



Agenda
Planning Commission Workshop Meeting
Wednesday, October 18, 2023
Richland City Hall ~ Council Chambers
625 Swift Boulevard

Commission Members: Chair Maier, Vice-Chair Richardson, and Members Eadie, Miller, Nicholson, and Townsend

Council Liaisons: Council Liaison: VanDyke
Council Liaison Alternate: Jones

Staff Liaison: Stevens

Regular Workshop - 6:00 p.m.

Call to Order/Attendance:

Agenda Items:

1. Proposed Amendments to the Badger Mountain South Land Use & Development Regulations (LUDR)
 - Mike Stevens, Planning Manager
2. Shoreline Master Program Update
 - Mike Stevens, Planning Manager

Adjournment

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 509-942-7389.



PLANNING COMMISSION AGENDA ITEM COVERSHEET

Meeting Date: 10/18/2023

Agenda Category: Agenda Items

Prepared By: Mike Stevens, Planning Manager

Subject:

Proposed Amendments to the Badger Mountain South Land Use & Development Regulations (LUDR)

Request:

Core Focus Area 3 - Increase Economic Vitality

Recommended Motion:

Summary:

Discussion on proposed changes to the Badger Mountain South Land Use Development Regulations (LUDR)

Attachments:

1. CA2021108 Badger Mountain South LUDR Proposed



LAND USE and DEVELOPMENT REGULATIONS

City Of Richland, Washington

Exhibit C to Master Agreement Dated December 7, 2010
Amended Dates: June 19, 2012; April 15, 2014; and March 3, 2015

badger
mountain
SOUTH

TBD, 2023

PROPOSED
AMENDMENTS
SHOWN WITH
REDLINES / ORANGE

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badger mountain SOUTH

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CITY OF RICHLAND

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Richland City Council

David W. Rose – Mayor
Phillip Lemley – Mayor Pro-Tem
Brad Anderson – Council Member
Terry Christensen – Council Member
Gregory L. Jones – Council Member
Sandra Kent – Council Member
Robert Thompson – Council Member

Terry Christensen - Mayor
Theresa Richardson - Councilmember
Jhoanna Jones - Councilmember
Sandra Kent - Councilmember
Sandra Kent - Councilmember
Ryan Lukson - Councilmember
Shane VanDyke - Councilmember
Ryan Whitten - Councilmember
Michael Alvarez - Mayor (Former)

Richland Planning Commission

Kent Madsen – Chair
Marianne Boring – Vice Chair
Clifford Clark – Commissioner
James Wise – Commissioner
Kyle Palmer – Commissioner
Amanda Wallner – Commissioner
Debbie Berkowitz – Commissioner

Francesca Maier, Chairperson
Phillip Townsend, Commissioner
Heather Nicholson, Commissioner
Jet Richardson, Commissioner
Eric Smith, Commissioner (Former)
Douglas Eadie, Commissioner
Austin Miller, Commissioner
Michael Mealer, Commissioner (Former)

Richland City Staff

Cindy Johnson – City Manager
Jon Amudson – Assistant City Manager
Bill King – Deputy City Manager for Community and Development Services
Brian Moore – Planning and Redevelopment Manager
Rick Simon – Development Services Manager
Pete Rogalsky – Public Works Director
Bob Hammond – Energy Services Director
Thomas Huntington – Fire Chief
Chris Skinner – Police Chief
Joseph Schiessel – Parks and Recreation Director
Jay Marlow – Capital Projects Manager

Jon Amudson - City Manager
Joseph Schiessel - Deputy City Manager
Kerwin Jensen - Development Services Director
Mike Stevens - Planning Manager
Clint Whitney - Energy Services Director
Pete Rogalsky, PE - Public Works Director
John Bruce - Chief of Police
Tom Huntington - Fire Chief

NOTE: New logo substituted in October 2011
Graphics and layout originally prepared
by Johnson Braund, Inc.

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update
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update
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**INTRODUCTION
HOW TO USE THE
LUDR**

1

Section 1 introduces the intent, purpose, applicability of the Land Use & Development Regulations (LUDR). The organization, use and submittal procedures are outlined.

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1.A INTENT

1. Badger Mountain South (BMS), a master-planned community of 1,480 acres is intended to develop with 5,000 homes, businesses and other commercial activities. The Badger Mountain South Land Use Development Regulations (LUDR) are intended to (1) implement the land use elements of the Badger Mountain South Master Agreement approved by the by the City of Richland City Council on December 7, 2010, and (2) realize the goals and objectives which apply specifically to BMS, of the Badger Mountain Subarea Plan, adopted by the City of Richland City Council on September 7, 2010.
2. All parcels within the defined boundaries of Badger Mountain South (BMS) are required to follow these regulations which control site design, quality, and compatibility between buildings. The standards of the LUDR further serve to establish and maintain the design character of BMS by describing urban form, building types and site design which reflect important aspects of the desired quality for the development. Persons proposing development must consult the LUDR standards in preparation of plans for review by the City.
3. The underlying principle to the LUDR is that uses, buildings and streets are interrelated so there is a strong emphasis in the LUDR on the public realm and on the physical form of buildings. This greater emphasis on the physical form of the built environment is intended to produce streets and other public spaces that are varied, safe and attractive, and to encourage the construction of buildings that enhance the character of the neighborhood and business areas. The LUDR is graphic-intense and includes standards for site design and sustainability as well as graphic direction for height, siting, and building elements.
4. A map of the area of Badger Mountain South is shown in the illustration 1.E.
5. This document contains a number of should and shall statements. The intent is that should statements are desired items that will be reviewed during the design and incorporated as possible. Shall statements are requirement and revisions to these requirements require a deviation from the requirement be granted by the City.

1.B PURPOSE

1. The purpose of the LUDR is to:
 - a. Establish neighborhoods with a range of housing types to accommodate a population of diverse ages and incomes;
 - b. Promote health benefits of a walkable, pedestrian environment;
 - c. Establish mixed-use neighborhoods where daily activities can occur within walking distance of most homes;
 - d. Reduce traffic and congestion by creating a traditional neighborhood development street grid;
 - e. Improve the character and quality of the built environment;
 - f. Promote building and landscape design that conserve energy, water and other resources;
 - g. Promote lot and block orientation that accommodates passive solar capture; and
 - h. Conserve areas for parks, trails and open spaces by establishing a connected open space network.

1.C APPLICABILITY OF THE LUDR

1. All proposed development shall comply with all applicable LUDR and other Master Agreement provisions. No development permit or development approval shall be issued or approved by the city unless it complies with the applicable requirements of the LUDR and applicable provisions of the Master Agreement.
2. Relationship to the Richland Municipal Code
 - a. The LUDR, when accompanied with the other Master Agreement conditions, is designed to establish a set of City regulations that are specific to the Badger Mountain South Master Plan Community. As such, these more specific regulations regarding zoning districts, allowable land uses, permit requirements for allowable land uses, and site design and development standards, will be used instead of the corresponding regulations for other parts of the City.

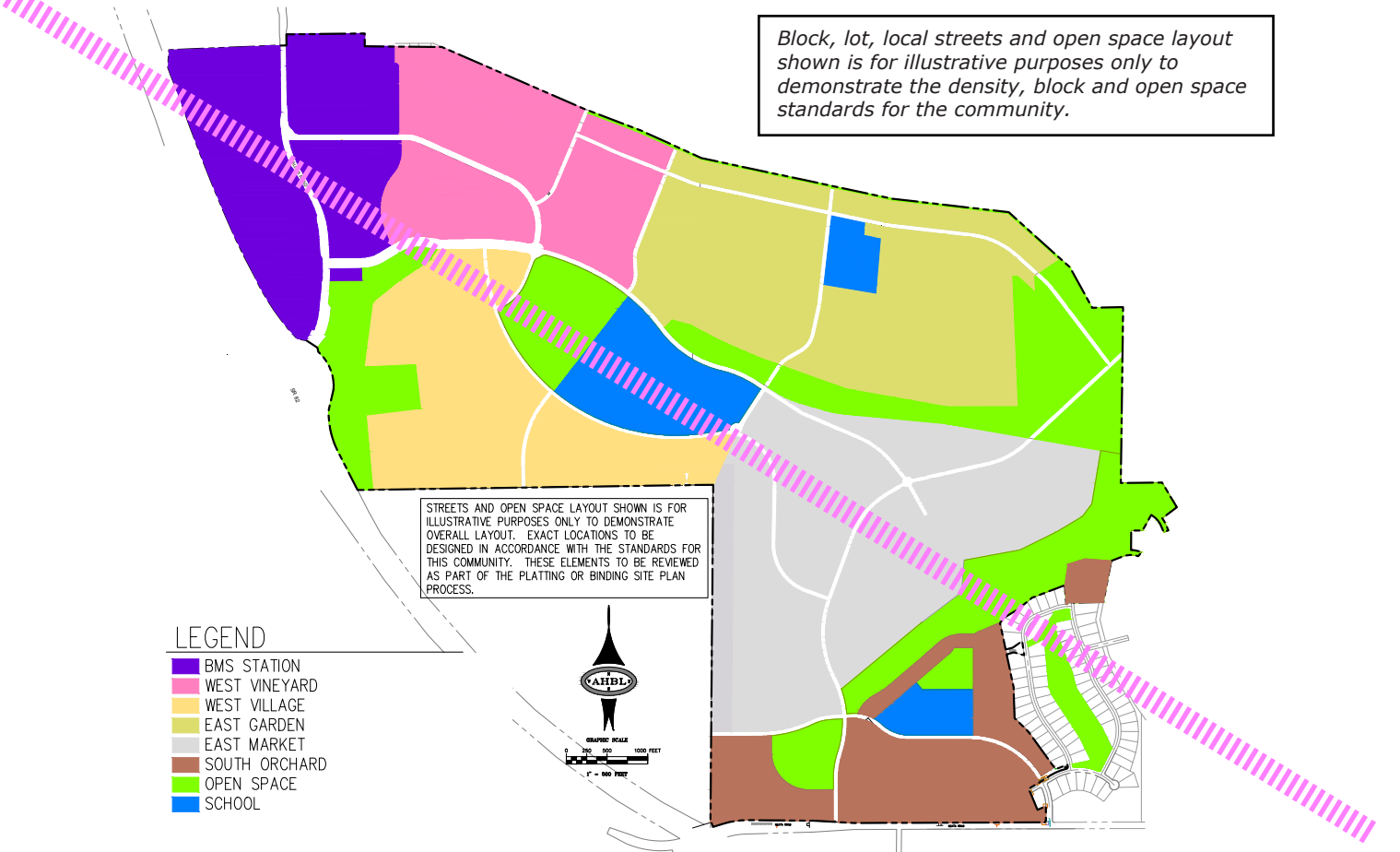
The City permit processing procedures set forth in the City Code will still be used (see LUDR Section 1.J), with the addition of the Master Agreement Consistency Determination process of LUDR Section 1.H.
 - b. All references to the RMC refer to the RMC as adopted and in effect on the date the LUDR is adopted by the city.
 - c. For subdivisions and short plats, the LUDR and Master Agreement substantive requirements, including the environmental mitigation conditions incorporated into the Master Agreement, shall be used for the review criteria, but the process requirements of RMC title 24 shall be followed along with the provisions of LUDR section 1.J. Compliance with the LUDR and Master Agreement substantive standards for subdivision and short plats shall be deemed to meet the approval criteria set forth in RMC 24.13.060 for short plats, and RMC 24.12.050 and 053, as well as RCW 58.17.100 and RCW 58.17.110.
 - d. For multifamily development containing an aggregate of 7 or more dwelling units regardless of the number of structures, commercial buildings and commercial building complexes, all civic buildings, and all development in a Special District, a site plan review is required. The LUDR and Master Agreement substantive requirements, including the environmental mitigation conditions incorporated into the Master Agreement, shall be used for the review criteria, but the process requirements of RMC chapter 23.48 shall be followed along with the provisions of LUDR section 1.J.
 - e. For binding site plans the LUDR and Master Agreement substantive requirements, including the environmental mitigation conditions incorporated into the Master Agreement, shall be used for the review criteria, but the process requirements of RMC title 24.14 shall be followed along with the provisions of LUDR section 1.J.
 - f. In some instances minor inconsistencies from the substantive requirements of the LUDR conditions may be acceptable if they meet certain criteria and represent an equivalent or superior design solution to what would otherwise be achieved by rigidly applying the specific requirements. The processing procedures for minor deviations from the LUDR are as set forth in Section 1.H.
3. Conditions in Addition to the LUDR.

There may be additional conditions imposed by the Badger Mountain South Home Owners’ Associations or Business Owners’ Associations through Conditions, Covenants, and Restrictions that relate to land use and development activities such as, but not limited to, architectural style, colors, or other building features. These additional conditions are privately enforced and not subject to the LUDR.
4. Conflicts with Other Codes.

Since the City has adopted regulations that are specific to the Badger Mountain South Master Plan Community, if there is a conflict between those specific City regulations applicable

- to BMS and other City regulations, the BMS regulations shall control. Provided, however, this general principle shall not apply to the following:
- a. Building Code, RMC Title 21
 - b. Life Safety Code, RMC Title 20
 - c. Electrical Code, RMC Title 14
 - d. Energy Code, Chapter 19.27A of the Revised Code of Washington.
 - e. Sensitive Areas Ordinance, RMC, Chapter 22.10
5. State, County, local agency and school district sites and facilities.
- The requirements of the LUDR shall apply to all sites and facilities in Badger Mountain South of the State of Washington, Benton County, and any school district or other local agency to the maximum extent allowed by law.
6. Civic Buildings and Facilities.
- It is intended that the design quality and sustainability components of Civic buildings and facilities exceed the general standard for residential and commercial buildings within Badger Mountain South as set forth in the Building Type standards section 8.D and Sustainable Standards section 12.D.
7. Terms
- Capitalized terms used throughout the LUDR are defined in Section 14, Glossary. Those terms not defined in Section 14 shall be accorded their commonly accepted meanings. In the event of conflicts between these definitions and those of the RMC, those of the LUDR shall take precedence.

1.E ILLUSTRATIVE PLAN OF BADGER MOUNTAIN SOUTH



8. Diagrams and illustrations
- Diagrams, photographs and illustrations are an integral part of the LUDR and are used to help explain the guidelines and standards. When in conflict, written text shall take precedence over graphic metrics.
9. Appeals
- Any decision or determination made by a city official in the administration or application of the provisions of the LUDR may be appealed in the same manner as provided in RMC Section 23.70.1. Responsibility for Administration.
10. Document Intent
- The LUDR is intended to be a living document that will evolve to meet market and site conditions as well as ensure the project is constructed in the desired sustainable, walkable, and green manner. The intent is that the most current LUDR be used to evaluate permit applications and projects are not vested to a current version of this document.

1.D ADMINISTRATION

The LUDR shall be administered by the Richland City Manager or his/her designee. The Richland City Council “Council”, Planning Commission “Commission” and Development Services Manager “Director” also have designated roles related to the implementation of the LUDR and are collectively referred to in the LUDR as the “review authority”.

1.A INTENT

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- 3. The underlying principle to the LUDR is that uses, buildings and streets are interrelated so there is a strong emphasis in the LUDR on the public realm and on the physical form of buildings. This greater emphasis on the physical form of the built environment is intended to produce streets and other public spaces that are varied, safe and attractive, and to encourage the construction of buildings that enhance the character of the neighborhood and business areas. The LUDR is graphic-intensive and includes standards for site design and sustainability as well as graphic direction for height, siting, and building elements.
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1.B PURPOSE

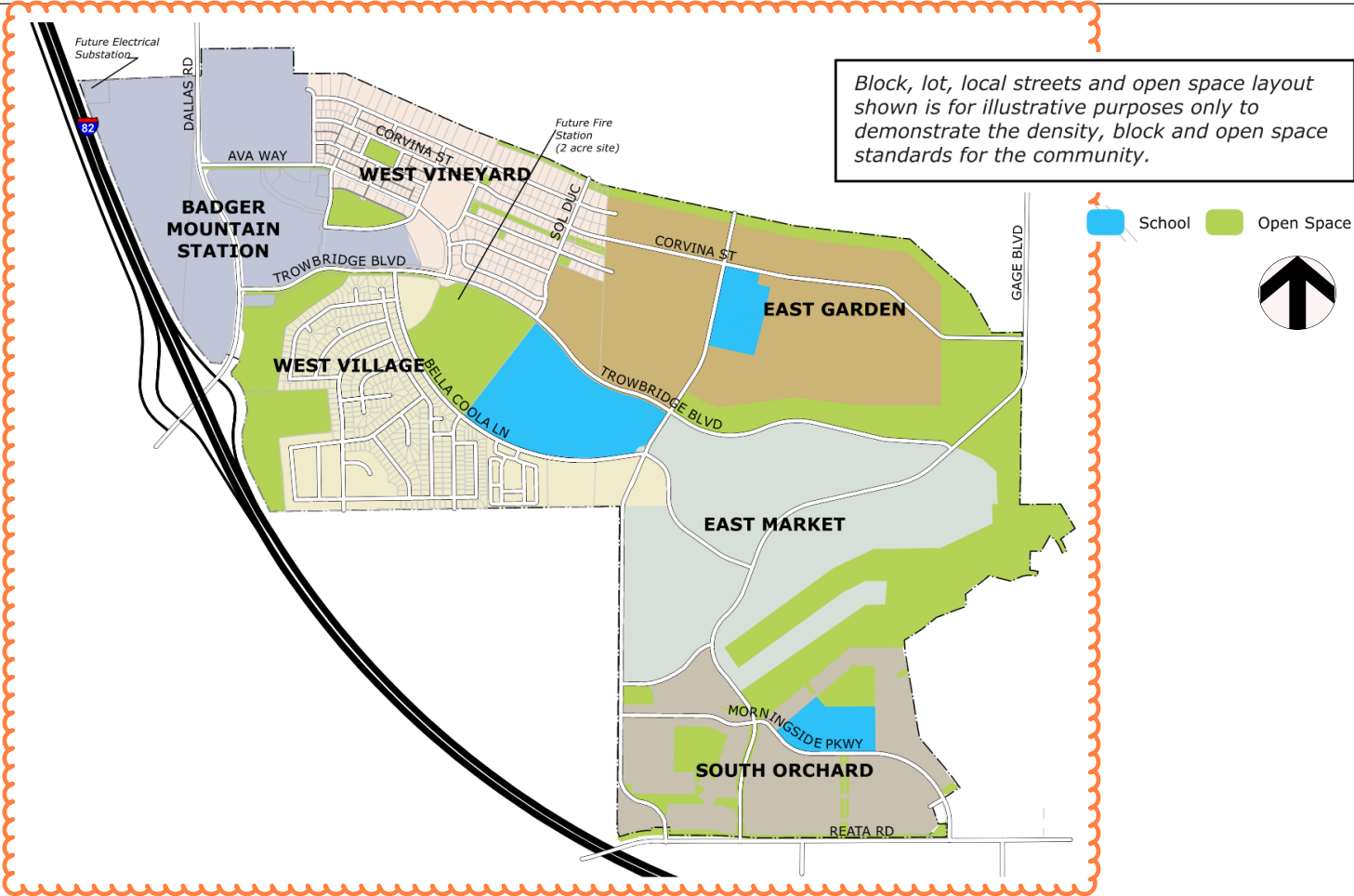
- 1. The purpose of the LUDR is to:
 - a. Establish neighborhoods with a range of housing types to accommodate a population of diverse ages and incomes;
 - b. Promote health benefits of a walkable, pedestrian environment;
 - c. Establish mixed-use neighborhoods where daily activities can occur within walking distance of most homes;
 - d. Reduce traffic and congestion by ~~creating a traditional neighborhood development street grid;~~
 - e. Improve the character and quality of the built environment;
 - f. Promote building and landscape design that conserve energy, water and other resources;
 - g. Promote lot and block orientation that accommodates passive solar capture; and
 - h. Conserve areas for parks, trails and open spaces by ~~establishing a connected open space network.~~
linking local street networks through subdivisions to provide efficient local circulation and provide additional collector arterial access for major residential areas.

1.C APPLICABILITY OF THE LUDR

- 1. All proposed development shall comply with all applicable LUDR and other Master Agreement provisions. No development permit or development approval shall be issued or approved by the city unless it complies with the applicable requirements of the LUDR and applicable provisions of the Master Agreement.
- 2. Relationship to the Richland Municipal Code
 - a. The LUDR, when accompanied with the other Master Agreement conditions, is designed to establish a set of City regulations that are specific to ~~the~~ Badger Mountain South ~~Master Plan Community.~~ As such, these more specific regulations regarding zoning districts, allowable land uses, permit requirements for allowable land uses, and site design and development standards, will be used instead of the corresponding regulations for other parts of the City.
The City permit processing procedures set forth in the City Code will still be used (see LUDR Section 1.J), with the addition of the Master Agreement Consistency Determination process of LUDR Section 1.H.
 - b. All references to the RMC refer to the RMC as adopted and in effect on the date the LUDR is adopted by the city.
 - c. For subdivisions and short plats, the LUDR and Master Agreement substantive requirements, including the environmental mitigation conditions incorporated into the Master Agreement, shall be used for the review criteria, but the process requirements of RMC title 24 shall be followed along with the provisions of LUDR section 1.J. Compliance with the LUDR and Master Agreement substantive standards for subdivision and short plats shall be deemed to meet the approval criteria set forth in RMC 24.13.060 for short plats, and RMC 24.12.050 and 053, as well as RCW 58.17.100 and RCW 58.17.110.
 - d. For multifamily development containing an aggregate of 7 or more dwelling units regardless of the number of structures, commercial buildings and commercial building complexes, all civic buildings, and all development in a Special District, a site plan review is required. The LUDR and Master Agreement substantive requirements, including the environmental mitigation conditions incorporated into the Master Agreement, shall be used for the review criteria, but the process requirements of RMC chapter 23.48 shall be followed along with the provisions of LUDR section 1.J.
 - e. For binding site plans the LUDR and Master Agreement substantive requirements, including the environmental mitigation conditions incorporated into the Master Agreement, shall be used for the review criteria, but the process requirements of RMC title 24.14 shall be followed along with the provisions of LUDR section 1.J.
 - f. In some instances minor inconsistencies from the substantive requirements of the LUDR conditions may be acceptable if they meet certain criteria and represent an equivalent or superior design solution to what would otherwise be achieved by rigidly applying the specific requirements. The processing procedures for minor deviations from the LUDR are as set forth in Section 1.H.
- 3. Conditions in Addition to the LUDR.
~~There may be additional conditions imposed by the Badger Mountain South~~ Home Owners’ Associations or Business Owners’ Associations through Conditions, Covenants, and Restrictions that relate to land use and development activities such as, but not limited to, architectural style, colors, or other building features. These additional conditions are privately enforced and not subject to the LUDR.
- 4. Conflicts with Other Codes.
Since the City has adopted regulations that are specific to ~~the~~ Badger Mountain South ~~Master Plan Community~~, if there is a conflict between those specific City regulations applicable

- to BMS and other City regulations, the BMS regulations shall control. Provided, however, this general principle shall not apply to the following:
 - a. Building Code, RMC Title 21
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 - c. Electrical Code, RMC Title 14
 - d. Energy Code, Chapter 19.27A of the Revised Code of Washington.
 - e. ~~Sensitive~~ ^{Critical} Areas Ordinance, RMC, Chapter 22.10
- 5. State, County, local agency and school district sites and facilities.
The requirements of the LUDR shall apply to all sites and facilities in Badger Mountain South of the State of Washington, Benton County, and any school district or other local agency to the maximum extent allowed by law.
- 6. Civic Buildings and Facilities.
It is intended that the design quality and sustainability components of Civic buildings and facilities exceed the general standard for residential and commercial buildings within Badger Mountain South as set forth in the Building Type standards section 8.D and Sustainable Standards section 12.D.
- 7. Terms
Capitalized terms used throughout the LUDR are defined in Section 14, Glossary. Those terms not defined in Section 14 shall be accorded their commonly accepted meanings. In the event of conflicts between these definitions and those of the RMC, those of the LUDR shall take precedence.

1.E ILLUSTRATIVE PLAN OF BADGER MOUNTAIN SOUTH



- 11. Notification of Changes
When changes are proposed to this LUDR, the City is encouraged to provide notifications to the various homeowners associations upon receipt of an application in order to provide an enhanced notification process.
- 8. Diagrams and illustrations
Diagrams, photographs and illustrations are an integral part of the LUDR and are used to help explain the guidelines and standards. When in conflict, written text shall take precedence over ~~graphic metrics.~~ ~~graphics.~~
- 9. Appeals
Any decision or determination made by a city official in the administration or application of the provisions of the LUDR may be appealed in the same manner as provided in RMC Section ~~23.70.1. Responsibility for Administration.~~ **23.70.240.**
- 10. Document Intent
The LUDR is intended to be a living document that will evolve to meet market and site conditions as well as ensure the project is constructed in the desired sustainable, walkable, and green manner. The intent is that the most current LUDR be used to evaluate permit applications and projects are not vested to a current version of this document. **Each page of the document is annotated by the amendment date(s).**

1.D ADMINISTRATION

The LUDR shall be administered by the Richland City Manager or his/her designee. The Richland City Council “Council”, Planning Commission “Commission” and Development Services Manager “Director” also have designated roles related to the implementation of the LUDR and are collectively referred to in the LUDR as the “review authority”.

1.F REGULATING PLAN AND DISTRICTS

1. Districts and Their Purposes
- The area subject to the LUDR shall be divided into the following districts which shall be applied to property within Badger Mountain South as shown on the Regulating Plan for Land Use and Urban Form, 2.B. The Urban Form Standards for Districts, other than Special Districts are included in Section 3. Special District Standards are included in Section 4. All district descriptions below are preceded by the appellation, BMS, which stands for Badger Mountain South.

a. ~~BMS-VMU District. The Village Mixed Use District is where mixed-use and multi-family residential buildings are intended to create a pedestrian-oriented urban fabric. The district provides for a variety of non-residential uses and a mix of housing types at higher intensities and densities. Besides accommodating community-serving buildings, it may also serve the daily convenience shopping and service needs of nearby residents. Building types include Civic/ Institutional/Community Buildings, Neighborhood Goods and Services Buildings, Commercial/Mixed-use/Liner, Live/Work, Stacked Units and Row Houses. The landscape style is urban, emphasizing street trees and wide sidewalks.~~

b. BMS-NC District. The Neighborhood Collector District is a residential district located in close proximity to parks, trails and greenbelts primarily along Collector streets and neighborhood entry points. It is intended to permit a variety of housing types at medium intensities and densities, with some opportunities for neighborhood-serving retail, businesses, services and cafes. Allowable building types include Civic/Institutional/Community Buildings, Neighborhood Goods and Services Buildings, Commercial/ Mixed-use/Liner, Live/Work, Stacked Units, Row Houses, Courtyard Housing, Mansion Apartments and Duplexes. The landscape style is appropriate to a neighborhood with street trees and sidewalks, or when adjacent to a greenbelt, a wider landscaped treatment with a portion of the community’s trail system.

c. BMS- NG District. The Neighborhood General District is the primary residential district found in Badger Mountain South. It is intended to permit a variety of housing types at urban intensities and densities. Allowable building types include Civic/Institutional/Community Buildings, Courtyard Housing, Mansion Apartments, all in limited applications, as well as Duplexes, Cottage Courts, Single-Family House, both with alley are limited street access garages and Accessory Units. No house in the BMS-NG District is intended to be farther than three blocks from any park, mini park or other type of open space. The landscape style is appropriate to a neighborhood with street trees and sidewalks.

d. BMS-NE District. The Neighborhood Edge District is the most restrictive residential district in Badger Mountain South. It is intended to allow a variety of low density and low intensity Single-Family Houses and Accessory Units on larger lots. The landscape style is appropriate to a neighborhood with street trees and sidewalks.

e. BMS-CIVIC District. The Civic District is intended to accommodate the open space, parks, trails, schools and other civic and community facilities in Badger Mountain South. With the exception of the school site located in the South Orchard neighborhood, school sites are intended to be held in reserve for a neighborhood school until the school district determines the site is not needed or it is used for the development of a private school. If reserved school sites do not develop as schools, other civic or housing uses will be developed there. Standards for civic facilities are intended to create places that are models of sustainable design and development.

f. BMS-SD-SR District. The Special District - Specialty Retail is intended to be an area for commercial activity that provides an attraction for local, regional and state-wide visitors by accommodating the growing interest in local and regional agricultural products, in particular the state wine industry. It allows wineries and wine making, other retail and commercial, as well as hospitality uses and services. It is intended to develop with an integrated site and amenity design in order to become a community gathering place with its own distinct style.

g. BMS-SD-CMU District. The Special District - Commercial Mixed-Use is intended to develop as a local destination for employment and shopping. It can accommodate campus-style office developments that provide a significant number of jobs. It also is a place for housing in mixed-use or live/ work buildings at higher intensities and densities found in multi-storied urban building types. It is intended to become the most intensive urban place in Badger Mountain South. The CMU District landscape edge is an urban trail that includes wider sidewalks, street trees and other landscaping and provides pedestrian connectivity to the adjacent neighborhoods.

h. BMS-SD-DR District. The Special District - Destination Retail -is applied to properties that lie west of Dallas Road. It is intended to become a notable gateway into the city from Interstate 82 by providing an integrated development concept that can accommodate higher intensity development. Development includes a mix of pedestrian-scale retail, big box retail, restaurant, entertainment, vehicle services and urban housing in live/work or commercial mixed-use structures. The landscape style is urban with street trees, sidewalks and landscape parking areas with internal pedestrian connectivity.
- 1.G LAND USES
1. Allowed Land Uses.

a. A parcel or building in Badger Mountain South shall be occupied by only the land uses identified in Section 2.C. Land Use Table, within the district applied to the site by the Regulating Plan for Land Use and Urban form, Section 2.B. Each land use listed in Section 2.C. is defined in Section 14, Glossary.

b. Any one or more land uses identified in Section 2.C. Land Use Table, as being allowed within a specific district may be established on any parcel in the district subject to the requirements as listed and the permit requirements of the RMC.

2. Unclassified Uses.

A land use that is not listed in Section 2.C. is not allowed, except as otherwise provided in section 1G.3.

3. Similar and compatible uses.

a. The Director may determine that a proposed use not listed in Section 2.C. is allowable in compliance with the RMC procedure for similar use determinations; see RMC 23.08.065.

b. When the Director determines that a proposed, but unclassified, use is similar to a listed use, the proposed use will be treated in the same manner as the listed use in determining where it is allowed, what permits are required, and what other standards of the LUDR and Master Agreement apply.

4. Additional City approval requirements.

a. Any land use identified in 2.C. may require other City permits, licenses, and approvals, including but not limited to a building permit.

b. Allowable land uses for each lot shall be shown on the plat documents.

5. Allowable land uses for each lot shall be shown on the plat documents.
- 1.H BMS MASTER AGREEMENT
CONSISTENCY DETERMINATION
1. In order to assure that all development activity within Badger Mountain South is consistent with the Master Agreement and the LUDR, all City permits and other approvals for any development within Badger Mountain South, including building permits, must include a Master Agreement Consistency Determination (BMS-MACD) issued by the Planning Manager. A level 1 BMS-MACD is required for all development applications, including building permits, except for final plat approval and issuance of a Certificate of Occupancy. A level 2 BMS-MACD is required for final plat approval and issuance of a final Certificate of Occupancy. The level 2 BMS-MACD can be issued by the City, even if bonding of certain improvements is allowed in lieu of immediate construction, or a temporary certificate is issued, subject to completion of punch list items, so long as the BMS-MACD finds that the development will be consistent with the Master Agreement and LUDR conditions upon the satisfactory completion of the bonded improvements in case of a final plat, and the punch list items in case of a Certificate of Occupancy.

2. All builders/developers are strongly encouraged to attend a pre-application meeting with the Badger Mountain South Master Plan Administrator (BMS-MPA). The BMS-MPA is designated by the Badger Mountain South Master Agreement to provide guidance to builders/developers on how to apply the provisions of the LUDR to land use development applications.

3. The purpose of the pre-application meeting is to provide a roadmap through the LUDR provisions that apply to a proposal, identify possible changes to a proposal to meet the BMS intent, receive information on the application submittal and next steps, and to answer any other questions.

4. A pre-application meeting should occur early in the planning phase when a project proposal is defined enough to provide conceptual plans but still flexible to consider recommendations from the BMS-MPA.

5. The purpose of the BMS-MACR is to provide a written recommendation to the City of Richland Development Services Department that the application/submittal is or is not consistent with the terms and conditions of the BMS Master Agreement and compliant with the provisions of the LUDR. Approvals in accordance with the LUDR are an administrative review unless otherwise noted.

6. The BMS-MPA will provide the City and the applicant a BMS-MACR, or if the submittal is found to be inconsistent, will work with the applicant to identify options that meet the LUDR requirements and the applicant’s intent. If the proposal is found to be inconsistent with the LUDR, the BMS-MACR will identify both areas of consistency and areas of inconsistency.

7. In some instances minor inconsistencies from the substantive requirements of the LUDR standards may be acceptable if they meet certain criteria and represent an equivalent or superior design solution to what would otherwise be achieved by rigidly applying the specific requirements. Minor deviations to the LUDR may be approved by the Administrative Official following the City’s minor amendment process under it’s Planned Unit Development Code (RMC 23.50.070).

8. A Level 2 BMS-MACR is required prior to final plat approval or issuance of Certificate of Occupancy. A Level 2 BMS-MACR ensures that the final submittal meets the Master Agreement and LUDR requirements. A Level 2 BMS-MACR will be provided to the City of Richland Development Services Department to be evaluated along with the applicant’s other RMC required submittals.
- Issue Date: 12-07-10
Amended Date: 03-03-15

Badger Mountain South: A Walkable and Sustainable Community, Richland, WA

1-3

1.I HOW TO USE THE LAND USE AND DEVELOPMENT REGULATIONS

1. The LUDR provides guidance for anyone wanting to develop or build within the Badger Mountain South community. Although complementary to the Richland Municipal Code (RMC), it is organized differently than the RMC. This section of the LUDR explains how to use the code provision contained here.
2. No matter what type of development is proposed, always start with Section 2, Urban Form Districts, Land Uses and Building Types. In Section 2.B, the Regulating Plan for Land Use and Urban Form, is the regulating map of Districts that govern the types of buildings that can be built and the types of uses that can be established.
3. Section 2.C, the Land Use Table, shows broad categories of uses that are allowed in each of the districts. Definitions of each use listed with typical examples are included in Section 14, Glossary.
4. Section 2.D, Building Types Table, lists 12 types of buildings that may be constructed and in which district each Building Type is permitted. Photographs of each Building Type are provided in Section 2.E as illustrative examples.
5. The remainder of the LUDR, Sections 3 through 13, identifies standards that apply to development activity including plats, subdivisions, site plans and building. Not all subsequent sections apply to every type of development activity.

1.J SUBMITTAL REVIEW PROCESS

Submittal Review Process							
Step 1	Step 2	Step 3	Step 4	Step 5	Step 6	Step 7	Step 8
Plat or Subdivision (Refer to Section 1.C.2.c)							
Pre-application meeting with MPA to discuss use and compliance with LUDR and Master Agreement.	Prepare Preliminary Plat application using LUDR and Master Agreement standards and RMC Chapter 24.12 requirements.	Submit Preliminary Plat application to City; City forwards a copy to MPA for Level 1 BMS-MACR.	MPA reviews application for consistency with Master Agreement and LUDR; Level 1 BMS-MACR issued to applicant and City.	Follow City Preliminary Plat Process.	Submit Final Plat application to City; City forwards a copy to MPA for Level 2 BMS-MACR.	MPA reviews application for consistency with Master Agreement and LUDR; Level 2 BMS-MACR issued to applicant and City.	Follow City Final Plat Process.
Short Subdivision (Refer to Section 1.C.2.c)							
Pre-application meeting with MPA to discuss use and application of the LUDR and Master Agreement.	Prepare Short Subdivision application using LUDR and Master Agreement standards and RMC Chapter 24.13 requirements.	Submit Short Subdivision application to City; City forwards a copy to MPA for Level 1 BMS-MACR.	MPA reviews application for consistency with Master Agreement and LUDR; Level 1 BMS-MACR issued to applicant and City.	Follow City Short Subdivision Process.			
Binding Site Plan (Refer to Section 1.C.2.e)							
Pre-application meeting with MPA to discuss use and compliance with LUDR and Master Agreement.	Prepare Binding Site Plan application using LUDR and Master Agreement standards and RMC Chapter 24.14 requirements.	Submit Binding Site Plan application to City; City forwards a copy to MPA for Level 1 BMS-MACR.	MPA reviews application for consistency with Master Agreement and LUDR; Level 1 BMS-MACR issued to applicant and City.	Follow City Binding Site Plan Process.			
Site Plan Review (Refer to Section 1.C.2.d)							
Pre-application meeting with MPA to discuss use and compliance with LUDR and Master Agreement.	Prepare Site Plan application using LUDR and Master Agreement standards and RMC Chapter 23.48 requirements.	Site Plan application to City; City forwards a copy to MPA for Level 1 BMS-MACR.	MPA reviews application for consistency with Master Agreement and LUDR; Level 1 BMS-MACR issued to applicant and City.	Follow City Site Plan Review process.			
Building Permit							
Pre-application meeting with MPA to discuss use and compliance with LUDR and Master Agreement.	Prepare Building Permit Application using LUDR and Master Agreement standards.	Submit Building Permit application to City; City forwards a copy to MPA for Level 1 BMS-MACR.	MPA reviews application for consistency with Master Agreement and LUDR; Level 1 BMS-MACR issued to applicant and City.	Follow City Building Permit application process.	Level 2 BMS-MACR issued prior to issuance of a Certificate of Occupancy.		

PROPOSED AMENDMENTS ARE SHOWN:

1.I HOW TO USE THE LAND USE AND DEVELOPMENT REGULATIONS

1. The LUDR provides guidance for anyone wanting to develop or build within the Badger Mountain South community. Although complementary to the Richland Municipal Code (RMC), it is organized differently than the RMC. This section of the LUDR explains how to use the code provision contained here.
2. No matter what type of development is proposed, always start with Section 2, Urban Form Districts, Land Uses and Building Types. In Section 2.B, the Regulating Plan for Land Use and Urban Form, is the regulating map of Districts that govern the types of buildings that can be built and the types of uses that can be established.
3. Section 2.C, the Land Use Table, shows broad categories of uses that are allowed in each of the districts. Definitions of each use listed with typical examples are included in Section 14, Glossary.
4. Section 2.D, Building Types Table, lists 12 types of buildings that may be constructed and in which district each Building Type is permitted. Photographs of each Building Type are provided in Section 2.E as illustrative examples.
5. The remainder of the LUDR, Sections 3 through 13, identifies standards that apply to development activity including plats, subdivisions, site plans and building. Not all subsequent sections apply to every type of development activity.

LIST OF ACRONYMS

LUDR	Land Use Development Regulations
MPA	Master Plan Administrator
RMC	Richland Municipal Code
MACR	Master Agreement Consistency Recommendation
MACD	Master Agreement Consistency Determination
MPA	Master Plan Administrator

1.J SUBMITTAL REVIEW PROCESS

Submittal Review Process							
Step 1	Step 2	Step 3	Step 4	Step 5	Step 6	Step 7	Step 8
Plat or Subdivision (Refer to Section 1.C.2.c)							
Pre-application meeting with MPA to discuss use and compliance with LUDR and Master Agreement.	Prepare Preliminary Plat application using LUDR and Master Agreement standards and RMC Chapter 24.12 requirements.	MPA reviews application for consistency with Master Agreement and LUDR; Level 1 BMS-MACR issued to applicant.	Submit Preliminary Plat application and Level 1 BMS-MACR to City.	Follow City Preliminary Plat Process.	MPA reviews Final Plat application for consistency with Master Agreement and LUDR; Level 2 BMS-MACR issued to applicant.	Submit Final Plat application and Level 2 BMS-MACR to City.	Follow City Final Plat Process. City issues Level 2 BMS-MACD.
Short Subdivision (Refer to Section 1.C.2.c)							
Pre-application meeting with MPA to discuss use and application of the LUDR and Master Agreement.	Prepare Short Subdivision application using LUDR and Master Agreement standards and RMC Chapter 24.13 requirements.	MPA reviews application for consistency with Master Agreement and LUDR; Level 1 BMS-MACR issued to applicant.	Submit Short Subdivision application and Level 1 BMS-MACR to City.	Follow City Short Subdivision Process.			
Binding Site Plan (Refer to Section 1.C.2.e)							
Pre-application meeting with MPA to discuss use and compliance with LUDR and Master Agreement.	Prepare Binding Site Plan application using LUDR and Master Agreement standards and RMC Chapter 24.14 requirements.	MPA reviews application for consistency with Master Agreement and LUDR; Level 1 BMS-MACR issued to applicant.	Submit Binding Site Plan application and Level 1 BMS-MACR to City.	Follow City Binding Site Plan Process.			
Site Plan Review (Refer to Section 1.C.2.d)							
Pre-application meeting with MPA to discuss use and compliance with LUDR and Master Agreement.	Prepare Site Plan application using LUDR and Master Agreement standards and RMC Chapter 23.48 requirements.	MPA reviews application for consistency with Master Agreement and LUDR; Level 1 BMS-MACR issued to applicant.	Submit Site Plan application and Level 1 BMS-MACR to City.	Follow City Site Plan Review process.			
Building Permit							
Pre-application meeting with MPA to discuss use and compliance with LUDR and Master Agreement.	Prepare Building Permit Application using LUDR and Master Agreement standards.	MPA reviews application for consistency with Master Agreement and LUDR; Level 1 BMS-MACR issued to applicant.	Submit Building Permit application and Level 1 BMS-MACR to City.	Follow City Building Permit application process.	City issues Level 1 BMS-MACD and building permit to applicant.	Level 2 BMS-MACR issued to applicant and city prior to issuance of a Certificate of Occupancy.	City issues Level 2 BMS-MACD and Certificate of Occupancy to applicant.



**URBAN FORM
DISTRICTS,
LAND USES AND
BUILDING TYPES**

2

Section 2 identifies the Urban Form Districts, allowed Land Uses, and associated Building Types for all properties within the Badger Mountain South community.

2.A Introduction.....2-2
2.B Regulating Plan For Land Use and Urban Form.....2-2
2.C Land Use Table.....2-3
2.D Building Type Table.....2-4
2.E Building Type Examples.....2-4

2.A INTRODUCTION

In order to achieve the intent of the LUDR as set forth in Section 1.A, as well as the other provisions of the Master Agreement, Badger Mountain South is divided into eight Urban Form Districts. Each District allows certain types of buildings and uses, identifies development intensity, employs District-specific development standards and defines the relationship of the parcels in the District to public right of ways.

The Districts and boundaries of the Districts are established as shown in Figure 2.B. Regulating Plan for Land Use and Urban Form.

The official Badger Mountain South map, called the Regulating Plan for Land Use and Urban Form, is found at Figure 2.3. The boundaries of the Districts shown, govern the uses of land, buildings, and structures within that District. Districts also govern the size of yards, the types of buildings and the heights of those buildings and other structures. These are the regulations that have been established and declared to be in effect on all land included within the boundary of each and every District shown in the official Badger Mountain South map.

DISTRICT LEGEND

The legend identifies the color associated with each District and provides a short introduction to the District intent. The Regulating Plan for Land Use and Urban Form, 2.B, shows where each District is located within Badger Mountain South.

BMS-VMU: VILLAGE MIXED-USE (3.B)

The Village Mixed-Use (VMU) Districts are the most urban areas of Badger Mountain South. They allow commercial uses, housing located above ground floor commercial spaces, Live/Work, Stacked Units and Row Houses.

BMS-NC: NEIGHBORHOOD COLLECTOR (3.C)

The Neighborhood Collector District allows a variety of Multi-family attached housing options as well as smaller scale commercial and Mixed-Uses.

BMS-NG: NEIGHBORHOOD GENERAL (3.D)

The Neighborhood General District makes up the largest area of Badger Mountain South. This District allows Single-Family detached residential with a mix of smaller scale attached housing options.

BMS-NE: NEIGHBORHOOD EDGE (3.E)

The Neighborhood Edge District allows residential uses in detached Single-Family houses and related uses that are compatible and common to Single-Family houses.

BMS-CIVIC (3.F)

The Civic District contains the open space, parks, schools, civic and community spaces. Development in this District is primarily intended for Civic, Community and Institutional Facilities. See also Illustrative Plan for Civic Space Layout, 5.B for detail.

SPECIAL DESIGNATION “-P” OVERLAY DISTRICT

SPECIAL DISTRICT LEGEND

BMS-SD-SR: SPECIALTY RETAIL (4.B)

The Specialty Retail Special District is intended to support the growing interest in local and regional agricultural products, in particular the local wine industry.

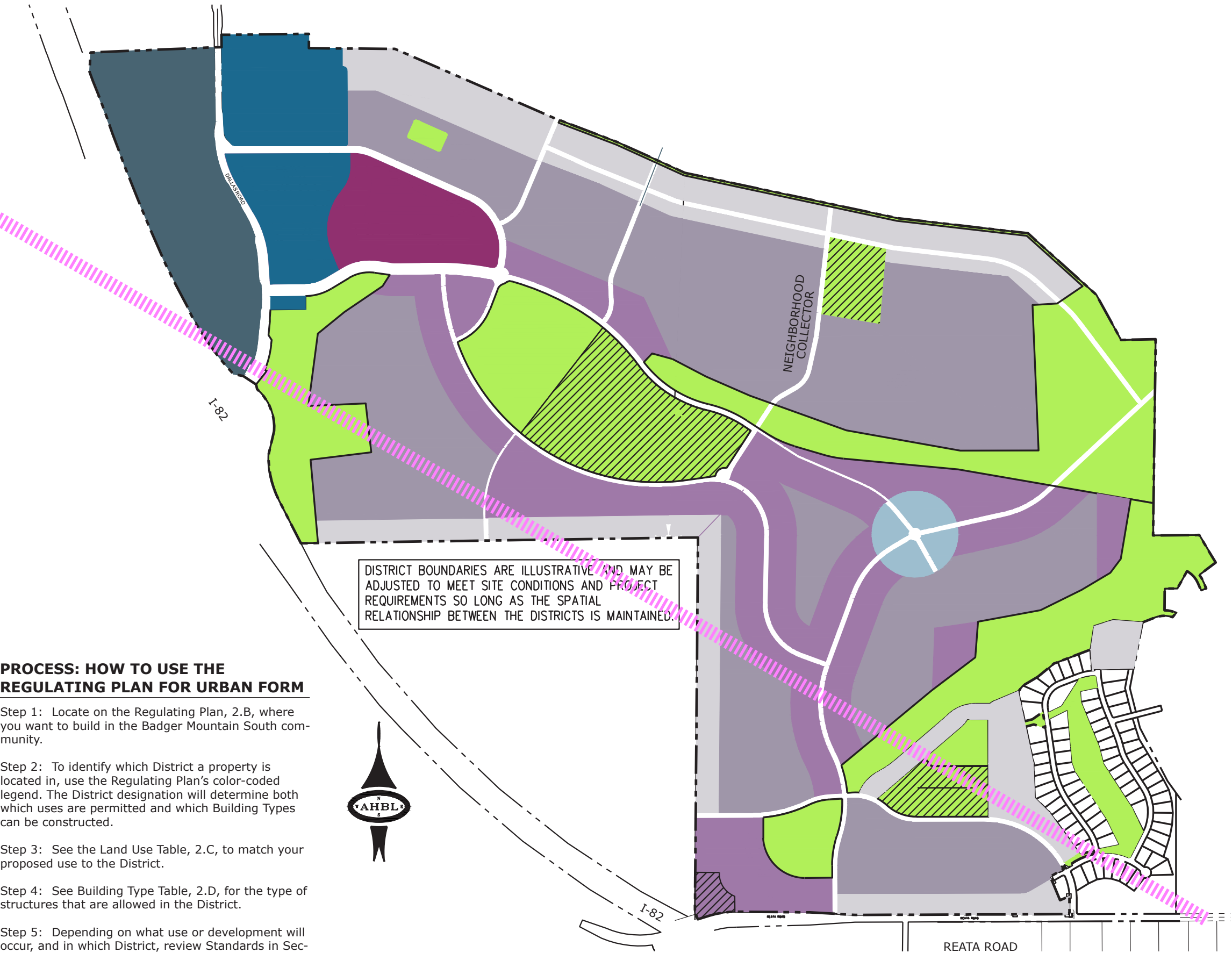
BMS-SD-CMU: COMMERCIAL MIXED-USE (4.C)

The Commercial Mixed-Use Special District is a local destination for employment, shopping, dining, entertainment and recreation.

BMS-SD-DR: DESTINATION RETAIL (4.D)

The Destination Retail Special District contains large scale retail uses serving the entire region.

2.B REGULATING PLAN FOR LAND USE AND URBAN FORM



PROCESS: HOW TO USE THE REGULATING PLAN FOR URBAN FORM

- Step 1: Locate on the Regulating Plan, 2.B, where you want to build in the Badger Mountain South community.
- Step 2: To identify which District a property is located in, use the Regulating Plan’s color-coded legend. The District designation will determine both which uses are permitted and which Building Types can be constructed.
- Step 3: See the Land Use Table, 2.C, to match your proposed use to the District.
- Step 4: See Building Type Table, 2.D, for the type of structures that are allowed in the District.
- Step 5: Depending on what use or development will occur, and in which District, review Standards in Sections 3 – 13 for applicability.

2.A INTRODUCTION

In order to achieve the intent of the LUDR as set forth in Section 1.A, as well as the other provisions of the Master Agreement, Badger Mountain South is divided into eight Urban Form Districts. Each District allows certain types of buildings and uses, identifies development intensity, employs District-specific development standards and defines the relationship of the parcels in the District to public right of ways.

The Districts and boundaries of the Districts are established as shown in Figure 2.B. Regulating Plan for Land Use and Urban Form.

The official Badger Mountain South map, called the Regulating Plan for Land Use and Urban Form, is found at Figure 2.B. The boundaries of the Districts shown, govern the uses of land, buildings, and structures within that District. Districts also govern the size of yards, the types of buildings and the heights of those buildings and other structures. These are the regulations that have been established and declared to be in effect on all land included within the boundary of each and every District shown in the official Badger Mountain South map.

DISTRICT LEGEND

The legend identifies the color associated with each District and provides a short introduction to the District intent. The Regulating Plan for Land Use and Urban Form, 2.B, shows where each District is located within Badger Mountain South.

~~BMS-VMU: VILLAGE MIXED-USE (3.B)~~
~~The Village Mixed-Use (VMU) Districts are the most urban areas of Badger Mountain South. They allow commercial uses, housing located above ground floor commercial spaces, Live/Work, Stacked Units and Row Houses.~~

~~BMS-NC: NEIGHBORHOOD COLLECTOR (3.C)~~
~~The Neighborhood Collector District allows a variety of Multi-family attached housing options as well as smaller scale commercial and Mixed-Uses.~~

~~BMS-NG: NEIGHBORHOOD GENERAL (3.D)~~
~~The Neighborhood General District makes up the largest area of Badger Mountain South. This District allows Single-Family detached residential with a mix of smaller scale attached housing options.~~

~~BMS-NE: NEIGHBORHOOD EDGE (3.E)~~
~~The Neighborhood Edge District allows residential uses in detached Single-Family houses and related uses that are compatible and common to Single-Family houses.~~

~~BMS-CIVIC (3.F)~~
~~The Civic District contains the open space, parks, schools, civic and community spaces. Development in this District is primarily intended for Civic, Community and Institutional Facilities. See also Illustrative Plan for Civic Space Layout, 5.B for detail.~~

~~SPECIAL DESIGNATION “-P” OVERLAY DISTRICT~~

SPECIAL DISTRICT LEGEND

~~BMS-SD-SR: SPECIALTY RETAIL (4.B)~~
~~The Specialty Retail Special District is intended to support the growing interest in local and regional agricultural products, in particular the local wine industry.~~

~~BMS-SD-CMU: COMMERCIAL MIXED-USE (4.C)~~
~~The Commercial Mixed-Use Special District is a local destination for employment, shopping, dining, entertainment and recreation.~~

~~BMS-SD-DR: DESTINATION RETAIL (4.D)~~
~~The Destination Retail Special District contains large scale retail uses serving the entire region.~~

2.B REGULATING PLAN FOR LAND USE AND URBAN FORM



LAND USES ALLOWED BY DISTRICT											
Land Use Types	<i>P= Permitted by right P+Number = see Land Use Notes</i>	BMS-VMU	BMS-NC	-P	BMS-NG	BMS-NE	BMS-CIVIC	-P	BMS SD-SR	BMS SD-CMU	BMS SD-DR
Residential	Single-family	-	P		P	P	-	P-29	P	-	-
	Multi-family	P-1	P-2, 3		P-3	-	-	P-29	P-4	P-4	P-4
	Senior Housing	P-5	P		-	-	-	P-29	-	P-6	P-6
	Assisted Living/Nursing Home	P-7	P		-	-	-	P-29	-	P	-
	Accessory Unit	-	P-8		P-8	P-8	-	P-29	P	-	-
	Adult Family Home	-	-		P	P	-	P-29	-	-	-
Retail	Neighborhood Retail	P	P		-	-	-	P-29	P	P	P
	General Retail	P	P		-	-	-	P-29	P	P	P
	Large Scale Retail	-	-		-	-	-	P-29	P-11	P-10	P
	Parking Structures	P-13	-		-	-	-	P-29	P	P	P
Services	Neighborhood Personal Services	P	P/P-12		P-12	P-12	-	P-29	P	P	P
	General Services	P	P		-	-	-	P-29	P-11	P	P
	Eating and Drinking Establishments	P	P-14		-	-	-	P-29	P	P	P
	Child Care	P-15	P-15/P-16		P-16	P-16	-	P-29	-	P-15	P-15
	Vehicular Services	P-17	-		-	-	-	P-29	-	P-18	P-18
	Storage	-		P-19	P-19	-	-	P-29	-	P-13	P-13
	Hospitality/Lodging	P	-		-	P-20	-	P-29	P	P	P
Office	Neighborhood Office	P	P/P-12		P-12	P-12	-	P-29	P	P	P
	General Office	P	P		-	-	-	P-29	P	P	P
	Accessory Office	P	-		-	-	-	P-29	P	P	P
Civic	Public Facilities	P	-		P-30	-	P	P-29	P	P	P
	Recreation and Cultural Facilities, Public and Private	P	-		P	-	P	P-29	P	P	P
	Place of Worship	P	P-21		P	-	P-33	P-29	-	-	-
	Solar Panels or Arrays	P	P		P	P	P-22	P-29	P	P	P
Other	Vineyards and Other Agricultural Uses	-	-		-	P-23	P	P-29	P-24	-	-
	Telecommunications Facilities	P-25	-		-	-	P-32	P-29	-	P-32	P-32
	Parking lots	P	P		-	-	P-23	P-29	P	P	P
	Drive-through Window Service	P-26	P/P-26		-	-	-	P-29	P-26	P-26	P-26
	Vending Carts	P-27	-		-	-	-	P-29	P-27	P-27	P-27
	Temporary Uses	P-28	-		-	-	-	P-29	P-28	P-28	P-28
	Special Events	P	-		-	-	P	P-29	P	P	P
	Gambling Premises	-	-		-	-	-	P-29	-	-	P

2.C LAND USE TABLE

The Land Use Table categorizes the range of uses or functions which may occupy a building in each of the Districts. The Districts are identified by name and by color-coded legend across the top bar of the table and the uses are identified in the column on the left of the table. These functional classifications are defined and examples are provided in Section 14, the Glossary.

The functional classifications or uses are identified for each District as “P”, permitted by right, or “P-Number” which refers to the numbered Notes Table 2.C.1 below for additional information, restrictions or exclusions. If there is neither reference, the use is not permitted within that District.

The City’s Administrative Official may allow a use that is unlisted in the Land Use Table if all conditions of LUDR 1.G.3 apply.

 Indicates -P Overlay District - see 2.B, Regulating Plan for Land Use and Urban Form for specific locations.

2.C.1 LAND USE TABLE NOTES

1. Multi-family housing includes the following Building Types – Live/Work; Commercial/Mixed-Use/Liner over commercial or office; Stacked Units; Row Houses.

a. Alley-access, Single-family Building Type is permitted.
2. Multi-family housing includes the following Building Types – Duplex; Mansion Apartment; Courtyard Housing; Row House; Live/Work; Commercial/Mixed-Use/Liner and Stacked Units.
3. Multi-family housing includes: Duplex - up to two per Block face, Courtyard Housing, and Mansion Apartments limited to block ends across from open space.
4. Multi-family housing includes the following Building Types – Live/work; Row house; Commercial/Mixed-use/Liner over commercial and Stacked Units
5. Unused
6. Senior Housing permitted above ground floor commercial or office, or when constructed in a multi-story building.
7. Assisted Living/Nursing Homes permitted on corner lots at intersection of two Arterial Collector Streets.
8. One Accessory Unit, not to exceed 600 sq. ft., per lot is permitted either within the principal structure or an accessory structure. Other provisions of RMC 23.42.020 apply.
9. Unused
10. When one part of a larger office-retail development.
11. When food or winery-related.
12. Permitted when operated as a Home Occupation without any occupational vehicles associated with the Home Occupation, and as otherwise defined and regulated in RMC 23.42.090.

13. When totally enclosed within a building or in a Liner Building Type.
14. For areas other than those across the street from the BMS-VMU District: Eating establishments located in buildings on a corner lot of two Collector Streets, or within a larger building as an ancillary use; not more than one per block; May seat 20 and fewer patrons, not operate between 11 p.m. and 6 a.m., and not sell alcoholic beverages.
15. When licensed as a Child Care Center and meets RMC 23.42.080(A-D, F) requirements. In the BMS-NC District, must be located on corner lots.
16. When licensed for Family Home Child Care only and meets other requirements of RMC .23.42.080 (A-D, F) requirements.
17. Within the East Market BMS-VMU District when located on an Arterial Collector Street; may include a convenience store as an incidental use. Subject to standards for Neighborhood Goods and Services Building Type, otherwise meet RMC 23.42.270 or 23.42.280 requirements.
18. Subject to standards for Neighborhood Goods and Services Building Type, otherwise meet RMC 23.42.270 or 23.42.280 requirements.
19. In the BMS-NG District only one neighborhood storage area up to 1 acre in size for boats, vehicles and/or recreational vehicles shall be permitted within each of the five residential neighborhoods; no storage of junk, materials or other items permitted. Subject to landscape screening standards found in Sec.11.C.8 and fencing standards found in Section 13.A.3. Storage area larger than 1 acre in size for boats, vehicles and/ or recreational vehicles permitted in BMS-NC-P Overlay District subject to standards in Sec. 3.C.
20. A Bed and Breakfast facility providing a maximum of four rental rooms and subject to the provisions of RMC 23.42.045 (A)-(D).

21. Maximum lot size of 6 acres.
22. Solar panels, or arrays, which serve individual residences or buildings, are permitted accessory uses in all zones. A grouping of multiple solar panels to serve multiple users may be placed within the BMS-Civic Districts, subject to Administrative review that: the size and dimension of the site is adequate; they do not interfere with planned or sited public amenities; and any identified impacts to adjacent properties have been adequately mitigated.
23. Vineyards are considered landscape materials in residential Districts when planted by the homeowner for personal use.
24. Vineyards including wine making facilities, enclosed storage and related production.
25. Micro facilities and Macro facilities permitted as defined and regulated in RMC 23.62.
26. Must meet additional requirements of RMC 23.42.047 and any unique master site plan.
27. Subject to standards found in RMC 5.14.
28. When ancillary and seasonal to primary retail.
29. BMS-Civic-P Overlay District: Use restricted to school site until such time as restrictions on land use set forth in the BMS-Master Agreement are removed. At that time, all of the uses that are marked with the P-29 footnote are permitted, subject to any further conditions imposed by other applicable footnotes.
30. Block Parks, Local Parks and Greenbelts are allowed to be constructed in the BMS-NG District.
31. Unused
32. When accessory to an adjacent use and subject to Section 11.C standards.
33. When co-developed with another facility.

LAND USES ALLOWED BY DISTRICT											
Land Use Types	<i>P= Permitted by right P+Number = see Land Use Notes Table Notes</i>	BMS-VMU	BMS-NC	-P	BMS-NG	BMS-NE	BMS-CIVIC	-P	BMS SD-SR	BMS SD-CMU	BMS SD-DR
Residential	Single-family	-	P		P	P	-	P-29	P	-	-
	Multi-family	P-1	P-2, 3		P-3	-	-	P-29	P-4	P-4	P-4
	Senior Housing	P-5	P		-	-	-	P-29	-	P-6	P-6 P
	Assisted Living/Nursing Home	P-7	P		-	-	-	P-29	-	P	-
	Accessory Unit (i.e. Accessory Dwelling Unit)	-	P-8		P-8	P-8	-	P-29	P	-	-
	Adult Family Home	-	-		P	P	-	P-29	-	-	-
ADD ROW: Accessory Structure (i.e. detached garage, shop)			P		P	P					
Retail	Neighborhood Retail	P	P		-	-	-	P-29	P	P	P
	General Retail	P	P		-	-	-	P-29	P	P	P
	Large Scale Retail	-	-		-	-	-	P-29	P-11	P-10	P
	Parking Structures	P-13	-		-	-	-	P-29	P	P	P
Services	Neighborhood Personal Services	P	P/P-12		P-12	P-12	-	P-29	P	P	P
	General Services	P	P		-	-	-	P-29	P-11	P	P
	Eating and Drinking Establishments	P	P-14		-	-	-	P-29	P	P	P
	Child Care	P-15	P-15/P-16		P-16	P-16	-	P-29	-	P-15	P-15
	Vehicular Services	P-17	-		-	-	-	P-29	-	P-18	P-18
	Storage		-	P-19	P-19	-	-	P-29	-	P-13	P-13
	Hospitality/Lodging		-		-	P-20	-	P-29	P	P	P
Office	Neighborhood Office	P	P/P-12		P-12	P-12	-	P-29	P	P	P
	General Office	P	P		-	-	-	P-29	P	P	P
	Accessory Office	P	-		-	-	-	P-29	P	P	P
Civic	Public Facilities	P	-		P-30	-	P	P-29	P	P	P
	Recreation and Cultural Facilities, Public and Private	P	-		P	-	P	P-29	P	P	P
	Place of Worship	P	P-21		P	-	P-33	P-29	-	-	-
	Solar Panels or Arrays	P	P		P	P	P-22	P-29	P	P	P
Other	Vineyards and Other Agricultural Uses	-	-		-	P-23	P	P-29	P-24	-	-
	Telecommunications Facilities	P-25	-		-	-	P-32	P-29	-	P-32	P-32
	Parking lots	P	P		-	-	P-33	P-29	P	P	P
	Drive-through Window Service	P-26	P/P-26		-	-	-	P-29	P-26	P-26	P-26
	Vending Carts	P-27	-		-	-	-	P-29	P-27	P-27	P-27
	Temporary Uses	P-28	-		-	-	-	P-29	P-28	P-28	P-28
	Special Events	P	-		-	-	P	P-29	P	P	P
	Gambling Premises	-	-		-	-	-	P-29	-	-	P

2.C LAND USE TABLE

The Land Use Table categorizes the range of uses or functions which may occupy a building in each of the Districts. The Districts are identified by name and by color-coded legend across the top bar of the table and the uses are identified in the column on the left of the table. These functional classifications are defined and examples are provided in Section 14, the Glossary.

The functional classifications or uses are identified for each District as “P”, permitted by right, or “P-Number” which refers to the numbered Notes Table 2.C.1 below for additional information, restrictions or exclusions. If there is neither reference, the use is not permitted within that District.

The City’s Administrative Official may allow a use that is unlisted in the Land Use Table if all conditions of LUDR 1.G.3 apply, pursuant to

 Indicates -P Overlay District - see 2.B, Regulating Plan for Land Use and Urban Form for specific locations.

2.C.1 LAND USE TABLE NOTES

- Unused

1. Multi family housing includes the following Building Types – Live/Work; Commercial/Mixed-Use/Liner over commercial or office; Stacked Units; Row Houses.
a. Alley access, Single family Building Type is permitted.

2. Multi-family housing includes the following Building Types – Duplex; Mansion Apartment; Courtyard Housing; Row House; Live/Work; Commercial/Mixed-Use/Liner and Stacked Units.

3. Multi-family housing includes: Duplex - up to two per Block face, Courtyard Housing, and Mansion Apartments limited to block ends across from open space.

4. Multi-family housing includes the following Building Types – Live/work; Row house; Commercial/Mixed-use/Liner over commercial and Stacked Units

5. Unused

6. Senior Housing permitted above ground floor commercial or office, or when constructed in a multi-story building. Unused

7. Assisted Living/Nursing Homes permitted on corner lots at intersection of two Arterial Collector Streets. Unused

8. One Accessory Unit, not to exceed 600 sq. ft., per lot is permitted either within the principal structure or an accessory structure. Other provisions of RMC 23.42.020 apply.

9. Unused

10. When one part of a larger office-retail development.

11. When food or winery-related.

12. Permitted when operated as a Home Occupation without any occupational vehicles associated with the Home Occupation, and as otherwise defined and regulated in RMC 23.42.090.
- Unused

13. When totally enclosed within a building or in a Liner Building Type.

14. For areas other than those across the street from the BMS-VMU District. Eating establishments located in buildings on a corner lot of two Collector Streets, or within a larger building as an ancillary use; not more than one per block; May seat 20 and fewer patrons, not operate between 11 p.m. and 6 a.m., and not sell alcoholic beverages.

15. When licensed as a Child Care Center and meets RMC 23.42.080(A-D, F) requirements. In the BMS-NC District, must be located on corner lots.

16. When licensed for Family Home Child Care only and meets other requirements of RMC .23.42.080 (A-D, F) requirements.

17. Within the East Market BMS-VMU District when located on an Arterial Collector Street, may include a convenience store as an incidental use. Subject to standards for Neighborhood Goods and Services Building Type, otherwise meet RMC 23.42.270 or 23.42.280 requirements.

18. Subject to standards for Neighborhood Goods and Services Building Type, otherwise meet RMC 23.42.270 or 23.42.280 requirements.

19. In the BMS-NG District only one neighborhood storage area up to 1 acre in size for boats, vehicles and/or recreational vehicles shall be permitted within each of the five residential neighborhoods; no storage of junk, materials or other items permitted. Subject to landscape screening standards found in Sec.11.C.8 and fencing standards found in Section 13.A.3. Storage area larger than 1 acre in size for boats, vehicles and/ or recreational vehicles permitted in BMS-NC-P Overlay District subject to standards in Sec. 3.C.

20. A Bed and Breakfast facility providing a maximum of four rental rooms and subject to the provisions of RMC 23.42.045 (A)-(D).
- connection with uses

21. Maximum lot size of 6 acres.

22. Solar panels, or arrays, which serve individual residences or buildings, are permitted accessory uses in all zones. A grouping of multiple solar panels to serve multiple users may be placed within the BMS-Civic Districts, subject to Administrative review that: the size and dimension of the site is adequate; they do not interfere with planned or sited public amenities; and any identified impacts to adjacent properties have been adequately mitigated.

23. Vineyards are considered landscape materials in Residential Districts when planted by the homeowner for personal use.

24. Vineyards including wine making facilities, enclosed storage and related production.

25. Micro facilities and Macro facilities permitted as defined and regulated in RMC 23.62. Unused

26. Must meet additional requirements of RMC 23.42.047 and any unique master site plan.

27. Subject to standards found in RMC 5.14.

28. When ancillary and seasonal to primary retail.

29. BMS-Civic-P Overlay District: Use restricted to school site until such time as restrictions on land use set forth in the BMS-Master Agreement are removed. At that time, all of the uses that are marked with the P-29 footnote are permitted, subject to any further conditions imposed by other applicable footnotes.

30. Block Parks, Local Parks and Greenbelts are allowed to be constructed in the BMS-NG District.

31. Unused

32. When accessory to an adjacent use and subject to Section 11.C standards.

33. When co-developed with another facility.

2.D BUILDING TYPE TABLE

Each District in Badger Mountain South regulates what can happen on the land by how it is to be used and also by Building Types. The table to the right shows which Building Types are allowed in each District and offers illustrative examples of the Building Types in 2.E below.

Each building in the Badger Mountain South community, with the exception of development in the Special Districts, shall be one of the Building Types listed here. The Special Districts included in Section 4 are regulated by use and intent rather than by Building Type.

Other than Special Districts, each Building Type must meet the standards for the District it is located in as described in Section 3, Urban Form Standards by District, as well as the Standards as described in Section 8, Building Type Standards.

Process: What do you want to build and how can it be built?

Step 1: Use the Building Type Table, 2.D, to identify the types of buildings that are allowed to be built in each District. The color-coded legend refers to the Districts as identified in 2.B Regulating Plan for Land Use and Urban Form.

Step 2: The Building Type examples in 2.E below illustrate one style of the possible Building Types allowed.

Step 3: See Urban Form Standards by District, Section 3, for standards that apply to all buildings except those in the SD Special Districts. See Section 4 for Special District Standards.

Step 4: See Building Type Standards, Section 8, for standards that apply to particular types of buildings.

Step 5: See additional Standards for Landscaping, Sustainability and Site Improvements, Sections 11-13.

X = Allowed Building Type
-P = Allowed Building Type only in -P Overlay District, if Land Use conditions are met.

2.E BUILDING TYPE EXAMPLES

	BUILDING TYPES ALLOWED BY DISTRICT							
	BMS-VMU	BMS-NC	BMS-NG	BMS-NE	BMS-CIVIC	BMS SD-SR	BMS SD-CMU	BMS SD-DR
BUILDING TYPE								
1. Civic/Community/Institutional Facilities (8.D)	X	X	X		X	Note: Special Districts are not regulated by Building Type. See Section 4 for District intent and standards. See also 8.C for Common Design Standards applicable to all Districts.		
2. Neighborhood Goods & Services Buildings (8.E)	X	X						
3. Commercial / Mixed-Use / Liner (8.F)	X	X						
4. Live/Work Building (8.G)	X	X						
5. Stacked Unit Building (Apartment) (8.H)	X	X						
6. Row House (8.I)	X	X						
7. Courtyard Housing (8.J)		X	X		-P			
8. Mansion Apartment (3 - 6 Plex) (8.K)		X	X		-P			
9. Paired House (Duplex) (8.L)		X	X		-P			
10. Cottage Court (8.M)		X	X		-P			
11A. Single Family House - Alley Access Garage (8.N)		X	X	X	-P			
11B. Single Family House - Street Access Garage (8.O)		X	X	X	-P			
12. Accessory Unit (8.P)		X	X	X	-P			



1. Civic/Community/Institutional



2. Neighborhood Goods & Services



3. Commercial / Mixed-Use / Liner



4. Live/Work Building



5. Stacked Unit Building (Apartment)



6. Row House



7. Courtyard Housing



8. Mansion Apartment



9. Paired House (Duplex)



10. Cottage Court



11. Single Family House



12. Accessory Unit

2.D BUILDING TYPE TABLE

Each District in Badger Mountain South regulates what can happen on the land by how it is to be used and also by Building Types. The table to the right shows which Building Types are allowed in each District and offers illustrative examples of the Building Types in 2.E below.

Each building in the Badger Mountain South community, with the exception of development in the Special Districts, shall be one of the Building Types listed here. The Special Districts included in Section 4 are regulated by use and intent rather than by Building Type.

Other than Special Districts, each Building Type must meet the standards for the District it is located in as described in Section 3, Urban Form Standards by District, as well as the standards as described in Section 8, Building Type Standards.

Process: What do you want to build and how can it be built?

Step 1: Use the Building Type Table, 2.D, to identify the types of buildings that are allowed to be built in each District. The color-coded legend refers to the Districts as identified in 2.B Regulating Plan for Land Use and Urban Form.

Step 2: The Building Type examples in 2.E below illustrate one style of the possible Building Types allowed.

Step 3: See Urban Form Standards by District, Section 3, for standards that apply to all buildings except those in the SD Special Districts. See Section 4 for Special District Standards.

Step 4: See Building Type Standards, Section 8, for standards that apply to particular types of buildings.

Step 5: See additional Standards for Landscaping, Sustainability and Site Improvements, Sections ~~11-13.~~ **11 through 13.**

A ~~X~~ = Allowed Building Type
-P = Allowed Building Type only in -P Overlay District, if Land Use conditions are met.

2.E BUILDING TYPE EXAMPLES



Civic/Community/Institutional (8D)



Neighborhood Goods & Services (8E)



Commercial / Mixed-Use / Liner (8F)



Live/Work Building (8G)



Stacked Unit Building (Apartment) (8H)



Row House (8I)



Courtyard Housing (8J)



Mansion Apartment (8K)



Paired House (Duplex) (8L)



Cottage Court (8M)



Single Family House (8N/O)



Accessory Unit (8P)

	BUILDING TYPES ALLOWED BY DISTRICT							
	BMS-VMU	BMS-NC	BMS-NG	BMS-NE	BMS-CIVIC	BMS SD-SR	BMS SD-CMU	BMS SD-DR
BUILDING TYPE								
Civic/Community/Institutional Facilities (8.D)	A	A	A		A	Note: Special Districts are not regulated by Building Type. See Section 4 for District intent and standards. See also 8.C for Common Design Standards applicable to all Districts. Commercial Districts and Projects		
Neighborhood Goods & Services Buildings (8.E)	A	A						
Commercial / Mixed-Use / Liner (8.F)								
Live/Work Building (8.G)								
Stacked Unit Building (Apartment) (8.H)								
Row House (8.I)								
Courtyard Housing (8.J)	A	A						
Mansion Apartment (3 - 6 Plex) (8.K)					-P			
Paired House (Duplex) (8.L)								
Cottage Court (8.M)								
Single Family House Alley Access Garage (8.N) (8.N or 8.O) and Accessory Units (8.P)		A	A	A	-P			

Note: In the Table We want to use "A" for allowed (which is more intuitive) instead of "X"
We have replaced numbered items with cross references to Section 8 of this document



**URBAN FORM
STANDARDS FOR
DISTRICTS
OTHER THAN SPECIAL DISTRICTS**

3

Section 3 identifies the Urban Form Standards for Districts within the Badger Mountain South community other than Special Districts. **(which are included in Section 4)**

3.A Introduction - Urban Form Standards for Districts.....3-2

~~3.B BMS Village Mixed Use District (BMS-VMU).....3-3~~

~~3.C BMS Neighborhood Collector District (BMS-NC).....3-4 to 3-5~~

3.D BMS Neighborhood General District (BMS-NG).....3-6

3.E BMS Neighborhood Edge District (BMS-NE).....3-7

3.F BMS Civic District (BMS-CIVIC).....3-8

(UPDATED) PROPOSED AMENDMENTS ARE SHOWN:

3.A INTRODUCTION - URBAN FORM STANDARDS FOR DISTRICTS

The Urban Form Standards for Districts section identifies the District development standards for five of the Districts in Badger Mountain South. Not included here are the standards for the three Special Districts which are found in Section 4.

The Urban Form Standards for Districts are established to provide the Badger Mountain South community with distinctive neighborhoods as reflected by the physical form of the built environment. They are differentiated by type of buildings permitted, building height, intensity and use. As such, these standards “set the table” in each District for the buildings to be constructed there.

The Urban Form Standards for Districts are used in addition to the Building Type Standards found in Section 8. Since the District standards found here are of primary importance in establishing the character and quality of the neighborhoods, they supersede the Building Type Standards when in conflict.

The Urban Form Standards for Districts section identifies specific descriptions for each of the following:

- 1. District Intent
- 2. Building Placement
- 3. Building Profile and Type
 - a. Building Height
 - b. Allowed Building Types
 - c. Allowed Frontage Types
- 4. Parking

Exceptions
In some cases, it may be necessary to relax specific standards for residential development, including but not limited to setbacks and build-to lines, to address unusual site characteristics such as topography, non-rectangular lots, or lots fronting cul-de-sacs. Such deviations may be considered during the platting process; notes shall be included on the face of the recorded plat which will supersede the LUDR for the specified standard only.

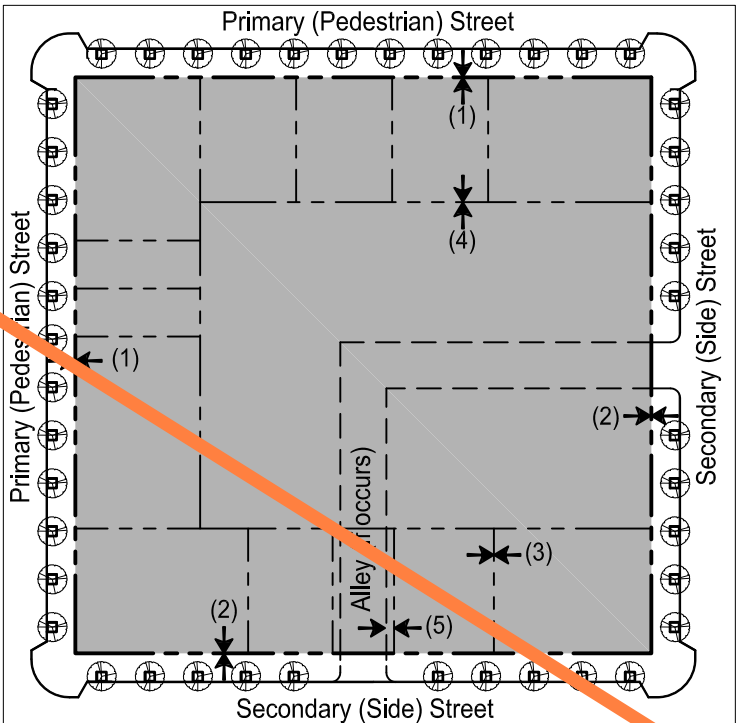
URBAN FORM DISTRICT SUMMARY				
BMS-VMU (3.B)	(3.C.A and 3.C.B) BMS-NC (3.C)	BMS-NG (3.D)	BMS-NE (3.E)	BMS-CIVIC (3.F)
There is a Village Mixed-Use District in Badger Mountain South. It is designed to contain a variety of Neighborhood Commercial uses, and residential uses in Mixed-Use, Live/Work, Stacked Units and Row House building.	The Neighborhood Collector District is designed to permit a variety of housing options and neighborhood-scale commercial Mixed-Uses.	The Neighborhood General District allows primarily Single-family detached homes in a variety of configurations. Also permitted are smaller-scaled Multi-family Building Types.	The Neighborhood Edge District permits detached Single-family residences and related uses that are compatible and common to Single-family houses.	The Civic Districts are the areas where schools, parks, trails, open space and other public and community facilities are located.
				



Illustrative Photo: Mixed-Use Streetscape

1. VILLAGE MIXED-USE DISTRICT / COMMERCIAL AND MULTI-FAMILY ONLY INTENT

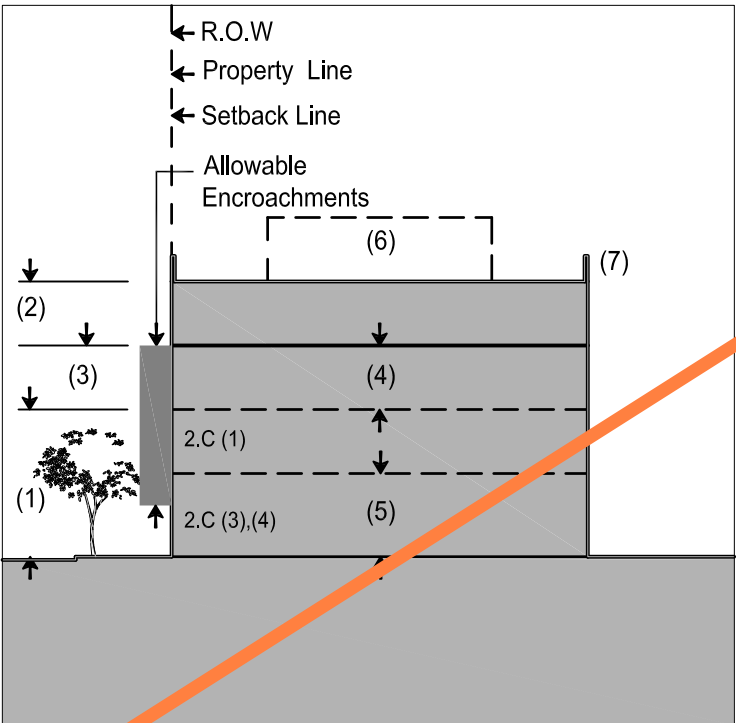
The Village Mixed-Use District is located in the Badger Mountain South community located along the primary Arterial Collector Streets running east-west and north-south. The intent of this District is to create an active, economically vital, pedestrian-oriented environment where people can shop, work, play and live. Urban Building Types line the blocks providing a variety of ground floor retail, commercial, office uses and upper levels of Multi-family housing, as well as Live/Work, Stacked Units and Row House housing options.



Building Placement Diagram (Plan View)

2. BUILDING PLACEMENT

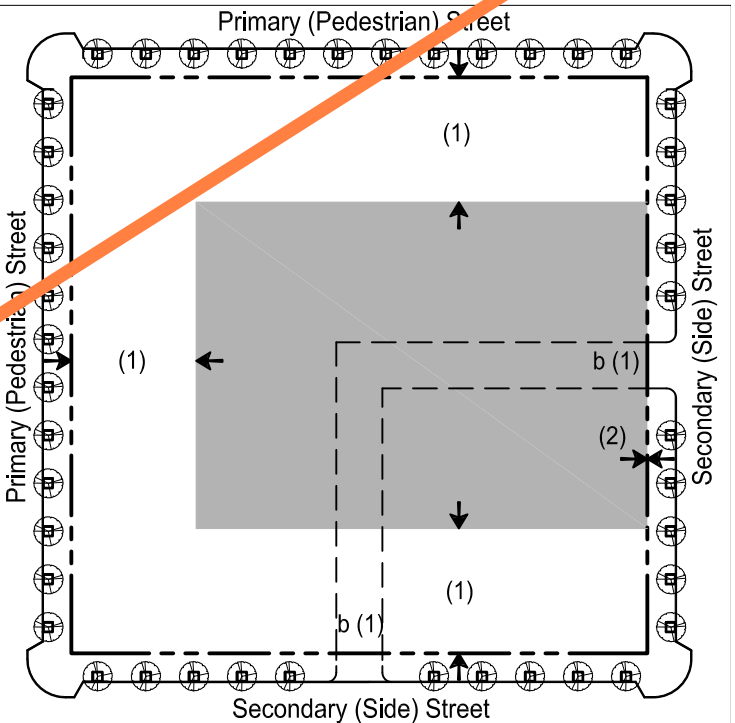
- a. **Setbacks** (as measured from the property line)
- Buildings shall be placed within the shaded area as shown in the building placement diagram.
- (1) Front Build-to-Line: 0 ft.
 - (2) Side Street Setback: 0 ft.
 - (3) Side Yard Setback: 0 ft.
 - (4) Rear Setback: 0 ft.
 - (5) Alley Setback (if provided) 4 ft. *
- * Alley setback shall be measured from edge of Alley easement.
- b. **Percentage of Building Facade at Build-to-Line**
- (1) Doors along the building facade are allowed to be recessed in alcoves and are not included in percentage calculation.
 - (2) The face of structure supporting the allowed Frontage Type, shall be considered as the building facade for Build-to-Line percentage calculations.
 - (3) Corner conditions as described in 8.C.5 are excluded from the percentage BTL requirement.
- c. **Encroachments**
- Encroachments are allowed subject to the following criteria:
- (1) The following architectural elements are allowed to encroach into required setbacks and/or Public Right of Way (R.O.W.): awnings, galleries, balconies, bay windows, signs, cornices, eaves and similar projected elements.
 - (2) Stairs, ramps and handrails are allowed to encroach into required setbacks only.
 - (3) Overhead encroachments shall have a minimum height clearance of 8 ft.
 - (4) A City of Richland license must be obtained for encroachments that occur over sidewalks or City airspace. Requester of encroachment to demonstrate how the requirements of RMC 5.14.050 to the Administrative Official. No hearing shall be required as part of this application.



Building Profile Diagram (Section View)

3. BUILDING PROFILE AND TYPE

- a. **Building Height/Stories**
- (1) Minimum Height: 24' as measured by RMC
 - (2) Maximum Height: 50' as measured by RMC
 - (3) The maximum height shall be reduced to 3 Stories in the following conditions:
 - i. Buildings adjacent to outdoor Civic Spaces, such as Plaza, where solar access would be reduced.
 - (4) If ground floor commercial space is provided, the ground floor ceiling shall be a minimum of 12 ft. clear height, as measured from finished floor slab to underside of finished ceiling.
 - (5) For flat roofs, rooftop equipment may exceed the height limit by 10 ft., provided it is located no closer than 15 ft. to edge of exterior wall, otherwise equipment shall be concealed.
 - (6) For flat roofs, a parapet is allowed to extend above the maximum height limit by 4 ft.
- b. **Allowed Building Types**
- Refer to Section 8 for Building Type standards.
- (1) Civic/Community/Institutional Facilities (8.D)
 - (2) Neighborhood Goods and Services Building (8.E)
 - (3) Commercial / Mixed-Use / Liner (8.F)
 - (4) Live / Work Building (8.G)
 - (5) Stacked Unit Building (on Secondary Streets only)(8.H)
 - (6) Row House (on Secondary streets only) (8.I)
- c. **Allowed Frontage Types**
- Refer to Section 9 for Frontage Type standards. Frontage allowed here by District standards shall also be regulated per the Building Type standards in Section 8.
- (1) Storefront (9.B)
 - (2) Arcade (9.C)
 - (3) Gallery (9.D)
 - (4) Forecourt (9.E)
 - (5) Porch (Residential only) (9.G)
 - (6) Stoop (Residential only) (9.H)
 - (7) Greenbelt (9.F)



Parking Placement Diagram (Plan View)

4. PARKING

- a. **Parking Placement**
- On grade parking (enclosed or unenclosed) is allowed only in the shaded area as shown in the parking placement diagram.
- (1) On-site parking shall be placed behind the building and screened from view from the Primary (Pedestrian) Streets. Parking lots may only be open (i.e. not behind a building) on one Secondary Street frontage.
 - (2) Surface parking shall be screened from Secondary (Side) Streets by landscaping per 11.C.7.c. or by fencing with landscaping. See section 13.A.2 for fencing standards.
- b. **Parking Access**
- (1) Primary (Pedestrian) Streets shall be uninterrupted by vehicles to the maximum extent possible. Parking shall be accessed only from Secondary Streets or from Alleys accessed from Secondary Streets.
- c. **Minimum Parking Quantity Requirements**
- (1) Commercial Parking Requirements:
 - i. 1 space per 1000 SF of building area
 - (2) Live/Work Parking Requirements:
 - i. <2,500 SF = 1 space per 1,500 SF of bldg. area
 - ii. ≥ 2,500 SF = 1 space per 1,000 SF of bldg. area
 - (3) Residential Parking Requirements:
 - i. 1 space per unit
 - ii. 1 space per 2 units is required for Affordable or Senior Housing units.
 - (4) On-street parking can be used in parking calculation using criteria outlined in RMC 23.54.
- d. **Miscellaneous**
- (1) See Section 13.D for Common Parking Standards.
 - (2) Parking and aisle dimensions per City of Richland standards - see RMC 23.54.
 - (3) Maximum of 20% of required parking may be compact stalls at a dimension of 8' x 16'.



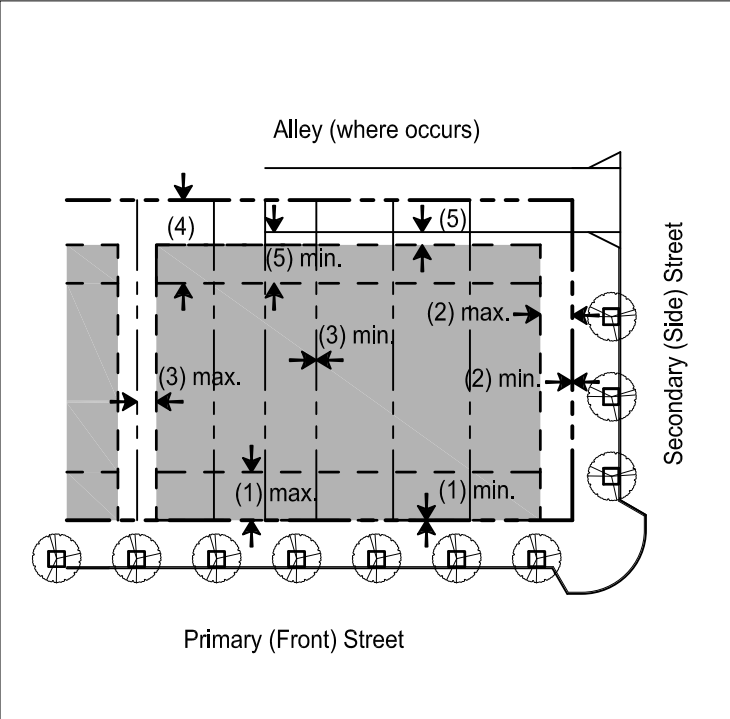
Illustrative Photo: Neighborhood Mixed-Use and Live/Work Units

1. NEIGHBORHOOD COLLECTOR DISTRICT INTENT

The Neighborhood Collector (BMC-NC) District is found within each of the five residential neighborhoods that comprise Badger Mountain South. These Districts add diversity to the housing found in Badger Mountain South, complement future transit expansion and provide opportunities to establish intergenerational neighborhoods. They are located primarily along Collector Streets and at the primary entrances to the neighborhoods as shown on the Regulating Plan in Section 2.B.

The Neighborhood Collector District is primarily residential that provides a variety of housing. Mixed-Use and Live/Work Buildings in this District provide the flexibility for these areas to accommodate neighborhood-scale commercial uses that respond to the evolving needs of the community as it grows. Stand-alone, smaller-scale Neighborhood Goods and Services Buildings that serve the needs of the residents, such as churches and day cares, are encouraged in this District.

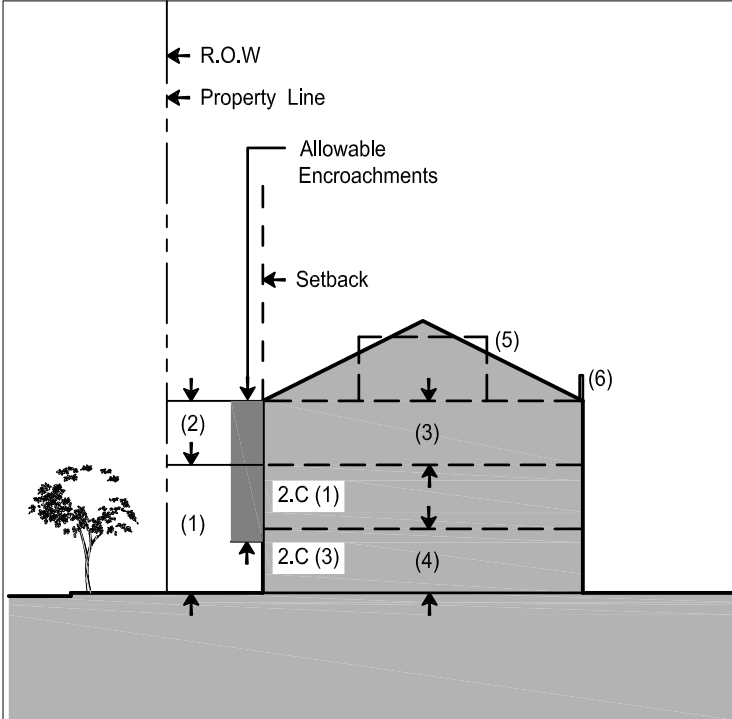
Section 3.C.A provides Urban Form Standards for Commercial and Multi-family uses in the BMS-NC District. Section 3.C.B provides Urban Form Standards for Single Family Residential uses in the BMS-NC District.



Building Placement Diagram (Plan View)

2. BUILDING PLACEMENT

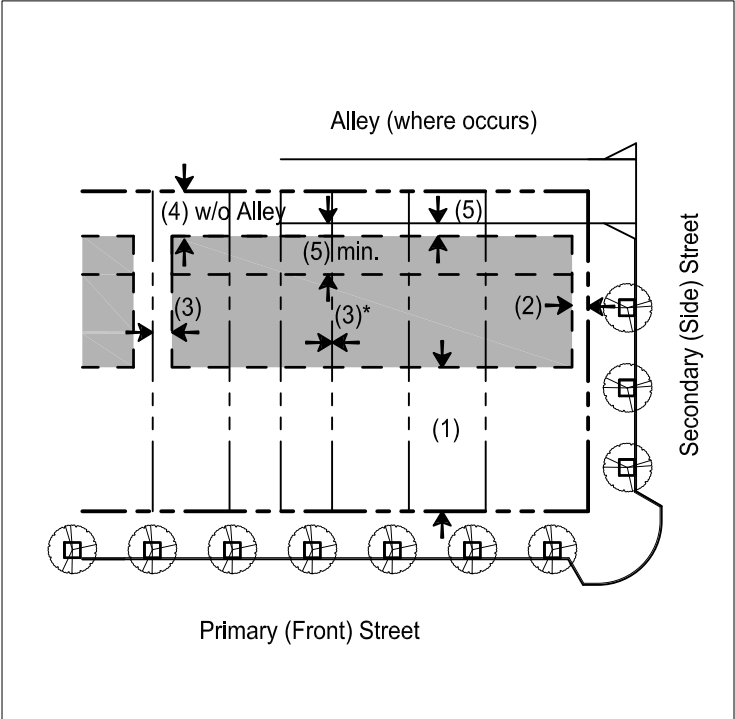
- a. **Setbacks** (as measured from the property line)
Buildings shall be placed within the shaded area as shown in the building placement diagram. Parking garages shall be placed per item 4a. Parking Placement.
- (1) Front Build-to-Line: i. Ground floor commercial: 0 ft. ii. Ground floor residential: 10 ft.
 - (2) Side Street Setback: i. Ground floor commercial: 0 ft. ii. Ground floor residential: 10 ft.
 - (3) Side Yard Setback: 0 ft. min.
 - (4) Rear Setback (w/o Alley): 15 ft. min.
 - (5) Alley Setback: 4 ft. OR 16 ft. min.*
* Alley setback is measured from edge of Alley easement. To ensure that parking locations off Alley are adequate, buildings shall either be placed at 4 ft. (no parking) OR 16 ft. (parking).
- b. **Percentage of Building Facade at Build-to-Line:**
- (1) Primary Street: 60% min.
 - (2) Secondary Street or Civic Space: 60% min.
 - (3) Doors along the building facade are allowed to be recessed in alcoves.
 - (4) The face of structure supporting the allowed Frontage Type, shall be considered as the building facade for build to line percentage calculations.
 - (5) Corner conditions as described in 8.C.5 are excluded from the percentage BTL requirement.
- c. **Encroachments**
Encroachments are allowed subject to the following criteria:
- (1) The following architectural elements are allowed to encroach into required setbacks and/or Public Right of Way (ROW): awnings, galleries, balconies, bay windows, signs, cornices, eaves and similar projected elements.
 - (2) Stairs, ramps and handrails are allowed to encroach into required setbacks only.
 - (3) Overhead encroachments shall have a minimum height clearance of 8 ft.
 - (4) A City of Richland license must be obtained for encroachments that occur over sidewalks or City airspace. Requester of encroachment to demonstrate how the requirements of RMC 5.14.050 to the Administrative Official. No hearing shall be required as part of this application.



Building Profile Diagram (Section View)

3. BUILDING PROFILE AND TYPE

- a. **Building Height/Stories**
- (1) Maximum Height: 35 ft. as ~~defined in~~ ^{measured} RMC.
 - (2) If ground floor commercial space is provided, the ground floor ceiling shall be a min. of 10 ft. clear height as measured from finished floor slab to underside of finished ceiling.
 - (3) For flat roofs, rooftop equipment may exceed the height limit by 10 ft., provided it is located no closer than 15 ft. to edge of exterior wall, otherwise equipment shall be concealed within the attic space.
 - (4) For flat roofs, a parapet is allowed to extend above the maximum height limit by 4 ft.
- b. **Allowed Building Types**
Refer to Section 8 for Building Type standards.
- | | |
|--|-------|
| (1) Civic/Community/Institutional Facilities | (8.D) |
| (2) Neighborhood Goods and Services Building | (8.E) |
| (3) Commercial / Mixed-Use / Liner Building | (8.F) |
| (4) Live / Work Building | (8.G) |
| (5) Stacked Unit Building (Apartment) | (8.H) |
| (6) Row House | (8.I) |
| (7) Courtyard Housing | (8.J) |
| (8) Mansion Apartment | (8.K) |
| (9) Paired House (Duplex) | (8.L) |
- c. **Allowed Frontage Types**
Refer to Section 9 for Frontage Type standards. Frontage allowed here by District standards shall also be regulated per the Building Type standards in Section 8.
- | | |
|----------------------------------|-------|
| (1) Storefront (commercial only) | (9.B) |
| (2) Gallery | (9.D) |
| (3) Arcade | (9.C) |
| (4) Forecourt | (9.E) |
| (5) Porch | (9.G) |
| (6) Stoop | (9.H) |
| (7) Greenbelt | (9.F) |



Parking Placement Diagram (Plan View)

4. PARKING

- a. **Parking Placement**
On grade parking (enclosed or unenclosed) is allowed only in the shaded area as shown in the parking placement diagram.
- (1) Front setback: 50% lot depth
 - (2) Side street setback: 5 ft. min.
 - (3) Side yard Setback: 0 ft. min.*, or 6 ft. min.
* Requires 10 ft. min. separation to building on adjacent parcel or zero lot line /partywall condition.
 - (4) Rear Setback: 15 ft. min.
 - (5) Alley Setback: 4ft. OR 16 ft. min.
- b. **Parking Access**
- (1) Parking shall be accessed from rear Alleys.
 - (2) For commercial building sites without Alleys, parking shall be accessed from a Secondary Street.
- c. **Minimum Parking Requirements**
- (1) Commercial Parking Requirements:
 - i. 1 space per 1000 SF of bldg. area.
 - (2) Live/Work Parking Requirements:
 - i. <2,500 SF = 1 space per 1,500 SF of bldg. area.
 - ii. =>2,500 SF = 1 space per 1,000 SF of bldg. area.
 - (3) Minimum Residential Parking Requirements:
 - i. 1 space per unit.
 - ii. Minimum 1 space per 2 units provided for Affordable or Senior Housing units.
 - iii. Outside parking/storage of boats and recreational vehicles is only permitted within a garage or other permitted accessory structure, or designated Neighborhood or Community Storage Areas.
- d. **Miscellaneous**
- (1) For multi-family and commercial development, see Section 13.D for Common Parking Standards.
 - (2) Parking and aisle dimensions per City of Richland standards - see RMC 23.54.
 - (3) Maximum of 20% of required parking may be compact stalls at a dimension of 8' x 16'.

3.C.B. BADGER MOUNTAIN SOUTH - NEIGHBORHOOD COLLECTOR DISTRICT (BMS-NC) / SINGLE FAMILY ONLY



Illustrative Photo: Single-Family Houses and Local Park

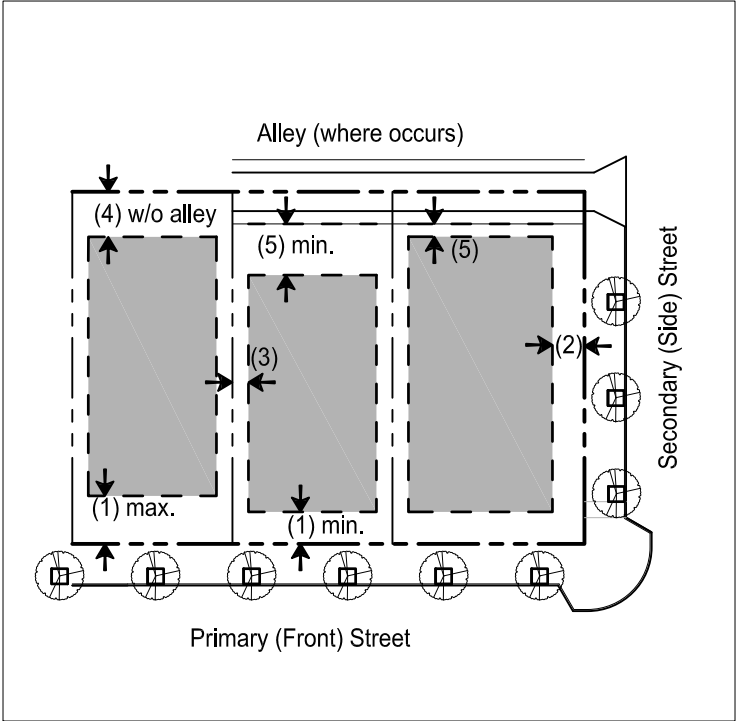
1. NEIGHBORHOOD COLLECTOR DISTRICT / SINGLE FAMILY ONLY INTENT

This Section provides Urban Form Standards for Single Family Residential uses in the BMS-NC District. Section 3.C.A provides Urban Form Standards for Commercial and Multi-family uses in the BMS-NC District.

(4) Appurtenant Structures are allowed subject to the following:

- a. Appurtenant structures related to residential uses such as small sheds (<336 sq. ft), covered patios, attached pergolas and free-standing pergolas are permitted, subject to recorded covenants, conditions, and restrictions.
- b. Appurtenant structures which are attached to a building shall meet the main building setbacks and shall comply with all site requirements including maximum building height and maximum lot coverage.
- c. Detached appurtenant structures in BMS-NC, see RMC 23.38.020

*** Unless alternative standards are recorded on a plat (i.e. additional space could be needed for lots on cul-de-sacs)



Building Placement Diagram (Plan View)

2. BUILDING PLACEMENT

a. Setbacks (as measured from the property line)

Buildings shall be placed within the shaded area as shown in the building placement diagram.

- (1) Front Build-to-Line: *** 10 ft. min.; 20 ft. max.
- (2) Side Street Setback: 10 ft. min.
- (3) Side yard Setback: 5 ft. min. **
- (4) Rear Setback: 15 ft. min.
- (5) Alley Setback: 4 ft. OR 16 ft. min.*

* Alley setback is measured from edge of Alley easement. To ensure that parking locations off Alley are adequate, buildings shall either be placed at 4 ft. (no parking) OR 16 ft. min. (parking).

** Structures may be built with no setback on one side: (i) when having a shared common wall at the property line with each structure on an adjacent lot under separate fee ownership; and (ii) when multiple, successive structures on a block face are each placed on the lot with no setback on one side; in this case the other Sideyard setback will be 12 ft. min.

