

WHEN RECORDED RETURN TO:

Richland City Clerk's Office
625 Swift Boulevard, MS-07
Richland, WA 99352

ORDINANCE NO. 02-21

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 to change the zoning on 3.1 acres from Agricultural (AG) to Neighborhood Retail (C-1); said property being generally located at the northwest corner of the intersection of Steptoe Street and Center Parkway, and adopting the findings and conclusion of the Richland Hearing Examiner as the findings and conclusions of the Richland City Council.

WHEREAS, on January 11, 2021, the Richland Hearing Examiner held a duly advertised public hearing to consider a petition from Richland 132, LLC d/b/a Hayden Homes to change the zoning of the property generally located at the northwest corner of the intersection of Steptoe Street and Center Parkway; and

WHEREAS, on February 2, 2021, the Richland Hearing Examiner issued a written decision recommending approval of the requested rezone; and

WHEREAS, after holding a closed-record review hearing, Richland City Council has considered the record created at the January 11, 2021 public hearing and the written recommendation of the Richland Hearing Examiner.

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

Section 1. The findings and conclusions of the Richland Hearing Examiner, as provided in the February 2, 2021 written recommendation, 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 Neighborhood Retail (C-1) when consideration is given to the interest of the general public.

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

LOT 8, CLEARWATER CREEK PHASE 3. PARCEL IDENTIFIED BY
BENTON COUNTY PARCEL IDENTIFICATION NUMBER 1-0188-103-
000-008

Section 4. Such property is rezoned from Agricultural (AG) to Neighborhood Retail (C-1).

Section 5. Richland Municipal Code Title 23 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 No. 20, which is one of a series of maps constituting said Official Zoning Map, as shown on the attached **Exhibit B**, and bearing 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 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. 20, duly certified by the City Clerk as a true copy.

Section 7. This Ordinance shall take effect 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 2nd day of March, 2021.



Ryan Lukson, Mayor

Attest:



Jennifer Rogers, City Clerk

Approved as to form:



Heather Kintzley, City Attorney

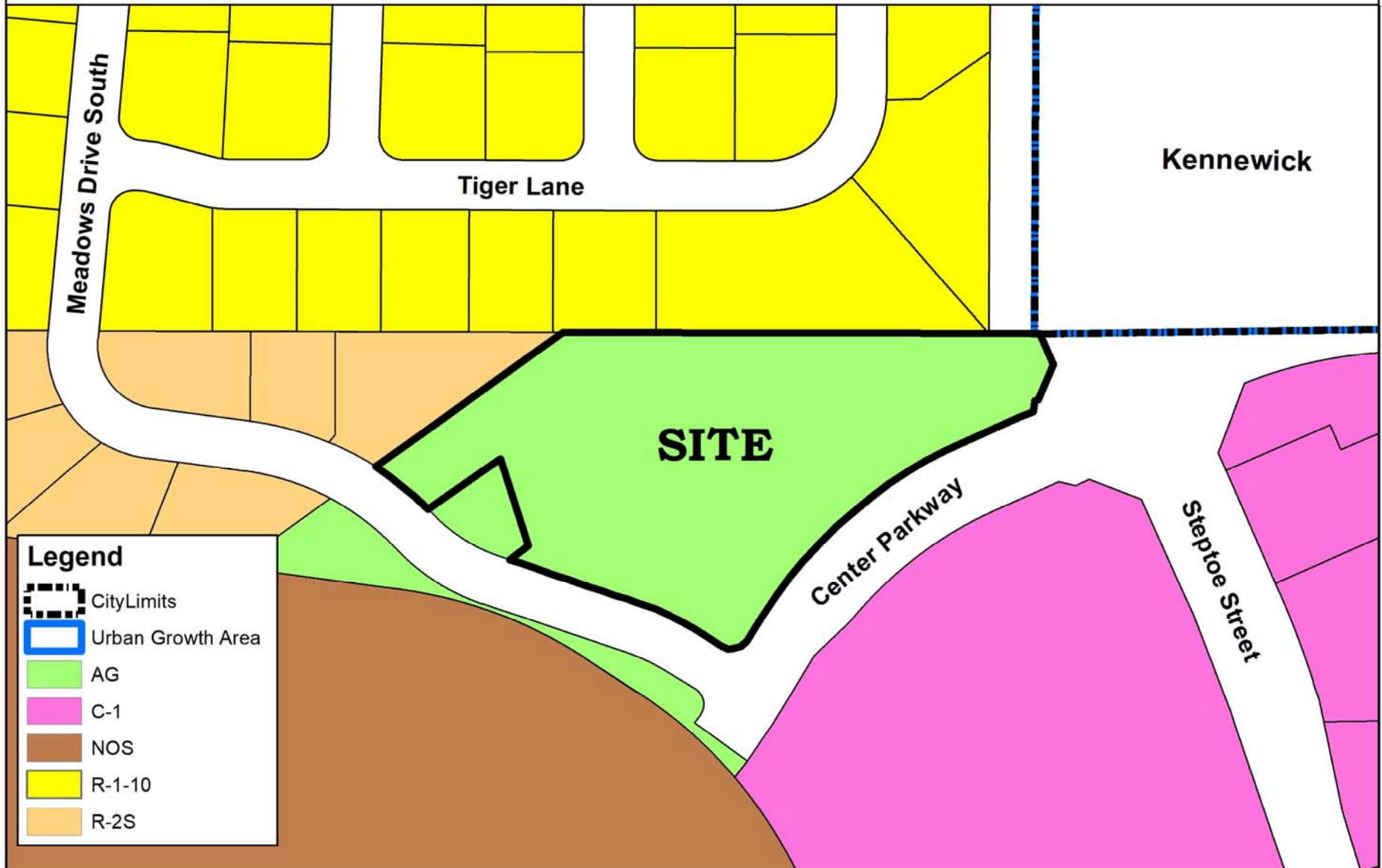
Date Published: March 7, 2021

Zoning Map

Item: Rezone AG to C-1

Applicant: Richland 132, LLC (Hayden Homes)

File #: Z2020-105



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

Regarding the Application to *Rezone* a 3.1-
acre site from its current placeholder AG
(Agricultural) zone to a Commercial land
use designation, the C-1 (Neighborhood
Retail) zoning district, which is consistent
with Comprehensive Plan's Commercial
land use designation assigned to the area,
submitted on behalf of the property owner,

File No. Z2020-105

**FINDINGS OF FACT,
CONCLUSIONS AND
RECOMMENDATION**

**RICHLAND 132, LLC, DBA HAYDEN
HOMES,**

Applicant

I. SUMMARY OF RECOMMENDATION.

The applicant, Richland 132, LLC, dba Hayden Homes, can meet its burden of proof to demonstrate that its requested rezone merits approval. The site is now designated as suitable for Commercial land uses under the City's Comprehensive Plan, and the request is to rezone the property from its current placeholder AG (Agricultural) zone to a Commercial zone, the C-1 (Neighborhood Retail) zoning district.

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. Limited written comments (*Ex. 5*) with general concerns about the type of businesses that might occupy the site or development restrictions that may apply within the BPA easement area that runs through a portion of the property are more appropriately directed at future project-specific development proposals that may come forward, and do not provide a basis in fact or law to deny the pending rezone request.

**FINDINGS OF FACT, CONCLUSIONS AND
RECOMMENDATION RE: HAYDEN HOMES
REZONE APPLICATION TO CHANGE A 3.1-ACRE
SITE FROM CURRENT AG (AGRICULTURAL)
ZONING TO THE C-1 (NEIGHBORHOOD RETAIL)
ZONING DISTRICT – FILE NO. Z2020-105**

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

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1 area has increased, and demand for neighborhood retail businesses has increased. The requested
2 rezone could allow for local businesses to serve nearby residents, hopefully reducing driving distances
and increasing convenience for surrounding residents.

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

5 *Short Answer:* Yes, because the rezone is fully consistent with the City's Comprehensive
6 Plan, and any future, project-specific proposal will have to meet city development regulations,
including SEPA, possible subdivision codes, traffic impact reviews, public infrastructure concurrency
reviews, and payment of any impact fees in effect at the time of an application.

7 IV. RECORD.

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

11 Public notices regarding the application and public hearing were mailed and posted as
12 required by city codes prior to the public hearing, which occurred on January 11, 2021. Before the
hearing, the City only received two written comments. (*Ex. 5*).

13 *Hearing Testimony:* Only Senior Planner, Shane O'Neill, and the applicant's designated
14 representative, Brian Thoreson, asked to present testimony under oath during the public hearing.
Given the ongoing limits placed on public gatherings due to the Covid-19 public health emergency,
15 the Examiner conducted the public hearing via online communication means, coordinated by city
staff, which included video images of participants and several exhibits. Staff confirmed that no one
else was online or phoned in to participate in the hearing.

16 *Exhibits:* The Development Services Division Staff Report for the requested Rezone,
17 including a recommendation of approval, was provided to the Examiner before the hearing on January
11th. The Staff Report, and the following Exhibits, were all accepted into the Record in their entirety
18 without modification:

- 19 1. Application materials for Rezone;
- 20 2. Final Plat of Clearwater Creek Phase 3;
- 21 3. Ordinance No. 38-14;
- 22 4. Public Notices;
- 23 5. Written Comments, only two; and
- 24 6. Site Photos

25 The Examiner has visited the road network and vicinity of the proposed rezone on multiple
26 occasions over the past few years in connection with other applications, and is fully advised on matters

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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 November 4, 2020, Richland 132, LLC (dba Hayden Homes) filed an application with the City, petitioning to rezone a 3.1-acre site from Agricultural (AG) to Neighborhood Retail (C-1). (*Staff Report, page 2; and Exhibit 1*).

2. The entire rezone property is Lot 8 of the Clearwater Creek Phase 3 Final Plat, approved by the City Council in late 2016. (*Ex. 2*). The site generally forms the northwest corner of the intersection of Steptoe Street and Center Parkway. (*Staff Report, page 2, Figure 1*). The project site is a single tax parcel, numbered 1-01881030000008.

3. The Staff Report explains that the purpose of this request is to align the site's zoning with the Comprehensive Plan's Commercial land use designation already assigned to the property, and to allow for development commonly applied at the intersection of arterial roadways. (*Staff Report, page 2*).

4. Previously, the subject parcel was inadvertently omitted from the original rezone ordinance for the greater Clearwater Creek preliminary plat. As a result, the subject parcel currently retains its original Agriculture zoning. Hayden Homes aims to prepare the site for future sale as they are not commercial developers. (*Staff Report, page 2; Ex. 3, Ord. No. 38-14, rezone action for Clearwater Creek plat area; Testimony of Mr. Thoreson*).

5. There is no dispute that the property at issue is currently inconsistent with the City's Comprehensive Plan, as it retains an AG (Agricultural) designation instead of a Commercial designation shown for the site in the Comp Plan Land Use Map for the area. (*Staff Report, page 9, Figure 5, Comprehensive Plan Map for vicinity*).

6. The purpose of this request is to zone the site in a manner consistent with the city's Comprehensive Plan. (*Ex. 1, application, on page 2; Staff Report, page 2*).

7. Changed circumstances also support the requested rezone from an AG zone to the C-1 zone. For example, the requested C-1 zone will hopefully provide future owners with economically viable and realistic options for redeveloping the property with Neighborhood Retail uses that can serve the growing area and new residents in recently developed subdivisions, which would clearly be in the public's interest.

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8. 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. (*See summary of Record, in Sec. IV above*). Comments were generally focused on conditions and considerations that could be relevant in future development application processes, but not this rezone application.

9. Because staff deemed the application to be consistent with the City's Comprehensive Plan, which already designates the rezone site as suitable for Commercial land uses, and the City's plan was analyzed in an environmental impact statement at the time of its adoption, the pending application is categorically exempt from SEPA review as provided in WAC 197-11-800(6)(c). (*Staff Report, page 7; Official notice from record of previous rezone matters re: City SEPA process(es) undertaken when Comprehensive Plan was adopted and amended*).

10. The rezone is not likely to have any material impact on capacity for the existing local street system serving the property. The Staff Report indicates that future vehicle access onto the site is likely to come from Meadows Drive South, but that future development reviews might allow for right-in-right-out access from Center Parkway. City transportation staff determined that the Center Parkway/Steptoe intersection now has sufficient capacity to accommodate the highest traffic-generating land uses permitted in the requested [C-1] zone without lowering the roadways' level of service (LOS) below level D, the standard set by the City Council for such intersection. (*Staff Report, page 7, discussion of traffic issues*).

11. The record does not include any evidence that the C-1 zone could allow for any uses that would be incompatible with surrounding uses. Instead, properties to the south/southeast, across Center Parkway and the Steptoe intersection, are already zoned C-1. (*Staff Report, page 4, zoning map for area*).

Summary of Public Hearing.

12. As explained above, the public hearing for this matter occurred on January 11th. Mr. O'Neill made a brief presentation regarding the application, current site conditions, growth and development in the area, and his recommendation of approval, as explained in the Staff Report. The applicant's designated representative, Mr. Thoreson, confirmed that he accepted the analysis and recommendation included in the Staff Report without objection or changes. No members of the general public appeared during the online hearing, by phone or computer, and Staff confirmed that no one reached out to say that they planned to participate in the hearing, other than people who were online for the hearing.

13. As explained in the Staff Report, the application materials, and the hearing testimony provided by Mr. O'Neill and Mr. Thoreson, the requested rezone would 'clean up' a mis-designated zoning for the property, inadvertently omitted from a prior rezone ordinance adopted for the Clearwater Creek Preliminary Plat.

14. The applicant indicates that it will most likely sell the property, for development by another owner. As with all rezone applications, future plans are not binding on an applicant, and do not serve

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as a basis to deny the requested rezone.

15. The requested rezone is fully consistent with land use policy goals in the City's Comprehensive Plan. (*Staff Report, pages 8-10*). No one testified to express concerns with or opposition to this rezone application.

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

16. As part of the review process, City staff confirmed that adequate utilities, including without limitation water, power, and sewer, are in place and/or readily available to serve the parcel that is at issue in this matter. (*Staff Report, pages 5, 6*).

Consistency with City Codes and Comprehensive Plan.

17. As explained elsewhere in this Recommendation, the rezone site is already designated as "Commercial" in the City's Comprehensive Plan, and the request is to modify the classification from its original placeholder zone, the AG designation, first assigned upon annexation in 2007, to a Commercial classification, the C-1 (Neighborhood Retail) zone. (*Staff Report, pages 10-11, Background and Analysis discussion*).

18. Based on the record, the Examiner finds and concludes that the requested rezone to finally apply a Commercial classification to the site instead of the AG zone in an area where a mix of similar C-1 uses/other C-1 zoned properties can be found, and growing numbers of local residents near the site who will be able to receive services from businesses allowed in such zone, is appropriate. The requested C-1 zone is not inconsistent with existing land uses located on or zoning designations assigned to surrounding properties in the area. (*See Zoning Map provided on page 4 of Staff Report, Figure 2*).

19. Standing alone, the requested rezone conforms to the Comprehensive Plan, because the plan already identifies the property as suitable for Commercial uses.

