



**Highland Terrace Subdivision**  
**Final Site Plan Review**  
Public Works Department  
305 NW Pacific Highway  
La Center, WA 98629

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**File No.:** 2021-036-FSP

**Date:** November 19, 2021

**Site Address:** 34305 NW Pacific Highway, La Center, WA 98629 Assessor's serial number: 258763000

**Project Type:** Final Site Plan Review of Proposed Neighborhood Park for Conformance with the requirements of LCMC 18.147

**Applicant:** Linda Jellison, Evergreen Homes  
13217 NW 30<sup>th</sup> Ct.  
Vancouver, WA 98661

**Applicant's Representative:** Scott Taylor, SGA Engineering  
2005 Broadway  
Vancouver, WA 98663

**Decision:** Approval With Conditions

**Project Background/Description:** In October, 2020, the City of La Center approved an amendment to the development agreement with Felida Rose LLC pertaining to the Highland Terrace Subdivision. Highland Terrace originally received preliminary plat approval in 2006. Through subsequent extensions and recordation of a development agreement and an amendment to that development agreement, the preliminary plat is valid until December, 2021 by which time the applicant has to submit a final plat application. As part of the amended development agreement approved by the City of La Center in October, 2020, the applicant was required to comply with the City's parks and open spaces code in La Center Municipal Code (LCMC) section 18.147 – a code which did not exist at the time of the 2006 preliminary plat approval. The code requires the provision of family park space concurrent with development of single-family subdivisions at a ratio of 0.25 acres per 40 dwelling units after the first 40 units. Family parks need to contain certain elements listed in the code including picnic tables, benches, trash cans, and bicycle parking. The development agreement amendment also specifies that the park will be publicly dedicated to the City or have a perpetual public easement over it.

Felida Rose LLC submitted plans for the park to the City of La Center for review. Because the preliminary plat has already been approved and the applicant has requested that the review of the park occur prior to final plat approval of the subdivision, the City's review of the park is occurring under a final site plan review type 1 process.

**Review:** The following documents the City of La Center's review of the proposed park in conformance with LCMC 18.147.

*18.147.030 Park size and design standards.*

*(1) If a development proposal meets the applicability criteria of LCMC 18.147.020, the new development shall provide parks and trails in the following manner:*

*(a) Size. The size and location of park shall be established in such a manner as to ensure compliance with and implementation of the parks plan. The minimum park size requirements are:*

*(i) Each development in an LDR-7.5 zoning district shall provide one or more family parks at a ratio of one-quarter acre per 40 dwelling units (0.25 ac/40 du).*

*(iv) The size criteria of this subsection (0.25 ac/40 du or 0.25 ac/35 du) shall be applied proportionally to the total dwelling units in excess of the dwelling unit threshold (40 du for LDR-7.5 districts or 35 du for MDR-16 and MX districts).*

**Finding:** The applicant is providing a 12,584 square-foot park. The applicant is proposing 95 lots/units, requiring 0.34 acres (14,974 square feet) of park  $[(95-40)/40 * 0.25]$ . The development agreement amendment further specified that the adjacent critical areas tract of 21,749 square feet could also count toward the park space requirement, therefore the applicant is providing more park area than required. A split rail fence will separate the park from the critical area, providing one contiguous area with the park visually speaking.

*(b) Design. Parks provided pursuant to this section shall meet the following minimum standards:*

*(i) Park design and layout shall meet current La Center park standard requirements and Americans with Disabilities Act (ADA) regulations.*

*(ii) Parks shall be designed by a landscape architect licensed in the state of Washington.*

*(iii) It is highly desirable that parks required pursuant to this chapter be one contiguous space to minimize maintenance work load. However, a required park need not be a single contiguous area if the applicant demonstrates the following:*

*(iv) The minimum contiguous parks size shall be 0.25 acres.*

*(v) Parks provided under these provisions shall not be located on streets of a minor collector or higher classification as defined in the La Center comprehensive plan.*

*(vi) All parks shall be fronted by a public road for at least 40 percent of their perimeter. If it is not feasible or practical to meet this standard because of location and/or physical site constraints, a pedestrian pathway or other design element approved by the review authority to assure free and open public accessibility shall be established through a dedication or perpetual easement with a minimum width of 20 feet. This pedestrian pathway connection shall be made from the public street to the park.*

