

North Fork Urban Holding Type II Boundary Line Adjustment & Urban Holding Removal

Date: February 2021

Submitted to: City of La Center
203 NW Pacific Highway
La Center, WA 98629

Applicant: RJR Enterprises, LLC
Randy Cole
1935 Samco Road, Suite 102
Rapid City, South Dakota 57702

AKS Job Number: 8283



9600 NE 126th Avenue, Suite 2520
Vancouver, WA 98682
360.882.0419

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Land Use Application for a Type II Boundary Line Adjustment & Urban Holding Removal

Submitted to: City of La Center
203 NW Pacific Highway
La Center, WA 98629

Property Owner/Applicant: RJR Enterprises LLC
1935 Samco Road, Suite 102
Rapid City, South Dakota 57702
Contact: Randy Cole
Email: randalcp@msn.com
Phone: (605) 342-9607

Applicant's Consultant: AKS Engineering & Forestry, LLC
9600 NE 126th Avenue, Suite 2520
Vancouver, WA 98682
Contact(s): Seth Halling
Email: sethh@aks-eng.com
Phone: (360) 882-0419

Site Location: Parcel Numbers 258968000, 258913000, & 258909000

Site Size: 0.57 Acres

Land Use Districts: Low Density Residential (LDR-7.5)
Urban Holding 10 (UH-10)

I. Executive Summary

The applicant proposes to remove the Urban Holding designation from the three subject parcels and complete a boundary line adjustment. The boundary line adjustment application proposes to consolidate Parcel Number 258968000 and 258909000 into a single parcel and then boundary line adjust the consolidated parcel with Parcel Number 258913-000. The internal lot line of the consolidated parcel and Parcel Number 258913-000 is proposed to be shifted 10 feet to the west. The anticipated use of adjusted Lots 1 and 2 is duplex residences. Adjusted Lots 1 and 2 are to be served by a recently installed public sanitary sewer line from the intersection of E. 24th Circle and E. Gaither Avenue east of the site. Adjusted Lots 1 and 2 are to be served by water, electricity, phone, and cable within NE North Fork Avenue. Access to adjusted Lots 1 and 2 will be provided by a shared driveway accessing NE North Fork Avenue.

II. Site Description/Setting

The subject site for this application is located in La Center, Washington. The site is approximately ±0.57 Acres in size and consists of three parcels identified as Parcels 258968000, 258913000 and 258909000. The site is zoned Light Density Residential (LDR-7.5) with and Urban Holding 10 (UH-10) Overlay. The surrounding properties to the north, east, and west are similarly zone, and the property to the south is zoned Parks/Open Space (P/OS).

The site is currently vacant with existing vegetation consisting of Evergreen and Deciduous trees, scrub shrub, and field grass. There are no critical areas on site.

III. Applicable Review Criteria

LA CENTER MUNICIPAL CODE

Title 18 Development Code

Division 2. Zoning

Chapter 18.130 Low Density Residential District (LDR-7.5)

Chapter 18.190 Urban Holding District (UH-10)

18.190.060 Removal of UH-10 overlay

The director may remove the UH-10 overlay district, based on certification from the public works director or city engineer that identified capital facilities deficiencies have been satisfactorily resolved.

- (1) Removal of the Overlay. Such amendments shall occur under Type II review proceedings. The city shall not require a public hearing for such an amendment, because the public review process will have already occurred as a result of development review or an amendment to the capital facilities plan.
- (2) The UH-10 overlay may be removed if provision of adequate capital facilities is required as a condition of phased development approval.

Response: This application proposes the removal of the UH-10 overlay from Parcel Numbers 258968000, 258913000 and 258909000. A sanitary sewer line was recently installed from the intersection of E. 24th Circle and E. Gaither Avenue, providing the site with sanitary sewer. Now that the site has sanitary sewer the UH-10 overlay can be removed.

Division 3. Land Division and Development

Chapter 18.220 Boundary Line Adjustments



18.220.010 Boundary line adjustments.

- (1) A boundary line adjustment (BLA) is a division made for the purpose of adjusting boundary lines which does not create any additional lot, tract, parcel, site or division nor create any lot, tract, parcel, site or division which contains insufficient area and dimension to meet minimum requirements for width and area for a building site. Boundary line adjustments may not be concurrently reviewed with another land division if the proposed adjustment might affect the perimeter of the other land division.

Response: This application proposes to consolidate Parcel Number 258968000 and 258909000 into a single parcel and then boundary line adjust the consolidated parcel with Parcel Number 258913-000. No additional lots will be created with this application.

