



Agenda
Hearing Examiner Meeting
Monday, January 11, 2021
Zoom (253) 215-8782 or (206) 337-9723 - Meeting ID 953 5032 8698

Pursuant to Resolution No. 100-20, this meeting will be conducted remotely via Zoom and broadcast live on CityView Channel 192 and at ci.richland.wa.us. If you wish to provide comments for the Public Hearing portion of the meeting, please register [here](#) by 4:00 p.m. on the day of the meeting. Only those who register by the 4:00 p.m. deadline will be permitted to speak or have their comments read into the record during the meeting.

Hearing Examiner: Gary McLean

Liaisons: Staff Liaison: Planning Manager Stevens

Public Hearing - 6:00 p.m.

Public Hearing Explanation:

New Business - Public Hearing:

1. Z2020-105 Rezone 3.1 Acres from AG to C-1
Richland 132 LLC. dba Hayden Homes
2. Z2020-104 Rezone 2.9 Acres from CLB to C-3
Goodwill Industries of the Columbia

Adjournment

The next Hearing Examiner Meeting is February 8, 2021

This meeting is broadcast live on CityView Channel 192 and online at ci.richland.wa.us

Richland City Hall is ADA accessible. Requests for sign interpreters, audio equipment, and/or other special services must be received 48 hours prior to the meeting by calling the City Clerk's Office at 942-7389.



HEARING EXAMINER AGENDA ITEM COVERSHEET

Meeting Date: 1/11/2021

Agenda Category: New Business - Public Hearing

Prepared By: Shane O'Neill, Senior Planner

Subject:

Z2020-105 Rezone 3.1 Acres from AG to C-1
Richland 132 LLC. dba Hayden Homes

Department:

Development Services

Recommended Motion:

City staff recommends the Hearing Examiner approve the rezone request without the use of a development agreement.

Summary:

Hayden Homes has requested to change the zoning of a 3.1-acre parcel lying at the northwest corner of the intersection of Center Parkway and Steptoe Street, from Agricultural (AG) to Neighborhood Retail Business (C-1) in preparation for resale. The subject parcel belongs to the preliminary plat of Clearwater Creek and has all of the necessary utilities immediately available. Adjacent roadways have previously been fully developed. The application is exempt from SEPA review. Planning staff recommends the Hearing Examiner approve the rezone request.

Attachments:

1. FULL Staff Report - Hayden - AG to C-1

**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
REPORT BY:	Shane O'Neill, Senior Planner
RECOMMENDED ACTION:	Approval

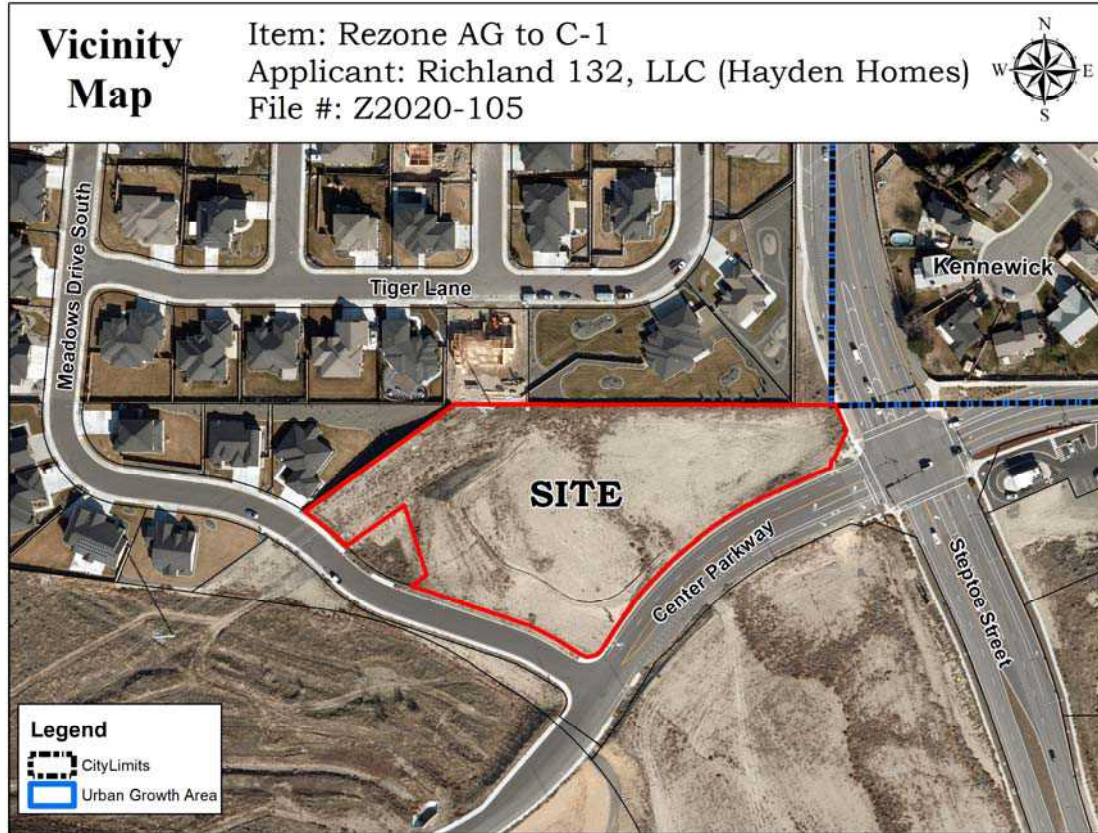


Figure 1 - Vicinity Map

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.

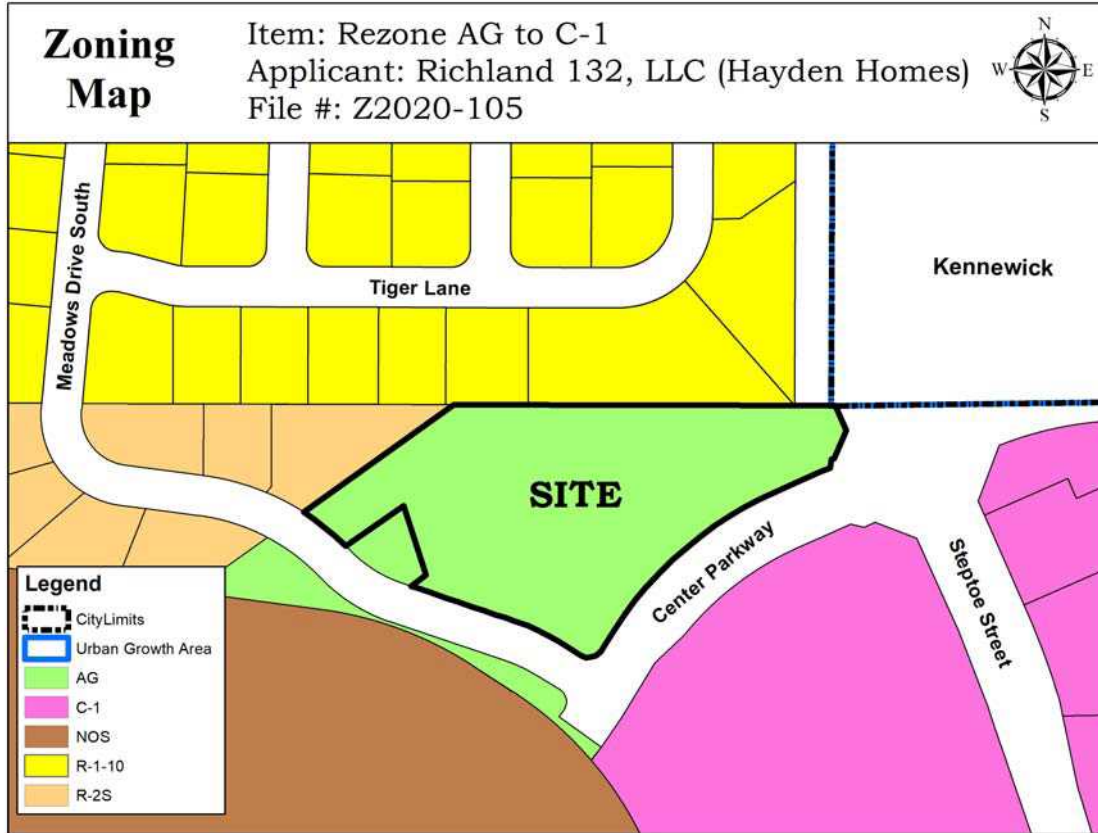


Figure 2 – Zoning Map

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.

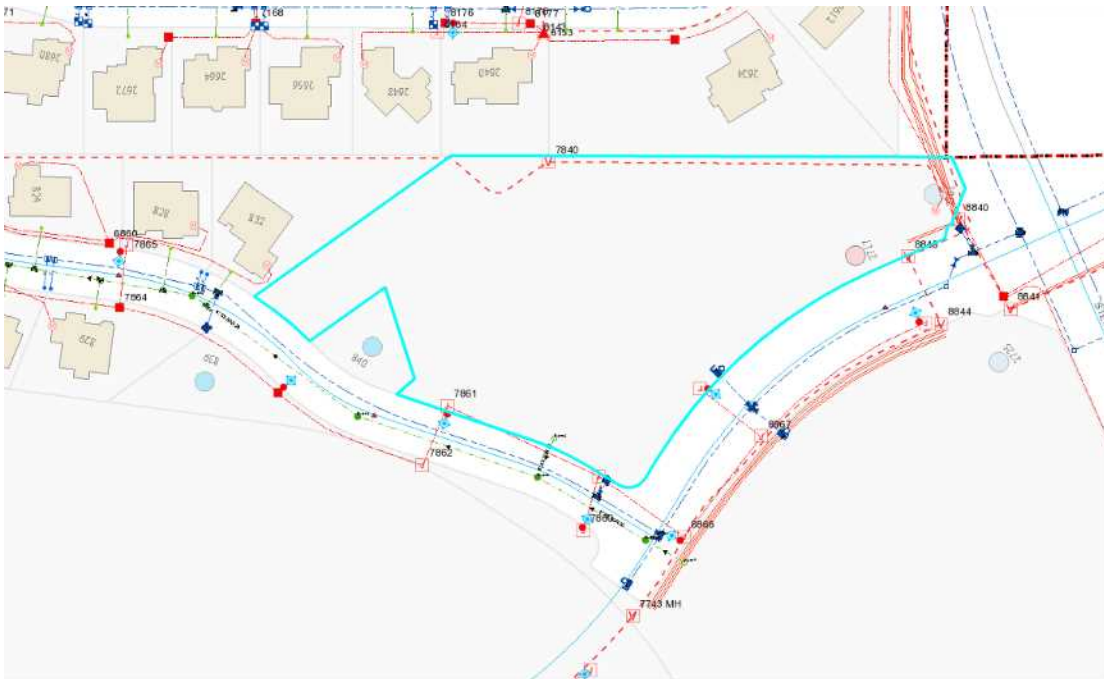


Figure 3 - Utilities Map

(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. And 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).

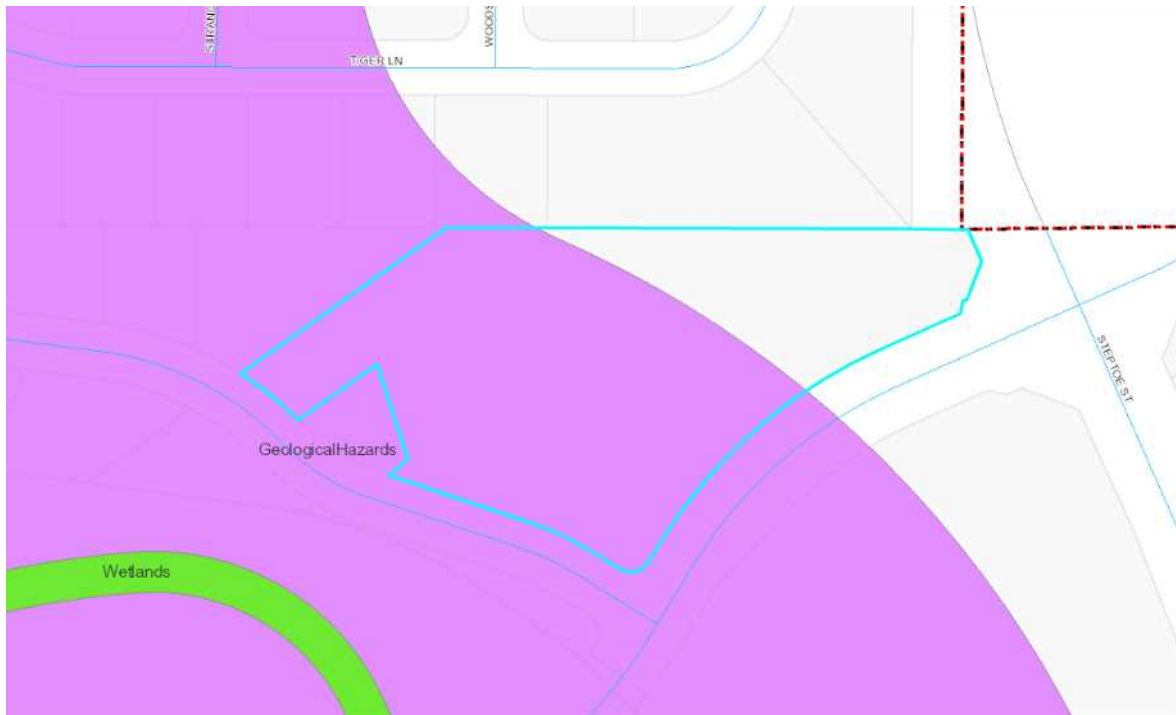


Figure 4 – Critical Areas Map

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.

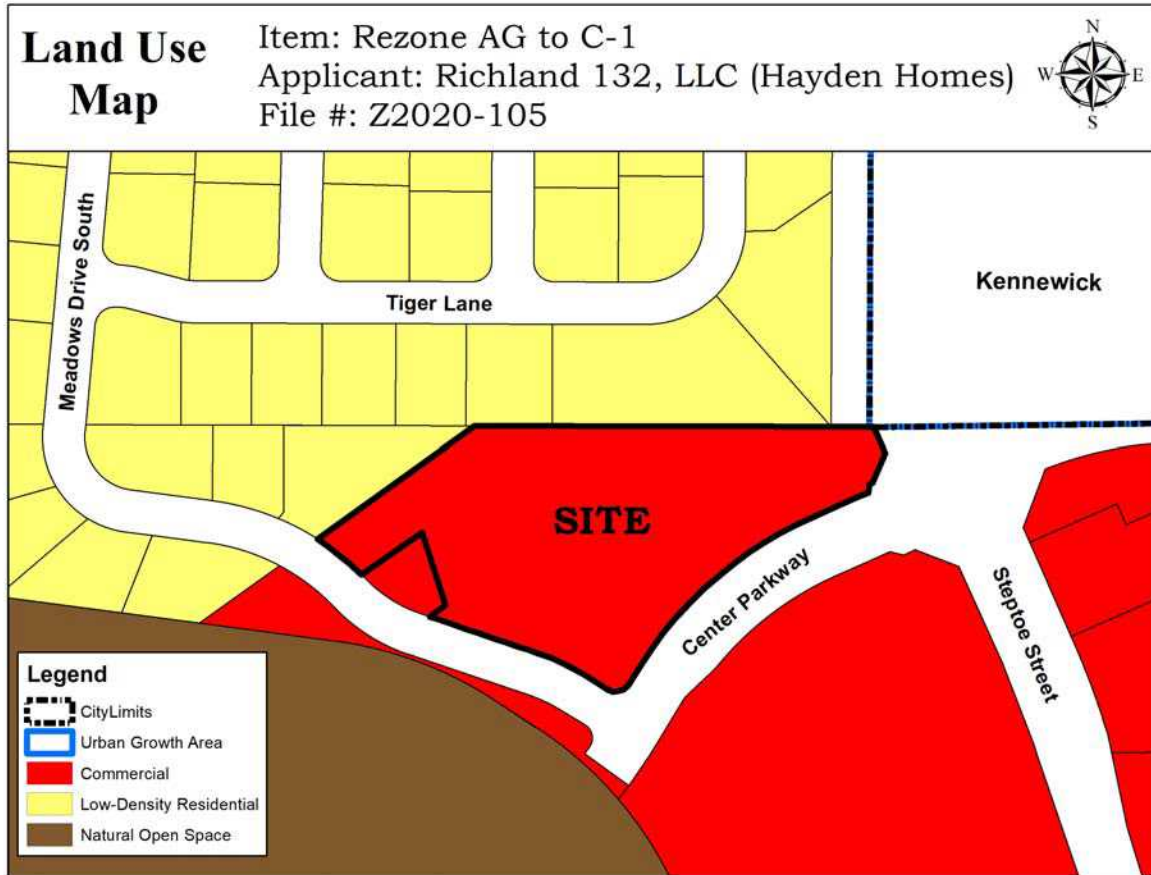


Figure 5 – Comprehensive Plan Map

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.

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

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: _____

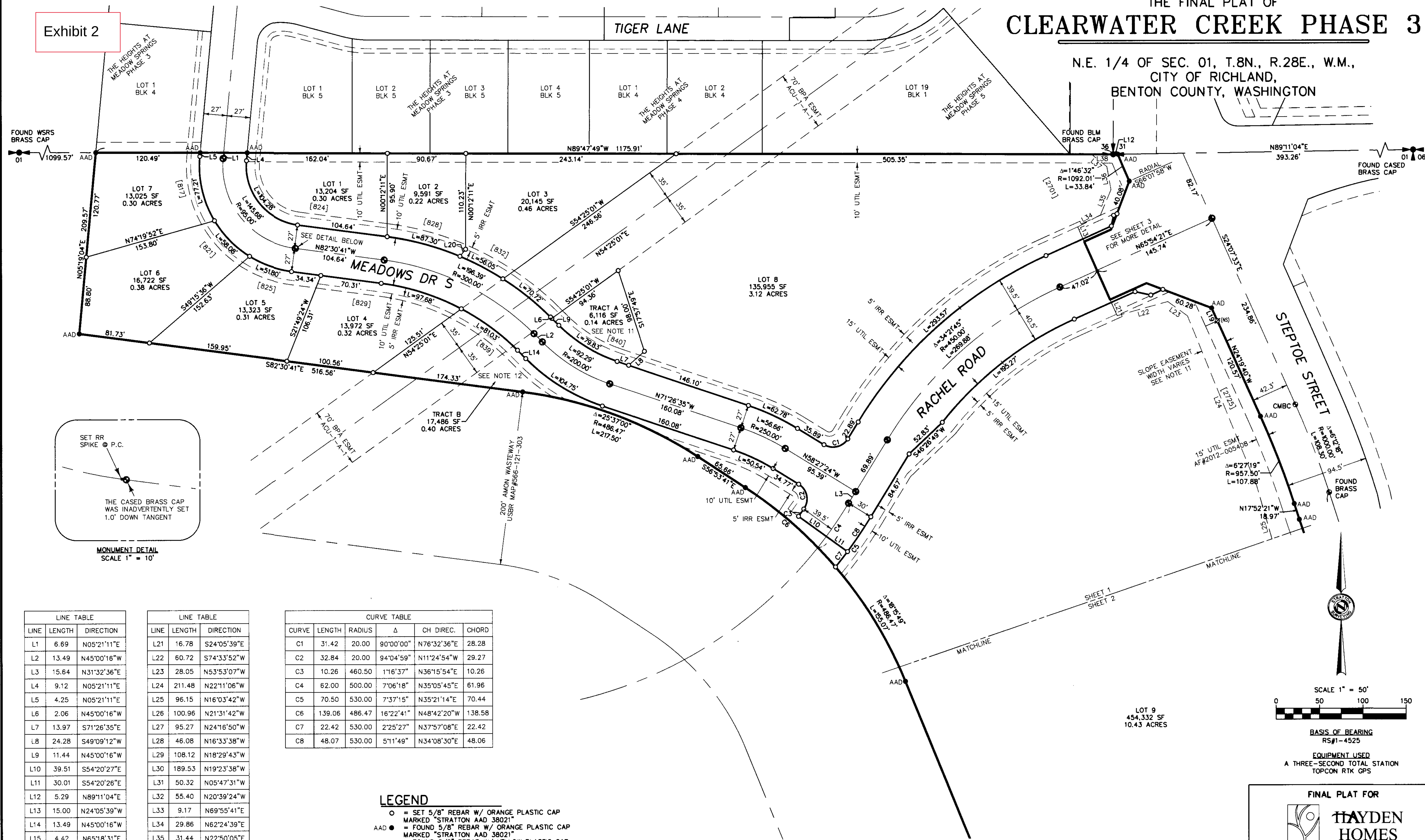
October 05, 2020

Date _____

Exhibit 2

THE FINAL PLAT OF CLEARWATER CREEK PHASE 3

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



LINE	LENGTH	DIRECTION
L1	6.69	N05°21'11"E
L2	13.49	N45°00'16"W
L3	15.64	N31°32'36"E
L4	9.12	N05°21'11"E
L5	4.25	N05°21'11"E
L6	2.06	N45°00'16"W
L7	13.97	S71°26'35"E
L8	24.28	S49°09'12"W
L9	11.44	N45°00'16"W
L10	39.51	S54°20'27"E
L11	30.01	S54°20'26"E
L12	5.29	N89°11'04"E
L13	15.00	N24°05'39"W
L14	13.49	N45°00'16"W
L15	4.42	N65°18'31"E
L16	12.55	N12°12'38"E
L17	15.37	N64°47'52"E
L18	18.75	S77°30'23"E
L19	16.19	S24°05'39"E
L20	10.41	S39°04'12"W

LINE	LENGTH	DIRECTION
L21	16.78	S24°05'39"E
L22	60.72	S74°33'52"W
L23	28.05	N53°53'07"W
L24	211.48	N22°11'06"W
L25	96.15	N16°03'42"W
L26	100.96	N21°31'42"W
L27	95.27	N24°16'50"W
L28	46.08	N16°33'38"W
L29	108.12	N18°29'43"W
L30	189.53	N19°23'38"W
L31	50.32	N05°47'31"W
L32	55.40	N20°39'24"W
L33	9.17	N69°55'41"E
L34	29.86	N62°24'39"E
L35	31.44	N22°50'05"E
L36	27.04	N10°11'59"W
L37	22.76	N51°11'27"W
L38	25.19	S89°47'49"E

CURVE	LENGTH	RADIUS	Δ	CH DIREC.	CHORD
C1	31.42	20.00	90°00'00"	N76°32'36"E	28.28
C2	32.84	20.00	94°04'59"	N11°24'54"W	29.27
C3	10.26	460.50	1°16'37"	N36°15'54"E	10.26
C4	62.00	500.00	7°06'18"	N35°05'45"E	61.96
C5	70.50	530.00	7°37'15"	N35°21'14"E	70.44
C6	139.06	486.47	16°22'41"	N48°42'20"W	138.58
C7	22.42	530.00	2°25'27"	N37°57'08"E	22.42
C8	48.07	530.00	5°11'49"	N34°08'30"E	48.06

LEGEND

- = SET 5/8" REBAR W/ ORANGE PLASTIC CAP MARKED "STRATTON AAD 38021"
- = FOUND 5/8" REBAR W/ ORANGE PLASTIC CAP MARKED "STRATTON AAD 38021"
- = FOUND 5/8" REBAR W/ YELLOW PLASTIC CAP MARKED "STRATTON 14120"
- = SET Cased Brass Cap Marked "38021"
- = FOUND Cased Brass Cap Marked "38021"
- = FOUND AS INDICATED
- = BASIS OF BEARING
- = ADDRESSES
- 1" N/A = 1" NO ACCESS SCREENING EASEMENT
- IRR = IRRIGATION
- UTIL = UTILITY
- ESMT = EASEMENT
- ESMT = EASEMENT
- = PROPERTY BOUNDARY
- = CENTERLINE

SURVEYOR'S CERTIFICATE:

I, AARON A. DYCK, A LICENSED LAND SURVEYOR IN THE STATE OF WASHINGTON, HEREBY CERTIFY THAT THE PLAT OF "CLEARWATER CREEK PHASE 3", AS SHOWN HEREON, IS BASED ON AN ACTUAL FIELD SURVEY OF THE LAND DESCRIBED, AND THAT ALL COURSES AND DISTANCES ARE CORRECTLY SHOWN, AND THAT SAID PLAT IS STAKED ON THE GROUND AS INDICATED HEREON.

