

WHEN RECORDED RETURN TO:

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

ORDINANCE NO. 2022-21

AN ORDINANCE OF THE CITY OF RICHLAND, WASHINGTON, ANNEXING APPROXIMATELY 300.1 ACRES OF LAND OWNED BY THE UNITED STATES DEPARTMENT OF ENERGY. THE PROPERTY IS DESCRIBED AS ASSESSOR'S TAX PARCEL NOS. 1-1108000000000 AND 1-14081000001003 AND IS GENERALLY LOCATED NORTH OF THE INTERSECTION OF HORN RAPIDS ROAD AND GEORGE WASHINGTON WAY, EAST OF STEVENS DRIVE, WEST OF THE COLUMBIA RIVER WITH THE NORTHERN BOUNDARY BEING THE SOUTH FENCE LINE OF THE "300 AREA" IN SECTIONS 10, 11, 14 & 15, TOWNSHIP 10 NORTH, RANGE 28 EAST W.M., BENTON COUNTY, WASHINGTON, PROVIDING FOR ASSUMPTION OF EXISTING CITY INDEBTEDNESS, AND AMENDING THE OFFICIAL ZONING MAP.

WHEREAS, the City received a notice of intent to annex from Pacific Northwest National Laboratory (PNNL) on behalf of the United States Department of Energy (DOE), owner of real property described as Assessor's Tax Parcel Nos. 1-1108000000000 and 1-14081000001003, the value of which constituted 100% of the proposed annexation area and so qualified to commence annexation proceedings for annexation into the City of Richland; and

WHEREAS, on July 20, 2021, a meeting was held between the initiating party of this annexation and the Richland City Council, at which time City Council adopted Resolution No. 95-21, accepting the notice of intention to commence annexation proceedings for the real property legally described in **Exhibit A** attached hereto, subject to simultaneous adoption of the Comprehensive Plan for the proposed annexation area, and the assumption of the appropriate share of all existing City indebtedness; and

WHEREAS, Resolution No. 95-21 further authorized and directed the Richland Planning Commission to develop and forward a recommendation to the Richland City Council as to the most appropriate zoning designation for the area proposed to be annexed; and

WHEREAS, the Richland Planning Commission held a public hearing on October 13, 2021 to consider an appropriate zoning designation for the proposed annexation area, and recommended adoption of Business Research Park (B-RP) and Natural Open Space (NOS) zoning for the property; and

WHEREAS, on December 7, 2021, Richland City Council adopted Resolution No. 153-21, authorizing the circulation of an annexation petition for annexation of the real property legally described in **Exhibit A** attached hereto; and

WHEREAS, a petition was circulated and signed by the property owner representing 100% of the assessed value of the proposed annexation area, thereby exceeding the state requirement that owners representing at least sixty percent (60%) of the value of the proposed annexation area petition the City for annexation, with such value determined according to the assessed valuation for general taxation; and

WHEREAS, the Richland City Council held a public hearing to consider the annexation on June 21, 2022, which hearing was duly noticed by the City Clerk through publication in a newspaper of general circulation and through the mailing of notice to all property owners within the annexation area, specifying the time and place of the hearing and inviting interested persons to appear and voice approval or disapproval of the annexation; and

WHEREAS, having given the matter and all information in the record due consideration, the Richland City Council has determined that the annexation would be of general benefit to the residents of the City of Richland.

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

Section 1. The real property legally described in **Exhibit A** attached hereto is hereby annexed to the City of Richland and is hereby declared to be within the corporate limits of the City of Richland, Benton County, Washington (the “Annexed Area”).

Section 2. The Richland Comprehensive Plan, adopted October 3, 2017 by passage of Ordinance No. 45-17 and as thereafter amended, shall serve as the comprehensive plan for the Annexed Area. All property within the Annexed Area shall be designated as Business Research Park and Natural Open Space under the land use map that is part of the Richland Comprehensive Plan.

Section 3. Unless otherwise legally exempted, the property within the Annexed Area shall be assessed and taxed at the same rate and on the same basis as other property within the City, including assessments or taxes in payment for all or of any portion of the outstanding indebtedness of the City, approved by the voters, contracted, or incurred prior to, or existing at the date of annexation.

Section 4. Title 23 of the City of Richland Municipal Code (RMC) and the Official Zoning Map of the City as adopted by Section 23.08.040 of said title are hereby amended by amending Sectional Map Nos. 1, 2 and 3, which are three (3) maps of a series of maps constituting said Official Zoning Map, as shown on the attached **Exhibit B** bearing the numbers 1, 2 and 3 together with the number and date of passage of this Ordinance, and by this reference made a part of this Ordinance and of the Official Zoning Map of the City.


Section 5. It is hereby found, as an exercise of the City's police power, that the best zoning for the properties included in the Annexed Area shall be Business Research Park (B-RP) and Natural Open Space (NOS), as depicted on **Exhibit B**, attached hereto, when consideration is given to the interest of the general public.

Section 6. The City Clerk is directed to file a copy of this annexation with the Board of Commissioners of Benton County and the State of Washington in the manner required by law. The City Clerk is also directed to file with the Auditor of Benton County, Washington, a copy of this Ordinance, and shall attach the amended sectional maps, as necessary, and an amended Annexation map, duly certified by the City Clerk as a true copy.

Section 7. As authorized and required by RCW 35.13.280, the City shall negotiate a new franchise with the solid waste collection service provider currently serving the Annexed Area on terms that are acceptable to the City and that comply with the City's Solid Waste Management Plan.

Section 8. This Ordinance shall take effect on the day following its publication in the official newspaper of the City of Richland.

