ORDINANCE NO. 993

AN ORDINANCE OF THE CITY OF RIDGEFIELD, WASHINGTON ANNEXING INTO THE CORPORATE LIMITS OF THE CITY OF RIDGEFIELD 140.40 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 east ½ of Section 29 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. 350 to accept the proposed annexation with authorization to commence annexation proceedings; and,

WHEREAS, on February 15, 2008, the City of Ridgefield received a petition to annex and assigned File No. PLZ-08-0016; and

WHEREAS, the area proposed to be annexed is contiguous to the south city limits; 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, 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: 1) The NE¼ of the NE¼ of Section 29, except the north 435.6 feet of the south 455.6 feet of the west 200 feet, including S. 15th Street and S. 45th Avenue rights-of-way; 2) The SE¼ of the NE¼ and the NE¼ of the SE¼ of Section 29, including S. 15th Street, S. Royle Road, and S. 45th Avenue rights-of-way, EXCEPT that certain one-half (1/2) acre tract conveyed to JOHN W. WELLS, by Deed recorded in Volume 146, Page 106, records of said County, described as follows: Commencing at the quarter section corner between Sections 28 and 29, Township 4 North, Range 1 East of the Willamette Meridian, in the center of the county road, running thence in a southwesterly direction along the center of said county road to a point far enough distant from point of beginning, so that a line drawn therefrom due east to Section line between Section 28 and 29 will with said section line and aforesaid center line of said County road form a triangle containing one-half (1/2) acre of land; and 3) A tract of land described as Beginning at a point 39 rods East of the Southwest corner of the Northwest Quarter of the Southeast Quarter of Section 29, Township 4 North, Range 1 East of the Willamette Meridian, in Clark County, Washington, thence North 80 rods, thence east 41 rods, thence south 80 rods, thence west 41 rods to the point of beginning, including S. Royle Road right-of-way between the east line of the Northwest Quarter of the Southeast Quarter and the south line of the Northwest Quarter of the Southeast Quarter, EXCEPT that portion of the Northwest Quarter of the Southeast Quarter of Section 29, Township 4 North, Range 1 East of the Willamette Meridian, described as Beginning at a point on the South line of the Northwest Quarter

of the Southeast Quarter of said Section 29 that is South 89°22'53" East 643.50 feet from the Southwest corner thereof; thence North 0°58'40" East 60.00 feet, thence South 89°22'53" East 335.74 feet to the Westerly right-of-way line of County Road No. 25, thence South 31°57'22" West, along said right-of-way, 70.25 feet, thence North 89°22'53" West 299.60 feet to the point of beginning, all in Township 4 North, Range 1 East, Willamette Meridian as shown on Exhibit 1 map.

