

Boundary Line Adjustment

Project Name: DSHS – 48 Bed Behavioral Health Community
Boundary Line Adjustment

Case Number: OLR-2021-00070

Location: 195925000

Legal Description: Tax Lot 10 (195925000) located in the Southwest ¼ of Section 18, Township 3 North, Range 2 East, of the Willamette Meridian.

Request: The applicant requests County approval of proposed boundary line adjustment between Tax Lot 10 (determined three legal lots), located in the BP zoning district as being in compliance with applicable platting laws and zoning requirements.

Owner(s): State of WA Dept. of Social & Health Services
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Olympia, WA. 98504
360-791-6862
Jeanne.Rodriguez@dshs.wa.gov

Contact: DSHS
Attn: Larry Covey & Jeanne Rodriguez
P.O. Box 45848
Olympia, WA. 98504
360-664-6181
Larry.Covey@dshs.wa.gov

Zoning: BP

Planning Technician: Joe Kinsman **Phone:** 564.397.4955

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Staff initials: JK **Date Mailed:** June 15, 2021

Revised 03/16/2016



Community Development
1300 Franklin Street, Vancouver, Washington
Phone: (360) 397-2375 Fax: (360) 397-2011
www.clark.wa.gov/development



For an alternate format,
contact the Clark County
ADA Compliance Office.
Phone: (360)397-2322
Relay: 711 or (800) 833-6384
E-mail: ADA@clark.wa.gov

Analysis

A boundary line adjustment (BLA) is a division made for adjusting boundary lines that does not create any additional lot, tract, parcel, site or division nor create any lot, tract, parcel, or division, which contains insufficient area and dimension to meet the minimum requirements for width and area for a building site.

Clark County code (CCC 40.520.010) requires that applications for development review on parcels that are not part of a platted land division be reviewed for compliance with applicable platting and zoning laws.

A complete analysis was conducted to determine if the proposed boundary line adjustment meets the approval criteria identified in (CCC 40.540.010) and to determine if the parcels identified above were created in compliance with all applicable platting and zoning laws in effect at the time of their creation. The following issues, because of their significance, are discussed in detail:

Lot of Record Findings:

1. A legal lot of record is a lot which is in compliance with both the platting, if applicable, and zoning laws in existence when the parcel was originally created, or segregated, or which is otherwise determined to be consistent with the criteria of CCC 40.520.010(E). Owners of such lots shall be eligible to apply for building permit or other County development review, pursuant to County code.
2. Tax Lot 10 (20 acres) was previously recognized as three (3) separate legal lots of record previously under Clark County review of MZR2005-00087, as shown in Exhibit "A".

Boundary Line Adjustment Findings:

1. The applicant is proposing to adjust the boundaries of Tax Lot 10 by combining the three (3) legal lots into a new configuration with only two (2) legal lots remaining. Both lots are legal conforming lots to the GC zoning district, no minimum lot size in area. This adjustment creates an EAST half (11.56 acres) and WEST half (7.52 acres) of previously recognized Tax Lot 10. The applicant is aware that this combination will remove the third legal lot, and it will be UNABLE to be removed later.
2. The proposed adjustment does not violate zoning regulations and does not result in residential utilities being separated from the lot it serves. Because the adjustment does not violate setback regulations, does not create any additional lots, and does not cause any of the lots to become more non-conforming to the GC zoning district, Clark County can recognize the adjustment as in compliance with platting and zoning standards as shown in Exhibit "B".

Decision

Based upon the above review, Clark County recognizes the proposed adjustment Tax Lot 10 East half (11.56 acres) and West half (7.52 acres) as in compliance with zoning and platting regulations, and they shall be recognized as two (2) separate, legally configured, lots of record, as shown in Exhibit "B".

Conditions of Approval

If the following conditions of approval are not met this decision shall become null and void, and Clark County may not recognize the subject properties as legal lots of record or grant permits for building or other development.

1. Nothing in this decision shall be construed to permit violation of regulations for any other requirements not mentioned in this report, and neither grants nor denies any specific use for this given property.
2. This determination is based upon the Zoning Code in effect when this request was submitted to the County and does not cover matters of record or survey not received.
3. This determination does not cover the issuance of a building permit, which is subject to further review.
4. The subject parcels were reviewed for compliance with lot of record criteria based on the zoning and platting regulations in effect at the time of their creation.
5. This determination shall not be construed to be a review of either parcel for suitability as a building site.
6. The adjustment cannot cause any utilities to become separated from the parcel in which they serve and cannot violate setbacks for any existing structures.
7. **To complete your approved adjustment, the next step is to record your BLA with the County Auditor's Office. If you are unfamiliar with the details of recording a document, please contact them. They can also provide you with an example of a recorded BLA document, if you wish. It is recommended that you work with a title company, land surveyor, real property attorney, or land consultant for assistance in preparation of your document. County staff is neither able nor permitted to assist in document preparation.**
8. The applicant is aware once they eliminate the third legal lot, they can no longer get it back and are giving up the right to that third legal lot of record by recording this adjustment.

Appeal Procedures

Note: The Land Use Manager reserves the right to provide additional comment and findings of fact regarding this decision, if appealed. An appeal of any aspect of this decision, and any required mitigation measures, may be appealed to the County Hearing Examiner by any interested party. A "Party of Record" includes the applicant and those individuals who submitted written testimony to the Land Use Manager within the designated comment period.