AARON A. DYCK
LS38021

DATE

11/21/2016



INDEX

1/4	SEC	T.	R.
01	8N	28E	

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
2016-037862
FEE NO.

FINAL PLAT FOR



**HAYDEN
HOMES**

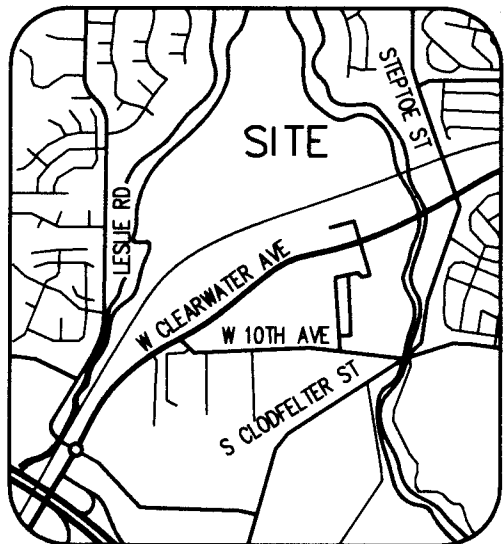


**STRATTON SURVEYING
& MAPPING, PC**
7525 W. DESCHUTES PL. UNIT 1C
KENNEWICK, WA 99336
(509) 735-7364
FAX: (509) 735-6560
stratton@strattonsurvey.com

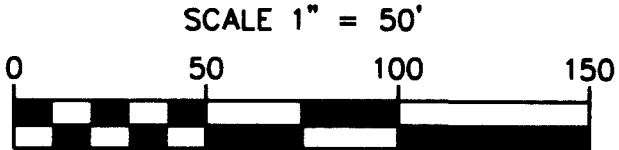
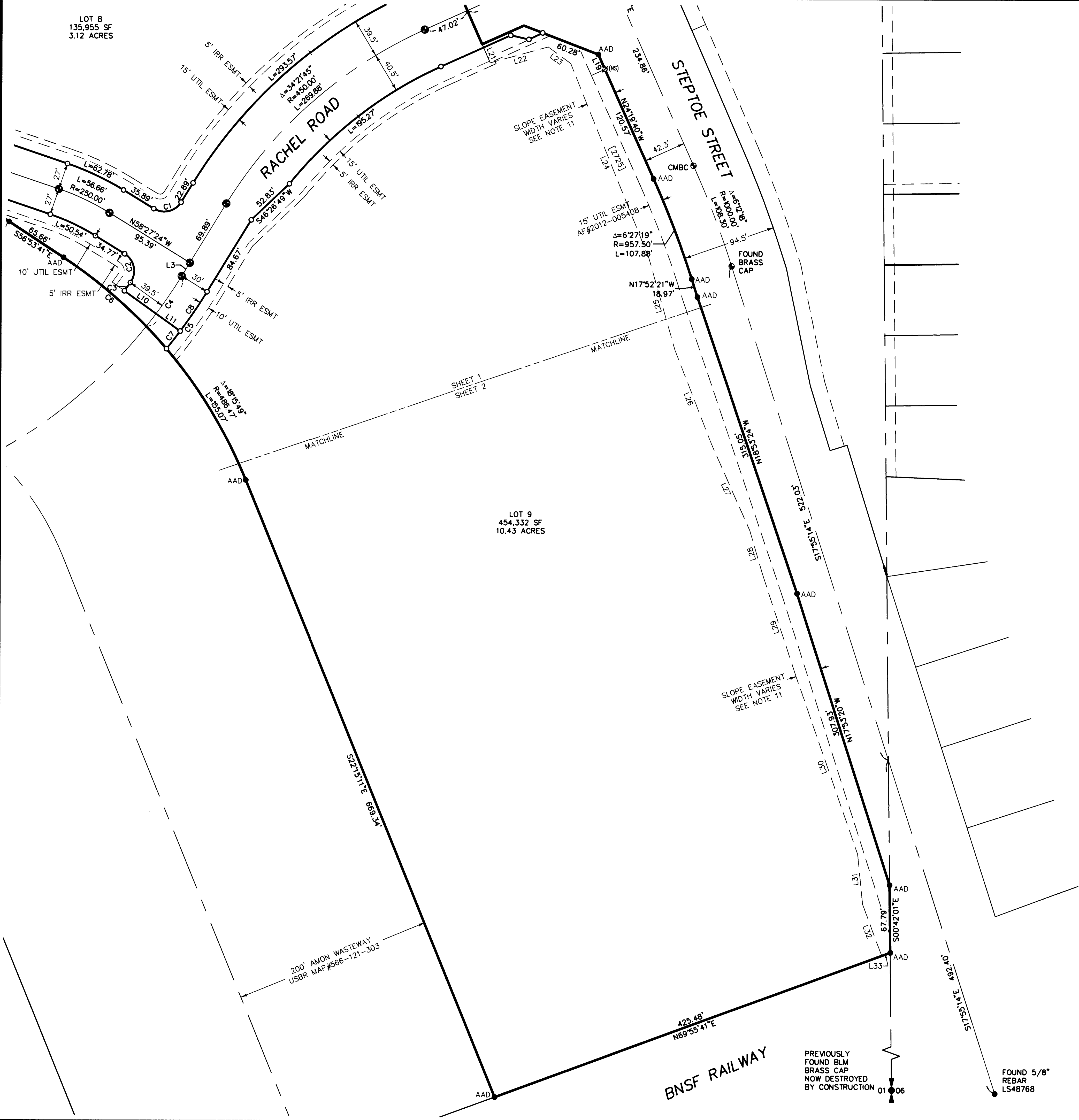
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DATE: 11/11/16	SHT. 1 OF 4
DRAWN BY: DCI	JOB # 4631

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



VICINITY SKETCH
NOT TO SCALE

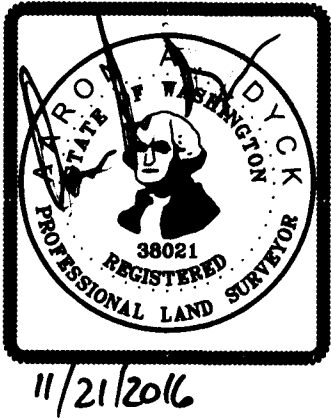


FINAL PLAT FOR

HAYDEN HOMES

STRATTON SURVEYING & MAPPING, PC
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(509) 735-7364
FAX: (509) 735-6560
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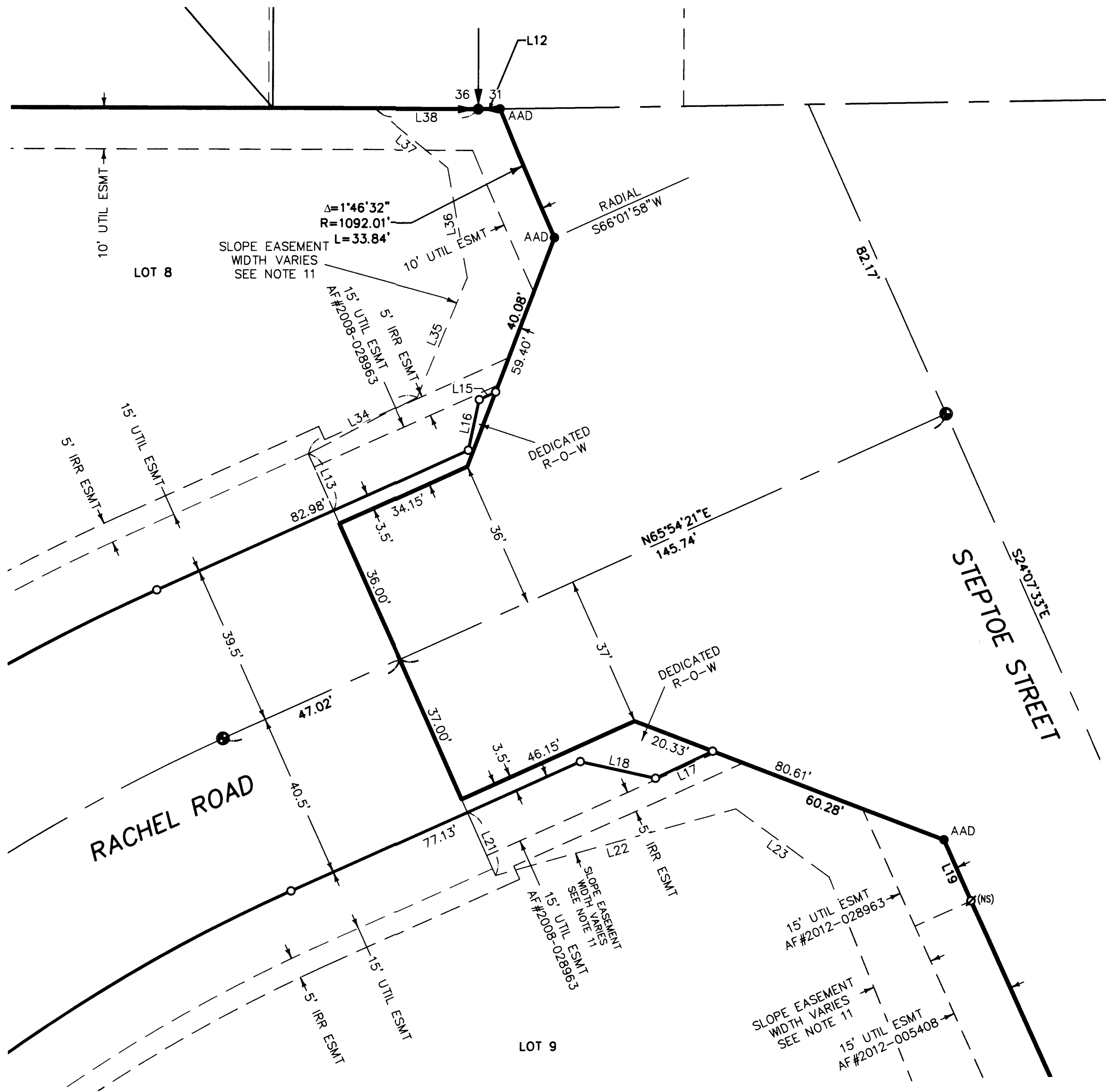
4631FP3.DWG	© 2016
DATE: 11/11/16	SHT. 2 OF 4
DRAWN BY: DCI	JOB # 4631



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.
Brenta Chilton
BENTON COUNTY AUDITOR
11/21/2016
INDEX NO. 2016-031862
FEE 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

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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 26°37'00",
NORTH 82°30'41" WEST 616.56 FEET,
NORTH 05°19'04" EAST 209.56 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°48'32",
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 69°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

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

NORTHWEST BANK
SIGNED [Signature] V.P. 11/22/16
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] NOTARY PUBLIC May 10, 2019
MY APPOINTMENT EXPIRES



NOTARY STAMP
BLACK INK ONLY

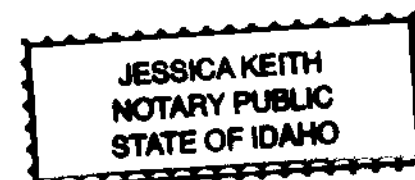
ACKNOWLEDGEMENT

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] NOTARY PUBLIC 8/18/2020
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 (CBU/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

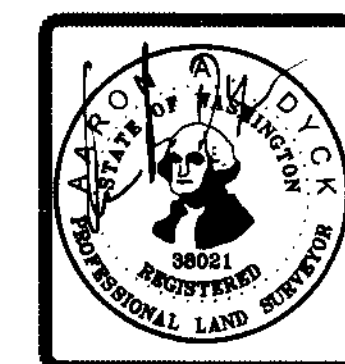
[Signature] 12/2/2016
CITY MANAGER, RICHLAND DATE

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

I HEREBY CERTIFY THAT THE TAXES ON THE LAND DESCRIBED HEREON HAVE BEEN PAID TO AND INCLUDING THE YEAR 2016 P.T.N. OF PARCEL NO. 101881000001008.9 2017 Advanced 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 13th 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 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

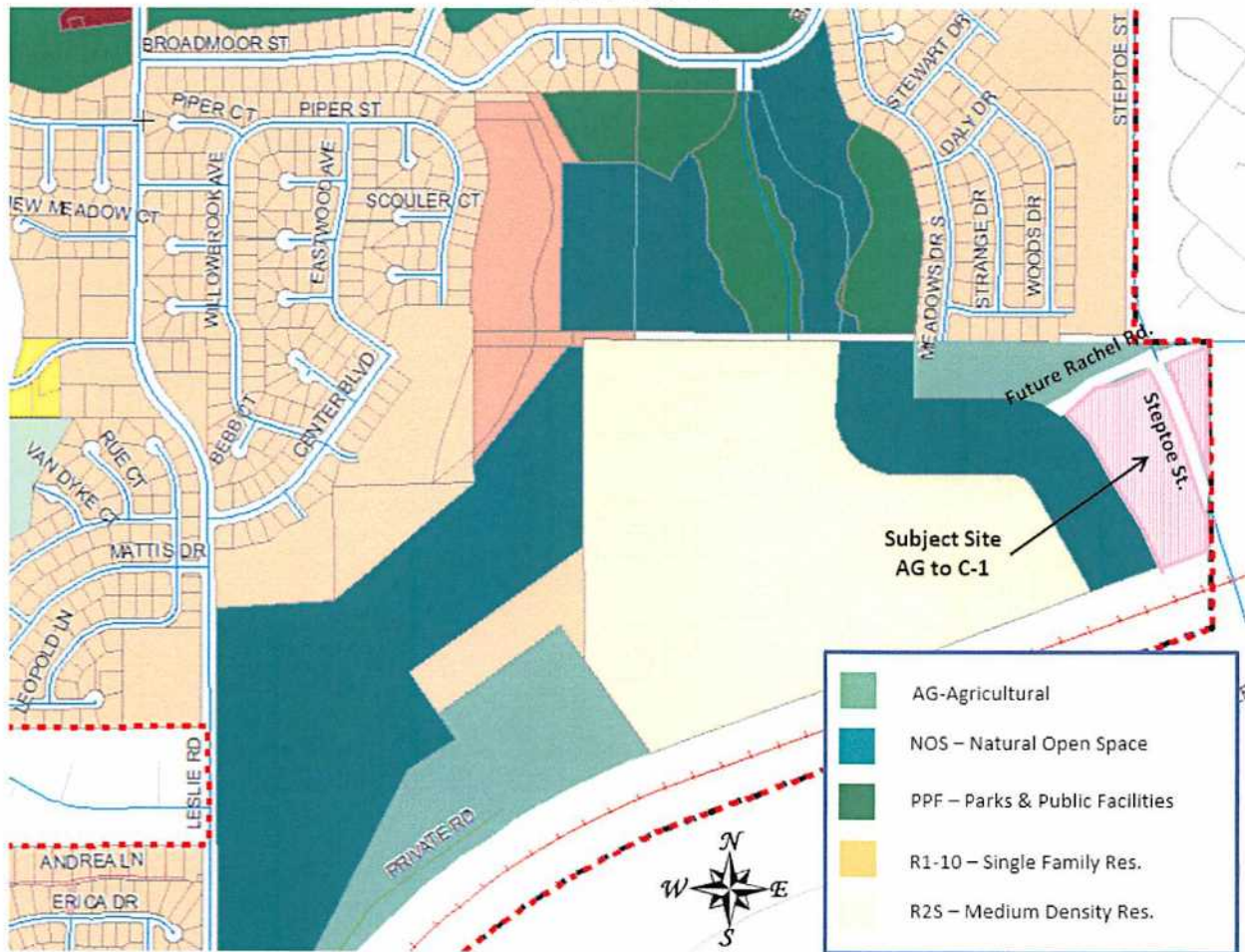
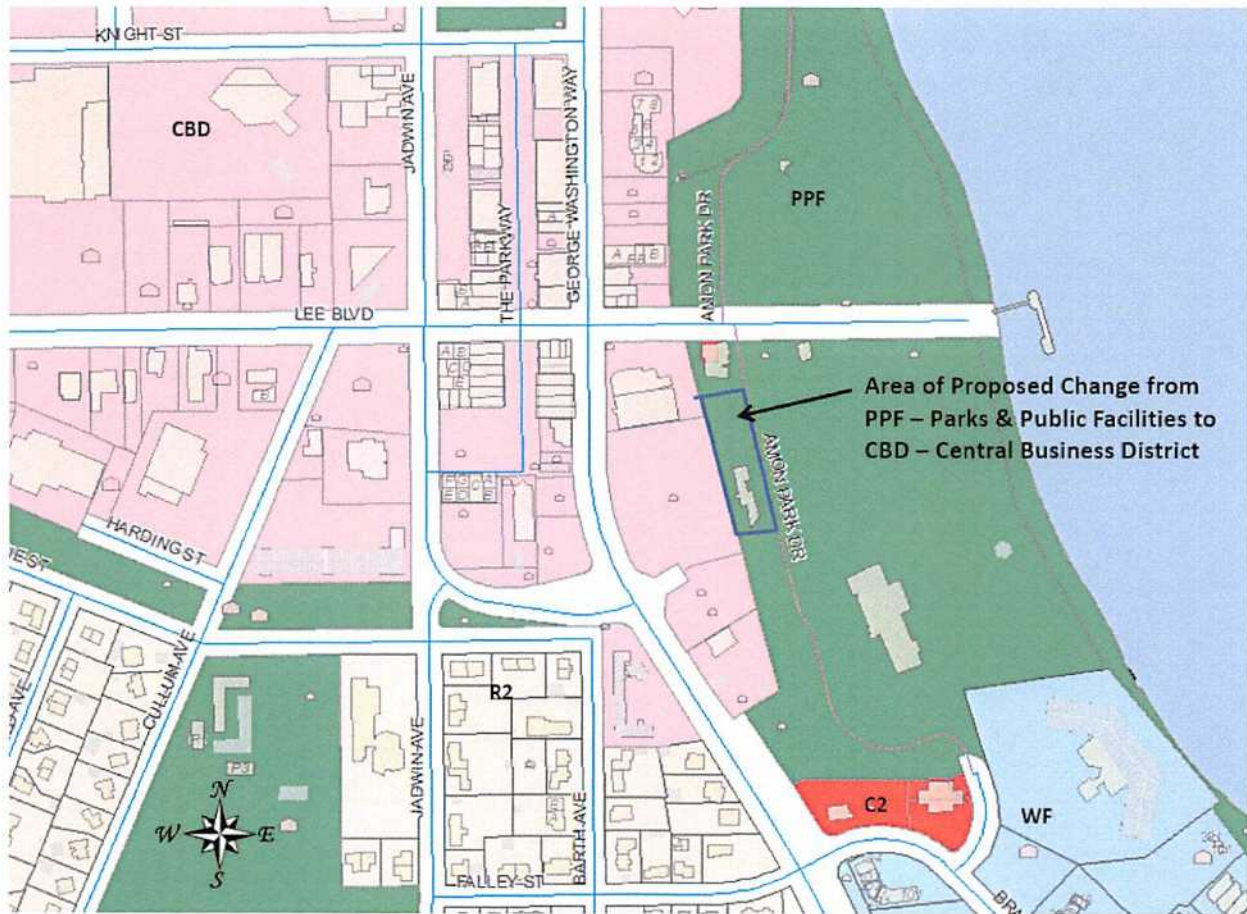


Exhibit B





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.



1
2 **AFFIDAVIT OF MAILING**

3
4 STATE OF WASHINGTON)
5 COUNTY OF BENTON) ss.
6)

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

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

13
14 
15 Signed: Briana Ghbein

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



23 
24 Notary Public in and for the State of Washington,
25 
Print Name
Residing at 625 Swift Blvd
My appointment expires: 4-25-23

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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

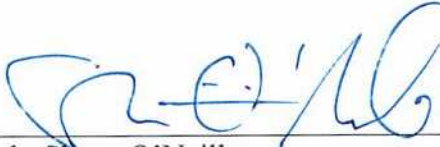
STATE OF WASHINGTON)
) ss.
COUNTY OF BENTON)

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

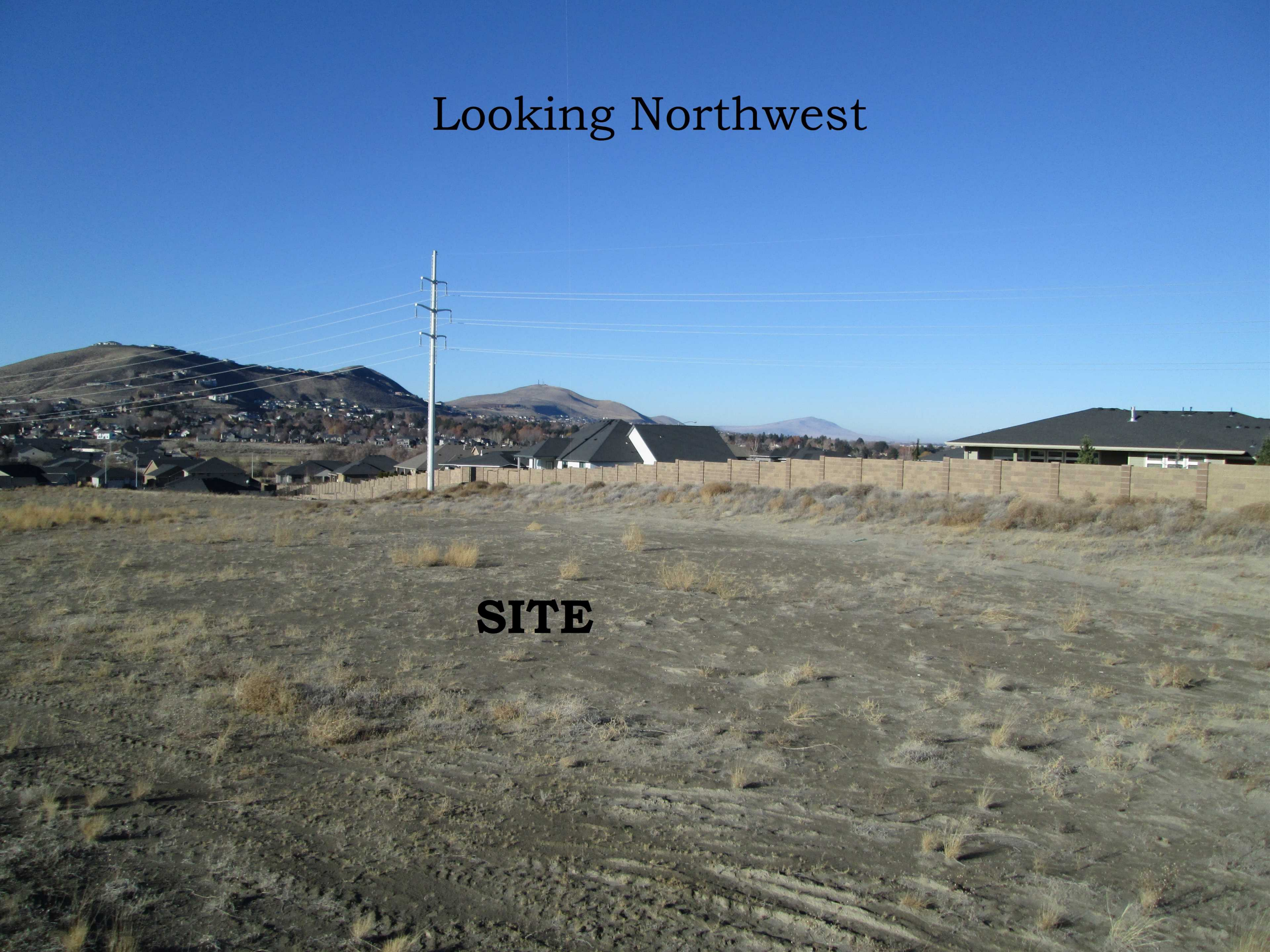
Looking North

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





HEARING EXAMINER AGENDA ITEM COVERSHEET

Meeting Date: 1/11/2021

Agenda Category: New Business - Public Hearing

Prepared By: Mike Stevens, Planning Manager

Subject:

Z2020-104 Rezone 2.9 Acres from CLB to C-3
Goodwill Industries of the Columbia

Department:

Development Services

Recommended Motion:

Staff recommends that the Hearings Examiner approve the requested rezone of property located at 1769 Leslie Road (APN 1-26984012770003) from C-LB (Limited Business) to C-3 (General Business).