General findings.

20. 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.

21. The Development Services Division Staff Report, prepared by Mr. O'Neill, 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.

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22. 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 Staff Report and testimony in the record demonstrate that the proposed rezone will not require new public facilities and that there is capacity within the transportation network, the utility system, and other public services, to accommodate all uses permitted in the new C-1 zone requested herein. The rezone from AG to a Commercial zoning classification (C-1) will make the property compatible with the character of the existing uses and zoning districts surrounding the site.

4. 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 serve as a boost for redevelopment plans on the property, which would include uses allowed in the City's Neighborhood Retail zone, to the benefit of residents occupying homes in surrounding subdivisions.

5. 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.

6. 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, impact fees, setbacks, and the like, will apply to any future project built on the site.

7. Based on the record, the applicant demonstrated its rezone application merits approval, meeting its burden of proof imposed by RMC 19.60.060.

8. 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.

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1 9. Any finding or other statement contained in this Recommendation that is deemed to be a
2 Conclusion is hereby adopted as such and incorporated by reference.

3 **VII. RECOMMENDATION.**

4 Based upon the preceding Findings and Conclusions, the Hearing Examiner recommends that
5 the Hayden Homes Rezone application (File No. Z2020-105) to reclassify a 3.1-acre site from its
6 current Agricultural (AG) land use designation to a Commercial land use designation, the C-1
7 (Neighborhood Retail) zoning district, which is consistent with the Comprehensive Plan's
8 Commercial land use designation assigned to the area, should be **APPROVED**.

9 ISSUED this 2nd Day of February, 2021

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11 _____
12 Gary N. McLean
13 Hearing Examiner
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25 **FINDINGS OF FACT, CONCLUSIONS AND**
26 **RECOMMENDATION RE: HAYDEN HOMES**
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**CITY OF RICHLAND DEVELOPMENT SERVICES DIVISION
STAFF REPORT TO THE HEARING EXAMINER**

GENERAL INFORMATION:

PROPOSAL NAME: Hayden Homes Rezone

LOCATION: The project site occupies the northwest corner of the intersection of Steptoe Street and Center Parkway (APN: 1-01881030000008).

APPLICANT: Richland 132, LLC, dba Hayden Homes

FILE NO.: Z2020-105

DESCRIPTION: Request to change zoning of an approximately 3.1-acre site from AG (Agricultural) to Neighborhood Retail (C-1).

PROJECT TYPE: Type 3A Site-Specific Rezone

HEARING DATE: January 11, ~~2020~~ ← 2021

REPORT BY: Shane O'Neill, Senior Planner

RECOMMENDED ACTION: Approval

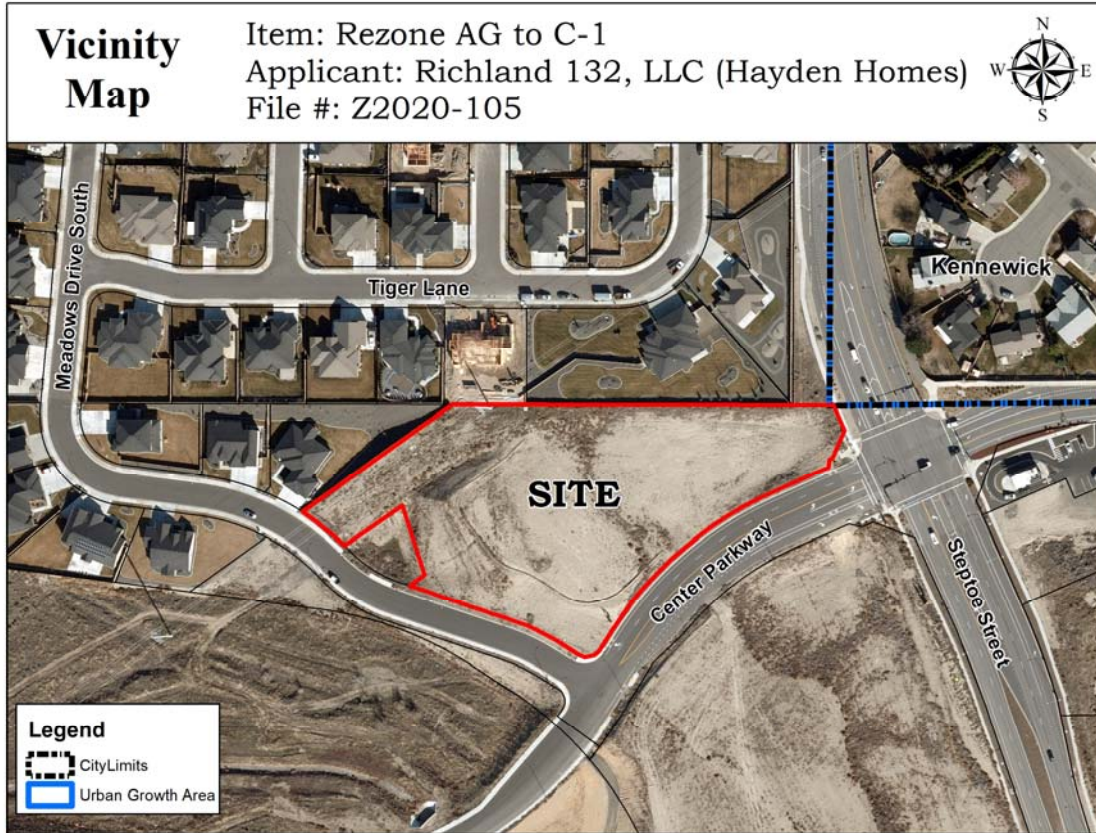


Figure 1 - Vicinity Map

DESCRIPTION OF PROPOSAL

On November 4, 2020, Richland 132 LLC (dba Hayden Homes) filed an application (Exhibit 1) with the City, petitioning to rezone a 3.1-acre site from Agricultural (AG) to Neighborhood Retail (C-1). The purpose of this request is to align the site's zoning with the city's Comprehensive Plan commercial land use designation and to allow for development commonly applied at the intersection of arterial roadways. Previously, the subject parcel was inadvertently omitted from the original rezone ordinance (Ord. 38-14, Exhibit 3) for the greater Clearwater Creek preliminary plat. As a result, the subject parcel currently retains its original Agriculture zoning. Hayden Homes aims to prepare the site for future sale as they are not commercial developers.

SITE DESCRIPTION & ADJACENT LAND USES

The site is comprised of one 3.1-acre parcel occupying the northwest corner of the intersection of Steptoe Street and Center Parkway (see Fig. 1 above). The parcel forms an irregular, approximately diamond-shaped trapezoid, measuring approximately 732 feet in its longest diagonal dimension, and 385 feet at its narrowest diagonal dimension.

Having been previously graded, the site topography rises up sharply from Meadows Drive South (west) to form a flat centrally-located pad which is level with Steptoe Street (east). Beginning along the west line of the site (Meadows Drive South), the property's elevation rises approximately 28 vertical feet (see Exhibit 6, site photos, herein). In contrast, beginning at the east property line (Steptoe Street), the site is nearly level with the flat pad. In terms of access, three of the property boundaries border public roadways for a cumulative distance of approximately 836 feet, including corners and other places where access is impractical.

The north site boundary abuts the rear yard of two (2) single-family homes belonging to The Heights at Meadow Springs residential subdivision. The eastern boundary of the site abuts the Steptoe Street public right-of-way. The south boundary of the site forms a corner at the intersection of Center Parkway and Meadows Drive South. The northwest property line adjoins the side yard of one single-family home belonging to Clearwater Creek, Phase 3 (Exhibit 2).

A 70-foot Bonneville Power Administration easement containing overhead electrical transmission lines, encumbers the first 70-feet inside of the northwesterly property line. This easement is illustrated in the final plat of Clearwater Creek, Phase 3 (Exhibit 2). Exhibit 2 also shows 'Tract A' appearing as a notch taken out of the subject site adjacent to the west property line and south of the 70' BPA easement. Tract A is not a part of the rezone request at-hand. Another notable feature in the vicinity is the concomitant city limits and Urban Growth Boundary lines which touch the northeast parcel corner. These lines separate Richland from Kennewick.

Having been previously cleared and graded, the subject site is devoid of any significant vegetation. The soil type is generally sand. During in-person site visits, Planning staff observed no animal burrows, dens or tracks. The weed-cover increases on the west-facing slope which leads down to a drainage swale with a culvert under the existing driveway. There is no tree cover or any woody plant species for that matter.

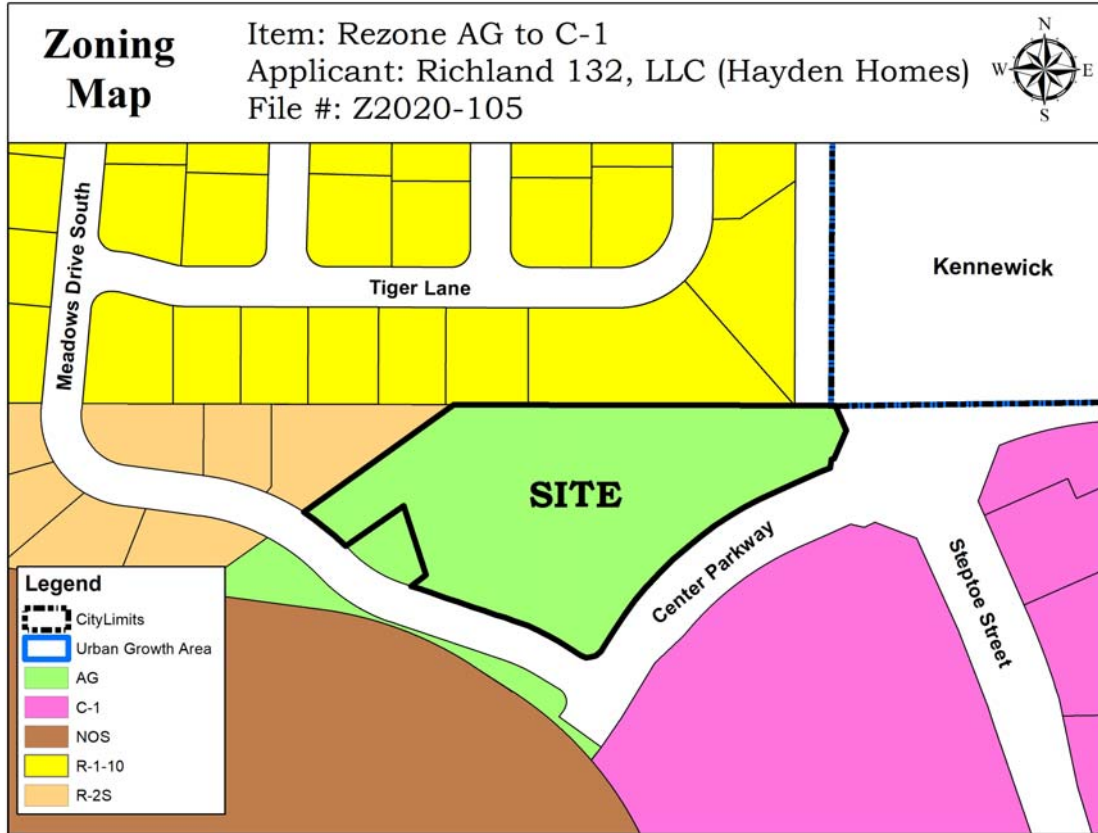


Figure 2 – Zoning Map

CURRENT ZONING

The zoning map above illustrates the site's current Agricultural (AG) zoning together with zoning assignments of adjacent and surrounding properties.

As stated in Richland Municipal Code Chapter 23.14, the Agricultural zone is primarily intended for open land uses such as grazing or pasture lands, agriculture, part-time small tract farming, cemeteries and parks. The Agricultural zone is intended for portions of the City designated as agriculture under the City's Comprehensive Plan. Richland's Comprehensive designates the subject for commercial land uses. This means the current AG zoning does not conform to the City's Comprehensive Plan in terms of land use.

SURROUNDING ZONING & LAND USES

North: Single-family neighborhood zoned **R-1-10**

East: Steptoe Street right-of-way; then a single-family neighborhood (**Kennewick**)

South: Center Parkway; then a vacant parcel zoned **C-1** belonging to Clearwater Creek

West: Meadows Drive South right-of-way; then a narrow, vacant parcel zoned **AG**

REQUESTED ZONING

The Neighborhood Retail (C-1) zone is a zone classification designed for areas which primarily provide retail products and services for the convenience of nearby neighborhoods with minimal impact to the surrounding residential area (23.22.010.B RMC). Neighborhood retail business zoning is intended for portions of the City benefitting from a commercial land use designation under the City's Comprehensive Plan. Richland's Comprehensive Plan designates the subject site for commercial land uses. This means the proposed C-1 zoning conforms to the City's Comprehensive Plan in terms of land use.

Business types permitted in the C-1 zone include but are not limited to: restaurants, offices, fitness facilities, fuel stations/mini-marts, cinemas and grocery stores.

PUBLIC NOTICE

Application Date:	November 4, 2020
Notice of Hearing Mailed:	November 30, 2020
Notice of Hearing Posted:	December 9, 2020
Notice of Hearing Published:	December 6, 2020
Public Hearing:	January 11, 2021

Notice of application and notice of hearing was provided through posting of the property, mailing of notice to property owners within 300 feet of the site and publication in the *Tri-City Herald* newspaper. Copies of the notices and affidavits are included in Exhibit 4. As of the date of this report, city staff received one comment from the general public (Exhibit 5). The comment, from the owner and resident of an adjoining residential property (2624 Tiger Lane), was more of an inquiry into C-1 zone zoning allowances than it was a specific comment on the proposal. Planning offered an explanation in response. The full sequence of correspondence is provided in Exhibit 5.

UTILITY AVAILABILITY

City utility mapping records indicate underground utility infrastructure as illustrated in Figure 3 provided below. Written explanations of each utility service are provided in the following sections.

