



ORDINANCE NO. 2016-003

AN ORDINANCE APPROVING THE ANNEXATION OF CERTAIN PROPERTY TO THE CITY OF LA CENTER (GOODE, et al.) and REZONING THAT PROPERTY CONSISTENT WITH THE LA CENTER COMPREHENSIVE PLAN

The La Center City Council adopts the following findings:

WHEREAS, Randy M. and Kari A. Goode and La Center Pacific, LLC are the owners of certain real property (the “Annexation Territory”) that includes seven (7) parcels and abutting rights-of-way totaling approximately 46.59 acres contiguous with the City's corporate limits and located within the La Center Urban Growth Boundary. The Annexation Territory is more precisely described as Assessor Parcel Numbers: 986030206 (Goode), 986028825 (Goode), 986028830 (Goode), 986030201 (Goode), 986030202 (Goode), A Portion of 258775000 (Goode), and 258689000 (La Center Pacific, LLC) and, alternatively as: East Fork Estates, PH 2 Lot 9 1.06A 311670; East Fork Estates, PH 2 Lot 2/10 311651; East Fork Estates, PH 2 Lot, 1/10 2.60A, 311651; East Fork Estates, PH 2 Lot 1, 1.21A, 311670; East Fork Estates PH 2 Lot 2, 1.30A, 311670; #74 SEC 33 T5N R1E WM .85A; and #160 SEC 33 T5N R1E WM 5.43A, excepting therefrom that portion lying westerly of the southern extension of the west line of the southeast quarter of Section 33, Township 5 North, Range 1 East of the Willamette Meridian, Clark County, Washington which lies outside the La Center UGA; and

WHEREAS, the Proponents presented the City with a Notice of Intent to Annex pursuant to the so-called Direct Petition Method of RCW 35A.14.120, and the City Council accepted the proposal at its October 6, 2015, regular meeting; and

WHEREAS, the City provided public notice of the Notice of Intent to Annex and provided an opportunity for comment thereon by all interested citizens at a duly called and noticed public meeting on February 10, 2016; and

WHEREAS, the City caused the SEPA Determination of Non-Significance relating to rezoning of the subject land to be published on February 16, 2016, and the City, thereafter, received one comment, from Clark County relating to that portion of parcel 258775000 being outside of the La Center UGA beyond the city's jurisdiction to annex; and

WHEREAS, on March 4, 2016 the Proponents submitted a Petition for Annexation, which included signatures of the owners of record of more than 60% of the assessed value of the Annexation Territory and, thereafter, submitted a revised and final petition, legal description and map on April 12, 2016; and

WHEREAS, the Clark County Assessor certified sufficiency of the petition on April 19, 2016; and

WHEREAS, at its regular meeting on May 11, 2017, the City Council received and reviewed all of the documentation associated with this annexation proposal, received public testimony, and found that the Petition met the applicable requirements of RCW 35A.01.040 and accepted the Petition pursuant to the Direct Petition Method in RCW 35A.14.120 and LCMC 18.290; 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 City Council finds this annexation and zone change to be in the public's interest;

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

Section 1 - Annexation. That the Annexation Territory known as Assessor Parcel Numbers 986030206 (Goode), 986028825 (Goode), 986028830 (Goode), 986030201 (Goode), 986030202 (Goode), Portion of 258775000)(Goode), and 258689000 (La Center Pacific, LLC) and, alternatively, as East Fork Estates, PH 2 Lot 9 1.06A 311670; East Fork Estates, PH 2 Lot 2/10 311651; East Fork Estates, PH 2 Lot, 1/10 2.60A, 311651; East Fork Estates, PH 2 Lot 1, 1.21A, 311670; East Fork Estates PH 2 Lot 2, 1.30A, 311670; #74 SEC 33 T5N R1E WM .85A; and #160 SEC 33 T5N R1E WM 5.43A, excepting therefrom that portion lying westerly of the southern extension of the west line of the southeast quarter of Section 33, Township 5 North, Range 1 East of the Willamette Meridian, Clark County, Washington as illustrated in Exhibit A, attached hereto and incorporated herein by this reference, is hereby annexed and incorporated into the City of La Center.

Section 2 - Land Use Designation and Zoning. The Annexation Territory shall have a comprehensive plan land use designation of Urban Residential and shall be zoned in accordance with LCMC 18.140 as Medium Density Residential (MDR-16) and LCMC 18.130 as Low Density Residential (LDR-7.5) per Exhibit B, attached hereto and incorporated herein by this reference. An Urban Holding (UH-10) zoning overlay is also applied per LCMC 18.190 and shall be maintained until a capital facilities analysis is accepted by the City per Resolution 05-262, 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 property within the City as of the effective date of this Ordinance.

Section 4 – Severability: If any portion of this ordinance is found to be invalid or unenforceable for any reason, such 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 go into effect ten days following its passage by the City Council and publication as required by law.

Approved and adopted this 11th day of May 2016 by a majority of the La Center City Council.

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

Greg Thornton, Mayor
City of La Center

ATTEST:

APPROVED AS TO FORM:

Suzanne Levis, Finance Director/Clerk

Daniel Kearns, City Attorney