



## ORDINANCE NO. 2019-18

### **An Ordinance Approving the Annexation of Approximately 38 Acres of Real Property Along With All Abutting Rights-of-Way to the City of La Center and Rezoning that Property Consistent with the La Center Comprehensive Plan (Conner-Harrison)**

The LaCenter City Council adopts the following findings:

**WHEREAS**, Matt and Alyssa Conner and Lowell Harrison (the "Proponents") are the record owners of approximately 38 acres of real property (the "Annexation Territory") situated in unincorporated Clark County Washington, within the LaCenter Urban Growth Area, contiguous with the corporate limits of the City of LaCenter, and more particularly described as follows:

All of Tax parcels 258982-000, 258899-000, and 258926-000 as described in Clark County Deed record 8710220530, 8710220529 and 5086194 D, in a portion of the northeast quarter and southeast quarter of Section 34, Township 5 North, Range 1 East of the Willamette Meridian, Clark County, Washington, more precisely described as follows:

Commencing at the northeast corner of the southeast quarter of the northwest quarter of said Section 34, said point of being South 01° 44'01" West, 1313.35 feet from an iron pipe at the north quarter corner of Section 34; thence South 87° 55'54" East along the easterly extension of the north line of the north half of the southeast quarter of the northwest quarter of Section 34, 20.00 feet; thence South 01° 44'01" West parallel to the west line of the northeast quarter of Section 34, 60.00 feet to the Point of Beginning; thence continuing South 01° 44'01" West, 593.30 feet to a point on the north line of the south 660 feet of the west half of the northeast quarter of Section 34; thence North 88° 04'08" West, along said north line of the south 660 feet of the west half of the northeast quarter of Section 34, a distance of 20.00 feet to the west line of the northeast quarter of Section 34; thence South 01° 44'01" West, along said west line of the northeast quarter of Section 34; 455.00 feet to the southwest corner of a tract of land recorded under Auditor's File Number G620653; thence continuing South 01° 44'01" West, along said west line of the northeast quarter of Section 34, 205.00 feet to the southwest corner of the northeast quarter of Section 34; thence continuing South 01° 44'01" West, along said west line of the southeast quarter, 280.75 feet to the centerline of NE North Fork Road; thence Northeasterly along said centerline the following courses: thence northeasterly

along the arc of a 144.60 foot radius curve to the right, for an arc distance of 48.31 feet, the chord of which bears North 62° 53'28" East, 48.09 feet; thence North 72° 27'44" East, 626.38 feet; thence northeasterly, along the arc of a 500.00 foot radius curve to the left, for an arc distance of 9.12 feet, the chord of which bears North 71° 56'23" East 9.12 feet; thence North 71° 25'03" East, 49.75 feet; thence North 71° 02'54" East, 78.80 feet to the south line of the northeast quarter of Said Section 34; thence North 71° 23'21" East 374.00 feet; thence northeasterly along the arc of a 218.00 foot radius curve to the left, for an arc distance of 119.81 feet, the chord of which bears North 55° 38'41" East, 118.31 feet; thence continuing northeasterly along a 185.00 foot radius compound curve to the left, for an arc distance of 122.37 feet, the chord of which bears North 20° 57'00" East, 267.00 feet; thence North 02° 00'00" East, 270.00 feet; thence North 01° 30'00" East, 267.00 feet; thence northeasterly, along a 300.00 foot radius curve to the right, for an arc distance of 204.95 feet, the chord of which bears North 21° 04'18" East, 200.99 feet; thence leaving said centerline of North Fork Avenue, North 01° 17'33" East, 235.89 feet; thence North 89° 08'45" West, 1293.23 feet to the POINT OF BEGINNING.

CONTAINING 38 acres of land, more or less.

**WHEREAS**, the Annexation Territory consists of Parcel No. 258982-000 (TL 120 at 30.57 acres), Parcel No. 258899-000 (TL 20 at 3.49 acres) and Parcel No. 258926-000 (TL 64 at 3.95 acres) in Sec 34 T5N, R1E, WM, (~38 acres total), with a street address of 219 and 216 NE 349<sup>th</sup> Street and 35212 NE North Fork Avenue, La Center, WA 98629; and

**WHEREAS**, the Proponents presented the City with a 10% Notice of Intent to Annex on April 19, 2019 pursuant to the so-called Direct Petition Method of RCW 35A.14.120, which the City Council accepted and approved at its May 8, 2019 regular meeting; and

**WHEREAS**, Matt Conner then submitted a 60% Petition for Annexation, which included signatures of the owners of Parcel No. 258982-000, which is 80% of the assessed value of the Annexation Territory and a legal description and map of the Annexation Territory (City File 2019-012-ANX), including an application to rezone all three of the parcels to a zone consistent with the underlying City Comprehensive Plan Designation (City File 2019-012-ZON); and

