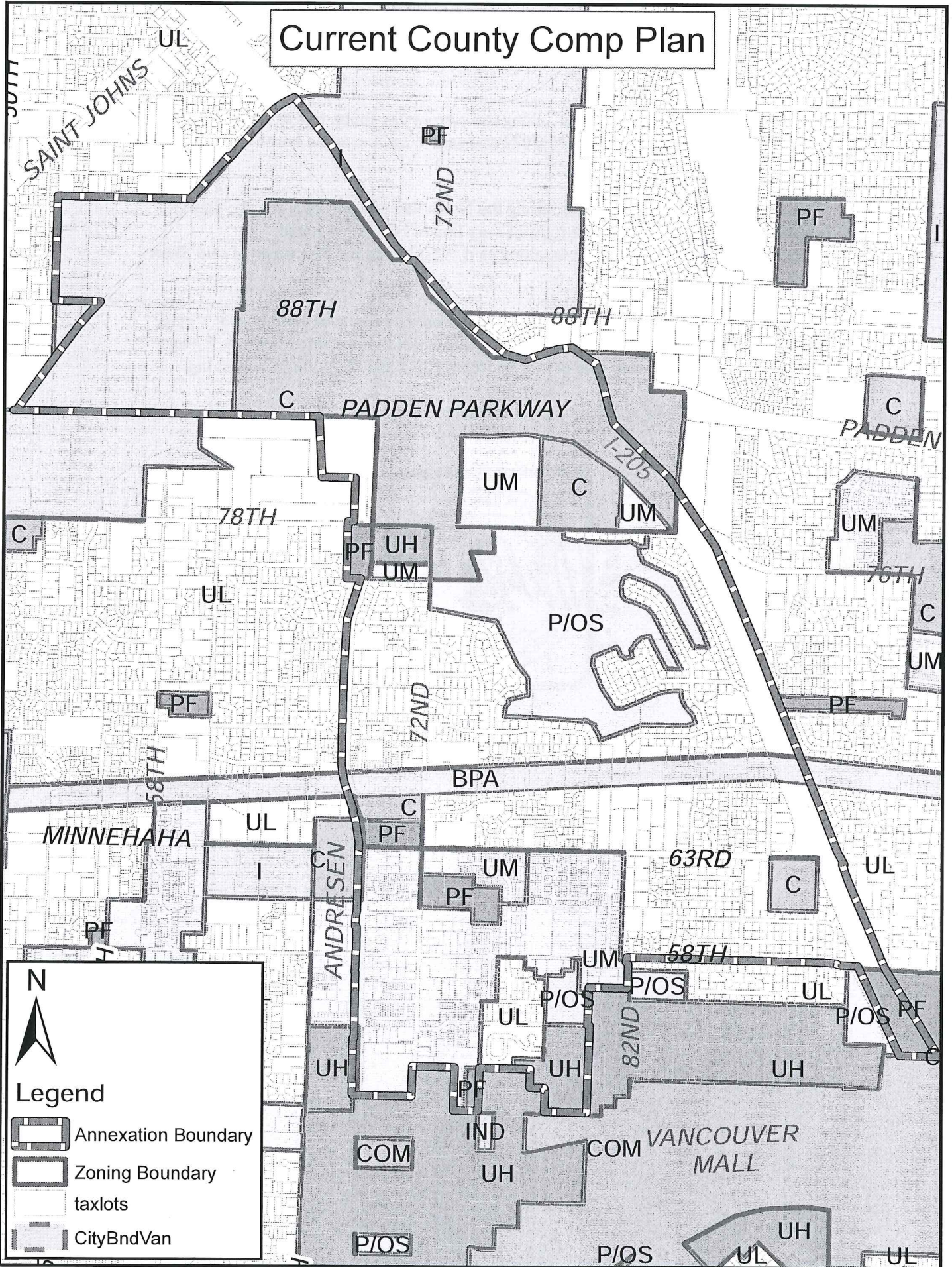
Thence west 520 feet, more or less, along the North line of said Lot 5 and the westerly extension of said line to the West right-of-way line of NE 72nd Avenue;
Thence south 370 feet, more or less, along said West line to the SE corner of said Short Plat 2-586;

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.







