

**WHEN RECORDED RETURN TO:**

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

**ORDINANCE NO. 2024-09**

**AN ORDINANCE OF THE CITY OF RICHLAND, WASHINGTON, AMENDING TITLE 23: ZONING REGULATIONS OF THE RICHLAND MUNICIPAL CODE AND THE OFFICIAL ZONING MAP OF THE CITY TO CHANGE THE ZONING ON 3.93 ACRES FROM BUSINESS AND COMMERCE (B-C) TO MEDIUM INDUSTRIAL (I-M); SAID PROPERTY BEING IDENTIFIED AS ASSESSOR'S PARCEL NOS. 1-2308-301-3398-002, 1-2308-301-3398-003 AND 1-2308-301-3398-004, AND ADOPTING THE FINDINGS AND CONCLUSIONS OF THE RICHLAND HEARING EXAMINER AS THE FINDINGS AND CONCLUSIONS OF THE RICHLAND CITY COUNCIL.**

**WHEREAS**, on November 13, 2023, the Richland Hearing Examiner held a duly advertised open-record public hearing to consider a petition from applicant Matt Fredrickson, acting on behalf of MFJG Holdings, LLC, to change the zoning of the property hereafter described in Section 3 and identified as Assessor's Parcel Nos. 1-2308-301-3398-002, 1-2308-301-3398-003 and 1-2308-301-3398-004; and

**WHEREAS**, following the November 13, 2023 open-record public hearing, the Richland Hearing Examiner issued a 9-page written recommendation to the Richland City Council that concluded with a favorable recommendation to approve the requested rezone; and

**WHEREAS**, the Richland City Council has considered the written recommendation of the Richland Hearing Examiner and the record created during the November 13, 2023 open-record public hearing; and

**WHEREAS**, as required by RMC 19.20.030, the Richland City Council conducted a closed-record decision hearing on March 5, 2024 and has considered the totality of the record.

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

Section 1. The findings of fact and conclusions of the Richland Hearing Examiner's Report dated January 30, 2024, attached hereto as **Exhibit B** and incorporated herein by this reference, are hereby adopted as the findings and conclusions of the Richland City Council.

Section 2. It is hereby found, as an exercise of the City's police power, that the best land use classification for the land described below is Medium Industrial (I-M) when consideration is given to the interests of the public.

Section 3. Said property, depicted in **Exhibit A**, attached hereto and incorporated by this reference, is more particularly described as follows:

SHORT PLAT #3398, Lot 2 recorded in volume 1 of Short Plats, page 3398, records of Benton County.

SHORT PLAT #3398, Lot 3 recorded in volume 1 of Short Plats, page 3398, records of Benton County.

SHORT PLAT #3398, Lot 4 recorded in volume 1 of Short Plats, page 3398, records of Benton County.

Section 4. Said property described in Section 3 herein is hereby rezoned from Business and Commerce (B-C) to Medium Industrial (I-M).

Section 5. Title 23 of the Richland Municipal Code and the Official Zoning Map of the City of Richland as adopted by RMC 23.08.040 are hereby amended by amending Sectional Map No. 3, which is one (1) of a series of maps constituting said Official Zoning Map of the City of Richland, as shown on the attached Sectional Map No. 3 bearing the number and date of passage of this Ordinance (**Exhibit A**), and by this reference made a part of this Ordinance and of the Official Zoning Map of the City of Richland.

Section 6. 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 No. 3, duly certified by the City Clerk as a true copy, together with **Exhibit B** (Richland Hearing Examiner's Report).

Section 7. This Ordinance shall take effect the day following its publication in the official newspaper of the City of Richland.

Section 8. 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 9. 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 19<sup>th</sup> day of March, 2024.