*(vii) All parks shall have at least 75 percent of their area improved with usable active play areas and open space.*

*(viii) The provided park facilities and amenities should consider the range of ages of the target residents for the development. While the choice of park facilities and amenities is determined by the developer, each family park shall, at a minimum, contain the following amenities. The review authority may amend this requirement if the proposed facilities and amenities meet the intent of this chapter and the parks plan.*

- (A) Paved pedestrian circulation path or sidewalk;*
- (B) Two sitting benches, a minimum of four feet long each, for each 0.25 acre of park area or part thereof;*
- (C) One trash receptacle for each 0.25 acre of park area or part thereof;*
- (D) Bike rack(s) to accommodate a minimum of six bicycles for each 0.25 acre of park area or part thereof;*
- (E) One play structure intended primarily for use by children ages two to 12;*
- (F) One picnic table for each 0.25 acre of park area or part thereof.*

*(ix) The undeveloped play space shall be covered with live vegetation which shall be irrigated by a permanent, below-ground, automatic irrigation system.*

*(x) A low fence or impassible vegetative buffer shall be used for the screening of park borders where they abut a residential area. This screening should be a minimum of three and one-half feet in height and shall not exceed six feet in height. Neither the fence nor hedge shall be fully sight-obscuring.*

*(xi) Policing of the parks is a critical concern for the city, therefore, each park shall meet the following safety requirements:*

*(xii) Trail linkages shall be provided to the existing or planned La Center and regional trail systems consistent with the provisions of the parks plan. The total area allocated to new trails shall not be used to meet the parks area requirement of subsection (1)(a) of this section.*

*(A) The parks shall be designed to facilitate community policing through crime prevention through environmental design (CPTED) guidelines.*

*(B) A minimum of one side of the park shall abut a public road, unless otherwise approved by the review authority.*

*(C) Street lighting or park lighting as necessary shall be used to illuminate the park for citizen and police patrols to see into the park at night from a public street.*

*(xiii) Passive open spaces, such as wetlands, stream corridors or other unbuildable lands, shall be combined with active open spaces, either contiguously or via pedestrian facilities, to create interconnectivity between neighborhoods and/or other park and pedestrian facilities. Where possible and feasible, these areas shall be improved with an integrated network of trails within the buffer areas. Where feasible these trails will be connected to existing or planned La Center and regional trail systems consistent with the provisions of the parks plan. Such unbuildable areas shall either be dedicated to the city or encumbered with public easements for pedestrian facilities. Easements shall be composed of a 20-foot-wide construction easement which, upon completion, will expire in lieu of trail construction and a 12-foot-wide perpetual pedestrian easement.*

*(xiv) Developers are encouraged to incorporate into the open spaces other required facilities such as stormwater treatment and detention ponds to provide more open space. However, such areas shall not be used to meet the park area requirements of subsection (1)(a) of this section.*

*(xv) Other design features in addition to or in lieu of the standards included in this section may be acceptable if determined by the review authority to meet the intent of this section and the parks plan.*

*(2) Parks required pursuant to this chapter shall be completed prior to the issuance of the occupancy permit of the twenty-fifth dwelling unit within an approved development.*

*(3) All park improvements required pursuant to this chapter shall be either dedicated to the city or have public access easements established prior to or concurrent with final development approval. [Ord. 2017-07 § 2 (Exh. A), 2017.]*