Current County Comp Plan

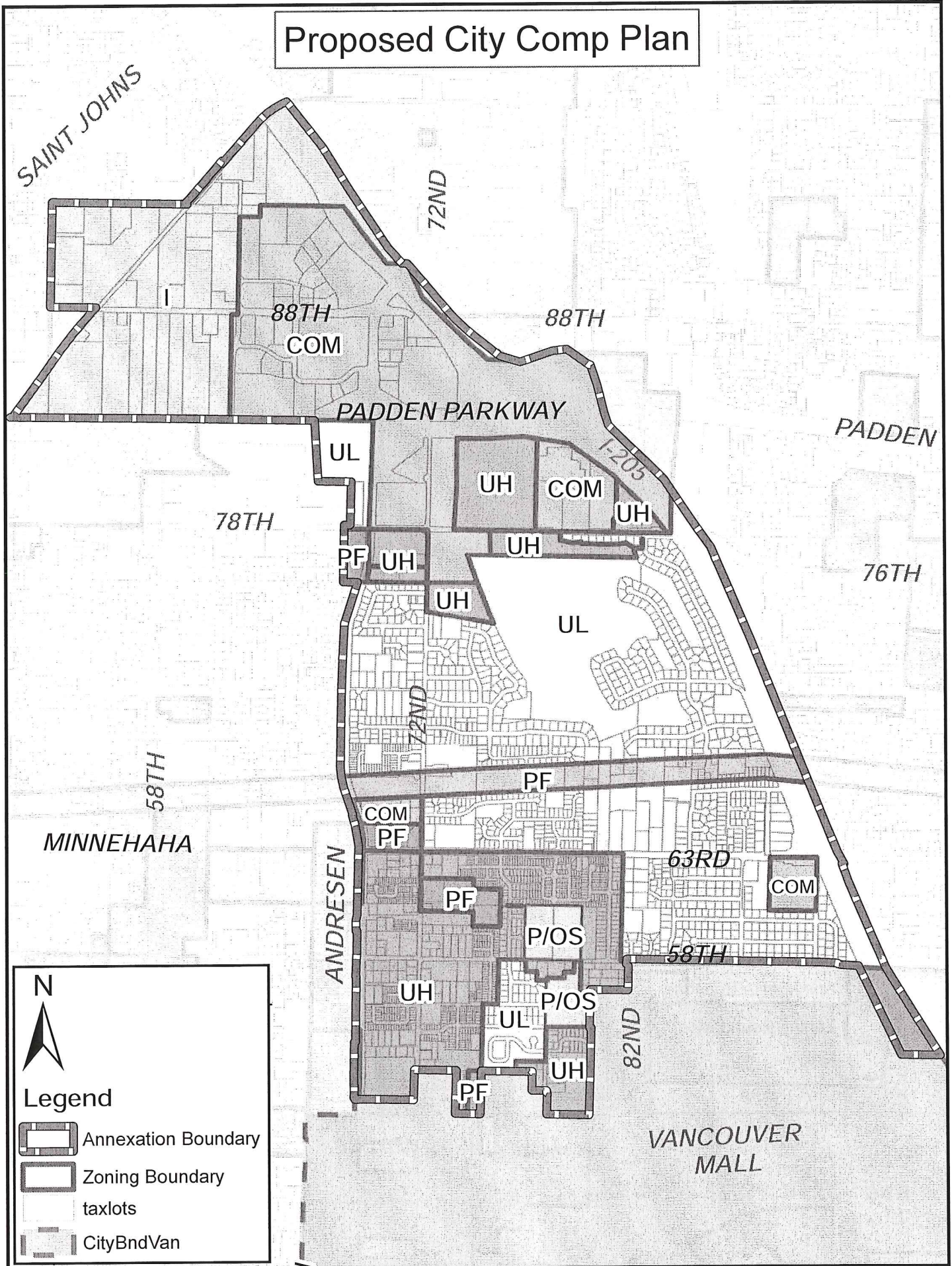


N

Legend

-  Annexation Boundary
-  Zoning Boundary
-  taxlots
-  CityBndVan

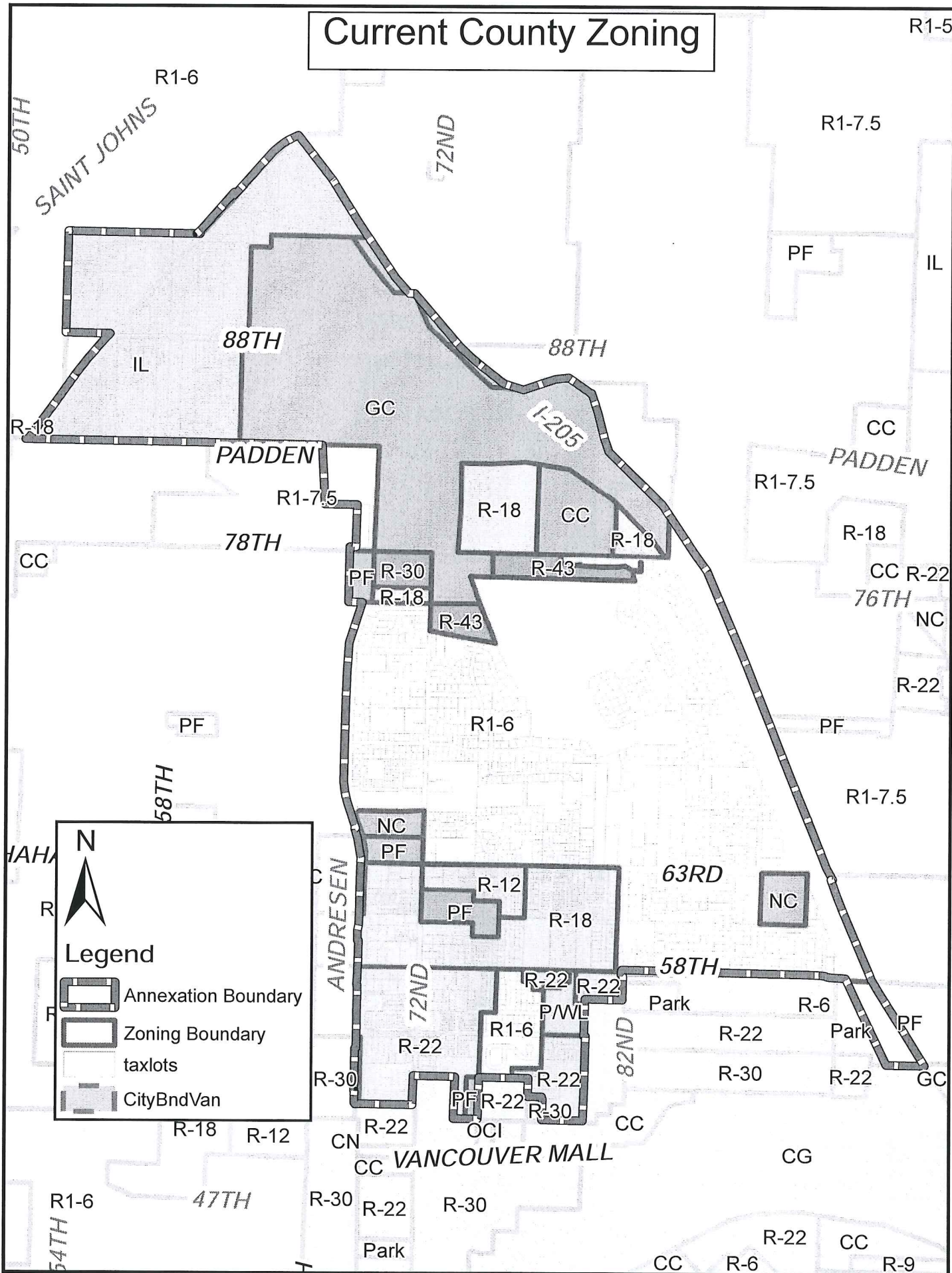
Proposed City Comp Plan



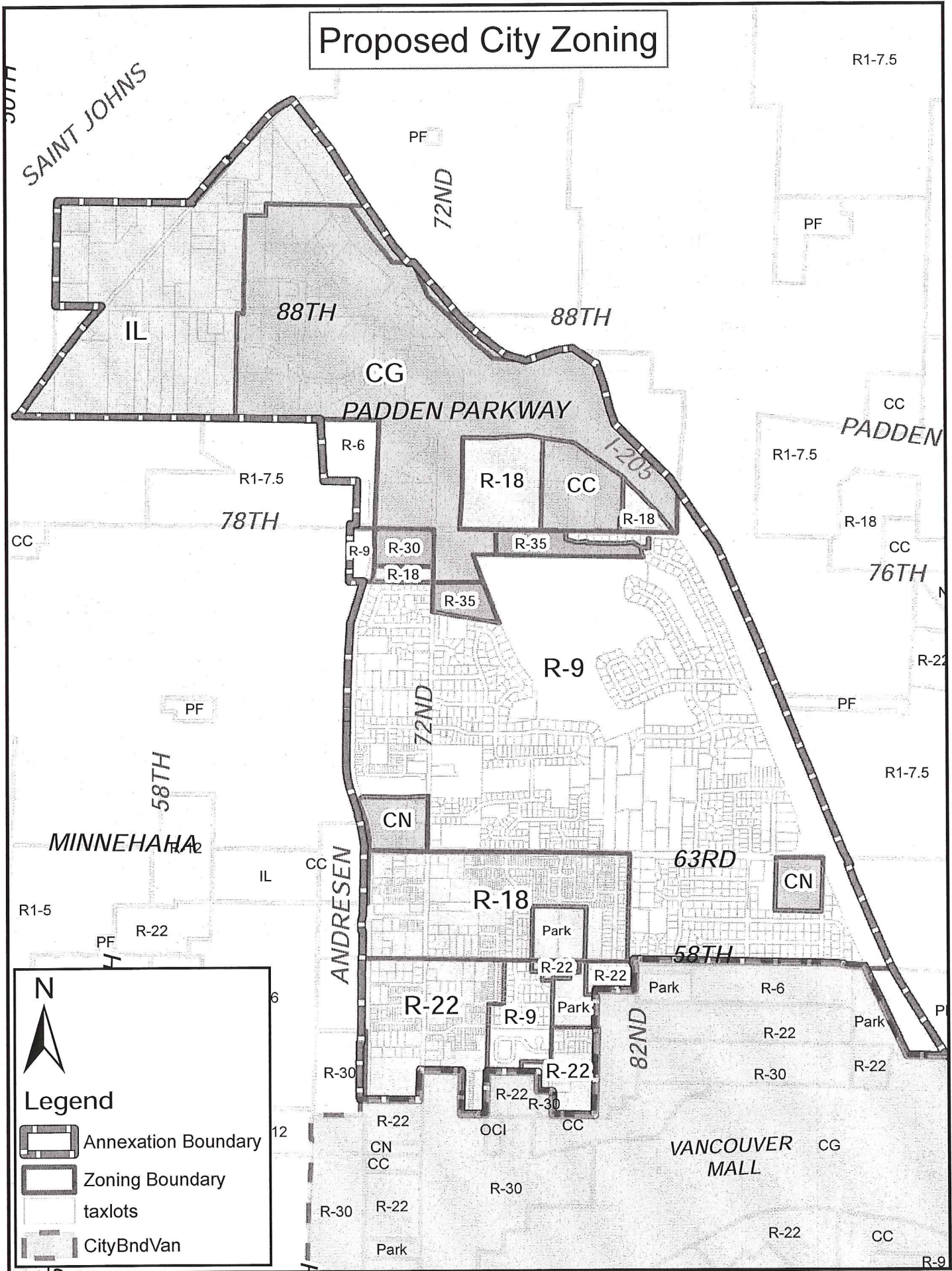
Legend

- Annexation Boundary
- Zoning Boundary
- taxlots
- CityBndVan





Current County Zoning



Proposed City Zoning



Legend

-  Annexation Boundary
-  Zoning Boundary
-  taxlots
-  CityBndVan

2/13/2017

RESOLUTION NO. M-3924

A RESOLUTION relating to support of an annexation request using the 60% direct petition method pursuant to RCW 35.13.125; establishing the geographic extent, determining the comprehensive plan and land use designations, and determining whether the property owners will assume all or any portion of existing City indebtedness for the proposed annexation area.

