CITY OF LA CENTER

Staff Report & Recommendations

Deschand Patio Cover

2026-027-VAR/PLT

Type II Variance & Plat Alteration

October 9, 2026

PROPOSAL:	The applicant is requesting approval of a Type II Variance and Plat Alteration to reduce the required 20-foot rear yard setback and to modify a plat note recorded on Short Plat Book 3, Page 797. The plat note establishes a 20-foot rear yard setback applicable to Lot 1 of the short plat. The subject property is approximately 6,072 square feet in area and is located within the R1-7.5 zoning district.
LOCATION:	1000 E Southview Height Drive La Center, WA 98629
PARCEL NUMBER	62683000
APPLICABLE STANDARDS	The application will be reviewed for compliance with the La Center Municipal Code (LCMC): Title 18, Development Code Chapters: 18.30, Procedures; 18.140, MDR-16; 18.235 Plat Alteration and 18.260.040 Variance
APPLICANT/OWNER	Alder Deschand 1000 E Southview Height Drive La Center, WA 98629 360.907.4986 alderdeshand@gmail.com
STAFF CONTACT	Angie Merrill, Planner 210 E 4th Street La Center, WA 98629 amerrill@ci.lacenter.wa.us

ISSUANCE DATE:	October 9, 2026
RECOMMENDATION:	**APPROVAL,** subject to conditions

OVERVIEW

The applicant is requesting approval of a Variance to reduce the required 20-foot rear yard setback for the subject property to 14 feet, for a patio cover.

Recorded Short Plat Book 3, Page 797 contains a note on the face of the plat establishing a 20-foot rear yard setback applicable to Lot 1. Because the applicant is also requesting to remove this plat note, a Plat Alteration application is required pursuant to LCMC 18.235. The proposed Plat Alteration would remove the 20-foot rear yard setback note from the face of the recorded plat.

Timelines

A pre-application conference was held on July 22, 2026. The preliminary application was submitted on August 4, 2026, and was deemed technically complete on September 4, 2026. Public notice of the application was mailed to property owners within 150 feet of the project site on September 11, 2026. A hearing were held on September 8th & 9th to revise the Plat Alteration code so the application could move forward. The application was placed on hold for 30 days until the ordinance was in effect, on October 9, 2026.

Land Use Analysis

LCMC 18.30.090 Type II Procedures

Within 14 calendar days after the date an application subject to Type II review is accepted as technically complete, the city clerk shall mail a written notice of the application as provided in LCMC 18.30.120.

Comments. The city clerk shall mail to the applicant a copy of comments received timely in response to the notice together with a statement that the applicant may respond to the comments within 14 calendar days from the date the comments are mailed.

Within 56 calendar days after the date an application subject to a Type II process is accepted as technically complete, the review authority shall issue a decision that approves, approves with conditions, or denies the application; provided, an applicant may agree in writing to extend that time and may provide additional information within that time at the request of the city.

The decision shall include a brief summary of the relevant facts and applicable standards for the application, and a summary of how the application complies with those standards based on the facts and evidence, including any conditions of approval.

Notice of Decision. Within seven calendar days after issuing a decision, the city clerk shall mail notice of the decision as provided in LCMC 18.30.120.

Appeal and Post-Decision Review. A final decision regarding an application subject to Type II process can be appealed pursuant to LCMC 18.30.130 and can be amended by post-decision changes pursuant to LCMC 18.30.150.

Findings: The application was submitted on August 4, 2026 and was deemed technically complete on September 4, 2026. A notice of application was mailed to property owners within 150 feet of the site on September 11, 2026. The final decision will be issued on October 9, 2026, therefore staff finds that the approval criteria for LCMC 18.30.090 is met.

LCMC 18.235 Plat Alteration

The purpose of this section is to provide procedures and criteria for plat alterations and vacation of recorded plats. No recorded short plat or subdivision shall be changed in any respect, except as process and approved through this section. This process cannot be used to create additional lots, tracts or parcels.

18.235.020 Process

1. A pre-application conference is required for all plat alterations and vacation applications.
2. Review and approval of plat alteration shall be in accordance with RCW 58.17.215. A plat alteration shall be considered a Type II application provided the following:
    a. In addition to the noticing requirements, notice of proposed alteration or vacation shall include all property owners holding an interest in the entire subdivision to be altered.
    b. A public hearing before the City Hearings Examiner shall be required for alteration proposals if a hearing is requested by any person within 14 days from the date the public comment period began or if the Community Development Director determines that a public hearing is within the public interest.
    c. If a public hearing is not requested for a proposed alteration, the responsible official is delegated the authority to review and approve, approve with conditions, or deny

the application for preliminary approval. The final revised drawing, if approved, shall be signed by the legislative body without a public hearing.

