LEGAL LOT DETERMINATION CHECKLIST
210 E 4th Street, LaCenter, WA 98629
Tel: 360.263.3654
www.ci.lacenter.wa.us

OFFICE USE ONLY
PERMIT NUMBER

SUBMITTAL CHECKLIST

A. LEGAL LOT DETERMINATION (18.225.010)

(1) Purpose and Summary.

(a) The purpose of this section is to provide a process and criteria for determining whether parcels are lots of record consistent with applicable state and local law, and to include a listing of potential remedial measures available to owners of property which do not meet the criteria.

(b) In summary, parcels are lots of record if they were in compliance with applicable laws regarding zoning and platting at the time of their creation. Zoning laws pertain primarily to the minimum lot size and dimensions of the property. Platting laws pertain primarily to the review process used in the creation of the lots. Specific provisions are listed herein.

Applicability & Determination Process

(1) Applicability. The standards of this section apply to all requests for lot determinations, or for building permit, placement permit, site plan review, short plat, subdivision, conditional use permit, rezone, or comprehensive plan change application.

(2) Determination Process. Lot of record status may be formally determined through the following ways:

(a) Lot Determinations as Part of a Building Permit or Other Development Request. Building or other development applications for new principal structures on parcels which are not part of a platted land division shall be reviewed by the city for compliance with the criteria standards of this section, according to the timelines and procedure of the building permit or other applicable review involved. Lot determination fees pursuant to the La Center fee schedule shall be assessed, unless the parcel was recognized through a previous lot determination or other review in which such recognition was made. Lot determination fees will be assessed for placement or replacement of primary structures. A separate written approval will not be issued unless requested by the applicant.

(b) Lot Determination Requests Submitted Without Other Development Review. Requests for determinations of lot of record status not involving any other city development reviews shall submit an application for lot determination. A Type I process per LCMC 18.30.080 shall be used. The city will issue a letter of determination in response to all such requests.

Approval Criteria:

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

(1) 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

(2) 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.

(b) Exceptions.

(i) Innocent Purchaser Exception. The responsible official shall determine that parcels which meet both of the following exception criteria are lots of record:

(A) Zoning. The parcel meets minimum zoning dimensional requirements, including lot size, dimensions and frontage width, which are currently in effect or in effect at the time the parcel was created; and

(B) Platting. The current property owner purchased the property for value and in good faith and did not have knowledge of the fact that the property acquired was divided from a larger parcel after August 21, 1969, in the case of subdivisions, or after July 1, 1976, in the case of short plats, or after April 19, 1993, in the case of any segregation resulting in parcels of five acres or larger.

(ii) Public Interest Exception, Mandatory. The responsible official shall determine that parcels which meet the following criteria are lots of record:

(A) Date of Creation. The lot was created before January 1, 1995;

(B) Zoning. The parcel meets minimum zoning dimensional requirements currently in effect, including lot size, dimensions and frontage width; and

(C) Platting.

(I) The responsible official determines that improvements or conditions of approval which would have been imposed if the parcel had been established through platting are already present and completed; or

(II) The property owner completes conditions of approval which the responsible official determines would otherwise be imposed if the parcel had been established through platting under current standards. Preliminary and final submittal plans shall be required where applicable.

(iii) Public Interest Exception, Discretionary. The responsible official may, but is not obligated to, determine that parcels meeting the following criteria are lots of record:

(A) Zoning. The parcel lacks sufficient area or dimension to meet current zoning requirements but meets minimum zoning dimensional requirements, including lot size, dimensions and frontage width, in effect at the time the parcel was created; and

(B) Platting.

(I) The responsible official determines that conditions of approval which would have been imposed if the parcel had been established through platting under current standards are already present on the land; or

(II) The property owner completes conditions of approval which the responsible official determines would otherwise be imposed if the parcel had been established through platting under current standards. Preliminary and final submittal plans shall be required where applicable.

(C) The responsible official shall apply the following factors in making a lot of record determination under the discretionary public interest exception:

(I) The parcel size is generally consistent with surrounding lots of record within 1,000 feet;

(II) Recognition of the parcel does not adversely impact public health or safety;

(III) Recognition of the parcel does not adversely affect or interfere with the implementation of the comprehensive plan; and

(IV) The parcel purchase value and subsequent tax assessments are consistent with a buildable lot of record.

(V) Recognition of lot of record status based on the public interest exception shall be valid for five years from the date of lot determination or review in which the determination was made. If a building or other development permit is not sought within that time, the determination will expire. Applications for development or lot recognition submitted after five years shall require compliance with applicable standards at that time.

(6) De Minimum Lot Size Standard. For the purposes of reviewing the status of pre-existing lots for compliance with platting and zoning standards, parcels within one percent of minimum lot size requirements shall be considered in compliance with those standards. Parcels within 10 percent of lot size standards shall be similarly considered in compliance unless the responsible official determines that public health or safety impacts are present

B. APPLICATION REQUIREMENTS FOR ALL REVIEWS:

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:

1. MASTER APPLICATION FORM: Provide one (1) copy of the completed Master Land Use Application form with original signature(s) including the Reimbursement Form: The name, mailing address, and telephone number of the owner(s), engineer, surveyor, planner, and/or attorney and the person with whom official contact should be made regarding the application.

2. REIMBURSEMENT AGREEMENT: Submit a completed Agreement to Pay Professional, Project Review, Inspection and Related Expenses form.

3. CHECKLIST: Provide one (1) copy of this completed submittal checklist.

4. PRIOR APPROVALS: 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

Prior segregation request, if any

Prior recorded survey, if any

❑ **5. SALES HISTORY:** Sales or transfer deed history dating back to 1969;

APPLICATION FEES:

■ **Legal Lot Determination** $425.00 + $75 per lot

Cost recovery (requires a reimbursement agreement); actual cost of staff, consultants, and/or hearing examiner plus 10%. This fee is applicable as part of a land use action or development review (i.e.: traffic study, preliminary/final plat review)

By affixing my signature hereto, I certify under penalty of perjury that the information furnished herein is true and correct to the best of my knowledge. I have owner(s) permission to submit this application. I agree to hold harmless the City of La Center as to any claim (including costs, expenses and attorney's fees incurred in the investigation of such claim) which may be made by any person, including myself, and filed against the City of La Center, but only where such claim arises out of the reliance of the City, including its officers and employees, upon the accuracy of the information provided to the City as a part of this application. I understand and acknowledge that the City of La Center may charge me additional costs such as consulting fees, administrative costs and actual costs directly associated with processing this land use application.

Shana Lazzarini
Applicant's Signature

2/9/2026
Date

Shana Lazzarini (authorized)
Print Applicant's Name