

**CITY OF WEST RICHLAND
ORDINANCE NO. 25-21**

**AN ORDINANCE OF THE CITY OF WEST RICHLAND,
WASHINGTON, ADOPTING THE 2021 COMPREHENSIVE PLAN
MAP AMENDMENTS INTO THE EXISTING 2017
COMPREHENSIVE PLAN AND ADOPTING THE RESULTING
DOCUMENT BY ORDINANCE**

WHEREAS, RCW 36.70A, also known as the “Growth Management Act,” requires that cities subject to the Act adopt comprehensive plans and implementing development regulations that shall be consistent to the Act and subject to continuing evaluation and review; and

WHEREAS, the Growth Management Act directs that comprehensive plan amendments shall be considered as a comprehensive whole and evaluated for the cumulative effects, and the Plans shall not be amended more than once a year with certain exceptions; and

WHEREAS, on August 8, 2017, the City Council adopted Ordinance 14-17 to adopt the 2017 Periodic Update version of the Comprehensive Plan; and

WHEREAS, on March 2, 2021, the City Council set the 2021 Docket for Comprehensive Plan Amendments following a duly noticed public hearing; and

WHEREAS, on July 20, 2021 the City’s Community Development Department issued a State Environmental Policy Act (SEPA) threshold determination of DNS (Determination of Non-significance) and there were **no appeals** of the determination; and

WHEREAS, on August 6, 2021 the City of West Richland delivered to the Washington State Department of Commerce a Notice of Intent to adopt amendments pursuant to RCW 36.70A.106, to satisfy the requirement under the Growth Management Act that the state receive proposed amendment of at least 60 days prior to the anticipated adoption date; and

WHEREAS, on August 9, 2021 the Washington State Department of Commerce provided a comment letter indicating general acceptance of the proposed amendments; and

WHEREAS, the Planning Commission reviewed the proposed amendments in a duly noticed public hearing on August 12, 2021 and accepted all testimony from anyone wishing to speak for or against changes, and deliberated on the proposed changes, and the Planning Commission voted to accept the staff’s recommended findings, conclusions and recommendations on the proposed amendment; and

WHEREAS, on August 12, 2021, the West Richland Planning Commission recommended approval of the comprehensive plan amendment proposals and associated rezones based on the written findings contained in the staff report; and

WHEREAS, the City Council reviewed the proposed amendments and associated rezones and the recommendation of the Planning Commission in a duly noticed public hearing on October 5, 2021; and

WHEREAS, the public review process for the 2021 Comprehensive Plan amendments was established and conducted in accordance with RCW 36.70A.035 and West Richland Municipal Code Chapters 14.09 and 18.04, which included mailing notices of the review process, public hearings, opportunity to comment and accompanying SEPA review to federal, state and local agency contacts, as well as distributing notice to the news media and on the City website; and

WHEREAS, all parties wishing to comment on the proposed amendments and associated rezones were given an opportunity to do so; and

WHEREAS, the City Council finds and declares that the Comprehensive Plan Update amendments have been reviewed and authorized in conformance with applicable law, including Chapter 36.70A RCW (Growth Management Act) and Chapter 43.21C RCW (SEPA) and applicable sections of the West Richland Municipal Code; and

WHEREAS, the City Council finds it prudent and in the public interest to adopt the 2021 amendments to the 2017 Comprehensive Plan, as amended, by ordinance; and

WHEREAS, the proposed amendments are consistent with the goals, policies, and objectives of the Comprehensive Plan; and

WHEREAS, the City Council finds that the comprehensive plan amendment proposals maintain the unique character of the City and maintain or improve the character and livability of established neighborhoods; and

WHEREAS, the City Council finds that the comprehensive plan amendment proposals encourage new residential developments to be compatible with the scale and character of adjacent single-family areas; and

NOW THEREFORE, the City Council of the City of West Richland, Washington, does hereby ordain as follows:

Section 1: Adoption. The 2021 West Richland Comprehensive Plan, with the 2021 amendments per Ord 08-20, is hereby modified by the 2021 docket map amendments as follows, and as shown in the attached **Exhibit A**. Furthermore, the Council hereby adopts the findings of fact as attached in **Exhibit B**.