\_\_\_\_\_  
Theresa Richardson, Mayor

Attest:

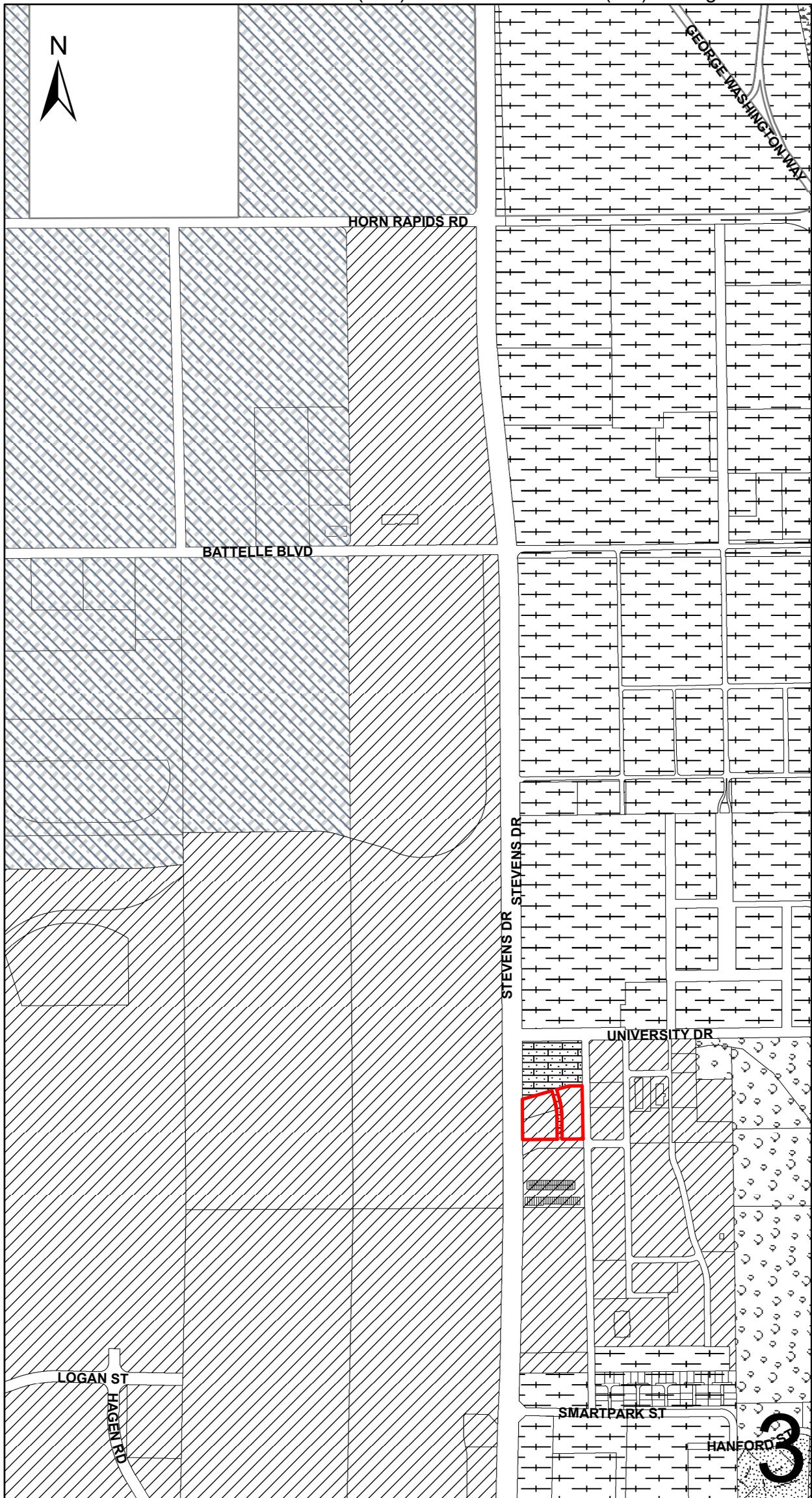
  
\_\_\_\_\_  
Jennifer Rogers, City Clerk

Approved as to Form:

  
\_\_\_\_\_  
Heather Kintzley, City Attorney

First Reading: March 5, 2024  
Second Reading: March 19, 2024  
Date Published: March 24, 2024

Exhibit A to Ordinance No. 2024-09 passed 03/19/2024  
Business and Commerce (C-B) to Medium Industrial (I-M) Zoning



1  
2  
3  
4  
5  
6  
7  
8  
9  
10  
11  
12  
13  
14  
15  
16  
17  
18  
19  
20  
21  
22  
23  
24  
25  
26

Before Hearing Examiner  
Gary N. McLean

Exhibit B to Ordinance No. 2024-09

**BEFORE THE HEARING EXAMINER  
FOR THE CITY OF RICHLAND**

Regarding the Application to *Rezone* about )  
4-acres of property from B-C (Business and )  
Commerce) to I-M (Medium Industrial), )  
which is fully consistent with the )  
Comprehensive Plan’s IND (Industrial) land )  
use designation assigned to the area, )  
submitted by )  
)  
**MFJG HOLDINGS, LLC** )  
(MATT FREDRICKSON), )  
)  
Applicant )

**File No. Z2023-108**  
  
**FINDINGS OF FACT,  
CONCLUSIONS AND  
RECOMMENDATION**

**I. SUMMARY OF RECOMMENDATION.**

The applicant can meet its burden of proof to demonstrate that its requested rezone merits approval.

The site is now designated for Industrial land uses under applicable provisions of the City’s Comprehensive Plan. While both the existing zone (B-C) and the requested zone (I-M) are both zones used for properties designated for Industrial land uses, the applicant and Staff presented un rebutted evidence showing that the rezone site has remained vacant and difficult to market under current zoning. The applicant believes the requested I-M zone, already assigned to many surrounding parcels, will make their property more marketable for future development.

This requested rezone does not approve any development activity on the site. As with all development proposals, City Development Regulations will apply to any specific projects that may eventually be proposed on the site.

**FINDINGS OF FACT, CONCLUSIONS AND  
RECOMMENDATION RE: MFJG HOLDINGS, LLC  
APPLICATION TO REZONE THREE PARCELS  
GENERALLY LOCATED AT 801 DALTON STREET  
FROM THE “B-C” ZONE TO THE “I-M” ZONING  
DISTRICT – FILE NO. Z2023-108**

**GARY N. MCLEAN**  
**HEARING EXAMINER FOR THE CITY OF RICHLAND**  
CITY HALL – 625 SWIFT BOULEVARD  
RICHLAND, WASHINGTON 99352

1  
2  
3  
4  
5  
6  
7  
8  
9  
10  
11  
12  
13  
14  
15  
16  
17  
18  
19  
20  
21  
22  
23  
24  
25  
26

**II. BACKGROUND AND APPLICABLE LAW.**

In this matter, the Hearing Examiner has jurisdiction to conduct an open record public hearing on the site-specific rezone application at issue and is directed to issue a written recommendation for consideration and final action by the Richland City Council. *See* Richland Municipal Code (RMC) 19.20.010(D)(identifies “site-specific rezones” as Type IIIA permit applications); RMC 23.70.210(A)(“The hearing examiner shall conduct an open record public hearing as required by RMC Title 19 for a Type IIIA permit application.”); and RMC 19.20.030(granting jurisdiction to Hearing Examiner to conduct public hearing and issue recommendation to City Council); RMC 19.25.110(authority for Examiner actions, including conditions of approval on applications or appeals); and RCW 35A.63.170(state statute regarding hearing examiner system).

The applicant bears the burden of proof to show that its application conforms to the relevant elements of the city’s development regulations and comprehensive plan, and that any significant adverse environmental impacts have been adequately addressed. RMC 19.60.060.