- (2) Boundary line adjustments recorded through the county assessor's office do not ensure such adjustments meet current zoning requirements. BLA applications approved through the La Center planning department ensure compliance with current zoning requirements, and are reviewed and approved through a Type I process, pursuant to LCMC 18.30.080.

Response: This boundary line adjustment application will run through the City's process.

- (3) Application submittal requirements for BLAs include:
- (a) A completed application form;
 - (b) The appropriate fee;
 - (c) Sales history since 1969 for each parcel to include:
 - (i) Copies of all deeds or real estate contracts showing previous owners or division of the original parcel;
 - (ii) Prior segregation requests;
 - (iii) Prior recorded surveys; and
 - (iv) Other information demonstrating compliance with the approval criteria of subsection (4) of this section;
 - (d) A site plan showing current conditions, including:
 - (i) The applicant's and contact person's name, mailing address and phone number;
 - (ii) Owner's name and address;
 - (iii) Layout and dimensions of parcels drawn to scale (minimum eight and one-half by 11 inches);
 - (iv) North arrow (oriented to the top, left or right of page), scale and date;
 - (v) Area of existing sites in acres or square feet;
 - (vi) Location of all existing buildings/structures, septic tanks and drainfields, wells and on-site utilities, and their distance in feet from all property lines;
 - (vii) Public and private roads and their dimensions and location; and
 - (viii) Private road and utility easements and their dimensions and location;
 - (e) A site plan, drawn to scale, showing proposed conditions, including:

- (i) Layout and dimensions of adjusted parcels drawn to scale (minimum eight and one-half by 11 inches);
- (ii) North arrow (oriented to the top, left or right of page), scale and date;
- (iii) Area of adjusted sites in acres or square feet;
- (iv) Location of all existing buildings/structures, septic tanks and drainfields, wells and on-site utilities, and their distance in feet from all property lines;
- (v) Public and private roads and their dimensions and location; and
- (vi) Private road and utility easements and their dimensions and location.

Response: The BLA application submittal requirements listed in the section are included with this application.

- (4) Approval Criteria.
 - (a) No additional lots could be created that do not meet current zoning of the property.
 - (b) Lots must meet current size requirements including minimum width and depth requirements.
 - (c) Lots must be buildable.

Response: This BLA application meets the approval criteria. No additional lots will be created with this application. The two lots that will result from this application meet the size requirements as demonstrated on the BLA Application’s Adjustment Analysis Information section. The lots will be buildable.

Chapter 18.225 Legal Lot Determinations

18.225.01 Legal lot determinations.

- (4) Application and Submittal Requirements. The following shall be submitted with all applications for lot determination, or applications for other development review in which a lot determination is involved. Applicants are encouraged to submit material as necessary to demonstrate compliance with this section:
 - (a) Prior city/county short plat, subdivision, lot determination or other written approvals, if any, in which the parcel was formally created or determined to be a lot of record;
 - (b) Sales or transfer deed history dating back to 1969;
 - (c) Prior segregation request, if any;
 - (d) Prior recorded survey, if any;
 - (e) At the discretion of the applicant, any other information demonstrating compliance with criteria of this section.

Response: A sales history dating back to 1969 is included with this application.

- (5) Approval Criteria.
 - (a) Basic Criteria. Parcels which meet both of the following basic criteria are lots of record:

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- (i) **Zoning.** The parcel meets minimum zoning requirements, including lot size, dimensions and frontage width, in effect currently or at the time the parcel was created; and
 - (ii) **Platting.**
 - (A) The parcel was created through a subdivision or short plat recorded with Clark County; or
 - (B) The parcel is five acres or more in size and was created through any of the following:
 - (I) An exempt division which occurred prior to April 19, 1993;
 - (II) A tax segregation requested prior to April 19, 1993;
 - (III) A survey completed as to boundaries prior to April 19, 1993, and recorded prior to July 19, 1993; or
 - (IV) The parcel was created through a division or segregation of four or fewer lots requested prior to July 1, 1976; or
 - (V) The parcel was created through division or segregation and was in existence prior to August 21, 1969; or
 - (VI) The parcel was created through a court order, will and testament, or other process listed as exempt from platting requirements by RCW 58.17.035 or 58.17.040 or through an exemption from platting regulations provided by law at the time of creation of the parcel; or
 - (VII) The parcel was segregated at any time and is 20 acres or more in size;
 - (C) **Prior Determination.** Parcels which have been recognized through a previous lot determination review, or other city planning approval in which lot recognition is made, are lots of record. Such parcels shall remain lots of record until changed by action of the owner.

Response: The site's three parcels will be reviewed by the City for Legal Lot Status as part of this application.