Summary:

On November 3, 2020, Goodwill Industries of the Columbia filed a request to rezone a 2.9 acre parcel located on the west side of Leslie Road, approximately 477 feet north of Gage Blvd., from C-LB (Limited Business) to C-3 (General Business).

The purpose of the rezone request is so Goodwill Industries can develop the underutilized portion of the property with a new multi-tenant retail facility with Goodwill

Industries drop-off tenant space. Improvements would include parking, utilities, landscaping etc. to meet City of Richland requirements. Architecture to complement adjacent retail buildings to the west.

Attachments:

1. Z2020-104_Full Staff Report - Goodwill - CLB to C-3

**CITY OF RICHLAND DEVELOPMENT SERVICES DIVISION
STAFF REPORT TO THE HEARING EXAMINER**

GENERAL INFORMATION:

PROPOSAL NAME: Goodwill Industries Rezone

LOCATION: The project site is located at 1769 Leslie Road (APN: 1-26984012770003).

APPLICANT: Goodwill Industries of the Columbia

FILE NO.: Z2020-104

DESCRIPTION: Request to change zoning of an approximately 2.9-acre site from C-LB (Limited Business) to C-3 (General Business).

PROJECT TYPE: Type 3A Site-Specific Rezone

HEARING DATE: January 11, 2020

REPORT BY: Mike Stevens, Planning Manager

RECOMMENDED ACTION: Approval

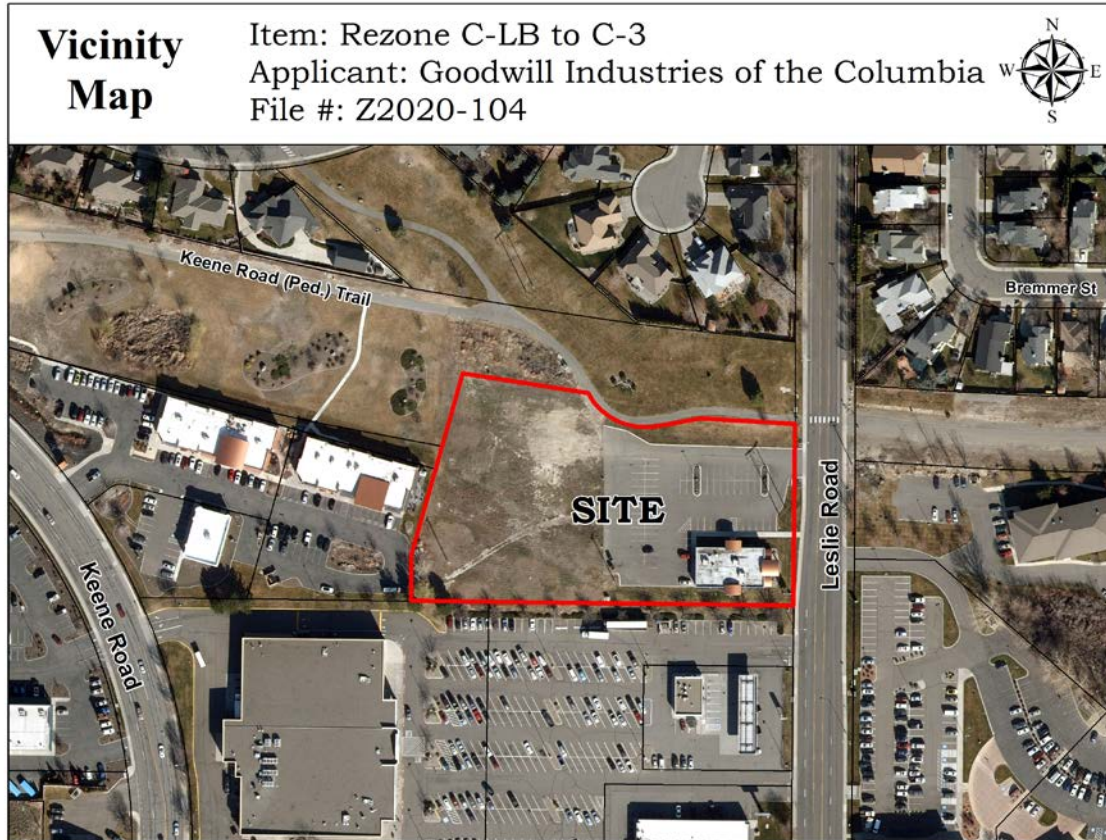


Figure 1 - Vicinity Map

DESCRIPTION OF PROPOSAL

On November 3, 2020, Goodwill Industries of the Columbia filed a request to rezone the 2.9 acre parcel from C-LB (Limited Business) to C-3 (General Business).

SITE DESCRIPTION & ADJACENT LAND USES

The site is comprised of one 2.9-acre parcel located on the west side of Leslie Road approximately 477-feet north of Gage Blvd. (see Fig. 1 above). The parcel forms an irregular, approximately rectangular-shaped trapezoid, measuring approximately 507 feet in its longest diagonal dimension (east-west), and 241 feet at its narrowest diagonal dimension (north-south).

The site currently contains an existing Round Table Pizza restaurant and associated parking on the eastern half of the site, while the western half of the property is currently undeveloped.

A 100-foot Bonneville Power Administration easement containing overhead electrical transmission lines, encumbers the northeast portion of the site along with a 50-foot Cascade Natural Gas easement and a 10-foot public utility easement. Additional utility, water and drainage easements are located on the western portion of the site

as well. These easements are illustrated in the site plan that was submitted as part of the application materials (Exhibit 1). Exhibit 1 also indicates that the site will be subject to a Binding Site Plan. However, the Binding Site Plan is not a part of the rezone request at-hand. The future Binding Site Plan will likely result in the establishment of one (1) 1.31-acre parcel and a separate 1.61-acre parcel. The future 1.31-acre parcel will house the existing Round Table Pizza restaurant, while the new 1.61-acre parcel will likely be the site of a new Goodwill Industries retail store and regional office.

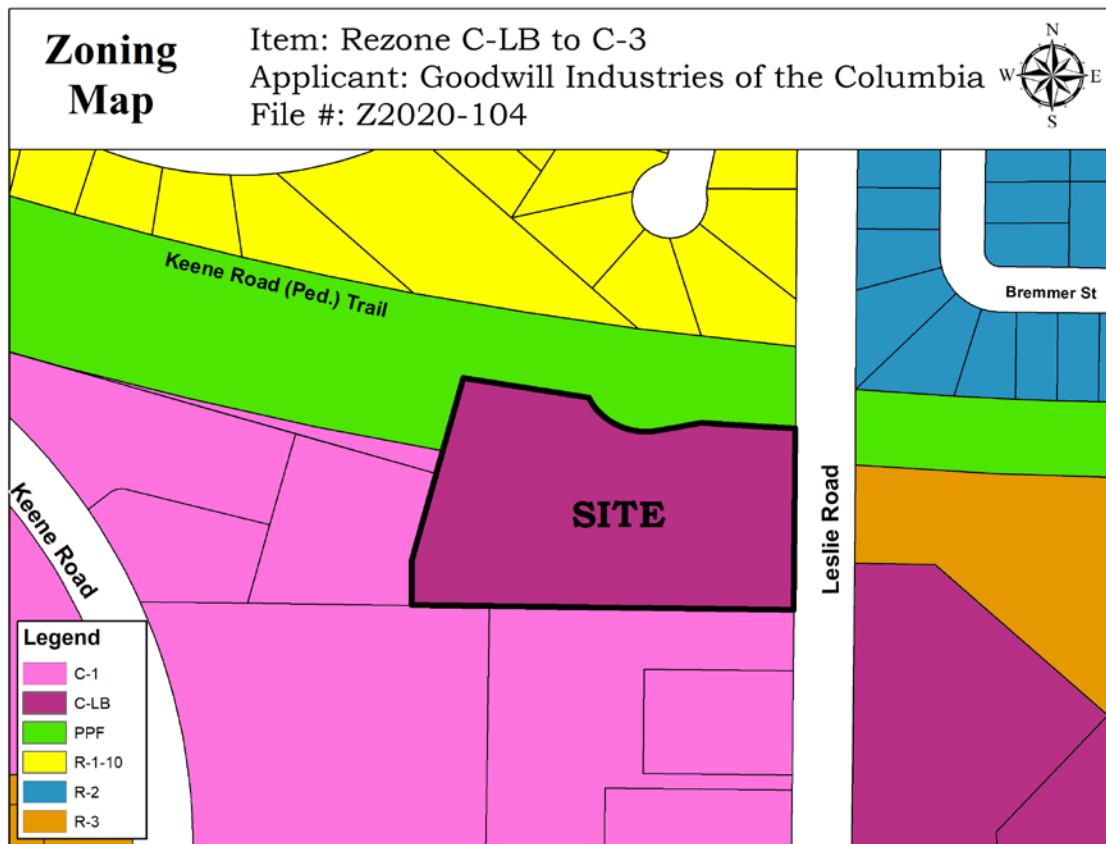


Figure 2 – Zoning Map

CURRENT ZONING

The zoning map above illustrates the site's current C-LB (Limited Business) zoning together with zoning assignments of adjacent and surrounding properties.

As stated in Richland Municipal Code Chapter 23.22, the Limited Business zone is designed to provide an area for the location of buildings for professional and business offices, motels, hotels, and their associated accessory uses, and other compatible uses serving as an administrative district for the enhancement of the central business districts, with regulations to afford protection for developments in this and adjacent districts and in certain instances to provide a buffer zone between residential areas and other commercial and industrial districts. The Limited Business

zone classification is intended to be applied to some portions of the city that are designated either commercial or high-density residential under the city of Richland comprehensive plan. Richland's comprehensive plan designates the subject site for commercial land uses. This means the current C-LB zoning conforms to the City's Comprehensive Plan in terms of land use.

SURROUNDING ZONING & LAND USES

North: Public Zoning **PPF**

East: Leslie Road right-of-way

South: Neighborhood Commercial **C-1**

West: Public Zoning and Neighborhood Commercial **PPF and C-1**

REQUESTED ZONING

The General Business (C-3) zone is a zone classification providing a use district for commercial establishments which require a retail contact with the public together with incidental shop work, storage and warehousing, or light manufacturing and extensive outdoor storage and display, and those retail businesses satisfying the essential permitted use criteria of the C-2 use district. This zoning classification is intended for portions of the City that are either designated as commercial or designated as industrial and located adjacent to SR 240 under the City of Richland comprehensive Plan. Richland's Comprehensive Plan designates the subject site for commercial land uses. This means the proposed C-3 zoning conforms to the City's Comprehensive Plan in terms of land use.

Business types permitted in the C-3 zone include but are not limited to: restaurants, apparel and accessory stores, department stores, fuel stations/mini-marts, secondhand stores and specialty retail stores.

COMPREHENSIVE PLAN

Richland's Comprehensive Plan designates the subject site for Commercial land uses. The General Business (C-3) 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. 3) 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-3 zoning classification is intended to be applied to portions of the city designated as Commercial under the City of Richland Comprehensive Plan.

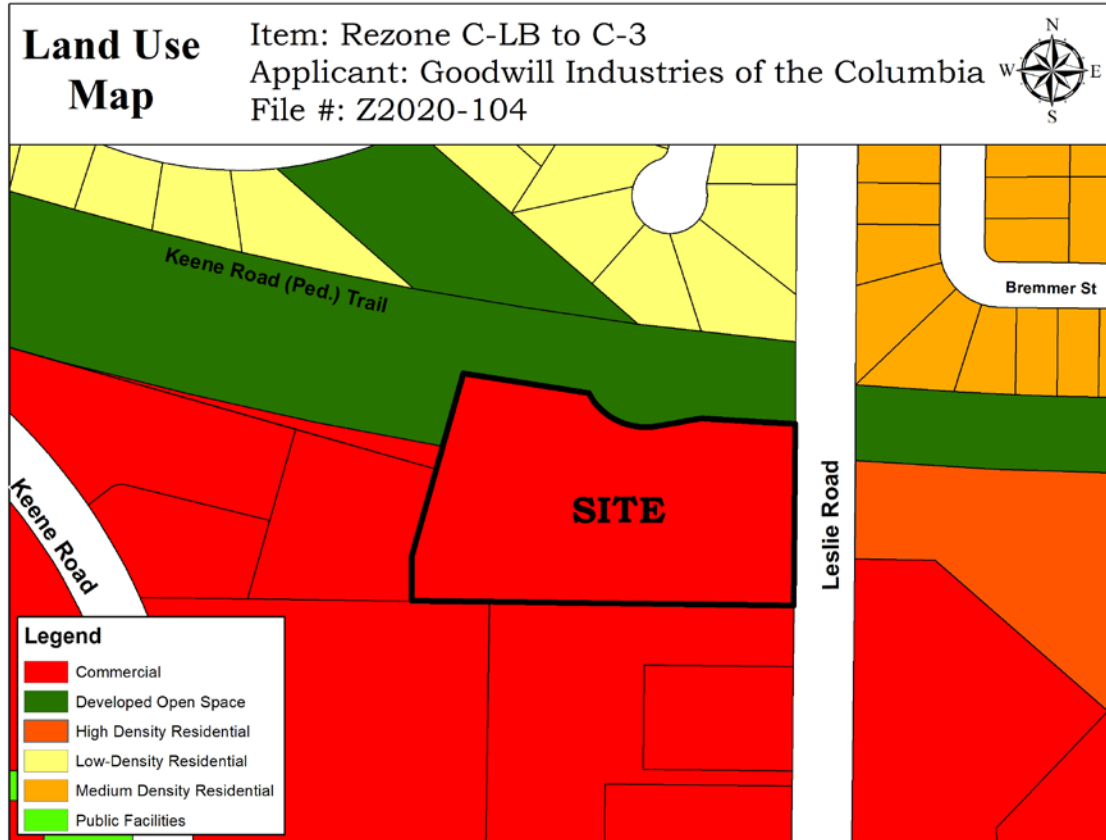


Figure 3 – Comprehensive Plan Map

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.

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.

PUBLIC NOTICE

Application Date:	November 3, 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 2. As of the date of this report, city staff received one comment from the general public (Exhibit 3). The comment, from the owner and resident of an adjoining residential property (2624 Tiger Lane), was more directed to the use of the site for Goodwill Industries and how trash and materials would be stored on-site of than it was a specific comment on the rezone proposal.

UTILITIES

City utility mapping records indicate underground utility infrastructure as illustrated in Figure 4 provided below. Written explanations of each utility service are provided in the following sections.

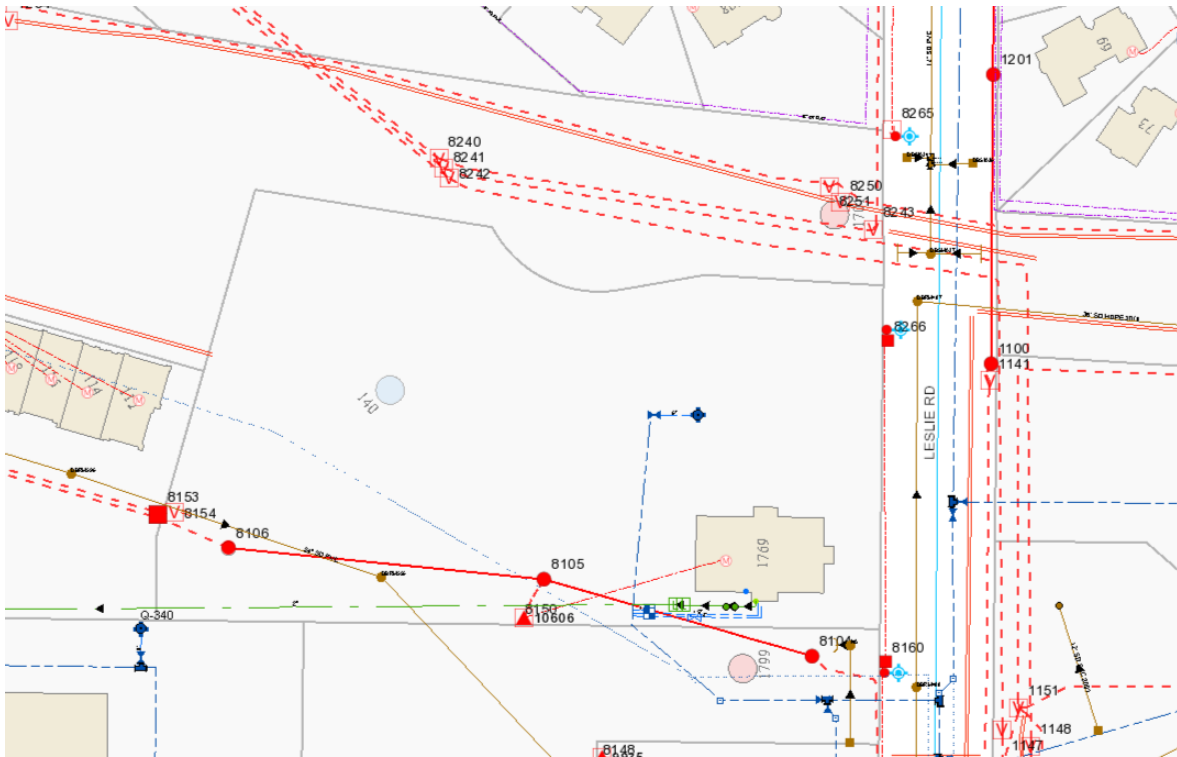


Figure 4 - Utilities Map

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

SEWER

An existing 2" sanitary sewer line located near the southern property line provides sewer service to the existing Round Table Pizza restaurant. The respective Leslie Road frontage does not contain sewer service infrastructure.

WATER

An existing 6" water line extends onto the site from the 12" water main located within Leslie Road.

ELECTRICAL POWER

Richland Energy Services (RES), a municipal public utility district, services the existing Round Table Pizza restaurant and will service future development on the site. Underground power lines are located on the subject property.

TRANSPORTATION

Access to the subject property is provided via the existing commercial driveway onto Leslie Road.

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

The subject property is not located within, or adjacent to, any critical areas designated by the RMC Chapter 22.10.

SHORELINE JURISDICTION

The subject property is not within the jurisdiction of the City's Shoreline Master Program.

ANALYSIS

Washington Courts apply three basic rules when reviewing appeals of rezone applications: (1) there is no presumption favoring the rezone request; (2) the proponent must demonstrate that there has been a change of circumstances since the original zoning PROVIDED if a proposed rezone implements the policies of the comprehensive plan, a showing of changed circumstances is usually not required; and (3) the rezone must have a substantial relationship to the public health, safety, morals or general welfare.

Purposes of this rezone request, the central questions presented are:

1. Whether the requested rezone implements policies of the City's Comprehensive Plan, and /or whether there has been a change of circumstances since the original C-LB (Limited Business) zoning was adopted for the site?

The site is already designated for commercial uses by the City's Comprehensive Plan, and the rezone request would only change the zoning from one Commercial zoning district (C-LB) to another (C-3). The back half of the subject property has been undeveloped for some time due to the site not being adequate for many of the permitted land uses permitted in the C-LB zone. As a result, the site has been left unattended and while it is not overgrown with weeds and noxious vegetation, leaving it in a distressed/undeveloped condition is not in the public interest. The requested rezone is meant to facilitate the applicant's plans to develop the site in a manner fully authorized by the C-3 zoning regulations.

2. Does the rezone bear a substantial relationship to the public health, safety, morals, or general welfare?

It appears that the proposed rezone is consistent with this criterion because the rezone is consistent with the City's Comprehensive 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.

RECOMMENDATION

Staff recommends that the Hearings Examiner approve the requested rezone of property located at 1769 Leslie Road (APN 1-26984012770003) from C-LB (Limited

Business) to C-3 (General Business) based on the following suggested Findings and Conclusions:

FINDINGS AND CONCLUSIONS

1. The site is comprised of one tax parcel approximately 2.9-acres in size.
2. The subject site currently contains an existing Round Table Pizza restaurant on the eastern portion of the site, while the western portion of the site is vacant and otherwise ready for development.
3. The subject parcel is located at 1769 Leslie Road and otherwise identified as Benton County Assessor's Tax Parcel Number 1-26984012770003.
4. The entire site is currently zoned C-LB (Limited Business) [23.22 RMC].
5. The vicinity includes residential neighborhoods, primarily to the north and east of the subject site. 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.
6. Numerous public and private utility and drainage easements are located on the subject property.
7. The City of Richland Comprehensive Plan designates the subject site as suitable for commercial land uses.
8. The General Business (C-3) zone is a zone classification providing a use district for commercial establishments which require a retail contact with the public together with incidental shop work, storage and warehousing, or light manufacturing and extensive outdoor storage and display, and those retail businesses satisfying the essential permitted use criteria of the C-2 use district. This zoning classification is intended for portions of the City that are either designated as commercial or designated as industrial and located adjacent to SR 240 under the City of Richland comprehensive Plan. Richland's Comprehensive Plan designates the subject site for commercial land uses.
9. The subject site lies in close proximity to Leslie Road which is an arterial roadway.
10. Ingress and egress to the site is currently from Leslie Road.
11. 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).
12. Much of the utility infrastructure necessary to serve this site lies either exists or easements exist to accommodate the installation of said utilities.

13. 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. Public Notices
3. Comments



EXHIBIT 1

City of Richland
Development Services

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

Z2020-104

Zoning Map Amendment Application

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

PROPERTY OWNER INFORMATION

☐ Contact Person

Owner: Chuck Stack / Gayle Stack - gayle@everstarrealty.com

Address: 4204 S Olson Street, Kennewick, WA 99336

Phone: (509) 948-5660

Email: rtchuck@charter.net

APPLICANT/CONTRACTOR INFORMATION (if different)

☒ Contact Person

Company: Goodwill Industries of the Columbia

UBI#:

Contact: Ken Gosney

Address: 815 N Kellogg Street, Kennewick, WA 99336

Phone: (509) 212-5759

Email: kgosney@goodwillotc.org

DESCRIPTION OF WORK

Develop underutilized portion of the property with a new multi-tenant retail facility with Goodwill Industries drop-off tenant space. Improvements would include parking, utilities, landscaping etc. to meet City of Richland requirements. Architecture to complement adjacent retail buildings to the west.