Finally, Washington Courts apply three basic rules when reviewing appeals of rezone applications: (1) there is no presumption favoring the rezone request; (2) the proponent of a rezone must demonstrate that there has been a change of circumstances since the original zoning, PROVIDED if a proposed rezone implements the policies of a comprehensive plan, a showing of changed circumstances is usually not required<sup>1</sup>; and (3) the rezone must have a substantial relationship to the public health, safety, morals, or general welfare. *Woods v. Kittitas County*, 162 Wn.2d 597 (2007), citing *Citizens for Mount Vernon*, 133 Wn.2d 861, at 875 (1997); *Parkridge v. City of Seattle*, 89 Wn.2d 454, 462 (1978).

**III. QUESTIONS PRESENTED.**

For purposes of the pending rezone application, the central questions presented are:

A. Whether the requested rezone implements policies of the City’s Comprehensive Plan, and/or whether there has been a change of circumstances since the current B-C (Business and Commerce) zoning was adopted for the site?

*Short Answer:* Yes to both. The site is already designated for Industrial uses in the City’s Comprehensive Plan, so the requested rezone from B-C to I-M would be consistent with and effectuate the Comprehensive Plan. While both the existing and requested zoning districts are available for Industrial designated properties<sup>2</sup>, the lack of development and consistent

<sup>1</sup> *Save Our Rural Env't v. Snohomish County*, 99 Wn.2d 363, 370-71 (1983); *Henderson v. Kittitas County*, 124 Wn. App. 747, 754 (Div. III, 2004); *Bjarnson v. Kitsap County*, 78 Wn. App. 840, 846 (Div. III, 1995).

<sup>2</sup> See RMC 23.28.010(A), which explains that the B-C zone is intended to be applied to some portions of the city that are designated Industrial under the city of Richland comprehensive plan; and RMC 23.26.010(A), which explains that the I-M

**FINDINGS OF FACT, CONCLUSIONS AND  
RECOMMENDATION RE: MFJG HOLDINGS, LLC  
APPLICATION TO REZONE THREE PARCELS  
GENERALLY LOCATED AT 801 DALTON STREET  
FROM THE “B-C” ZONE TO THE “I-M” ZONING  
DISTRICT – FILE NO. Z2023-108**

**GARY N. MCLEAN  
HEARING EXAMINER FOR THE CITY OF RICHLAND**  
CITY HALL – 625 SWIFT BOULEVARD  
RICHLAND, WASHINGTON 99352

1  
2  
3  
4  
5  
6  
7  
8  
9  
10  
11  
12  
13  
14  
15  
16  
17  
18  
19  
20  
21  
22  
23  
24  
25  
26

occupancy for the few buildings placed immediately north of the rezone site over the years tends to support the applicant’s belief that the requested I-M zone is a better fit for their property and should make the parcels more marketable and improve the site’s development potential.

B. Whether the rezone bears a substantial relationship to the public health, safety, morals, or general welfare?

*Short Answer:* Yes, because the rezone is fully consistent with the City’s Comprehensive Plan, and any future, project-specific proposal will have to meet city development regulations, including SEPA, traffic impact reviews, public infrastructure concurrency reviews, and payment of any impact fees in effect at the time of an application. Longstanding vacancies and lack of development on property intended for Industrial uses, in an area already well-served by or with ready access to public infrastructure, is not in the public interest. The proposed rezone appears to be an effort to expedite development potential for the site, noting that it has remained undeveloped under its current zoning designation.

**IV. RECORD.**

Exhibits entered into evidence as part of the record, and an audio recording of the public hearing, are maintained by the City of Richland, and may be examined or reviewed by contacting the City Clerk’s Office.

Public notices regarding the application and public hearing were mailed, posted, and published as required by city codes prior to the public hearing. (*Staff Report, page 15; Exhibit 3*).

