

ORDINANCE NO. 1367

AN ORDINANCE OF THE CITY OF RIDGEFIELD, WASHINGTON ANNEXING INTO THE CORPORATE LIMITS OF THE CITY OF RIDGEFIELD APPROXIMATELY 4 ACRES IDENTIFIED AS THE KDEV LLC ANNEXATION AREA LOCATED WITHIN THE RIDGEFIELD URBAN GROWTH AREA, AND ASSIGNING THE ZONING OF THE ANNEXED AREA AS COMMERCIAL NEIGHBORHOOD BUSINESS WITH THE URBAN HOLDING 10 OVERLAY

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 Neighborhood Commercial 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 18.230.020.A states that the Commercial Neighborhood Business zoning district implements the Neighborhood Commercial comprehensive plan designation and shall be applied to all newly annexed Neighborhood Commercial lands; and

WHEREAS, on January 13, 2022, the City Council of the City of Ridgefield adopted Resolution No. 603 to accept a notice of intent to annex the geographically modified KDev LLC Annexation Area identified by Assessor's Serial Nos. 214425000, 214460000, 214465000, 214449000, and adjacent Clark County right-of-way on NE 259th St; and

WHEREAS, the geographically modified KDev LLC Annexation Area adopted through Resolution No. 603 represents the maximum possible annexation area which may be reduced but not increased during the petition to annex phase;

WHEREAS, the Council authorized commencement of petition to annex proceedings upon determination by staff as to whether or not the owners of Assessor's Serial Nos. 214460000, 214465000, and 214449000 desired annexation into the City; and

WHEREAS, staff worked with the applicant to determine that the owners of Assessor's Serial Nos. 214460000, 214465000, and 214449000 do not desire annexation into the City as part of the KDev Annexation Area; and

WHEREAS, the City of Ridgefield received a petition to annex for Assessor's Serial No. 214425000 identified as the KDev LLC Annexation Area and assigned File Nos. MASTER-22-0044 and PLZ-22-0067; and

WHEREAS, the City is designating subject properties Commercial Neighborhood Business pursuant to RDC 18.230.020.A; and

WHEREAS, the City is placing all newly annexed properties in UH-10 until certification by the city engineer that identifies capital facilities deficiencies have been satisfactorily resolved; 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 May 9, 2022, 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 May 26, 2022, 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 June 9, 2022, 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 KDev LLC Annexation Area shown in Exhibit A.

SECTION 2. Zoning. The zoning of the annexed area shall be Commercial Neighborhood Business with the 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 14TH DAY OF JULY, 2022.

Jennifer Lindsay, Mayor

ATTEST/AUTHENTICATED:

Julie Ferriss
City Clerk

APPROVED AS TO FORM:

Janean Parker, City Attorney

First Reading:	June 9, 2022
Second reading/Passage:	July 14, 2022
Date of Publication:	July 20, 2022
Effective Date:	August 18, 2022

EXHIBIT A:

Legal Description and Map of Annexation Area