PROPERTY INFORMATION

Parcel #: 126984012770003

Legal Description: Lot 3, Short Plat No. 2770 Auditors File 2003-057882

Current Zoning: CL-B

Current Comp Plan: Commercial

Requested Zoning: C-3

Current Use: Vacant land

Proposed Use: Multi-tenant retail

Area of Property: 2.92 acres

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:

The subject property is zoned Commercial Light Business (C-LB) and is surrounded by parcels zoned Neighborhood Retail Business (C-1) and Parks & Public Facilities (PPF). The site is also buffered from residential zones by a public greenway zoned PPF. The existing primary use of the entire parcel is a full-service restaurant, which is an existing non-conforming primary use. The parcel has been difficult to develop due to the remaining developable land located away from street-frontage and challenging access conditions.

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

Site will remain undeveloped and underutilized in a growing and vibrant portion of Richland.

The manner in which the proposed rezone conforms to patterns in adjacent zones:

The proposed rezoning will allow underutilized land to be developed as a commercial retail connector with adjacent C-1 neighborhood retail business zoned properties to the south and west of the site, thereby creating one unified and harmonious commercial neighborhood with Parks & Public Facilities greenbelt continuing to buffer residential neighbors to the north.

Any beneficial or adverse effects the granting or denial of the rezone would have on adjacent or surrounding zones:

Benefits to adjacent surrounding zones include development of an area of unimproved property that will connect existing commercial sites into one active neighborhood. This proposed site will reduce traffic reentering the main arterial streets when driving between businesses that are currently on disconnected parcels. No adverse effects are known.

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:

Requested zoning change will bring existing restaurant into conformance with Richland's zoning code, thereby solidifying its purpose within the comprehensive plan. No adverse effects are known.

The benefits or detriments accruing to the City which would result from the granting or denial of this special permit:

Rezone will result in developing an area of unimproved property, generating property, permit and sales tax revenue to the city. Development of the site will also benefit the city by reducing current issues with loitering and illegal dumping occurring on the undeveloped land. No detriments are known.

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

The proposed rezone remains commercial in nature, keeping with the guiding principles set forth in the comprehensive plan, and brings an existing non-conforming use into compliance.

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

The rezone is not considered a spot zone as it remains commercial in nature within the comprehensive plan.

Identify impacts on the environment and public safety:

The rezoning will have no adverse impacts to the environment nor public safety. Proposed commercial rezone meets the intent of existing comprehensive plan for the site.

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.

Applicant Printed Name: Jason M. Archibald, AIA

Applicant Signature: _____ Date October 28, 2020

RECORD SURVEY

FOR BINDING SITE PLAN
BEING LOT 3, SHORT PLAT 2770
LOCATED IN THE SE 1/4 OF SECTION 26,
TOWNSHIP 9 NORTH, RANGE 28 EAST, W.M.
CITY OF RICHLAND, BENTON COUNTY, WASHINGTON

RECORD LEGAL DESCRIPTION:

LOT 3, SHORT PLAT NO. 2770, AN AMENDMENT OF SHORT PLAT NO. 2734, ACCORDING TO THE SURVEY THEREOF RECORDED UNDER AUDITOR'S FILE NO. 2003-057882, RECORDS OF BENTON COUNTY, WASHINGTON.

SURVEYOR'S NOTES:

1. BASIS OF BEARING: THE HORIZONTAL DATA SHOWN HEREON IS BASED ON TIES TO MONUMENTS OF RECORD PER SHORT PLAT 2770. DISTANCES ARE 'TRUE GROUND' MEASUREMENTS
2. ● = DENOTES FOUND 5/8" REBAR WITH YELLOW PLASTIC CAP AS NOTED
3. ○ = SET 5/8"x24" REBAR WITH ORANGE PLASTIC CAP STAMPED "DPB WA 41028"
4. EQUIPMENT AND PROCEDURES USED: LEICA NOVA MS60 MULTISTATION
5. (M) = MEASURED (C) = COMPUTED
(R) = RECORD PER SHORT PLAT 2770 (A.F. #2003-057882)
6. THESE EASEMENTS ONLY APPEAR IN RECORD SURVEY 730 (AF#852719) WITH NO SUPPORTING DOCUMENTS BUT DON'T APPEAR ON SHORT PLAT 2770 (AF#2003-057882). EXISTENCE OF EASEMENT IS UNKNOWN
7. EASEMENT RECORD DIMENSIONS EXTEND INTO BPA EASEMENT; BOUNDS CALL TO BPA EASEMENT HELD OVER DIMENSION.

SURVEYOR'S CERTIFICATE

I, DAVID P. BAALMAN, A PROFESSIONAL LAND SURVEYOR, HEREBY CERTIFY THAT THE BINDING SITE PLAN AS SHOWN HEREON IS BASED ON AN ACTUAL FIELD SURVEY OF THE LAND DESCRIBED AND THAT ALL CORNERS AND DIMENSIONS ARE CORRECTLY SHOWN AND THAT SAID RECORD SURVEY IS STAKED ON THE GROUND AS INDICATED HEREON. THIS MAP CORRECTLY REPRESENTS A SURVEY MADE BY ME OR UNDER MY DIRECTION IN CONFORMANCE WITH THE REQUIREMENTS OF THE SURVEY RECORDING ACT AT THE REQUEST OF GAYLE STACK IN MARCH 2020.

DAVID P. BAALMAN
CERTIFICATE #41028

DATE

AUDITOR'S CERTIFICATE

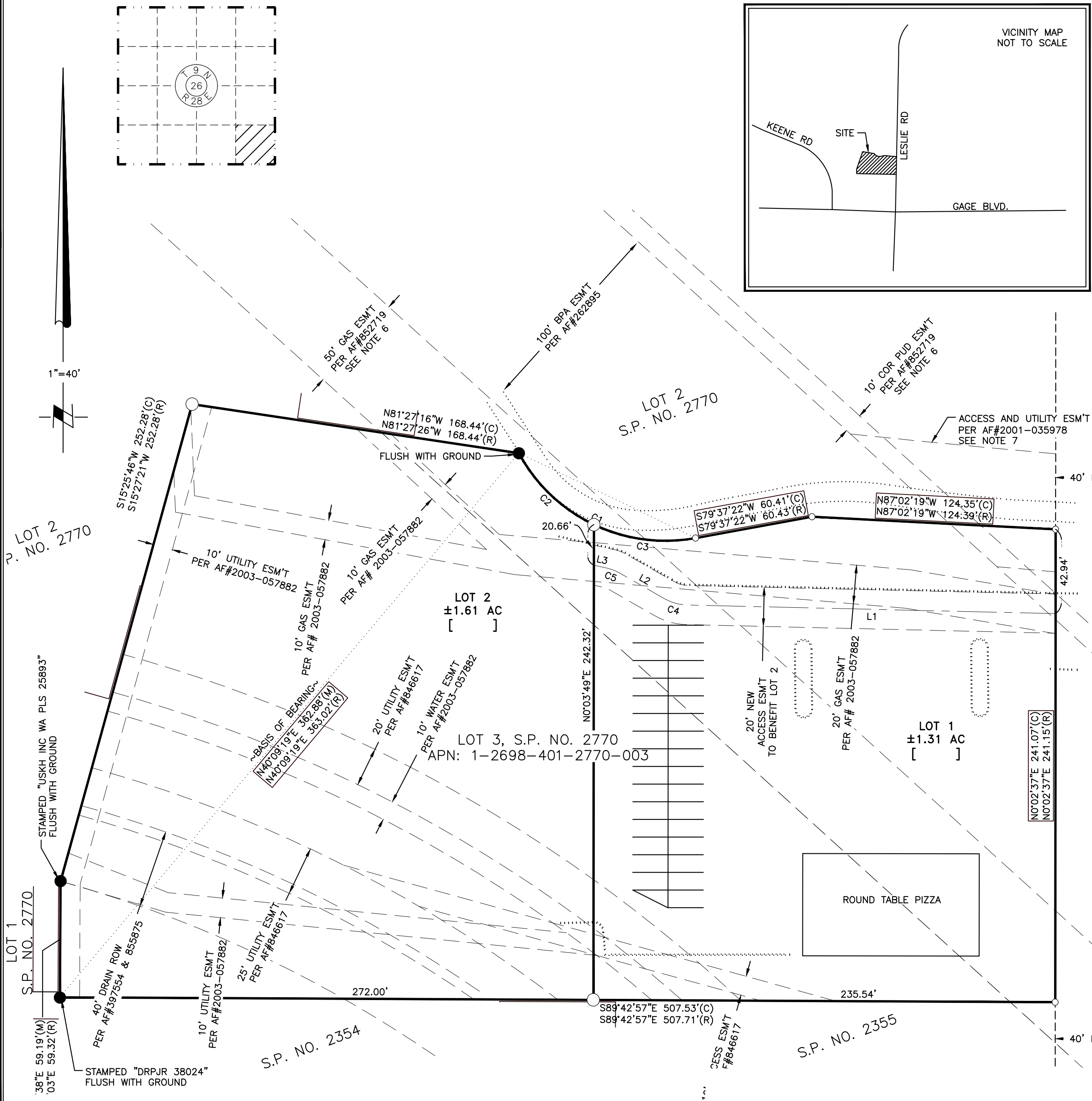
FILED FOR RECORD THIS _____ DAY OF _____, 20____ A.D., AT _____
MINUTES PAST _____ M. AND RECORDED IN VOLUME _____ OF SURVEYS,
PAGE _____, AT THE REQUEST OF ROGERS SURVEYING.

BENTON COUNTY AUDITOR

AUDITOR'S FILE NUMBER

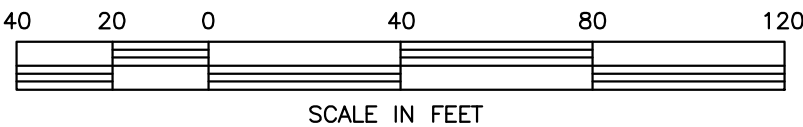
REV: NONE

CLIENT		GAYLE STACK		JOB
				09220
PROJECT		BINDING SITE PLAN		
		PTN SE1/4, SEC 26, T9N, R28E, W.M.		
DRN. BY	BAG	SCALE	1"= 40'	F. B. NO. NONE
APPROVED	DPB	DATE	3/30/20	ACAD VER - C3D19
				FILE: 09220.DWG
				SHEET 1 OF 2



Curve Table					
CURVE	LENGTH	RADIUS	DELTA	CH. BRNG.	CHORD
C1	106.84	85.00	72°01'10"	S64°21'11"E	99.95
C2	53.68	85.00	36°10'57"	S46°26'05"E	52.79
C3	53.16	85.00	35°50'12"	S82°26'40"E	52.30
C4	12.39	25.00	28°23'50"	S74°28'22"E	12.26
C5	5.95	20.00	17°02'48"	S68°47'51"E	5.93

LINE TABLE		
LINE	DIRECTION	LENGTH
L1	S88°40'17"E	187.70
L2	S60°16'27"E	26.85
L3	S77°19'15"E	7.31



RSI ROGERS SURVEYING INC., P.S.
1455 COLUMBIA PARK TRAIL
RICHLAND, WA. 99352
PHONE (509) 783-4141
FAX: (509) 783-8994
www.rogerssurveying.com

ALTA COMMITMENT FOR TITLE INSURANCE

Issued By agent:



CHICAGO TITLE

COMPANY OF WASHINGTON

Commitment Number:

62242000444

Revision 1

NOTICE

IMPORTANT - READ CAREFULLY: THIS COMMITMENT IS AN OFFER TO ISSUE ONE OR MORE TITLE INSURANCE POLICIES. ALL CLAIMS OR REMEDIES SOUGHT AGAINST THE COMPANY INVOLVING THE CONTENT OF THIS COMMITMENT OR THE POLICY MUST BE BASED SOLELY IN CONTRACT.

THIS COMMITMENT IS NOT AN ABSTRACT OF TITLE, REPORT OF THE CONDITION OF TITLE, LEGAL OPINION, OPINION OF TITLE, OR OTHER REPRESENTATION OF THE STATUS OF TITLE. THE PROCEDURES USED BY THE COMPANY TO DETERMINE INSURABILITY OF THE TITLE, INCLUDING ANY SEARCH AND EXAMINATION, ARE PROPRIETARY TO THE COMPANY, WERE PERFORMED SOLELY FOR THE BENEFIT OF THE COMPANY, AND CREATE NO EXTRACONTRACTUAL LIABILITY TO ANY PERSON, INCLUDING A PROPOSED INSURED.

THE COMPANY'S OBLIGATION UNDER THIS COMMITMENT IS TO ISSUE A POLICY TO A PROPOSED INSURED IDENTIFIED IN SCHEDULE A IN ACCORDANCE WITH THE TERMS AND PROVISIONS OF THIS COMMITMENT. THE COMPANY HAS NO LIABILITY OR OBLIGATION INVOLVING THE CONTENT OF THIS COMMITMENT TO ANY OTHER PERSON.

COMMITMENT TO ISSUE POLICY

Subject to the Notice; Schedule B, Part I-Requirements; Schedule B, Part II-Exceptions; and the Commitment Conditions, Chicago Title Insurance Company, a Florida corporation (the "Company"), commits to issue the Policy according to the terms and provisions of this Commitment. This Commitment is effective as of the Commitment Date shown in Schedule A for each Policy described in Schedule A, only when the Company has entered in Schedule A both the specified dollar amount as the Proposed Policy Amount and the name of the Proposed Insured.

If all of the Schedule B, Part I-Requirements have not been met within one hundred eighty (180) days after the Commitment Date, this Commitment terminates and the Company's liability and obligation end.

Chicago Title Insurance Company

By:

President

Attest:

Secretary

Countersigned By:

Authorized Officer or Agent

This page is only a part of a 2016 ALTA® Commitment for Title Insurance issued by Chicago Title Insurance Company. This Commitment is not valid without the Notice; the Commitment to Issue Policy; the Commitment Conditions; Schedule A; Schedule B, Part I-Requirements; Schedule B, Part II-Exceptions; and a counter-signature by the Company or its issuing agent that may be in electronic form.

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ALTA Commitment for Title Insurance w-WA Mod (08/01/2016)



CHICAGO TITLE COMPANY OF WASHINGTON**COMMITMENT NO. 62242000444****REVISION 1**

ISSUING OFFICE:	FOR SETTLEMENT INQUIRIES, CONTACT:
Title Officer: Christopher Hull Chicago Title Company of Washington 6416 W. Okanogan Avenue Kennewick, WA 99336 Phone: 509-783-7833 Fax: 509-735-6297 Main Phone: (509)783-7833 Email: Christopher.Hull@ctt.com	Escrow Officer: Alaina Brainerd Chicago Title Company of Washington 9001 W. Tucannon Avenue, Suite 220 Kennewick, WA 99336 Phone: 509-735-1575 Main Phone: (509)735-1575 Main Fax: (509)735-0707 Email: Alaina.Brainerd@ctt.com

SCHEDULE A

1. Commitment Date: February 21, 2020 at 08:00 AM
 2. Policy to be issued:
 - (a) ALTA Standard Owner's Policy 2006
- | | |
|-------------------------|---|
| Proposed Insured: | Goodwill Industries of the Columbia, Inc. |
| Proposed Policy Amount: | \$627,264.00 |
| Premium: | \$ 1,442.00 |
| Tax: | \$ 124.01 |
| Total: | \$ 1,566.01 |
3. The estate or interest in the Land described or referred to in this Commitment is:
Fee Simple
 4. The Title is, at the Commitment Date, vested in:
Chuck Stack, a married man, as his separate property
 5. The Land is described as follows:
SEE EXHIBIT "A" ATTACHED HERETO AND MADE A PART HEREOF

END OF SCHEDULE A

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ALTA Commitment for Title Insurance w-WA Mod (08/01/2016)



EXHIBIT "A"
Legal Description

Lot 3, Short Plat No. 2770, according to the Survey thereof recorded under Auditor's File No. 2003-057882, records of Benton County, Washington.

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ALTA Commitment for Title Insurance w-WA Mod (08/01/2016)



RECORD SURVEY

FOR BINDING SITE PLAN

BEING LOT 3, SHORT PLAT 2770
LOCATED IN THE SE 1/4 OF SECTION 26,
TOWNSHIP 9 NORTH, RANGE 28 EAST, W.M.
CITY OF RICHLAND, BENTON COUNTY, WASHINGTON

RECORD LEGAL DESCRIPTION:

LOT 3, SHORT PLAT NO. 2770, AN AMENDMENT OF SHORT PLAT NO. 2734, ACCORDING TO THE SURVEY THEREOF RECORDED UNDER AUDITOR'S FILE NO. 2003-057882, RECORDS OF BENTON COUNTY, WASHINGTON.

SURVEYOR'S NOTES:

1. BASIS OF BEARING: THE HORIZONTAL DATA SHOWN HEREON IS BASED ON TIES TO MONUMENTS OF RECORD PER SHORT PLAT 2770. DISTANCES ARE "TRUE GROUND" MEASUREMENTS.
2. * = DENOTES FOUND 5/8" REBAR WITH YELLOW PLASTIC CAP AS NOTED
3. O = SET 5/8"x24" REBAR WITH ORANGE PLASTIC CAP STAMPED "DPE WA 41028"
4. EQUIPMENT AND PROCEDURES USED: LEICA NOVA 4550 MULTISTATION
5. (M) = MEASURED (C) = COMPUTED
(R) = RECORD PER SHORT PLAT 2770 (A.F. #2003-007882)
6. THESE EASEMENTS ONLY APPEAR IN RECORD SURVEY 730 (AF#685711) WITH NO SUPPORTING DOCUMENTS BUT DON'T APPEAR ON SHORT PLAT 2770 (AF#2003-057882). EXISTENCE OF EASEMENT IS UNKNOWN
7. EASEMENT RECORD DIMENSIONS EXTEND INTO BPA EASEMENT, BOUNDS CALL TO BPA EASEMENT HELD OVER DIMENSION.

SURVEYOR'S CERTIFICATE

I, DAVID P. BALJAN, A PROFESSIONAL SURVEYOR, HEREBY CERTIFY THAT THE BINDING SITE PLAN AS SHOWN HEREON IS BASED ON AN ACTUAL SURVEY OF THE LAND SHOWN THEREON. THAT ALL CORNERS AND DIMENSIONS ARE CORRECTLY SHOWN AND THAT SAID RECORD SURVEY IS THE MY OWN WORK AND NOT A REPRODUCTION OF A PREVIOUS SURVEY. I HAVE REVIEWED THE RECORD SURVEY AND THE RECORD DIMENSIONS OF THE SURVEY RECORDING ACT AT THE REQUEST OF GAYLE STACK IN MARCH 2020.



DAVID P. BALJAN
CERTIFICATE #41028

DATE

AUDITOR'S CERTIFICATE

FILED FOR RECORD THIS _____ DAY OF _____, 20____ A.D., AT _____ MINUTES PAST _____ M. AND RECORDED IN VOLUME _____ OF SURVEYS, PAGE _____, AT THE REQUEST OF ROGERS SURVEYING.

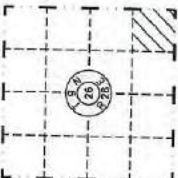
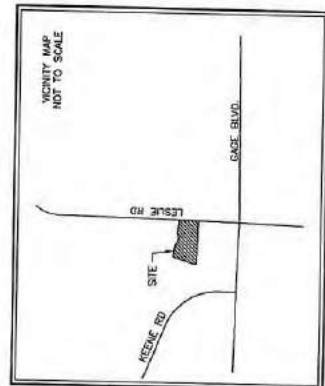
BENTON COUNTY AUDITOR

AUDITOR'S FILE NUMBER

REV: NONE

CLIENT: GAYLE STACK
PROJECT: BINDING SITE PLAN
PTN SE1/4, SEC 26, T9N, R28E, W.M.

DRN. BY: BAG SCALE: 1"= 40'
APPROVED: DPE DATE: 3/30/20
F. B. NO. NONE
ACAD. VES. = C3019
FILE: 00220.DWG
SHEET 1 OF 2



Lot 2



LINE TABLE		
LINE	DIRECTION	LENGTH
L1	S88°40'17"E	187.20
L2	S80°16'27"E	26.85
L3	S77°19'15"E	7.31

Curve Table				
CURVE	LENGTH	RADIUS	DELTA	CHL. BRNG.
C1	108.84	85.00	72°01'10"	89.95
C2	53.68	85.00	36°10'57"	52.79
C3	53.18	85.00	35°50'12"	52.30
C4	12.39	28.00	28°23'30"	12.26
C5	5.95	20.00	17°02'48"	5.93



RSI ROGERS SURVEYING INC., P.S.
1455 COLUMBIA PARK TRAIL
RICHLAND, WA 99352
PHONE: (509) 782-4141
FAX: (509) 782-8984
www.rogerssurveying.com

OWNER'S CERTIFICATE

I, GAYLE STACK, HEREBY CERTIFY THAT I AM THE OWNER OF THE TRACT OF LAND DESCRIBED HEREON THAT HAS BEEN SURVEYED AND PLATTED INTO LOTS AS SHOWN WITH MY CONSENT AND IN ACCORDANCE WITH THE ESSEMENTS ON THIS RECORD SURVEY AND BINDING SITE PLAN ARE HEREBY GRANTED FOR THE USES SHOWN HEREON.

GAYLE STACK

ACKNOWLEDGMENT:

STATE OF WASHINGTON } S.S.
COUNTY OF _____

CERTIFY THAT I KNOW OR HAVE SATISFACTORY EVIDENCE THAT MARJORIE VAN ZUYEN, SIGNED THIS INSTRUMENT AND ACKNOWLEDGE IT TO BE HER FREE AND VOLUNTARY ACT FOR THE USES AND PURPOSES MENTIONED IN THE INSTRUMENT.

DATED: _____ NOTARY PUBLIC IN AND FOR THE STATE OF WASHINGTON

TITLE: _____

MY APPOINTMENT EXPIRES: _____

TREASURER'S CERTIFICATE

I HEREBY CERTIFY THAT THE TAXES ON THE LAND DESCRIBED HEREON HAVE BEEN PAID TO AND INCLUDING THE YEAR 2020.

1-2609-401-2770-003

TAX PARCEL NUMBER

BENTON COUNTY TREASURER

DATE

PUD DISTRICT CERTIFICATE

THE UTILITY EASEMENTS SHOWN HEREON ARE HEREBY APPROVED BY BENTON UTILITY DISTRICT NO. 1.

SIGNATURE

TITLE

DATE

C.O.R. PLAT ADMINISTRATOR'S CERTIFICATE

THE BINDING SITE PLAN IS HEREBY APPROVED BY AND FOR THE CITY OF RICHLAND, BENTON COUNTY, WASHINGTON.