**Finding:**

- The City does not want the park dedicated as public. The owner, or HOA will need to be responsible for future maintenance of the park. The applicant's proposal meets ADA requirements including providing one ADA parking space at the entrance to the park, a hard surfaced walkway adjacent to the entrance of the park, and an 8-foot wide, paved trail through the park. The paved trail meets ADA requirements from the parking area to the playground, as required. LCMC 18.147.030(1)(b)(i) is met.
- The park was designed by licensed landscape architect, Scott Taylor. LCMC 18.147.030(1)(b)(ii) is met.
- The park will be one contiguous area. Combined with the adjacent critical area, the park will be 0.82 acres. LCMC 18.147.030(1)(b)(iii and iv) are met.
- The park will be located along and take access from a local residential street within the Highland Terrace Subdivision. LCMC 18.147.030(1)(b)(v) is met.
- The park will not be fronted on a public road for at least 40 percent of its perimeter. The park will front on a public road and the sidewalk along the park frontage will be publicly dedicated and provide an access area of greater than 20 feet. In addition, the development agreement specified that the park does not need to meet the frontage requirement. LCMC 18.147.030(1)(b)(vi) is as modified through the development agreement.
- 75% of the 12,584-square-foot park, or 9,438 square feet must be improved with useable active play areas and open space. Based on calculations provided by the applicant, 9,873 square feet will be usable play areas or open space excluding the trail, meeting this requirement. LCMC 18.147.030(1)(b)(vii) is met.
- The park will contain the minimum amenities as specified by this code meeting LCMC 18.147.030(1)(b)(viii), including:
  - A paved sidewalk at the entrance to the park and extending through the park
  - Three benches
  - Parking for 13 bicycles
  - A swing set with four swings.
  - Two picnic tables
- Undeveloped play space is covered by turf grass and a note on the landscape plans indicates that irrigation will be provided in accordance with city standards. The applicant's submitted plans (sheet PKP - FINAL) indicate that landscaping will be watered with an irrigation system capable of sustaining planting in a healthy condition year round meeting City of La Center standards and meeting Section 6 of the Engineering Standards for Construction. The applicant further indicates in conversations with the City that they will provide a drip irrigation system in correspondence with the City. **As a condition of approval, the applicant shall install an approved irrigation system in the park prior to issuance of building permits for the 25<sup>th</sup> unit in the Highland Terrace subdivision.** As condition, LCMC 18.147.030(1)(b)(ix).

- The applicant is proposing a 3-foot tall, split rail fence along the northerly/westerly boundary bordering residential lots, in compliance with the code requirement for a minimum 3-foot tall fence that is not site obscuring. LCMC 18.147.030(1)(b)(x) is met.
- The City’s police department required the bench and tree at the walkway leading off of Pacific Highway be moved to another location within the park because these would have blocked views into the park from the road. In addition, the tree could have blocked the view of someone entering the park in the evening. In response, the applicant moved the tree and bench further into the park, meeting the police department’s request. LCMC 18.147.030(1)(b)(xi) is met.
- The applicant is proposing to construct an 8-foot wide trail through the park connecting to the sidewalk on Pacific Highway which is designated as an on-street trail within the City’s Parks, Recreation, and Open Space Plan. LCMC 18.147.030(1)(b)(xii) is met.
- The applicant is proposing to connect the park to the adjacent critical area open space to the south as one visually contiguous space. LCMC 18.147.030(1)(b)(xiii) is met.
- The park will be located adjacent to the stormwater tract, however, there will be a fence around the stormwater tract preventing entry. LCMC 18.147.030(1)(b)(xiv) is met.
- LCMC 18.147.030(2) requires that parks required by this chapter be completed prior to the issuance of the permit of the twenty-fifth dwelling unit within an approved development. **As a condition of approval**, the applicant shall complete the park improvements and have them approved through final inspection by the City prior to issuance of the twenty-fifth dwelling unit.
- LCMC 18.147.030(3) requires that park improvements required pursuant to this chapter either be publicly dedicated to the city or have public access easements established prior to or concurrent with final development approval. The applicant’s plans show a 12-foot public access easement over only the trail through the park, but the intent of this provision is to provide public access to the entirety of the park. **As a condition of approval, prior to final plat approval for the first phase of the Highland Terrace plat, the applicant shall provide a public access easement over the entirety of the park.**

## Conclusion and Decision

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. Therefore, **the subject application is hereby approved, subject to the following conditions:**

- **As a condition of approval**, the applicant shall install an approved irrigation system in the park prior to issuance of building permits for the 25<sup>th</sup> unit in the Highland Terrace subdivision.
- **As a condition of approval**, the applicant shall complete the park improvements and have them approved through final inspection by the City prior to issuance of the twenty fifth dwelling unit.
- **As a condition of approval**, prior to final plat approval for the first phase of the Highland Terrace plat, the applicant shall provide a public access easement over the entirety of the park.

Signed: 

Ethan Spoo, AICP, Consulting City Planner

Date: November 19, 2021

Signed: Anthony P. Cooper Date: November 19, 2021  
Anthony Cooper, PE, City Engineer