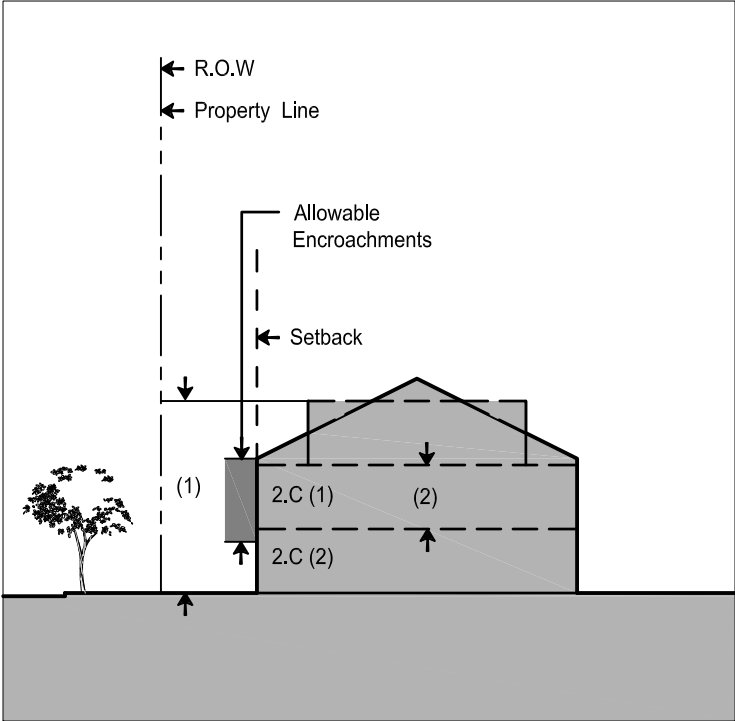
b. Min. Percentage of Building Facade at Build-to-Line:

- (1) Primary Street: None
- (2) Secondary Street or Civic Space: None

c. Encroachments

Encroachments are allowed subject to the following criteria:

- (1) The following architectural elements are allowed to encroach into required setbacks: awnings, balconies, bay windows, cornices, eaves and similar projected elements, stairs, ramps and handrails.
- (2) Overhead encroachments shall have a minimum height clearance of 8 ft.



Building Profile Diagram (Section View)

3. BUILDING PROFILE AND TYPE

a. Building Height/Stories

- (1) Maximum Height: 35 ft. as ~~defined~~ ^{measured} in RMC.

b. Allowed Building Types

Refer to Section 8 for Building Type standards.

- (1) Single-Family House - Alley Access (8.N)
- (2) Single-Family House - Street Access (8.O)
- (3) Accessory Unit (8.P)

~~*Only when located in a Local Park~~

c. Allowed Frontage Types

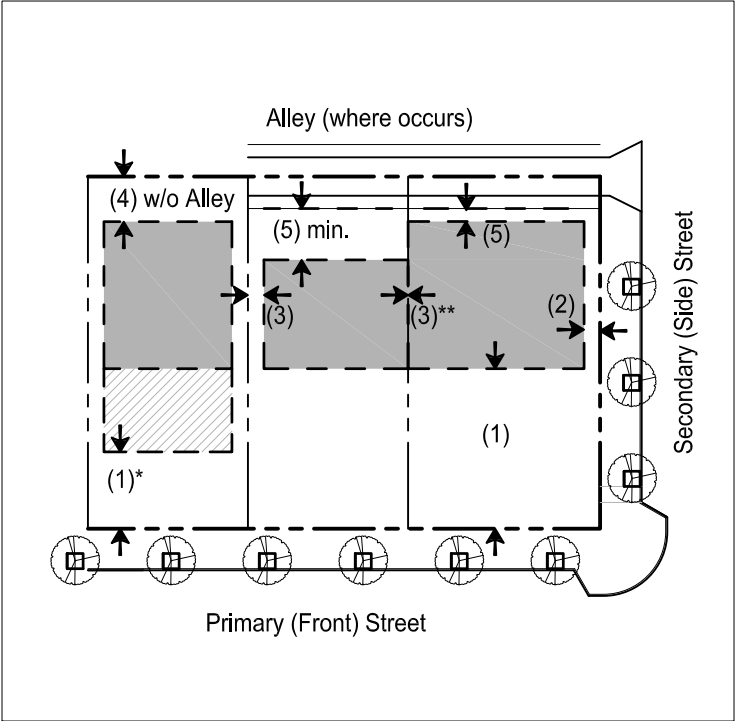
Refer to Section 9 for Frontage Type standards. Frontage allowed here by District standards shall also be regulated per the Building Type standards in Section 8.

- (1) Forecourt (9.E)
- (2) Greenbelt (9.F)
- (3) Porch (9.G)
- (4) Stoop (9.H)

4. PARKING

a. Parking Access

- (1) Parking shall be accessed from rear Alleys, if provided.
- (2) Parking access from street must meet Block Standards set forth in Section ~~7.C~~ ^{7.B} and Building Type standards in Section 8.O Single-Family House-Street Access.



Parking Placement Diagram (Plan View)

b. ~~c~~ Parking Requirements

- (1) Residential Parking Requirements:
 - i. 1 space per unit minimum.
 - ii. 1 space per 2 units minimum is required for Affordable or Senior Housing units.
- (2) Maximum 3 car garage door frontage on front load lots. On alley access lots, and front load lots developed with side-yard garage, or when developed with one garage bay recessed a minimum 8 ft. from the other garage bays and the house has a front porch of at least 80 sq. ft., 3 car garage door frontages are permitted.
- (3) Outside parking or storage of boats and recreational vehicles is only permitted within a garage or other permitted accessory structure, or within designated Neighborhood or Community Storage Areas.
- (4) The driveway width within the right of way (ROW) shall not exceed of 50% of the primary street frontage or a maximum width of 35 feet on any single family lot to ensure that on street parking within the development. Driveways may flare out once outside the ROW or access tract.

c. ~~d~~ Miscellaneous

- (1) For multi-family and commercial development, see Section 13.D for Common Parking Standards.
- (2) Parking and aisle dimensions per City of Richland standards - see RMC 23.54.
- (3) For street access lots with rear yards facing a collector street, a five-foot minimum landscape tract shall be located between the rear property line and the collector street. The block length shall be a minimum of 300 feet. The tract shall be planted per 11.C.7.c. See Building Placement Diagram (rear yard facing collector street).



Illustrative Photo: Single-Family Houses and Local Park

1. NEIGHBORHOOD GENERAL DISTRICT INTENT

The Neighborhood General (BMC-NG) District comprises the majority the Badger Mountain South community. This District is primarily residential in character. A variety of housing options are provided to meet the needs of the community. The residents of these Districts are within walking distance of schools, parks, trails and commercial centers supporting the vision of the community.

Single-family houses are accommodated on a variety of lot sizes allowing a range of housing options from cottages to large detached structures. Smaller-scale Multi-family housing options such as Mansion Apartments, Duplexes and Courtyard Housing, are also accommodated when certain siting conditions are met.

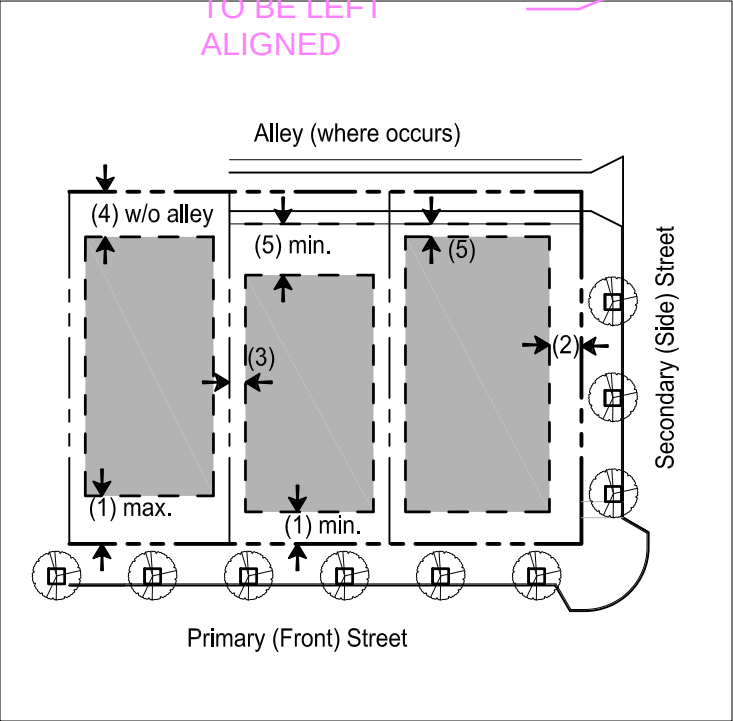
Additional housing units are permitted in this District through the use of Accessory Units.

*** Unless alternative standards are recorded on a plat (i.e. additional space could be needed for lots on cul-de-sacs)

2. BUILDING PLACEMENT

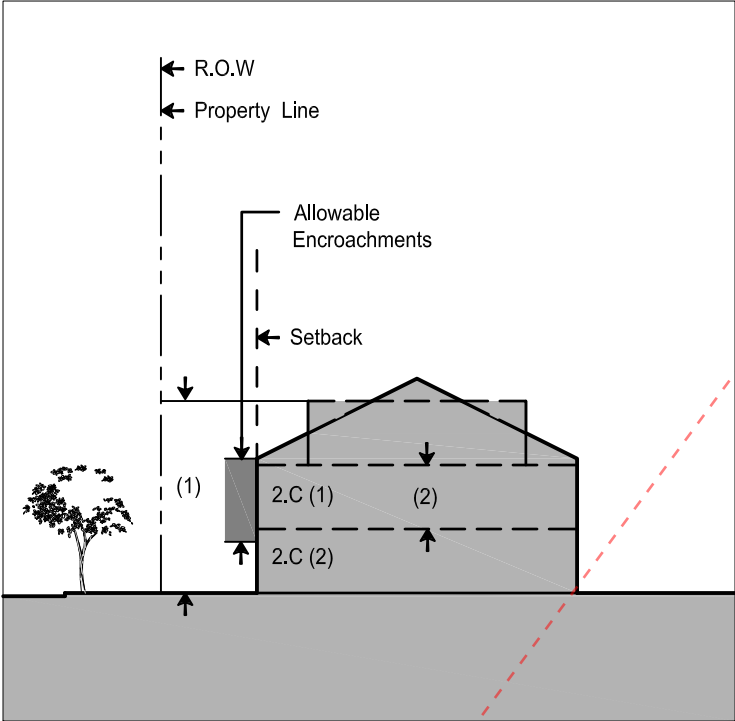
- a. Setbacks** (as measured from the property line)
- Buildings shall be placed within the shaded area as shown in the building placement diagram.
- | | |
|-----------------------------|--------------------------|
| (1) Front Build-to-Line:*** | 10 ft. min.; 20 ft. max. |
| (2) Side Street Setback: | 10 ft. min. |
| (3) Side yard Setback: | 5 ft. min. ** |
| (4) Rear Setback: | 15 ft. min. |
| (5) Alley Setback: | 4 ft. OR 16 ft. min.* |
- * Alley setback is measured from edge of Alley easement. To ensure that parking locations off Alley are adequate, buildings shall either be placed at 4 ft. (no parking) OR 16 ft. min. (parking).
- ** Structures may be built with no setback on one side: (i) when having a shared common wall at the property line with each structure on an adjacent lot under separate fee ownership; and (ii) when multiple, successive structures on a block face are each placed on the lot with no setback on one side; in this case the other Sideyard setback will be 12 ft. min.
- b. Min. Percentage of Building Facade at Build-to-Line:**
- | | |
|--------------------------------------|------|
| (1) Primary Street: | None |
| (2) Secondary Street or Civic Space: | None |
- c. Encroachments**
- Encroachments are allowed subject to the following criteria:
- The following architectural elements are allowed to encroach into required setbacks: awnings, balconies, bay windows, cornices, eaves and similar projected elements, stairs, ramps and handrails.
 - Overhead encroachments shall have a minimum height clearance of 8 ft.

CHANGE POSITION TO BE LEFT ALIGNED



Building Placement Diagram (Plan View)

3.D BADGER MOUNTAIN SOUTH - NEIGHBORHOOD GENERAL DISTRICT (BMS-NG)



Building Profile Diagram (Section View)

3. BUILDING PROFILE AND TYPE

- a. Building Height/Stories**
- (1) Maximum Height: 30 ft. as ~~defined~~ ^{measured} in RMC.
- b. Allowed Building Types**
- Refer to Section 8 for Building Type standards.
- | | |
|--|-------|
| (1) Civic/Community/Institutional Facilities * | (8.D) |
| (2) Courtyard Housing | (8.J) |
| (3) Mansion Apartment | (8.K) |
| (4) Paired House (Duplex) | (8.L) |
| (5) Cottage Court | (8.M) |
| (6) Single-Family House - Alley Access | (8.N) |
| (7) Single-Family House - Street Access | (8.O) |
| (8) Accessory Unit | (8.P) |
- *Only when located in a Local Park
- c. Allowed Frontage Types**
- Refer to Section 9 for Frontage Type standards. Frontage allowed here by District standards shall also be regulated per the Building Type standards in Section 8.
- | | |
|---------------|-------|
| (1) Forecourt | (9.E) |
| (2) Greenbelt | (9.F) |
| (3) Porch | (9.G) |
| (4) Stoop | (9.H) |
- 4. PARKING**
- a. Parking Access**
- (1) ~~(2)~~ Parking shall be accessed from rear Alleys, if provided.
- (2) ~~(3)~~ Parking access from street must meet Block Standards set forth in Section ~~7.C.4~~ ^{7.B.4} and Building Type standards in Section 8.O Single-Family House-Street Access.

(9) Appurtenant Structures are allowed subject to the following:

- Appurtenant structures related to residential uses such as small sheds (<336 sq. ft), covered patios, attached pergolas and free-standing pergolas are permitted, subject to recorded covenants, conditions, and restrictions.
- Appurtenant structures which are attached to a building shall meet the main building setbacks and shall comply with all site requirements including maximum building height and maximum lot coverage.
- Detached appurtenant structures in BMS-NG, see RMC 23.38.020.

b. ~~c.~~ Parking Requirements

- Residential Parking Requirements:
 - 1 space per unit minimum.
 - 1 space per 2 units minimum is required for Affordable or Senior Housing units.
- Maximum 3 car garage door frontage on front load lots. On alley access lots, and front load lots developed with side-yard garage, or when developed with one garage bay recessed a minimum 8 ft. from the other garage bays and the house has a front porch of at least 80 sq. ft., 3 car garage door frontages are permitted.
- Outside parking or storage of boats and recreational vehicles is only permitted within a garage or other permitted accessory structure, or within designated Neighborhood or Community Storage Areas.
- The driveway width within the right of way (ROW) shall not exceed of 50% of the primary street frontage or a maximum width of 35 feet on any single family lot to ensure that on street parking within the development. Driveways may flare out once outside the ROW or access tract.

c. ~~d.~~ Miscellaneous

- For multi-family and commercial development, see Section 13.D for Common Parking Standards.
- Parking and aisle dimensions per City of Richland standards - see RMC 23.54.



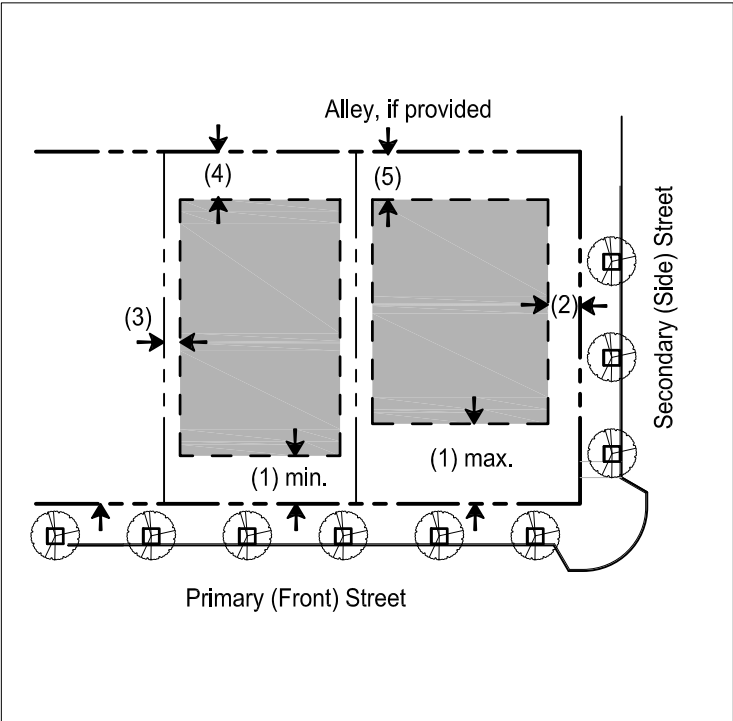
Illustrative Photo: Single Family Homes fronting on Open Spaces

1. NEIGHBORHOOD EDGE DISTRICT INTENT

The Neighborhood Edge (BMC-NE) District is solely residential in character. The houses and lots in this District tend to be a larger scale than the Neighborhood General District. These Districts are typically located along the periphery of the community.

Single-family houses and lots are provided in a range of sizes up to large custom homes on 1/4 to 1 acre lots. Houses are typically accessed by streets, on lots without Alleys. Lots are larger to accommodate front street access driveways. Setbacks are deeper to create a more verdant character.

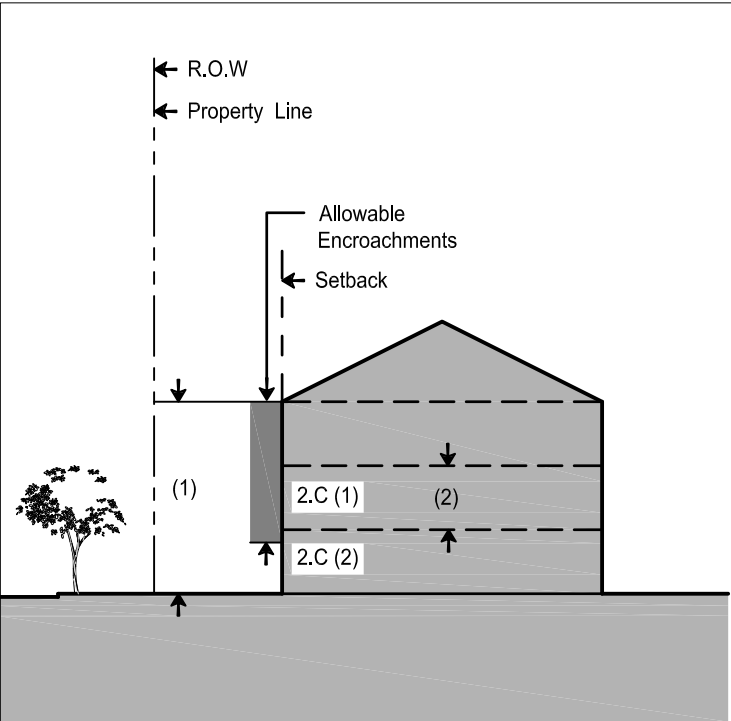
*** Unless alternative standards are recorded on a plat (i.e. additional space could be needed for lots on cul-de-sacs)



Building Placement Diagram (Plan View)

2. BUILDING PLACEMENT

- a. Setbacks** (as measured from the property line)
- Buildings shall be placed within the shaded area as shown in the building placement diagram.
- (1) Front Build-to-Line*** 15 ft. min.; 35 ft. max. *
* Maximum setback does not apply to lots => 1/4 acre.
 - (2) Side Street Setback: 10 ft. min.
 - (3) Side yard Setback: 6 ft. min.
 - (4) Rear Setback: 15 ft. min. **
** For lots in the BMS-NE District that border commercial orchards active at the time these development standards are adopted, no residential structures or swimming pools shall be located within 150 feet, measured from the rear property line, bordering such uses. If active agricultural uses cease, then this requirement shall no longer apply.
 - (5) Alley Setback: 4 ft. OR 16 ft. min. (if provided)*
* Alley setback is measured from edge of Alley easement. To ensure that parking locations off Alley are adequate, buildings shall either be placed at 4 ft. (no parking) OR 16 ft. (parking).
- b. Min. Percentage of Building Facade at Build-to-Line:**
- (1) Primary Street: None
 - (2) Secondary Street or Civic Space: None
- c. Encroachments**
- Encroachments are allowed subject to the following criteria:
- (1) The following architectural elements are allowed to encroach into required setbacks: awnings, balconies, bay windows, cornices, eaves and similar projected elements, stairs, ramps and handrails.
 - (2) Overhead encroachments shall have a minimum height clearance of 8 ft.



Building Profile Diagram (Section View)

3. BUILDING PROFILE AND TYPE

- a. Building Height/Stories**
- (1) Maximum Height: 30 ft. as ~~defined~~ ^{measured} in RMC
- b. Allowed Building Types**
- Refer to Section 8 for Building Type definitions and standards.
- (1) Single-Family House - Alley Access (8.N)
 - (2) Single-Family House - Street Access (8.O)
 - (3) Accessory Unit (8.P)
- (4)** An Accessory Storage Structure is allowed on lots .25 acre or greater if the following conditions are met:
- (i) ~~(1)~~ The maximum size, per floor, of the Accessory Storage Structure shall be less than 60% of the square foot footprint of the corresponding floor of the principal structure;
 - (ii) ~~(2)~~ The design and massing of the Accessory Storage Structure shall be compatible with the principal structure;
 - (iii) ~~(3)~~ The maximum width of the Accessory Storage Structure shall be no greater than the width of the principal structure;
 - (iv) ~~(4)~~ Maximum number of stories permitted is 2, but in all cases not taller than the principal structure;
 - (v) ~~(5)~~ The Accessory Storage Structure is located in the rear yard and meets all side yard setback requirements.
- c. ~~f.~~ Allowed Frontage Types**
- Refer to Section 9 for Frontage Type standards. Frontage allowed here by District standards shall also be regulated per the Building Type standards in Section 8.
- (1) Forecourt (9.E)
 - (2) Porch (9.G)
 - (3) Stoop (9.H)

4. PARKING

- a. Parking Access**
- (1) Parking may be accessed from streets.
 - (2) Parking may be accessed by Alleys, if provided.
- b. Parking Requirements**
- (1) Residential Parking Requirements: 1 space per unit minimum.
 - (2) Maximum 3 car garage door frontage.
 - (3) Outside parking or storage of boats and recreational vehicles is only permitted within a garage or other permitted accessory structure, or within designated Neighborhood or Community Storage Areas.
- (5)** Appurtenant Structures are allowed subject to the following:
- a. Appurtenant structures related to residential uses such as small sheds (<336 sq. ft), covered patios, attached pergolas and free-standing pergolas are permitted, subject to recorded covenants, conditions, and restrictions.
 - b. Appurtenant structures which are attached to a building shall meet the main building setbacks and shall comply with all site requirements including maximum building height and maximum lot coverage.
 - c. Detached appurtenant structures in BMS-NE, see RMC 23.38.020



Illustrative Photo: Playground in Local Park

1. CIVIC DISTRICT INTENT

The Civic District contains all of the open space in the Badger Mountain South community, as well as the schools, civic and community facilities located throughout the neighborhoods. This District encompasses 30% of the Badger Mountain South overall site and is one of the most significant features supporting the vision of a walkable and sustainable community. This District provides both passive and active open space areas supporting a variety of activities and uses. It also contains the trail network providing a pedestrian scale, walkable, safe, and healthy means of travel throughout the site.

Buildings in this District are primarily intended for Civic, Community or Institutional uses. These built structures may include playgrounds, picnic shelters, bathroom facilities, and open space maintenance structures, as well as significant institutional, community and civic buildings. Due to the wide range of buildings with unique disposition and configurations, some of the typical Urban Form Standards for Districts do not apply to this District.

Refer to Section 5 Civic Space Standards for Open Space Standards within this District.



Illustrative Photo: School / Institutional Facility

2. BUILDING PLACEMENT

- a. Setbacks*** (as measured from the property line)
- (1) Front Build-to-Line: None *
 - (2) Side Street Setback: None *
 - (3) Side yard Setback: None *
 - (4) Rear Setback: None *
 - (5) Alley Setback: None *
- *Civic sites are often located along the BMS Trail and Greenbelt open space network, see 5.B for Greenbelt locations and 5.K for Trail layout. When a trail is shown on a proposed Civic site, buildings must be setback to allow the continuation of the trail through the property, see 5.L 5.K for Trail Type standards. When adjacent sites also contain a Greenbelt, the minimum building setback shall match the dimension of the Greenbelt, see 5.H. 5.F.
- b. Min. Percentage of Building Facade at Build-to-Line:**
- | | |
|----------------------------------|------|
| Primary Street: | None |
| Secondary Street or Civic Space: | None |
- c. Encroachments**
- Encroachments are allowed subject to the following criteria:
- (1) The following architectural elements are allowed to encroach into required setbacks and/or Public Right of Way (R.O.W.): awnings, galleries, balconies, bay windows, signs, cornices, eaves, flags and similar projected elements.
 - (2) Stairs, ramps and handrails are allowed to encroach into required setbacks only.
 - (3) Overhead encroachments shall have a minimum height clearance of 8 ft.
 - (4) A City of Richland license must be obtained for encroachments that occur over sidewalks or City airspace. See RMC 5.14.



Illustrative Photo: Community Building

3. BUILDING PROFILE AND TYPE

- a. Building Height/Stories**
- (1) Maximum Height: 40 ft. as ^{measured} defined in RMC when adjacent to Neighborhood General District (BMS-NG).
 - (2) Maximum Height: 40 ft. as defined in RMC when adjacent to ~~Village Mixed Use (BMS-VMU) and~~ Neighborhood Collector (BMS-NC) Districts.
 - (3) If ground floor community space is provided, the ground floor ceiling shall be a minimum of 10 ft. clear height, as measured from finished floor slab to underside of finished ceiling.
 - (4) For flat roofs, rooftop equipment may exceed the height limit by 10 ft, provided it is located no closer than 15 ft. to edge of exterior wall, otherwise equipment shall be concealed within the attic space.
 - (5) For flat roofs, a parapet is allowed to extend above the maximum height limit by 4 ft.
 - (6) Towers, spires, flag poles or other architectural elements may extend 12 ft. above height limit.
- b. Allowed Building Types**
- Refer to Section 8 for Building Type standards.
- (1) Civic/Community/Institutional Facilities (8.D)
- c. Allowed Frontage Types**
- Frontage Types do not apply in Civic Districts.



Illustrative Photo: Civic Building

4. PARKING

- a. Parking Placement**
- (1) Front setback: Not allowed.
 - (2) Side street setback: 15 ft. min.
 - (3) Side yard Setback: 15 ft. min.
 - (4) Rear Setback: 15 ft. min.
- b. Parking Requirements**
- (1) Parking Requirements: Maximum 3 spaces per 1,000 SF of bldg. area.
 - (2) Within the Greenway Parks only, on-site parking shall be allowed for Civic space uses that may not be associated with a building; total parking quantity to be determined by user demand. Available on-street parking within 600 feet of the proposed use must be counted towards satisfying the parking demand.
 - (3) Parking requirements for Public Parks shall be as required per the City of Richland Parks, Trails and Open Space Master Plan.
 - (4) Parking requirements for schools shall be as required per the respective school authorities.
- c. Miscellaneous**
- (1) See Section 13.D for Common Parking Standards.
 - (2) Parking and aisle dimensions per City of Richland standards - see RMC 23.54.
 - (3) Maximum of 20% of required parking may be compact stalls at a dimension of 8' x 16'.



**SPECIAL
DISTRICT
STANDARDS**

4

Section 4 identifies the standards and requirements for each Special District within Badger Mountain South.

4.A	Introduction.....	4-2
4.B	Specialty Retail (BMS-SD-SR).....	4-2
4.C	Commercial Mixed-Use (BMS-SD-CMU).....	4-3
4.D	Destination Retail (BMS-SD-DR).....	4-3

4.A INTRODUCTION

This section of the LUDR identifies the Special District development standards. Special Districts are unique areas that by intent, function, disposition or configuration play an important role in establishing the vision of the Badger Mountain South community.

The Special Districts are identified in Section 2.B – Regulating Plan for Land Use and Urban Form, with the following color-legend:

- Special District - Specialty Retail (BMS-SD-SR)
- Special District - Commercial Mixed-Use (BMS-SD-CMU)
- Special District - Destination Retail (BMS-SD-DR)

Because of the unique nature of the Special Districts, development within these areas is guided by the intent, guidelines and/or standards as follows for each District.

Although the Special Districts are not regulated by Building Types, the Common Design Standards in Section 8.C are applicable to these Districts.

4.B BADGER MOUNTAIN SOUTH SPECIAL DISTRICT- SPECIALTY RETAIL (BMS-SD-SR)

SEE REGULATING PLAN FOR LOCATION



Illustrative Sketch: Birds-eye View of Specialty Retail Village

1. SPECIAL DISTRICT - SPECIALTY RETAIL INTENT

The Special District - Specialty Retail (BMS-SD-SR) is intended to support and provide development opportunities for the growing interest in local and regional agricultural products, in particular the local wine industry. As such it serves both the City of Richland as well as the region.

It is also intended to:

- Provide a gathering place for group events, festivals and other community-wide activities;
- Provide sites for: vineyards, wine caves, wineries, tasting rooms, wine making, other specialty brewing and craft distilling, the sale of other agricultural-related products, education, retail and hospitality that support this focus; and
- Showcase innovative sustainable design features in both building and site design.



Illustrative Sketch: Outdoor Plaza, Cave Entrance, and Vineyard

2. SPECIALTY RETAIL DISTRICT STANDARDS

- Each building design should include sustainable features. Refer to Section 12 for Sustainable Standards.
- Buildings are encouraged to be sited to take advantage of views.
- Pedestrian connectivity between development sites shall be emphasized, the use of unique pavement or landscape treatments shall be encouraged.
- Spaces between buildings shall be considered for design purposes as common spaces to be shared among all users in the District and should be designed to function in this way, unless necessary for essential uses such as utility services, waste collection, or delivery services.
- Service areas shall be integrated into the building design to provide screening for equipment, recycling, trash and similar.
- Buildings may vary in height between one to three stories; daylight basements are not included in the story count. Landmark structures such as a clock or bell tower may have a maximum height of 80 ft. and no signage shall be permitted above street level.
- Exterior lighting shall meet the Badger Mountain South Light Standards, Section 12.C.3.
- Landscaping shall meet the Common and Commercial Landscape Standards in Section 11.
- Parking per Common Parking Standards, Section 13.D.
- See also Section 8.C for Common Design Standards for all Districts: Commercial Districts and Projects.



Illustrative Photo: Wine Cave Storage

4.C BADGER MOUNTAIN SOUTH
SPECIAL DISTRICT - COMMERCIAL MIXED-USE (BMS-SD-CMU)

SEE REGULATING
PLAN FOR LOCATION



Illustrative Photo: Outdoor Restaurant Plaza / Urban Trail

1. SPECIAL DISTRICT - COMMERCIAL MIXED-USE INTENT

The Special District - Commercial Mixed-Use (BMS-SD-CMU) comprises approximately 45 acres between Dallas Road and the Special District -Specialty Retail. The District can accommodate a wide variety of uses as it is intended to be a major employment center for the City of Richland and a destination for shopping, higher-level education, dining, office uses and other employment centers, Multi-family/Mixed-Use housing, entertainment and recreation. Public facilities, including transit centers, may also be accommodated in this District.

To further the walkable and sustainable goals of Badger Mountain South, the design of the Special District - Commercial Mixed-Use will ensure that pedestrian are accommodated between buildings or groups of buildings, that public plazas and other community features will be developed as part of the overall development plan, and that connectivity will be maintained to adjoining Districts.



Illustrative Photo: Office above Retail Streetscape

2. SPECIAL DISTRICT-COMMERCIAL MIXED-USE STANDARDS

- Enhance pedestrian experience:
 - Entries: functional entries must enhance pedestrian experience by fronting onto public space.
 - Sidewalks: Provide continuous sidewalks along all street frontages and between buildings and blocks.
 - Plazas and common spaces: shall be provided with appropriate amenities including benches, trash and recycling containers and bike racks. Plazas shall be designed to create a unique development identity and are encouraged to also include public art. Refer to Section 5.E for Plaza standards.
 - Maximize views to Badger Mountain.
- Signage, landscaping, and building architectural features will be complementary and will emphasize the District as the entryway to the City of Richland.
- Service areas shall be integrated into the building design to properly screen it from the center plaza and public streets. This includes areas for trash, recycling and equipment storage.
- Building Heights:

Four (4) stories with a maximum height limit of 55 ft.; daylight basements are not included in the story height. Landmark structures such as a clock or bell tower may have a maximum height of 80 ft. ~~At least 50 percent of the first story of building is dedicated to commercial space.~~
- Landscaping shall meet the Common and Commercial Landscape Standards, Section 11.
- Sustainable Standards per Section 12.
- Exterior lighting shall meet the Badger Mountain South Light Standards, Section 12.C.3.
- Other Site Improvements as appropriate and identified in Section 13.
- Parking per Common Parking Standards, Section 13.D.
- See also Section 8.C for Common Design Standards for all ~~Districts.~~ **Commercial Districts and Projects.**

SEE REGULATING
PLAN FOR LOCATION

4.D BADGER MOUNTAIN SOUTH
SPECIAL DISTRICT - DESTINATION RETAIL (BMS-SD-DR)



Illustrative Photo: Outdoor Retail Plaza

1. SPECIAL DISTRICT -DESTINATION RETAIL INTENT

The Special District - Destination Retail (BMS-SD-DR) includes more than 80 acres west of Dallas Road at Interstate 82. The District is highly visible to motorists on the freeway and has direct access from the existing I-82 on-ramp.

It is the intent of the Special District - Destination Retail is to accommodate a wide variety of uses both for the community and for the region with an integrated development concept. Development may include an open air shopping village with large-scale retail, restaurants, hotels, entertainment and Mixed-Use, Multi-family housing.

Note:
This changed is made to align
with HE decision in the Specialty
Districts



Illustrative Photo: Cinema Complex

2. SPECIAL DISTRICT - DESTINATION RETAIL STANDARDS

- All standards of the BMS-SD-CMU District apply.
- When Mixed-Use development or Live/Work housing is provided, attention shall be given to provide appropriate residential amenities such as decks, gardens, and segregated open space restricted to the residential units.
- Internal circulation for the development as a whole within the District shall be considered in order to provide appropriate access to Dallas Road, safe pedestrian accommodation, adequate space for common areas including plazas or other seating, and the efficient use of parking.

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**CIVIC
SPACE
STANDARDS**

5

Section 5 describes regulations for the civic open space throughout the Badger Mountain South community.

Update all
as needed

5.A	Civic Space Introduction.....	5-2
5.B	Greenway Parks.....	5-2
5.C	Local Parks.....	5-3
5.D	Plaza / Town Square.....	5-3
5.E	Greenbelts.....	5-4
5.F	Public Parks and School Open Space.....	5-4
5.G	Trails Introduction.....	5-5
5.H	Illustrative Plan For Trail Layout and Trail Types.....	5-5
5.I	Trails.....	5-6

5.A CIVIC SPACE INTRODUCTION

The Illustrative Plan for Civic Space Layout includes most of the types of open space, parks, trails and community facilities that will be constructed in Badger Mountain South. It is intended to illustrate that these places and spaces are interwoven into each neighborhood, although the exact locations are not yet identified. Final locations will be based upon the blocks, Building Types and final street grid that are established. This extensive network of common spaces is an important component of creating a walkable and sustainable community.

Most of the areas illustrated here and described in this Section 5 will be sited at time of platting. For city-owned facilities or properties developed as part of a public school system or by any other public entity, those public bodies will identify the planning, programming and timing of development of those spaces.

All of the plazas and other common areas to be constructed within the commercial Districts are not shown here. These areas will be further defined at the time of site plan review.

5.B GREENWAY PARKS



Illustrative Photo: Picnic Area in Greenway Park

1. GREENWAY PARKS

- a. Intent** - There are three large Greenway Parks in Badger Mountain South as identified on the Illustrative Plan for Civic Space Layout, 5.B. The Greenway Parks are intended to be generally non-irrigated areas naturalized with drought tolerant grasses and other plantings. However, they may also contain irrigated areas of gardens, orchards and vineyards, as well as trails and other amenities as described below. These parks provide the opportunity for biking or walking the entire community without having to use the city streets. Each of the three Greenway Parks contains some unique feature or amenity in addition to features common to all.

b. Common Standards

- (1) Primary and Secondary Trails as indicated on the Illustrative Plan for Trail Layout and Trail Types (5.K), and Standards for Trails (5.L).
- (2) Recycled, composite-plastic trash and recycling containers located at the main entrances to the Greenway Parks.
- (3) Graded areas hydro-seeded with drought tolerant meadow seed mix with temporary irrigation until established.
- (4) Shade trees and drought-tolerant shrubs, as listed in Section 11 – Landscape Standards, will be planted in identified pockets of the Greenway Parks and provided with temporary irrigation.
- (5) Identifying signage will be provided at each major entrance to the Greenway Parks.
- (6) On-site parking may be provided as determined by proposed use and anticipated demand. Parking requirements per BMS-Civic District, see Section 3.F.

2. THE RAVINE

- a. Location** - Western edge of the West Village Neighborhood. See Illustrative Plan for Civic Space Layout, 5.B.
- b. Size**
- (1) Minimum: 40 acres
 - (2) Maximum: 50 acres



Illustrative Photo: Secondary Trail in Greenway Park

c. General Character

- (1) Minimize impacts to the existing ravine and associated rolling topography.
- (2) Extensive trail and exercise system.
- (3) Provide trail connections to adjacent West Village Neighborhood.
- (4) Intended activities include general exercise and fitness with recreational biking, jogging, walking, roller blading, and skating.

d. Standards

- (1) Minimum Width: 150 feet
- (2) Maximum Width: None

e. Additional Required Amenities.

- (1) Minimum 1,500 LF - Primary Trail with lighting.
- (2) Minimum 5,000 LF – Secondary Trail.
- (3) Site Furnishings including benches, trash and recycling receptacles and bike racks, per Section 13.C standards.
- (4) (100) shrubs
- (5) (60) 1-1/2” cal. shade trees
- (6) Landscape improvements including hydro-seeded meadows, shade trees and shrubs.
- (7) Multi-station exercise course.

3. THE RESERVE

- a. Location** - Primary open space in East Market Neighborhood, running west into the West Vineyard Neighborhood. See Illustrative Plan for Civic Space Layout, 5.B.
- b. Size**
- (1) Minimum: 80 acres
 - (2) Maximum: 90 acres
- c. General Character**
- (1) Vast primary open space running between town centers that serves the entire community.
 - (2) Predominantly passive recreation and naturalistic landscape separating multiple parks, community gardens, and other use areas.
 - (3) Provides grand entry opportunity at the Badger Mountain South east entrance.



Illustrative Photo: Trail Network in Greenway Park

- (4) Intended activities include general exercise and fitness with recreational biking, jogging, walking, roller blading, skating, children’s play areas, a variety of active recreation and gardens.

d. Standards

- (1) Minimum Width: 150 Feet
- (2) Maximum Width: None

e. Additional Required Amenities:

- (1) Minimum 8,000 LF - Primary Trail with lighting.
- (2) Minimum 4,000 LF – Secondary Trail.
- (3) Site furnishings including benches, trash and recycling receptacles, bike racks, and picnic tables, per Section 13.C standards.
- (4) (200) shrubs
- (5) (120) 1-1/2” cal. shade trees
- (6) Landscape improvements including hydro-seeded meadows, shade trees and shrubs.
- (7) Dog park minimum 1.5 acres with perimeter fencing, (1) shade structures, and access to water (potable and irrigation).
- (8) Open play field of minimum 3 acres with a permanent irrigation system.
- (9) Children’s playground with creative play structures for two distinct age ranges and associated seating areas.
- (10) Three picnic areas located adjacent to activity centers with benches, tables and associated landscaping.

4. THE ORCHARD GREEN

- a. Location** - Primary open space in South Orchard Neighborhood, running northeast into the East Market Neighborhood. See Illustrative Plan for Civic Space Layout, 5.B.
- b. Size**
- (1) Minimum: 80 acres
 - (2) Maximum: 90 acres
- c. General Character**
- (1) Defining open space for the South Orchard Neighborhood.

5.A CIVIC SPACE INTRODUCTION

The Illustrative Plan for Civic Space Layout includes most of the types of open space, parks, trails and community facilities that will be constructed in Badger Mountain South. It is intended to illustrate that these places and spaces are interwoven into each neighborhood although the exact locations are not yet identified. Final locations will be based upon the blocks, Building Types and final street grid that are established. This extensive network of common spaces is an important component of creating a walkable and sustainable community.

Most of the areas illustrated here and described in this Section 5 will be sited at time of platting. For city-owned facilities or properties developed as part of a public school system or by any other public entity, those public bodies will identify the planning, programming and timing of development of those spaces.

All of the plazas and other common areas to be constructed within the commercial Districts are not shown here. These areas will be further defined at the time of site plan review.

At its completion, Badger Mountain South will have a minimum of 207 acres of open space, including open space in city parks. This calculation does not include school sites.

GREENBELTS

GREENWAY PARKS

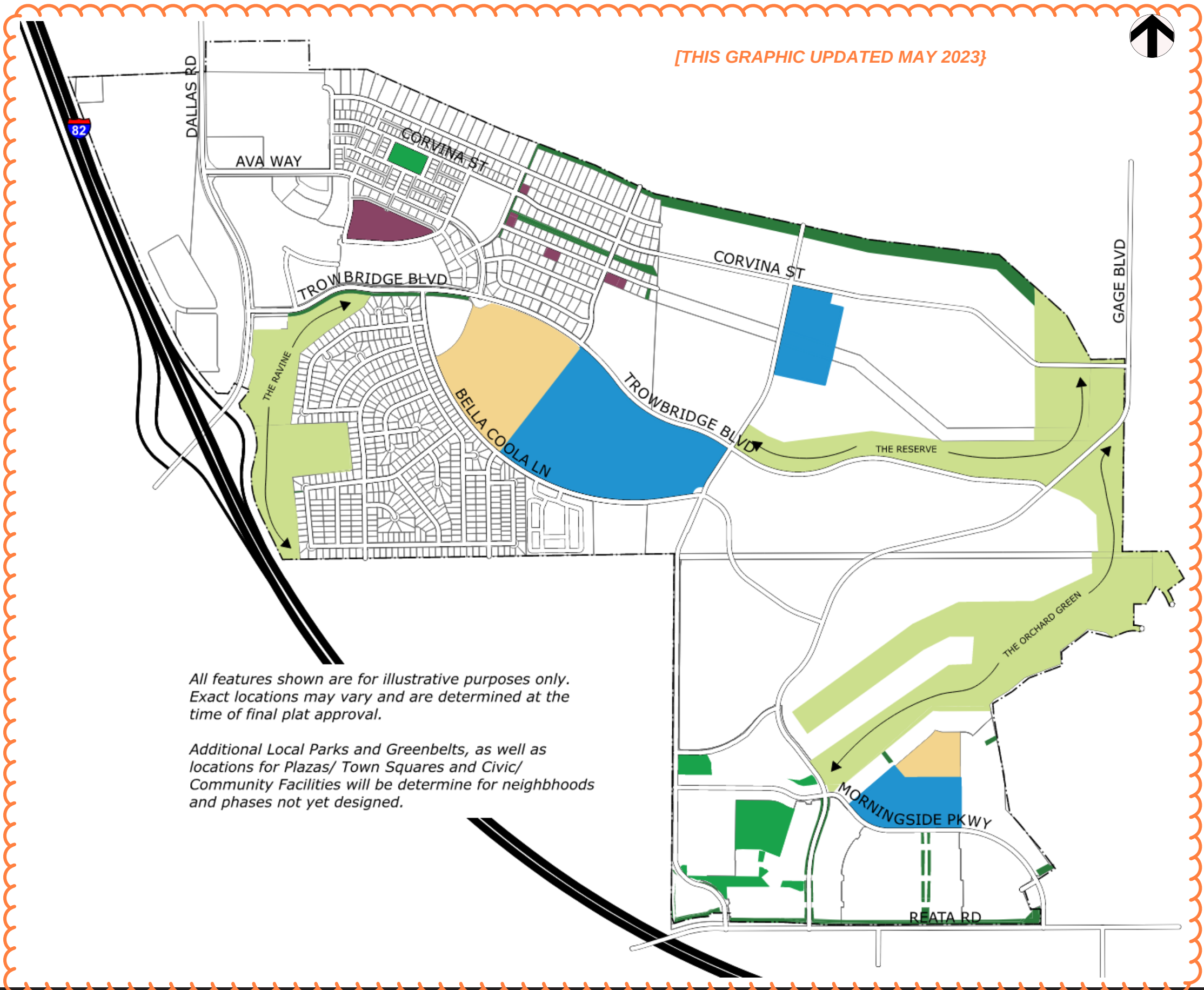
LOCAL PARKS

OTHER OPEN SPACE

PUBLIC PARKS

RESERVED SCHOOL SITE

5.B ILLUSTRATIVE PLAN FOR CIVIC SPACE LAYOUT



reposition columns
(Section 5.C should be on
all one page)

5.C
~~5.B~~ GREENWAY PARKS



Illustrative Photo: Picnic Area in Greenway Park

1. GREENWAY PARKS

a. Intent - There are three large Greenway Parks in Badger Mountain South as identified on the Illustrative Plan for Civic Space Layout, 5.B. The Greenway Parks are intended to be generally non-irrigated areas naturalized with drought tolerant grasses and other plantings. However, they may also contain irrigated areas of gardens, orchards and vineyards, as well as trails and other amenities as described below. These parks provide the opportunity for biking or walking the entire community without having to use the city streets. Each of the three Greenway Parks contains some unique feature or amenity in addition to features common to all.

b. Common Standards

- (1) Primary and Secondary Trails as indicated on the Illustrative Plan for Trail Layout and Trail Types (5.K), and Standards for Trails (5.L). update this
- (2) Recycled, composite-plastic trash and recycling containers located at the main entrances to the Greenway Parks.
- (3) Graded areas hydro-seeded with drought tolerant meadow seed mix with temporary irrigation until established.
- (4) Shade trees and drought-tolerant shrubs, as listed in Section 11 – Landscape Standards, will be planted in identified pockets of the Greenway Parks and provided with temporary irrigation.
- (5) Identifying signage will be provided at each major entrance to the Greenway Parks.
- (6) On-site parking may be provided as determined by proposed use and anticipated demand. Parking requirements per BMS-Civic District, see Section 3.F.

2. THE RAVINE

a. Location - Western edge of the West Village Neighborhood. See Illustrative Plan for Civic Space Layout, 5.B.

~~b. Size~~

- ~~(1) Minimum: 40 acres~~
- ~~(2) Maximum: 50 acres~~



Illustrative Photo: Secondary Trail in Greenway Park

~~b. c.~~ General Character

- (1) Minimize impacts to the existing ravine and associated rolling topography.
- (2) Extensive trail and exercise system.
- (3) Provide trail connections to adjacent West Village Neighborhood.
- (4) Intended activities include general exercise and fitness with recreational biking, jogging, walking, roller blading, and skating.

~~d. Standards~~

- ~~(1) Minimum Width: 150 feet~~
- ~~(2) Maximum Width: None~~

~~c. e.~~ Additional Required Amenities:

- (1) Minimum 1,500 LF - Primary Trail with lighting.
- (2) Minimum 5,000 LF - Secondary Trail.
- (3) Site Furnishings including benches, trash and recycling receptacles and bike racks, per Section 13.C standards.
- (4) (100) shrubs
- (5) (60) 1-1/2" cal. shade trees
- (6) Landscape improvements including hydro-seeded meadows, shade trees and shrubs.
- (7) Multi-station exercise course.

3. THE RESERVE

~~a. a.~~ **Location** - Primary open space in East Market Neighborhood, running west into the West Vineyard Neighborhood. See Illustrative Plan for Civic Space Layout, 5.B.

~~b. Size~~

- ~~(1) Minimum: 80 acres~~
- ~~(2) Maximum: 90 acres~~

~~b. c.~~ General Character

- (1) Vast primary open space running between town centers that serves the entire community.
- (2) Predominantly passive recreation and naturalistic landscape separating multiple parks, community gardens, and other use areas.
- (3) Provides grand entry opportunity at the Badger Mountain South east entrance.



Illustrative Photo: Trail Network in Greenway Park

- (4) Intended activities include general exercise and fitness with recreational biking, jogging, walking, roller blading, skating, children's play areas, a variety of active recreation and gardens.

~~d. Standards~~

- ~~(1) Minimum Width: 150 Feet~~
- ~~(2) Maximum Width: None~~

~~c. e.~~ Additional Required Amenities:

- (1) Minimum 8,000 LF - Primary Trail with lighting.
- (2) Minimum 4,000 LF - Secondary Trail.
- (3) Site furnishings including benches, trash and recycling receptacles, bike racks, and picnic tables, per Section 13.C standards.
- (4) (200) shrubs
- (5) (120) 1-1/2" cal. shade trees
- (6) Landscape improvements including hydro-seeded meadows, shade trees and shrubs.
- (7) Dog park minimum 1.5 acres with perimeter fencing, (1) shade structures, and access to water (potable and irrigation).
- (8) Open play field of minimum 3 acres with a permanent irrigation system.
- (9) Children's playground with creative play structures for two distinct age ranges and associated seating areas.
- (10) Three picnic areas located adjacent to activity centers with benches, tables and associated landscaping.

4. THE ORCHARD GREEN

a. Location - Primary open space in South Orchard Neighborhood, running northeast into the East Market Neighborhood. See Illustrative Plan for Civic Space Layout, 5.B.

b. Size

- ~~(1) Minimum: 80 acres~~
- ~~(2) Maximum: 90 acres~~

~~b. c.~~ General Character

- (1) Defining open space for the South Orchard Neighborhood.



Note that there is no change proposed to this

The column below will be moved to previous page

- (2) Provides opportunity for orchards, vineyards, and other agricultural uses.
- (3) Provides grand entry corridor at the Badger Mountain South, south entrance.
- (4) Intended activities include general exercise and fitness with recreational biking, jogging, walking, roller blading, skating, children’s play areas, a variety of active recreation, gardens, and other agriculture.

~~d. Standards~~

- ~~(1) Minimum Width: 150 Feet~~
- ~~(2) Maximum Width: None~~

~~C. e. Additional Required Amenities:~~

- (1) Minimum 5,000 LF - Primary Trail with lighting.
- (2) Minimum 2,000 LF – Secondary Trail.
- ~~(3) Minimum 3,000 LF – Equestrian Trail.~~
- (4) Site Furnishings including benches, trash and recycling receptacles, bike racks, and picnic tables, per Section 13.C standards
- (5) (200) shrubs
- (6) (150) 1-1/2” cal. shade or fruit-bearing trees
- (7) Landscape improvements including hydro-seeded meadows, shade trees and shrubs.
- (8) Gardens, vineyards, or orchards with irrigation and fencing if necessary; raised planter beds provided for community pea patch.
- (9) Gravel or wood chip path system, benches, storage building and water source.
- (10) Dog park minimum 1.5 acres with perimeter fencing, (1) shade structures and access to water (potable and irrigation).
- (11) Open play field of minimum 3 acres with a permanent irrigation system.
- (12) Three picnic areas located adjacent to activity centers with benches, tables and associated landscaping.

5.D

~~5.C~~ LOCAL PARKS



Illustrative Photo: Pool at Local Park

1. DESCRIPTION - LOCAL PARKS

- a. Definition** - A community space designed for both structured and passive play areas and activities. Each Local Park will contain a pedestrian path system, open lawn areas and associated planting beds (with permanent irrigation), benches, drinking fountain(s) and trash/recycling receptacles. At least one Local Park is located within each of the five Badger Mountain South residential neighborhoods.
- b. Location** - See 5.B, Illustrative Plan for Civic Space Layout; actual location determined at time of platting.
- c. Size**
 - (1) Minimum: 1 acre
 - (2) Maximum: 5 acres
- d. Standards**
 - (1) Civic/Community Facility to be located in Local Parks as shown on 5.B, Illustrative Plan for Civic Space Layout; facility type to be determined.
 - (2) On-site parking shall only be allowed if associated with a Civic/Community Facility. Parking quantity by BMS- Civic District, refer to Section 3.F.
 - (3) Irrigated lawn areas, shrub planting beds and 15 shade trees per acre, minimum 1 1/2” caliper.
 - (4) Landscaping and irrigation will be based on Landscape Guiding Principles, Section 11.B.
 - (5) Landscape materials to be selected from 11.F. Drought Tolerant and Native/Naturalized Plant List and/or 11.G Refined Plant List.
 - (6) Shade structures. Local Parks less than 3 acres in size shall include (1) one shade structure; Local Parks 3 acres and larger shall include two (2) shade structures.
 - (7) See Section 13.C for Site Improvement standards for:
 - i. Pedestrian-scale lighting
 - ii. Benches and/or removable seating
 - iii. Tables
 - iv. Trash/recycling receptacles
 - v. Bike racks



Illustrative Photo: Playground at Local Park

e. Additional Required Amenities:

- (1) Each Local Park less than 3 acres will contain at least (3) three of the following additional amenities:
 - i. Picnic area(s) with tables/benches
 - ii. Playground with (2) multi-age structures/ equipment. (Counts as meeting two additional amenities.)
 - iii. Fenced community garden
 - iv. Open play field
 - v. Sport Court
 - vi. Parkour stations
 - vii. Or equivalent amenity
- (2) Local Parks 3 acres and larger will contain (3) items from above list, and (1) or more of the following:
 - i. Playground with (one) play structure
 - ii. Covered gazebo/picnic shelter
 - iii. Community swimming pool
 - iv. Aquatic spray park
 - v. Community building with restrooms
 - vi. Tiered-lawn amphitheater
 - vii. Sand volleyball court
 - viii. Water feature/fountain element
 - ix. Parkour stations
 - x. Or equivalent amenity

5.E

~~5.D~~ PLAZA/TOWN SQUARE



Illustrative Photo: Plaza open space

1. DESCRIPTION - PLAZA/TOWN SQUARE

- a. Definition** - A “hardscape” open space is designed as a community gathering space and supports amenities to commercial development. Plazas are intended to be incorporated into all commercial Districts within Badger Mountain South. The size and location of Plazas will be determined during site plan review as the developer of commercial spaces identify and design Plaza and/or common open space areas within each commercial development.
- b. Location** - All Commercial, retail and mixed-use areas; actual location determined at time of platting.
- c. Size**
 - (1) Minimum width: 20 ft.
 - (2) Minimum depth: 20 ft.
- d. Standards**
 - (1) Plaza/Town Squares will be spatially defined by building frontages, and located at intersections of Primary Pedestrian Streets.
 - (2) Landscaping and irrigation will be based on Landscape Guiding Principles, Section 11.B.
 - (3) Landscape materials to be selected from Section 11.F. or 11.G and will include 5 shade trees per acre, minimum 2” caliper.
 - (4) Decorative landscape planters, see Section 11.C.
 - (5) Electrical power sources as required.
 - (6) See Section 13.C for Site Improvement standards for:
 - i. Specialty paved surfaces
 - ii. Pedestrian-scale lighting
 - iii. Benches and/or removable seating
 - iv. Tables
 - v. Trash/recycling receptacles
 - vi. Bike racks

e. Additional Required Amenities:

- Each Plaza/Town Square will contain at least (1) one of the following additional amenities;
- (1) Water features/interactive fountains
 - (2) Kiosks
 - (3) Public art, per Section 13.C.10

5.F

5.E GREENBELTS



Illustrative Photo: Primary Trail in Greenbelt

1. DESCRIPTION - GREENBELTS

- a. **Definition** - A wide, landscape buffer or linear green space intended to soften street impacts, provide connectivity to neighborhoods, provide entry monument opportunity, and screening. Often Greenbelts will include segments of the Primary or Secondary Trail system.
- b. **Location** - See 5.B, Illustrative Plan for Civic Space Layout.
- c. **Size**
 - (1) Building Frontage Greenbelt: 28 ft. minimum width
 - (2) Greenbelt: 20 ft. minimum width
 - (3) Along rear yards and BM-NC district: 5 ft. minimum width
- d. **Standards**
 - (1) Landscaping and irrigation will be based on Landscape Guiding Principles, Section 11.B.
 - (2) Landscape materials to be selected from 11.F and 11.G
 - (3) Hydro-seeded lawn and meadow areas, evergreen and deciduous tree(s) and shrub planting beds.
 - (4) Provide permanent, drip irrigation system.
 - (5) Provide 1-1/2” cal. shade trees
 - (6) Vehicular access shall not be allowed across a Greenbelt more frequently than every 200 ft. or as required for fire and emergency access.
 - (7) Primary/Secondary Trails (most locations) – See 5.K, Illustrative Plan for Trail Layout and Trail Types. *update this*
 - (8) Where buildings front onto a Greenbelt, a 8 ft. min. sidewalk located along the property line will be provided per Greenbelt Frontage Type 9.F.
 - (9) All Greenbelts, except where the Greenbelt abuts residential use properties, may also contain the following elements which conform to Section 13.C for Site Improvement standards for:
 - i. Pedestrian-scale lighting, unless adequate lighting is provided by street lighting from the adjacent Right of Way (Primary Trails only)
 - ii. Benches - (1) one minimum every 1/2 mile
 - iii. One trash and one recycling receptable (may be a single unit with segregated elements) every mile, or located as required to facilitate servicing.
- e. **Additional Required Amenities:**

Each Greenbelt will contain at least (2) two of the following additional amenities every 1 mile:

 - (1) Mile marker indication element
 - (2) Public art, per Section 13.C.10

5.G

5.F PUBLIC PARKS AND SCHOOL OPEN SPACE



Illustrative Photos: Multiple Amenities in Public Parks and Schools

1. DESCRIPTION - PUBLIC PARKS AND SCHOOL OPEN SPACE

- a. **Definition** - The Badger Mountain South community will contain ~~(2)~~ two park facilities developed, owned and operated by the City of Richland – a 30-acre Community Park and a 6-acre Neighborhood park. The community will also contain properties that are developed as public or private school sites which will include extensive outdoor play and recreation areas. Areas identified for the ~~(2)~~ City parks and the school sites are indicated on the 5.B, Illustrative Plan for Civic Space Layouts.
- b. **Location**
 - (1) City of Richland Community Park – West Village neighborhood.
 - (2) City of Richland Neighborhood Park – South Orchard neighborhood.
 - (3) (2) School Sites – West Village neighborhood.
 - (4) School Site – East Garden neighborhood.
 - (5) Kennewick School District Site – South Orchard neighborhood.
- c. **Size**
 - (1) Community Park: 30 Acres minimum
 - (2) Neighborhood Park: 6 Acres minimum
 - (3) School Sites: 12-15 Acres ~~(each)~~ minimum
- d. **Standards**
 - (1) Richland City Parks will be developed and comply with the Parks, Trails and Open Space Master Plan.
 - (2) School facilities will be developed and comply with the standards and requirements of the respective school authorities.
- e. **Additional Required Amenities:**
 - (1) Not identified

5.H OTHER OPEN SPACE



1. DESCRIPTION - OTHER OPEN SPACE

- a. **Definition** - Additional open space may be established or used for storm water facilities or for growing grapes, or for other purposes not listed in sections 5C through 5G.
- b. **Location** - To be determined as platting occurs; location will be based on the type of facility and its unique design needs.
- c. **Size** - To be determined as platting occurs; sizing will be based on the type of facility and its unique design requirements.

5.G TRAILS INTRODUCTION

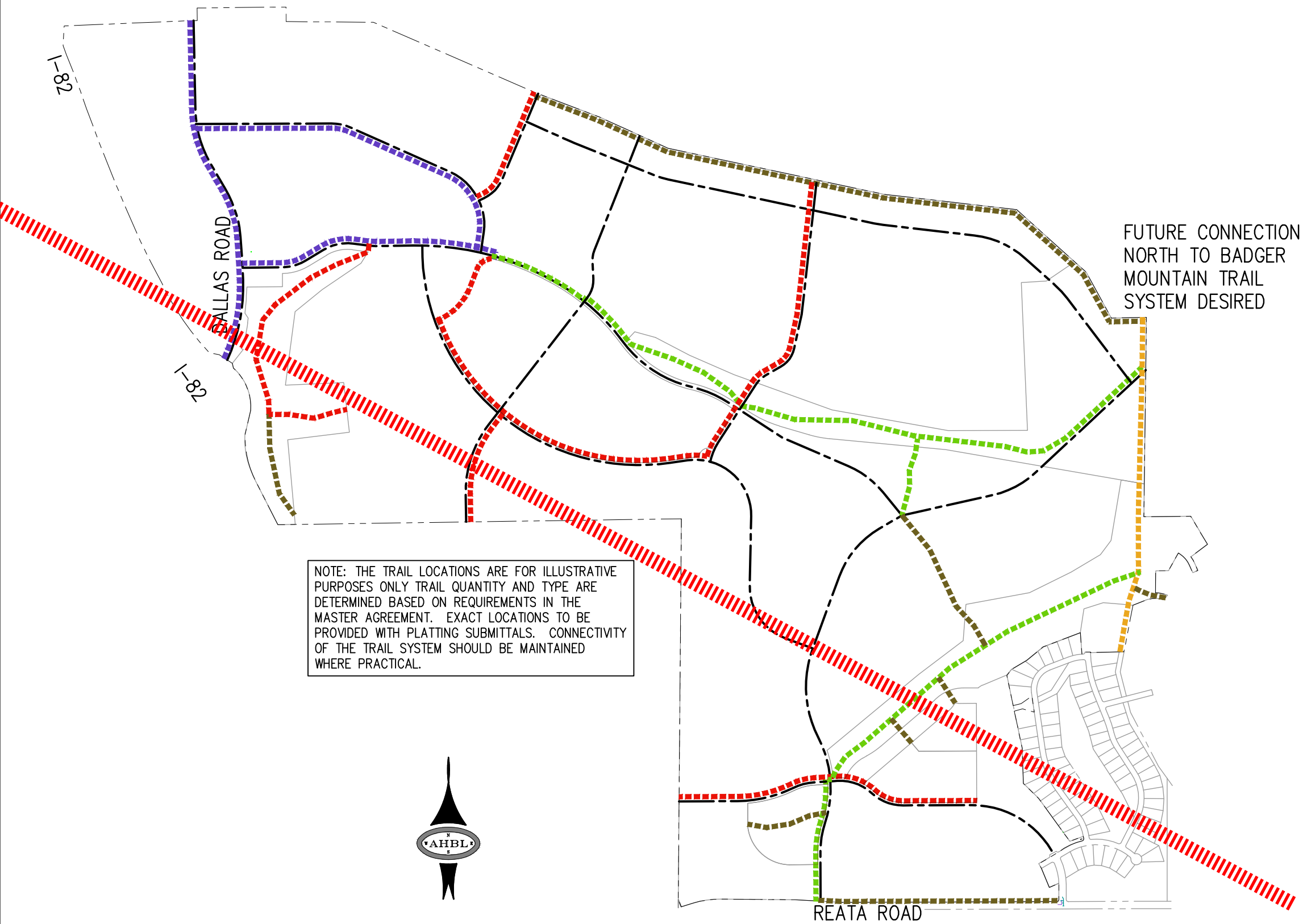
The Illustrative Plan for Trail Layout and Trail Types identifies the location of the proposed trail system in Badger Mountain South. Four types of trails will be built within the community – Urban Trails located within the commercial centers, paved Primary and City Primary Trails for multi-uses, soft-surface Secondary Trails for walking and jogging, and an Equestrian Trail connection located at the eastern edge of the community that will link to an existing equestrian trail. At full buildout the project will include approximately 10 miles of trails and walking paths, and will provide connection locations for future development.

Two Trail Types are located in the Greenway Parks: City Primary Trails and Secondary Trails. These trails are intended to be the cross-community trail system that links all neighborhoods within Badger Mountain South. The City Primary Trail meanders within the Greenway Parks, sometimes near the adjoining streets, but primarily away from the streets and within the Greenway Park itself. Secondary Trails act as connector trails which link one side of the Greenway Park to the other or to the City Primary Trail.

TRAIL LEGEND

- CITY PRIMARY TRAIL
- PRIMARY TRAIL
- SECONDARY TRAIL
- EQUESTRIAN TRAIL
- URBAN TRAIL

5.H ILLUSTRATIVE PLAN FOR TRAIL LAYOUT AND TRAIL TYPES



5.G TRAILS INTRODUCTION

The Illustrative Plan for Trail Layout and Trail Types identifies the location of the proposed trail system in Badger Mountain South. ~~Four~~ ^{Three} types of trails will be built within the community – Urban Trails located within the commercial centers, paved Primary and City Primary Trails for multi-uses, soft-surface Secondary Trails for walking and jogging, ~~and an Equestrian Trail connection located at the eastern edge of the community that will link to an existing equestrian trail.~~ At full buildout the project will include approximately 10 miles of trails and walking paths, and will provide

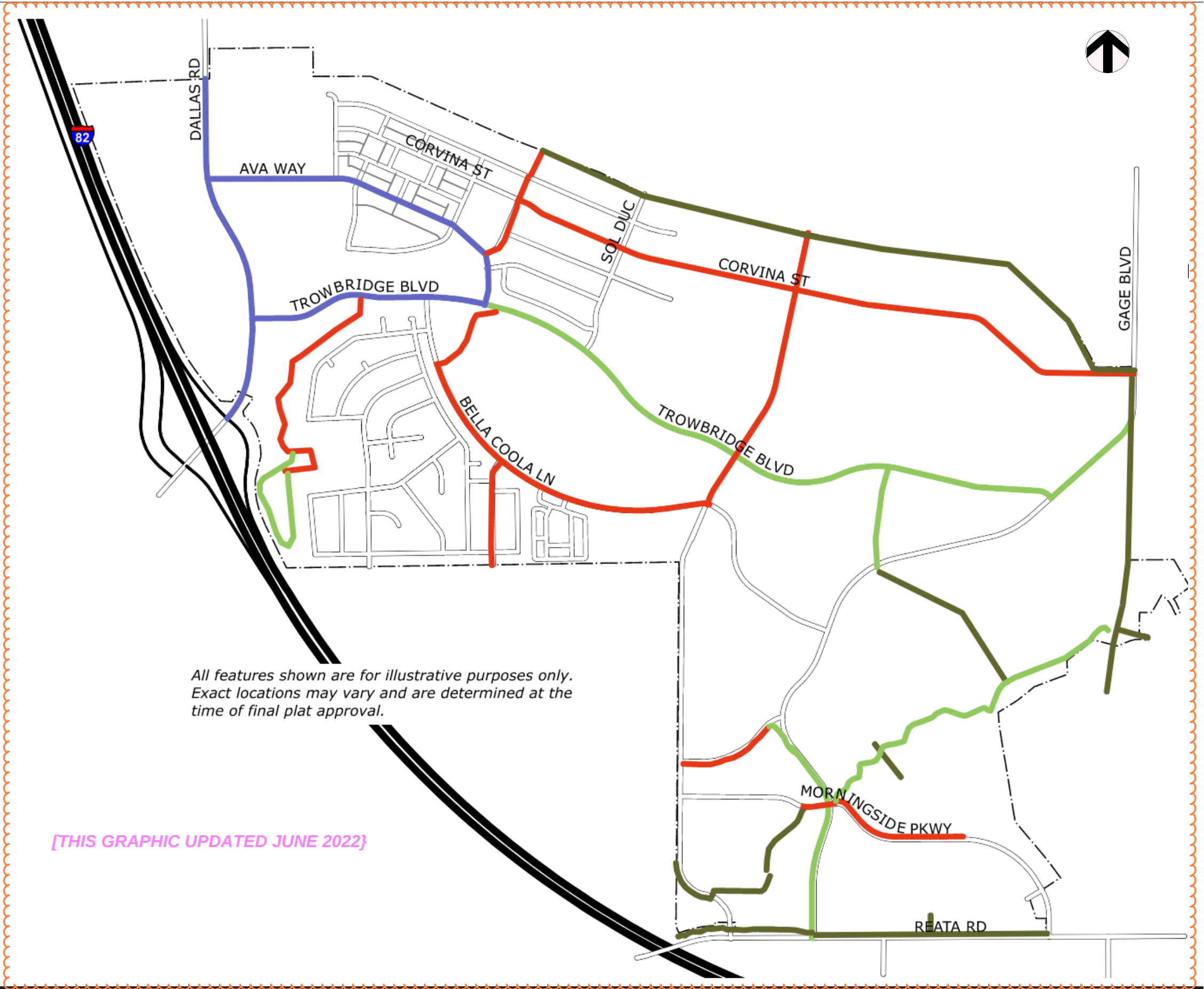
A fourth type of trail, Equestrian Trail, may be also constructed, at the discretion of the developer.

Two Trail Types are located in the Greenway Parks: City Primary Trails and Secondary Trails. These trails are intended to be the cross-community trail system that links all neighborhoods within Badger Mountain South. The City Primary Trail meanders within the Greenway Parks, sometimes near the adjoining streets, but primarily away from the streets and within the Greenway Park itself. Secondary Trails act as connector trails which link one side of the Greenway Park to the other or to the City Primary Trail.

TRAIL LEGEND

- CITY PRIMARY TRAIL
- PRIMARY TRAIL
- SECONDARY TRAIL
- EQUESTRIAN TRAIL (OPTIONAL)
- URBAN TRAIL

5.H ILLUSTRATIVE PLAN FOR TRAIL LAYOUT AND TRAIL TYPES





Illustrative Photo: Urban Trail



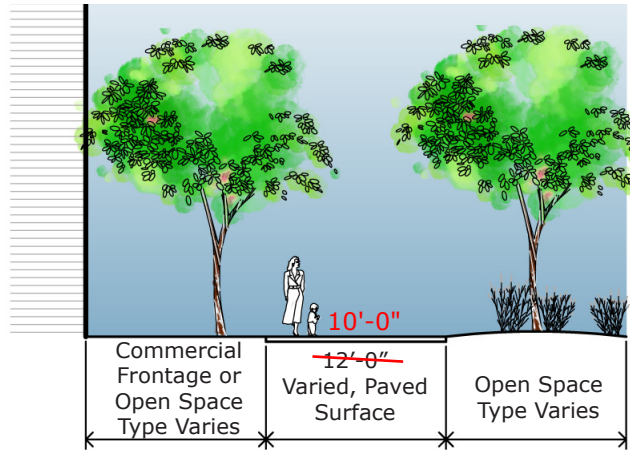
Illustrative Photo: Primary Trail



Illustrative Photo: Secondary Trail

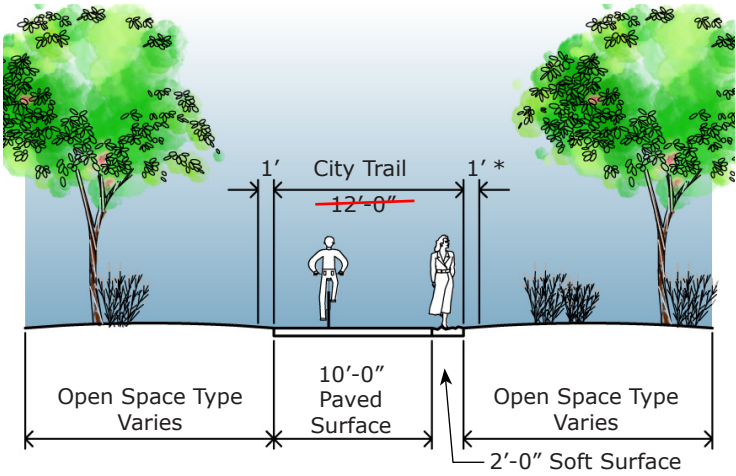


Illustrative Photo: Equestrian Trail



1. DESCRIPTION - URBAN TRAILS

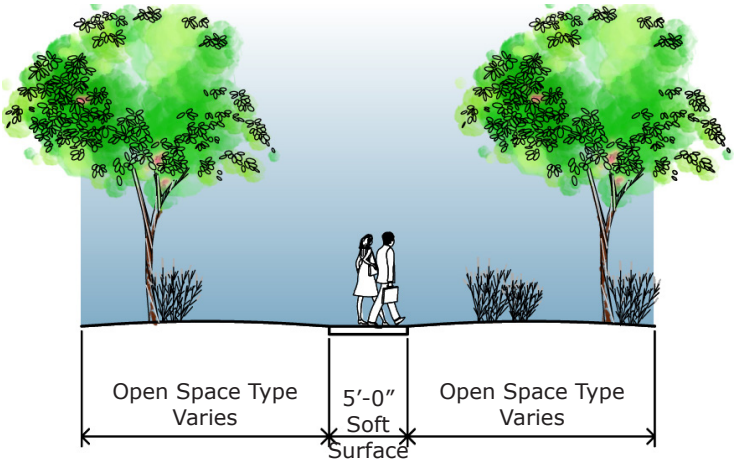
- a. Definition** - Urban Trails will be located in the commercial, retail and mixed-use community Districts or adjacent to School Open Space and Public Parks. These trails may be integrated into the wide, paved plazas and sidewalk areas that serve these uses. The 10 ft. 12' Urban Trails will serve as a continuation of the community-wide bicycle and pedestrian trail system.
- b. Location** - Commercial, retail, and mixed-use areas in BMS-SD-SR, BMS-SD-CMU, and BMS-SD-DR Districts and limited location in BMS-CIVIC Districts; See 5.K, Illustrative Plan for Trail Layout and Trail Types. *update this*
- c. Size** *10 ft.*
- (1) Minimum width: *10 ft.* specialty paved surface.
- d. Standards**
- (1) Principally concrete but other paved surfaces permitted based on overall site design.
- (2) Integrated into the commercial/retail plaza spaces.
- (3) Will serve as a multi-use bicycle and pedestrian trail.
- (4) Provide appropriate lighting for after-dark use which may be provided by street lighting located in the adjacent Right of Way.



2. DESCRIPTION - PRIMARY TRAILS

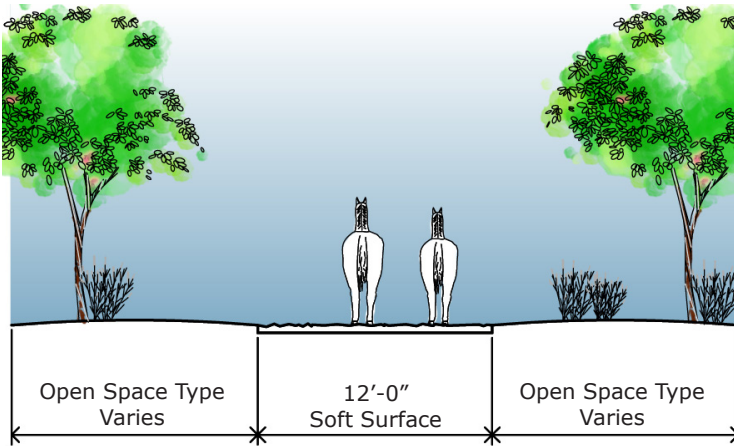
- a. Definition** - Primary Trails will serve as a multi-modal system throughout the community. They are intended to foster connectivity, encourage healthy activities, and provide transportation options. When found adjacent to residential or other structures, the Primary Trail will be concrete and will also function as sidewalk in these areas. *update this*
- b. Location** - See 5.K, Illustr. Plan for Trail Layout and Trail Types.
- c. Size**
- (1) Minimum width: *12 ft.* 10 ft. concrete or asphalt surface with 2 ft. *stabilized engineered wood fiber (SEWF), wood chips, or gravel shoulder on one side.* *10 ft.*
- (2) City Primary Trails width: *12 ft.* asphalt with 1 ft. gravel shoulder on both sides.
- d. Standards**
- (1) Provide sub-grade materials and preparation appropriate to the surfacing material.
- (2) Provide appropriate lighting for after-dark use which may be provided by street lighting located in the adjacent Right of Way.
- (3) Provide (1) 5-ft. recycled materials bench min. every 1/2 mile, per Section 13.C.4, except where the Greenbelt abuts single-family residential properties.

*City Trail Only



3. DESCRIPTION - SECONDARY TRAILS

- a. Definition** - Secondary Trails will be a informal, crushed gravel recreation trails for running, biking and walking. This trail system will link the Primary Trails to the major Greenway Parks and open spaces located throughout the community. *update this*
- b. Location** - See 5.K, Illustrative Plan for Trail Layout and Trail Types. *update this*
- c. Size**
- (1) Minimum width: 5 ft. stabilized engineered wood fiber (SEWF), wood chips, or gravel.
- d. Standards**
- (1) Provide compacted sub-grade.
- (2) Will serve as a pedestrian trail.



4. DESCRIPTION - EQUESTRIAN TRAILS

- a. Definition** - The Equestrian Trail will be a soft-surface recreation trail designed for horseback riding. This trail will traverse along the eastern boundary and provide linkage from the existing trail at the southeast corner to the northeast corner of the property. *update this*
- b. Location** - Eastern Boundary; See 5.K, Illustrative Plan for Trail Layout and Trail Types. *update this*
- c. Size**
- (1) Minimum width: 12 ft. engineered wood fiber (EWF), wood chips, or gravel. *or*
- d. Standards** *(2) varied surface, 10' min. (12' section)*
- (1) Provide compacted sub-grade.



STREET
STANDARDS

6

Section 6 describes regulations for street layout and circulation throughout the Badger Mountain South community.

The Street Standards Section includes a Regulating Plan for Streets that maps out the street and Edge Types for the Badger Mountain South community.

6.A Introduction6-2

6.B Regulating Plan for Streets.....6-2

6.B1 Edge Types.....6-2.1

6.B.2 Typical Road Cross Sections.....6-2.2

6.A Introduction 6-2

6.B Regulating Plan for Streets.....6-2

6.C 4-Lane Arterial Collector Street.....6-3

6.D 2-Lane Arterial Collector Street.....6-3

6.E Collector Street.....6-4

6.F 16 ft. Local Street.....6-4

6.F.1 ALTERNATE - 12 ft. Local Street.....6-5

6.G Rear Alley.....6-5

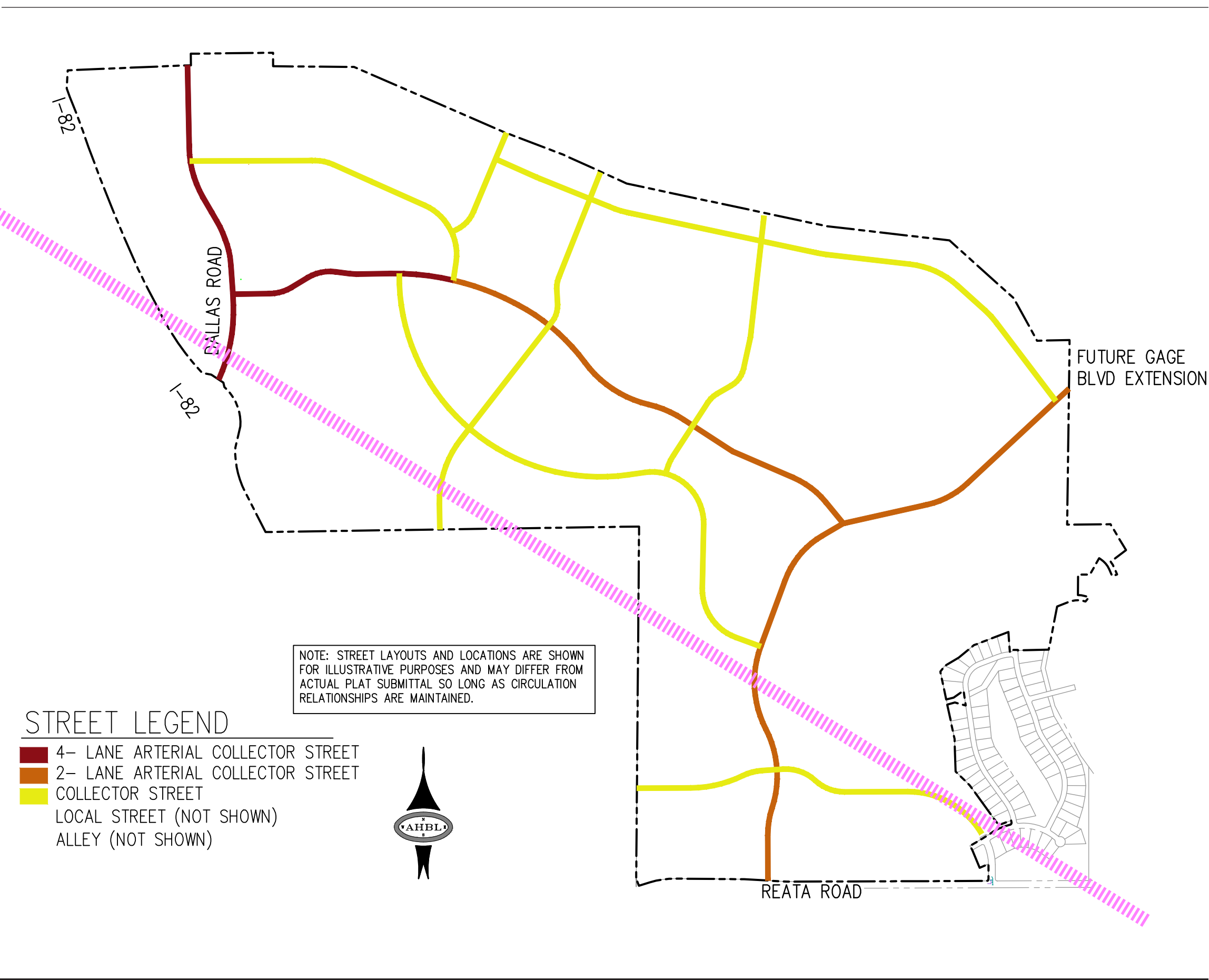
6.H Roundabout.....6-6

6.A INTRODUCTION

Section 6 identifies the street layout for the arterial collectors, the proposed layout for the internal collector streets and the right-of-way standards for each street type in the Badger Mountain South community.

Section 6 also introduces the concept of “edge types” which are the pedestrian and landscape elements within the right-of-way. An edge type will be one of four styles that vary based on the adjoining land use. Any street may have different edge types if the land uses on either side of the street are different or if one side of the street is an element of the identified trail system. The standards for each street and edge type are identified in Sections 6.C. through 6.F. Note that collector street section widths may be increased when needed to manage higher traffic volumes. Internal site access ways are permitted subject to City review for adequate emergency and refuse collection access.

6.B REGULATING PLAN FOR STREETS



6.A INTRODUCTION

Section 6 identifies the street layout for the arterial collectors, the proposed layout for the internal collector streets and the right-of-way standards for each street type in the Badger Mountain South community.

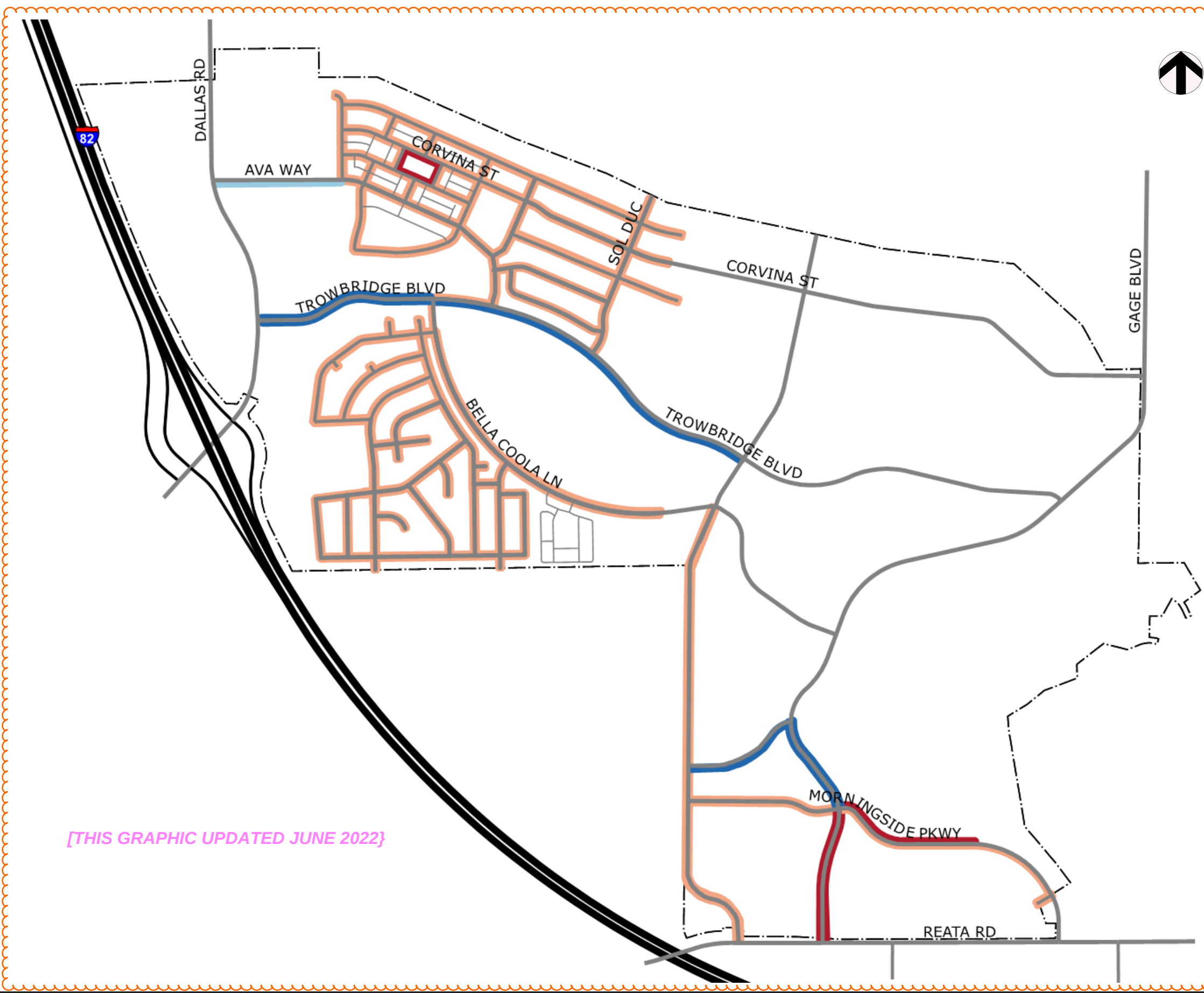
Section 6 also introduces the concept of “edge types” which are the pedestrian and landscape elements within the right-of-way. An edge type will be one of four styles that vary based on the adjoining land use. Any street may have different edge types if the land uses on either side of the street are different or if one side of the street is an element of the identified trail system. The standards for each street and edge type are identified in Sections 6.C. through 6.F. Note that collector street section widths may be increased when needed to manage higher traffic volumes. Internal site access ways are permitted subject to City review for adequate emergency and refuse collection access.

Because this LUDR has been amended before, and could be amended in the future, please note that roadways which have already been built (or approved for construction) can vary as they were subject to earlier regulations. Previous versions of the LUDR provided specific road right-of-way, lane and pavement widths but future development will be consistent with City adopted standards with modifications as approved through the platting process.

EDGE TYPE LEGEND

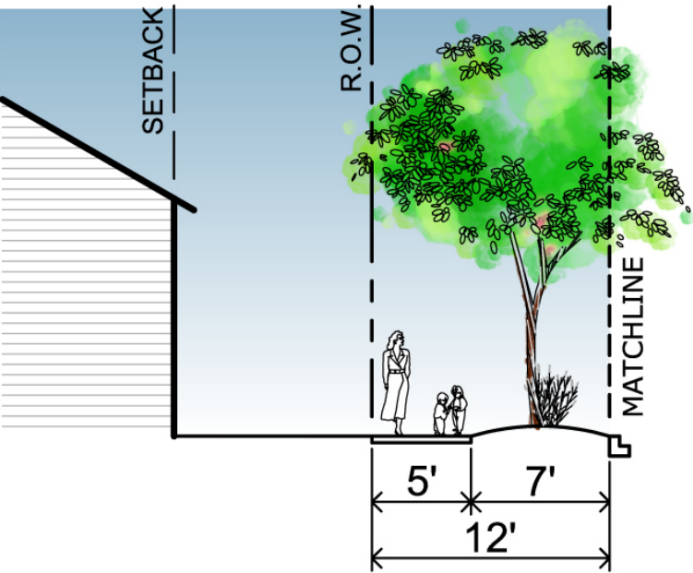
- Undetermined
- Edge Type A
- Edge Type B
- Edge Type C
- Edge Type D

6.B REGULATING PLAN FOR STREETS



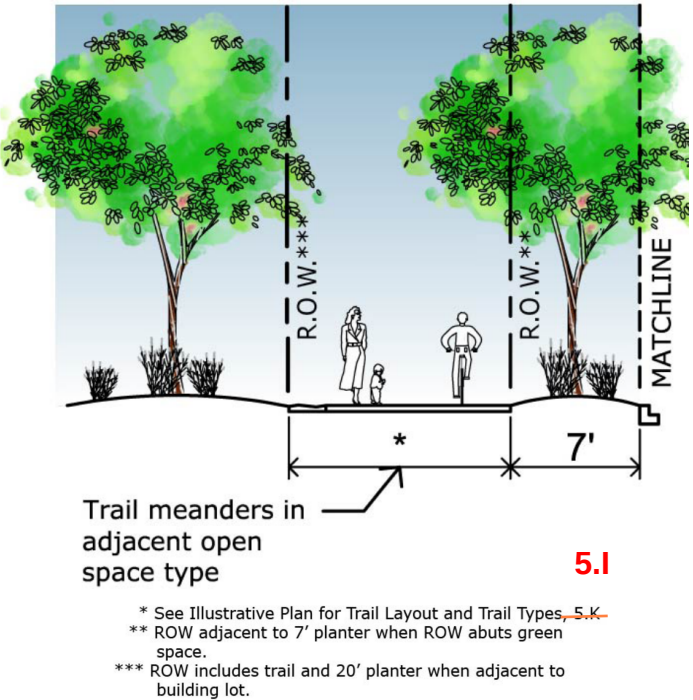
6B.1 EDGE TYPES

6B.1A EDGE TYPE A



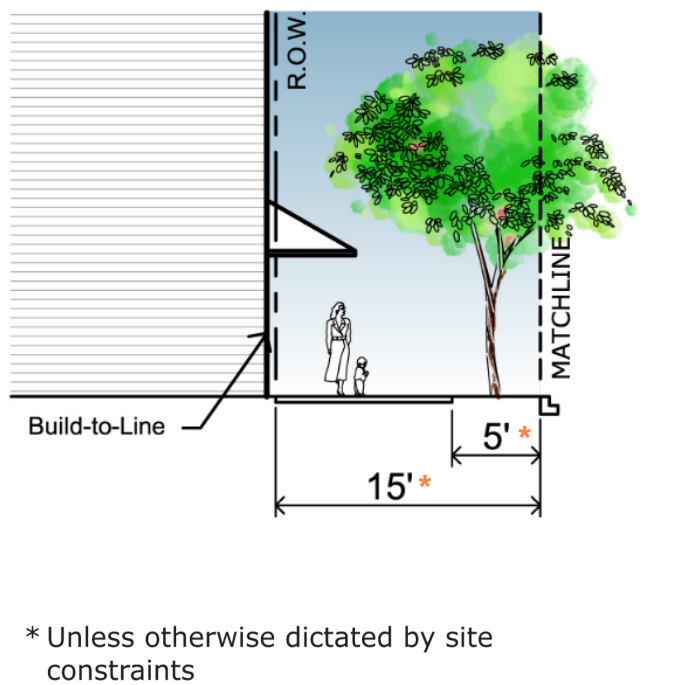
KEY	
	See 6.B Regulating Plan For Streets
EDGES	
Curb Type	Curb
Planter Type	7 ft. Continuous
Landscape Type	Medium Trees @ 30 ft. O.C. Average
Walkway Type	5 ft. Sidewalks
Frontage Type	Residential Dwelling Units

6B.1B EDGE TYPE B



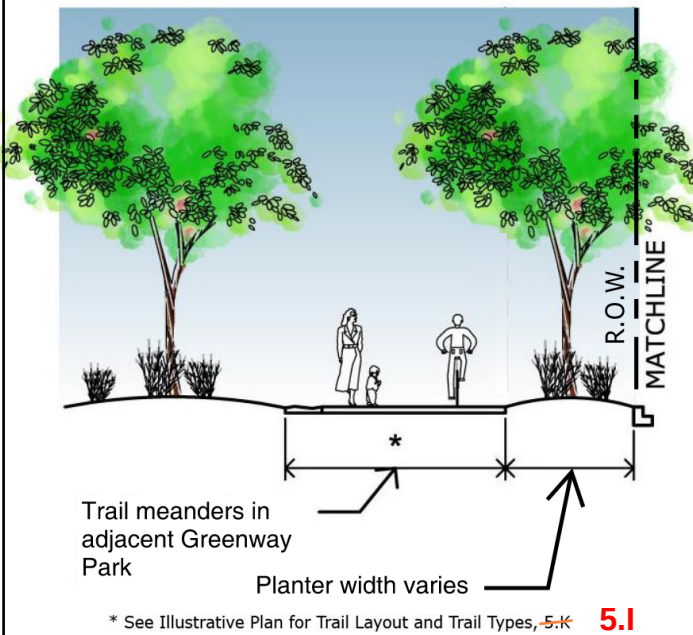
KEY	
	See 6.B Regulating Plan For Streets
EDGES	
Curb Type	Curb
Planter Type	7 ft. continuous when adjacent to green space and 20 ft. continuous when adjacent to building lot; May also utilize planter beds or tree grates along Urban Trail or Plaza frontages
Landscape Type	Tree and Spacing Varies
Walkway Type	Meandering Trail in adjacent open space type, or, 8 ft Trail when 20 ft Greenbelt Condition applies
Frontage Type	Greenbelt or Open Space

6B.1C EDGE TYPE C



KEY	
	See 6.B Regulating Plan For Streets
EDGES	
Curb Type	Curb
Planter Type *	5 ft. Tree Grate
Landscape Type	Small/Medium Trees @ 25 ft. O.C. Average
Walkway Type *	15 ft. Sidewalks
Frontage Type	Commercial / Multi-family Residential

6B.1D EDGE TYPE D

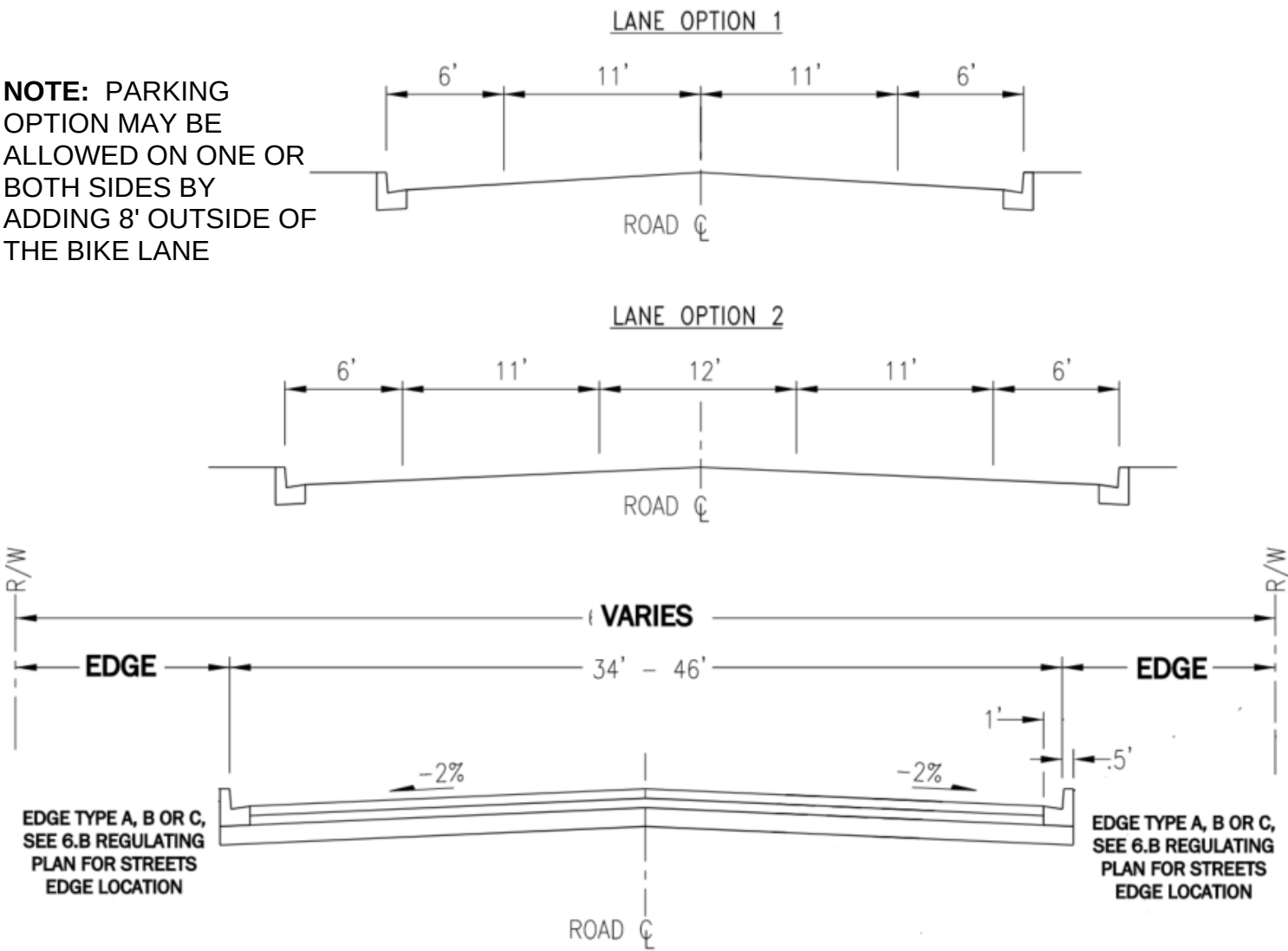


KEY	
	See 6.B Regulating Plan For Streets
EDGES	
Curb Type	Curb
Planter Type	Irregular spaced groupings of plant materials
Landscape Type	Principally evergreen trees and other plantings
Walkway Type	Meandering Trail in adjacent Greenway Park
Frontage Type	Open Space

6B.2 TYPICAL ROAD CROSS SECTIONS

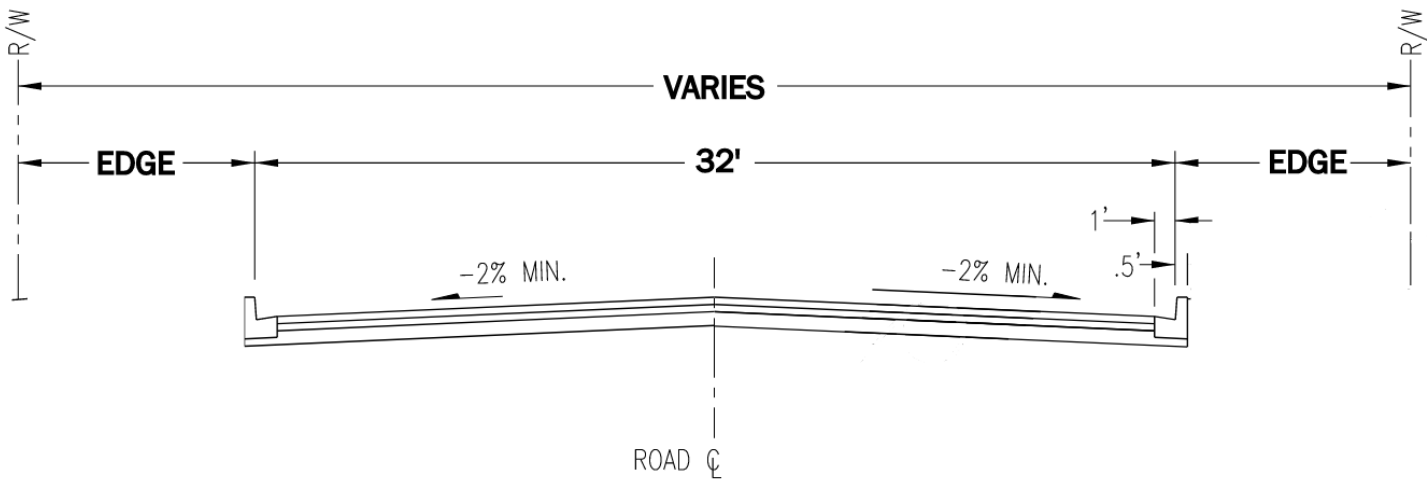
6B.2A MAJOR COLLECTOR / ARTERIAL COLLECTOR (TYPICAL)

NOTE: PARKING
OPTION MAY BE
ALLOWED ON ONE OR
BOTH SIDES BY
ADDING 8' OUTSIDE OF
THE BIKE LANE



Note: This is the City's Major Collector
(Arterial Collector) standards
(2013_ST11_06_2019)
But should bike lanes changed from 6 to
5.5'? Another changes? Accordingly,
the curb to curb width would be
modified. Sight Triangle note and
pavement specs are not included.

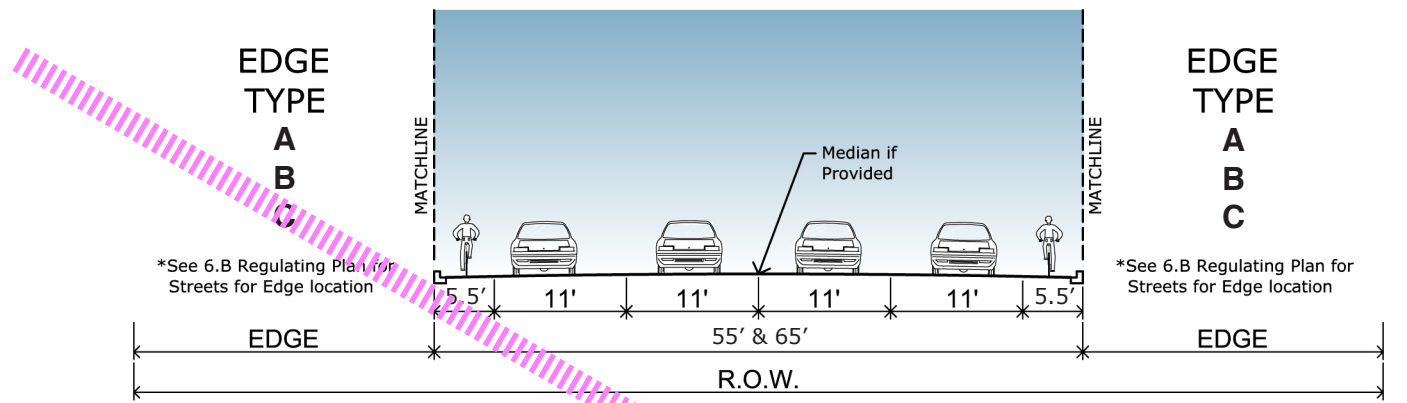
6B.2B MINOR COLLECTOR / LOCAL STREET (TYPICAL)



Note: This is the City's Minor
(Neighborhood) Collector and Local
Street standards (2013_ST13_06_2019)
But with 32' width (not 34') and the
Sight Triangle note and pavement specs
are not included

Do we need a note saying that parking
on both sides is OK, and will not be
restricted?

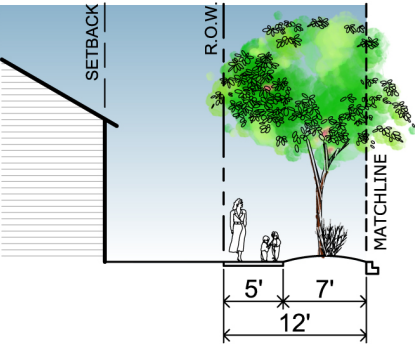
6.C 4-LANE ARTERIAL COLLECTOR STREET



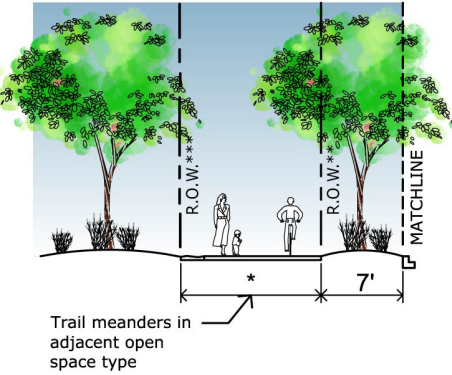
KEY	LANES
See 6.B Regulating Plan For Streets	Traffic 11 ft.
	Bicycle 5.5 ft.
	Parking None
	Median (Where shown on 6.B) add 10 ft.

