

ORDINANCE NO. 1347

AN ORDINANCE OF THE CITY OF RIDGEFIELD, WASHINGTON ANNEXING INTO THE CORPORATE LIMITS OF THE CITY OF RIDGEFIELD APPROXIMATELY 20.1 ACRES AND ADJACENT RIGHT-OF-WAY IDENTIFIED AS THE POTTER ANNEXATION AREA LOCATED WITHIN THE RIDGEFIELD URBAN GROWTH AREA, AND ASSIGNING THE ZONING OF THE ANNEXED AREA AS RESIDENTIAL LOW DENSITY 4

WHEREAS, annexations to the City of Ridgefield are regulated by Revised Code of Washington (RCW) Chapter 35A.14, Annexation by Code Cities; and

WHEREAS, the proposed annexation area is within the Ridgefield Urban Growth Area as shown on the Ridgefield Urban Growth Area Comprehensive Plan Map of the Clark County 20-Year Comprehensive Growth Management Plan which the Board of Clark County Councilors adopted on June 28, 2016, Ordinance No. 2016-06-12; and

WHEREAS, the proposed annexation area is within the Ridgefield Urban Growth Area and the annexation area is designated Urban Low as shown on the Comprehensive Plan Map of the Ridgefield Urban Area Comprehensive Plan which the City Council adopted on February 25, 2016, Ordinance No. 1203; and

WHEREAS, RCW 35A.14.010 provides that an unincorporated area lying contiguous to a code city may become part of the charter code city or noncharter code city by annexation; and

WHEREAS, the area proposed to be annexed is contiguous to the city limits; and

WHEREAS, RCW 35A.14.120 provides a direct petition annexation method which requires that prior to circulating a petition for annexation, the initiating party or parties, who shall be the owners of not less than ten percent in value, according to the assessed valuation for general taxation of the property for which annexation is sought, shall notify the legislative body of a charter code city or noncharter code city; and

WHEREAS, RDC 18.210.015.A states that the city shall follow the RUACP comprehensive plan map to designate low density residential zones, and the Residential Low Density (RLD-4, RLD-6, and RLD-8) zoning districts shall implements the residential/urban low (UL) comprehensive plan designation; and

WHEREAS, the City Council adopted the Gee Creek Plateau Subarea Plan with Ordinance No. 1252 on December 7, 2017; and

WHEREAS, the Gee Creek Plateau Subarea Plan designates the future City of Ridgefield zoning on the Potter annexation area as RLD-4 with a Residential Cluster Overlay; and

WHEREAS, on July 8, 2021, the City Council of the City of Ridgefield adopted Resolution No. 595 to accept a notice of intent to annex the Potter Annexation Area identified by Assessor's Serial Nos. 215867000 and 215811000 and adjacent Clark County right-of-way extending from the city limits at S 10th Way and S 30th Place to the city limits at S 15th Street adjacent to the Cloverhill subdivision, and the Council authorized commencement of annexation proceedings; and

WHEREAS, the City of Ridgefield received a petition to annex and assigned File No. PLZ-21-0032; and

WHEREAS, the City is designating subject properties RLD-4 with a Residential Cluster Overlay pursuant to RDC 18.210.015.A and the Gee Creek Plateau Subarea Plan; and

WHEREAS, the City is placing all newly annexed properties in UH-10 as required by RDC 18.210.015.C until certification by the city engineer that identified capital facilities deficiencies have been satisfactorily resolved, as required in RMC 18.270.060; and

WHEREAS, RCW 35A.14.120 requires that the petition to annex must be signed by the owners of not less than sixty percent in value, according to the assessed valuation for general taxation of the property for which annexation is petitioned; and

WHEREAS, on July 23, 2021, the City of Ridgefield requested that the Clark County Department of Assessment and GIS certify the petition to annex by direct petition method according to RCW 35A.01.040(4) which requires that a petition signed by property owners be transmitted to the county assessor for determination of sufficiency; and

WHEREAS, on August 10, 2021, the Clark County Deputy Assessor mailed to the City of Ridgefield a Certification of Sufficiency for the annexation petition by the direct petition method; and

WHEREAS, RCW 43.21C.222 exempts annexation of territory by a city or town from compliance with the chapter entitled State Environmental Policy; and

WHEREAS, RCW 35A.14.130 provides that the legislative body of a code city may entertain a petition for annexation and fix a date for a public hearing thereon and cause notice of the hearing to be published in one or more issues of a newspaper of general circulation in the city, and post in three public places within the territory proposed for annexation, and shall specify the time and place of hearing and invite interested persons to appear and voice approval or disapproval of the annexation; and

WHEREAS, the City of Ridgefield met the requirements defined within RCW 35A.14.130 by publishing a notice of public hearing in the Columbian newspaper, posting notice of public hearing at three public places within the territory proposed for annexation, mailing the notice to surrounding property owners, and posting the notice online; and

WHEREAS, on August 5, 2021, the City Council of the City of Ridgefield held and closed a public hearing on the proposed annexation; and

WHEREAS, RCW 35A.14.140 provides that after the public hearing, if the legislative body determines to effect the annexation, then they shall do so by ordinance and file a copy of the ordinance with the board of county commissioners.

NOW THEREFORE, the City Council for the City of Ridgefield hereby ordains as follows:

SECTION 1. Annexation. The City of Ridgefield hereby annexes into the corporate limits of the City of Ridgefield the Potter Annexation Area shown in Exhibit A.

SECTION 2. Zoning. The zoning of the annexed area shall be Residential Low Density 4 with Urban Holding 10 overlay.