Section 2. Corrections by City Clerk or Code Reviser. Upon approval of the City Attorney, the City Clerk and the Code Reviser are authorized to make the necessary corrections to this ordinance, including the correction of clerical errors; ordinance, section, or subsection numbering; or references to other local, state, or federal laws, codes, rules, or regulations.


Section 3. Severability / Validity. The provisions of this ordinance are declared separate and severable. If any section, paragraph, subsection, clause or phrase of this ordinance is for

any reason held to be unconstitutional or invalid, such decision shall not affect the validity of the remaining portion of this ordinance.

Section 3. Effective Date. This ordinance shall take effect and be in force five (5) days after passage and publication of a summary thereof consisting of the title.


Section 4. Transmittal to State. Pursuant to RCW 36.70A.106, a complete and accurate copy of this ordinance shall be transmitted to the Department of Commerce within ten (10) days of adoption.

PASSED BY THE CITY COUNCIL OF THE CITY OF WEST RICHLAND, WASHINGTON, this 5th day of October, 2021.



Brent Gerry, Mayor

ATTEST:



Stephanie Haug, City Clerk

APPROVED AS TO FORM:

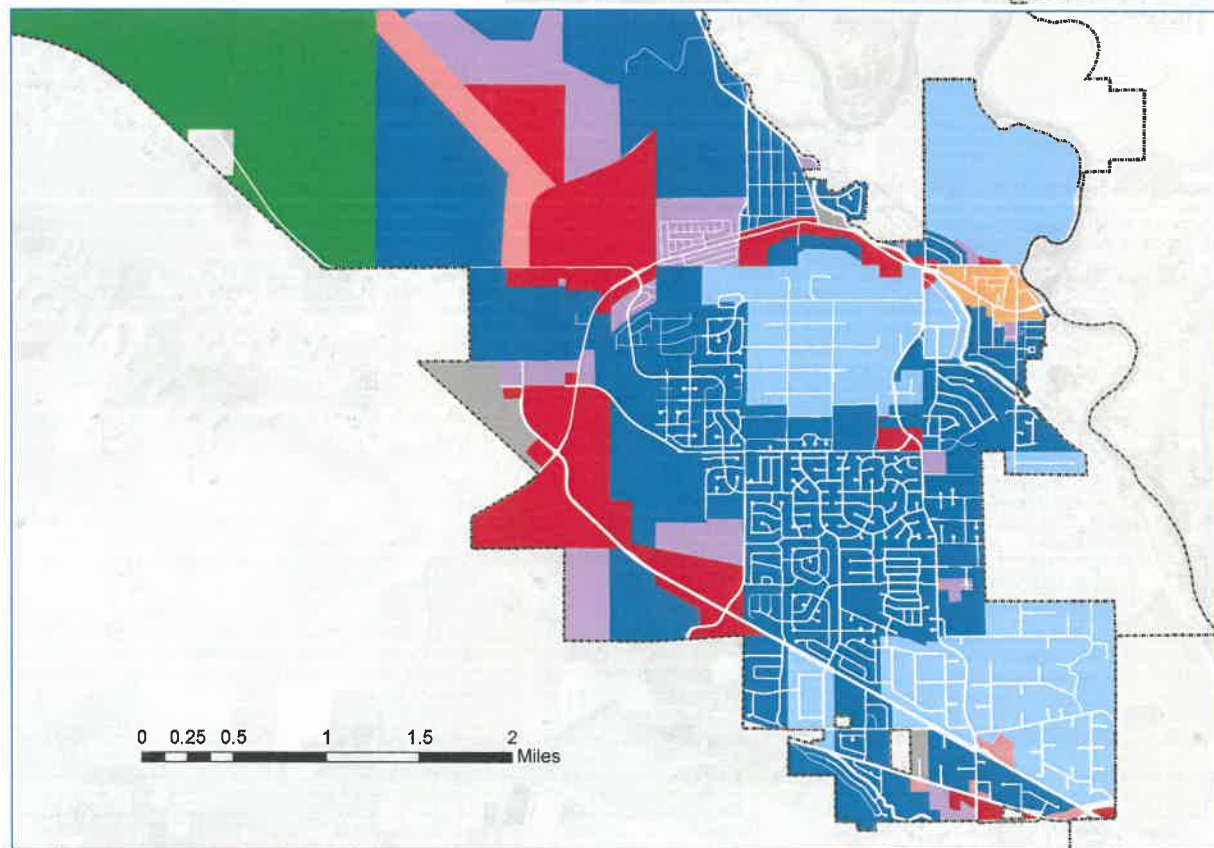
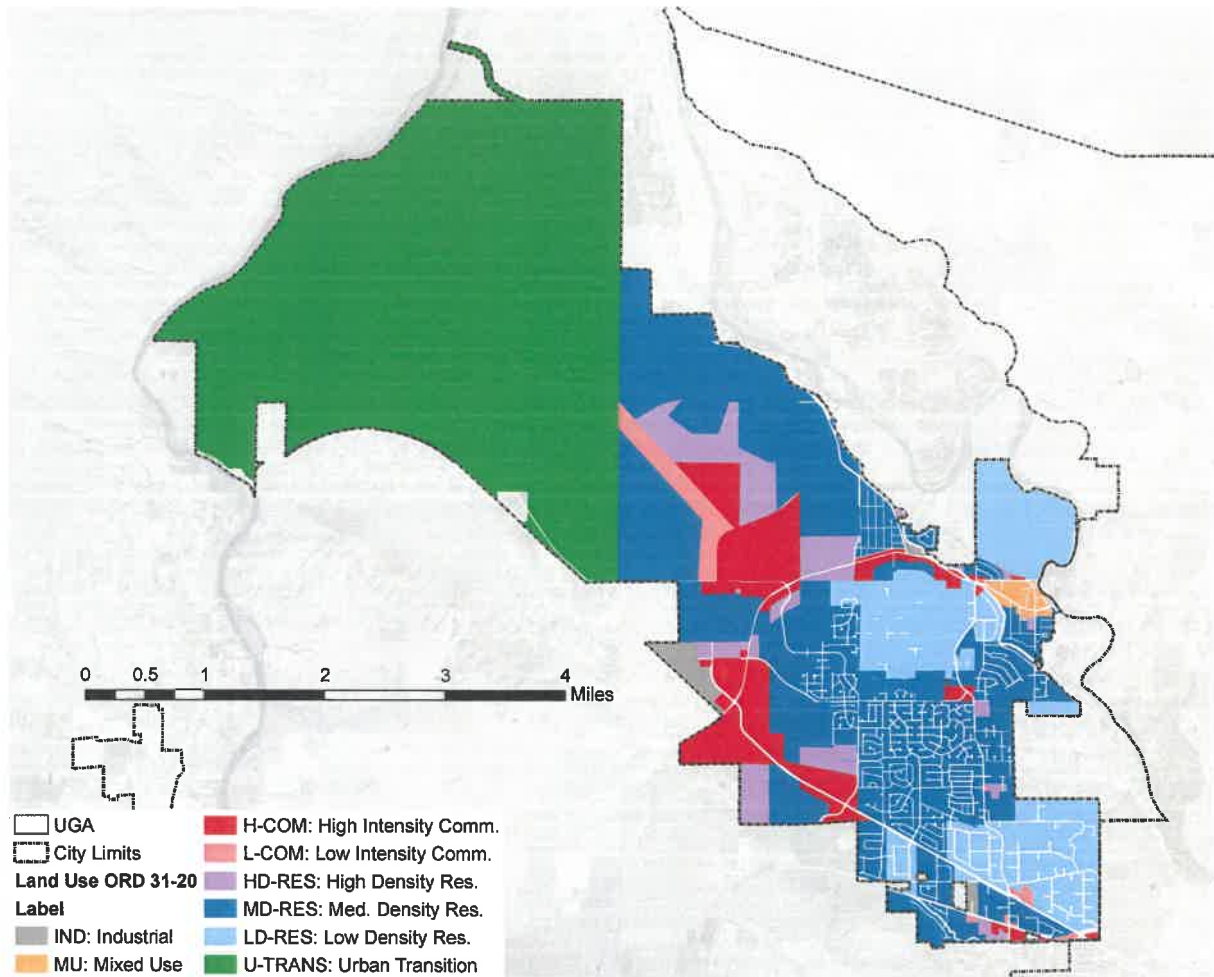


