

WHEN RECORDED RETURN TO:
Richland City Clerk's Office
625 Swift Boulevard, MS-05
Richland, WA 99352

ORDINANCE NO. 41-21

AN ORDINANCE of the City of Richland adopting the 2021 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, 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

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 the procedures 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, 2020 and March 1, 2021; and

WHEREAS, five (5) proposed amendments were received; and

WHEREAS, on April 27, 2021, Richland City Council held a workshop to review the proposed 2021 Comprehensive Plan Policies, Maps and Zoning Code Amendments Docket; and

WHEREAS, on June 1, 2021, Richland City Council passed Resolution No. 62-21 authorizing the 2021 Comprehensive Plan Policies, Maps and Zoning Code Amendments Docket; and

WHEREAS, the Richland Planning Commission held a duly advertised public hearing on October 13, 2021 to accept testimony from anyone wishing to speak for or against the proposed changes; and

WHEREAS, on October 13, 2021, the Richland Planning Commission voted to recommend four (4) of the five (5) proposed amendments as evidenced in the Planning Commission's meeting minutes; and

WHEREAS, the Richland Planning Commission did not recommend approval of CPA2021-102 – Sienna Hills; and

WHEREAS, on December 7, 2021, 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, after the December 7, 2021 public hearing, Council deliberated without decision on the Planning Commission's recommendation for denial of CPA2021-102 & Z2021-101, which consists of an application to change the land use designation and zoning districts on approximately 1.82 acres from Badger Mountain Subarea Plan – Commercial (BMC) to Badger Mountain Subarea Plan – Medium Density Residential (BMMDR); and

WHEREAS, after the December 7, 2021 public hearing, Council deliberated without decision on the Planning Commission's recommendation for approval of CPA2021-105 & Z2021-105, which consists of an application from Hayden Homes to change the comprehensive plan designation on approximately 10.43 acres from Commercial to Medium Density Residential, and to change the zoning district from Retail Business (C-1) to Medium Density Residential (R-2S); and

WHEREAS, based on the deliberation occurring on December 7, 2021, Council directed the City Manager to bring forward updated Ordinance Nos. 41-21 and 42-21 with findings and conclusions consistent with Council's deliberations; and

WHEREAS, the Richland City Council finds it prudent to adopt the updated 2021 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. Council hereby approves four (4) of the five (5) proposed amendments to the Comprehensive Plan map as follows: CPA2021-102; CPA2021-103; CPA2021-104; and CPA2021-106. The following Comprehensive Plan map amendment is not approved: CPA2021-105 Hayden Homes. 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 2021 Comprehensive Plan Policies, Maps and Code Amendments Docket was March 1, 2021.
3. Five (5) applications were received and deemed complete and are identified herein as numbers 13-17 in this Ordinance.
4. City Council conducted a workshop on April 27, 2021 to review the proposed 2021 Comprehensive Plan Policies, Maps and Zoning Code Amendments Docket.
5. City Council, after holding a public hearing on June 1, 2021, established the 2021 Comprehensive Plan Policies, Maps and Zoning Code Amendments Docket.
6. On September 1, 2021, the City of Richland Community Development Department issued a SEPA Threshold Determination of Non-Significance for the proposed 2021 Comprehensive Plan Policies, Maps and Zoning Code Amendments Docket.
7. On September 24, 2021, 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 2021 Comprehensive Plan Policies, Maps and Zoning Code Amendments Docket and intent to adopt.
8. On September 28, 2021, the City of Richland provided notice of a public hearing to be held on October 27, 2021 to affected parcels and neighboring properties within a 300-foot radius of parcels under consideration.