APPLICATION	
Thoroughfare Type	4-Lane Arterial Collector
Design Speed	35 mph
Posted Speed	35 mph
Pedestrian Crossing Time	14.3 Sec.
OVERALL WIDTHS	
Pavement Width	55 ft.
Total R.O.W.	Edge + 54 ft.(+median, if provided)+ Edge
	See totals by Edge Type below

INTERSECTIONS	
Curb Radius	20 ft mimum

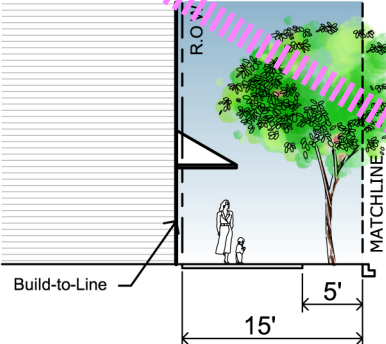


EDGE TYPE A



EDGE TYPE B

* See Illustrative Plan for Trail Layout and Trail Types, 5.K
** ROW adjacent to 7' planter when ROW abuts green space.
*** ROW includes trail and 20' planter when adjacent to building lot.



EDGE TYPE C

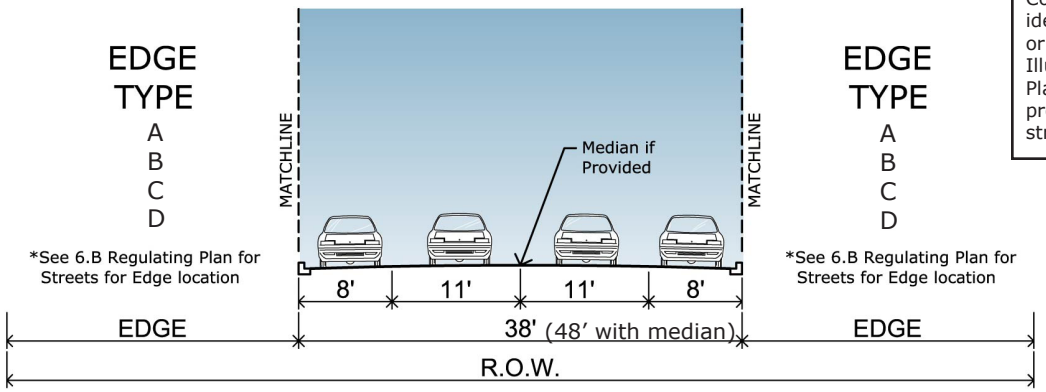
* Unless otherwise dictated by site constraints

KEY	
See 6.B Regulating Plan For Streets	
EDGES	
Curb Type	Curb
Planter Type	7 ft. Continuous
Landscape Type	Medium Trees @ 30 ft. O.C. Average
Walkway Type	5 ft. Sidewalks
Frontage Type	Residential Dwelling Units
1/2 R.O.W.	28 ft.
R.O.W. - Edge 'A' Both Sides	56 ft.
R.O.W. - Edge 'A' + Edge 'B'	51 ft.

KEY	
See 6.B Regulating Plan For Streets	
EDGES	
Curb Type	Curb
Planter Type	7 ft. continuous when adjacent to green space and 20 ft. continuous when adjacent to building lot; May also utilize planter beds or tree grates along Urban Trail or Plaza frontages
Landscape Type	Tree and Spacing Varies
Walkway Type	Meandering Trail in adjacent open space type, or, 8 ft Trail when 20 ft Greenbelt Condition applies
Frontage Type	Greenbelt or Open Space
	** / ***
1/2 R.O.W.	26 / 51 ft.
R.O.W. - Edge 'B' Both Sides	52 / 102 ft.
R.O.W. - Edge 'B' + Edge 'A'	57 / 82 ft.
R.O.W. - Edge 'B' + Edge 'C'	60 / 85 ft.

KEY	
See 6.B Regulating Plan For Streets	
EDGES	
Curb Type	Curb
Planter Type	5 ft. Tree Grate
Landscape Type	Small/Medium Trees @ 25 ft. O.C. Average
Walkway Type	15 ft. Sidewalks
Frontage Type	Commercial / Multi-family Residential
1/2 R.O.W.	42 ft.
R.O.W. - Edge 'C' Both Sides	84 ft.
R.O.W. - Edge 'C' + Edge 'B'	76 ft.

6.D 2-LANE ARTERIAL COLLECTOR STREET



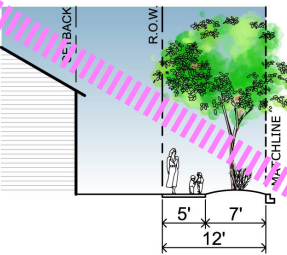
KEY	
See 6.B Regulating Plan For Streets	

APPLICATION	
Thoroughfare Type	2-Lane Arterial Collector
Design Speed	35 mph
Posted Speed	25 mph
Pedestrian Crossing Time	6.3 Sec.
OVERALL WIDTHS	
Pavement Width	38 ft.
Total R.O.W.	Edge + 38 ft.(+median, if provided)+ Edge
	See totals by Edge Type below

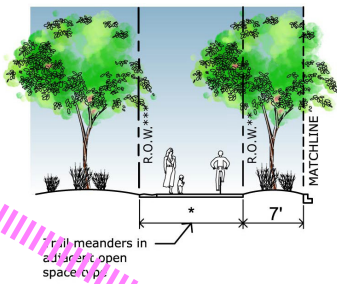
LANES	
Traffic	11 ft.
Parking	8 ft.
Median	(Where shown on 6.B) add 10 ft.

Greenbelt Median (5.H)	(See 5.B for locations)	add 60 ft.
------------------------	-------------------------	------------

INTERSECTIONS	
Curb Radius	20 ft. minimum

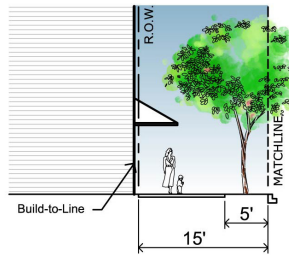


EDGE TYPE A



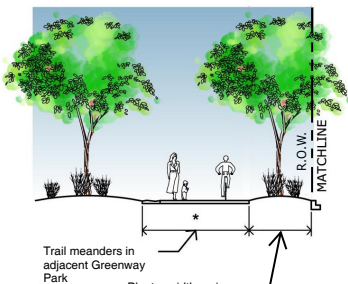
EDGE TYPE B

* See Illustrative Plan for Trail Layout and Trail Types, 5.K
** ROW adjacent to 7' planter when ROW abuts green space.
*** ROW includes trail and 20' planter when adjacent to building lot.



EDGE TYPE C

* Unless otherwise dictated by site constraints



EDGE TYPE D

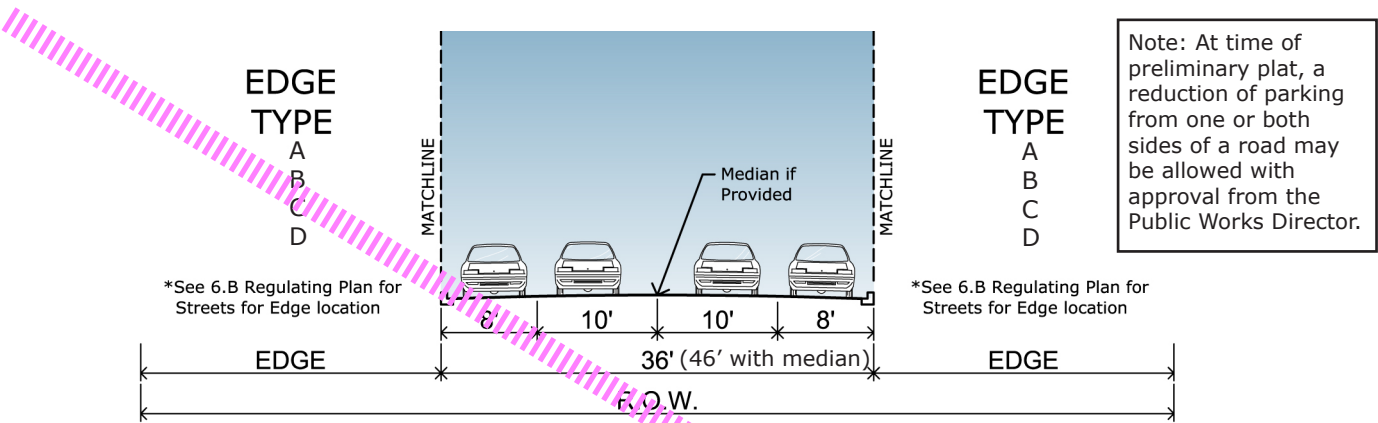
KEY	
See 6.B Regulating Plan For Streets	
EDGES	
Curb Type	Curb
Planter Type	7 ft. Continuous
Landscape Type	Medium Trees @ 30 ft. O.C. Average
Walkway Type	5 ft. Sidewalks
Frontage Type	Residential Dwelling Units
1/2 R.O.W.	31 ft.
R.O.W. - Edge 'A' Both Sides	62 ft.
R.O.W. - Edge 'A' + Edge 'B'	57 ft.
R.O.W. - Edge 'A' + Edge 'C'	65 ft.

KEY	
See 6.B Regulating Plan For Streets	
EDGES	
Curb Type	Curb
Planter Type	7 ft. continuous when adjacent to green space and 20 ft. continuous when adjacent to building lot; May also utilize planter beds or tree grates along Urban Trail or Plaza frontages
Landscape Type	Tree and Spacing Varies
Walkway Type	Meandering Trail in adjacent open space type, or, 8 ft Trail when 20 ft Greenbelt Condition applies
Frontage Type	Greenbelt or Open Space
	** / ***
1/2 R.O.W.	26 / 51 ft.
R.O.W. - Edge 'B' Both Sides	52 / 102 ft.
R.O.W. - Edge 'B' + Edge 'A'	57 / 82 ft.
R.O.W. - Edge 'B' + Edge 'C'	60 / 85 ft.

KEY	
See 6.B Regulating Plan For Streets	
EDGES	
Curb Type	Curb
Planter Type	5 ft. Tree Grate
Landscape Type	Small/Medium Trees @ 25 ft. O.C. Average.
Walkway Type	15 ft. Sidewalks
Frontage Type	Commercial / Multi-family Residential
1/2 R.O.W.	34 ft.
R.O.W. - Edge 'C' Both Sides	68 ft.
R.O.W. - Edge 'C' + Edge 'A'	65 ft.
R.O.W. - Edge 'C' + Edge 'B'	60 ft.

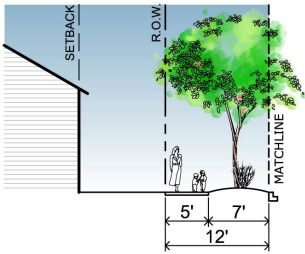
KEY	
See 6.B Regulating Plan For Streets	
EDGES	
Curb Type	Curb
Planter Type	Irregular spaced groupings of plant materials
Landscape Type	Primically evergreen trees and other plantings
Walkway Type	Meandering Trail in adjacent Greenway Park
Frontage Type	Open Space
1/2 R.O.W.	19 ft.
R.O.W. - Edge 'D' + Edge 'A'	50 ft.
R.O.W. - Edge 'D' + Edge 'B'	70 ft.

6.E COLLECTOR STREET

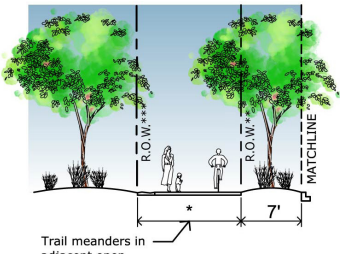


KEY	
	See 6.B Regulating Plan For Streets
APPLICATION	
Thoroughfare Type	Neighborhood Collector
Design Speed	35 mph
Posted Speed	25 mph
Pedestrian Crossing Time	5.7 Sec.
OVERALL WIDTHS	
Pavement Width	36 ft.
Total R.O.W.	Edge + 36 ft.(+median, if provided)+ Edge
See totals by Edge Type below	

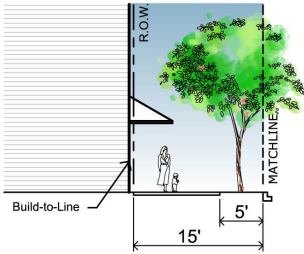
LANES	
Traffic	10 ft.
Parking	8 ft.
Median (Where shown on 6.B)	add 10 ft.
INTERSECTIONS	
Curb Radius	20 ft. minimum



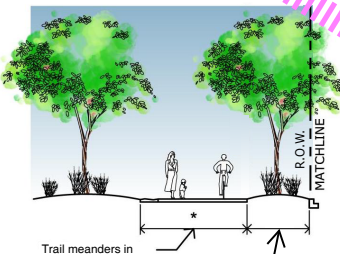
EDGE TYPE A



EDGE TYPE B



EDGE TYPE C



EDGE TYPE D

KEY	
	See 6.B Regulating Plan For Streets
EDGES	
Curb Type	Curb
Planter Type	7 ft. Continuous
Landscape Type	Medium Trees @ 30 ft. O.C. Average
Walkway Type	5 ft. Sidewalks
Frontage Type	Residential Dwelling Units
1/2 R.O.W.	31 ft.
R.O.W. - Edge 'A' Both Sides	62 ft.
R.O.W. - Edge 'A' + Edge 'B'	57 ft.
R.O.W. - Edge 'A' + Edge 'C'	65 ft.

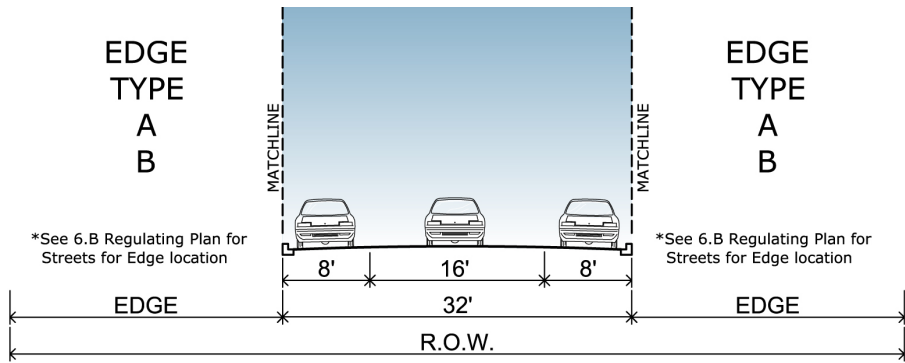
KEY	
	See 6.B Regulating Plan For Streets
EDGES	
Curb Type	Curb
Planter Type	7 ft. continuous when adjacent to green space and 20 ft. continuous when adjacent to building lot; May also utilize planter beds or tree grates along Urban Trail or Plaza frontages
Landscape Type	Tree and Spacing Varies
Walkway Type	Meandering Trail in adjacent open space type, or, 8 ft Trail when 20 ft Greenbelt Condition applies
Frontage Type	Greenbelt or Open Space

KEY	
	See 6.B Regulating Plan For Streets
EDGES	
Curb Type	Curb
Planter Type	5 ft. Tree Grate
Landscape Type	Small/Medium Trees @ 25 ft. O.C. Average.
Walkway Type	15 ft. Sidewalks
Frontage Type	Commercial / Multi-family Residential

KEY	
	See 6.B Regulating Plan For Streets
EDGES	
Curb Type	Curb
Planter Type	Irregular spaced groupings of plant materials
Landscape Type	Primarily evergreen trees and other plantings
Walkway Type	Meandering Trail in adjacent Greenway Park
Frontage Type	Open Space
1/2 R.O.W.	19 ft.
R.O.W. - Edge 'D' + Edge 'A'	50 ft.
R.O.W. - Edge 'D' + Edge 'B'	70 ft.

6.F 16 FT. LOCAL STREET

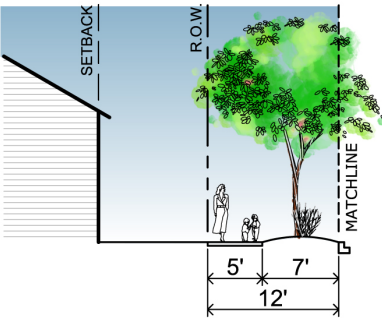
Note: At time of preliminary plat, a reduction to a 12 ft. pavement width per 6.F.1 ALTERNATE, may be allowed with approval by the City of Richland Public Works Director, subject to such conditions as are deemed necessary to provide a safe transition between pavement widths and to provide safe and adequate intersection turning movements.



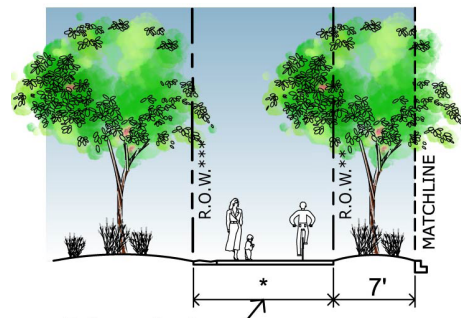
KEY	
	See 6.B Regulating Plan For Streets
APPLICATION	
Thoroughfare Type	Neighborhood
Design Speed	25 mph
Posted Speed	25 mph
Pedestrian Crossing Time	3.4 Sec.
OVERALL WIDTHS	
Pavement Width	32 ft.
Total R.O.W.	Edge + 32 ft. + Edge
See totals by Edge Type below	

LANES	
Traffic	10 ft.
Parking	8 ft.
Median	None

INTERSECTIONS	
Curb Radius	20 ft. minimum.



EDGE TYPE A

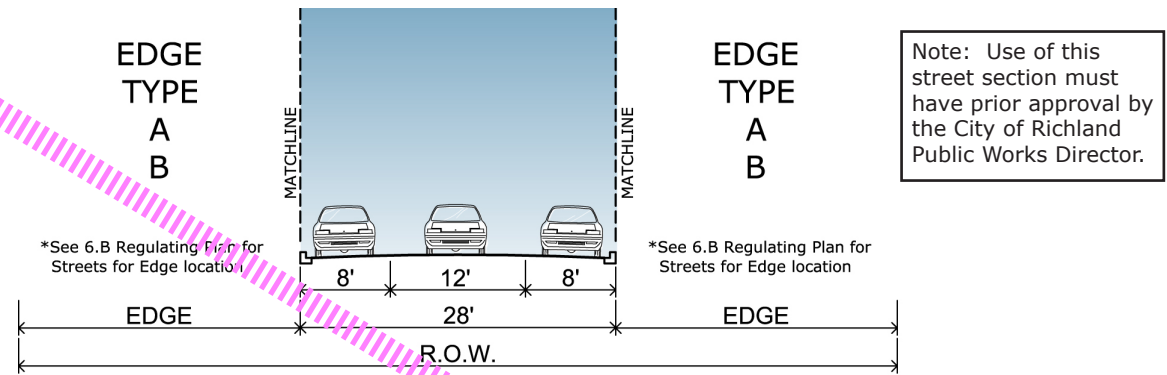


EDGE TYPE B

KEY	
	See 6.B Regulating Plan For Streets
EDGES	
Curb Type	Curb
Planter Type	7 ft. Continuous
Landscape Type	Medium Trees @ 30 ft. O.C. Average
Walkway Type	5 ft. Sidewalks
Frontage Type	Residential Dwelling Units

KEY	
	See 6.B Regulating Plan For Streets
EDGES	
Curb Type	Curb
Planter Type	7 ft. continuous when adjacent to green space and 20 ft. continuous when adjacent to building lot; May also utilize planter beds or tree grates along Urban Trail or Plaza frontages
Landscape Type	Tree and Spacing Varies
Walkway Type	Meandering Trail in adjacent open space type, or, 8 ft Trail when 20 ft Greenbelt Condition applies
Frontage Type	Greenbelt or Open Space

6.F.1 ALTERNATE - 12FT. LOCAL STREET



KEY

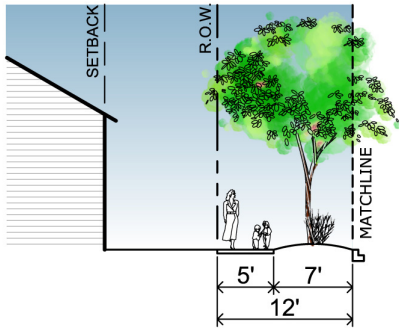
See 6.B Regulating Plan For Streets

APPLICATION

Thoroughfare Type	Neighborhood
Design Speed	25 mph
Posted Speed	25 mph
Pedestrian Crossing Time	3.4 Sec.

OVERALL WIDTHS

Pavement Width	28 ft.
Total R.O.W.	Edge + 28 ft. + Edge
See totals by Edge Type below	



EDGE TYPE A

KEY

See 6.B Regulating Plan For Streets

EDGES

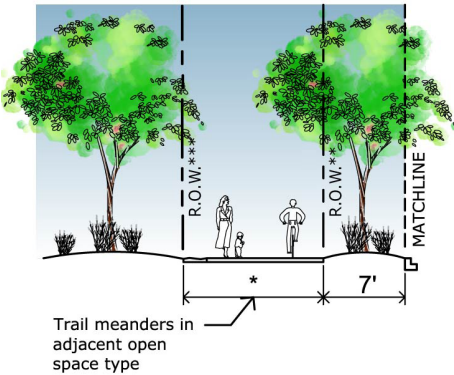
Curb Type	Curb
Planter Type	7 ft. Continuous
Landscape Type	Medium Trees @ 30 ft. O.C. Average.
Walkway Type	5 ft. Sidewalks
Frontage Type	Residential Dwelling Units

LANES

Traffic	10 ft.
Parking	8 ft.
Median	None

INTERSECTIONS

Curb Radius	20 ft. Typ.
-------------	-------------



EDGE TYPE B

* See Illustrative Plan for Trail Layout and Trail Types, 5.K
** ROW adjacent to 7' planter when ROW abuts green space.
*** ROW includes trail and 20' planter when adjacent to building lot.

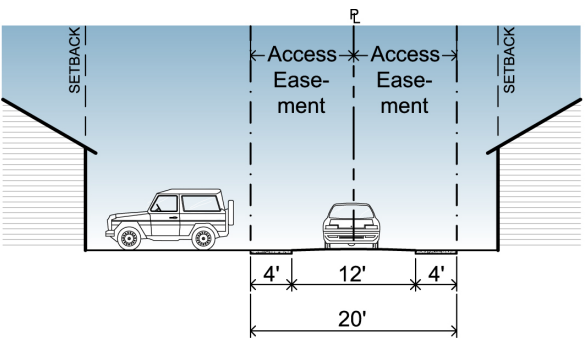
KEY

See 6.B Regulating Plan For Streets

EDGES

Curb Type	Curb
Planter Type	7 ft. continuous when adjacent to green space and 20 ft. continuous when adjacent to building lot; May also utilize planter beds or tree grates along Urban Trail or Plaza frontages
Landscape Type	Tree and Spacing Varies
Walkway Type	Meandering Trail in adjacent open space type, or, 8 ft Trail when 20 ft Greenbelt Condition applies
Frontage Type	Greenbelt or Open Space

6.G REAR ALLEY



KEY

See 6.B Regulating Plan For Streets

APPLICATION

Thoroughfare Type	Alley
Movement Type	Yield
Design Speed	10 mph
Posted Speed	10 mph
Pedestrian Crossing Time	3.4 Sec.

OVERALL WIDTHS

Pavement Width	12 ft.
Shoulder Width	4 ft.
Total Width	20 ft.

LANES

Traffic	12 ft.
Parking	None
Median	None
Ownership	Private

INTERSECTIONS

Curb Radius	20 ft. Typ.
-------------	-------------

ACCESS EASEMENT

From Rear Yard Property Line	10 ft.
------------------------------	--------

6.H ROUNDABOUT

Note:
Roundabouts
are allowed at
intersections and
will be built per
City of Richland
Public Works
Standards.

EDGE
TYPE
A
B
C

*See 6.B Regulating Plan for
Streets for Edge location

EDGE

MATCHLINE

Varies

Landscape or
Entry Monument

Varies

Varies based on intersection design

MATCHLINE

EDGE
TYPE
A
B
C

*See 6.B Regulating Plan for
Streets for Edge location

EDGE

R.O.W.

KEY

○ See 6.B Regulating Plan For Streets

APPLICATION

Thoroughfare Type

Yielding roundabout

Design Speed

25 mph

Posted Speed

25 mph

Pedestrian Crossing Time

Varies based on location

LANES

Traffic

Varies based on intersection design

INTERSECTIONS

Curb Radius

Varies based on intersection design

EDGE TYPE A

KEY

See 6.B Regulating Plan
For Streets

EDGES

Curb Type

Curb

Planter Type

7 ft. Continuous

Landscape Type

Medium Trees @
30 ft. O.C. Average

Walkway Type

5 ft. Sidewalks

Frontage Type

Residential
Dwelling Units

EDGE TYPE B

*See Illustrative Plan For Trail Layout
and Trail Types, 5.K

KEY

See 6.B Regulating Plan
For Streets

EDGES

Curb Type

Curb

Planter Type

7 ft. Continuous

Landscape Type

Tree and Spacing Varies

Walkway Type

Meandering Trail in
adjacent open space

Frontage Type

Greenbelt or Open Space

EDGE TYPE C

* Unless otherwise dictated by site constraints

KEY

See 6.B Regulating Plan
For Streets

EDGES

Curb Type

Curb

Planter Type

5 ft. Tree Grate

Landscape Type

Small/Medium Trees @
25 ft. O.C. Average

Walkway Type

15 ft. Sidewalks

Frontage Type

Commercial /
Multi-family Residential

6-6

Badger Mountain South: A Walkable and Sustainable Community, Richland, WA

Issue Date: 12-07-10



**BLOCK STANDARDS
AND
PROJECT TARGETS**

7

Section 7 establishes the framework for creating the pedestrian-scaled, walkable community of Badger Mountain South by outlining the process for using Block Standards to subdivide land. Illustrative Neighborhood Plans and density targets are provided to ensure that community goals are met.

7.A	Introduction	7-2
7.B	Block Standards	7-2
7.C	Project Density and Open Space Targets.....	7-3
7.D	Illustrative Neighborhood Development Plan.....	7-3

7.A INTRODUCTION

Section 7 provides the standards to follow when subdividing property in Badger Mountain South. These standards are intended to create an urban infrastructure of walkable blocks interspersed with parks and open space within a ~~traditional neighborhood street grid~~. These elements of the block standards are important components of creating a walkable and sustainable community in Badger Mountain South.

The ~~actual~~ platting and subdivision process begins with a pre-application meeting with the MPA and then follows the City of Richland process as described in RMC Title 24. ~~these steps are illustrated in Section 1.J Submittal Review Process.~~ (See ~~illustrated in~~ Section 1.J Submittal Review Process.)

When creating a residential subdivision, it is important to understand the Building Type intended to be constructed as well as the District in which the properties is found. Both the District and the Building Types establish particular standards that will influence the lot sizes created during the platting process. District standards are identified in Section 3, Urban Form Standards by District, and Building Type standards are identified in Section 8, Building Type Standards.

Badger Mountain South has also established density and open space targets for each of the five residential neighborhoods; these are discussed in Section 7.C. These targets are set to ensure that the community can meet its intended goals of diversity in housing types and prices, and provide opportunities for the establishment of intergenerational neighborhoods ~~as reflected in the diversity of housing built here~~. The density and open space targets are monitored by the City of Richland Development Services Department during plat and subdivision review.

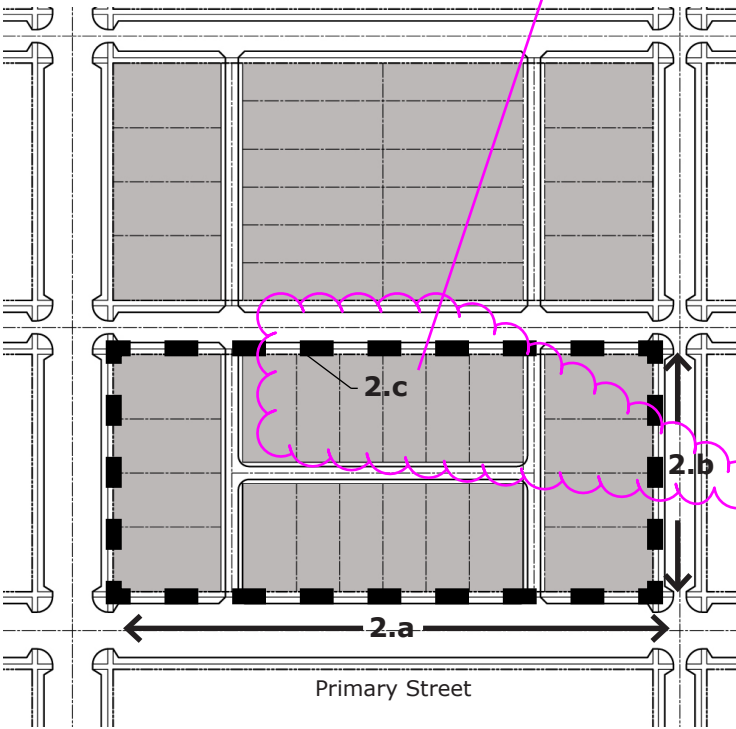
(West Vineyard, West Village, East Garden, East Market and South Orchard)

in the various housing types built in Badger Mountain South.

a mixture of traditional neighborhood street grids and neighborhoods that do not use a grid form but feature amenities and features to encourage walking.

Remove 2.b and 2.c labels

7.B BLOCK STANDARDS



Block Diagram

1. INTENT

The layout of an interconnected street network composed of small blocks are a crucial component to creating a walkable community. The intent of these standards is to create a pedestrian environment that has limited interruptions from vehicles, and allows for maximum connectivity to the surrounding neighborhood areas and amenities.

2. BLOCK DIMENSIONS

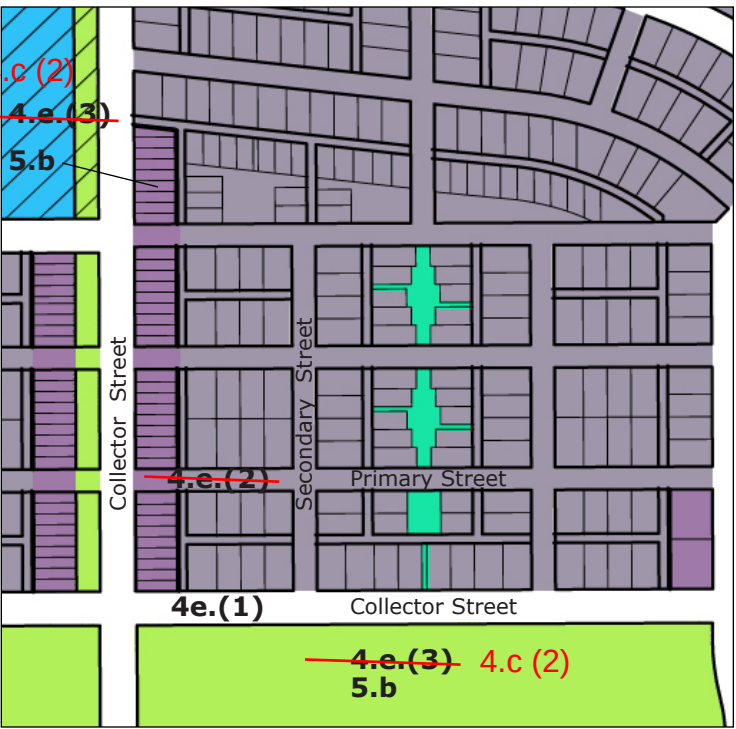
- a. Length: 1,000 ft., maximum *
*400 ft. max. in BMS-VMU District on cul-de-sacs.

3. STREET NETWORK

- a. A simple grid street and block network is preferred.
- b. The street and block network is not required to be orthogonal in response to site features and/or topographical constraints, however streets should be interconnected.
- c. Street stubs are required when adjacent sites are vacant.
- d. Cul-de-sacs are discouraged but will be allowed where necessary due to site constraints or to enhance the walkable community by limiting vehicle access.
- e. All buildings must face a street or shared open space.

4. ALLEYS / STREET ACCESS

- a. Alleys are encouraged to be used in the following Districts:
 - (1) Village Mixed-Use (BMS-VMU), except for Commercial/Mixed-Use / Liner Building Type which may utilize the entire block.
 - (2) Neighborhood Collector (BMS-NC), except for commercial sites with Neighborhood Goods and Services Building Type.
- b. Dead-end alleys greater than 150 ft. are not permitted.
- c. Blocks with direct street access lots (i.e. without Alleys) are to be limited in use per the following criteria:
 - (1) Direct street access lots are permitted onto a Collector Street when they are (i) located in the BMS-NE District; (ii) when they are in the BMS-NG District and are located along the perimeter of the BMS project boundary; or (iii) when they are located in the BMS-NG District where that district abuts the BMS-NE District.



Typical Blocks with Alleys and Limited Blocks with Street Access Only

(2) Due to increased pedestrian traffic, street accessed blocks are not allowed across from Civic spaces.

5. BLOCK CONFIGURATION

- a. In order to create neighborhood diversity, a minimum number of Building Types per block are required as follows:
Refer to Section 2.D for all of the Building Types that are allowed in each District.
 - (1) Village Mixed-Use (BMS-VMU): 2 Types/Block
 - (2) Neighborhood Collector (BMS-NC): 2 Types/Block
 - (3) Neighborhood General (BMS-NG): 2 Types/Block
- b. Blocks adjacent to the Civic District (BMS-CIVIC) are required to have lots fronting onto the Civic space.

7.C PROJECT DENSITY AND OPEN SPACE TARGETS

The Badger Mountain South community is composed of five residential neighborhoods – West Vineyard, East Garden, West Village, East Market and South Orchard – and one commercial campus called Badger Mountain Station. These areas are shown in Section 7.D, Illustrative Neighborhood Development Plan.

The LUDR is designed to have the flexibility to meet changing conditions, but with standards that result in a community with all the elements shown in this Illustrative Neighborhood Master Plan image.

The Neighborhood Sectors are geographical boundaries based on the proposed street network. They are intended to assist with the geographic distribution of smaller-sized common open spaces and parks based on density, as well as on the location of larger common amenities such as the Greenway Parks. The Neighborhood Sectors are also used to help identify the targeted proportion of the overall community goal of 60 percent Single-family housing to 40 percent Multi-family housing.

A summary of the density targets for each of the residential neighborhoods is provided below. The targets are described as a minimum and a maximum number of units because each neighborhood contains Districts that allow for more than one Building Type. Since each Building Type can impact neighborhood density differently, density is provided as a range of numbers of units. Construction of a variety of Building Types provides the opportunity to create interesting and diverse neighborhoods while also offering the flexibility to adjust to market demands over the build-out of the community. This flexibility is an important component to creating a walkable and sustainable community. The density targets will be monitored by the City of Richland to ensure that project goals are met over time.

DENSITY TARGETS:	Min.	Max.
WEST VILLAGE	830 units	1040 units
WEST VINEYARD	430 units	510 units
EAST GARDEN	1,050 units	1,150 units
EAST MARKET	1,300 units	1,650 units
SOUTH ORCHARD	540 units	650 units
TOTALS:	4,150 UNITS	5,000 UNITS

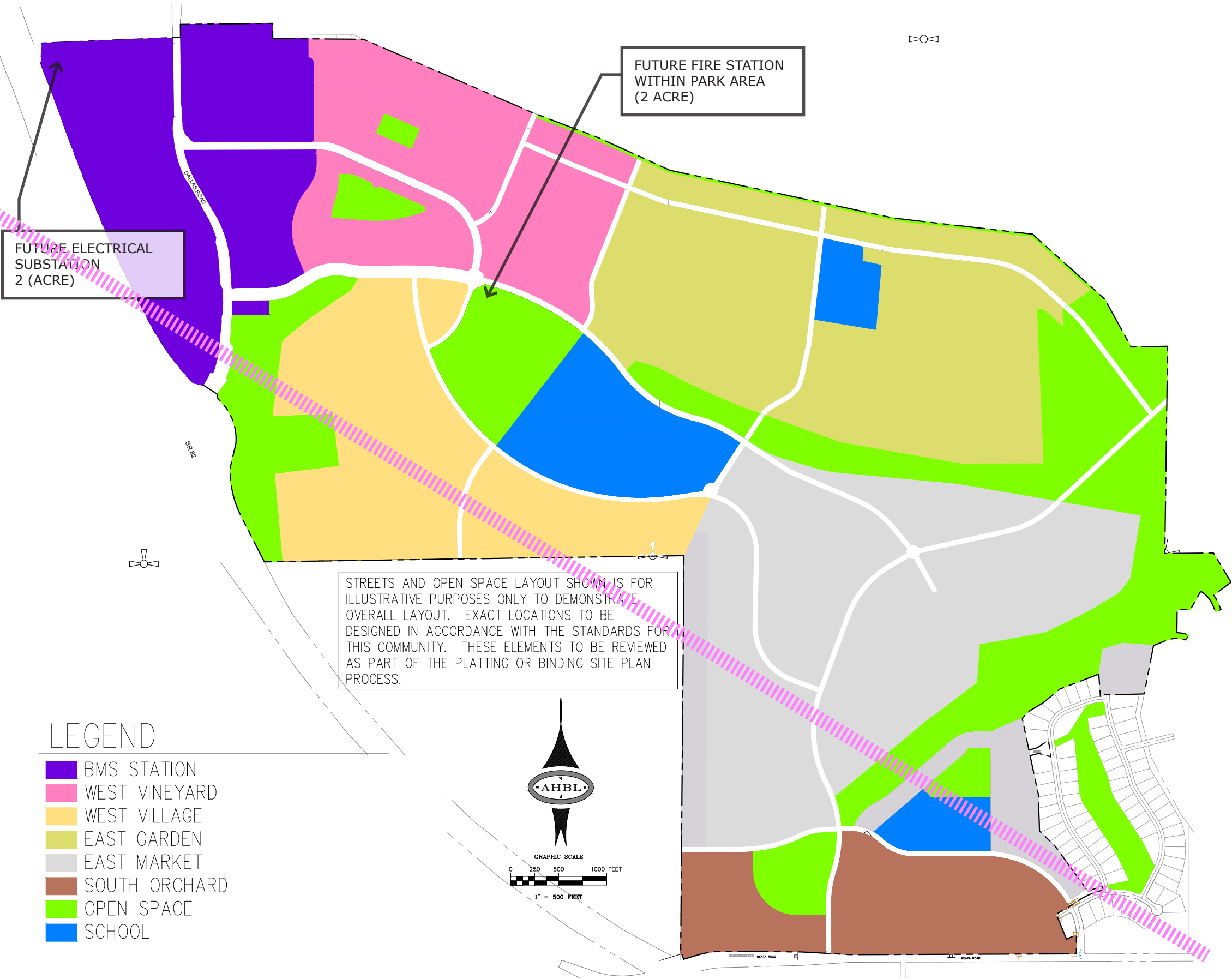
NOTES:

a. A minimum of 10 percent of the NC zone shall be designated for use as multifamily or commercial space.

b. Density may be adjusted between communities to achieve desired mix of product types. Community density or adjustment shall be submitted to the city with platting submittal.

c. Concept sketches to show neighborhood density to be provided to show that proposed density can be achieved.

7.D ILLUSTRATIVE NEIGHBORHOOD DEVELOPMENT PLAN



(Badger Mountain Station may also have some **non-commercial** elements).

7.C PROJECT DENSITY AND OPEN SPACE TARGETS

The Badger Mountain South community is composed of five residential neighborhoods – West Vineyard, East Garden, West Village, East Market and South Orchard – and one commercial campus called Badger Mountain Station. These areas are shown in Section 7.D, Illustrative Neighborhood Development Plan.

The LUDR is designed to have the flexibility to meet changing conditions, but with standards that result in a community with all the elements shown in this Illustrative Neighborhood Master Plan image.

The Neighborhood ~~Sectors~~ are geographical boundaries based on the proposed street network. They are intended to assist with the geographic distribution of smaller-sized common open spaces and parks based on density, as well as on the location of larger common amenities such as the Greenway Parks. The Neighborhood ~~Sectors~~ are also used to help identify the targeted proportion of the overall community goal of 60 percent Single-family housing to 40 percent Multi-family housing.

A summary of the density targets for each of the residential neighborhoods is provided below. The targets are described as a minimum and a maximum number of units because each neighborhood contains Districts that allow for more than one Building Type. Since each Building Type can impact neighborhood density differently, density is provided as a range of numbers of units. Construction of a variety of Building Types provides the opportunity to create interesting and diverse neighborhoods while also offering the flexibility to adjust to market demands over the build-out of the community. This flexibility is an important component to creating a walkable and sustainable community. The density targets will be monitored by the City of Richland to ensure that project goals are met over time.

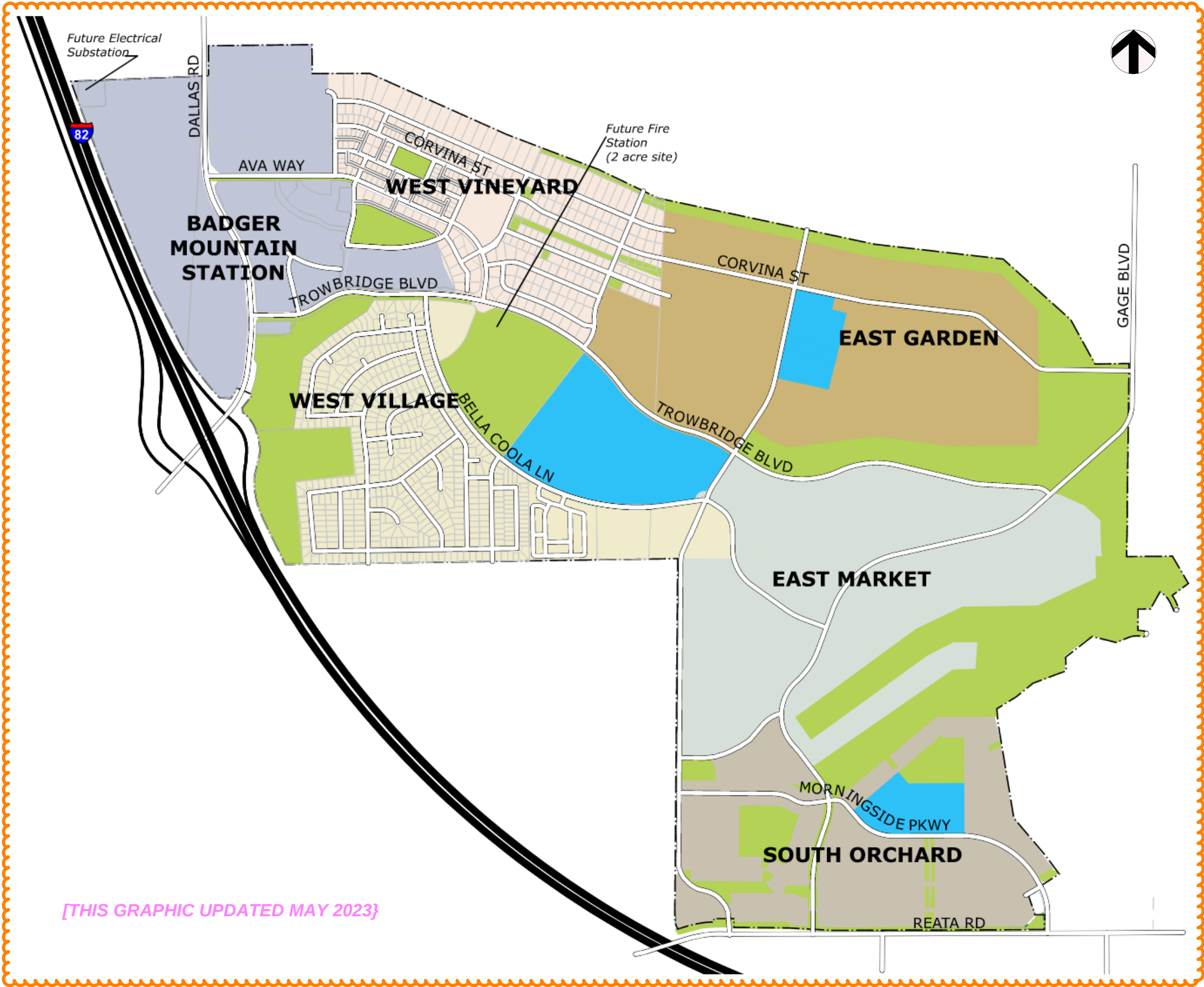
DENSITY TARGETS:	Min.	Max.
WEST VILLAGE	830 units	1040 units
WEST VINEYARD	430 units	510 units
EAST GARDEN	1,050 units	1,150 units
EAST MARKET	1,300 units	1,650 units
SOUTH ORCHARD	540 units	650 units
TOTALS:	4,150 UNITS	5,000 UNITS

Note None of this is proposed to be changed

Note "a" is no longer proposed to be removed.

- NOTES:
- a. A minimum of 10 percent of the NC zone shall be designated for use as multifamily or commercial space.
 - b. Density may be adjusted between communities to achieve desired mix of product types. Community density or adjustment shall be submitted to the city with platting submittal.
 - c. Concept sketches to show neighborhood density to be provided to show that proposed density can be achieved.

7.D ILLUSTRATIVE NEIGHBORHOOD DEVELOPMENT PLAN



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BUILDING
TYPE
STANDARDS

8

Section 8 identifies the design standards for each of the Building Types allowed within the Districts that make up Badger Mountain South.

Commercial Districts and Projects	
8.A Introduction	8-2
8.B Building Types Summary.....	8-2
8.C Common Design Standards for all Districts.....	8-3
8.D Civic/Community/Institutional.....	8-4
8.E Neighborhood Goods and Services Buildings.....	8-5
8.F Commercial/ Mixed-Use / Liner.....	8-6
8.G Live/Work	8-7
8.H Stacked Unit Building.....	8-8
8.I Row House	8-9
8.J Courtyard Housing.....	8-10
8.K Mansion Apartment	8-11
8.L Paired House (Duplex).....	8-12
8.M Cottage Court.....	8-13
8.N Single-Family House - Alley Access.....	8-14
8.O Single-Family House - Street Access.....	8-15
8.P Accessory Unit	8-16

8.A INTRODUCTION

~~identifies~~ details
This Section identifies the design standards for each of the Building Types allowed within the Districts that make up Badger Mountain South. These standards ensure that the proposed development is consistent with the Badger Mountain South community goals for building form, character and quality.
these regulations

~~this code~~
Building Types are defined in this code primarily by the physical form of the building and secondarily by its use or function. Specific placement and configuration of building or groups of buildings are regulated to create certain physical spaces between and within the buildings. The intent of this Section is to provide a variety of Building Types, often within the same block, to create a diverse community.

A community composed of a variety of Building Types provides a range of housing prices, proximity to neighborhood services and amenities and the potential to establish intergenerational neighborhoods.

Commerical Districts and Projects.
The individual Building Type Standards are preceded by Section 8.C., Common Design Standards applicable to all Districts. The Common Design Standards identify principles or unifying features that will be applied to all Building Types in any District. These standards further the goal of creating a walkable and sustainable community.

The Building Type Standards that follow include:

- 1. Building Type Description
- 2. Applicable Districts
- 3. Streetscape
- 4. Lot Size
- 5. Access
- 6. Building Size and Massing
- 7. Frontages
- 8. Landscape Standards
- 9. Sustainable Standards
- 10. Site Improvement Standards
- 11. Parking
- 12. Accessory Units (where applicable)

Each building in the Badger Mountain South community, with the exception of development in the Special Districts, shall be one of the Building Types listed here and shall be designed in compliance with the standards of this Section. The Special Districts included in Section 4 are not regulated by Building Type, however Section 8.C Common Design Standards, ~~applies to all Districts, including~~ includes Special Districts.
for all Commercial Districts and Projects.

In addition to the standards in this Section, each Building Type is subject to the requirements of the applicable Urban Form Standards for Districts in Section 3 and the applicable Frontage Type Standards in Section 9. As previously noted on page 3-2, since the Urban Form Standards for Districts found in Section 3 are of primary importance in establishing the character and quality of the neighborhoods, they supersede the Building Type Standards when in conflict.

Section 3 Urban Form Standards for Districts identify the intent of the District and regulate the building placement on lot (setbacks and encroachments), building profile and type (building height, Building Types and Frontage Types) and parking (placement, access and requirements).

Section 9 Frontage Type Standards define the various allowed Frontage Types and identifies the required configuration (depth, width, height, components, etc) of each type.

8.B BUILDING TYPES SUMMARY

SUMMARY OF TYPE CHARACTERISTICS					BUILDING TYPES ALLOWED BY DISTRICT							
BUILDING TYPE	MULTI-FAMILY	MIXED-USE	LOT WIDTH Min. - Max.	STORIES Max.	BMS-VMJ	BMS-NC	BMS-NG	BMS-NE	BMS-CIVIC	BMS-SD-SR	BMS-SD-CMU	BMS-SD-DR
8.D CIVIC/COMMUNITY/INSTITUTIONAL FACILITIES	NO	NO	No Limit	3	A X	A X	A X		A X	Note: Special Districts are not regulated by Building Type. See Section 4 for District intent and standards. See also 8.C for Common Design Standards applicable to all Districts. for all Commercial Districts and Projects.		
8.E NEIGHBORHOOD GOODS AND SERVICES BUILDING	NO	NO	300 ft. Max.	3	A X	A X						
8.F COMMERCIAL / MIXED-USE / LINER	YES	YES	25 ft. -400 ft. Min - Max	4	A X	A X						
8.G LIVE/WORK BUILDING	YES	YES	24 ft. Min.	3	A X	A X						
8.H STACKED UNIT BUILDING	YES	NO	200 ft. Max.	3	A X	A X						
8.I ROW HOUSE / TOWN HOUSE	YES	NO	16 ft. Min.	3	A X	A X						
8.J COURTYARD HOUSING	YES	NO	125 ft. Min.	2.5		A X	A X		-P			
8.K MANSION APARTMENT (3 - 6 PLEX)	YES	NO	70 ft. -100 ft. Min - Max	2.5		A X	A X		-P			
8.L PAIRED HOUSE (DUPLEX)	YES	NO	50 ft. -70 ft. Min - Max	2.5		A X	A X		-P			
8.M COTTAGE COURT	NO	NO	35 ft. Min.	2			A X		-P			
8.N SINGLE-FAMILY HOUSE - ALLEY ACCESS GARAGE	NO	NO	40 ft. Min.	2.5		A X	A X	A X	-P			
8.O SINGLE-FAMILY HOUSE - STREET ACCESS GARAGE	NO	NO	50 ft. Min.	2.5			A X	A X	-P			
8.P ACCESSORY UNIT	NO	NO	35 ft. Min.	2			A X	A X	-P			

A
~~X~~= Allowed Building Type
-P = Allowed only in -P Overlay District, if land use conditions, as found in 2.C. Land Use Table are met.

Note: In the Table We want to use "A" for allowed (which is more intuitive) instead of "X"

8.C COMMON DESIGN STANDARDS FOR ALL COMMERCIAL DISTRICTS AND PROJECTS



Illustrative Photo: Commercial Plaza

GENERAL
1. SITE DESIGN

- a. Site buildings to respond to unique site conditions such as non-rectangular lots, location on prominent intersections, unusual topography, views and other natural features.
- b. Maximize opportunities for usable, attractive, well-integrated open space.
- c. Site design shall account for solar access and shading at exterior open space.
- d. Minimize the height of retaining walls and/or reduce their visual impact by means of textured surface, inlaid materials, green screens and other types of landscaping.
- e. Entries shall be clearly identifiable from the street.
- f. Provide buffers at residential entries at sidewalks and within mixed-use frontages by means of entry courtyards, porches or stoops as well as landscaping.

2. WALKABLE DESIGN – PROMOTE PEDESTRIAN SAFETY

- a. Provide a linked, safe pedestrian circulation pathway.
- b. Link public open space with entries, courts and plazas.
- c. Minimize crossing sidewalks with vehicle access.
- d. Access parking from Alleys or Secondary (Side) Streets where Alleys are not present are encouraged.
- e. Vehicular access to lots from streets is limited per the criteria in Section 7.B.
- f. Sidewalks wider than the 15 feet standard and/or plazas at Mixed-Use and commercial frontages are encouraged.

3. ACTIVE STREET ENVIRONMENT – ENCOURAGE AN ACTIVE



Illustrative Photo: Mixed-Use Street Frontage

STREET LIFE

- a. Overhead weather/sun protection at non-residential uses are encouraged.
- b. Provide transparency into and from non-residential uses by maximizing the use of the Storefront Frontage Type (9.B).
- c. Encourage sidewalk activities that support street life where appropriate, such as outdoor dining, indoor-outdoor commercial/retail space, public plazas and outdoor seating.

4. LOCATION OF VEHICLE PARKING / TRASH AND RECYCLING / UTILITY STRUCTURES AND BUILDING SERVICE AREAS

- a. Locate and screen parking lots, trash and utility structures to avoid visibility from the public way.
- b. At corner lot conditions, provide screening by means of a garage, fencing and/or landscaping.
- c. Loading docks, overhead doors, except those serving as architectural feature in retail or dining establishments, and other service entries are allowed only from a Service Street, Alley or parking area.

5. CORNER CONDITIONS



Illustrative Photo: Corner Condition

Design of buildings on corner sites shall respond to their unique community location and visibility as follows:

- a. Buildings on corner lots must ~~address~~ ^{relate to} both streets.
- b. Give special consideration to corners such as angled or curved facade addressing the corner, a recessed entry, wrap around storefront, porch, tower or similar architectural treatment.
- c. Side street facing end elevations to include appropriate articulation, windows and architectural elements, similar to the front elevation.
- d. Give special consideration to the landscape design on corners such as a prominent landscape element, outdoor plaza hardscape or the inclusion of public art.

6. SAFETY AND SECURITY



Illustrative Photo: Courtyard Design

- a. Provide lighting where appropriate and necessary for pedestrian safety.
- b. Design site layouts for "eyes-on-the-street" providing natural surveillance.
- c. Follow CPTED guidelines (Crime Prevention Through Environmental Design) for clear visibility of the front door, appropriate lighting, and clear transition between public and private spaces.
- d. Provide safe accessible pathways connecting interior parking courts with street frontages.

Note: heading placement will be corrected

←
reposition photos for proper alignment

such as schools, public safety buildings, libraries, recreation and other buildings,

1. TYPE DESCRIPTION

Civic /Community/Institutional Facilities are important structures that help define the neighborhoods and places where they are built. ~~Buildings of this type include schools, public safety buildings, libraries, recreation and other community buildings.~~ Facilities of this type are provided with prominent sites to reflect the building's importance to the community. These sites are distributed throughout the neighborhoods, often at major intersections, terminated vistas or in a larger Local Park.

2. APPLICABLE DISTRICTS

- a.  Civic District (BMS-CIVIC) (3.F)
- ~~b.  Village Mixed-Use (BMS-VMU) (3.B)~~
- c.  Neighborhood Collector (BMS-NC) (3.C)
- d.  Neighborhood General* (BMS-NG) (3.D)

* Civic/community/institutional facilities may be located in a Local Park.

3. STREETScape

- a. In general, Civic, Community and Institutional Facilities are intended to be high profile buildings considering their symbolic presence in the community. The character and function of these Building Types must communicate their symbolic presence and role in the community.
- b. Civic, Community and Institutional Facilities will have more open space around them, more landscaping, are associated with public gathering areas and shall be sited along major vehicle and pedestrian circulation routes.
- c. Only the most durable and long lasting materials shall be used in these Building Types.



Illustrative Photo: School / Institutional Building

4. LOT SIZE

- a. Width: No limits
- b. Depth: No limits
- c. See applicable District Standards in Section 3 for required setbacks and Build-to-Lines.

5. ACCESS

- a. Walkable Design: Careful attention must to be given to safe and convenient access and circulation for pedestrians. Consideration must be given to the site selection, placement and access along the community trail network to maximize pedestrian and bicycle access to the facility, see Section 5.K Illustrative Plan for Trail Layout and Trail Types.
- b. The main building entry shall front onto a Collector Street wherever practical. In the BMS-NG District, where a Civic/Community/Institutional Facility may be located in a Local Park surrounded by Local Streets only, the main building entry must be placed along the Primary (Front) Street. The Primary Street shall be established by the blocks on either side of the Local Park.
- c. Vehicular access should be from a Secondary (Side) street or Alley.
- d. Services, including utility access, above ground equipment and trash containers shall be located to the rear of the building or screened from view.

6. BUILDING SIZE AND MASSING

- a. Maximum number of stories: 3
- b. Towers, spires, flag poles or other architectural elements may extend 12 ft. above height limit.
- c. Ground floor ceiling height shall be a minimum of 10 ft .clear to accommodate assembly uses.
- d. Refer to Section 3 for additional District-specific building height standards.



Illustrative Photo: Community Building

7. FRONTAGES

- a. Due unique nature of this Building Type, specific Frontage Types are not ~~applicable.~~ **defined.**
- b. Frontages should clearly express the public nature of the facility with a well defined entry and ~~transparency to~~ **clear outward indication of** community uses.
- c. Refer to Section 3 for applicable District standards for allowed encroachments into required setbacks.

8. LANDSCAPE STANDARDS

- ~~a. The Common Landscape standards in 11.C and the Civic Landscape standards set forth in Section 11.D are applicable to Civic/Community/Institutional Facilities.~~ **See**

9. SUSTAINABLE STANDARDS

- ~~a. The Common standards in 12.C and the Non-Residential Sustainable standards set forth in Section 12.D are applicable to Civic/Community/Institutional Facilities.~~ **See**

10. SITE IMPROVEMENT STANDARDS

- ~~a. The Standards set forth in Section 13 are applicable to Civic/Community/Institutional Facilities.~~ **See**



Illustrative Photo: Civic Building

11. PARKING

- a. Commercial parking quantity requirements by District - See Section 3. **(and/ or Section 4 as applicable)**
- b. Surface parking lots shall be kept to the minimum size required. Parking shall be screened from streets by either placement behind a structure, by fencing per Section 13.A.2 and/or landscaped per section 11.C.7.c except as provided in section 8.C.6.
- c. See Section 13.D for Common Parking Standards.
- ~~d. Refer to Section 3 for additional District specific parking standards.~~



Illustrative Photo: Neighborhood Daycare



Illustrative Photo: Neighborhood Church



Illustrative Photo: Neighborhood Retail

1. TYPE DESCRIPTION

The Neighborhood Goods and Services Buildings are intended to be stand-alone structures, 30,000 square feet and smaller, that contain uses that support the needs of the neighborhoods in which they are located. Typical examples of this type of building are pharmacies, daycare centers, churches, medical clinics and other office buildings.

2. APPLICABLE DISTRICTS

- ~~a. Village Mixed Use (BMS-VMU) (3.B)~~
- ~~b. Neighborhood Collector (BMS-NC) (3.C)~~

3. STREETScape

- a. The scale of the buildings and associated parking shall retain a neighborhood scale.
- b. In the Neighborhood Collector District (BMS-NC), the building is encouraged to be sited on corner lots at the intersection of two Collector Streets along the main gateway entry points to the neighborhoods.

4. LOT SIZE

- a. Width: Maximum 300 ft.
- b. Depth: Maximum None
- c. See applicable District Standards in Section 3 for required setbacks and Build-to-Lines.

5. ACCESS

- a. The main building entry shall generally front onto the Collector Street.
- b. Services, including utility access, above ground equipment and trash containers shall be located to the rear of the building or off of the Alley, if provided.
- c. See Section 3 for additional District-specific building height standards.

6. BUILDING SIZE AND MASSING

- a. Maximum number of stories: 3
- b. Massing and scale compatible with surrounding neighborhood.
- c. See Section 3 for additional District-specific building height standards.

7. FRONTAGES

- a. Allowed Frontage Types and Referenced Sections for the Neighborhood Goods and Services Building are:
 - (1) Storefront (9.B)
 - (2) Arcade (9.C)
 - (3) Gallery (9.D)
 - (4) Forecourt (9.E)
 - (5) Greenbelt (9.F)
- b. Refer to Section 9 for Frontage Type definitions and standards.
- c. Due to the general nature of this Building Type, other Frontages may be allowed if they promote an active, pedestrian-oriented streetscape.
- d. Refer to Section 3 for applicable District standards for allowed encroachments into required setbacks.

8. LANDSCAPE STANDARDS

- ~~a. The Common Landscape standards in 11.C and the Commercial Landscape standards set forth in Section 11.D are applicable to Neighborhood Goods and Services Buildings.~~

9. SUSTAINABLE STANDARDS

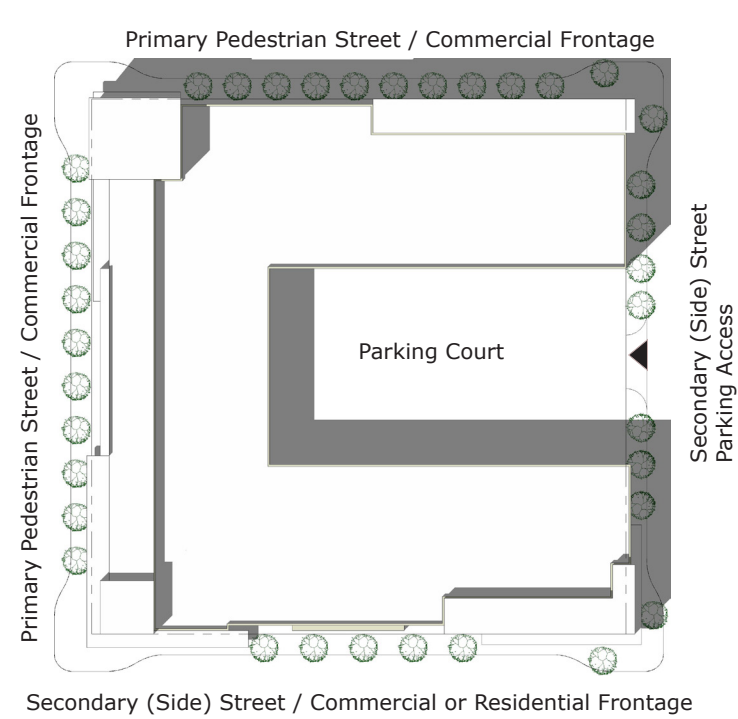
- ~~a. The Common standards in 12.C and the Non-Residential Sustainable standards set forth in Section 12.D are applicable to Neighborhood Goods and Services Buildings.~~

10. SITE IMPROVEMENT STANDARDS

- ~~a. The Standards set forth in Section 13 are applicable to Neighborhood Goods and Services Buildings.~~

11. PARKING

- a. Commercial parking quantity requirements by District - See Section 3 ~~(and/ or Section 4 as applicable)~~
- b. Surface parking lots shall be kept to the minimum size required. Parking shall be screened from the streets by either placement behind a structure, by fencing per Section 13.A.2 and/or landscaped per Section 11.C.7.c except as provided in 8.C.6.
- c. See Section 13.D for Common Parking Standards.
- ~~d. Refer to Section 3 for additional District specific parking standards.~~



Illustrative Plan Diagram

1. TYPE DESCRIPTION

The Commercial / Mixed-Use / Liner Building Type is utilized to define the commercial street/block frontage in the Badger Mountain South Village Mixed-Use centers. In this type the building lines the block face, while concealing parking behind to create a pedestrian friendly environment and to promote an active commercial streetscape. This Building Type can accommodate a variety of ground floor commercial occupancies including: retail, service, and office uses. Ground floor residential units may be provided on Secondary Streets. Upper floors may contain these same uses, or residential units.

2. APPLICABLE DISTRICTS

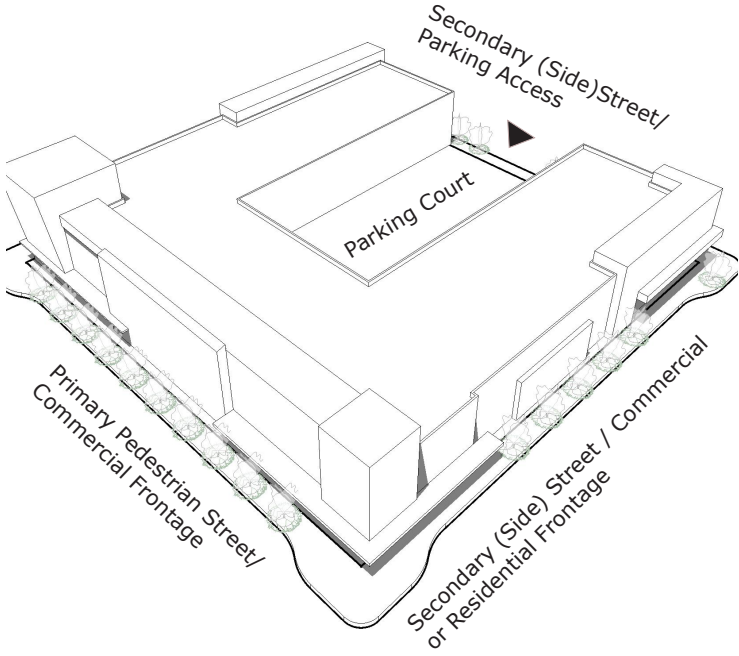
- a. Village Mixed-Use (BMS-VMU) (3.B)
- b. Neighborhood Collector (BMS-NC) (3.C)

3. STREETScape

- a. The ground floor commercial component shall promote an active pedestrian environment through the use of large storefront windows, merchandise display, outdoor dining, overhead weather protection and wide sidewalks, etc. The pedestrian environment is uninterrupted by vehicles to the maximum extent possible.
- b. Ground floor residential uses are allowed on Secondary Street frontages only and may be Live/Work, loft, townhouse or similar configurations with direct street access.
- c. Ground floor residential units shall be setback from the property line horizontally a minimum of 5 ft. with a landscape buffer. Porch or Stoop frontage may extend to the Build-to-Line.
- d. In order to maximize “eyes-on-the-street” and an active streetscape, balconies and patios are encouraged for residential street frontages.
- e. Variety in building height is encouraged along a block face.

4. LOT SIZE

Note: heading placement will be corrected



Illustrative Axonometric Diagram

- a. Width: Minimum 25 ft., Maximum 400 ft.*
*Maximum 150 ft. in BMS-NC District.
- b. Depth: None
- c. See applicable District Standards in Section 3 for required setbacks and Build-to-Lines.

5. ACCESS

- a. The main entrance to the ground floor commercial component should be accessed directly from and face the primary street.
- b. The commercial component access should comply with one of the allowed frontage types.
- c. The commercial frontage shall be uninterrupted by vehicle access. Parking and access for delivery truck / service vehicles should be located behind the building and be accessed from a secondary street.
- d. Ground floor residential uses must provide access directly from the street. Secondary access may be provided by an interior corridor.
- e. Upper level uses shall be accessed by a separate street level entry lobby.
- f. Elevator access should be provided to upper levels, as required by the International Building Code (IBC).
- g. Services, including utility access, above ground equipment and trash containers shall be located behind the building or screened from view.



Illustrative Photo: Commercial Mixed-Use Varied Streetscape

6. BUILDING SIZE AND MASSING

- a. Maximum number of stories: 4, or as limited by District-specific standards.
- b. Ground floor commercial space shall have a minimum depth of 30 ft.
- c. Refer to Section 3 for additional District-specific building height standards.

7. FRONTAGES

- a. Allowed Frontage Types for Commercial / Mixed-Use / Liner Buildings are:
 - (1) Storefront (9.B)
 - (2) Arcade (9.C)
 - (3) Gallery (9.D)
 - (4) Forecourt - Limited to one per block face. (9.E)
 - (5) Porch (residential use only) (9.G)
 - (6) Stoop (residential use only) (9.H)
- b. Refer to Section 9 for Frontage Type definitions and standards.
- c. Refer to Section 3 for applicable District standards for allowed encroachments into required setbacks.

8. LANDSCAPE STANDARDS

- a. ~~The Common standards in 11.C and Commercial Landscape standards set forth in Section 11.D are applicable to Commercial / Mixed-Use / Liner Buildings.~~

9. SUSTAINABLE STANDARDS

- a. ~~The Common standards in 12. C and Non-residential Sustainable standards set forth in Section 12.D are applicable to Commercial / Mixed-Use / Liner Buildings.~~



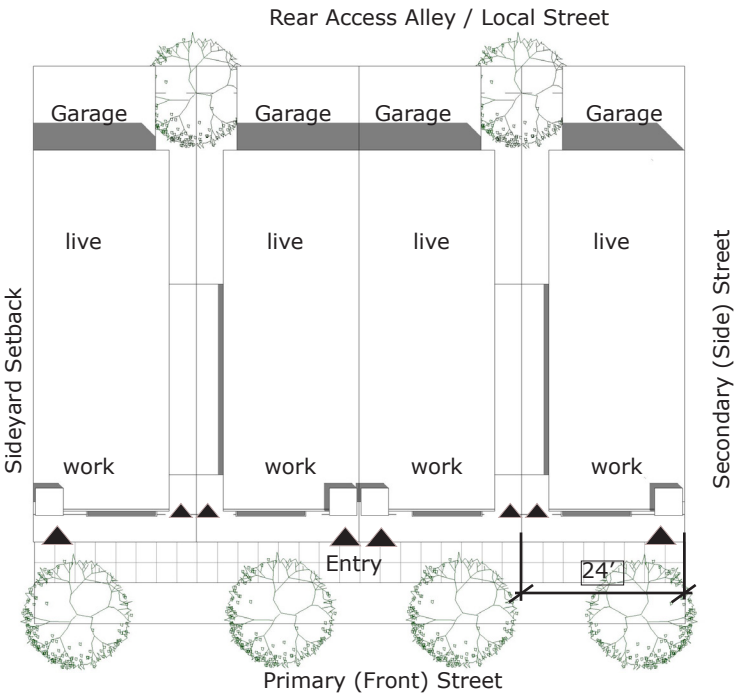
Illustrative Photo: Residential Units above Retail Frontage

10. SITE IMPROVEMENT STANDARDS

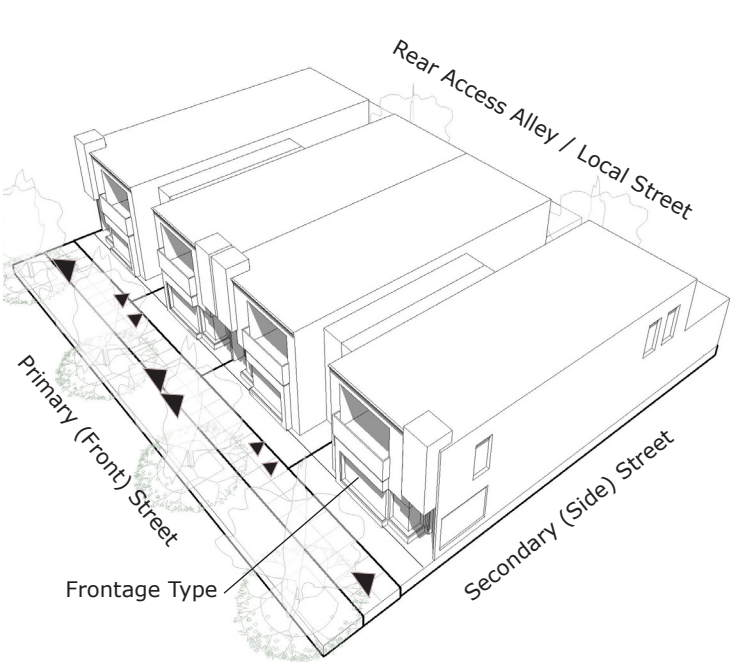
- a. ~~The Standards set forth in Section 13 are applicable to Commercial / Mixed-Use / Liner Buildings.~~

11. PARKING STANDARDS

- a. Parking may be provided in a surface parking court or in a structured parking garage preferably located behind the building frontage.
- b. Commercial ~~parking quantity requirements by District - See Section 3~~ and Residential ~~parking quantity requirements by District - See Section 3~~ (and/ or Section 4 as applicable)
- c. ~~Residential parking quantity requirements by District - See Section 3.~~
- d. Tandem parking stalls are allowed to be used for individual residential units only.
- e. Off-street parking should not be visible from the Primary Street (i.e. screened by the building). Parking should be screened from Secondary Streets by either placement behind a structure, by fencing per Section 13.A.2 and/or landscaped per Section 11.C.7.c.
- f. See Section 13.D for Common Parking Standards.
- g. ~~Refer to Section 3 for additional District-specific parking standards.~~



Illustrative Plan Diagram



Illustrative Axonometric Diagram



Illustrative Photo: Urban Character Live/Work Building



Illustrative Photo: Residential Character Live/Work Building

1. TYPE DESCRIPTION

The Live/Work Building Type contains integrated housing units and working spaces, occupied and utilized by a single household, in either a Single-Family or Multi-family (side by side) configuration. The work component portion of the building is located at ground level with direct sidewalk access.

2. APPLICABLE DISTRICTS

The Live/Work Building Type is allowed in:

- a. ~~Village Mixed-Use (BMS-VMU) (3.B)~~
- b. ~~Neighborhood Collector (BMS-NC) (3.C)~~

3. STREETScape

- a. The ground floor work component portion of the building shall promote an active commercial environment with large windows, signage, overhead weather/sun protection, etc.
- b. In the BMS-NC District, a landscaped separation between buildings of at least 12 ft. wide is encouraged every 200 ft., or 8 units, whichever is less.
- c. Variety in building height is encouraged along a block face.

4. LOT SIZE

- a. Width: Minimum 24 ft.
- b. Depth: Minimum 90 ft.
- c. See applicable District Standards in Section 3 for required setbacks and Build-to-Lines.

5. ACCESS

- a. The main entrance to the ground floor work component shall be accessed directly from and face the Primary (Front) Street. Corner buildings may have access on Secondary (Side) Street.
- b. The work component access shall comply with one of the allowed frontage types.
- c. Residential units may be accessed by a separate entrance and by a stair. If a separate entrance is provided, the residential access shall be secondary to the work component access.
- d. Garages and services shall be accessed from a rear Alley / Local Street.
- e. Services, including utility access, above ground equipment and trash containers shall be located off of the Alley / Local Street.

6. BUILDING SIZE AND MASSING

- a. Maximum number of stories: 3
- b. The massing of the overall primary facade of the building shall be designed such that each individual unit/work component is clearly expressed.
- c. Refer to Section 3 for additional District-specific building height standards.

7. FRONTAGES

- a. Each Live/Work unit shall provide a ground floor level work component fronting on the primary street. The work component shall be a minimum of 12 ft. in depth and 100% of Frontage (less residential entry and stair, if provided).
- b. The work component shall not be used as a part of the residential unit.
- c. Each dwelling unit shall have an individual entry access frontage.
- d. Allowed Frontage Types for Live/Work units are:
 - (1) Storefront (9.B)
 - (2) Arcade (9.C)
 - (3) Gallery (9.D)
 - (4) Forecourt (9.E)
 - (5) Porch (9.G)
 - (6) Stoop (9.H)
- e. Refer to Section 9 for Frontage Type definitions and standards.
- f. Refer to Section 3 for applicable District standards for allowed encroachments into required setbacks.

8. LANDSCAPE STANDARDS

- a. ~~The Common Landscape standards in 11.C apply to all Live/Work Buildings.~~
- b. ~~The Commercial Landscape standards set forth in Section 11.D are applicable to Live/Work Buildings in the BMS-VMU District.~~
- c. ~~The Multi-family Landscape standards set forth in Section 11.E are applicable to Live/Work Buildings in the BMS-NC District.~~

9. SUSTAINABLE STANDARDS

- a. ~~The Common standards in 12.C and the Residential Sustainable standards set forth in Section 12.E are applicable to Live/Work Buildings.~~

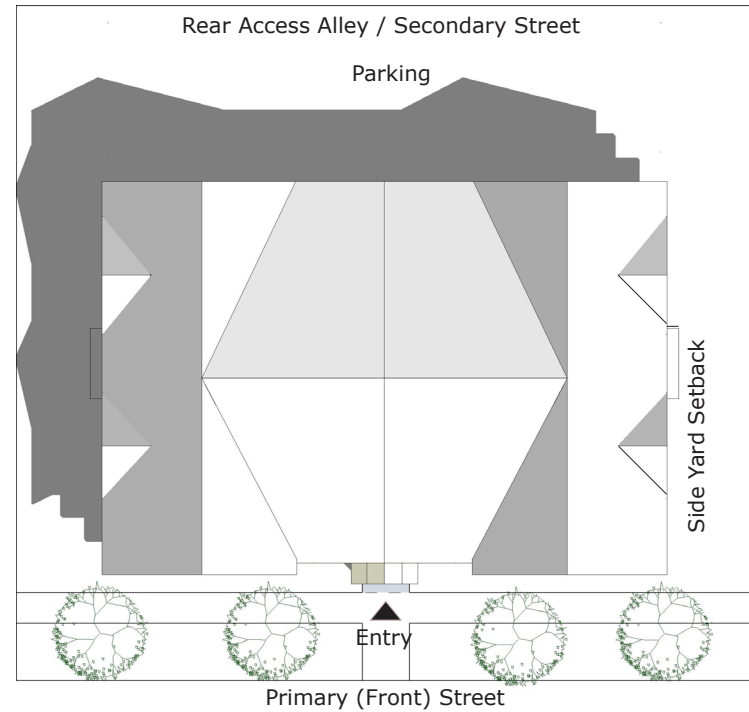
10. SITE IMPROVEMENT STANDARDS

- a. ~~The Standards set forth in Section 13 are applicable to Live/Work Buildings.~~

11. PARKING

- a. At least one required parking space shall be in a garage, either attached to or detached from the dwelling and accessed from an Alley / Local Street.
- b. Commercial parking quantity requirements by District - See Section 3.
- c. ~~Residential parking quantity requirements by District - See Section 3.~~
- d. Tandem parking stalls are allowed to be used for individual Residential units only.
- e. Surface parking, if provided should be screened from the Primary and Secondary streets by either placement behind a structure, by fencing per section 13.A.2 and/or landscaped per Section 11.C.7.c.
- f. See Section 13.D for Common Parking Standards.
- g. ~~Refer to Section 3 for additional District-specific parking standards.~~

(UPDATED) PROPOSED AMENDMENTS ARE SHOWN:
BUILDING AND DEVELOPMENT STANDARDS FOR
8.H STACKED UNIT BUILDING



Illustrative Plan Diagram

1. TYPE DESCRIPTION

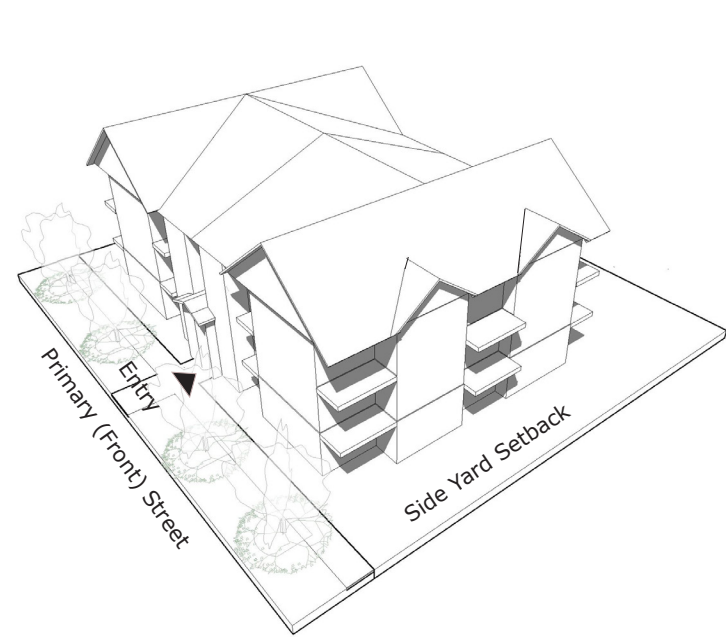
The Stacked Unit Building Type, commonly known as an Apartment, is a Multi-family residential only structure consisting of a number of dwellings units arranged side by side and stacked on multiple floors. Unit types may be either single level (flats) or multi-floor (townhouse).

2. APPLICABLE DISTRICTS

- ~~a. Village Mixed Use (BMS-VMU) (3.B)~~
- ~~b. Neighborhood Collector (BMS-NC) (3.C)~~

3. STREETScape

- ~~a. In the BMS-VMU District, Stacked Unit Buildings require ground floor units to have direct street access. Secondary access may be provided through interior corridor.~~
- b. In order to provide an active pedestrian oriented streetscape in the BMS-NC District, ground floor residential units are encouraged to provide access directly from the street. Secondary access may be provided through interior corridor.
- c. In order to maximize "eyes-on-the-street" and an active streetscape, balconies and patios are encouraged at street frontages.
- d. Variety in building height, materials and colors is encouraged along a block face.



Illustrative Axonometric Diagram

4. LOT SIZE

- a. Width: Minimum None, Maximum 200 ft.
- b. Depth: Minimum 90 ft.
- c. See applicable District Standards in Section 3 for required setbacks and Build-to-Lines.

5. ACCESS

- a. The main entrance lobby to the building shall be accessed directly from and face the Primary (Front) Street where practical.
- b. Ground floor residential units may either be accessed directly from the street and/or from an interior corridor, as required per District.
- ~~c. Upper floor units in the BMS-VMU District should be accessed from an interior corridor.~~
- d. Upper floor units in the BMS-NC District may be accessed from an interior corridor or from exterior stairs (walk-up).
- e. Elevator access may be provided to upper levels, as required by the International Building Code (IBC).
- f. Garages and services shall be accessed from a rear Alley / Local Street. This type is not allowed on a lot without an Alley / Local Street.
- g. Services, including utility access, above ground equipment and trash containers shall be located off of the Alley.

6. BUILDING SIZE AND MASSING

- a. Maximum number of stories: 3
- b. Refer to Section 3 for additional District-specific building height standards.



Illustrative Photo: Contemporary Apartment Building

7. FRONTAGES

- a. The main entrance shall be prominent along the street facing facade. Ground floor units with direct street access shall utilize an allowed Frontage Type.
- b. Allowed Frontage Types for Stacked Units are:
 - (1) Forecourt (9.E)
 - (2) Greenbelt (9.F)
 - (3) Porch (9.G)
 - (4) Stoop (9.H)
- c. Refer to Section 9 for Frontage Type definitions and standards.
- d. Refer to Section 3 for applicable District standards for allowed encroachments into required setbacks.

8. LANDSCAPE STANDARDS

- a. The Common standards in 11.C and Multi-family Landscape standards set forth in Section 11.E.2 are applicable to Stacked Unit Buildings.

9. SUSTAINABLE STANDARDS

- ~~a. The Common standards in 12. C and Residential Sustainable standards set forth in Section 12.E are applicable to Stacked Unit Buildings.~~

10. SITE IMPROVEMENT STANDARDS

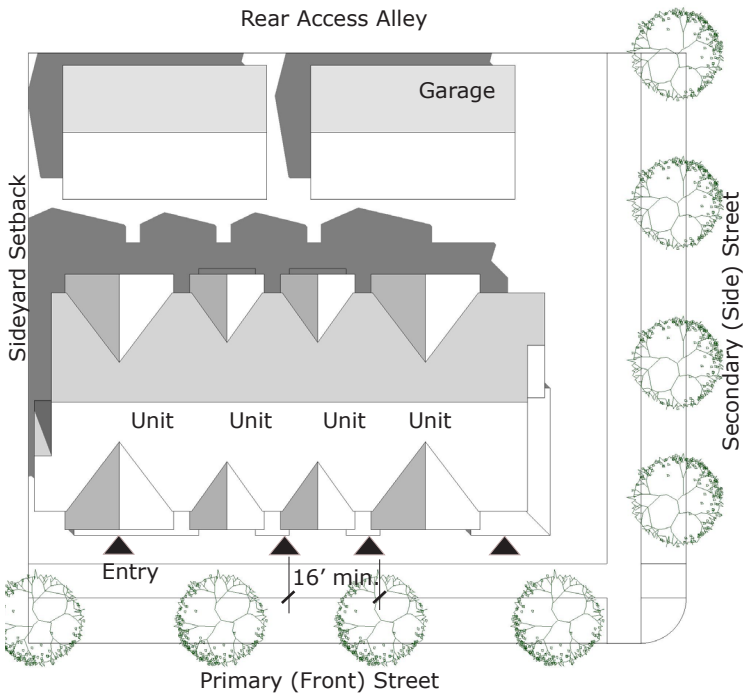
- ~~a. The Standards set forth in Section 13 are applicable to Stacked Unit Buildings.~~



Illustrative Photo: Traditional Walk-up Apartment Building

11. PARKING

- a. Parking may be provided in a surface parking lot, below grade parking structure or in detached parking garages accessed from the Alley / Local Street.
- b. Residential parking quantity requirements by District - See Section 3.
- c. Dwellings may have indirect access to their parking stalls
- d. Tandem parking stalls are allowed to be used for individual residential units.
- e. Surface parking, if provided, should be screened from the Primary and Secondary Streets by either placement behind a structure, by fencing per Section 13.A.2 and/or landscaped per Section 11.C.7.c.
- f. See Section 13.D for Common Parking Standards.
- ~~g. Refer to Section 3 for additional District-specific parking standards.~~



Illustrative Plan Diagram

1. TYPE DESCRIPTION

The Row House Building Type is a structure of townhouse (multi-level) unit types arranged side by side in a zero lot line configuration. Residential units in Row Houses have individual entrances along the frontage. Entry porches, stoops and raised front yards create a strong presence along the streetscape.

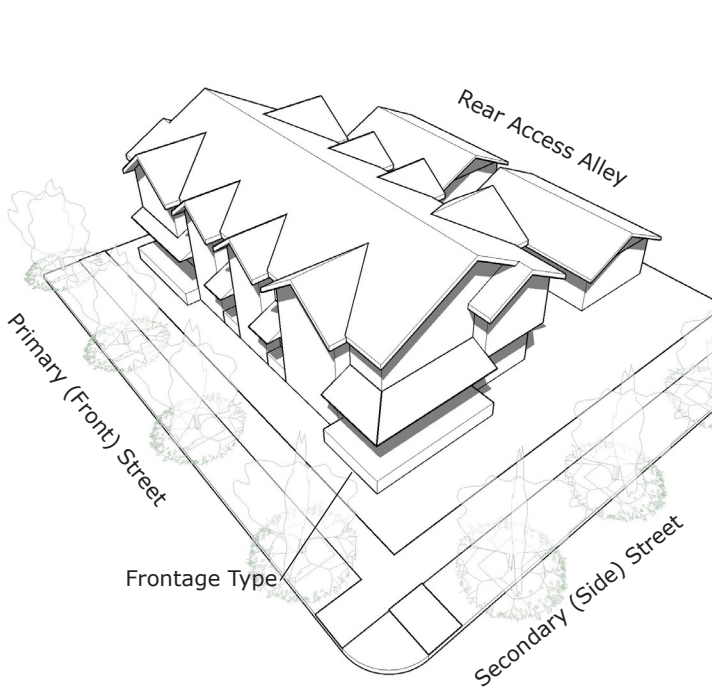
2. APPLICABLE DISTRICTS

The Row House Building Type is allowed in:

- a. Village Mixed-Use (BMS-VMU) (3.B)
- b. Neighborhood Collector (BMS-NC) (3.C)

3. STREETScape

- a. Break up long lines of Row Houses to provide visual relief and pedestrian access to Alleys.
- b. Provide a landscaped separation between buildings of at least 12 ft. wide every 200 ft. or 8 units, whichever is less.
- c. Corner lots should be wider to accommodate the side street setback along the street and to allow for building articulation and side porches.
- d. Variation in building height, materials and colors is required for multiple row house buildings along a streetscape.
- e. Place garages for end units toward the street to shield any adjacent surface parking.



Illustrative Axonometric Diagram

4. LOT SIZE

- a. Width: Minimum 16 ft.
- b. Depth: Minimum 70 ft. (with attached garage)
- c. See applicable District Standards in Section 3 for required setbacks and Build-to-Lines.

5. ACCESS

- a. The main entrance to each unit shall be accessed directly from and face the Primary (front) street where applicable. Corner buildings may have access on Secondary (side) street.
- b. Primary access shall comply with one of the allowed frontage types.
- c. Garages and services shall be accessed from a rear Alley or local street.
- d. Services, including utility access, above ground equipment and trash containers shall be located off of the Alley or screened from Primary (front) street.

6. BUILDING SIZE AND MASSING

- a. Maximum number of stories: 3
- b. In a three story building, a townhouse dwelling may be stacked over a ground floor flat. The flat must be accessed by it's own front door at the frontage, and the townhouse dwelling shall be accessed by a separate door and stair.
- c. In a three story building, a townhouse dwelling may be stacked over a garage. The garage must be separated from the street frontage by a habitable space at least 10' in depth.
- d. The massing of the overall primary facade of the building shall be designed such that each unit is clearly expressed.
- e. Refer to Section 3 for additional District-specific building height standards.



Illustrative Photo: Traditional Row House

7. FRONTAGES

- a. Each Row House ground floor level shall be designed so that habitable space is oriented toward the fronting Primary Street or open space.
- b. Each dwelling unit shall have an individual entry access Frontage.
- c. Allowed Frontage Types for Row Houses are:
 - (1) Forecourt (9.E)
 - (2) Greenbelt (9.F)
 - (3) Porch (9.G)
 - (4) Stoop (9.H)
- d. Refer to Section 9 for Frontage Type definitions and standards.
- e. Refer to Section 3 for applicable District standards for allowed encroachments into required setbacks.

8. LANDSCAPE STANDARDS

- a. ~~The Common standards in 11.C and Multi-family Landscape standards set forth in Section 11.E.2 are applicable to Row Houses.~~

9. SUSTAINABLE STANDARDS

- a. ~~The Common standards in 12. C and Residential Sustainable standards set forth in Section 12.E are applicable to Row Houses.~~

10. SITE IMPROVEMENT STANDARDS

- a. ~~The Standards set forth in Section 13 are applicable to Row Houses.~~



Illustrative Photo: Contemporary Row House with Stoop Frontage

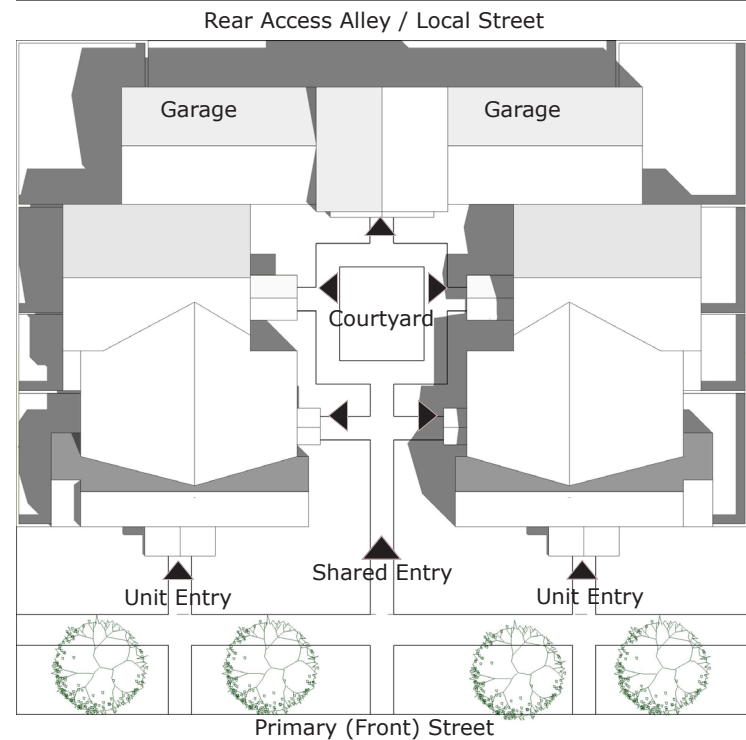
11. PARKING

- a. At least one required parking space shall be in a garage, either attached to or detached from the dwelling.
- b. Additional parking may be provided in a surface parking lot accessed from the Alley / Local Street.
- c. Residential parking quantity requirements by District - See Section 3.
- d. Dwellings may have direct or indirect access to their parking stalls.
- e. Tandem parking stalls are allowed to be used for individual residential units.
- f. Surface parking, if provided, shall be screened from the Primary and Secondary Streets by either placement behind a structure, by fencing per Section 13.A.2 and/or landscaped per Section 11.C.7c.
- g. See Section 13.D for Common Parking Standards.
- h. ~~Refer to Section 3 for additional District-specific parking standards.~~

PROPOSED AMENDMENTS ARE SHOWN:

BUILDING AND DEVELOPMENT STANDARDS FOR

8.J COURTYARD HOUSING



Illustrative Plan Diagram

1. TYPE DESCRIPTION

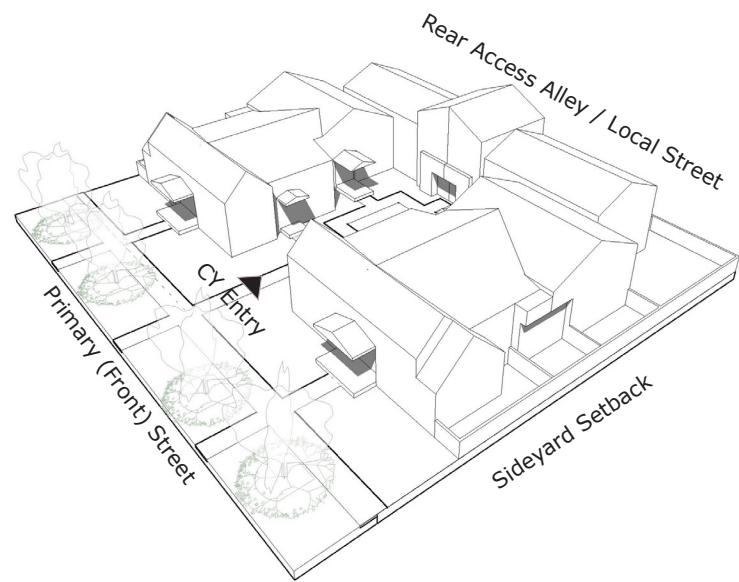
The Courtyard Housing Building Type consists of Multi-family residential units arranged around a central court. The court is open to the facing street. Residential units may be in stacked units, townhouses, or both.

2. APPLICABLE DISTRICTS

- a.  Neighborhood Collector (BMS-NC) (3.C)
- b.  Neighborhood General (BMS-NG) (3.D)

3. STREETScape

- a. The shared courtyard shall be partially or wholly open to the street.
- b. Portions of buildings adjacent to the frontage line shall address the street with building entries, allowed frontage types and windows such that it is considered a front facade.



Illustrative Axonometric Diagram

4. LOT SIZE

- a. Width: Minimum 125 ft.
- b. Depth: Minimum 100 ft.
- c. See applicable District Standards in Section 3 for required setbacks and Build-to-Lines.

5. ACCESS

- a. The main entry to each ground floor unit is directly off the common courtyard, or from the Primary (front) street.
- b. Upper level residential units shall be accessed by a courtyard level lobby or open stair.
- c. Garages and services shall be accessed from a rear Alley / Local Street.
- d. Services, including utility access, above ground equipment and trash containers shall be located off of the Alley.

6. BUILDING SIZE AND MASSING

- a. Maximum number of stories: 2.5
- b. The overall scale of the building shall be minimized through the expression of individual units or unit stacks, designed to a house scale.
- c. Allow for maximum exposure to sunlight in the courtyard through building siting and massing.
- d. Varied building heights are encouraged in the courtyard arrangement and should be utilized to maximize solar exposure to the courtyard.
- e. Refer to Section 3 for additional District-specific building height standards.



Illustrative Photo: Courtyard Apartments - Stacked Flats

7. FRONTAGES

- a. For Courtyard Housing, Frontages shall also apply to the internal courtyard facades.
- b. Allowed Frontage Types for Courtyard Housing Units are:
 - (1) Porch (9.G)
 - (2) Stoop (9.H)
- c. Refer to Section 9 for Frontage Type definitions and standards.
- d. Refer to Section 3 for applicable District standards for allowed encroachments into required setbacks.

8. LANDSCAPE STANDARDS

- a. ~~The Common standards in 11.C and Courtyard Landscape standards set forth in Section 11.E.3 are applicable to Courtyard Housing.~~ See

9. SUSTAINABLE STANDARDS

- a. ~~The Common standards in 12.C and Residential Sustainable standards set forth in Section 12.E are applicable to Courtyard Housing.~~ See

10. SITE IMPROVEMENT STANDARDS

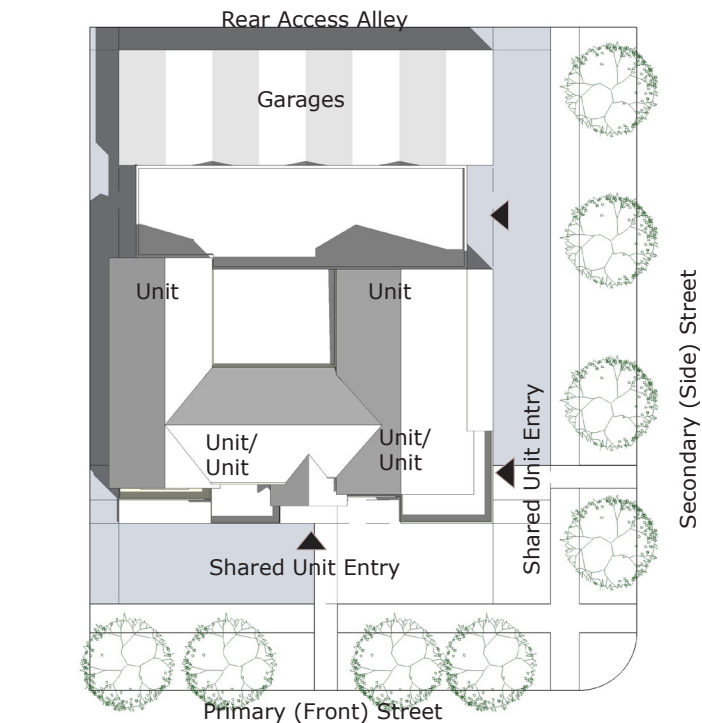
- a. ~~The Standards set forth in Section 13 are applicable to Courtyard Housing.~~ See



Illustrative Photo: Courtyard Apartments - Townhouses

11. PARKING

- a. Parking may be provided in a surface parking lot or in attached or detached parking garages accessed from the Alley.
- b. Residential parking quantity requirements by District - See Section 3.
- c. Dwellings may have direct or indirect access to their parking stalls.
- d. Tandem parking stalls are allowed to be used for individual residential units.
- e. Surface parking, if provided, shall be screened from the Primary and Secondary Streets by either placement behind a structure, by fencing per Section 13.A.1 and/or landscaped per Section 11.C.7c.
- f. Parking is not allowed in the Courtyard.
- g. See Section 13.D for Common Parking Standards.
- ~~h. Refer to Section 3 for additional District specific parking standards.~~



Illustrative Plan Diagram

1. TYPE DESCRIPTION

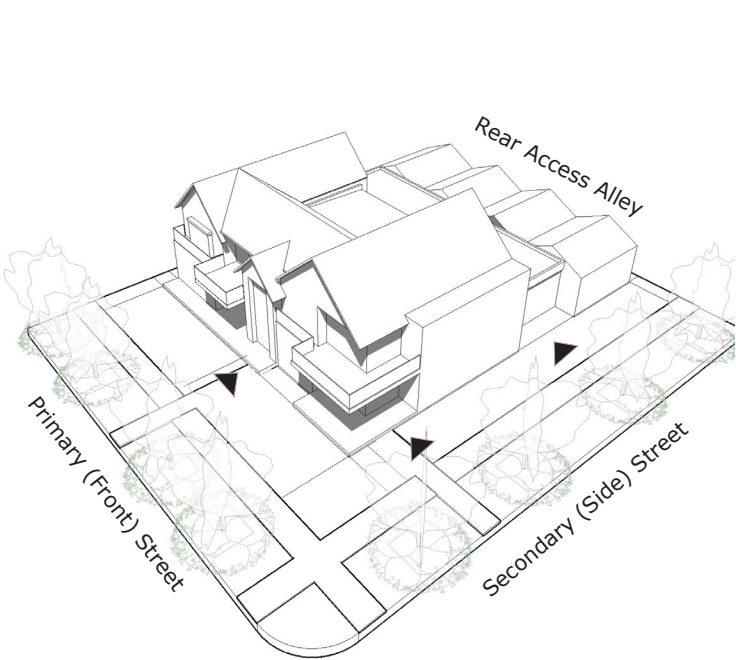
The Mansion Apartment Building Type combines 3 to 6 residences within one structure designed to resemble a large Single-Family "mansion" in a typical neighborhood setting. The units may include stacked flats and/or townhouse units. This Building Type allows for Multi-family, higher density housing to be integrated within Single-Family residential neighborhoods, offering a variety of housing types and affordable options within the neighborhood.

2. APPLICABLE DISTRICTS

- a. Neighborhood Collector (BMS-NC) (3.C)
- b. Neighborhood General (BMS-NG) (3.D)

3. STREETScape

- a. Mansion Apartments shall be designed to be compatible with adjacent Single-Family houses.
 - (1) Mid-block: limited to a maximum of 4 units.
 - (2) Corner: limited to a maximum of 6 units.
- b. In order to maintain the scale of a large Single-Family House, entries to multiple units shall be combined to limit the number of individual entries visible from the street.
 - (1) Mid-block: 2 entries max. at street frontage.
 - (2) Corner: Must utilize both street frontages for entry locations.
- c. Mansion Apartments located in the Neighborhood General District (BMS-NG) shall be sited to lessen the impact on surrounding Single-Family homes as follows;
 - (1) Limited to block ends.
 - (2) Must be sited across from an open space.
- d. Each unit shall have one outdoor space directly accessible from a living area. The space may be provided as a covered porch, patio or balcony and must be at least 6 ft. deep and a total of 72 SF minimum.



Illustrative Axonometric Diagram

4. LOT SIZE

- a. Width: Minimum 70 ft. , Maximum 100 ft.
- b. See applicable District Standards in Section 3 for required setbacks and Build-to-Lines.

5. ACCESS

- a. The main entrances to dwelling units shall be accessed directly from and face the Primary (Front) Street. Corner buildings shall also have access on Secondary (Side) Street.
- b. When located on a corner, Frontage Types and entries shall be provided on both elevations facing the street.
- c. Street frontage entries to multiple units shall be combined: 3-4 units = 2 entries max, 5-6 units = 3 entries max.
- d. If a surface parking lot is provided, the rear facade must also contain unit entries. These entries may be in addition to the maximum street frontages entries.
- e. Garages and services shall be accessed from a rear Alley. This type is not allowed on a lot without an Alley.
- f. Services, including utility access, above ground equipment and trash containers shall be located off of the Alley.

6. BUILDING SIZE AND MASSING

- a. Maximum number of stories: 2.5
- b. Building shall be designed to a scale and massing appropriate for a large Single-Family house.
- c. Refer to Section 3 for additional District-specific building height standards.

7. FRONTAGES



Illustrative Photo: Corner Lot Mansion Apartment (6 units max.)



Illustrative Photo: Mid Block Mansion Apartment (4 units max.)

a. Allowed Frontage Types for Mansion Apartment are:

- (1) Forecourt (9.E)
- (2) Greenbelt (9.F)
- (3) Porch (9.G)
- (4) Stoop (9.H)

- b. Refer to Section 9 for Frontage Type definitions and standards.
- c. Refer to Section 3 for applicable District standards for allowed encroachments into required setbacks.

