



**ORDINANCE NO. 2009-007**

**AN ORDINANCE APPROVING THE ANNEXATION OF CERTAIN PROPERTY  
TO THE CITY OF LA CENTER (Perrott, et al.)**

The La Center City Council adopts the following findings:

**WHEREAS**, John & Sandra Perrott, Kenneth L Manning Trust, Eric Wiseman, Constance Snider, Don & Patricia Petersen, Ellertson Properties II LLC, and Kristine Winchell are the owners of certain real property (the "Annexation Territory") that includes ten parcels and abutting rights-of-way totaling approximately 72.86 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 209048-000 (Manning), 209062-000 (Perrott), 209054-000 (Wiseman), 209090-000 (Snider), 209083-000 (Peterson), 209044-000 (Peterson), 209094-000 (Ellertson), and 209051-000 (Winchell) and, alternatively, as Lots 4, 16, 21, 27, 33, 37, 53, 64, 71, 75 and 76 within the northern half of Section 2, Township 4 North, Range 1 East of the Willamette Meridian, Clark County, Washington; 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 September 24, 2008, regular meeting; and

**WHEREAS**, the Proponents submitted Petitions for Annexation, which included signatures of the owners of record of more than 60% of the assessed value of the Annexation Territory on May 24, 2009; and

**WHEREAS**, the Clark County Assessor certified sufficiency of the petition on July 22, 2009; and

**WHEREAS**, a SEPA Determination of Non-Significance on the annexation proposal was published on June 12, 2009, and no comments were received during the 14-day comment period; and

**WHEREAS**, the City provided public notice of the Petition and has provided an opportunity for comment thereon by all interested citizens at a duly called and noticed public meeting; and

**WHEREAS**, at its regular meeting on August 26, 2009, 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 to be in the public's interest;

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

**Section 1 - Annexation.** That the Annexation Territory known as Assessor Parcel Numbers 209048-000 (Manning), 209062-000 (Perrott), 209054-000 (Wiseman), 209090-000 (Snider), 209083-000 (Peterson), 209044-000 (Peterson), 209094-000 (Ellertson), and 209051-000 (Winchell) and, alternatively, as Lots 4, 16, 21, 27, 33, 37, 53, 64, 71, 75 and 76 within the northern half of Section 2, Township 4 North, Range 1 East of the Willamette Meridian, Clark County, Washington, as illustrated in Attachment 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 is hereby designated as Low Density Residential and Residential/Professional and zoned in accordance with LCMC 18.130 as Low Density Residential (LDR-7.5) and LCMC 18.145 as Residential/Professional (R/P) per Attachment 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 entertain a request to rezone the Property.

**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 26<sup>th</sup> day of August 2009 by a majority of the La Center City Council.

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

\_\_\_\_\_  
Mayor of La Center

ATTEST:

APPROVED AS TO FORM:

\_\_\_\_\_  
Suzanne Levis, Finance Director/Clerk

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