



## ORDINANCE 2019-16

### An Ordinance Approving the Annexation of Approximately 17 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 (La Center School District - Bolen)

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The City Council of the City of La Center finds as follows:

**WHEREAS**, the LaCenter School District #101 (the "Proponent") is the record owner of approximately 17 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:

**BEGINNING** at the Southwest corner of the Southeast quarter of the Northeast quarter of Section 33, Township 5 North, Range 1 East of the Willamette Meridian, Clark County, Washington,

Thence East 34 rods;

Thence North 80 rods;

Thence West 34 rods;

Thence South 80 rods, to the point of beginning.

**TOGETHER WITH** the 40' of public road right-of-way lying within NW 14<sup>th</sup> Avenue as dedicated to Clark County in Road Book 4, Page 12;

**ALSO TOGETHER WITH** the additional 10' of public road right-of-way as dedicated to Clark County on the West side of said NW 14<sup>th</sup> Avenue, as dedicated to Clark County in Short Plat Book 3, Page 073, and Short Plat Book 3, Page 730, records of Clark County, WA, for a total right-of-way width of 50', beginning 20' on the East side of the centerline and 30' on the West side of the centerline of said NW 14<sup>th</sup> Avenue.

**WHEREAS**, the Annexation Territory consists of Parcel No. 258647-000 (TL 29 in Sec 33 T5N, R1E, WM, ~17 ac); and

**WHEREAS**, the Proponent presented the City with a 10% Notice of Intent to Annex on October 26, 2017 pursuant to the so-called Direct Petition Method of RCW 35A.14.120, which the City Council accepted and approved at its November 15, 2017 regular meeting; and

**WHEREAS**, the Proponent then submitted a 60% Petition for Annexation on May 15, 2019, 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 (Ecology file No. 201903852) relating to rezoning of the Annexation Territory to be published July 10, 2019, and the City thereafter received no comments or appeals on the proposed SEPA Determination of Non-Significance, which became final; and

**WHEREAS**, the City provided public notice of and an opportunity for comment thereon by all interested citizens at a July 24, 2019 public meeting that was duly noticed and advertised in the Columbian on July 10, 2019; and

**WHEREAS**, the Clark County Assessor certified the sufficiency of the Proponent's petition and signatures on June 6, 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 one parcel (Parcel No. 258647-000, at ~17 acres), with the following Clark County zoning and proposed City zoning:

Tax Lot	Parcel No.	Current County Zoning	Proposed La Center Zoning	Acres
TL 29, SEC 33 T5N, R1E, WM	258647-000	PF/UH-20	UP/UH-10	17

The parcel that comprises the Annexation Territory shall be rezoned to a City zone designation that corresponds to the current County plan and zone designations; 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 LaCenter City Council ordains as follows:

**Section 1 - Annexation.** Pursuant to RCW 35A.14.120, Parcel No. 258647-000, 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, are hereby annexed, incorporated into, and made a part of the City of LaCenter.

**Section 2 – Comprehensive Plan Designation and Zoning.** Parcel No. 258647-000 (TL 29 in Sec 33 T5N, R1E, WM, ~17 ac), comprising the Annexation Territory, shall have a City Comprehensive Plan designation of Public Facilities (PF) and a City zone of Urban Public District (UP), in accordance with LCMC Chapter 170. 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 that is owned and operated by a public school district 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 24<sup>th</sup> day of July 2019 by the La Center City Council.

**APPROVED** and **ADOPTED** by the La Center City Council this 24<sup>th</sup> day of July, 2019.



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Greg Thornton, Mayor  
City of La Center

Attest:



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Dustin Bailey, Finance Manager/City Clerk

Approved as to Form:



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Daniel Kearns, City Attorney