8. LANDSCAPE STANDARDS

- a. Since this Multi-family Building Type is designed to be integrated into a Single-Family neighborhood, the Common standards in 11.C and the Single-Family Landscape standards set forth in Section 11.E.1 ~~are applicable to Mansion Apartment Buildings.~~ **apply**

9. SUSTAINABLE STANDARDS

- a. ~~The Common standards in 12. C and Residential Sustainable standards set forth in Section 12.E are applicable to Mansion Apartment Buildings.~~ **remove extra space**

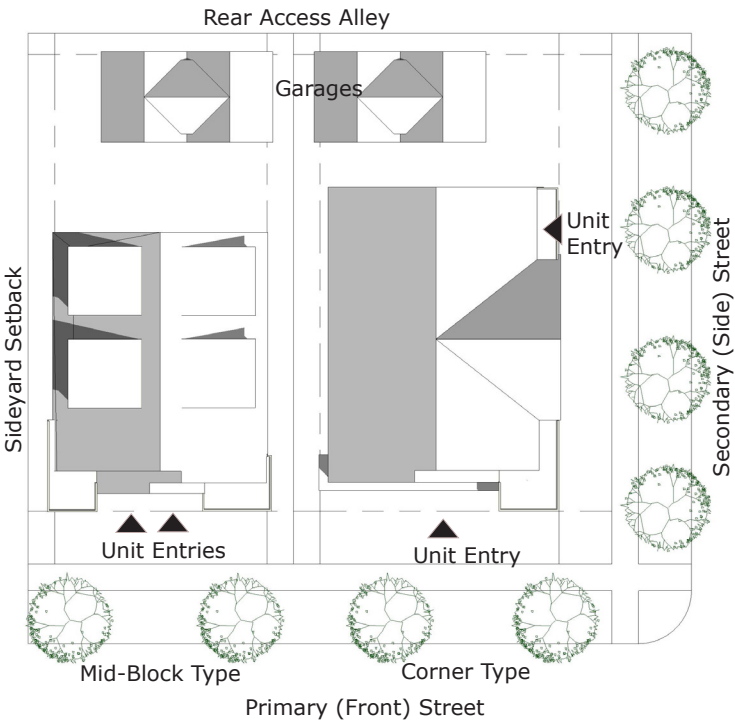
10. SITE IMPROVEMENT STANDARDS

- a. ~~The Standards set forth in Section 13 are applicable to Mansion Apartment Buildings.~~ **See**

11. PARKING

- a. Parking may be provided in a surface parking lot, in attached or detached parking garages accessed from the Alley.
- b. Residential Parking quantity requirements by District - See Section 3.
- c. Dwellings may have direct or indirect access to their parking stalls.
- d. Tandem parking stalls are allowed to be used for individual residential units.
- e. Surface parking, if provided, shall be screened from the Primary and Secondary Streets by either placement behind a structure, by fencing per Section 13.A.1 and/or landscaped per Section 11.C.7.c.
- f. See Section 13.D for Common Parking Standards.
- g. ~~Refer to Section 3 for additional District specific standards.~~

Note: heading placement will be corrected



Illustrative Plan Diagram

1. TYPE DESCRIPTION

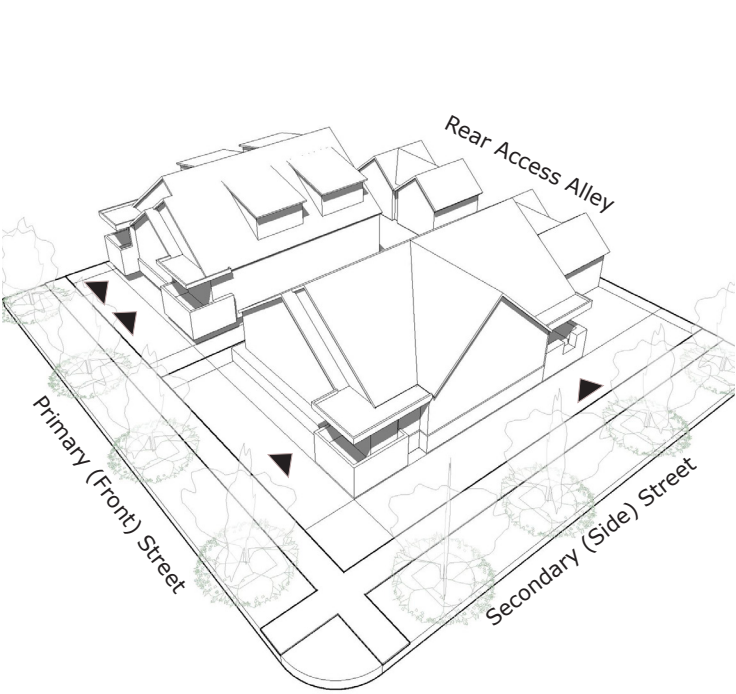
The Paired House Building Type, also known as a Duplex, combines two residences within one structure designed to resemble a Single-Family house in a typical neighborhood setting. The units may include stacked flats or side by side townhouse units. This Building Type allows for smaller scale Multi-family housing to be integrated within Single-Family residential neighborhoods, offering a variety of housing types and affordable options within the neighborhood.

2. APPLICABLE DISTRICTS

- a. Neighborhood Collector (BMS-NC) (3.C)
- b. Neighborhood General (BMS-NG) (3.D)

3. STREETScape

- a. In order to maintain the scale and context of a Single-Family house, entries to multiple units shall utilize one Frontage Type.
- b. The use of corner lots for Paired Houses is encouraged. Corner lots are ideally suited for the Building Type providing for individual unit entries on both street frontages and allowing this Multi-family housing type to blend more easily with adjacent Single-Family houses.
- c. On any block that contains four or fewer lots, Paired Houses are limited to one per block and the lot upon which the Paired House is allowed must be identified on the plat face.



Illustrative Axonometric Diagram

4. LOT SIZE

- a. Width: Minimum 50 ft. , Maximum 70 ft. See section 5.c below for alternate width conditions.
- b. Depth: Minimum 100 ft. — **80 ft.**
- c. See applicable District Standards in Section 3 for required setbacks and Build-to-Lines.

5. ACCESS

- a. For mid-block buildings, the main entrances to units shall be accessed directly from and face the street. The mid-block units may have separate entries or may be combined in a single exterior entry. The main entrances to dwelling units shall be accessed directly from and face the Primary (front) street.
- b. Corner sites must utilize both street frontages for separate unit entries.
- c. The preferred access for garages and services is the rear Alley. When built on streets with front access residences, lot must be a minimum width of 100 ft. and driveways set apart by 30 ft., or, lot may be 80 ft. minimum width with shared drive to rear garage (side yard driveway access). When built on a corner lot condition, maximum width will be 74 ft. to allow a 10 ft. side yard.
- d. Services, including utility access, above ground equipment and trash containers shall be located off of the Alley, where present.

6. BUILDING SIZE AND MASSING

- a. Maximum number of stories: 2.5
- b. Building shall be designed to a scale and massing appropriate for a Single-Family house.
- c. Individual units may either be expressed or designed to resemble one large Single-Family house.
- d. Refer to Section 3 for additional District-specific building height standards.



Illustrative Photo: Corner Lot Duplex

7. FRONTAGES

- a. Allowed Frontage Types for Paired House are:
 - (1) Forecourt (9.E)
 - (2) Greenbelt (9.F)
 - (3) Porch (9.G)
 - (4) Stoop (9.H)
- b. Refer to Section 9 for Frontage Type definitions and standards.
- c. Refer to Section 3 for applicable District standards for allowed encroachments into required setbacks.

8. LANDSCAPE STANDARDS

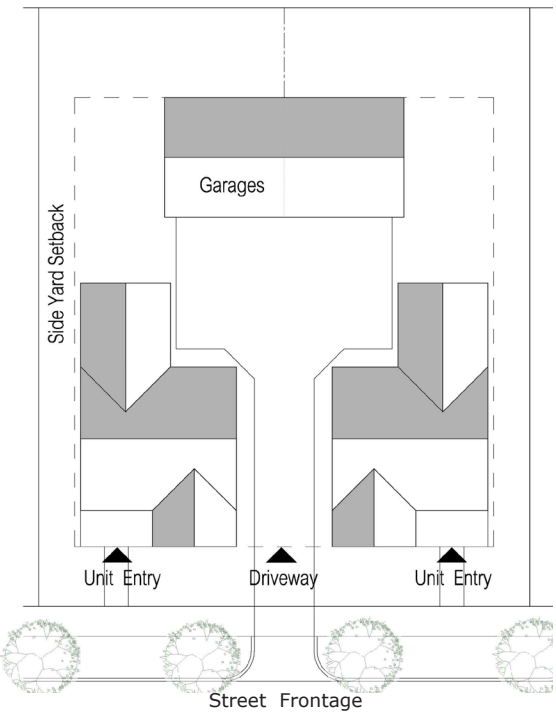
- a. Since this Multi-family Building Type is designed to be integrated into a Single-Family neighborhood, the Common standards in 11.C and the Single-Family Landscape standards set forth in Section 11.E.1 ~~are applicable to Paired Houses.~~ **apply**

9. SUSTAINABLE STANDARDS

- a. ~~The Common standards in 12. C and Residential Sustainable standards set forth in Section 12.E are applicable to Paired Houses.~~ **See**

10. SITE IMPROVEMENT STANDARDS

- a. ~~The Standards set forth in Section 13 are applicable to Paired Houses.~~ **See**



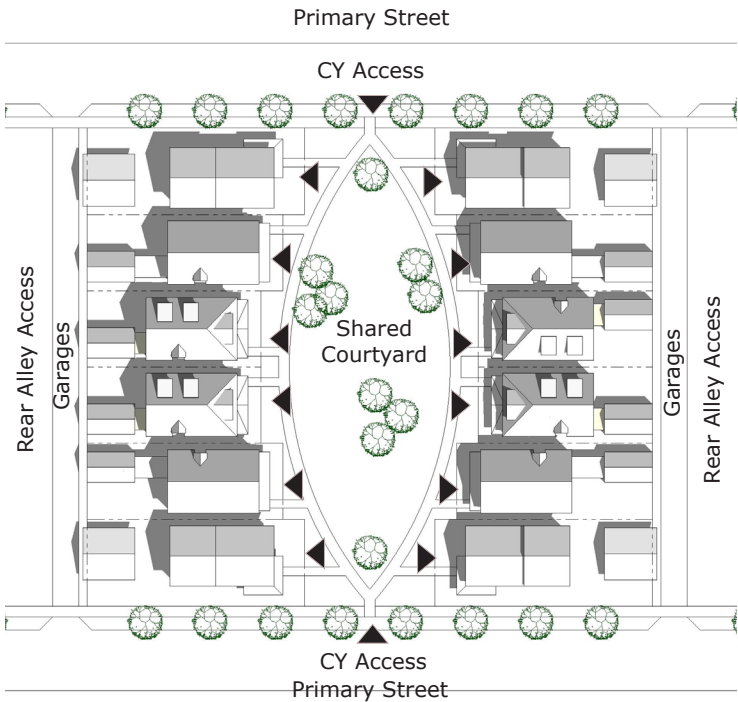
Illustrative Diagram: Mid-Block Duplex

11. PARKING

- a. Parking may be provided in attached or detached parking garages accessed from the Alley where provided. When built on a front load lot, garages shall be set back a minimum of 4 ft. from the front door or 16 ft. or more from the main front facade (side yard driveway access).
- b. Residential Parking quantity requirements by District - See Section 3.
- c. Dwellings may have direct or indirect access to their parking garages.
- d. Tandem parking stalls are allowed to be used for individual residential units.
- e. See Section 13.D for Common Parking Standards.
- f. Additional surface parking, with a minimum depth of 20 ft., may be provided adjacent to garage. Parking shall be screened from the Primary or Secondary streets by either placement behind a structure, by fencing per Section 13.A.1 and/or landscaped per Section 11.C.7.c.
- ~~g. Refer to Section 3 for additional District-specific parking standards.~~

12. ACCESSORY UNITS

- a. Accessory Units are allowed for the Paired Building Type. See Section 8.P for Accessory Unit Building Type Standards.



Illustrative Plan Diagram - Through Block Court

1. TYPE DESCRIPTION

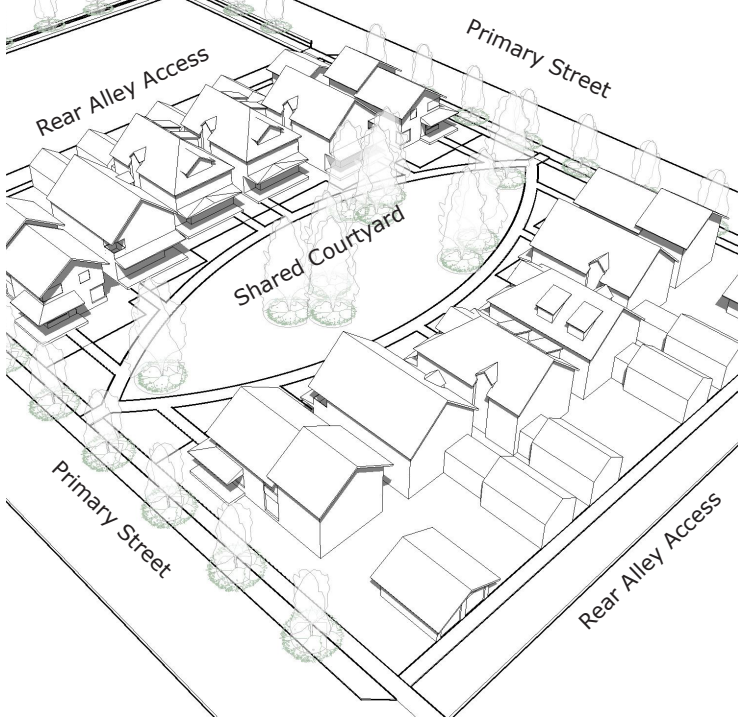
The Cottage Court Building Type consists of free-standing Single-Family residences arranged around a common, shared courtyard. A shared common building may also be provided. House and lot sizes are smaller in comparison to others in the neighborhood. The trade-off for smaller lots is the large common courtyard which may contain a variety of uses: tot lot playground, community gardens, landscaped open space, etc.

2. APPLICABLE DISTRICTS

- a. Neighborhood General (BMS-NG) (3.D)

3. STREETScape

- a. The courtyard shall be either partially or wholly open to the street. The street frontage may be open or maintained by a hedge or low fence. The courtyard entry may be defined by an arbor or similar element but should not be gated.
- b. The courtyard may span an entire block width to provide a mid-block pedestrian connection.
- c. Cottage courts may be wholly open to the street in a corner configuration, serving as a open space to the neighborhood.
- d. Consider locating courtyard open space at terminated vistas at perpendicular streets.
- e. The shared open space and individual houses of Cottage Courts can soften the transition between Districts of higher densities (i.e. BMS-NC to BMS-NG).
- f. Cottage Courts offer solutions for development of irregular shaped blocks.
- g. Portions of buildings adjacent to the street frontage shall address the street with corner elements (i.e. wrap around porch), articulation and windows similar to a front facade.



Illustrative Axonometric Diagram - Through Block Court

4. LOT SIZE

- a. Width: Minimum 35 ft.
- b. Depth: Minimum 70 ft.
- c. See applicable District Standards in Section 3 for required setbacks and Build-to-Lines.

5. ACCESS

- a. The main entrances to dwelling units shall be accessed directly from the courtyard. Units that are adjacent to the street frontage may be accessed from the street (i.e. corner porch).
- b. Garages and services shall be accessed from an Alley. This type is not allowed on a lot without an Alley.
- c. Services, including utility access, above ground equipment and trash containers shall be located off of the Alley.

6. BUILDING SIZE AND MASSING

- a. Maximum number of stories: 2
- b. Massing of houses shall be of a smaller scale, compact configuration.
- c. Allow for maximum exposure to sunlight in the courtyard through building siting and massing.
- d. Refer to Section 3 for additional District-specific building height standards.



Illustrative Photo: Mid Block Cottage Court

7. FRONTAGES

- a. For Cottage Courts, Frontages shall also apply to the internal courtyard facades.
- b. Allowed Frontage Types for Cottage Courts are:
 - (1) Porch (9.G)
 - (2) Stoop (9.H)
- b. Refer to Section 9 for Frontage Type definitions and standards.
- c. Refer to Section 3 for applicable District standards for allowed encroachments into required setbacks.

8. LANDSCAPE STANDARDS

- a. ~~The Common standards in 11.C and the Courtyard Landscape standards set forth in Section 11.E.3 are applicable to Cottage Courts.~~

9. SUSTAINABLE STANDARDS

- a. ~~The Common standards in 12. C and Residential Sustainable standards set forth in Section 12.E are applicable to Cottage Courts.~~

10. SITE IMPROVEMENT STANDARDS

- a. ~~The Standards set forth in Section 13 are applicable to Cottage Courts.~~



Illustrative Photo: Corner Block Cottage Court

11. PARKING

- a. Parking may be provided in attached or detached parking garages accessed from the Alley.
- b. Small surface lots may be provided off of Alley for additional parking.
- c. Residential Parking quantity requirements by District - See Section 3.
- d. Dwellings may have direct or indirect access to their garages.
- e. Tandem parking stalls are allowed to be used for individual residential units.
- f. Additional surface parking may be provided adjacent to garage for Accessory Unit or Home Occupation use. Parking shall be setback 20 ft. from Alley easement.
- g. Surface parking, if provided, shall be screened from the Primary and Secondary Streets by either placement behind a structure, by fencing per Section 13.A.1 and/or landscaped per Section 11.C.7.c.
- h. Parking is not allowed in the Courtyard.
- i. See Section 13.D for Common Parking Standards.
- ~~j. Refer to Section 3 for additional District-specific building height standards.~~

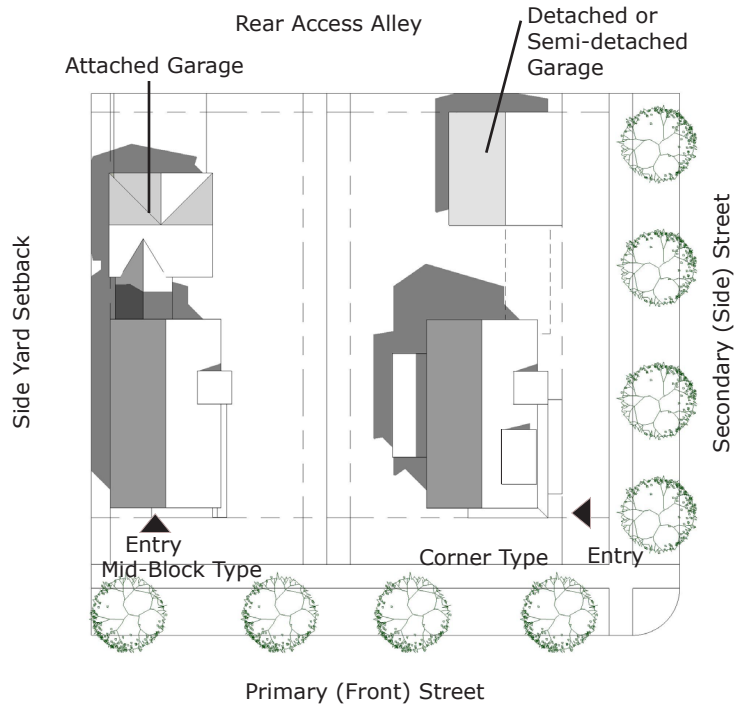
12. ACCESSORY UNITS

- a. Accessory Units are allowed for the Cottage Court Building Type. See Section 8.P for Accessory Unit Building Type Standards.

PROPOSED AMENDMENTS ARE SHOWN:

BUILDING AND DEVELOPMENT STANDARDS FOR

8.N SINGLE-FAMILY HOUSE - ALLEY ACCESS



Illustrative Plan Diagram

1. TYPE DESCRIPTION

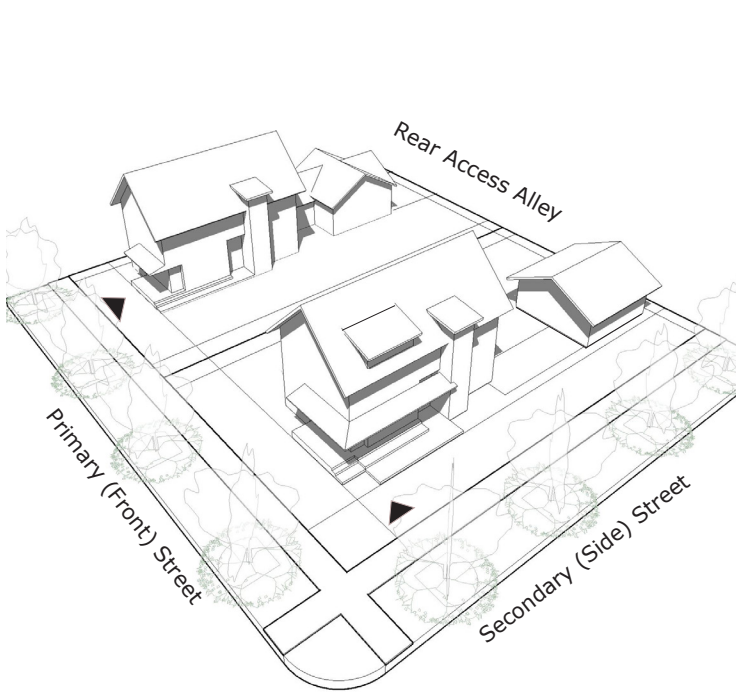
The Single-Family House - Alley Access Building Type is a structure that accommodates one primary residence. Garages are accessed by a rear Alley. Home Occupations may also be allowed per District standards. A variety of lot sizes will allow for a diverse range of Single-Family homes in order to respond to the needs of different households, house sizes and affordability levels.

2. APPLICABLE DISTRICTS

- a. Neighborhood Collector (BMS-NC) (3.C)
- b. Neighborhood General (BMS-NG) (3.D)
- c. Neighborhood Edge (BMS-NE) (3.E)

3. STREETScape

- a. Streetscape diversity is achieved through different models and architectural styles.
- b. Each block face shall contain at least three different models. Different models are defined as those with significant variation in floor plan configuration and minor variation in size or number of bedrooms.
- c. Each of the three models must have at least two architectural styles and color schemes. To further differentiate models, vary wall colors and materials.
- d. Not more than two of the same model with the same architectural style can be used on a block face.
- e. Variety in building height is encouraged along a block face.



Illustrative Axonometric Diagram

4. LOT SIZE

- a. Width: Minimum 40 ft.
- b. Depth: Minimum 100 ft.
- c. See applicable District Standards in Section 3 for required setbacks and Build-to-Lines.

5. ACCESS

- a. The main entry to the building shall be accessed directly from and face the Primary (Front) Street. Corner buildings may have access on Secondary (Side) Street.
- b. Garages and services may be accessed from a rear Alley. This type is not allowed on a lot without an Alley.
- c. Services, including utility access, above ground equipment and trash containers should be located off of the Alley.

6. BUILDING SIZE AND MASSING

- a. Maximum number of stories: 2.5
- b. Height may be increased to 3 stories in the BMS-NE District.
- c. Refer to Section 3 for additional District-specific building height standards.



Illustrative Photo: Corner Lot Single-Family House

7. FRONTAGES

- a. Allowed Frontage Types for Single-Family Houses are:
 - (1) Forecourt (9.E)
 - (2) Porch (9.G)
 - (3) Stoop (9.H)
 - (4) Greenbelt Frontage (9.F)
- b. Refer to Section 9 for Frontage Type definitions and standards.
- c. Refer to Section 3 for applicable District standards for allowed encroachments into required setbacks.

8. LANDSCAPE STANDARDS

- a. ~~The Common standards 11.C and the Single-Family Landscape standards set forth in Section 11.E.1 are applicable to Single-Family Houses.~~

9. SUSTAINABLE STANDARDS

- a. ~~The Common standards in 12. C and Residential Sustainable standards set forth in Section 12.E are applicable to Single-Family Houses.~~

10. SITE IMPROVEMENT STANDARDS

- a. ~~The Standards set forth in Section 13 are applicable to Single-Family Houses.~~



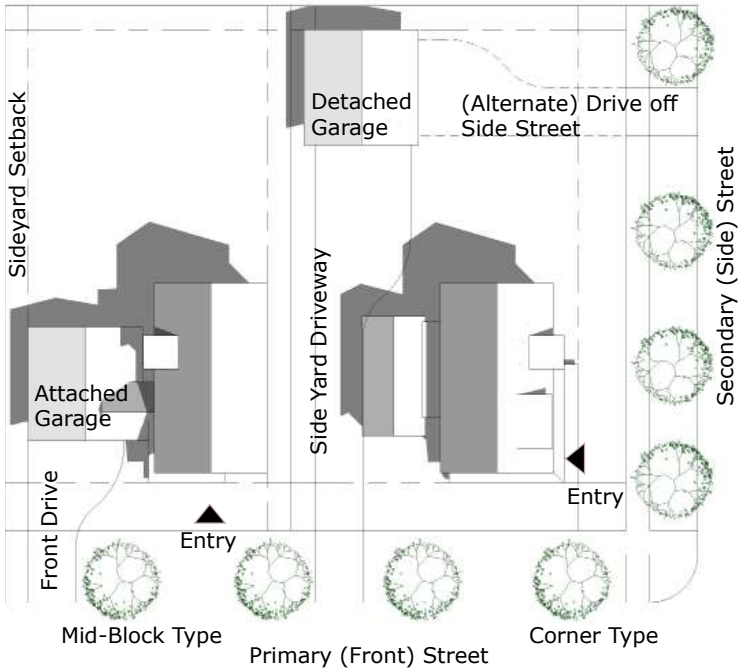
Illustrative Photo: Mid-Block Single-Family House

11. PARKING

- a. Residential Parking quantity requirements by District - See Section 3.
- b. Parking may be provided in attached, semi-detached, or detached garages accessed from the Alley. The use of each these garage types are encouraged within a block to create a varied and more interesting Alley.
- c. Dwellings ^{may} have direct or indirect access to their garages.
- d. Parking may be provided in Tandem stalls.
- e. Garages shall either be setback 4 ft. from Alley easement (no parking) OR Garages may be setback 16 ft. or more from Alley easement to allow surface parking in front of garage. Setbacks between 4 ft. and 16 ft. are not allowed due to potential parking encroachment in the Alley.
- f. Additional surface parking, with a minimum depth of 20ft., may be provided adjacent to garage. Parking shall be screened from the Primary and Secondary Streets by either placement behind a structure, by fencing per Section 13.A.1 and/or landscaped per Section 11.C.7.c.
- g. ~~Refer to Section 3 for additional District-specific parking standards.~~

~~12. ACCESSORY UNITS~~

- a. ~~Accessory Units are allowed for the Single-Family House Alley Access Building Type. See Section 8.P for Accessory Unit Building Type Standards.~~



Illustrative Plan Diagram

1. TYPE DESCRIPTION

The Single-Family House - Street Access Building Type is a structure that accommodates one primary residence. Garages are accessed from the street by a side yard or front driveway. This type cannot be used if a rear Alley is provided. Home Occupations may also be allowed per District standards. A variety of lot sizes will allow for a diverse range of Single-Family homes in order to respond to the needs of different households, house sizes, and affordable levels.

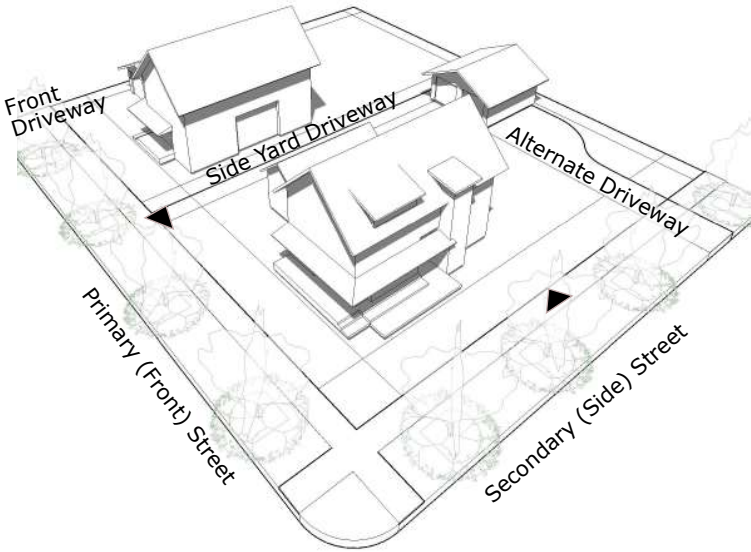
2. APPLICABLE DISTRICTS

- a. Neighborhood General (BMS-NG) (3.D)
- b. Neighborhood Edge (BMS-NE) (3.E)

3. STREETScape

- a. Street Access Houses require a design and layout that lessens the visual impact of the garages from the street. The preferred solution is the side yard driveway.
- b. Streetscape diversity is achieved through different models and architectural styles. Each block face shall contain at least three different models. Different models are defined as those with significant variation in floor plan configuration and minor variation in size or number of bedrooms.
- c. Each of the three models must have at least two architectural styles and color schemes. To further differentiate models, vary wall colors and materials.
- d. Not more than two of the same model with the same architectural style can be used on a block face.
- e. Variety in building height is encouraged along a block face.

Adjusting this requirement helps support narrower lots (and likewise affordability)



Illustrative Axonometric Diagram

4. LOT SIZE

- a. Width: Min. 50 ft. - 40 ft.
- b. Depth: Minimum 100 ft. - 80 ft.
- c. See applicable District Standards in Section 3 for required setbacks and Build-to-Lines.

5. ACCESS

- a. The main entry to the building shall be accessed directly from and face the Primary (Front) Street. Corner buildings may have access on Secondary (Side) Street.
- b. Garages and services shall be accessed from the street in either a side yard driveway or front driveway condition. On corner lots the garage may be accessed from the Secondary (side) Street.
- c. Driveways shall be placed a minimum of 20 feet apart unless combined into a shared driveway condition.
- d. Services, including utility access, above ground equipment and trash containers shall be located off of the street and screened from view.

6. BUILDING SIZE AND MASSING

- a. Maximum number of stories: 2.5
- b. Height may be increased to 3 stories in the BMS-NE District.
- c. Garages shall be no more than 60 percent of the structure facade.
- C. (1) Detached or semi-detached garages shall be set to the rear of the lot with a side yard driveway. Corner lots may have driveway access from the Secondary (side) Street.
- (2) Attached garages with a front driveway condition may have three bays when one of the bays is recessed a minimum of 2 ft. from the other garage bays and when a Porch Frontage Type is used with a porch at least 80 sq. ft. in size. (See Section 9.G).



Illustrative Photo: Side Yard Driveway Access

- (3) Attached garages at corner lots may be accessed from the secondary side street, however the Primary (front) Street facing facade shall have articulation and windows, similar to the front facade.
- (4) If an attached garage is setback 16 ft. or more from the main facade of the house, or if the conditions of c(5) below are met, it shall be considered as a side yard driveway condition per 5.c. block face percentage calculation.
- (5) A garage may be part of a front facade when the garage has a side driveway condition. With a side driveway condition, the garage portion of the facade facing the street will feature design elements to match the residence. These elements may include similar window types, an upper story, and/or further architectural articulation complementary to the principal structure.
- d. Refer to Section 3 for additional District-specific building height standards.

7. FRONTAGES

- a. Allowed Frontage Types for Single-Family Houses are:
 - (1) Forecourt (9.E)
 - (1) Porch (9.G)
 - (2) Stoop (9.H)
- b. Refer to Section 9 for Frontage Type definitions and standards.
- c. Refer to Section 3 for applicable District standards for allowed encroachments into required setbacks.

8. LANDSCAPE STANDARDS

- a. The Common standards 11.C and the Single-Family Landscape standards set forth in Section 11.E.1 are applicable to Single-Family Houses.



Illustrative Photo: Front Driveway Garage

9. SUSTAINABLE STANDARDS

- a. The Common standards in 12.C and Residential Sustainable standards set forth in Section 12.E are applicable to Single-Family Houses.

10. SITE IMPROVEMENT STANDARDS

- a. The Standards set forth in Section 13 are applicable to Single-Family Houses.

11. PARKING

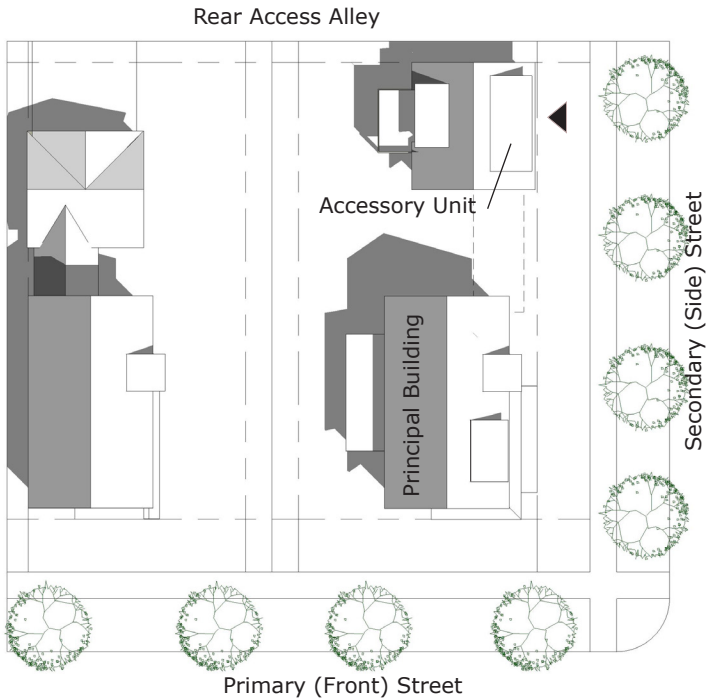
- a. Residential Parking quantity requirements by District - See Section 3.
- b. Parking may be provided in attached, semi-detached, or detached garages accessed from the street.
- c. Dwellings have direct or indirect access to their garages.
- d. Parking may be provided in Tandem stalls.
- e. Refer to Section 3 for additional District-specific parking standards.

12. ACCESSORY UNITS

- a. Accessory Units are allowed for the Single-Family House - Street Access Building Type. See Section 8.P for Accessory Unit Building Type Standards.

Note: Part of the reason for this change has to do with Solar gain (can flip a garage orientation if necessary)

(UPDATED) PROPOSED AMENDMENTS ARE SHOWN:
BUILDING AND DEVELOPMENT STANDARDS FOR
8.P ACCESSORY UNIT



Illustrative Plan Diagram

1. TYPE DESCRIPTION **in a detached unit,**

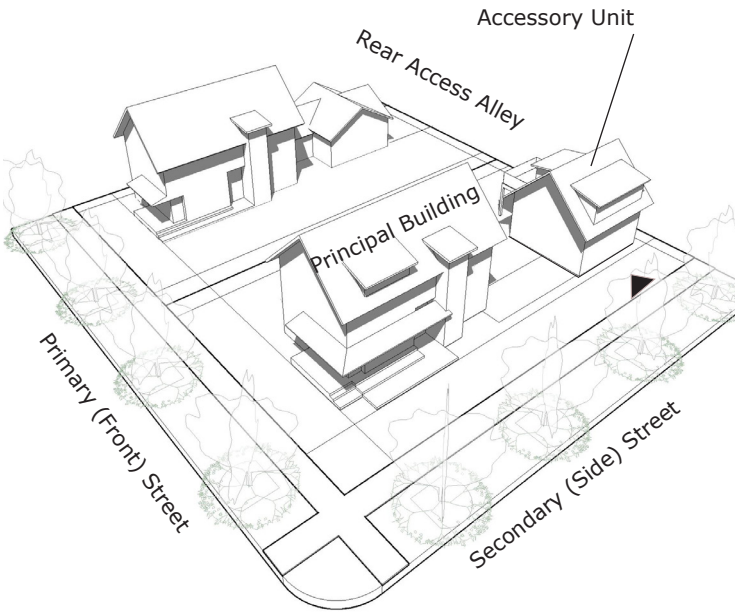
The Accessory Unit Building Type is a structure that accommodates accessory uses above a detached or semi-detached garage, or within the principal building. The Accessory Unit is located on a lot which also contains the principal building. The Accessory Unit can be used as an accessory (rental) dwelling, home office, or simply additional living space. The units may contain permanent provisions for working, living, sleeping, eating, cooking and sanitation. Dwelling units in the Accessory Unit Type are not included in the density counts for the community.

2. APPLICABLE DISTRICTS

- a. Neighborhood General (BMS-NG) (3.D)
- b. Neighborhood Edge (BMS-NE) (3.E)

3. STREETScape

- a. Corner lot Accessory Units are ideally suited for Home Occupation uses due to visibility from the street.
- b. Accessory Units enliven the Alley streetscape with activity and architectural interest, ~~however their use is limited to avoid intense density in Alleys.~~



Illustrative Axonometric Diagram

4. LOT SIZE

- a. Width: Minimum per Principal Building Type
- b. Depth: Minimum per Principal Building Type
- c. See applicable District Standards in Section 3 for required setbacks and Build-to-Lines.

5. ACCESS

- a. ~~The unit is located above a detached or semi-detached garage. Access to the upper level unit may be by an open or enclosed stair, and the--~~
If The unit is located above a detached or semi-detached garage, Access to the upper level unit may be by an open or enclosed stair, **and the--**
- b. ~~The main entry to the unit must be separate from the garage below and direct to the exterior.~~
- c. ~~The entry may be accessed from the Alley, side street, rear or sideyard of the main house.~~
- d. ~~Where an Alley is present, parking and services shall be located off of the Alley.~~

6. BUILDING SIZE AND MASSING

- a. Maximum number of stories: 2, but in all cases not taller than the principal structure.
- b. The maximum size of an Accessory Unit ~~above a detached or semi-detached garage is 600 SF.~~ **is 1,000 SF.**
- c. ~~The maximum size of an Accessory Unit attached to the principal structure is 440 SF.~~
- d. ~~The design and massing of the Accessory Unit shall be compatible with the principal building.~~
- e. ~~Accessory Units are limited to 50% per block face.~~
- f. ~~Refer to Section 3 for additional District-specific building height standards.~~

PREVIOUS PHOTO REPLACED



Illustrative Photo: ~~Corner Lot / Alley Access~~ Accessory Unit

7. FRONTAGES

- a. Frontage Types are not applicable for Accessory Units.
- b. Refer to Section 3 for applicable District Standards for allowed encroachments into required setbacks.

8. LANDSCAPE STANDARDS **in Section**

- a. ~~The Common standards 11.C and the Single-Family Landscape standards set forth in Section 11.E.1 are applicable to Accessory Units.~~ **See /**

9. SUSTAINABLE STANDARDS **Section**

- a. ~~The Common standards in 12. C and Residential Sustainable standards set forth in Section 12.E are applicable to Accessory Units.~~ **See /**

10. SITE IMPROVEMENT STANDARDS

- a. ~~The Standards set forth in Section 13 are applicable to Accessory Units.~~ **See**



Illustrative Photo: Street Access Accessory Unit

11. PARKING

- a. Residential Parking quantity requirements by District - See Section 3.
- b. Parking standards for the principal building apply.
- c. ~~At Alley conditions one additional surface parking stall may be provided adjacent to garage for Accessory Unit or Home Occupation use. Parking shall be setback 20 ft. from Alley easement and shall be screened from the Primary and Secondary Streets by either placement behind a structure, by fencing per Section 13.A.1 and/or landscaped per Section 11.C.7.c. the street.~~
- d. ~~Refer to Section 3 for additional District specific parking standards.~~



**FRONTAGE
TYPE
STANDARDS**

9

Section 9 identifies design standards for the Frontage Types permitted in each district.

9.A Introduction	9-2
9.B Storefront	9-2
9.C Arcade	9-2
9.D Gallery	9-2
9.E Forecourt	9-3
9.F Greenbelt	9-3
9.G Porch	9-3
9.H Stoop	9-3

9.A INTRODUCTION

1. Purpose

This Section identifies the design standards for each of the Building Types allowed within the Districts that make up the Badger Mountain South community. These regulations ensure that the proposed development is consistent with the project goals for building form, character and quality.

The Building Type Standards include:

- Type Description
- Required Lot Size
- Pedestrian Access
- Allowed Frontage Types
- Vehicle Access and Parking,
- Open Space Requirements
- Landscape Requirements
- Building Size and Massing
- Allowed Architectural Styles

Fix all text size inconsistencies on this page

2. Applicability

Each proposed building shall be designed in compliance with the standards of this Section for the applicable Building Type. Civic, Community and Institutional Buildings, as well as stand-alone Commercial Buildings are exempt from these standards due to their unique disposition and application. These building types shall be approved under special review by the Master Plan Architect (MPA).

3. Allowable Building Types by District

2.D

Each proposed building shall be designed as one of the types allowed by the Allowed Building Type by District Table in Section 2.3 and the Building Type Standards Summary Table Section 7.2.8.B

In addition to the standards in this Section, each Building Type is subject to the requirements of the applicable District standards in Section 3, the applicable Frontage Type Standards in Section 8, as well as the Architectural Standards in Section 9.8, and the applicable Frontage Type Standards in Section 9. Section 3 District Standards identify the Intent of the District and regulate the Building Placement on Lot (Setbacks & Encroachments), Building Profile and Type (Building Height, Building Types and Frontage Types) and Parking (Placement, Access & Requirements).

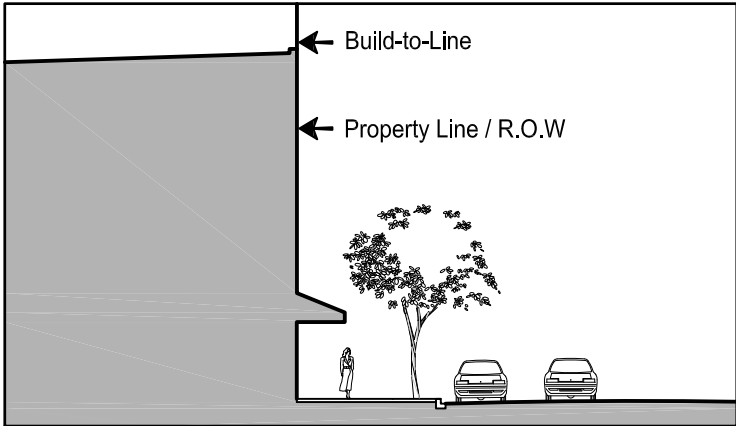
Section 8 Frontage Type Standards define the various allowed Frontage Types and identifies the required configuration (depth, width, height, components, etc) of each type.

Section 9 Architectural Standards identifies and defines the allowed Architectural Styles for development within the Badger Mountain South community.

9.B Storefront



Illustrative Photo: Commercial Streetscape Storefront Frontage



Standards Diagram Section - Storefront

1. DESCRIPTION

The Storefront Frontage Type is appropriate for Districts and Building Types that contain ground floor commercial and retail uses. This Frontage Type includes large areas of transparent glazing and doors. The main facade of the building is at or near the Build-to-Line. Canopies and awnings overlap the sidewalk along the majority of the Frontage and are wide enough to provide overhead weather protection and pedestrian scale at the street level.

2. APPLICABLE DISTRICTS
- a. ~~Village Mixed-Use (BMS-VMU) (3.B)~~
 - b. ~~Neighborhood Collector - Commercial (BMS-NC) (3.C)~~

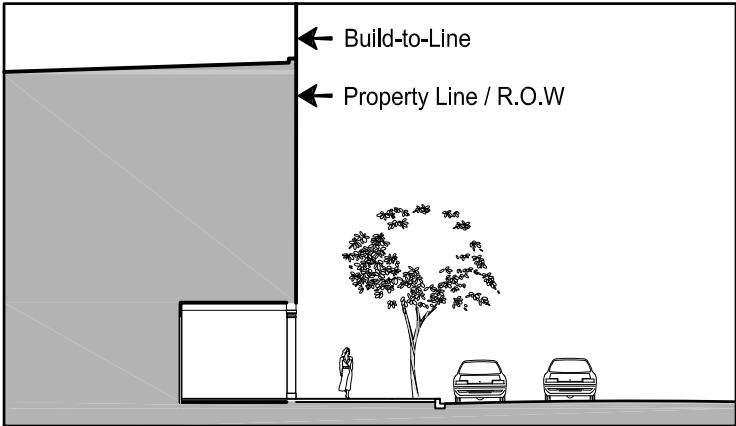
3. APPLICABLE BUILDING TYPES
- a. Neighborhood Goods and Services Buildings (8.E)
 - b. Commercial / Mixed-Use/ Liner (8.F)
 - c. Live/Work Building (8.G)

4. STANDARDS
- a. Placement: At or near Build-to-Line, per District.
 - b. Windows and Doors: At least 75% of the first floor wall area along the primary frontage shall have transparent glazed openings between 2 ft. and 9 ft. above the sidewalk level. The Storefront shall provide clear views of merchandise displays within the space a min. of 4 ft. in depth. Entrances are at sidewalk grade.
 - c. Elements: Canopies and awnings shall overlap the sidewalk 5 ft. min. in depth and provide 8 ft. min. /16 ft. max. clear height, as measured above the adjacent sidewalk. A City of Richland Sidewalk Use Licence is required for elements that extend over a public sidewalk.
 - d. Cafe seating and merchandise display is encouraged on the sidewalk in front of the Storefront. Five ft. of unobstructed sidewalk must be provided between the curb line and the outdoor seating area.

9.C ARCADE



Illustrative Photo: Outdoor Dining at Arcade Frontage



Standards Diagram Section - Arcade

1. DESCRIPTION

The Arcade Frontage Type is appropriate for Districts and Building Types that contain ground floor commercial and retail uses. Arcade Frontage includes a colonnade supporting habitable commercial or residential space above. The colonnade provides pedestrian shelter and opportunities for covered outdoor dining and merchandise display.

2. APPLICABLE DISTRICTS
- a. ~~Village Mixed-Use (BMS-VMU) (3.B)~~
 - b. ~~Neighborhood Collector - Commercial (BMS-NC) (3.C)~~

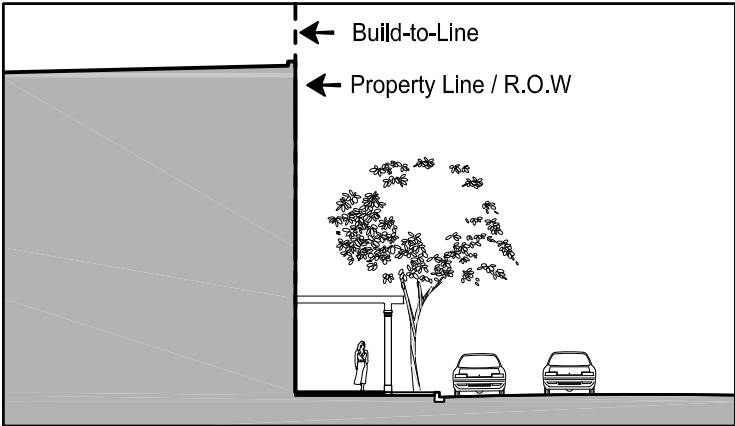
3. APPLICABLE BUILDING TYPES
- a. Neighborhood Goods and Services Buildings (8.E)
 - b. Commercial / Mixed-Use/ Liner (8.F)
 - c. Live/Work Building (8.G)

4. STANDARDS
- a. Placement: At or near Build-to-Line, per District.
 - b. Windows and Doors: Storefronts shall correspond to colonnade spacing. The Storefront shall provide clear views of merchandise displays within the space. Entrances are at sidewalk grade.
 - c. Elements: Arcade shall be no less than 8 ft. wide and 10 ft. tall.
 - d. Cafe seating and merchandise display is encouraged in the Arcade. A City of Richland Sidewalk Use License is required for use of a public sidewalk.

9.D GALLERY



Illustrative Photo: Gallery Frontage Streetscape



Standards Diagram Section - Gallery

1. DESCRIPTION

The Gallery Frontage Type is appropriate for Districts and Building Types that contain ground floor commercial and retail uses. Gallery Frontage includes a colonnade supporting a roof or balcony above. The colonnade covers the sidewalk and provides pedestrian shelter and opportunities for covered outdoor dining and merchandise display.

2. APPLICABLE DISTRICTS
- a. ~~Village Mixed-Use (BMS-VMU) (3.B)~~
 - b. ~~Neighborhood Collector - Commercial (BMS-NC) (3.C)~~

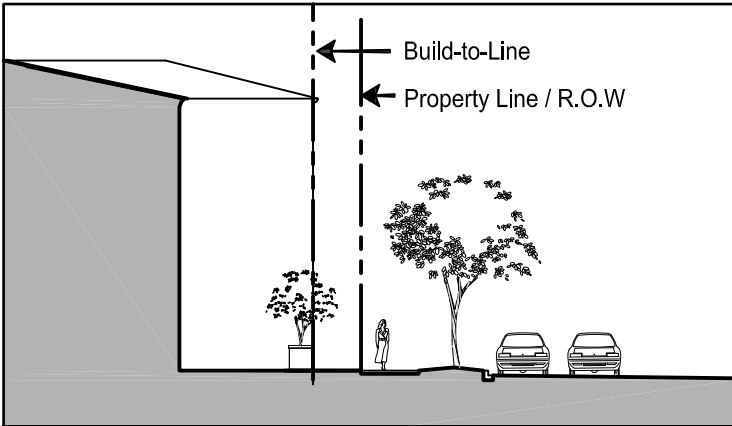
3. APPLICABLE BUILDING TYPES
- a. Neighborhood Goods and Services Buildings (8.E)
 - b. Commercial / Mixed-Use/ Liner (8.F)
 - c. Live/Work Building (8.G)

4. STANDARDS
- a. Placement: Colonnade may overlap the width of the sidewalk to within 5 ft. of the curb. Overlap of R.O.W. requires easement.
 - b. Windows and Doors: Storefronts shall correspond to colonnade spacing. The Storefront shall provide clear views of merchandise displays within the space. Entrances are at sidewalk grade.
 - c. Elements: Gallery shall be no less than 8 ft. wide and 10 ft. tall.
 - d. Cafe seating and merchandise display is encouraged in the Gallery. A City of Richland Sidewalk Use License is required for use of a public sidewalk.

9.E FORECOURT



Illustrative Photo: Residential Entry Court



Standards Diagram Section - Forecourt

1. DESCRIPTION

The Forecourt Frontage Type is appropriate for either residential or commercial Districts and Building Types. This Frontage includes a small court space that is setback while the majority of the building is placed at or near the frontage line. The Forecourt may be used as an entry court and shared garden space for residential uses, or as additional shopping or restaurant seating areas within commercial districts. This type should be used sparingly along a block frontage.

2. APPLICABLE DISTRICTS

- ~~a. Village Mixed-Use (BMS-VMU) (3.B)~~
- b. Neighborhood Collector (BMS-NC) ~~(3.C)~~ (3.C.A or B)
- c. Neighborhood General (BMS-NG) (3.D)
- d. Neighborhood Edge (BMS-NE) (3.E)

3. APPLICABLE BUILDING TYPES

- a. All Building Types (Section 8)

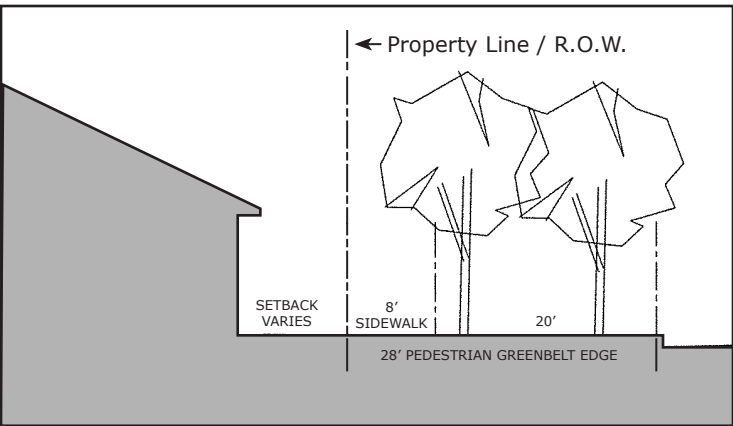
4. STANDARDS

- a. Placement: Court space shall front onto a street. The proportions and solar orientation should be carefully considered for user comfort.
- b. Windows and Doors: Entrances are at sidewalk grade.
- c. Elements: A small wall, hedge or fence shall be placed along the frontage line where it is not defined by a building; see Fencing Standards, section 13.A.
- d. Large trees placed in the Forecourt may overhang the sidewalks.

9.F GREENBELT



Illustrative Photo: Row Houses on Greenbelt



Standards Diagram Section - Greenbelt

1. DESCRIPTION

The Greenbelt Frontage Type is located per the Regulating Plan for Civic Spaces (5.B) primarily along Collector streets and serve as a "green connection" and trail network to amenities throughout the community. This Frontage Type serves as a buffer from the Collector Streets.

2. APPLICABLE DISTRICTS

- a. Neighborhood Collector (BMS-NC) ~~(3.C)~~ (3.C.A or B)
- b. Neighborhood General (BMS-NG) (3.D)

3. APPLICABLE BUILDING TYPES

- a. All Building Types allowed in District (Section 8)

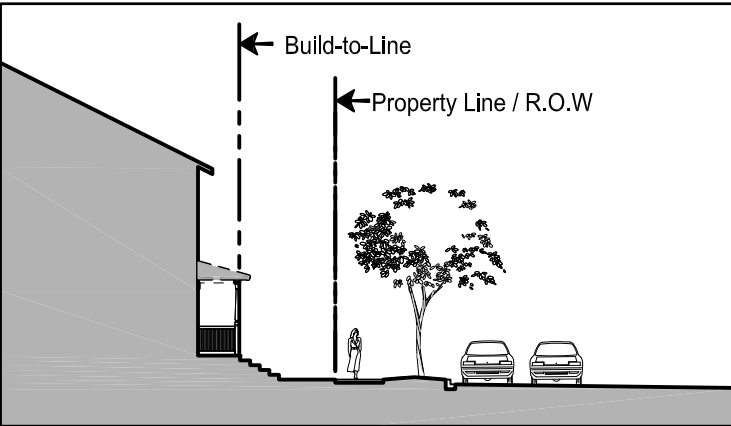
4. STANDARDS

- a. Placement: The Greenbelt frontage creates a deep landscaped setback from the street. Buildings fronting on the greenbelt may have any of the allowable frontages for the Building Type (i.e. Porch, Stoop, etc.)
- b. Windows and Doors: Entrances may be at or above sidewalk grade.
- c. Elements: Frontage onto Greenbelt may be undefined or defined by fence or hedge.
- d. An 8 ft. min. wide sidewalk located along the property line will provide the public access for adjacent buildings.
- e. A Primary or Secondary Trail will meander through the Greenbelt, see ~~5.K~~ ^{update} Illustrative Trail Layout Plan. When a Primary Trail is co-located within a Greenbelt, the Trail shall take on the development standards of the Greenbelt and no additional sidewalk is required.
- f. The Greenbelt shall be a minimum of 28 ft. deep along building Frontages.
- g. See Section ~~5.H~~ ^{update} for additional Greenbelt standards.

9.G PORCH



Illustrative Photo: Single-Family Front Porches



Standards Diagram Section - Porch

1. DESCRIPTION

The Porch Frontage Type is appropriate for all residential Districts and Building Types. This Frontage includes a covered roof area enclosing an outdoor room deep enough for seating. The Porch provides a transition between public and private space and creates opportunity for interaction between neighbors.

2. APPLICABLE DISTRICTS

- ~~a. Village Mixed-Use - Residential only (BMS-VMU) (3.B)~~
- b. Neighborhood Collector (BMS-NC) ~~(3.C)~~ (3.C.B)
- c. Neighborhood General (BMS-NG) (3.D)
- d. Neighborhood Edge (BMS-NE) (3.E)

3. APPLICABLE BUILDING TYPES

- a. All Residential Building Types (8.F-8.O)

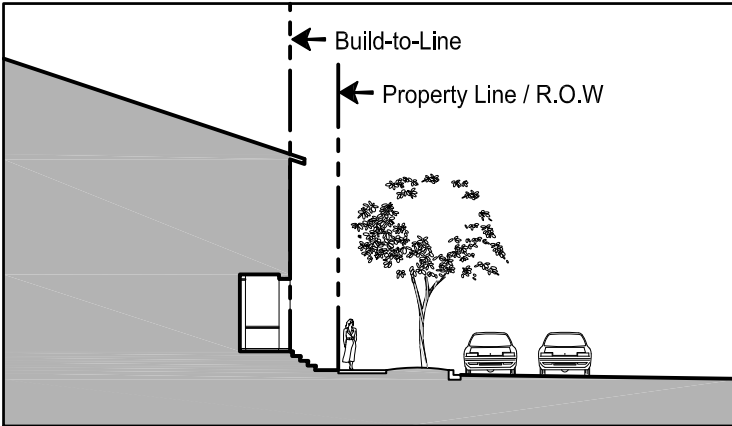
4. STANDARDS

- a. Placement: Building front shall be placed back far enough to allow for a Porch and stair, if required. Stair may encroach into required setback.
- b. Windows and Doors: Entrances may be at or above sidewalk grade.
- c. Elements: Porch shall be no less than 6 ft. deep to allow for usable seating area. However, the Porch may be reduced to a depth of 4 ft. to meet house and architectural style requirements. Upper floor decks are permitted above the Porch.

9.H STOOP



Illustrative Photo: Row House Stoop Frontages



Standards Diagram Section - Stoop

1. DESCRIPTION

The Stoop Frontage Type is appropriate for Districts and Building Types that contain higher density housing where the ground floor residential use is close to the frontage line and raised from the street for privacy. This Frontage includes an exterior stair and landing and may be covered.

2. APPLICABLE DISTRICTS

- ~~a. Village Mixed-Use - Residential only (BMS-VMU) (3.B)~~
- b. Neighborhood Collector (BMS-NC) ~~(3.C)~~ (3.C.B)
- c. Neighborhood General (BMS-NG) (3.D)
- d. Neighborhood Edge (BMS-NE) (3.E)

3. APPLICABLE BUILDING TYPES

- a. All Multi-Family Building Types (8.F-8.M)
- b. Single-Family Homes, if appropriate for style (8.N-8.O)

4. STANDARDS

- a. Placement: Building facade may be setback the depth of the entry stair from the sidewalk. Stair may encroach into required setback.
- b. Windows and Doors: Entrances are raised above sidewalk grade, where feasible.
- c. Elements: The Stoop may include a covered roof, awning, or door may be inset within the building front.

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**LANDSCAPE
STANDARDS**

11

Section 11 describes the landscape guidelines and standards for the Badger Mountain South community.

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11.A INTRODUCTION

The landscape guidelines and standards which follow are intended to complement the natural beauty of the Badger Mountain Preserve, help define the Badger Mountain South neighborhoods and commercial areas and provide a visually pleasant gateway into the City of Richland.

The landscape character of the Badger Mountain South community as identified in these standards borrows heavily from the precedent of the original shrub-steppe landscape found here. However that historical character is joined with other opportunities for a more refined and urban landscape pattern that relates to edges of uses and defines spaces into activity areas.

This section is divided into the following sub-sections: Guiding Principles, which suggest the overall orientation for all landscape applications; Common Standards, which apply to all Districts; District-specific landscape standards; and finally extensive plant lists of materials suitable in a variety of situations.

11.B GUIDING PRINCIPLES



1. WATER CONSERVATION

- a. Drought tolerant plants.
- b. Native/naturalized plants, suitable for site.
- c. Plants grouped into areas of similar water needs.

WATER CONSERVATION continued

- d. Design for low maintenance.
- e. Drip irrigation shall be primary irrigation system throughout community.
- f. Lawn to be drought tolerant.

2. REGIONAL LANDSCAPE CHARACTER

- a. Establishment of regional landscape character is encouraged.



3. REFINED LANDSCAPE

- a. Design active use areas with soft native plant edge to frame in activity and blend in with native character.
- b. Provide drought tolerant, low grow lawn in active open space as needed for use.

4. TREES

- a. Encourage street tree organization in grouped spacing; vary pattern.
- b. Street trees in green belts arranged in varied pattern.
- c. Encourage use of trees to promote shade, air quality, and diverse ecosystems.

5. ENGAGE ALL SENSES

- a. Design with five senses in mind.
- b. Plants should be:
 - Colorful
 - Fragrant
 - Have varied texture
 - Layer plants of different structure for sound variation
 - Edible



Water Conserving Street Frontage Landscape

1. GENERAL STANDARDS

- a. At a miminum, all landscape design must conform with the requirements of RMC 23.54 Off-Street Parking and Landscape
- b. Landscape design should be both aesthetic and functional.
- c. Landscape design should enhance the building architecture and frame significant architectural elements.
- d. Landscape design may be informal, as applied to large use areas, or refined, as applied in commercial and residential districts.
- e. The use of trellises, arbors, planters, low walls and similar, are encouraged and when used should complement the building style.
- f. Mature tree height should be accounted for when locating trees near any utility and otherwise planted 10-feet from all utilities.
- g. Landscaping within a Clear Vision Triangle ^(at intersections) must not be higher than 18-inches when mature.
- h. Plant materials should be similar to the Drought Tolerant and/or Native/naturalized Plant List and Refined Plant List, Sections 11.F-11.G or other COR approved equivalent. Plants not selected from the lists must be native, naturalized, drought tolerant, and/or suitable in Tri-Cities Region USDA Hardiness Zone.
- i. Water conservation may be achieved by a combination of any of the following techniques:
 - (1) Group plants into areas of similar water need;
 - (2) Locate plants based on solar orientation, exposure and drainage patterns; and
 - (3) Amend soil based on existing conditions.

2. IRRIGATION

- a. Irrigate street frontage, alley, front, front/side yard transition, rear, side yard, and greenbelt landscape using a drip or sub-surface irrigation system, until plants are established. Spray irrigation system exceptions may be granted for Usable Lawn areas only.
- b. Use weather or moisture sensor with automatic control as needed.



Alley Landscape

3. STREET FRONTAGE / MEDIAN LANDSCAPE

- a. Street tree planting is required along all public streets and medians unless site constraints such as sight distance or utility conflicts prohibit installation. Builders must provide street trees aligned in clusters of varied spacing or equal spacing depending on the street character.
- b. When street trees are planted with equal spacing, spacing shall be 30 ft. o.c., typ. or as noted in Section 6: Street Standards per Edge Type 6.C-6.H.
- c. Street tree minimum size at installation as follows:
 - (1) Arterial Street - 1.5" caliper
 - (2) Collector Street - 1.5" caliper
 - (3) Local Street - 1.5" caliper
- e. Street trees must be centered in the landscape planter unless otherwise dictated by site constraints.
- f. Street frontage landscape planter shall consist of low maintenance, drought tolerant ornamental grasses, shrubs, or groundcover not to exceed 24" ht., or 18" ht. within 20 ft. of all intersections.
- g. See Section 6: Street Standards for width and location of street frontage landscape planter per Edge Type 6.C-6.H.

4. ALLEY LANDSCAPE

- a. A 4 ft. wide shoulder is provided on either side of the paved Alley per Section 6.G. The intent of this shoulder is to provide space for cars to pull over to pass in a two-way traffic condition.
- b. 4 ft. wide shoulder in Alley 6" depth crushed gravel suitable for driving surface.

5. HEDGE/WALL

- a. Hedges and walls may be used to create privacy and extend into the landscape as a complimenting feature to the building architecture.
- b. Hedges shall be composed of evergreen shrubs, not to exceed 4 ft. ht., See 11.G - Refined Plant list for Evergreen Hedge Plants.
- c. Walls shall consist of stone, masonry, or building materials that complement the principal structure, not to exceed 4 ft. ht.

6. DECORATIVE LANDSCAPE PLANTERS

- a. Will be free standing, and made of commercial grade materials and designed for heavy public use.
- b. The landscape planter design and style shall be a reflection of the neighborhood character to which they reside.
- c. Landscape planters shall include hardware or other deterrents for skateboards.

7. PARKING LOT LANDSCAPE

- a. Requirements
 - (1) Landscaping shall:
 - i. Be located to break up large expanses of pavement, both internally and at perimeters;
 - ii. Define and delineate driveways, parking stalls and pedestrian walkways;
 - iii. Screen parking lots from adjacent properties and street frontages;
 - iv. Be disbursed throughout the lot;
 - v. Be comprised primarily of deciduous trees for shading, with understory of shrubs and groundcover plants.
- b. Interior landscaping
 - (1) A minimum five percent (5%) of the total paved parking area (including parking stalls, driveways and walkways) shall be landscaped;
 - (2) Required perimeter and building foundation landscaping shall not be considered as part of the Interior Landscaping requirements. Exception: Where a required planter island abuts a required perimeter landscape area, the perimeter landscape may be widened but no additional planter landscape area is required.
 - (3) Interior Landscaping requirements will NOT apply to parking lots containing ten (10) or fewer parking stalls;
 - (4) All planter islands will be protected by a continuous, raised concrete curb;
 - (5) Planter islands shall be a minimum width of five (5) feet (inclusive of curbing) and the full depth of the adjacent parking stalls (minimum 75 square feet);
 - (6) Interior planter islands will contain a minimum of (1) deciduous shade tree and complemented with shrubs and groundcover not to exceed 3 feet in mature height;
 - (7) Every 12 parking stalls will be broken up with a planter island, if the row of parking contains a maximum of 14 stalls, no interior island is required;
 - (8) A planter island is required at the ends and corners of every row of parking stalls;
 - (9) Use of "turf" lawn is prohibited in interior landscape islands.
 - (10) Irregular- shaped planter islands shall contain the minimum 100 square feet of landscape area and protect the full depth of adjacent parking stalls.
- c. Perimeter Landscaping Abutting Adjacent Properties and Public Rights-of-Way
 - (1) Minimum landscape strip of 5-feet in width is required along all sides abutting adjoining properties.
 - (2) Minimum landscape strip of 10-feet in width is required along all sides abutting a public right-of-way.
 - (3) All perimeter landscape strips shall be planted with one type or a combination of tree types – small coniferous evergreen trees; small deciduous accent trees; and large deciduous shade trees.
 - (4) The "understory" planting will include one of the following three options and will form a solid screen and cover within two (2) years of planting:
 - i. A combination of shrubs and groundcover planted in a formal hedge planting and with a mature, minimum height of 18" and maximum height of 3-feet.

- ii. Segmental, solid screen wall - min. 30"/max.42" high (durable materials/no exposed wood), combined with wall-clinging plants and/or low shrub planting.
- iii. Earth mounded berm – min. 30"/max. 42" high, covered with an "informal" arrangement of low shrubs and groundcover (BMS-SD-DR District only).
- (6) All planter islands will be protected by a continuous, raised concrete curb;
- (7) Coordinate proposed tree and shrub locations and plant species with existing trees and shrubs on adjacent properties.
- (8) If proposed parking lot abuts an existing hedge, wall or screen planting that satisfies the requirements of this section, perimeter planting requirements MAY be relaxed. Provide adjacent plant location(s), plant types and sizes as part of the proposed landscape treatment.
- (9) Use of "turf" lawn is prohibited in perimeter landscape strips.
- d. Maintenance
 - (1) It will be the Owner's responsibility to maintain all landscape elements on their property.
 - (2) Landscaping will be kept in good condition, free of debris and refuse.
 - (3) Live plant material shall be kept alive in a healthy and thriving condition.
 - (4) Use of a temporary or permanent, drip or other approved water-conserving irrigation system, is required.
- e. Certificate of Occupancy
 - (1) The installed landscape will be inspected and no certificates of occupancy will be issued unless and until the landscaping meets all the requirements of the approved Landscape Plan and the LUDR - Section 11.
 - (2) If the landscaping cannot be installed safely and insure survival due to the time of year or other good cause, a temporary certificate of occupancy may be issued for a maximum period of 6 months. The owner shall furnish a satisfactory "bond" assurance for that 6-month period, guaranteeing installation of the approved landscaping.

8. NEIGHBORHOOD AND COMMUNITY STORAGE AREA SCREENING

- a. Neighborhood Storage Areas must be fenced per Section 13.A.3, Community Storage Facility per 13.A.4.
- b. Between the sidewalk and the fence, or the fence and the side or rear setbacks, an evergreen hedge shall be planted, per Section 11.G., and irrigation provided. The plantings shall be of sufficient size and quantity to reasonably be expected to provide 100% screening within three years of planting.
- c. Storage Facility screening only applies to BMS-NG and BMS-NC-P districts.

11.D CIVIC AND COMMERCIAL DISTRICT STANDARDS



Commercial Facility

1. APPLICABLE DISTRICTS

- ~~a. Village Mixed Use (BMS-VMU) (3.B)~~
- b. Neighborhood Collector - Commercial (BMS-NC) (3.C)
- c. Civic (BMS-CIVIC) (3.F)
- d. Special Districts:
 - (BMS-SD-SR) (4.B)
 - (BMS-SD-CMU) (4.C)
 - (BMS-SD-DR) (4.D)

2. SUBMITTAL PROCESS

- a. All development permit applications for civic, commercial, and multi-family buildings are required to submit a landscape plan. A "landscape" plan will include all areas of plazas, hardscape gathering places as well as planted areas; these areas will all count towards meeting the overall landscape requirements.
- b. Civic and commercial development proposals will include 10 percent Landscape Coverage of the site. The Master Developer of a commercial area may set aside common areas that meet this requirement rather than meeting it on a parcel by parcel basis.
- c. Multi-family structures that are over 50 units and use stacked units or courtyard building types are required to have designated children play areas of 5 square feet per unit, unless developed as Senior Housing. Play areas will meet Local Park standards and amenities, Section 5.D.

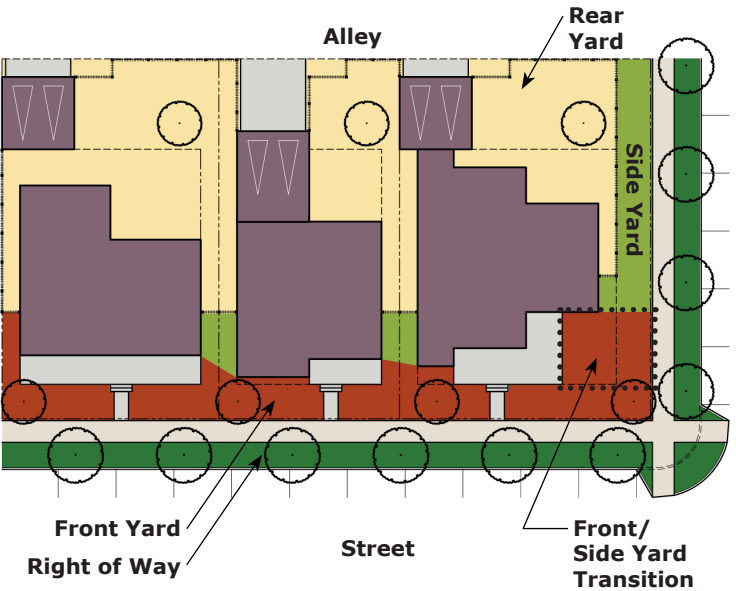
3. RIGHT OF WAY STANDARDS

- a. Street trees - Required, See Street Frontage Landscape, Section 11.C.3
- b. Sidewalk - Required, See Section 6: Street Standards

4. PARKING LOT LANDSCAPE STANDARDS

- a. See Common Parking Lot Landscape Standards, Section 11.C.7

11.E RESIDENTIAL STANDARDS



1. SINGLE FAMILY RESIDENTIAL

a. Applicable Districts

- (1) Neighborhood Collector - Commercial (BMS-NC) (3.C)
- (2) Neighborhood General (BMS-NG) (3.D)
- (2) Neighborhood Edge (BMS-NE) (3.E)

b. Right of Way

- (1) Street trees - See Street Frontage Landscape 11.C.3
- (2) Sidewalk - See Section 6: Street Standards

c. Front Yard

- (1) Front yard tree per lot - 1 required.
- (2) Use of perennials, ornamental grasses, shrubs, vines, groundcovers, and/or Usable Lawn.
- (3) Entry walk - 4 ft. wide minimum.

d. Front/Side Yard Transition

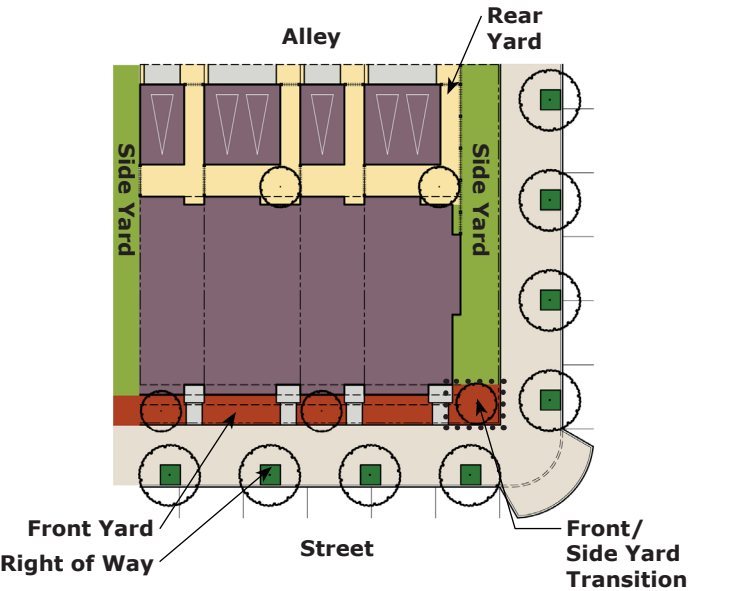
- (1) Front yard tree per lot - 1 encouraged.
- (2) Informal or formal landscape design: 100% Landscape Coverage.
- (3) Use of perennials, ornamental grasses, shrubs, vines, groundcovers, and/or Usable Lawn.

e. Side Yard

- (1) Side yard visible from the street: 60% Minimum Landscape Coverage.
- (2) Corner lot side yard: 100% Landscape Coverage.
- (3) Use of perennials, ornamental grasses, shrubs, vines, groundcovers and / or useable lawn.

f. Rear Yard

- (1) At a minimum, the rear yard shall be seeded or mulched for a stabilized surface.
- (2) Where rear yards abut a collector street, a 5 ft. landscape buffer shall be provided. For buffer planting requirements, see 11.C.7.c.



2. MULTI-FAMILY RESIDENTIAL

a. Applicable Districts

- ~~(1) Village Mixed Use (residential ground floor) (BMS-VMU) (3.B)~~
- (2) Neighborhood Collector (BMS-NC) (3.C)
- (3) Neighborhood General (BMS-NG) (3.D)

b. Right of Way

- (1) Street trees - See Street Frontage Landscape 11.C.3
- (2) Sidewalk - See Section 6: Street Standards

c. Front Yard

- (1) Front yard tree per lot - 1 required in areas without zero lot line condition. At zero lot line conditions, 1 tree per every 3 units is required.
- (2) Use of perennials, ornamental grasses, shrubs, vines, groundcovers, and/or Usable Lawn.
- (3) Entry walk - 5 ft. wide minimum.

d. Front/Side Yard Transition

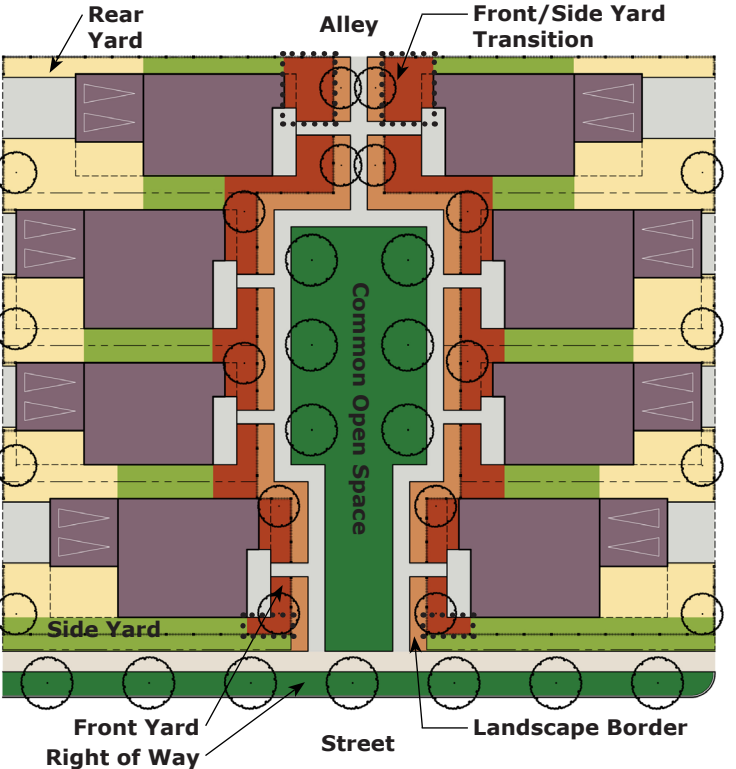
- (1) Front yard tree per lot - 1 encouraged.
- (2) Informal or formal landscape design: 100% Landscape Coverage.
- (3) Use of perennials, ornamental grasses, shrubs, vines, groundcovers, and/or useable lawn.

e. Side Yard

- (1) Side yard visible from the street: 60% Minimum Landscape Coverage.
- (2) Corner lot side yard: 100% Landscape Coverage.
- (3) Use of perennials, ornamental grasses, shrubs, vines, groundcovers and / or useable lawn.

f. Rear Yard

- (1) At a minimum, the rear yard shall be seeded or mulched for a stabilized surface.
- (2) Where rear yards abut a collector street, a 5 ft. landscape buffer shall be provided. For buffer planting requirements, see 11.C.7.c.



3. COURTYARD RESIDENTIAL

a. Applicable Districts

- (1) Neighborhood Collector (BMS-NC) (3.C)
- (2) Neighborhood General (BMS-NG) (3.D)

b. Right of Way

- (1) Street trees - See Street Frontage Landscape 11.C.3
- (2) Sidewalk - See Section 6: Street Standards

c. Front Yard

- (1) Front yard tree per lot - 1 required.
- (2) Use of perennials, ornamental grasses, shrubs, vines, groundcovers, and/or Usable Lawn.
- (3) Entry walk - 4 ft. wide minimum.

d. Front/Side Yard Transition

- (1) Landscape design: 100% Landscape Coverage.
- (2) Use of perennials, ornamental grasses, shrubs, vines, groundcovers, and/or Usable Lawn.

e. Side Yard

- (1) Side yard visible from common courtyard/green or street: 60% Minimum Landscape Coverage.
- (2) Corner lot side yard: 100% Landscape Coverage.
- (3) Use of perennials, ornamental grasses, shrubs, vines, groundcovers and / or useable lawn.

f. Rear Yard

- (1) At a minimum, the rear yard shall be seeded or mulched for a stabilized surface.
- (2) Where rear yards abut a collector street, a 5 ft. landscape buffer shall be provided. For buffer planting requirements, see 11.C.7.c.

g. Common Open Space

- (1) Canopy trees at 30 ft. o.c.
- (2) Ornamental trees @ 20 ft. o.c.
- (3) Use of perennials, ornamental grasses, shrubs, vines, groundcovers, and/or Usable Lawn.
- (4) Sidewalk width - 5 ft. wide minimum.

h. Landscape Border

- (1) Use of ornamental trees, perennials, ornamental grasses, shrubs, vines, and/or groundcovers.

11.F DROUGHT TOLERANT AND/OR NATIVE/NATURALIZED PLANT LIST

Drought Tolerant and/or Native/Naturalized Plant List provides a cohesive list of plant materials that are suited for the Tri-Cities region, and should be used as a guideline for landscape design. This list contains plants that are Drought Tolerant and/or Native or Naturalized. Each plant is designated as either N=Native or Naturalized, * = Drought Tolerant, or both. The large open space areas of Badger Mountain South will primarily consist of native plants or plant materials from this list.

11.G *Refined Plant List* suggests plant materials to be used in areas of specific use such as: parks, community gardens, residential landscapes, and similar circumstances. Other COR approved plants may also be used.

The (2) plant lists are intended to be used interchangeably, and should be used in harmony with one another for site specific landscape design intent.

NOTE:

- All plant materials are suitable for the Tri-Cities region based on USDA Hardiness Zone
- All plant materials on "USDA Plants Database, Washington State - Listed Noxious Weeds" list are PROHIBITED
- Edible plants are allowed, but not present on plant list. Edible plants shall be used where desired.

N = Native or Naturalized Plant Materials

***** = Drought Tolerant Plant Materials

DECIDUOUS TREES

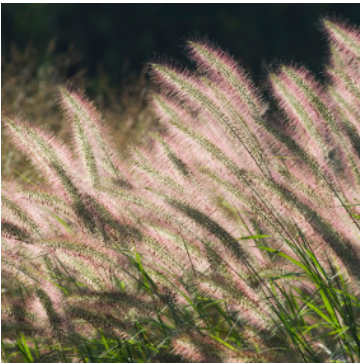
Botanical Name	Common Name	Ht. X Sp.	Min. Size	Sun/Shade	Special Features
<i>Acer campestre</i>	Hedge Maple	35' X 25'	1-1/2" Caliper	Sun	*
<i>Acer ginnala</i>	Amur Maple	15-20' X 15-20'	1-1/2" Caliper	Sun/Pt. Shade	*
<i>Acer glabrum</i>	Rocky Mountain Maple	20-30' X 20'	1-1/2" Caliper	Sun/Pt. Shade	* N
<i>Acer negundo</i> 'Sensation'	Sensation Box Elder	40' X 30'	1-1/2" Caliper	Sun/Pt. Shade	N
<i>Acer platanoides</i> 'Cleveland'	Cleveland Norway Maple	50' X 40'	1-1/2" Caliper	Sun/Pt. Shade	N
<i>Acer saccharum</i>	Sugar Maple	60' X 40'	1-1/2" Caliper	Sun/Pt. Shade	N
<i>Aesculus glabra</i>	Horsechestnut	25-35' X 15-25'	1-1/2" Caliper	Sun/Pt. Shade	*
<i>Alnus cordata</i>	Italian Alder	40' X 25'	1-1/2" Caliper	Sun	*
<i>Betula occidentalis</i>	Water Birch	12-15' X 12-15	1-1/2" Caliper	Sun	N
<i>Catalpa speciosa</i>	Western Catalpa	40-70' X 40-50'	1-1/2" Caliper	Sun	*
<i>Celtis occidentalis</i>	Common Hackberry	50-60' X 40-50'	1-1/2" Caliper	Sun/Pt. Shade	*
<i>Cercis occidentalis</i>	Western Redbud	10-15' X 10-15'	1-1/2" Caliper	Sun/Pt. Shade	*
<i>Cotinus coggygia</i>	Common Smoke Tree	10-15' X 10-15'	4-6' ht.	Sun	*
<i>Crataegus douglasii</i>	Black Hawthorn	10-20' X 20'	1-1/2" Caliper	Sun	* N
<i>Crataegus monogyna</i>	English Hawthorn	30' X 8'	1-1/2" Caliper	Sun	* N
<i>Fraxinus pennsylvanica</i>	Green Ash	50-60' X 30-40'	1-1/2" Caliper	Sun	*
<i>Ginkgo biloba</i>	Maiden Hair Tree	30-50' X 15-25'	1-1/2" Caliper	Sun	*
<i>Gleditsia t. var. inermis</i>	Thornless Honey Locust	35-70' X 25-35'	1-1/2" Caliper	Sun	*
<i>Gymnocladus dioica</i>	Kentucky Coffee Tree	50-60' X 30-40'	1-1/2" Caliper	Sun/Pt. Shade	*
<i>Koelreuteria paniculata</i>	Golden Raintree	20-30' X 25-35'	1-1/2" Caliper	Sun	*
<i>Morus alba</i>	White Mulberry	30-50' X 30-50'	1-1/2" Caliper	Sun/Pt. Shade	*
<i>Nyssa sylvatica</i>	Sour Gum	30-50' X 15-25'	1-1/2" Caliper	Sun	*
<i>Populus tremuloides</i>	Quaking Aspen	20-60' X 15-30'	1-1/2" Caliper	Sun	* N
<i>Prunus avium</i>	Sweet Cherry	15-30' X 15-30'	1-1/2" Caliper	Sun	N
<i>Prunus emarginata</i>	Bitter Cherry	15-30' X 15-30'	6-8' ht.	Sun	N
<i>Prunus padus</i>	European Bird Cherry	15-30' X 15-30'	1-1/2" Caliper	Sun	*
<i>Prunus tomentosa</i>	Nanking Cherry	15-30' X 15-30'	6-8' ht.	Sun	N
<i>Prunus virginiana</i>	Chokecherry	20-30' X 10-15'	6-8' ht.	Sun	* N
<i>Quercus bicolor</i>	Swamp White Oak	50-60' X 50-60'	1-1/2" Caliper	Sun	*



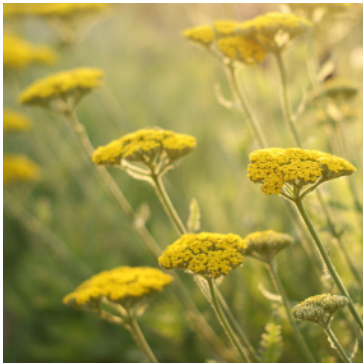
Meadow Sage



Oregon Grape



Fountain Grass



Moonshine Yarrow



Nootka Rose

SOURCES:

- Washington State University - Drought Tolerant Plants. By Tonie Fitzgerald, Revised January 2005. Washington State University, U.S. Department of Agriculture, and Spokane County.
- Benton County - Vascular Plant List. By R. Savers (1986), K. Beck (1994-1997), F. Caplow (1994-1997), and J. Downs (2003-2004).
- Native Plants of Eastern Washington: The Natural Way to Grow. By Washington Native Plant Society, Columbia Basin Chapter; <http://www.wnps.org/cbasin/index.html>
- Washington State University - Recommended Trees for the Mid-Coumbia Region. By Washington State University, September 2009.

11.F DROUGHT TOLERANT AND/OR NATIVE/NATURALIZED PLANT LIST continued

DECIDUOUS TREES continued

Botanical Name	Common Name	Ht. X Sp.	Min. Size	Sun/Shade	Special Features
<i>Quercus garryana</i>	Garry Oak	40-90' X 30-60'	1-1/2" Caliper	Sun	* N
<i>Quercus macrocarpa</i>	Burr Oak	60-75' X 30-40'	1-1/2" Caliper	Sun	*
<i>Robinia pseudoacacia</i>	Black Locust	40-75' X 30-60'	1-1/2" Caliper	Sun	N
<i>Salix babylonica</i>	Weeping Willow	30-40' X 35'	1-1/2" Caliper	Sun	N
<i>Salix scouleriana</i>	Scouler's Willow	30' X 30'	1-1/2" Caliper	Sun	N
<i>Sophora japonica</i>	Japanese Pagoda Tree	50-70' X 50-70'	1-1/2" Caliper	Sun/Pt. Shade	*
<i>Sorbus aucuparia</i>	European Mountain Ash	20-40' X 15-25'	1-1/2" Caliper	Sun/Pt. Shade	*
<i>Tillia tomentosa</i>	Silver Linden	40-50' X 20-30'	1-1/2" Caliper	Sun	*
<i>Ulmus pumila</i>	Siberian Elm	50' X 40'	1-1/2" Caliper	Sun	*

EVERGREEN TREES

Botanical Name	Common Name	Ht. X Sp.	Min. Size	Sun/Shade	Special Features
<i>Juniperus occidentalis</i>	Western Juniper	50-60' X 30-50'	6-8' ht.	Sun	N
<i>Juniperus scopulorum</i>	Rocky Mountain Junier	10-30' X 8-15'	6-8' ht.	Sun	* N
<i>Picea abies</i>	Norway Spruce	60' X 25'	6-8' ht.	Sun/Pt. Shade	*
<i>Picea pungens</i>	Colorado Blue Spruce	50-75' X 25'	6-8' ht.	Sun/Pt. Shade	*
<i>Pinus aristata</i>	Bisltecone Pine	20-30' X 10-15'	6-8' ht.	Sun	*
<i>Pinus flexilis</i>	Limber Pine	30-55' X 15-25'	6-8' ht.	Sun	*
<i>Pinus nigra</i>	Austrian Pine	40-60' X 20-30'	6-8' ht.	Sun	*
<i>Pinus ponderosa</i>	Ponderosa Pine	80-100' X 25-30'	6-8' ht.	Sun/Pt. Shade	* N
<i>Pinus strobus</i>	White Pine	50-80' X 20-40'	6-8' ht.	Sun	*
<i>Thuja occidentalis</i>	American Arborvitae	20-30' X 10-15'	6-8' ht.	Sun/Pt. Shade	N
<i>Tsuga canadensis</i>	Canadian Hemlock	40-70' X 25-35'	6-8' ht.	Sun/Pt. Shade	N

SHRUBS, BUNCHGRASSES, GROUNDCOVERS AND PERENNIALS - SEE APPENDIX

SHRUBS

Botanical Name	Common Name	Ht. X Sp.	Min. Size	Sun/Shade	Special Features
<i>Amelanchier alnifolia</i>	Serviceberry	10-12' X 20'	30-36" ht./sp.	Sun/Pt. Shade	* N
<i>Aronia arbutifolia</i>	Red Chokeberry	6-8'	30-36" ht./sp.	Sun/Pt. Shade	*
<i>Artemisia tridentata</i>	Big Sagebrush	4-15' X 3-10'	30-36" ht.	Sun	* N
<i>Artemisia tripartita</i>	Three-Tip Sage	Varies	30-36" ht.	Sun	N
<i>Atriplex canescens</i>	Four-wing Saltbush	3-6' X 4-8'	18-24" ht.	Sun	* N
<i>Berberis hematocarpa</i>	Red Barberry	3-6'	18-24" ht.	Sun/Pt. Shade	*
<i>Berberis t. 'Crimson Pygmy'</i>	Crimson Pygmy Japanese Barberry	1' X 3'	12-18" ht.	Sun	*
<i>Berberis thunbergii</i>	Japanese Barberry	4-6' X 4-6'	18-24" ht.	Sun	*
<i>Caragana arborescens</i>	Siberian Pea Shrub	15' X 20'	30-36" ht./sp.	Sun	*
<i>Caragana frutex</i>	Russian Pea Shrub	10' X 8'	30-36" ht./sp.	Sun	*
<i>Caryopteris x clandonensis</i>	Blue Mist	2' X 2'	12-18" ht.	Sun	*
<i>Ceratoides lanata</i>	Winter Fat	1-3' X 1-3'	12-18" ht.	Sun	*
<i>Cercocarpus ledifolius</i>	Curl-Leaf Moutain Mahogany	5-12' X 5-12'	30-36" ht.	Sun	*
<i>Chamaebatiera millifolium</i>	Fernbush	6-8' X 6-8'	24-30" ht.	Sun	*
<i>Chrysothamnus viscidiflorus</i>	Green Rabbitbrush	6' X 3'	18-24" ht.	Sun	* N
<i>Chrysothamnus nauseaus</i>	Rabbitbrush	6' X 3'	18-24" ht.	Sun	*

SHRUBS continued

Botanical Name	Common Name	Ht. X Sp.	Min. Size	Sun/Shade	Special Features
<i>Cornus stolonifera</i>	Redtwig Dogwood	7-9' X 12'	24-30" ht./sp.	Sun or Shade	N
<i>Corylus cornuta californica</i>	Western Hazelnut	5-12' X 5-12'	30-36" ht./sp.	Sun/Pt. Shade	N
<i>Cotinus coggyria</i>	Smoke Tree	12-15' X 12-15'	30-36" ht./sp.	Sun	*
<i>Cotoneaster acutifolius</i>	Peking Cotoneaster	6-10' X 6-10'	30-36" ht./sp.	Sun	*
<i>Cotoneaster adpressus</i>	Cotoneaster	1' X 6'	12-18" sp.	Sun/Pt. Shade	*
<i>Cotoneaster apiculatus</i>	Cranberry Cotoneaster	3' X 6'	18-24" ht./sp.	Sun	*
<i>Cotoneaster divaricatus</i>	Spreading Cotoneaster	6' X 6'	24-30" ht./sp.	Sun	*
<i>Cotoneaster horizontalis</i>	Rock Cotoneaster	2-3' X 15'	12-18" sp.	Sun/Pt. Shade	*
<i>Ephedra viridis</i>	Mormon Tea	3-4' X 3-4'	12-18" ht./sp.	Sun	*
<i>Eriogonum niveum</i>	Snow Buckwheat	1-2' X 1-2'	12-18" sp.	Sun	N
<i>Eriogonum sphaerocephalum</i>	Rock Buckwheat	1-2' X 1-2'	12-18" sp.	Sun	N
<i>Falugia paradoxa</i>	Apache Plume	4-6' X 5'	24-30" ht./sp.	Sun	*
<i>Forestiera neomexicana</i>	New Mexican Privet	12-18' X 12'	30-36" ht./sp.	Sun/Pt. Shade	*
<i>Genista tinctoria</i>	Woadwaxen	6' X 6'	30-36" ht./sp.	Sun	*
<i>Hippophae rhamnoides</i>	Sea Buckthorn	8-10' X 8-10'	30-36" ht./sp.	Sun	*
<i>Holodiscus discolor</i>	Ocean Spray	3' X 4'	24-30" ht./sp.	Part Shade	*
<i>Juniperus horizontalis</i>	Creeping Juniper	1' X 8-10'	12-18" sp.	Sun/Pt. Shade	*
<i>Kolkwitzia amabilis</i>	Beauty Bush	10-12' X 10-12'	30-36" ht./sp.	Sun/Pt. Shade	*
<i>Lavendula sp.</i>	Lavender	2-4'	12-18" ht./sp.	Sun	*
<i>Ligustrum vulgare</i>	Common Privet	15' X 12'	30-36" ht./sp.	Sun/Pt. Shade	*
<i>Lindera benzoin</i>	Spicebush	6-12' X 6-12'	30-36" ht./sp.	Sun	*
<i>Lonicera maachii</i>	Amur Honeysuckle	10-15'	30-36" ht./sp.	Sun/Pt. Shade	*
<i>Mahonia repens</i>	Creeping Mahonia	1' X 3'	12-18" sp.	Sun/Pt. Shade	*
<i>Microbiota decussata</i>	Siberian Carpet Cypress	1' X 7-8'	12-18" sp.	Sun or Shade	*
<i>Myrica pensylvanica</i>	Bayberry	9' X 5-12'	30-36" ht./sp.	Sun/Pt. Shade	*
<i>Philadelphus lewisii</i>	Mock Orange	5-10' X 5-12'	30-36" ht./sp.	Lt. Shade	N
<i>Philadelphus microphyllus</i>	Littleleaf Mock Orange	4-5' X 4-5'	24-30" ht.	Sun/Pt. Shade	* N
<i>Physocarpus opulifolius</i>	Common Ninebark	9' X 10'	30-36" ht.	Sun/Pt. Shade	*
<i>Pinus mugo mugo</i>	Mugo Pine	2-6' X 12'	18-24" ht./sp.	Sun/Pt. Shade	*
<i>Potentilla fruticosa</i>	Cinquefoil	1-4' X 2-4'	12-18" ht./sp.	Sun/Pt. Shade	*
<i>Prunus besseyi</i>	Hanson's Bush Cherry	4-6' X 4-6'	24-30" ht.	Sun	*
<i>Rhamnus frangula</i>	Alder Buckthorn	10-12' X 10-12'	30-36" ht./sp.	Sun	*
<i>Rhus aromatica 'Gro-Low'</i>	Gro-Low Sumac	2-3' X 6-8'	12-18" sp.	Sun/Pt. Shade	*
<i>Rhus glabra</i>	Smooth Sumac	10-20'	30-36" ht./sp.	Sun	* N
<i>Rhus typhina</i>	Staghorn Sumac	15' X 15'	30-36" ht./sp.	Sun/Pt. Shade	*
<i>Ribes aureum</i>	Golden Currant	3-6' X 3-6'	24-30" ht.	Part Shade	* N
<i>Rosa nutkana</i>	Nootka Rose	6' X 4'	24-30" ht.	Sun/Pt. Shade	*
<i>Rosa rubrifolia</i>	Redleaf Rose	6' X 5'	24-30" ht.	Sun/Pt. Shade	*
<i>Rosa rugosa</i>	Rugosa Rose	3-6' X 3-6'	24-30" ht.	Sun	*
<i>Rubus deliciosus</i>	Thimbleberry	3-5' X 6'	24-30" ht./sp.	Sun/Pt. Shade	*
<i>Salvia dorrii</i>	Desert Sage	1-3' X 2-4'	12-18" ht.	Sun	N
<i>Sambucus cerulea</i>	Blue Elderberry	10-15' X 10'	30-36" ht./sp.	Sun/Pt. Shade	N
<i>Sambucus nigra</i>	Black Elder	Varies	24-30" ht.	Sun/Pt. Shade	N
<i>Spiraea x vanhouttei</i>	Vanhoutte Spirea	6' X 8'	30-36" ht./sp.	Sun/Pt. Shade	*
<i>Symphoricarpos albus</i>	Common Snowberry	2-6' X 2-6'	12-18" ht.	Sun/Pt. Shade	N
<i>Symphoricarpos x chenaultii</i>	Chenault Coralberry	2-6' X 2-6'	12-18" ht.	Sun/Pt. Shade	*

11.F DROUGHT TOLERANT AND/OR NATIVE/NATURALIZED PLANT LIST continued

SHRUBS continued

Botanical Name	Common Name	Ht. X Sp.	Min. Size	Sun/Shade	Special Features
<i>Syringa vulgaris</i>	Common Lilac	8-20' X 6-15'	30-36" ht./sp.	Sun	*
<i>Taxus cuspidata</i>	Japanese Yew	10-25' X 5-12'	24-30" ht.	Sun/Pt. Shade	*
<i>Viburnum lantana</i>	Wayfaring Tree	10-20' X 10-20'	30-36" ht.	Sun/Pt. Shade	*
<i>Viburnum trilobum</i>	Cranberry Bush	10' X 8	30-36" ht.	Sun/Pt. Shade	*
<i>Yucca sp.</i>	Yucca	1-7' X 1-4'	18-24" ht.	Sun	*

BUNCHGRASSES

NOTE: Min. size 4" pots, typ. Upon approval from Master Landscape Architect, plugs or seed may be used.

Botanical Name	Common Name	Ht. X Sp.	Min. Size	Sun/Shade	Special Features
<i>Achnatherum hymenoides</i>	Indian Ricegrass	12-24"	4" pots	Sun	N
<i>Elymus elymoides</i>	Squirreltail	12-24"	4" pots	Sun	N
<i>Festuca idahoensis</i>	Idaho Fescue	12-24"	4" pots	Sun/Pt. Shade	N
<i>Hesperostipa comata</i>	Needle & Thread Grass	24-36"	4" pots	Sun	N
<i>Leymus cinereus</i>	Basin Wildrye	4-6'	4" pots	Sun	N
<i>Poa secunda</i>	Sandberg's Bluegrass	8-12"	4" pots	Sun	N
<i>Pseudoroegneria spicata</i>	Bluebunch Wheatgrass	12-36"	4" pots	Sun	N
<i>Sporobolus cryptandrus</i>	Sand Dropseed	12-24"	4" pots	Sun	N

GROUNDCOVERS

Botanical Name	Common Name	Ht. X Sp.	Min. Size	Sun/Shade	Special Features
<i>Aegopodium variegatum</i>	Bishop's Weed	6" X 12'	4" pots	Sun/Pt. Shade	*
<i>Archostaphylos uva-ursi</i>	Kinnikinnick	3-6' X 2-3'	4" pots	Sun/Pt. Shade	* N
<i>Campsis radicans</i>	Trumpet Creeper	6" X 40'	4" pots	Sun/Pt. Shade	*
<i>Cerastium tomentosum</i>	Snow-In-Summer	6-8" X 15'	4" pots	Lt. Shade	*
<i>Delosperma cooperi</i>	Purple Hardy Ice Plant	3" X 24"	4" pots	Lt. Shade	*
<i>Delosperma nubigenum</i>	Yellow Hardy Ice Plant	1" X 36"	4" pots	Lt. Shade	*
<i>Galium odoratum</i>	Sweet Woodruff	3" X 12'	4" pots	Shade	*
<i>Helianthemum nummularium</i>	Sunrose	6-8" X 36"	4" pots	Sun	*
<i>Mahonia repens</i>	Creeping Mahonia	12" X 36"	4" pots	Sun/Pt. Shade	*
<i>Marrubium rotundifolia</i>	Silver Edged Horehound	10" X 18"	4" pots	Sun	*
<i>Ruschia pulvinaris</i>	Creeping Shrubby Ice Plant	3" X 14"	4" pots	Sun	*
<i>Sedum spurium</i>	Two-Row Stonecrop	3-6" X 12-24"	4" pots	Sun	*
<i>Thymus serpyllum</i>	Creeping Thyme	3" X 36"	4" pots	Lt. Shade	*
<i>Thymus serpyllum</i> 'Reiter'	Reiter Creeping Thyme	3" X 36"	4" pots	Lt. Shade	*
<i>Thymus pseudolanuginosus</i>	Woolly Thyme	2-3" X 36"	4" pots	Lt. Shade	*
<i>Veronica oltensis</i>	Thyme-Leaf Speedwell	1" X 24"	4" pots	Sun	*
<i>Veronica pectinata</i>	Blue Woolly Speedwell	ground hugging	4" pots	Sun/Pt. Shade	*
<i>Vinca major</i>	Periwinkle	8" X 36"	4" pots	Sun/Pt. Shade	*

PERENNIALS

NOTE: Min. size 4" pots, typ. Upon approval from the BMS-MPA, plugs or seed may be used.