The appeal shall be filed with the Community Development Department, Permit Services Division, within fourteen (14) calendar days after the date the notice of final land use decision is mailed to parties of record. This decision was mailed on June 15, 2021. Therefore, any appeal must be received in this office by June 29, 2021 by 3:00 PM.

**Appeal Filing Deadline
Date: June 29, 2021**

Any appeal of final land use decisions shall be in writing and contain the following information:

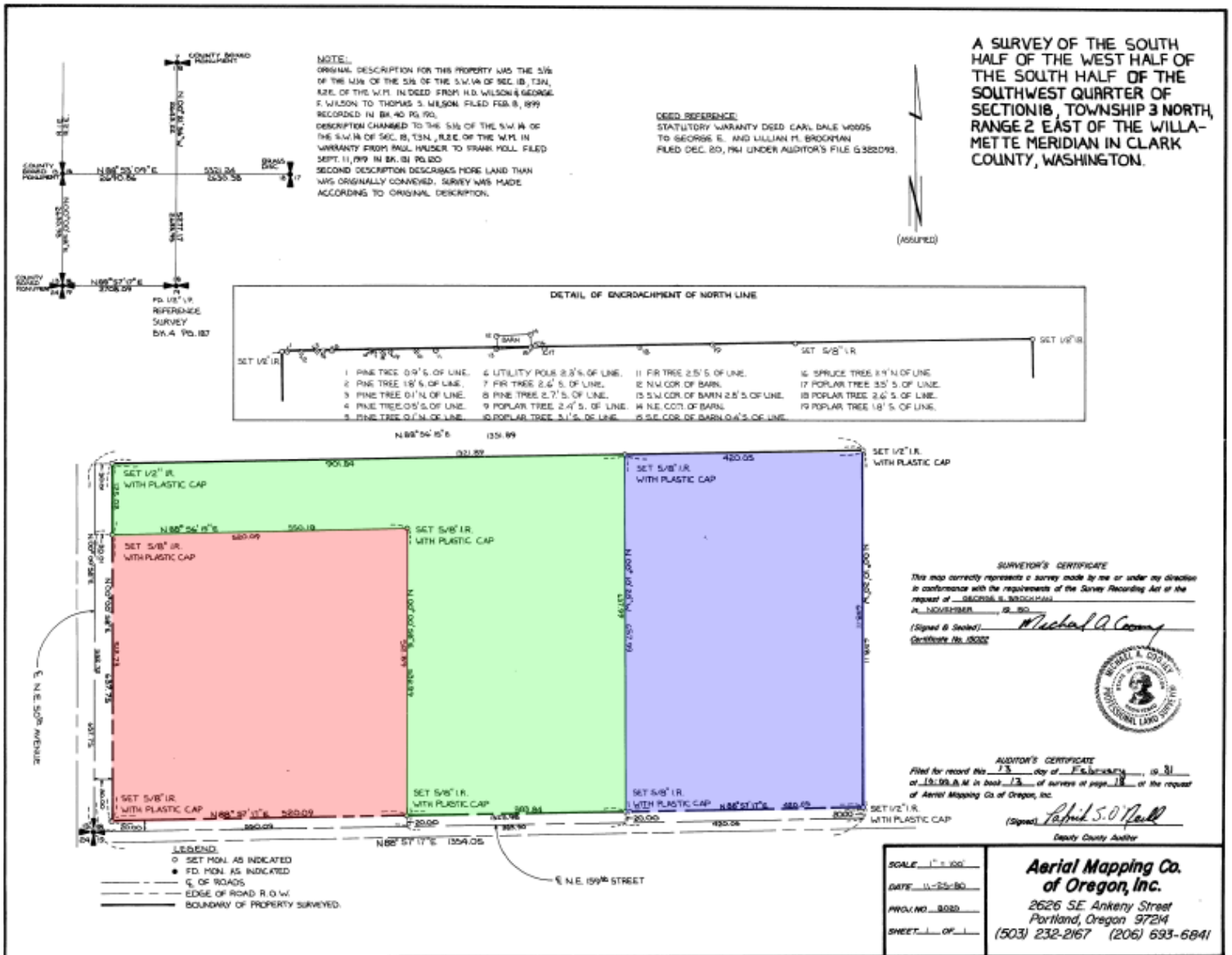
1. The case number designated by the County and the name of the applicant;
2. The name and signature of each person or group (petitioners) and a statement showing that each petitioner is entitled to file an appeal as described under Section 40.510.020(E)(1) of the Clark County Code. If multiple parties file a single petition for review, the petition shall designate one (1) party as the contact representative for all contact with the responsible official. All contact with the responsible official regarding the petition, including notice, shall be with this contact representative;
3. The specific aspect(s) of the decision being appealed, the reasons why each aspect is in error as a matter of fact or law, and the evidence relied on to prove the error; and

A submittal fee must accompany the appeal. Submit the appeal request and fee to the Development Services Application Counter, office hours are Monday thru Friday between 8:00 a.m. and 3:00 p.m., at the address below:

Appeal to the Clark County Hearings Examiner
Community Development Department, Permit Services Division
1300 Franklin Street / PO Box 9810
Vancouver, WA 98666-9810
Phone: (564) 397-2375; Fax: (564) 397-6043

Attachments:	Exhibit "A"	Existing Configuration
	Exhibit "B"	Proposed Configuration

EXHIBIT "A"



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Exhibit "B"

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PROPOSED CONDITIONS