9. On September 28, 2021, a Notice of Public Hearing was published in the Tri-City Herald.
10. On September 28, 2021, a Notice of Public Hearing was posted at Richland City Hall and on the City of Richland website.
11. By October 6, 2021, public hearing notice signs were posted on, or near, the five (5) properties which had submitted applications for consideration.
12. All public notification requirements for the public workshops and public hearings were met.
13. CPA2021-102 & Z2021-101 consists of an application to change the land use designation and zoning districts on approximately 1.82 acres from Badger Mountain Subarea Plan – Commercial (BMC) to Badger Mountain Subarea Plan – Medium Density Residential (BMMDR).
14. CPA2021-103 & Z2021-103 consists of an application filed by the City of Richland's Division of Economic Development to change the land use designation on approximately 21 acres from Public Facility to High Density Residential and change the zoning district from Parks & Public Facilities (PPF) to Multiple Family Residential (R-3).
15. CPA2021-104 & Z2021-104 consists of an application from AHBL on behalf of NC Ventures, LLC to change the comprehensive plan designation on 6.9 acres to be all Commercial and change the zoning district to be all General Business (C-3).
16. CPA2021-105 & Z2021-105 consists of an application from Hayden Homes to change the comprehensive plan designation on approximately 10.43 acres from Commercial to Medium Density Residential and to change the zoning district from Retail Business (C-1) to Medium Density Residential (R-2S).
17. CPA2021-106 & Z2021-106 consists of an application from New Heights Baptist Church and Tim Bush to change the comprehensive plan designation on approximately 0.44 acres from Low Density Residential to High Density Residential and to change the zoning district from Low Density Residential – 12,000 (R-1-12) to Multiple Family Residential (R-3).
18. The Planning Commission voted against approval of CPA2021-102 & Z2021-101 based on the need for commercial development to occur within and/or near residential neighborhoods. The Planning Commission also determined that the proposed amendment was not consistent with the goals, policies and objectives of the Badger Mountain South Subarea Plan.

19. City Council finds that CPA2021-102 & Z2021-101 should be approved as the need for commercial development can occur within nearby commercial areas, and the current zoning of C-LB will not result in a commercial node that will provide opportunities for restaurants, coffee shops or other commercial amenities that directly benefit the residential neighborhood. Further, success of the proposed commercial area is unlikely due to lack of traffic past the site.
20. City Council finds that CPA2021-105 & Z2021-105 should be denied because the property is located near a major intersection (Steptoe Street and Center Parkway), rendering it desirable for placement of commercial development. Further, commercial development at this particular location is advantageous for nearby residential neighborhoods as it would provide commercial opportunities within walking distance of several residential neighborhoods.
21. Based upon the application materials submitted, and upon presentation by the applicants, the four (4) amendments approved by the City Council as detailed herein will not adversely impact the City's ability to provide sewer and water, and will not adversely impact adopted levels of service standards for other public facilities and services such as parks, police, fire, emergency medical services and governmental services.
22. Adequate infrastructure, facilities and services are available to serve the proposed or potential development expected as a result of the four (4) recommended amendments.
23. The four (4) amendments approved by City Council as detailed herein are consistent with the goals, policies and objectives of the Comprehensive Plan.
24. The four (4) amendments approved by Council as detailed herein will not result in probable significant adverse impacts to the transportation network, capital facilities, utilities, parks, and environmental features.
25. The subject parcels being re-designated are physically suitable for the allowed land uses in the designation being requested.
26. The four (4) amendments approved by City Council as detailed herein are consistent with the Washington State Growth Management Act, the Benton County planning policies, and other applicable local and state policies, agreements, and laws.
27. The four (4) amendments approved by City Council as detailed herein will not have a cumulative adverse effect on the planning area.
28. 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.

29. The proposed area-wide rezoning of the properties in question is dependent upon a change in the land-use designation of the Comprehensive Plan.
30. The Planning Commission has recommended that City Council authorize the associated rezones in order to bring the zoning into compliance with the change of land-use designations authorized by final approval of the amendments.

Section 3. The 2021 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, which is adopted by this Ordinance No. 41-21.

Section 4. Pursuant to RCW 36.70A.106(2), this Ordinance shall be transmitted to the Washington State Department of Commerce within ten (10) days of adoption.

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.

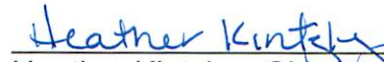
PASSED by the City Council of the City of Richland, Washington, at a regular meeting on the 4th day of January, 2022.


Michael Alvarez, Mayor

Attest:


Jennifer Rogers, City Clerk

Approved as to Form:


Heather Kintzley, City Attorney

First Reading: December 21, 2021
Second Reading: January 4, 2022
Date Published: January 9, 2022

2021 COMPREHENSIVE PLAN AMENDMENTS

File Number: CPA2021-102 & Z2021-101

Applicant: Sienna Hills Development, LLC – Sienna Hills

Sienna Hills Development, LLC is proposing to amend the Land Use Map for approximately 1.82 acres from Badger Mountain Subarea Plan – Commercial (BMC) to Badger Mountain Subarea Plan –Medium Density Residential (BMMDR) and underlying zoning district from Commercial Limited Business (C-LB) to Medium-Density Residential (R-2). (Parcel Number 134983000001005).

