Docusign Envelope ID: 344A98B2-E1E5-450C-A853-A237414C44E1

WHEN RECORDED RETURN TO:
Richland City Clerk's Office
625 Swift Boulevard, MS-07
Richland, WA 99352

ORDINANCE NO. 2024-41

AN ORDINANCE OF THE CITY OF RICHLAND, WASHINGTON, ADOPTING THE 2024 COMPREHENSIVE PLAN AMENDMENTS INTO THE EXISTING 2017 COMPREHENSIVE PLAN AND ADOPTING THE RESULTING DOCUMENT.

WHEREAS, through Ordinance No. 42-17, the City adopted the Comprehensive Plan of the City of Richland (the "Comprehensive Plan") on October 3, 2017; and

WHEREAS, through Ordinance No. 38-19, the City updated its Comprehensive Plan on October 1, 2019; and

WHEREAS, through Ordinance No. 51-20, the City updated its Comprehensive Plan on January 19, 2021; and

WHEREAS, through Ordinance No. 41-21, the City updated its Comprehensive Plan on January 4, 2022; and

WHEREAS, through Ordinance No. 2024-07, the City updated its Comprehensive Plan on March 19, 2024; and

WHEREAS, pursuant to RCW 36.70A.470(2), each city and county planning under RCW 36.70A.040 must include in its development regulations a procedure for any interested person, including applicants, citizens, hearings examiners, and staff of other agencies, to suggest plan or development regulation amendments; and

Docusign Envelope ID: 344A98B2-E1E5-450C-A853-A237414C44E1

WHEREAS, the suggested amendments shall be docketed and considered on at least an annual basis, consistent with the provision of RCW 36.70A.130; and

WHEREAS, Chapter 19.90 of the Richland Municipal Code, titled Comprehensive Plan and Development Regulation Amendments, establishes procedures for comprehensive plan or development regulation amendments as required by RCW 36.70A.470(2); and

WHEREAS, the City of Richland accepted applications suggesting comprehensive plan or development regulation amendments between March 2, 2023 and March 1, 2024; and

WHEREAS, two (2) proposed amendments were received; and

WHEREAS, on April 23, 2024, Richland City Council held a workshop to review the proposed 2024 Comprehensive Plan Policies, Maps and Zoning Code Amendments Docket; and

WHEREAS, on June 4, 2024, Richland City Council passed Resolution No. 2024-71, authorizing the 2024 Comprehensive Plan Policies, Maps and Zoning Code Amendments Docket; and

WHEREAS, the Richland Planning Commission held a duly advertised public hearing on September 25, 2024 to accept testimony from anyone wishing to speak for or against the proposed changes; and

WHEREAS, on September 25, 2024, the Richland Planning Commission voted to recommend both (2) of the proposed amendments as evidenced in the Planning Commission's meeting minutes; and

WHEREAS, on December 3, 2024, Richland City Council held a public hearing to consider the proposed amendments and the recommendation of the Planning Commission. All testimony from anyone wishing to speak for or against the changes was accepted, after which Council deliberated on the proposed changes; and

WHEREAS, the Richland City Council finds it prudent to adopt the updated 2024 Comprehensive Plan of the City of Richland by ordinance.

NOW, THEREFORE, BE IT ORDAINED by the City of Richland as follows:

Section 1. The recitals set forth above are hereby incorporated by reference.

Section 2. Richland City Council acknowledges that the Planning Commission conducted appropriate investigation and study and held a public hearing on the proposed amendments to the Comprehensive Plan. Consistent with the Planning Commission's recommendation, Council hereby approves the two (2) proposed amendments to the Comprehensive Plan map and/or text as

Docusign Envelope ID: 344A98B2-E1E5-450C-A853-A237414C44E1

follows: CPA2024-101 and CPA2024-102. City Council has read and considered the Planning Commission's findings, and hereby makes the following findings for the record:

1. Chapter 19.90 RMC provides that City Council will consider each comprehensive plan amendment and forward those selected to the Planning Commission for processing. Plan amendment applications may be submitted via private application and/or proposed by staff or Council.

2. The deadline for submittal of private party applications for consideration as part of the 2024 Comprehensive Plan Policies, Maps and Code Amendments Docket was March 1, 2024.

3. Two (2) applications were received and deemed complete and are identified herein as numbers 12 (CPA2024-101) and 13 (CPA2024-102) in this Ordinance.

4. City Council conducted a workshop on April 24, 2024 to review the proposed 2024 Comprehensive Plan Policies, Maps and Zoning Code Amendments Docket.

5. City Council, after holding a public hearing on June 4 2024, established the 2024 Comprehensive Plan Policies, Maps and Zoning Code Amendments Docket through adoption of Resolution No. 2024-71.

6. On August 6, 2024, the City of Richland Community Development Department issued a SEPA Threshold Determination of Non-Significance for the proposed 2024 Comprehensive Plan Policies, Maps and Zoning Code Amendments Docket.

7. On August 6 2024, the City of Richland provided, as required by RCW 36.70A.106, the required sixty (60) day notification to the State of Washington of the City's proposed 2024 Comprehensive Plan Policies, Maps and Zoning Code Amendments Docket and intent to adopt.

