

ORDINANCE NO. 1378

AN ORDINANCE OF THE CITY OF RIDGEFIELD, WASHINGTON ANNEXING INTO THE CORPORATE LIMITS OF THE CITY OF RIDGEFIELD APPROXIMATELY 53.88 ACRES IDENTIFIED AS THE GREEAR/YOUNG ANNEXATION AREA LOCATED WITHIN THE RIDGEFIELD URBAN GROWTH AREA, AND ASSIGNING THE ZONING OF THE ANNEXED AREA AS RESIDENTIAL LOW DENSITY 4 WITH COMMUNITY SUPPORTED AGRICULTURE AND URBAN HOLDING 10 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 (Grear/Young Annexation Area, comprised of Assessor's parcels 216483000, 215863000, 215873000, 215864000, 215869000, and 216675000) 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 Grear/Young 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, RDC 18.210.015.A states that the RLD-4, RLD-6, and RLD-8 zoning districts implement the Urban Low comprehensive plan designation and shall be applied to all newly annexed Urban Low lands; and

WHEREAS, RDC 18.210.015.B states that the UH-10 overlay shall apply to all lands not adequately served by necessary capital facilities until urban services are available or until financing necessary to construct or bond for urban services is secured; and

WHEREAS, on June 20, 2019, the City Council of the City of Ridgefield adopted Resolution No. 560 (Grear Intent to Annex) with a modified geography of the entire Carty Road Subarea including the Grear/Young annexation area; and

WHEREAS, the geographically modified Greear Annexation Area adopted through Resolution No. 560 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 adoption of a Carty Road Subarea Plan; and

WHEREAS, Council adopted the Carty Road Subarea Plan on July 28, 2022; and

WHEREAS, adopting zoning regulations pertaining to development in the Carty Road Subarea is an implementation step for the adopted Carty Road Subarea Plan; and

WHEREAS, the City of Ridgefield received a petition to annex for the Greear Annexation Area and assigned File Nos. MASTER-22-0084 and PLZ-19-0003; and

WHEREAS, the City of Ridgefield received a petition to annex for the Young Annexation Area and assigned File Nos. MASTER-22-0081 and PLZ-22-0125; and

WHEREAS, the City is designating subject properties Residential Low Density 4 pursuant to RDC 18.210.015.A and the Carty Road Subarea Plan; and

WHEREAS, the City is assigning the Community Supported Agriculture overlay to a portion of the annexation area pursuant to the Carty Road Subarea Plan; and

WHEREAS, the City is placing the newly annexed property 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 October 18, 2022 the City of Ridgefield requested that the Clark County Department of Assessment and GIS certify the Young 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 October 20, 2022 the Clark County Assessor mailed to the City of Ridgefield a Certification of Sufficiency for the annexation petition by the direct petition method; and

WHEREAS, on November 9, 2022 the City of Ridgefield requested that the Clark County Department of Assessment and GIS certify the Greear 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 November 22, 2022 the Clark County 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 for each of the Greear and Young petitions to annex 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 October 27, 2022, the City Council of the City of Ridgefield held and closed public hearings and held first ordinance readings on the proposed Greear and Young annexations; and

WHEREAS, the Greear and Young annexation areas were both included in the modified Greear intent to annex under Resolution No. 560 and therefore shall be considered for adopted under a single petition to annex; and

WHEREAS, the City Council held a second ordinance reading on the Greear/Young annexation on November 17, 2022; 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 Greear/Young Annexation Area shown in Exhibit A.

SECTION 2. Zoning. The zoning of the annexed area shall be Residential Low Density 4 with the Community Supported Agriculture and Urban Holding 10 overlays.

SECTION 3. Urban Holding. The Urban Holding 10 overlay shall remain on the annexation area until such a time that capital facilities deficiencies have been satisfactorily resolved and a zoning ordinance is adopted regulating development in the Carty Road Subarea.

SECTION 4. 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 5. 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 6. 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 7. Effective Date. This ordinance shall be in full force and effect thirty (30) calendar days after adoption and publication pursuant to law.

SECTION 8. 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 1ST DAY OF DECEMBER, 2022.