3. Review and approval for vacation of a recorded plat shall be in accordance with RCW 58.17.212, and shall be considered a Type III process and require a public hearing before the City's Hearings Examiner.

18.235.030 Application Submittal Requirements for Plat Alteration or Plat Vacation

1. A completed original master land use application form and reimbursement agreement. The application shall be signed by the majority of those persons having an ownership interest of lots, tracts, parcels, sites or divisions in the subject plat. Application for the vacation of plats shall include signatures of all property owners having ownership Interest.
2. A copy of the recorded plat
3. Current recorded deeds or real estate contracts for each lot to be altered;
4. Restrictive covenants
5. A revised proposed plat map
6. A narrative explaining how the proposed alteration or vacation meets or exceeds the applicable approval criteria and standards and any issues raised during the pre-application conference
7. Documentation from any person, utility company or other entity having a vested interest in the alteration or vacation
8. Pre-application conference summary

18.235.040 Approval Criteria for Plat Alterations and Vacations

1. The plat alteration shall be within the public interest
2. The approval of the plat alteration will not result in the violation of any requirements of the original plat approval unless conditions necessitating such requirements have changed since the original plat was recorded.
3. The criteria of what constitutes a minor plat alteration are as follows:

a. The alteration consists of correcting a scrivener's error which is clearly inconsistent with the intent of the preliminary review, and does not affect the public interest; or

b. The alteration will provide consistency with current code requirements and does not affect the public interest.

18.235.050 Recording of Final short plats or subdivision plats

1. The developer shall file the final short plat or subdivision plat and attached documents for recording with the Clark County auditor and La Center city clerk within 60 days

Finding: A pre-application conference was held on July 22, 2026 and a notice of application was mailed to residents within 150 feet of the site on September 11, 2026. A final decision will be issued within 56 days of the application. Therefore, staff finds that the process criterion is met.

Finding: Staff finds that the plat alteration will be withing the public interest and will change the setbacks noted on the original plat to closer align with the neighboring property. The applicant has applied for a variance to reduce the required 20-foot rear yard setback to 14 feet. The neighboring property has a 16-foot rear yard setback.

As a condition of approval: *Prior to issuance of a building permit for the subject property, the applicant shall submit a copy of the revised plat alteration. The revised plat shall reflect the approved 14-foot rear-yard setback for Lot 1 and shall remove or revise the existing 20-foot rear-yard setback note applicable to Lot 1 of Short Plat Book 3, Page 797.*

The revised plat alteration shall be prepared in accordance with the applicable requirements of LCMC Chapter 18.210, including the final plat requirements of LCMC 18.210.060, as applicable to the proposed alteration. The applicant shall provide one mylar copy of the revised plat. The revised plat shall include, the required City and County signature block; the approved 14-foot rear-yard setback; and any other information required by LCMC 18.210.060.

The revised plat shall otherwise remain consistent with the recorded short plat. The revised plat shall be reviewed and approved by the City and signed by the appropriate City officials in accordance with LCMC Title 18.

Following City approval and execution of the required signatures, the applicant shall be responsible for submitting the approved plat alteration to the Clark County Auditor for recording. The applicant shall provide the City with a copy of the recorded plat alteration following recording. The plat alteration shall not be considered complete until the revised plat has been recorded with Clark County.

LCMC 18.260 Variance

The review authority shall approve or approve with conditions an application for a variance if he or she finds the applicant has sustained the burden of proving that:

Unusual circumstances or conditions, such as size, shape or topography of a site, or the location of an existing legal development apply to the property and/or the intended use that do not generally apply to other properties in the vicinity or zone. An unusual circumstance could also include another obligation under a different municipal code section or a state or federal requirement;

The applicant notes the property is subject to a recorded plat note requiring a 20-foot rear yard setback, and the combination of the lot configuration, buildable area, and the existing improvements it will limit the ability to provide a customary covered outdoor living space while preserving functional use of the rear yard. The proposed patio cover is designed to be integrated with the existing patio and residence

Staff's findings – Staff finds that the variance request for a 14-foot rear yard setback will better align with the neighboring properties 16-foot rear yard setback and will allow for the applicant to have a covered outdoor area. Therefore, this criterion is met.

The unusual circumstance cannot be a result of actions taken by the applicant.