BSP 20-23/PLU 2020-XXXXX

CITY OF RICHLAND FILE NUMBER

SIGNATURE

TITLE

DATE

IRRIGATION DISTRICT CERTIFICATE

I HEREBY CERTIFY THAT THE PROPERTY DESCRIBED HEREIN IS LOCATED WITHIN THE BOUNDARIES OF THE KENNEWICK IRRIGATION DISTRICT, THAT THE IRRIGATION EASEMENTS SHOWN ON THIS RECORD SURVEY ARE LOCATED WITHIN THE BOUNDARIES OF THE DISTRICT SHOWN HEREON. I FURTHER CERTIFY THAT THOSE LOTS WHICH ARE NOT IRRIGATED BY THE DISTRICT WATER UNDER THE OPERATING RULES AND REGULATIONS OF THE DISTRICT HAVE BEEN PAID THROUGHOUT THE YEAR 2020 AND THAT ALL ASSESSMENTS HAVE BEEN PAID THROUGHOUT THE YEAR 2020.

KENNEWICK IRRIGATION DISTRICT

DATE

RECORD SURVEY

FOR BINDING SITE PLAN

BEING LOT 3, SHORT PLAT 2770

LOCATED IN THE SE 1/4 OF SECTION 28,

TOWNSHIP 9 NORTH, RANGE 28 EAST, W.M.

CITY OF RICHLAND, BENTON COUNTY, WASHINGTON



DATE

AUDITOR'S CERTIFICATE

FILED FOR RECORD THIS _____ DAY OF _____, 20____ A.D., AT _____

MINUTES PAST _____ M. AND RECORDED IN VOLUME _____ OF SURVEYS,

PAGE _____, AT THE REQUEST OF ROGERS SURVEYING.

BENTON COUNTY AUDITOR

AUDITOR'S FILE NUMBER

REC: NONE

RSI ROGERS SURVEYING INC., P.S.
1455 COLUMBIA PARK TRAIL
RICHLAND, WA 99154
PHONE (509) 783-4141
FAX (509) 783-4141
www.rogerssurveying.com

CLIENT GAYLE STACK

PROJECT BINDING SITE PLAN

PTN SE1/4, SEC 28, T9N, R28E, W.M.

DRAWN BY BAG

APPROVED DSB

SCALE 1" = 40'

DATE 3/20/20

F.B. NO. NONE

ACAD. OR. - CAD19

FILE: 09220.DWG

SHEET 2 OF 2

**SCHEDULE B, PART I
REQUIREMENTS**

All of the following Requirements must be met:

1. The Proposed Insured must notify the Company in writing of the name of any party not referred to in this Commitment who will obtain an interest in the Land or who will make a loan on the Land. The Company may then make additional Requirements or Exceptions.
2. Pay the agreed amount for the estate or interest to be insured.
3. Pay the premiums, fees, and charges for the Policy to the Company.
4. Documents satisfactory to the Company that convey the Title or create the Mortgage to be insured, or both, must be properly authorized, executed, delivered, and recorded in the Public Records.
5. Additional requirements and/or exceptions may be added as details of the transaction are disclosed to, or become known by the Company.
6. The application for title insurance was placed by reference to only a street address or tax identification number. The proposed Insured must confirm that the legal description in this report covers the parcel(s) of Land requested to be insured. If the legal description is incorrect, the proposed Insured must notify the Company and/or the settlement company in order to prevent errors and to be certain that the legal description for the intended parcel(s) of Land will appear on any documents to be recorded in connection with this transaction and on the policy of title insurance.

This page is only a part of a 2016 ALTA® Commitment for Title Insurance issued by Chicago Title Insurance Company. This Commitment is not valid without the Notice; the Commitment to Issue Policy; the Commitment Conditions; Schedule A; Schedule B, Part I-Requirements; Schedule B, Part II-Exceptions; and a counter-signature by the Company or its issuing agent that may be in electronic form.

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ALTA Commitment for Title Insurance w-WA Mod (08/01/2016)



**SCHEDULE B, PART I
REQUIREMENTS**
(continued)

7. Payment of the real estate excise tax, if required.

The Land is situated within the boundaries of local taxing authority of Richland.

CAUTION: Washington has a graduated excise tax rate for sales occurring on or after 1/1/2020 for most properties, although a flat rate applies to properties formally classified and specially valued as timberland or agricultural land on the day of closing.

The rate of real estate excise tax to a sale on or after 1/1/2020 for properties which are not formally classified and specially valued as timberland or agricultural land is:

State portion: 1.10% on any portion of the sales price of \$500,000 or less;
1.28% on any portion of the sales price above \$500,000, up to \$1,500,000;
2.75% on any portion of the sales price above \$1,500,000, up to \$3,000,000;
3.00% on any portion of the sales price above \$3,000,000;

Local portion: .50% on the entire sales price.

An additional \$5.00 State Technology Fee must be included in all excise tax payments.

If the transaction is exempt, an additional \$5.00 Affidavit Processing Fee is required.

Any conveyance document must be accompanied by the official Washington State Excise Tax Affidavit. The applicable excise tax must be paid and the affidavit approved at the time of the recording of the conveyance documents. (NOTE: Real Estate Excise Tax Affidavits must be printed as legal size forms).

8. Please be advised that our search did not disclose any open Deeds of Trust of record. If you should have knowledge of any outstanding obligation, please contact the Title Department immediately for further review prior to closing.

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ALTA Commitment for Title Insurance w-WA Mod (08/01/2016)



**SCHEDULE B, PART I
REQUIREMENTS**
(continued)

9. The Company will require the following documents for review prior to the issuance of any title insurance predicated upon a conveyance or encumbrance by the corporation named below:

Name of Corporation: Goodwill Industries of the Columbia Inc.

- a) A Copy of the corporation By-laws and Articles of Incorporation
- b) An original or certified copy of a resolution authorizing the transaction contemplated herein
- c) If the Articles and/or By-laws require approval by a 'parent' organization, a copy of the Articles and By-laws of the parent
- d) A current dated certificate of good standing from the proper governmental authority of the state in which the entity was created

The Company reserves the right to add additional items or make further requirements after review of the requested documentation.

END OF REQUIREMENTS**NOTES**

The following matters will not be listed as Special Exceptions in Schedule B of the policy. There will be no coverage for loss arising by reason of the matters listed below because these matters are either excepted or excluded from coverage or are not matters covered under the insuring provisions of the policy.

Note A: Notice: Please be aware that due to the conflict between federal and state laws concerning the cultivation, distribution, manufacture or sale of marijuana, the Company is not able to close or insure any transaction involving Land that is associated with these activities.

Note B: Note: The Public Records indicate that the address of the improvement located on said Land is as follows:

1769 Leslie Rd.
Richland, WA 99352

Note C: Note: FOR INFORMATIONAL PURPOSES ONLY:

The following may be used as an abbreviated legal description on the documents to be recorded, per Amended RCW 65.04.045. Said abbreviated legal description is not a substitute for a complete legal description within the body of the document:

Lot 3 Short Plat 2770

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ALTA Commitment for Title Insurance w-WA Mod (08/01/2016)



**SCHEDULE B, PART I
REQUIREMENTS**
(continued)

- Note D: Note: Examination of the Public Records discloses no judgments or other matters pending against the name of the vested owner.
- Note E: Note: Examination of the Public Records discloses no judgments or other matters pending against the name(s) of the proposed insured which would appear as exceptions in the policy.
- Note F: Note: This map/plat is being furnished as an aid in locating the herein described Land in relation to adjoining streets, natural boundaries and other land. Except to the extent a policy of title insurance is expressly modified by endorsement, if any, the Company does not insure dimensions, distances or acreage shown thereon.

END OF NOTES

END OF SCHEDULE B, PART I

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ALTA Commitment for Title Insurance w-WA Mod (08/01/2016)



**SCHEDULE B, PART II
EXCEPTIONS**

THIS COMMITMENT DOES NOT REPUBLISH ANY COVENANT, CONDITION, RESTRICTION, OR LIMITATION CONTAINED IN ANY DOCUMENT REFERRED TO IN THIS COMMITMENT TO THE EXTENT THAT THE SPECIFIC COVENANT, CONDITION, RESTRICTION, OR LIMITATION VIOLATES STATE OR FEDERAL LAW BASED ON RACE, COLOR, RELIGION, SEX, SEXUAL ORIENTATION, GENDER IDENTITY, HANDICAP, FAMILIAL STATUS, OR NATIONAL ORIGIN.

The Policy will not insure against loss or damage resulting from the terms and provisions of any lease or easement identified in Schedule A, and will include the following Exceptions unless cleared to the satisfaction of the Company:

GENERAL EXCEPTIONS

- A. Rights or claims of parties in possession, or claiming possession, not shown by the Public Records.
- B. Any encroachment, encumbrance, violation, variation, or adverse circumstance affecting the Title that would be disclosed by an accurate and complete land survey of the Land.
- C. Easements, prescriptive rights, rights-of-way, liens or encumbrances, or claims thereof, not shown by the Public Records.
- D. Any lien, or right to a lien, for contributions to employee benefit funds, or for state workers' compensation, or for services, labor, or material heretofore or hereafter furnished, all as imposed by law, and not shown by the Public Records.
- E. Taxes or special assessments which are not yet payable or which are not shown as existing liens by the Public Records.
- F. Any lien for service, installation, connection, maintenance, tap, capacity, or construction or similar charges for sewer, water, electricity, natural gas or other utilities, or for garbage collection and disposal not shown by the Public Records.
- G. Unpatented mining claims, and all rights relating thereto.
- H. Reservations and exceptions in United States Patents or in Acts authorizing the issuance thereof.
- I. Indian tribal codes or regulations, Indian treaty or aboriginal rights, including easements or equitable servitudes.
- J. Water rights, claims or title to water.
- K. Any defect, lien, encumbrance, adverse claim, or other matter that appears for the first time in the Public Records or is created, attaches, or is disclosed between the Commitment Date and the date on which all of the Schedule B, Part I—Requirements are met.

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ALTA Commitment for Title Insurance w-WA Mod (08/01/2016)



**SCHEDULE B, PART II
EXCEPTIONS**

(continued)

SPECIAL EXCEPTIONS

1. General and special taxes and charges, payable February 15, delinquent if first half unpaid on May 1, second half delinquent if unpaid on November 1 of the tax year (amounts do not include interest and penalties):

Year: 2020
Tax Account No.: 12698412770003
Levy Code: R3
Assessed Value-Land: \$690,340.00
Assessed Value-Improvements: \$895,580.00

General and Special Taxes:

Billed: \$19,223.40
Paid: \$0.00
Unpaid: \$19,223.40

2. Drain Right of Way as disclosed in Irrigation District Deed from the Kennewick Irrigation District recorded March 8, 1955 under Auditor's File No. 397554.

3. Easement(s) for the purpose(s) shown below and rights incidental thereto, as granted in a document:

Granted to: United States of America
Purpose: Transmission Line Easement
Recording Date: November 6, 1950
Recording No.: 262895

4. Reservation of a Utility Easement by the City of Richland as disclosed in Ordinance recorded August 3, 1981 under Auditor's File No. 846617.

5. Drain Right of Way as disclosed in Special Use Agreement between the United States of America and City of Richland recorded February 1, 1982 under Auditor's File No. 855875.

6. Covenants, conditions, restrictions, recitals, reservations, easements, easement provisions, dedications, building setback lines, notes, statements, and other matters, if any, but omitting any covenants or restrictions, if any, including but not limited to those based upon race, color, religion, sex, sexual orientation, familial status, marital status, disability, handicap, national origin, ancestry, or source of income, as set forth in applicable state or federal laws, except to the extent that said covenant or restriction is permitted by applicable law, as set forth on Short Plat No. 2770:

Recording No: 2003-57882

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ALTA Commitment for Title Insurance w-WA Mod (08/01/2016)



**SCHEDULE B, PART II
EXCEPTIONS**
(continued)

7. Any unrecorded leaseholds, right of vendors and holders of security interests on personal property installed upon the Land and rights of tenants to remove trade fixtures at the expiration of the terms.

END OF SCHEDULE B, PART II

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ALTA Commitment for Title Insurance w-WA Mod (08/01/2016)



IRR DIST DEED 7/21/58
3/8/55; \$730.00; no rev; no ref to tax

547-553
397554

Kennewick Irrigation District
to Martin F Tschäuner & Marguerite, h&w
4811 W 7th Ave, Kennewick, Wash

cy qc

That ptn of E $\frac{1}{2}$ SW SE & that ptn of SE SE lyg S of OWR&N Co r/w,
Sec 26-9-28, cont 39.1 ac m/1
Subj to existing esmts & esmts & reserv of rec; & gtor reserves a
r/w for cnls, etc heretofore constr or that may hereafter be const
by auth of the US or by auth of the gtor in conn with Kennewick
Division; & also r/w for rds heretofore or that may hereafter be
est to service District facilities

xen ok Hoppe, Kennewick

Resol attached, dtd 2/24/55; no pty desc given on resol

Fld by: SP
Mail to: SP

Trans Line Esmt Nov 6, 1950 9:11
Oct 31, 1950 \$350 \$.55
Kennewick Irrigation District, a corp
to United States of America

262895

Form 52: Tract No. RK-8: That pt of N $\frac{1}{2}$ SE and SE SE of 26-9-28 exc thfr the O-W Rr & N Co's r/w, wch lies win a strip of ld 100 ft in width, bdaries of sd strip ly 50 ft dist fr, on ea side of, & plt survey ln of Richland-Kennewick transmiss ln as now loc & staked on ground over, across, upon &/or adjacent to abv desc pty, sd survey ln being daf:

Beg at survey stn 161 plus 15.5 a pt on W ln of sec 26-9-28 sd pt being S 1 $^{\circ}$ 21'00" W a dist of 172.1 ft fr NW cor of sd sec 26; th S 48 $^{\circ}$ 47'00" E a dist of 7004.5 ft to survey stn 231 plus 20.0, a pt on E ln of sd sec 26, sd pt being N 0 $^{\circ}$ 54'10" W a dist of 609.7 ft fr SE cor of sd sec 26.

Tract No. RK-17: That pt of S 400 ft of E $\frac{1}{2}$ NE NW and S 200 ft of W 200 ft of NW NE of 9-8-29, wch lies within a strip of ld 100 ft in width, bdaries of sd strip ly 50 ft dist fr, on ea side of, & plt survey ln of Richland-Kennewick transmission ln as now loc & staked on ground over, across, upon &/or adjacent to abv desc pty, sd survey ln being daf:

Beg at survey stn 428 plus 70.9, a pt on W ln of 9-8-29, sd pt being S 0 $^{\circ}$ 55'30" E a dist of 176.9 ft fr NW cor of sd sec 9; th S 88 $^{\circ}$ 46'40" E a dist of 5714.5 ft to survey stn 485 plus 85.4 a pt on E ln of sd sec 9, sd pt being S 0 $^{\circ}$ 42'30" E a dist of 2493.6 ft fr NE cor of sd sec 9.

Tract No. RK-20: That pt of N $\frac{1}{2}$ SE and SE SE of sec 10, and W $\frac{1}{2}$ SW of sec 11, all in 8-29, exc fr sd W $\frac{1}{2}$ SW of sec 11 a tt of ld daf: bae NE cor of W $\frac{1}{2}$ SW of 11-8-29, th S 0 $^{\circ}$ 28' W 1339.4 ft to a pt on N r/w ln of KID cml; th N 56 $^{\circ}$ 42' W 307.6 ft alg sd r/w ln to a pt where p/ln joins the cml; th N 45 $^{\circ}$ 53' W 422.4 ft alg r/w m $\frac{1}{2}$ ln of sd p/ln th N 31 $^{\circ}$ 57' E 160.0 ft; th N 58 $^{\circ}$ 42' E 115.4 ft; th N 27 $^{\circ}$ 0' E 196.1 ft; th N 6 $^{\circ}$ 36' E 258.2 ft; th N 47 $^{\circ}$ 09' W 159.8 ft; th N 20 $^{\circ}$ 21' E 152.6 ft to N ln of sd subdiv; th N 89 $^{\circ}$ 28' E 334.1 ft to pob, wch lies win a strip m $\frac{1}{2}$ of ld 100 ft in width, the bdaries of sd strip ly 50 ft dist fr, on ea side of, & plt survey ln of Richland-Kenn transmission ln as now loc & staked on ground over, across, upon &/or

262895 continued

adjacent to abv desc pty, sd survey ln being daf:

Beg at survey stn 485 plus 85.4, a pt on W ln of sec 10-8-29, sd pt being S 0 $^{\circ}$ 42'30" E a dist of 2493.6 ft fr NW cor of sd sec 10; th S 68 $^{\circ}$ 46'40" E a dist of 4985.3 ft to survey stn 535 plus 70.7; th N 86 $^{\circ}$ 58'40" E a dist of 3460.7 ft to survey stn 570 plus 31.4 a pt on N-S ~~xxx~~ sec ln of sec 11-8-29, sd pt being N 0 $^{\circ}$ 40'20" W a dist of 1443.3 ft fr $\frac{1}{2}$ sec cor on S ln of sd sec 11.

Tract No. RK-29: That pt of N 150 ft of SW NE SW of 12-8-29, exc W 210 ft thof, wch lies win a strip of ld 100 ft in width, bdaries of sd strip ly 50 ft dist fr, on ea side of, & plt survey ln of Richland-Kennewick transmission ln as now loc & staked on ground over, across, upon &/or adjacent to above desc pty, sd survey ln being daf:

Beg at survey stn 597 plus 59.7, a pt on W ln of 12-8-29, sd pt being S 0 $^{\circ}$ 48'40" E a dist of 877.4 ft fr $\frac{1}{2}$ sec cor on W ln of sd sec 12; th N 65 $^{\circ}$ 37'30" E a dist of 138.2 ft to survey stn 598 plus 97.9; th N 85 $^{\circ}$ 20'40" E a dist of 4620.7 ft to survey stn 645 plus 18.6 bk equal survey stn 28 plus 71.6 Ah; th N 0 $^{\circ}$ 39'00" W a dist of 397.0 ft to survey stn 24 plus 74.6, a pt on E-W $\frac{1}{2}$ sec ln of sd sec 12, sd pt being N 89 $^{\circ}$ 26' W a dist of 536.5 ft fr $\frac{1}{2}$ sec cor on E ln of sd sec 12.

Tract No. RK-20B: Also the rgt in perpetuity to const, maintain, improve, & repair anchors with guys extending in a Sly direction fr angle structure at survey stn 535 plus 70.7 in SE SE of 10-8-29, sd anchors to extend not more than 15 ft dist Sly fr Sly bdry ln of r/w for Richland-Kennewick transmission ln;

Kennewick Irrigation District

SI
BCW Oct 31, 1950 Frank Lampson, Pres E J Brand, Sec
Gertrude McGregor NP SI May 15, 1954.
FI BCATC MI BPA Portland

SM Nov 6, 1950 11:00
Oct 25, 1950

262896

The Prudential Insurance Company of America
to Arbor Homes, Inc.

Mtg to Carroll, Hillman and Hedlund, Inc. on July 13, 1948, rkd in 55/217, assigned to fp Mar 25, 1949 No. 58/247, has bn pd & sat & rel.

The ~~EM~~ Prudential Insurance Company of America
SI
by F E Rathgeber, VP C C Coleman, Asst Sec
Los Angeles Co Calif Oct 25, 1950 F E Rathgeber & C C Coleman
VP & Asst Sec of corp bef Carol G Herbert NP SI Mar 6, 1953
FI F-B T MI Vern Oja, Seattle

#220489

Lat 38, Blk 3, Amended by
Blk 1-234
G. R.

846617

FILED BY CITY OF RICHLAND

AUG 3 10 25 AM '81

INDEXED BY h

CHECKED BY h

VERNER H. H. H. H.
DEPUTY
RECORDS / IN VOL.

ORDINANCE NO. 39-81

RECEIVED TIME COPY
CITY CLERK

AN ORDINANCE of the City of Richland
vacating a portion of Keene Road between
Gage Road and Leslie Road.

WHEREAS, The owners of more than two-thirds of the property abutting
upon Keene Road between Gage Road and Leslie Road have petitioned for
vacation of a portion of said Keene Road; and

WHEREAS, at the hearing on said petition on the 6th day of July,
1981, the City Council determined that said petition should be granted
subject to the retention of easements for the construction, reconstruction,
repair and maintenance of public utilities and services now
installed and to be installed therein; NOW THEREFORE,

BE IT ORDAINED BY THE CITY OF RICHLAND:

Section 1. That portion of Keene Road between Gage Road and Leslie
Road and described as follows:

That portion of old Keene Road located in the Southeast quarter
of Section 26, Township 9 North, Range 28 East, N.M., Benton
County, Washington, being more particularly described as follows:

Commencing at the Southeast corner of said Section 26; Thence
N00°02'45"E, along the East line of said Section 26 and along
the centerline of new Leslie Blvd., for 40.17 feet; Thence
N89°57'15"W for 40.00 feet to the intersection of the Northerly
margin of Gage Blvd. right of way and the Westerly margin of new
Leslie Blvd. right of way and the true point of beginning;
Thence N89°42'57"W along said Northerly margin, a distance of
3.68 feet to a point on a curve to the left, the radius point
of which bears S83°54'29"W a distance of 676.65 feet; Thence
Northwesterly along said curve, through a central angle of
68°27'08", an arc distance of 808.41 feet; Thence N74°32'39"W
a distance of 571.23 feet to a point on the Northeasterly right
of way margin of new Keene Road, said point being on a curve to
the left, the radius point of which bears S42°51'09"W a distance
of 790.00 feet; Thence Northwesterly along said right of way
margin on a curve to the left, through a central angle of

CITY OF RICHLAND

00°23'34", an arc distance of 5.42 feet; Thence N16°28'58"E a distance of 77.54 feet; Thence S74°32'39"E a distance of 574.66 feet to the point of curvature of a curve to the right; Thence Southeasterly along said curve having a radius of 756.65 feet, through a central angle of 48°00'18", an arc distance of 633.96 feet to a point on the West right of way margin of new Leslie Blvd.; Thence S00°02'45"W along said right of way margin a distance of 266.29 feet to the true point of beginning.

is hereby vacated, reserving to the City of Richland a perpetual easement in, on, over and under the above described property for the construction, reconstruction, repair and maintenance of public utilities and services now installed or to be installed therein, including without limitation and reserving also the following:

Utility Easement - Water and Electrical

An easement for construction, maintenance and operation of utilities over, under and across a strip of land 20 feet in width, 10 feet of such width on each side of the following described centerline located in the Southeast quarter of Section 26, Township 9 North, Range 28 East, W.M., Benton County, Washington, being more particularly described as follows:

Commencing at the Southeast corner of said Section 26; Thence N89°57'15"W a distance of 40.00 feet to a point on the West right of way margin of new Leslie Blvd.; Thence N00°02'45"E along said right of way margin a distance of 283.48 feet to a point on a curve to the left, the radius point of which bears S65°02'16"W a distance of 746.65 feet, said point being the true point of beginning; Thence Northwesterly along said curve, through a central angle of 18°38'43", an arc distance of 242.98 feet to a point hereinafter referred to as Point "A"; Thence continuing Northwesterly along said curve, through a central angle of 30°56'13", an arc distance of 403.16 feet; Thence N74°32'39"W a distance of 604.84 feet to a point and the terminus of said centerline.

EXCEPT any portion lying within old Leslie Road right of way.

The exterior boundaries of said easement being either lengthened or shortened accordingly to intersect the exterior boundaries of the preceding courses and the terminal boundary.

TOGETHER WITH an easement for construction, maintenance and operation of utilities over, under and across a strip of land 10 feet in width, 5 feet of such width on each side of the following described centerline:

Commencing at hereinbefore described Point "A", said point being the true point of beginning; Thence S89°10'10"E a distance of 136.44 feet to a point on the West right of way margin of new Leslie Blvd. and the terminus of said centerline.