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 City of Vancouver and Clark County have entered into an interlocal agreement with respect to joint growth management planning and the related Annexation Blueprint (M-3642); and,

WHEREAS, the proposed Annexation area is located 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 the annexation request conforms to the interlocal agreement; and,

WHEREAS, pursuant to RCW 35.13.125, an annexation request was made through submittal of initiation petitions equaling ten percent (10%) or more of the assessed valuation of the proposed annexation area; and

RESOLUTION - 1

WHEREAS, pursuant to RCW 35.13.125, the Vancouver City Council a duly noted public meeting with the interested parties to decide whether to accept, reject or geographically modify the proposed annexation area; whether to require simultaneous adoption of comprehensive plan and land use zoning designations as provided for in VMC 20.230.030; and whether to require assumption of all or any portion of the existing city indebtedness by the area to be annexed.

NOW, THEREFORE,

BE IT RESOLVED BY THE CITY OF VANCOUVER:

Section 1. Pursuant to Ch. 35.13 RCW, and as discussed in Staff Report 015-17, the 1,270 acre Van Mall North Annexation area is unincorporated land located in Vancouver's urban growth boundary, and is contiguous to the City of Vancouver along northern border generally between Andresen Road and Interstate 205. The legal description of the annexation area is set forth in Exhibit "A", attached hereto and incorporated herein. A map of the annexation area is set forth in Exhibit "B", attached hereto and incorporated herein.

Section 2. 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 the most similar to the county zoning designations of such land, absent adoption of different designations approved by Council. Subject to Section 3 of this resolution the following table shows the proposed 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	UII	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

*See Section 3 below

The attached exhibits "C" and "D" graphically show the comprehensive plan and zoning conversions.

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 will receive the Comp Plan designations indicated in Exhibit "E".


Section 4. This annexation request conforms to the adopted City-County Interlocal Agreement (M-3642) and the Annexation Blueprint Plan (M-2824).

Section 5. Currently there is no City indebtedness for the annexation area to assume therefore assumption of existing debt is not required.

RESOLUTION - 3

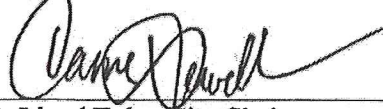
Section 6. This resolution shall become effective immediately upon adoption, and as provided in RCW 35.13.125, is not subject to appeal.

Signed this 13th day of February, 2017.




Timothy D. Leavitt, Mayor

Attest:

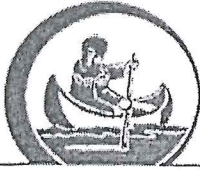


R. Lloyd Tyler, City Clerk
By: Carrie Lewellen, Deputy City Clerk

Approved as to form:



E. Bronson Potter, City Attorney



proud past, promising future

CLARK COUNTY
WASHINGTON

DEPARTMENT OF ASSESSMENT

Peter Van Nortwick, Assessor

February 28th, 2017

Chad Eiken &
Bryan Monroe
Community and Economic Development Department
PO Box 1995
Vancouver, WA 98668

Dear Chad & Bryan,

You will find enclosed the Certification of Sufficiency of the petition for annexation of land to the City of Vancouver: Van Mall North Annexation.

Please contact me should you have any questions regarding this annexation.

Sincerely,

Peter Van Nortwick
Clark County Assessor

Encls.
Certificaiton of Sufficiency
Annexation Legal Description
Annexation Map.


Certification of Sufficiency
Van Mall North Annexation

The City of Vancouver on February 23, 2017, submitted for review by Clark County Assessor, a petition to annex to the City, approximately 1,270.85 acres of land known as the Van Mall North Annexation. Subject to the requirements of RCW 35A.01.040, I now certify the following in my capacity as Clark County Assessor:

1. On February 23, 2017 the City submitted for certification by the Clark County Assessor a petition to annex to the City 2,140 parcels of land and associated road and public utility rights-of-way, totaling approximately 1,270.85 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 60% method of annexation, 35.13.125 through 170.
4. The Clark County Assessor initiated determination of petition sufficiency on February 23, 2017 which is the "terminal date" as defined in 35A.01.040.
5. The area proposed for annexation has a certified annexation value for general taxation of \$675,609,851.
6. Utility Service Covenant signatures provided by the City represent valid owner signatures 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 February 28, 2017.



Peter Van Nortwick
Clark County Assessor

4/10/17
4/17/17

ORDINANCE NO. _____

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.

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:

PASSED BY THE FOLLOWING VOTE:

Ayes: Councilmembers

Nays: Councilmembers

Absent: Councilmembers

Read second time:

PASSED BY THE FOLLOWING VOTE:

Ayes: Councilmembers

Nays: Councilmembers

Absent: Councilmembers

Signed this _____ day of _____, 2017.

Timothy D. Leavitt, Mayor

Attest:

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

Approved as to form:

E. Bronson Potter, 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 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.

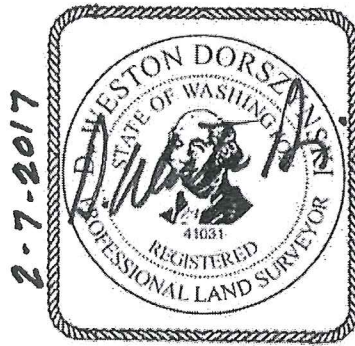
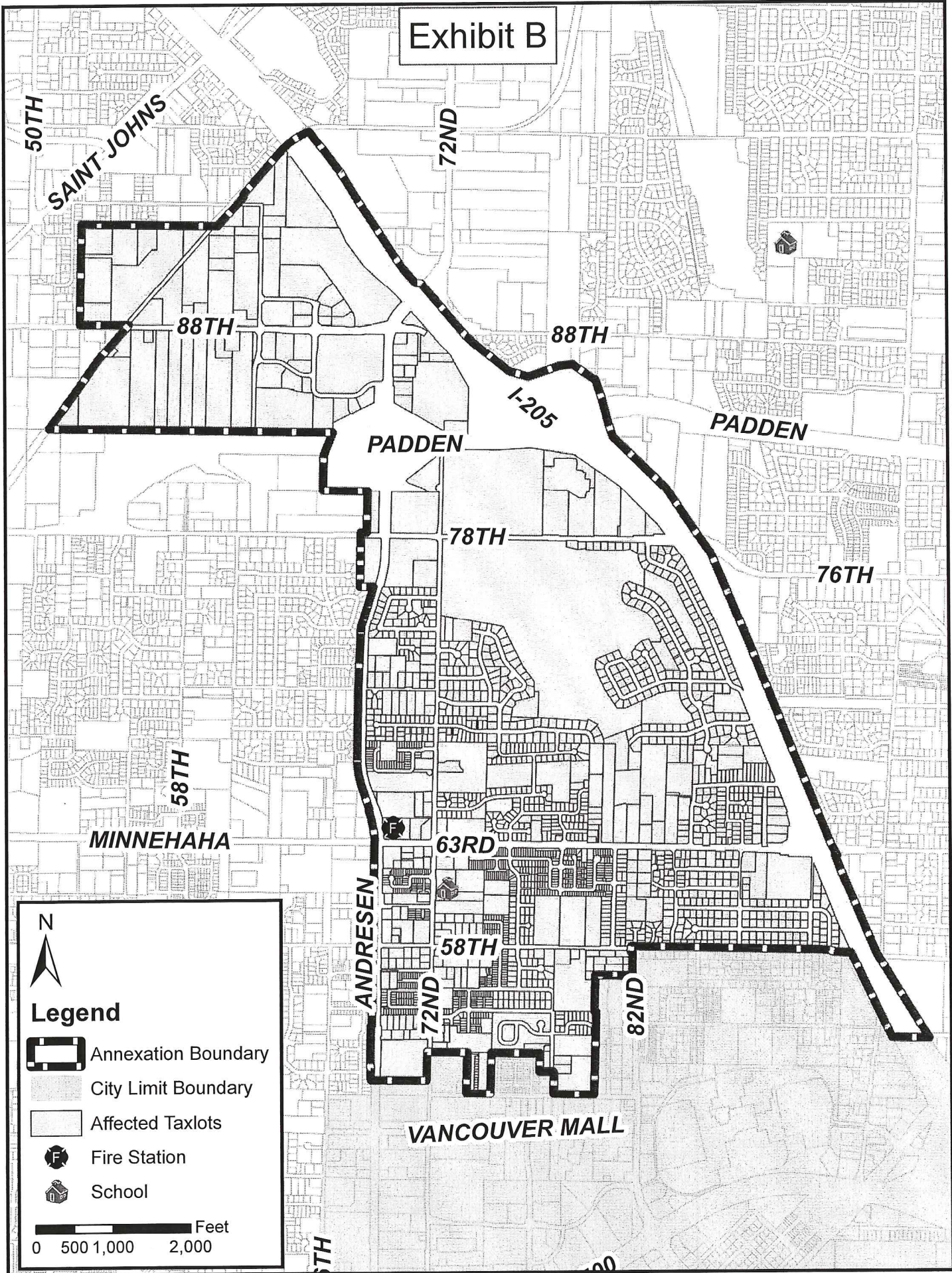