The applicant notes the circumstances necessitating the variance were not created by the applicant. The lot configuration, plat restrictions, and setback requirements existed prior to the proposed improvement.

Staff's findings –The proposed patio cover was under construction when the applicant applied for the plat alteration and variance. Staff finds that the current 20-foot setback doesn't provide enough room for a covered outdoor space due to the shape of the lot. Therefore, this criterion is met.

The variance request is necessary for the preservation of a substantial property right of the applicant which is possessed by the owners of other properties in the vicinity or zone;

The applicant's narrative notes that outdoor living spaces are common residential amenities.

Staff's findings – Staff finds that the variance will better align the setbacks with the neighboring property. Therefore, this criterion is met.

The variance request is the least necessary to relieve the unusual circumstances or conditions identified in subsection (1) of this section;

The applicant states that the 14-foot setback is the minimum necessary to cover the existing patio area.

Staff's findings – Staff finds that the variance is the best solution to rectify the need for a reduced setback. Therefore, this criterion is met.

Any impacts resulting from the variance are mitigated to the extent practical; and

The applicant notes that the modification doesn't increase traffic, alter circulation, or create new impacts. All other short plat conditions remained unchanged.

Staff's findings – Staff agrees that the proposed variance request is mitigated to the extent practical. Therefore, this criterion is met.

The granting of the variance will not be materially detrimental to the public welfare, or injurious to the property or improvements in the vicinity and zone in which the property is situated.

The applicant notes that the proposed patio cover is consistent with the surrounding residential neighborhood and will not create adverse impacts to noise, traffic or safety

Staff's findings – Staff finds that with the approval of the proposed variance is not detrimental to the public welfare, or injurious to the property. Therefore, this criterion is met.

Variances may not be used to change the required residential density or to allow uses that would not otherwise be permitted in a zone.

Staff findings – Staff finds that the proposed patio cover will not change density or allow uses not otherwise permitted in the LDR-7.5 zone. Therefore, this criterion is met.

LCMC 18.260.050 Expiration and Extension

A decision approving a variance expires and can be extended as provided in LCMC 18.30.140.

CONCLUSIONS & RECOMMENDATION

The review authority finds the applicant has sustained the burden of proving the application complies with the applicable provisions of the La Center Municipal Code. Staff recommend **approval with conditions** for a Plat Alteration and Variance to allow for the construction of a patio cover.

Conditions of approval:

1. Prior to issuance of a building permit for the subject property, the applicant shall submit a copy of the revised plat alteration. The revised plat shall reflect the approved 14-foot rear-yard setback for Lot 1 and shall remove or revise the existing 20-foot rear-yard setback note applicable to Lot 1 of Short Plat Book 3, Page 797.
2. The revised plat alteration shall be prepared in accordance with the applicable requirements of LCMC Chapter 18.210, including the final plat requirements of LCMC 18.210.060, as applicable to the proposed alteration. The applicant shall provide one mylar copy of the revised plat. The revised plat shall include, the required City and County signature block; the approved 14-foot rear-yard setback; and any other information required by LCMC 18.210.060.
3. The revised plat shall otherwise remain consistent with the recorded short plat. The revised plat shall be reviewed and approved by the City and signed by the appropriate City officials in accordance with LCMC Title 18.
4. Following City approval and execution of the required signatures, the applicant shall be responsible for submitting the approved plat alteration to the Clark County Auditor for recording. The applicant shall provide the City with a copy of the recorded plat alteration following recording. The plat alteration shall not be considered complete until the revised plat has been recorded with Clark County.

18.30.130 Appeal

Deadline for Appeal. An appeal together with the requisite fee and information must be received by the city clerk within 14 calendar days of the date of the decision.

Within seven calendar days after a timely, complete appeal is filed regarding a decision subject to a Type I process, the city clerk shall send to the hearing's examiner a copy of the appeal and the case file together with any new evidence submitted with the appeal. The hearings examiner shall conduct a de novo review. Within 21 calendar days after a timely, complete appeal is filed, the hearings officer shall send to the city clerk a final decision for distribution to the applicant and applicant's representative.

