



ORDINANCE NO. 2018-01

AN ORDINANCE APPROVING THE ANNEXATION OF APPROXIMATELY 22.59 ACRES OF REAL PROPERTY TO THE CITY OF LA CENTER (PROUTY) and REZONING THAT PROPERTY CONSISTENT WITH THE LA CENTER COMPREHENSIVE PLAN

The La Center City Council adopts the following findings:

WHEREAS, Hope and Myron Prouty (Proponents) are the record owners of certain real property (the "Annexation Territory"), of approximately 22.59 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 is more precisely described as Parcel Nos. 209120-000, 209119-000 and 209118-000, located in the southeast and northeast quarters of Section 2, 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 Proponents presented the City with a 10% Notice of Intent to Annex on July 18, 2017 pursuant to the so-called Direct Petition Method of RCW 35A.14.120, which the City Council accepted and approved at its July 26, 2017 regular meeting; and

WHEREAS, the Proponents then submitted a 60% Petition for Annexation on October 31, 2017, which included signatures of the owners of record of 100% of the assessed value of the Annexation Territory and a legal description and map thereof; and

WHEREAS, the City caused the SEPA Determination of Non-Significance relating to rezoning of the subject land to be published on November 29, 2017 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 10, 2018; and

WHEREAS, the Clark County Assessor certified sufficiency of the proponent's petition and signatures on November 17, 2017; 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 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. Parcel Nos. 209120-000, 209119-000 and 209118-000), 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, 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 comprehensive plan land use designation of Urban Residential (UR) and shall be zoned in accordance with LCMC 18.130 as Low Density Residential (LDR-7.5). An Urban Holding (UH-10) zoning overlay is also applied to the Annexation Territory pursuant to LCMC 18.190 and shall be maintained until a capital facilities analysis is accepted by the City pursuant to 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 and zoned 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 be effective 10 days following its passage by the City Council and publication as required by law.

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Approved and adopted this 10th day of January 2018 by the La Center City Council.

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

Greg Thornton, Mayor of La Center

Attest:

Approved as to Form:

Suzanne Levis, Finance Director/Clerk

Daniel Kearns, City Attorney