The exterior boundaries of said easement being either lengthened or shortened accordingly to intersect the exterior boundaries of the preceding courses and the terminal boundary.

Utility Easement - Telephone & P.U.D.

An easement for construction, maintenance and operation of utilities over, under and across a strip of land of variable width located in the Southeast quarter of Section 26, Township 9 North, Range 28 East, W.M., Benton County, Washington, being more particularly described as follows:

Commencing at the Southeast corner of said Section 26; Thence N89°57'15"W a distance of 40.00 feet to a point on the West right of way margin of new Leslie Blvd.; Thence N00°02'45"E along said right of way margin a distance of 390.81 feet to a point, said point being the true point of beginning of an easement 10 feet in width, 5 feet of such width on each side of the following described centerline; Thence S33°47'53"W a distance of 62.36 feet; Thence S60°00'53"W a distance of 57.41 feet to a point where said easement becomes 25 feet in width, 12.5 feet of such width on each side of centerline, said point being on a curve to the left, the radius point of which bears S60°00'53"W a distance of 494.15 feet; Thence Northwestwardly along said curve, through a central angle of 36°52'01", and arc distance of 440.22 feet to a point hereinafter referred to as Point "A"; Thence continuing Northwestwardly along said curve, through a central angle of 07°41'32", an arc distance of 91.85 feet; Thence N74°32'39"W a distance of 605.97 feet to a point and the terminus of said centerline.

EXCEPT any portion lying within old Leslie Road right of way.

AND EXCEPT any portion lying within new Keene Road right of way.

The exterior boundaries of said easement being either lengthened or shortened accordingly to intersect the exterior boundaries of the preceding courses and the terminal boundary.

TOGETHER WITH an easement for construction, maintenance and operation of utilities over, under and across a strip of land 10 feet in width, 5 feet of such width on each side of the following described centerline:

Commencing at hereinbefore described Point "A", said point being the true point of beginning; Thence S74°34'03"E a distance of 423.39 feet to a point on the West right of way margin of new Leslie Blvd. and the terminus of said centerline.

The exterior boundaries of said easement being either lengthened or shortened accordingly to intersect the exterior boundaries of the preceding courses and the terminal boundary.

Section 2. This ordinance shall take effect on the day following the date of its publication in the official newspaper of the City.

PASSED by the City Council of the City of Richmond at a regular meeting on the 20th day of July 1961.

/s/ Thomas M. Louston
THOMAS M. LOUSTON
Mayor

FORM APPROVED:

/s/ James M. Taylor
JAMES M. TAYLOR
City Attorney

C/A 6/30/61

City of Richland

Y-1

855875

Contract No. 2-07-10-L0516

UNITED STATES
DEPARTMENT OF THE INTERIOR
WATER AND POWER RESOURCES SERVICE

YAKIMA, WASHINGTON

SPECIAL USE AGREEMENT

FILED BY
FEB 1 8 44 AM '82
VENNER HILLER, AUDITOR
DEPUTY
RECORDED IN VOL. 419

THIS AGREEMENT, made this 12 day of January, 1982, pursuant to the Act of Congress approved June 17, 1902 (32 Stat. 388) and acts amendatory thereof or supplementary thereto, all of which acts are commonly known and referred to as the Federal Reclamation Laws, between the UNITED STATES OF AMERICA, hereinafter called the United States, represented by the officer executing this agreement, hereinafter called the Contracting Officer, and the CITY OF RICHLAND, WASHINGTON, a body politic, hereinafter called the Grantee.

WITNESSETH, THAT:

2. WHEREAS, in connection with the Yakima Project, Washington, hereinafter referred to as the Project, the United States, through the Water and Power Resources Service (formerly the Bureau of Reclamation), Department of the Interior, has, pursuant to Federal Reclamation Laws, constructed and owns certain power, communication and irrigation works, hereinafter called Project facilities; and

3. WHEREAS, the Project facilities are being operated and maintained under a repayment contract between the United States and the Kennewick Irrigation District of the Yakima Project, hereinafter called the District; and

4. WHEREAS, the Grantee desires to discharge storm drain waters into the project facilities known as the Leslie Drain, and Leslie Drain No. 2 at several locations and construct, operate and maintain any storm drain outfall structures as needed.

NOW, THEREFORE, in consideration of the mutual covenants and stipulations hereinafter stated, the parties hereto agree as follows:

5. The United States hereby grants to the Grantee, subject to the terms and conditions of this agreement, the right to construct, operate and maintain structures to discharge storm drain waters into the Leslie Drain which is located in Sections 22, 25, 26 and 27, and Leslie Drain No. 2 located in Section 21, as shown on Exhibit A, all in T.9N., R.28E., Willamette Meridian, Washington, and storm drain outfall structures shall be constructed in accordance with the approved specifications as shown on Exhibit B and the right to utilize said drains to carry storm drain water. Said Exhibits A and B are attached hereto and by this reference are made a part hereof.

6. Prior to actual construction or repair, the Grantee shall notify the Contracting Officer so that he or his representative can inspect the work.

7. The Grantee shall be responsible for any additional maintenance of the Leslie Drain and Leslie Drain No. 2 arising from the Grantee's use of these drains for storm drain waters.

8. Any storm drain outfall structures shall be constructed, operated, and maintained by the Grantee without cost to the United States or the District or to their assigns and in such a manner as to cause no interference or stoppage of the flow of water in canals, laterals, ditches, or other irrigation facilities or interference with the normal operation of works of the United States. All construction, reconstruction and maintenance work performed by the Grantee within the right-of-way of the United States shall be undertaken only at time, according to plans, and in a manner satisfactory to the Contracting Officer. All backfill placed by the Grantee in the drains or other waterway embankments shall be placed and compacted to the satisfaction of the Contracting Officer. The drain and appurtenant Project facilities shall be restored by the Grantee to a condition at least as good as before the Grantee's work was performed.

9. The Grantee shall construct, operate and maintain its storm drain outfall structures and appurtenances in a good workmanlike manner and shall comply fully with all applicable Federal, State and County laws, orders and regulations, as administered by appropriate authorities, including those pertaining to the pollution of land and waters with respect to thermal pollution or the discharge of refuse, garbage, sewage effluent, industrial waste, oil, mine tailings, mineral salts, or other pollutants. The failure of the Grantee after due notice to abide by any of the terms and conditions of any applicable laws, rules or regulations shall cause this agreement to be subject to immediate termination at the option of the Contracting Officer.

10. The Grantee shall be responsible for both the quality and quantity of runoff discharge leaving its storm drain outfall structures and entering the Leslie Drains. The Grantee shall take immediate action to correct any deficiencies in its storm drain system which results in the discharge from the outfall structures which fails to meet appropriate health and pollution standards.

11. This agreement is granted subject to all rights previously acquired by third parties.

12. Any privilege granted by this agreement is not an exclusive right, nor would it prohibit the United States from granting other permits or use rights of like or other nature over, under or across the premises described.

13. The United States has only an easement right for the drains covered by this agreement; therefore, the Grantee shall obtain any further clearance it may require from the parties owning the underlying fee to the land on which the drains are located.

14. The Grantee agrees as follows:

a. There is reserved to the United States and the District and their successors and assigns, the prior right to use any of the right-of-way herein described to construct, operate and maintain all structures and facilities, including, but not limited to, canals, wasteways, laterals, ditches, roadways, electrical transmission lines, communication structures generally, substations, switchyards, powerplants and any other appurtenant irrigation and power structures and facilities, without any payment made by the United States or the District or their successors and assigns for such right.

b. That if the construction of any or all of such structures and facilities across, over or upon said right-of-way should be made more expensive by reason of the existence of improvements or works of the Grantee thereon, such additional expense is to be estimated by the Secretary of the Interior, whose estimate is to be final and binding upon the parties hereto. Within thirty days after demand is made upon the Grantee for payment of any such sums, the Grantee will make payment thereof to the United States or any of its successors or assigns constructing such structures and facilities across, over and upon said lands. As an alternative to payment, the Grantee, at its sole cost and expense and within time limits established by the Government, may remove or adapt facilities constructed and operated by it on said right-of-way to accommodate the aforementioned structures and facilities of the United States. The Grantee shall bear the cost to the Government of any costs occasioned by the failure of the Grantee to remove or adapt its facilities within the time limits specified.

c. There is also reserved to the United States and the District and the right of their officers, agents, employees, licensees and permittees, and the District, at all proper times and places freely to have ingress to, passage over and egress from all of said right-of-way for the purpose of exercising, enforcing and protecting the rights reserved herein.

d. That the United States and the District and their officers, agents and employees, and their successors and assigns shall not be held liable for any damage to the Grantee's improvements or works by reason of the exercise of the rights here reserved; nor shall anything contained in this paragraph be construed as in any manner limiting other reservations in favor of the United States or the District contained in this agreement.

15. The Grantee hereby agrees to indemnify and hold harmless the United States and the District and their agents and employees, from any loss or damage and from any liability on account of personal injury, death or property damage, or claims for personal injury, death or property damage of any nature whatsoever and by whomsoever made arising out of the Grantee's activities under this agreement.

16. If the Grantee engages a contractor to perform the work to be accomplished pursuant to the privileges herein granted the Grantee shall notify the Contracting Officer of the Contractor's name, address and telephone number. The Grantee shall be responsible to the United States and the District for the contractor's work.

17. Upon termination of this agreement for any reason, the Grantee shall at the option of the Contracting Officer remove all structures and facilities placed upon the premises by the Grantee and shall restore the premises occupied by such structures and facilities to a condition satisfactory to the Contracting Officer. If the Grantee fails to remove its structures and facilities within sixty (60) days after the termination of the agreement, provided such request has been made by the Contracting Officer, such structures and facilities, at the option of the Contracting Officer, shall become the property of the United States.

18. The provisions of this agreement shall apply to and bind the successors and assigns of the parties hereto, but no assignment or transfer of this agreement or any part or interest therein shall be valid until approved by the Contracting Officer.

19. This agreement shall terminate:

a. At the option of the Contracting Officer if the Grantee fails to comply with any of the terms and conditions thereof.

b. At the option of the Contracting Officer upon discontinuance by the Grantee of the use of the area covered by this agreement for a period of six (6) consecutive months.

c. At the request of the Grantee by giving written notice to the Contracting Officer

20. The Grantee hereby agrees as follows:

a. To comply with Title VI (Section 601) of the Civil Rights Act of July 2, 1964, (78 Stat. 241) which provides that "No person in the United States shall, on the ground of race, color or national origin, be excluded from participation in, be denied the benefits of or be subject to discrimination under any program or activity receiving Federal financial assistance", and to be bound by the regulations of the Department of the Interior for the effectuation thereof, as set forth in 43 CFR 17.

b. To obligate its subcontractors, subgrantees, transferees, successors in interest or any other participants receiving Federal financial assistance hereunder, to comply with the requirements to this provision.

21. No member of or Delegate to Congress or resident commissioner shall be admitted to any share or part of this agreement or to any benefit that may arise herefrom. This restriction shall not be construed to extend to this agreement if made with a corporation or company for its general benefit.

IN WITNESS WHEREOF, the parties hereto have executed this agreement
the day and year first above written.

THE UNITED STATES OF AMERICA

BY

John W. Keyser, Jr.
Regional Director, FN Region
Box 043 - 550 West Fort Street
Boise, Idaho 83724

CITY OF RICHLAND

Benton County, State of Washington

BY

Neal J. Shulman
NEAL J. SHULMAN
City Manager

Approved as to form:

James M. Taylor
JAMES M. TAYLOR
City Attorney

(SEAL)

Attest:

Paul Smith

This special use agreement has been considered and is hereby approved
by the Kennewick Irrigation District, this 8th day of October,
198 1.

KENNEWICK IRRIGATION DISTRICT

BY

Carl W. Peterson

TITLE President

Kennewick Irrigation District
Board of Directors



Attest:

Paul Chasco
Secretary

STATE OF WASHINGTON)
) ss
County of Benton)

On this 18 day of August, 1981, personally appeared before me Miss S. Shurtman and Lillian Smith, to me known to be the officials of the City of Richland, Benton County, Washington, who executed the within and foregoing instrument and acknowledged that they signed the same as the free and voluntary act and deed of said City of Richland, for the uses and purposes herein mentioned.

Given under my hand and official seal the day and year in this certificate first above written.



Marilyn A. Cote
Notary Public in and for the State of
Washington, residing at Lanuseville
My commission expires: 9/24/84

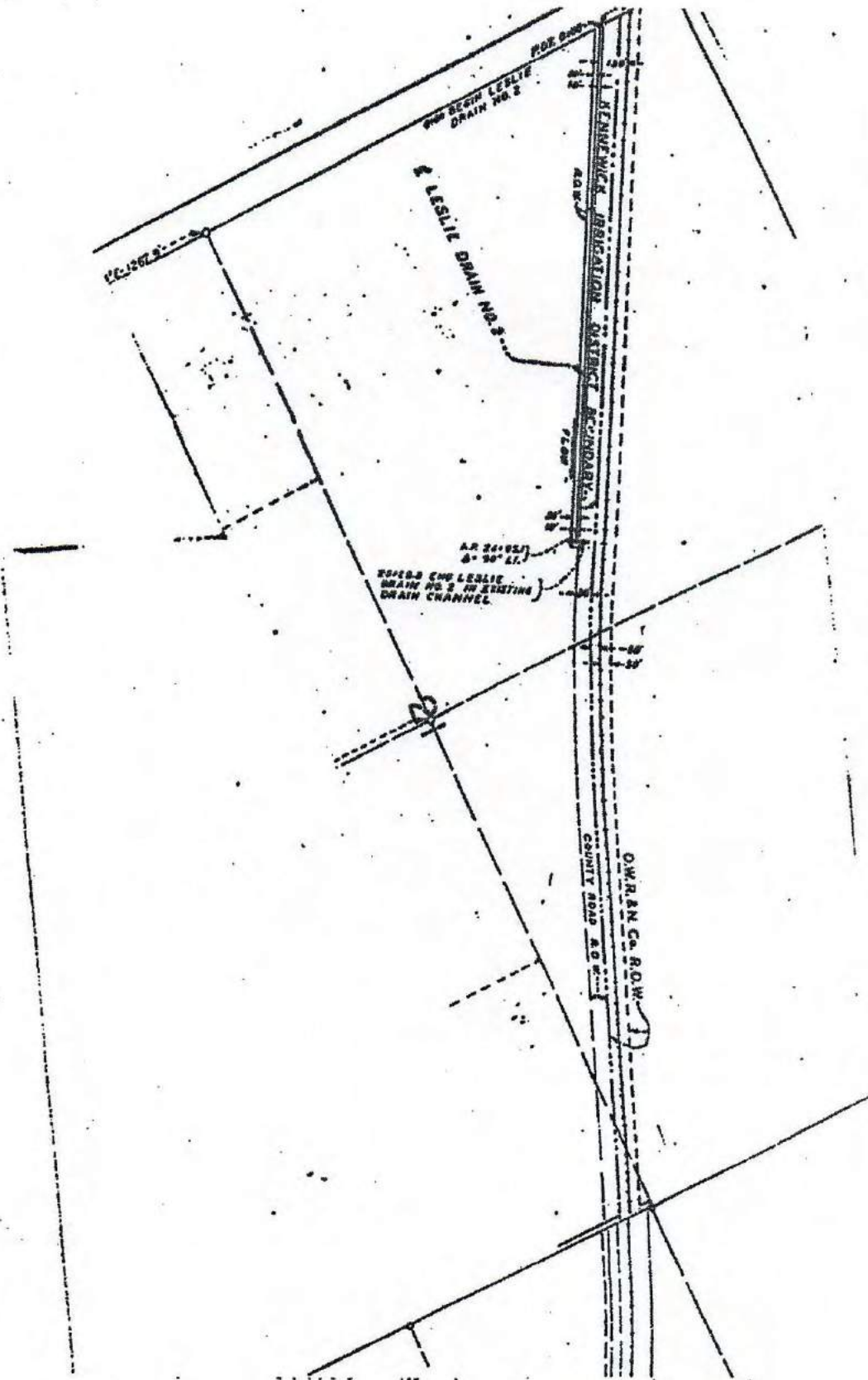
STATE OF IDAHO)
) ss
County of Ada)

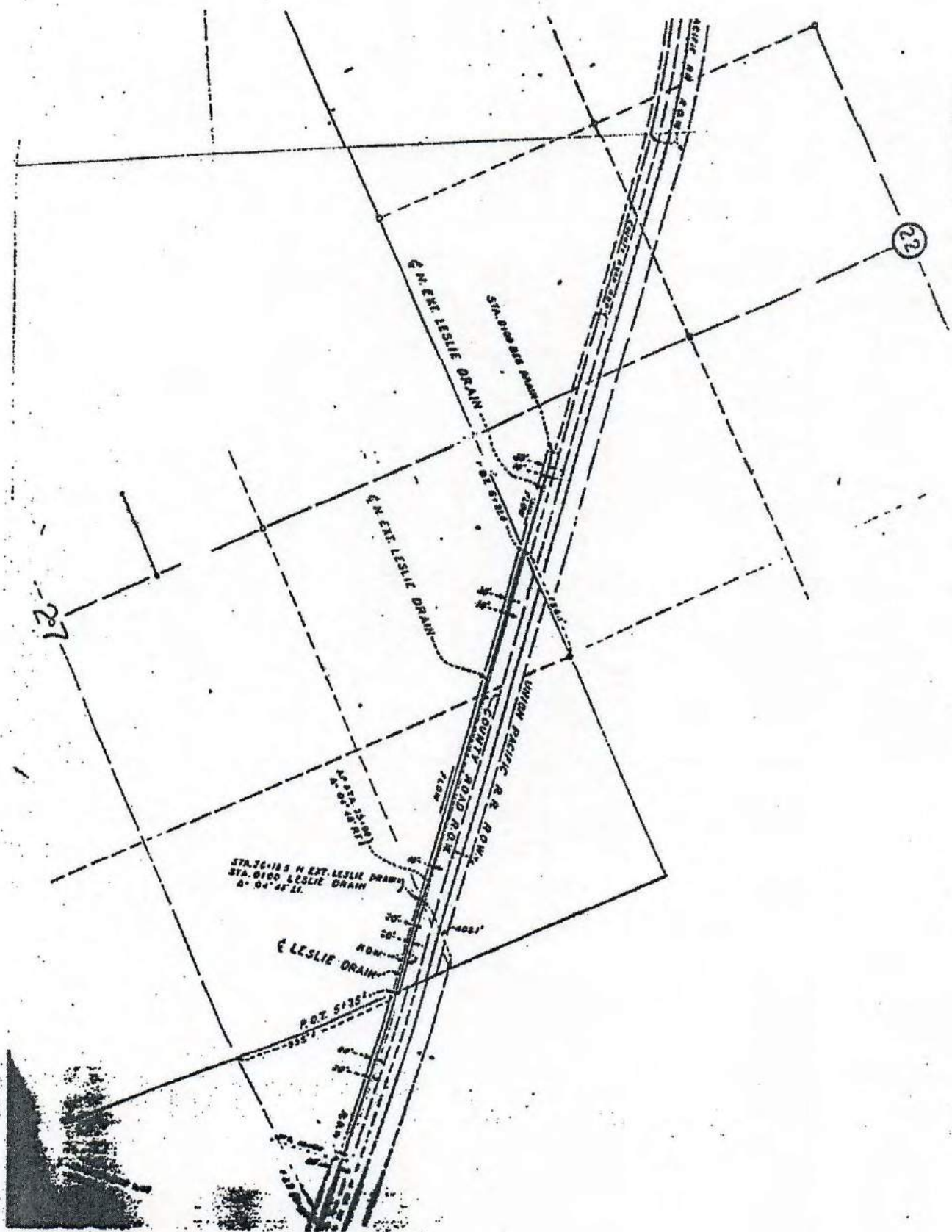
On this 12th day of January, 1982, personally appeared before me John W. Keys III, to me known to be the official of the United States of America that executed the within and foregoing instrument and acknowledged said instrument to be the free and voluntary act and deed of said United States for the uses and purposes therein mentioned and on oath stated that he was authorized to execute said instrument.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed my official seal the day and year first above written.

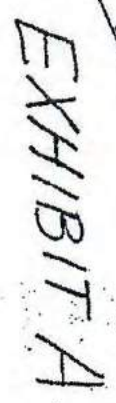


Gary E. Carlen
Notary Public in and for the State of
Idaho, residing at Boise
My commission expires: 5-5-83

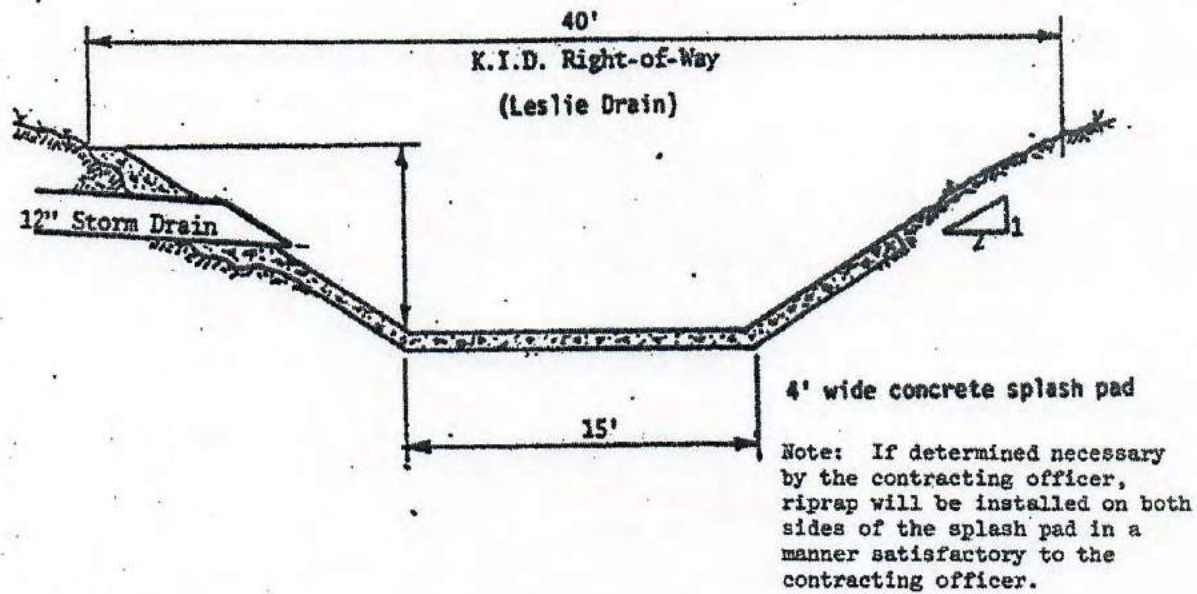




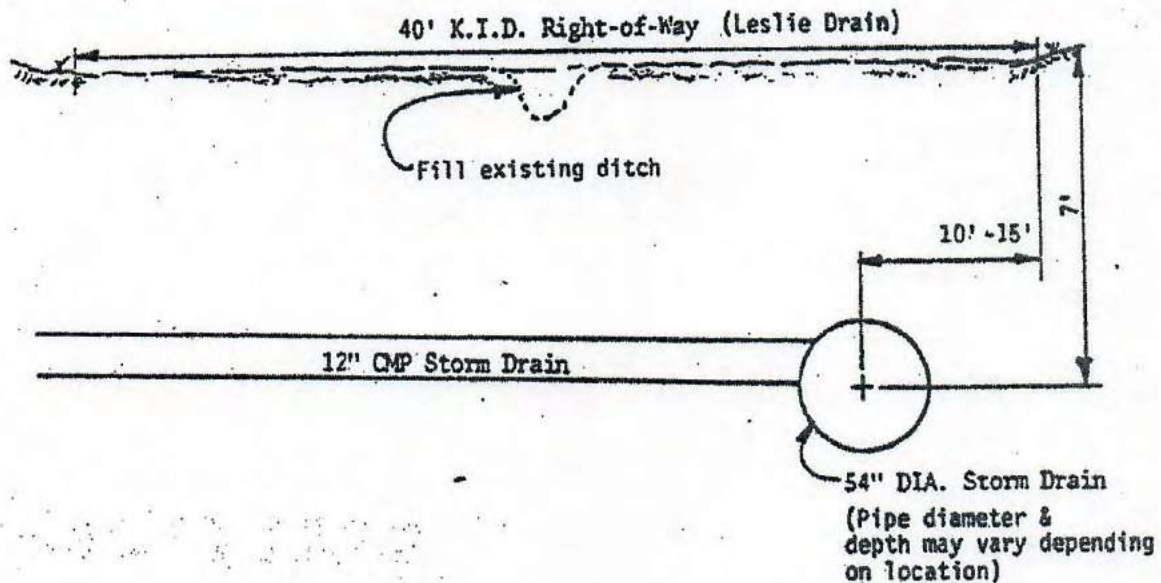
2010-11-10 10:10:10



OPEN TRENCH SYSTEM



CLOSED CONDUIT SYSTEM



COMMITMENT CONDITIONS

1. DEFINITIONS

- (a) "Knowledge" or "Known": Actual or imputed knowledge, but not constructive notice imparted by the Public Records.
- (b) "Land": The land described in Schedule A and affixed improvements that by law constitute real property. The term "Land" does not include any property beyond the lines of the area described in Schedule A, nor any right, title, interest, estate, or easement in abutting streets, roads, avenues, alleys, lanes, ways, or waterways, but this does not modify or limit the extent that a right of access to and from the Land is to be insured by the Policy.
- (c) "Mortgage": A mortgage, deed of trust, or other security instrument, including one evidenced by electronic means authorized by law.
- (d) "Policy": Each contract of title insurance, in a form adopted by the American Land Title Association, issued or to be issued by the Company pursuant to this Commitment.
- (e) "Proposed Insured": Each person identified in Schedule A as the Proposed Insured of each Policy to be issued pursuant to this Commitment.
- (f) "Proposed Policy Amount": Each dollar amount specified in Schedule A as the Proposed Policy Amount of each Policy to be issued pursuant to this Commitment.
- (g) "Public Records": Records established under state statutes at the Commitment Date for the purpose of imparting constructive notice of matters relating to real property to purchasers for value and without Knowledge.
- (h) "Title": The estate or interest described in Schedule A.

