



## STAFF REPORT & DECISION

### Perrott Boundary: Boundary Line Adjustment: (2016-022-BLA)

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**Proposal:** The applicant requests a post-decision review to: alter previously approved lot dimensions, and; to reduce the total number of approved lots.

**Location:** The site is located at 2219 NE 339<sup>th</sup> St., La Center, WA 98629; in a portion of Government Lot 2 in the NW  $\frac{1}{4}$  of the NE  $\frac{1}{4}$  SEC 2 T4N R1E, WM, Clark County, WA; Lot 1 Lot 3 of SP 3-905; PIN: 209062000, 986027189, 986027188

**Zoning:** LDR-7.5

#### I. CONTACTS

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| <b>Applicant:</b><br>RK Land Development, Rob Smith<br>1520 NW Eaton Blvd.<br>Battle Ground, WA 98604<br>360.608.3991; huntergina08@gmail.com | <b>Property Owner:</b><br>John & Sandy Perrott<br>P.O. Box 128<br>La Center, WA 98629  |
| <b>Applicant's Representative:</b><br>Ed Greer<br>8002 NE Highway 99<br>Vancouver, WA 98665<br>360.904.4964; ed-greer.net                     | <b>La Center Staff:</b><br>Jeff Sarvis, Public Works Director<br>Eric Eisemann, Consulting City Planner<br>305 NW Pacific Highway<br>La Center, WA 98629<br>360.263.7665 |

#### II. OVERVIEW

This boundary line adjustment pertains to file **2014-006 SUB (Sunrise Terrace Subdivision)** which was approved on November 23, 2015 and the Perrott Short Plat, Book 3, Page 305. This boundary line adjustment does not alter the original conditions of approval. A boundary line adjustment may alter lot area and dimensions but may not create a new lot. LCMC 18.220.

#### III. REVIEW

A Boundary Line Adjustment application is regulated under LCMC 18.220. The applicant proposes to alter existing lot configurations. The proposal must be consistent with applicable zoning and environmental regulations and the original subdivision's conditions of approval.

The proposed boundary line adjustments are not an issue of broad public interest based on the original record of decision. Therefore, the application is a Type I application because it: reduces the potential adverse impact of the development; is consistent with applicable law or variations permitted by law;

does not involve an issue of broad public interest, and; does not require further environmental review. LCMC 18.30.150(5)(d).

**LCMC 18.220.010 – Boundary Line Adjustments**

The applicant proposes to alter the area of lots 1, 2 and 3 of Perrott Short Plat 3-905.

Approval Criterion: No additional lots could be created that do not meet current zoning of the property. LCMC 18.220.010(4)(a).

Finding(s): The proposed revision reduces the number of approved lots. All resulting lots meet applicable density requirements of LCMC 18.130.080. See Table 1.

**Table 18.130.080 -- Density Requirements**

| Zoning District | Minimum Lot Area <sup>1</sup> (sq. ft.) | Minimum Lot Area When Critical Areas Are Present (sq. ft.) <sup>2</sup> | Maximum Lot Area (sq. ft.) <sup>3</sup> | Minimum Net Density per Acre <sup>4</sup> |
|-----------------|---|---|---|---|
| LDR-7.5         | 7,500                                   | 6,000   | 11,000                                  | 4   |

<sup>1</sup> Duplexes (structures containing two separate dwelling units) require a minimum lot area of 10,000 square feet.

<sup>2</sup> The city may permit a minimum lot area of 6,000 square feet when critical areas are present and a transfer of density is proposed per LCMC 18.300.130. Under no circumstances may lots of less than 6,000 square feet be permitted.

<sup>3</sup> The maximum lot area of a lot abutting the urban growth area boundary may exceed 11,000 square feet pursuant to this section. A border lot also is subject to different setbacks. The maximum lot area also can be exceeded for multifamily development.

<sup>4</sup> Densities shall be calculated based on the gross area of the site minus any public rights-of-way.

Finding(s): As shown in Table 1, lot 32 will be eliminated. Lots 31, 33 and 34 fall between the minimum and maximum allowable lots areas of Table 18.130.080. Lot 30 will exceed the maximum lot size by 381 S.F., a 3.5% exceedance which is *de minimus* considering the loss of one lot.

| Lot   | Original Ac | Revised AC |
|-------|-------------|------------|
| LOT 1 | 15.73       | 9.51       |
| LOT 2 | 9.90        | 14.96      |
| LOT 3 | 9.66        | 12.41      |

Approval Criterion: The resulting lots must meet current dimensional requirements including minimum width and depth requirements. LCMC 18.220.010(4)(b).