SECTION 3. City Filing of Certificate with Washington State Office of Financial Management. A Certificate of Annexation shall be filed with the Washington State Office of Financial Management within thirty (30) calendar days of the effective date of this ordinance.

SECTION 4. City Filing with Clark County. A certified copy of the adopted ordinance shall be separately filed with the Board of Clark County Commissioners and the Clark County Department of Assessment and GIS.

SECTION 5. Severability. If any section, sentence, clause or phrase of this ordinance shall be held to be invalid or unconstitutional by a court of competent jurisdiction, such invalidity or unconstitutionality shall not affect the validity or constitutionality of any other section, sentence, clause or phrase of this ordinance.

SECTION 6. Effective Date. This ordinance shall be in full force and effect thirty (30) calendar days after adoption and publication pursuant to law.

SECTION 7. Corrections. The City Clerk and the codifiers of this ordinance are authorized to make necessary clerical corrections to this ordinance including, but not limited to, the correction of scrivener's/clerical errors, references, ordinance numbering, section/subsection numbers and any references thereto.

PASSED BY THE CITY COUNCIL OF THE CITY OF RIDGEFIELD, WASHINGTON THIS 26TH DAY OF AUGUST, 2021.

DocuSigned by:

Don Stose

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Don Stose, Mayor

ATTEST/AUTHENTICATED:

DocuSigned by:

Julie Ferriss

BA35ACBCC9B14B1

Julie Ferriss

City Clerk

APPROVED AS TO FORM:

DocuSigned by:

Janean Parker

242337742975479

Janean Parker, City Attorney

First Reading:	August 5, 2021
Second reading/Passage:	August 26, 2021
Date of Publication:	September 1, 2021
Effective Date:	September 30, 2021

EXHIBIT A:

Legal Description and Map of Annexation Area

EXHIBIT "A"

Parcel No.: N/A
Owners Name: Public/County Right of Way
Right of Way Annexation

LEGAL DESCRIPTION OF ANNEXATION AREA

That portion of County Right of Way known as S. 10th Way, lying within the Southeast Quarter of the Southwest Quarter of Section 20, and the Northeast Quarter of the Northwest Quarter of Section 29, Township 4 North, Range 1 East, W.M.

TOGETHER WITH

That portion of County Right of Way known as S. 35th Place, lying within the Northeast Quarter of the Northwest Quarter and the Northwest Quarter of the Northeast Quarter of Section 29, Township 4 North, Range 1 East, W.M.

TOGETHER WITH

That portion of County Right of Way known as S. 15th Street, lying within the Southwest Quarter of the Northeast Quarter and the Northwest Quarter of the Northeast Quarter of Section 29, Township 4 North, Range 1 East, W.M.

TOGETHER WITH

That portion of said County Right of Way known as S. 15th Street, lying within the Northeast Quarter of the Northeast Quarter of Section 29, Township 4 North, Range 1 East, W.M., lying West of the West Right of Way line dedicated to the City of Ridgefield by Quit Claim Deed Recorded in Auditor's File No. 5666717, Records of Clark County, Washington.

Situate in the County of Clark, State of Washington.

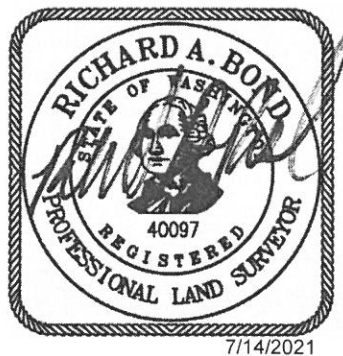


EXHIBIT "A"

Tax Lot 15, 19, Assessor Parcel No. 215811-00
and Tax Lot 72, Assessor Parcel No. 215867-000
Owners Name: Joe Potter
Annexation Legal Description

LEGAL DESCRIPTION OF ANNEXATION AREA

(Provided by City of Ridgefield and prepared by Olson Engineering Inc, dated October 15, 2020)

A parcel of property located in the Southwest quarter of the Northeast quarter of Section 29, Township 4 North, Range 1 East, of the Willamette Meridian, in Clark County, Washington, including those parcels conveyed to Joe Potter, et ux, by Statutory Warranty Deed recorded under Auditor's File Number 3154357, records of said County, and that parcel conveyed to Lenore P. Layman by Quit Claim Deed recorded under Auditor's File Number 5286163D, records of said County, described as follows:

BEGINNING at the Northeast corner of the Southwest quarter of the Northeast quarter of said Section 29;

THENCE North, along the East line of the Northwest quarter of the Northeast quarter of said Section 29 a distance of 30.00 feet to the North line of S. 15th Street (formerly N.W. 254th Street) as shown on that Short Plat recorded in Book 2, Page 697, Clark County records;

THENCE West, along said North line 433.61 feet, more or less, to the West line of said Short Plat;

THENCE South, along said West line 10.00 feet to an angle point in the North right of way line of S. 15th Street;

THENCE West, along said North right of way line 242.89 feet, more or less, to the Northerly extension of the West line of that parcel conveyed to Joe Potter et ux. by Statutory Warranty Deed recorded under Auditor's File Number 3154357, records of said County;

THENCE South, along said Northerly extension and said West line 1340.00 feet, more or less, to the Southwest corner of said Potter parcel;

THENCE East, along the South line of said Potter parcel, a distance of 676.50 feet to the Southeast corner thereof;

THENCE North, along the East line of said Potter parcel and along the East line of that parcel conveyed to Lenore P. Layman by Quit Claim Deed recorded under Auditor's File Number 5286163D, records of said County and the Northerly extension thereof a distance of 1320.00 feet, more or less, to the POINT OF BEGINNING.

Containing approximately 20.5 acres.