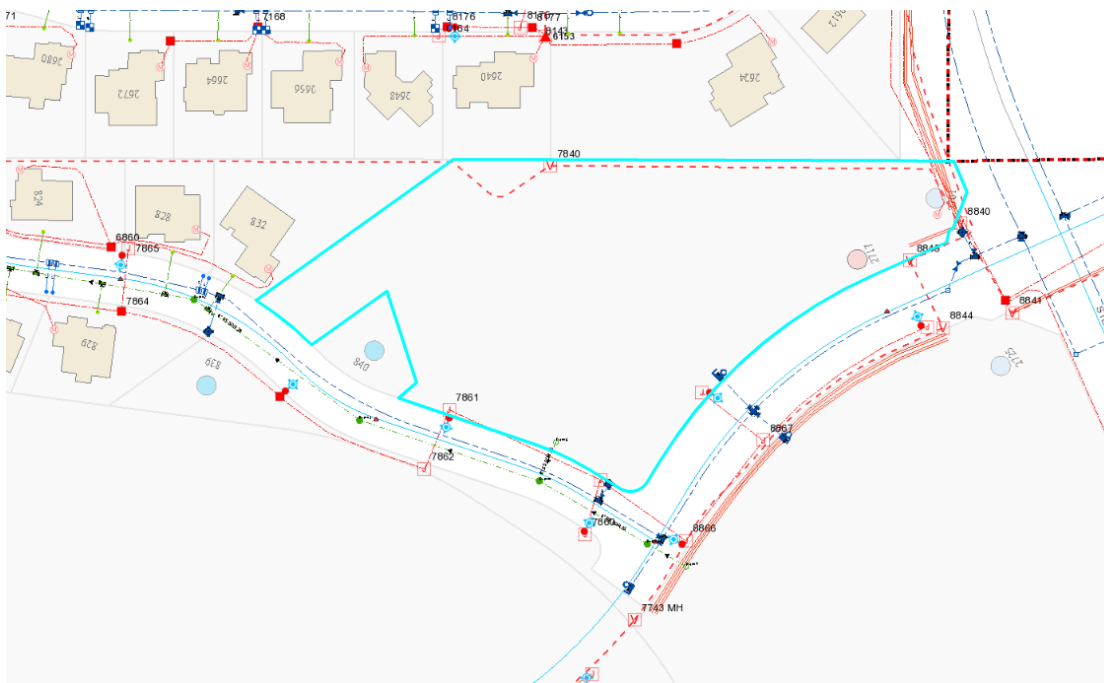


Figure 3 - Utilities Map

(Blue = water, Green = sewer, Red = electrical power)

SEWER

Meadows Drive South contains an eight (8) inch sewer main extending the full length of the sites' southwest frontage. This 8-inch main extends through the Center Parkway intersection. The respective Center Parkway frontage does not contain sewer service infrastructure.

WATER

An eight (8) inch water main located in Meadows Drive South; running the full length of the site and continuing to the Center Parkway intersection. Similarly, another eight (8) inch water main is located in the Center Parkway right-of-way; running the full-length of the property. Water service is currently stubbed to the site from Center Parkway. Fire hydrants are currently in-place adjacent to the site at the intersection of Center Parkway and Steptoe Street; and another at the corner of Center Parkway and Meadows Drive South.

ELECTRICAL POWER

Richland Energy Services (RES), a municipal public utility district, will service future development on the site. Underground power lines currently span the entire north property line. This line contains an in-line vault from which electrical service may be drawn. An additional primary electrical distribution line extends along the Steptoe Street frontage; crossing Center Parkway traveling south. Another in-ground electrical vault exists along the south property line adjacent to Center Parkway near the Steptoe intersection. All of these electrical facilities are in-place and are of adequate capacity to serve the additional load demand created by future residential and/or commercial development. Other electrical infrastructure exists near the intersection of Center Parkway and Meadows Drive South, however, these lines are only intended to service the existing street lights; there are two street lights on-site.

TRANSPORTATION

Richland's Traffic Engineer indicated direct access to the site from Center Parkway will likely be restricted for all future site developments. This means it is reasonable to expect future vehicle access to come from Meadows Drive South. At this time said access restriction is not set in-stone and may be revised subject to future development negotiations as right-in-right-out access from Center Parkway may be reasonable.

A cursory traffic impact review by the Richland Traffic Engineer (John Deskins) determined Center Parkway at Steptoe contains sufficient capacity to accommodate the highest traffic-generating land uses permitted in the requested [C-1] zone without lowering the roadways' level of service (LOS) below level D.

The site benefits from being adjacent to a major arterial roadway (Steptoe St.) which leads to W. Clearwater Ave. within 1,900 feet; which then leads directly to Highway 82. In terms of travel, the drive from the site to the highway is often low in traffic and uninterrupted by frequent stop signs or signals. This route has undoubtedly become more heavily used as the residential portion of Clearwater Creek approaches full development.

According to the most currently available transit route map, neither roadway adjacent to the site belong to Benton-Franklin Transit routes. The nearest transit stop lies approximately 0.5-miles to the east at the intersection of Center Parkway and West Deschutes Ave, in Kennewick.

EASEMENTS

The subject parcel contains a variety of easements which often times serve as *de-facto* setbacks or buffers as they too restrict building placement. Below is a brief list of easements encumbering the property; these easements are illustrated on the final plat of Clearwater Creek, Phase 3 (Exhibit 2):

- 5' irrigation easement around the south and west property lines
- 15' utility easement along the south and west property lines
- Variable-width slope [retention] easement at the corner adjacent to Steptoe Street
- 70' Bonneville Power Administration (BPA) overhead power transmission easement along the northwesterly property line
- 10' utility easement along the north and east property lines

SEPA

The proposal is not subject to State environmental review under the State Environmental Policy Act. Pursuant to WAC 197-11-800(6)(c) the rezone application qualifies as a categorically exempt action.

CRITICAL AREAS

According to the City's Critical Areas map (Fig. 4 below), the westerly two-thirds of the site present potential geological hazards, presumably due to steep terrain and/or unstable soil (sand). The USDA Natural Resources Conservation Service soils survey map identifies the primary native soil type as Hezel loamy fine sand, 2 to 15%

slope together with a small area of the site identified as Esquatzel fine sandy loam, 0 to 2% slopes. Richland Municipal Code imposes reporting requirements on any development on sites containing critical area overlays, as is the case with the subject site. Because critical areas reporting and review is guaranteed it is not necessary to burden the rezone with such a requirement by way of deed restriction. To ensure any proposed construction is built on stable substrate a site-specific geotechnical report will be required for future building permit(s).

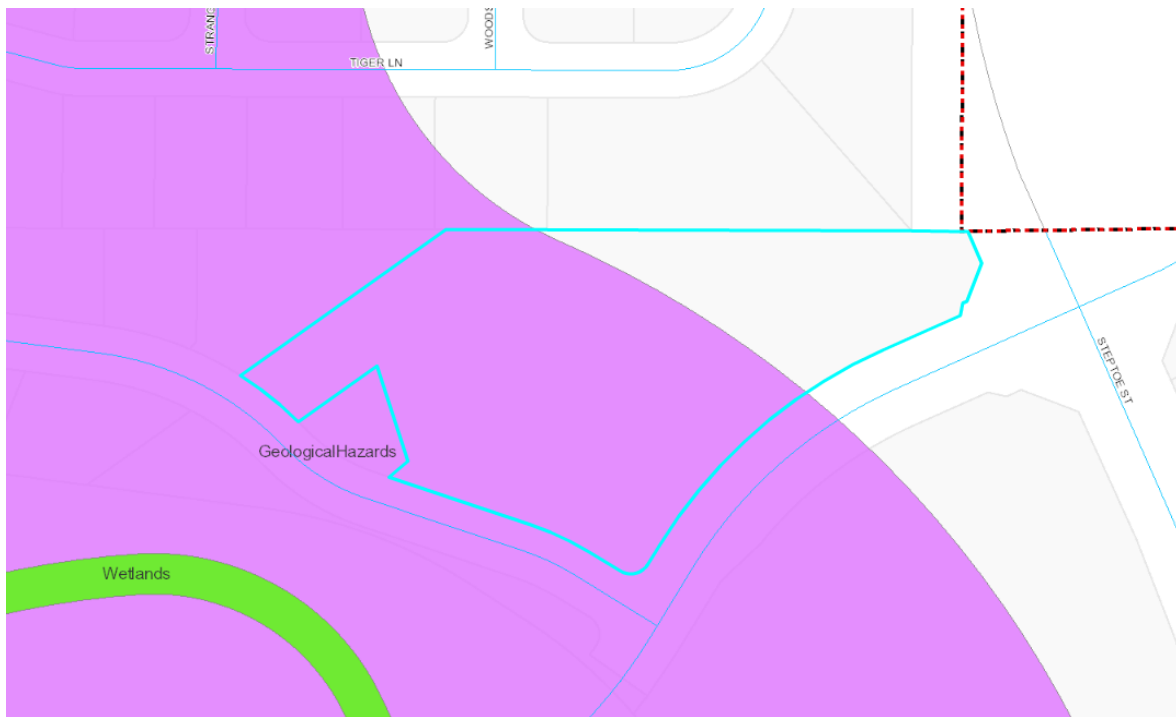


Figure 4 – Critical Areas Map

COMPREHENSIVE PLAN

Richland's Comprehensive Plan designates the subject site for Commercial land uses. The Neighborhood Retail (C-1) zone is included in the Commercial Zoning Districts chapter of the Zoning code (RMC 23.22). In this way the proposal is consistent with the Comprehensive Plan.

The following land use map (Fig. 5) illustrates the city's Comprehensive Plan land use designations for the site and surrounding vicinity as depicted by the city's GIS mapping database. The C-1 zoning classification is intended to be applied to portions of the city designated as Commercial under the City of Richland Comprehensive Plan.

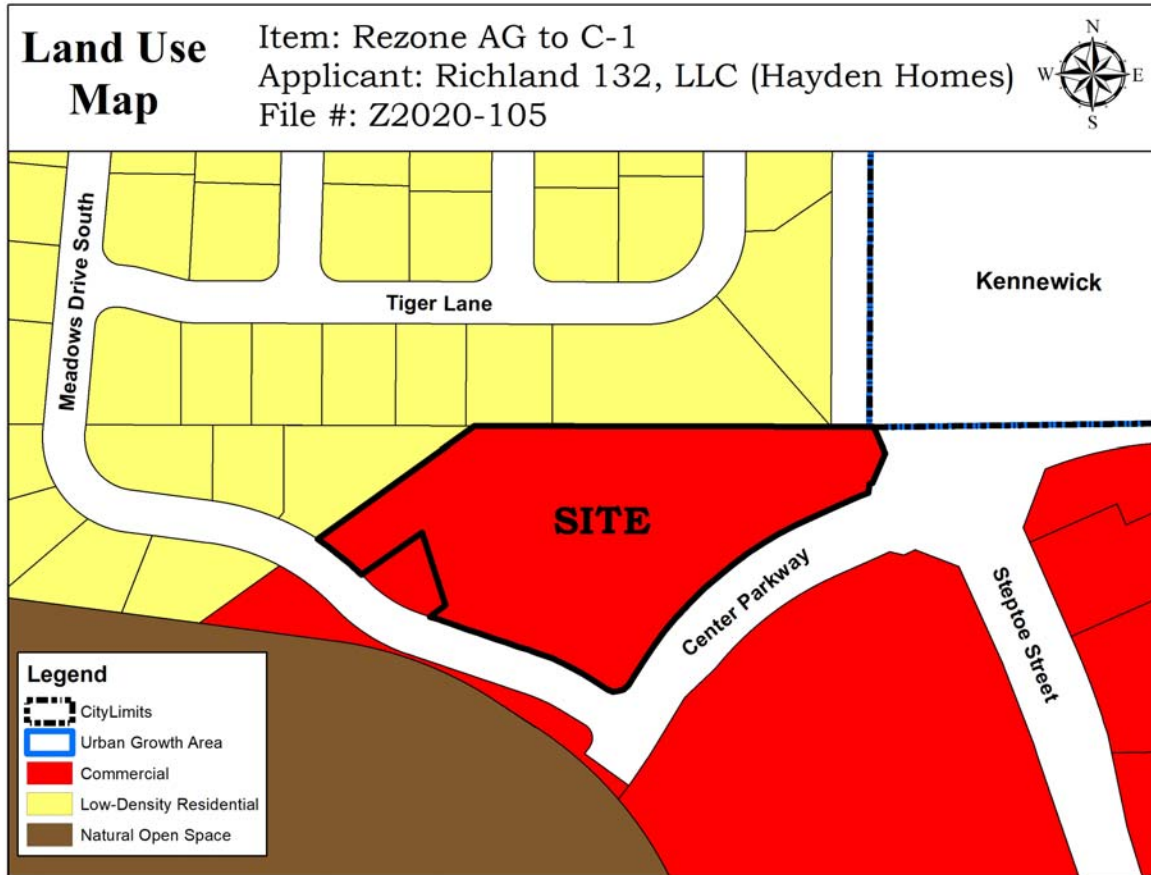


Figure 5 – Comprehensive Plan Map

The Comprehensive Plan contains the following goals and policy statements generally viewed as being in support of the proposed rezone application:

Land Use Goal 1:

Plan for growth within the urban growth area and promote compatible land use.

Policy 2 - Facilitate planned growth and infill developments within the City.

Land Use Goal 2:

Establish land uses that are sustainable and create a livable and vibrant community.

Policy 1 - Maintain a variety of land use designations to accommodate appropriate residential [and] commercial... uses that will take advantage of the existing infrastructure network.

Policy 3 – Ensure that the intent of the land use and districts are maintained.

LU Goal 4:

Promote commercial and industrial growth that supports the City's economic development goals.

Policy 1 - Accommodate a variety of commercial land uses including retail and wholesale sales and services, and research and professional services.

Policy 3 – Locate neighborhood-oriented commercial land uses in Neighborhood Retail Business area.

Land Use Goal 5:

Ensure connectivity that enhances community access and promotes physical, social, and overall well-being so residents can live healthier and more active lives.

Policy 1 – Locate commercial uses so that they conveniently serve the needs of residential neighborhoods, workplaces, and are easily accessible via non-motorized modes of transport.

BACKGROUND

The subject site, together with much more land to the north, was annexed into the City in 2007 through the adoption of Ordinance No. 07-75. In 2014, Council adopted Ordinance 38-14, setting the developer's desired zoning for the plat of Clearwater Creek (less the subject parcel). In 2014 the Richland City Council approved the preliminary plat of Clearwater Creek (S2013-100, Resolution 78-14), allowing 116-acres to be divided into 320 residential lots, a school site, and 11 open space tracts. Subdivision activities authorized under the preliminary plat expire in June of 2021. In 2016, Council passed Resolution 205-16, authorizing the final plat of Clearwater Creek, Phase 3 to be signed by the City Manager and to subsequently be recorded; to create the 9 lots therein.

At this time, the developer, Hayden Homes, is processing the last phase of residential platting (Phase 11) authorized by the respective preliminary plat. As the subdivision approaches its final stages, Hayden Homes turns their focus to the remaining tracts located at the subdivisions' primary entry; this is where we find the subject rezone parcel. Said tracts are separated from the bulk of the subdivision by a 400-foot wide KID irrigation channel, within which the developer has recreational trail construction obligations. As illustrated by the sites' commercial land use designation, commercial development in this location has been Hayden's plan since the plat's inception. The falter occurred in 2014 when, during the original rezone process, the subject site was inadvertently omitted from Ordinance 38-14.

ANALYSIS

Over the past six (6) years when the plat of Clearwater Creek began, the general vicinity has experienced a significant increase in residential construction. At this time, the 320-lot plat is nearing completion and the new residents would be best served to have some conveniently-located retail sales and service businesses. Approval of the application at-hand would facilitate the availability of neighborhood-scale retail services; thereby reducing travel time, and the associated vehicle emissions, for residents to access the goods and services they need.

It is the Planning Department's opinion that assigning C-1 zoning to this site is appropriate and the application (Z2020-105) warrants approval on the basis of merit.