DocuSigned by:
Jennifer Lindsay
3380C324397E42D...
Jennifer Lindsay, Mayor

ATTEST/AUTHENTICATED:

DocuSigned by:
Julie Ferriss
BA35ACBCC9B14B1...
Julie Ferriss
City Clerk

APPROVED AS TO FORM:

DocuSigned by:
Janean Parker
242337742975479...
Janean Parker, City Attorney

| | |
|-------------------------|------------------|
| First Reading: | October 27, 2022 |
| Second reading/Passage: | December 1, 2022 |
| Date of Publication: | December 7, 2022 |
| Effective Date: | January 5, 2023 |

EXHIBIT A:

Legal Description and Map of Annexation Area

LEGAL DESCRIPTION FOR CITY OF RIDGEFIELD ANNEXATION
Perimeter Descriptions for TL41, TL68, TL69, TL74, & TL78

October 4, 2022

A parcel of property located in the Southwest quarter of Section 28, the Southeast quarter of Section 29, and the Northeast quarter of Section 32, Township 4 North, Range 1 East, of the Willamette Meridian in Clark County, Washington, described as follows:

COMMENCING at the Southwest corner of said Southeast quarter of Section 29;

THENCE North $89^{\circ} 21' 40''$ East along the East along the South line of said Southeast quarter of Section 29 a distance of 1298.85 feet to the Southerly projection of the West line of that tract conveyed by deed to Jamie Gentry recorded under Auditor's File No. 4701059 records of Clark County (Gentry tract);

THENCE North $01^{\circ} 05' 38''$ East along said Southerly projection and said West line 1197.62 feet to the Northwest corner of said tract and the TRUE POINT OF BEGINNING;

THENCE South $80^{\circ} 24' 37''$ East along the North line of said tract 723.90 feet to the Northwest corner of that tract conveyed by deed to Carnia Nedbal recorded under Auditor's File No. 5611157 D records of Clark County (Nedbal tract);

THENCE South $51^{\circ} 20' 37''$ East along the Northeasterly line of said tract 418.99 feet to the Northeast corner of said tract;

THENCE South $44^{\circ} 58' 03''$ West along the Southeasterly line of said tract 601.68 feet to the Southeast corner of said tract, said point on the Northeasterly line of that tract conveyed by deed to the Susan Marie Buck Living Trust recorded under Auditor's File No. 5914477 D, records of Clark County (Buck tract);

THENCE South $40^{\circ} 44' 37''$ East along the said Northeasterly line and the Northeasterly line of that tract described under the Deed of Trust to Ralph and Cindy Greear recorded under Auditor's File No. 5863064 DT, records of Clark County (Greear tract) 395.00 feet to the Southwest corner of that tract conveyed by deed to Rodney Curran recorded under Auditor's File No. 4175317 D, records of Clark County;

THENCE North $39^{\circ} 20' 23''$ East along the Northwesterly line of said Curran tract 828.57 feet to an angle point in said Northwesterly line;

THENCE North $33^{\circ} 20' 25''$ East along said Northeasterly line 300.00 feet, more or less, to the Northwest corner of said tract, said point in the center of Gee Creek;

THENCE Southeasterly along the Northerly line of said Curran tract and the centerline of Gee Creek 170.00 feet, more or less to the Northeast corner of said tract, said point at the intersection of Gee Creek and an unnamed creek;

THENCE Southwesterly along the Southeasterly line of said Curran tract and the center of the unnamed creek 1220.00 feet to the Northeasterly line of said Greear tract;

THENCE South $40^{\circ} 44' 37''$ East along said Northeasterly line and the Southeasterly projection of said Northeasterly line 247.00 feet to the South line of NW Carty Road;

THENCE Southwesterly along said South line of NW Carty Road 360.82 feet, more or less, to the Southeasterly projection of the Southwesterly line of said Greear tract;

THENCE North $40^{\circ} 44' 37''$ West along said Southeasterly projection, the Southwesterly line of said Greear tract and the Southwesterly line of said Buck tract 1126.40 to the Northwest corner of said Buck tract;

THENCE North $63^{\circ} 27' 31''$ East along the Northwesterly line of said Buck tract 386.76 feet to the Northeast corner of said Buck tract, said point on the Southwesterly line of said Nedbal tract;

THENCE North $40^{\circ} 44' 37''$ West along said Southeasterly line of said Nedbal tract 239.00 feet to the Southeast corner of said Gentry tract;

THENCE North $53^{\circ} 35' 05''$ West along the South line said Gentry tract 482.97 feet to the Southwest corner of said tract;

THENCE North $01^{\circ} 05' 38''$ East along the West line of said Gentry tract 215.02 feet to the TRUE POINT OF BEGINNING.