**Hearing Testimony:** The City’s Senior Planner, Matthew Howie, and the applicant, Matt Fredrickson, were the only individuals who asked to present testimony under oath during the public hearing. The Examiner conducted the public hearing using a hybrid format, with the Examiner appearing in person with Staff from the City Council chambers and an online communication platform, coordinated by city staff, available for participation or observation by people appearing remotely. No members of the public or other interested parties asked to speak or presented any written comments opposing the requested rezone.

**Exhibits:** The Development Services Division Staff Report for the requested Rezone, including a recommendation of approval, was provided to the Examiner in the week before the hearing. The Staff Report, and the following Exhibits, were all accepted into the Record in their entirety without modification:

- 1. Rezone Application Materials;

zone is intended to be applied to some portions of the city that are designated Industrial under the city of Richland comprehensive plan.

**FINDINGS OF FACT, CONCLUSIONS AND RECOMMENDATION RE: MFJG HOLDINGS, LLC APPLICATION TO REZONE THREE PARCELS GENERALLY LOCATED AT 801 DALTON STREET FROM THE “B-C” ZONE TO THE “I-M” ZONING DISTRICT – FILE NO. Z2023-108**

**GARY N. MCLEAN**  
**HEARING EXAMINER FOR THE CITY OF RICHLAND**  
CITY HALL – 625 SWIFT BOULEVARD  
RICHLAND, WASHINGTON 99352

- 2. Vicinity map;
- 3. Public Notices & Affidavits; and
- 4. Agency Comments, with none objecting or raising questions that would serve as a basis to deny the requested rezone.

The Examiner has visited the road network and vicinity of the proposed rezone on multiple occasions over the past few years in connection with other applications and did so again on the day of the public hearing; and is fully advised on matters at issue herein, including without limitation adjacent developments and land uses, applicable law, application materials, and relevant comprehensive plan provisions.

**V. FINDINGS OF FACT.**

Based upon the record, the undersigned Examiner issues the following Findings of Fact.

***Application, Site Location and Conditions.***

1. On or about September 14, 2023, MFJG Holdings, LLC (Matt Fredrickson), the applicant in this matter, purchased three abutting parcels of land with about 4-acres, generally addressed as 801 Dalton Street, with Dalton Street on the north, Fermi Drive on the east, Curie Street on the south, and Stevens Drive on the west, assigned Benton County Assessor Parcel Numbers 123083013398002, 123083013398003, and 123083013398004. *(Ex. 1, Application Materials; Ex. 2, Vicinity map; Benton County Assessor online records, sales history for parcels)*. At the same time, the applicant purchased a larger parcel, immediately north, that is not part of this rezone request, addressed as 800 Dalton Street, and assigned Parcel No. 123083013398001. The parcels are in the upper northeast portion of the City limits, on land that was once used for Hanford support facilities, long since abandoned. *(Staff Report, page 3)*.

2. The applicant’s 3 parcels at issue in this request for a rezone are currently designated for “Industrial” land uses in the City’s Comprehensive plan and are zoned B-C (Business and Commerce), which is a zoning designation applied to some portions of the city that are designated Industrial in the Comprehensive Plan. *(See Staff Report, page 4; Ex. 1, Application materials; and RMC 23.28.010(A))*.

3. In this application, the owner/applicant seeks approval to rezone three parcels to another available “Industrial” zoning classification, specifically the I-M (Medium Industrial) zone, which is also applied to some portions of the city that are designated for Industrial uses in the Comprehensive Plan. *(See RMC 23.26.010(A); Ex. 1, Application materials; Staff Report, analysis on pages 15-17)*

4. Some of the reasons for this requested rezone appear in response to questions asked on the application form, portions of which are republished below:

**FINDINGS OF FACT, CONCLUSIONS AND  
RECOMMENDATION RE: MFJG HOLDINGS, LLC  
APPLICATION TO REZONE THREE PARCELS  
GENERALLY LOCATED AT 801 DALTON STREET  
FROM THE “B-C” ZONE TO THE “I-M” ZONING  
DISTRICT – FILE NO. Z2023-108**