This recommendation stems from several factors including: the integrated controls over the size and magnitude of commercial uses allowed in the C-1 zone, existing easements, topography, impacts of adjacent roadways and consistency with the Comprehensive Plan. Furthermore, the C-1 zone is suitable to act as a buffer between residential neighborhoods and high-impact land uses such as arterial roadways or heavy commercial or industrial businesses.

As a general zoning concept, agricultural zoning does not belong within an urban or urbanizing city as agricultural activity requires large open tracts of land which is a land use pattern that runs counter to the residential density and infill goals of cities planning under the Growth Management Act (GMA). Many activities associated with agriculture conflict with urban environments. These farming impacts include dust from land tilling, traffic obstruction from transporting farm equipment and vehicles, odor from livestock and broadcasting pesticides which invariably drift to adjacent lands. Within cities, application of agricultural zoning should instead be limited to areas encumbered by other permanent development restrictions such as floodplains or other critical areas.

As implied by its name, the Neighborhood Retail Business (C-1) zone permits land uses selected for their compatibility with adjacent residential neighborhoods based on a variety of considerations such as the likelihood residents will want or need their services, the potential nuisances they present and the intensity of those nuisances. Most land uses permitted in C-1 are likely to directly serve the needs of residents. Most of the permitted C-1 land uses have a low incidence of generating objectionable nuisances such as noise, dust, vibration and excessive light glare. In addition to the land use selection considerations, Richland's C-1 district contains integrated safeguards against such impacts, usually indicated as footnotes on the commercial land use table. These safeguards are triggered when and where commercial sites adjoin residential zones. Details about these protections are explained further in the section below.

BUFFERS & IMPACT MITIGATION

The following is intended to be a list of zoning regulations and site-specific factors which will serve to reduce potential impacts generated by commercial activity on the existing single-family homes bordering the subject site:

- The 70 BPA transmission line easement encumbering the northwest site boundary (see Exhibit 2) will serve as a long-term physical separation between the home on lot 3 of Clearwater Creek, Phase 3 (832 Meadows Drive South).
- C-1 zoning requires business activities to be conducted wholly within enclosed buildings, with few exceptions [23.22.020.B.1 RMC].
- When adjacent to single-family homes or zones, commercial development in the C-1 zone must be setback a minimum of thirty (30) feet from the residential zone [23.22.020.B.7.A RMC]. This standard will serve the existing homes adjacent to the site's north property line where the BPA easement does not exist.

- A ten-foot utility easement along the north property line encumbers the site.
- The north property lines experiences an immediate four-foot elevation difference.
- No single retail business, other than grocery stores, are allowed to exceed 15,000 square feet in area unless approved by way of special use permit [23.22.020.B.6].
- Parking lots and driveways must be setback a minimum of ten (10) feet from residential properties. Additionally, commercial developers shall first install solid fence or masonry wall between six and eight feet tall between parking facilities and any shared residential boundary [23.22.020.B.7.C RMC].
- The site is bound by roadways on the west, south and east which eliminates the possibility of residential development adjacent to the site on those sides.

FINDINGS AND CONCLUSIONS

Staff has completed its review of the request for a change in zoning (Z2020-103) and recommends approval of the request based on the following:

1. The site is comprised of one tax parcel 3.12-acres in area.
2. The subject site is a vacant parcel which has previously been graded.
3. Topography of the site is at road-grade to the east (Steptoe St.), and rises approximately 20-feet above road grade to the west (Meadows Drive South).
4. The subject parcel is otherwise identified as Benton County Assessor's Tax Parcel Number 1-01881030000008; Lot 8, Clearwater Creek, Phase 3, or Benton County Auditor File number 2016-037862.
5. The entire site is currently zoned Agricultural (AG) [23.14 RMC].
6. The surrounding vicinity is dominated by residential neighborhoods. Commercial site development is well positioned to serve residents of the vicinity; thereby offering the potential to enhance the health and general welfare of surrounding neighborhoods.
7. The existing 70-foot Bonneville Power Administration easement on-site together with integrated C-1 zone buffering requirements will serve to ameliorate impacts from commercial activities on the adjacent residential lots.
8. The site's north property line adjoins rear lots lines of the adjacent residential properties. Residential rear yards require 25-foot setbacks which are the largest residential setback dimensional requirement. A six-foot-tall block wall exists along the entire length of the north property line. The elevation of said residential lots rises approximately 4-feet above the rezone site immediately

at the shared property line (Exhibit 6). These three factors will act to lower the impacts of commercial activity on the adjacent home sites.

9. The nearest residential structure lies approximately 34-feet from the site's north property line.
10. The City of Richland Comprehensive Plan designates the subject site as suitable for commercial land uses.
11. The C-1 zone purpose statement (23.22.010.B RMC) states that C-1 zoning is intended to be applied to portions of the City commercially designated in the City's Comprehensive Plan. Establishment of the Neighborhood Retail Business (C-1) zoning district is thereby consistent with the intent of the Comprehensive Plan.
12. The site lies adjacent to three public roadways; Steptoe Street, Center Parkway and Meadows Drive South. Roadways generate objectionable impacts including dust, noise, light and glare which are disruptive to office and residential uses. Due to the level of roadway related impacts, this site is better suited for commercial use as indicated by the Comprehensive Plan.
13. The subject site lies in close proximity to Steptoe Street which is a major arterial roadway.
14. Center Parkway currently serves as the primary entrance to Clearwater Creek.
15. Center Parkway is the only thoroughfare serving Clearwater Creek.
16. The northeast corner of the subject site is immediately adjacent to the Richland City limits line and the Urban Growth Boundary.
17. Because the commercial land use designation aligns with the commercial rezone request, the application is exempt from the provisions of the State Environmental Policy Act (SEPA), as identified in WAC 197-11-800(6)(c).
18. Much of the utility infrastructure available to serve this site lies within Center Parkway and Meadows Drive South rights-of-way.
19. Residential development in the surrounding vicinity has increased significantly over the past six years when the preliminary plat of Clearwater Creek was approved. The Clearwater Creek preliminary plat authorizes 320 single family residential lots.
20. The broader segment of Richland surrounding the site lacks neighborhood-scale retail businesses.
21. Based on the above findings and conclusions, approval of the zone change request would be in the best interest of the community of Richland.

EXHIBIT LIST

1. Rezone Application
2. Final Plat of Clearwater Creek Phase 3
3. Ordinance 38-14
4. Public Notices
5. Comments
6. Site Photos



Exhibit 1

City of Richland
Development Services

625 Swift Blvd. MS-35
Richland, WA 99352
☎ (509) 942-7794
📠 (509) 942-7764

Z2020-105 Zoning Map Amendment Application

Note: A Pre-Application meeting is required prior to submittal of an application.

PROPERTY OWNER INFORMATION

☐ Contact Person

Owner: Richland 132, LLC

Address: 2464 SW Glacier Pl. Redmond, OR. 97756

Phone: (509) 492-0153

Email: bthoreson@hayden-homes.com

APPLICANT/CONTRACTOR INFORMATION (if different)

☐ Contact Person

Company: Richland 132, LLC

UBI#:

Contact: Brian Thoreson

Address: 2464 SW Glacier Pl. Redmond, OR. 97756

Phone: (509) 492-0153

Email: bthoreson@hayden-homes.com

DESCRIPTION OF WORK

The owner intends to rezone Lot 8 of the Clearwater Creek Phase 3 final plat to the C-1 commercial zone. The parcel size is 135,955 square feet (3.12 acres) and is currently zoned Agriculture.

PROPERTY INFORMATION

Parcel #: 101-881-030-000-008

Legal Description: Lot 8 Clearwater Creek Phase 3, recorded in volume 15, page 549

Current Zoning: AG

Current Comp Plan: Commercial

Requested Zoning: C-1

Current Use: Vacant

Proposed Use: Undetermined

Area of Property: 135,955 square feet

APPLICATION MUST INCLUDE

1. Completed application and filing fee
2. Title Report showing ownership, easements, restrictions, and accurate legal description of the property involved
3. Other information as determined by the Administrator

ANSWER THE FOLLOWING AS COMPLETELY AS POSSIBLE

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

N/A

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

Given the location of the property, leaving it zoned AG is not the best use, as the property is not large enough to farm creating no value to the owner.

<p>The manner in which the proposed rezone conforms to patterns in adjacent zones:</p> <p>The proposed rezone matches the current zoning of the property to the south and south east across Center Parkway and Steptoe Street.</p>
<p>Any beneficial or adverse effects the granting or denial of the rezone would have on adjacent or surrounding zones:</p> <p>Benefits of granting the rezone will create consistency in the area by matching the current zoning of adjacent properties. Adverse affects of denying the application will leave property undeveloped and vacant in a growing area of the city.</p>
<p>Any beneficial or adverse effects the granting or denial of the rezone would have in relation to the overall purpose and intent of the comprehensive plan and this title:</p> <p>Same as above.</p>
<p>The benefits or detriments accruing to the City which would result from the granting or denial of this special permit:</p> <p>N/A</p>
<p>Whether the proposed rezone represents a better use of the land from the standpoint of the comprehensive plan than the original zone:</p> <p>The proposed rezone will comply with the current comprehensive plan.</p>
<p>Whether the proposed rezone represents spot zoning and whether a larger area should be considered:</p> <p>The proposed rezone does not represent spot zoning. The application request matches adjacent commercial zoning.</p>
<p>Identify impacts on the environment and public safety:</p> <p>No impacts are identified at this time.</p>

I authorize employees and officials of the City of Richland the right to enter and remain on the property in question to determine whether a permit should be issued and whether special conditions should be placed on any issued permit. I have the legal authority to grant such access to the property in question.

I also acknowledge that if a permit is issued for land development activities, no terms of the permit can be violated without further approval by the permitting entity. I understand that the granting of a permit does not authorize anyone to violate in any way any federal, state, or local law/regulation pertaining to development activities associated with a permit.

I hereby certify under penalty of perjury under the laws of the State of Washington that the following is true and correct:

1. I have read and examined this permit application and have documented all applicable requirements on the site plan.
2. The information provided in this application contains no misstatement of fact.
3. I am the owner(s), the authorized agent(s) of the owner(s) of the above referenced property, or I am currently a licensed contractor or specialty contractor under Chapter 18.27 RCW or I am exempt from the requirements of Chapter 18.27 RCW.
4. I understand this permit is subject to all other local, state, and federal regulations.

Note: This application will not be processed unless the above certification is endorsed by an authorized agent of the owner(s) of the property in question and/or the owner(s) themselves. If the City of Richland has reason to believe that erroneous information has been supplied by an authorized agent of the owner(s) of the property in question and/or by the owner(s) themselves, processing of the application may be suspended.