Approval Date: October 9, 2026

Angie Merrill Date: 10/9/2026

Angie Merrill
City of La Center, Planner

Attachments:
Exhibit "A" Revised Plat

Exhibit "A"

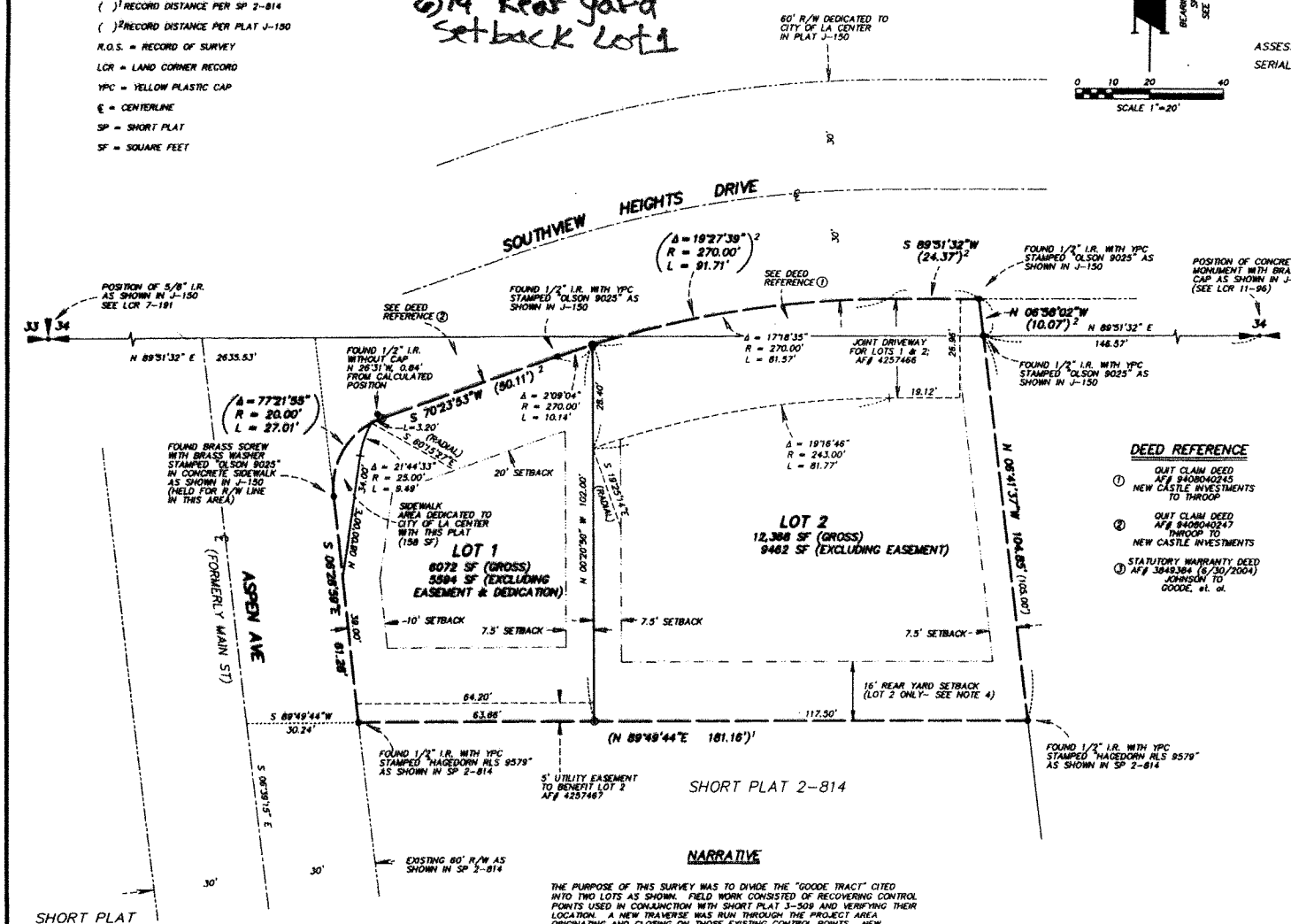
BK 3 P797

LEGEND

- ● MONUMENT AS NOTED (TIED 5/04/06)
- ⊕ SET 5/8" x 36" IRON REBAR WITH RED PLASTIC CAP MARKED "JOHNSON 42445" WITH STEEL FENCE POST SET ALONGSIDE
- ( ) RECORD DISTANCE PER AF# 3849384
- ( )[1] RECORD DISTANCE PER SP 2-814
- ( )[2] RECORD DISTANCE PER PLAT J-150
- R.O.S. = RECORD OF SURVEY
- LCR = LAND CORNER RECORD
- YPC = YELLOW PLASTIC CAP
- ℄ = CENTERLINE
- SP = SHORT PLAT
- SF = SQUARE FEET