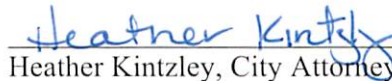
PASSED by the City Council of the City of Richland, Washington, at a regular meeting on the 5th day of July, 2022.


Michael Alvarez, Mayor

Attest:


Jennifer Rogers, City Clerk

Approved as to Form:


Heather Kintzley, City Attorney

First Reading: June 21, 2022

Second Reading: July 5, 2022

Date Published: July 10, 2022

Exhibit A

Legal Description for Proposed 300.1-Acre USDOE/PNNL Annexation

The 300.1-Acre USDOE/PNNL annexation consists of the following:

THOSE PORTIONS OF SECTIONS 14, 15 AND 11, TOWNSHIP 10 NORTH, RANGE 28 EAST, OF THE WILLAMETTE MERIDIAN, BENTON COUNTY, WASHINGTON, LYING WESTERLY OF THE ORDINARY HIGH WATER LINE OF THE COLUMBIA RIVER AND NORTHERLY, NORTHEASTERLY, AND EASTERLY AND SOUTHERLY OF THE FOLLOWING DESCRIBED LINE:

BEGINNING AT A POINT ON LINE WHICH BEAR N 89°09'09" E, 49.42 FEET FROM UNITED STATES CORPS OF ENGINEERS MONUMENT (U.S.C.O.E.) "CH-2" ON THE NORTH BOUNDARY OF THAT TRACT OF LAND CONVEYED TO THE PORT OF BENTON, AS DESCRIBED IN QUIT CLAIM DEED FROM THE U.S.A. TO THE PORT OF BENTON, RECORDED IN AUDITOR'S FILE NO. 521608, RECORDS OF BENTON COUNTY; SAID POINT BEING AT THE INTERSECTION OF SAID LINE WITH THE ORDINARY HIGH WATERLINE OF THE COLUMBIA RIVER; THEN S 89°08'17" W, 504.97 FEET ALONG SAID NORTH BOUNDARY TO U.S.C.O.E. MONUMENT DESIGNATED AS "CH-3"; THENCE S 89°11'36" W, 833.29 FEET ALONG SAID BOUNDARY TO U.S.C.O.E. MONUMENT DESIGNATED "CH-4"; THENCE S 89°10'51" W, 391.11 FEET ALONG SAID BOUNDARY TO A POINT ON CURVE ON THE WESTERLY RIGHT OF WAY OF GEORGE WASHINGTON WAY; (THE RADIUS CENTER OF SAID CURVE BEARS S 57°44'17" W, 1265.82 FEET); THENCE NORTHWESTERLY, 101.70 FEET ALONG THE ARC OF SAID CURVE THROUGH A CENTRAL ANGLE OF 04°36'12" TO A POINT OF TANGENCY; THENCE N 36°51'59" W, 2335.88 FEET ALONG THE WESTERLY MARGIN OF GEORGE WASHINGTON WAY TO A POINT OF CURVE CONCAVE TO THE SOUTHWEST HAVING A RADIUS OF 855.00 FEET; THENCE NORTHWESTERLY, 573.62 FEET ALONG THE ARC OF SAID CURVE THROUGH A CENTRAL ANGLE OF 38°26'24" TO A POINT OF TANGENCY; THENCE N 75°18'23" W, 613.33 FEET TO A LINE BEING THE NORTHERLY PROJECTION OF THE EASTERLY RIGHT OF WAY LINE OF STEVENS DRIVE; THENCE N 00°19'06" W, 748.55 FEET ALONG SAID LINE; THENCE N 89°10'00" E, 3886.22 FEET TO THE ORDINARY HIGH WATERLINE OF THE COLUMBIA RIVER AND THE TERMINUS OF SAID DESCRIBED LINE.

CONTAINS 214.5 ACRES, MORE OR LESS, SUBJECT TO EASEMENTS, RESTRICTIONS AND RESERVATIONS OF RECORD.

AND-

ALL THAT PORTION OF THE SOUTH HALF OF SECTION 11, TOWNSHIP 10 NORTH, RANGE 28 EAST, WILLAMETTE MERIDIAN, BENTON COUNTY, WASHINGTON, LYING EASTERLY OF THE MOST EASTERLY LANE OF STEVENS DRIVE AND WESTERLY OF THE ORDINARY LINE OF HIGH WATER OF THE COLUMBIA RIVER DESCRIBED AS FOLLOWS:

BEGINNING AT THE MOST NORTHWESTERLY CORNER OF THAT TRACT OF LAND SHOWN AS THE BATTELLE-PSE SITE, ACCORDING TO RECORD SURVEY RECORDED IN VOLUME 1 OF SURVEYS, PAGE NO. 3673, UNDER AUDITOR'S FILE NO. 2006-034599 (SAID POINT BEARS N 01°47'33"W, 3270.55 FEET FROM NATIONAL GEODETIC SURVEY MONUMENT "8324");

THENCE N 00°19'06" W, 979.72 FEET ALONG THE EAST LINE OF STEVENS DRIVE; THENCE N 89°09'20" E, 3699.7 FEET MORE OR LESS TO THE LINE OF ORDINARY HIGH WATER OF THE COLUMBIA RIVER; THENCE SOUTHERLY 996.4 FEET ALONG SAID LINE OF ORDINARY HIGH WATER TO THE NORTH LINE OF SAID RECORD SURVEY NO. 3673; SAID POINT BEARS N 89°10'00" E, 3886.22 FEET FROM THE POINT OF BEGINNING.

CONTAINING 85.6 ACRES, MORE OR LESS.

This description includes the following **County Parcel Identification Numbers:**

114081000001003

A Portion of: 111080000000000