Botanical Name	Common Name	Ht. X Sp.	Min. Size	Sun/Shade	Special Features
<i>Achillea ageratifolia</i>	Greek Yarrow	4-10"	4" pots	Sun	*
<i>Achillea f. 'Moonshine'</i>	Moonshine Yarrow	24"	4" pots	Sun	*
<i>Achillea millefolium</i>	Common Yarrow	36"	4" pots	Sun	* N
<i>Adenophora liliifolia</i>	Lady Bells	18" X 12"	4" pots	Sun/Pt. Shade	*
<i>Agastache sp.</i>	Hyssop	18-30" X 18"	4" pots	Sun/Pt. Shade	*
<i>Agastache canna</i>	Wild Hyssop	24-36" X 18"	4" pots	Sun/Pt. Shade	*
<i>Alchemilla molis</i>	Lady's Mantle	12-18" X 12-15"	4" pots	Sun/Pt. Shade	*
<i>Allium sphaerocephalum</i>	Round-Headed Garlic	24" X 36"	4" pots	Sun/Pt. Shade	N
<i>Anaphalis margaritacea</i>	Pearly Everlasting	20" X 20"	4" pots	Sun	*
<i>Antennaria dioica 'Rosea'</i>	Pink Pussytoes	4-12" X 8-12"	4" pots	Sun	*
<i>Anthemis tinctoria</i>	Golden Marguerite	24-36" X 24-36"	4" pots	Sun	*
<i>Arabis caucasica</i>	Wall Rockcress	6" X 18"	4" pots	Sun	*
<i>Artemisia abrotantum</i>	Southernwood	36" X 36"	4" pots	Sun	*
<i>Artemisia 'Powis Castle'</i>	Silver Sage	36" X 36"	4" pots	Sun	*
<i>Artemisia rigida</i>	Stiff Sage	Varies	4" pots	Sun	N
<i>Artemisia stellerana</i>	Dusty Miller	30" X 36"	4" pots	Sun	*
<i>Asclepias tuberosa</i>	Butterfly Weed	36" X 12"	4" pots	Sun	*
<i>Aster tataricus</i>	Tatarian Aster	2-7' X 3'	4" pots	Sun/Pt. Shade	*
<i>Atriplex confertifolia</i>	Shadscale	1-3' X 1-3'	4" pots	Sun	N
<i>Aurinia saxatilis</i>	Basket-Of-Gold	12-18" X 12-15"	4" pots	Sun/Pt. Shade	*
<i>Balsamorhiza careyana</i>	Carey's Balsamroot	Varies	4" pots	Sun	N
<i>Balsamorhiza sagittata</i>	Arrowleaf Balsamroot	Varies	4" pots	Sun	N
<i>Baptisia australis</i>	Blue False Indigo	3-6' X 4'	4" pots	Sun	*
<i>Bergenia cordifolia</i>	Heartleaf Bergenia	18" X 12"	4" pots	Shade	*
<i>Berlandiera lyrata</i>	Chocolate Flower	18-36" X 18-36"	4" pots	Sun	*
<i>Brunnera macrophylla</i>	Brunnera	18" X 24"	4" pots	Sun/Pt. Shade	*
<i>Calamintha grandiflora</i>	Calamint	24" X 24"	4" pots	Sun/Pt. Shade	*
<i>Callirhoe involucrata</i>	Poppy Mallow	6" X 24-36"	4" pots	Sun/Pt. Shade	*
<i>Calylophus hartwegii</i>	Sundrops	12" X 24"	4" pots	Sun/Pt. Shade	*
<i>Calylophus serrulatus</i>	Dwarf Snowdrops	18" X 18"	4" pots	Sun/Pt. Shade	*
<i>Campanula rotundifolia</i>	Bellflower	12-24"	4" pots	Sun/Pt. Shade	*
<i>Catananche caerulea</i>	Cupid's Dart	12" X 12"	4" pots	Sun	*
<i>Centranthus ruber</i>	Red Valerian	36" X 36"	4" pots	Sun/Pt. Shade	*
<i>Coreopsis grandiflora</i>	Sunray	12-24" X 36"	4" pots	Sun	*
<i>Coreopsis verticillata 'Moonbeam'</i>	Moonbeam Coreopsis	18-24"	4" pots	Sun	*
<i>Coronilla varia</i>	Crown Vetch	18-24" X 48"	4" pots	Sun	*
<i>Dianthus barbatus</i>	Sweet William	20" X 12"	4" pots	Lt. Shade	*
<i>Dianthus plumarius</i>	Cottage Pink	10-18" X 20"	4" pots	Lt. Shade	*
<i>Echinacea purpurea `</i>	Purple Coneflower	24-48"	4" pots	Sun	*
<i>Epimedium alpinum</i>	Alpine Epimedium	6-9"	4" pots	Sun/Pt. Shade	*
<i>Erigeron speciosus</i>	Fleabane	24" X 24"	4" pots	Sun/Pt. Shade	*
<i>Eriogonum umbellatum</i>	Sulfur Flower	6-12" X 12-24"	4" pots	Sun	*
<i>Eryngium bourgatii</i>	Sea Holly	24"	4" pots	Sun	*

11.F DROUGHT TOLERANT AND/OR NATIVE/NATURALIZED PLANT LIST continued

PERENNIALS continued

Note: Min. size 4" pots, typ. Upon approval from the BMS-MPA, plugs or seed may be used.

Botanical Name	Common Name	Ht. X Sp.	Min. Size	Sun/Shade	Special Features
<i>Erysimum cheiri</i>	English Wallflower	12-30" X 12-18"	4" pots	Sun/Pt. Shade	*
<i>Euphorbia polychroma</i>	Cushion Spurge	18" X 24"	4" pots	Sun/Pt. Shade	*
<i>Filipendula vulgaris</i>	Dropwort	24-36"	4" pots	Sun	*
<i>Gaillardia aristata</i>	Blanket Flower	24-30" X 24"	4" pots	Sun	*
<i>Gaillardia x grandiflora</i> 'Goblin'	Goblin Blanket Flower	12" X 18"	4" pots	Sun	*
<i>Geranium sanguineum</i>	Bloody Cranesbill	8-18" X 24-30"	4" pots	Sun/Pt. Shade	*
<i>Grayia spinosa</i>	Hopsage	Varies	4" pots	Sun	N
<i>Helianthus maximiliani</i>	Sunflower	10' X 3'	4" pots	Sun	*
<i>Hemerocallis sp.</i>	Day Lily	Varies	4" pots	Sun	*
<i>Hesperaloe parviflora</i>	Red Yucca	3-4' X 3-4'	4" pots	Sun/Pt. Shade	*
<i>Heuchera sanguinea</i>	Coral Bells	12-18" X 12-15"	4" pots	Sun/Pt. Shade	*
<i>Hyssopus officinalis</i>	Hyssop	18-24" X 36"	4" pots	Sun/Pt. Shade	*
<i>Kniphofia uvaria</i>	Red-Hot Poker	2-4'	4" pots	Sun	*
<i>Lamium maculatum</i>	Dead Nettle	8" X 36"	4" pots	Shade	*
<i>Lewisia rediviva</i>	Bitterroot	2" X 4"	4" pots	Sun/Pt. Shade	*
<i>Liatris spicata</i>	Gayfeather	4' X 2'	4" pots	Sun	*
<i>Limonium platyphyllum</i>	Statice	30" X 36"	4" pots	Sun	*
<i>Linum perenne</i>	Perennial Blue Flax	7" X 18"	4" pots	Sun	*
<i>Liriope spicata</i>	Creeping Lily Turf	8-10" X 18"	4" pots	Shade	*
<i>Lobularia maritima</i>	Sweet Alyssum	Varies	4" pots	Sun/Pt. Shade	*
<i>Lupinus leucophyllus</i>	Velvet Lupine	Varies	4" pots	Sun/Pt. Shade	N
<i>Lychnis chalcedonica</i>	Maltese Cross	24-36" X 12"	4" pots	Sun/Pt. Shade	*
<i>Monarda fistulosa</i>	Bee Balm	24-48" X 12"	4" pots	Lt. Shade	*
<i>Narcissus sp.</i>	Daffodil	12-18" X 12"	4" pots	Sun/Pt. Shade	*
<i>Nepeta x faassenii</i>	Catmint	12" X 18"	4" pots	Sun/Pt. Shade	*
<i>Oenothera macrocarpa</i>	Ozark Sundrops	6" X 24"	4" pots	Sun/Pt. Shade	*
<i>Opuntia polycantha</i>	Starvation Pricklypear	Varies	4" pots	Sun	N
<i>Papaver orientale</i>	Oriental Poppy	12-24" X 12-24"	4" pots	Sun	*
<i>Penstemon sp.</i>	Beard Tongue	Varies	4" pots	Sun/Pt. Shade	*
<i>Penstemon strictus</i>	Rocky Mountain Penstemon	24-36" X 24"	4" pots	Sun/Pt. Shade	*
<i>Perovoskia atriplicifolia</i>	Russian Sage	3-5' X 3-4'	4" pots	Sun	*
<i>Phlox subulata</i>	Moss Pink	6" X 18"	4" pots	Sun/Pt. Shade	*
<i>Pulsatilla vulgaris</i>	Pasque Flower	9-12" x 6-10"	4" pots	Sun/Pt. Shade	*
<i>Ratibida columnifera</i>	Mexican Hat	30" X 12"	4" pots	Sun	*
<i>Rudbeckia hirta</i>	Black-Eyed Susan	3-4' X 2'	4" pots	Sun	*
<i>Salvia nemerosa</i>	Meadow Sage	18-36" X 24-36"	4" pots	Sun	*
<i>Salvia officinalis</i>	Garden Sage	18-24" X 12-18"	4" pots	Sun	*
<i>Santolina chamaecyparissus</i>	Lavender Cotton	24" X 36"	4" pots	Sun	*
<i>Sanvitalia procumbens</i>	Creeping Zinnia	4-6" X 18"	4" pots	Sun	*
<i>Saponaria ocymides</i>	Soapwort	12" X 36"	4" pots	Sun	*
<i>Scutellaria resinosa</i>	Skullcap	6-8" X 12"	4" pots	Sun/Pt. Shade	*
<i>Sedum</i> 'Ruby Glow'	Ruby Glow Stonecrop	8" X 15"	4" pots	Sun	*
<i>Sedum spectabile</i>	Showy Stonecrop	18-24" X 10-15"	4" pots	Sun/Pt. Shade	*

PERENNIALS continued

NOTE: Min. size 4" pots, typ. Upon approval from the BMS-MPA, plugs or seed may be used.

Botanical Name	Common Name	Ht. X Sp.	Min. Size	Sun/Shade	Special Features
<i>Sempervivum sp.</i>	Hen & Chicks	2-4" X 6-12"	4" pots	Lt. Shade	*
<i>Sphaeralcea incana</i>	Orange Mallow	24-48" X 24"	4" pots	Sun	*
<i>Stachys byzantina</i>	Lamb's Ear	18" X 36"	4" pots	Sun/Pt. Shade	*
<i>Tanacetum vulgare</i>	Tansy	36" X 24"	4" pots	Sun	*
<i>Teucrium x lucidrys</i>	Germander	12" X 24"	4" pots	Sun	*
<i>Thymus vulgaris</i>	Common Thyme	12" X 24"	4" pots	Lt. Shade	*
<i>Thymus vulgaris</i> 'Orange Balsam'	Orange Balsam Thyme	6-8" X 15"	4" pots	Lt. Shade	*
<i>Veronica sp.</i>	Speedwell	Varies	4" pots	Sun	*

11.G REFINED PLANT LIST

- NOTE:**
- All plant materials are suitable for the Tri-Cities region based on USDA Hardiness Zone
 - All plant materials on "USDA Plants Database, Washington State - Listed Noxious Weeds" list are PROHIBITED
 - Edible plants are allowed, but not present on plant list. Edible plants shall be used where desired.
- N** = Native or Naturalized Plant Materials
- *** = Drought Tolerant Plant Materials

DECIDUOUS TREES

Botanical Name	Common Name	Ht. X Sp.	Min. Size	Sun/Shade	Special Features
<i>Acer circinatum</i>	Vine Maple	15' X 15'	6-8' ht., multi-stem	Sun/Pt. Shade	N new leaves tinted red, great in native garden
<i>Acer griseum</i>	Paper Bark Maple	5-20' X 5-20'	4-6' ht., multi-stem	Sun/Pt. Shade	beautiful reddish bark peels away in thin sheets
<i>Acer palmatum</i>	Japanese Maple	5-20' X 5-20'	4-6' ht., multi-stem	Sun/Pt. Shade	leaves deep cut toothed lobes, colors from reds, oranges, greens, variegated
<i>Acer rubrum</i>	Red Maple	30-60' X 15-30'	1-1/2" Caliper	Sun	amazing bright red fall color, fast growing
<i>Amelanchier grandiflora</i>	Serviceberry	20' X 15'	1-1/2" Caliper	Sun	fragrant white flowers in spring, blue edible berries following, orange fall color
<i>Betula jacquemontii</i>	Jacquemonti Birch	40-60' X 30'	1-1/2" Caliper	Sun	narrow habit, striking white bark
<i>Betula nigra</i> 'Summer Cascade'	Summer Cascade Birch	40-60' X 30'	1-1/2" Caliper	Sun	narrow habit, creamy brown exfoliating bark, gold fall color
<i>Carpinus betulus</i> 'Frans Fontaine'	Columnar European Hornbeam	35' X 15'	1-1/2" Caliper	Sun	narrow dense habit, furrowed gray bark, yellow or dark red fall color
<i>Catalpa speciosa</i>	Catalpa	15-25' X 15-25'	1-1/2" Caliper	Sun/Lt. Shade	round habit, upright trumpet shaped white flowers in late spring and summer
<i>Cercidiphyllum japonicum</i>	Katsura	20-40' X 20-30'	1-1/2" Caliper	Sun/Lt. Shade	foliage changes color from red-purple to blue-green in summer, then yellow in fall
<i>Cercis canadensis</i>	Eastern Redbud	15-25' X 15-25'	1-1/2" Caliper	Sun/Lt. Shade	profuse vibrant sweet pea shaped pink flower clusters in early spring
<i>Cornus florida</i>	Flowering Dogwood	15-30' X 15-30'	1-1/2" Caliper	Sun	flower clusters amongst white to pink-red bracts in spring, before leaves emerge
<i>Cornus kousa</i>	Kousa Dogwood	15-25' X 15-25'	6-8' ht., multi-stem	Sun/Lt. Shade	top of branches covered with white to pink-red flowers in late spring, leaves below
<i>Crataegus laevigata</i>	English Hawthorn	18-25' X 15-20'	1-1/2" Caliper	Sun	dainty white flower clusters after leaf out in spring, showy red fruit summer & fall
<i>Fraxinus angustifolia</i> 'Raywood'	Raywood Ash	25-35' X 25'	1-1/2" Caliper	Sun	compact, delicate lacy small leaves, round headed, compact, fast growing
<i>Gleditsia triacanthos</i>	Honey Locust	30-50' X 25-35'	1-1/2" Caliper	Sun	many bright green oval leaflets compose long fern like leaves, yellow fall color
<i>Liriodendron tulipifera</i>	Tulip Tree	50-60' X 40'	1-1/2" Caliper	Sun	unique saddle shaped leaves, beautiful yellow tulip shaped flowers in spring
<i>Liquidambar styraciflua</i> 'Clydesform'	American Sweetgum	30' X 15'	1-1/2" Caliper	Sun	furrowed bark, profuse hanging seed pods; purple, yellow, or red fall color
<i>Magnolia x soulangeana</i>	Saucer Magnolia	15-25' X 15-25'	6-8' ht., multi-stem	Sun	large fragrant tulip shaped white to pink-red purple flowers in late winter
<i>Magnolia stellata</i>	Star Magnolia	10' X 20'	4-6' ht., multi-stem	Sun	profuse white star like flowers in late winter to early spring, slow growing
<i>Malus sp.</i>	Flowering Crabapple	10-25' X 10-25'	1-1/2" Caliper	Sun	showy white to pink-red flowers in spring, followed by small showy edible red fruit
<i>Oxydendrum arboreum</i>	Sourwood	15-30' X 20'	1-1/2" Caliper	Sun	all year interest, pyramidal habit, leaves vary in season, fragrant bell white flowers
<i>Prunus cerasifera</i> 'Newport'	Flowering Plum	15-30' X 15-20'	1-1/2" Caliper	Sun	fragrant, single white to light pink flowers, dark purple foliage in summer
<i>Prunus serrulata</i> 'Kwanzan'	Flowering Cherry	10-25' X 10-25'	1-1/2" Caliper	Sun	narrow inverted cone shaped habit, large double pink flower clusters
<i>Prunus x yedoensis</i>	Yoshino Flowering Cherry	25-40' X 25-30'	1-1/2" Caliper	Sun	single white to light pink flowers in early spring, fast growing
<i>Pyrus calleryana</i> 'Chanticleer'	Flowering Pear	30-40' X 15-20"	1-1/2" Caliper	Sun	narrow pyramidal habit, showy white flowers in early spring, orange fall color
<i>Stewartia sp.</i>	Stewartia	25-40' X 25-30'	1-1/2" Caliper	Sun/Pt. Shade	single white camelia like flowers in summer, smooth flaking bark in winter
<i>Styrax japonicus</i>	Japanese Snowdrop Tree	15-25' X 10-15'	6-8' ht., multi-stem	Sun/Pt. Shade	fragrant hanging clusters of white flowers, leaves curl upward, in spring
<i>Tilia cordata</i> 'Corzam'	Corinthian Linden	45' X 15'	1-1/2" Caliper	Sun	dense pyramid habit, leaves yellow in fall, fragrant clusters of yellow flowers in summer
<i>Zelkova serrata</i>	Sawleaf Zelkova	50-60' X 50-60'	1-1/2" Caliper	Sun	narrow oval sawtoothed green leaves, yellow to dark red fall color



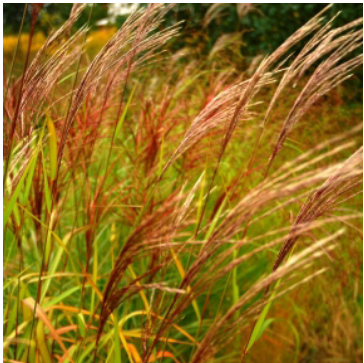
Star Magnolia



Bird's Nest Spruce



Winged Euonymus



Maiden Hair Grass



Sedum

EVERGREEN TREES

Botanical Name	Common Name	Ht. X Sp.	Min. Size	Sun/Shade	Special Features
<i>Calocedrus deccurrens</i>	Incense Cedar	50-70' X 10-15'	6-8' ht.	Sun	* dense narrow pyramidal habit, reddish brown bark, small duckbill shaped cones
<i>Chamaecyparis obtusa</i> 'Gracilis'	Hinoki False Cypress	20' X 4-10'	4-6' ht.	Sun/Pt. Shade	slender upright habit, yellow foliage, dwarf varieties allowed
<i>Cupressocyparis x leylandii</i>	Leylandi Cypress	15-30' X 8-15'	4-6' ht.	Sun	slender upright pyramidal habit, gray-green foliage, smal scaley cones
<i>Picea abies</i>	Norway Spruce	60' X 25'	6-8' ht.	Sun/Pt. Shade	* pyramidal habit, deep green foliage, hardy & wind resistant
<i>Picea pungens</i>	Colorado Blue Spruce	50-75' X 25'	6-8' ht.	Sun/Pt. Shade	* broad pyramidal habit, dark green to blue green foliage
<i>Pinus nigra</i>	Austrian Pine	40-60' X 20-30'	6-8' ht.	Sun	* stout uniform pyramidal habit, 3-6.5" long dark green in 2 needle bundles
<i>Pinus strobus</i>	White Pine	40-60' X 20-30'	6-8' ht.	Sun	symmetrical pyramidal habit, 3-5.5" long blue green in 5 needle bundles
<i>Pinus sylvestris</i> 'Fastigiata'	Scotch Pine	40-60' X 20-30'	6-8' ht.	Sun	dense narrow column habit, 1.5-3" long blue green in 2 needle bundles
<i>Thuja occidentalis</i>	American Arborvitae	20-30' X 10-15'	6-8' ht.	Sun/Pt. Shade	N dense narrow cone habit, dark green color throughout winter
<i>Tsuga canadensis</i>	Canadian Hemlock	40-70' X 25-35'	6-8' ht.	Sun/Pt. Shade	N dense pyramidal habit, branchlets droop, dark green needles

SHRUBS, GROWDCOVERS, ORNAMENTAL GRASSES, VINES, ROCK GARDEN PLANTS, AND EVERGREEN HEDGE PLANTS - SEE APPENDIX

SHRUBS

Botanical Name	Common Name	Ht. X Sp.	Min. Size	Sun/Shade	Special Features
<i>Aronia melanocarpa</i> 'Autumn Magic'	Black Chokeberry	3-5' X 3-5'	24-30" ht.	Sun/Pt. Shade	deciduous, spreading habit, serrated leave, edible black fruit, white/pink flower clusters
<i>Berberis thunbergii</i>	Japanese Barberry	4-6' X 4-6'	24-30" ht.	Sun	* deciduous, slender arching spiny branches, color varies based on variety
<i>Berberis t.</i> 'Crimson Pygmy'	Crimson Pygmy Japanese Barberry	1' X 3'	12-18" sp.	Sun	* deciduous, dwarf, deep red color in full sun
<i>Calluna vulgaris</i>	Scotch Heather	1-2' X 2'	12-18" sp.	Sun	evergreen, tiny scalelike green leaves, spikes covered in bell shaped flowers
<i>Chaenomeles sp.</i>	Flowering Quince	2-6' X 2-4'	24-30" ht./sp.	Sun	deciduous, habit varies, vibrant single to double flowers in late winter
<i>Chamaecyparis lawsoniana</i> 'Ellwoodii'	Dwarf Port Orford Cedar	6-8' X 2'	30-36" ht.	Sun	evergreen, dense compact habit, blue green foliage
<i>Cornus stolonifera</i>	Redtwig Dogwood	7-9' X 12'	30-36" ht.	Sun or Shade	N deciduous, open spreading habit, brilliant red fall foliage & winter twigs
<i>Cotinus coggyria</i>	Smoke Tree	12-15' X 12-15'	30-36" ht.	Sun	* deciduous, broad urn habit, round green to purple leaves, flower airy plumes
<i>Cotoneaster acutifolius</i>	Peking Cotoneaster	6-10' X 6-10'	30-36" ht.	Sun	* deciduous, fountain shaped habit, glossy green foliage, black fruit
<i>Cotoneaster parneyi</i>	Parneyi Cotoneaster	6' X 6'	30-36" ht./sp.	Sun/Pt. Shade	* evergreen, arching habit, dark green foliage, white flower clusters, red fruit
<i>Cotoneaster mircophyllus</i>	Rockspray Cotoneaster	2-3' X 15'	12-18" sp.	Sun/Pt. Shade	* evergreen, horizontal habit, tiny dark green leaves, white flowers, red fruit
<i>Daphne x burkwoodii</i>	Burkwood Daphne	3-4' X 3-4'	24-30" ht./sp.	Sun/Lt. Shade	evergreen, erect compact habit, abundant fragrant white to pink flower clusters
<i>Deutzia gracilis</i>	Slender Deutzia	2-4' X 3-4'	18-24" ht./sp.	Sun/Lt. Shade	deciduous, graceful arching habit, green toothed leaves, clusters of white flowers
<i>Erica sp.</i>	Heath	1-2' X 2'	12-18" sp.	Sun/Pt. Shade	evergreen, round habit, small needlelike leaves, abundant small bell flowers
<i>Euonymus alatus</i> 'Compacta'	Winged Euonymus	4-6' X 4-6'	24-30" ht.	Sun	deciduous, round habit, green wing shaped leaves, vibrant red-orange fall color
<i>Euonymus fortunei</i>	Winter Creeper	2-5' X 3-6'	24-30" ht./sp.	Sun/Pt. Shade	evergreen, habit varies, green to purple to yellow to variegated foliage color
<i>Forsythia hybrids</i>	Forsythia	5-9' X 4-8'	24-30" ht.	Sun	deciduous, fountain shaped habit, green foliage, bright yellow flowers along stems
<i>Hydrangea macrophylla</i>	Garden Hydrangea	4-8' X 4-8'	24-30" ht.	Pt. Shade	deciduous, round habit, green toothed foliage, huge flower clusters, color varies
<i>Hydrangea paniculata</i>	Panicle Hydrangea	5-10' X 5-10'	30-36" ht.	Pt. Shade	deciduous, upright spreading habit, oval green leaves, elongated flower clusters
<i>Ilex crenata</i> 'Convexa'	Compact Japanese Holly	4-6' X 4-6'	24-30" ht.	Sun/Pt. Shade	evergreen, dense round to erect habit, small green leaves, black berries
<i>Juniperus scopulorum</i> 'Skyrocket'	Skyrocket Juniper	10-15' X 2-3'	30-36" ht.	Sun/Pt. Shade	* evergreen, narrow columnar habit, blue-gray foliage
<i>Lavendula sp.</i>	Lavender	2' X 2'	12-18" ht.	Sun	* evergreen, round habit, small aromatic gray-green foliage, fragrant flowers
<i>Lonicera pileata</i>	Privet Honeysuckle	2-3' X 8'	18-24" sp.	Sun/Pt. Shade	* evergreen, spreading habit, green foliage, small fragrant white flowers, berries
<i>Paeonia sp.</i>	Peony	2-4' X 2-4'	12-18" ht./sp.	Sun/Pt. Shade	deciduous, arching habit, green divided leaves, amazing single or double flowers
<i>Perovskia atriplicifolia</i> 'Blue Spire'	Russian Sage	2-4' X 2-4'	12-18" ht./sp.	Sun	* evergreen, upright habit, gray-green foliage, tall showy purple flower stems
<i>Philadelphus lewisii</i>	Mock Orange	4-10' X 4-10'	30-36" ht.	Sun/Pt. Shade	deciduous, fountain shaped habit, abundant fragrant white flowers
<i>Picea abies</i> 'Nidiformis'	Bird's Nest Spruce	3-5' X 4-6'	18-24" ht.	Sun	evergreen, low dense habit, gray-blue foliage, needles in star shapes whorl
<i>Pieris japonica</i>	Lily-of-the-Valley Shrub	2-6' X 2-6'	24-30" ht.	Sun/Pt. Shade	evergreen, upright habit, bronze new foliage to green, drooping flower clusters
<i>Pinus mugo mugo</i> 'Pumilio'	Dwarf Mugo Pine	4-8' X 4-8'	18-24" ht./sp.	Sun/Pt. Shade	* evergreen, round compact habit, dark green foliage
<i>Rosa nutkana</i>	Nootka Rose	6' X 4'	24-30" ht.	Sun/Pt. Shade	* deciduous, arching habit, deep pink flowers in spring, showy rose hips follow
<i>Rosa rugosa</i>	Rugosa Rose	3-6' X 3-6'	24-30" ht.	Sun	* deciduous, open habit, single to double flowers in spring-fall, huge red rose hips

SHRUBS continued

Botanical Name	Common Name	Ht. X Sp.	Min. Size	Sun/Shade	Special Features
<i>Salvia argentea</i>	Silver Sage	1-2' X 2'	12-18" ht.	Sun	deciduous, upright habit, gray-green foliage, hooded white flowers on stems
<i>Sedum 'Autumn Joy'</i>	Autumn Joy Stonecrop	1-2' X 2'	12-18" ht.	Sun/Pt. Shade	* succulent, upright habit, green foliage, clusters of pink flowers in late summer
<i>Spiraea japonica</i>	Spiraea	2-5' X 2-5'	18-24" ht.	Sun	deciduous, upright habit, toothed foliage, 8" clusters of pink flowers summer-fall
<i>Syringa vulgaris</i>	Common Lilac	8-20' X 6-15'	30-36" ht.	Sun	* deciduous, open upright habit, profuse fragrant conical shaped flower clusters
<i>Viburnum plicatum tomentosum</i>	Doublefile Viburnum	4-6' X 4-6'	24-30" ht.	Sun	deciduous, tiered habit, dull dark green foliage, white snowball flower clusters
<i>Yucca filamentosa</i>	Adam's Needle Yucca	1-7' X 1-4'	12-18" ht./sp.	Sun	* evergreen, stiff round habit, dark green foliage, 3-5' tall white flower clusters

GROUNDCOVERS

Botanical Name	Common Name	Ht. X Sp.	Min. Size	Sun/Shade	Special Features
<i>Aegopodium variegatum</i>	Bishop's Weed	6"	1 gal.	Sun/Pt. Shade	* perennial, light green edged white 3 leaflet leaves, fast growing
<i>Archostaphylos uva-ursi</i>	Kinnikinnick	3-6' X 2-3'	1 gal.	Sun/Pt. Shade	* N evergreen, small glossy dark green leaves, white or pink flowers, red fruit
<i>Cerastium tomentosum</i>	Snow-In-Summer	6-8"	1 gal.	Lt. Shade	* perennial, silver gray leaves, small white flowers in summer, fast growing
<i>Galium odoratum</i>	Sweet Woodruff	3"	1 gal.	Shade	* perennial, aromatic green whorl leaves, tiny white flower clusters summer
<i>Helianthemum nummularium</i>	Sunrose	6-8" X 36"	1 gal.	Sun	* evergreen, gray-green leaves, single or double vibrant or light color flowers
<i>Juniperus horizontalis</i>	Creeping Juniper	1' X 8-10'	18-24" sp.	Sun/Pt. Shade	* evergreen, feathery gray-green foliage, fast growing
<i>Mahonia repens</i>	Creeping Mahonia	12" X 36"	1 gal.	Sun/Pt. Shade	* evergreen, spiny edged leaves to divided blue-green leaflets, flower clusters
<i>Sedum spurium</i>	Two-Row Stonecrop	3-6" X 12-24"	1 gal.	Sun	* succulent, dark green or bronze leaves, clusters of pink flowers in summer
<i>Thymus serpyllum</i>	Creeping Thyme	3" X 36"	1 gal.	Lt. Shade	* perennial, round dark green leaves, purple flowers in summer
<i>Thymus pseudolanuginosus</i>	Woolly Thyme	2-3" X 36"	1 gal.	Lt. Shade	* perennial, walkable mat habit, woolly gray leaves, pink flowers in midsummer
<i>Veronica pectinata</i>	Blue Woolly Speedwell	ground hugging	1 gal.	Sun/Pt. Shade	* perennial, small deeply cut gray leaves, profuse deep blue flowers in spring
<i>Vinca minor</i>	Dwarf Periwinkle	4" X 36"	1 gal.	Sun/Pt. Shade	* evergreen, trailing dark green leaves, lavender-blue 5 petal flowers in spring

ORNAMENTAL GRASSES

Botanical Name	Common Name	Ht. X Sp.	Min. Size	Sun/Shade	Special Features
<i>Bouteloua curtipendula</i>	Sideoats Grama Grass	1-2' X 2'	1 gal.	Sun	* narrow gray-green leaf clumps, one-sided flowering stems in summer
<i>Bouteloua gracilis</i>	Blue Grama Grass	1-2' X 1'	1 gal.	Sun	* inflorescence of flowers at right angles, red in summer, bleached to white
<i>Calamagrostis x acutiflora</i>	Feather Reed Grass	2-6' X 2-3'	1 gal.	Sun/Pt. Shade	* evergreen, erect clump of narrow green leaves, upright flower stems
<i>Carex morrowii expallida</i>	Variegated Japanese Sedge	1-2' X 2'	1 gal.	Sun/Pt. Shade	mounding habit, green and white striped drooping leaves
<i>Deschampsia cespitosa</i>	Tufted Hair Grass	1-2' X 2'	1 gal.	Sun/Pt. Shade	narrow dark green leaf clumps, airy inflorescences in late spring to early summer
<i>Festuca glauca</i>	Blue Fescue	1' X 1'	1 gal.	Sun	* dense extremely fine blue-silver leaves, flower spikes in summer
<i>Heloctotrichon sempervirens</i>	Blue Oat Grass	2-3' X 2-3'	1 gal.	Sun	* narrow fountain like blue-gray leaf clumps, wispy straw colored flower clusters
<i>Imperata cylindrica</i>	Japanese Blood Grass	1-2' X 1'	1 gal.	Sun/Pt. Shade	upright medium leaf clumps, green at base, red at tip & intensifies in summer-fall
<i>Miscanthus sinensis</i>	Maiden Hair Grass	2-3' X 2-3'	1 gal.	Sun/Pt. Shade	* mounding green leaf clumps, colorful flower plumes in summer-fall
<i>Pennisetum alopecuroides</i>	Fountain Grass	2-3' X 2-3'	1 gal.	Sun/Pt. Shade	* bright green leaf clumps, pinkish to oat colored rabbit tail-like flower plumes
<i>Pennisetum setaceum</i>	Fountain Grass	2-4' X 2-3'	1 gal.	Sun/Pt. Shade	* green leaf clumps, copper-pink to purplish tall flower plumes
<i>Pennisetum setaceum 'Rubrum'</i>	Red Fountain Grass	2-4' X 2-3'	1 gal.	Sun/Pt. Shade	* reddish bronze leaf clumps, copper-pink to purplish tall flower plumes
<i>Stipa tenuifolia</i>	Silky Thread Grass	2' X 1'	1 gal.	Sun	* green leaf clumps, large feather-like straw colored inflorescences
<i>Stipa tenuissima</i>	Mexican Feather Grass	1-2' X 1-2'	1 gal.	Sun/Pt. Shade	* bronze to green leaf clumps, airy feather-like straw colored inflorescences

11.G REFINED PLANT LIST continued

VINES

Botanical Name	Common Name	Ht. X Sp.	Min. Size	Sun/Shade	Special Features
<i>Akebia quinata</i>	Fiveleaf Akebia	15-30'	1 gal.	Sun or Shade	deciduous, deep green leaflets, wine purple clusters of vanilla scented flowers
<i>Campsis radicans</i>	Trumpet Vine	30'	1 gal.	Sun/Pt. Shade	* deciduous, green multiple leaflets, 3" long orange tubular flowers with red lobes
<i>Clematis armandii</i>	Evergreen Clematis	20-35'	1 gal.	Sun	* evergreen, divided glossy green leaves, fragrant white flower clusters
<i>Clematis ligusticifolia</i>	Clematis	20'	1 gal.	Sun	* deciduous, green lobed leaves, multiple flower colors & sizes
<i>Hydrangea anomala petiolaris</i>	Climbing Hydrangea	20-30'	1 gal.	Sun/Pt. Shade	* deciduous, green heart shaped leaves, large white lace-cap flowers
<i>Lonicera japonica</i>	Japanese Honeysuckle	20-30'	1 gal.	Sun/Pt. Shade	* semievergreen, oval deep green leaves, fragrant two-lobed pink-white flowers
<i>Lonicera sempervirens</i>	Trumpet Honeysuckle	10-20'	1 gal.	Sun/Pt. Shade	semievergreen, whorls of orange-yellow to red trumpet shaped flowers in spring
<i>Parthenocissus tricuspidata</i>	Boston Ivy	50'	1 gal.	Sun or Shade	* glossy toothed edged 3-lobed leaves, orange to wine red fall color
<i>Wisteria sinensis</i>	Chinese Wisteria	Varies	1 gal.	Sun or Shade	* green leaves divided into 7-13 leaflets, profuse violet-blue drooping flowers

ROCK GARDEN PLANTS

Botanical Name	Common Name	Ht. X Sp.	Min. Size	Sun/Shade	Special Features
<i>Achillea millefolium</i>	Common Yarrow	30-36" X 24"	1 gal.	Sun	* perennial, erect habit, narrow green-gray leaves, flat topped white flowers
<i>Aethionema schistosum</i>	Stonecress	5-10" X 12"	1 gal.	Sun	* perennial, erect habit, narrow gray-blue leaves, fragrant soft pink flowers
<i>Anacyclus depressus</i>	Mount Atlas Daisy	3" X 15"	1 gal.	Sun	* perennial, spreading habit, gray fine leaves, daisylike flowers in summer
<i>Armeria maritima</i> 'Compacta'	Common Thrift	4" X 12"	1 gal.	Sun	* perennial, compact habit, thinleaves, pink globe of flower clusters atop stem
<i>Delosperma cooperi</i>	Purple Hardy Ice Plant	3" X 24"	1 gal.	Lt. Shade	* succulent, spreading habit, cylindrical green leaves, purple flowers in summer
<i>Delosperma nubigenum</i>	Yellow Hardy Ice Plant	1" X 36"	1 gal.	Lt. Shade	* succulent, low habit, cylindrical green leaves turn red in fall, yellow flowers
<i>Iberis sempervirens</i>	Evergreen Candytuft	8-18" X 8-18"	1 gal.	Sun/Pt. Shade	* evergreen perennial, glossy dark green leaves, white flower clusters
<i>Linum flavum</i> 'Compactum'	Compact Golden Flax	6" X 6"	1 gal.	Sun	* perennial, erect habit, green leaves, yellow 5 petal flowers in spring-summer
<i>Penstemon rupicola</i>	Rock Penstemon	4" X 18"	1 gal.	Sun/Pt. Shade	* perennial, trailing habit, small round blue-green leaves, bright pink flowers
<i>Phlox subulata</i>	Moss Pink	6" X 18"	1 gal.	Sun/Pt. Shade	* perennial, spreading habit, needlelike evergreen leaves, pink-lavender flowers
<i>Sedum spathifolium</i> 'Cape Blanco'	Cape Blanco Sedum	3" X 12"	1 gal.	Sun/Pt. Shade	* succulent, spreading habit, spoon shaped blue-green leaves tinged red-purple
<i>Sedum</i> 'Vera Jameson'	Vera Jameson Sedum	8-12" X 15"	1 gal.	Sun/Pt. Shade	* succulent, spreading habit, purple stems w/ pinkish purple leaves, pink flowers

EVERGREEN HEDGE PLANTS

Botanical Name	Common Name	Ht. X Sp.	Min. Size	Sun/Shade	Special Features
<i>Berberis x gladwynensis</i> 'William Penn'	William Penn Barberry	4-5' X 4-5'	24-30" ht.	Sun	round glossy leaf, fast growth, dense foliage, pretty yellow flowers
<i>Buxus sempervirens</i> 'Suffruticosa'	True Dwarf Common Boxwood	4-5' X 4-5'	24-30" ht.	Sun or Shade	slow growth, small waxy dense form and texture leaf
<i>Daphne x burkwoodii</i>	Burkwood Daphne	3-4' X 3-4'	24-30" ht./sp.	Sun/Lt. Shade	erect compact habit, abundant fragrant white to pink flower clusters
<i>Euonymus fortunei</i>	Winter Creeper	2-5' X 3-6'	24-30" ht./sp.	Sun/Pt. Shade	habit varies, green to purple to yellow to variegated foliage color
<i>Ilex crenata</i> 'Convexa'	Compact Japanese Holly	4-6' X 4-6'	24-30" ht.	Sun/Pt. Shade	dense round to erect habit, small green leaves, black berries
<i>Juniperus x pfitzeriana</i> 'Armstrongii'	Armstrong Juniper	4-5' X 4-5'	24-30" ht.	Sun	upright habit, true green foliage, compact growth
<i>Taxus baccata</i> 'Adpressa'	Dwarf English Yew	4-5' X 6-8'	24-30" ht.	Sun or Shade	dense habit, rich dark green needles, compact growth, red fruit
<i>Thuja occidentalis</i> 'Hetz Midget'	Dwarf Arborvitae	3-4' X 3-4'	24-30" ht.	Sun/Pt. Shade	globe habit, dense green foliage, mainy s form
<i>Viburnum hybrids</i> 'Conoy'	Conoy Evergreen Viburnum	4-5' X 4-5'	24-30" ht.	Sun/Pt. Shade	dense habit, dark green foliage with white on underside, fragrant flowers, red berries

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SUSTAINABILITY
STANDARDS

12

Section 12 describes regulations for Sustainability throughout the Badger Mountain South community.

12.A	Introduction.....	12-2
12.B	Sustainability Principles.....	12-2
12.C	Common Standards.....	12-2
12.D	Non-Residential Standards.....	12-3
12.E	Residential Standards.....	12-3

12.A INTRODUCTION

1. In Badger Mountain South, sustainable development means development that looks to the long-term social and environmental health of the community. It is the key concept to what is unique about this community of homes, businesses, schools and play fields. This section provides sustainability goals for Badger Mountain South.

2. The standards and requirements of previous sections of the LUDR relate to the concept of sustainability through the following ways:

a. Compact Design

Compact design is a recognized element of sustainable development because it allows a reduction of infrastructure, yields a higher proportion of contiguous preserved open space, facilitates transit use, and is more conducive to walking.

b. Mix of Uses

Permitting a mix of land uses in close proximity creates attractive places to live, provides employment, business and shopping opportunities in close proximity to residences, and encourages alternatives to driving.

~~c. Connectivity~~

~~Connected open space in Badger Mountain South will provide over 300 acres of parks, trails, and open space connecting neighborhoods, schools, and businesses.~~

d. Walkability

Each neighborhood in Badger Mountain South is designed to create multiple destinations within a five-minute walk. The street and trail network provides safe accommodations for pedestrians and easy access to (proposed) neighborhood schools.

e. Housing Choice

Badger Mountain South will provide a range of housing types and affordability levels to accommodate most any household and to facilitate the creation of intergenerational neighborhoods.

f. Transportation Choice

The street and trail network will provide multiple ways into the community for vehicles, bicyclists, pedestrians and transit. As build out occurs, transit expansion will likely follow.

3. In this section of the LUDR, more specific direction is provided to address energy and other resource conservation through standards that apply to all buildings and sites. These standards are guided by sustainability principles which follow. At their best, sustainability principles, when applied as standards to the built environment, reconnect people to their community and provide attainable performance targets without limiting innovation.

~~4. National, sustainable design certifications, including but not limited to, Energy Star, Built Green and LEED, are rating systems that provide guidance to developers and builders to help achieve the sustainability intent of the Badger Mountain South community.~~
- NOTE: We are proposing to delete text where sustainability standards which were adopted many years ago are now obsolete or have been replaced (for example, the Washington State Energy Code may now provide a higher level of energy conservation requirements) or where text is otherwise redundant
- 12.B SUSTAINABILITY PRINCIPLES
1. ENERGY:

a. Promote energy conservation in all aspects of development and life cycle operation.

b. Promote production and use of renewable energy.

2. WATER:

a. Promote water conservation in all aspects of development and life cycle operation.

b. Promote re-use, recycling and ground water recharge of rain water and grey water.

3. TRANSPORTATION:

a. Promote pedestrian, bicycle and community transit modes of transportation.

b. Promote a compact, walkable and mixed-use pattern of development.

4. EXTERIOR LIGHTING:

a. Minimize light trespass from the building and site to achieve:

(1) Energy savings

(2) Night-sky ambience; and

(3) Increased visibility, safety, and security by reducing glare.

5. RECYCLING:

a. Promote reduction in waste during development and life cycle operation.

b. Promote reuse of materials during construction.

c. Promote recycling of materials during development and life cycle operation.

6. HEALTHY LIFESTYLE:

a. Promote an active, healthy lifestyle by connecting areas of activity with non-motorized means of circulation.

b. Promote opportunities for active recreation through community-wide trail system as well as provisions for parks and play areas in each neighborhood.

7. BUILDING MATERIALS:

a. Choose building materials and systems that:

(1) Protect and promote indoor air quality;

(2) Contain recycled content, or can be recycled;

(3) Are extracted, processed, and manufactured regionally;

(4) Utilize renewable, salvaged, or FSC Certified materials

8. URBAN AGRICULTURE:

a. Promote opportunities for community gardening within each neighborhood.
- At its completion, Badger Mountain South will have a minimum of 207 acres of open space, including open space in city parks. Trails or other features provide connectivity. This calculation does not include school sites.
- 12.C COMMON STANDARDS
- A photograph showing a woman walking a dog on a leash along a paved path in a residential area. In the background, there are modern houses and a small bridge over a dry stream bed.
- Illustrative Photo: Walkable and Sustainable Community
- The following Common Standards are applicable to all development within Badger Mountain South. Refer to Section 12.D and 12.E for additional standards specific to use or to District.
1. ENERGY

a. Include passive and/or active means of allowing for both solar gain where used for passive solar heating as well as sun protection from unwanted solar heat gain.

b. Include building space and conduits for future addition of solar hot water or photovoltaic systems on every building. When provided, the use of geo-thermal may substitute for any of the above requirements. Geo-thermal wells and realated infrastructure is permitted in all setback areas.

2. GREEN BUILDING COMPLIANCE

~~a. Achieve the minimum level for one of the following green building or energy star rating systems or their equivalent:~~

~~(1) Built Green – as promoted by the local building trade organization~~

~~(2) LEED – as promoted the U.S. Green Building Council (www.usgbc.org)~~

~~(3) Green Globes – as promoted by the Green Building Initiative (www.thegbi.com)~~

~~(4) National Green Building Standards – 2008 (www.nahbgreen.org) for residential only~~

~~(5) Energy Star Certification~~

3. EXTERIOR LIGHTING

Goals: Nighttime building illumination should reinforce prominent building design elements yet avoid off-site lighting and night sky pollution. Technologies to reduce light pollution include full cutoff luminaires, low-reflectance, and low-angle spotlights. Computer modeling of commercial project’s site lighting is encouraged.

a. For all buildings except Low Rise Residential (under four stories):

(1) Submit a Lighting Plan, depicted on the site plan, for all projects with four or more exterior fixtures. The Lighting Plan must include all elements as found in the Glossary for “Lighting Plan”.

A photograph showing three children playing with blue recycling bins in a residential yard. One child is holding a bin, another is kneeling next to one, and a third is standing nearby.

Illustrative Photo: Sustainable Community

~~(2) Lighting power densities must not exceed ANSI/ASHRAE/IESNA Standard 90.1 2010.~~

~~(3) Meet exterior lighting control requirements from ANSI/ASHRAE/IESNA Standard 90.1 - 2010.~~

~~(4) Follow all the requirements that applies to the development proposed as found in ANSI/ASHRAE/IESNA Standard 90.1 – 2010.~~

b. For all Low Rise Residential Buildings (under four stories):

(1) Lighting fixtures shall have translucent covers that eliminate glare and have full cutoff features/shielding to prevent direct light from the fixture to shine beyond the property limits where the fixture is installed.

(2) Lights of less than 15 watts used for holiday decoration are exempt.

(3) Lighting for U.S. flags intended to be properly displayed at night is exempt.

For this numbered item indicate "N/A"

4. REACH CODES

a. Projects that achieve Passive House Certification shall be deemed compliant with the energy conservation requirement.

b. Projects that achieve Living Building Challenge shall be deemed compliant with both the energy conservation requirement, and the green building requirement.

5. RECOMMENDED ELEMENTS (NOT REQUIRED)

a. Solar Hot Water system

b. Photovoltaic system

c. LEED Platinum

12-2

Badger Mountain South: A Walkable and Sustainable Community, Richland, WA

Issue Date: 12-07-10
Amended Date: 04-15-14, 03-03-15, 05-17-2016

NOTE: 12D and 12E should be removed but we will be retaining the illustrative photos on the previous page if space allows

12.D NON-RESIDENTIAL STANDARDS



Illustrative Photo: Commercial Facility w/ Solar Array Entry Canopy

- 1. Compliance with the Common Standards, 12.C.
- 2. Commercial buildings shall be Energy Star compliant.
- 3. Civic buildings should attempt to meet LEED Silver standard or equivalent rating in an alternate green building rating system.
- 4. Schools: All K-12 schools that receive funding from the Office of the Superintendent of Public Instruction must be built either to the Washington Sustainable Schools Protocol (WSSP) or LEED Silver standard.
- 5. Provide shared parking within Mixed-Use development projects.
- 6. Parking must be organized so that no one surface parking area in any development is larger than two (2) acres. In large developments with multiple surface parking areas, each area shall be defined through the use of landscape and pedestrian access ways.

12.E RESIDENTIAL STANDARDS



Illustrative Photo: Single Family Home with Rooftop Solar Array

- 1. Compliance with the Common Standards, 12.C.
- 2. In order to reduce the energy demand for domestic hot water usage, homes are encouraged to be constructed with one of the following Energy Star - Residential Water Heater Systems:
 - a. Whole-Home Gas Tankless Water Heater
 - b. Gas Condensing Water Heater
 - c. Heat Pump Water Heater
 - d. Solar Water Heater with conventional storage or tankless backup system"
 - e. Or other equivalent system

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SITE
IMPROVEMENT
STANDARDS

13

Section 13 describes regulations for the Site Improvements throughout the Badger Mountain South community.

13.A	Fencing.....	13-2
13.B	Signage.....	13-3 13-5
13.C	Site Furnishings and Hardscape.....	13-6
13.D	Common Parking Standards.....	13-7

13.A FENCING



Side and Rear Yard Fencing



Wing-Fencing with Gate



Front Yard Fencing



Corner Lot Fencing



Iron Fencing



Painted Wood Fencing



Picket Fencing

1. RESIDENTIAL

a. General Considerations

- (1) A fence is defined as a structural or ornamental barrier separating one exterior space from another. The intent is to create good neighbor fences and make alleys people-friendly by allowing homeowners to view activities in the alley.
- (2) The heights or elevations of any wall or fence shall be measured from the finished grade natural elevations of the property at or along the applicable points or lines.
- (3) Cyclone and chain link fences are prohibited. Fences must be constructed of grade #2 (or better) no-hole cedar, masonry, recycled plastic, iron, powder coated steel, or aluminum.

b. Standards

- (1) Side, rear yard, and Alley fences shall be a maximum of 6 ft. in height. ~~All solid or 0% transparent fences shall consist of 60 inches height solid fencing, with an 12 inches height articulation on top of fence, for a maximum total fence height of 6 ft. Articulation shall be a minimum of 50% transparent, composed of the same material as the fence unless otherwise approved by the City. Height shall be measured from the Natural Grade. Articulation not required in neighborhood edge lots.~~
- (2) Front fences. ~~(non-corner lots and where not adjacent to pedestrian paths)~~
 - i. Any fence extended beyond the front of the house, ~~estrian paths~~ must not exceed 4 ft. in height.
 - ii. Painting of front fences is allowed when painted to complement the exterior color of the residential structure. Any painted fence must be maintained so as to conform to the standards established for fences.
- (4)(3) No tree, whether in a setback or on private property, shall be used for the attachment or support of any fence or privacy screen.
- (5)(4) Fence company signs may not be affixed to fences.
- (6)(5) Fencing in Courtyard Housing and Cottage Court front yards shall be a maximum of 4 ft. high.
- (7)(6) Hedges may be established as a fence along the front yard or corner lot side yard when the maximum height of

- the plant materials is maintained at 4 ft. or less.
- (8)(7) When trash receptacles, recycling containers and similar are stored outside of a building or other structure, they must be screened with a sight obscuring fence which matches the style and materials of other fencing on the lot and must be one foot ~~high~~ higher than the object being screened.
- (9)(12) Enclosed Courtyard Screen.
 - i. A solid or semi-solid partition constructed of the same or similar materials or as approved by the City as the principal structure and either partially or completely surrounding an outdoor living space. May extend into the front yard setback no more than 6 ft. beyond the front facade/front porch of the principal structure, but in no event exceed 40 percent of the width of the lot.
 - ii. Must be decoratively embellished on the exterior when a solid screen is built.
 - iii. Maximum height of 6 ft.

2. COMMERCIAL DISTRICT FENCING AND LANDSCAPE/RETAINING WALLS

a. General Considerations

- (1) Fences and landscape/retaining walls will be reviewed as part of the landscape plan submittal for development applications. A fence is defined as a structural, functional or ornamental barrier separating one exterior space from another.
- (2) The heights or elevations of any wall or fence shall be measured from the finished grade elevations of the property at or along the applicable points or lines.
- (3) No cyclone or chain link fences are allowed except as noted below and except that fence posts may be metal or steel enclosed in wood and as noted below. Freestanding concrete and masonry walls shall be minimum 8 inches thick. Wood shall be painted unless natural cedar or redwood is used. Site wall materials should generally match building materials. Metal and iron fencing shall be configured in predominately vertical elements; all metal

surfaces shall be painted.

b. Standards

- (1) Acceptable materials for Fences and Landscape/Retaining Walls are as follows:
 - i. Brick, concrete and stone masonry;
 - ii. Architecturally detailed exposed cast-in-place concrete;
 - iii. Stucco, cement based;
 - iv. Wood pickets, lattice and boards; use #2 or better no-hole cedar;
 - v. Painted wrought iron, powder coated steel, or aluminum;
 - vi. Chain link, for rear property lines in the BMS-SD-DR District only;
- (2) Fences constructed with wood are encouraged to use wood wrapped steel posts.
- (3) All fences shall be 6 ft. in height or less. Wood wrapped steel posts for fences may be higher than 6 ft. Height shall be measured from the Natural Grade.
- (4) No tree, whether in a setback or on private property, shall be used for the attachment or support of any fence or privacy screen.
- (5) Fences along alleys shall be located outside access easement tract.

3. NEIGHBORHOOD STORAGE AREA FENCING

- a. Fencing and Screening Required: Fencing and screening is required around all portions of the lot utilized for the outdoor storage as allowed per Land Use Table, Section 2.C. All fencing and screening shall be installed in accordance with the following requirements:
 - (1) Building setbacks. All Neighborhood Storage Areas must be fenced with a secured, black, vinyl coated chain link fence placed 10 ft. from the front sidewalk, 6 ft. from side property line, 6 ft. from rear property line.
 - (2) Minimum Fence Height. Fencing of outdoor storage areas shall be constructed to a minimum height as follows:
 - i. 6 ft. in height in BMS-NG district.
 - (3) These standards supersede the parking placement standards by District, section 3.

- b. Landscape screening, See 11.C.8 for storage facility screening.
- c. Maintenance Required. Fences, walls and landscaping surrounding outdoor storage areas shall be well maintained and kept free of litter, posters, signs and trash.

4. COMMUNITY STORAGE FACILITY FENCING

- a. Community Storage Facility fencing and screening shall comply with all Neighborhood Storage Area Standards in 13.A.3 except that:
 - (1) Minimum Fence Height. Fencing of outdoor storage areas shall be constructed to a minimum height of 8 ft. tall in the BMS-NC-P Overlay District.

(3) Front Fences - Corner Lots and non-corner lots that are adjacent to pedestrian paths

- i. For Corner lots - Front yard fencing may only located at or behind the rear half of the home and shall be a maximum of 6 ft. high.
- ii. For lots adjacent to pedestrian paths - Front yard fencing may only be located at and behind building line of the home (not garage) and shall be a maximum of 6 ft. high.
- iii. Fencing along the flanking [this means the one without the front of the home] front yard must not exceed 6 ft. in height along the rear half of the home elevation; setback minimum 1 ft. from the inside edge of the sidewalk
- iv. Fencing along the flanking front yard must not exceed 5 ft. in height along the front half of the home elevation; setback minimum 10 feet from the inside edge of the sidewalk.

1. SIGNAGE STANDARDS - ALL DISTRICTS

- Signs erected in Badger Mountain South must comply with the standards set forth in the LUDR and the application processes and permits identified in RMC 27.04.
- a. General Considerations
- (1) Badger Mountain South signage goals are as follows:
 - i. Provide effective way-finding for all visitors and others to the community;
 - ii. Provide visibility for commercial and other business uses;
 - iii. Encourage signage that is expressive of the image of the community; and
 - iv. Express timeless design that is harmonious with buildings and open spaces.
 - (2) Signs shall be designed and installed to enhance both the building and the streetscape. Creative, detailed, artistic and unique signage is encouraged.
 - (3) The use of icons, symbols, graphic logos or designs that represent a service or occupation are preferable to standardized corporate logos.
 - (4) All exterior signs shall comply with the City of Richland Sign Code. All signs must be professionally designed and installed, and must be well maintained.
- b. Construction Signs
- (1) One sign, identifying the builder/general contractor, is permitted during the course of construction. The sign must be single-sided and may include the builder's logo, company name and phone number and be of his own design and choice of colors. Architect/designer identification may be incorporated into this sign but may not be a separate sign attached to the builder sign.
 - (2) Builder signs shall be limited to 48 inches x 48 inches in size, installed with a single or double post no higher than 66 inches (measured from existing grade) and mounted so that the bottom of the sign is within 18 inches of the surrounding grade and must be placed parallel to the road. Signs must be removed as soon as the building is occupied or when construction is completed. Builder/architect information boxes are permitted during the course of construction. No separate subcontractor or consultant signs are allowed.
- c. For Sale and For Lease Signage
- (1) One "for sale" or "for lease" sign is permitted for each building or each group of attached buildings or group of zero lot line buildings. The maximum sign size is 4 ft. by 4 ft.. These signs shall be mounted so that the bottom of the sign is within 18 inches of the surrounding grade (signs must be placed parallel to the street frontage and the sign may be located inside the building). For Sale / For Lease signs must be well maintained and professionally produced.
- d. Special Event Signage
- (1) A sign which is to be displayed for a limited period of time only, not to exceed 20 days, and includes, but is not limited to, banners, pendants, streamers, fabric signs, clusters of flags, ~~subject to RMC 27.08.010F(2).~~
- e. Signs Permitted by Right
- (1) Home occupation signs no larger than 2 sq. ft.
 - (2) Only one movable A-frame sign is permitted per business to be displayed only during the hours of 8:00 a.m. to 9:00 p.m. or to closing, whichever is earlier, on days the business displaying such sign is open and, which shall not exceed 6 sq. ft. in size per face and shall not exceed 4 ft. in height.
 - (3) Bus shelter signs including a directory of sponsors, bus route maps/information and art work in bus shelters, not to exceed 4 sq. ft..



Commercial Building Sign



Awning Signage



Directory Signage



Monument Signage



Projecting Signage



Wall Signage

- (4) Flags of country, state, city or other governmental body, and not to exceed 25 sq. ft. in area.
 - (5) Garage/yard sale. Two movable signs allowed per sale, not to exceed 6 sq. ft. per sign face; not to be posted for longer than three days prior to sale; and not be placed on public utility poles.
 - (6) Real estate signs. Directional arrow signs are to be used solely for directing people to a house for sale or lease, or a condominium unit for sale. They may not be used for advertising of sale or lease opportunities of commercial property. They may not be used for any properties outside the City limits.
- f. Sign Lighting
- (1) Signs may not be top lit with single or multiple sources. The light source may not be visible from any public right of way and may not shine up into the night sky. Seasonal decorative lighting is permitted.
- g. Removal of Abandoned Signs
- (1) It is the responsibility of the property owner to remove any abandoned sign within two days of the cessation of its use.
- h. Removal of Non-Conforming Signs
- (1) Any signs which are deemed to be nonconforming will be removed and held for 14 days; after which time they will be destroyed, if not retrieved by the responsible party.
- i. Neighborhood and Entry Way Signage
- (1) Neighborhood identification and/or entry way signage must meet the standards found for Monument Signage, Section 13.B.3.d.(1).
- j. Prohibited Signs
- (1) Internally illuminated signs, with the exception of neon signs. *
 - (2) Inflatable balloon or balloon-like figures greater than 36 inches in any dimension of animals or any other objects or characters.
 - (3) Signs on roofs, chimneys and balconies.
 - (4) Pole signs and other freestanding signs over 6 ft. in height. *
 - (5) Billboards.
 - (6) Off-site signs or advertising.
 - (7) Flashing, animated, blinking, moving or mobile signs including portable reader board signs.
 - (8) Sign on or affixed to a rock, tree or other natural feature.
 - (9) Private sign placed in right-of-way.
 - (10) Banners, except for public events.
 - (11) Electronic reader boards, unless otherwise specified.
- * Except for signs in the BMS SD-DR and BMS SD-CMU districts, as authorized in Section 13.B.7 and 13.B.8.

2. SIGNAGE STANDARDS: BMS-SD-DR, BMS-SD-SR, AND BMS-SD-CMU DISTRICTS

- a. Awning Signage
- (1) Maximum sign area shall be 6 sq. ft. on the main awning face or 3 sq. ft. of the awning valance.
 - (2) Lettering and signboard may be integrated along the valance or awning fascia.
 - (3) No backlit awning signs are permitted.
- b. Building Signage Allowance
- (1) Each commercial building may have a maximum of two signs to identify the name of the building. These signs must be integral to the architecture and building design and convey a sense of permanence. Typically these signs are secondary or tertiary building elements as seen on historic urban buildings. Buildings on corner lots may have a maximum of three signs.
 - (2) Building signs must conform to the following:
 - i. Maximum sign area shall be no more than 20 sq. ft. per building face except when the sign includes a company logo in which case it may increase in area to 36 sq. ft.
 - ii. Maximum sign height shall be 18 ft. above the sidewalk to the top of the sign (measured from the top of the sign to the lowest point on the sidewalk directly below the sign) unless signage is positioned on a cupola or other architectural feature that extends beyond the ordinary roof height.
- c. Directory Signage
- (1) Each building may have one directory sign immediately adjacent to the front/main entry and to any rear entry to the building.
 - (2) Directory signs shall be limited to 12 sq. ft. in area, and their design shall integrate with the color and materials of the building.
- d. Marquee Sign
- (1) Where movie theater use or Gambling Premise use is permitted within District, a projecting marquee sign up to 120 sq.ft. per two sides, may be attached to building facade.
- e. Monument Signage
- (1) General Standards Applicable to all Monument Signs:
 - i. Monument signs need to be located within a landscaped planter. The minimum area of the planter shall be equal to the total area of the sign located within the planter.
 - ii. The exterior finish, color and materials of the sign cabinet need to complement the colors and materials of the building that the advertised business occupies.

- iii. Monument signs for multiple-tenant commercial centers with 6 or more tenant spaces shall focus on identifying the name of the center and/or its largest tenants, rather than on all tenants.
 - iv. No monument signs are permitted in line of sight triangles next to driveway locations. The line of sight measures 7 ft. by 50 ft..
 - v. No monument signs are permitted in the line of sight triangles adjacent to a corner. This line of sight triangle measures 25 ft. by 25 ft..
 - vi. When more than one monument sign is permitted on any parcel, the signs may be located no closer than 300 ft. from one another.
 - vii. All monument signs need to include numeric street address of the property upon which it is located. The numbers used to identify the address shall be no less than 9 inches and no more than 15 inches in height.
 - viii. All background surfaces must be of an opaque material that does not emit light.
- (2) Monument Sign Standards:
- i. Individual Business: An individual business located on a separate lot and not legally part of a multi-business development may use one monument sign as either a primary sign or a secondary sign. The sign may not be located closer than 3 ft. from any property line. The overall height of the sign, not including the base measurement, shall not exceed 12 ft., except in the ~~BMS-DR District~~ where the overall height of the sign shall not exceed 24 ft. No more than 1 monument sign shall be erected for any 1 business. No sign shall obstruct the view of motor vehicle operators entering or leaving any parking area, service drive, private driveway, street, alley or other thoroughfare.

BMS-SD-DR and BMS-SD-CMU districts

(2) Backlit signs, which are signs using lighting behind lettering or other features are acceptable.

13.B SIGNAGE continued



Awning Signage



Directory Sign



Monument Sign



Blade or Projecting Signage



Wall Signage



Window Signage



Public Way-Finding Signage



Monument Signage

2. SIGNAGE STANDARDS: BMS-SD-DR, BMS-SD-SR, AND BMS-SD-CMU DISTRICTS continued

- ii. Multi-business Development: Monument signs are permitted for the purpose of identifying the development and the tenant or occupants of any multi-business development. A development shall mean one or more buildings under a common development scheme or common ownership. One monument sign may be erected for the purpose of identifying the development and some or all of the tenants or occupants of the development at each point of vehicle entrance from public right-of-way to such development. A monument sign shall not exceed 12 ft. in height and 120 sq. ft. total for all faces with a maximum of 60 sq. ft. for any 1 face, except in the ~~BMS-DR~~ **BMS-SD-DR** District where the overall height of the sign shall not exceed 20 ft. in height and 200 sq. ft. total for all faces with a maximum of 100 sq. ft. for any one face. For retail developments with 6 or more tenants, at least 25 percent of each sign face shall identify the development. For retail development with fewer than 4 tenants, identification of the development is not required, but if the retail development is identified on the sign then at least 25 percent of each sign face shall identify the development. Each panel identifying a tenant shall be at least 14 inches high with letters and/or logo at least 8 inches high. Neither the portion of the sign structure providing support nor the frame shall be counted in determining the square footage of the sign.
- iii. Each sign shall be located at least 3 ft. from any vehicle entrance. No sign shall obstruct the view of motor vehicles operators entering or leaving any parking area, service drive, private driveway, street, alley, or other thoroughfare.
- f. Projecting and Blade Signage
 - (1) Maximum sign area shall be 4 sq. ft. (per side).
 - (2) The sign must be located with the lower edge of the signboard no closer than 8 ft. to the sidewalk and the top of the sign no more 14 ft. above the sidewalk.
 - (3) For multi-story buildings, at the ground floor tenant space signage, the top signboard edge shall be no higher than the sill or bottom of the average second story window height.
 - (4) Distance from building wall to signboard shall be a maximum of 6 inches.
 - (5) Maximum signboard width shall be 3 ft. with no dimension to exceed 3 ft.
 - (6) Occupants/tenants above the street level are prohibited from having projecting blade signage.

- g. Tenant/Occupant Signage
 - (1) Each building may have a total of 2 signs per tenant/occupant identifying the leased/occupied space. These signs must be located on or immediately adjacent to the primary entry to the tenant's/occupant's space. Tenants/occupants may select from the following sign types: Awning, Projecting/Blade or Wall.
 - (2) Tenants/occupants may also have one street level storefront (window, glass door or A-board) sign.
- h. Wall Signage
 - (1) Unless regulated elsewhere in the LUDR, maximum sign area shall be a maximum of 20 sq. ft..
 - (2) The sign shall be located on the tenant's portion of the building. Maximum sign height for multiple story buildings shall be 14 ft. above the sidewalk to the top of the sign. The maximum sign height for single story buildings is 18 ft. above the sidewalk to the top of the sign. The measurement is from the top of the sign to the lowest point on the sidewalk directly below the sign.
 - (3) Applied lettering may be substituted for wall signs. Lettering must fit within the size criteria above.
 - (4) Wall signs that are designed as a mural or other artistic application may be larger in size. Only the portion of the painted wall mural which contains a logo, trademark or other commercial message shall be governed by the requirements in Section 13.B.2.g. Wall preparation, anti-graffiti coating and ultraviolet coating, for walls with southern exposure, shall be required.
- i. Window Signage
 - (1) Maximum sign area shall be 4 sq. ft.
- j. Portals, Gateways, and Entries Signage
 - (1) Neighborhood identification or entry way signage signs must meet the standards of Monument Signage, Section 13.B.3.d.(1), unless intended to be constructed as public art or include other significant architectural features, or,
 - (2) Entryway sign into the community or neighborhood which arch over the public-right-of-way. Must meet the following standards:
 - i. Any sign over a city street must be a minimum of 16 ft. from the street surface.
 - ii. Signs and sign-supporting structures shall be listed by a recognized testing laboratory and constructed in compliance with the requirements of the International Building Code as adopted by the City.
 - iii. Signs must possess unique architectural features such as materials, artwork or lettering, and may be constructed as part of a major entryway into the community.

- iv. Sign base may be surrounding by landscape materials.
- v. Applicable standards and licensing requirements in RMC 5.14 apply.
- 3. SIGNAGE STANDARDS: ~~BMS-VNU DISTRICT~~ **SENIOR HOUSING, NURSING HOMES AND ASSISTED LIVING**
 - a. Awning Signage
 - (1) Maximum sign area shall be 3 sq. ft. on the main awning face or 1.5 sq. ft. of the awning valance.
 - b. Building Signage Allowance
 - (1) Each building may have a maximum of two signs to identify the name of the building. These signs must be integrated within the architectural element to which they reside, to convey permanence and create historic precedence. Typically these signs are secondary or tertiary building elements as seen on historic commercial/industrial buildings.
 - (2) Building signs must conform to the following:
 - i. Maximum sign area shall be no more than 4 sq. ft.
 - ii. The sign shall be located between 14 and 18 ft. above the sidewalk to the top of the sign (measured from the top of the sign to the lowest point on the sidewalk directly below the sign).
 - c. Directory Signage
 - (1) Each building may have one directory sign immediately adjacent to the front/main and to any rear entry to the building.
 - (2) Directory signs shall be limited to 12 sq. ft. in area, and their design shall integrate with the color and materials of the building.
 - d. Monument Signage
 - (1) Individual Business: An individual business located on a separate lot and not legally part of a multi-business development may use one monument sign as either a primary sign or a secondary sign. The sign may not be located closer than 3 ft. from any property line. The overall height of the sign shall not exceed 10 ft.. No more than one monument sign shall be erected for any one business. No sign shall obstruct the view of motor vehicle operators entering or leaving any parking area, service drive, private driveway, street, alley or other thoroughfare. Each lot, less than 39,000 sq. ft. as originally platted, may have one monument sign. The monument sign may be a maximum of 9 sq. ft., not including the sign base, and have no dimension exceeding 5 ft., including the sign base. Sign height, including the sign base, will be measured from original grade. The sign must be located within 25 ft. of the primary vehicular entry and within 10 ft. of the front property line.

- (2) Multi-business Development: Monument signs are permitted for the purpose of identifying the development and the tenant or occupants of any multi-business development. A development shall mean one or more buildings under a common development scheme or common ownership. One monument sign may be erected for the purpose of identifying the development and some or all of the tenants or occupants of the development at each point of vehicle entrance from public right-of-way to such development. A monument sign shall not exceed 10 ft. in height and 100 sq. ft. total for all faces with a maximum of 50 sq. ft. for any one face.
- (3) For retail developments with 4 or more tenants, at least 25 percent of each sign face shall identify the development. For retail development with fewer than 4 tenants, identification of the development is not required, but if the retail development is identified on the sign then at least 25 percent of each sign face shall identify the development. Each panel identifying a tenant shall be at least 14 inches high with letters and/or logo at least 8 inches high. Neither the portion of the sign structure providing support nor the frame shall be counted in determining the square footage of the sign.
- (4) Each sign shall be located at least 3 ft. from any vehicle entrance. No sign shall obstruct the view of motor vehicles operators entering or leaving any parking area, service drive, private driveway, street, alley, or other thoroughfare.
- e. Projecting and Blade Signage
 - (1) Maximum sign area shall be 2 sq. ft. (per side).
 - (2) The sign must be located with the lower edge of the signboard no closer than 8 ft. to the sidewalk and the top of the sign no more 14 ft. above the sidewalk.
 - (3) For multi-story buildings, at the ground floor tenant space signage, the top signboard edge shall be no higher than the sill or bottom of the average second story window height.
 - (4) Distance from building wall to signboard shall be a maximum of 6 inches.
 - (5) Maximum signboard width shall be 2 ft. with no dimension to exceed 3 ft.
 - (6) The second story tenants are prohibited from having projecting blade signage.
- f. Tenant/Occupant Signage
 - (1) Each building may have a total of 1 sign per tenant/occupant identifying the leased/occupied space. This sign must be located on or immediately adjacent to the primary entry to the tenant's/occupant's space. Tenants/occupants may select from the following types: Awning, Projecting/Blade, Neon, Wall and Window.

3. SIGNAGE STANDARDS: ~~BMS-VMU DISTRICT~~ continued

- g. Wall Signage
- (1) Unless regulated elsewhere in the LUDR, maximum sign area shall be 1% of the tenant’s portion of the ground floor area or 10 sq. ft., whichever is less.
 - (2) Wall sign shall be located on the tenant’s portion of the building. Maximum sign height shall be 14 ft. above the sidewalk to the top of the sign (measured from the top of the sign to the lowest point on the sidewalk directly below the sign).
 - (3) Applied lettering may be substituted for wall signs. Lettering must fit within the size criteria above.
 - (4) Wall signs that are designed as a mural or other artistic application may be larger in size. Only the portion of the painted wall mural which contains a logo, trademark or other commercial message shall be governed by the requirements in Section 13. B.2.g. Wall preparation, anti-graffiti coating and ultraviolet coating, for walls with southern exposure, shall be required.
 - (5) Wall sign shall be located on the tenant’s portion of the building. Maximum sign height shall be 18 ft. above the sidewalk to the top of the sign (measured from the top of the sign to the lowest point on the sidewalk directly below the sign).
 - (6) Applied lettering may be substituted for wall signs. Lettering must fit within the size criteria above.
- h. Window Signage
- (1) Maximum sign area shall be 4 sq. ft.

4. SIGNAGE STANDARDS: COMMUNITY FACILITIES/PLACE OF WORSHIP

- a. Each noncommercial use, such as places of worship, schools, city parks, fire stations, police stations, municipal buildings, public libraries, community centers, and other similar noncommercial uses, may have no more than one monument or one wall sign for each street frontage. A monument sign shall not exceed 24 sq. ft. in area per face, shall be setback a minimum of 2 ft. from the property line, and shall not exceed 5 ft. in height. A wall sign shall not exceed 32 sq. ft. in area and shall not exceed 15 ft. in height. All community facilities/ place of worship signs shall be designed in keeping with the character of the neighborhood and shall be constructed of durable materials.
- b. Public way-finding and site feature identification signs are permitted in Civic Districts and do not count as part of the noncommercial square footage.

5. SIGNAGE STANDARDS: BMS-NC, NG AND NE DISTRICTS

- a. Live/work signage.
- A sign up to 3 sq. ft. containing the name of the proprietor, business and/or a graphic image representing the business shall be allowed. The sign shall be attached to the dwelling, be compatible with the architectural character of the neighborhood and shall not be illuminated or backlit. Only one sign shall be allowed.
- b. Bed and Breakfast and home occupation signage.
- (1) A bed and breakfast operation as a home occupation, and all other home occupations, shall be allowed a sign up to 2 sq. ft., containing only the name of the proprietor or the name of the residence. The sign shall be attached to the dwelling, be compatible with the architectural character of the neighborhood and shall not be illuminated or backlit. Only one sign shall be allowed.
- c. Day care and adult family home signage.
- (1) Licensed family day care and adult family home centers shall be allowed a sign up to 2 sq. ft., containing only the name of the proprietor or the name of the residence. The sign shall be attached to the dwelling and shall not exceed 2 sq. ft. in area. The sign shall be compatible with the architectural character of the neighborhood and shall not be illuminated or backlit. Only one sign shall be allowed.
 - (2) Licensed day care centers on lots one acre and larger may have one monument sign that meets the standards in 13.B.3.d.1.
- d. Senior housing, nursing homes and assisted living facilities signage. Signage shall conform to the sign standards for the in VMU District, 13.B.3.

6. SIGNAGE STANDARDS: VEHICULAR SERVICE STATION

- a. Vehicular service stations selling motor fuel to the public, including those with convenience stores, accessory restaurants or other retail, self-service car washes, and facilities having service bays for vehicle service and repair, may have primary signs as shown on Vehicular Service Station Signage Chart, this page:
- b. Motor Fuel Sales as Secondary Use: Any business selling motor fuel to the public as a secondary use may have:
- (1) One permanently mounted fuel price sign. Such sign shall not exceed 10 ft. in height and 15 sq. ft. in area for each face with a maximum of 2 faces. Such sign may be incorporated with the monument sign allowed the primary use; however, in no instance may the fuel price sign itself exceed 10 ft. in height and 15 sq. ft. in area for each face with a maximum of 2 faces.
 - (2) One canopy logo sign per street frontage providing direct vehicular entrance to the fuel station.
- c. Movable fuel price signs are not allowed.
- d. Applicability: Signage required by state and/or federal laws and/or regulations concerning pump inspections, safety warnings, or other mandated materials are exempt from the provisions of this section.

7. VEHICULAR SERVICE STATION SIGNAGE CHART

Class	Sign Type	Maximum Number	Maximum Sign Area	Maximum Sign Height	Location	Lighting ¹
Station Identification and Pricing ²	Integrated with Monument sign subject to standards in 13.B.	One per street frontage ³	50 sq. ft. per face, two faces maximum.	10 ft..	At least 2 ft. from any property line.	Allowed.
Station Identification and Pricing - Option if located along Dallas Road	Freestanding	One, in addition to one monument sign which does not have pricing information.	40 sq. ft. per face, two faces maximum	20 ft.	At least 2 ft. from any property line.	Allowed and may be internally illuminated.
Canopy Logo	Wall	One per street frontage, not to exceed a total of two.	12 sq. ft.	2 ft..	Shall be on the face of the canopy covering the pump island(s).	Allowed.
Car Wash	Wall or painted wall	One	15 sq. ft.	2 ft..	Shall be on the car wash structure.	Not allowed.
Accessory Retail or Restaurant	Wall	One	20 sq. ft. or 10% of the facade area, whichever is more.	3 ft..	Shall be above the primary entrance, or on the facade of the tenant space.	Allowed.
Convenience Store	Wall	One	20 sq. ft. or 10% of the facade area, whichever is more.	See other standards for Wall Signs; 13.B.2 and 13.B.3.		

Footnotes:

- 1. See sign illumination provisions in Section 12.C.3.
- 2. The sign(s) may include the identification of the service station and fuel prices. No other price signs are allowed.
- 3. Only one pricing sign integrated with the monument sign allowed.

8. SIGNAGE STANDARDS: SCHOOL SITES

- a. Each school campus may have no more than one monument sign or free-standing sign, and one wall sign for each street frontage. A monument sign shall not exceed 24 sq. ft. in area per face, shall be set back a minimum of 2 ft. from the property line, and shall not exceed 10 ft. in height. A wall sign shall not exceed 32 sq. ft. in area and shall not exceed 15 ft. in height. A free-standing sign shall not exceed 32 sq. ft in area per face, shall be set back a minimum of 4 ft. from the property line, and shall not exceed 16 feet in height. All school signs shall be designed in keeping with the character of the neighborhood and shall be constructed of durable materials. If the sign contains an electric reader board or is otherwise illuminated, all lighting shall be turned off between the hours of 10:00 p.m. and 7:00 a.m.

13.C SITE FURNISHINGS AND HARDSCAPE

1. INTRODUCTION

- a. Site furnishings are the man-made articles that are found in a District to service the needs of the public. The appearance and identity of Badger Mountain South will benefit from the unifying of site furnishings throughout the community, although consideration may be given to the selection of unique site furnishings to create distinct identities for each of the five residential neighborhoods. Careful attention to detail and quality will help people feel more comfortable and at home in all areas, whether it be in one of the commercial districts or within the shared Civic spaces. Whether it is a picnic table or a trash can, each functional component adds to the experience of Badger Mountain South.

2. GENERAL DESIGN STANDARDS AND PRINCIPLES (BMS-SD-SR, CMU, DR, AND BMS-CIVIC DISTRICTS)

- a. Five overriding principles guide the implementation of Badger Mountain South Site Furnishing and Hardscape Standards:
 - (1) Fitness with Site and Context - Site furnishings and hardscapes should fit harmoniously with the structures and outdoor spaces in each commercial development and strengthen the sense of place for employees, users and visitors. Fitness implies sensitivity to scale, materials, pattern, texture and form to achieve a balance between variety and unity.
 - (2) Functionality - Site furnishings and hardscapes must effectively meet the pragmatic needs of their users. They need to be designed for serviceability over time. In addition, site furnishings should be designed for flexibility and adaptability since user needs may vary and evolve over time.
 - (3) Economy - It is important that site furnishings are constructed and maintained over their life cycle in a cost effective manner.
 - (4) Quality - Strong design control is required to achieve a high quality environment and implement the intent of the Badger Mountain South Master Plan.
 - (5) Sustainability - The spirit of sustainability is embedded in the effective implementation of the proposed standards. Encouraging eco-friendly materials and technologies and reducing the consumption of energy and non-renewable resources will provide benefits for the natural environment and the quality of the Badger Mountain South built environment.

3. HARDSCAPE STANDARDS

- a. Concrete Finishes for all hardscape surfaces may include:
 - (1) Broom Finish - Medium broom finish, or matched to existing concrete in the area.
 - (2) Exposed Aggregate - If exposed aggregate is used, the aggregate surface shall provide a slip resistance, but not uneven that could cause a trip hazard. Small size aggregate, such as pea gravel – ½ inch or less - may be used.
 - (3) Colored concrete - Color concrete shall be integral to the concrete;
 - (4) Patterned Concrete - Raised pattern shall not be a trip hazard or maintenance issue.
- b. Pavers, if used, must comply with the following:
 - (1) All pavers shall be installed on an engineered sub-base such as concrete or cement stabilized sand in areas with occasional vehicular traffic.
 - (2) Clay pavers should be able to withstand vehicular traffic/ emergency vehicle traffic.
 - (3) Pavers manufactured from material such as limestone, granite, etc., may be used if the surface is can be textured to provide a slip resistant finish.



Bench

4. BENCH STANDARDS

- a. Benches shall be of commercial grade construction. Bench frames shall be ductile iron, concrete or steel.
- b. Seat and backs shall be low maintenance materials such as concrete, powder coated metal or recycled material designed for this purpose. Wood should be hardwood such as Ipe, Maple, and Mahogany. Seat and backs constructed out of recycled plastic materials should have a reinforcing spine and fasteners.
- c. Benches may be constructed as a piece of public art in which case materials appropriate to the artwork may be used.
- d. Placement of benches should not obstruct pedestrian or emergency vehicular traffic. Benches in turf or planter areas shall be placed on a reinforced concrete or paver area with a minimum clearance of 6 inches between edge of bench and edge of concrete.
- e. At accessible locations, access for wheelchairs should be provided along the front and side of bench per ADA standards.
- f. Benches should be anchored to pavement or use in ground installation. Solid concrete benches should not need to be anchored.
- g. Benches shall be maintained to be free of chipped, faded, peeling paint/ coating. Concrete benches shall be free of chips and cracks. Any chips, cracks, peeling coatings shall be repaired as per manufacturer’s recommendations.
- h. Benches for specific areas: Each Neighborhood in Badger Mountain South may have a unique style of bench specific to that area. New benches shall match the existing style of the area once established.



Trash Receptacle

5. TABLE STANDARDS

- a. Tables for any outdoor areas shall meet the ADA Standards.
- b. Tables in Civic Districts:
 - (1) Tables shall be commercial grade material for low maintenance, ease of clean up, vandal resistance, and weather resistance.
 - (2) Placement of tables shall not obstruct pedestrian and emergency vehicles. Provide adequate space around table for seating and passage
 - (3) Tables shall be permanently anchored by either in-ground or surface mount system.
 - (4) Tables shall be placed on hardscape such as concrete, pavers, etc., wide enough for the table and circulation around the table and accessible by connection to sidewalks or other paving / circulation areas.
- c. Tables in Commercial Districts:
 - (1) Tables with chairs, fixed or movable, can be used for outdoor eating establishments. Tables and chairs shall be commercial grade material that can be maintained and cleaned efficiently.

6. TRASH RECEPTACLES

- a. Trash receptacles and recycling bins will be provided in every commercial and Civic District development.
- b. Trash receptacles should be placed with the trash container closest to the area highest in traffic.
- c. Locations in Civic Districts will be determined to facilitate servicing.
- d. Trash receptacles should be compatible with building or other site furnishings.
- e. Trash receptacles should be fire-proof, and should not allow water run into them or have drainage openings at their base.

7. TREE GRATES

- a. Shall be provided at base of street trees along arterial collector streets, except where frontage also includes a Trail Type, in BMS-SD, CMU, DR, and BMS-CIVIC Districts and shall be made from commercial grade metals. Tree grates may also be used in the BMS-NC District at street frontages along ground floor commercial uses.



Public Art

- b. Size - 5 ft. x 5 ft. minimum dimension
- c. Tree grate design shall reflect the neighborhood character in which it resides.

8. MISCELLANEOUS GUIDELINES

- a. Dog waste disposal bag dispensers shall be standardized and located at the major entrances as located by the City to each greenbelt, greenway and in areas designated as Dog Parks.
- b. Bike racks shall be constructed of durable materials.
- c. Bollards:
 - (1) Bollards are installed to provide controlled entrance to pedestrian only areas and to provide protection to equipment and buildings when in proximity to vehicular traffic.
 - (2) Bollards may be fixed or removable as required by the City of Richland Public Safety officials.
- d. Maintenance: Provide a readily available water supply for cleaning and maintenance of paved surfaces, site furnishings, trash receptacles, and other non-planted areas.

9. LIGHTING STANDARDS

- a. See Section 12.C.3 for Exterior Lighting

10. PUBLIC ART

- a. Public art located within Badger Mountain South is intended to give the community distinguishing character and display creativity, making it a unique place to live.
- b. Diversity in art style, scale, type, and creativity is highly encouraged.
- c. Location - public art in civic open space is allowed and encouraged (i.e. parks, trails, plazas, greenways, civic facilities, etc...)
- d. Artistic or creative improvements to all site features are encouraged.
- e. Art may provide function as well as aesthetics to the site or building to which it resides.
- f. Public art may be featured in roundabouts with other appropriate landscape materials.



Parking Lot

- 1. MATERIALS
 - a. A parking and circulation area must be hard-surfaced and conform to any applicable City of Richland Development Standards. For purposes of this section, the term hard-surfaced may also include pavers, stones, bricks or other similar materials placed to support vehicle circulation, but that may also allow rain and other water to penetrate the surface (i.e., “grasscrete”).
- 2. ENTRANCES AND EXITS
 - a. The Director of Public Works shall fix the location, width, and manner of approach of vehicular ingress and egress from a parking area. The Director of Public Works may require the property owner to alter ingress or egress as necessary to control traffic in the interest of public safety and general welfare.
- 3. COMBINED DRIVEWAY
 - a. The owners of adjoining properties shall provide combined driveways wherever practical. In conjunction with approval of a development, the City may require a property owner to provide an access and circulation easement to an abutting owner where joint access is reasonable to serve future development.
- 4. INTERNAL WALKWAYS
 - a. The property owner shall install internal walkways in each new development in the BMS-SD-SR, CMU, and DR Districts. In addition, schools in all land use districts shall install internal walkways in each new facility.
 - b. The property owner shall provide internal walkways around the building to the extent necessary to assure safe access to the building from parking areas, adjacent properties, and public sidewalks or street rights-of-way and to assure consistency with the requirements of the LUDR.
 - c. Internal walkways must be a minimum of 5 ft. wide, exclusive of parked car overhangs. Where necessary to ensure 5 ft. of unobstructed walkway, wheel stops are required.



Internal Walkways

- 5. SHARED USE OF PARKING
 - a. General. The administrative official may approve shared use of parking facilities located on separate properties if:
 - (1) A convenient pedestrian connection between the properties exists; and
 - (2) The availability of parking for all affected properties is indicated by directional signs.
 - (3) Where the uses to be served by shared parking do not overlap their hours of operation, the property owner or owners shall provide parking stalls equal to the greater of the applicable individual parking requirements.
 - (4) Where the uses to be served by shared parking have overlapping hours of operation, the property owner or owners shall provide parking stalls equal to the total of the individual parking requirements. If the following criteria are met, that total is reduced by 10 percent:
 - i. The parking areas share a property line;
 - ii. A vehicular connection between the lots exists;
 - iii. A convenient, visible pedestrian connection between the lots exists;
 - iv. The availability of parking for all affected properties is indicated by directional signs.
 - b. Non-residential projects also review parking Sustainability Standards found in Section 12.D.
 - c. See Section 11.C.7 for Parking Lot Landscape requirements.

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GLOSSARY

14

The Glossary provides definitions of terms and phrases used in the LUDR that are technical or specialized, or that may not reflect common usage. If any definitions in this Section conflict with definitions in the City of Richland Municipal Code, these definitions shall govern for the purposes of the LUDR.

(UPDATED) PROPOSED AMENDMENTS ARE SHOWN:
GLOSSARY

~~ANSI/ASHRAE/IESNA.~~ American National Standards Institute / American Society of Heating, Refrigerating, and Air-conditioning Engineers / Illuminating Engineering Society of North America. (3) National building, sustainable, and lighting standards used by designers and builders to create a quality safe built environment.

Accessory Office. An office that serves the principal use of a building or structure.

Accessory Unit/Structures. Any use and/or structure that is customarily part of and clearly incidental and secondary to the principal residence and does not change the character of the residential use. May contain a separate residential unit either contained wholly within a principal single-family residential structure, or attached to or above a garage (maximum floor area of 600 square feet). An accessory dwelling unit is not included in Maximum Density Limitations. An Accessory unit/building may also be used for Home Occupation uses as identified elsewhere in the LUDR and that meet the requirements of RMC 23.42.09. An accessory unit or structure with a maximum floor area of 600 sq. ft. is allowed for a winery use.

Accessory Storage Structures. A supplemental building designed for the storage of boats / RVs or to be used as a personal worksop; in all cases not for the commercial repair or maintenance of vehicles of any type. It may also include an Accessory Unit that meets the standards and definition for Accessory Units (LUDR 8.P). Only permitted in the BMS-NE District on lots .25 acre or larger and having a principal structure.

Adult Family Homes. A regular family abode in which a person or persons provides personal care, special care, room, and board to more than one but not more than six adults who are not related by blood or marriage to the person or persons providing the services.

Alcoholic Beverages Sales. The retail sale of beer, wine and /or spirits in sealed containers for off-site consumption, either as part of another retail use, or as a primary business activity.

Alley. A private way permanently reserved as a secondary means of access to abutting property.

Arterial Collector Street. Streets that serve to interconnect and support the principal arterial highway system. They link major commercial, residential, industrial and institutional areas. Arterial streets are typically spaced about one mile apart. Access control is the key feature of an arterial route.

Assisted Living/Nursing Home. State-licensed, multi-family, residential structure which provides supervision or assistance for persons with special needs including help with tasks such as bathing, dressing, and medication management; may also supply specialized nursing services.

ATM. An automated teller machine (computerized, self-service machine used by banking customers for financial transactions, including deposits, withdrawals and fund transfers, without face-to-face contact with financial institution personnel), located outdoors at a bank, or in another location. Does not include drive-up ATM's.

Axonometric Diagram. Illustration of the spatial form of a building or structure.

Badger Mountain South. Also referred to as BMS, is a master planned community within the boundaries as described in the Master Agreement and subject to the terms and conditions found within the Master Agreement.

Bank, Financial Services. Financial institutions including: banks

Appurtenant Structures. Structures such as garden sheds, covered patios, attached and detached pergolas used accessory to residential uses.

and trust companies, credit agencies, holding (but not primarily operating) companies, lending and thrift institutions, other investment companies, securities/commodity contract brokers and dealers, security and commodity exchanges, vehicle finance (equity) leasing agencies. Does not include check-cashing stores. (See also, "ATM")
Bar, Tavern. A business where alcoholic beverages are sold for on-site consumption, which are not part of a larger restaurant. Includes bars, taverns, pubs, and similar establishments where any food service is subordinate to the sale of alcoholic beverages. May also include beer brewing as part of a micro-brewery ("brew pub"), and other beverage tasting facilities.

Bed & Breakfast Inn (B&B). A one-family detached dwelling unit occupied by a resident owner/manager within which up to four rental bedrooms are made available for overnight accommodation; requires a City of Richland Special use permit.

~~Block Park. See Block Open Space.~~

~~**Block Open Space.** A type of shared community space that provides small-scale gathering and play space for residents in the nearby vicinity. Block Open Spaces to range in size from 5,000 square feet to less than 1 acre and are required to be distributed throughout each of the neighborhoods; also called Block Parks.~~

Building Type. A structure defined by the combination of configuration, form, and function.

Build-to-Line (BTL). A setback dimension, along which a building facade or percentage of building facade, must be placed.

Child Care Center. A premise licensed by the state of Washington and receiving more than twelve (12) children for care during all or part of a day or night; must meet RMC 23.42.080 requirements.

Child Care (Family Home). A residential premise, state-licensed for Family Home Child Care, to provide direct care, supervision and early learning opportunities for twelve or fewer children, in the home of the licensee where the licensee resides and is the primary provider; must meet RMC 23.42.080 requirements; may alternatively be licensed for adult daycare for periods less than 24 hours.

Civic Uses. A category that includes public uses and other private uses which focus on improving the quality of day-to-day community life by providing a location for assembly, discourse, worship, education, sustainability features, recreation, farmers' markets and community-oriented entertainment venues.

Civic/Community/Institutional Facilities. A Building Type that includes schools, public safety buildings, libraries, recreation and other public or private buildings of similar nature.

Clear Vision Triangle. A triangle with 2-sides of the triangle formed by the two intersecting ROW lines, extending 20 feet back from their point of intersection with the third side formed by drawing a line connecting the two points located 20 from the point of intersection.

Collector Street. Streets that provide both access and circulation within and between residential and commercial/industrial areas. Collectors differ from arterials in that they provide more of a citywide circulation function and do not require as extensive control of access (compared to arterials) and penetrate into residential neighborhoods.

Commercial. A term defining workplace, office and retail use

collectively.

Common Courtyard. A entry court, forecourt or courtyard shared by multiple residential units or commercial spaces.
Community Storage Facility. An area within the South Orchard Neighborhood that is intended to serve the entire BMS community for storage of vehicles, boats and recreational vehicles; may also include inside storage and an accessory caretaker unit.

Consistency Determination. A document, also known as the Badger Mountain South Master Agreement Consistency Recommendation (BMS-MACR), provided by the MPA to the City and to the applicant upon receipt and review of any development or building application in Badger Mountain South. The Consistency Determination may be either a Level 1 or Level 2 BMS-MACR. Level 1 BMS-MACR is issued for all applications except for final plat approval and issuance of Certificate of Occupancy. A Level 2 BMS-MACR is required prior to final plat approval or issuance of Certificate of Occupancy. The BMS-MACR ensures that the development and building submittals meet the Master Agreement and LUDR requirements.

Corner Element. A prominent architectural element, such as a tower, corner bay window (chamfered or round) or significant facade articulation, designed to accent the corner of a building and typically used to terminate a view or mark an important entrance.

Cottage Court. A Building Type consisting of free-standing Single-Family residences arranged around a common, shared courtyard. A shared common building may also be provided.

Courtyard Housing. A Building Type consisting of Multi-family residential units arranged around a central Court.

Day Care Center: Child or Adult. A state-licensed facility that provides non-medical care and supervision for adult clients or minor children for periods of less than 24 hours for any client. These facilities include the following, all of which are required to be licensed by the Washington State Department of Social Services.

Development. All divisions of land for whatever purpose, site plan, binding site plan and any other uses or activities as defined in RMC 23.06.270.

Director. The Community Development Director of the City of Richland, or his or her duly appointed representative.

District. The distinct areas within BMS to which specific land use and development regulations apply in order to achieve the intent and purpose of the LUDR and the Master Agreement.

Drive-through Window Service. A facility which by design allows the transfer or goods or services to those while still in a vehicle.

Duplex. A Building Type consisting of a single structure containing two dwelling units, neither of which is an accessory dwelling unit; also known as a Paired House.

Eating and Drinking Establishments. A retail business selling ready-to-eat food and or beverages for on or off premise consumption; may include sales of alcoholic beverages and provide entertainment. May include beer or other alcohol brewing and beverage tasting facilities.

Edge Type. The pedestrian and landscape elements within the

right-of-way. Includes the area between the property line and the curb line on either side of the street (drive lanes and parking).

~~**Estate Lots.** Lots ranging in size from ¼ to 1+ acre, located in the Neighborhood Edge District.~~
Facade. The vertical surface of a building, generally set facing a street ("front facade").

~~**Farmer's Market.** The temporary use of a site for indoor and/or outdoor sales of food and farm produce items, in compliance with the Washington State Farmer's Market Manual, and Washington State Department of Health Food Handler's requirements.~~

Floor Finish Level. (See Ground Floor Finish Level).

Frontage. A strip or extent of land abutting on a street or other public right-of-way.

Frontage Types. The building architectural element that resides between the public right-of-way and the private property affiliated with the building. Frontage Types combined with the public realm create the apparent streetscape. Frontage Types are listed in Section 9: Frontage Types.

Gallery. A roofed promenade extending along the façade of a building and supported by columns on the outer side.

Gambling Premises. An establishment, as permitted by state law, which includes, but is not limited to, any building, room, enclosure, vehicle or other place used or intended to be used for gambling activity and/or containing a gambling device for such purposes.

General Retail. Stores and shops intended to serve the City as destination retail, rather than convenience shopping. Examples of these stores and lines of merchandise include:

Art galleries; retail; art supplies, including framing services; books, magazines, and newspapers; camera and photographic supplies; clothing, shoes, and accessories; collectibles (cards, coins, comics stamps, etc.); drug stores and pharmacies; dry goods; fabric and sewing supplies; furniture and appliance stores; hobby materials; home and office electronics; jewelry; luggage and leather goods; musical instruments; parts; accessories; small wares; specialty grocery store; specialty shops; sporting goods and equipment; stationery; toys and games; variety stores; videos, DVD's, records, and CD's, including rental stores with no outside storage.

General Office. An office use that typically occupies an area of greater than 5,000 square feet and more than twenty (20) employees at a given location. Typical examples include: professional offices for architects, engineers, doctors, dentists, chiropractors, lawyers, accountants, veterinarians or similar professions.

General Retail. A retail use involving the sale of goods or merchandise to residents living in the community, many of whom will access the store by vehicle. A use in this category typically occupies an area between 5,000 and 30,000 square feet. Typical examples include: banks, bookstores larger than 5,000 sq. ft.; pharmacy; sporting goods stores, grocery store, and other stores selling similar goods.

General Services. A Service Use offering daily conveniences to residents living in the community. A use in this category typically occupies an area between 5,000 and 30,000 square feet. Typical

examples include: business support services, coin-operated laundry, salons, spas, and health clubs, medical services/doctors’ offices, movie theaters, video arcades, bowling, meeting facility; funeral home (except within the Mixed-Use Districts).

Greenbelt. A linear green open space adjacent to a street that consists of trails, trees, perennials, ornamental grasses, shrubs, and/or groundcover. Often includes a part of the community trail network.

~~**Green Building Certification.** Certification by a nationally recognized sustainable program (i.e. LEED, or Built-Green, Energy Star, etc.) demonstrating compliance with specific program requirements.~~

Ground Floor Ceiling Height. Height from finished floor to finished ceiling of primary rooms on the ground floor not including secondary rooms such as bathrooms, closets, utility rooms, and storage spaces.

Ground Floor Finish Level. Height difference between adjacent public walk and the ground floor. In the case of a loading dock frontage that serves as the public Right-of-Way, the Floor Finish Level is the height of the walk above the adjacent street.

Height. A limit to the vertical extent of a building that is measured in number of stories. Height limits do not apply to masts, belfries, clock towers, chimney flues, water tanks, elevator bulkheads, and similar structures, which may be of any height approved by the Director.

Home Occupation. An occupation or business activity conducted within a dwelling unit by a member or members of the family who occupy the dwelling, where the occupation or business activity is clearly incidental and secondary to the use of the dwelling for living purposes and the residential character of the dwelling is maintained; requires City of Richland application processed at time of business license application.

Hospitality/Lodging. A facility, typically a hotel or motel, with guest rooms, with or without kitchen facilities, rented to the general public for transient overnight stay. May also include ancillary uses related to the principal use including spas and other personal services, eating facilities, swimming pools, retail and similar. Also permitted in the NE District when operated and licensed as a Bed and Breakfast facility.

Landmark Structure.
A monument, building or edifice that is easily recognizable due to unique physical features or site prominence and that adds to the identifying characteristics of an area.

Landscape Coverage. The extent to which the planted landscape area is covered with plant material.

Landscape Planter. Planted area of landscape materials lying between hard surfaces such as between the street and a trail or sidewalk, or within a plaza hardscape.

Lighting Plan. The Lighting Plan is a required element of submittal for all buildings, except low rise residential (under four stories), proposing four or more exterior fixtures. The Plan must include the following information:

1. Type and number of luminaire equipment (fixtures), including the “cut off characteristics”, indicating manufacturer and model number(s).
2. Lamp source type (bulb type, i.e. high pressure sodium), lumen output, and wattage.
3. Mounting height with distance noted to the nearest property line for each luminaire.

4. Types of timing devices used to control the hours set for illumination, as well as the proposed hours when each fixture will be operated.
5. Total Lumens for each fixture, and total square footage of areas to be illuminated. For projects that are in commercial zones, the lumens per net acre to be lit, need no exceed 25,000 lumens.
6. A Calculation Summary indicating food-candle levels on the lighting plan, noting the maximum, average and minimum, as well as the uniformity ratio of maximum to minimum, and average to minimum levels.
7. Lighting manufacturer-supplied specifications (“cut sheet”) that include photographs of the fixtures, indicating the certified “cut off characteristics” of the fixture.
8. Foot-candle distribution, plotting the light levels in foot-candles on the ground, at the designated mounting heights for the proposed fixtures. Maximum illuminance levels should be expressed in foot-candle measurements on a grid of the site showing foot-candle readings in every five or ten-foot square. The grid shall include light contributions from all sources (i.e. pole mounted, wall mounted, sign, and street lights.) Show foot-candle renderings five feet beyond the property lines.

Liner Building. A structure that conceals a larger building such as a parking garage, or surface parking lot that is designed for ground floor occupancy by commercial or office uses, with upper floors also configured for those uses, or for residential use.

Large-Scale Retail. A retail use involving the large scale sale of goods to residents living within the region. These uses are almost exclusively accessed by automobile and therefore additional consideration should be given to parking and traffic issues when developing this use. The goods or merchandise sold may be of the same type or a variety of types and typically occupy an area greater than 30,000 square feet.

Live/Work Unit. An integrated housing unit and working space, occupied and utilized by a single household in a structure that has been designed or structurally modified to accommodate joint residential occupancy and work activity, and which includes:

Complete kitchen space and sanitary facilities in compliance with the Building Code; and

At least one resident in each live/work unit shall maintain a valid business license, if required, for a business on the premises.

Uses prohibited in Live/work Units: The following uses and activities are prohibited within a Live-Work Unit:
(1) amusement and recreation uses;
(2) adult entertainment uses;
(3) pet stores, kennels, animal hospitals;
(4) gun and firearms sales;
(5) automotive service stations, and motor vehicle repair garages; and
(6) liquor sales.

Local Parks. A community space between one (1) to five (5) acres in size that is developed to serve a neighborhood for both structured and passive play areas and activities.

Local Streets. Streets that have the sole function of providing access to immediately adjacent land.

Lodging – Hotel. A facility (typically a hotel or motel) with guest rooms or suites, with or without kitchen facilities, rented to the general public for transient lodging. Hotels typically include a variety of services in addition to lodging; for example, restaurants, meeting facilities, personal services, etc. Also includes accessory guest facilities such as swimming pools, tennis courts, indoor

athletic facilities, accessory retail uses, etc.

Lot. A measured parcel of land having fixed boundaries and designated on a plot of survey. A lot may be divided by a street or Alley.

LUDR. The Badger Mountain South Land Use and Development Regulations included as Exhibit C in the Master Agreement.

Marquee Sign. A projecting sign structure over the entrance of a building and typically used for movie theaters or similar venues; may have two-faces and may also include lighting but not movable or flashing lights.

Master Agreement. The document entitled “Agreement Between the City of Richland and NorAm Investment LLC, regarding the Development of the Walkable and Sustainable Community known as Badger Mountain South” and approved by the City of Richland City Council on December 7, 2010, and adopted by City of Richland Resolution No. 77-10.

Master Plan Administrator (MPA). A professional appointed by NorAm Investment LLC, or its successor, as outlined in the Master Agreement, to review all applications for plats, subdivisions, site plans, and development permits in Badger Mountain South as part of the application submittal to the City of Richland. The MPA is responsible for ensuring the intent of the LUDR is met in all applications and will provide to the City and to the applicant a Consistency Recommendation (BMS-MACR) to be included in the materials reviewed by the City of Richland Development Services Department. The roles and responsibilities of the MPA are considered synonymous with the Master Agreement Administrator, MAA, as found in the Master Agreement.

Mansion Apartments. A Building Type that combines 3 to 6 residences with one structure designed to resemble a large Single-Family house in a typical residential neighborhood setting.

Mixed-Use Building. More than one type of use in a building or set of buildings. This may be a combination of residential, commercial, industrial, office, institutional, or other land uses.

Mixed-Use Development.
A mixed-use development is a ~~real-estate~~ project with planned integration of some combination of retail, office, residential, hotel, recreation or other functions. It is pedestrian-oriented and contains elements of a live-work-play environment. It maximizes space usage, has amenities and architectural expression and tends to mitigate traffic and sprawl.

Multi-family residential structure. A structure containing two or more dwelling units in which the units may or may not share a common wall with the adjacent (horizontally or vertically) unit(s) or have individual entrances from the outside.. Multi-family Building Types include: Paired Housing (Duplex); Live/Work; Stacked Units (Apartment); Row House; Courtyard Housing; Mansion Apartment (3 to 6 units); and Mixed-Use buildings which contain dwelling units above or behind commercial space within the same building.

Natural Grade. The site topography which exists at the time a lot is sold to the first owner by the project developer or builder; fill material subsequently brought to a site does not modify this original grade.

Neighborhood Goods and Service Buildings. A Building Type that includes stand alone structures, 30,000 SF or smaller that contain uses that support the needs of the neighborhoods in which they are located. Typical examples include pharmacies, daycare centers, churches, medical clinics and other office buildings.

Neighborhood Office. An Office Use that typically occupies an area of 5,000 square feet or less and involves twenty (20) or fewer employees at a given location. Typical examples include: professional offices including accountants, doctors, lawyers, engineers or other similar professions, or small-scale business services.

