ORDINANCE NO. 991

AN ORDINANCE OF THE CITY OF RIDGEFIELD, WASHINGTON ANNEXING INTO THE CORPORATE LIMITS OF THE CITY OF RIDGEFIELD 160.68 ACRES OF CERTAIN REAL PROPERTIES AND COUNTY ROAD RIGHT-OF-WAY LOCATED WITHIN THE RIDGEFIELD URBAN GROWTH AREA, AND ASSIGNING THE ZONING OF THE ANNEXED AREA AS LOW DENSITY RESIDENTIAL 8.5 WITH URBAN HOLDING-10 OVERLAY

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

WHEREAS, RCW 35A.14.005 prohibits annexations beyond urban growth areas; and

WHEREAS, the proposed annexation area is within the Ridgefield Urban Growth Area as shown on RIDGEFIELD URBAN GROWTH AREA COMPREHENSIVE PLAN MAP as adopted by Board of Clark County Commissioners on September 25, 2007, Ordinance No. 2007-09-13; 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, 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 owners of not less than ten percent of the acreage for which annexation is sought, shall notify the legislative body of a charter code city or noncharter code city; and,

WHEREAS, on January 4, 2008, the City of Ridgefield received a notice of intent to annex certain real property located in the northeast quarter of Section 32 and the northwest quarter of Section 33, all in Township 4 North, Range 1 East, Willamette Meridian; and

WHEREAS, on January 24, 2008, the City Council of the City of Ridgefield adopted Resolution No. 349 to accept the proposed annexation with no authorization to commence annexation proceedings unless Annexation Ordinance No. 980 was adopted and became effective; and,

WHEREAS, on February 8, 2008, the City of Ridgefield received a petition to annex and assigned File No. PLZ-08-0014; and

WHEREAS, on February 14, 2008, the City Council of the City of Ridgefield adopted Ordinance No. 980 which became effective February 25, 2008; and

WHEREAS, a substantial portion of the north boundary of the area proposed to be annexed is contiguous to the south boundary of the area that was annexed through Ordinance No. 980; 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 February 20, 2008, the Clark County Chief Deputy Assessor certified that the petition represented 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; 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.14.430 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, ON February 28, 2008, the City Council of the City of Ridgefield held and closed a public hearing on the proposed annexation; and

WHEREAS, RCW 35A.14.440 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 OF THE CITY OF RIDGEFIELD, WASHINGTON HEREBY ORDAINS AS FOLLOWS:

SECTION 1. Annexation. The City of Ridgefield hereby annexes into the corporate limits of the City of Ridgefield the: 1) S½ of NE ¼ Section 32; 2) S½ of NW ¼ Section 33; and 3) N 20' of SE¼ Section 32, all in Township 4 North, Range 1 East, Willamette Meridian as shown on Exhibit 1.

SECTION 2. Zoning. The zoning of the annexed area shall be Low Density Residential 8.5 with Urban Holding-10 overlay, consistent with Ridgefield Development Code 18.210.015.B.1 and 18.210.015.C.

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 five (5) 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.

ADOPTED AT A REGULAR SESSION OF THE CITY COUNCIL OF THE CITY OF RIDGEFIELD, WASHINGTON THIS 10 DAY OF APRIL, 2008.

THE CITY OF RIDGEFIELD

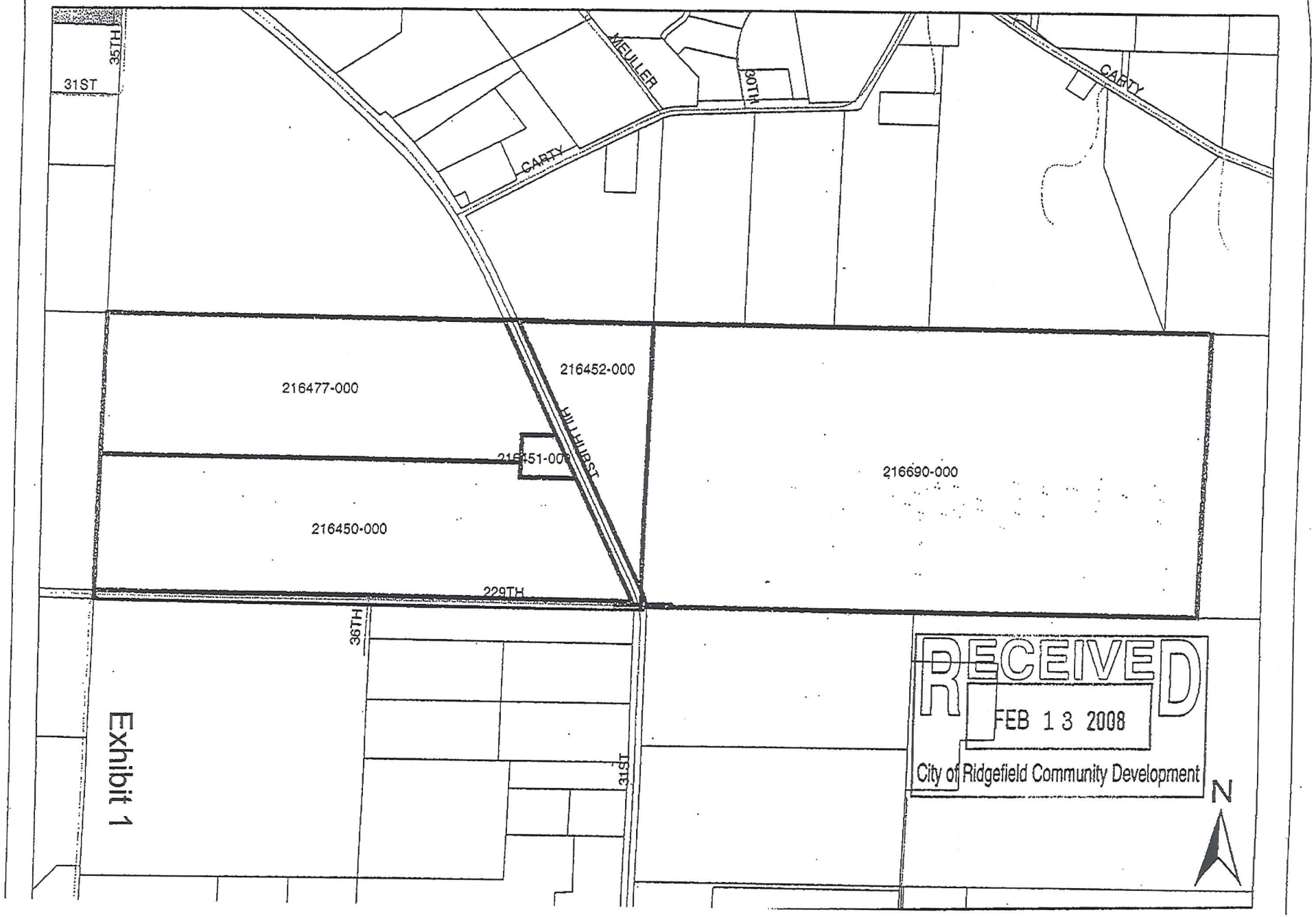
Ron Onslow, Mayor

Attest:

Kay Kammer, City Clerk

Approved as to Form:

Chris Sundstrom, City Attorney

Date of Adoption: APRIL 10, 2008
Date of Publication: APRIL 16, 2008
Effective Date: APRIL 20, 2008

KENNEDY ANNEXATION