Brian Thoreson

Applicant Printed Name: _____

eSigned via SeamlessDocs.com

Brian Thoreson

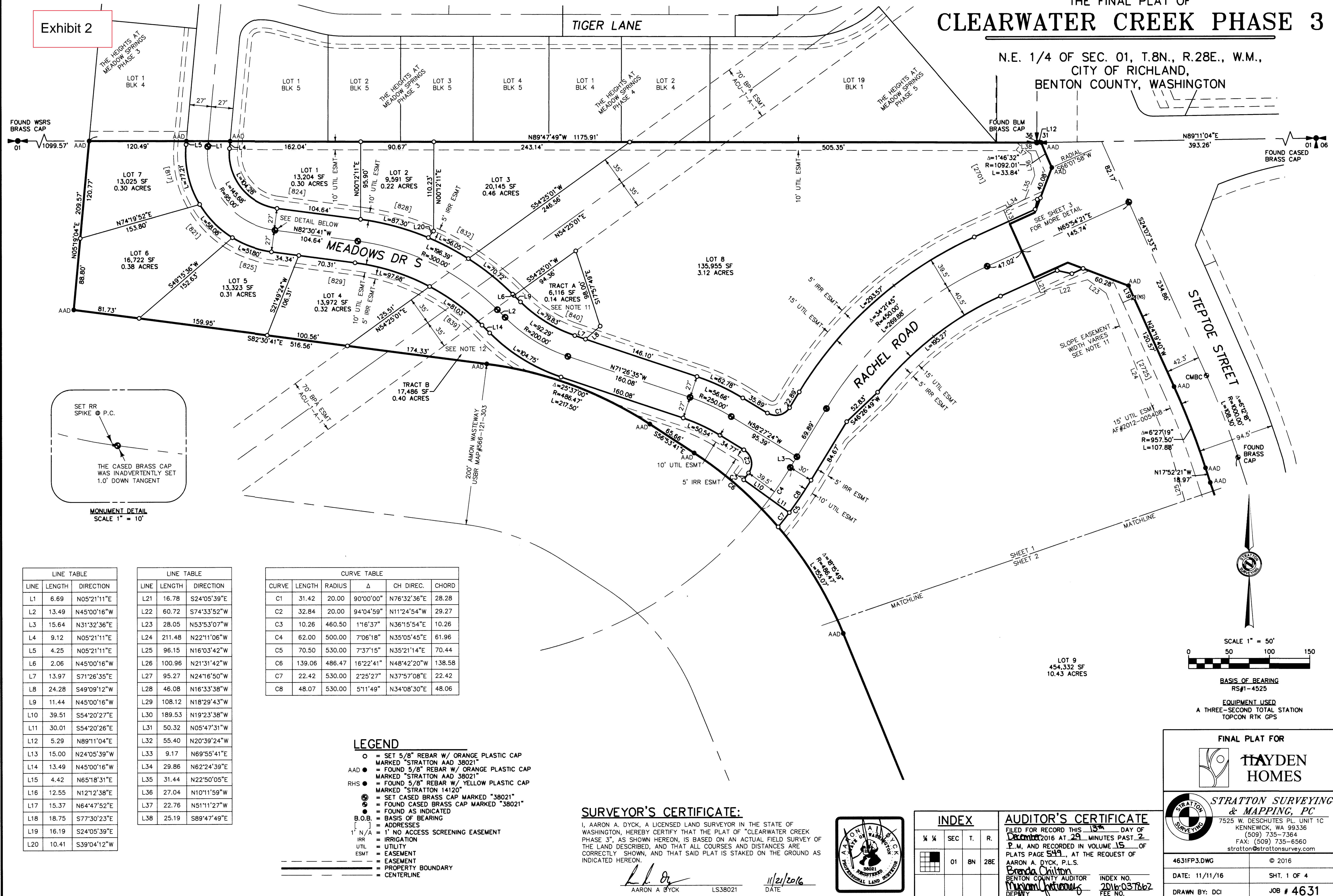
Key: 5c72afa06fc56080740d56b45e4d4d4d

Applicant Signature: _____

October 05, 2020

Date _____

Exhibit 2

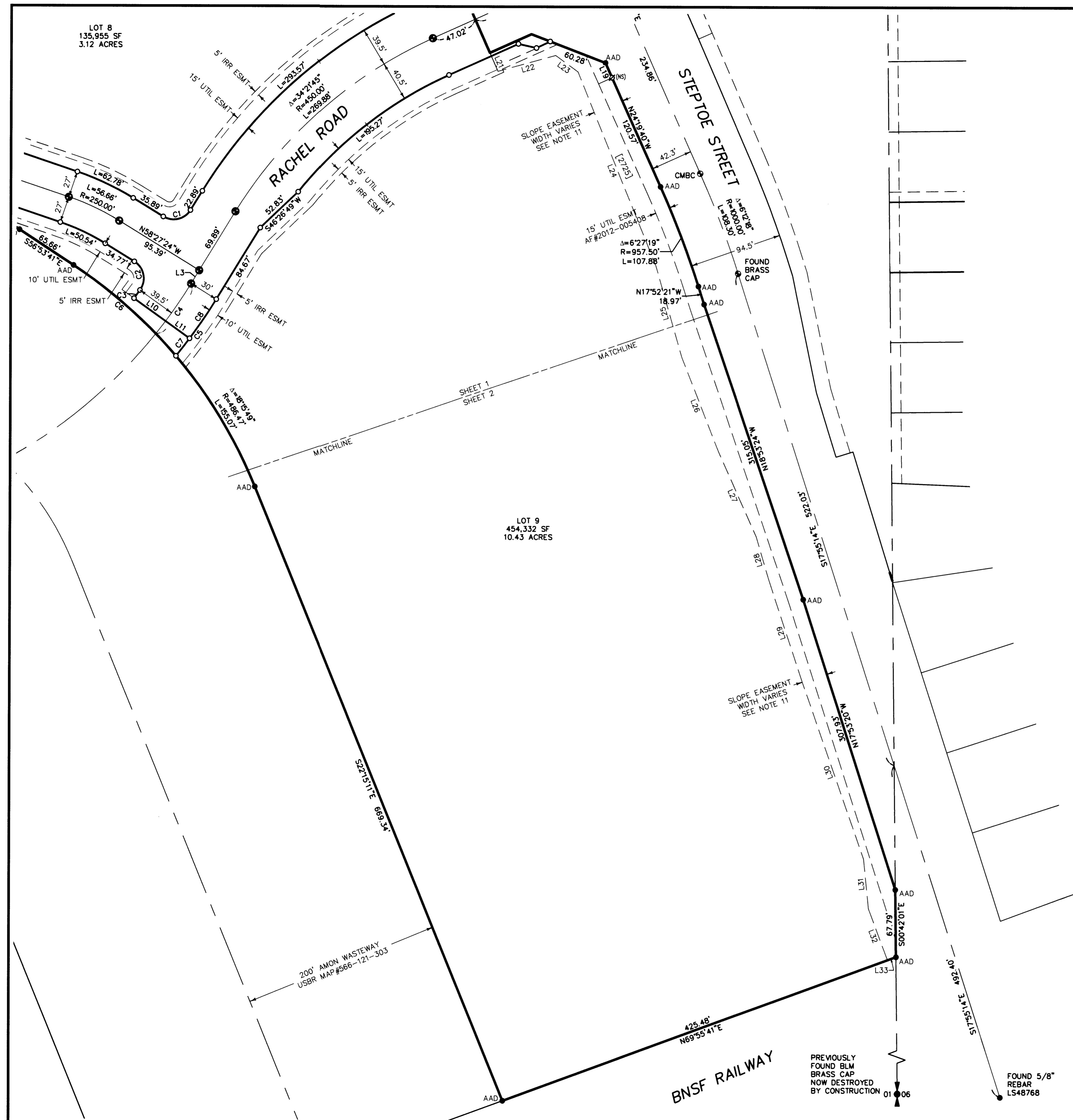
THE FINAL PLAT OF
CLEARWATER CREEK PHASE 3N.E. 1/4 OF SEC. 01, T.8N., R.28E., W.M.,
CITY OF RICHLAND,
BENTON COUNTY, WASHINGTON

THE FINAL PLAT OF CLEARWATER CREEK PHASE 3

N.E. 1/4 OF SEC. 01, T.8N., R.28E., W.M.,
CITY OF RICHLAND,
BENTON COUNTY, WASHINGTON



VICINITY SKETCH
NOT TO SCALE



SCALE 1" = 50'



FINAL PLAT FOR



HAYDEN HOMES



**STRATTON SURVEYING
& MAPPING, PC**

7525 W. DESCHUTES PL. UNIT 1C
KENNEWICK, WA 99336
(509) 735-7364
FAX: (509) 735-6560
stratton@strattonsurvey.com

4631FP3.DWG

© 2016

DATE: 11/11/16

SHT. 2 OF 4

DRAWN BY: DCE

JOB # 4631



11/21/2016

AUDITOR'S CERTIFICATE

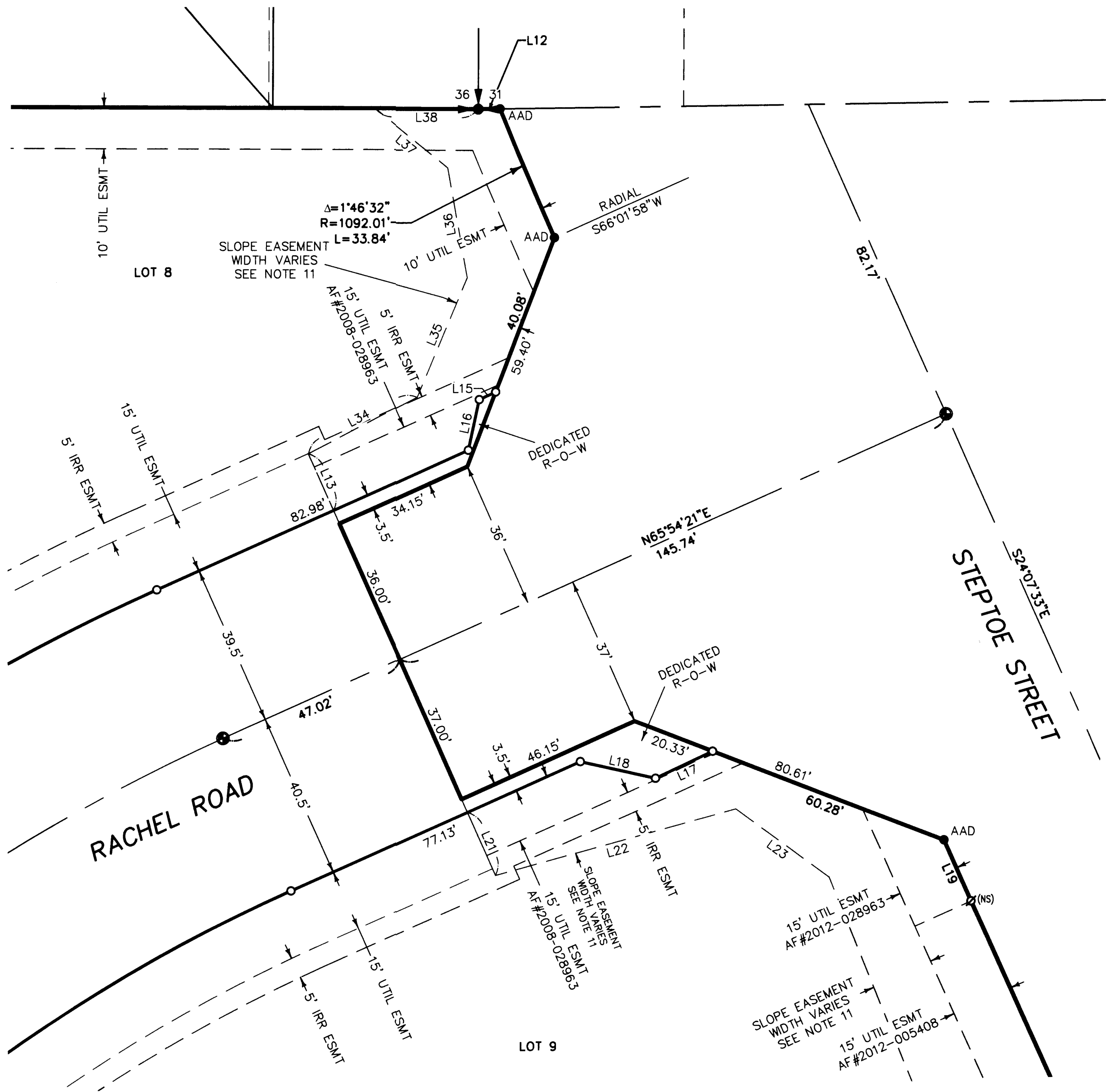
FILED FOR RECORD THIS 13th DAY OF
December, 2016 AT 29 MINUTES PAST 2
P.M. AND RECORDED IN VOLUME 15 OF
PLATS PAGE 549, AT THE REQUEST OF
AARON A. DYCK, P.L.S.
Brenda Chilton
BENTON COUNTY AUDITOR
Miriam Astor
DEPUTY
INDEX NO.
2D16-03786
FEE NO.

INDEX NO

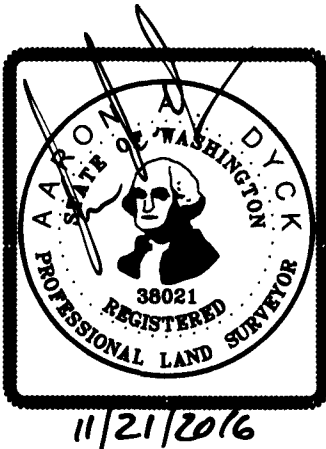
2016 C
EFF NO

THE FINAL PLAT OF
CLEARWATER CREEK PHASE 3

N.E. 1/4 OF SEC. 01, T.8N., R.28E., W.M.,
CITY OF RICHLAND,
BENTON COUNTY, WASHINGTON



BEARING	DISTANCE	PLAT CLOSURE			
		NORTH	SOUTH	EAST	WEST
N00°42'01\"W	67.79	67.7849	0.0000	0.0000	0.8285
N17°53'20\"W	307.93	293.0428	0.0000	0.0000	94.5874
N18°53'24\"W	315.05	298.0820	0.0000	0.0000	101.9981
N17°52'21\"W	18.97	18.0545	0.0000	0.0000	5.8219
N21°06'01\"W	107.82	100.5909	0.0000	0.0000	38.8153
N24°19'40\"W	120.57	109.8638	0.0000	0.0000	49.6695
N24°05'39\"W	16.19	14.7795	0.0000	0.0000	6.6094
N69°05'39\"W	80.61	28.7644	0.0000	0.0000	75.3033
S65°54'21\"W	46.15	0.0000	18.8402	0.0000	42.1292
N24°05'39\"W	73.00	66.6399	0.0000	0.0000	29.8013
N65°54'21\"E	34.15	13.9413	0.0000	31.1747	0.0000
N20°54'21\"E	59.40	55.4896	0.0000	21.1959	0.0000
N23°07'01\"W	33.84	31.1228	0.0000	0.0000	13.2859
S89°11'04\"W	5.29	0.0000	0.0753	0.0000	5.2895
N89°47'49\"W	1175.92	4.1690	0.0000	0.0000	1175.9126
S05°19'04\"W	209.57	0.0000	208.6680	0.0000	19.4228
S82°30'41\"E	516.56	0.0000	67.3234	512.1541	0.0000
S69°42'11\"E	215.69	0.0000	74.8200	202.2972	0.0000
S56°53'41\"E	65.66	0.0000	35.8622	55.0013	0.0000
S39°34'23\"E	289.65	0.0000	223.2661	184.5248	0.0000
S22°15'11\"E	669.34	0.0000	619.4878	253.4775	0.0000
N69°55'41\"E	425.48	146.0251	0.0000	399.6372	0.0000
		1248.351	1248.343	1659.463	1659.475



AUDITOR'S CERTIFICATE
FILED FOR RECORD THIS 15th DAY OF
December, 2016 AT 29 MINUTES PAST 2
P.M. AND RECORDED IN VOLUME 15 OF
PLATS PAGE 549 AT THE REQUEST OF
AARON A. DYCK, P.L.S.
Brenda Chilton
BENTON COUNTY AUDITOR
DEPUTY
INDEX NO.
2016-037862
FEE NO.

FINAL PLAT FOR
HAYDEN HOMES

STRATTON SURVEYING & MAPPING, PC
7525 W. DESCHUTES PL. UNIT 1C
KENNEWICK, WA 99336
(509) 735-7364
FAX: (509) 735-6560
stratton@strattonsurvey.com

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DATE: 11/11/16	SHT. 3 OF 4
DRAWN BY: DCI	JOB # 4631



THE FINAL PLAT OF
CLEARWATER CREEK PHASE 3

N.E. 1/4 OF SEC. 01, T.8N., R.28E., W.M.,
CITY OF RICHLAND,
BENTON COUNTY, WASHINGTON

DESCRIPTION

PARCEL 5
THAT PORTION OF PARCEL 3, BEING A 400.00 FOOT WIDE STRIP OF LAND, KNOWN AS THE AMON WASTEWAY, AS DEPICTED ON THE RECORD OF SURVEY RECORDED IN VOLUME 1 OF SURVEYS AT PAGE 4525 LYING IN SECTION 1, TOWNSHIP 8 NORTH, RANGE 28 EAST, BENTON COUNTY, WASHINGTON, DESCRIBED AS FOLLOWS:

BEGINNING AT THE SOUTHEAST CORNER OF SAID PARCEL 3 THENCE SOUTH 69°55'41" WEST ALONG THE SOUTHERLY LINE OF SAID PARCEL 425.48 FEET TO THE EASTERLY LINE OF SAID AMON WASTEWAY;
THENCE THE FOLLOWING COURSES ALONG SAID EASTERLY AMON WASTEWAY LINE:
NORTH 22°15'11" WEST 669.34 FEET TO THE BEGINNING OF A CURVE TO THE LEFT THE RADIUS POINT OF WHICH BEARS SOUTH 67°44'49" WEST 486.47 FEET, THENCE NORTHWESTERLY ALONG SAID CURVE 294.12 FEET THROUGH A CENTRAL ANGLE OF 34°38'30",
NORTH 56°53'41" WEST 65.66 FEET TO THE BEGINNING OF A CURVE TO THE LEFT THE RADIUS POINT OF WHICH BEARS SOUTH 33°06'19" WEST 486.47 FEET, THENCE NORTHWESTERLY ALONG SAID CURVE 217.50 FEET THROUGH A CENTRAL ANGLE OF 25°37'00",
NORTH 82°30'41" WEST 518.58 FEET;
NORTH 05°19'04" EAST 209.57 FEET TO THE END OF SAID COURSES AND THE NORTHERLY LINE OF SAID PARCEL;
THENCE SOUTH 89°47'49" EAST ALONG SAID NORTHERLY LINE 1175.92 FEET;
THENCE NORTH 89°11'04" EAST ALONG SAID LINE 5.29 FEET TO THE WESTERLY LINE OF STEPTOE STREET AND THE BEGINNING OF A NON-TANGENT CURVE TO THE LEFT THE RADIUS OF WHICH BEARS NORTH 67°48'30" EAST 1092.01 FEET; THENCE SOUTHEASTERLY ALONG SAID CURVE 33.84 FEET THROUGH A CENTRAL ANGLE OF 01°46'32",
SOUTH 20°54'21" WEST 59.40 FEET,
SOUTH 65°54'21" WEST 34.15 FEET,
SOUTH 24°54'21" EAST 73.00 FEET,
NORTH 65°54'21" EAST 48.15 FEET,
SOUTH 89°05'39" EAST 80.61 FEET,
SOUTH 24°05'39" EAST 16.19 FEET,
SOUTH 24°19'40" EAST 120.57 FEET TO THE BEGINNING OF A CURVE TO THE RIGHT THE RADIUS POINT OF WHICH BEARS SOUTH 65°40'20" WEST 957.50 FEET; THENCE SOUTHEASTERLY ALONG SAID CURVE 107.88 FEET THROUGH A CENTRAL ANGLE OF 06°27'19",
SOUTH 17°52'21" EAST 18.97 FEET,
SOUTH 18°53'24" EAST 315.05 FEET,
SOUTH 17°53'20" EAST 307.93 FEET TO THE END OF SAID COURSES AND THE EASTERLY LINE OF SAID PARCEL;
THENCE SOUTH 00°42'01" EAST ALONG SAID EASTERLY LINE 67.79 FEET TO THE SAID TRUE POINT OF BEGINNING.

