

WHEN RECORDED RETURN TO:

West Richland City Clerk
3801 W. Van Giesen Street
West Richland, WA 99353

APN #'s: 1-1197-101-2751-002
1-1197-101-2751-001

**CITY OF WEST RICHLAND
ORDINANCE NO. 28-15**

**AN ORDINANCE OF THE CITY OF WEST RICHLAND WASHINGTON,
ANNEXING APPROXIMATELY 94 ACRES AND DESIGNATING THE LANDS
AS COMMERCIAL LIGHT INDUSTRIAL (CLI) ZONING**

WHEREAS, the Port of Kennewick and Benton REA petitioned to annex two properties within the City's UGA into the City of West Richland and requested CLI zoning; and

WHEREAS, the City Council on March 17, 2015 took action and authorized the circulation of an annexation petition for annexation of the real property legally described in Exhibit A attached hereto; and

WHEREAS, the petition was certified by the Benton County Assessor's Office on May 15, 2015; and

WHEREAS, the Port of Kennewick-owned property, known as the former Tri-City Raceway, at 47615 E SR 224, Benton City, WA 99320 (Tax Parcel # 1-1197-101-2751-002) was determined by the Benton County Assessor's office on May 18, 2015 to have an assessed value of \$1,816,000; and

WHEREAS, the Benton REA substation property, addressed at 7905 W Van Giesen, West Richland, WA (Tax Parcel # 1-1197-101-2751-001) was determined by the Benton County Assessor's office on May 18, 2015 to have an assessed value of \$57,940; and

WHEREAS, annexations and area-wide zoning map amendments are subject to the legislative review process; and

WHEREAS, the annexation complies with the review criteria as identified in WRMC 17.60.030, as described in the staff report analysis; and

WHEREAS, the CLI zoning complies with the review criteria as identified in WRMC 17.60.020, as described in the staff report analysis; and

WHEREAS, the subject properties are designated as “Commercial” on the city’s Land Use Map, per the comprehensive plan, and the CLI zoning is one of the zoning classifications that are consistent with “Commercial” on the Land Use Map; and

WHEREAS, the City of West Richland issued a SEPA Threshold Determination of Non-Significance on June 2, 2015 and the end of the 15-day comment period was June 17, 2015 and no comments regarding the SEPA DNS were received; and

WHEREAS, all public notification requirements were met as per WRMC requirements. Notices of Application and scheduled public hearings were posted at the three (3) official posting places and on the City’s website on June 2, 2015, and the news media was notified; and

WHEREAS, pursuant to WRMC Title 14 and Chapter 17.60, the Planning Commission held an open record public hearing to consider the annexation and proposed zoning on June 25, 2015 and one person provided comment at the hearing, Mr. Larry Peterson from the Port of Kennewick who confirmed that the Port is in favor of the annexation; and

WHEREAS, at their meeting on June 25, 2015, the City of West Richland Planning Commission voted unanimously in favor of recommending the annexation and zoning classification CLI for adoption by City Council; and

WHEREAS, pursuant to RCW 35A.14.130, legal notice of the August 18, 2015 City Council public hearing was published in the Tri-City Herald; and

WHEREAS, the City submitted to the Washington State Boundary Review Board for Benton County a Notice of Intention to annex the subject parcels; and

WHEREAS, the 45 day review period elapsed with no parties commenting on the requested annexation or requesting a review; and

WHEREAS, following review by the Boundary Review Board the City Council is authorized to adopt an ordinance completing the annexation and other affected agencies will be notified of the adjustment to the municipal boundary;

NOW THEREFORE, THE CITY COUNCIL OF THE CITY OF WEST RICHLAND, WASHINGTON, do hereby ordain as follows:

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

SECTION 2: The real property legally described in Exhibit A attached hereto is hereby annexed to the City of West Richland and is hereby declared to be within the corporate limits of the City of West Richland, Benton County Washington (the “Annexed Area”).

SECTION 3: The West Richland Comprehensive Plan, adopted June 6, 1997 by passage or Resolution 120 and in compliance with the Growth Management act through the passage of Ordinances 28-14 and 29-14 set forth that the land in the annexation area is to be designated as “commercial” under the land use map that is a part of the comprehensive plan, see Exhibit B.

SECTION 4: As set forth by Resolution 31-15 the entirety of the annexation area is to be zoned Commercial Light Industrial (CLI) and the official zoning map shall be updated to reflect said zoning.

SECTION 5: The property within the Annexed Area shall be assessed and taxed at the same rate and on the same basis as other property within the City, including assessments or taxes in payment for all or of any portion of the outstanding indebtedness of the City, approved by the voters, contracted, or incurred prior to, or existing at the date of annexation.

SECTION 6: The City Clerk is directed to file a recorded copy of this annexation with the Board of Commissioners of Benton County and the State of Washington in the manner required by law. The City Clerk is also directed to file with the Auditor of Benton County, Washington a copy of this ordinance and shall attach Exhibit A.

**PASSED BY THE CITY COUNCIL OF THE CITY OF WEST RICHLAND,
WASHINGTON,** this 15th day of December, 2015.

Brent Gerry, Mayor

ATTEST:

Julie Richardson, City Clerk

APPROVED AS TO FORM:

Bronson Brown, City Attorney

EXHIBIT A

Legal Description for the Port of Kennewick and Benton REA Annexation

Port of Kennewick, APN #: 1-1197-101-2751-002

Section 11 Township 9 Range 27 Quarter NE; SHORT PLAT #2751 LOT 2,
9/23/2003, AF# 03-046136. RECORDED IN VOLUME 1 OF SHORT PLATS AT PAGE 2751,
RECORDS OF BENTON COUNTY, WASHINGTON.

Benton Rural Electric Association, APN #: 1-1197-101-2751-001

Section 11 Township 9 Range 27 Quarter NE; SHORT PLAT #2751 LOT 1,
9/23/2003, AF# 03-046136. RECORDED IN VOLUME 1 OF SHORT PLATS AT PAGE 2751,
RECORDS OF BENTON COUNTY, WASHINGTON.

EXHIBIT B

AN2015-10

Land Use Map

