

WHEN RECORDED RETURN TO:

Richland City Clerk's Office
625 Swift Boulevard, MS-05
Richland, WA 99352

ORDINANCE NO. 42-21

AN ORDINANCE of the City of Richland amending Title 23: Zoning Regulations of the Richland Municipal Code and the Official Zoning Map of the City of Richland to change zoning on certain parcels or portions of parcels to conform to the updated Comprehensive Plan of the City of Richland.

WHEREAS, this area-wide rezone includes reclassifying all, or portions of, parcels as indicated in Section 1 herein and depicted in **Exhibit A**; and

WHEREAS, the Richland Development Services Department completed environmental review (SEPA) for the land use changes and issued a Threshold Determination of Non-Significance (DNS) on September 1, 2021, which was not appealed; and

WHEREAS, on April 28, 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 Planning Commission held a duly advertised public hearing on October 27, 2021 to accept testimony from anyone wishing to speak for or against the proposed changes; and

WHEREAS, on October 27, 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, 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, Richland City Council reviewed the application materials, staff report, and comments concerning the rezoning; 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, on December 21, 2021, by approval of Ordinance No. 42-21 for first reading, Richland City Council voted to amend the City's Comprehensive Plan and change the land use designations for four (4) parcels; and

WHEREAS, Richland City Council finds the proposed amendments to be in compliance with the Comprehensive Plan of the City of Richland as amended by Ordinance No. 42-21 and area-wide rezone criteria of the Richland Municipal Code.

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

Section 1. Change in Zones. To implement the 2021 amendments to the Comprehensive Plan of the City of Richland as adopted by Ordinance No. 41-21, the property listed below is rezoned as follows:

- A portion of Parcel Numbers 120083000009013 & 12083020005000 (21 Acres) is rezoned from Parks & Public Facilities (PPF) to Multiple Family Residential (R-3).

- Parcel No. 104984000001000 (6.9 Acres) is rezoned from Agriculture (AG) and General Business (C-3) to all General Business (C-3).
- Parcel No. 115981020400007 (0.44 Acres) is rezoned from Low Density Residential 12,000 (R-1-12) to Multiple Family Residential (R-3).
- Parcel Number 124983000001005 (1.82 Acres) is rezoned from Commercial Limited Business (C-LB) to Medium-Density Residential (R-2).

Section 2. Title 23 of the City of Richland Municipal Code and the Official Zoning Map of the City, as adopted by Section 23.08.040 of said title, are amended by amending Sectional Map Nos. 5, 9, 12, 13 and 22, which are five (5) maps in a series of maps constituting said Official Zoning Map, as shown on the attached **Exhibit A** and bearing the number and date of passage of this Ordinance, and by reference made a part of this Ordinance and of the Official Zoning Map of the City.

Section 3. The City Clerk is directed to file with the Auditor of Benton County, Washington a copy of this Ordinance and the attached amended Sectional Map Nos. 5, 9, 12, 13 and 22, duly certified by the Clerk as a true copy.

Section 4. This Ordinance shall take effect the day following its publication in the official newspaper of the City of Richland.

Section 5. 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 6. 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