Neighborhood Personal Services. A Service Use that offers daily conveniences to residents in adjacent neighborhoods. A use in this category typically occupies an area of less than 5,000 square feet. Typical examples include: spa, cleaning and garment services, beauty and barber shops, shoe repair, travel agencies, finance, real estate and insurance; and health and educational services.

Neighborhood Retail. An establishment engaged in selling new goods or services to the general public and rendering services incidental to the sales of such goods. A use in this category typically occupies an area of less than 5,000 square feet. Typical examples include: ATM (automatic teller machine); art galleries; specialty shops; variety stores; coffee shop, food markets and convenience stores; pet stores and grooming with no boarding; artisan or crafts sales, assembly or fabrication; photography studios; dance, music, and martial arts studios, excluding any type of adult business.

Neighborhood Sector. Geographical boundaries based on the proposed street network intended to assist with the distribution of residential density, housing mix and ~~Block~~ Open Space.

Neighborhood Storage Area. An area up to one acre in size designated by the master developer as the area for storage of recreational vehicles, boats, and cars for the purpose of providing storage for an individual neighborhood.

Night Club. A facility serving alcoholic beverages for on-site consumption, and providing entertainment, examples of which include live music and /or dancing, comedy, etc. Does not include adult oriented businesses.
Office. Business, Service and Professional, Administrative.

Paired House. See Duplex.

Park, Playground. An outdoor recreation facility that may provide a variety of recreational opportunities including playground equipment, open space areas for passive recreation and picnicking, and sport and active recreation facilities; may be developed as a private or public facility.

Parking Facility, Public or Commercial. Parking lots or structures operated by the City, or a private entity, providing parking for a fee. Does not include towing, impound and storage facilities.

Parking lots. A paved area designated for the parking of motor vehicles.

Pedestrian Street. See Primary Street.

Place of worship. A permanently located structure or group of structures which is utilized for the purposes of conducting religious worship, services or ceremonies. May also contain ancillary uses including graded educational facilities, day care facilities or multi-purpose facilities. For the purposes of this code, Places of Worship are included in the Neighborhood Goods and Services Building Type.

~~**Primary Street.** Streets designated within the Village Mixed-Use Districts where vehicular access points are restricted and active~~

GLOSSARY continued

~~retail, commercial and office Storefront Frontages are required. Also called Pedestrian Street.~~
~~In all other Districts, primary streets are designated along building frontages, i.e. front street.~~
A street

Public Facilities. Any building or use often supplied by a governmental organization. Typical examples include: schools; water, power and sewer facilities; fire and police substations. May include ambulance; libraries; farmers markets; transit centers and bus stops; business incubator buildings; outdoor amphitheater; and similar uses. Private schools, not owned by a governmental organization are included in this use category.

Public Safety Facility. A facility operated by a public agency including fire stations, other fire preventive and fire fighting facilities, police and sheriff substations and headquarters, including interim incarceration facilities. May include ambulance dispatch on the same site.

Reader Board. A sign or part of a sign on which the letters are readily replaceable such that the copy can be changed from time to time at will.

Recreation and Cultural Facilities, Public and Private. Any building or use intended for passive or physical recreational activities or activities that advance the arts, and related accessory structures. Typical examples include: trails; playgrounds and play equipment; health clubs and gyms; swimming pools; public restroom facilities; plazas; gardens; picnic shelters; water spray park; sports fields and courts; dog parks; outdoor amphitheater; skate park; fountains and other water features; facility parking; maintenance buildings only as ancillary structures to the park located in, and similar uses.

Regulating Plan. A plan of the proposed community which identifies the boundaries where different rules of Development apply.
Residential. Premises used primarily for human habitation. Units shall not be less than 440 square feet in net area.

Restaurant, Café, Coffee Shop. A retail business selling ready-to-eat food and/or beverages for on- or off-premise consumption. These include eating establishments where customers are served from a walk-up ordering counter for either on- or off-premise consumption ("counter service"); and establishments where customers are served food at their tables for on-premise consumption ("table service"), that may also provide food for take-out, but does not include drive-through services, which are separately defined and regulated.

Row House. A Building Type consisting of townhouse (multi-level) units arranged side by side in a zero lot line configuration. Residential units in Row Houses have individual entrances along a Frontage.

Secondary Street. Streets designated within the Village Mixed-Use Districts where vehicular access points and ground floor residential units are allowed. In all other Districts, secondary streets are designated along building side yards, i.e. side street.

Senior Housing. Multi-family residential structures that are designed as independent living accommodations for those 55 years of age or older; may include congregate dining.

Service Street. A paved vehicular thoroughfare which provides access to delivery trucks and other service vehicles; shall be accessed from a Secondary (side) Street.

Setback. The mandatory distance between a property line and a

building or appurtenance.

Shared Parking. Any parking spaces assigned to more than one use, where persons utilizing the spaces are unlikely to need the spaces at the same time of day.

Side Yard Driveway Condition. For Single-family Houses with Street Access, a drive lane up to 10 ft. in width that runs parallel to the side ywar setback and extends not less than 30 ft from the front property line when the garage is located in the lot rear. When the garage is part of the front facade, driveway access is provided to teh garage in a side yard driveway. In both conditions, the driveway may widen to 20 ft., and may encroach into the side yard setback, to provide access to the garage.

Single-Family Residential Structure. One primary residence per lot; may include one Accessory Unit.

Solar (or Photovoltaic) Collectors or Array. A linked collection of photovoltaic modules, which are in turn made of multiple interconnected solar cells. By their modularity, they are able to be configured to supply most loads. When placed in the BMS-NC, BMS-NE or BMS-NG Districts, a Solar Collector may be roof mounted when it does not extend above the roof peak nor extend above the roof surface more than 24” measured perpendicular to the roof, or it may be ground-mounted when installed in side or rear yards only and screened from public streets.

Special Districts. An area that, by its intrinsic function, disposition or configuration, should not conform to the District standards established for the proposed community.

Special Events. Activities of limited duration including concerts, tournaments, festivals and similar public gatherings.

Stacked Unit Building. A Building Type, commonly known as an apartment, that is a Multi-family, residential only, structure consisting of a number of dwelling units arranged side by side and stacked on multiple floors.

Storage. A building or facility that is designed to leave or place materials or other items in.

Storage, Outdoor. The storage of various materials outside of a structure.
Storefront. The portion of a frontage that is composed of the display window and/or entrance and its components including windows, doors, transoms and still pane that is inserted into various Frontage Types, such as a Storefront, Arcade or Gallery, to accommodate retail.

Story. A habitable floor level within a building, typically 8 ft. to 14 ft. high from floor to ceiling. A half story is a conditional space that rests primarily underneath the slope of the roof, usually having dormer windows and occupying about half the area of the floor or floors below. Individual spaces, such as lobbies and foyers may exceed one story in height. The number of stories are measured from the sidewalk of the primary street.

Street Frontage Landscape. Landscaping in the public right-of-way along streets and medians.

Sustainability Plan. A document submitted with an initial commercial entitlement application which identifies the means and methods to address Sustainability Principles, as found in Section 12.B. The Plan will specify each principle, determine applicability, and identify actions to address each relevant item.

Tandem Parking. One (1) car parked behind another where aisles are not provided. A maximum of two cars are allowed in tandem configuration for individual residential units only. Tandem parking may be located in a garage or as surface parking.

Telecommunication Facility. A use of land that includes buildings, cabinets, structures, and facilities, including generating and switching stations, repeaters, antennas, transmitters, receivers, towers, and all other buildings and structures relating to low power mobile voice transmission, data transmission, video transmission and radio transmission, or wireless transmission.

Temporary Uses. A use of limited duration including: Christmas tree sales in any district for a period not to exceed 60 days; Contractors office and equipment sheds containing no sleeping or cooking accommodations accessory to a construction project and to continue only during the duration of such project; Promotional activities of retail merchants involving the display of goods and merchandise may be conducted outside of enclosed buildings or for a period of not more than six consecutive weeks in any six month period. Retail business may display only merchandise that is for sale within the building in the area immediately adjacent to the building. These provisions shall in no way be deemed to authorize the outdoor display of or sale of salvage material or similar display or sale in any district.

Unclassified Uses. Uses not listed in 2.C. Land Use Table and which do not meet the criteria for similar and compatible uses specified in 1.G.3.

Urban Form Standards. Establish the specific physical and use parameters for each District including; building placement, building profile and Type, Frontages and parking.

Usable Lawn. The minimum lawn area that is allowed in the Badger Mountain South community is an area 10 ft. minimum in any direction.

Use Table - 2.C Land Use Table. A matrix which identifies broad categories of land uses that are permitted in each BMS District. The land uses listed in the Use Table are further expanded with examples in Section 14- Glossary.

Upper Floor Ceiling Height. Height from finished floor to finished ceiling of primary rooms on the upper floors not including secondary rooms such as bathrooms, closets, utility rooms, and storage spaces.

Vehicular Services. A business involving the servicing of vehicles and/or the storage and distribution of gasoline. Incidental uses may include a convenience store, the sale of propane and kerosene, automotive repair, car wash, and tire sales.
Vending Carts. Portable retail and food concessions, usually with wheels, including sales of coffee, flowers, ice cream, hot dogs, other food items and similar.

Vineyards. A plantation of grape-bearing vines, grown mainly for wine making, but also raisins, table grapes, and non-alcoholic grape juice. Vineyards for personal uses in residential districts are permitted as landscape; when planted in commercial districts vineyards must be part of an overall landscape plan that is reviewed by the MPA.

~~**Wing Fence.** A fence that extends perpendicular from the side of the house to the side yard fencing between lots.~~

PROPOSED AMENDMENTS ARE SHOWN:



~~GLOSSARY~~
APPENDIX 15

~~14~~

The Glossary provides definitions of terms and phrases used in the LUDR that are technical or specialized, or that may not reflect common usage. If any definitions in this Section conflict with definitions in the City of Richland Municipal Code, these definitions shall govern for the purposes of the LUDR.

DECIDUOUS TREES AND EVERGREEN TREES - SEE SECTION 11

reposition text for proper alignment

SHRUBS

Botanical Name	Common Name	Ht. X Sp.	Min. Size	Sun/Shade	Special Features
<i>Amelanchier alnifolia</i>	Serviceberry	10-12' X 20'	30-36" ht./sp.	Sun/Pt. Shade	* N
<i>Aronia arbutifolia</i>	Red Chokeberry	6-8'	30-36" ht./sp.	Sun/Pt. Shade	*
<i>Artemisia tridentata</i>	Big Sagebrush	4-15' X 3-10'	30-36" ht.	Sun	* N
<i>Artemisia tripartita</i>	Three-Tip Sage	Varies	30-36" ht.	Sun	N
<i>Atriplex canescens</i>	Four-wing Saltbush	3-6' X 4-8'	18-24" ht.	Sun	* N
<i>Berberis hematocarpa</i>	Red Barberry	3-6'	18-24" ht.	Sun/Pt. Shade	*
<i>Berberis t.</i> 'Crimson Pygmy'	Crimson Pygmy Japanese Barberry	1' X 3'	12-18" ht.	Sun	*
<i>Berberis thunbergii</i>	Japanese Barberry	4-6' X 4-6'	18-24" ht.	Sun	*
<i>Caragana arborescens</i>	Siberian Pea Shrub	15' X 20'	30-36" ht./sp.	Sun	*
<i>Caragana frutex</i>	Russian Pea Shrub	10' X 8'	30-36" ht./sp.	Sun	*
<i>Caryopteris x clandonensis</i>	Blue Mist	2' X 2'	12-18" ht.	Sun	*
<i>Ceratoides lanata</i>	Winter Fat	1-3' X 1-3'	12-18" ht.	Sun	*
<i>Cercocarpus ledifolius</i>	Curl-Leaf Moutain Mahogany	5-12' X 5-12'	30-36" ht.	Sun	*
<i>Chamaebatiera millifolium</i>	Fernbush	6-8' X 6-8'	24-30" ht.	Sun	*
<i>Chrysothamnus viscidiflorus</i>	Green Rabbitbrush	6' X 3'	18-24" ht.	Sun	* N
<i>Chrysothamnus nauseaus</i>	Rabbitbrush	6' X 3'	18-24" ht.	Sun	*

SHRUBS continued

Botanical Name	Common Name	Ht. X Sp.	Min. Size	Sun/Shade	Special Features
<i>Cornus stolonifera</i>	Redtwig Dogwood	7-9' X 12'	24-30" ht./sp.	Sun or Shade	N
<i>Corylus cornuta californica</i>	Western Hazelnut	5-12' X 5-12'	30-36" ht./sp.	Sun/Pt. Shade	N
<i>Cotinus coggyria</i>	Smoke Tree	12-15' X 12-15'	30-36" ht./sp.	Sun	*
<i>Cotoneaster acutifolius</i>	Peking Cotoneaster	6-10' X 6-10'	30-36" ht./sp.	Sun	*
<i>Cotoneaster adpressus</i>	Cotoneaster	1' X 6'	12-18" sp.	Sun/Pt. Shade	*
<i>Cotoneaster apiculatus</i>	Cranberry Cotoneaster	3' X 6'	18-24" ht./sp.	Sun	*
<i>Cotoneaster divaricatus</i>	Spreading Cotoneaster	6' X 6'	24-30" ht./sp.	Sun	*
<i>Cotoneaster horizontalis</i>	Rock Cotoneaster	2-3' X 15'	12-18" sp.	Sun/Pt. Shade	*
<i>Ephedra viridis</i>	Mormon Tea	3-4' X 3-4'	12-18" ht./sp.	Sun	*
<i>Eriogonum niveum</i>	Snow Buckwheat	1-2' X 1-2'	12-18" sp.	Sun	N
<i>Eriogonum sphaerocephalum</i>	Rock Buckwheat	1-2' X 1-2'	12-18" sp.	Sun	N
<i>Falugia paradoxa</i>	Apache Plume	4-6' X 5'	24-30" ht./sp.	Sun	*
<i>Forestiera neomexicana</i>	New Mexican Privet	12-18' X 12'	30-36" ht./sp.	Sun/Pt. Shade	*
<i>Genista tinctoria</i>	Woadwaxen	6' X 6'	30-36" ht./sp.	Sun	*
<i>Hippophae rhamnoides</i>	Sea Buckthorn	8-10' X 8-10'	30-36" ht./sp.	Sun	*
<i>Holodiscus discolor</i>	Ocean Spray	3' X 4'	24-30" ht./sp.	Part Shade	*
<i>Juniperus horizontalis</i>	Creeping Juniper	1' X 8-10'	12-18" sp.	Sun/Pt. Shade	*
<i>Kolkwitzia amabilis</i>	Beauty Bush	10-12' X 10-12'	30-36" ht./sp.	Sun/Pt. Shade	*
<i>Lavendula sp.</i>	Lavender	2' X 2'	12-18" ht./sp.	Sun	*
<i>Ligustrum vulgare</i>	Common Privet	15' X 12'	30-36" ht./sp.	Sun/Pt. Shade	*
<i>Lindera benzoin</i>	Spicebush	6-12' X 6-12'	30-36" ht./sp.	Sun	*
<i>Lonicera maachii</i>	Amur Honeysuckle	10-15'	30-36" ht./sp.	Sun/Pt. Shade	*
<i>Mahonia repens</i>	Creeping Mahonia	1' X 3'	12-18" sp.	Sun/Pt. Shade	*
<i>Microbiota decussata</i>	Siberian Carpet Cypress	1' X 7-8'	12-18" sp.	Sun or Shade	*
<i>Myrica pensylvanica</i>	Bayberry	9' X 5-12'	30-36" ht./sp.	Sun/Pt. Shade	*
<i>Philadelphus lewisii</i>	Mock Orange	5-10' X 5-12'	30-36" ht./sp.	Lt. Shade	N
<i>Philadelphus microphyllus</i>	Littleleaf Mock Orange	4-5' X 4-5'	24-30" ht.	Sun/Pt. Shade	* N
<i>Physocarpus opulifolius</i>	Common Ninebark	9' X 10'	30-36" ht.	Sun/Pt. Shade	*
<i>Pinus mugo mugo</i>	Mugo Pine	2-6' X 12'	18-24" ht./sp.	Sun/Pt. Shade	*
<i>Potentilla fruticosa</i>	Cinquefoil	1-4' X 2-4'	12-18" ht./sp.	Sun/Pt. Shade	*
<i>Prunus besseyi</i>	Hanson's Bush Cherry	4-6' X 4-6'	24-30" ht.	Sun	*
<i>Rhamnus frangula</i>	Alder Buckthorn	10-12' X 10-12'	30-36" ht./sp.	Sun	*
<i>Rhus aromatica 'Gro-Low'</i>	Gro-Low Sumac	2-3' X 6-8'	12-18" sp.	Sun/Pt. Shade	*
<i>Rhus glabra</i>	Smooth Sumac	10-20'	30-36" ht./sp.	Sun	* N
<i>Rhus typhina</i>	Staghorn Sumac	15' X 15'	30-36" ht./sp.	Sun/Pt. Shade	*
<i>Ribes aureum</i>	Golden Currant	3-6' X 3-6'	24-30" ht.	Part Shade	* N
<i>Rosa nutkana</i>	Nootka Rose	6' X 4'	24-30" ht.	Sun/Pt. Shade	*
<i>Rosa rubrifolia</i>	Redleaf Rose	6' X 5'	24-30" ht.	Sun/Pt. Shade	*
<i>Rosa rugosa</i>	Rugosa Rose	3-6' X 3-6'	24-30" ht.	Sun	*
<i>Rubus deliciosus</i>	Thimbleberry	3-5' X 6'	24-30" ht./sp.	Sun/Pt. Shade	*
<i>Salvia dorrii</i>	Desert Sage	1-3' X 2-4'	12-18" ht.	Sun	N
<i>Sambucus cerulea</i>	Blue Elderberry	10-15' X 10'	30-36" ht./sp.	Sun/Pt. Shade	N
<i>Sambucus nigra</i>	Black Elder	Varies	24-30" ht.	Sun/Pt. Shade	N
<i>Spiraea x vanhouttei</i>	Vanhoutte Spirea	6' X 8'	30-36" ht./sp.	Sun/Pt. Shade	*
<i>Symphoricarpos albus</i>	Common Snowberry	2-6' X 2-6'	12-18" ht.	Sun/Pt. Shade	N
<i>Symphoricarpos x chenaultii</i>	Chenault Coralberry	2-6' X 2-6'	12-18" ht.	Sun/Pt. Shade	*

~~11.F~~ DROUGHT TOLERANT AND/OR NATIVE/NATURALIZED PLANT LIST continued

SHRUBS continued

Botanical Name	Common Name	Ht. X Sp.	Min. Size	Sun/Shade	Special Features
<i>Syringa vulgaris</i>	Common Lilac	8-20' X 6-15'	30-36" ht./sp.	Sun	*
<i>Taxus cuspidata</i>	Japanese Yew	10-25' X 5-12'	24-30" ht.	Sun/Pt. Shade	*
<i>Viburnum lantana</i>	Wayfaring Tree	10-20' X 10-20'	30-36" ht.	Sun/Pt. Shade	*
<i>Viburnum trilobum</i>	Cranberry Bush	10' X 8	30-36" ht.	Sun/Pt. Shade	*
<i>Yucca sp.</i>	Yucca	1-7' X 1-4'	18-24" ht.	Sun	*

BUNCHGRASSES

NOTE: Min. size 4" pots, typ. Upon approval from Master Landscape Architect, plugs or seed may be used.

Botanical Name	Common Name	Ht. X Sp.	Min. Size	Sun/Shade	Special Features
<i>Achnatherum hymenoides</i>	Indian Ricegrass	12-24"	4" pots	Sun	N
<i>Elymus elymoides</i>	Squirreltail	12-24"	4" pots	Sun	N
<i>Festuca idahoensis</i>	Idaho Fescue	12-24"	4" pots	Sun/Pt. Shade	N
<i>Hesperostipa comata</i>	Needle & Thread Grass	24-36"	4" pots	Sun	N
<i>Leymus cinereus</i>	Basin Wildrye	4-6'	4" pots	Sun	N
<i>Poa secunda</i>	Sandberg's Bluegrass	8-12"	4" pots	Sun	N
<i>Pseudoroegneria spicata</i>	Bluebunch Wheatgrass	12-36"	4" pots	Sun	N
<i>Sporobolus cryptandrus</i>	Sand Dropseed	12-24"	4" pots	Sun	N

GROUNDCOVERS

Botanical Name	Common Name	Ht. X Sp.	Min. Size	Sun/Shade	Special Features
<i>Aegopodium variegatum</i>	Bishop's Weed	6" X 12'	4" pots	Sun/Pt. Shade	*
<i>Archostaphylos uva-ursi</i>	Kinnikinnick	3-6' X 2-3'	4" pots	Sun/Pt. Shade	* N
<i>Campsis radicans</i>	Trumpet Creeper	6" X 40'	4" pots	Sun/Pt. Shade	*
<i>Cerastium tomentosum</i>	Snow-In-Summer	6-8" X 15'	4" pots	Lt. Shade	*
<i>Delosperma cooperi</i>	Purple Hardy Ice Plant	3" X 24"	4" pots	Lt. Shade	*
<i>Delosperma nubigenum</i>	Yellow Hardy Ice Plant	1" X 36"	4" pots	Lt. Shade	*
<i>Galium odoratum</i>	Sweet Woodruff	3" X 12'	4" pots	Shade	*
<i>Helianthemum nummularium</i>	Sunrose	6-8" X 36"	4" pots	Sun	*
<i>Mahonia repens</i>	Creeping Mahonia	12" X 36"	4" pots	Sun/Pt. Shade	*
<i>Marrubium rotundifolia</i>	Silver Edged Horehound	10" X 18"	4" pots	Sun	*
<i>Ruschia pulvinaris</i>	Creeping Shrubby Ice Plant	3" X 14"	4" pots	Sun	*
<i>Sedum spurium</i>	Two-Row Stonecrop	3-6" X 12-24"	4" pots	Sun	*
<i>Thymus serpyllum</i>	Creeping Thyme	3" X 36"	4" pots	Lt. Shade	*
<i>Thymus serpyllum</i> 'Reiter'	Reiter Creeping Thyme	3" X 36"	4" pots	Lt. Shade	*
<i>Thymus pseudolanuginosus</i>	Woolly Thyme	2-3" X 36"	4" pots	Lt. Shade	*
<i>Veronica oltensis</i>	Thyme-Leaf Speedwell	1" X 24"	4" pots	Sun	*
<i>Veronica pectinata</i>	Blue Woolly Speedwell	ground hugging	4" pots	Sun/Pt. Shade	*
<i>Vinca major</i>	Periwinkle	8" X 36"	4" pots	Sun/Pt. Shade	*

PERENNIALS

NOTE: Min. size 4" pots, typ. Upon approval from the BMS-MPA, plugs or seed may be used.

Botanical Name	Common Name	Ht. X Sp.	Min. Size	Sun/Shade	Special Features
<i>Achillea ageratifolia</i>	Greek Yarrow	4-10"	4" pots	Sun	*
<i>Achillea f. 'Moonshine'</i>	Moonshine Yarrow	24"	4" pots	Sun	*
<i>Achillea millefolium</i>	Common Yarrow	36"	4" pots	Sun	* N
<i>Adenophora liliifolia</i>	Lady Bells	18" X 12"	4" pots	Sun/Pt. Shade	*
<i>Agastache sp.</i>	Hyssop	18-30" X 18"	4" pots	Sun/Pt. Shade	*
<i>Agastache canna</i>	Wild Hyssop	24-36" X 18"	4" pots	Sun/Pt. Shade	*
<i>Alchemilla molis</i>	Lady's Mantle	12-18" X 12-15"	4" pots	Sun/Pt. Shade	*
<i>Allium sphaerocephalum</i>	Round-Headed Garlic	24" X 36"	4" pots	Sun/Pt. Shade	N
<i>Anaphalis margaritacea</i>	Pearly Everlasting	20" X 20"	4" pots	Sun	*
<i>Antennaria dioica</i> 'Rosea'	Pink Pussytoes	4-12" X 8-12"	4" pots	Sun	*
<i>Anthemis tinctoria</i>	Golden Marguerite	24-36" X 24-36"	4" pots	Sun	*
<i>Arabis caucasica</i>	Wall Rockcress	6" X 18"	4" pots	Sun	*
<i>Artemisia abrotantum</i>	Southernwood	36" X 36"	4" pots	Sun	*
<i>Artemisia</i> 'Powis Castle'	Silver Sage	36" X 36"	4" pots	Sun	*
<i>Artemisia rigida</i>	Stiff Sage	Varies	4" pots	Sun	N
<i>Artemisia stellerana</i>	Dusty Miller	30" X 36"	4" pots	Sun	*
<i>Asclepias tuberosa</i>	Butterfly Weed	36" X 12"	4" pots	Sun	*
<i>Aster tataricus</i>	Tatarian Aster	5-7' X 3'	4" pots	Sun/Pt. Shade	*
<i>Atriplex confertifolia</i>	Shadscale	1-3' X 1-3'	4" pots	Sun	N
<i>Aurinia saxatilis</i>	Basket-Of-Gold	12-18" X 12-15"	4" pots	Sun/Pt. Shade	*
<i>Balsamorhiza careyana</i>	Carey's Balsamroot	Varies	4" pots	Sun	N
<i>Balsamorhiza sagittata</i>	Arrowleaf Balsamroot	Varies	4" pots	Sun	N
<i>Baptisia australis</i>	Blue False Indigo	3-6' X 4'	4" pots	Sun	*
<i>Bergenia cordifolia</i>	Heartleaf Bergenia	18" X 12"	4" pots	Shade	*
<i>Berlandiera lyrata</i>	Chocolate Flower	18-36" X 18-36"	4" pots	Sun	*
<i>Brunnera macrophylla</i>	Brunnera	18" X 24"	4" pots	Sun/Pt. Shade	*
<i>Calamintha grandiflora</i>	Calamint	24" X 24"	4" pots	Sun/Pt. Shade	*
<i>Callirhoe involucrata</i>	Poppy Mallow	6" X 24-36"	4" pots	Sun/Pt. Shade	*
<i>Calylophus hartwegii</i>	Sundrops	12" X 24"	4" pots	Sun/Pt. Shade	*
<i>Calylophus serrulatus</i>	Dwarf Snowdrops	18" X 18"	4" pots	Sun/Pt. Shade	*
<i>Campanula rotundifolia</i>	Bellflower	12-24"	4" pots	Sun/Pt. Shade	*
<i>Catananche caerulea</i>	Cupid's Dart	12" X 12"	4" pots	Sun	*
<i>Centranthus ruber</i>	Red Valerian	36" X 36"	4" pots	Sun/Pt. Shade	*
<i>Coreopsis grandiflora</i>	Sunray	12-24" X 36"	4" pots	Sun	*
<i>Coreopsis verticillata</i> 'Moonbeam'	Moonbeam Coreopsis	18-24"	4" pots	Sun	*
<i>Coronilla varia</i>	Crown Vetch	18-24" X 48"	4" pots	Sun	*
<i>Dianthus barbatus</i>	Sweet William	20" X 12"	4" pots	Lt. Shade	*
<i>Dianthus plumarius</i>	Cottage Pink	10-18" X 20"	4" pots	Lt. Shade	*
<i>Echinacea purpurea</i> `	Purple Coneflower	24-48"	4" pots	Sun	*
<i>Epimedium alpinum</i>	Alpine Epimedium	6-9"	4" pots	Sun/Pt. Shade	*
<i>Erigeron speciosus</i>	Fleabane	24" X 24"	4" pots	Sun/Pt. Shade	*
<i>Eriogonum umbellatum</i>	Sulfur Flower	6-12" X 12-24"	4" pots	Sun	*
<i>Eryngium bourgatii</i>	Sea Holly	24"	4" pots	Sun	*

~~11.F~~ DROUGHT TOLERANT AND/OR NATIVE/NATURALIZED PLANT LIST continued

PERENNIALS continued

NOTE: Min. size 4" pots, typ. Upon approval from the BMS-MPA, plugs or seed may be used.

Botanical Name	Common Name	Ht. X Sp.	Min. Size	Sun/Shade	Special Features
<i>Erysimum cheiri</i>	English Wallflower	12-30" X 12-18"	4" pots	Sun/Pt. Shade	*
<i>Euphorbia polychroma</i>	Cushion Spurge	18" X 24"	4" pots	Sun/Pt. Shade	*
<i>Filipendula vulgaris</i>	Dropwort	24-36"	4" pots	Sun	*
<i>Gaillardia aristata</i>	Blanket Flower	24-30" X 24"	4" pots	Sun	*
<i>Gaillardia x grandiflora</i> 'Goblin'	Goblin Blanket Flower	12" X 18"	4" pots	Sun	*
<i>Geranium sanguineum</i>	Bloody Cranesbill	8-18" X 24-30"	4" pots	Sun/Pt. Shade	*
<i>Grayia spinosa</i>	Hopsage	Varies	4" pots	Sun	N
<i>Helianthus maximilianii</i>	Sunflower	10' X 3'	4" pots	Sun	*
<i>Hemerocallis sp.</i>	Daylily	Varies	4" pots	Sun	*
<i>Hesperaloe parviflora</i>	Red Yucca	3-4' X 3-4'	4" pots	Sun/Pt. Shade	*
<i>Heuchera sanguinea</i>	Coral Bells	12-18" X 12-15"	4" pots	Sun/Pt. Shade	*
<i>Hyssopus officinalis</i>	Hyssop	18-24" X 36"	4" pots	Sun/Pt. Shade	*
<i>Kniphofia uvaria</i>	Red-Hot Poker	2-4'	4" pots	Sun	*
<i>Lamium maculatum</i>	Dead Nettle	8" X 36"	4" pots	Shade	*
<i>Lewisia rediviva</i>	Bitterroot	2" X 4"	4" pots	Sun/Pt. Shade	*
<i>Liatris spicata</i>	Gayfeather	4' X 2'	4" pots	Sun	*
<i>Limonium platyphyllum</i>	Statice	30" X 36"	4" pots	Sun	*
<i>Linum perenne</i>	Perennial Blue Flax	24" X 18"	4" pots	Sun	*
<i>Liriope spicata</i>	Creeping Lily Turf	8-10" X 18"	4" pots	Shade	*
<i>Lobularia maritima</i>	Sweet Alyssum	Varies	4" pots	Sun/Pt. Shade	*
<i>Lupinus leucophyllus</i>	Velvet Lupine	Varies	4" pots	Sun/Pt. Shade	N
<i>Lychnis chalconica</i>	Maltese Cross	24-36" X 12"	4" pots	Sun/Pt. Shade	*
<i>Monarda fistulosa</i>	Bee Balm	24-48" X 12"	4" pots	Lt. Shade	*
<i>Narcissus sp.</i>	Daffodil	12-18" X 12"	4" pots	Sun/Pt. Shade	*
<i>Nepeta x faassenii</i>	Catmint	12" X 18"	4" pots	Sun/Pt. Shade	*
<i>Oenothera macrocarpa</i>	Ozark Sundrops	6" X 24"	4" pots	Sun/Pt. Shade	*
<i>Opuntia polycantha</i>	Starvation Pricklypear	Varies	4" pots	Sun	N
<i>Papaver orientale</i>	Oriental Poppy	12-24" X 12-24"	4" pots	Sun	*
<i>Penstemon sp.</i>	Beard Tongue	Varies	4" pots	Sun/Pt. Shade	*
<i>Penstemon strictus</i>	Rocky Mountain Penstemon	24-36" X 24"	4" pots	Sun/Pt. Shade	*
<i>Perovoskia atriplicifolia</i>	Russian Sage	3-5' X 3-4'	4" pots	Sun	*
<i>Phlox subulata</i>	Moss Pink	6" X 18"	4" pots	Sun/Pt. Shade	*
<i>Pulsatilla vulgaris</i>	Pasque Flower	9-12" x 6-10"	4" pots	Sun/Pt. Shade	*
<i>Ratibida columnifera</i>	Mexican Hat	30" X 12"	4" pots	Sun	*
<i>Rudbeckia hirta</i>	Black-Eyed Susan	3-4' X 2'	4" pots	Sun	*
<i>Salvia nemerosa</i>	Meadow Sage	18-36" X 24-36"	4" pots	Sun	*
<i>Salvia officinalis</i>	Garden Sage	18-24" X 12-18"	4" pots	Sun	*
<i>Santolina chamaecyparissus</i>	Lavender Cotton	24" X 36"	4" pots	Sun	*
<i>Sanvitalia procumbens</i>	Creeping Zinnia	4-6" X 18"	4" pots	Sun	*
<i>Saponaria ocymides</i>	Soapwort	12" X 36"	4" pots	Sun	*
<i>Scutellaria resinosa</i>	Skullcap	6-8" X 12"	4" pots	Sun/Pt. Shade	*
<i>Sedum</i> 'Ruby Glow'	Ruby Glow Stonecrop	8" X 15"	4" pots	Sun	*
<i>Sedum spectabile</i>	Showy Stonecrop	18-24" X 10-15"	4" pots	Sun/Pt. Shade	*

PERENNIALS continued

NOTE: Min. size 4" pots, typ. Upon approval from the BMS-MPA, plugs or seed may be used.

Botanical Name	Common Name	Ht. X Sp.	Min. Size	Sun/Shade	Special Features
<i>Sempervivum sp.</i>	Hen & Chicks	2-4" X 6-12"	4" pots	Lt. Shade	*
<i>Sphaeralcea incana</i>	Orange Mallow	24-48" X 24"	4" pots	Sun	*
<i>Stachys byzantina</i>	Lamb's Ear	18" X 36"	4" pots	Sun/Pt. Shade	*
<i>Tanacetum vulare</i>	Tansy	36" X 24"	4" pots	Sun	*
<i>Teucrium x lucidrys</i>	Germander	12" X 24"	4" pots	Sun	*
<i>Thymus vulgaris</i>	Common Thyme	12" X 24"	4" pots	Lt. Shade	*
<i>Thymus vulgaris</i> 'Orange Balsam'	Orange Balsam Thyme	6-8" X 15"	4" pots	Lt. Shade	*
<i>Veronica sp.</i>	Speedwell	Varies	4" pots	Sun	*

DECIDUOUS TREES AND EVERGREEN TREES - SEE SECTION 11

↑ reposition text for proper alignment

SHRUBS

Botanical Name	Common Name	Ht. X Sp.	Min. Size	Sun/Shade	Special Features
<i>Aronia melanocarpa</i> 'Autumn Magic'	Black Chokeberry	3-5' X 3-5'	24-30" ht.	Sun/Pt. Shade	deciduous, spreading habit, serrated leave, edible black fruit, white/pink flower clusters
<i>Berberis thunbergii</i>	Japanese Barberry	4-6' X 4-6'	24-30" ht.	Sun	* deciduous, slender arching spiny branches, color varies based on variety
<i>Berberis t.</i> 'Crimson Pygmy'	Crimson Pygmy Japanese Barberry	1' X 3'	12-18" sp.	Sun	* deciduous, dwarf, deep red color in full sun
<i>Calluna vulgaris</i>	Scotch Heather	1-2' X 2'	12-18" sp.	Sun	evergreen, tiny scalelike green leaves, spikes covered in bell shaped flowers
<i>Chaenomeles sp.</i>	Flowering Quince	2-6' X 2-4'	24-30" ht./sp.	Sun	deciduous, habit varies, vibrant single to double flowers in late winter
<i>Chamaecyparis lawsoniana</i> 'Ellwoodii'	Dwarf Port Orford Cedar	6-8' X 2'	30-36" ht.	Sun	evergreen, dense compact habit, blue green foliage
<i>Cornus stolonifera</i>	Redtwig Dogwood	7-9' X 12'	30-36" ht.	Sun or Shade	N deciduous, open spreading habit, brilliant red fall foliage & winter twigs
<i>Cotinus coggyria</i>	Smoke Tree	12-15' X 12-15'	30-36" ht.	Sun	* deciduous, broad urn habit, round green to purple leaves, flower airy plumes
<i>Cotoneaster acutifolius</i>	Peking Cotoneaster	6-10' X 6-10'	30-36" ht.	Sun	* deciduous, fountain shaped habit, glossy green foliage, black fruit
<i>Cotoneaster parneyi</i>	Parneyi Cotoneaster	6' X 6'	30-36" ht./sp.	Sun/Pt. Shade	* evergreen, arching habit, dark green foliage, white flower clusters, red fruit
<i>Cotoneaster mircophyllus</i>	Rockspray Cotoneaster	2-3' X 15'	12-18" sp.	Sun/Pt. Shade	* evergreen, horizontal habit, tiny dark green leaves, white flowers, red fruit
<i>Daphne x burkwoodii</i>	Burkwood Daphne	3-4' X 3-4'	24-30" ht./sp.	Sun/Lt. Shade	evergreen, erect compact habit, abundant fragrant white to pink flower clusters
<i>Deutzia gracilis</i>	Slender Deutzia	2-4' X 3-4'	18-24" ht./sp.	Sun/Lt. Shade	deciduous, graceful arching habit, green toothed leaves, clusters of white flowers
<i>Erica sp.</i>	Heath	1-2' X 2'	12-18" sp.	Sun/Pt. Shade	evergreen, round habit, small needlelike leaves, abundant small bell flowers
<i>Euonymus alatus</i> 'Compacta'	Winged Euonymus	4-6' X 4-6'	24-30" ht.	Sun	deciduous, round habit, green wing shaped leaves, vibrant red-orange fall color
<i>Euonymus fortunei</i>	Winter Creeper	2-5' X 3-6'	24-30" ht./sp.	Sun/Pt. Shade	evergreen, habit varies, green to purple to yellow to variegated foliage color
<i>Forsythia hybrids</i>	Forsythia	5-9' X 4-8'	24-30" ht.	Sun	deciduous, fountain shaped habit, green foliage, bright yellow flowers along stems
<i>Hydrangea macrophylla</i>	Garden Hydrangea	4-8' X 4-8'	24-30" ht.	Pt. Shade	deciduous, round habit, green toothed foliage, huge flower clusters, color varies
<i>Hydrangea paniculata</i>	Panicle Hydrangea	5-10' X 5-10'	30-36" ht.	Pt. Shade	deciduous, upright spreading habit, oval green leaves, elongated flower clusters
<i>Ilex crenata</i> 'Convexa'	Compact Japanese Holly	4-6' X 4-6'	24-30" ht.	Sun/Pt. Shade	evergreen, dense round to erect habit, small green leaves, black berries
<i>Juniperus scopulorum</i> 'Skyrocket'	Skyrocket Juniper	10-15' X 2-3'	30-36" ht.	Sun/Pt. Shade	* evergreen, narrow columnar habit, blue-gray foliage
<i>Lavendula sp.</i>	Lavender	2' X 2'	12-18" ht.	Sun	* evergreen, round habit, small aromatic gray-green foliage, fragrant flowers
<i>Lonicera pileata</i>	Privet Honeysuckle	2-3' X 8'	18-24" sp.	Sun/Pt. Shade	* evergreen, spreading habit, green foliage, small fragrant white flowers, berries
<i>Paeonia sp.</i>	Peony	2-4' X 2-4'	12-18" ht./sp.	Sun/Pt. Shade	deciduous, arching habit, green divided leaves, amazing single or double flowers
<i>Perovskia atriplicifolia</i> 'Blue Spire'	Russian Sage	2-4' X 2-4'	12-18" ht./sp.	Sun	* evergreen, upright habit, gray-green foliage, tall showy purple flower stems
<i>Philadelphus lewisii</i>	Mock Orange	4-10' X 4-10'	30-36" ht.	Sun/Pt. Shade	deciduous, fountain shaped habit, abundant fragrant white flowers
<i>Picea abies</i> 'Nidiformis'	Bird's Nest Spruce	3-5' X 4-6'	18-24" ht.	Sun	evergreen, low dense habit, gray-blue foliage, needles in star shapes whorl
<i>Pieris japonica</i>	Lily-of-the-Valley Shrub	2-6' X 2-6'	24-30" ht.	Sun/Pt. Shade	evergreen, upright habit, bronze new foliage to green, drooping flower clusters
<i>Pinus mugo mugo</i> 'Pumilio'	Dwarf Mugo Pine	4-8' X 4-8'	18-24" ht./sp.	Sun/Pt. Shade	* evergreen, round compact habit, dark green foliage
<i>Rosa nutkana</i>	Nootka Rose	6' X 4'	24-30" ht.	Sun/Pt. Shade	* deciduous, arching habit, deep pink flowers in spring, showy rose hips follow
<i>Rosa rugosa</i>	Rugosa Rose	3-6' X 3-6'	24-30" ht.	Sun	* deciduous, open habit, single to double flowers in spring-fall, huge red rose hips

SHRUBS continued

Botanical Name	Common Name	Ht. X Sp.	Min. Size	Sun/Shade	Special Features
<i>Salvia argentea</i>	Silver Sage	1-2' X 2'	12-18" ht.	Sun	deciduous, upright habit, gray-green foliage, hooded white flowers on stems
<i>Sedum 'Autumn Joy'</i>	Autumn Joy Stonecrop	1-2' X 2'	12-18" ht.	Sun/Pt. Shade	* succulent, upright habit, green foliage, clusters of pink flowers in late summer
<i>Spiraea japonica</i>	Spiraea	2-5' X 2-5'	18-24" ht.	Sun	deciduous, upright habit, toothed foliage, 8" clusters of pink flowers summer-fall
<i>Syringa vulgaris</i>	Common Lilac	8-20' X 6-15'	30-36" ht.	Sun	* deciduous, open upright habit, profuse fragrant conical shaped flower clusters
<i>Viburnum plicatum tomentosum</i>	Doublefile Viburnum	4-6' X 4-6'	24-30" ht.	Sun	deciduous, tiered habit, dull dark green foliage, white snowball flower clusters
<i>Yucca filamentosa</i>	Adam's Needle Yucca	1-7' X 1-4'	12-18" ht./sp.	Sun	* evergreen, stiff round habit, dark green foliage, 3-5' tall white flower clusters

GROUNDCOVERS

Botanical Name	Common Name	Ht. X Sp.	Min. Size	Sun/Shade	Special Features
<i>Aegopodium variegatum</i>	Bishop's Weed	6"	1 gal.	Sun/Pt. Shade	* perennial, light green edged white 3 leaflet leaves, fast growing
<i>Archostaphylos uva-ursi</i>	Kinnikinnick	3-6' X 2-3'	1 gal.	Sun/Pt. Shade	* N evergreen, small glossy dark green leaves, white or pink flowers, red fruit
<i>Cerastium tomentosum</i>	Snow-In-Summer	6-8"	1 gal.	Lt. Shade	* perennial, silver gray leaves, small white flowers in summer, fast growing
<i>Galium odoratum</i>	Sweet Woodruff	3"	1 gal.	Shade	* perennial, aromatic green whorl leaves, tiny white flower clusters summer
<i>Helianthemun nummularium</i>	Sunrose	6-8" X 36"	1 gal.	Sun	* evergreen, gray-green leaves, single or double vibrant or light color flowers
<i>Juniperus horizontalis</i>	Creeping Juniper	1' X 8-10'	18-24" sp.	Sun/Pt. Shade	* evergreen, feathery gray-green foliage, fast growing
<i>Mahonia repens</i>	Creeping Mahonia	12" X 36"	1 gal.	Sun/Pt. Shade	* evergreen, spiny edged leaves to divided blue-green leaflets, flower clusters
<i>Sedum spurium</i>	Two-Row Stonecrop	3-6' X 12-24"	1 gal.	Sun	* succulent, dark green or bronze leaves, clusters of pink flowers in summer
<i>Thymus serpyllum</i>	Creeping Thyme	3" X 36"	1 gal.	Lt. Shade	* perennial, round dark green leaves, purple flowers in summer
<i>Thymus pseudolanuginosus</i>	Woolly Thyme	2-3" X 36"	1 gal.	Lt. Shade	* perennial, walkable mat habit, woolly gray leaves, pink flowers in midsummer
<i>Veronica pectinata</i>	Blue Woolly Speedwell	ground hugging	1 gal.	Sun/Pt. Shade	* perennial, small deeply cut gray leaves, profuse deep blue flowers in spring
<i>Vinca minor</i>	Dwarf Periwinkle	4" X 36"	1 gal.	Sun/Pt. Shade	* evergreen, trailing dark green leaves, lavender-blue 5 petal flowers in spring

ORNAMENTAL GRASSES

Botanical Name	Common Name	Ht. X Sp.	Min. Size	Sun/Shade	Special Features
<i>Bouteloua curtipendula</i>	Sideoats Grama Grass	1-2' X 2'	1 gal.	Sun	* narrow gray-green leaf clumps, one-sided flowering stems in summer
<i>Bouteloua gracilis</i>	Blue Grama Grass	1-2' X 1'	1 gal.	Sun	* inflorescence of flowers at right angles, red in summer, bleached to white
<i>Calamagrostis x acutiflora</i>	Feather Reed Grass	2-6' X 2-3'	1 gal.	Sun/Pt. Shade	* evergreen, erect clump of narrow green leaves, upright flower stems
<i>Carex morrowii expallida</i>	Variegated Japanese Sedge	1-2' X 2'	1 gal.	Sun/Pt. Shade	mounding habit, green and white striped drooping leaves
<i>Deschampsia cespitosa</i>	Tufted Hair Grass	1-2' X 2'	1 gal.	Sun/Pt. Shade	narrow dark green leaf clumps, airy inflorescences in late spring to early summer
<i>Festuca glauca</i>	Blue Fescue	1' X 1'	1 gal.	Sun	* dense extremely fine blue-silver leaves, flower spikes in summer
<i>Heloctotrichon sempervirens</i>	Blue Oat Grass	2-3' X 2-3'	1 gal.	Sun	* narrow fountain like blue-gray leaf clumps, wispy straw colored flower clusters
<i>Imperata cylindrica</i>	Japanese Blood Grass	1-2' X 1'	1 gal.	Sun/Pt. Shade	upright medium leaf clumps, green at base, red at tip & intensifies in summer-fall
<i>Miscanthus sinensis</i>	Maiden Hair Grass	2-3' X 2-3'	1 gal.	Sun/Pt. Shade	* mounding green leaf clumps, colorful flower plumes in summer-fall
<i>Pennisetum alopecuroides</i>	Fountain Grass	2-3' X 2-3'	1 gal.	Sun/Pt. Shade	* bright green leaf clumps, pinkish to oat colored rabbit tail-like flower plumes
<i>Pennisetum setaceum</i>	Fountain Grass	2-4' X 2-3'	1 gal.	Sun/Pt. Shade	* green leaf clumps, copper-pink to purplish tall flower plumes
<i>Pennisetum setaceum 'Rubrum'</i>	Red Fountain Grass	2-4' X 2-3'	1 gal.	Sun/Pt. Shade	* reddish bronze leaf clumps, copper-pink to purplish tall flower plumes
<i>Stipa tenuifolia</i>	Silky Thread Grass	2' X 1'	1 gal.	Sun	* green leaf clumps, large feather-like straw colored inflorescences
<i>Stipa tenuissima</i>	Mexican Feather Grass	1-2' X 1-2'	1 gal.	Sun/Pt. Shade	* bronze to green leaf clumps, airy feather-like straw colored inflorescences

VINES

Botanical Name	Common Name	Ht. X Sp.	Min. Size	Sun/Shade	Special Features
<i>Akebia quinata</i>	Fiveleaf Akebia	15-30'	1 gal.	Sun or Shade	deciduous, deep green leaflets, wine purple clusters of vanilla scented flowers
<i>Campsis radicans</i>	Trumpet Vine	30'	1 gal.	Sun/Pt. Shade	* deciduous, green multiple leaflets, 3" long orange tubular flowers with red lobes
<i>Clematis armandii</i>	Evergreen Clematis	20-35'	1 gal.	Sun	* evergreen, divided glossy green leaves, fragrant white flower clusters
<i>Clematis ligusticifolia</i>	Clematis	20'	1 gal.	Sun	* deciduous, green lobed leaves, multiple flower colors & sizes
<i>Hydrangea anomala petiolaris</i>	Climbing Hydrangea	20-30'	1 gal.	Sun/Pt. Shade	* deciduous, green heart shaped leaves, large white lace-cap flowers
<i>Lonicera japonica</i>	Japanese Honeysuckle	20-30'	1 gal.	Sun/Pt. Shade	* semievergreen, oval deep green leaves, fragrant two-lobed pink-white flowers
<i>Lonicera sempervirens</i>	Trumpet Honeysuckle	10-20'	1 gal.	Sun/Pt. Shade	semievergreen, whorls of orange-yellow to red trumpet shaped flowers in spring
<i>Parthenocissus tricuspidata</i>	Boston Ivy	50'	1 gal.	Sun or Shade	* glossy toothed edged 3-lobed leaves, orange to wine red fall color
<i>Wisteria sinensis</i>	Chinese Wisteria	Varies	1 gal.	Sun or Shade	* green leaves divided into 7-13 leaflets, profuse violet-blue drooping flowers

ROCK GARDEN PLANTS

Botanical Name	Common Name	Ht. X Sp.	Min. Size	Sun/Shade	Special Features
<i>Achillea millefolium</i>	Common Yarrow	30-36" X 24"	1 gal.	Sun	* perennial, erect habit, narrow green-gray leaves, flat topped white flowers
<i>Aethionema schistosum</i>	Stonecress	5-10" X 12"	1 gal.	Sun	* perennial, erect habit, narrow gray-blue leaves, fragrant soft pink flowers
<i>Anacyclus depressus</i>	Mount Atlas Daisy	3" X 15"	1 gal.	Sun	* perennial, spreading habit, gray fine leaves, daisylike flowers in summer
<i>Armeria maritima</i> 'Compacta'	Common Thrift	6" X 12"	1 gal.	Sun	* perennial, compact habit, thinleaves, pink globe of flower clusters atop stem
<i>Delosperma cooperi</i>	Purple Hardy Ice Plant	3" X 24"	1 gal.	Lt. Shade	* succulent, spreading habit, cylindrical green leaves, purple flowers in summer
<i>Delosperma nubigenum</i>	Yellow Hardy Ice Plant	1" X 36"	1 gal.	Lt. Shade	* succulent, low habit, cylindrical green leaves turn red in fall, yellow flowers
<i>Iberis sempervirens</i>	Evergreen Candytuft	8-18" X 8-18"	1 gal.	Sun/Pt. Shade	* evergreen perennial, glossy dark green leaves, white flower clusters
<i>Linum flavum</i> 'Compactum'	Compact Golden Flax	6" X 6"	1 gal.	Sun	* perennial, erect habit, green leaves, yellow 5 petal flowers in spring-summer
<i>Penstemon rupicola</i>	Rock Penstemon	4" X 18"	1 gal.	Sun/Pt. Shade	* perennial, trailing habit, small round blue-green leaves, bright pink flowers
<i>Phlox subulata</i>	Moss Pink	6" X 18"	1 gal.	Sun/Pt. Shade	* perennial, spreading habit, needlelike evergreen leaves, pink-lavender flowers
<i>Sedum spathifolium</i> 'Cape Blanco'	Cape Blanco Sedum	3" X 12"	1 gal.	Sun/Pt. Shade	* succulent, spreading habit, spoon shaped blue-green leaves tinged red-purple
<i>Sedum</i> 'Vera Jameson'	Vera Jameson Sedum	8-12" X 15"	1 gal.	Sun/Pt. Shade	* succulent, spreading habit, purple stems w/ pinkish purple leaves, pink flowers

EVERGREEN HEDGE PLANTS

Botanical Name	Common Name	Ht. X Sp.	Min. Size	Sun/Shade	Special Features
<i>Berberis x gladwynensis</i> 'William Penn'	William Penn Barberry	4-5' X 4-5'	24-30" ht.	Sun	broad glossy leaf, fast growth, dense foliage, pretty yellow flowers
<i>Buxus sempervirens</i> 'Suffruticosa'	True Dwarf Common Boxwood	4-5' X 4-5'	24-30" ht.	Sun or Shade	slow growth, small waxy dense form and texture leaf
<i>Daphne x burkwoodii</i>	Burkwood Daphne	3-4' X 3-4'	24-30" ht./sp.	Sun/Lt. Shade	erect compact habit, abundant fragrant white to pink flower clusters
<i>Euonymus fortunei</i>	Winter Creeper	2-5' X 3-6'	24-30" ht./sp.	Sun/Pt. Shade	habit varies, green to purple to yellow to variegated foliage color
<i>Ilex crenata</i> 'Convexa'	Compact Japanese Holly	4-6' X 4-6'	24-30" ht.	Sun/Pt. Shade	dense round to erect habit, small green leaves, black berries
<i>Juniperus x pfitzeriana</i> 'Armstrongii'	Armstrong Juniper	4-5' X 4-5'	24-30" ht.	Sun	upright habit, true green foliage, compact growth
<i>Taxus baccata</i> 'Adpressa'	Dwarf English Yew	4-5' X 6-8'	24-30" ht.	Sun or Shade	dense habit, rich dark green needles, compact growth, red fruit
<i>Thuja occidentalis</i> 'Hetz Midget'	Dwarf Arborvitae	3-4' X 3-4'	24-30" ht.	Sun/Pt. Shade	globe habit, dense green foliage, maintains form
<i>Viburnum hybrids</i> 'Conoy'	Conoy Evergreen Viburnum	4-5' X 4-5'	24-30" ht.	Sun/Pt. Shade	dense habit, dark green foliage with white on underside, fragrant flowers, red berries



PLANNING COMMISSION AGENDA ITEM COVERSHEET

Meeting Date: 10/18/2023

Agenda Category: Agenda Items

Prepared By: Mike Stevens, Planning Manager

Subject:

Shoreline Master Program Update

Request:

Core Focus Area 4 - Manage our Natural Resources

Recommended Motion:

Summary:

The City of Richland is undertaking a periodic review of its Shoreline Master Program (SMP), as required by the Washington State Shoreline Management Act (SMA), RCW 90.58.080(4). The SMA requires each SMP to be reviewed and revised, if needed, on an eight-year schedule established by the Legislature. The review ensures the SMP stays current with changes in laws and rules, remains consistent with other City of Richland plans and regulations, and is responsive to changed circumstances, new information and improved data.

Attachments:

1. CA2020-104 - SMP Update Staff Report
2. CA2020-104 Exhibit 1 - Title 26 Edits for PC PH
3. CA2020-104 Exhibit 2 - Response Matrix
4. CA2020-104 Exhibit 3 - Planning Commission Public Hearing Minutes
5. CA2020-104 Exhibit 4 - Richland Draft SMP Checklist
6. CA2020-104 Exhibit 5 - SMP Maps
7. CA2020-104 Exhibit 6 - LOMR

STAFF REPORT

TO: Planning Commission

PREPARED BY: MillieAnne VanDevender, AICP &
Nicole Stickney, AICP
AHBL, Inc. – Contract Planners

FILE NO.: CA2020-104

MEETING DATE: October 25, 2023

GENERAL INFORMATION

APPLICANT: City of Richland

REQUEST: Text and map amendments to the Shoreline Master Program (SMP) and RMC Title 26 – Shoreline Management are proposed to fulfill requirements of the SMP Periodic Update Process.

LOCATION: Citywide: Shoreline Jurisdiction

EXHIBITS

1. Draft Amendments to Title 26 – Shoreline Management
2. Public Comment Response Matrix
3. Meeting Minutes from 06/09/2021 Planning Commission Public Hearing
4. Draft Periodic Review Checklist (for future submittal to Ecology)
5. SMP Shoreline Regulatory Reaches Map and SMP Shoreline Environment Designations
6. FEMA Letter of Map Revision Determination

REASON FOR REQUEST

The City of Richland is undertaking a periodic review of its Shoreline Master Program (SMP), as required by the Washington State Shoreline Management Act (SMA), RCW 90.58.080(4). The SMA requires each SMP be reviewed and revised, if needed, on an eight-year schedule established by the Legislature. The review ensures the SMP stays current with changes in laws and rules, remains consistent with other City of Richland plans and regulations, and is responsive to changed circumstances, new information and improved data.

PROCESS TIMELINE

- On October 6, 2020, the Richland City Council passed Resolution 135-20 adopting Richland's 2021 *Shoreline Master Program Periodic Review Public Participation and Work Plan* outlining the anticipated public involvement process for the SMP update.
- On November 18, 2020, the Planning Commission hosted an open-house event to initiate the process and to answer any preliminary questions from the public.
- On March 8, 2021, the City issued the required 60-day notice to the WA Department of Commerce for the proposed amendment to development regulations; thereby fulfilling the requirements of 36.70A.106 (1) RCW.
- The City issued a State Environmental Policy Act (SEPA) Determination of Non-Significance (DNS) on March 15, 2021, on the proposed update.

- On March 24, 2021, the Richland Planning Commission conducted a workshop meeting to discuss the SMP update.
- The City and the state Department of Ecology (Ecology) issued a joint notice advertising an open public comment period from May 10 to June 8, 2021. The City received many comments from the public and did not receive any comments from State and local agencies.
- On June 9, 2021, the Planning Commission held a public hearing to discuss the SMP update. Two members of the public made comments and Chelsea Benner explained her role as a representative of the Department of Ecology. The Planning Commission decided to postpone action on the SMP update to allow City and State officials time to respond to written and oral comments received on the update. The minutes from the public hearing are included as Exhibit 3.

BACKGROUND

Prior to the public hearing which took place on June 9, 2021, the Richland Planning Department coordinated with the Department of Ecology on public notification of comment periods and hearings to take advantage of Ecology's optional SMP amendment process that allows for a combined state-local comment period (WAC 173-26-104), as noted above in the timeline. The City received many extensive comments on the SMP update during the time between the Planning Commission workshop (March 24, 2021) and the public hearing. City staff compiled all the comments the City received into a comment and response matrix. At the time of the public hearing in June of 2021, staff had not addressed all the comments and the Planning Commission ultimately decided to postpone action on the SMP to allow City and State officials time to respond to written and oral comments received on the update. The City received another set with additional comments from the public after the initial joint public hearing in June of 2021 (but there were no comments from any public agencies). In accordance with RCW 90.58.080(4), the update was on track to conclude on or before June 30, 2021, however, staffing issues caused unforeseen delays to the process and many of the commenters' responses remained unaddressed.

The City asked AHBL to provide responses to the collected comments. AHBL had previously provided contract services to the City early in the SMP update process by reviewing the adopted SMP through the lens of Ecology's Update Checklist and ultimately made many suggestions and recommendations on items to update.

As requested, AHBL conducted a thorough review of the SMP and the public comments and incorporated suggested changes where appropriate into Title 26 of the Municipal Code and the SMP. The proposed updates are included as Exhibit 1 and the changes are indicated through the use of Tracked Changes standards: proposed additions are shown in underlined blue font, and anything deleted is shown in red font with a strikethrough. The Response Matrix (Exhibit 2) now provides a record of who commented, the date of the comment, the comment, and the City's response or action taken due to the comment.

To move the SMP update forward, the Planning Commission must make a recommendation to the City Council. Following that step, staff would present the proposed amendments to City Council. Ecology is processing a large number of SMP reviews currently and would likely not be able to review the City's proposed SMP updates for several months. As a result, the joint review process is no longer being used and the City is using the standard review process (following advisement by Chelsea Benner at Ecology). Accordingly, the Planning Commission public hearing is not a joint public hearing.

Once the recommendation of the Planning Commission is given to the City Council the City Council may **adopt** the SMP and associated documents by Ordinance. However, the ordinance will not take immediate effect, because the Department of Ecology will have its own review (including its own comment period) of the SMP.

Unlike other local regulations, Ecology has final review and **approval** authority over the City's SMP, including the ability to require changes.

SUMMARY OF AMENDMENTS

The policy sections of Richland's Shoreline Management Program (SMP) are codified as Title 26 of the Municipal Code. Staff (as supported by the consultant team) proposes several text changes to the various sections of Title 26 – Shoreline Management largely based on a checklist provided by Ecology that details the changes to state laws / rules / guidance that necessitated the need for SMP amendments. Many other updates are based on suggestions from the public.

An inventory of required and proposed SMP amendments is provided in the Department of Ecology Periodic Review Checklist (Exhibit 4). The checklist indicates code sections where the change can be found in the draft code amendments (Exhibit 1). The Response Matrix (Exhibit 2) also provides an inventory of proposed SMP amendments based on comments from the public.

The following is a summary of proposed amendments:

- Edits made throughout to correct typographical and/or grammatical errors and to ensure references to various code sections are correct.
- Updates to specific terms and nomenclature throughout.
- Updates to many sections of Chapter 26.60 to align the critical areas provisions of the SMP with the City's Critical Areas Ordinance (22.10 RMC).
- Additions, deletes, or revisions to various term definitions.
- Revisions to section RMC 26.60.042 to better explain riparian buffers and other required buffers and simplification of RMC 26.60.045.J so that it refers to the section that explains riparian buffers.
- Updates made to comply with recently adopted Washington State policies and laws and/or Ecology's clarifications:
 - Changes to the language that allows an exemption from Shoreline Substantial Development Permits for new construction that is under a certain cost threshold so that it now refers to RCWs and WACs instead of listing a specific amount that must be perpetually updated.
 - The definition of "development" was updated to add the suggested Ecology language: "Development does not include dismantling or removing structures if there is no other associated development or re-development."
 - There were small changes to the list of exemptions found in RMC 26.50.020.B and Section 26.50.021 was added to list exceptions to local review that would not require a shoreline exemption. These include exceptions like remedial hazardous substance cleanup actions, boatyard improvements to meet NPDES requirements, and certain WSDOT maintenance and safety projects and activities.
 - This also moved areas and uses in federal jurisdiction from an exemption to an exception.
 - A new exemption was created to include certain projects that are for ADA retrofitting.
 - Non-conforming uses or development were addressed by adding certain requirements and a definition.
 - RMC 26.01.040 added clarifications on future updates to the SMP.
 - To eliminate issues arising from future updates to the federal /local wetlands delineation manual, RMC 26.60.024.B was updated to refer to the approved federal wetland delineation manual and applicable regional supplements.

PUBLIC NOTICE/ COMMENTS

The SMP periodic update process integrates multiple opportunities for interested parties, including the public, to provide comments or any general feedback on the proposed changes to the SMP.

MAP AMENDMENTS

Staff has proposed a few minor amendments to the maps to depict the approximate SMP jurisdiction more accurately and improve the legibility of the maps. The proposed changes affect the map showing the regulatory reaches and the map showing the shoreline environments (Exhibit 5). The proposed map amendments do not propose substantive changes but are intended to clarify the information provided. As always, the SMP maps are intended to be a guide only and information is subject to field verification; however, there were a few items that were not depicted correctly and needed to be revised.

The proposed map changes include the following:

1. An update to the location of the shoreline environment located along the Marina at Columbia Point to reflect the accurate location of the ordinary high-water mark. The existing map titled *Shoreline Reaches* depicted the shoreline environment along the edge of the marina, and in the water, rather than along the shoreline. The image below (Figure 1) shows the existing (“Removed”) and proposed (“Added”) locations for the shoreline jurisdiction. Note that the shorelands that are present waterward of the marina are still shown as being in shoreline jurisdiction.

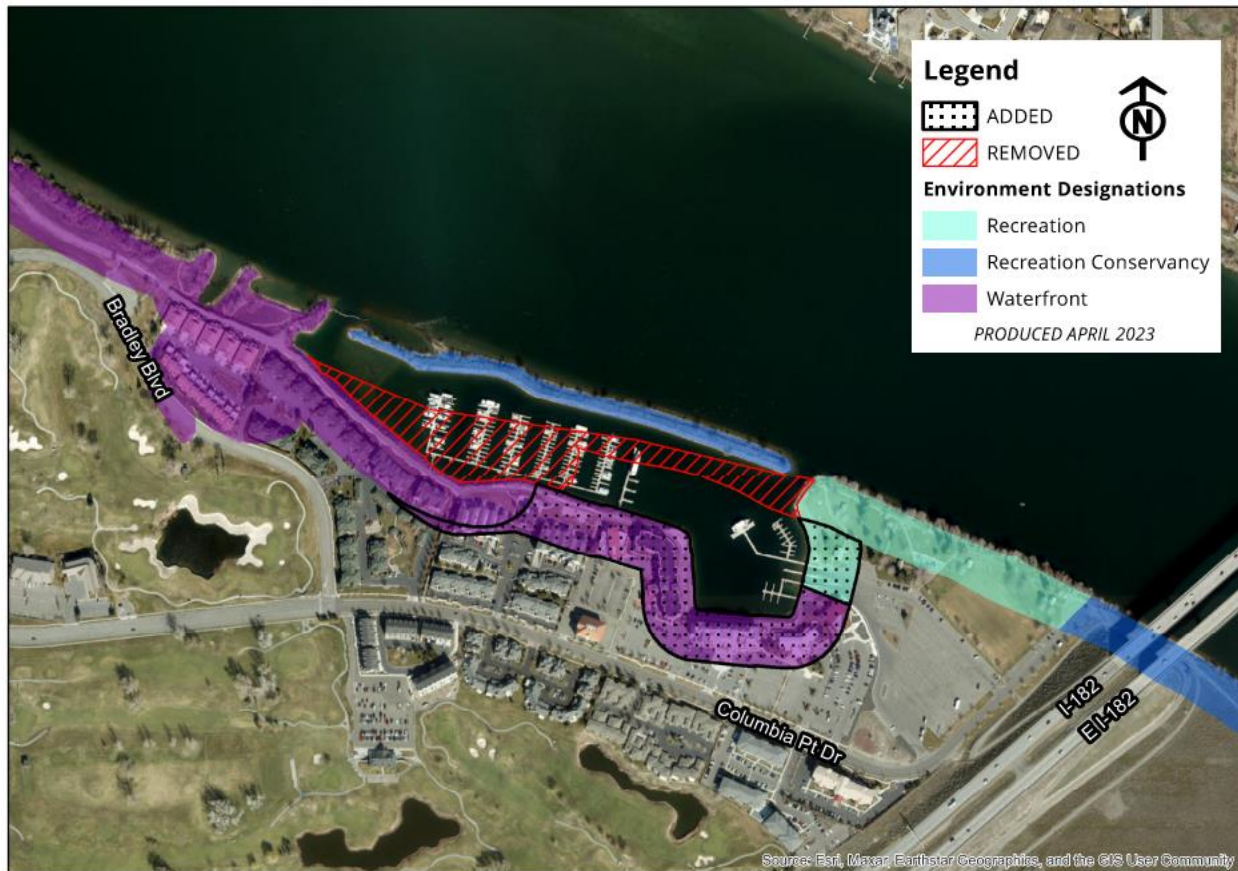


Figure 1

2. The SMP maps should accurately depict city limits. Staff proposes an update to accurately represent the current extent of the city limits, the UGA, and the location of the shoreline environment to reflect where the City annexed land on the east side of Stevens (and adjusted the boundaries of the UGA north of the City limits). Figure 2 shows the proposed adjustments to the adopted city limits and UGA and also shows that two islands in the Columbia River, Susan, and Barb Islands, are not part of the City of Richland SMP jurisdiction. These islands are technically within the boundaries of Franklin County. Although the islands are not technically being removed from Richland SMP jurisdiction (because they were never a part of it), staff has included the islands in this proposed change because some maps include the islands, and some do not.

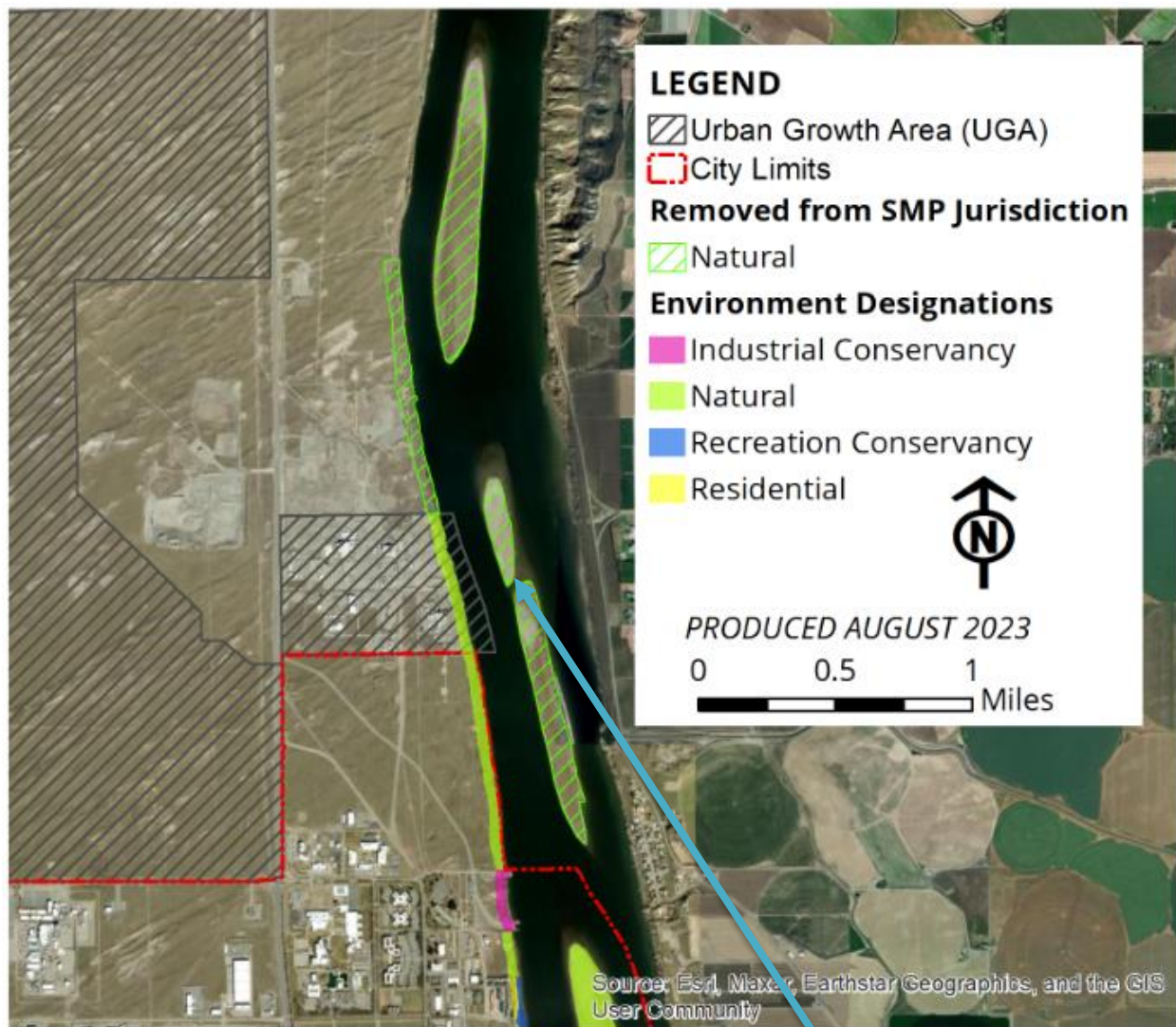


Figure 2

SUSAN & BARB ISLANDS

3. A change to the map is proposed to reflect some regulatory changes to the area near the Duportail Bridge. The Federal Emergency Management Agency (FEMA) issued a Letter of Map Revision (LOMR) with an effective date of January 12, 2023 (Exhibit 6). Figure 3 shows proposed map changes to match the refined locations of the regulatory floodway and floodplain per the LOMR.

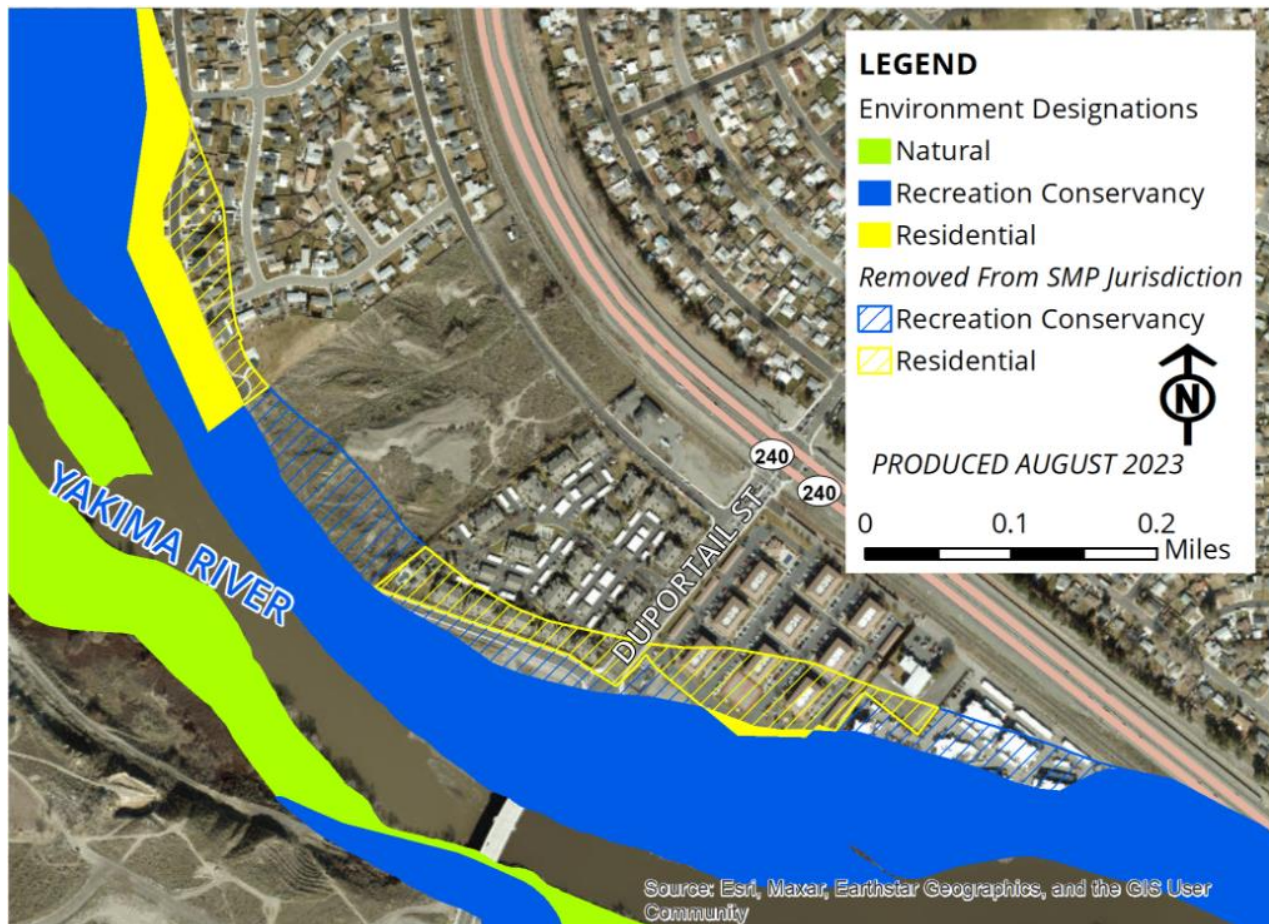


Figure 3

SEPA

The City of Richland followed the Optional DNS Process as outlined in WAC 197-11-355. A Determination of Non-Significance (DNS) was issued on March 15, 2021.

FINDINGS OF FACT

1. Over time, laws and plans governing shoreline environments change. Anticipating this, the Shoreline Management Act integrates the requirement for periodic updates to each jurisdiction's shoreline management program every ten years [RCW 90.58.080(4)].
2. On October 6, 2020, the Richland City Council passed Resolution 135-20 adopting Richland's 2021 Shoreline Master Program Periodic Review Public Participation and Work Plan outlining the anticipated public involvement process.

3. On November 18, 2020, the City held an open-house event to generally advise the Planning Commission and the public of the SMP update process.
4. On March 8, 2021, the City issued the required 60-day notice to the WA Department of Commerce of the proposed amendment to development regulations; thereby fulfilling the requirements of 36.70A.106 (1) RCW.
5. The City issued a SEPA Threshold Determination of Non-Significance on March 15, 2021.
6. On March 24, 2021, the Richland Planning Commission conducted a workshop meeting to discuss the SMP update.
7. The joint public comment period for the proposed code amendments was held for thirty days and ended on Tuesday, June 8, 2021.
8. On June 9, 2021, the Planning Commission held a public hearing to discuss the SMP update and decided to postpone action on the SMP update to allow City and State officials time to respond to written and oral comments received on the update.
9. Amendments proposed to 26.60 RMC create consistency between the City's Shoreline Master Program and the City's Critical Areas provisions (22.10 RMC).
10. Notice of the proposed amendment was provided to local and state agencies. Notice was also published in the Tri-Cities Herald, posted at the official posting places and on the city's official website.
11. Local parties and groups known to be interested in the SMP update process were directly notified of the opportunities to comment as they periodically occurred.
12. Several public comments were received wherein additional changes to Title 26 are proposed.
13. The joint review process is no longer being used and the City is using the standard review process (following advisement by Chelsea Benner at Ecology).

CONCLUSIONS OF LAW

1. The Planning Commission has jurisdiction to hold an open record public hearing and issue a recommendation on the proposed ordinance amendment to the City Council.
2. The proposed code amendments are consistent with the goals and policies of the City's Comprehensive Plan.
3. As proposed, revised code language achieves minimal compliance with all updates required by Shoreline Management Act and the Growth Management Act.
4. Comments by the public may be further considered after the Planning Commission public hearing.
5. Ecology has final approval authority of the SMP.

RECOMMENDATION

Staff recommends the Planning Commission concur with the findings and conclusions set forth in Staff Report (CA2020-104) and recommend the City Council adopt the proposed code amendments to RMC Title 26 as proposed or as further modified by the Department of Ecology.

ALTERNATIVES

1. Recommend approval of the amendment as proposed;
2. Recommend approval of the amendment, as modified by the Planning Commission;
3. Recommend denial of the amendment.

RECOMMENDED MOTION

I move that the Planning Commission recommend approval of the proposed amendment to RMC Title 26 based upon the Findings of Fact and Conclusions of Law as provided in the written staff report.

Title 26

SHORELINE MANAGEMENT

Chapters:

- 26.01 General Provisions
 - 26.10 [Shoreline Jurisdiction and](#) Shoreline Environment Designations
 - 26.20 General Regulations
 - 26.30 Use Regulations
 - 26.40 Shoreline Modification Regulations
 - 26.50 Permit Administration and Enforcement
 - 26.60 [Sensitive Critical](#) Areas
 - 26.70 No Special Duty Created
 - 26.71 Severability
 - 26.80 Definitions
-

Chapter 26.01 GENERAL PROVISIONS

Sections:

- 26.01.010 Short title.
- 26.01.020 Purpose.
- 26.01.030 [Shoreline](#) Master program adopted.
- 26.01.040 Shoreline [master](#) program review.
- 26.01.050 Annexations.
- 26.01.060 Amendments.

26.01.010 Short title.

This title shall be known and may be cited as the “Richland shoreline master program” and is sometimes hereinafter referred to as the “shoreline [master](#) program.”

26.01.020 Purpose.

The purpose of the shoreline [master](#) program is to implement the Shoreline Management Act of 1971 as now or hereafter amended (Chapter 90.58 RCW); and to provide for wise and proper management of ~~shorelands, wetlands, and water bodies~~ [shorelines of the state](#) in a manner that will allow present and future generations of users the opportunity to enjoy water resources, consistent with the goals, policies and stated purposes of the shoreline program while, ~~at the same time,~~ recognizing and protecting private property rights consistent with the public interest. This title carries out the responsibilities imposed on the city of Richland by the Shoreline Management Act of 1971 as now or hereafter amended by adopting the policies enunciated in RCW 90.58.010, the Richland shoreline master program, and in implementation thereof, the regulations and administrative provisions contained herein.

26.01.030 [Shoreline](#) Master program adopted.

The Richland shoreline master program consists of the following ~~elements~~ [components](#) which are subject to review and approval by the Washington State Department of Ecology pursuant to RCW 90.58.090:

A. Comprehensive plan policies [in the](#) shoreline section of the land use element [of the Comprehensive Plan](#).

B. Regulations in this title, Shoreline Management.

C. ~~Sensitive area~~ [Critical Areas](#) regulations ~~in Chapter 22.10 RMC as amended and incorporated into this program as part of this title, specifically~~ [which apply within Shoreline Jurisdiction, located at](#) Chapter 26.60 RMC.

D. The [Shoreline Restoration and Protection Plan](#) ~~shoreline restoration element of the shoreline master plan~~, of which one printed copy in book form is on file in the office of the city clerk and made available for examination by the general public, shall not be considered to contain regulations but shall be utilized as a guideline for capital improvements planning by the city and other jurisdictions undertaking ecological restoration activities within Shoreline Management Act jurisdiction.

E. Maps, including the shoreline environment designation and regulatory reaches map and the map folio in the ~~SMP inventory, analysis and characterization report~~Shoreline Inventory, Analysis, and Characterization Report, of which one original copy is on file in the office of the city clerk and made available for examination by the general public, and another original copy of which is available at the community development department. Electronic copies may also be posted online at the city's website.

26.01.040 Shoreline ~~master~~ program review.

The planning commission shall ~~conduct an annual~~ review proposed changes to ~~of~~ the ~~master~~-shoreline master program and shall recommend to city council any changes or modifications deemed appropriate. After a public hearing, the city council shall adopt, adopt with modifications, or deny, ~~or adopt with modifications~~ the recommendations of the planning commission. ~~The~~ Following local adoption, the shoreline master program is then sent to the Department of Ecology for final review and approval.

The City shall conduct a review of the shoreline master program at regular intervals as required by RCW 90.58.080(4)(b). Following the review, the City shall, if necessary, revise the master program. The purpose of the review is:

A. To assure that the SMP complies with applicable laws and guidelines in effect at the time of the review; and

B. To assure consistency of the SMP with the comprehensive plan and development regulations adopted under RCW 36.70A, if applicable, and other local requirements.

26.01.050 Annexations.

It is anticipated that future annexations to the city of Richland may include water bodies, shorelines, and wetlands which are subject to the Shoreline Management Act of 1971, as amended. Areas outside of the city limits but within the city's urban growth area are assigned pre-designated shoreline environmental designations in accordance with WAC 173-26-150. Policies and regulations of this program shall take effect concurrent with annexation. No additional procedures are required by the city or the Department of Ecology for these provisions to have full force and effect.

26.01.060 Amendments.

It is recognized that future amendments to the ~~master~~-shoreline master program may be necessary in the interest of the health, safety, and general welfare of the ~~citizens-~~ residents of Richland and the state of Washington. In addition to the requirements in WAC 173-26-100, the following procedure shall be observed in amending the ~~master-~~ shoreline master program:

A. Proposed amendments to the regulations and boundaries set forth in this program shall follow the procedures outlined in RMC 23.70.180 through 23.70.250 and shall be submitted on forms provided by the administrator.

B. There shall be established a mailing list of interested agencies, associations and organizations to be notified of any proposed amendments to the ~~master~~-shoreline master program. It shall be the responsibility of the agency, association, or organization

to indicate in writing their interest in being included on the mailing list and their official mailing address.

C. Fees as set forth in the schedule of fees referenced in Chapter 19.80 RMC shall accompany applications for an amendment to the ~~master~~-shoreline master program.

D. No amendment to the ~~master~~-shoreline master program shall take effect without Department of Ecology review and approval.

Chapter 26.10
SHORELINE JURISDICTION AND
SHORELINE ENVIRONMENT DESIGNATIONS

Sections:

- 26.10.000 [Shoreline jurisdiction and](#) environment designations [established](#).
- 26.10.005 Environment designation – Official map.
- 26.10.010 Natural environment.
- 26.10.011 [Natural environment -](#) Purpose.
- 26.10.012 [Natural environment -](#) Designation criteria.
- 26.10.013 [Natural environment -](#) Management policies.
- 26.10.020 Recreation conservancy environment.
- 26.10.021 [Recreation conservancy environment -](#) Purpose.
- 26.10.022 [Recreation conservancy environment -](#) Designation criteria.
- 26.10.023 [Recreation conservancy environment -](#) Management policies.
- 26.10.030 Recreation environment.
- 26.10.031 [Recreation environment -](#) Purpose.
- 26.10.032 [Recreation environment -](#) Designation criteria.
- 26.10.033 [Recreation environment -](#) Management policies.
- 26.10.040 Rural environment.
- 26.10.041 [Rural environment -](#) Purpose.
- 26.10.042 [Rural environment -](#) Designation criteria.
- 26.10.043 [Rural environment -](#) Management policies.
- 26.10.050 Residential environment.
- 26.10.051 [Residential environment -](#) Purpose.
- 26.10.052 [Residential environment -](#) Designation criteria.
- 26.10.053 [Residential environment -](#) Management policies.
- 26.10.060 Waterfront ~~use~~ environment.
- 26.10.061 [Waterfront environment -](#) Purpose.
- 26.10.062 [Waterfront environment -](#) Designation criteria.
- 26.10.063 [Waterfront environment -](#) Management policies.
- 26.10.070 Industrial conservancy [environment](#).
- 26.10.071 [Industrial conservancy environment-](#) Purpose.
- 26.10.072 [Industrial conservancy environment -](#) Designation criteria.
- 26.10.073 [Industrial conservancy environment -](#) Management policies.
- 26.10.090 Aquatic environment.
- 26.10.091 [Aquatic environment -](#) Purpose.
- 26.10.092 [Aquatic environment -](#) Designation criteria.
- 26.10.093 [Aquatic environment -](#) Management policies.

26.10.000 [Shoreline jurisdictions and](#) environment designations [established](#).

[A. The City of Richland's shoreline jurisdiction includes segments of streams or rivers within the city limits where the mean annual flow is more than twenty \(20\) cubic feet per second and shorelands adjacent to those water bodies. Shorelands means those lands extending landward for 200 feet in all directions as measured on a horizontal plane from the ordinary high water mark; floodways and contiguous floodplain areas](#)

landward 200 feet from such floodways; and all wetlands and river deltas associated with the streams or rivers.

B. Shoreline areas are classified into specific shoreline environment designations based on the existing use pattern, the biological and physical character of the shoreline, and the goals and aspirations of the community as expressed through the city of Richland comprehensive plan. ~~Lands~~ Areas landward of the ordinary high water mark not designated are assigned a recreation conservancy environment designation.

26.10.005 Environment designation – Official map.

The shoreline environment designation and regulatory reaches map, and all amendments thereto adopted as a part of the ~~master~~-shoreline master program in RMC 26.01.030, shall be filed in the office of the administrator and may be viewed in the development services division. When uncertainty exists as to the exact location of an environment boundary line, the rules of construction in RMC 23.08.050 shall apply.

26.10.010 Natural environment.

26.10.011 Natural environment - Purpose.

The designation of natural environment on Richland's shorelines is to protect those shoreline areas that are relatively free of human influence or that include intact or minimally degraded shoreline functions intolerant of human use. These systems require that only very low intensity uses be allowed in order to maintain the ecological functions and ecosystem-wide processes. Consistent with the policies of the designation, the city will control the type and range of uses allowed and plan for restoration of degraded shorelines within this environment.

26.10.012 Natural environment - Designation criteria.

The natural environment designation in Richland is assigned to shoreline areas that are relatively ecologically intact due to a low level of human disturbance, or areas which have been disturbed in the past but either have been isolated from human activity in the near past or are subject to a restoration program designed to restore natural ecological processes and functions. These areas are relatively free of structural shoreline modifications, structures, and intensive human uses.

26.10.013 Natural environment - Management policies.

In applying the use ~~chart~~-table in this program (RMC 26.30.011), and the zoning allowed uses, the following shall guide the liberal interpretation of these regulations:

A. A use with associated levels of human activity that would degrade the ecological functions or natural character of the shoreline area shall not be allowed.

B. The following new uses are not allowed in the natural environment:

1. Commercial uses;
2. Industrial uses;

3. Residential uses;

4. Non-water-oriented recreation other than public access, or water-oriented recreation uses resulting in more than minor modification of shoreline vegetation and topography or in-stream structure; and

5. Roads, parking areas and utility corridors and utility facilities that can be feasibly located outside of “natural” designated shorelines.

C. Scientific, historical, cultural, educational, research uses, and very low intensity water-oriented recreational access uses may be allowed; provided, that no significant ecological impact on the area will result.

D. Any activity or significant vegetation removal that would reduce the capability of vegetation to perform normal ecological functions is not allowed.

26.10.020 Recreation conservancy environment.

26.10.021 Recreation conservancy environment - Purpose.

The recreation conservancy environment on Richland’s shorelines seeks to satisfy some of the needs of the community for low intensity recreation uses with minimal modification of the shoreline character. The intensity of recreational uses should be designed or mitigated to avoid alteration of existing vegetation as much as feasible and introduce low levels of human use.

26.10.022 Recreation conservancy environment - Designation criteria.

A recreation conservancy environment designation is assigned to public lands on the shoreline which have been modified by past human uses or activities but retain a range of ecological functions such that low intensity uses are most appropriate.

26.10.023 Recreation conservancy environment - Management policies.

In applying the use ~~chart~~ table in this program (RMC 26.30.011), and the zoning allowed uses, the following shall guide the liberal interpretation of these regulations:

A. Management plans for these lands shall strike an appropriate balance between enjoyment of these areas and limiting potential adverse effects to aquatic areas, the land, associated vegetation, and wildlife. Some areas have the character of natural open space and shall receive a higher level of protection.

B. A use with associated levels of human activity that would degrade the ecological functions or natural character of the shoreline area should not be allowed.

C. The following new uses are not allowed in the recreation conservancy environment:

1. Commercial uses, except for low intensity activities which enhance public enjoyment of the land;

2. Industrial uses;

3. Residential uses;
4. Recreation uses requiring more than minor modification of shoreline vegetation and topography;
5. In-stream structures of a magnitude that would alter natural geohydraulic processes or be a substantial visual intrusion to users of the area; and
6. Roads, parking areas and utility corridors and facilities that can be feasibly located outside of shorelines.

D. Scientific, historical, cultural, educational, research, and low intensity recreational access uses, including paved trails for regional trail systems or ADA access may be allowed; provided, that no significant ecological impact on the area will result. For the most part, soft surface trails should be employed.

E. All activities or significant vegetation removal that would reduce the capability of vegetation to perform normal ecological functions is not allowed.

F. Utility facilities should be located and designed to minimize impact on scenic views or aesthetic qualities and minimize environmental impact.

26.10.030 Recreation environment.

26.10.031 Recreation environment - Purpose.

The recreation environment on Richland's shorelines is ~~designed~~established to satisfy the needs of the community for higher intensity recreation uses including both water-oriented and non-water-oriented uses. This environment includes existing and planned parks where native vegetation has been replaced by introduced species for aesthetic enjoyment as well as for active areas such as informal lawn areas, picnic areas and sports fields. The local community makes extensive use of developed parks along the shoreline for a variety of recreation uses and strongly supports these areas. Water-oriented uses are preferred, but non-water-oriented uses are allowed as long as the location and configuration does not substantially interfere with enjoyment of the shoreline.

26.10.032 Recreation environment - Designation criteria.

A recreation environment designation is assigned to public and private lands on the shoreline which have been modified by past human uses or activities and are devoted primarily to the public enjoyment of the shoreline and a variety of recreational activities.

26.10.033 Recreation environment - Management policies.

In applying the use ~~chart~~table in this program (RMC 26.30.011), and the zoning allowed uses, the following shall guide the liberal interpretation of these regulations:

A. A use with associated levels of human activity that would substantially degrade existing ecological functions of the shoreline area should not be allowed.

B. The intensity of uses within the shoreline should generally follow a gradation with lower intensity uses nearer the shoreline and higher intensity uses at a greater distance, except for uses such as boat launches that require a shoreline location.

C. The following new uses are not allowed in the recreation environment:

1. Industrial uses;
2. Commercial uses, except for franchises granted by the city which enhance public enjoyment of the shoreline and the overall recreational setting; and
3. In-stream structures of a magnitude that would alter natural geohydraulic processes or be a substantial visual intrusion to users of the area.

D. A wide variety of recreation uses are appropriate with a preference for water-oriented uses and activities including beaches, in-water structures, boat launches and other facilities that enhance the public enjoyment of the shoreline, including active and passive uses such as boating, fishing, bird watching, and similar uses.

E. Non-water-oriented recreation uses such as lawn areas and picnic areas that are enhanced by the ability to enjoy the aesthetic qualities of the shoreline are the next priority.

F. Active recreation uses such as sports fields may be located within shoreline jurisdiction, provided they do not displace opportunities for water-oriented uses. In general, such uses shall be located more than 100 feet from the OHWM, unless specific site conditions justify a closer location.

G. Structures that serve recreation and community uses, including gymnasias and community centers, should be located outside shoreline jurisdiction unless specific site conditions justify a closer location.

H. Roads and parking areas should be located as far from the water as feasible, preferably outside of shoreline jurisdiction.

I. Utility facilities should be located and designed to minimize impact on scenic views or aesthetic qualities and minimize environmental impact.

26.10.040 Rural environment.

26.10.041 Rural environment - Purpose.

The designation of rural environments on Richland's shorelines seeks to protect agricultural land and other historically rural areas from pressures of urban expansion, provide buffer areas between urban areas, protect ecological functions of the shoreline, and maintain open spaces and opportunities for recreational and other uses compatible with agricultural activities.

26.10.042 Rural environment - Designation criteria.

The rural environment designation is applied to shoreline areas inside urban growth areas that are designated by the comprehensive plan as agricultural or zoned agriculture, suburban agriculture, or floodplain.

26.10.043 Rural environment - Management policies.

In applying the use ~~chart~~ table in this program (RMC 26.30.011), and the zoning allowed uses, the following shall guide the liberal interpretation of these regulations:

A. Uses in the rural environment are limited to those which sustain the shoreline area's physical and biological resources, and uses of a nonpermanent nature that do not substantially degrade ecological functions or the rural or natural character of the shoreline area.

B. Commercial and industrial uses are not allowed, except as directly related to agricultural use or products, including sale of products grown on the premises.

C. Water-dependent and water-enjoyment recreation facilities are a preferred use, provided they do not deplete the resource over time. Boating facilities, angling, wildlife viewing trails, and swimming beaches are preferred uses.

D. Residential subdivisions, including short plats, shall maintain an overall maximum density of one dwelling unit for every five acres.

26.10.050 Residential environment.

26.10.051 Residential environment - Purpose.

The residential environment on Richland's shorelines is designed to accommodate residential development and appurtenant structures at a variety of housing types and population densities consistent with the city's comprehensive plan and zoning. Protection is provided against hazards, objectionable influences, traffic, building congestion, and lack of light, air, and privacy. Certain compatible public service installations are permitted in residential use districts. An additional purpose is to provide appropriate public access and recreational uses, particularly associated with multifamily residential development~~use~~.

26.10.052 Residential environment - Designation criteria.

The residential environment designation is applied to shoreline areas inside urban growth areas that are designated by the comprehensive plan as predominantly single-family or multifamily residential development or are planned for residential development.

26.10.053 Residential environment - Management policies.

In applying the use ~~chart~~ table in this program (RMC 26.30.011), and the zoning allowed uses, the following shall guide the liberal interpretation of these regulations:

A. Standards for density or minimum frontage width, setbacks, lot coverage limitations, buffers, shoreline stabilization, vegetation conservation, ~~sensitive~~ critical area protection, and water quality are provided in this program and in zoning regulations to

assure no net loss of shoreline ecological functions, taking into account the environmental limitations and sensitivity of the shoreline area, the level of infrastructure and services available, and other comprehensive planning considerations.

B. Residential areas isolated from the shoreline by levees or by intervening land in public ownership will have limited impact on shoreline resources and are not subject to standards such as buffers if the use of the intervening land interrupts natural ecological functions.

26.10.060 Waterfront ~~use~~-environment.

26.10.061 Waterfront environment - Purpose.

The waterfront ~~use~~-environment is a special commercial and residential classification providing for the establishment of such uses as marinas, boat docking facilities, resort motel and hotel facilities, offices, and other similar commercial, apartment, and multifamily uses which are consistent with waterfront-oriented development. This environment encourages mixed special commercial and high-density residential uses to accommodate a variety of lifestyles and housing opportunities, and enhances and maintains existing ecological functions of the shoreline and provides for maximum public access and circulation.

26.10.062 Waterfront environment - Designation criteria.

The waterfront ~~use~~-environment designation is applied to shoreline areas ~~inside urban-growth areas~~ that are designated by the comprehensive plan for waterfront use.

26.10.063 Waterfront environment - Management policies.

In applying the use ~~chart~~ table in this program (RMC 26.30.011), and the zoning allowed uses, the following shall guide the liberal interpretation of these regulations:

A. Water-oriented uses shall be given highest priority for waterfront sites.

B. Mixed use, resort motel and hotel facilities, special commercial and similar uses are encouraged to maximize public access and provide for aesthetic enjoyment of the shoreline for a substantial number of people as a general characteristic of the use, and, through location, design, and operation, ensure the public's ability to enjoy the physical and aesthetic qualities of the shoreline.

C. Physical public access should be provided by the shoreline trail system.

D. Visual access should be provided by the shoreline trail system and by open space that provides congregating areas for people to enjoy the aesthetic qualities of the shoreline, including seating areas and compatible commercial uses.

26.10.070 Industrial conservancy environment.

26.10.071 Industrial conservancy environment - Purpose.

The industrial conservancy environment is applied to the Port of Benton barging facilities in north Richland to provide for transfer of waterborne cargoes to land while

maintaining the current generally undeveloped condition of the shoreline area outside of those areas needed for port facilities.

26.10.072 Industrial conservancy environment - Designation criteria.

The industrial conservancy environment designation is applied to the Port of Benton site on the Columbia River in north Richland.

26.10.073 Industrial conservancy environment - Management policies.

In applying the use ~~chart~~ table in this program (RMC 26.30.011), and the zoning allowed uses, the following shall guide the liberal interpretation of these regulations:

A. Water-dependent uses shall be given highest priority, but should occupy only the area needed for the water-related elements of the use.

B. Other industrial uses should be located outside of shoreline jurisdiction.

C. The shoreline trail should be maintained and enhanced through the site with provisions for interruption of use only when the site is actively used for transfer of waterborne cargoes.

D. The open space and ecological functions of the site, particularly the area between the shoreline trail and the water, should be maintained and enhanced.

26.10.090 Aquatic environment.

26.10.091 Aquatic environment - Purpose.

The purpose of the aquatic environment is to protect, restore, and manage the unique characteristics and resources of the areas waterward of the ordinary high water mark (OHWM).

26.10.092 Aquatic environment - Designation criteria.

The aquatic environment is defined as the area waterward of the ordinary high water mark of all streams, rivers, and other water bodies constituting shorelines of the state, together with their underlying lands and their water column; but does not include associated wetlands and other shorelands shoreward of the ordinary high water mark. This designation is not found on the shoreline environment map, but shall be assigned based on the description above.

26.10.093 Aquatic environment - Management policies.

A. Water-dependent uses and a limited range of water-oriented uses are allowed in the aquatic environment as necessary to meet other objectives of this program, subject to allowed uses in adjacent upland shoreline environment designations and provision of shoreline ecological preservation and enhancement and public access.

B. New over-water structures are allowed only to serve water-dependent uses, public access, or ecological restoration, and should be limited to the minimum necessary to support the structure's intended use. Multiple use of such structures may be required.

C. Transportation, utility facilities, and essential public facilities may be allowed subject to demonstration that no alternative location is feasible.

D. All uses should minimize interference with surface navigation, allow for the safe, unobstructed passage of fish and wildlife, particularly those species dependent on migration, prevent water quality degradation, avoid alteration of natural hydrographic conditions, and consider impacts to public views.

E. Ecological enhancement is an allowed and preferred use.

Chapter 26.20 GENERAL REGULATIONS

Sections:

- 26.20.010 Shorelines of statewide significance.
- 26.20.020 Ecological functions and, no net loss.
- 26.20.030 Sensitive Critical areas.
- 26.20.040 Shoreline vegetation conservation.
- 26.20.050 Public access.
- 26.20.060 Signs.
- 26.20.070 Archaeological areas and historic sites.
- 26.20.080 Water quality, stormwater, and nonpoint pollution.
- 26.20.090 Boat and vessel facilities.

26.20.010 Shorelines of statewide significance.

A. Applicability.

1. The Shoreline Management Act of 1971 designated certain shoreline areas as shorelines of statewide significance. Within Richland's jurisdiction are shorelines of statewide significance. Shorelines ~~thus so~~ designated are important to the entire state of Washington. Because these shorelines are major resources from which all people in the state derive benefit, this jurisdiction gives preference to uses which favor long-range goals and support the overall public interest.

B. Decision Criteria. Every project located on a shoreline of statewide significance shall address the following criteria in order of preference in all permit reviews, in addition to other criteria provided by this program:

1. Recognize and protect the statewide interest over local interests by:

- a. Recognizing and taking into account state agencies' policies, programs, and recommendations in developing and administering use regulations and in approving shoreline permits.
- b. Recognizing the following statewide interest specific to the Columbia River:
 - i. Protect, preserve and restore natural resources and ecological functions, including, but not limited to, those associated with endangered species or state priority species, commercial and recreational fisheries, and tribal fishing rights;
 - ii. Promote recreational use and public access;
 - iii. Promote water-dependent port uses consistent with other goals of the program.
- c. Recognizing the following statewide interest specific to the Yakima River:

- i. Preserve and restore ecological functions, particularly those associated with endangered species, commercial and recreational fisheries, and tribal fishing rights;
 - ii. Promote recreational use and public access.
- 2. Preserve the natural character of the shoreline.
 - a. Designate and administer shoreline environments and use regulations to minimize damage to the ecology and environment of the shoreline as a result of manmade intrusions on shorelines.
 - b. Upgrade and redevelop those areas where intensive development already exists in order to reduce adverse impact on the environment, and to accommodate future growth rather than allowing high intensity uses to extend into low intensity use or underdeveloped areas.
 - c. Protect, preserve, and enhance diversity of vegetation and habitat values, wetlands, and riparian corridors associated with shoreline areas.
- 3. Result in long-term over short-term benefit.
 - a. Evaluate the short-term economic gain or convenience of developments relative to the long-term potential for impairment of natural shoreline functions.
 - b. In general, preserve resources and values of shorelines of statewide significance for future generations, and restrict or prohibit development that would irretrievably damage shoreline resources. Actions that would convert resources into irreversible uses or detrimentally alter natural conditions characteristic of shorelines of statewide significance should be severely limited. Restoration should be required where natural resources of statewide importance are diminished over time by cumulative impacts.
 - c. Actively promote aesthetic considerations when contemplating new development, redevelopment of existing facilities, or general enhancement of shoreline areas.
- 4. Protect the resources and ecology of the shoreline.
 - a. Minimize development activity that will interfere with the natural functioning of the shoreline ecosystem, including, but not limited to, stability, drainage, aesthetic values, and water quality.
 - b. All shoreline development should be located, designed, constructed, and managed to avoid disturbance of and minimize adverse impacts to fish and wildlife resources, including migratory routes and areas used for spawning, nesting, rearing, and habitat.
 - c. Restrict or prohibit public access onto areas with high ecological value which cannot be maintained in a natural condition under intensive human use.

d. Shoreline materials including, but not limited to, bank substrate, soils, beach sands and gravel bars should be left undisturbed by shoreline development. Gravel mining should be severely limited in shoreline areas.

e. Preserve environmentally ~~sensitive~~-critical wetlands for use as open space or buffers and encourage restoration of currently degraded areas.