2. If all of the Schedule B, Part I-Requirements have not been met within the time period specified in the Commitment to Issue Policy, this Commitment terminates and the Company's liability and obligation end.

3. The Company's liability and obligation is limited by and this Commitment is not valid without:

- (a) the Notice;
- (b) the Commitment to Issue Policy;
- (c) the Commitment Conditions;
- (d) Schedule A;
- (e) Schedule B, Part I-Requirements;
- (f) Schedule B, Part II-Exceptions; and
- (g) a counter-signature by the Company or its issuing agent that may be in electronic form.

4. COMPANY'S RIGHT TO AMEND

The Company may amend this Commitment at any time. If the Company amends this Commitment to add a defect, lien, encumbrance, adverse claim, or other matter recorded in the Public Records prior to the Commitment Date, any liability of the Company is limited by Commitment Condition 5. The Company shall not be liable for any other amendment to this Commitment.

5. LIMITATIONS OF LIABILITY

- (a) The Company's liability under Commitment Condition 4 is limited to the Proposed Insured's actual expense incurred in the interval between the Company's delivery to the Proposed Insured of the Commitment and the delivery of the amended Commitment, resulting from the Proposed Insured's good faith reliance to:
 - (i) comply with the Schedule B, Part I-Requirements;
 - (ii) eliminate, with the Company's written consent, any Schedule B, Part II-Exceptions; or
 - (iii) acquire the Title or create the Mortgage covered by this Commitment.
- (b) The Company shall not be liable under Commitment Condition 5(a) if the Proposed Insured requested the amendment or had Knowledge of the matter and did not notify the Company about it in writing.
- (c) The Company will only have liability under Commitment Condition 4 if the Proposed Insured would not have incurred the expense had the Commitment included the added matter when the Commitment was first delivered to the Proposed Insured.
- (d) The Company's liability shall not exceed the lesser of the Proposed Insured's actual expense incurred in good faith and described in Commitment Conditions 5(a)(i) through 5(a)(iii) or the Proposed Policy Amount.
- (e) The Company shall not be liable for the content of the Transaction Identification Data, if any.
- (f) In no event shall the Company be obligated to issue the Policy referred to in this Commitment unless all of the Schedule B, Part I-Requirements have been met to the satisfaction of the Company.
- (g) In any event, the Company's liability is limited by the terms and provisions of the Policy.

6. LIABILITY OF THE COMPANY MUST BE BASED ON THIS COMMITMENT

- (a) Only a Proposed Insured identified in Schedule A, and no other person, may make a claim under this Commitment.

This page is only a part of a 2016 ALTA® Commitment for Title Insurance issued by Chicago Title Insurance Company. This Commitment is not valid without the Notice; the Commitment to Issue Policy; the Commitment Conditions; Schedule A; Schedule B, Part I-Requirements; Schedule B, Part II-Exceptions; and a counter-signature by the Company or its issuing agent that may be in electronic form.

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ALTA Commitment for Title Insurance w-WA Mod (08/01/2016)



(continued)

- (b) Any claim must be based in contract and must be restricted solely to the terms and provisions of this Commitment.
 - (c) Until the Policy is issued, this Commitment, as last revised, is the exclusive and entire agreement between the parties with respect to the subject matter of this Commitment and supersedes all prior commitment negotiations, representations, and proposals of any kind, whether written or oral, express or implied, relating to the subject matter of this Commitment.
 - (d) The deletion or modification of any Schedule B, Part II-Exception does not constitute an agreement or obligation to provide coverage beyond the terms and provisions of this Commitment or the Policy.
 - (e) Any amendment or endorsement to this Commitment must be in writing and authenticated by a person authorized by the Company.
 - (f) When the Policy is issued, all liability and obligation under this Commitment will end and the Company's only liability will be under the Policy.
- 7. IF THIS COMMITMENT HAS BEEN ISSUED BY AN ISSUING AGENT**
The issuing agent is the Company's agent only for the limited purpose of issuing title insurance commitments and policies. The issuing agent is not the Company's agent for the purpose of providing closing or settlement services.
- 8. PRO-FORMA POLICY**
The Company may provide, at the request of a Proposed Insured, a pro-forma policy illustrating the coverage that the Company may provide. A pro-forma policy neither reflects the status of Title at the time that the pro-forma policy is delivered to a Proposed Insured, nor is it a commitment to insure.

END OF CONDITIONS

This page is only a part of a 2016 ALTA® Commitment for Title Insurance issued by Chicago Title Insurance Company. This Commitment is not valid without the Notice; the Commitment to Issue Policy; the Commitment Conditions; Schedule A; Schedule B, Part I-Requirements; Schedule B, Part II-Exceptions; and a counter-signature by the Company or its issuing agent that may be in electronic form.

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ALTA Commitment for Title Insurance w-WA Mod (08/01/2016)



RECORDING REQUIREMENTS

Effective January 1, 1997, document format and content requirements have been imposed by Washington Law. Failure to comply with the following requirements may result in rejection of the document by the county recorder or imposition of a \$50.00 surcharge.

First page or cover sheet:

3" top margin containing nothing except the return address.

1" side and bottom margins containing no markings or seals.

Title(s) of documents.

Recording no. of any assigned, released or referenced document(s).

Grantors names (and page no. where additional names can be found).

Grantees names (and page no. where additional names can be found).

Abbreviated legal description (Lot, Block, Plat Name or Section, Township, Range and Quarter, Quarter Section for unplatted). Said abbreviated legal description is not a substitute for a complete legal description which must also appear in the body of the document.

Assessor's tax parcel number(s).

Return address (in top 3" margin).

**A cover sheet can be attached containing the above format and data if the first page does not contain all required data.

Additional Pages:

1" top, side and bottom margins containing no markings or seals.

All Pages:

No stapled or taped attachments. Each attachment must be a separate page. All notary and other pressure seals must be smudged for visibility. Font size of 8 points or larger.



Inquire before you wire!

WIRE FRAUD ALERT

This Notice is not intended to provide legal or professional advice.
If you have any questions, please consult with a lawyer.

All parties to a real estate transaction are targets for wire fraud and many have lost hundreds of thousands of dollars because they simply relied on the wire instructions received via email, without further verification. **If funds are to be wired in conjunction with this real estate transaction, we strongly recommend verbal verification of wire instructions through a known, trusted phone number prior to sending funds.**

In addition, the following non-exclusive self-protection strategies are recommended to minimize exposure to possible wire fraud.

- **NEVER RELY** on emails purporting to change wire instructions. Parties to a transaction rarely change wire instructions in the course of a transaction.
- **ALWAYS VERIFY** wire instructions, specifically the ABA routing number and account number, by calling the party who sent the instructions to you. **DO NOT** use the phone number provided in the email containing the instructions, use phone numbers you have called before or can otherwise verify. **Obtain the number of relevant parties to the transaction as soon as an escrow account is opened.** **DO NOT** send an email to verify as the email address may be incorrect or the email may be intercepted by the fraudster.
- **USE COMPLEX EMAIL PASSWORDS** that employ a combination of mixed case, numbers, and symbols. Make your passwords greater than eight (8) characters. Also, change your password often and do **NOT** reuse the same password for other online accounts.
- **USE MULTI-FACTOR AUTHENTICATION** for email accounts. Your email provider or IT staff may have specific instructions on how to implement this feature.

For more information on wire-fraud scams or to report an incident, please refer to the following links:

Federal Bureau of Investigation:
<http://www.fbi.gov>

Internet Crime Complaint Center:
<http://www.ic3.gov>

FIDELITY NATIONAL FINANCIAL PRIVACY NOTICE

Effective January 1, 2020

Fidelity National Financial, Inc. and its majority-owned subsidiary companies (collectively, "FNF," "our," or "we") respect and are committed to protecting your privacy. This Privacy Notice explains how we collect, use, and protect personal information, when and to whom we disclose such information, and the choices you have about the use and disclosure of that information.

A limited number of FNF subsidiaries have their own privacy notices. If a subsidiary has its own privacy notice, the privacy notice will be available on the subsidiary's website and this Privacy Notice does not apply.

Collection of Personal Information

FNF may collect the following categories of Personal Information:

- contact information (e.g., name, address, phone number, email address);
- demographic information (e.g., date of birth, gender, marital status);
- identity information (e.g. Social Security Number, driver's license, passport, or other government ID number);
- financial account information (e.g. loan or bank account information); and
- other personal information necessary to provide products or services to you.

We may collect Personal Information about you from:

- information we receive from you or your agent;
- information about your transactions with FNF, our affiliates, or others; and
- information we receive from consumer reporting agencies and/or governmental entities, either directly from these entities or through others.

Collection of Browsing Information

FNF automatically collects the following types of Browsing Information when you access an FNF website, online service, or application (each an "FNF Website") from your Internet browser, computer, and/or device:

- Internet Protocol (IP) address and operating system;
- browser version, language, and type;
- domain name system requests; and
- browsing history on the FNF Website, such as date and time of your visit to the FNF Website and visits to the pages within the FNF Website.

Like most websites, our servers automatically log each visitor to the FNF Website and may collect the Browsing Information described above. We use Browsing Information for system administration, troubleshooting, fraud investigation, and to improve our websites. Browsing Information generally does not reveal anything personal about you, though if you have created a user account for an FNF Website and are logged into that account, the FNF Website may be able to link certain browsing activity to your user account.

Other Online Specifics

Cookies. When you visit an FNF Website, a "cookie" may be sent to your computer. A cookie is a small piece of data that is sent to your Internet browser from a web server and stored on your computer's hard drive. Information gathered using cookies helps us improve your user experience. For example, a cookie can help the website load properly or can customize the display page based on your browser type and user preferences. You can choose whether or not to accept cookies by changing your Internet browser settings. Be aware that doing so may impair or limit some functionality of the FNF Website.

Web Beacons. We use web beacons to determine when and how many times a page has been viewed. This information is used to improve our websites.

Do Not Track. Currently our FNF Websites do not respond to "Do Not Track" features enabled through your browser.

Links to Other Sites. FNF Websites may contain links to unaffiliated third-party websites. FNF is not responsible for the privacy practices or content of those websites. We recommend that you read the privacy policy of every website you visit.

Use of Personal Information

FNF uses Personal Information for three main purposes:

- To provide products and services to you or in connection with a transaction involving you.
- To improve our products and services.
- To communicate with you about our, our affiliates', and others' products and services, jointly or independently.

When Information Is Disclosed

We may disclose your Personal Information and Browsing Information in the following circumstances:

- to enable us to detect or prevent criminal activity, fraud, material misrepresentation, or nondisclosure;
- to nonaffiliated service providers who provide or perform services or functions on our behalf and who agree to use the information only to provide such services or functions;
- to nonaffiliated third party service providers with whom we perform joint marketing, pursuant to an agreement with them to jointly market financial products or services to you;
- to law enforcement or authorities in connection with an investigation, or in response to a subpoena or court order; or
- in the good-faith belief that such disclosure is necessary to comply with legal process or applicable laws, or to protect the rights, property, or safety of FNF, its customers, or the public.

The law does not require your prior authorization and does not allow you to restrict the disclosures described above. Additionally, we may disclose your information to third parties for whom you have given us authorization or consent to make such disclosure. We do not otherwise share your Personal Information or Browsing Information with nonaffiliated third parties, except as required or permitted by law. We do share Personal Information among affiliates (other companies owned by FNF) to directly market to you. Please see "Choices with Your Information" to learn how to restrict that sharing.

We reserve the right to transfer your Personal Information, Browsing Information, and any other information, in connection with the sale or other disposition of all or part of the FNF business and/or assets, or in the event of bankruptcy, reorganization, insolvency, receivership, or an assignment for the benefit of creditors. By submitting Personal Information and/or Browsing Information to FNF, you expressly agree and consent to the use and/or transfer of the foregoing information in connection with any of the above described proceedings.

Security of Your Information

We maintain physical, electronic, and procedural safeguards to protect your Personal Information.

Choices With Your Information

If you do not want FNF to share your information among our affiliates to directly market to you, you may send an "opt out" request by email, phone, or physical mail as directed at the end of this Privacy Notice. We do not share your Personal Information with nonaffiliates for their use to direct market to you.

Whether you submit Personal Information or Browsing Information to FNF is entirely up to you. If you decide not to submit Personal Information or Browsing Information, FNF may not be able to provide certain services or products to you.

For California Residents: We will not share your Personal Information or Browsing Information with nonaffiliated third parties, except as permitted by California law. For additional information about your California privacy rights, please visit the "California Privacy" link on our website (<https://fnf.com/pages/californiaprivacy.aspx>) or call (888) 413-1748.

For Nevada Residents: You may be placed on our internal Do Not Call List by calling (888) 934-3354 or by contacting us via the information set forth at the end of this Privacy Notice. Nevada law requires that we also provide you with the following contact information: Bureau of Consumer Protection, Office of the Nevada Attorney General, 555 E. Washington St., Suite 3900, Las Vegas, NV 89101; Phone number: (702) 486-3132; email: BCPINFO@ag.state.nv.us.

For Oregon Residents: We will not share your Personal Information or Browsing Information with nonaffiliated third parties for marketing purposes, except after you have been informed by us of such sharing and had an opportunity to indicate that you do not want a disclosure made for marketing purposes.

For Vermont Residents: We will not disclose information about your creditworthiness to our affiliates and will not disclose your personal information, financial information, credit report, or health information to nonaffiliated third parties to market to you, other than as permitted by Vermont law, unless you authorize us to make those disclosures.

Information From Children

The FNF Websites are not intended or designed to attract persons under the age of eighteen (18). We do not collect Personal Information from any person that we know to be under the age of thirteen (13) without permission from a parent or guardian.

International Users

FNF's headquarters is located within the United States. If you reside outside the United States and choose to provide Personal Information or Browsing Information to us, please note that we may transfer that information outside of your country of residence. By providing FNF with your Personal Information and/or Browsing Information, you consent to our collection, transfer, and use of such information in accordance with this Privacy Notice.

FNF Website Services for Mortgage Loans

Certain FNF companies provide services to mortgage loan servicers, including hosting websites that collect customer information on behalf of mortgage loan servicers (the "Service Websites"). The Service Websites may contain links to both this Privacy Notice and the mortgage loan servicer or lender's privacy notice. The sections of this Privacy Notice titled When Information is Disclosed, Choices with Your Information, and Accessing and Correcting Information do not apply to the Service Websites. The mortgage loan servicer or lender's privacy notice governs use, disclosure, and access to your Personal Information. FNF does not share Personal Information collected through the Service Websites, except as required or authorized by contract with the mortgage loan servicer or lender, or as required by law or in the good-faith belief that such disclosure is necessary: to comply with a legal process or applicable law, to enforce this Privacy Notice, or to protect the rights, property, or safety of FNF or the public.

Your Consent To This Privacy Notice; Notice Changes; Use of Comments or Feedback

By submitting Personal Information and/or Browsing Information to FNF, you consent to the collection and use of the information in accordance with this Privacy Notice. We may change this Privacy Notice at any time. The Privacy Notice's effective date will show the last date changes were made. If you provide information to us following any change of the Privacy Notice, that signifies your assent to and acceptance of the changes to the Privacy Notice. We may use comments or feedback that you submit to us in any manner without notice or compensation to you.

Accessing and Correcting Information; Contact Us

If you have questions, would like to correct your Personal Information, or want to opt-out of information sharing for affiliate marketing, send your requests to privacy@fnf.com, by phone to (888) 934-3354, or by mail to:

Fidelity National Financial, Inc.
601 Riverside Avenue,
Jacksonville, Florida 32204
Attn: Chief Privacy Officer

VARIANCE REPORT

Issued by

CHICAGO TITLE INSURANCE

6416 W Okanogan Ave.
Kennewick, WA 99336
Phone# (509)783-7833
Fax# (509)735-6297

To: Mary Williams

Attention: Mary Williams

Request Received: October 27th, 2020

Dated: October 29th, 2020

The Following are the owners within a 600 foot radius of the following described property:

Lot 3, Short Plat No. 2770, according to the Short Plat thereof recorded under Auditor's File No. 2003-057882, records of Benton County, Washington

Owners: Goodwill Industries of the Columbia, Inc., a Washington Corporation

Tax Parcel No.: 126984012770003

SURROUNDING PROPERTIES:

See attached

CITY OF RICHLAND
UNKNOWN
RICHLAND WA 99352

CITIES TRI
1770 LESLIE RD
RICHLAND WA 99352

KADLEC MEDICAL CENTER
550 GAGE BLVD
RICHLAND WA 99352

JOHN TILLEY
50 TIMMERMAN DR
RICHLAND WA 99352

LEONARD PEASE JR
56 TIMMERMAN DR
RICHLAND WA 99352

SEAN STAVE
62 TIMMERMAN DR
RICHLAND WA 99352

WALLACE ASCENCIO
53 BREMMER ST
RICHLAND WA 99352

DAVID HUSTED
57 BREMMER ST
RICHLAND WA 99352

STEVEN BERRY
61 BREMMER ST
RICHLAND WA 99352

WESLEY BECKER
65 BREMMER ST
WA 99352

RADELL YOUNG
69 BREMMER ST
RICHLAND WA 99352

THEODORE KRISHISKY
73 BREMMER ST
RICHLAND WA 99352

RODOLFO RUELAS
77 BREMMER ST
RICHLAND WA 99352

KARLA L HERNANDEZ-MEJIA
81 BREMMER ST
RICHLAND WA 99352

ROBERT RITTENBERG
85 BREMMER ST
RICHLAND WA 99352

BRADLEY JAGGI
89 BREMMER ST
RICHLAND WA 99352

JONATHAN PIAZZA
101 BREMMER ST
RICHLAND WA 99352

DOUG NORDWALL
105 BREMMER ST
RICHLAND WA 99352

OSCAR AVILA
109 BREMMER ST
RICHLAND WA 99352

JOSE AGUILAR
54 BREMMER ST
RICHLAND WA 99352

KEVIN FISCHER
58 BREMMER ST
RICHLAND WA 99352

LISA CHOI
62 BREMMER ST
RICHLAND WA 99352

SIXTO SIGNORELLI
68 BREMMER ST
RICHLAND WA 99352

MAURICE LESPERANCE
86 BREMMER ST
RICHLAND WA 99352

PEYMAN YOUNESI
90 BREMMER ST
RICHLAND WA 99352

LONNIE MEADOWS JR
102 BREMMER ST
RICHLAND WA 99352

JACK KALIA
106 BREMMER ST
RICHLAND WA 99352

STEVEN WIDERGREN
101 TIMMERMAN DR
WA 99352

JEAN MURROW
69 TIMMERMAN DR
RICHLAND WA 99352

MATTHEW SMITH
65 TIMMERMAN DR
RICHLAND WA 99352

CIRCLE K STORES INC
590 GAGE BLVD
RICHLAND WA 99352

VERIZON NORTHWEST INC
UNDETERMINED
WA 99352

KEENE PLAZA LLC
103 KEENE RD
RICHLAND WA 99352

CF ALBERT PROPCO III LLC
690 GAGE BLVD
RICHLAND WA 99352

OC PROPERTIES LLC
696 GAGE BLVD
RICHLAND WA 99352

JONATHAN CRAWFORD
600 GAGE BLVD
RICHLAND WA 99352

TIBI LLC
1815 LESLIE RD
RICHLAND WA 99352

TESORO REFINING AND
MARKETING COMPANY
1811 LESLIE RD
RICHLAND WA 99352

THREE GIRLS LLC
138 KEENE RD
RICHLAND WA 99352

LAMBERT PROPERTIES LLC
120 KEENE RD
RICHLAND WA 99352

KEVIN SELBY
1596 SAGEWOOD ST
RICHLAND WA 99352

JESUS MARCELO
114 W MESA DR
RICHLAND WA 99352

JOSEPH KNOPIK
108 W MESA DR
WA 99352

KAY BOWLES
102 W MESA DR
WA 99352

MARSHALL RICHMOND
1622 SUNTERRA CT
RICHLAND WA 99352

ALISON GJEFLE
1616 SUNTERRA CT
RICHLAND WA 99352

SCOTT BOYNTON
1610 SUNTERRA CT
RICHLAND WA 99352

ROBERT EVANS
1609 SAGEWOOD ST
RICHLAND WA 99352

MICHAEL HARTWIG
1615 SAGEWOOD ST
RICHLAND WA 99352

BASIR HAQUE
1622 SAGEWOOD ST
RICHLAND WA 99352

MOSTAFA TAHA
1616 SAGEWOOD ST
RICHLAND WA 99352

RAYMOND HAGEN
111 W MESA DR
WA 99352

JOSEPH SAMUELS
107 W MESA DR
WA 99352

BENJAMIN PE
1613 MESQUITE CT
RICHLAND WA 99352

DENNIS HUMPHREYS
1619 MESQUITE CT
RICHLAND WA 99352

ROBERTA BAILEY
1623 MESQUITE CT
RICHLAND WA 99352

ROSANNA S JOHNSON
1628 MESQUITE CT
RICHLAND WA 99352

NICOLE HASKINS
1614 MESQUITE CT
RICHLAND WA 99352

RYAN TOLAR
1608 MESQUITE CT
RICHLAND WA 99352

ROBERT BIRD
118 W MESA DR
RICHLAND WA 99352

C MATYLINSKI
1641 SAGEWOOD ST
RICHLAND WA 99352

DELORES MARIOTTI
1640 SAGEWOOD ST
RICHLAND WA 99352

CHARLES BONHAM
1636 SAGEWOOD ST
RICHLAND WA 99352

PATRICK CLAPPER
1632 SAGEWOOD ST
RICHLAND WA 99352

CHRISTA E POWELL
1624 SAGEWOOD ST
RICHLAND WA 99352

SAGEWOOD MEADOWS
HOMEOWNERS
UNDETERMINED
WA 99352

WALGREEN CO
585 GAGE BLVD
RICHLAND WA 99352

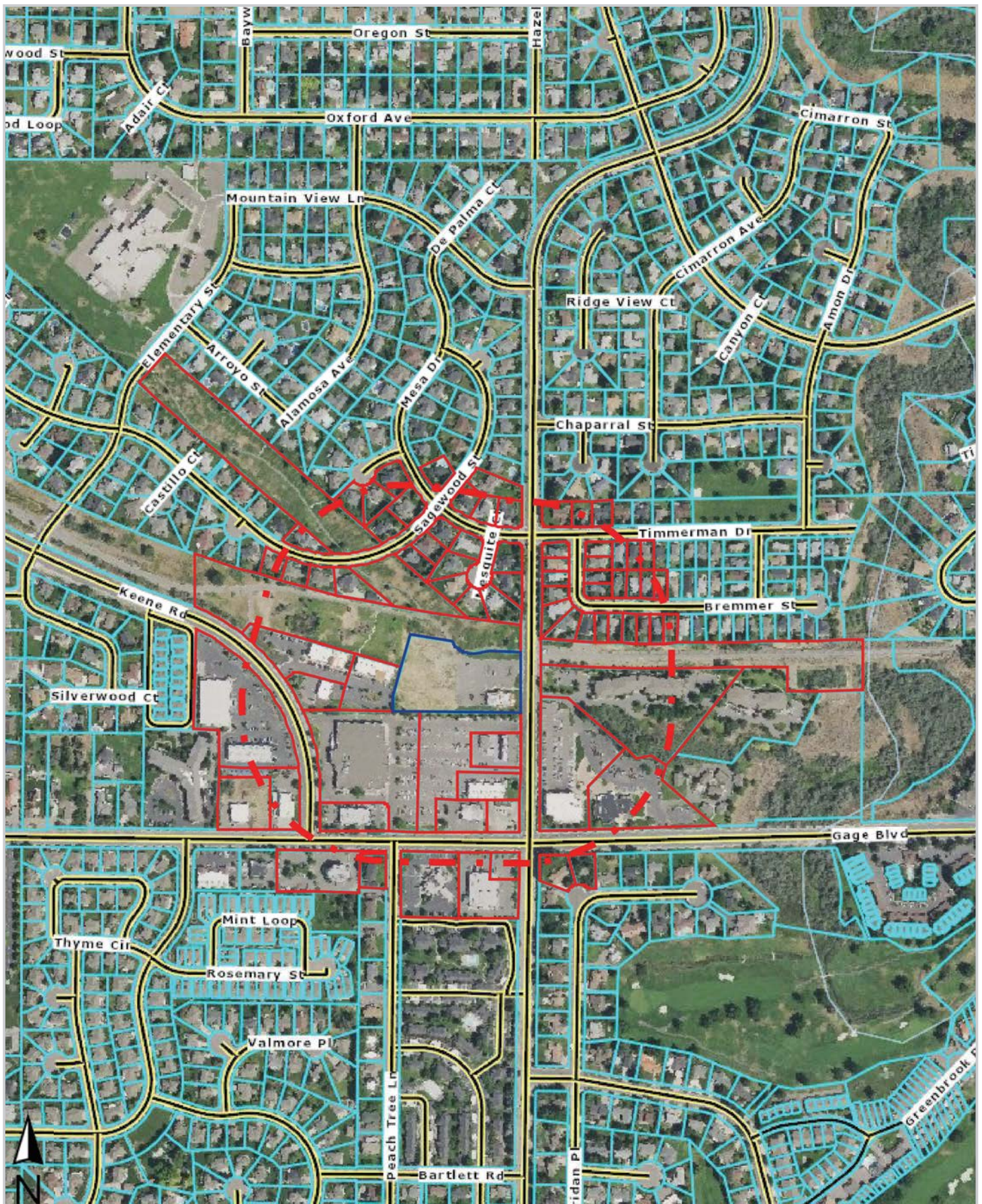
HAPO COMMUNITY CREDIT UNION
UNDETERMINED
WA 99352

LOS TRUST AMIGOS LLC
705 GAGE BLVD
RICHLAND WA 99352

BRYAN WILLIAMSON
1803 PEACHTREE LN
WA 99352

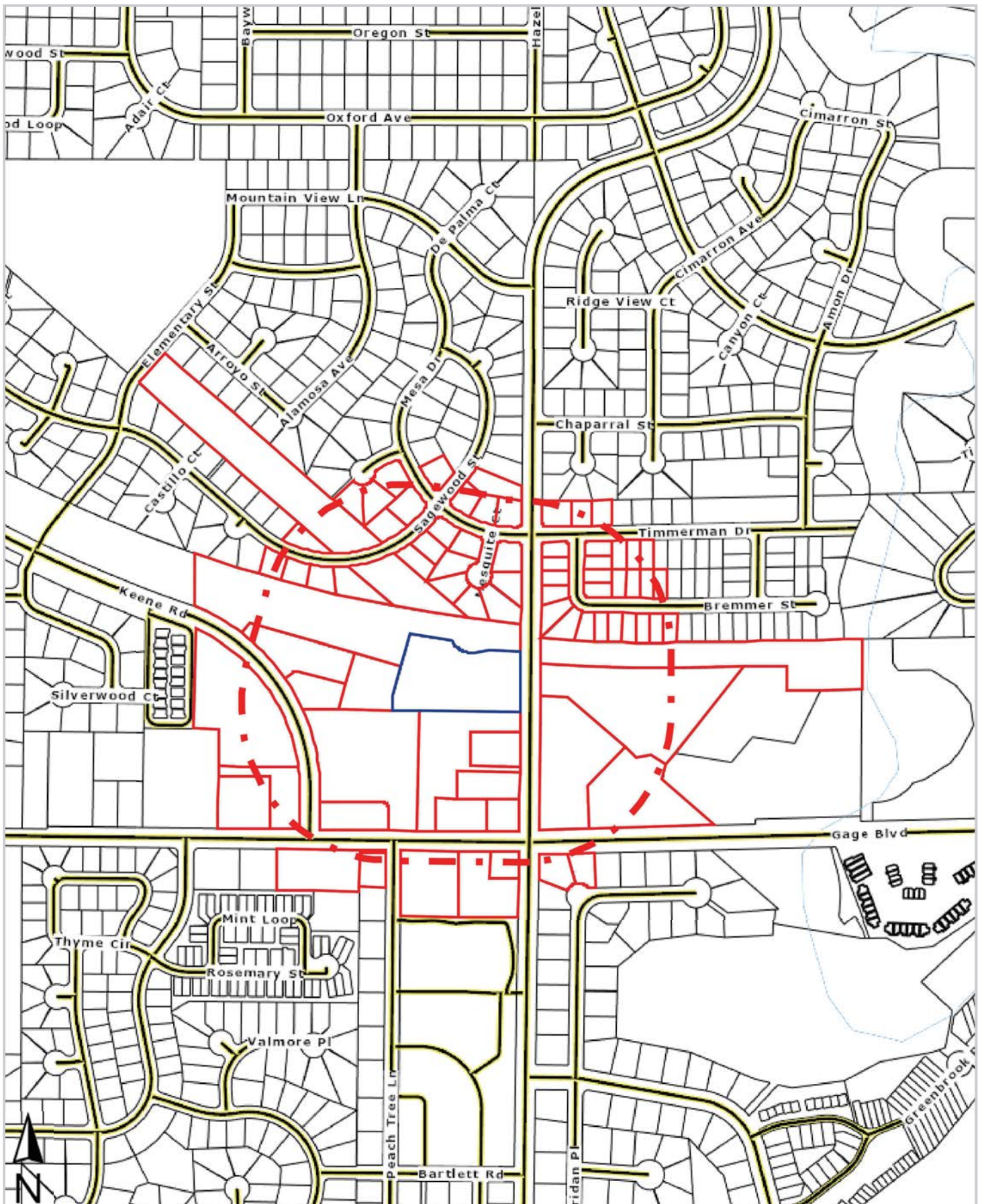
ROBERT FUHRMAN
1954 SHERIDAN PL
RICHLAND WA 99352

JAMES LILLY
1948 SHERIDAN PL
RICHLAND WA 99352



CHICAGO TITLE™

This map/plat is being furnished as an aid in locating the herein described land in relation to adjoining streets, natural boundaries and other land, and is not a survey of the land depicted. Except to the extent a policy of title insurance is expressly modified by endorsement, if any, the company does not insure dimensions, distances, location of easements, acreage or other matters shown thereon.



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EXHIBIT 2



CITY OF RICHLAND NOTICE OF APPLICATION AND PUBLIC HEARING (Z2020-104)

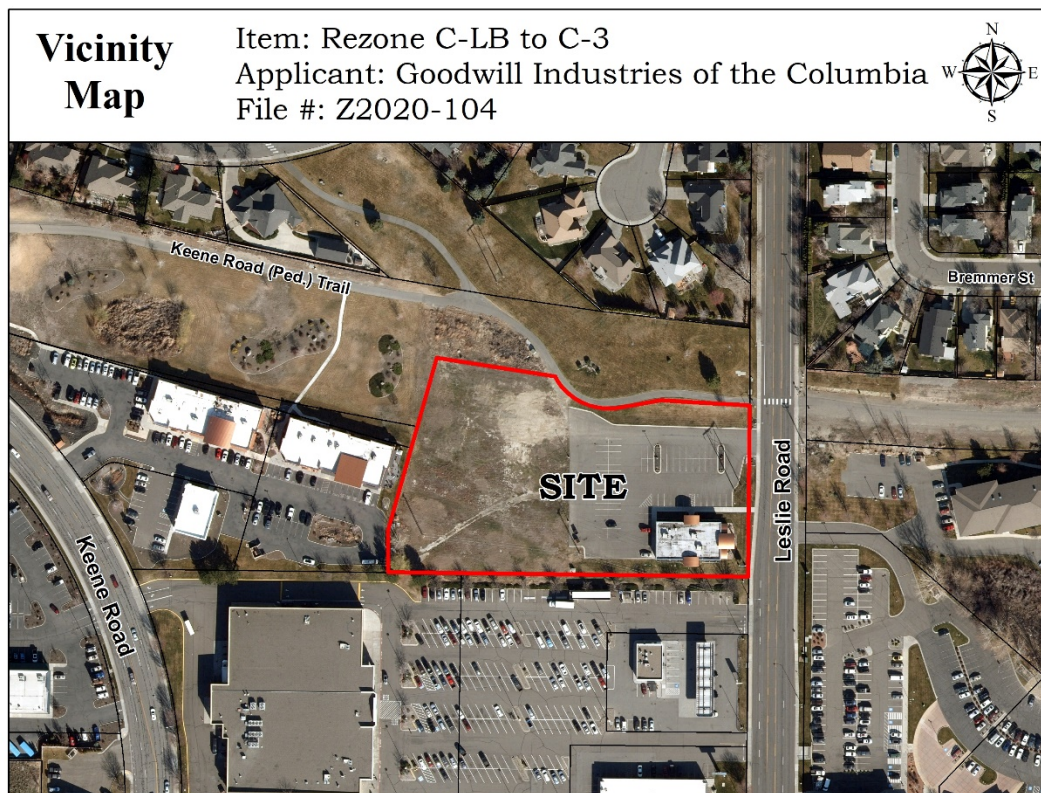
Notice is hereby given that Goodwill Industries of the Columbia has filed a request to rezone one 2.9-acre parcel from C-LB (Limited Business) to C-3 (General Business). The project site lies on the west side of Leslie Road approximately 477-feet north of Gage Blvd. The Assessor's Parcel No. is 1-26984012770003. 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 Mike Stevens, Planning Manager, 625 Swift Boulevard, MS-35, Richland, WA 99352. Comments may also be faxed to (509) 942-7764 or emailed to mstevens@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.





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

\$98.87

Tax Amount

\$0.00

Total Amount

\$98.87

Payment Amount

\$0.00

Amount Due

\$98.87

Ad Order Number

0004821680

Order Source

Ordered By

Jana Duncan

Special Pricing

Invoice Text

HE PHN - Z2020-104

Promo Type

Package Buy

Materials

Ad Order Information

<u>Ad Number</u>	<u>Ad Type</u>	<u>Production Method</u>	<u>Production Notes</u>
0004821680-01	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 40 li	

<u>Product</u>	<u>Placement</u>	<u>Times Run</u>	<u>Schedule Cost</u>
TRI- Tri-City Herald	0300 - Legals Classified	1	\$98.87

<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
(Z2020-104)**

Notice is hereby given that Goodwill Industries of the Columbia has filed a request to rezone one 2.9-acre parcel from C-LB (Limited Business) to C-3 (General Business). The project site is located on the west side of Leslie Rd., approximately 477-feet north of Gage Blvd. The Assessor's Parcel No. is 126984012770003. 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 public hearing to speak regarding the rezone proposal. Comments may be mailed to the City of Richland c/o Mike Stevens, 625 Swift Blvd., MS-35, Richland, WA 99352, or emailed to mstevens@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 Mike Stevens, Planning Manager, at mstevens@ci.richland.wa.us or 509-942-7596.

Published: Sunday, December 6, 2020

1
2 **AFFIDAVIT OF MAILING**

3
4 STATE OF WASHINGTON)
5) ss.
6 COUNTY OF BENTON)

7
8 COMES NOW, Briana Ghbein, who, being first duly sworn upon oath deposes and says:

9 1. I am an employee in the Planning & Development Department for the City of Richland.

10 2. On the 30th day of November, 2020, I mailed a copy of the attached NOTICE OF
11 APPLICATION AND PUBLIC HEARING (Z2020-104) to the attached list of individuals via regular
12 USPS on the date indicated above. The Richland Hearing Examiner will conduct a virtual public
13 hearing at 6:00 PM on Monday, January 11, 2021.

14
15 
16 Signed: Briana Ghbein

17
18 SIGNED AND SWORN to before me this 30th day of November, 2020 by Jennifer Schuster.



23 
24 Notary Public in and for the State of Washington,

25 Print Name Jennifer Schuster

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.



CITY OF RICHLAND NOTICE OF APPLICATION AND PUBLIC HEARING (Z2020-104)

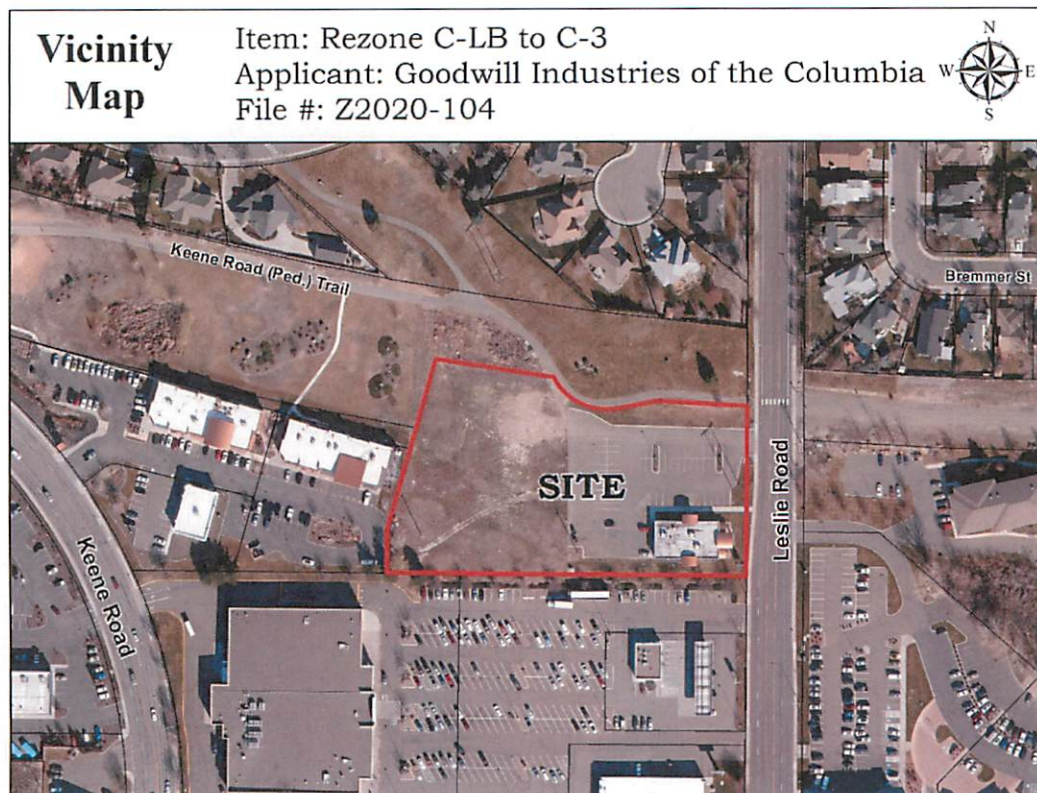
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Owner	APN	Mail Address	City	State	Zip
LAMBERT PROPERTIES LLC	126984013334002	120 NEWPORT CENTER DRIVE STE 210	NEWPORT BEACH	CA	92661
POWELL CHRISTA E	126984070002018	1624 SAGEWOOD STREET	RICHLAND	WA	99352-7692
HUMPHREYS DENNIS C & MARY ELLEN	126984060003006	1619 MESQUITE CT	RICHLAND	WA	99352-8545
RICE FAMILY JL ASSOCIATES LLC	126984012354001	ALBERTSONS COMPANIES, C/O PARADIGM TAX GROUP, PO BOX 800729	DALLAS	TX	75380-0729
BAILEY ROBERTA	126984060003007	1623 MESQUITE CT	RICHLAND	WA	99352
JOHNSON ROSANNA S & ERIK S	126984060003008	1628 MESQUITE CT	RICHLAND	WA	99352
RICE FAMILY JL ASSOCIATES LLC	126984012355001	ALBERTSONS COMPANIES, C/O PARADIGM TAX GROUP, PO BOX 800729	DALLAS	TX	75380-0729
TRMC RETAIL LLC	126984012355004	539 S MAIN ST	FINDLAY	OH	45840
SAGEWOOD MEADOWS HOMEOWNERS	126984070006000	PO BOX 532	RICHLAND	WA	99352
STACK CHUCK	126984012770003	4204 S OLSON ST	KENNEWICK	WA	99337-2644

AFFIDAVIT OF POSTING

STATE OF WASHINGTON)
) ss.
COUNTY OF BENTON)

COMES NOW, **Michael Stevens**, 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 a physical sign serving as NOTICE OF PUBLIC HEARING for File Number Z2020-104 in the following location:

1769 Leslie Road, Richland, WA 99352



Signed: Michael Stevens

SIGNED AND SWORN to before me this 9th day of December, 2020, by Michael Stevens.



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

Exhibit 3

From: [MaryEllen Humphreys](#)
To: [Stevens, Mike](#)
Subject: File #: Z2020-104 rezone C-LB to C-3
Date: Monday, December 14, 2020 7:24:26 PM

Mr. Stevens,

We live at 1619 Mesquite Ct. which is directly behind the proposed project sight.

We feel Chuck Stack and Gayle Stack have done a very nice job developing the property with the Round Table restaurant and the 2 current buildings.

If the new building follows that same design, color and landscaping, we do not have a problem with the rezoning from C-LB to C-3.

One concern we have is seeing the many sorting boxes of donation. We hope the donations will be enclosed behind a cement wall, or inside the building, and also a cement enclosure for the garbage and recycling cans.

Now that the last phase of the development will be complete, we hope Round Table will enclose their garbage and recycling cans also, as promised in a neighborhood meeting many years ago.

**Thank you,
Dennis and MaryEllen Humphreys**



STATE OF WASHINGTON
DEPARTMENT OF ECOLOGY

1250 West Alder Street • Union Gap, Washington 98903-0009 • (509) 575-2490

December 21, 2020

Mike Stevens
City of Richland
PO Box 190
Richland, WA 99352

Re: Z2020-104

Dear Mike Stevens:

Thank you for the opportunity to comment on the Notice of Application for the rezone of a 2.9 acres parcel, proposed by the Goodwill Industries of the Columbia. The Department of Ecology (Ecology) has reviewed the application and has the following comments.

WATER QUALITY

Project with Potential to Discharge Off-Site

If your project anticipates disturbing ground with the potential for stormwater discharge off-site, the NPDES Construction Stormwater General Permit is recommended. This permit requires that the SEPA checklist fully disclose anticipated activities including building, road construction and utility placements. Obtaining a permit may take 38-60 days.

The permit requires that a Stormwater Pollution Prevention Plan (Erosion Sediment Control Plan) shall be prepared and implemented for all permitted construction sites. These control measures must be able to prevent soil from being carried into surface water and storm drains by stormwater runoff. Permit coverage and erosion control measures must be in place prior to any clearing, grading, or construction.

In the event that an unpermitted Stormwater discharge does occur off-site, it is a violation of Chapter 90.48 RCW, Water Pollution Control and is subject to enforcement action.

If the project involves more than one acre of soil disturbance, but less than 5 acres, it may be possible to obtain an Erosivity Waiver.

More information on the stormwater program may be found on Ecology's stormwater website at: <http://www.ecy.wa.gov/programs/wq/stormwater/construction/>. Please submit an application or contact **Lloyd Stevens Jr.** at the Dept. of Ecology, (509) 574-3991 or email lloyd.stevensjr@ecy.wa.gov, with questions about this permit.

Sincerely,

A handwritten signature in blue ink that reads "Gwen Clear".

Gwen Clear
Environmental Review Coordinator
Central Regional Office
(509) 575-2012
crosepa@ecy.wa.gov



2015 South Ely Street
Kennewick, WA 99337
Customer Service 509-586-9111
Business 509-586-6012
FAX 509-586-7663
www.kid.org

December 17, 2020

Mike Stevens
City of Richland – Development Services Division
625 Swift Blvd., MS – 35
Richland, WA 99352

Subject: Review Comments for Z2020-104

Dear Mr. Stevens:

The Kennewick Irrigation District has received your Application for the Zoning Map Amendment (Z2020-104) submitted by Ken Gosney of the Goodwill Industries of the Columbia to rezone the subject property from C-LB to C-3.

1. This parcel is within the Kennewick Irrigation District (KID) boundaries and is considered irrigable lands; therefore, the Kennewick Irrigation District assesses them.
2. Please note that permanent structures are not allowed within irrigation easements.
3. Please protect all existing irrigation facilities.
4. Please be aware that future subdivision of the site will require KID infrastructure be installed.

If you have any questions regarding these comments, please contact me at the address/phone number listed above.

Sincerely,

Blaine Broberg

Blaine Broberg, EIT
Staff Engineer