CONTAINS 18.22 ACRES

DEDICATION

WE, THE UNDERSIGNED, HEREBY CERTIFY THAT WE ARE THE OWNERS OF THE TRACT OF LAND DESCRIBED HEREON AND THAT WE HAVE CAUSED SAID LAND TO BE SURVEYED AND PLATTED INTO LOTS AND TRACTS AND THAT ALL STREETS, ROAD RIGHTS-OF-WAY, UTILITY EASEMENTS, SHOWN HEREON ARE HEREBY DEDICATED TO THE PUBLIC AND THAT THIS SUBDIVISION SHALL HEREAFTER BE KNOWN AND DESIGNATED BY THE NAME CLEARWATER CREEK PHASE 3.

RICHLAND 132 LLC, A WASHINGTON LIMITED LIABILITY COMPANY

[Signature] MANAGER 11/15/16
SIGNED TITLE DATE

NORTHWEST BANK
[Signature] V.P. 11/22/16
SIGNED TITLE DATE

ACKNOWLEDGEMENT

STATE OF Oregon
COUNTY OF Deschutes

I CERTIFY THAT I KNOW OR HAVE SATISFACTORY EVIDENCE THAT Dennis P. Murphy IS THE PERSON WHO APPEARED BEFORE ME, AND SAID PERSON ACKNOWLEDGED THAT HE SIGNED THIS INSTRUMENT, ON OATH STATED THAT HE WAS AUTHORIZED TO EXECUTE THE INSTRUMENT AND ACKNOWLEDGED IT AS THE Manager OF Richland 132 LLC TO BE THE FREE AND VOLUNTARY ACT OF SUCH PARTY FOR THE USES AND PURPOSES MENTIONED IN THE INSTRUMENT.

DATED: November 15, 2016

[Signature] May 10, 2019
NOTARY PUBLIC MY APPOINTMENT EXPIRES



NOTARY STAMP
BLACK INK ONLY

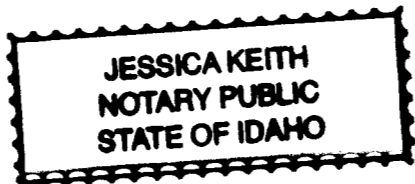
ACKNOWLEDGEMENT

STATE OF Idaho
COUNTY OF Ada

I CERTIFY THAT I KNOW OR HAVE SATISFACTORY EVIDENCE THAT Dan Watts IS THE PERSON WHO APPEARED BEFORE ME, AND SAID PERSON ACKNOWLEDGED THAT HE SIGNED THIS INSTRUMENT, ON OATH STATED THAT HE WAS AUTHORIZED TO EXECUTE THE INSTRUMENT AND ACKNOWLEDGED IT AS THE Vice President OF Northwest Bank TO BE THE FREE AND VOLUNTARY ACT OF SUCH PARTY FOR THE USES AND PURPOSES MENTIONED IN THE INSTRUMENT.

DATED: 11/22/16

[Signature] 8/18/2020
NOTARY PUBLIC MY APPOINTMENT EXPIRES



NOTARY STAMP
BLACK INK ONLY

NOTES

- ADDRESSES SHOWN IN BRACKETS ARE SUBJECT TO CHANGE BY THE CITY OF RICHLAND. ZIP CODE: 99352.
- CENTRALIZED DELIVERY UNITS (CDB/MAILBOX) TO BE INSTALLED PRIOR TO ISSUANCE OF ANY BUILDING PERMIT.
- THE PLAT OF CLEARWATER CREEK PHASE 3 LIES WITHIN THE BOUNDARY OF THE SOUTH RICHLAND COLLECTOR STREET FINANCING PLAN (RMC 12.03). AS SUCH, EACH BUILDING PERMIT WITHIN THE PLAT SHALL THEREFORE BE SUBJECT TO THE FEES ADMINISTERED BY THE FINANCE PLAN FOR ANY PHASE SUBMITTED FOR APPROVAL.
- ALL LANDSCAPED AREAS WITHIN THE PLAT THAT ARE IN THE PUBLIC RIGHT OF WAY SHALL BE THE RESPONSIBILITY OF THE HOMEOWNERS TO MAINTAIN.
- ALL LOTS WITHIN THE PLAT THAT ABUT THE AMON WASTEWAY OR THE AMON PRESERVE ARE SUBJECT TO THE CITY'S WILD LAND FIRE PROTECTION REQUIREMENTS AS DELINEATED IN RICHLAND MUNICIPAL CODE SECTION 21.01.030 OR AS THEY MAY BE MODIFIED IN THE FUTURE. ALL STRUCTURES BUILT ON THESE LOTS MUST BE DEVELOPED WITH NONCOMBUSTIBLE SIDING, SOFFIT, AND SKIRTING ON THE SIDE ADJACENT TO THE WILD-LAND AREA. DECKS OR PORCHES 36 INCHES OR LESS IN HEIGHT SHALL HAVE SKIRTING. SKIRTING SHALL BE SUFFICIENTLY CONSTRUCTED SO AS NOT TO ALLOW THE ACCUMULATION OF COMBUSTIBLE MATERIAL UNDER THE DECK OR PORCH. THE AREA UNDER THE DECK OR PORCH SHALL NOT BE USED FOR STORAGE.
- INDIVIDUAL LOTS SHALL MEET ALL CONDITIONS AS NOTED IN THE FINAL GEOTECHNICAL REPORT FROM GN NORTHERN SITE INVESTIGATION/GEOLOGICAL HAZARD ASSESSMENT AND CRITICAL AREAS REPORT, DATED NOVEMBER 18, 2013. FOOTINGS SHALL BE DESIGNED UTILIZING A SOIL BEARING CAPACITY OF 1500 POUNDS PER SQUARE FOOT (PSF). MAXIMUM SLOPES SHALL BE 2.5H:1V.
- NO GRADING MAY BE PERFORMED OR ANY PERMANENT STRUCTURE BUILT WITHIN THE BUREAU OF RECLAMATION RIGHT-OF WAY WITHOUT AN APPROVED PERMIT FROM THE KENNEWICK IRRIGATION DISTRICT AND/OR UNITED STATES BUREAU OF RECLAMATION, WHEN APPLICABLE.
- THIS PROPERTY IS LOCATED WITHIN THE BOUNDARIES OF THE KENNEWICK IRRIGATION DISTRICT AND IN THE IMMEDIATE VICINITY OF IRRIGATION INFRASTRUCTURE. PLEASE REFER TO WWW.KID.ORG FOR FURTHER INFORMATION.
- ACCESS POINTS ONTO RACHEL ROAD SHALL BE NO CLOSER THAN 300--FEET FROM THE INTERSECTION WITH STEPTOE STREET.
- LOTS 1 - 7 SHALL COMPLY WITH R1-10 SINGLE FAMILY RESIDENTIAL ZONING STANDARDS FOR SETBACKS, LOT COVERAGE AND BUILDING HEIGHT.
- PORTIONS OF THE SLOPE EASEMENT AFFECTING LOTS 8 AND 9 CAN BE RELINQUISHED PENDING ACCEPTANCE OF AN ENGINEERED RETAINING WALL.
- TRACT A, A STORM WATER RETENTION FACILITY, IS HEREBY DEDICATED TO THE CITY OF RICHLAND, WA.
- TRACT B WILL BE OWNED AND MAINTAINED BY THE CLEARWATER CREEK HOA.

IRRIGATION

I HEREBY CERTIFY THAT THE PROPERTY DESCRIBED HEREON IS LOCATED WITHIN THE BOUNDARIES OF THE KENNEWICK IRRIGATION DISTRICT BUT THAT THIS PROPERTY IS NOT CLASSIFIED AS IRRIGABLE LAND AND IS NOT ENTITLED TO IRRIGATION WATER UNDER THE EXISTING OPERATING RULES AND REGULATIONS OF THIS DISTRICT. I FURTHER CERTIFY THAT THE IRRIGATION EASEMENTS SHOWN ON THIS SHORT PLAT ARE ADEQUATE TO SERVE ALL LOTS SHOWN HEREON PER THE REQUIREMENTS OF RCW 58.17.310.

[Signature] 11-29-2016
KENNEWICK IRRIGATION DISTRICT DATE

APPROVALS:

THE PLAT, CLEARWATER CREEK PHASE 3, IS HEREBY APPROVED BY AND FOR THE CITY OF RICHLAND, STATE OF WASHINGTON, ANY EXISTING EASEMENTS LYING WITHIN THE BOUNDARIES OF THIS PLAT THAT ARE UNDER THE JURISDICTION OF THE CITY AND NOT SHOWN HEREON ARE HEREBY RELINQUISHED.

[Signature] 11/30/2016
CHAIRMAN, RICHLAND PLANNING COMMISSION DATE

[Signature] 12/2/2016
CITY ENGINEER, RICHLAND DATE

[Signature] 12/2/2016
CITY MANAGER, RICHLAND DATE

[Signature] 12/6/2016
CLERK, CITY OF RICHLAND DATE

I HEREBY CERTIFY THAT THE TAXES ON THE LAND DESCRIBED HEREON HAVE BEEN PD TO AND INCLUDING THE YEAR 2016 P.T.N. OF PARCEL NO. 101881000001008.9 2017 Advances Taxes

[Signature] 12-13-16
TREASURER, BENTON COUNTY DATE

ATTEST: [Signature] 12/13/2016
BENTON COUNTY ASSESSOR DATE



AUDITOR'S CERTIFICATE

FILED FOR RECORD THIS 15th DAY OF December 2016 AT 29 MINUTES PAST 2 P.M. AND RECORDED IN VOLUME 15 OF PLATS PAGE 519, AT THE REQUEST OF Aaron A. Dyck, P.L.S.
Brenda Chilton
BENTON COUNTY AUDITOR INDEX NO. 2016-037862
DEPUTY [Signature] FEE NO.

FINAL PLAT FOR	
HAYDEN HOMES	
STRATTON SURVEYING & MAPPING, PC	
7525 W. DESCHUTES PL. UNIT 1C KENNEWICK, WA 99336 (509) 735-7364 FAX: (509) 735-6560 stratton@strattonsurvey.com	
4631FP3.DWG	© 2016
DATE: 11/11/16	SHT. 4 OF 4
DRAWN BY: DCI	JOB # 4631

ORDINANCE NO. 38-14

AN ORDINANCE of the City of Richland relating to land use, zoning classifications and districts and amending Title 23: Zoning Regulations, of the Richland Municipal Code and the Official Zoning Map of the City by amending Sectional Map Nos. 7 and 40, so as to change the zoning designation on 12.2 acres located at the intersection of Steptoe Street and Rachel Road; and 2.68 acres located south of Lee Boulevard and east of George Washington Way.

WHEREAS, the City of Richland reviewed proposed amendments to its Comprehensive Plan in 2014; and

WHEREAS, the Richland Planning Commission held a public hearing on September 24, 2014 and forwarded a recommendation for the City Council to adopt the proposed Comprehensive Plan and zoning amendments; and

WHEREAS, the Richland City Council held its own public hearing on October 22, 2014 and has considered all recommendations and reports submitted to it and all comments made at the public hearing; and

WHEREAS, the City Council has adopted findings included in Ordinance No. 39-14, adopting the 2014 amendments to the Richland Comprehensive Plan and such findings also serve as the basis for adoption of the zoning amendments listed herein; and

WHEREAS, the amendment to the City Comprehensive Plan, as completed through the adoption of Ordinance No. 39-14 provides the justification for changing the zoning and is consistent with the provisions of the State Growth Management Act (RCW 36.70A.040) which requires cities to adopt development regulations that are consistent with and implement the comprehensive plan; and

WHEREAS, it is hereby found to be in the best interest of the citizens of Richland that the amendments to the zoning code in the form provided herein be adopted.

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

Section 1.01 It is hereby found, as an exercise of the City's police power, that the best land use classification for the lands described in Section 1.02 below is C-1 Neighborhood Retail for the approximately 12.2 acres located both east and west of Steptoe Street and south of the Rachel Road/Center Parkway right-of-way.

Section 1.02 Said properties are more particularly described as follows:

Parcel A

That portion of the Northeast Quarter of Section 1, Township 8 North, Range 28 East, Benton County Washington, lying easterly of Steptoe Street and Southerly of Center Parkway, described as follows:

Commencing at the Northeast corner of said section then South 00°42'01" East along the Easterly line of said Section 24.56 feet to the Southerly Right-of-Way line of a public road known as Center Parkway and the True Point of Beginning;

Thence continuing South 00°42'01" East along said Easterly line 680.92 feet to the Easterly Right-of-Way line of a public road known as Steptoe Street; thence the following courses along said line;

North 17°15'08" West 126.95 feet;

South 72°44'52" West 18.12 feet;

North 17°15'08" West 67.90 feet;

North 17°53'20" West 19.22 feet to the beginning of a curve to the left the radius point of which bears South 72°06'40" West 1052.00 feet; thence Northwesterly along said curve 105.75 feet;

North 23°38'54" West 132.66 feet;

North 24°05'39" West 28.19 feet;

North 20°54'21" East 79.96 feet to the said Southerly right-of-Way line of Center Parkway and a non-tangent curve to the right the radius point of which bears South 21°34'37" East 475.00 feet; thence Northeasterly along said curve 172.68 feet; thence North 89°15'10" East along said Right-of-Way line 5.62 feet to the said True Point of Beginning.

Contains 1.70 acres.

Together with and subject to easements, covenants, reservations, right-of-ways and restrictions of record and in view.