Bronson Brown, City Attorney



CITY OF WEST RICHLAND LAND USE MAP

ADOPTED 10/05/2021 - ORD 25-21



Staff Comment: Given that the areas are close to each other and simply swapping zoning there isn't wouldn't be any new impacts on the environment and public safety.

SUGGESTED FINDINGS OF FACT (PRELIMINARY)

1. The Growth Management Act allows annual amendments to comprehensive plans.
2. WRMC sets the deadline for comprehensive plan amendment applications as the last working day in January.
3. The City received one private-party map amendment and one city-initiated text amendment.
4. Public noticing requirements have been met:
 - a. On February 10, 2021, staff mailed the Public Notice (to set the 2021 Docket) to property owners within 600' of the map amendments.
 - b. On February 10, 2021, staff posted the Public Notice sign at all map amendment sites.
 - c. On February 10, 2021, staff posted the Public Notice (to set the 2021 Docket) to the City's website and three official posting locations.
 - d. On February 10, 2021, staff mailed the Public Notice (for the public hearings) to property owners within 600' of all map amendment sites.
 - e. On February 10, 2021, staff posted the Public Notice (for the public hearings) to the City's website and three official posting locations.
 - f. On July 22, 2021 staff mailed public notice for the public hearing before the Planning Commission to property owners within 600' of the proposed map amendment sites.
 - g. On July 22, 2021, staff posted the public notice for the public hearing before the Planning Commission to the City's website and the three posting places.
 - h. On September 20, 2021 staff mailed public notice for the public hearing before the City Council to property owners within 600' of the proposed map amendment sites.
 - i. On September 20, 2021 staff posted the public notice for the public hearing before the City Council to the City's website and the three posting places.
5. The public comment period concluded at 5:00pm on August 12, 2021.
 - a. No comments have been received at the time of the staff report.
6. The Washington State Department of Commerce requirements have been met (RCW 36.70A.106):
 - a. On August 6, 2021, staff submitted the 60-day Notice of Intent to Adopt Amendment to the Washington State Department of Commerce.
 - b. On August 6, 2021, the Washington State Department of Commerce acknowledged receipt of the Notice of Intent to Adopt Amendment with the 60- day notice period.
 - c. On October 5, 2021, the Washington State Department of Commerce 60-day notice period concluded.
7. On July 20, 2021, the City issued a SEPA threshold Determination of Non-Significance (DNS).
 - a. The comment period concluded on August 3, 2021. No comments received.

SUGGESTED CONCLUSIONS OF LAW

1. The Planning Commission has jurisdiction to hold an open record public hearing and issue a recommendation on the proposed comprehensive plan amendment to the City Council.
2. The proposed comprehensive plan amendments are consistent with the goals and policies of the City's Comprehensive Plan.
3. The Planning Commission has jurisdiction to hold an open record public hearing and issue a recommendation on the proposed rezones to the City Council.

4. The proposed rezones are consistent with the goals and policies of the City's Comprehensive Plan.

RECOMMENDATION

The Planning Commission and staff recommends the City Council approve of the proposed Comprehensive Plan Amendments for 2021 and subsequent rezones.

SUGGESTED MOTION

I moved that the Council approve the proposed 2021 City Comprehensive Plan Amendments and subsequent rezones as proposed.

ALTERNATIVES

Modify the proposed amendment;
Deny the proposed amendment.

FISCAL IMPACT

No direct impacts to the City's budget are likely to occur as a result of this proposal.