**WHEREAS**, the Clark County Assessor certified the sufficiency of the Proponent's petition and signatures on July 9, 2019; and

**WHEREAS**, on July 17, 2019 the City issued and caused to be published the SEPA Determination of Non-Significance (Ecology file No. 201904047) for rezoning the Annexation Territory to correspond to its planned designation, after which the City received no comments or appeals on the proposed SEPA Determination of Non-Significance, and it became final; and

**WHEREAS**, the City scheduled a public hearing at the Council's August 14, 2019 regular meeting, and provided public notice of the hearing by posting, mailing and publication in the Columbia newspaper on July 23, 2019; and

**WHEREAS**, the Clark County Boundary Review Board has been disbanded and therefore has no jurisdiction to invoke over the proposed annexation; and

**WHEREAS**, the Annexation Territory consists of three parcels (Parcel Nos. 258982-000 258899-000 and 258926-000, which total ~38 acres), with the following current Clark County zoning and proposed City zoning:

Tax Lot	Parcel No.	Current County Zoning	Proposed La Center Zoning	Acres
TL 120, SEC 34 T5N, R1E, WM	258982-000	R-1-6/UH-10	LDR 7.5/UH-10/ MX Overlay	30.57
TL 20, SEC 34 T5N, R1E, WM	258899-000	R-1-6/UH-10	LDR 7.5/UH-10	3.49
TL 64, SEC 34 T5N, R1E, WM	258926-000	R-1-6/UH-10	LDR 7.5/UH-10	3.95

The parcels that comprise the Annexation Territory shall be rezoned to a City zone designation corresponding to the current County plan and zone designations; and

**WHEREAS**, the City Council finds that the Proponents have documented the proposal and satisfied all of the requirements for annexing the Annexation Territory and that approval of this annexation and zone change is in the public interest.

**NOW THEREFORE**, based on the foregoing Findings, the LaCenter City Council ordains as follows:

**Section 1 - Annexation.** Pursuant to RCW 35A.14.120, Parcel Nos. 258982-000, 258899-000 and 258926-000 (TLs 120, 20 & 64 in Sec 34 T5N, R1E, WM, ~38 ac), described and illustrated in Exhibit A (the “Annexation Territory”), attached hereto and incorporated herein by this reference, along with all public rights-of-way within and adjacent thereto, are hereby annexed, incorporated into, and made a part of the City of LaCenter.

**Section 2 – Comprehensive Plan Designation and Zoning.** Parcel Nos. 258982-000, 258899-000 and 258926-000 (TLs 120, 20 & 64 in Sec 34 T5N, R1E, WM, ~38 ac), comprising the Annexation Territory, shall have a City Comprehensive Plan designation of Urban Residential (UR)/Urban Holding (UH) and a City zone of Low Density Residential (LDR-7.5), in accordance with LCMC Chapter 18.130. Additionally, Parcel No. 258982-000 shall have a Mixed Use (MX) Overlay Zone, in accordance with LCMC Chapter 18.165. The Urban Holding (UH-10) zoning overlay shall also apply to the Annexation Territory pursuant to LCMC Chapter 18.190 and shall remain until a capital facilities analysis is accepted by the City pursuant to Resolution 05-262 as part of a development proposal, at which point the City will remove the Urban Holding overlay.

**Section 3 – Assessment and Taxation.** The Annexation Territory shall be assessed and taxed by the City in the same manner as other similarly situated and zoned property within the City as of the effective date of this Ordinance.

**Section 4 – Severability.** If any portion of this ordinance is determined to be invalid or unenforceable for any reason, that finding shall not affect the validity or enforceability of any other provision of this ordinance.

**Section 5 – Transmittal.** The City Clerk shall:

1. File a certified true copy of this Ordinance, with the Clark County Board of County Councilors and the Clark County Assessor pursuant to LCMC 18.290.050.
2. Record a certified true copy of this Ordinance with the County Auditor pursuant to LCMC 18.290.050.
3. Provide notice of this annexation to the Washington Office of Financial Management pursuant to RCW 35A.14.700.

**Section 6 – Effective Date:** This ordinance shall be effective 10 days following its passage by the City Council and publication as required by law.

Approved and adopted this 14<sup>th</sup> day of August 2019 by the La Center City Council.

AYES: \_\_\_\_\_  
NAYS: \_\_\_\_\_  
ABSTAIN: \_\_\_\_\_  
ABSENT: \_\_\_\_\_

\_\_\_\_\_  
Greg Thornton, Mayor of La Center

Attest:

Approved as to Form:

\_\_\_\_\_  
Dustin Bailey, Clerk

\_\_\_\_\_  
Daniel Kearns, City Attorney