Parcel B

That portion of the Northeast quarter of Section 1, Township 8 North, Range 28 East, Benton County, Washington, lying westerly of Steptoe Street, northerly of the BNSF Railway Right-of-Way, Easterly of the Amon Wasteway and Southerly of Future Rachel Road, described as follows:

Commencing at the Northeast corner of said section thence South 89°11'04" West along the Northerly line of said section 393.26 feet to the Westerly Right-of-Way line of a public road known as Steptoe Street, the beginning of a non-tangent curve to the left the radius point of which bears North 67°48'30" East 1092.01 feet; thence the following courses along said Right-of-Way line; Southeasterly along said 1092.01 foot radius curve an arc length of 33.84 feet; South 65°54'21" West 59.40 feet;

South 65 54'21" West 34.15 feet;
South 24 05'39" East 73.00 feet to the True Point of Beginning;

Continuing along said Right-of-Way line the following courses:

North 65 54'21" East 46.15 feet;
South 69 05'39" East 80.61 feet;
South 24 05'39" 16.19 feet;
South 24 19'40" East 120.57 feet to the beginning of a curve to the right the radius point of which bears South 65 40'20" West 957.50 feet; thence Southeasterly along said curve 107.88 feet;
South 17 52'21" East 18.97 feet;
South 18 53'24" East 315.05 feet;
South 17 53'24" East 307.93 feet to the Easterly line of said section;
Thence South 00 42'01" East along said Easterly line 67.79 feet to the Northerly line of the BNSF Railway Right-of-Way;
Thence South 69 55'41" West along said line 425.48 feet to the Easterly line of the Amon Wasteway;
Thence the following courses along said Easterly Wasteway line;
North 22 15'11" West 669.34 feet to the Beginning of a curve to the left the radius point of which bears South 67 44'49" West 486.47 feet; Thence Northwesterly along said curve 155.07 feet to the Southerly Right-of-Way line of future Rachel Road and the beginning of a non-tangent curve to the left the radius point of which bears North 50 50'08" West 530.00 feet; Thence Northeasterly along said curve and future right-of-Way line 70.50 feet; Thence North 31 32'36" East 84.64 feet along said Right-of-Way line to the beginning of a curve to the right the radius point of which bears South 58 27'24" East 420.00 feet; Thence along said curve and said Right-of-Way line 251.89 feet; Thence North 73 39'26" East along said Right-of-Way line 48.19 feet to the said True Point of Beginning.

Contain 10.50 acres

Together with and subject to easements, covenants, reservations, right-of-ways and restrictions of record and in view.

Such land is rezoned from AG – Agricultural.

Section 1.03 It is hereby found, as an exercise of the City's police power, that the best land use classification for the lands described in Section 1.04 below is Central Business District (CBD) for the .61 acres located south of Lee Boulevard and east of George Washington Way when consideration is given to the interest of the general public.

Section 1.04 Said property is more particularly described as follows:

A portion of the Southeast ¼ of Section 11, Township 9 North, Range 28 East, W.M., City of Richland, Benton County, Washington.

A portion of Lot 4 of Short Plat No. 2586 as recorded in Volume 1 of Surveys on Page 2586, records of said County and State. More particularly described as follows:

Beginning at the Northwest corner of said Lot 4 of said Short Plat 2586; Thence South 15°22'45" East a distance of 180.47 along the West line of said Lot 4, to the Northeast corner of Lot 3 of said Shot Plat 2586, records of said County and State, said point is the True Point of Beginning. Thence continuing along said West line (common with the East line of said Lot 3) South 18°22'45" East a distance of 83.00 feet; Thence continuing along said West line (common with the East line of said Lot 3) South 14°23'26" East a distance of 246.08 feet to the Southeast corner of said Lot 3; Thence leaving said West line and said Southeast corner along a projection of the South line of said Lot 3 North 74°37'46" East a distance of 80.20 feet; Thence North 14°06'41" West a distance of 254.71 feet; Thence North 11°37'20" West a distance of 64.39 feet to a point that intersects a projection of the North line of said Lot 3 ; Thence South 80°58'24" West a distance of 90.71 feet along said projection back to the True Point of Beginning.

Such land is rezoned from PPF – Parks and Public Facilities.

Section 1.05 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, is amended by amending Sectional Maps nos. 7 and 40, which are two of a series of maps 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 1.06 This ordinance shall be effective immediately following the day after its publication in the official newspaper of the City.

PASSED by the City Council of the City of Richland on this 18th day of November, 2014.



DAVID W. ROSE
Mayor

ATTEST:



MARCIA HOPKINS
City Clerk

APPROVED AS TO FORM:



HEATHER KINTZLEY
City Attorney

Date Published: November 23, 2014

Exhibit A

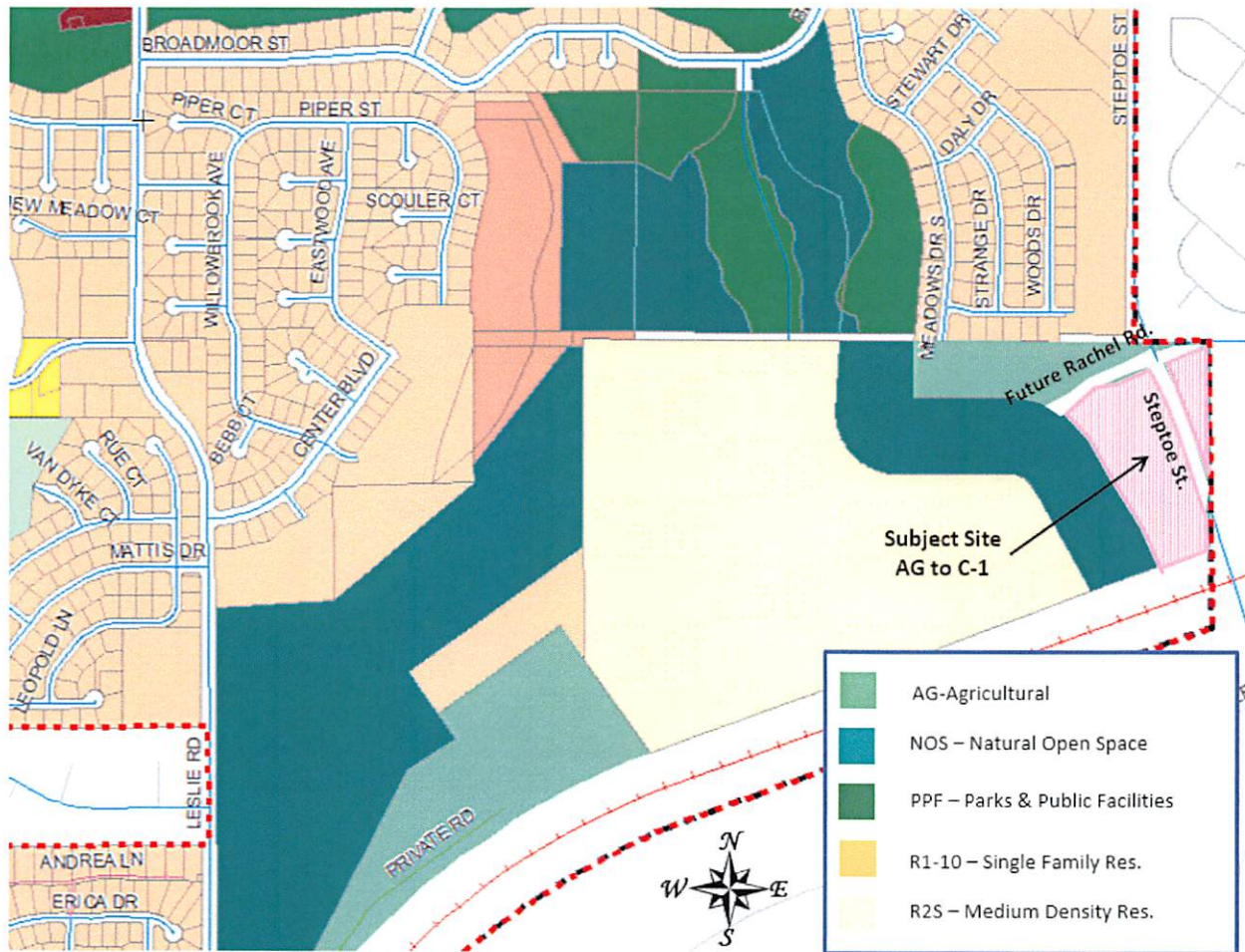
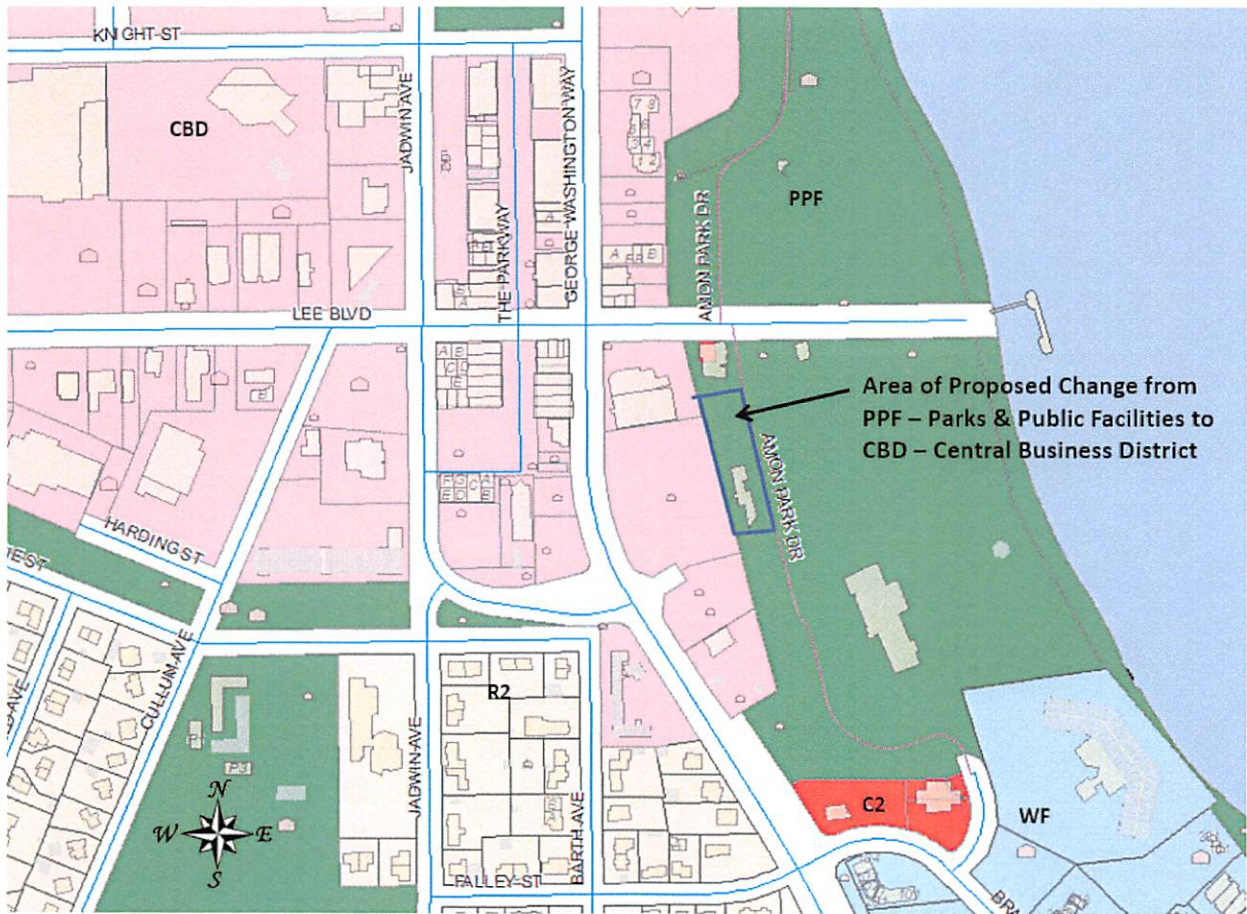


Exhibit B





CITY OF RICHLAND NOTICE OF APPLICATION AND PUBLIC HEARING (Z2020-105)

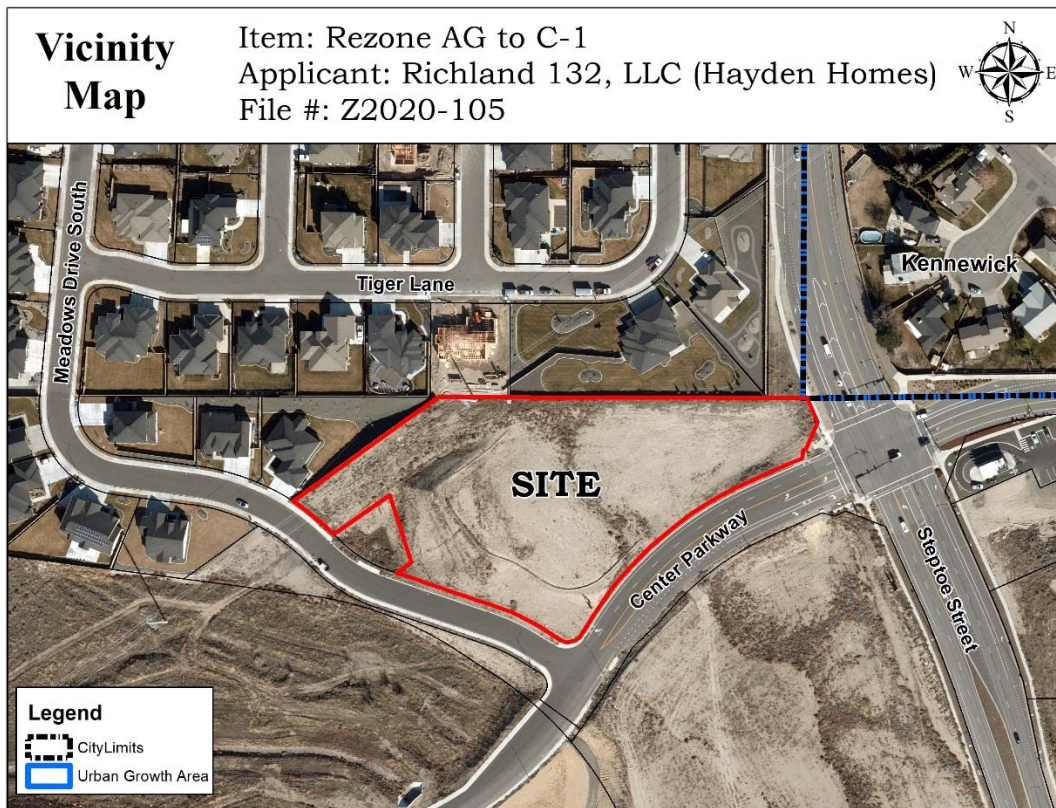
Notice is hereby given that Richland 132, LLC has filed a request to rezone one 3.1-acre parcel from AG (Agriculture) to C-1 (Neighborhood Retail). The project site occupies the northwest corner of the intersection of Center Parkway and Steptoe Street; extending to the intersection of Center Parkway and Meadows Drive South. The Assessor's Parcel No. is 1-01881030000008. Application materials can be viewed online at www.ci.richland.wa.us.

The Richland Hearing Examiner will conduct a virtual public hearing and review of the application at 6:00 p.m., Monday, January 11, 2021. All interested parties are invited to participate in the virtual public hearing by visiting the City of Richland website (www.ci.richland.wa.us).

