

ORDINANCE NO. 2023-04

**AN ORDINANCE OF THE CITY OF BATTLE GROUND, WASHINGTON,
PROVIDING FOR THE ANNEXATION OF CERTAIN REAL PROPERTY
KNOWN AS THE “LYNN ANNEXATION,” SUBJECT TO ASSUMPTION OF
INDEBTEDNESS, AND ADOPTING PREANNEXATION ZONING CONTROLS
FOR SUCH PROPERTY.**

WHEREAS, on July 22, 2022, the City of Battle Ground received an initial Notice of Intent to annex the area located in the northeastern portion of the city comprised of approximately 1.5 acres, further described in Exhibit A; and,

WHEREAS, the area further described in Exhibit A, referred to herein as the “Lynn Annexation Area” is being annexed by this Ordinance by use of the direct petition method pursuant to RCW 35A.14.120; and,

WHEREAS, on April 18, 2022, the City Council conducted a meeting with the initiating parties as required by RCW 35A.14.120 and accepted the notice of intent to annex, specified that the adopted pre-annexation zoning would apply to the property upon annexation, and that the property proposed to be annexed would be subject to any outstanding indebtedness; and,

WHEREAS, on December 19, 2022, the annexation petition was submitted to the Clark County Assessor for certification pursuant to RCW 35A.01.040; and,

WHEREAS, on January 17, 2023, the City Council held a public hearing on the annexation proposal pursuant to RCW 35A.14.130; and,

WHEREAS, on January 18, 2023, the Clark County Assessor indicated the petition contained valid signatures representing more than the required 60% of the total assessed value and provided Certification of Sufficiency of the petition pursuant to RCW 35A.01.040; and

WHEREAS, the City Council finds that the proposed annexation is consistent with the Comprehensive Plan and will allow for future orderly growth; and

NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF BATTLE GROUND, WASHINGTON, DOES HEREBY ORDAIN AS FOLLOWS:

Section 1. The property, as set forth in Exhibit “A” and for which the petition for annexation is filed, shall be and is hereby made a part of the City of Battle Ground and annexed thereto.

Section 2. Pursuant to the terms of the annexation petition, all property within this territory to be annexed hereby shall be assessed and taxed at the same rate and on the same basis as the property within the City of Battle Ground, including assessments and taxes or taxes in payment of any bond issued or debts contracted by order existing at the time of annexation.

Section 3. In accordance with RCW 35A.14.330, and the City of Battle ground pre-annexation zoning map adopted under Ordinance No. 07-016, all property within the territory annexed by this ordinance is hereby zoned R7 and shall be subject to all development regulations of the City of Battle Ground in effect at the time of annexation.

Section 4. The City Clerk is hereby directed to file with the Board of County Commissioners of Clark County a certified copy of this ordinance. The City Clerk is further directed to file with the Office of Financial Management a certificate as required by RCW 35A.14.700 within thirty (30) days of the effective date of annexation.

Section 5. This Ordinance shall become effective 45 days from the date of adoption.

ADOPTED AT THE REGULAR SESSION OF THE CITY COUNCIL OF THE CITY OF BATTLE GROUND, WASHINGTON, THIS 6TH DAY OF FEBRUARY 2023.

CITY OF BATTLE GROUND

Philip Johnson, Mayor

Attest:

Approved as to form:

Kaylee Cody, City Clerk

Seann Mumford, Consulting City Attorney