Exhibit B

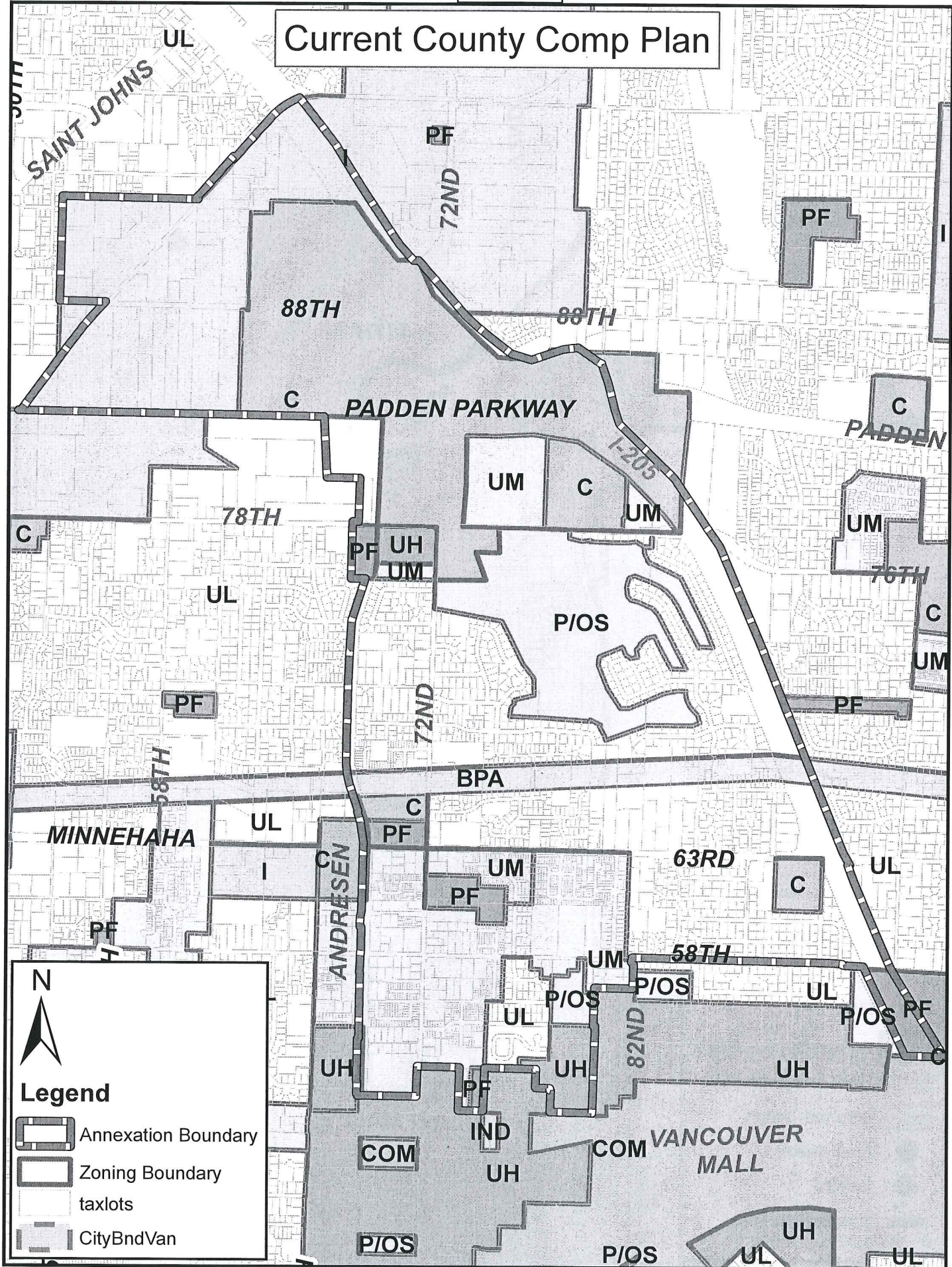


Legend

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

0 500 1,000 2,000 Feet

Current County Comp Plan



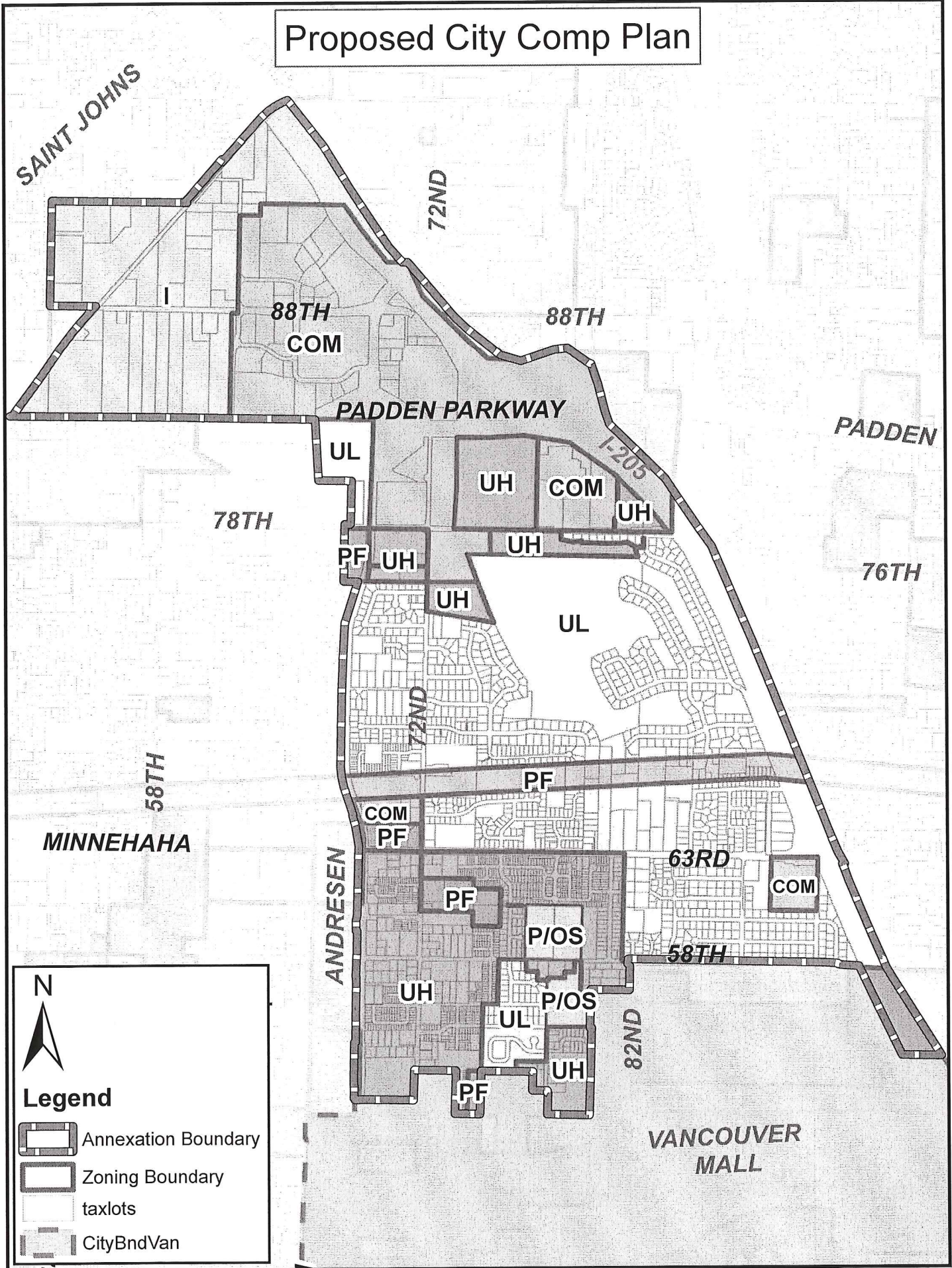
Legend

- Annexation Boundary
- Zoning Boundary
- taxlots
- CityBndVan

Legend

- Annexation Boundary
- Zoning Boundary
- taxlots
- CityBndVan

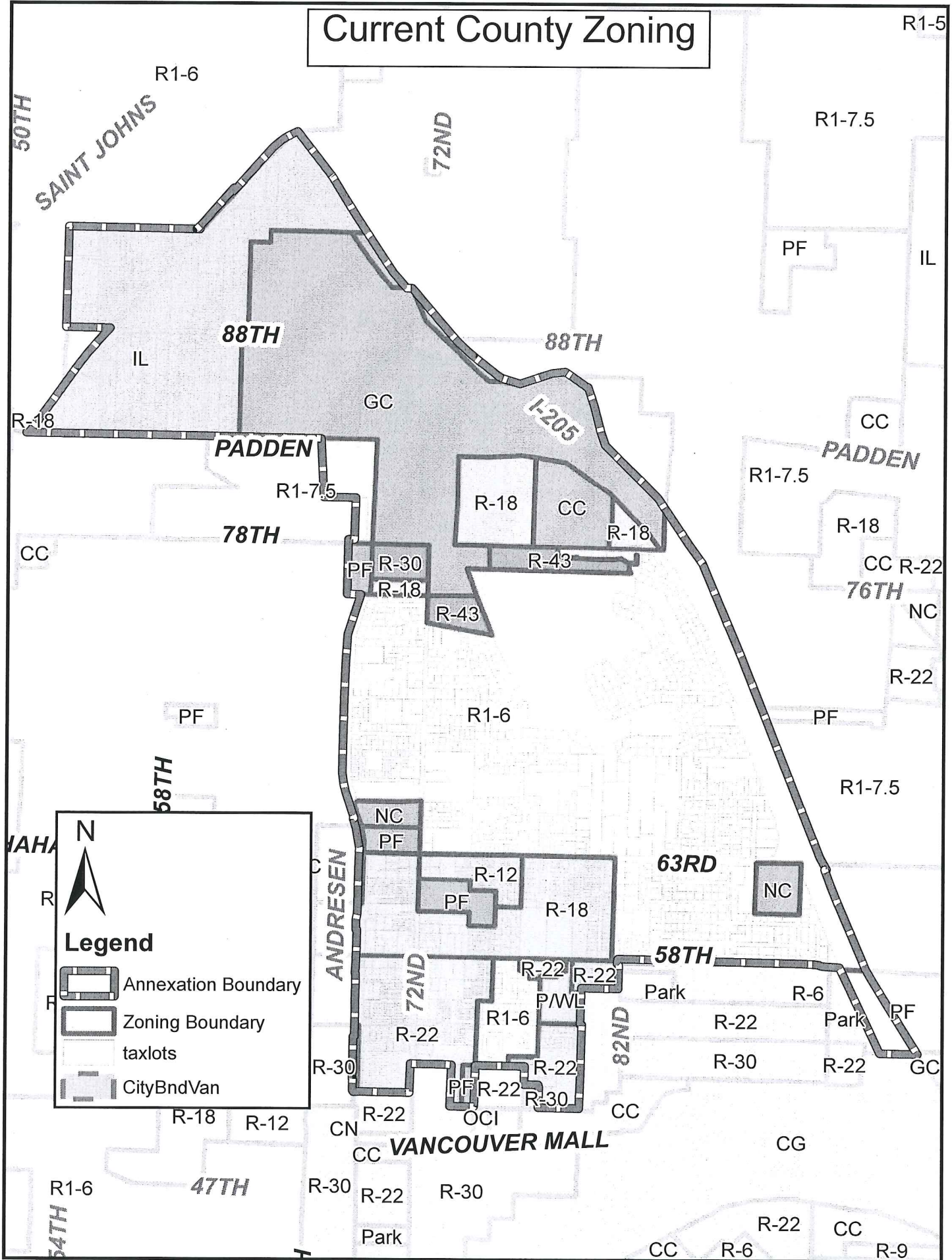
Proposed City Comp Plan






Legend

-  Annexation Boundary
-  Zoning Boundary
-  taxlots
-  CityBndVan

Current County Zoning



Legend

-  Annexation Boundary
-  Zoning Boundary
-  CityBndVan

Proposed City Zoning

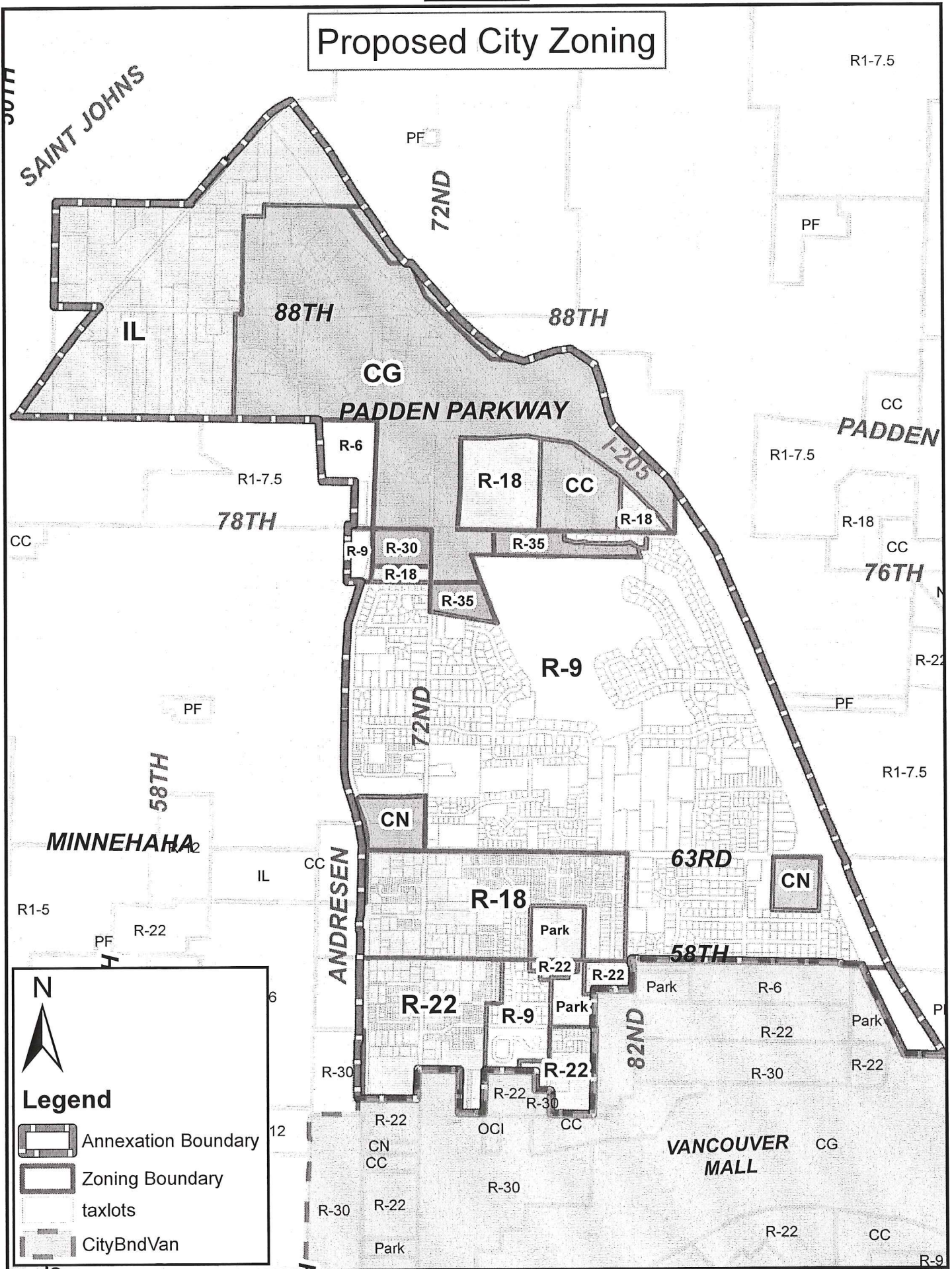
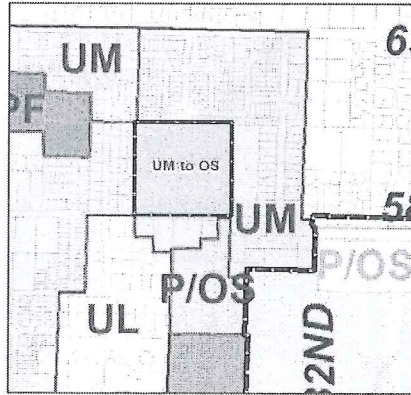
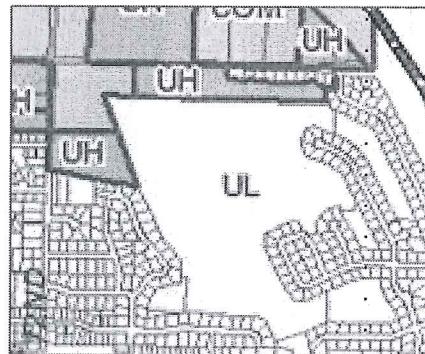
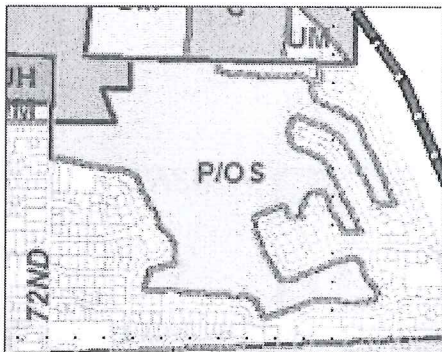


Exhibit E

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.



**ANNEXATION BACKGROUND FACTS
ADDENDUM TO
STAFF REPORT
VAN MALL NORTH ANNEXATION**

ANNEXATION BACKGROUND AND POLICY