5. Increase public access to publicly owned areas of the shoreline.

a. Retain and enhance public access to the shoreline, including passive enjoyment, recreation, fishing, and other enjoyment of the shoreline and public waters consistent with the enjoyment of property rights of adjacent lands.

b. Give priority to developing a system of linear access consisting of paths and trails for pedestrians and nonmotorized vehicles along the shoreline areas, providing connections across current barriers such as highways and railroads, and connecting to upland parking that enhances access to the community as a whole.

c. Provide multi-purpose nonmotorized trail facilities also serving the mobility impaired wherever feasible.

6. Increase recreational opportunities for the public on the shoreline.

a. Plan for and encourage development of facilities for recreational use of the shoreline, including boat launches, while preserving or mitigating ecological functions.

b. Retain and enhance public open space and parks along the shoreline to maximize public enjoyment while preserving ecological functions.

26.20.020 Ecological functions, ~~and~~ no net loss.

A. Shoreline land uses and activities that may have adverse impacts on the environment should be minimized or mitigated during all phases of development (e.g., design, construction, management, and use) to ensure no net loss of ecological functions and processes. Permitted uses are designed and conducted to minimize, insofar as feasible, any resultant damage to the ecology and environment. Shoreline ecological functions that shall be protected include, but are not limited to, fish and wildlife habitat, food chain support, and water temperature maintenance. Shoreline processes that shall be protected include, but are not limited to, water flow; erosion and accretion; infiltration; ground water recharge and discharge; sediment delivery, transport, and storage; large woody debris recruitment; organic matter input; nutrient and pathogen removal; and stream channel formation/maintenance. ~~In recognition of the importance of shorelines in an arid environment to a wide range of bird species, new construction and major renovation projects shall incorporate bird-friendly building materials and design features, including, but not limited to, those recommended by the American Bird Conservancy Guidelines for Bird-Friendly Design.~~

B. An application for any permit or approval shall demonstrate all reasonable efforts have been taken to provide sufficient mitigation such that the activity does not result in net loss of ecological functions. Mitigation shall occur in the following prioritized order:

1. Avoiding the adverse impact altogether by not taking a certain action or parts of an action, or moving the action.
2. Minimizing adverse impacts by limiting the degree or magnitude of the action and its implementation by using appropriate technology and engineering, or by taking affirmative steps to avoid or reduce adverse impacts.
3. Rectifying the adverse impact by repairing, rehabilitating, or restoring the affected environment.
4. Reducing or eliminating the adverse impact over time by preservation and maintenance operations during the life of the action.
5. Compensating for the adverse impact by replacing, enhancing, or providing similar substitute resources or environments. Preference shall be given to measures that replace the impacted functions on site or in the immediate vicinity of the impact. However, alternative compensatory mitigation within the watershed that addresses limiting factors or identified critical needs for shoreline resource conservation based on watershed or comprehensive resource management plans may be authorized.
6. Monitoring the adverse impact and taking appropriate corrective measures.

C. Applicants for permits have the burden of proving that the proposed development is consistent with the criteria set forth in the shoreline master program and the Shoreline Management Act of 1971, including demonstrating all reasonable efforts have been taken to provide sufficient mitigation such that the activity does not result in net loss of ecological functions.

26.20.030 ~~Sensitive~~-Critical areas.

~~Sensitive~~-Critical areas within the shoreline jurisdiction shall be regulated in accordance with Chapter 26.60 RMC ~~and include:~~

~~Article I. General Provisions;~~

~~Article II. Wetlands;~~

~~Article III. Fish and Wildlife Habitat Areas~~Habitat conservation areas;

~~Article IV. Geologic Hazard Areas;~~

~~Article V. Critical Aquifer Recharge Areas Protection;~~

~~Article VI. Flood Hazard Areas;~~

~~Article VII. General Information.—~~

26.20.040 Shoreline vegetation conservation.

In addition to the ~~sensitive areas~~ Critical Areas standards of Chapter 26.60 RMC, the following shall apply to development on the shoreline:

A. A vegetation management plan for city parks and recreation areas, including both developed and undeveloped lands, that protects ecological functions and results in no net loss of these functions through operations, maintenance, or restoration actions in these areas shall be developed and implemented in coordination with the U.S. Army Corps of Engineers. Include integrated vegetation management for control of invasive weeds, and replace existing invasive species with native or compatible species that perform ecological functions similar to native species. Native species are preferred in underdeveloped areas of the shoreline.

B. A vegetation management plan shall be required for all ~~sensitive area~~ Critical Area buffers ~~s areas~~ with degraded native vegetation within SMA jurisdiction and shall:

1. Maintain adequate cover of native vegetation including trees and understory. If a portion of the buffer has been cleared, or if tree cover is substantially less than a native climax community, enhancement plantings shall be installed.
2. Provide a dense screen of native trees at the perimeter of the buffer to provide and protect ecological functions and prevent viewing of adjacent development from within the buffer. If existing vegetation or topographic features are not sufficient for these purposes, planting shall be required. Fencing may be required if needed to block headlights or other sources of light or to provide an immediate effective visual screen.
3. Provide an integrated vegetation management plan for control of invasive weeds, and replace existing invasive species with native or compatible species.
4. Provide a monitoring and maintenance plan. This provision may be waived by the Shoreline Administrator (or other applicable approval authority) for single-family residential lots.

C. In cases where approved development results in unavoidable adverse impacts to existing shoreline vegetation, mitigation shall be required to ensure that there will be no net loss of the ecological functions. Mitigation shall take place on site to the maximum extent feasible. A guarantee, in the form of a bond or other security device, shall be required to assure successful establishment, including an appropriate monitoring period.

D. Mitigation plans shall be completed before initiation of other permitted activities, unless a phased or concurrent schedule assuring completion prior to occupancy is approved.

E. Lawns and other nonnative vegetation maintained within shoreline jurisdiction shall minimize use of chemical fertilizers, pesticides, herbicides, or other similar substances. Such chemical treatments shall be applied in accordance with manufacturer's recommendations and associated local, state, and federal laws and regulations. Applications in solid time release form shall be preferred over liquid or concentrate

application. Best management practices (BMPs) shall be implemented in all chemical applications.

F. Aquatic weed management by prevention is the first priority. Where active removal or destruction is necessary, it should be the minimum required to allow water-dependent activities to continue, minimize negative impacts to native plant communities, and include appropriate handling or disposal of weed materials.

1. Aquatic weed control shall only occur when native plant communities and associated habitats are threatened, or where an existing water-dependent use is restricted by the presence of weeds. Aquatic weed control shall occur in compliance with all other applicable laws and standards.
2. The control of aquatic weeds by derooting, rotovating or other method which disturbs the bottom sediment shall be considered development for which a shoreline permit is required, unless it will maintain existing water depth for navigation in an area covered by a previous permit for such activity, in which case it shall be considered normal maintenance and repair, and therefore exempt from the requirement to obtain a shoreline permit.
3. Use of herbicides to control aquatic weeds shall be prohibited except where no reasonable alternative exists and weed control is demonstrated to be in the public's interest.

26.20.050 Public access.

A. Public access on the Columbia River is currently provided by a nearly continuous riverfront trail system developed by the city on public and private lands. Future public access on public and private lands should be consistent with the overall strategy for providing continuous trails along the shoreline. Future development may be required to reconfigure the existing trail to provide enhanced public access and fit with specific development plans, including public and private open space.

B. Public access on the Yakima River should be guided by the adopted city and regional trail plans. Future public access on public and private lands should be consistent with the overall strategy for providing continuous trails along the shoreline while taking into consideration the range of ecological functions and sensitivities of different areas. Future development shall provide public access consistent with the trail plan, and may provide additional trails subsidiary to the main trail, where such opportunities are available to provide enhanced public access and fit with specific development plans, including public and private open space.

C. Physical public access is preferred to solely visual access. Where physical public access is determined not feasible, the applicant shall incorporate visual public access. Visual public access may consist of view corridors, viewpoints, or other means of visual approach to public waters. Physical public access may consist of a dedication of land or easement and a physical improvement in the form of a trail, park, or other area serving as a means of physical approach to public waters.

D. All developments requiring shoreline substantial development or [shoreline](#) special use permits, and all subdivision or development of more than four lots or residential units, shall provide public access to the shoreline unless criteria in subsections (D)(1) and (2) of this section are met:

1. The applicant demonstrates one or more of the following provisions apply:
 - a. Unavoidable health or safety hazards to the public would accompany public access that cannot be avoided by application of alternative design features or other solutions;
 - b. Inherent security requirements of the use cannot be satisfied through the application of alternative design features;
 - c. The cost of providing the access, easement, or an alternative amenity, or mitigating the impacts of public access, is unreasonably disproportionate to the total long-term cost of the proposed development;
 - d. Unacceptable environmental harm will result from the public access that cannot be mitigated;
 - e. Significant undue and unavoidable conflict between any access provisions and the proposed use and/or adjacent uses would occur and cannot be mitigated; or
 - f. Public access is provided by a public entity through implementation of a public access plan incorporated into its master plan, developed through a public participation process and incorporated into this program.
2. Based on documentation provided by the applicant, the city determines that all reasonable alternatives have been exhausted, including, but not limited to:
 - a. Limiting the size or placement of public access facilities;
 - b. Regulating access by such means as maintaining a gate and/or limiting hours of use;
 - c. Designing separation of uses and activities (e.g., fences, terracing, use of one-way glazing, hedges, landscaping, etc.); and
 - d. Providing for access at a site geographically separated from the proposal, including contribution to regional trail or public access plans.

E. The following activities generally are not required to provide public access, except as determined on a case-by-case basis as part of development review:

1. Single-family development of four or fewer units;
2. Dredging;
3. Landfill and excavation;

4. Mining;
5. Private docks serving four or fewer units;
6. Minor additions or changes to an existing use that do not change the configuration of the existing use or add substantial facilities; or
7. Ecological restoration or enhancement activities not associated with a development.

F. Specific provisions for public access shall be evaluated on a case-by-case basis to ensure that they are of the kind, quality and scope to provide a substantial public benefit with respect to the Shoreline Management Act's objectives, and do not create a disproportionate impact on landowners.

G. The amount and configuration of public access required shall depend on the proposed use(s), the range of ecological functions and sensitivities of different areas on a site, the shoreline environmental designation, and the following criteria:

1. Any development or use that creates increased demand for public access to the shoreline shall provide public access to mitigate this impact.
2. Any development or use that interferes with an existing public access shall provide public access to mitigate this impact.
3. Development within the waterfront environment is encouraged to provide public access in the form of a public plaza meeting the criteria in RMC 26.30.040(F)(2).
4. Uses and developments that utilize aquatic lands shall provide public access consistent with maintaining the use and public safety. Public access shall be provided generally equivalent to 10 to 20 percent of the public harbor land or aquatic land utilized. Where over-water access is found to be infeasible pursuant to subsection (D) of this section, upland on- and off-site facilities may be approved as an alternative. Single-family residential uses or uses that are developed with public funding or other public resources are exempt from this criterion.
5. New or expanded dikes and levees shall provide linear public access trails along the facility.
6. Public roads or other public facilities parallel to or crossing shorelines shall provide public access trails or sidewalks within the right-of-way. Additional right-of-way acquisition may be required to provide public access.
7. Public utilities within the shoreline, other than distribution facilities, shall provide public access consistent with maintaining the use and public safety.

H. Public access shall be consistent with the shoreline environmental designation and may consist of a physical improvement in the form of a walkway, trail, bikeway, corridor, viewpoint, park, deck, observation tower, pier, boat-launching ramp, dock or pier area, or other area serving as a means of view and/or physical approach to public waters, and

may include interpretive centers and displays. Public access improvements shall meet the following location and design criteria:

1. Public access shall be provided as close (horizontally and vertically) as feasible to the water's edge to provide the general public with opportunity to reach, touch, view, and enjoy the water's edge; provided, that public access does not adversely affect ~~sensitive~~-critical ecological features or lead to an unmitigated reduction in ecological functions.
2. If open space is provided along the shoreline in the form of ~~sensitive~~-critical area buffers, and public access can be provided in a manner that will not result in a loss of ecological function, a public pedestrian access walkway along and parallel to the waterfront of the property is the preferred design. The walkway shall be set back from ~~sensitive~~-critical features and may provide only limited and controlled access to the water's edge. Fencing may be provided to control damage to plants and other ecologically sensitive features and shall provide for wildlife movement. Soft surface trails of limited width should be specified, where appropriate, to reduce impacts to ecologically sensitive resources.
3. Public access shall be connected directly to the nearest public street; shall include provisions for physically impaired persons where feasible and where additional impact on ecological functions will not occur; and shall be located adjacent to and connect with other public areas, accesses, and connecting trails.
4. Where physical access to the water's edge is not present or appropriate, a public viewing area shall be provided in cases where views of the water or shoreline are available.
5. In natural open space zones, the need for trails for ADA access should be balanced with the extent of alteration of the natural environment required to accommodate such facilities.
6. Design shall minimize intrusions of privacy for both site users and public access users by avoiding locations adjacent to windows and/or outdoor private open spaces, or by screening or other separation techniques.
7. Design shall provide for the safety of users, including the control of offensive conduct through providing public visibility (not including removal of buffer vegetation), or provision of specific oversight. The administrator may authorize public access to be temporarily closed to develop a program to address offensive conduct. If offensive conduct cannot be reasonably controlled, alternative facilities may be approved as a permit revision.
8. Public amenities appropriate to the use of the public access space shall be provided. These amenities may include, but are not limited to, benches, picnic tables, public docks and sufficient public parking.

9. Public restrooms and facilities for animal waste may be required as part of public access amenities for developments by public entities or commercial developments that attract a substantial number of persons.

I. View Protection.

1. Shoreline development shall be designed to avoid blocking, reducing, or adversely interfering with the public's existing visual access to the water and shorelines.

2. Development and uses on public lands such as parks, open space, street ends, rights-of-way and utilities shall provide visual access corridors where views of water bodies are available from public roadways and public viewpoints to the extent feasible, consistent with facilities for water-dependent use or recreation use and maintenance of native vegetation within required buffers ~~for sensitive areas~~.

J. Public access shall be maintained over the life of the use or development. Future actions by the applicant, successors in interest, or other parties shall not diminish the usefulness or value of the public access provided.

1. Required public access sites shall be fully developed and available for public use at the time of occupancy of the use or activity, or in accordance with provisions for guaranteeing installation through a performance assurance.

2. Public access provisions shall be recorded as an easement or a dedication to the public on the face of a plat or short plat. Said recording with the Benton County auditor's office shall occur at the time of building permit approval or plat recordation, whichever comes first.

3. Maintenance of the public access shall be the responsibility of the owner unless expressly accepted by a public or nonprofit agency.

4. The minimum width of public access easements shall be 15 feet, unless the city determines that undue hardship would result. In such cases, easement width may be reduced only to the minimum extent necessary to relieve the hardship.

5. Public access shall be available to the public 24 hours per day unless specific exceptions are granted through the shoreline substantial development permit process where safety hazards to users or adjacent uses are substantiated.

6. Public access signs bearing the standard state-approved logo or other approved design shall be installed and maintained by the applicant and owner. The sign(s) must indicate the public's right of access and hours of access, and shall be installed in conspicuous locations at public access sites. Signs may display restrictions of public access as approved by a specific condition of permit approval.

K. Public access afforded by shoreline street ends, public utilities and rights-of-way shall be preserved, maintained and enhanced pursuant to RCW 35.79.035 and 36.87.130.

26.20.060 Signs.

A. All signs shall be located and designed to be compatible with the aesthetic quality of the existing shoreline and adjacent land and water uses. Signs shall minimize interference with vistas, viewpoints, and visual access to the shoreline.

B. All signs shall be permitted in accordance with the procedures of RMC Title 27 in addition to this ~~program~~[SMP](#).

C. Freestanding commercial signs are prohibited between buildings and the shoreline, except for public information signs.

D. Except where no feasible location outside of SMA jurisdiction is available, signs placed in SMA jurisdiction should be limited to public information signs directly relating to a shoreline use or activity, water navigational signs, and legally required highway and railroad signs necessary for operation, safety and direction.

E. Over-water signs or signs on floats or pilings shall be allowed only when serving a related water-dependent use, and only when the primary users of the facility approach by water and would not be served by land-mounted signs.

F. Lighted signs shall be hooded, shaded, or aimed so that lighting will not result in glare when viewed from public access facilities or watercourses.

G. Conceptual sign plans and design guidelines shall be submitted for review and approval at the time of shoreline permit application, and shall be utilized in future review of sign permits for the property.

H. Signs shall not be permitted where their location or design obstructs or otherwise interferes with traffic movement, or where the location or orientation unnecessarily interferes with upland users.

26.20.070 Archaeological areas and historic sites.

Included on Richland's shorelines are areas known to be of significant archaeological and historic value. The Washington State Department of Archaeology and Historic Preservation is recognized as the authority on matters concerning areas recorded as important archaeological or historic sites. In addition, memoranda of understanding with tribes should apply in accordance with the terms of such agreement(s).

A. Prior to approval of any permit requests, city of Richland staff shall consult with the Washington State Department of Archaeology and Historic Preservation for the purpose of identifying potentially valuable archaeological data, and for recommendations concerning preservation or salvage of the data identified.

B. Developers and property owners shall, in the event of discovery of archaeological resources during excavation, immediately stop work and notify the city of Richland and the Washington State Department of Archaeology and Historic Preservation. Development may resume only after approval by the Department of Archaeology and Historic Preservation (DAHP). The city or DAHP will notify tribes if the nature of the resource so warrants.

C. Where a professional archaeologist or historian recognized by the state of Washington has identified an area or site as having significant cultural value, or where such area is listed on a national, state, or local historic register, the city may require evaluation of the resource and application of appropriate mitigation measures as a condition of permit issuance.

D. Permits for development in shoreline areas documented to contain archaeological resources shall require inspection of the site prior to and during construction by a professional archaeologist in coordination with potentially affected Indian tribes.

26.20.080 Water quality, stormwater, and nonpoint pollution.

A. All development activities approved under this title shall be designed and maintained in a manner consistent with the city's stormwater management plan and adopted engineering design standards. All proposed stormwater control and stormwater discharges shall be in compliance with the latest Department of Ecology Stormwater [Management](#) Manual for Eastern Washington [adopted by the City](#).

B. Shoreline development shall be designed and maintained to minimize the need for chemical treatments, including application of fertilizers, pesticides and herbicides, in order to prevent contamination of surface and ground water resources.

C. All structures placed within water bodies or that may come in contact with water shall be constructed of materials that will not adversely affect water quality or aquatic plants and animals. Materials treated with creosote are prohibited in the shoreline environment.

26.20.090 Boat and vessel facilities.

A. All boating uses, development, and facilities shall protect the rights of navigation, shall demonstrate that they result in no net loss of ecological functions, and may be required to provide on-site and off-site mitigation.

B. Shared moorage serving single-family uses consisting of docks and piers with more than four berths, commercial moorage available to the general public, and moorage related to clubs or other groups not associated with a particular residential development are regulated as marinas under RMC 26.30.060.

C. Joint-use/shared docks and piers with four or fewer berths or any number of mooring buoys are regulated under this section.

D. Boating facilities shall avoid:

1. Braided or meandering river channels where the channel is subject to change in alignment or on point bars or other accretion beaches;
2. Areas where shoreline modification is required for approach and other upland facilities;
3. Locations where they would adversely impact upland riparian or nearshore habitat for aquatic species;

4. Locations where they would adversely affect flood channel capacity or create a flood hazard; and

5. Locations where water depths for vessels are not adequate without dredging.

E. Boating facilities, except those accessory to single-family residences, shall provide public access in accordance with RMC 26.20.050, Public access, and shall be located and designed such that existing public access to public shorelines is not obstructed nor made hazardous.

F. All in- and over-water structures shall be constructed of materials that will not adversely affect water quality or aquatic plants and animals over the long term. Wood treated with creosote, pentachlorophenol, or other similarly toxic materials is prohibited. Docks generally shall be constructed of untreated materials, such as untreated wood, approved plastic composites, concrete, or steel.

G. Vessels shall be restricted from extended mooring on waters of the state except when such mooring is allowed by state regulations, a lease or other permission is obtained from the state, and impacts to navigation and public access are mitigated.

H. Boat Launches.

1. Boat launches accessory to single-family and multifamily residential uses are prohibited.

2. Private boat launches shall be allowed only for water-dependent uses and marinas, and only when it is demonstrated that public boat launches will not feasibly serve the use. Rail and track systems shall be preferred over concrete ramps.

3. New public boat launches for general public use, or expansion of public boat launches by adding launch lanes, shall demonstrate that:

a. Water depths are adequate to avoid the need for dredging and eliminate or minimize potential loss of shoreline ecological functions or other shoreline resources from offshore or foreshore channel dredging.

b. Adjacent residential properties will not be adversely affected by adverse proximity impacts such as noise, light and glare, or scale and aesthetic impacts. Fencing or landscape areas may be required to provide a visual screen.

c. Exterior lighting will not adversely impact aquatic species.

d. Adequate provisions are made for restroom, sewage, and solid waste disposal facilities in compliance with applicable health regulations.

e. Access and parking shall not produce traffic hazards, shall not result in excessive noise or other impacts, shall minimize traffic impacts on nearby streets, and shall include adequate parking for boat trailers. Parking on public streets may be allowed for peak periods if it is demonstrated that such parking will not adversely impact through traffic or residential uses.

I. New moorage to serve a single-family residence may be allowed only if:

1. An applicant demonstrates that existing facilities (boat launches and public and private marinas) are not reasonably available to meet demand.
2. The lot does not have access to shared moorage in an existing subdivision and there is no homeowners' association or other corporate entity capable of developing shared moorage.
3. In cases where a new dock or pier is approved, the city may require an agreement to share with nearby residences with water frontage and provide for expansion to serve such additional users.

J. A dock or pier serving a single-family residence shall meet the following standards:

1. Piers and Ramps.

a. To prevent damage to shallow-water habitat, piers and/or ramps shall extend at least 40 feet perpendicular from the ordinary high water mark (OHWM). In some instances and sites, it may not be practical to extend a ramp 40 feet from the OHWM (for instance, where this could conflict with navigation). The city may grant exceptions on a case-by-case basis based on documentation of specific limitations that exist, and in coordination with other permitting agencies.

b. Piers and ramps shall be no more than four feet in width.

2. The bottom of either the pier or landward edge of the ramp shall be elevated at least two feet above the plane of the OHWM.

a. Grating shall cover the entire surface area (100 percent) of the pier and/or ramp. The open area of grating shall be at least 50 percent, as rated by the manufacturer.

b. Skirting shall not be placed on piers, ramps, or floats. Protective bumper material will be allowed along the outside edge of the float as long as the material does not extend below the bottom edge of the float frame or impede light penetration.

c. Shoreline concrete anchors must be placed at least 10 feet landward from the OHWM, and shall be sized no larger than four feet wide by four feet long, unless otherwise approved by the city, NOAA Fisheries, the U.S. Army Corps of Engineers, and the Washington Department of Fish and Wildlife. The maximum anchor height shall be only what is necessary to elevate the bottom of either the pier or landward edge of the ramp at least two feet above the plane of the OHWM. The intent of this criterion is to limit impacts to riparian vegetation along the shoreline. The city may grant exceptions from the 10-foot landward requirement on a case-by-case basis if site conditions warrant based on documentation of specific limitations that exist, and in coordination with other permitting agencies.

3. Preservatives.

- a. The dock shall be built with materials that do not leach preservatives or other materials.
- b. No treated wood of any kind shall be used on any over-water structure (float, pier, or ramp).
- c. No paint, stain, or preservative shall be applied to the over-water structure.

4. General.

- a. No electricity shall be provided to, or on, the over-water structure.
- b. No boat lifts or watercraft lifts (e.g., jet ski lifts) of any type will be placed on, or in addition to, the over-water structure. The city may grant exceptions on a case-by-case basis in coordination with other permitting agencies if the applicant can demonstrate that the proposed boat lift meets the intent of the criteria to minimize structure, maximize light penetration, and maximize depth. However, these structures must meet the size criteria of the plan (total 160 square feet).
- c. Shoreline armoring (i.e., bulkheads, rip-rap, and retaining walls) shall not occur in association with installation of the over-water structure.
- d. Construction of the over-water structure shall be completed during the in-water work window (November 1st to February 28th).

5. Piling and Float Anchors.

- a. Piling shall not exceed eight inches in diameter. The intent of this criterion is not to require existing pilings to be removed, cut, or capped, but to place limits on the size of new pilings. The city may grant exceptions on a case-by-case basis in coordination with other permitting agencies in areas where safety considerations merit larger pilings.
- b. Pilings shall be spaced at least 18 feet apart on the same side of any component of the over-water structure. The pier/ramp and float are separate components.
- c. Each over-water structure shall utilize no more than four piles total for the entire project. A combination of two piles and four helical anchors may be used in place of four piles.
- d. All pilings shall be fitted with devices to prevent perching by piscivorous (fish-eating) birds.
- e. Submerged float anchors will be constructed from concrete, and shall be horizontally compressed in form, by a factor of five or more, for a minimum profile above the stream bed (the horizontal length and width will be at least five times the vertical height). A helical screw anchor may be utilized where

substrate allows. The owner shall be responsible for demonstrating feasibility and for proper installation such that anchor displacement does not occur.

f. No in-water fill material will be allowed, with the exception of pilings and float anchors. Uncured concrete or its by-products shall not be allowed.

6. Floats.

a. Float components shall not exceed the dimensions of eight by 20 feet, or an aggregate total of 160 square feet, for all float components.

b. Flotation materials shall be permanently encapsulated to prevent breakup into small pieces and dispersal in water (e.g., rectangular float tubs).

c. Grating shall cover 100 percent of the surface area of the float(s). The open area of the grating shall be no less than 50 percent, as rated by the manufacturer.

d. Functional grating will cover no less than 50 percent of the float.

e. Floats shall not be located in shallow-water habitat where they could ground or impede the passage or rearing of any salmonid life stage.

f. Nothing shall be placed on the over-water structure that will reduce natural light penetration through the structure.

g. Floats shall be positioned at least 40 feet horizontally from the OHWM and no more than 100 feet from the OHWM, as measured from the landward-most edge of the float. Adjustments to this requirement may be made on an individual basis where strict compliance with this standard may present safety issues or be excessive for site conditions.

h. Project construction shall cease under high flow conditions that could result in inundation of the project area, except for efforts to avoid or minimize resource damage.

K. Shared residential docks and piers shall generally meet the standards for single-family docks above, except that the number of floats and the size of piers and other facilities may be increased to serve additional slips to provide one moorage space per residence served.

L. Docks and piers shall be set back a minimum of 10 feet from side property lines, except that joint-use facilities may be located closer to, or upon, a side property line when agreed to by contract or covenant with the owners of the affected properties. This agreement shall be recorded with the Benton County auditor, and a copy filed with the shoreline permit application.

M. Moorage Related to Subdivision.

1. New subdivisions and short plats shall contain a restriction on the face of the plat prohibiting individual docks. A site for community or shared moorage shall be designated on the plat and owned in undivided interest by property owners within the subdivision. Shared moorage facilities shall be available to lots with water frontage in the subdivision. The over-water area of the dock shall be made available to other lots and the public for community access, and may be required to provide public access depending on the scale of the facility.

2. Approval of a shared moorage for a subdivision shall be subject to the following criteria:

a. There is no reasonably available public or private moorage that can serve the moorage needs of the residences or the subdivision.

b. Shared moorage to serve new development shall be limited to the amount of moorage needed to serve lots with water frontage. One moorage space per lot may not be presumed.

c. The size of a dock must consider the use of mooring buoys for some or all moorage needs, and the use of all or part of the dock to allow tender access to mooring buoys.

d. Public access shall be provided in all shared docks utilizing public aquatic lands that accommodate five or more vessels.

3. If a community or shared dock is not developed at the time of subdivision, a community association shall be established with the authority to levy assessments within the subdivision to construct and maintain a community dock in the future. The failure of a subdivision to develop a community or shared dock shall not affect the prohibition on individual docks.

N. Multifamily residences, hotels, motels, and other commercial developments proposing to provide moorage facilities shall meet the criteria for a marina. Use of the moorage must be open to the general public on the same basis as residents or occupants and shall provide public access. If approved, no more than one joint-use moorage facility may be provided for a parcel or development.

O. Applications for docks or piers serving single commercial or industrial enterprises shall demonstrate that:

1. The facility serves a water-dependent use;

2. The facility is the minimum size required to serve the proposed use; provided, that provisions for expansion or future joint use may be provided; and

3. The facility minimizes impacts to the extent feasible. Where impacts are unavoidable, the facility mitigates impacts to navigation, aquatic habitat, upland habitat, public access to the water for recreation, fishing and similar use, and public access to publicly accessible lands below the OHWM.

P. Commercial or industrial moorage facilities shall demonstrate that:

1. The dock or pier shall be the minimum length required to serve the use.
2. Access from the shore to piers or floats shall minimize water cover in order to minimize impacts to shallow-water habitat.
3. Piers and ramps shall be elevated to provide the maximum feasible light penetration.
4. Grating, or clear translucent material, shall be utilized to the maximum extent feasible to provide light penetration.
5. Floats shall be constructed and attached so that they do not ground out on the substrate.
6. Pile spacing shall be the maximum feasible to minimize shading and avoid a "wall" effect that would block or baffle wave patterns, currents, littoral drift, or movement of aquatic life forms, or result in structure damage from driftwood impact or entrapment.
7. Pile diameter shall be minimized while meeting structural requirements.
8. Covered structures may be permitted only to serve a water-dependent use where it is demonstrated that adequate upland sites are not feasible, and it is demonstrated that the area covered is the minimum necessary to serve the use.

Chapter 26.30 USE REGULATIONS

Sections:

26.30.010	Use and dimensional standards.
26.30.011	Use table.
26.30.012	Bulk and dimension chart table .
26.30.013	Provisions for additional height in the waterfront environment.
26.30.020	Agriculture.
26.30.030	Aquaculture.
26.30.040	Commercial development.
26.30.050	Industrial development and port facilities.
26.30.060	Marinas.
26.30.070	Mining.
26.30.080	Recreation.
26.30.090	Residential development.
26.30.100	Transportation facilities.
26.30.110	Utilities.

26.30.010 Use and dimensional standards.

26.30.011 Use table.

The following use activity-shoreline environment compatibility ~~chart~~[table](#) shall be consulted as a general guide to determine permitted uses in the various shoreline environments. Use activities permitted or requiring a [shoreline](#) special use permit must be developed in accordance with all policies and regulations of the shoreline [master](#) program.

A. All land uses allowed are subject to the preference for water-oriented uses and subject to specific criteria for uses included in these regulations.

B. Uses allowed in the aquatic environment are those allowed in the adjacent upland environment, limited to water-dependent use, ecological enhancement, and those transportation and utility facilities and essential public facilities for which no alternative location is feasible.

C. If a use is prohibited in the underlying zoning district, it is also prohibited in the shoreline.

D. KEY: X = Prohibited, P = Permitted, A = Permitted as an Accessory Use, SU = [Shoreline](#) Special Use Permit.

Land Use	Natural	Recreation Conservancy	Recreation	Rural	Residential	Waterfront	Industrial Conservancy
Resource Uses							
Agricultural Use	X	X	X	P	X	X	X
Raising Crops, Trees, Vineyards	X	X	X	P	X	X	X
Limited Raising or Keeping of Small and Large Livestock	X	X	X	P	X	X	X
Roadside Stands and On-Farm Markets for Marketing Fruit or Vegetables	X	X	X	P	X	X	X
Animal Feeding Operations/Concentrated Animal Feeding Operations (AFO/CAFOs)	X	X	X	SU	X	X	X
Mining	X	X	X	SU	X	X	X
Automotive, Marine and Heavy Equipment							
Automotive Repair Shops/Service Stations/Part Sales	X	X	X	X	X	X	X
Boat Building	X	X	X	X	X	X	X
Car Wash – Automatic or Self- Service	X	X	X	X	X	X	X
Large Equipment Sales/Rental/Repair/Service	X	X	X	X	X	X	X
Marinas	X	X	SU	X	X	SU	X
Marine Equipment Rentals	X	X	X	X	X	P	X
Marine Gas Sales	X	X	X	X	X	SU	X
Marine Repair	X	X	X	X	X	P	X
Outdoor Sales/Rentals	X	X	X	X	X	X	X
Warehousing, Wholesale Use	X	X	X	X	X	X	P
Business and Personal Services							
Animal Shelter	X	X	X	SU	X	X	X
Commercial Kennel	X	X	X	SU	X	X	X
Contractors' Offices	X	X	X	X	X	X	X
Funeral Establishments	X	X	X	SU	X	X	X
General Service and Personal Services Businesses	X	X	X	X	X	P	X
Health/Fitness Facility	X	X	X	X	X	A	X
Health Spa	X	X	X	X	X	P	X
Animal Hospital/Clinic	X	X	X	SU	X	X	X
Laundry/Dry Cleaning, Retail	X	X	X	X	X	P	X
Mini-Warehouse	X	X	X	X	X	X	X

Land Use	Natural	Recreation Conservancy	Recreation	Rural	Residential	Waterfront	Industrial Conservancy
Photo Processing, Copying, Mailing and Printing Services	X	X	X	X	X	P	X
Video Rental Store	X	X	X	X	X	P	X
Cafeterias	X	X	A	X	X	A	X
Delicatessen	X	X	X	X	X	P	X
Drinking Establishments/Breweries/Wineries	X	X	X	X	X	P	X
Portable Food Vendors	X	X	X	X	X	A	X
Restaurants/Drive-Through	X	X	X	X	X	X	X
Restaurants	X	X	X	X	X	P	X
Industrial/Manufacturing Uses							
Port Facilities for Transferring Materials from Vessels to the Shore and Temporary Staging Prior to Transportation Off Site	X	X	X	X	X	X	P
Excavating, Processing, Removal of Topsoil, Sand, Gravel, Rock or Similar Natural Deposits	X	X	X	SU	X	X	X
Manufacturing Uses	X	X	X	X	X	X	X
Research, Development and Testing Facilities	X	X	X	X	X	X	X
Wholesale Facilities and Operations	X	X	X	X	X	X	X
Wineries – Production	X	X	X	SU	X	X	X
Office Uses							
Office	X	X	X	X	X	P	X
Schools, Commercial	X	X	X	X	X	P	X
Travel Agencies	X	X	X	X	X	P	X
Public/Quasi-Public Uses							
Churches/Clubs or Cultural Institutions	X	X	X	SU	P	P	X
Public Park	SU	P	P	P	P	P	P
Golf Course	X	X	SU	SU	P	P	X
General Park O&M Facility	X	X	SU	SU	P	X	X
Hospitals	X	X	X	X	SU	X	X
Passive Open Space Use	P	P	P	P	P	P	P
Power Transmission and Irrigation Wasteway Easements and Utility Uses	SU	SU	SU	P	P	P	P

Land Use	Natural	Recreation Conservancy	Recreation	Rural	Residential	Waterfront	Industrial Conservancy
Electrical Substations	X	X	X	X	X	X	X
Public Agency Buildings or Facilities	X	X	X	P	P	P	X
Public Campgrounds	X	X	P	SU	P	P	X
Schools	X	X	X	P	P	P	X
Schools, Alternative	X	X	X	P	P	X	X
Special Events Including Concerts, Tournaments and Competitions, Fairs, Festivals and Similar Public Gatherings	X	X	P	P	P	P	X
Trail Head Facilities for Equestrian, Pedestrian, or Nonmotorized Vehicle	X	P	P	P	P	P	P
Trails for Pedestrian Use Only	P	P	P	P	P	P	P
Trails for Equestrian or Nonmotorized Vehicle Use	SU	P	P	P	P	P	P
Recreational Uses							
Art Galleries or Arcades	X	X	X	X	X	P	X
Boat Mooring Facilities	X	X P	X P	X P	X P	P	X SU
Cinema, Indoor	X	X	X	X	X	P	X
Commercial Recreation, Indoor	X	X	X	X	X	P	X
Commercial Recreation, Outdoor	X	X	X	SU	X	P	X
House Banked Card Rooms	X	X	X	X	X	P	X
Recreational Vehicle Campgrounds	X	X	X	SU	X	X	X
Recreational Vehicle Parks	X	X	X	X	X	X	X
Stable, Public	X	X	X	X	X	X	X
Theater	X	X	X	X	X	P	X
Residential Uses							
Accessory Dwelling Unit	X	X	X	A	A	A	X
Apartment, Condominium (3 or more units)	X	X	X	X	X	P	X
Assisted Living Facility	X	X	X	X	P	P	X
Bed and Breakfast	X	X	X	SU	SU	P	X
Day Care Center	X	X	X	SU	SU	P	X
Dormitories, Fraternities, and Sororities	X	X	X	X	P	P	X
Dwelling, One-Family	X	X	X	P	P	X	X

Land Use	Natural	Recreation Conservancy	Recreation	Rural	Residential	Waterfront	Industrial Conservancy
Dwelling, Two-Family Detached	X	X	X	X	X	P	X
Dwelling Units for a Resident Watchman or Custodian	X	X	X	A	A	A	X
Emergency Housing	X	X	X	P	P	X	X
Emergency Shelters	X	X	X	P	P	X	X
Houseboats	X	X	X	X	X	X	X
Hotels or Motels	X	X	X	X	X	P	X
Nursing or Rest Home	X	X	X	X	X	P	X
Permanent Supportive Housing	X	X	X	X	X	P	X
Temporary Residence	X	X	X	P	P	P	X
Transitional Housing	X	X	X	X	X	P	X
Retail Uses							
Adult Use Establishments	X	X	X	X	X	X	X
Apparel, Book, Drug, Florist or Other Specialty Retail	X	X	X	X	X	P	X
Building, Hardware, Garden Supply, Nursery, Feed Stores or Outdoor Sales	X	X	X	X	X	X	X
Food Stores	X	X	X	X	X	P	X
Miscellaneous Uses							
Bus Station, Transfer Station or Terminal	X	X	X	X	X	X	X
Community Festivals and Street Fairs	X	X	P	P	P	P	X
Convention Center	X	X	X	X	X	P	X
Macro-Antennas	SU	SU	SU	SU	P	P	SU
Storage in an Enclosed Building	X	X	X	X	A	A	X
Transportation							
Roads and Railroads Serving Shoreline Uses	X	SU	SU	SU	SU	SU	SU
Roads and Railroads Not Serving Shoreline Uses	X	SU	SU	SU	SU	SU	SU
Parking Areas Serving Primary Use within the Shoreline	X	P	P	P	P	P	P
Parking Areas Not Serving Primary Use within the Shoreline	X	X	X	X	X	X	X
Parking as a Principal Use	X	X	X	X	X	X	X
Utilities							

Land Use	Natural	Recreation Conservancy	Recreation	Rural	Residential	Waterfront	Industrial Conservancy
Public and Private Utility Distribution Serving Shoreline Uses, Water, Sewer, Electrical, Gas, and Communication	X	P	P	P	P	P	P
Public and Private Utility Distribution Serving Uses within the City	X	P	P	P	P	P	P
Utility Facilities Serving Uses Not within the City	SU	SU	SU	SU	SU	SU	SU
Electrical Transmission of Greater Than 50 Kilovolts	SU	SU	SU	SU	SU	SU	SU
Electric Transmission/Distribution Substations	X	X	X	X	X	X	X
Utility Buildings Including Pump Stations	X	SU	SU	SU	SU	SU	SU
Communication Antennas	X	SU	SU	SU	SU	SU	SU
Monopole	X	SU	SU	SU	SU	X	SU
Other							
Structures for Flood Management, Including Drainage or Storage and Pumping Facilities	X	SU	SU	SU	SU	SU	SU
Fish and Wildlife Resource Enhancement	P	P	P	P	P	P	P
Essential Public Facilities	SU	SU	SU	SU	SU	SU	SU
USES NOT SPECIFIED	SU	SU	SU	SU	SU	SU	SU

26.30.012 Bulk and dimension ~~chart~~table.

Standard	Natural	Recreation Conservancy	Recreation	Rural	Residential	Waterfront	Industrial Conservancy
Sensitive Critical Area Buffer Water-Dependent Use	NA ¹	NA ¹	NA ¹	NA ¹	NA ¹	NA ¹	NA ¹
Sensitive Critical Area Buffer Non-Water-Dependent Use	As provided by Table 26.60.024(D), Wetland Buffer Widths, Table 26.60.042, Riparian Buffer Width Subject to applicable requirements in Chapter 26.60.						
Minimum Building Setback from OHWM Water-Dependent Use	NA ²	NA ^{1,2}	NA ¹	NA ¹	NA ¹	NA ¹	NA ¹
Minimum Building Setback	NA ²	15 feet (except for residential, which is 25 feet) from the edge of the applicable riparian buffer any buffers required by Chapter 26.60, or 15 feet (except for residential, which is 25 feet) from the landward edge of a					

Standard	Natural	Recreation Conservancy	Recreation	Rural	Residential	Waterfront	Industrial Conservancy
Non-Water-Dependent Use		roadway, canal, levee, paved trail or parking area. as applicable, as provided in Table 26.60.042²					
Minimum Front Yard Setback	As provided by zoning						
Minimum Side Yard Setback	As provided by zoning						
Minimum Rear Yard Setback	As provided by zoning						
Minimum Lot Width – One-Family Attached Dwellings	As provided by zoning						
Minimum Lot Area	As provided by zoning						
Maximum Density – Multifamily Dwellings (units/square feet)	NA	NA	NA	NA	NA	1:1,500	NA
Maximum Lot Coverage	0%	5%	10%	10%	40%	NA	20%
Maximum Building Height	NA ²	16 feet	35 feet	25 feet	35 feet	35/55 feet ³	35 feet
Maximum Building Height – Detached Accessory Buildings	NA ²	16 feet	16 feet	16 feet	16 feet	35 feet	35 feet

1. No ~~sensitive~~critical area buffer or building setback applies to water-dependent elements of a water-dependent use.
2. Buildings are not allowed in locations designated with the natural ~~open space-zoning district~~environment shoreline environment designation.
3. Building height may be increased to up to 55 feet in the waterfront environment subject to the provisions of RMC 26.30.013.

26.30.013 Provisions for additional height in the waterfront environment.

Structures in the waterfront environment may exceed a height of 35 feet based upon a review of the site plan and structure and compliance with the following criteria:

A. Additional open space or a plaza is provided on the site that earns bonus floor area in accordance with RMC 26.30.040(F)(2).

B. The hearing examiner finds that:

1. The increased building height will not obstruct the view of a substantial number of residences on areas adjoining such shorelines;
2. Overriding considerations of the public interest will be served by providing additional public open space and facilities that enhance public enjoyment of the shoreline;
3. The proposed building is aesthetically pleasing in relation to buildings and other features in the vicinity; and
4. The building is located a sufficient distance from the Columbia River to avoid creating a visual barrier.

26.30.020 Agriculture.

A. This program shall not restrict lawfully existing agriculture activities that have been discontinued for less than five years. An agricultural use shall not be considered discontinued if it is allowed to lie fallow in which it is plowed and tilled but left unseeded; allowed to lie dormant as a result of adverse agricultural market conditions; or allowed to lie dormant because the land is enrolled in a local, state, or federal conservation program.

B. All new agricultural activities and facilities on land not meeting the definition of agricultural land are governed by this program and shall observe the ~~sensitive~~-critical area standards and buffer requirements of this program and the criteria in this section.

C. Agricultural activities shall follow recognized best management practices (BMPs) that improve or maintain water quality and quantity, reduce soil erosion, maintain or improve soil conditions, and provide for wildlife habitat. These BMPs include applicable best management practices (BMPs) contained in the latest editions of the USDA Natural Resources Conservation Service's Field Office Technical Guide.

The applicant is encouraged to coordinate with the Benton County conservation district and the natural resources conservation service in the development of best management practices for their agricultural activity.

D. New intensive agricultural activities such as animal feeding operations/concentrated animal feeding operations (AFO/CAFOs) and row cropping requiring intensive application of fertilizers, animal waste, herbicides and pesticides shall be located outside of shoreline jurisdiction, unless the proposed use is within an established agricultural area and no alternative agricultural activity is feasible. New intensive agricultural activities shall be implemented in accordance with a farm conservation plan including a monitoring program that assures no net loss of ecological functions.

E. New facilities for liquid manure storage shall be located outside of shoreline jurisdiction unless no alternative location is feasible and a shoreline special use permit is obtained. New liquid manure storage facilities shall be implemented in accordance with a farm conservation plan including a monitoring program that assures no net loss of ecological functions.

F. New manure spreading operations shall be carried out so that animal wastes do not enter water bodies, wetlands, or ground water recharge areas.

G. The construction of a barn or similar agricultural structure is exempt from obtaining a [shoreline](#) substantial development permit, but [nonetheless](#) must comply with the regulations of this program.

26.30.030 Aquaculture.

Aquaculture is the culture of farming of foodfish, shellfish, or other aquatic plants and animals. Potential locations for aquacultural enterprises are relatively restricted due to specific requirements for water quality, temperature, flows, and oxygen content. Policies and regulations for aquaculture, therefore, recognize the necessity for some latitude in the development of this emerging economic water use, as well as its potential impact on existing uses and natural systems.

A. Aquaculture is a preferred water-dependent use, but may be permitted only if impacts to ecological resources and existing land uses can be mitigated. Aquacultural facilities should be designed and located so as not to spread disease to native aquatic life, or establish new nonnative species which cause significant ecological impacts.

B. Aquaculture activities shall be located so as to not unduly restrict navigation.

C. Aquaculture structures shall be placed in such a manner as to minimize interference with, or danger to, surface navigation, and so as not to impair the aesthetic quality of the shorelines.

D. Aquaculture development shall make reasonable provisions to control nuisance factors such as excessive noise or odor.

E. Aquaculture wastes shall be disposed of in a manner that will prevent degradation of associated upland, wetland, shoreline, or water environments.

F. Aquaculture activities shall make all feasible provisions to maintain the general aesthetic quality of the shoreline.

26.30.040 Commercial development.

Shoreline commercial uses, including offices, restaurants, general retail sales, hotels, motels and convention centers, are recognized as being most suitable in the waterfront environment already developed at urban intensities. Policies and regulations for these uses encourage developments having a functional dependency on shoreline location and water orientation, and which afford maximum public access, use, and circulation along the waterfront.

A. Commercial development in shoreline areas shall be designed, located, and constructed to achieve no net loss of ecological functions.

B. Preference shall be given to water-dependent commercial uses over non-water-dependent commercial uses. Water-related uses shall be given priority over non-water-related uses.

C. Commercial development that is not water-dependent shall not be allowed over water except where it is located within the same building and is accessory to and necessary for a water-dependent use.

D. Non-water-oriented commercial development shall be allowed only when:

1. The use is part of a mixed-use project that includes water-dependent uses and provides a significant public benefit with respect to provision of public access and/or ecological restoration; or
2. Navigability is severely limited at the proposed site, and the commercial use provides a significant public benefit with respect to provision of public access and/or ecological restoration.

E. In areas of the shoreline designated for commercial use, non-water-oriented commercial uses may be allowed on sites physically separated from the shoreline by another property in separate ownership or public road right-of-way.

F. Uses within the waterfront environment shall be designed to provide multiple uses that enhance cultural and related commercial facilities to enhance and diversify the public's experience of the shoreline, including tourists, by providing water-oriented and enjoyment uses and community recreational resources and providing public access and view corridors. Uses in this area must meet the following additional criteria:

1. Development is subject to Chapter 23.48 RMC, Site Plan Review, as adopted or subsequently amended.
2. Public open space for public access and to accommodate water-enjoyment uses and other uses allowing public visual access to the waterfront, such as restaurants, is a preferred use and may earn bonus floor area in buildings between 35 and 55 feet in height, subject to the following criteria:
 - a. Public open space in excess of 15 percent of the area of shoreline jurisdiction on a site may earn one square foot of building floor area for each square foot of open space, up to 20,000 square feet, provided the following criteria are met:
 - i. The open space area must abut the Riverside Trail on at least half its total width;
 - ii. The open space must be at the elevation of the Trail;
 - iii. The open space may extend no further than 50 feet from the edge of the Trail;
 - iv. The open space must be accessible to the public at all times;
 - v. The open space must consist of grass turf or other surface that will accommodate pedestrian foot traffic;

- vi. At least one bench or table with chairs open to the public must be provided for every 2,000 square feet of open space; and
 - vii. Planting areas for ornamental vegetation not allowing foot traffic are excluded from the area qualifying for bonus floor area.
- b. Public open space plazas may earn additional bonus floor area, of four square feet of building floor area for each square foot of open space, up to 10,000 square feet, in addition to any area earned by subsection (F)(2)(a) of this section, if the facility meets the following criteria:
- i. The open space area must abut the Waterfront Trail on at least 20 percent of its total perimeter;
 - ii. The open space must be at the elevation of the Trail;
 - iii. The open space may extend no further than 75 feet from the edge of the Trail;
 - iv. The open space must be accessible to the public at all times;
 - v. The open space must consist of a hard surface of concrete, brick, pavers, or similar materials. Permeable surfaces are encouraged to the extent feasible;
 - vi. Shade shall be required by trees planted in grates at grade level allowing pedestrian passage over grates at a minimum ratio of one tree per 1,600 square feet of plaza area;
 - vii. At least one bench or table with chairs open to the public must be provided for every 2,000 square feet of open space;
 - viii. The open space must be abutted by building frontage at the same elevation as the plaza, and with ground floor clear vision glass and door access at a spacing of no less than 50 feet on at least 50 percent of its total perimeter;
 - ix. At least 50 percent of the building perimeter must be retail or restaurant use; and
 - x. Planting areas for ornamental vegetation at the perimeter of the plaza in areas without clear glass building frontage may be allowed on up to 10 percent of the plaza area if the beds of such landscaping are within 18 inches of the plaza elevation.
 - xi. Additional bonus area of two square feet of building floor area for each square foot of open space, up to 2,000 square feet in addition to any area earned by the provisions above, may be earned by dedication of an area of outside seating at a restaurant, coffee shop, or similar use. Up to 50 percent of the qualifying bonus area may be devoted to sale of liquor.

c. The administrator may allow interim use of retail or restaurant building frontage for office or other compatible use if the building owner documents a good faith effort to procure retail or restaurant tenants. Such interim use may be approved for a period of up to three years, and may be renewed upon demonstration of meeting the same criteria.

3. Public view corridors that provide the public with an unobstructed view of the water from adjacent public streets to the Columbia River shall be provided in the waterfront environment subject to the following criteria:

a. View corridors shall extend from the public street providing access to the site and shall extend to the water's edge.

b. Preferred locations for view corridors are along property lines.

c. Width of view corridors shall be determined based on the potential for providing views in new development and redevelopment, and shall be based on topography, parcel size, and effects on development potential.

d. Development and uses within view corridors shall be limited to prevent obstruction of the corridor.

e. Establishment of a view corridor shall not allow for clearing or removal of ~~shoreline buffer~~ vegetation required in buffers as provided in critical area regulations.

f. View corridors shall be recorded as an easement in accordance with the provisions of RMC 26.20.050, Public access.

26.30.050 Industrial development and port facilities.

Policies and regulations for ports and water-associated industrial development are intended to accommodate the particular dependence of those uses on shoreline siting, and to ensure that development occurs in a manner that maximizes compatibility with the water and shoreline resources.

A. The area of industrial use designated in this program which is accessible to navigable water is the Port of Benton site in north Richland. This program provides for continued operation of barging facilities, and may permit additional water-dependent use directly related to transfer of materials from waterborne conveyance to the land. The portions of the site not used for said water-dependent use shall preserve the generally undeveloped nature of adjacent shoreline areas. Public access shall be provided through the shoreline portion of the site for use when it does not interfere with barge loading or unloading. An alternative route to the west shall be provided for conducting nonmotorized traffic around the site when water-dependent use interrupts transit on the Trail.

B. Industrial and port development shall be located, designed, constructed, and operated in a manner that minimizes impacts to shoreline resources and avoids unnecessary interference with shoreline use by adjacent property owners.

C. Cooperative use of existing port facilities, including docks and piers, shall be encouraged to reduce additional disruption to the shoreline.

26.30.060 Marinas.

Marinas are recognized as a use dependent on waterfront location and generally requiring shoreline modification for construction and operation. Marina activities may include facilities for boat launching, moorage, storage, and servicing as well as boat and accessories sales and display and restaurant facilities.

A. These provisions apply to all vessel moorage facilities serving five or more vessels.

B. Proposals for new marinas must provide sufficient evidence that existing public boat launches, dry storage and existing and permitted moorage are not adequate to meet regional demand for recreational boating and that development of new marinas would result in fewer environmental impacts than expansion of existing facilities.

C. In order to protect shoreline ecological functions, efficiently use shoreline space, and minimize consumption of water surfaces, boat facilities, in order of preference, are as follows:

1. Mooring buoys with a small lighter dock to provide access to the buoy.
2. In-water mooring docks. These may be approved only where it is demonstrated that more preferred options are not feasible, and/or it can be demonstrated that in-water mooring docks would result in fewer impacts to shoreline ecological functions and/or enhance public use of the shoreline.

D. Applications for marinas with in-water moorage may be approved by [a shoreline](#) special use permit if it is demonstrated that:

1. Public navigation will not be impeded.
2. The location will not result in displacement of wetlands or interrupt natural processes, erosion or deposition.
3. Water depths will be adequate without initial or maintenance dredging.
4. The location will not require shoreline armoring to compensate for fluvial processes.
5. The location will not reduce existing public use of the water or shoreline, including fishing, swimming, and boating.
6. Adverse water quality impacts will not result from inadequate flushing of moorage or enclosed water areas.
7. Impacts to riparian buffers and nearshore aquatic habitat will be minimized. Impact minimization may require provision of ~~upland buffers~~ [buffers established upland](#) with limited corridors for movement between upland and in-water facilities.

8. Setbacks from adjacent noncommercial properties will be adequate to attenuate proximity impacts such as noise and light and glare, and may address scale and aesthetic impacts. Fencing or landscape areas may be required to provide a visual screen.

9. Facilities including piers, floats, boat launches and other elements will be located and designed to minimize changes in hydraulic and fluvial processes, minimize potential flood hazards, and to not limit channel migration in areas where such processes are not currently constrained.

10. Exterior lighting will avoid illuminating nearby properties used for noncommercial purposes and to prevent hazards for public traffic. Methods of controlling spillover light include, but are not limited to, limits on height of structure, limits on light levels of fixtures, light shields, and screening.

11. Exterior lighting will not adversely impact aquatic species.

12. Adequate provisions are made for restroom, sewage, and solid waste disposal facilities in compliance with applicable health regulations.

13. Access and parking shall not produce traffic hazards, shall not result in excessive noise or other impacts, and shall minimize traffic impacts on nearby streets.

14. On-site parking supply shall be adequate to meet peak demands. Location of parking shall be in accordance with parking standards in this program.

E. Covered moorage is prohibited.

F. Marinas shall provide public access amenities over public aquatic lands equivalent to a minimum 10 percent of over-water coverage, shall provide public walkway access to a public street, and may be required to provide public parking, including ADA access.

G. If a marina includes gas and oil handling facilities, such facilities shall be separate from main centers of activity in order to minimize the fire and water pollution hazard, and to facilitate fire and pollution control. Fail safe facilities and procedures for receiving, storing, dispensing, and disposing of oil or hazardous products, as well as a spill response plan, shall be required of new marinas and expansion or substantial alteration of existing marinas. Handling of fuels, chemicals, or other toxic materials must be in compliance with all applicable federal and state water quality laws as well as health, safety, and engineering requirements. Rules for spill prevention and response, including reporting requirements, shall be posted on site.

H. Live-aboard vessels may occupy up to 10 percent of the slips at a marina and shall be connected to utilities that provide potable water and wastewater conveyance to an approved disposal facility. Accommodation of additional live-aboard vessels may be approved only by [a shoreline](#) special use permit with demonstration that accommodation of live-aboard vessels will not displace moorage otherwise available for recreational use or lead to a demand for additional moorage facilities.

26.30.070 Mining.

Surface mining is the removal of rock, sand, gravel, and/or minerals from shoreline areas for economic purposes. Excavations are permitted in accordance with the Washington State Surface Mining Act and with RMC 23.42.070.

A. The location, design, and development of any mining operation shall include:

1. Demonstration that mining is dependent on a shoreline location based on evaluation of geologic factors such as the distribution and availability of mineral resources for that jurisdiction, as well as evaluation of need for such mineral resources, economic, transportation, and land use factors.
2. Assurance of no net loss of ecological functions and processes. Application of this standard shall include avoidance and mitigation of adverse impacts during operation and evaluation of the reclamation plan required for the site.
3. Allowance of mining on shorelines shall require a finding that the benefits from mining, including the long-term use of the site, outweigh adverse impacts on other users or resources taken together.
4. Avoidance of interference with public recreation on the shoreline.
5. Location and operation to provide long-term protection of water quality, fish and wildlife, and their habitats.

B. A reclamation plan shall be submitted with each application, and shall provide for reclamation of the site compatible with existing and proposed land use as indicated in [RMC 23.42.070\(E\)](#) the Richland comprehensive plan and with the shoreline environment designation. Preference shall be given to mining proposals that result in the creation, restoration, or enhancement of habitat for priority species and/or public access and recreation.

C. Regulations applicable to the shoreline environment in which the proposed development is located shall be complied with.

26.30.080 Recreation.

Recreation is ~~the refreshment of strength and spirits through activities involving physical participation or passive relaxation~~ an activity done for enjoyment when one is not working. Water-related recreation accounts for a significant percentage of all recreational activities in the city of Richland and the state of Washington. Recreational activities intended for public use shall be encouraged at intensities appropriate for the various environments. Priority will be given to those recreational uses which provide appropriate public access to the shoreline.

A. Only those ~~public and private~~ recreational uses that allow general public use shall be permitted on public shorelines of Richland. Recreational development shall be designed to locate non-water-oriented uses upland of water-oriented uses whenever possible.

B. A variety of recreation opportunities and associated facilities are encouraged on the shoreline. Passive uses are most appropriate in areas with more intact natural conditions, including facilities for interpretation of natural features and habitat, bird watching and similar uses. Water-dependent and water-enjoyment recreation facilities are a preferred use, including boating facilities, water sports, angling, and swimming beaches for areas with less intact ecological functions.

C. Access, circulation, and parking for recreational developments shall comply with the following regulations:

1. Vehicular access points shall be limited to the minimum number necessary for the proposed recreational facility, and shall be configured to minimize disturbance of ~~sensitive-critical~~ natural resources. Nonmotorized access points shall be provided where feasible.

2. Access to the water's edge from parking areas shall be limited to pedestrian movement, except that marinas and boat launching facilities may be provided with access drives or roads.

3. Circulation within recreational areas shall, as appropriate, include provisions for ~~all-various~~ modes of transportation. Roadways for motorized vehicles shall be designed and located to take advantage of scenic views, vistas, and points of interest in ~~nonsensitivenon-critical areas~~ outside of critical areas, and shall be designed and constructed with consideration of, and sensitivity for, natural features and amenities of the shorelines.

4. Access and circulation shall conform to provisions for road and railroad design and construction as set forth in RMC 26.30.100.

5. Parking areas shall be located on the ~~inland~~ landward side of all buildings, structures, and recreational uses, and shall be developed in accordance with applicable city of Richland parking and landscaping standards.

D. Development plans shall include provisions for the protection and preservation of ecological functions, natural resources, and scenic views and vistas of the shoreline.

E. Recreational facilities shall be designed, constructed, and operated in a manner consistent with the intent of the shoreline environment in which they are located, and which does not result in a net loss of shoreline ecological functions.

F. Applications for recreational uses that require the use of fertilizers, pesticides, or other chemical treatments shall include plans demonstrating best management practices to be used to minimize the potential for contamination of surface water and ground water resources. Nonchemical methods of vegetation management shall be preferred wherever feasible.

G. New over-water structures for recreation use shall be allowed only when:

1. They accommodate water-dependent recreation uses or facilities; or

2. They allow opportunities for substantial numbers of people to enjoy the shorelines of the state; and

3. They are not located in or adjacent to areas of ecological sensitivity, especially aquatic and wildlife ~~habitat areas~~ [habitat conservation areas](#); and

4. No net loss of ecological functions will be achieved.

H. Private recreation uses and facilities that utilize public aquatic lands shall provide public access as provided in RMC 26.20.050, or shall provide improved, compensating public access at other locations.

I. Motorized vehicular use outside of designated roadways and driveways, including the use of all-terrain and off-road vehicles, in the shoreline area is prohibited, except for boat launching and maintenance activities, and except where specific areas for such use are set aside and controlled by a public entity.

J. In natural open space areas, the need for trails for ADA access should be balanced with the extent of alteration of the natural environment required to accommodate such facilities.

K. Recreational developments shall comply with all local and state health regulations.

26.30.090 Residential development.

Policies and regulations for residential development are intended to promote use of the shoreline that acknowledges existing residential patterns and allows residential utilization of shoreline areas without resulting in a net loss of ecological function.

A. Single-family residential development is a priority use on the shoreline when developed in a manner consistent with control of pollution and prevention of damage to the natural environment.

B. Residential development in the shoreline shall meet the criteria of no net loss of ecological functions in RMC 26.20.020 and the preferred sequence for mitigation of impacts [shall be used](#). The use shall be located and designed to maintain required buffers, and maintain or enhance shoreline ecological functions including shoreline geomorphic processes, water quality, fish and wildlife habitat, and the aquatic food chain in general.

C. New residential development shall cluster dwelling units to provide as little alteration to the natural environment as feasible, and shall utilize low impact development (LID) techniques to reduce physical and visual impacts on shorelines.

D. Multifamily residential use is not a priority for location on the shoreline under the Shoreline Management Act and is subject to the preference for water-dependent and water-oriented use. It therefore must meet requirements for providing public benefit through ecological restoration and public access. Multifamily development may not be approved if it displaces existing water-dependent uses. Multifamily development uses

may be permitted only where it provides significant public benefit with respect to the objectives of the Act by:

1. Restoration of ecological functions, both in aquatic and upland environments, that shall provide native vegetation ~~buffers~~ according to the standards provided for ~~sensitive-critical~~ areas or in accordance with the ~~restoration element of this program~~ City of Richland Shoreline Restoration and Protection Plan; and
2. Provision of public access is required in accordance with RMC 26.20.050.

E. Over-water residences are prohibited.

F. New residential development shall assure that the development will not require shoreline stabilization. Prior to approval, geotechnical analysis of the site and shoreline characteristics shall demonstrate that shoreline stabilization is unlikely to be necessary, setbacks from steep slopes, bluffs, landslide hazard areas, seismic hazard areas, and riparian erosion areas shall be sufficient to protect structures during the life of the lots, and impacts to adjacent, downslope, or down-current properties are not likely to occur during the life of lots created.

G. New residential development shall meet all ~~sensitive-critical~~ area provisions of this program. Filling of, or into, water bodies or their associated wetlands for the purpose of subdivision or multifamily construction shall not be permitted. New subdivisions, short plats, and large lots shall preserve the required buffer in a protective tract, public or private land trust dedication, or be similarly preserved through an appropriate permanent protective mechanism. Each lot owner within the subdivision, short plat, or other land division shall have an undivided interest in the tract(s) or protective mechanism created.

H. Residential developments, including subdivisions, and planned unit developments of five or more lots/units shall provide improved public access for all residents of the development and the general public, in compliance with public access standards contained in RMC 26.20.050.

I. All new divisions of land shall record a prohibition on new private individual docks on the face of the plat. An area reserved for shared moorage may be designated if it meets all requirements of this program.

J. All development shall be in compliance with all codes and ordinances of the city of Richland, including applicable subdivision, ~~sensitive-critical~~ area and zoning regulations.

26.30.100 Transportation facilities.

A. Roads and Bridges.

1. Development of new roads or substantially expanded existing roads shall demonstrate the need for a shoreline location and that no feasible upland alternative outside the shoreline is available.

2. Roads shall cross shoreline areas by the shortest, most direct route feasible to minimize impacts, unless such route would cause significant adverse impacts based on specific local features.

3. The project configuration, design, and related features will minimize alteration of ~~sensitive~~-critical area buffers, avoid impacts on bird and wildlife movement as much as is feasible, fit the existing topography as much as feasible, and minimize alterations to the natural or existing vegetation.

4. New transportation facilities shall be located and designed to avoid the need for shoreline stabilization where feasible. Where demonstrated to be necessary to protect an existing facility that is in imminent danger of loss or substantial damage, new or expanded structural shore stabilization shall provide mitigation of impacts resulting in no net loss of shoreline ecological functions. In cases where substantial shore stabilization is required, relocation of roads further from the shoreline may be required.

5. New or expanded roads will provide public access in accordance with RMC 26.20.050 and, where they afford scenic vistas, pedestrian viewpoints will be provided.

6. Wetlands shall be avoided whenever feasible. If avoidance is not feasible, bridges shall be utilized when crossing wetlands to avoid obstructing movement of surface and ground water unless it can be demonstrated that fill and compensatory mitigation will produce equal or greater ecological functions.

7. Road crossings of streams shall utilize bridges rather than culverts to the maximum extent feasible.

8. Private access roads or driveways providing ingress and egress for individual single-family residences or lots shall be limited to the minimum allowed by the fire code.

9. Bridges shall be designed and built of sufficient lateral and vertical clearance to allow the unimpeded passage of flood flows and debris. In wide streamways, bridges shall employ the maximum length of clear spans feasible with pier supports that produce the minimum deflection feasible. Bridge approaches in floodways of any stream shall be constructed on open piling or other measures to allow free water movement.

10. Landscape planting is required along all shoreline roads, parking, and turnout facilities to:

- a. Provide buffers between pedestrian and auto users;
- b. Enhance the shoreline driving experience; and
- c. Enhance and complement potential views of shoreline areas.

11. The city shall not vacate any public right-of-way in a shoreline location until adopting a comprehensive public access plan for the area showing that the subject right-of-way cannot be used as a contributing element in that plan. The city shall vacate a public right-of-way abutting a body of water only in compliance with RCW 35.79.035, ~~which allows vacations of streets abutting bodies of water only when:~~

- ~~a. The vacation will enable acquisition of the property for public purposes;~~
- ~~b. The street or alley is not suitable for certain purposes (e.g., port, park, education); or~~
- ~~c. The vacation will enable implementation of a public access plan.~~

12. In order to improve public access to the shoreline, the city shall acquire and/or retain abandoned or unused road or railroad rights-of-way for public access to and/or along the water.

B. Nonmotorized Facilities.

1. Nonmotorized facilities shall comply with provision for public access facilities in RMC 26.20.050.
2. Trails shall be developed consistent with adopted city and regional system plans.
3. Nonmotorized facilities shall avoid ~~sensitive-critical~~ areas ~~features of the shoreline~~ to the extent feasible, including wetlands and fish and wildlife habitat conservation areas. Facilities shall be placed outside of or in the outer portions of buffers. Elevated walkways shall be utilized where feasible to cross wetlands and streams.

C. Railroads.

1. Railroad improvement requiring right-of-way expansion within the shoreline shall demonstrate that there is no feasible alternative outside of shoreline jurisdiction.
2. Expansion of existing railroad facilities within existing rights-of-way (additional track or other features) must demonstrate the need for a shoreline location and that no feasible upland alternative outside shoreline jurisdiction is feasible. New tracks shall be placed upland of existing tracks if feasible and may require relocation of existing tracks.
3. The project shall be designed to minimize alteration of ~~sensitive-critical~~ area buffers, to fit the existing topography as much as feasible, and to minimize alterations to the natural or existing topography.
4. Wetlands shall be avoided whenever feasible. Bridges shall be utilized when crossing wetlands to avoid obstructing movement of surface and ground water unless it can be demonstrated that fill and compensatory mitigation will produce equal or greater ecological functions.

5. Trails and shoreline access should be provided with facilities to safely cross railroads, to enhance regional nonmotorized circulation, and improve public access to the shoreline. Any proposal to add tracks to an existing corridor shall include additional crossings of the rail corridor to make a proportional contribution to meeting an ultimate goal of at least one crossing every 2,500 feet.

6. Criteria for road crossings of streams and shoreline stabilization shall apply to railroads.

D. Parking.

1. Parking facilities in shorelines are not a preferred use and shall be allowed only as necessary to support an authorized use. Parking facilities shall be located outside shoreline jurisdiction where possible. Parking in shoreline jurisdiction shall directly serve a permitted shoreline use and shall be located outside of ~~sensitive~~critical area buffers and as far from the water/land interface as possible.

2. Parking facilities serving individual buildings on the shoreline shall be located landward from the principal building being served. The only exceptions to this would be when the parking facility is within or beneath the structure and adequately screened, or in cases when an alternate location would have less environmental impact on the shoreline and in all cases is prohibited over the water.

3. Parking facilities shall be designed and landscaped to minimize adverse impacts upon adjacent shoreline and abutting properties. Landscaping shall comply with Chapter 23.54 RMC and, in addition, landscaping between parking areas and public access shall provide effective screening within three years of project completion.

26.30.110 Utilities.

A. New or substantially expanded utilities serving uses within the city may be located within shoreline jurisdiction only if:

1. The facility is needed within the shoreline jurisdiction to support permitted shoreline activities; and
2. No feasible upland alternative exists based on analysis of system options that assess the potential for alternative routes outside shoreline jurisdiction or is set back further from the land/water interface.

B. Regional facilities that serve uses outside the city and all electric transmission facilities with a capacity greater than 50 kW shall demonstrate, based on an analysis of alternative routes and technology, that:

1. No upland alternative route is feasible;
2. Utilization of existing corridors is not feasible, including expansion or replacement of existing facilities, if new corridors are proposed;
3. A location within designated industrial environments or existing transportation corridors is not feasible;

4. The proposal has the least ~~feasible~~-adverse impact on the natural environment which is feasible; and

5. The location and design of the facility has the least ~~feasible~~-change in the existing character of the shoreline views enjoyed by residences or from public access facilities as is feasible, and will not obstruct scenic vistas.

C. Linear facilities consisting of pipelines, sewers, cables and other facilities roughly parallel to the shoreline shall be discouraged except where no other feasible alternative exists. At the time of replacement of such facilities that are close to their lifespan, or when such facilities are expanded, relocation outside of the shoreline may be required as if they were new facilities. When permitted, design shall assure that maintenance of the facilities does not result in a net loss of shoreline ecological functions or significant impacts to other shoreline resources and values.

D. Utilities shall be located in the least ~~sensitive~~ environmentally sensitive portions of a site and outside of natural open space areas, where feasible, and be designed to minimize environmental impact, avoid significant natural, historic, archaeological, or cultural sites to the maximum extent feasible, and mitigate unavoidable impacts.

E. Utilities, where permitted, shall meet the following design criteria:

1. Facilities should occupy as little of the shoreline as feasible and should be located in existing rights-of-way and, if possible, should share existing facilities where feasible. Utility installation parallel to the shoreline should be avoided to the maximum extent feasible. Utilities shall cross the shoreline area by the shortest, most direct route, unless such route would cause substantial significant environmental damage.

2. Utilities shall be located and designed to minimize alterations to the natural environment, be located outside of natural open space areas, where feasible, and fit the existing topography as much as possible, and should be designed to minimize and mitigate environmental impact.

3. Facilities shall be located and designed to minimize introducing elements that change the existing character of the shoreline, obstruct views enjoyed by residences or from public access facilities, or obstruct scenic vistas.

4. Utility crossings of water bodies shall be attached to bridges or located in other existing facilities, if feasible. If new installations are required to cross water bodies or wetlands, they should avoid disturbing banks and streambeds, and shall be designed to avoid the need for shoreline stabilization. Crossings shall be tunneled or bored where feasible. Installations shall be deep enough to avoid failures or need for protection due to exposure due to stream bed mobilization, aggregation, or lateral migration. Underwater utilities shall be placed in a sleeve if feasible to avoid the need for excavation in the event of the need for maintenance or replacement.

F. New electrical distribution lines within the shoreline shall be placed underground. Distribution lines that cross water or other ~~sensitive~~-critical areas may be allowed to be placed above ground if:

1. Underground installation would substantially disrupt ecological functions and processes of water bodies and wetlands, and horizontal drilling or similar technology that does not disturb the surface is not feasible;
2. Visual impacts are minimized to the extent feasible; and
3. If overhead facilities require that native trees and other vegetation in a ~~sensitive~~-critical areas buffer cannot be maintained in a natural condition, compensatory mitigation shall be provided on or off site.

G. Stormwater, wastewater, or water supply pump stations, and stormwater discharge facilities such as dispersion trenches, level spreaders, and outfalls may be located in the shoreline jurisdiction if:

1. Due to topographic or other physical constraints there are no feasible locations for these facilities outside the shoreline;
2. The facility minimizes and compensates for impacts to ~~sensitive~~-critical area buffers; and
3. Any discharge facility is designed and maintained to prevent erosion or other adverse impacts.

H. Construction shall be designed to protect the shoreline against erosion, uncontrolled or polluting drainage and other factors detrimental to the environment, both during and after construction.

I. Roadways or other facilities to access utility installations within ~~sensitive~~-critical area buffers shall be no wider than needed to construct, maintain, or repair the utility.

J. Facilities involving buildings, such as pump stations, electrical substations, or other facilities, ~~when permitted~~, shall be in scale with surrounding development, architecturally compatible and landscaped to assure compatibility with natural features, public access facilities, and adjacent uses.

K. Public Access. Utility development shall provide for compatible, multiple uses of sites and rights-of-way through coordination with local government agencies. Such uses include shoreline access in accordance with RMC 26.20.050, trail systems, and other forms of recreation and transportation, provided such uses will not unduly interfere with utility operations, endanger public health and safety, or create a significant and disproportionate liability for the owner.

Chapter 26.40 SHORELINE MODIFICATION REGULATIONS

Sections:

- 26.40.010 Shoreline stabilization.
- 26.40.020 Breakwaters, jetties, and groins.
- 26.40.030 Flood hazard management.
- 26.40.040 Clearing and grading.
- 26.40.050 Dredging and dredge material disposal.
- 26.40.060 In-stream structures.

26.40.010 Shoreline stabilization.

Shoreline stabilization includes actions taken to address erosion impacts to property and dwellings, businesses, or structures caused by natural processes, such as current, flood, tides, wind, or wave action. These actions include structural and nonstructural methods.

A. New development, including subdivision, shall be located and designed to avoid the need for future shoreline stabilization to the maximum extent feasible. New lots created by subdivision shall not require shoreline stabilization in order for reasonable development to occur. New development on steep slopes shall be set back sufficiently to ensure that shoreline stabilization is unlikely to be necessary during the life of the structure. Proposed development that would require shoreline stabilization which would cause significant impacts to adjacent or down-current properties and shoreline areas shall not be allowed. In all cases, compliance with this criterion shall be documented by geotechnical analysis by qualified professionals.

B. The construction of shoreline protection [measures](#) for the primary purpose of retaining or creating dry land ~~that is not specifically authorized as a part of the permit~~ is prohibited [unless specifically authorized as a part of a permit](#).

C. Shoreline stabilization shall be designed and constructed to avoid stream channel direction modification, realignment and straightening, or result in increased channelization of normal stream flows.

D. New or enlarged structural shoreline stabilization measures for an existing primary structure, including residences, shall not be allowed unless there is conclusive evidence, documented by a geotechnical analysis, that the structure is in danger from shoreline erosion caused by natural processes rather than from upland conditions such as poorly managed stormwater or vegetation removal. Normal sloughing, erosion of steep bluffs, or shoreline erosion itself, without a scientific or geotechnical analysis, is not demonstration of need. The geotechnical analysis shall evaluate on-site drainage issues and address drainage problems away from the shoreline edge before considering structural shoreline stabilization. The erosion control structure shall not result in a net loss of shoreline ecological functions.

E. Alternatives for shoreline stabilization shall be based on the following hierarchy of preference:

1. No action (allow the shoreline to retreat naturally), increase building setbacks, and relocate structures.
2. Stabilization constructed of natural materials incorporating measures such as soft-shore protection and bioengineering, including beach nourishment, protective berms, or vegetative stabilization.
3. Soft-shore stabilization, as described above, in combination with rigid works, as described below, constructed as a protective measure.
4. Rigid works constructed of artificial materials such as riprap or concrete.

F. Shoreline stabilization may be permitted to protect a water-dependent development, or single-family residences, when all of the [following](#) conditions ~~below~~ have been demonstrated to apply and are documented by a report by a qualified professional:

1. The erosion is not being caused by upland conditions, such as the loss of vegetation and drainage;
2. Nonstructural measures, such as placing the development further from the shoreline, planting vegetation, or installing on-site drainage improvements, are not feasible or not sufficient;
3. The need to protect primary structures from damage due to erosion is demonstrated through a geotechnical report; and
4. The stabilization structure shall not result in a net loss of shoreline ecological functions.
5. Where a geotechnical analysis confirms a need to prevent potential damage to a primary structure, but the need is not as immediate as three years, the analysis may still be used to justify more immediate authorization for shoreline stabilization using bioengineering approaches.

G. Shoreline stabilization may be permitted to protect an existing non-water-dependent development when all of the [following](#) conditions ~~below~~ are met as documented by a report by a qualified professional:

1. The erosion is not being caused by upland conditions, such as the loss of vegetation and drainage;
2. Nonstructural measures, planting vegetation, or installing on-site drainage improvements are not feasible or not sufficient;
3. The need to protect primary structures from damage due to erosion is demonstrated through a geotechnical report;
4. The affected structure cannot be feasibly located or relocated outside of the area affected by natural shoreline erosion processes; and

5. The stabilization structure will not result in a net loss of shoreline ecological functions.

6. Where a geotechnical analysis confirms a need to prevent potential damage, but the need is not as immediate as three years, the analysis may still be used to justify more immediate authorization for shoreline stabilization using bioengineering approaches.

H. Shoreline protection for the restoration of ecological functions or hazardous substance remediation projects pursuant to ~~Chapter 70.105D RCW~~ [Chapter 70A.305](#) shall meet the [following](#) conditions ~~below~~ and be documented by a qualified professional:

1. Nonstructural measures, planting vegetation, or installing on-site drainage improvements are not feasible or not sufficient; and
2. The erosion control structure will not result in a net loss of shoreline ecological functions.

I. Replacement of an existing shoreline stabilization structure with a similar structure is permitted if there is a demonstrated need to protect existing primary uses, structures, or public facilities (e.g., roads, bridges, railways, and utility systems) from erosion caused by stream undercutting or wave action. The existing shoreline stabilization structure must be removed from the shoreline as part of the replacement activity. The following conditions must be met and documented by a qualified professional:

1. There is a demonstrated need to protect principal uses or structures from erosion caused by stream geohydraulic processes.
2. The replacement structure is designed, located, sized, and constructed to assure no net loss of ecological functions.
3. Replacement walls or bulkheads shall not encroach waterward of the ordinary high water mark or existing structure unless the residence was occupied prior to January 1, 1992, and overriding safety or environmental concerns exist. In such cases, the replacement structure shall abut the existing shoreline stabilization structure.
4. Soft shoreline stabilization measures that provide restoration of shoreline ecological functions may be permitted waterward of the ordinary high water mark.
5. For purposes of this subsection, "replacement" means the construction of a new structure to perform a shoreline stabilization function of an existing structure which can no longer adequately serve its purpose. Additions to or increases in size of existing shoreline stabilization measures shall be considered new structures.

J. A publicly funded shoreline stabilization project shall include appropriate provisions for public access to the shoreline, not create barriers to public access if in existence, and incorporate ecological restoration measures if feasible.

K. Gabions (wire mesh filled with concrete or rocks) shall not be used in bulkhead construction where alternatives more consistent with this program are feasible, because of their limited durability and the potential hazard to shore users and the shoreline environment.

26.40.020 Breakwaters, jetties, and groins.

A. Breakwaters, jetties, rock weirs, and groins shall only be permitted by [a shoreline](#) special use permit for navigational purposes, water-dependent uses, and marinas where water-dependent uses are located waterward of the OHWM, and where protection from strong wave action is essential.

B. Breakwaters, jetties, rock weirs, and groins may be approved only if analysis by a qualified professional demonstrates that erosion and accretion processes, riparian habitat, channel migration, and floodplain functions will not be adversely affected or are mitigated by a specific program implemented over the lifespan of the effect.

C. The design of new breakwaters, groins, and jetties shall incorporate provisions for public access and public fishing if such access is feasible and safe.

26.40.030 Flood hazard management.

A. New or substantially altered structural flood hazard reduction measures, such as dikes, levees, berms and similar flood control structures, shall be consistent with basin-wide flood control strategies in regional flood hazard management plans.

B. Flood control structures shall be permitted for the following purposes only, as documented through a geotechnical or geofluvial analysis:-

1. They are necessary to protect existing development.
2. Nonstructural flood hazard reduction measures are infeasible.
3. Impacts to ecological processes and functions, priority fish and wildlife species and habitats, and the aquatic food chain can be successfully mitigated to assure no net loss of [ecological](#) functions.
4. Measures are consistent with an adopted comprehensive flood hazard management plan that evaluates cumulative impacts to the watershed system.

C. Public access shall be provided in accordance with public access policies and ~~regulations of~~ RMC 26.20.050. If the project is publicly funded, the design must provide appropriate public access to the shoreline, improve public access to the shoreline, and provide ecological restoration where feasible.

D. Dike and levee design shall, to the maximum extent feasible, be:

1. Limited in size to the minimum height required to protect adjacent lands from the predicted flood stage as identified in the applicable comprehensive flood control management plan or as required by FEMA for dike recertification;

2. Placed landward of fish and wildlife habitat conservation areas and wetland buffers unless there is no other feasible alternative to reduce flood hazard to existing development;

3. Located and designed so as to protect and restore the natural character of the stream, avoid the disruption of channel integrity, and provide the maximum opportunity for natural floodway functions to take place. Design must consider including levee setbacks to allow for more natural function of floodplains, channel migration zones, off channel habitat and associated wetlands directly interrelated and interdependent with the stream; and

4. Designed to incorporate appropriate vegetation management.

E. All flood protection measures shall demonstrate that downstream flooding will not be increased and the integrity of downstream ecological functions will not be adversely affected, including disruption of natural drainage flows and stormwater runoff.

F. Removal of materials from the river channel for flood management purposes may be allowed only as part of an adopted integrated flood control management program, and after biological and geomorphological study demonstrates that other flood hazard reduction strategies would not be effective in the absence of gravel removal. Specific studies accompanying the application must demonstrate that adverse flooding, erosion, or other environmental impacts either upstream or downstream of extraction sites would not occur or would be mitigated, including analysis of the natural processes of gravel transportation for the river system as a whole.

26.40.040 Clearing and grading.

A. Clearing and grading activities in shoreline areas shall be allowed only in association with a permitted shoreline development, and shall be limited to the minimum extent necessary to accommodate shoreline development. Clearing and grading shall retain natural features and functions, including natural topography, to the maximum extent feasible.

B. Fill is restricted in wetlands or fish and wildlife habitat conservation areas in accordance with ~~sensitive~~critical areas regulations.

C. Fill may not be placed in floodways. Fill may be placed in other ~~flood hazard areas~~frequently flooded areas only where it is demonstrated that adverse impacts to hydrogeologic processes will be avoided and the provisions of Chapter 26.60 RMC are met.

D. Fill below, or waterward, of the ordinary high water mark for any use except ecological restoration requires a shoreline special use permit. Fill may be placed below the OHWM only when it is demonstrated as necessary to:

1. Accomplish an aquatic habitat restoration plan;

2. Correct the adverse results of past shoreline modification that has disrupted natural stream geomorphic conditions and adversely affected aquatic or terrestrial habitat;
3. Provide for clean-up and disposal of contaminated sediments as part of an interagency environmental clean-up plan;
4. Expand or alter transportation facilities of statewide significance currently located on the shoreline, and then only upon a demonstration that alternatives to fill are not feasible; or
5. Create water-dependent recreational facilities open to the public.

26.40.050 Dredging and dredge material disposal.

A. Dredging shall be permitted only:

1. For flood control purposes, as part of an adopted regional flood control plan;
2. In conjunction with a water-dependent use of water bodies or adjacent shorelands where channel modification is essential to the water-dependent use;
3. As part of an approved habitat improvement project; or
4. In conjunction with a bridge, navigational structure, water, or wastewater treatment facility for which there is a documented public need and where other ~~feasible~~ sites or methods are not feasible.

B. New dredging shall be permitted only where it is demonstrated by a report prepared by a qualified professional that it will avoid adverse impacts to water quality, fish and wildlife habitat conservation areas and other ~~sensitive~~critical areas, flood holding capacity, natural drainage and water circulation patterns, significant plant communities, prime agricultural land, and public access to shorelines. When such impacts are unavoidable, they shall be minimized and mitigated such that they result in no net loss of ecological functions.

C. New development siting and design should avoid the need for new and maintenance dredging.

D. During a low water season, removal of a portion of an accretion point bar below the OHWM but above the water level at the time of operation may be permitted as a special use for flood control purposes as follows:

1. It is identified as an element of an adopted integrated flood control management program that demonstrates that other flood hazard reduction strategies would not be effective in the absence of material removal, and is in accordance with RMC 26.40.030(F).
2. Specific studies accompanying the application must demonstrate that adverse flooding, erosion, or other environmental impacts would not occur or would be

mitigated either upstream or downstream of extraction sites, including the natural processes of gravel transportation for the river system as a whole.

E. Dredge material disposal shall be permitted only at locations where it is demonstrated by analysis by a qualified professional that the disposal will not result in significant or ongoing adverse impacts to water quality, ~~sensitive~~critical areas, flood holding capacity, natural drainage and water circulation patterns, prime agricultural land, or public access to shorelines. When such impacts are unavoidable, they shall be minimized and mitigated such that they result in no net loss of ecological functions.

F. Disposal of dredge material within fish and wildlife habitat conservation areas (FWHCA), wetlands, within a floodplain or within a river's channel migration zone shall be allowed only where alternative disposal sites are not feasible. In the limited instances where it is allowed, such disposal shall require a shoreline special use permit. Applicants shall demonstrate that:

1. The proposed dredge materials disposal site is subject to an allowed use under this program that:
 - a. Is an element of an approved restoration plan for aquatic or upland fish and wildlife habitat;
 - b. Will create, expand, rehabilitate, or enhance a beach that provides public recreation opportunities that is permitted under this program;
 - c. If on private land, the site will ultimately be suitable for a use permitted by this program or will be subject to buffer or other open space restrictions; and
 - d. Will affect the smallest feasible land.
2. Sites will be adequately screened from view of local residents or passersby on public rights-of-way to the maximum extent practicable (e.g., a combination of fencing and vegetation).
3. Sites will be revegetated with appropriate native species as soon as possible to retard erosion and restore wildlife habitat and other ~~sensitive~~critical areas functions.
4. Shoreline ecological functions and processes will be preserved, including protection of riparian buffers and surface and ground water.

26.40.060 In-stream structures.

A. In-stream structures may be allowed only when the public benefits of such facilities clearly outweigh any loss of ecological processes and functions, and only when an analysis of alternatives demonstrates that the proposed location and design would result in less adverse impact than alternative locations and designs.

B. In-stream structures may be approved only for:

1. Water-dependent use where the in-stream structure is essential to operation of the use.

2. A project that has received Governor's certification pursuant to Chapter 80.50 RCW, Energy Facility Siting.

3. A project that has received approval and licensing by the Federal Energy Regulatory Commission.

4. Projects that are part of an approved irrigation district plan or are private or corporate irrigation facilities approved by the Washington Department of Fish and Wildlife.

5. A fish or wildlife habitat restoration project approved by the Washington Department of Fish and Wildlife.

C. All applications for in-stream structures shall demonstrate that they result in no net loss of ecological functions, and ~~applications~~ shall detail all mitigation measures, include detailed mitigation plans, timetables for implementation, and a monitoring program.

D. In-stream structures and their support facilities shall be located and designed to minimize the need for shoreline defense structures. When shoreline defense structures are demonstrated as necessary, they shall be approved in accordance with RMC 26.40.010, Shoreline stabilization.

E. In-stream structures and associated facilities shall be designed and constructed to avoid, and where avoidance is not feasible shall mitigate, adverse land use impacts, including impacts to public access facilities, publicly owned lands or waters used for recreation, and public and private recreation facilities. Impacts to be avoided include the visual impact of the structure or facilities, the intrusion of roads or utility corridors into undeveloped area used for recreation, noise, and impacts from reduced water flows.

F. In-stream structures shall be designed and constructed to provide public access to and along the shoreline in accordance with the public access policies and regulations contained in RMC 26.20.050. Existing public access and recreational opportunities should be retained, enhanced, or replaced.

Chapter 26.50 PERMIT ADMINISTRATION AND ENFORCEMENT

Sections:

26.50.001	Administrator.
26.50.010	Permit requirements.
26.50.011	Coordination with other agencies.
26.50.012	Development compliance.
26.50.020	Exemptions from shoreline substantial development permit.
26.50.021	Exemption procedures. Exemptions Exceptions to local review.
26.50.025	Exemption procedures.
26.50.030	Shoreline permit application procedures.
26.50.040	Approval criteria.
26.50.050	Shoreline Special use permit.
26.50.060	Shoreline Variances.
26.50.070	Time requirements for shoreline permits.
26.50.080	Land division.
26.50.090	Construction permit compliance.
26.50.100	Rulings to state.
26.50.110	Appeals.
26.50.120	Rescission of permits.
26.50.121	Violations – Penalties.
26.50.140	Restoration project relocation of OHWM.
26.50.150	Shoreline moratorium.
26.50.160	Non-conforming development.

26.50.001 Administrator.

The community development director or designee shall administer and be responsible for the enforcement of the Richland shoreline master program, [and is referred to as the administrator or shoreline administrator in this title.](#)

26.50.010 Permit requirements.

A. ~~Substantial d~~Developments proposed ~~on shorelines~~[within the shoreline jurisdiction](#) of Richland shall be allowed subject to the issuance of a [shoreline](#) permit from the city of Richland. Applications for a [shoreline](#) substantial development permit, [shoreline](#) special use permit, and [shoreline](#) variance are required to comply with the permit review provisions established by the state of Washington (Chapter 173-27 WAC) and the city of Richland, and shall be accompanied by a standard fee as set forth in the schedule of fees referenced in Chapter 19.80 RMC. Application forms containing the information required by WAC 173-27-180 shall be provided by the shoreline administrator.

B. Shoreline permits shall be classified as Type I or Type II permit applications according to the criteria established in RMC 19.20.010.

1. Decision authority for shoreline substantial development permits meeting the criteria for Type I permit applications shall rest with the administrator.

2. Decision authority for shoreline substantial development permits classified as Type II permit applications and all [shoreline](#) special use permits shall rest with the hearing examiner.

3. Decision authority for shoreline variances shall rest with the hearing examiner.

C. ~~Application~~ [Applications](#) for a [shoreline](#) substantial development permit or [shoreline](#) special use permit shall be considered a request for site plan approval as outlined in Chapter 23.48 RMC.

26.50.011 Coordination with other agencies.

The city will coordinate on issues relating to ecological conditions, functions and processes, and on wetland and ordinary high water delineations with the Washington State Department of Ecology, the Washington State Department of Natural Resources, and the Washington State Department of Fish and Wildlife, as well as other agencies with permit authority over a project, to the extent that agencies are timely in their response and coordination does not unduly extend review times.

26.50.012 Development compliance.

A. All uses and developments within the jurisdiction of the Shoreline Management Act shall be planned and carried out in a manner that is consistent with this program and the policies of the Act as required by RCW 90.58.140(1), regardless of whether a shoreline substantial development permit, statement of exemption, shoreline variance, or shoreline special use permit is required. The city shall ensure compliance with the provisions of this program for all permits and approvals processed by the city.

B. Regulation of private property to implement any program goals such as public access and protection of ecological functions must be consistent with all relevant constitutional and other legal limitations. These include, but are not limited to, property rights guaranteed by the United States Constitution and the Washington State Constitution, applicable federal and state case law, and state statutes such as RCW 34.05.328 and 43.21C.060. An applicant requesting specific accommodation of constitutional or other legal limits in the application of standards and criteria of this program must do so in the application materials. The decision maker shall address such requests in specific findings.

C. Policies and provisions of this program and Chapter 90.58 RCW, including the permit system, shall apply to all nonfederal developments and uses undertaken on federal lands and on lands subject to nonfederal ownership, lease or easement, even though such lands may fall within the external boundaries of a federal ownership.

D. In reviewing all [shoreline](#) permits, consideration shall be given to the cumulative impact of existing development, approved but not yet constructed development, and the likelihood of additional requests for like actions to the extent such uses are allowed in an area and development trends indicate a reasonable likelihood of occurrence. The city shall track and periodically evaluate the cumulative effects of all project review actions in shoreline areas.

E. Compliance with the provisions of this chapter does not constitute compliance with other federal, state, and local regulations and permit requirements that may be required (for example, Hydraulic Permit Act (HPA) permits, U.S. Army Corps of Engineers Section 404 permits, Washington State Department of Ecology water quality certification (Section 401) national pollution discharge elimination system permits). The applicant is responsible for complying with these requirements apart from the process established in this chapter.

26.50.020 Exemptions from [shoreline](#) substantial development permit.

A. A [shoreline](#) substantial development permit shall be required for all proposed use and development of shorelines unless the proposal is specifically exempt pursuant to RCW 90.58.140(1).

B. The following shall not be considered substantial developments for the purpose of this shoreline program and are exempt from obtaining a shoreline substantial development permit (SSDP); provided, that any additional exemptions established by legislative amendment of the statute shall constitute exemptions without amendment to this code. An exemption from an SSDP is not an exemption from compliance with the Act or the shoreline master program, or from any other regulatory requirements. To be authorized, all uses and developments must be consistent with the policies and provisions of this shoreline program and the Shoreline Management Act. A use or development exempt from a shoreline substantial development permit may require a [shoreline](#) special use permit or a [shoreline](#) variance.

1. Governor's Certification. Any project with a certification from the Governor pursuant to Chapter 80.50 RCW.
2. Projects valued at or below ~~\$6,416~~, [the current dollar amount](#) established by RCW 90.58.030(3)(e) [and WAC 173.27.040](#), as [periodically](#) amended for Consumer Price Index inflations.
3. Maintenance and Repair. Normal maintenance or repair of existing structures or developments, including damage by accident, fire, or elements.
 - a. "Normal maintenance" includes those usual acts to prevent a decline, lapse, or cessation from a lawfully established condition.
 - b. "Normal repair" means to restore a development to a state comparable to its original condition, including, but not limited to, its size, shape, configuration, location and external appearance, within a reasonable period after decay or partial destruction, except where repair causes substantial adverse effects to the shoreline resource or environment.
 - c. Replacement of a structure or development may be authorized as repair where such replacement is the common method of repair for the type of structure or development, and the replacement structure or development is comparable to the original structure or development, including, but not limited to, its size, shape, configuration, location and external appearance, and the

replacement does not cause substantial adverse effects to shoreline resources or environment.

4. Emergency Construction. Emergency construction necessary to protect property from damage by the elements.

a. An “emergency” is an unanticipated and imminent threat to public health, safety, or the environment which requires immediate action within a time too short to allow for full compliance with the shoreline master program.

b. Emergency construction does not include development of new permanent protective structures where none previously existed. Where new protective structures are deemed to be the appropriate means to address the emergency situation, upon abatement of the emergency situation, the new structure shall be removed or any permit which would have been required, absent an emergency, pursuant to Chapter 90.58 RCW, Chapter 173-27 WAC, or this shoreline program shall be obtained.

c. All emergency construction shall be consistent with the policies of Chapter 90.58 RCW and the shoreline master program.

d. In general, flooding or other seasonal events that can be anticipated and may occur, but that are not imminent, are not an emergency.

5. Agricultural Construction or Practices. Construction and practices normal or necessary for farming, irrigation and ranching activities, including agricultural service roads and utilities on shorelands, and the construction and maintenance of irrigation structures, including, but not limited to, head gates, pumping facilities and irrigation channels. A feedlot of any size, all processing plants, other activities of a commercial nature, and alteration of the contour of the shorelands by leveling or filling, other than that which results from normal cultivation, shall not be considered normal or necessary farming or ranching activities. A feedlot shall be an enclosure or facility used or capable of being used for feeding livestock hay, grain, silage, or other livestock feed, but shall not include land for growing crops or vegetation for livestock feeding and/or grazing, nor shall it include normal livestock wintering operations.

6. Construction of Single-Family Residence and Accessory Buildings. Construction on shorelands by an owner, lessee or contract purchaser of a single-family residence for his own use or for the use of his family, which residence does not exceed a height of 35 feet above average grade level as defined in WAC 173-27-030, and which meets all requirements of the state agency or local government having jurisdiction thereof, other than requirements imposed pursuant to this section.

a. “Single-family” residence means a detached dwelling designed for and occupied by one family, including those structures and developments within a contiguous ownership which are a normal appurtenance. An “appurtenance” is

necessarily connected to the use and enjoyment of a single-family residence and is located landward of the OHWM and the perimeter of a wetland.

b. Construction authorized under this exemption shall be located landward of the OHWM.

7. Construction of Noncommercial Docks. Construction of a dock, including a community dock designed for pleasure craft only, for the private noncommercial use of the owner, lessee, or contract purchaser of single and multifamily residences. This exception applies if:

a. The fair market value of the dock does not exceed ~~\$20,000~~ the current dollar amount established by RCW 90.58.030(3)(e) and WAC173.27.040, as periodically amended for Consumer Price Index inflations, for docks that are constructed to replace existing docks and are of equal or lesser square footage than the existing dock being replaced; or

b. Ten thousand dollars for all other docks constructed in fresh waters. However, if subsequent construction occurs within five years of completion of the prior construction, and the combined fair market value of the subsequent and prior construction exceeds the amount specified in this subsection, the subsequent construction shall be considered a substantial development for the purpose of this chapter.

c. A dock is a landing and moorage facility for watercraft and does not include recreational decks, storage facilities, or other appurtenances.

d. The dock meets all requirements of this code. A private dock generally is prohibited.

8. Construction Authorized by the Coast Guard. Construction or modification, by or under the authority of the Coast Guard or a designated port management authority, of navigational aids such as channel markers and anchor buoys.

9. Operation, Maintenance, or Construction Related to Irrigation. Operation, maintenance, or construction of canals, waterways, drains, reservoirs, or other facilities that now exist or are hereafter created or developed as part of an irrigation system for the primary purpose of making use of system waters, including return flow and artificially stored ground water for the irrigation of lands.

10. Marking of Property Lines on State-Owned Lands. The marking of property lines or corners on state-owned lands when such marking does not interfere with the normal public use of the surface of the water.

11. Operation and Maintenance of Agricultural Drainage or Dikes. Operation and maintenance of any system of dikes, ditches, drains, or other facilities existing as of September 8, 1975, which were created, developed, or utilized primarily as a part of an agricultural drainage or diking system.

12. Activities Necessary for Permit Application. Site exploration and investigation activities that are prerequisites to preparation of an application for development authorization under the shoreline master program, if:

- a. The activity does not interfere with the normal public use of the surface waters;
- b. The activity will have no significant adverse impact on the environment, including, but not limited to, fish, wildlife, fish or wildlife habitat [conservation areas](#), water quality, and aesthetic values;
- c. The activity does not involve the installation of a structure, and, upon completion of the activity, the vegetation and land configuration of the site are restored to conditions existing before the activity;
- d. A private entity seeking development authorization under the shoreline master program first posts a performance bond or provides other evidence of financial responsibility to the administrator to assure that the site is restored to preexisting conditions; and
- e. The activity is not subject to the permit requirements of RCW 90.58.550.

13. Removal or Control of Noxious Weeds. The process of removing or controlling an aquatic noxious weed, as defined in RCW 17.26.020, through the use of an herbicide or other treatment methods applicable to weed control that are recommended by a final environmental impact statement published by the Department of Agriculture or the Department of Ecology jointly with other state agencies under Chapter 43.21C RCW.

14. Watershed Restoration Projects. Watershed restoration projects as defined below:

- a. "Watershed restoration project" means a public or private project authorized by the sponsor of a watershed restoration plan that implements the plan or a part of the plan and consists of one or more of the following activities:
 - i. A project that involves less than 10 miles of stream reach, in which less than 25 cubic yards of sand, gravel, or soil is removed, imported, disturbed, or discharged, and in which no existing vegetation is removed except as minimally necessary to facilitate additional plantings.
 - ii. A project for the restoration of an eroded or unstable stream bank that employs the principles of bioengineering, including limited use of rock as a stabilization only at the toe of the bank, and with primary emphasis on using native vegetation to control the erosive forces of flowing water.
 - iii. A project primarily designed to improve fish and wildlife habitat, remove or reduce impediments to migration of fish, or enhance the fishery resource available for use by all of the citizens of the state; provided, that any structure

other than a bridge or culvert or in-stream habitat enhancement structure associated with the project is less than 200 square feet in floor area and is located above the OHWM of the stream.

b. "Watershed restoration plan" means a plan developed or sponsored by a state department, a federally recognized Indian tribe, a city, or a conservation district, for which agency and public review has been conducted pursuant to Chapter 43.21C RCW, the State Environmental Policy Act. The watershed restoration plan generally contains a general program and implementation measures or actions for the preservation, restoration, re-creation, or enhancement of the natural resources, character, and ecology of a stream, stream segment, drainage area, or watershed.

15. Projects to Improve Fish and Wildlife Passage or Habitat. A public or private project, the primary purpose of which is to improve fish or wildlife habitat or fish passage, when all of the following apply:

a. The project has been approved in writing by the Department of Fish and Wildlife as necessary for the improvement of the habitat or passage, and appropriately designed and sited to accomplish the intended purpose;

b. The project has received hydraulic project approval ([HPA](#)) by the Department of Fish and Wildlife pursuant to Chapter 75.20 RCW; and

c. The administrator has determined that the project is consistent with this shoreline [master](#) program.

~~16. Hazardous Substance Remediation. Hazardous substance remedial actions pursuant to WAC 173-27-040(3).~~

~~17.~~16. Projects on Lands Not Subject to Shoreline Jurisdiction Prior to Restoration. Actions on land that otherwise would not be under the jurisdiction of the Shoreline Management Act except for a change in the location of the OHWM or other criteria due to a shoreline restoration project approved in accordance with RMC 26.50.140 that creates a landward shift in the ordinary high water mark that brings the land under the jurisdiction of the Act.

17. The external or internal retrofitting of an existing structure with the exclusive purpose of compliance with the Americans with Disabilities Act of 1990 (42 U.S.C. Sec. 12101 et seq.) or to otherwise provide physical access to the structure by individuals with disabilities.

C. All of the above exemptions are subject to the following regulations:

1. Exemptions shall be construed narrowly. Only those developments that meet the precise terms of one or more of the listed exemptions may be granted exemption from the [shoreline](#) substantial development permit process.

2. The burden of proof that a development or use is exempt is on the applicant/proponent of the exempt development action.
3. If any part of a proposed development is not eligible for exemption, then a [shoreline](#) substantial development permit or [shoreline](#) special use permit is required for the entire project.

26.50.021 ~~Exemptions~~Exceptions to local review.

A. While Shoreline Substantial Development Permit exemptions listed in RMC 26.50.020 remain subject to compliance with Shoreline Master Program standards, the Act allows for Exceptions to Local Review which exempts the following activities from compliance with Shoreline Master Program standards:

1. Remedial hazardous substance cleanup actions.
2. Boatyard improvements to meet NPDES requirements.
3. Washington State Department of Transportation (WSDOT) facility maintenance and safety improvements. Pursuant to RCW 90.58.356, Washington State Department of Transportation projects and activities meeting the conditions of RCW 90.58.356.
4. Projects consistent with an environmental excellence program agreement pursuant to RCW 90.58.045.
5. Projects authorized through the Energy Facility Site Evaluation Council process, pursuant to chapter 80.50 RCW.
6. Areas and uses in those areas that are under exclusive federal jurisdiction as established through federal or state statutes are not subject to the jurisdiction of Chapter 90.58 RCW.

