

ORDINANCE NO. 1270

AN ORDINANCE OF THE CITY OF RIDGEFIELD, WASHINGTON ANNEXING INTO THE CORPORATE LIMITS OF THE CITY OF RIDGEFIELD APPROXIMATELY 9.79 ACRES OF CERTAIN REAL PROPERTY LOCATED WITHIN THE RIDGEFIELD URBAN GROWTH AREA, AND ASSIGNING THE ZONING OF THE ANNEXED AREA AS RESIDENTIAL LOW DENSITY 6

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 annexation name is Cosgrove Annexation; 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, under RMC 18.210.015, the City is applying RLD zoning to implement the residential/urban low comprehensive plan designation adopted by the County Council on June 28, 2016; and

WHEREAS, on April 12, 2018, the City Council of the City of Ridgefield adopted Resolution No. 537 to accept a notice of intent to annex the Cosgrove property identified by Assessor's Serial No. 216699000 and adjacent Clark County right-of-way, and the Council authorized commencement of annexation proceedings; and

WHEREAS, on August 28, 2018, the City of Ridgefield received a petition to annex and assigned File No. PLZ-18-0102; and

WHEREAS, the City is designating subject properties RLD-6, as under RMC 18.210.015(B), the City is required to designate all newly annexed RLD land as RLD-6 or greater density; 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 September 20, 2018, 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 September 28, 2018, 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 September 6, 2018, issue of the Columbian newspaper and posting notice of public hearing at three public places within the territory proposed for annexation; and

WHEREAS, on September 27, 2018, 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 territory described in Exhibit 1 and as shown in Exhibit 2.

SECTION 2. Zoning. The zoning of the annexed area shall be Residential Low Density 6 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 11TH DAY OF OCTOBER, 2018.

Don Stose, Mayor

ATTEST/AUTHENTICATED:

Julie Ferriss
City Clerk

APPROVED AS TO FORM:

Janean Parker, City Attorney

First Reading:	September 27, 2018
Second reading/Passage:	October 11, 2018
Date of Publication:	October 17, 2018
Effective Date:	November 15, 2018

EXHIBIT 1:

Legal Description of Annexation Area

EXHIBIT 2:

Map of Annexation Area