The following State and Local policies and plans guide annexation in the City of Vancouver:

The Growth Management Act (1990): The City of Vancouver and Clark County first adopted comprehensive plans in accordance to the GMA in 1994. The GMA requires counties to establish 20-year Urban Growth Area (UGA) boundaries to accommodate projected growth. The GMA also encourages cities to annex the UGA and provide urban-level services while counties provide regional services. Land outside the UGA cannot be annexed.

Community Framework Plan: In 1993, the Community Framework Plan was developed and adopted by Clark County and all of the incorporated cities/towns located in the county to provide regional guidance for local comprehensive planning. The Framework Plan was updated in 2000 and 2001, and incorporated in the City of Vancouver's 2003 Comprehensive Plan update and Clark County's 2007 Comprehensive Plan update. Section 9 of the Framework Plan lists the county-wide planning policies associated with annexation. These policies address: service provision, coordinated partnerships, and development of an analytical review process.

City of Vancouver Comprehensive Plan: In 1994, the City adopted its first Comprehensive Plan in accordance with the GMA. The Comprehensive Plan was updated in 2011. The Plan provides several annexation policies to guide development and implementation of the Blueprint. These policies address: procedure, coordinated partnerships related to services, and sequencing. The City of Vancouver's Comprehensive Plan clearly states that the City anticipates annexing the land located in the VUGA.

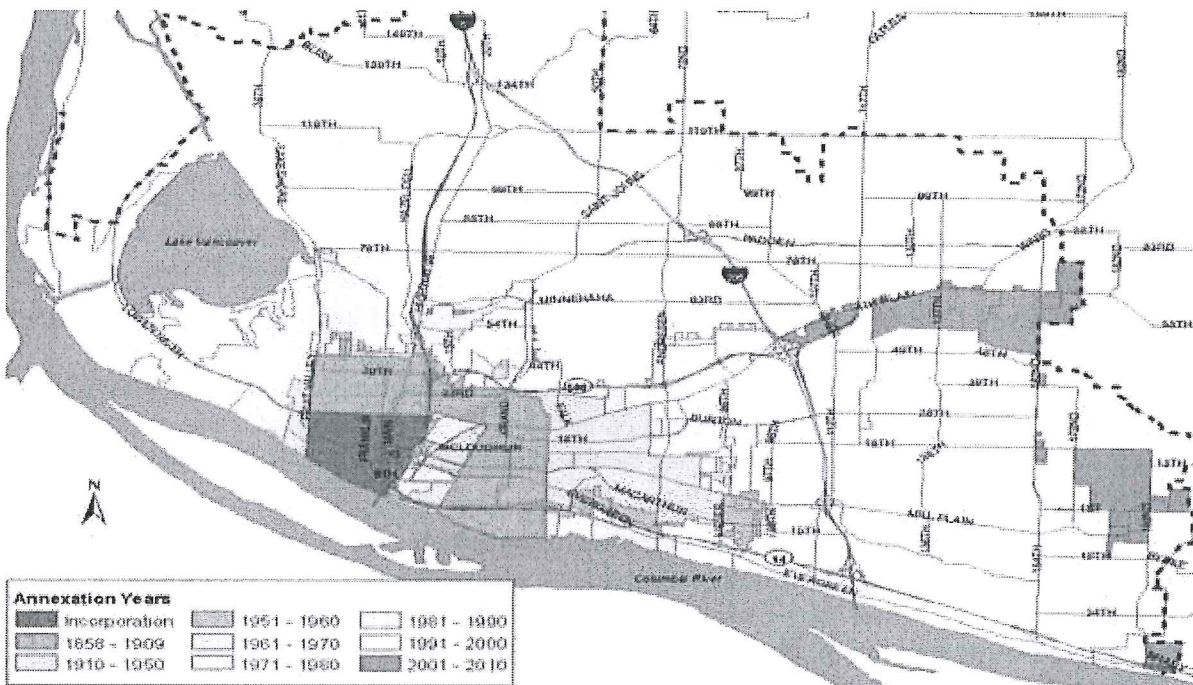
Clark County Comprehensive Plan: In 1994, the County adopted its first Comprehensive Plan in accordance with the GMA. The Comprehensive Plan was updated in 2004 and 2007. The Plan provides a number of policies related to annexation. The policies are directly related to service provision and annexation timing. The county also commits to actively support annexations which are 'balanced'.