Finding(s): The current dimensional requirements for LDR-7.5 zoning district are found in Table 18.130.090 below:

**Table 18.130.090 -- Lot Coverage and Dimensions**

| District | Minimum Lot Width (feet) | Minimum Lot Depth (feet) | Minimum Front Yard Setback (feet) <sup>1, 2</sup> | Minimum Side Yard Setback (feet) <sup>2</sup> | Minimum Street Side Yard Setback (feet) <sup>2</sup> | Minimum Rear Yard (feet) <sup>2, 3</sup> |
|----------|--------------------------|--------------------------|---|---|--|--|
| LDR-7.5  | 60                       | 90                       | 20  | 7.5   | 10   | 20                                       |

<sup>1</sup> If there are dwellings on both adjoining lots with front yard setbacks less than the required depth for the district, the minimum front setback for the lot is the average of the front setbacks of the adjoining dwellings. If there is a dwelling on only one adjoining lot with a front yard setback less than the required depth for the district, the minimum front setback for the lot in question is the average of the adjoining front yard setback and 15 feet.

<sup>2</sup> Cornices, eaves, belt courses, sills, canopies, or other similar architectural features (not including bay windows or vertical projections) may extend or project into a required yard not more than 30 inches. Chimneys may not project into a required yard more than 24 inches. A deck not more than 30 inches in height (measured from the lowest grade in the setback to the deck surface) and not covered by a roof or canopy may extend up to 10 feet into a front yard setback, seven and one-half feet into a street side yard setback and is permitted in a side or rear yard regardless of the setback requirements.

<sup>3</sup> A detached accessory structure, other than a garage or carport, may be situated in a rear and/or side yard provided it is at least six feet from the primary structure on a lot or parcel and it is set back from interior side and rear lot lines by at least five feet and from street side lot lines by at least 10 feet. A garage or carport may be situated in a rear and/or side yard provided it is at least 20 feet from the front and street side lot lines, seven and one-half feet from an interior side lot line, 15 feet from a rear lot line; provided, further, if there is direct vehicular access from a garage or carport to the street abutting the street side lot line, then the garage or carport shall be set back at least 20 feet from that street side lot line.

Finding(s): The resulting lots satisfy all dimensional requirements of LCMC 18.130.090.

Approval Criterion: The resulting lots must be buildable. LCMC 18.220.010(4)(c).

Finding(s): The applicant’s proposed lot configuration satisfies the dimensional requirements of the City.

**IV. CONCLUSIONS & DECISION**

The review authority finds the applicant has sustained the burden of proving the application complies with the applicable provisions of La Center’s Municipal Code. Therefore, the application is hereby **APPROVED, SUBJECT TO COMPLIANCE WITH THE FOLLOWING CONDITIONS OF APPROVAL:**

1. Compliance with City regulations, plans and standards: Unless otherwise specified herein, at the time of construction and at all times thereafter, the applicant shall comply with all approval requirements established in applicable plans, policies, regulations and standards adopted at the time of this application, including but not limited to, the *La Center Urban Area Comprehensive Plan (LCUACP)*, the *La Center Capital Facilities Plan (LACFP)*, the *La Center Municipal Code (LCMC)*, the La Center engineering standards" current water and sanitary sewer plans, and the *Stormwater Management Manual for the Puget Sound Basin (Puget Sound Manual)*.
2. The applicant shall record a boundary line adjustment consistent with this decision. Failure to record the adjusted plat shall render this decision void.
3. Consistent with city of La Center Resolution # 198, the applicant shall Pay Professional Review Expenses Related to this land use application.

## VI. APPEALS

The applicant and/or their representative must file any appeal of this Type I decision within seven calendar days. Upon receipt of an appeal, the City Clerk shall send to the Hearings 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 Examiner shall send to the City Clerk a final decision for distribution to the applicant and applicant's representative.

Dated this 5<sup>th</sup> day of December, 2016.



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Eric Eisemann, Consulting Planner

Exhibits:

Application materials