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

Kay Kammer, City Clerk

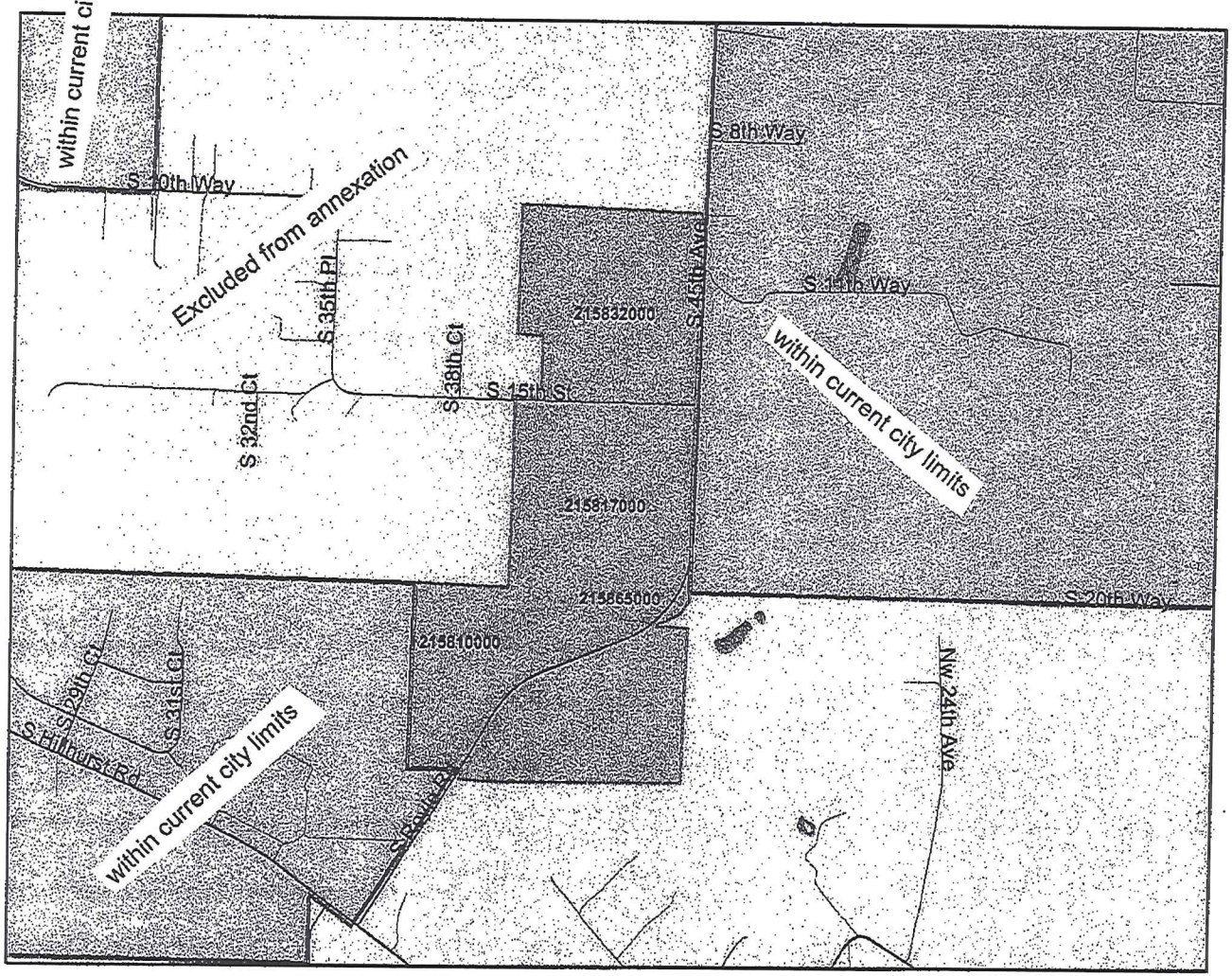
Approved as to Form:

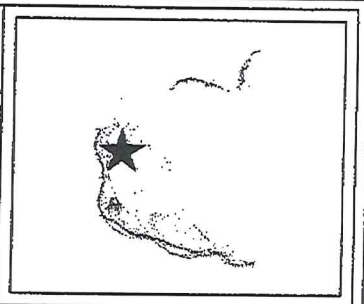
Chris R. Sundstrom

Chris Sundstrom, City Attorney

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

E.T. Royle ~ PLZ-08-00001





Legend

Roads

- Alley
- Arterial
- DNR
- DNR (Private Land)
- Driveway
- Interstate
- Interstate Ramp
- Primary Arterial
- Private Roads
- Private Roads w/o Names
- Public Roads
- SR Ramp
- State Route

- Waterbodies
- City Boundaries
- Urban Growth Boundaries
- County Boundary

0 1300 2600 3900 ft.

Map center: 45° 48' 11" N, 122° 42' 18" W

Scale: 1:13,971

Information shown on this map was collected from several sources. Neither Clark County, Washington, nor the producer of this document accept responsibility for any inaccuracies that may be present.

PLZ-08-0001 Exhibit 1