City of Vancouver-Clark County Vancouver Urban Growth Area Annexation Blueprint: 20-Year Plan (2007): The Annexation Blueprint outlines a general annexation schedule for Vancouver's Urban Growth Area (VUGA). Originally adopted in 1993 in accordance with the Fourth Plain-Vancouver Mall agreement between the City of Vancouver and Clark County, the Blueprint enables the City, County and other affected agencies to plan for future annexations. The first update occurred in March 1995 following a number of sizable annexations. The update also addressed the 1994 expansion of the VUGA resulting from adoption of the first county Comprehensive Plan developed in accordance with the Growth Management Act. The second update occurred in December 1997 following the Cascade Park annexation. In 2007, the City of Vancouver and Clark County worked together to develop the current 20-year Blueprint in accordance with the Inter-Local Agreement resulting from adoption of Clark County

Comprehensive Plan 2004-2024, adopted in 2007. The Blueprint update reflects the VUGA expansions adopted in 2004 and 2007.¹

Annexation in the City of Vancouver

Since its incorporation in 1857, the City of Vancouver has grown via annexation. The City originally included approximately 920 acres (1.4 square miles) and 1,800 residents. Today the City is approximately 50 square miles with over 173,000 people. This growth is due in part to the active annexation efforts of the past 100 years. A total of 167 annexations were successfully completed by 2008. The first annexation, in 1909, contained 2,670 acres, quadrupling the geographic size of the City. The map below illustrates Vancouver's annexation history.²



¹ City of Vancouver-Clark County Vancouver Urban Growth Area Annexation Blueprint: 20-Year Plan (2007). City of Vancouver, WA.

² Ibid.

PUBLIC OUTREACH

The purpose of public outreach is to provide information about the proposed Van Mall North annexation; answer questions from residents, property owners and business; and help people understand the annexation process. In addition to direct and ongoing outreach through neighborhood associations, City staff members have utilized the following methods for communicating with residents, property owners, businesses, and interested citizens.

- City of Vancouver annexation webpages are regularly updated and include details on the proposed Van Mall North Annexation, Frequently Asked Questions, and the Annexation Analyzer. For more information, visit www.cityofvancouver.us/annexation.
- A designated staff person serves as the single point of contact for residents, businesses and property owners to ask questions, voice concerns and request information related to annexation.

Regular updates on the proposed Van Mall North annexation are provided in electronic and physical form. To sign up for email updates, visit the project website and complete the online form. Physical copies of all updates are available upon request.

<http://www.cityofvancouver.us/vanmallnorthannexation>.

- City of Vancouver Communications provides regular updates and information on annexation via social media platforms and other web venues.
- Technical contacts for various City Departments are available on the Frequently Asked Questions webpage. www.cityofvancouver.us/annexationFAQs
- The Annexation Analyzer allows property owners to understand the financial impacts annexation will have for them. Since the financial impact of annexation depends on several factors specific to the individual property, this is an important tool to help people understand the potential financial impacts of the proposed Van Mall North Annexation. www.cityofvancouver.us/annexationanalyzer
- Postage-paid comment forms are distributed at community and neighborhood meetings and are available at all City Council meetings on the counter outside Council Chambers.
- A factsheet on the proposed Van Mall North Annexation area is available via the annexation website and in paper format at City Council Meetings and upon request.
- An Annexation FAQ webpage is frequently updated and available via the City's website. www.cityofvancouver.us/annexationfaqs
- A Van Mall North Annexation open house was conducted August 24, 2016. Approximately 150 members of the public attended, and 37 City of Vancouver staff were present to answer questions and provide information.

NEIGHBORHOOD OUTREACH

City staff initiated communications with Clark County neighborhood associations impacted by the proposed Van Mall North Annexation in early 2016. The focus of this initial outreach was on neighborhood associations that would be affected by the proposed annexation, including East Minnehaha, Green Meadows, Andresen/St. Johns, and Sunnyside neighborhood associations. Staff requested meetings with neighborhood leaders, attended general membership meetings, provided written information upon request, and opened an ongoing dialogue with affected associations (Figure 1, next page). All outreach was done in coordination with the office of the Clark County Public Information Officer.

In addition to those inside the proposed annexation area, other County neighborhoods have shown an interest in the project. City staff have responded to all requests for information from these neighborhoods as well.

City staff have also presented information on the proposed annexation to the Neighborhood Associations Council of Clark County (NACCC), an umbrella organization whose members represent individual neighborhood associations in unincorporated Clark County. The panel serves as a resource for the Board of County Councilors regarding neighborhood issues and is supported by County staff. The information presented by the City included an overview of the regulatory framework for annexation, the process and methods through which cities annex areas into their boundaries, and information about the Van Mall North Annexation currently being proposed. Outreach to neighborhood associations is ongoing, and City staff will continue to communicate regularly with neighborhood leaders and attend association meetings.

Figure 1: Outreach To Clark County Neighborhood Associations Regarding the Proposed Van Mall North Annexation, January 2016 – March 2017

	East Minnehaha	Green Meadows	Sunnyside	Andresen/ St. Johns	Other Neighborhoods in Clark County	Neighborhood Association Council of Clark County
Requested a meeting	✓	✓	✓	✓	N/A	✓
Met with Neighborhood Association	✓	✓	✓	N/A	✓	✓
Attended Neighborhood Association meetings	✓	✓	N/A	N/A	✓	✓
Provided information for newsletter	✓	N/A	✓	N/A	✓	N/A
Provided printed materials on annexation	✓	✓	✓	N/A	✓	✓
Invitation to open house	✓	✓	✓	✓	✓	✓
Ongoing communications & outreach	✓	✓	✓	✓	✓	✓

*N/A is used when the type of outreach was not applicable. Examples include neighborhood associations that do not meet regularly, neighborhood associations that do not have a newsletter, or if neighborhood leaders determined that staff provided sufficient information via the web and through email in lieu of a meeting.

TRANSPORTATION & INFRASTRUCTURE ASSESSMENT

Pavement Management and Street Maintenance

Pavement Management and street maintenance encompasses streets, curbs, sidewalks, signs and striping. There are approximately 22 centerline miles of public streets within the proposed annexation area. The overall condition of the pavement surfaces is good, with a majority of the streets having been resurfaced within the last three to four years. Approximately 30 percent of the annexation area lacks any existing sidewalks.

The City's existing pavement management policy allocates a set dollar amount per centerline mile annually for all streets in the City, which provides annual revenues to maintain street surfaces throughout the City. In addition, the City's 2017 budgeted expense per centerline mile for all other street maintenance is \$9,075 per mile.

Pursuant to existing policy, approximately \$357,000 per year would be allocated to the City's pavement management program due to annexation. In addition, approximately \$193,000 per year would be required to maintain streets within the annexation area.

Traffic Signals

There are eight public traffic signals within the annexation area. The existing traffic signal controller systems are not compatible with the City's systems, making it very difficult for City staff to maintain the signals. Therefore, as the traffic signals are replaced and/or upgraded in the future, the controllers will need to be modified to the City's standard. In the interim, the City will contract with Clark County for maintenance of the traffic signals.