INCLUDING any portions lying within NW Meuller Road (private) and easements of record.



Together with adjacent right-of-way of NW Carty Road. [CL 2022/11/09 RE: PLZ-19-0003]

in a portion of
the

BEARINGS
ASSUMED

This map correctly represents a survey made by me or under my direction in conformance with the requirements of the Survey Recording Act at the request of _____

RALPH WILLIAMS

in SEPTEMBER, 1976

(Signed & Sealed) William F. Hagedorn
Registered Land Surveyor

Certificate No. 3579

Filed for record this 18th day of November, 1976
at 10:45 AM, in book 5 of surveys at page 154 at the request
of Hogsdorn, Inc.

(Signed) Patrick S. O'Neill
Deputy County Auditor

HAGEDORN, INC.

1817 Main St. Vancouver, Wash.

Ph. (206) 696-4428

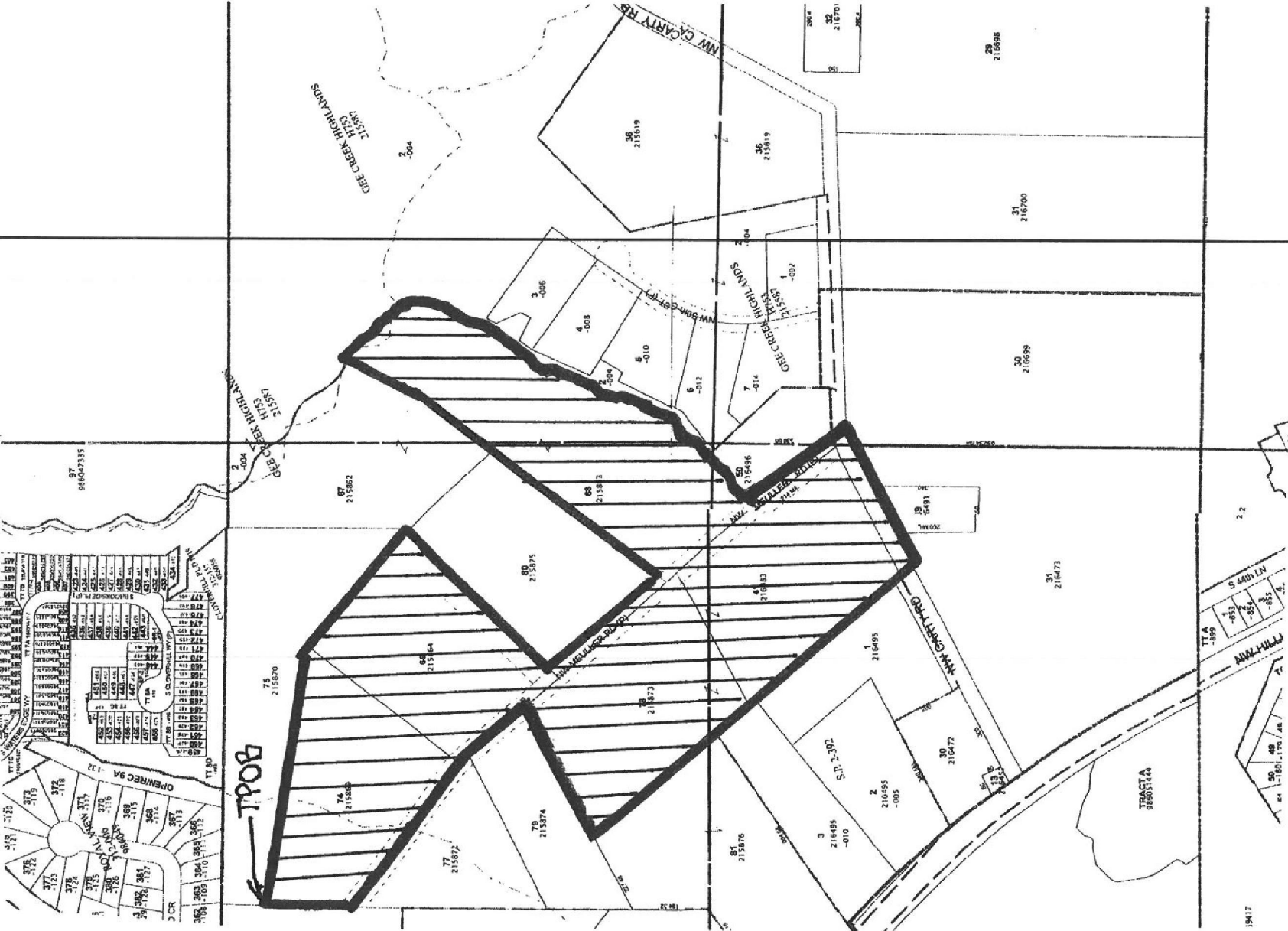
LAND SURVEYORS

*Subdivisions, Boundaries, Control, Topography,
Construction Surveys, & Road Layout*

5-154

RNN 5 PAGE 15A





Boundary
Construction

Subdivision
Short Plats

Swart/Hart & Associates

14703 NE 35th St.
Vancouver, WA 98662-8318

(360) 574-6264

(360) 896-5059

Fax: (360) 896-2236

LEGAL DESCRIPTION
FOR RICH YOUNG
REMAINDER PARCEL

Oct. 4, 1996
4-1-33-1

The following described real property situated in the County of Clark, State of Washington;

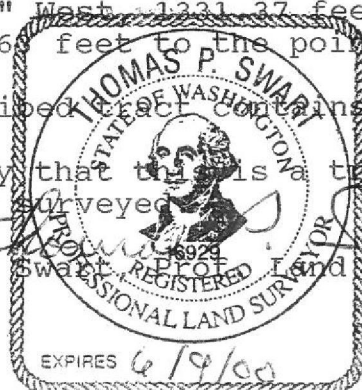
That portion of the Northeast quarter of the Northwest quarter of Section 33, and the Southeast quarter of the Southwest quarter of Section 28, Township 4 North, Range 1 East of the Willamette Meridian described as follows;

Beginning at a point on the East line of the Northwest quarter of said Section 33 which is South $1^{\circ} 19' 43''$ West, 474.11 feet from the Northeast corner of said Northwest quarter, said point being the intersection of said East line with the center line of N.W. Carty Road; Thence South $1^{\circ} 19' 43''$ West along the