**GARY N. MCLEAN**  
**HEARING EXAMINER FOR THE CITY OF RICHLAND**  
CITY HALL – 625 SWIFT BOULEVARD  
RICHLAND, WASHINGTON 99352

**ANSWER THE FOLLOWING AS COMPLETELY AS POSSIBLE**

The unique characteristics, if any, of the property or circumstances of the owner:

Surrounding area is mostly industrial, light industrial and government business. Limited housing in the area and lack of residential neighborhoods presents a difficult market to less buildings under the current Business commerce zoning

Any hardship that may result in the event the rezone is not granted:

Property as currently zoned does not appear to be marketable for the area. Parcel to the north is already zoned business commerce with a building vacant that has been vacant for some time. Light industrial will be more marketable for the area.

Whether the proposed rezone represents a better use of the land from the standpoint of the comprehensive plan than the original zone:

Light commercial would be a better use of land. This proposed zoning fits with the use of this area. Parcel to the North is already zoned business commerce and is struggling to find and keep tenants due to the nature of the businesses in the area.

Whether the proposed rezone represents spot zoning and whether a larger area should be considered:

Rezoning to light industrial will fit with the surrounding zoning.

*(Ex. 1, Application materials, signed by the applicant, Mr. Fredrickson, on pages 1 and 2).*

5. There is no dispute that the requested rezone is consistent with and will implement policies in the City’s Comprehensive Plan, especially if the properties are finally developed and utilized for their intended Industrial purposes in an area with robust transportation system facilities and adequate utilities.

6. Changed circumstances also support the requested rezone from the B-C to the I-M zone. The area of this rezone is still in transition from its historic use as part of former Hanford/Department of Energy endeavors to a mix of industrial and business/institutional campus uses. *(Site visits; Staff Report, page 13)*. The presumed intent of the current B-C zoning, i.e. to serve as some sort of buffer between potential residential uses that might have been developed on adjoining properties allowing for multi-family residential uses, among other things, has been undercut by rezones and development on surrounding parcels, meaning the three parcels addressed in this application no longer provide any meaningful buffer purpose. *(See Staff Report, analysis on pages 15-17)*.

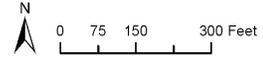
7. The Examiner concurs with the opinion of staff and finds that the proposed I-M zoning with its associated permitted land uses is compatible with other uses in the vicinity. The parcel to the north – also owned by the applicant – will remain under B-C zoning, providing the ‘buffer’ between I-M parcels to the south and B-RP zoned properties to the north, across University Drive. Figure 3 on page 5 of the Staff Report shows the current zones assigned to the applicant’s rezone parcels (outlined in orange) and surrounding parcels, and is republished below for the reader’s convenience:

**FINDINGS OF FACT, CONCLUSIONS AND RECOMMENDATION RE: MFJG HOLDINGS, LLC APPLICATION TO REZONE THREE PARCELS GENERALLY LOCATED AT 801 DALTON STREET FROM THE “B-C” ZONE TO THE “I-M” ZONING DISTRICT – FILE NO. Z2023-108**

**GARY N. MCLEAN**  
**HEARING EXAMINER FOR THE CITY OF RICHLAND**  
CITY HALL – 625 SWIFT BOULEVARD  
RICHLAND, WASHINGTON 99352

# Zoning Map

Item: 801 Dalton St Zone Change  
Applicant: Matt Fredrickson  
File #: Z2023-108



8. This application essentially argues that lands have remained vacant so a rezone is in order, to try something else that might spur development. The same arguments have been presented in other areas of the City, in the context of development proposals connected with plats, as well as rezone requests. In most all circumstances, the decision-makers must consider whether goals and vision statements in planning documents – like providing a mix of residential and residential-friendly commercial uses placed on parcels used as a buffer between more intense ‘industrial’ uses and potential, future residential projects – have been given adequate time to come to reality. In this matter, the utility of the three parcels at issue serving as any meaningful buffer appears minimal, at best, especially when viewing the current zoning map of surrounding parcels, provided above, where all parcels to the west, south, and east are already zoned I-M.

