



ORDINANCE NO. 2024-01

An Ordinance Approving the Annexation of Approximately 14 Acres of Real Property to the City of La Center (Barnhart) and Rezoning that Property Consistent with the La Center Comprehensive Plan

The La Center City Council adopts the following findings:

WHEREAS, Edward C. Barnhart (Proponent) is the owner of record of certain real property (Assessor's Parcel No. 209479000) of approximately 14 acres, situated in unincorporated Clark County Washington, within the La Center Urban Growth Area, contiguous with the corporate limits of the City of La Center; and

WHEREAS, the "Annexation Territory" consists of one tax lot (209479000) located in the northwest quarter of Section 3, Township 4 north, Range 1 east, of the Willamette Meridian and more precisely described and illustrated in Exhibit A, which is attached hereto and incorporated by this reference; and

WHEREAS, the Proponent presented the City with a 10% Notice of Intent to Annex on July 31, 2023, pursuant to the so-called Direct Petition Method of RCW 35A.14.120, which the City Council accepted and approved at its September 13, 2023 regular meeting; and

WHEREAS, the Proponent then submitted a 60% Petition for Annexation on November 3, 2023, which included signatures of the owners of record of more than 60% of the assessed value of the Annexation Territory tax lot and a legal description and map thereof; and

WHEREAS, the City caused the SEPA Determination of Non-Significance (Ecology SEPA Register No. 202400169) relating to rezoning of the subject tax lot to be published on January 10, 2024, and the City, thereafter, received no comments or appeals on the proposed SEPA Determination of Non-Significance; and

WHEREAS, the City provided public notice of and an opportunity for comment thereon by all interested citizens at a duly noticed public meeting on January 24, 2024; and

WHEREAS, the Clark County Assessor certified sufficiency of the Proponent's petition and signatures on December 7, 2023; and

WHEREAS, the City Council finds that the Proponent has documented and satisfied all of the requirements for annexation and that approval of this annexation and zone change is in the public interest.

NOW THEREFORE, based on the foregoing findings, the La Center City Council ordains as follows:

Section 1 - Annexation. Pursuant to RCW 35A.14.120, the Annexation Territory, Parcel No. 209479000 (#1A SEC 3 T4N R1E WM, ~14 acres), more precisely described and illustrated in Exhibit A, attached hereto and incorporated herein by this reference, is hereby annexed, incorporated into, and made a part of the City of La Center.

Section 2 - Land Use Designation and Zoning. The Annexation Territory shall have a City comprehensive plan designation of Urban Low Density (UL). The Annexation Territory shall have a City zone of Low Density Residential (LDR-7.5) in accordance with LCMC Chapter 18.130. An Urban Holding (UH-10) zoning overlay shall also be applied to the Annexation Territory pursuant to LCMC 18.190, which shall remain until a capital facilities analysis is accepted by the City as part of a development proposal, at which point the City will remove the Urban Holding overlay.

Section 3 – Assessment and Taxation. The tax lot 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 Commissioners 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 Office of Financial Management pursuant to RCW 35A.14.700.

Section 6 – Effective Date: This ordinance shall be effective 75 days following its passage by the City Council and publication as required by law.

APPROVED and **ADOPTED** this 24th day of January 2024, by a majority of the La Center City Council.

AYES: _____
NAYS: _____
ABSTAIN: _____
ABSENT: _____

Thomas Strobehn, Mayor

ATTEST:

APPROVED AS TO FORM:

Maria Swinger-Inskeep, Director of
Administrative Services/City Clerk

E. Bronson Potter, City Attorney

EXHIBIT "A"

A Portion of that tract of land described in Quit Claim Deed to William D. Kays and Phillis E. Kays, Trustees, per AF #3539504, together with a portion of that tract of land described in Quit Claim Deed to William C. Barnhart, per AF #9409080208, records of Clark County, Washington, located in the NW 1/4 of Section 3, T4N, R1 E, Willamette Meridian, Clark County, Washington, being more particularly described as follows:

COMMENCING at the Northwest corner of said Section 3; thence East, 672.00 Feet; thence continuing along said line, S 88° 31'43"E, 520.57 Feet to the intersection of said line with the Northerly projection of the Westerly line of "RASMUSSEN'S ADDITION TO LA CENTER", a Plat of record; thence along said Plat line, and Northerly projection thereof, S14 °23'04"E, 861.17 feet to the TRUE POINT OF BEGINNING; Thence continuing along said plat line, S 14°23'04" E, 620.00 feet to the Southwesterly corner of Block 15, RASMUSSEN'S ADDITION TO LA CENTER"; thence along the Northerly right of way line of 5th Street, S 75 °35'27" W, 855± feet to the center of the East Fork of the Lewis River; thence Northerly along the centerline thereof to its intersection with that parcel of land described in AF# 9807150430; thence along the South line of AF# 9807150430, S 88°31'51"E, 215± Feet to the Southeast corner of said parcel; thence N 01 °07'54" E, 636.66 feet along the East line of AF# 9807150430; thence S 87°36'57"E, 178.63 FEET; thence S 54°24'5"E, 103.17 feet; thence S 20°00'3"E, 212.66 feet; thence N 33°19'13"E, 55.00 feet; thence N75°37'22"E, 395.61 feet to the TRUE POINT OF BEGINNING.

Containing 14 acres, more or less