



Re: Ridgefield Building / Code Violation Clark County WA

1 message

Thu, Nov 20, 2025 at 6:21 PM

To: Steve Stuart <Steve.Stuart@ridgefieldwa.us>, CityCouncil@ridgefieldwa.us

Steve,

Thank you for your response. After reviewing the information provided and comparing it with the **City of Ridgefield Municipal Code**, as well as the **Critical Areas Ordinance** (RMC 18.280) currently in effect, I am requesting a **formal code-compliant determination** regarding the retaining wall and newly constructed shed on the neighboring parcel

.Your team was onsite from 1:11PM to 1:28PM according to my Ring Camera. They were able to determine in 17 minutes that everything was to code, yet I sent pictures of a shed 1 foot from my fence. 17 minutes seems like a short time to look at something and determine if it has a surcharge / enough weight or that modifications to the slope will not affect anyone else. Did your team make the determination that all permits were on file? Did they verify that Fish & Wildlife requirements were met?

This letter outlines the specific code sections that apply and requests supporting documentation required under the City's own regulations.

1. Setback Requirements Still Apply to Shed Construction

While the City noted that the shed is "under 120 sq ft," exemption from a **building permit** does *not* exempt the structure from **zoning or setback compliance**.

The shed is currently **less than one foot** from my property line.

Ridgefield's zoning code (Title 18) requires minimum side and rear setbacks in the RLD-4 zone. Regardless of permit exemption, the shed must comply with setback requirements under RMC Title 18.

I am formally requesting written confirmation of:

- The setbacks applied
- The exact measurements the City used
- Documentation showing zoning compliance review

This request is necessary because structures built too close to a property line may violate required setbacks and adversely affect adjoining properties.

2. The Shed and Retaining Wall Are Located Within a Regulated Critical Area

According to the **Clark County GIS Environmental Report** for Parcel 213808012, the site contains:

- **Fish & Wildlife Habitat Conservation Area (Riparian) – Seasonal Stream**
- **Critical Aquifer Recharge Area – Category 2**
- **Geologic Hazard – Severe Erosion Hazard Area**
- **Slopes > 15%**

Under the Ridgefield Critical Areas Ordinance:

Critical Areas Apply Whether or Not a Permit Is Required

"The provisions of this chapter shall apply **whether or not a permit or authorization is required.**"

All Structures and Land Uses Inside a Critical Area Are Regulated

"...the provisions of this chapter shall apply to **all lands, all land uses, clearing and development activity, and all structures and facilities** in the city located within a critical area or buffer..."

Critical Areas Permit Required Before Any Activity

"The critical areas permit...shall be obtained **prior to undertaking any activity** regulated by this chapter..."

No Person May Alter a Critical Area or Buffer Except as Allowed

"No person...shall alter a critical area or buffer...except as consistent with the requirements of this chapter."

The shed and retaining wall are **not exempt** from these requirements.

I am requesting:

- Any Critical Areas determinations
- Any habitat or riparian assessments
- Any buffer analysis
- Any documentation showing the City considered the parcel's Riparian Habitat designation

3. Fish & Wildlife Habitat and Riparian Buffers Are Strictly Regulated

From your ordinance:

Riparian Buffer Regulations Apply to This Property

"Development or clearing activity may occur in the riparian buffer, provided that mitigation is conducted that results in **no net loss of riparian habitat functions**..."

This means:

- Development in the buffer *triggers a habitat evaluation*
- Mitigation must be documented
- A critical-area report is required unless specifically exempt

No such evaluation has been provided.

4. Critical Areas Review Cannot Be Waived Due to Permit Exemption

The City stated that because the shed is under 120 sq. ft., "no permit is required."

However, your own code contradicts this:

Applicability Does Not Depend on Whether a Building Permit Is Required

"The provisions of this chapter shall apply whether or not a permit or authorization is required."

All structures within a critical area or buffer are regulated

"...the provisions of this chapter shall apply to...all structures and facilities in the city located within a critical area or buffer..."

This means:

- Even "minor structures" must undergo critical areas review
- Permit-exempt structures are **not** exempt from environmental regulations

5. Formal Requests for Documentation

To resolve this matter factually and in compliance with the Ridgefield Municipal Code, I am requesting:

A. Setback Compliance

- Zoning setback review
- Measurements used
- Any zoning or land-use determination that allowed the shed within 1 ft of the property line

B. Critical Areas Review

- Written determination of whether the site contains:
 - Fish & Wildlife Habitat Conservation Area
 - Riparian buffer
 - Critical Aquifer Recharge Area
 - Geologic Hazard (Slopes >15% / Severe Erosion Hazard)
- Any submitted or required:
 - Critical Areas Permit
 - Habitat Assessment
 - Buffer analysis
 - Mitigation plan

C. Retaining Wall Documentation

If a retaining wall was permitted, please provide:

- The permit
- Inspection reports
- Final approval documentation
- Any associated geotechnical evaluation

6. Request for Formal Determination

Given the code citations above, please issue a **formal written determination** that includes:

1. Whether the shed complies with required zoning setbacks.
2. Whether the shed and wall are located within a regulated buffer or critical area.
3. Whether any critical areas review was performed.
4. Whether critical areas regulations were properly applied and enforced.

In closing, I want to reiterate that the shed on the adjacent property sits approximately one foot from my fence, which is significantly inside the minimum **5-foot** side setback required under RMC 18.205.030. In addition, the small retaining wall that was hastily constructed between our properties directly affects the stability of my back yard. Because the property is located within a mapped Geologic Hazard Area (Severe Erosion Hazard, Slopes >15%), and because retaining walls in hazard areas can alter lateral support, drainage, and soil pressure, this situation poses a real risk of ground movement, settling, or slope failure affecting my property.

See: https://library.municode.com/wa/ridgefield/codes/code_of_ordinances/293563?nodeId=CO_TIT18DECO_CH18.210RELODEDIRRL_18.210.045SEX

Under the City of Ridgefield Critical Areas Ordinance (RMC 18.280), these risks are not discretionary. The City is legally obligated to protect my property by ensuring that all work within a critical area complies with adopted regulations. Because the City approved the retaining wall permit, it now has an affirmative duty to confirm that the construction was performed safely, that setbacks were reviewed correctly, and that my property is not being placed at risk of slope instability or loss of structural support.

Under the 14th amendment, the City has an obligation to enforce the ordinance equally for all residents. I respectfully request that the City fulfill its obligation to enforce its adopted codes and provide the formal determinations and documentation necessary to resolve these issues.


Please respond in writing with the documentation and determinations requested.

Sincerely,

2 attachments

	MS-A	MS-B	MS-C
MS-A (other)	0/0	0/0	0/0
MS-A (MS-A)	0/0 (0/0)	0/0 (0/0)	0/0 (0/0)
MS-A (MS-B)	0/0	0/0	0/0
MS-A (MS-C)	0/0	0/0	0/0
MS-A (MS-A, MS-B)	0/0	0/0	0/0
MS-A (MS-A, MS-B, MS-C)	0/0 (0/0 (0/0))	0/0 (0/0 (0/0))	0/0
MS-A (MS-B, MS-C)	0/0	0/0	0/0
MS-A (MS-A, MS-B, MS-C)	0/0	0/0	0/0

setbacks.png
95K

 **City_Duties_Enforce_14th.pdf**
133K