9. Through the public comment and hearing process, no one submitted any comments, evidence, or legal authority that would serve as a basis to deny this requested rezone.

10. Because staff deemed the application to be consistent with the City’s Comprehensive Plan, which already designates the rezone site as suitable for Industrial land uses, and the City’s plan was

**FINDINGS OF FACT, CONCLUSIONS AND RECOMMENDATION RE: MFJG HOLDINGS, LLC APPLICATION TO REZONE THREE PARCELS GENERALLY LOCATED AT 801 DALTON STREET FROM THE “B-C” ZONE TO THE “I-M” ZONING DISTRICT – FILE NO. Z2023-108**

**GARY N. MCLEAN**  
HEARING EXAMINER FOR THE CITY OF RICHLAND  
CITY HALL – 625 SWIFT BOULEVARD  
RICHLAND, WASHINGTON 99352

1 analyzed in an environmental impact statement at the time of its adoption, the pending application is  
2 categorically exempt from SEPA review as provided in WAC 197-11-800(6)(c). (*Staff Report, page*  
3 *15; Official notice from record of previous rezone matters re: City SEPA process(es) undertaken*  
4 *when Comprehensive Plan was adopted and amended*).

5 11. The record does not include any evidence that the requested I-M zone could allow for any  
6 uses that would be incompatible with surrounding uses. In fact, parcels to the south, west, and east  
7 of the rezone site are already zoned I-M. (*Staff Report, Figure 3 – Zoning Map of rezone area, on*  
8 *page 5*).

9 12. The Staff Report’s analysis of this application stands un rebutted. No one submitted written  
10 evidence or provided public testimony through the public hearing process that questioned or opposed  
11 the proposed rezone. The requested rezone is fully consistent with land use policy goals in the City’s  
12 Comprehensive Plan.

13 ***Public services and utilities are adequate and readily available to serve the site.***

14 13. As part of the review process, City staff confirmed that adequate utilities, including without  
15 limitation water, sewer, stormwater, natural gas, and electricity, are in place and/or readily available  
16 to serve the parcels addressed in this matter. (*Staff Report, pages 11-13*).

17 ***Consistency with City Codes and Comprehensive Plan.***

18 14. As explained elsewhere in this Recommendation, the rezone site is already designated as  
19 “Industrial” in the City’s Comprehensive Plan, and the request is change the zoning from one  
20 available Industrial zoning classification (B-C) to another (I-M), which based on the site’s failure to  
21 develop over an extended period of time, appears to be a better fit, and should enhance the property’s  
22 development potential.

23 15. Standing alone, the requested rezone conforms to the Comprehensive Plan, because the plan  
24 already identifies the property as suitable for Industrial uses.

25 ***General findings.***

26 16. The requested rezone bears a substantial relationship to the public health, safety, and general  
welfare. The requested rezone is appropriate in the context of adjacent properties.

17. The Development Services Division Staff Report, prepared by Mr. Howie, includes a number  
of specific findings and explanations that establish how the underlying application satisfies provisions  
of applicable law and is consistent with the city’s Comprehensive Plan and zoning regulations. Except  
as modified in this Recommendation, all Findings contained in the Staff Report are incorporated  
herein by reference as Findings of the undersigned-hearing examiner.

FINDINGS OF FACT, CONCLUSIONS AND  
RECOMMENDATION RE: MFJG HOLDINGS, LLC  
APPLICATION TO REZONE THREE PARCELS  
GENERALLY LOCATED AT 801 DALTON STREET  
FROM THE “B-C” ZONE TO THE “I-M” ZONING  
DISTRICT – FILE NO. Z2023-108

GARY N. MCLEAN  
HEARING EXAMINER FOR THE CITY OF RICHLAND  
CITY HALL – 625 SWIFT BOULEVARD  
RICHLAND, WASHINGTON 99352

18. Any factual matters set forth in the foregoing or following sections of this Recommendation are hereby adopted by the Hearing Examiner as findings of fact and incorporated into this section as such.