File Number: CPA2021-103 & Z2021-103

Applicant: City of Richland & Pahlsh Homes – Horn Rapids/Village Parkway

The City of Richland Economic Development Department in cooperation with Pahlsh Homes is proposing to amend the Land Use Map to change the current land use designation for approximately 21 acres of land within the Horn Rapids residential development from Public Facility to High Density Residential, and the underlying zoning district from Parks & Public Facilities (PPF) to Multiple Family Residential (R-3). (Portion of Parcel Numbers 120083000009013 & 120083020005000).

File Number: CPA2021-104 & Z2021-104

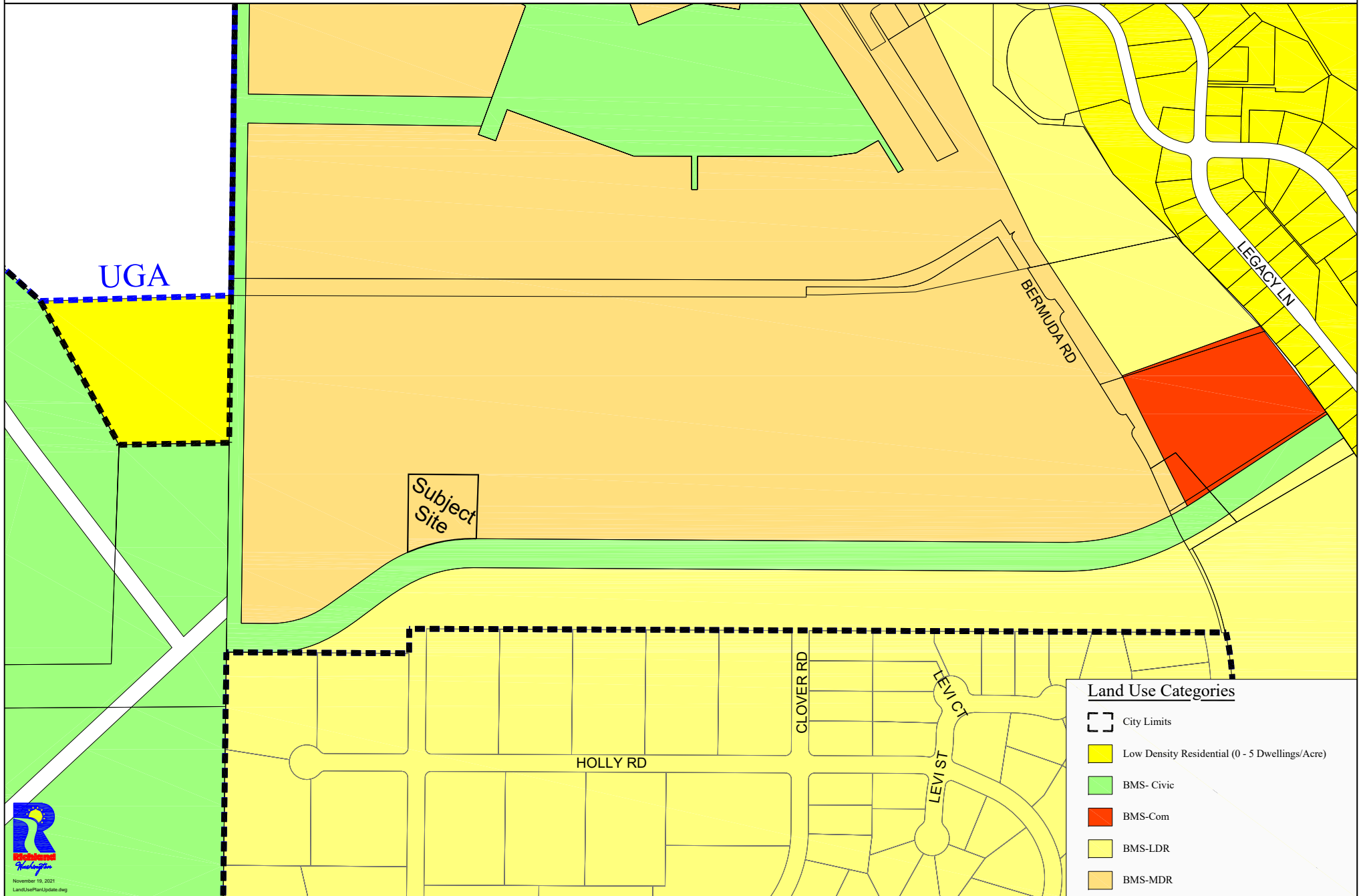
Applicant: AHBL – C&M Nursery

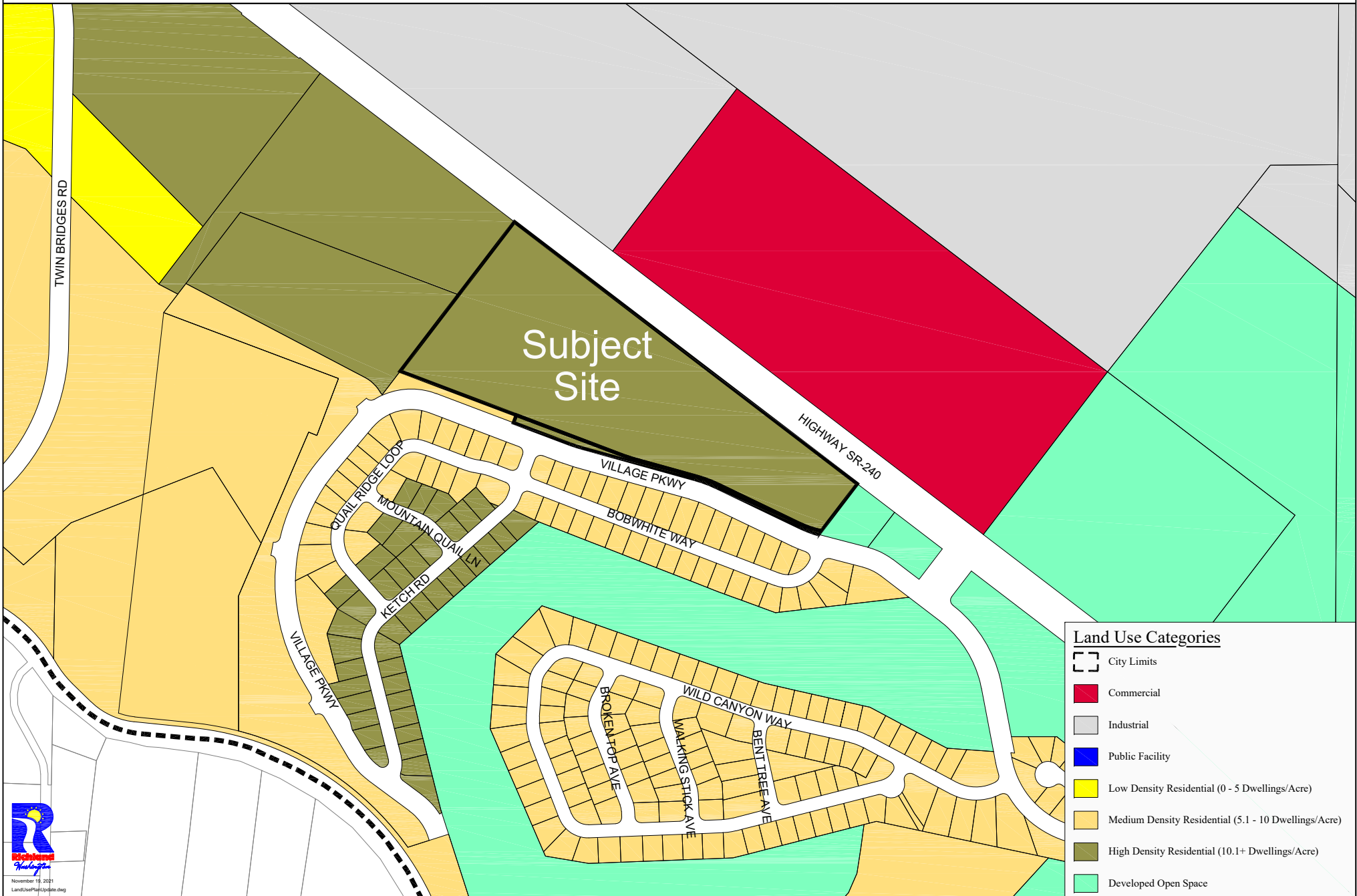
AHBL, on behalf of NC Ventures, LLC (owner) is proposing to amend the Land Use Map for Parcel Number 104984000001000 to be all Commercial and to rezone the parcel to be all General Business (C-3). The parcel is approximately 6.9 acres in size and the southern portion of the subject property is currently designed Agriculture while the majority of the site is zoned Agriculture (AG) with a small portion zoned General Business (C-3). (Parcel Number 104984000001000).