NOTES

1) BEFORE THE CITY AUTHORIZES THE GRANTING OF BUILDING PERMITS FOR ANY LOTS OF THIS PLAT, THE OWNER OF THE LOT SHALL PAY APPROPRIATE SCHOOL, PARK AND TRAFFIC IMPACT FEES.
2) AT LEAST TWO PARKING SPACES SHALL BE PROVIDED ON EACH LOT.
3) DEDICATION OF SIDEWALK ALONG A PORTION OF LOT 1 WITH THIS PLAT.
4) REAR YARD SETBACK VARIANCE TO 16' FOR LOT 2 APPROVED.
5) ACCESS VIA JOINT DRIVEWAY ONLY FOR LOT 1.
6) 14' Rear yard setback Lot 1



DEED REFERENCE

① QUIT CLAIM DEED AF# 9408040245 NEW CASTLE INVESTMENTS TO THROOP
② QUIT CLAIM DEED AF# 9408040247 THROOP TO NEW CASTLE INVESTMENTS
③ STATUTORY WARRANTY DEED AF# 3849384 (6/30/2004) JOHNSON TO GOODE, et. al.

NARRATIVE

THE PURPOSE OF THIS SURVEY WAS TO DIVIDE THE "GOODE TRACT" CITED INTO TWO LOTS AS SHOWN. FIELD WORK CONSISTED OF RECOVERING CONTROL POINTS USED IN CONJUNCTION WITH SHORT PLAT 3-509 AND VERIFYING THEIR LOCATION. A NEW TRAVERSE WAS RUN THROUGH THE PROJECT AREA ORIGINATING AND CLOSING ON THOSE EXISTING CONTROL POINTS. NEW MONUMENTS ESTABLISHED WERE SET RADIALLY FROM THE ABOVE TRAVERSE WHICH MET THE REQUIREMENTS OF WAC 332-130-090. FIELD EQUIPMENT USED WAS A 5-SECOND "TOTAL STATION INSTRUMENT" WITH AN ELECTRONIC DATA COLLECTOR.

CITY OF LA CENTER
SHORT PLAT

in the NW 1/4 NE 1/4 of SECTION 3, T4N, R1E, and in the SE 1/4 SW 1/4 of SECTION 34, T5N, R1E, W.M.
CITY OF LA CENTER
CLARK COUNTY, WA.

ASSESSOR'S PARCEL No.(s) OF ORIGINAL TRACT. TAX LOT 65
SERIAL No. 62683-000 ; SHORT PLAT FILE 2006-017-SPP

CITY OF LA CENTER

MAYOR — DATE 9/26/07

CITY ENGINEER/PUBLIC WORKS DIRECTOR — DATE 8-30-07

FINANCE DIRECTOR – CLERK — DATE 8-23-07

CLARK COUNTY FIRE MARSHALL

FIRE MARSHALL — Clark County Fire Dist 12 — DATE

ASSESSOR

THIS PLAT MEETS THE REQUIREMENTS OF R.C.W. 58.17.170 LAWS OF WASHINGTON, TO BE KNOWN AS SHORT PLAT No. ____ IN THE COUNTY OF CLARK, STATE OF WASHINGTON.

CLARK COUNTY ASSESSOR — DATE 9/25/07

AUDITOR

FILED FOR RECORD THIS 25 DAY OF Sept, 2007
IN BOOK 3 OF SHORT PLATS AT PAGE 797 AT THE
REQUEST OF RANDY GOODE
AUDITOR'S RECEIVING No. 4378568

DEPUTY COUNTY AUDITOR — DATE 9/25/07

SURVEYOR'S CERTIFICATE

THIS MAP IS A TRUE AND CORRECT REPRESENTATION OF LANDS ACTUALLY SURVEYED BY ME OR UNDER MY DIRECTION IN CONFORMANCE WITH THE PROVISIONS OF R.C.W. 58.17 LAWS OF WASHINGTON.

WILLIAM CLIFFORD CONNER JOHNSON — STATE OF WASHINGTON — 42445 — REGISTERED PROFESSIONAL LAND SURVEYOR — EXPIRES: 1/27/09

9/3/07

HAGEDORN, INC.
1924 Broadway Vancouver, Wa. 98663
Ph: (360) 696-4428 (503) 283-6778

SCALE: 1"=20'	CALC. BY: BCJ	DWG# 06-108SP
DATE: 5/08/07	DRAWN BY: CC	SHEET 1 OF 1
JOB NO.: 06-108	CHECKED BY: CEW	

BK 3 P797