**VI. CONCLUSIONS.**

Based upon the record, and the Findings set forth above, the Examiner issues the following Conclusions:

1. The applicant met its burden to demonstrate that the requested rezone conforms to, and in fact implements objectives of, the City’s Comprehensive Plan. *Findings; Staff Report.*
2. The applicant met its burden to demonstrate that the requested rezone bears a substantial relationship to the public health, safety, or welfare.
3. The rezoned site will not be materially detrimental to uses or property in the immediate vicinity of the subject property. In fact, the rezone may enhance the site’s development potential, implementing goals and policies in the City’s Comprehensive Plan.
4. While the pending rezone application is categorically exempt from formal SEPA review, the record demonstrates that the potential for adverse impacts is very unlikely. And, after public notices issued for the application, no one spoke or submitted any written comments opposing the pending rezone request.
5. As required by RMC 19.50.010(C), the transportation system is sufficient to accommodate the type of development envisioned with the proposed rezone. The surrounding road network is fully functional, and no transportation concurrency problems are likely to arise as a result of the rezone for the site. Development regulations, including without limitation those detailing frontage improvements, access, roadway improvements, traffic mitigation, setbacks, and the like, will apply to any future project built on the site.
6. Based on the record, the applicant demonstrated its rezone application merits approval, meeting its burden of proof imposed by RMC 19.60.060.
7. Approval of this rezone will not and does not constitute, nor does it imply any expectation of, approval of any permit or subsequent reviews that may be required for development or other regulated activities on the site of the subject rezone.
8. Any finding or other statement contained in this Recommendation that is deemed to be a Conclusion is hereby adopted as such and incorporated by reference.

**FINDINGS OF FACT, CONCLUSIONS AND  
RECOMMENDATION RE: MFJG HOLDINGS, LLC  
APPLICATION TO REZONE THREE PARCELS  
GENERALLY LOCATED AT 801 DALTON STREET  
FROM THE “B-C” ZONE TO THE “I-M” ZONING  
DISTRICT – FILE NO. Z2023-108**

**GARY N. MCLEAN  
HEARING EXAMINER FOR THE CITY OF RICHLAND  
CITY HALL – 625 SWIFT BOULEVARD  
RICHLAND, WASHINGTON 99352**

1  
2  
3  
4  
5  
6  
7  
8  
9  
10  
11  
12  
13  
14  
15  
16  
17  
18  
19  
20  
21  
22  
23  
24  
25  
26

**VII. RECOMMENDATION.**

Based upon the preceding Findings and Conclusions, the Hearing Examiner recommends that the MFJG Holdings, LLC application (File No. Z2023-108) to rezone three parcels with about 4-acres from their current B-C (Business and Commerce) zone to the I-M (Medium Industrial) zoning district, which is consistent with the Comprehensive Plan’s “Industrial” land use designation assigned to the area, should be **APPROVED**.

ISSUED this 30<sup>th</sup> Day of January, 2024



\_\_\_\_\_  
Gary N. McLean  
Hearing Examiner

**FINDINGS OF FACT, CONCLUSIONS AND  
RECOMMENDATION RE: MFJG HOLDINGS, LLC  
APPLICATION TO REZONE THREE PARCELS  
GENERALLY LOCATED AT 801 DALTON STREET  
FROM THE “B-C” ZONE TO THE “I-M” ZONING  
DISTRICT – FILE NO. Z2023-108**

**GARY N. MCLEAN**  
**HEARING EXAMINER FOR THE CITY OF RICHLAND**  
CITY HALL – 625 SWIFT BOULEVARD  
RICHLAND, WASHINGTON 99352