File Number: CPA2021-106 & Z2021-106

Applicant: New Heights Baptist Church – Tim Bush 400 Thayer Drive

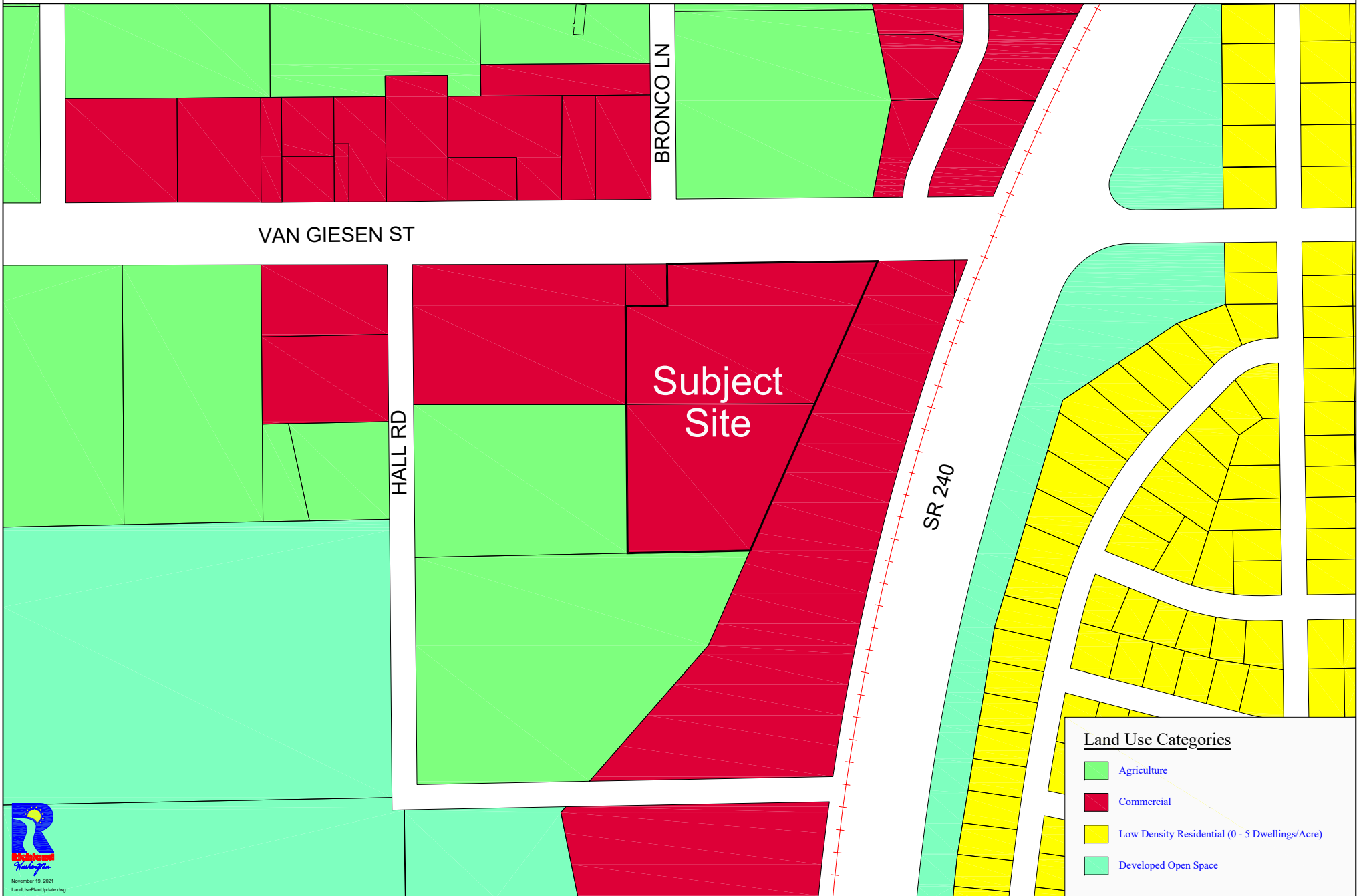
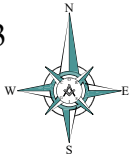
Tim Bush, on behalf of New Heights Baptist Church (owner) is proposing to amend the Land Use Map for approximately .44 acres of land from Low Density Residential to High Density Residential and rezone the site from Single-family Residential -12,000 (R-1-12) to Multiple-Family Residential (R-3). (Portion of Parcel Number 115981020400007).





