

	<p><b>Staff Report &amp; Notice of Decision</b>  <b>Riverside Estates Subdivision (Phase 2):</b>  <b>Temporary Sales Office Permit</b>                  (File # 2023-019-TUP)</p>
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<b>PROPOSAL:</b>	The applicant is requesting to operate a temporary sales office within the Riverside Estates Subdivision (Phase 2, Lot 2).
<b>LOCATION:</b>	1420 W Larsen Drive, La Center, WA 98629.
<b>OWNER/APPLICANT:</b>	Becky Allen D.R. Horton, Inc. – Portland 360-601-7050 <a href="mailto:rcallen@drhorton.com">rcallen@drhorton.com</a> 13115 NE 4 <sup>th</sup> Street, #120 Vancouver, WA 98684.
<b>ZONING:</b>	Medium Density Residential (MDR-16)
<b>APPROVAL CRITERIA:</b>	The City reviewed the application for compliance with the La Center Municipal Code (LCMC) Chapter 18.270.040, Temporary Sales Office/Model Home.
<b>Submittal Date:</b>	June 22, 2023
<b>SEPA:</b>	This project is categorically exempt per WAC 197-11-800(6)(b).
<b>DECISION:</b>	Approval subject to conditions.
<b>DECISION DATE:</b>	July 13, 2023
<b>CITY REVIEWER:</b>	Tony Cooper, PE, City Engineer; and Bryan Kast, City Public Works Director; Ethan Spoo, AICP, and Aaron Carpenter, Consulting Planners, WSP USA Inc.

## CONTACT LIST

### OWNER/APPLICANT

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## Overview and Procedural Background

The applicant is proposing to operate a temporary sales office in association with a model home within Riverside Estates Subdivision Phase 2. The temporary sales office is proposed to be within the footprint of the garage of the detached single-family residential unit constructed on Lot 2. The adjacent Lot 1 is developed for temporary parking for up to 6 vehicles designated specifically for the sales office use, which will be developed as a detached single-family residential unit once the use of the temporary sales office is discontinued. The applicant's plans for the temporary sales office are included in Attachment A.

## Approval Criteria

### LCMC 18.270.040 Temporary Sales Offices/Model Homes

*Subject to Type I review, the city planner may approve, approve with conditions, or deny the use of any real property within the city as a temporary real property sales office or model home in any subdivision within this city, but for no other purpose; provided, that the applicant demonstrates compliance with the following criteria:*

- (1) One such temporary use shall be located within the boundaries of a subdivision approved pursuant to Chapter [18.210](#) LCMC in which the real property is to be sold; and*
- (2) The property shall not be permanently improved for the temporary use; and*
- (3) The temporary use will not be materially detrimental to the public health, safety or welfare, nor injurious to property or improvements in the immediate vicinity; and*
- (4) The structure proposed for the temporary use complies with the setback and vision clearance area requirements of this title, and with applicable provisions of the building and fire codes; and*
- (5) Hours of operation of the temporary use are specified; and*
- (6) The temporary use shall cease and the structure's occupancy shall convert to a permitted use within one year of the temporary use approval; and*
- (7) Adequate utilities and parking are available to serve the temporary use, and if applicable, the temporary use does not occupy required off-street parking areas for adjacent or nearby uses.*

#### Finding(s):

- The applicant is proposing a temporary sales office within the footprint of the model home as depicted on the site plan (Attachment A), within Lot 2 of Riverside Estates Phase 2, for the purpose of conducting tours and initial sales of homes within this subdivision. One such temporary sales office would be located within the boundaries of Riverside Estates Phase 2.
- The proposed use as a sales office is temporary, and the site and structure will be improved to its final build after the temporary use as a sales office is completed. Once the sales office use has been converted to an attached garage for the final residential use, the City will issue a final building and occupancy permit.
- The temporary sales office use will be contained on Lot 2 with adjacent off-street guest parking on Lot 1 dedicated specifically for the model home/sales office use. The sales office use is in close association with the use of the model home to showcase the amenities and layout of the homes typical of the subdivision. The temporary sales office is within the footprint of the model home garage and will ultimately be converted into a detached residential unit. The unit is constructed per current applicable residential building and fire code requirements with all required utilities installed and connected. As such the temporary use will not be materially detrimental to the public health, safety or welfare, nor injurious to property or improvements in the immediate vicinity.
- The model home and temporary sales office are designed to meet the final development designs for setbacks per the requirements of Title 18, as depicted on the approved site plan (Attachment A). This site is not a corner lot and development of this lot for residential use will not impact vision clearance area requirements. The setback requirements for this zone

City of La Center, Washington

were approved through a vested subdivision preliminary plat and are as follows:

<b>MDR-16 Zone:</b>	<b>Required</b>	<b>Proposed</b>
• Front Yard:	10'	18'
• Garage setback:	18'	18'
• Side Yard:	4'	6'
• Rear Yard:	10'	40'

The applicant proposes to operate the sales office and model home daily from 11 A.M to 6 P.M. as detailed in the application (Attachment A). The applicant indicates that the temporary sales office and parking lot will both be decommissioned by the end of December 2023, however this approval entitles the use up to a year from the approval date. At the end of one year the applicant will either have discontinued the temporary use, converted the sales use to its final residential use, and pulled final building and occupancy permits; or reapplied for another one-year temporary sales office use permit as required by a condition of approval.

**As a condition of approval**, the temporary sales office shall adhere to the hours of operation from 11 A.M. to 6 P.M., and guest parking shall be limited to the temporary parking lot on Lot 1 and the driveway of Lot 2.

**As a condition of approval**, this approval is limited to a 1-year term starting from the date of the notice of decision. The applicant may apply for another temporary use approval at the end of the 1-year period.

**As a condition of approval**, the subject properties and structures (Lot 1 and Lot 2 of Riverside Estate Subdivision Phase 2) are required to complete final building and occupancy permits as single-family detached dwellings at the time of termination of the temporary use.

## 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 subject application is hereby APPROVED subject to the following conditions of approval:

1. Pursuant to 18.270.040(5) and (7), the temporary sales office shall adhere to the hours of operation from 11 A.M. to 6 P.M., and guest parking shall be limited to the temporary parking lot on Lot 1 and the driveway of Lot 2.
2. Pursuant to 18.270.040(6), this approval is limited to a 1-year term starting from the date of the notice of decision. The applicant may apply for another temporary use approval at the end of the 1-year period.
3. Pursuant to 18.270.040(6), at the time of termination of the temporary use, the subject properties and structures (Lot 1 and Lot 2 of Riverside Estate Subdivision Phase 2) are required to complete final building and occupancy permits as single-family detached dwellings.

## APPEALS

The applicant may appeal the Type I application decision pursuant to LCMC [18.30.130](#).



Bryan Kast  
Public Works Director

## Attachments

- Attachment A: Temporary Sales Office application materials