East line of said Northwest quarter, 859.37 feet; Thence North $88^{\circ} 55' 36''$ West, 226.11 feet to the true point of beginning of the tract herein described; Thence North $21^{\circ} 36' 10''$ West 825.46 feet to the extension of an existing fence line; Thence North $0^{\circ} 27' 18''$ East, 355.56 feet; Thence North $33^{\circ} 11' 37''$ East, 56.05 feet to the center of Carty Road; Thence North $58^{\circ} 12' 47''$ West along said centerline, 50.98 feet to the Northeasterly corner of that tract conveyed to the Evangelical Methodist Church by deed recorded under Auditors File AF# 264259, records of Clark County; Thence South $31^{\circ} 47' 13''$ West along the East line 132.00 feet; Thence North $85^{\circ} 12' 47''$ West, 119.00 feet; Thence North $31^{\circ} 47' 13''$ East, 132.00 feet to the center of Carty Road; Thence following said centerline, through a curve to the left having a radius of 11000.00 feet, through a central angle of $0^{\circ} 54' 10''$, an arc distance of 173.32 feet; thence North $57^{\circ} 18' 36''$ West along said centerline, 481.87 feet; Thence South $1^{\circ} 31' 07''$ West, 268.0 feet; Thence North $89^{\circ} 01' 26''$ West, 66.00 feet; Thence South $1^{\circ} 27' 57''$ West, 1231.37 feet; Thence South $88^{\circ} 55' 51''$ East, 1083.6 feet to the point of beginning.

The above described tract contains 26.58 acres.











I hereby certify that this is a true and accurate description of the property surveyed.

Thomas P. Swart, Registered Land Surveyor No 16929



4/11/96



-  Taxlots
 Main Track
 Minor Track
 All Roads
 Interstate
 State Route
 Arterial
 Forest Arterial
 Minor Collector
 Forest Collector
 Private or Other

Notes:

WGS_1984_Web_Mercator_Auxiliary_Sphere
Clark County, WA. GIS - <http://gis.clark.wa.gov>

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