8. By August 12, 2024, Public Hearing Notice signs were posted on, or near, the two (2) parcels under consideration for amendment.

9. On August 26, 2024, the City of Richland provided notice of a public hearing to affected parcels and neighboring properties within a 300-foot radius of parcels under consideration.

10. On September 8, 2024, the Tri-City Herald published a Notice of SEPA Determination on the upcoming Comprehensive Plan Docket.

11. All public notification requirements for the public workshops and public hearings have been met.

Docusign Envelope ID: 344A98B2-E1E5-450C-A853-A237414C44E1

12. Darral Moore, PE, J-U-B Engineers, Inc., on behalf of HP Pasco, LLC, Tom Fisher, owner, is proposing to change the Comprehensive Plan Land Use designation for approximately 2.13 acres of land from High-Density Residential to Waterfront, to be accompanied by a rezone of the 2.13 acres from Commercial Limited Business (C-LB) to Waterfront (WF). Assessor's Parcel Number 115982011748012, located at 2599 Duportail Street. Known as File Numbers: CPA2024-101 & Z2024-102 – HP Pasco, LLC.

13. Richland Properties, LLC is proposing to change the Comprehensive Plan Land Use designations upon property that is approximately 12.62 acres in size by relocating/swapping the locations of the existing commercial and low-density residential comprehensive plan designations. Assessor's Parcel Number 134983000001009, located at 560 Bermuda Road. Known as File Numbers: CPA2024-102 & Z2024-103 – Richland Properties, LLC.

14. Based upon the application materials submitted and upon presentation by the applicants, the proposed amendments will not adversely impact the City's ability to provide sewer and water, and will not adversely affect adopted levels of service standards for other public facilities and services such as parks, police, fire, emergency medical services and governmental services.

15. Adequate infrastructure, facilities and services are available to serve the proposed or potential development expected as a result of these amendments.

16. The proposed amendments are consistent with the goals, policies, and objectives of the City of Richland's Comprehensive Plan.

17. The proposed Comprehensive Plan amendments will not result in probable significant adverse impacts to the transportation network, capital facilities, utilities, parks, or environmental features.

18. The subject parcels being re-designated are physically suitable for the allowed land uses in the designation being requested.

19. The proposed amendments are consistent with the Washington State Growth Management Act, Benton County planning policies, and other applicable local and state policies, agreements, and laws.

20. The proposed amendments will not have a cumulative adverse effect on the planning area.

21. The State of Washington's Growth Management Act (RCW 36.70A) requires that Comprehensive Plans be effectuated by various development regulations such as subdivision regulations, critical areas and zoning.

Docusign Envelope ID: 344A98B2-E1E5-450C-A853-A237414C44E1

22. The proposed area-wide rezoning of the properties in question is dependent upon a change in the land-use designation of the Comprehensive Plan.

Section 3. The 2024 amendments to the 2017 Richland Comprehensive Plan as identified in **Exhibit A** and depicted in **Exhibit B** are hereby adopted and incorporated into the Comprehensive Plan of the City of Richland.

Section 4. The City Clerk is directed to file with the Auditor of Benton County, Washington, a copy of this Ordinance and the attached exhibits, duly certified by the City Clerk as a true copy.

Section 5. This Ordinance shall take effect the day following its publication in the official newspaper of the City of Richland.

Section 6. Should any section or provision of this Ordinance be declared by a court of competent jurisdiction to be invalid, that decision shall not affect the validity of the Ordinance as a whole or any part thereof, other than the part so declared to be invalid.

Section 7. The City Clerk and the codifiers of this Ordinance are authorized to make necessary corrections to this Ordinance, including but not limited to the correction of scrivener's errors/clerical errors, section numbering, references, or similar mistakes of form.

PASSED by the City Council of the City of Richland, Washington, at a regular meeting on the 17th day of December, 2024.

Theresa A Richardson
Theresa Richardson, Mayor

Attest:

Jennifer Rogers
Jennifer Rogers, City Clerk

Approved as to Form:

Heather Kintzley
Heather Kintzley, City Attorney

First Reading: December 3, 2024
Second Reading: December 17, 2024
Date Published: December 22, 2024

EXHIBIT A to Ordinance No. 2024-41

2024 DOCKET

File Number: CPA2024-101 & Z2024-102
Applicant: Darral Moore, J-U-B Engineers, Inc. on behalf of Tom Fisher, HP Pasco, LLC (owner)

Darral Moore, J-U-B Engineers, Inc. on behalf of Tom Fisher, HP Pasco, LLC, is proposing to change the Comprehensive Plan Land Use designation for approximately 2.13 acres of land from High-Density Residential to Commercial and rezone the site from C-LB (Commercial Limited Business) to WF (Waterfront). Assessor's Parcel Number 115982011748012, located at 2599 Duportail Street.