NC Ventures LLC - C&M Nursery

Agriculture to Commercial

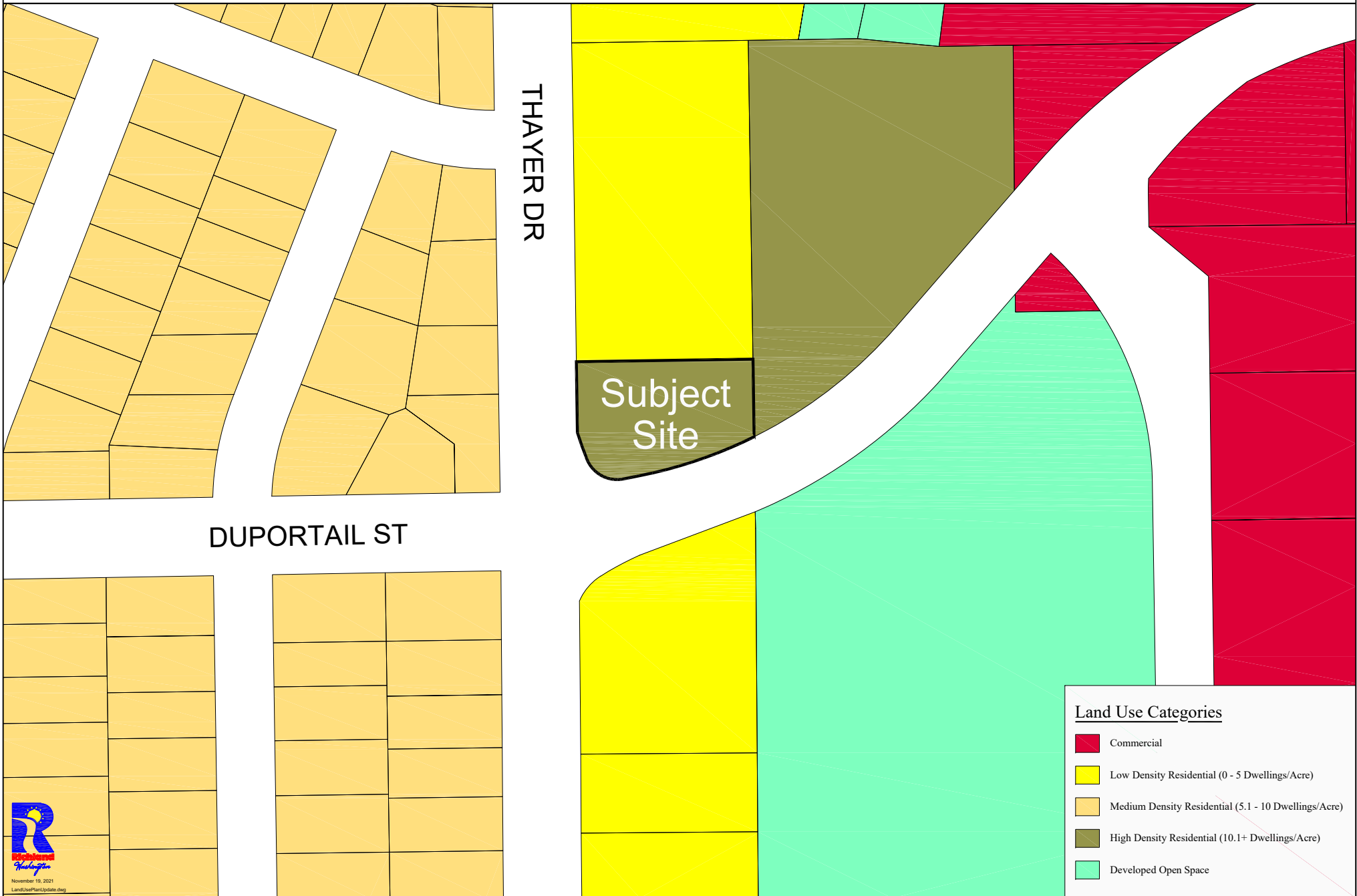
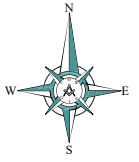


Land Use Categories

	Agriculture
	Commercial
	Low Density Residential (0 - 5 Dwellings/Acre)
	Developed Open Space

Bush/Church

Low Density Residential to High Density Residential



Land Use Categories	
	Commercial
	Low Density Residential (0 - 5 Dwellings/Acre)
	Medium Density Residential (5.1 - 10 Dwellings/Acre)
	High Density Residential (10.1+ Dwellings/Acre)
	Developed Open Space