



TYPE I NOTICE OF DECISION

Heritage Country Estates Boundary Line Adjustment (2021-009-BLA)

Proposal: The applicant is requesting a boundary line adjustment (BLA) for two lots within the approved Heritage Country Estates subdivision. The subdivision is located in the low density residential (LDR-7.5) zone and is under active construction. The BLA is being requested because an RV parking space was inadvertently constructed on the interior property line between both parcels.

Location: The two existing lots are in La Center, Washington: Assessor's numbers: 986045635 (Heritage Country Estates Lot 101; 9,200 square feet) and 986045636 (Heritage Country Estates Lot 102; 9,177 square feet).

I. CONTACTS

Owner (Lot 101):

Holly and Geoffrey Connors
704 East Tanoak Avenue
La Center, WA 98629

La Center Staff:

Ethan Spoo, AICP
WSP USA Inc.
Consulting Planner
210 East 13th Street
Vancouver, WA 98660

Owner (Lot 102):

Robert Rondeau
Waverly Homes LLC
3205 Northeast 78th Street Suite 100
Vancouver, WA 98665

Scott Bucklin
WSP USA Inc.
Consulting Planner
210 East 13th Street
Vancouver, WA 98660

Applicant:

Robert Rondeau
Waverly Homes LLC
3205 Northeast 78th Street Suite 100
Vancouver, WA 98665
360.314.6877; rs.rondeau@gmail.com

Applicant Representative:

Bradford Sheets
Waverly Homes, LLC
3205 Northeast 78th Street Suite 100
Vancouver, WA 98665
360.216.6462; brad@mywaverlyhomes.com

II. OVERVIEW

The applicant is requesting a BLA to alter the lot area and dimensions of two existing legal lots of record in the Heritage Country Estates Subdivision. The BLA would eliminate conflicts between the existing interior side property lines where the recently constructed RV parking encroaches on Lot 102.

BLAs are not permitted to create new lots (see LCMC 18.220). Because the applicant is not proposing a new lot, this criterion is met. The following table provides the existing and proposed lot sizes.

Parcel Number	Lot Size (SF)	
	Existing	Proposed
986045635	9,200	9,499
986045636	9,177	8,878

III. REVIEW

BLAs are processed subject to a Type I process. Once the City receives a complete Type I application, it must issue the decision within 21 calendar days. The City received the application on February 24, 2021 and it was deemed complete on March 22, 2021. The City notified the applicant on March 4, 2021 that updates to the application materials would be necessary and review temporarily stopped. The applicant supplied additional materials to support the review on March and 16, 2021. This Notice of Decision was issued on April 8, 2021 within the allotted time period, in accordance with LCMC 18.30.090.

LCMC 18.220 – Boundary Line Adjustments

18.220.010(4) Approval Criterion

(a) No additional lots could be created that do not meet current zoning of the property.

Finding: The proposed BLA adjusts the lot lines of two (2) existing lots. No new lots are created and therefore this criterion is met.

(b) The resulting lots must meet current dimensional requirements including minimum width and depth requirements.

Finding: The minimum size in the LDR-7.5 zone is 7,500 SF (10,000 duplexes), maximum of 11,000 SF (more when abutting urban growth boundary), and all lots are required to be a minimum of 60 feet wide by 90 foot depth. The adjusted lots are consistent with the minimum area, and width and depth requirements in the zone. Lot 101 will meet minimum setback requirements after the BLA is recorded. The setbacks for Lot 102 will need to be verified at the time of building permit issuance. The resulting lots satisfy all dimensional requirements of LCMC sections 18.130.080 and 18.130.090.

As a condition of approval, the applicant shall record the boundary line adjustment with Clark County and provide the recorded copy to the City of La Center. Failure to record the boundary line adjustment shall render this decision void.

As a condition of approval, Lot 102 shall demonstrate that setback requirements of the LDR-7.5 zone are met prior to building permit issuance.

(c) The resulting lots must be buildable.

Finding: Sanitary sewer and water services are provided to the existing lots by the City of La Center and Clark Public Utilities, respectively, as part of the approved Heritage Country Estates Subdivision. Access to the existing lots are provided by both NE 339th Street and NE Lockwood Creek Road from East Tanoak Avenue, a public road within the subdivision. This access will be maintained as the lots within the subdivision continue construction.

The applicant's proposed lot configuration satisfies all dimensional requirements of the LDR-7.5 zone and are serviced by public utilities and roads, therefore staff finds the lots are buildable.

IV. CONCLUSIONS & DECISION

The review authority finds the applicant has sustained the burden of proving the application complies with the applicable provisions of La Center's Municipal Code. Therefore, the application is hereby **APPROVED, SUBJECT TO COMPLIANCE WITH THE FOLLOWING CONDITIONS OF APPROVAL:**

1. Compliance with City regulations, plans and standards: Unless otherwise specified herein, at the time of construction and at all times thereafter, the applicant shall comply with all approval requirements established in applicable plans, policies, regulations and standards adopted at the time of this application, including but not limited to, the *La Center Urban Area Comprehensive Plan (LCUACP)*, the *La Center Capital Facilities Plan (LACFP)*, the *La Center Municipal Code (LCMC)*, the *La Center engineering standards* current water and sanitary sewer plans, and the *Stormwater Management Manual for the Puget Sound Basin (Puget Sound Manual)*.
2. The applicant shall record the boundary line adjustment with Clark County and provide the recorded copy to the City of La Center. Failure to record the boundary line adjustment shall render this decision void.
3. Lot 102 shall demonstrate that setback requirements of the LDR-7.5 zone are met prior to building permit issuance.

VI. APPEALS

A final decision regarding a Type I application may be appealed by the applicant or applicant's representative within 14 calendar days of this decision date. Appeals shall contain all information specified in LCMC 18.30.130. The public record for this file is available at the City's Public Works Building, 305 NW Pacific Highway, La Center, Washington between the hours of 8:00 a.m. and 5:00 p.m., Monday through Friday. Please contact Sarah Dollar at 360-263-7665 for further information.

For an appeal regarding a decision subject to a Type I process, the City Clerk shall schedule a 'de novo' review to be held by the hearings examiner not more than 21 days from the date a complete appeal was timely filed. The hearing's examiner shall send to the City Clerk the final decision for distribution to the applicant and applicant's representative per LCMC 18.030.130(4)(a).

Dated this April 8, 2021.



Ethan Spoo, Consulting Planner, WSP



Tony Cooper, City Engineer

Exhibits:

Application materials