File Number: CPA2024-102 & Z2024-103
Applicant: Richland Properties, LLC

Richland Properties, LLC is proposing to change the Comprehensive Plan Land Use designations upon property that is approximately 12.62 acres in size by relocating/swapping the locations of the existing commercial and low-density residential comprehensive plan designations. Assessor's Parcel Number 134983000001009, located at 560 Bermuda Road.

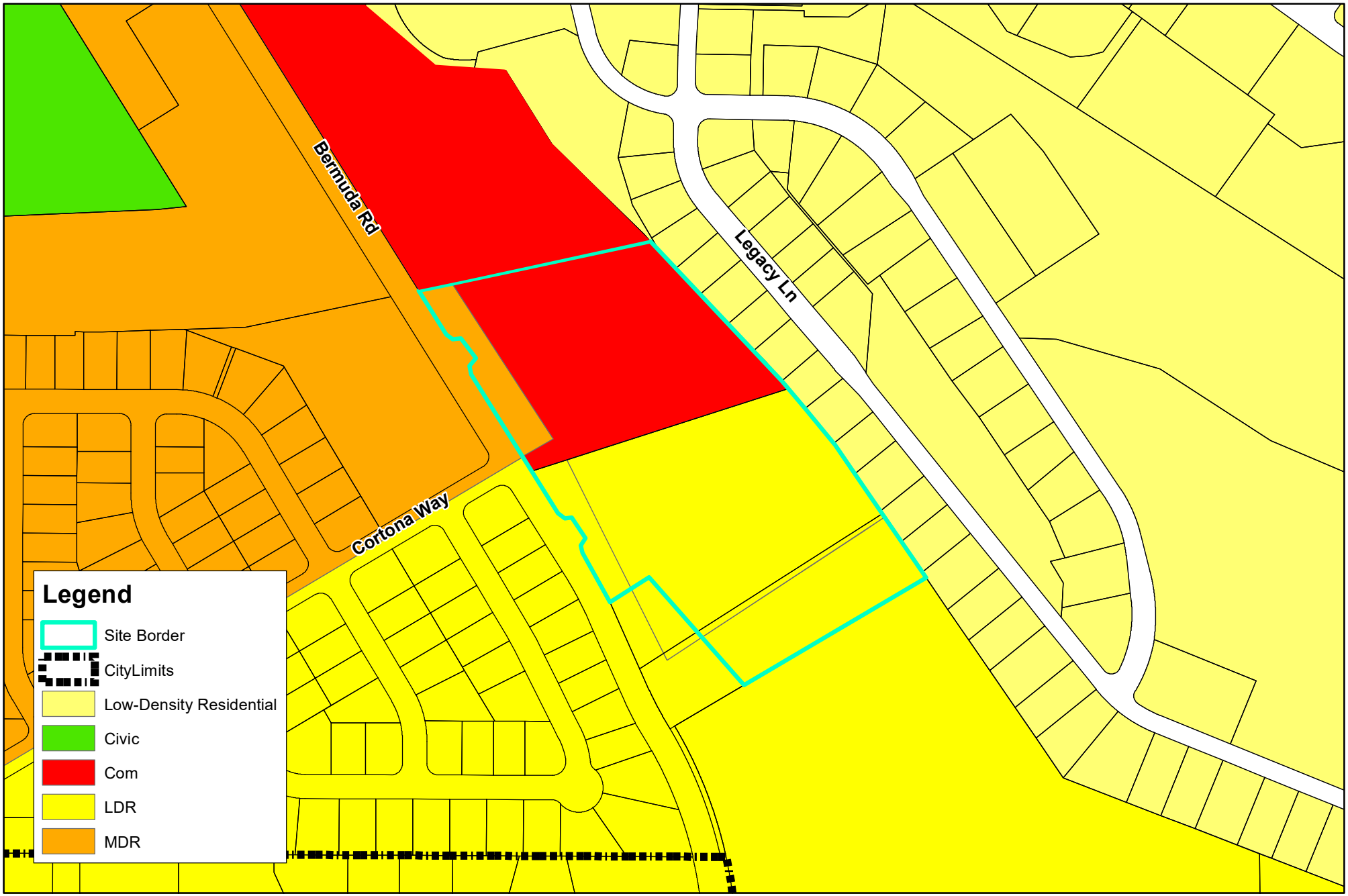
2024 Docket Schedule (Tentative).

- **March 1, 2024 = Application Deadline**
- **April 23, 2024 = City Council Workshop**
- **May 21, 2024 = City Council Establishes Docket**
- **June 10, 2024 = Initiate Public Hearing and Dept. of Commerce 60-Day Review and SEPA Process**
- **August 14, 2024 = Planning Commission Workshop**
- **August 28, 2024 = Planning Commission Public Hearing.**
- **September 17, 2024 = City Council Adoption Hearing – First Reading.**
- **October 1, 2024 = City Council Adoption Hearing – Second Reading.**

Proposed Land Use Map

Item: 2599 Duportail St
Applicant: J-U-B Engineers
File #: CPA2024-101

Exhibit B to Ordinance No. 2024-41

Proposed Land Use Map

Item: 560 Bermuda Road
Applicant: Richland Properties LLC
File #: CPA2024-102