Environmental Review: The proposal is not subject to environmental review. Pursuant to WAC 197-11-800(6)(c) the rezone application qualifies as a categorically exempt action.

Any person desiring to express their views or to be notified of any decisions pertaining to this application should notify Shane O'Neill, Senior Planner, 625 Swift Boulevard, MS-35, Richland, WA 99352. Comments may also be faxed to (509) 942-7764 or emailed to soneill@ci.richland.wa.us. Written comments should be received no later than 5:00 p.m. on Wednesday, December 23, 2020 to be incorporated into the staff report. Comments received after that date will be entered into the record at the hearing.

The application will be reviewed in accordance with the regulations in RMC Title 19 Development Regulations Administration. Appeal procedures of decisions related to the above referenced application are set forth in RMC Chapter 19.70. Contact the Richland Planning Division at the above referenced address with questions related to the available appeal process.



AFFIDAVIT OF MAILING

STATE OF WASHINGTON)
) ss.
COUNTY OF BENTON)


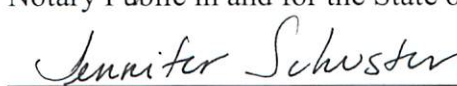
COMES NOW, Briana Ghbein, who, being first duly sworn upon oath deposes and says:

1. I am an employee in the Planning & Development Department for the City of Richland.
2. On the 30th day of November, 2020, I mailed a copy of the attached NOTICE OF APPLICATION AND PUBLIC HEARING (Z2020-105) to the attached list of individuals via regular USPS on the date indicated above. The Richland Hearing Examiner will conduct a virtual public hearing at 6:00 PM on Monday, January 11, 2021.


Signed: Briana Ghbein

SIGNED AND SWORN to before me this 30th day of November, 2020 by Jennifer Schuster.




Notary Public in and for the State of Washington,

Print Name
Residing at 625 Swift Blvd
My appointment expires: 4-25-23

AFFIDAVIT OF MAILING - 1
Notice of Application and Public Hearing attached.
Address list attached.

Owner	APN	Mail Address	City	State	Zip
RICHLAND 132 LLC	1018810300000008	2464 SW GLACIER PLACE STE 110	REDMOND	OR	97756
O'DONNELL JAMES A & COROLYN T	136984060001019	2624 TIGER LN	RICHLAND	WA	99352
BUSH TRUSTEES TIMOTHY T & KATHRYN L	101881BP5258002	520 W COLUMBIA DR	KENNEWICK	WA	99336-3650
HOANG THIEC C & NGO THUY B	136984060001018	2612 TIGER LANE	RICHLAND	WA	99352

AFFIDAVIT OF POSTING

STATE OF WASHINGTON)
) ss.
COUNTY OF BENTON)

COMES NOW, **Shane O'Neill**, who, being first duly sworn upon oath deposes and says:

1. I am an employee in the Planning Division of the Development Services Department for the City of Richland.


2. On the 9th day of December, 2020, I posted two physical bulletins serving as NOTICE OF PUBLIC HEARING, File Number Z2020-105 (Hayden Homes Rezone AG to C-1) in the following location:

2717 Steptoe Street, occupying the northwest corner of the intersection of Steptoe Street and Center Parkway, Richland WA, Benton Tax Parcel Number 1-018810300000008; alternately addressed 840 Meadows Drive South


Signed: Shane O'Neill

SIGNED AND SWORN to before me this 14th day of December, 2020, by Shane O'Neill.




Signature of Notary

Briana C. Ghbein
Printed Name

Notary Public in and for the State of Washington,

Residing in Benton County

My appointment expires: 4-25-23



Order Confirmation

Customer

CITY OF RICHLAND/LEGALS

Customer Account

450543

Customer Address

625 SWIFT BLVD. MS-11
 RICHLAND WA 99352 USA

Customer Phone

509-942-7547

Customer Fax

509-942-7397

Sales Rep

alizarraga@mcclatchy.com

Payor Customer

CITY OF RICHLAND/LEGALS

Payor Account

450543

Payor Address

625 SWIFT BLVD. MS-11
 RICHLAND WA 99352 USA

Payor Phone

509-942-7547

Customer EMail

AccountsPayable@ci.richland.wa.us

Order Taker

alizarraga@mcclatchy.com

PO Number

D2586000 4401

Payment Method

Invoice

Blind Box

Tear Sheets

0

Proofs

0

Affidavits

1

Net Amount

\$101.34

Tax Amount

\$0.00

Total Amount

\$101.34

Payment Amount

\$0.00

Amount Due

\$101.34

Ad Order Number

0004821682

Order Source

Ordered By

Jana Duncan

Special Pricing

Invoice Text

HE PHN - Z2020-105

Promo Type

Package Buy

Materials

Ad Order Information

<u>Ad Number</u>	<u>Ad Type</u>	<u>Production Method</u>	<u>Production Notes</u>
0004821682-01	TRI-Legal Liner	AdBooker	

<u>External Ad Number</u>	<u>Ad Attributes</u>	<u>Ad Released</u>	<u>Pick Up</u>
		No	

<u>Ad Size</u>	<u>Color</u>
1 X 41 li	

<u>Product</u>	<u>Placement</u>	<u>Times Run</u>	<u>Schedule Cost</u>
TRI- Tri-City Herald	0300 - Legals Classified	1	\$101.34

<u>Run Schedule Invoice Text</u>	<u>Position</u>
CITY OF RICHLAND NOTICE OF PUBLIC HEAR	0301 - Legals & Public Notices

Run Dates
12/06/2020

CITY OF RICHLAND
NOTICE OF PUBLIC HEARING
(Z2020-105)

Notice is hereby given that Richland 132, LLC has filed a request to rezone one 3.1-acre parcel from AG (Agriculture) to C-1 (Neighborhood Retail). The project site occupies the northwest corner of the intersection of Center Parkway and Steptoe Street, extending to the intersection of Center Parkway and Meadows Drive South. The Assessor's Parcel No. is 101881030000008. Application materials can be viewed online at www.ci.richland.wa.us.

A virtual public hearing on the proposed rezone will be held before the Richland Hearing Examiner on **Monday, January 11, 2021 at 6:00 p.m.** All interested parties are invited to participate in the virtual public hearing by visiting the City of Richland website at www.ci.richland.wa.us.

Any party of record is welcome to attend the virtual Hearing Examiner meeting to speak regarding the rezone proposal. Comments may be mailed to the City of Richland c/o Shane O'Neill, 625 Swift Blvd., MS-35, Richland, WA 99352, or emailed to soneill@ci.richland.wa.us. Written comments should be received no later than 5:00 p.m. on Wednesday, December 23, 2020 to be incorporated into the staff report. Comments received after that date will be entered into the record at the hearing.

For additional information, please contact Shane O'Neill, Senior Planner, at soneill@ci.richland.wa.us or 509-942-7587.

Published: Sunday, December 6, 2020

ONeill, Shane

From: Carolyn Odonnell <ctodonnell@outlook.com>
Sent: Thursday, December 17, 2020 10:00 AM
To: O'Neill, Shane
Subject: Re: Z2020-105

Thanks Shane! I am not opposed to businesses but not intrusive ones!
 Carolyn

Sent from my iPhone

> On Dec 17, 2020, at 9:39 AM, O'Neill, Shane <soneill@ci.richland.wa.us> wrote:
 >
 > Carolyn,
 > At this point in the process we are soliciting for comments. I will treat your email as a comment and enter it into the record.
 >
 > Rezone applications are not reviewed based on a specific development proposal. Rather, the merits of rezones are based on all of the land uses permitted in the requested zone. The first link below details which land uses/business-types are permitted in the C-1 zone. The second link explains building placement and height restrictions. You may be comforted to know that commercial structures may be no closer than 30-feet from an adjacent residential zone. That means, at minimum, your home will never be closer than 60-feet from any proposed new commercial building.
 >
 > Commercial land uses:
 > <https://www.codepublishing.com/WA/Richland/#!/Richland23/Richland2322.html#23.22.030>
 > Building restrictions:
 > <https://www.codepublishing.com/WA/Richland/#!/Richland23/Richland2322.html#23.22.040>
 >
 >
 > Shane O'Neill
 > Senior Planner
 > 625 Swift Blvd., MS-35 | Richland, WA 99352
 > (509) 942-7587
 >
 >
 > -----Original Message-----
 > From: Carolyn Odonnell <ctodonnell@outlook.com>
 > Sent: Thursday, December 17, 2020 8:59 AM
 > To: O'Neill, Shane <soneill@CI.RICHLAND.WA.US>
 > Subject: Z2020-105
 >
 > We live at 2624 Tiger Lane which backs to the proposed development.
 > My main question is: what is the legal definition of C1 neighborhood retail?
 > We understand that the area will be developed but frankly I have nightmares of fast food - smells, sounds 24 hours a day!
 > Also will be buildings be one story?
 > Thanks!
 > Carolyn O'Donnell
 > 4258646027



Department of Energy

Bonneville Power Administration
2211 North Commercial Avenue
Pasco, WA 99301

TRANSMISSION SERVICES

December 23, 2020

In reply refer to: Hayden Homes Rezone (Z2020-105)
Located within a Portion of Section 1, Township 8 North, Range 28 East,
W.M., Benton County, Washington

Shane O'Neill
Senior Planner
City of Richland
625 Swift Boulevard, MS-35
Richland, WA 99352

Dear Shane:

The Bonneville Power Administration (BPA) has reviewed the Hayden Homes Rezone (Z2020-105), and its relationship to the BPA 70-foot wide transmission line easement that the rezone and any future development will impact. The owner will need to submit a land use application, and acquire a Land Use Agreement from BPA if any portion of the owner's development plans will lie within BPA's easement.

Activities that block maintenance crews (such as the installation of fences) or safety concerns (such as buildings, public roads, driveways, utilities, small structures) need to be addressed prior to construction in order to avoid later modification, at the landowner's or developers expense.

In order to avoid problems in this location and to notify prospective landowners, BPA requests that the following language be included on the plat map:

The Bonneville Power Administration (BPA) imposes certain conditions on the portions of those properties encumbered by its high voltage transmission line easement. BPA does not allow structures to be built within the easement, nor does it allow access to be blocked to any transmission facilities. Any activity that is to occur within the easement needs to be permitted by BPA prior to installation or construction. Information regarding the permitting process for proposed uses of the easement may be addressed to BPA Real Estate Field Services at (800) 282-3713.

If you have any questions regarding this request or need additional information, please feel free to contact me. I can be reached at (509) 544-4748 or by email at @bpa.gov.

Thank you for the opportunity to review this application. If you have any questions regarding this request or need additional information, please feel free to contact me. I can be reached at (509) 544-4747 or by email at jecottrell@bpa.gov.

Sincerely,

A handwritten signature in blue ink, reading "Joseph E. Cottrell II", is located below the "Sincerely," text.

Joseph E. Cottrell II
BPA Field Realty Specialist

Looking West

SITE


**NOTICE OF PENDING
LAND USE ACTION**

FOR MORE INFORMATION:
(509) 942-7776
www.ci.richland.wa.us/landuse

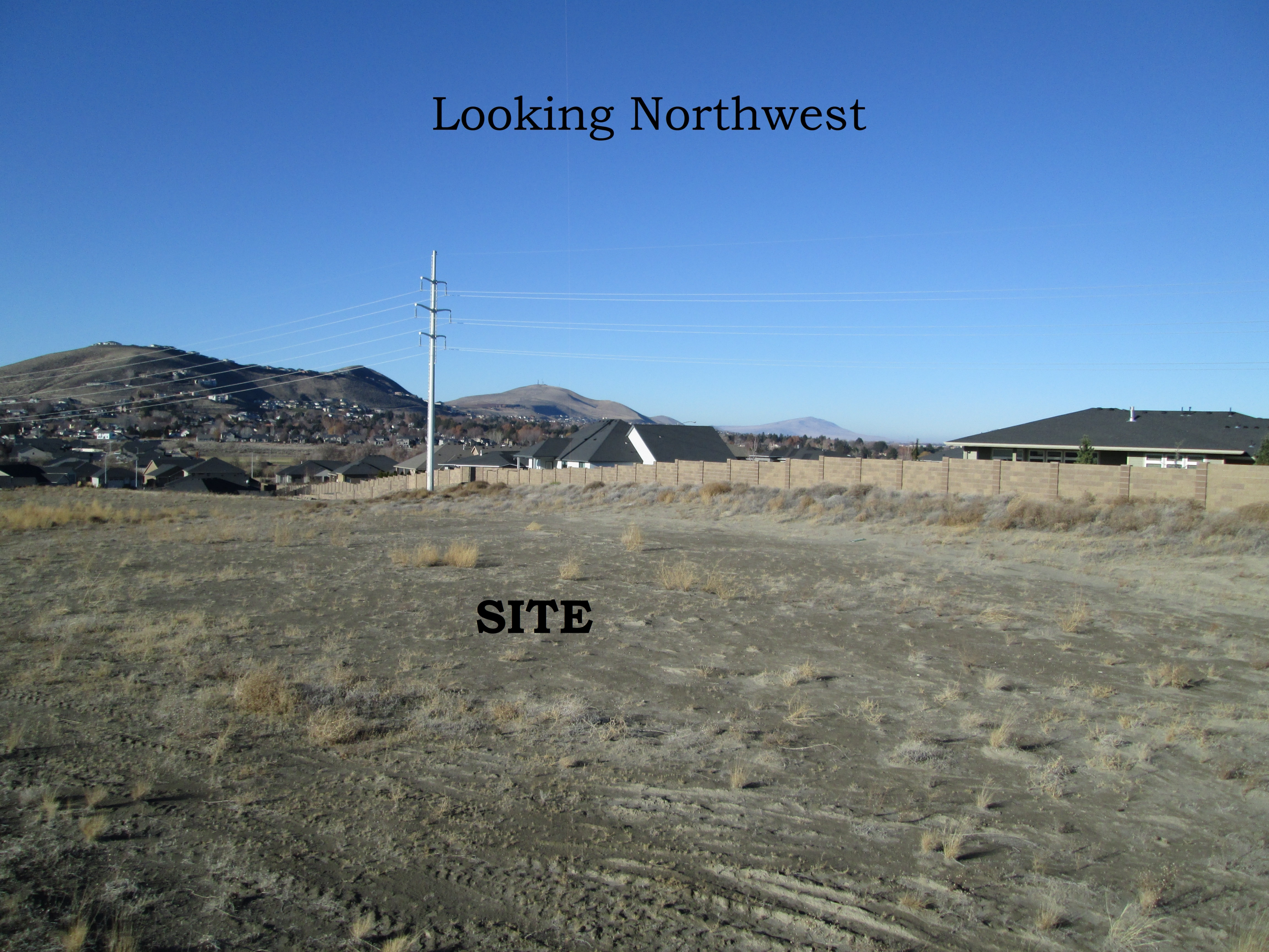
Looking North

SITE



Looking Northwest

SITE



Looking South

Clearwater Creek Phase 3, Lot 9, (Future Clearwater Creek Phase 13)

Center Parkway

Looking Southwest

Meadows Drive South

SITE



Looking South

SITE

Meadows Drive South

