

**ORDINANCE NO. 1389**

**AN ORDINANCE OF THE CITY OF RIDGEFIELD, WASHINGTON ANNEXING INTO THE CORPORATE LIMITS OF THE CITY OF RIDGEFIELD APPROXIMATELY 35.48 ACRES IDENTIFIED AS THE NW 24TH AVENUE ANNEXATION AREA AND ASSIGNING THE ZONING OF THE ANNEXED AREA AS RESIDENTIAL LOW DENSITY 4 WITH THE URBAN HOLDING 10 AND HERITAGE OVERLAYS.**

**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 (NW 24<sup>th</sup> Avenue Annexation Area comprised of Assessor's parcels 986027991, 215613000, 215612000, 986050080, and 986051759 and adjacent NW Carty Road right-of-way) 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**, on December 15, 2022, the City Council of the City of Ridgefield adopted Resolution No. 622 accepting a notice of intent to annex for the NW 24<sup>th</sup> Avenue Annexation Area and authorized commencement of petition to annex proceedings; and

**WHEREAS**, the City of Ridgefield received a petition to annex for the NW 24<sup>th</sup> Avenue Annexation Area and assigned File Nos. MASTER-22-0095 and PLZ-22-0145; and

**WHEREAS**, the City is designating subject properties Residential Low Density 4 pursuant to RDC 18.210.015.A and the 2016 Ridgefield Urban Area Comprehensive Plan; and

**WHEREAS**, the City is placing a Heritage overlay on certain portion of the subject properties in compliance with the Carty Road Subarea Plan; and

**WHEREAS**, the City is placing all newly annexed properties in UH-10 pursuant to RDC 18.210.015.B until certification by the city engineer that identifies capital facilities deficiencies have been satisfactorily resolved, as required in RMC 18.270.060, and until Council adopts development standards implementing the Carty Road Subarea Plan; 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**, the NW 24<sup>th</sup> Avenue petition to annex is signed by the owners of 99.9 percent in value of the property for which annexation is petitioned; and

**WHEREAS**, on December 8, 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 December 20, 2022, the Clark County Deputy Assessor provided 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 January 12, 2023, 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 NW 24<sup>th</sup> Avenue Annexation Area shown in Exhibit A.

**SECTION 2. Zoning.** The zoning of the annexed area shall be Residential Low Density 4 with the Urban Holding 10 and Heritage overlays. The Urban Holding 10 overlay shall not be removed until the requirements of RDC 18.210.015.B and 18.270.060 are met and Council has adopted development standards for the Carty Road Subarea.

**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 12TH DAY OF JANUARY, 2023.**

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Rob Aichele, Mayor Pro Tem

ATTEST/AUTHENTICATED:

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Julie Ferriss  
City Clerk

APPROVED AS TO FORM:

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Janean Parker, City Attorney

First Reading/Passage:	January 12, 2023
Second reading/Passage:	Waived
Date of Publication:	January 18, 2023
Effective Date:	February 16, 2023

**EXHIBIT A:**

**Legal Description and Map of Annexation Area**