The estimated cost estimate for Clark County to maintain the eight traffic signals is \$10,000 per year. In addition, the estimated energy costs for continuous operation of the traffic signals is \$5,000 per year.

Street Lighting

There are 456 existing street lights within the annexation area. Most of the lights are High Pressure Sodium (HPS) style lighting and not LED. There are approximately ten miles of arterial and neighborhood streets that do not have any existing street lighting.

The estimated energy costs for the existing street lighting is \$25,000 per year. A decision to upgrade the existing lighting to the LED technology would cost approximately \$70,000. The cost to install new street lights in non-lit areas is approximately \$4 million.

Water and Sewer Utilities

All water and sewer utilities within the annexation area are currently operated and maintained by the City and Clark Regional Wastewater District (CRWWD). There are 26 miles of underground infrastructure providing potable water service. Water Station #14 (Located at Andresen Road/NE 78th Street) is the primary treatment and distribution hub for water service in the annexation area.

There are 20 miles of underground infrastructure provide sanitary sewer service. Sanitary sewer in this area is collected and conveyed to the CRWWD Salmon Creek Treatment Plant. There is no anticipated change in water and sewer utility costs to the City as a result of the annexation.

Stormwater

Stormwater systems typically include underground mains, manholes, inlets, open channels, swales, culverts and treatment/flow control facilities. There are approximately 16 miles of publicly maintained underground storm mains, manholes, and inlets within the annexation area. In addition, there are five miles of ditches, swales and culverts and over 400 stormwater treatment and flow control facilities.

Summary

Given current expenditures for comparable infrastructure, the estimated cost to maintain public infrastructure within the annexation area is less than the projected revenues that the annexation will generate. A schedule of improvements has yet to be determined.

PETITION METHOD OF ANNEXATION

Vancouver uses the petition method of annexation by means of utility service covenants. The petition method requires approval from property owners representing at least sixty percent of the assessed value of the proposed annexation area. Utility service covenants are agreements between property owners outside current City limits and the City of Vancouver, wherein the City agrees to supply utility services outside current city limits in exchange for an agreement to sign a future annexation petition.

The typical steps involved in a petition annexation process would be as follows:

- The initiating parties submit a notice of their intention to commence annexation proceedings in writing, signed by the owners of not less than 10% in assessed value of the property sought for annexation.
- Within 60 days after having received an intent to annex notice, a public meeting with City Council is scheduled with the initiating parties to determine:
 1. If the City will accept the annexation;
 2. If the City will require simultaneous adoption of proposed zoning regulations;
 3. If the City will require that the area proposed for annexation to assume all or any portion of the existing city indebtedness;
 4. If the City will reject or geographically modify the proposed annexation area.
- City council will reject the proposal or approve a resolution allowing staff to collect the required signatures necessary to proceed with the annexation process.
- If the resolution passes, staff will proceed to collect and subsequently provide annexation petition and utility service covenant signatures to the County Auditor for certification. Upon successful review, the County Auditor will provide a certification of sufficiency letter to the City.
- Following Auditor certification, City staff will schedule a public hearing process with City Council to adopt the proposed annexation by ordinance.
- If the ordinance is adopted by City Council, notice is sent to vested and interested parties.
- City staff performs a census of the annexed lands to determine effective population gain and provides results to the Washington Office of Financial Management. The office of financial management will then provide an Annexation and Municipal Boundary Change Certificate approval.

LEGAL BASIS FOR ANNEXATION

Several questions have been asked regarding the process for the Vancouver Mall North Annexation. These questions have been raised during the citizen forum portion of council meetings. The questions are addressed below.

Question 1: Can the city use utility service covenants (“USCs”) be used to commence an annexation.

Yes. RCW 35.13.125 states that a direct petition method annexation may be commenced by ten percent of the residents or owners of ten percent of the property value within the annexation area. This is done through a “notice of intent” to annex which is filed with the city. At this point, it is not known if the notice of intent will be signed by residents, property owners, or if USCs will be used to support the notice of intent.

The USCs signed when property owners connected to the city’s water or sewer system state that the owner will sign any document “initiating” or “furthering” an annexation. The notice of intent is certainly such a document. The use of utility covenants to support a notice of intent to annex was examined in *Yakima County Fire Prot. Dist. No. 12 v. Yakima*, 122 Wn.2d 371, 384, 858 P.2d 245 (1993). In that case, the Supreme Court upheld the trial court’s decision that the USC was an enforceable contract requiring property owners to support an annexation including the requirement to sign a notice of intent to annex.

Question 2: Must the city request a property owner sign a petition before using the USC to support an annexation petition?

No. Although the USC states that the owner shall sign a petition “whenever so requested”, attaching the USC to a notice of intent or petition is the equivalent of a signature itself. In *People for Pres. & Dev. of Five Mile Prairie v. Spokane*, 51 Wn. App. 816, 820, 755 P.2d 836, 839, (Div. III, 1988) a utility covenant was attached to a petition over the objection of the property owner. The court held that attaching the covenant would count as a signature even though the owner objected to the annexation the court said:

The purpose of the signature requirement of RCW 35.13.130 is to insure that a significant number of the persons most affected by a decision to annex support that decision. Here, the Reeds' predecessors and the Krugers made a legal and binding promise to support annexation. Neither the City Council nor the courts can be parties to a breach of that contract by allowing them to withdraw that support now. We hold that the signed covenant was the substantial equivalent of the Reeds' and Krugers' signatures on the petition and, thus, the petition complied with RCW 35.13.130.

Contacting owners to request their signature would be a useless act when the owner does not have a legal right to refuse to sign. Courts do not require parties to perform useless acts. It should be noted that the covenants in the Five Mile Prairie case included the same

“whenever so requested” language as the city’s USCs. The court upheld attaching covenants in lieu of having the owners sign the petition.

Question 3: What is the significance of the language “The method of annexation provided for in RCW 35.13.130 to 35.13.160 [direct petition method] shall be an alternative method, not superseding any other.”

That language simply means that the direct petition method of annexation is an alternative to other methods of annexation such as the election method and it does not supersede or replace the other methods.

LAND USE

Upon annexation, the County Comprehensive Plan and zoning designations for the proposed annexation area will convert to the City designations that are the most similar. The assignment of these designations shall occur automatically and concurrently with the annexation (VMC 20.230.030).

Green Meadows

Through the City’s neighborhood outreach efforts, staff has identified zoning as a critical issue for a group of property owners surrounding the Green Meadows golf course. The primary issue for these owners is the future status of the Green Meadows golf course. The current County Comp Plan designation is Open Space, reflecting the current use of the site. The underlying County zoning however is a mix of R1-6 low density residential, R-43 high density residential, and GC general commercial. Given current conditions, Green Meadows golf course properties would be converted as follows:

County Zone	City Zone
R1-6	R-9
R-43	R-35
GC	CG

In the Low-Density Residential Zone, zoning after annexation would reduce minimum lot sizes from 6,000 to 5,000 square feet and increase maximum units per acre by approximately 1 unit.

Jurisdiction / Zone	Minimum Lot Area	Max Average Lot Area	Units / Acre
City R-9	5,000 sf	7400 sf	5.9 - 8.7
County R1-6	6,000 sf	8500 sf	5.1 – 7.3

In the High-Density Residential Zone, zoning after annexation would increase minimum lot sizes and reduce maximum units per acre by approximately 8 units.

Jurisdiction / Zone	Minimum Lot Area	Max Average Lot Area	Units / Acre
City R-35	1,200 sf	-	30.1 - 35
County R-43	1,000 sf	-	20 – 43

The annexation itself does not substantially affect redevelopment. Green Meadows golf course is a privately held and operated. The golf course could sell or initiate redevelopment under the existing commercial and residential zoning codes at any time. The current owner of the golf course has not indicated any interest in a zone change to City staff. Actions related to land use changes would be processed separately from the annexation process.