26.50.~~021~~025 Exemption procedures.

A. A project requiring a permit from the city and subject to an exemption to a shoreline substantial development permit shall be reviewed under the criteria of the underlying permit with an additional finding recorded by the administrator addressing the grounds under which the permit is exempt.

B. Any person claiming exemption from the permit requirements of this shoreline program as a result of the exemptions specified in this ~~section~~[chapter](#) may make application for an ~~n exemption certificate permit~~ [shoreline exemption permit](#) to the administrator in the manner prescribed by the city, including payment of a fee as provided in the city's posted fee schedule.

C. For projects where Ecology is designated as the coordinating agency for the state with regard to permits issued by the U.S. Army Corps of Engineers, the city shall transmit an ~~n exemption certificate~~ [shoreline exemption permit](#) addressed to the applicant and the Department of Ecology whenever a development is subject to one or more of the following federal permit requirements:

1. A U.S. Army Corps of Engineers Section 10 permit under the Rivers and Harbors Act of 1899, which generally applies to any project occurring on or over navigable waters. Specific applicability information should be obtained from the U.S. Army Corps of Engineers; or
2. A Section 404 permit under the Federal Water Pollution Control Act of 1972, which generally applies to any project which may involve discharge of dredge or fill material to any water or wetland area. Specific applicability information should be obtained from the U.S. Army Corps of Engineers.

The ~~letter~~ [shoreline exemption permit](#) shall indicate the specific exemption provision from WAC 173-27-040 that is being applied to the development and provide a summary of the local government's analysis of the consistency of the project with the shoreline program and the Act.

D. The city may attach conditions to the approval of exempted developments and/or uses as necessary to ensure consistency of any project with the Shoreline Management Act and this shoreline master program.

26.50.030 Shoreline permit application procedures.

In addition to the public notice requirements of RMC Title 19, Development Regulation Administration, the following notice shall be provided for each application for a shoreline substantial development permit, [shoreline](#) special use permit, or [shoreline](#) variance-~~permit~~:

A. Within 14 days after the city has made a determination of completeness on the project permit application, the city shall issue public notice, including:

1. The date of application, the date of the notice of completion for the application, and the date of the notice of application;
2. A description of the proposed project action and a list of the project permits included in the application and, if applicable, a list of any studies requested under RCW 36.70B.070, 36.70B.090, and WAC 173-27-180;
3. The identification of other permits not included in the application to the extent known by the city;
4. The identification of existing environmental documents that evaluate the proposed project, and, if not otherwise stated on the document providing the notice of application, such as a city land use bulletin, the location where the application and any studies can be reviewed;
5. A statement of the public comment period, which shall be not less than 30 days following the date of notice of application;
6. A statement of the right of any person to comment on the application, receive notice of and participate in any hearings, request a copy of the decision once made, and any appeal rights. Public comments shall be accepted at any time prior to the

closing of the record of an open record hearing, if any, or, if no open record hearing is provided, prior to the decision on the project permit;

7. The date, time, place and type of hearing, if applicable and scheduled as of the date of notice of the application;

8. A statement of the preliminary determination, if one has been made at the time of notice, of those development regulations that will be used for project mitigation and consistency; and

9. Any other information determined appropriate by the administrator.

B. Public notice shall include:

1. Mailing of the notice to all latest recorded real property owners, as shown by the records of the county assessor, located within at least 300 feet of the boundary of the property upon which the development is proposed;

2. Posting on the property;

3. Publication at least once in the official newspaper of the city; and

4. If an open record public hearing is required, a notice shall be provided at least 15 days prior to the hearing.

26.50.040 Approval criteria.

In order to approve any development within shoreline master program jurisdiction, the city must find that a proposal is consistent with the following criteria in addition to the requirements of RMC Title 19, Development Regulation Administration.

A. Conformance with the Shoreline Management Act of 1971, as amended;

B. General conformance with the goals ~~for~~^{of} the shoreline master program, the general development policies for the plan elements, and the applicable policy statements for the use activity and the shoreline environment;

C. Compliance with use regulations of the shoreline master program appropriate to the shoreline designation and the type of use or development proposed, particularly the preference for water-oriented uses, subject to liberal construction to give full effect to the objectives and purposes for which they have been enacted. If a non-water-oriented use is approved, the decision maker shall enter specific findings documenting why water-oriented uses are not feasible;

D. Compliance with bulk and dimensional regulations of the shoreline master program appropriate to the shoreline designation and the type of use or development proposed, except those bulk and dimensional standards that have been modified by approval of a shoreline variance;

E. Consideration of the recommendations and comments of the Richland parks and recreation commission, ~~as if~~ the proposed development will affect and be affected by the goals and objectives of city plans for parks, trails, and open space;

F. General conformance with the provisions of the Richland comprehensive plan;

G. Consideration of provisions for facilities and improved designs to accommodate and encourage use by the physically disabled;

H. Compliance with the State Environmental Policy Act (SEPA), Chapter 43.21C RCW; and

I. Compliance with applicable provisions of the Richland Municipal Code.

26.50.050 Shoreline Special use permit.

A. Certain uses are indicated in the use ~~chart~~ table as being permitted subject to the granting of a shoreline special use permit. The purpose of a shoreline special use permit is to provide greater flexibility in administering the use regulations of the shoreline program to accommodate certain uses which, by nature of use, intensity, or impact on an area, cannot be permitted outright within a shoreline environment in a manner consistent with the policies of RCW 90.58.020. In authorizing a shoreline ~~special conditional-use~~ permit, special conditions may be attached to the permit by the city or the Department of Ecology to prevent undesirable effects of the proposed use, and/or to ensure consistency of the project with the Act and the shoreline master program. Note: A shoreline special use permit is the same as a shoreline conditional use in WAC 172-27-160.

B. Applications for shoreline special use permits ~~for development on shorelines~~ shall be considered a request for site plan approval, ~~and shall also be required to observe~~ the permit application review procedure set forth in this program shall apply.

C. Applicants shall disclose ~~as part of the~~ with permit ~~process~~ applications:

1. Any applicable federal, state or local regulatory permit requirements; and
2. The status of any contact with those agencies having permit jurisdiction over the proposed project, and the status of any permit applications that may have been applied for.

D. Uses ~~which are~~ classified in this shoreline program as special uses may be authorized; provided, that the applicant demonstrates all of the following:

1. That the proposed use is consistent with the policies, regulations and standards of RCW 90.58.020 and this shoreline master program;
2. That the proposed use will not interfere with the normal public use of public shorelines;

3. That the proposed use of the site and design of the project is compatible with other authorized uses within the area and with uses planned for the area under Richland's comprehensive plan and shoreline master program;

4. That the proposed use will cause no significant adverse effects to the shoreline environment in which it is to be located; and

5. That the public interest suffers no substantial detrimental effect.

E. In the granting of all [shoreline](#) special use permits, consideration shall be given to the cumulative impact of additional requests for like actions in the area. For example, if [shoreline](#) special use permits were granted for other developments in the area where similar circumstances exist, the total of the special uses shall also remain consistent with the policies of RCW 90.58.020, and shall not produce substantial adverse effects to the shoreline environment.

F. Other uses which are not classified or set forth in the shoreline master program may be authorized as special uses, provided the applicant can demonstrate consistency with the requirements of this section and the requirements for special uses contained in the shoreline program.

G. Uses which are specifically prohibited by the shoreline [master](#) program may not be authorized ~~pursuant to either subsection (A) or (B) of this section.~~

26.50.060 [Shoreline](#) Variances.

A. A development ~~may be granted~~ which is at variance with the specific bulk, dimensional or performance standards established in the shoreline master program [may be allowed](#) where, owing to extraordinary circumstances relating to the physical character or configuration of property, the literal interpretation and strict application of the criteria established in the shoreline master program would cause undue and unnecessary hardship or thwart the policies set forth in RCW 90.58.020. In all instances, the applicant must demonstrate that extraordinary circumstances are present. ~~A variance permit may be required for a use that does not require a substantial development permit but which may not be approved because it does not comply with the provisions of the shoreline master program.~~

B. Review of a [shoreline](#) variance permit shall be in accordance with RMC 26.50.050, [Shoreline](#) Special use permit.

C. Decision Criteria. The hearing examiner must find each of the following:

1. That the strict application of the bulk, dimensional or performance standards set forth in the shoreline [master](#) program precludes, or significantly interferes with, reasonable use of the property;

2. That the hardship described in subsection ~~(A)~~ [\(C\)\(1\)](#) of this section is specifically related to the property, and is the result of unique conditions such as irregular lot shape, size, or natural features and the application of the shoreline [master](#) program, and not, for example, from deed restrictions or the applicant's own actions;

3. That the design of the project is compatible with other authorized uses within the area and with uses planned for the area under the comprehensive plan and shoreline master program, and will not cause adverse impacts to the shoreline environment;

4. That the variance will not constitute a grant of special privilege not enjoyed by the other properties in the area;

5. That the variance requested is the minimum necessary to afford relief; and

6. That the public interest will suffer no substantial detrimental effect.

7. In the granting of all [shoreline](#) variance permits, consideration shall be given to the cumulative impact of additional requests for like actions in the area. For example, if variances were granted to other developments and/or uses in the area where similar circumstances exist, the total of the variances shall also remain consistent with the policies of RCW 90.58.020, and shall not cause substantial adverse effects to the shoreline environment.

26.50.070 Time requirements for shoreline permits.

A. The time requirements of this section shall apply to all [shoreline](#) substantial development permits, and to any development authorized pursuant to a [shoreline](#) variance permit or [shoreline](#) special use permit authorized under the shoreline master program.

B. No construction pursuant to such permit shall begin or be authorized, and no building, grading or other construction permits or use permits shall be issued by the city, until 21 days from the date a [shoreline](#) substantial development permit was filed with the Department of Ecology and the Attorney General, or until all review proceedings are completed as were initiated within the 21 days immediately following the date of filing. Filing shall occur in accordance with RCW 90.58.140(6) and WAC 173-27-130.

C. No permits and construction pursuant to a [shoreline](#) special use permit or [shoreline](#) variance shall begin or be authorized until 21 days from the date of notification of approval by the Department of Ecology, or until all review proceedings are completed as were initiated within the 21 days immediately following the date of filing. Filing shall occur in accordance with RCW 90.58.140(6) and WAC 173-27-130.

D. Unless a different time period is specified in the shoreline permit as authorized by RCW 90.58.143, construction activities, or a use or activity for which a permit has been granted pursuant to this shoreline program, must be commenced within two years of the effective date of a shoreline permit, or the shoreline permit shall terminate and a new permit shall be necessary. However, the administrator may authorize a single extension for a period not to exceed one year based on reasonable factors if a request for extension has been filed with the city before the expiration date and notice of the proposed extension is given to parties of record and the Department of Ecology. "Construction activities" or "commencement of construction" means that construction applications must be submitted, permits must be issued, and foundation inspections must be approved and completed.

E. A permit authorizing construction shall extend for a term of no more than five years after the effective date of a shoreline permit, unless a longer period has been specified pursuant to RCW 90.58.143 and subsection (F) of this section. If an applicant files a request for an extension prior to expiration of the shoreline permit, the administrator shall review the permit, and upon a showing of good cause may authorize a single extension of the shoreline permit for a period of up to one year. Otherwise, said permit shall terminate. Notice of the proposed permit extension shall be given to parties of record and the Department of Ecology. To maintain the validity of a shoreline permit, it is the applicant's responsibility to maintain valid construction permits in accordance with adopted building codes.

F. If it is determined that standard time requirements of subsections (D) and (E) of this section should not be applied, the decision maker, upon a finding of good cause, may establish shorter time limits; provided, that as a part of action on a special use or variance, the approval of the Department of Ecology shall be required. "Good cause" means that the time limits established are reasonably related to the time actually necessary to perform the development on the ground and complete the project that is being permitted.

G. For purposes of determining the life of a shoreline permit, the effective date of a shoreline substantial development permit, shoreline special use permit, or shoreline variance permit shall be the date of filing as provided in RCW 90.58.140(6). The permit time periods do not include the time during which a use or activity was not actually pursued due to the pendency of appeals or legal actions, or due to the need to obtain any other government permits and approvals for the development that authorize the development to proceed.

H. It is the responsibility of the applicant to inform the administrator of the pendency of other permit applications filed with agencies other than the city, and of any related administrative or legal actions on any permit or approval. If no notice of the pendency of other permits or approvals is given to the city prior to the expiration date established by the shoreline permit or the provisions of this section, the expiration of a permit shall be based on the effective date of the shoreline permit.

I. If the granting of a shoreline permit by the city is appealed to the Shorelines Hearings Board, and the Shorelines Hearings Board has approved the granting of the permit, and an appeal for judicial review of the Shorelines Hearings Board decision is filed, construction authorization may occur subject to the conditions, time periods, and other provisions of RCW 90.58.140(5)(c).

26.50.080 Land division.

Prior to approval of any land division, such as short subdivisions, preliminary long plats, and boundary line adjustments within shoreline jurisdiction, the city shall document compliance with bulk and dimensional standards as well as policies and regulations of the shoreline master program, and attach appropriate conditions and/or mitigating measures to such approvals to ensure the design, development activities, and future use associated with such lands are consistent with the shoreline master program. A prohibition on individual private docks shall be imposed on all land divisions.

26.50.090 Construction permit compliance.

For all development within shoreline jurisdiction, the building official shall not issue a construction permit for such development until compliance with the shoreline master program has been documented. If a shoreline substantial development permit is required, no permit shall be issued until all comment and appeal periods have expired. Any permit issued by the building official for such development shall be subject to the same terms and conditions that apply to the shoreline permit.

26.50.100 Rulings to state.

Any ruling on an application for a permit or permit revision under authority of this shoreline program, whether it is an approval or denial, shall, with the transmittal of the ruling to the applicant, be filed concurrently with the Department of Ecology and the Attorney General by the administrator. Filing shall occur in accordance with RCW 90.58.140(6) and WAC 173-27-130.

26.50.110 Appeals.

Any person aggrieved by the granting, denying, or rescinding of a permit on shorelines of the state pursuant to RCW 90.58.140 may seek review from the Shorelines Hearings Board by filing a petition for review within 21 days of the date of receipt of the decision as provided for in RCW 90.58.140(6).

26.50.120 Rescission of permits.

A. Any shoreline permit issued under the terms of this shoreline [master](#) program may be rescinded or suspended upon a finding that a permittee has not complied with conditions of the permit.

B. Such rescission and/or modification of an issued permit shall be initiated by serving written notice of noncompliance on the permittee, which shall be sent by registered or certified mail, return receipt requested, to the address listed on the application, or to such other address as the applicant or permittee may have advised the city; or such notice may be served on the applicant or permittee in person or on his agent in the same manner as service of summons as provided by law.

C. Before any such permit can be rescinded, a public hearing shall be held by the administrator. Notice of the public hearing shall be made in accordance with Chapter 19.40 RMC. The decision of the administrator shall be the final decision of the city on all rescinded applications. A written decision shall be transmitted to the Department of Ecology, the Attorney General's office, the applicant, and such other departments or boards of the city as are affected thereby and the city council.

D. The Department of Ecology may petition the Shorelines Hearings Board for a rescission of the permit if Ecology is of the opinion that the noncompliance continues to exist 30 days after the date of the notice, and the city has taken no action to rescind the permit, as provided by RCW 90.58.140(8).

26.50.121 Violations – Penalties.

A. Violation of this chapter is subject to the procedures and penalties of Chapter 10.02 RMC, Violations and Procedures.

B. In addition to the provisions of RMC Title 10, the city attorney may bring action pursuant to Chapter 90.58 RCW and other applicable statutes, including such injunctive, declaratory, or other actions as are necessary to ensure that no uses are made of the shorelines of the state within the city's jurisdiction which are in conflict with the provisions and programs of this shoreline program or the Shoreline Management Act of 1971, and to otherwise enforce provisions of this program and the Shoreline Management Act of 1971, including the cease and desist provisions of WAC 173-27-270.

C. Any person who shall fail to conform to the terms of a permit issued under this chapter, or who shall undertake development on the shorelines of the state without first obtaining any permit required under this chapter, shall also be subject to a civil penalty not to exceed \$1,000 for each violation. Each permit violation or each day of continued development without a required permit shall constitute a separate violation.

D. In addition to incurring civil liability, any person found to have willfully engaged in activities on the shorelines of the state in violation of the provisions of this chapter or any of the shoreline master program rules or regulations adopted pursuant thereto shall be guilty of a misdemeanor, and shall be punished by a fine of not less than \$25.00 nor more than \$1,000 or by imprisonment for not more than 90 days, or by both such fine and imprisonment; provided, that the third and all subsequent violations in any five-year period shall constitute a gross misdemeanor punishable by up to 364 days of imprisonment and a fine of not less than \$500.00 nor more than \$5,000.

E. In addition to subsections (A) through (D) of this section, any person subject to this shoreline program who violates any provision of this shoreline program or the provisions of a permit issued pursuant thereto shall be liable for all damages to public or private property arising from such violation, including the cost of restoring the affected area to its condition prior to such violation. The city attorney shall bring suit for damages under this subsection on behalf of the city. Private persons shall have the right to bring suit for damages under this subsection on their own behalf and on behalf of all persons similarly situated. If liability has been established for the cost of restoring an area affected by violation, the court shall make provision to assure that restoration will be accomplished within a reasonable time at the expense of the violator. In addition to such relief, including monetary damages, the court in its discretion may award attorney's fees and costs of the suit to the prevailing party.

26.50.140 Restoration project relocation of OHWM.

The city may grant relief from shoreline master program development standards and use regulations when the following apply:

A. A shoreline restoration project causes, or would cause, a landward shift in the ordinary high water mark, resulting in the following:

1. Land that had not been regulated under this title prior to construction of the restoration project is brought under shoreline jurisdiction; or

2. Additional regulatory requirements apply due to a landward shift in required ~~shoreline~~ buffers or other regulations of the shoreline master program; and

3. Application of shoreline master program regulations would preclude or interfere with use of the property permitted by local development regulations, thus presenting a hardship to the project proponent.

B. The proposed relief meets all of the following criteria:

1. The proposed relief is the minimum necessary to relieve the hardship;

2. After granting the proposed relief, there is net environmental benefit from the restoration project; and

3. Granting the proposed relief is consistent with the objectives of the shoreline restoration project and consistent with the shoreline master program.

4. Where a shoreline restoration project is created as mitigation to obtain a development permit, the project proponent required to perform the mitigation is not eligible for relief under this section.

C. The application for relief must be submitted to the Department of Ecology for written approval or disapproval. This review must occur during Ecology's normal review of a shoreline substantial development permit, [shoreline](#) special use permit, or [shoreline](#) variance. If no such permit is required, then Ecology shall conduct its review when the city provides a copy of a complete application and all supporting information necessary to conduct the review.

1. Except as otherwise provided in subsection (D) of this section, the Department of Ecology shall provide at least 20 days' notice to parties that have indicated interest to Ecology in reviewing applications for relief under this section, and post the notice on Ecology's website.

2. The Department of Ecology shall act within 30 calendar days of close of the public notice period, or within 30 days of receipt of the proposal from the city if additional public notice is not required.

D. The public notice requirements of subsection (C) of this section do not apply if the relevant shoreline restoration project was included in a shoreline master program or shoreline restoration plan as defined in WAC 173-26-201, as follows:

1. The restoration plan has been approved by Ecology under applicable shoreline master program guidelines; and

2. The shoreline restoration project is specifically identified in the shoreline master program or restoration plan, or is located along a shoreline reach identified in the shoreline master program or restoration plan as appropriate for granting relief from shoreline regulations; and

3. The shoreline master program or restoration plan includes policies addressing the nature of the relief and why, when, and how it would be applied.

26.50.150 Shoreline moratorium.

The city council may adopt moratoria or other interim official controls as necessary and appropriate to implement the provisions of the Shoreline Management Act in accordance with RCW 90.58.590.

26.50.160 Non-conforming development.

A. "Non-conforming use or development" means a shoreline use or development which was lawfully constructed or established prior to the effective date of the SMA or the SMP, or amendments thereto, but which does not conform to present regulations or standards of the SMP. Nonconforming use and development standards not addressed in RCW 90.58.270(5), 90.58.620, and not addressed by the SMP are found in WAC 173-27-080. In the event of a conflict between WAC 173-27-080 and the standards contained in the RMC, the requirement that most supports the provisions of the SMA as stated in RCW 90.58.020 shall apply, as determined by the City's Shoreline Administrator.

B. Nonconforming development is a shoreline use or structure which was lawfully constructed or established prior to the effective date of the SMA or the SMP, or amendments thereto, but which does not conform to present regulations or standards of the SMP or policies of the SMA. In such cases, the following standards shall apply:

1) Nonconforming uses and structures may continue provided that it is not enlarged or expanded;

2) A nonconforming use or structure which is moved any distance must be brought into conformance with the SMA and the SMP;

3) If a nonconforming structure is damaged to an extent not exceeding fifty percent (50%) replacement cost of the nonconforming structure, it may be reconstructed to those configurations existing immediately prior to the time the structure was damaged, so long as restoration is completed within one (1) year of the date of damage. Single-family nonconforming development may be replaced if damaged to one hundred percent (100%), if the restoration is completed within three (3) years of the date of damage;

4) If a nonconforming use is discontinued for twelve (12) consecutive months or for twelve (12) months during any two (2) year period, any subsequent use shall be conforming; it shall not be necessary to show that the owner of the property intends to abandon such nonconforming use in order for the nonconforming rights to expire;

5) A nonconforming use shall not be changed to another nonconforming use, regardless of the conforming or nonconforming status of the building or structure in which it is housed;

6) An undeveloped lot, tract, parcel, site, or division which was established prior to the effective date of the SMA and the SMP, but which does not conform to the present lot size or density standards may be developed so long as such development conforms to all other requirements of the SMA and the SMP;

7) A use which is listed as a conditional use but which existed prior to adoption of the SMP for which a shoreline conditional use permit has not been obtained shall be considered a nonconforming use; and

8) A structure for which a shoreline variance has been issued shall be considered a legal nonconforming structure and the requirements of this Section shall apply as they apply to preexisting nonconformities.

Chapter 26.60

~~SENSITIVE~~CRITICAL AREAS

Sections:

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- 26.60.010 General purpose and intent.
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~~Fish and wildlife habitat conservation areas.~~
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Article I. General Provisions

26.60.005 ~~Sensitive-Critical~~ areas.

The following sections of this chapter, ~~Sensitive-Critical~~ Areas, apply to ~~sensitive-critical~~ areas within Shoreline Management Act jurisdiction.

26.60.010 General purpose and intent.

A. ~~Sensitive-Critical~~ areas perform many important biological and physical functions that benefit the city of Richland and its residents. The city shall regulate in the shoreline jurisdiction all uses, activities, and development within, adjacent to, or likely to affect one or more ~~sensitive-critical~~ areas, consistent with the provisions of this chapter, ~~Sensitive-Critical~~ Areas.

These functions include, but are not limited to, the following (by type):

1. Wetlands: helping to maintain water quality; storing and conveying stormwater and flood water; recharging ground water; ~~providing important wildlife habitat; and serving as areas for recreation, educational and scientific study, and aesthetic appreciation.~~ Contributing to stream flow during low flow periods; stabilizing stream

banks and shorelines; providing important wildlife habitat providing food, breeding, nesting and/or rearing habitat for fish and wildlife; improving water quality through biofiltration, adsorption and retention and transformation of sediments, nutrients and toxicants and serving as areas for recreation, educational and scientific study, and aesthetic appreciation; such beneficial functions are widely known as ecosystem services.

2. Fish and wildlife ~~habitat areas~~habitat conservation areas: maintaining species diversity and genetic diversity of local flora and fauna; providing opportunities for food, cover, nesting, breeding and movement for fish and wildlife; serving as areas for recreation, educational and scientific study and aesthetic appreciation; helping to maintain air and water quality; controlling erosion; and providing neighborhood separation and visual diversity within urban areas.

3. In addition, certain portions of the city of Richland are characterized by geologic hazards that pose a risk to public and private property, to human life and safety, and to the natural systems that make up the environment of the city of Richland. These lands are affected by natural processes that make them susceptible to landslides, seismic activity, and/or severe erosion. The city of Richland maintains that protection of ~~sensitive~~critical areas and regulation of geologic hazards are necessary to protect the public health, safety, and welfare.

4. Certain portions of the city are located within critical aquifer recharge areas whose potential contamination poses a risk to public health and safety. These lands are susceptible to the degradation of ground water quality and quantity that could potentially impact potable water systems.

5. Certain portions of the city are subject to frequent flooding. Areas that are subject to flooding perform important hydrologic functions and may present risks to persons and property. Floodplains are regulated by the city under Chapter 22.16 RMC.

B. This chapter contains standards, guidelines, criteria and requirements intended to identify, analyze, and mitigate probable impacts to the city of Richland's ~~sensitive~~critical areas and ~~geologic hazard areas~~geologically hazardous areas within the shoreline jurisdiction and to enhance and restore them when possible. The intent of these regulations, in concert with other shoreline master program provisions, is to achieve no net loss of ecological function. In appropriate circumstances, impacts to ~~sensitive~~critical and ~~geologic hazard areas~~geologically hazardous areas that result from regulated activities may be minimized, rectified, reduced, and/or compensated for, consistent with these requirements. The city of Richland's goal shall be the protection of existing ecological functions and ecosystem-wide processes and restoration of degraded ecological functions and ecosystem-wide processes to achieve no net loss of shoreline ecological functions, and to avoid probable impacts, to the extent feasible, to all ~~sensitive~~critical areas.

C. It is the intent of this chapter to:

1. Implement the goals and policies of the city of Richland's comprehensive plan, including those goals and policies that pertain to natural features and environmental protection; aesthetics and community character; adequate housing and infrastructure; opportunities for economic development; creation of a balanced transportation system; adequate public facilities; and achievement of a mix of land use types and densities consistent with the city of Richland's land use plan;
2. Protect ~~sensitive~~-critical areas through the application of the most current, accurate, and complete scientific or technical information available as determined according to WAC 173-26-201(2)(a), and in consultation with state and federal agencies and other qualified professionals, and to integrate the full spectrum of state, tribal, and federal programs;
3. Comply with the Shoreline Management Act, Chapter 90.58 RCW, and implementing rules;
4. Serve as a basis for exercise of the city's substantive authority under the State Environmental Policy Act (SEPA) and the city's SEPA rules;
5. Comply with the requirements of the Growth Management Act, Chapter 36.70A RCW, and implementing rules; and
6. Coordinate environmental review and permitting of proposals to avoid duplication and delay.

D. The city of Richland has mapping available from a variety of local, state, and federal information sources and based on topographic, geologic, hydrologic, and habitat characteristics that indicate where ~~sensitive~~-critical areas or geologic hazards may exist. Additional study and mapping are needed to verify that such conditions do prevail, and to identify other areas that are potentially ~~sensitive~~-critical areas. Maps and reference documents in the city of Richland's SMP inventory, characterization and analysis report include this information. This mapping helps the city identify the potential presence of ~~sensitive~~-critical areas or the risks associated with developing lands subject to geologic hazards to the public. It should be noted that the boundaries of the ~~sensitive~~-critical areas ~~and geologic hazard areas~~ displayed on these maps are approximate and are not intended to be used for individual site assessment. When differences occur between what is illustrated on these maps and current site conditions, the actual presence or absence of environmentally ~~sensitive~~-critical areas ~~or geologic hazard areas~~ on the site shall determine the action to be taken.

26.60.012 General applicability of these regulations.

The provisions of these regulations shall apply to any activity ~~that affects~~-affecting ~~sensitive~~-critical areas or their established buffers within the city's shoreline jurisdiction, and this provision applies whether or not a shoreline substantial development permit or other type of city approval is being sought or is required.

26.60.015 General relationship of regulations ~~of one type of sensitive area protection~~ to other regulations.

These ~~sensitive-critical~~ area regulations shall apply as an overlay and in addition to shoreline, zoning, land use, and other regulations established by the city of Richland.

Areas characterized as ~~sensitive-critical~~ may also be subject to other regulations established by this title due to the overlap or multiple functions of some ~~sensitive-critical or critical~~ areas. For example, some landslide hazard areas (e.g., steep slopes) adjacent to wetlands may be regulated by buffering requirements according to the wetland management provisions of this title. Wetlands may be defined and regulated according to the wetland section and habitat management provisions of this title.

In the event of any conflict between these regulations and any other regulations of the city of Richland, the regulations which provide greater protection to environmentally ~~sensitive-critical~~ areas shall apply.

Article II. Wetlands

26.60.020 Regulated activities in wetlands.

The following activities ~~which occur in conjunction with a development application~~ within a wetland and its associated buffer, or outside a wetland or buffer but affecting the wetland or buffer, shall be regulated pursuant to the standards of this chapter to achieve, at a minimum, no net loss of wetland area and ecological functions, including lost time when the wetland does not perform the function:

- A. Removing, excavating, disturbing or dredging soil, sand, gravel, minerals, organic matter or materials of any kind;
- B. Dumping, discharging or filling with any material;
- C. Draining, flooding or disturbing the water level or water table;
- D. Driving, piling or placing obstructions;
- E. Constructing, reconstructing, demolishing or altering any structure or infrastructure, or if the activity results in greater impervious surface coverage;
- F. Destroying or altering vegetation, including through clearing, intentional burning, harvesting, shading or planting vegetation that would alter the character of wetland;
- G. Activities that result in significant changes in water temperature, physical or chemical characteristics of wetland water sources, introduction of pollutants, including water quantity and quality as stated in Chapter 90.03 RCW and Chapter 173-201 WAC;
- H. Alteration of natural drainage patterns or any activity that results in a discharge of stormwater runoff into a wetland; and
- I. Any other activities affecting a wetland or wetland buffer not otherwise exempt from the provisions of this article.

26.60.021 ~~Exemptions~~ Exceptions and allowed uses in wetlands.

A. Wetlands. Small, isolated wetlands in arid landscapes often have higher value and perform greater functions than in other settings. However, in certain circumstances, applying the buffers in Table 26.60.024(D) RMC may result in buffer areas larger than the wetland being protected. In these instances, a critical area report for wetlands must be submitted and the City may consult with the Department of Ecology to determine whether ~~exemptions~~ exceptions from mitigation sequencing and/or reduced buffers are warranted.~~The following wetlands are exempt from the buffer provisions contained in this chapter and the normal mitigation sequencing process in RMC 26.20.020. They may be filled if impacts are fully mitigated based on provisions in RMC 26.60.026, Wetland alteration and mitigation. In order to verify the following conditions, a critical area report for wetlands must be submitted:~~

- ~~1. All isolated Category III and IV wetlands less than 1,000 square feet that:~~
 - ~~a. Are not associated with riparian areas or buffer;~~
 - ~~b. Are not part of a wetland mosaic;~~
 - ~~c. Do not contain habitat identified as essential for local populations of priority species identified by the Washington Department of Fish and Wildlife or species of local importance;~~
 - ~~d. Are not a vernal pool;~~
 - ~~e. Are not an alkali wetland; and~~
 - ~~f. Do not contain aspen stands.~~

B. Activities Allowed in Wetlands. The activities listed below are allowed in wetlands. These activities do not require submission of a ~~sensitive~~ critical area report, except where such activities result in a loss of the functions and values of a wetland or wetland buffer. These activities include:

1. Those activities and uses conducted pursuant to the Washington State Forest Practices Act and its rules and regulations, WAC 222-12-030, where state law specifically exempts local authority, except those developments requiring local approval for Class 4 – general forest practice permits (conversions) as defined in Chapter 76.09 RCW and Chapter 222-12 WAC.
2. Conservation or preservation of soil, water, vegetation, fish, shellfish, and/or other wildlife that does not entail changing the structure or functions of the existing wetland.
3. The harvesting of wild crops in a manner that is not injurious to natural reproduction of such crops, and provided the harvesting does not require tilling of soil, planting of crops, chemical applications, or alteration of the wetland by changing existing topography, water conditions, or water sources.

4. Agricultural activities that are existing and ongoing; provided, that they implement applicable best management practices (BMPs) contained in the latest editions of the USDA Natural Resources Conservation Service's Field Office Technical Guide; or develop a farm conservation plan in coordination with the local conservation district. BMPs and/or farm plans should address potential impacts to wetlands from livestock, nutrient and farm chemicals, soil erosion and sediment control and agricultural drainage infrastructure. BMPs and/or farm plans should ensure that ongoing agricultural activities minimize their effects on water quality, riparian ecology, salmonid populations and wildlife habitat.

~~4~~5. Drilling for utilities/utility corridors under a wetland, with entrance/exit portals located completely outside of the wetland buffer; provided, that the drilling does not interrupt the ground water connection to the wetland or percolation of surface water down through the soil column. Specific studies by a hydrologist are necessary to determine whether the ground water connection to the wetland or percolation of surface water down through the soil column will be disturbed.

~~5~~6. Enhancement of a wetland through the removal of nonnative invasive plant species. Removal of invasive plant species shall be restricted to hand removal unless permits from the appropriate regulatory agencies have been obtained for approved biological or chemical treatments. All removed plant material shall be taken away from the site and appropriately disposed of. Plants that appear on the Washington State Noxious Weed Control Board list of noxious weeds must be handled and disposed of according to a noxious weed control plan appropriate to that species. Revegetation with appropriate native species at natural densities shall occur in conjunction with removal of invasive plant species.

~~6~~7. Educational and scientific research activities.

~~7~~8. Normal and routine maintenance and repair of any existing public or private facilities within an existing right-of-way; provided, that the maintenance or repair does not expand the footprint or use of the facility or right-of-way.

C. Notwithstanding the ~~exemptions~~exceptions provided by this chapter, any otherwise exempt activities occurring in or near wetlands shall comply with the intent of these standards and shall consider on-site alternatives that achieve no net loss of ecological wetland functions.

26.60.022 Wetland inventory maps.

The approximate location and extent of wetlands within the city of Richland's planning area are shown on the ~~sensitive~~critical areas maps adopted as part of this program, and provided in the city's SMP inventory, analysis and characterization report. These maps shall be used only as a general guide for the assistance of property owners and the public, as the boundaries are generalized. The actual type, extent, and boundaries of wetlands shall be determined in the field by a qualified ~~consultant~~professional according to the procedures, definitions, and criteria established by this title. In the event of any conflict between the wetland location or designation shown on the city of

Richland's maps and the criteria or standards of this title, the results of applying the criteria and standards during the field investigation shall control.

Additional guidance may be obtained from a Department of Ecology publication "Focus on Irrigation Influenced Wetlands, Publication No. 10-06-015." Or as may be amended in the future.

26.60.023 Rating – Categories of wetland.

Wetlands shall be designated Category I, Category II, Category III, or Category IV according to the following criteria:

~~A. Categories I, II, III, and IV are~~ As set forth in the Washington State Department of Ecology's Washington State Wetlands Rating System for Eastern Washington, Publication No. 04-06-030, as may be amended in the future (hereinafter referred to as the Ecology Wetlands Rating System).

26.60.024 Wetland buffer areas.

A. The establishment of wetland ~~buffer areas~~ buffers shall be required for all development proposals and activities adjacent to wetlands to protect the integrity, function, and value of the wetland. Buffers shall consist of an undisturbed area of vegetation established to protect the functions and values of the wetland. The standard buffer widths assume that the buffer is vegetated with a native plant community appropriate for the ecoregion. If the existing buffer is unvegetated, sparsely vegetated, or vegetated with invasive species that do not perform needed functions, the buffer should either be planted to create the appropriate plant community, or the buffer should be widened to ensure that adequate functions of the buffer are provided. Buffers shall be determined in conjunction with considerations of wetland type and quality, approved wetland alterations, and required mitigation measures. Buffers are not intended to be established or to function independently of the wetland they are established to protect; the establishment of a buffer shall not operate to prevent a use or activity that would otherwise be permitted in the wetland subject to mitigation.

B. Buffers shall be measured from the wetland edge as delineated using the ~~1987 U.S. Army Corps of Engineers Wetlands Delineation Manual and the Arid West Regional Supplement.~~ Approved federal wetland delineation manual and applicable regional supplements as may be amended. Buffers shall be marked in the field. Required buffer widths shall be determined according to the proposed land use (Table 26.60.024(C)) and the wetland category (Table 26.60.024(D)).

C. The following table describes the types of land use:

Table 26.60.024(C) Land Use Intensity Table

Level of Impact from Proposed Change in Land Use	Types of Land Use <u>Types Based on Common Zoning Designations</u>
High	• Commercial

Level of Impact from Proposed Change in Land Use	Types of Land Use <u>Types Based on Common Zoning Designations</u>	
	•	Urban
	•	Industrial
	•	Institutional
	•	Retail sales
	•	Residential (more than 1 unit/acre)
	•	High intensity recreation (golf courses, ball fields, etc.)
	•	Conversion to high intensity agriculture (dairies, nurseries, greenhouses, growing and harvesting crops requiring annual tilling and raising and maintaining animals, etc.)
	•	Hobby farms
Moderate	•	Residential (1 unit/acre or less)
	•	Moderate intensity open space (parks with biking, jogging, etc.)
	•	Paved driveways and gravel driveways serving 3 or more residences
	•	Paved trails
	•	Conversion to moderate intensity agriculture (orchards, hay fields, etc.)
	•	Utility corridor or right-of-way shared by several utilities and including access/maintenance road
Low	•	Low intensity open space (hiking, bird watching, preservation of natural resources, etc.)
	•	Timber management (cutting of trees only)
	•	Gravel driveways serving 2 or fewer residences
	•	Unpaved trails
	•	Utility corridor without a maintenance road and little or no vegetation management

D. The following buffer widths are established:

Table 26.60.024(D) Wetland Buffer Widths

Wetland Characteristics	Buffer Width by Impact of Proposed Land Use	Other Measures Recommended for Protection
<i>Category IV Wetlands (For wetlands scoring less than 16 points for all functions)</i>		

Wetland Characteristics	Buffer Width by Impact of Proposed Land Use	Other Measures Recommended for Protection
Score for all 3 basic functions is less than 16 points	Low – 25 ft Moderate – 40 ft High – 50 ft	No recommendations at this time None
<i>Category III Wetlands (For wetlands scoring 16 – 18 points for all functions)</i>		
Moderate level of function for habitat (score for habitat 5 – 7 points)	Low – 75 ft Moderate – 110 ft High – 150 ft	No recommendations at this time None
*If wetland scores 8 – 9 habitat points, see Category II buffers	–	–
Score for habitat 3 – 4 points	Low – 40 ft Moderate – 60 ft High – 80 ft	No recommendations at this time None
<i>Category II Wetlands (For wetlands that score 19 – 21 points for all functions or having the “special characteristics” identified in the rating system)</i>		
High level of function for habitat (score for habitat 8 – 9 points)	Low – 100 ft Moderate – 150 ft High – 200 ft	Maintain connections to other habitat areas habitat conservation areas
Moderate level of function for habitat (score for habitat 5 – 7 points)	Low – 75 ft Moderate – 110 ft High – 150 ft	No recommendations at this time None
High level of function for water quality improvement and low for habitat (score for water quality 8 – 9 points; low for habitat less than 5 points)	Low – 50 ft Moderate – 75 ft High – 100 ft	No recommendations at this time No additional surface discharges of untreated runoff
Riparian forest	Buffer width to be based on score for habitat functions or water quality functions	Riparian forest wetlands need to be protected at a watershed or subbasin scale. Other protection based on needs to protect habitat and/or water quality functions
Not meeting above characteristics	Low – 50 ft Moderate – 75 ft High – 100 ft	No recommendations at this time None
<i>Category I Wetlands (For wetlands that score 22 points or more for all functions or having the “special characteristics” identified in the rating system)</i>		
Wetlands of high conservation value	Low – 125 ft Moderate – 190 ft High – 250 ft	No additional surface discharges to wetland or its tributaries No septic systems within 300 ft of wetland Restore degraded parts of buffer
High level of function for habitat (score for habitat 8 – 9 points)	Low – 100 ft Moderate – 150 ft	Restore degraded parts of buffer

Wetland Characteristics	Buffer Width by Impact of Proposed Land Use	Other Measures Recommended for Protection
	High – 200 ft	Maintain connections to other habitat areas habitat conservation areas
Moderate level of function for habitat (score for habitat 5 – 7 points)	Low – 75 ft Moderate – 110 ft High – 150 ft	No recommendations at this time– None
High level of function for water quality improvement (8 – 9 points) and low for habitat (less than 5 points)	Low – 50 ft Moderate – 75 ft High – 100 ft	No additional surface discharges of untreated runoff
Not meeting any of the above characteristics	Low – 50 ft Moderate – 75 ft High – 100 ft	No recommendations at this time– None

26.60.025 [Wetland](#) Buffer modifications.

A. Buffer averaging to improve wetland protection may be permitted when all of the following conditions are met:

1. The wetland has significant differences in characteristics that affect its habitat functions, such as a wetland with a forested component adjacent to a degraded emergent component or a “dual-rated” wetland with a Category I area adjacent to a lower rated area.
2. The buffer is increased adjacent to the higher functioning area of habitat or more [environmentally](#) sensitive portion of the wetland and decreased adjacent to the lower functioning or less sensitive portion as demonstrated by a critical areas report from a qualified wetland professional.
3. The total area of the buffer after averaging is equal to the area required without averaging.
4. The buffer at its narrowest point is never less than either three-quarters of the required width or 75 feet for Categories I and II, 50 feet for Category III, and 25 feet for Category IV, whichever is greater.

B. Averaging ~~for proposed land~~ [to allow reasonable](#) uses may be allowed when all of the following are met:

1. There are no feasible alternatives to the site design that could be accomplished without buffer averaging.
2. The averaged buffer will not result in degradation of the wetland’s functions and values as demonstrated by a critical areas report from a qualified wetland professional.

3. The total buffer area after averaging is equal to the area required without averaging.

4. The buffer at its narrowest point is never less than either three-quarters of the required width or 75 feet for Categories I and II, 50 feet for Category III, and 25 feet for Category IV, whichever is greater.

C. Reduction in Buffer Width Based on Reducing the Intensity of Impacts from Proposed Land Uses.

1. The buffer widths recommended for proposed land uses with high intensity impacts to wetlands can be reduced to those recommended for moderate intensity impacts under the following conditions:

a. For wetlands that score moderate or high for habitat (five points or more for the habitat functions), the width of the buffer can be reduced if [all three of](#) the following criteria are met:

i. A relatively undisturbed, vegetated corridor at least 100 feet wide is protected between the wetland and any other priority habitats as defined by the Washington State Department of Fish and Wildlife. (“Relatively undisturbed” and “vegetated corridor” are defined in the Washington State Wetland Rating System for Eastern Washington – 2014 Update, or latest update.) Priority habitats in eastern Washington include:

(A) Wetlands;

(B) Riparian zones;

(C) Cliffs;

(D) Urban natural open space.

[\(E\) Shrub-steppe habitat](#)

ii. The corridor must be protected for the entire distance between the wetland and the priority habitat by some type of legal protection, such as a conservation easement.

iii. Measures to minimize the impacts of different land uses on wetlands, ~~such as the examples summarized as applicable~~ in Table 26.60.025(D), are applied.

b. For wetlands that score fewer than five points for habitat, the buffer width can be reduced to that required for moderate land use impacts by applying [applicable](#) measures to minimize the impacts of the proposed land uses (see examples in Table 26.60.025(D)).

D. ~~Examples of Measures to Minimize Impacts~~ [Required Mitigation to Minimize Impacts](#) to Wetlands from Changes in Land Uses with High Impacts.

Table 26.60.025(D) Examples of Measures to Minimize Impacts to Wetlands from Changes in Land Uses with High Impacts

Examples of Disturbance Types	<u>Examples of</u> Activities and Uses that Cause Disturbances	Examples of Measures to Minimize Impacts <u>Required Mitigation</u>
Lights	• Parking lots • Warehouses • Manufacturing • Residential areas	• Direct lights away from wetland
Noise	• Manufacturing • Residential areas	• Locate activity that generates noise away from wetland • <u>If warranted, enhance existing buffer with native vegetation plantings adjacent to noise source</u> • <u>For activities that generate relatively continuous, potentially disruptive noise, such as certain heavy industry or mining, establish an additional 10-ft. heavily vegetated buffer strip immediately adjacent to the outer wetland buffer</u>
Toxic runoff*	• Parking lots • Roads • Manufacturing • Residential areas • Application of agricultural pesticides • Landscaping	• Route all new, untreated runoff away from wetland, while ensuring wetland is not dewatered • Establish covenants limiting use of pesticides within 150 ft of wetland • Apply integrated pest management
Stormwater runoff	• Parking lots • Roads • Manufacturing • Residential areas • Commercial • Landscaping	• Retrofit stormwater detention and treatment for roads and existing adjacent development • Prevent channelized flow from lawns that directly enters the buffer • <u>Use low-impact development techniques</u>
Change in water regime	• Impermeable surfaces • Lawns • Tilling	• Infiltrate or treat, detain, and disperse into buffer new runoff from impervious surfaces and new lawns
Pets and human disturbance	• Residential areas	• Use privacy fencing; plant dense vegetation to delineate buffer edge and to discourage disturbance using vegetation appropriate for the ecoregion; place wetland and its buffer in a separate tract
Dust	• Tilled fields	• Use BMPs to control dust

Examples of Disturbance Types	Examples of Activities and Uses that Cause Disturbances	Examples of Measures to Minimize Impacts <u>Required Mitigation</u>
* These examples are not necessarily adequate for minimizing toxic runoff if threatened or endangered species are present at the site.		

E. The ~~minimum~~ buffer width stated in Table 26.60.024(D), Wetland Buffer Widths, shall be increased when the qualified ~~consultant~~ professional determines, based upon a site-specific wetland analysis, that impacts on the wetland from a proposed development can only be mitigated by a greater buffer width. The standard wetland buffer width shall be increased:

1. When the adjacent land is susceptible to severe erosion and erosion control measures will not effectively prevent adverse wetland impacts; or
2. When the standard buffer has minimal or degraded vegetative cover that cannot be improved through enhancement; or
3. When the wetland provides habitat for a species that is particularly sensitive to disturbance (listed by the federal government or the state as endangered, threatened, candidate, monitored or documented priority species or habitat for those species, or has unusual nesting or resting sites such as heron rookeries or raptor nesting trees), the width of the buffer should be increased to provide adequate protection for the species based on its particular life-history needs; or
4. When the minimum buffer for a wetland extends into an area with a slope of greater than 25 percent, the buffer shall be ~~increased by 50 percent.~~ The greater of either:
 - a. The minimum buffer for that particular wetland; or
 - b. Twenty-five (25) feet beyond the point where slopes become 25% or less.

F. Low impact land uses and activities (see Table 26.60.024(C)) that are consistent with the purpose and function of the wetland buffer and do not detract from its integrity may be permitted within the buffer depending on the sensitivity of the wetland. Examples of uses and activities that may be permitted in appropriate cases, based on guidance in the Wetlands ~~and CAO Guidance for Small Cities, Eastern Washington version (dated January 2010, revised October 2012, as may be~~ Guidance for CAO updates, June 2016, publication No. 16-06-002 and as amended in the future), include pervious pedestrian trails, viewing platforms, normal and routine maintenance of existing ~~stormwater management facilities such as grass-lined swales, and~~ utility easements provided the maintenance and repair does not increase the footprint or use of the facility or right-of-way. Uses permitted within the buffer shall be located in the outer portion of the buffer as far as possible from the wetland.

G. A variance from buffer width requirements may be granted by the city of Richland Hearing Examiner following a Type II procedure and payment of a fee as set forth in RMC Title 19 upon a demonstration by the applicant that the shoreline variance criteria are met per RMC 26.50.060.

H. Signs and Fencing of Wetlands and Buffers.

1. Temporary Markers. The outer perimeter of the wetland buffer and the clearing limits identified in an approved permit or land use approval shall be marked in the field with temporary "clearing limits" fencing in such a way as to ensure that no unauthorized intrusion will occur. The marking is subject to inspection by the administrator prior to the commencement of permitted activities. Temporary marking shall be maintained throughout completion of all construction activities.

2. Permanent Signs. As a condition of any permit or land use approval, the administrator may require the applicant to install permanent signs along the boundary of a wetland or its buffer. Permanent signs shall be made of an enamel-coated metal face and attached to a metal post. Signs, when required, shall be posted at an interval of one every 50 feet or one per lot if a lot is less than 50 feet wide and must be maintained by the property owner in perpetuity. Wording of the sign shall note the presence of a protected wetland area and/or wildlife habitat. Specific wording of the sign shall be approved by the administrator.

3. Fencing.

a. The applicant shall be required to install a permanent fence around the wetland or its buffer when domestic grazing animals are present or may be introduced on site.

b. Fencing installed as part of a proposed activity or as required by the administrator shall be designed so as not to interfere with species migration and shall be constructed in a manner that minimizes impacts to the wetland and associated habitat.

26.60.026 Wetland alteration and mitigation.

A. All adverse impacts to wetland functions and values shall be mitigated. Mitigation actions by an applicant or property owner shall occur in the ~~following~~ priority sequence per RMC 26.20.020(B), Ecological functions, no net loss (mitigation sequence).

B. Where impacts cannot be avoided, the applicant or property owner shall seek to implement other appropriate mitigation actions in compliance with the intent, standards, and criteria of this section. These shall include consideration of alternative site plans and building layouts and/or reduction in the density or scope of the proposal.

C. Alteration of wetlands and/or their buffers may be permitted by the ~~city~~-Administrator subject to the following criteria:

1. Category I Wetlands. Alterations of Category I wetlands shall be avoided.
2. Category II, III & IV Wetlands.
 - a. Any proposed alteration and mitigation shall comply with the requirements of this section through RMC 26.60.02830, Mitigation standards, criteria, ~~and~~ plan requirements, and design standards for wetlands mitigation planning; and
 - b. No net loss of wetland function and value will occur due to the alteration; and

~~3. Category III Wetlands.~~

~~a.c. The proposed mitigation complies with the requirements of this section through RMC 26.60.028, Mitigation standards, criteria, and plan requirements, avoids alterations of wetlands previously enhanced or created as mitigation; and~~

~~b.c.~~ Where enhancement is proposed, replacement ratios comply with the requirements of RMC 26.60.028(C), Wetland Replacement Ratios.; and

d. Avoids alterations of wetlands previously enhanced or created as mitigation.

26.60.027 Stormwater runoff.

New development within 150 feet of a wetland buffer shall contain stormwater runoff within the developed portions of the site. No stormwater runoff shall drain into the wetland. Deviations from this standard may be approved by the ~~city~~ Administrator; provided, that a study undertaken by a qualified ~~consultant~~ professional in accordance with the provisions of RMC 26.60.028 indicates that the potential discharge of stormwater runoff from a development site into a wetland is adequately mitigated to protect the functions and values of the wetland. In the case of a Category III or Category IV wetland, stormwater management facilities may be located within the outer 25 percent of the required wetland buffer; provided, that a determination is made that no other location is feasible and the location of such facilities will not have an adverse impact on the functions and values of the wetland.

Streamflows that are influenced by irrigation practices are not considered stormwater runoff for the purposes of this chapter.

26.60.028 Mitigation standards, criteria, and plan requirements.

~~A. Location and Timing of Mitigation.~~

~~1. Location of Compensatory Mitigation. Compensatory mitigation actions shall be conducted within the same subdrainage basin and on the site of the alteration except when all of subsections (A)(1)(a) through (d) of this section apply. In that case, mitigation may be allowed off site within the subwatershed of the impact site. When considering off-site mitigation, preference should be given to using alternative mitigation, such as a mitigation bank, an in-lieu fee program, or advanced mitigation.~~

~~a. There are no reasonable opportunities on-site or within the subdrainage basin (e.g., on-site options would require elimination of high-functioning upland-habitat), or opportunities on-site or within the subdrainage basin do not have a high likelihood of success based on a determination of the capacity of the site to compensate for the impacts. Considerations should include: anticipated replacement ratios for wetland mitigation, buffer conditions and proposed widths, available water to maintain anticipated hydrogeomorphic classes of wetlands when restored, proposed flood storage capacity, and potential to mitigate riparian fish and wildlife impacts (such as connectivity).~~

~~b. On-site mitigation would require elimination of high-quality upland habitat.~~

~~c. Off-site mitigation has a greater likelihood of providing equal or improved wetland functions than the altered wetland.~~

~~d. Off-site locations shall be in the same subdrainage basin unless:~~

~~i. Established watershed goals for water quality, flood storage or conveyance, habitat, or other wetland functions have been established by the city and strongly justify location of mitigation at another site.~~

~~ii. The design for the compensatory mitigation project needs to be appropriate for its location (i.e., position in the landscape). Therefore, compensatory mitigation should not result in the creation, restoration, or enhancement of an atypical wetland. An atypical wetland refers to a compensation wetland (e.g., created or enhanced) that does not match the type of existing wetland that would be found in the geomorphic setting of the site (i.e., the water source(s) and hydroperiod proposed for the mitigation site are not typical for the geomorphic setting). Likewise, it should not provide exaggerated morphology or require a berm or other engineered structures to hold back water. For example, excavating a permanently inundated pond in an existing seasonally-saturated or inundated wetland is one example of an enhancement project that could result in an atypical wetland. Another example would be excavating depressions in an existing wetland on a slope, which would require the construction of berms to hold the water.~~

~~2. Timing of Compensatory Mitigation. It is desirable that compensatory mitigation projects be completed prior to activities that will disturb wetlands. At the least, compensatory mitigation shall be completed immediately following disturbance and prior to use or occupancy of the action or development. Construction of mitigation projects shall be timed to reduce impacts to existing fisheries, wildlife, and flora.~~

~~3. The administrator may authorize a one-time, temporary delay in completing construction or installation of the compensatory mitigation when the applicant provides a written explanation from a qualified wetland professional as to the rationale for the delay. An appropriate rationale would include identification of the environmental conditions that could produce a high probability of failure or significant construction difficulties (e.g., project delay lapses past a fisheries~~

window, or installing plants should be delayed until the dormant season to ensure greater survival of installed materials). The delay shall not create or perpetuate hazardous conditions or environmental damage or degradation, and the delay shall not be injurious to the health, safety, or general welfare of the public. The request for the temporary delay must include a written justification that documents the environmental constraints that preclude implementation of the compensatory mitigation plan. The justification must be verified and approved by the city.

B. Mitigation Performance Standards.

1. Adverse impacts to wetlands functions and values shall be mitigated. Mitigation actions shall be implemented in the preferred sequence identified in RMC 26.20.020, Ecological functions, no net loss. Proposals which include less preferred and/or compensatory mitigation shall demonstrate that:

a. All feasible and reasonable measures will be taken to reduce impacts and losses to the original wetland. Describe how preferred order of wetlands mitigation was followed: (i) restoration (including reestablishment and rehabilitation); (ii) creation (establishment); (iii) enhancement in combination with restoration or creation; and (iv) preservation of high quality, at-risk wetlands.

b. Compensatory mitigation shall be allowed only after mitigation sequencing is applied and higher priority means of mitigation are determined to be infeasible, and shall achieve equivalent or greater wetland ecological functions.

c. No overall net loss will occur in wetland functions and values.

d. The restored, created, or enhanced wetland will be as persistent and sustainable as the wetland it replaces.

C. Wetland Replacement Ratios.

1. Where wetlands alterations are permitted by the city, the applicant shall restore or create equivalent areas of wetlands in order to compensate for wetland losses. Equivalent areas shall be determined according to acreage, function, type, location, timing factors, and projected success of restoration or creation.

2. The following acreage replacement ratios shall be applied:

Table 26.60.028. Mitigation Ratios for Eastern Washington¹–

Category and Type of Wetland Impacts	Reestablishment or Creation	Rehabilitation Only²	Reestablishment or Creation (R/C) and Rehabilitation (RH)²	Reestablishment or Creation (R/C) and Enhancement (E)²	Enhancement Only²
All Category IV	1.5:1	3:1	1:1 R/C and 1:1 RH	1:1 R/C and 2:1 E	6:1
All Category III	2:1	4:1	1:1 R/C and 2:1 RH	1:1 R/C and 4:1 E	8:1

Category and Type of Wetland Impacts	Reestablishment or Creation	Rehabilitation Only²	Reestablishment or Creation (R/C) and Rehabilitation (RH)²	Reestablishment or Creation (R/C) and Enhancement (E)²	Enhancement Only²
Category II Forested	4:1	8:1	1:1 R/C and 4:1 RH	1:1 R/C and 6:1 E	16:1
Category II Vernal Pool	2:1 Replacement must be seasonally ponded wetland	4:1 Replacement must be seasonally ponded wetland	1:1 R/C and 2:1 RH	Case-by-case	Case-by-case
All Other Category II	3:1	6:1	1:1 R/C and 4:1 RH	1:1 R/C and 8:1 E	12:1
Category I Forested	6:1	12:1	1:1 R/C and 10:1 RH	1:1 R/C and 20:1 E	24:1
Category I Based on Score for Functions	4:1	8:1	1:1 R/C and 6:1 RH	1:1 R/C and 12:1 E	16:1
Category I Wetland of High Conservation Value	Not considered possible ³	6:1 Rehabilitation of a natural heritage site	R/C Not considered possible ³	R/C Not considered possible ³	Case-by-case
Category I Alkali	Not considered possible ³	6:1 Rehabilitation of an alkali wetland	R/C Not considered possible ³	R/C Not considered possible ³	Case-by-case
Category I Bog	Not considered possible ³	6:1 Rehabilitation of a bog	R/C Not considered possible ³	R/C Not considered possible ³	Case-by-case

1. — Ratios for rehabilitation and enhancement may be reduced when combined with 1:1 replacement through creation or reestablishment. See Table 1b, Wetland Mitigation in Washington State — Part 1: Agency Policies and Guidance — Version 1 (Ecology Publication No. 06-06-011a, Olympia, WA, March 2006, or as revised).

2. — These ratios are based on the assumption that the rehabilitation or enhancement actions implemented represent the average degree of improvement possible for the site. Proposals to implement more effective rehabilitation or enhancement actions may result in a lower ratio, while less effective actions may result in a higher ratio. The distinction between rehabilitation and enhancement is not clear-cut. Instead, rehabilitation and enhancement actions span a continuum. Proposals that fall within the gray area between rehabilitation and enhancement will result in a ratio that lies between the ratios for rehabilitation and the ratios for enhancement.

3. — Natural heritage sites, alkali wetland, and bogs are considered irreplaceable wetlands because they perform some functions that cannot be replaced through

~~compensatory mitigation. Impacts to such wetlands would therefore result in a net loss of some functions no matter what kind of compensation is proposed.~~

~~Reference:~~

~~—Washington State Department of Ecology, U.S. Army Corps of Engineers Seattle District, and U.S. Environmental Protection Agency Region 10. March 2006. Wetland Mitigation in Washington State—Part 1: Agency Policies and Guidance (Version 1).—~~

~~Washington State Department of Ecology Publication No. 06-06-011a, Olympia, WA.~~

~~3. Credit/Debit Method. To more fully protect functions and values, and as an alternative to the mitigation ratios found in the joint guidance “Wetland Mitigation in Washington State Parts I and II” (Ecology Publication No. 06-06-011a-b, Olympia, WA, March 2006), the administrator may allow mitigation based on the “credit/debit” method developed by the Department of Ecology in “Calculating Credits and Debits for Compensatory Mitigation in Wetlands of Eastern Washington: Final Report” (Ecology Publication No. 11-06-015, August 2012, or as revised).~~

A. Types of Compensatory Mitigation. Mitigation for lost or diminished wetland and buffer functions shall rely on a type listed below in order of preference. A lower preference form of mitigation shall be used only if the applicant’s qualified wetland professional demonstrates to the satisfaction of the administrator that all higher-ranked types of mitigation are not viable, consistent with the criteria in this section.

1. Restoration. Restoration is divided into:

a. Reestablishment.

b. Rehabilitation.

2. Creation (Establishment). If a site is not available for wetland restoration to compensate for expected wetland and/or buffer impacts, the administrator may authorize creation of a wetland and buffer upon demonstration by the applicant’s qualified wetland professional that:

a. The hydrology and soil conditions at the proposed mitigation site are conducive for sustaining the proposed wetland and that creation of a wetland at the site will not likely cause hydrologic problems elsewhere;

b. Adjacent land uses and site conditions do not jeopardize the viability of the proposed wetland and buffer (e.g., due to the presence of invasive plants or noxious weeds, stormwater runoff, noise, light or other impacts); and

c. The proposed wetland and buffer will eventually be self-sustaining with little or no long-term maintenance.

3. Enhancement. Applications proposing to enhance wetland or associated buffers shall demonstrate how the proposed enhancement will increase the wetland’s buffer’s functions, how this increase in function will adequately compensate for the impacts, and how existing wetland functions at the mitigation site will be protected.

4. Protection/Maintenance (Preservation). Permanent protection of a Category I or II wetland and associated buffer at risk of degradation can be used only if:

- a. The administrator determines that the proposed preservation is the best mitigation option;
- b. The proposed preservation site is under threat of undesirable ecological change due to permitted, planned, or likely actions that will not be adequately mitigated under existing regulations;
- c. The area proposed for preservation is of high quality or critical for the health of the watershed or basin due to its location. Some of the following features may be indicative of high-quality sites:
 - i. Category I or II wetland rating (using the wetland rating system for Eastern Washington);
 - ii. Rare or irreplaceable wetland type or aquatic habitat that is rare or a limited resource in the area;
 - iii. The presence of habitat for priority or locally important wildlife species;
 - iv. Provides biological and/or hydrological connectivity;
 - v. Priority sites in an adopted watershed plan.
- d. Permanent preservation of the wetland and buffer will be provided through a conservation easement or tract held by an appropriate natural land resource manager, such as a land trust;
- e. The administrator may approve other legal and administrative mechanisms in lieu of a conservation easement if determined to be adequate to protect the site;
- f. Ratios for preservation in combination with other forms of mitigation generally range from 10:1 to 20:1, as determined on a case-by-case basis, depending on the quality of the wetlands being impacted and the quality of the wetlands being preserved. Ratios for preservation as the sole means of mitigation generally start at 20:1.

B. Location and Timing of Mitigation.

1. Location of Compensatory Mitigation. Compensatory mitigation actions shall be conducted within the same subdrainage basin and on the site of the alteration except when all of subsections (B)(1)(a) through (d) of this section apply. In that case, mitigation may be allowed off site within the subwatershed of the impact site. When considering off-site mitigation, preference should be given to using alternative mitigation, such as a mitigation bank, an in-lieu fee program, or advanced mitigation.

- a. There are no reasonable opportunities on site or within the subdrainage basin (e.g., on-site options would require elimination of high-functioning upland habitat), or opportunities on site or within the subdrainage basin do not have a high likelihood of success based on a determination of the capacity of the site to compensate for the impacts. Considerations should include: anticipated replacement ratios for wetland mitigation, buffer conditions and proposed widths, available water to maintain anticipated hydrogeomorphic

classes of wetlands when restored, proposed flood storage capacity, and potential to mitigate riparian fish and wildlife impacts (such as connectivity).

b. On-site mitigation would require elimination of high-quality upland habitat.

c. Off-site mitigation has a greater likelihood of providing equal or improved wetland functions than the altered wetland.

d. Off-site locations shall be in the same subdrainage basin unless:

i. Established watershed goals for water quality, flood storage or conveyance, habitat, or other wetland functions have been established by the city and strongly justify location of mitigation at another site.

ii. The design for the compensatory mitigation project needs to be appropriate for its location (i.e., position in the landscape). Therefore, compensatory mitigation should not result in the creation, restoration, or enhancement of an atypical wetland. An atypical wetland refers to a compensation wetland (e.g., created or enhanced) that does not match the type of existing wetland that would be found in the geomorphic setting of the site (i.e., the water source[s] and hydroperiod proposed for the mitigation site are not typical for the geomorphic setting). Likewise, it should not provide exaggerated morphology or require a berm or other engineered structures to hold back water. For example, excavating a permanently inundated pond in an existing seasonally saturated or inundated wetland is one example of an enhancement project that could result in an atypical wetland. Another example would be excavating depressions in an existing wetland on a slope, which would require the construction of berms to hold the water.

2. Timing of Compensatory Mitigation. It is preferred that compensatory mitigation projects be completed prior to activities that will disturb wetlands. At the least, compensatory mitigation shall be completed immediately following disturbance and prior to use or occupancy of the action or development. Construction of mitigation projects shall be timed to reduce impacts to existing fisheries, wildlife, and flora.

3. The administrator may authorize a one-time, temporary delay in completing construction or installation of the compensatory mitigation when the applicant provides a written explanation from a qualified wetland professional as to the rationale for the delay. An appropriate rationale would include identification of the environmental conditions that could produce a high probability of failure or significant construction difficulties (e.g., project delay lapses past a fisheries window, or installing plants should be delayed until the dormant season to ensure greater survival of installed materials). The delay shall not create or perpetuate hazardous conditions or environmental damage or degradation, and the delay shall not be injurious to the health, safety, or general welfare of the public. The request for the temporary delay must include a written justification that documents the environmental constraints that preclude implementation of the compensatory mitigation plan. The justification must be verified and approved by the administrator.

C. Mitigation Performance Standards.

1. Adverse impacts to wetlands functions and values shall be mitigated. Mitigation actions shall be implemented in the preferred sequence identified in RMC ~~22.10.120(A)~~ 26.60.026. Proposals which include less preferred and/or compensatory mitigation shall demonstrate that:

a. All feasible and reasonable measures will be taken to reduce impacts and losses to the original wetland, including a description of how preferred order of wetlands mitigation was followed: (i) restoration (including reestablishment and rehabilitation); (ii) creation (establishment); (iii) enhancement in combination with restoration or creation; and (iv) preservation of high quality, at-risk wetlands;

b. Compensatory mitigation shall be allowed only after mitigation sequencing is applied and higher priority means of mitigation are determined to be infeasible, and shall achieve equivalent or greater wetland ecological functions;

c. No overall net loss will occur in wetland functions and values; and

d. The restored, created or enhanced wetland will be as persistent and sustainable as the wetland it replaces.

D. Wetland Replacement Ratios.

1. Where wetlands alterations are permitted by the administrator, the applicant shall restore or create equivalent areas of wetlands in order to compensate for wetland losses. Equivalent areas shall be determined according to acreage, function, type, location, timing factors, and projected success of restoration or creation.

2. The following acreage replacement ratios shall be applied:

Table 26.60.028(D) Mitigation Ratios for Eastern Washington¹

<u>Category and Type of Wetland Impacts</u>	<u>Reestablishment or Creation</u>	<u>Rehabilitation Only²</u>	<u>Reestablishment or Creation (R/C) and Rehabilitation (RH)²</u>	<u>Reestablishment or Creation (R, C) and Enhancement (E)²</u>	<u>Enhancement Only²</u>
<u>All Category IV</u>	<u>1.5:1</u>	<u>3:1</u>	<u>1:1 R/C and 1:1 RH</u>	<u>1:1 R/C and 2:1 E</u>	<u>6:1</u>
<u>All Category III</u>	<u>2:1</u>	<u>4:1</u>	<u>1:1 R/C and 2:1 RH</u>	<u>1:1 R/C and 4:1 E</u>	<u>8:1</u>
<u>Category II</u>	<u>3:1</u>	<u>6:1</u>	<u>1:1 R/C and 4:1 RH</u>	<u>1:1 R/C and 8:1 E</u>	<u>12:1</u>
<u>Category I based on score for functions</u>	<u>4:1</u>	<u>8:1</u>	<u>1:1 R/C and 6:1 RH</u>	<u>1:1 R/C and 12:1 E</u>	<u>16:1</u>
<u>Category I natural heritage site</u>	<u>Not considered possible³</u>	<u>Case-by-case</u>	<u>R/C not considered possible³</u>	<u>R/C not considered possible³</u>	<u>Case-by-case</u>

¹ Ratios for rehabilitation and enhancement may be reduced when combined with 1:1 replacement through creation or reestablishment. See Table 1b, Wetland Mitigation in

Washington State – Part 1: Agency Policies and Guidance – Version 1, (Ecology Publication No. 06-06-011a, Olympia, WA, March 2006 or as revised).

² These ratios are based on the assumption that the rehabilitation or enhancement actions implemented represent the average degree of improvement possible for the site. Proposals to implement more effective rehabilitation or enhancement actions may result in a lower ratio, while less effective actions may result in a higher ratio. The distinction between rehabilitation and enhancement is not clear-cut. Instead, rehabilitation and enhancement actions span a continuum. Proposals that fall within the gray area between rehabilitation and enhancement will result in a ratio that lies between the ratios for rehabilitation and the ratios for enhancement.

³ Natural Heritage sites, alkali wetland, and bogs are considered irreplaceable wetlands because they perform some functions that cannot be replaced through compensatory mitigation. Impacts to such wetlands would therefore result in a net loss of some functions no matter what kind of compensation is proposed.

Reference:

Washington State Department of Ecology, U.S. Army Corps of Engineers Seattle District, and U.S. Environmental Protection Agency Region 10. March 2006. Wetland Mitigation in Washington State – Part 1: Agency Policies and Guidance (Version 1). Washington State Department of Ecology Publication No. 06-06-011a. Olympia, WA.

3. Credit/Debit Method. To more fully protect functions and values, and as an alternative to the mitigation ratios found in the joint guidance “Wetland Mitigation in Washington State Parts I and II” (Ecology Publication No. 06-06-011a-b, Olympia, WA, March 2006, or as revised), the administrator may allow mitigation based on the “credit/debit” method developed by the Department of Ecology in “Calculating Credits and Debits for Compensatory Mitigation in Wetlands of Eastern Washington: Final Report” (Ecology Publication No. 11-06-015, August 2012, or as revised).

26.60.029 Wetland mitigation plan requirements.

Where it is determined by the ~~city~~ Administrator that compensatory wetland mitigation is required or appropriate, a mitigation plan shall be prepared consistent with the provisions below and shall also meet the minimum requirements contained in the Wetlands Guidance for ~~and CAO Guidance for Small Cities, Eastern Washington–version (dated January 2010, revised October 2012, CAO Updates: Eastern Washington, June 2016., Publication No. 16-06-002~~ and as amended in the future). The purpose of the plan is to prescribe mitigation to compensate for impacts to the wetland functions, values, and acreage as a result of the proposed action. This plan shall consider the chemical, physical, and biological impacts on the wetland system using a recognized wetlands assessment methodology and/or best professional judgment. The mitigation plan shall be prepared in two phases, a conceptual phase and a detailed phase.

A. Conceptual Plan – Standards and Criteria. The applicant shall prepare a conceptual mitigation plan for submission to the ~~city~~ [Administrator](#) at a pre-mitigation conference. The conceptual mitigation plan shall include:

1. General goals of the mitigation plan;
2. A review of literature or experience to date in restoring or creating the type of wetland proposed;
3. Location of proposed wetland compensation area;
4. General hydrologic patterns on the site following construction;
5. Nature of compensation, including wetland types (in-kind), general plant selection and justification, approximate project sequencing and schedule, and approximate size of the new wetland buffer;
6. A conceptual maintenance plan; and
7. A conceptual monitoring and contingency plan.

B. Detailed Plan – Standards and Criteria. Following acceptance of the conceptual mitigation plan by the ~~city~~ [Administrator](#), the applicant will prepare a detailed mitigation plan. Each detailed plan shall contain, at a minimum, the following [seven](#) components, and shall be consistent with the standards in RMC 26.60.023 through 26.60.028:

~~1. A clear statement of the objectives of the mitigation. The goals of the mitigation plan should be stated in terms of the new wetland functions and values compared to the functions and values of the original wetland.~~

~~2. Qualitative and quantitative standards for success of the project, including hydrologic characteristics (water depths, water quality, hydroperiod/hydrocycle characteristics, flood storage capacity); vegetative characteristics (community types, species composition, density, and spacing); faunal characteristics, and final topographic elevations.~~

~~3. An ecological assessment of the wetland values and wetland buffers that will be lost as a result of the activities, and of the replacement wetlands and buffers, including, but not limited to, the following:~~

~~a. Acreage of project;~~

~~b. Existing functions and values;~~

~~c. Sizes of wetlands, wetland buffers, and areas to be altered;~~

~~d. Vegetative characteristics, including community type, areal coverage, species composition, and density;~~

~~e. Habitat type(s) to be enhanced, restored, or created; and~~

~~f. Dates for beginning and completion of the mitigation project, and sequence of construction activities.~~

~~4. A statement of the location, elevation, and hydrology of the new site, including the following:~~

- ~~a. Relationship of the project to the watershed and existing water bodies;~~
- ~~b. Topography of the site using the smallest readily available intervals, preferably one-foot contour intervals but two-foot is acceptable;~~
- ~~c. Water level data, including depth and duration of seasonally high water table;~~
- ~~d. Water flow patterns;~~
- ~~e. Grading, filling and excavation, including a description of imported soils;~~
- ~~f. Irrigation requirements, if any;~~
- ~~g. Water pollution mitigation measures during construction;~~
- ~~h. Areal coverage of planted areas to open water areas (if any open water is to be present); and~~
- ~~i. Appropriate buffers.~~

~~5. A planting plan describing what will be planted, and where and when the planting will occur, as follows:~~

- ~~a. Soils and substrate characteristics;~~
- ~~b. Specify substrate stockpiling techniques; and~~
- ~~c. Planting instructions, including species, stock type and size, density or spacing of plants, and water and nutrient requirements.~~

~~6. A monitoring and maintenance plan consistent with RMC 26.60.031.~~

- ~~a. Specify procedures for monitoring and site maintenance, including control of invasive species; and~~
- ~~b. Submit monitoring reports to the city.~~

~~7. A contingency plan consistent with these regulations.~~

~~8. A detailed budget for implementation of the mitigation plan, including monitoring, maintenance, and contingency phases.~~

~~9. A guarantee, in the form of a bond or other security device in a form and amount acceptable to the city attorney, assuring that the work will be performed as planned and approved, consistent with these regulations and including monitoring, maintenance and contingency.~~

1. A clear statement of the objectives of the mitigation. The goals of the mitigation plan should be stated in terms of the new wetland functions and values compared to the functions and values of the original wetland. Objectives shall include:

a. Qualitative and quantitative standards for success of the project, including hydrologic characteristics (water depths, water quality, hydroperiod/hydrocycle characteristics, flood storage capacity); vegetative characteristics (community types, species composition, density, and spacing); faunal characteristics, and final topographic elevations.

b. An ecological assessment of the wetland values and wetland buffers that will be lost as a result of the activities, and of the replacement wetlands and buffers, including but not limited to the following:

i. Acreage of project;

ii. Existing functions and values;

iii. Sizes of wetlands, wetland buffers, and areas to be altered;

iv. Vegetative characteristics, including community type, areal coverage, species composition, and density;

v. Habitat type(s) to be enhanced, restored, or created; and

vi. Dates for beginning and completion of the mitigation project, and sequence of construction activities.

2. A statement of the location, elevation, and hydrology of the new site, including the following:

a. Relationship of the project to the watershed and existing water bodies;

b. Topography of site using the smallest readily available intervals, preferably one-foot contour intervals but two-foot are acceptable;

c. Water level data, including depth and duration of seasonally high water table;

d. Water flow patterns;

e. Grading, filling and excavation, including a description of imported soils;

f. Irrigation requirements, if any;

g. Water pollution mitigation measures during construction;

h. Areal coverage of planted areas to open water areas (if any open water is to be present); and

i. Appropriate buffers.

3. A planting plan, describing what will be planted, and where and when the planting will occur, as follows:

a. Soils and substrate characteristics;

b. Specify substrate stockpiling techniques; and

c. Planting instructions, including species, stock type and size, density or spacing of plants, and water and nutrient requirements.

4. A monitoring and maintenance plan, consistent with RMC ~~22.10.160~~26.60.031.

a. Specify procedures for monitoring and site maintenance including control of invasive species; and

b. Submit monitoring reports to the administrator.

5. A contingency plan, consistent with these regulations.

6. A detailed budget for implementation of the mitigation plan, including monitoring, maintenance and contingency phases.

7. A guarantee, in the form of a bond or other security device in a form and amount acceptable to the city attorney, assuring that the work will be performed as planned and approved, consistent with these regulations, including monitoring, maintenance and contingency.

26.60.030 ~~Performance~~ Design standards for wetlands mitigation planning.

A. The following performance standards shall be incorporated into mitigation plans submitted to the city of Richland:

1. Plants should be indigenous to the region (not introduced or foreign species);
2. Plants should be adaptable to a broad range of water depths;
3. Plants should be commercially available or available from local sources;
4. Plant species high in food and cover value for fish and wildlife are recommended, when possible;
5. Plants should be mostly perennial species;
6. Avoid committing significant areas of the site to species that have questionable potential for successful establishment;
7. Plant selection must be approved by a wetlands biologist/ecologist;
8. Water depth is not to exceed six and one-half feet (two meters);
9. The grade or slope that water flows through the wetland is not to exceed six percent;

10. Slopes within the wetland basin and the buffer zone should not be steeper than 3:1 (horizontal to vertical);
11. The substrate should consist of a minimum of one foot, in depth, of clean (uncontaminated with chemicals, or solid/hazardous wastes) inorganic/organic materials;
12. Planting densities and placement of plants should be determined by a qualified professional and shown on the design plans;
13. The wetland (excluding the buffer area) should not contain more than 60 percent open water as measured at the seasonal high water mark;
14. Minimum buffer widths should extend from the wetland boundary in accordance with buffer requirements in Table 26.60.024(D), Wetland Buffer Widths, for the proposed category rating of the wetland that will be created;
15. The planting plan must be approved by the ~~community development director-Administrator~~, ~~or designee, or consultant~~ qualified professional acting on behalf of the city;
16. Stockpiling should be confined to upland areas, and contract specifications should limit stockpile durations to less than four weeks; Any area designated as open space shall not be used to stockpile material;
17. Planting instructions which describe proper placement, diversity, and spacing of seeds, tubers, bulbs, rhizomes, sprigs, plugs, and transplanted stock;
18. Apply controlled release fertilizer, if reasonable and prudent, at the time of planting and afterward only as plant conditions warrant (determined during the monitoring process);
19. Install an irrigation system, if necessary, for initial establishment period; and
20. Construction specifications and methods must be approved by a qualified ~~consultant~~ professional and the ~~city~~ Administrator.

B. On completion of construction, the wetland mitigation project must be signed off by the applicant's qualified ~~consultant~~ professional and the ~~city~~ Administrator. Signature will indicate that the construction has been completed as planned and all design elements have been fully and correctly implemented. If there have been changes in the implementation of the plan, a written explanation from the ~~consulting biologist~~ qualified professional must be included.

26.60.031 Wetland monitoring program and contingency plan.

A. A monitoring program shall be implemented to determine the success of the mitigation project and any necessary corrective actions. This chapter shall determine if the original goals and objectives are being met.

B. A contingency plan shall be established for compensation in the event that the mitigation project is inadequate or fails. A performance and maintenance bond or other acceptable security device is required to assure the applicant's compliance with the terms of the mitigation agreement. The amount of the performance and maintenance bond shall equal 125 percent of the cost of the mitigation project for a period of five years. The ~~city~~-Administrator may agree to reduce the bond in phases in proportion to work successfully completed over the period of the bond.

~~C. During monitoring, scientific procedures for establishing the success or failure of the project must be used.~~

~~D. For vegetation determinations, permanent sampling points shall be established.~~

~~E. Shrub and tree vegetation success can be defined as 80 percent survival of the original number of plants planted, with the following beginning density of vegetation planted: trees planted on 10-foot centers, with shrubs planted on three- to five-foot centers underneath and between the trees. Percent cover goals that mimic local natural healthy reference wetlands can be established for percent cover goals at year five as an alternative to percent survival goals.~~

~~F. Submit monitoring reports on the current status of the mitigation project to the city. The reports are to be prepared by a qualified consultant and reviewed by the city's consultant and should include monitoring information on wildlife, vegetation, water quality, water flow, stormwater storage and conveyance, and existing or potential degradation, and shall be produced on the following schedule:~~

- ~~1. At the time of construction;~~
- ~~2. Thirty days after planting;~~
- ~~3. Early in the growing season of the first year;~~
- ~~4. End of the growing season of the first year;~~
- ~~5. Twice the second year; and~~
- ~~6. Annually thereafter.~~

~~G. Monitor for five growing seasons. If the mitigation goals are not obtained within the initial five-year period, the applicant remains responsible for restoration of the natural resource values and functions until the mitigation goals agreed to in the mitigation plan are achieved.~~

~~H. If necessary, correct for failures in the mitigation project.~~

~~I. Replace dead or undesirable vegetation with appropriate plantings based on the approved planting plan or RMC 26.60.029.~~

~~J. Repair damages caused by erosion, settling, or other geomorphological processes.~~

~~K. Redesign mitigation project (if necessary) and implement the new design.~~

~~L. Correction procedures shall be approved by a qualified consultant and the city.~~

C1. During monitoring, scientific procedures for establishing the success or failure of the project must be used and shall be identified in the monitoring plan;

D2. For vegetation determinations, permanent monitoring transects or plots shall be established that adequately represent the compensatory mitigation site;

E3. Vegetative success in the compensatory mitigation wetland will be defined as:

1a. An average density of at least four plants per 100 square feet in the scrub-shrub and forested communities in year one;

2b. A cover of native wetland trees and shrubs combined (planted and volunteer) of at least 10 percent in year three; 25 percent in year five; 40 percent in year seven; 50 percent in year 10;

3e. A cover of native wetland herbaceous plant species (planted and volunteer) of at least 25 percent in year five; 40 percent in year seven and 50 percent in year 10;

4d. Nonnative invasive species must be controlled per site-specific specifications and shall not exceed the maximum amount as identified in the approved monitoring plan;

5e. Buffer vegetation shall be maintained in the amount as identified in the approved monitoring plan;

F4. Submit monitoring reports on the current status of the mitigation project to the administrator. The reports are to be prepared by a qualified professional and reviewed by the administrator and should include monitoring information on wildlife, vegetation, water quality, water flow, stormwater storage and conveyance, and existing or potential degradation, and shall be produced for years one, two, three, four, seven and 10. Monitoring reports shall incorporate hydrology standards to ensure the required wetland habitat and buffer areas are established and functioning and shall detail the minimum number of days during the growing season when soils must remain inundated or saturated to the ground surface;

G5. Monitor for 10 growing seasons. If the mitigation goals are obtained within the initial five-year period, no further monitoring will be required;

H6. If necessary, correct for failures in the mitigation project;

I7. Replace dead or undesirable vegetation with appropriate plantings, based on the approved planting plan or RMC ~~22.10.15026-60.029-B.3~~ 26.60.030;

J8. Repair damages caused by erosion, settling, or other geomorphological processes;

K9. Redesign mitigation project (if necessary) and implement the new design;

L10. Correction procedures shall be approved by a qualified professional and the administrator; and

M11. The area where the mitigation occurred and any associated buffer shall be located in a critical area tract, a conservation easement or similar legal instrument as approved by the administrator to ensure the future protection of the mitigation site.

26.60.032 Repealed.

~~26.60.032 Unauthorized alterations and enforcement.~~

~~A. When a wetland or its buffer has been altered in violation of this chapter, all ongoing development work shall stop and the critical area shall be restored. The city shall have the authority to issue a “stop work” order to cease all ongoing development work and order restoration, rehabilitation, or replacement measures at the owner’s or other responsible party’s expense to compensate for violation of provisions of this chapter.~~

~~B. Requirement for Restoration Plan. All development work shall remain stopped until a restoration plan is prepared by the owner or responsible party and approved by city. Such a plan shall be prepared by a qualified professional using the currently accepted scientific principles, and shall describe how the actions proposed meet the minimum requirements described in subsection (C) of this section. The administrator shall, at the violator’s expense, seek expert advice in determining the adequacy of the plan. Inadequate plans shall be returned to the applicant or violator for revision and resubmittal.~~

~~C. Minimum Performance Standards for Restoration. The following minimum performance standards shall be met for the restoration of a wetland; provided, that if the violator can demonstrate that greater functions and habitat values can be obtained, these standards may be modified:~~

~~1. The historic structure, functions, and values of the affected wetland shall be restored, including water quality and habitat functions.~~

~~2. The historic soil types and configuration shall be restored to the extent practicable.~~

~~3. The wetland and buffers shall be replanted with native vegetation that replicates the vegetation historically found on the site in species types, sizes, and densities. The historic functions and values should be replicated at the location of the alteration.~~

~~4. Information demonstrating compliance with other applicable provisions of this chapter shall be submitted to the administrator.~~

~~D. Site Investigations. The administrator is authorized to make site inspections and take such actions as necessary to enforce this chapter. The administrator shall present proper credentials and make a reasonable effort to contact any property owner before entering onto private property.~~

~~E. Penalties. See RMC 26.60.084(B).~~

~~F. If the wetland affected cannot be restored, money from any associated penalties shall be deposited in a dedicated account for the preservation or restoration of landscape processes and functions in the watershed in which the affected wetland is located. The city may coordinate its preservation or restoration activities with others to optimize the effectiveness of the restoration action.~~

Article III. Fish and Wildlife Habitat Conservation Areas

26.60.040 ~~Exemption~~ Exceptions from fish and wildlife habitat conservation regulations.

A. See RMC ~~22.10.360~~ 26.60.080 for general ~~exemptions~~ exceptions to all critical areas.

~~A.B.~~ The following activities shall not be ~~exempt from~~ subject to the provisions of this chapter related to fish and wildlife habitat, provided they are conducted using best management practices:

1. Activities involving artificially created habitat, including, but not limited to, grass-lined swales, irrigation and drainage ditches, and detention facilities such as reservoirs, ponds, and landscape features, except for habitat conservation areas created as mitigation.

~~B.C.~~ Notwithstanding the ~~exemption~~ exceptions provided by this section, any otherwise ~~exempt~~ excepted activities occurring in or near critical habitat conservation areas shall comply with the intent of these standards and shall consider on-site alternatives that avoid or minimize potential habitat impacts and shall consider the timing of excepted work to minimize disturbances to wildlife including disturbance to migratory bird nesting sites.

26.60.041 ~~Fish and wildlife habitat inventory maps.~~

~~The approximate location and extent of habitat areas within the city of Richland's planning area are shown on the maps adopted as part of this program, as provided in the city's SMP inventory, analysis and characterization report. These maps shall be used as a general guide only for the assistance of property owners and other interested parties as boundaries are generalized. The actual type, extent, and boundaries of habitat areas shall be determined by a qualified professional according to the procedures, definitions, and criteria established by this program. In the event of any conflict between the habitat location or type shown on the city of Richland's maps and the criteria or standards of this program, the criteria and standards resulting from the field investigation shall control.~~

22.60.041 Fish and wildlife habitat conservation areas.

A. Fish and wildlife habitat conservation areas include the following:

1. Areas where state or federal designated endangered, threatened, and critical species have a primary association.

a. Federal designated endangered and threatened species are those fish, wildlife and plant species identified by the U.S. Fish and Wildlife Service and the National Marine Fisheries Service that are in danger of extinction or threatened to become endangered. The U.S. Fish and Wildlife Service and the National Marine Fisheries Service should be consulted as necessary for current listing status.

b. State designated endangered, threatened and critical species are those fish, wildlife and plant species native to the state of Washington identified by the State Department of Fish and Wildlife and/or State of Washington Natural Heritage Program that are in danger of extinction, threatened to become endangered, vulnerable, or declining and are likely to become endangered or threatened in a significant portion of their range within the state without cooperative management or removal of threats. The state of Washington's Department of Fish and Wildlife and/or Natural Heritage Program maintains the most current listings and should be consulted as necessary for current state listing status.

2. State priority habitats and areas associated with state priority species.

a. State of Washington priority habitats and species are considered priorities for conservation and management. The state of Washington's Department of Fish and Wildlife should be consulted for current listing of priority habitats and species.

3. Habitats and species of local importance. The city of Richland hereby adopts by reference those priority habitats and species considered priorities for conservation and management identified by the State Department of Fish and Wildlife and State of Washington Natural Heritage Program as now exist or as may be amended.

4. In addition to the priority habitats and species recognized by WDFW and/or State of Washington Natural Heritage Program, a process is provided for listing other habitats and species that are important locally to the people of Richland. This action may be initiated at the request of the Washington State Department of Fish and Wildlife, other government agency, city staff, nonprofit organization or interested citizen. Any such request shall be in writing and shall include:

a. The common and scientific name for a species under consideration;

b. Habitat location on a map (scale 1:24,000);

c. Demonstrate a need for special consideration based upon best available science and considering:

i. Declining or increasing population;

ii. Sensitivity to habitat manipulation; or

iii. Commercial or game value or other special value, such as public appeal;

d. Habitat management recommendations, including potential uses and restrictions of the habitat conservation areas, seasonally critical areas and other guidelines necessary for the protection of the species;

e. Reasons for the species/habitat to be designated;

f. Name and address of the nominator, along with a list of property owners and mailing addresses for each property mapped as containing habitat and/or species;

g. Other supporting documentation (as determined by the administrator);

h. SEPA checklist;

i. Fee as established by the city of Richland fee schedule.

Submitted proposals shall be reviewed by city staff as a Type IV legislative action pursuant to RMC 19.20.010(D)(2) and Chapter 19.90 RMC. Suggested amendments to this section of the critical areas regulations shall result in amendment no more often than once each calendar year with the deadline for submittal being January 31st. Copies of the proposal shall be submitted to WDFW and/or other local, state or federal agencies or experts for comments and recommendations regarding accuracy of the data and effectiveness of proposed management strategies as part of the public comment period. Approved nominations will be designated priority habitats/species as appropriate and will be given all protection under this chapter afforded other priority habitats and species;

5. The areas listed as a national wildlife refuge, national park, natural area preserve or any preserve or reserve designated under WAC 332-30-151;

6. The Yakima River Delta area, including Lake Wallula wildlife habitat conservation areas currently managed by the U.S. Army Corps of Engineers, the Chamna Natural Preserve, Bateman Island;

7. The Hanford Islands in the Columbia River managed by the U.S. Fish and Wildlife Service;

8. Amon Creek Natural Preserve;

9. Badger Mountain Natural Preserve;

10. Category I wetlands as defined in RMC ~~22.10.100~~26.60.023;

11. State nature area preserves or natural resource conservation areas and state wildlife areas;

12. Documented habitat, other than accidental presence, of threatened or endangered species;

13. Documented habitat, other than accidental presence, of regional or national significance for migrating birds;

14. Naturally occurring ponds under 20 acres and their submerged aquatic beds that provide fish or wildlife habitat;

15. Waters of the state;

16. Lakes, ponds, streams, and rivers planted with game fish by a governmental or tribal entity.

B. Fish and wildlife habitat conservation areas are intended to:

1. Create a system of fish and wildlife habitat with connections between larger habitat blocks and open spaces, integrating with open space corridor planning where appropriate;

2. Limit the level of human activity within such areas that is appropriate for certain areas and habitats, including presence of roads and level of recreation type (passive or active recreation);

3. Protect riparian ecosystems including potential for restoring lost or impaired salmonid habitat;

4. Evaluate land uses that may negatively impact these areas, or conversely, that may contribute positively to their function;

5. Establish buffer zones around these areas to separate incompatible uses from habitat conservation areas;

6. Establish or enhance nonregulatory approaches in addition to regulatory methods to protect fish and wildlife habitat conservation areas.

26.60.042. Fish and wildlife habitat ~~conservation~~ ~~buffer~~ areas ~~s~~ buffers.

A. The establishment of buffer areas shall be required for regulated activities in or adjacent to fish and wildlife habitat conservation areas including riparian areas and habitat areas located upland and within the shoreline jurisdiction. ~~Buffer~~ Buffers shall consist of an undisturbed area of native vegetation established to protect the integrity, functions, and values of the affected habitat. Enhancement of buffers may be required if a portion of the buffer has been cleared, or if tree cover is substantially less than a native climax community.

B. The following riparian buffer widths are established:

Table 26.60.042. Riparian Buffer Width

Regulatory Reach (See Environment Designation with Regulatory Reaches Map)	Riparian Buffer Width (Feet)^{1, 2}
A, C, I, T	50
B, U and all other natural environment designation areas within various regulatory reaches except Reach Q	Entire shoreline jurisdiction
D, N, O, P	75 except where roadway, canal, paved trail or parking area encroaches, and then waterward edge of facility maintenance area, as applicable
E, F	100

Regulatory Reach (See Environment Designation with Regulatory Reaches Map)	Riparian Buffer Width (Feet) ^{1, 2}
G, I	75 except where roadway, canal, levee, paved trail or parking area encroaches, and then waterward edge of facility maintenance area, as applicable
H, J, K	100 except where roadway, canal, levee, paved trail or parking area encroaches, and then waterward edge of facility maintenance area, as applicable
L, Q, S	Waterward edge of existing levee, paved trail and/or parking maintenance area, as applicable
M	50 or waterward edge of existing levee, paved trail and/or parking maintenance area, as applicable
R	From the OHWM to the federal/private property boundary line ³

- (1) Measured from the OHWM or top of bank, as applicable.
- (2) Accompanied by other ~~sensitive~~critical area protections and stormwater management measures, as applicable.
- (3) Administrative buffer adjustments do not apply. Buffer can be widened, if applicable, or other protection provisions related to geologic hazards can be applied.

C. Buffers required for fish and wildlife habitat protection when upland of riparian areas~~Buffers~~ shall also be measured, on a horizontal plane, from the OHWM as delineated by a qualified consultant. Required buffer widths for non-riparian habitat areas shall reflect the sensitivity of the habitat and the type and intensity of human activity proposed to be conducted nearby. These buffers shall be determined by the city based on information in the ~~wildlife report~~fish and wildlife habitat conservation report supplemented by its own investigations, the sensitivity and value of the habitat areas, the intensity and design of the proposed use, and adjacent uses and activities.

D. Administrative ~~Buffer~~-Adjustments of Fish and Wildlife Habitat Conservation Area Buffers.

1. The required fish and wildlife habitat conservation area buffer widths, including the riparian buffer widths established in this chapter of the shoreline master program may be modified by the administrator for a development on existing legal lots of record in place at the time of adoption of this program in accordance with the provisions of this section, only where the applicant demonstrates all of the following:

- a. Averaging is necessary to avoid an extraordinary hardship to the applicant caused by circumstances peculiar to the property, and no feasible alternative exists;
- b. The designated buffer area contains variations in sensitivity to ecological impacts due to existing physical characteristics, or the character of the buffer

varies in slope, soils, or vegetation and the buffer is increased adjacent to the higher functioning area of habitat;

c. The total area contained within the buffer after averaging is no less than that contained within the standard buffer prior to averaging;

d. The minimum buffer width at its narrowest point shall not be less than 75 percent of the buffer width established under this program; and

e. The buffer width averaging does not result in a net loss of ecological function.

2. Standard Buffer Reduction. Reductions of up to 25 percent of the standard buffer may be approved if the applicant demonstrates to the satisfaction of the administrator that a mitigation plan developed by a qualified professional indicates that enhancing the buffer (by removing invasive plants or impervious surfaces, planting native vegetation, or installing habitat features or other means) will result in a reduced buffer that functions at a higher level than the existing standard buffer.

3. In-Fill Development. In an effort to facilitate in-fill development in approved plats, the city may approve requests to reduce the standard ~~shoreline-fish and wildlife~~ habitat conservation area buffers up to a maximum of 50 percent for a new single-family residence and appurtenant structures in accordance with the following criteria:

a. Where there are single-family residences within 150 feet on either side of the proposed residence in an existing plat, the buffer shall be determined as the greater of one of the following three options: (i) a common line drawn between the nearest corners of the nearest residence; (ii) a common line calculated by the average of the nearest residence's existing buffer; or (iii) a 50 percent reduction of the standard buffer.

b. Where there is only a residence located within 150 feet on one side of the proposed residence in an existing plat, the standard buffer shall be determined as: (i) the greater of a common line drawn between the nearest corner of the nearest residence and the nearest point of the standard buffer on the adjacent vacant lot; (ii) a common line calculated by the average of the nearest residence's setback and the standard buffer for the adjacent vacant lot; or (iii) a 50 percent reduction of the standard buffer.

E. The buffer width stated in subsection (B) of this section shall be increased when the ~~qualified consultant~~ administrator determines, based upon a site-specific habitat analysis by a qualified professional, that impacts on the habitat from a proposed development can only be mitigated by a greater buffer width. The standard ~~habitat-riparian~~ buffer width shall be increased:

1. When the adjacent land is susceptible to severe erosion, and erosion control measures will not effectively prevent adverse habitat impacts; or

2. When the standard buffer has minimal or degraded vegetative cover that cannot be improved through enhancement; or

3. When the ~~wetland~~[area](#) provides habitat for a species that is particularly sensitive to disturbance (listed by the federal government or the state as endangered, threatened, candidate, monitored or documented priority species or habitat for those species, or has unusual nesting or resting sites such as heron rookeries or raptor nesting trees), the width of the buffer should be increased to provide adequate protection for the species based on its particular life-history needs; or

4. When the minimum buffer for a habitat extends into an area with a slope of greater than 25 percent, the buffer shall be the greater of:

a. The minimum buffer for that particular habitat; or

b. Twenty-five feet beyond the point where the slope becomes 25 percent or less.

F. Low impact [land](#) uses and activities which are consistent with the purpose and function of the ~~habitat~~ buffer and do not detract from its integrity may be permitted within the buffer depending on the sensitivity of the habitat involved. Examples of uses and activities which may be permitted in appropriate cases include [pervious](#) pedestrian trails, viewing platforms, stormwater management facilities such as grass-lined swales and utility easements.

26.60.043 Fish and wildlife habitat conservation area inventory maps.

To determine the location and extent of fish and wildlife habitat conservation areas, the city shall use best available science, including current information contained in priority habitats and species maps as maintained by the Washington State Department of Fish and Wildlife. These maps shall be used as a general guide only for the assistance of property owners and other interested parties; boundaries are generalized. The actual type, extent, and boundaries of habitat conservation areas shall be determined by a qualified professional according to the procedures, definitions, and criteria established by this article. In the event of any conflict between the habitat location or type shown on maps and the criteria or standards of this article, the criteria and standards resulting from the field investigation shall control.

Recovery plans and management recommendations for many of these species are available from the United States Fish and Wildlife Service, the National Marine Fisheries Service and the Washington State Department of Fish and Wildlife. Additional information is also available from the Washington State Department of Natural Resources, Natural Heritage Program, and Aquatic Resources Program.

It is also possible that unmapped areas may include priority habitats or species (PHS), endangered, threatened or critical (ETS) species, or habitats and species of local importance (HSLI). If such a species is known to exist within an unmapped area, the type, extent and boundaries of this area shall be determined by a qualified professional.

26.60.044 Requirements for habitat conservation area reports.

When development is proposed within a fish and wildlife habitat conservation area or its buffer, or where development is proposed to be located adjacent to a fish and wildlife habitat conservation area or its buffer or close enough to the FWHCA so as to likely impact critical area ecosystem functions and values, a habitat conservation report shall be prepared consisting of the following:

A. The report shall be prepared by a qualified professional using the best available science;

B. The area addressed in any report for a fish and wildlife habitat conservation area shall include the project area and adjacent lands within 300 feet of the project boundaries to account for potential buffers that may not be accurately mapped at the time of application. Further the report shall identify all habitat conservation areas, shorelines, floodplains, other critical areas and related buffers;

C. A habitat conservation report shall include an assessment to evaluate the presence or absence of priority habitat. At a minimum the habitat assessment shall include:

1. Detailed description of vegetation on and adjacent to the project area, including the existence or nonexistence of plant species native to the state of Washington identified by the State of Washington Natural Heritage Program that are in danger of extinction, threatened to become endangered, vulnerable, or declining and are likely to become endangered or threatened in a significant portion of their range within the state without cooperative management or removal of threats;

2. Identification of any priority species and habitats (PHS) or any endangered, threatened, critical, ~~or~~ candidate, or monitored species and any habitat or species of local concern that have a primary association with habitat on or adjacent to the project area, and assessment of potential project impacts to the protected habitat or use of the site by the species;

3. A discussion of any federal, state or local special management recommendations, including Department of Fish and Wildlife habitat management recommendations, that have been developed for species or habitats located on or adjacent to the project area;

4. A discussion of measures, including avoidance, minimization and mitigation proposed to preserve existing habitats or restore any habitat that was degraded prior to the current proposed land use activity and to be conducted in accordance with RMC ~~22.10.220~~26.60.020 (mitigation sequencing);

5. A discussion of ongoing management practices that will protect habitat after the project site has been developed, including proposed monitoring and maintenance programs;

6. When warranted, the administrator may require detailed surface and subsurface hydrologic features both on and adjacent to the site;

D. Habitat conservation area reports shall be forwarded to the Washington Department of Fish and Wildlife and local Native American Indian tribes to provide them with an opportunity to comment on the adequacy and accuracy of the report;

E. The administrator may waive the requirement for the preparation of a habitat conservation area report upon a determination that by reason of previous development that the proposed project site does not provide functional habitat. Such waiver shall be made in writing and a copy shall be provided to the Washington State Department of Fish and Wildlife.

~~26.60.044 Fish and wildlife habitat performance standards and incentives.~~

~~A. The performance standards and criteria contained in this section shall be incorporated into plans submitted for regulated activities and shall:~~

- ~~1. Consider habitat in site planning and design;~~
- ~~2. Locate buildings and structures in a manner that preserves and minimizes adverse impacts to important habitat areas;~~
- ~~3. Integrate retained habitat into open space and landscaping, consistent with the provisions of all open space and landscaping requirements;~~
- ~~4. Consolidate habitat and vegetated open space in contiguous blocks where feasible;~~
- ~~5. Locate habitat contiguous to other habitat areas, open space or landscaped areas to contribute to a continuous system or corridor that provides connections to adjacent habitat areas and allows movement of wildlife;~~
- ~~6. Use native species in any landscaping of disturbed or undeveloped areas and in any enhancement of habitat or buffers;~~
- ~~7. Emphasize heterogeneity and structural diversity of vegetation in landscaping and food producing plants beneficial to wildlife;~~
- ~~8. Remove and/or control any noxious or undesirable species of plants and animals;~~
- ~~9. Preserve significant trees and/or snags, preferably in groups, consistent with achieving the objectives of these standards;~~
- ~~10. Buffers shall be preserved and shall be surveyed, staked, and fenced before any constructed work, including grading and clearing, may take place on the site; and~~
- ~~11. Temporary erosion and sedimentation controls, pursuant to an approved plan, shall be implemented during construction.~~

~~B. A vegetation management plan shall be submitted consistent with the requirements, goals, and standards of this program. The plan shall reflect the report prepared pursuant to RMC 26.20.040. Any required mitigation, including supplemental buffer plantings, shall be guaranteed by a bond or other acceptable security device to assure~~

~~successful establishment, including an appropriate monitoring period. The amount of the performance and maintenance bond shall equal 125 percent of the cost of the mitigation project for a period of five years. The city may agree to reduce the bond in phases in proportion to work successfully completed over the period of the bond.~~

~~C. As an incentive to encourage preservation of secondary habitat as defined in this program, the net amount of landscaping required by the city of Richland may be reduced by one-quarter acre for each one acre of secondary habitat and buffer preserved on the site; however, that amount cannot exceed 50 percent of the amount of required landscaping. The reduction shall be calculated on the basis of square feet of habitat preserved or enhanced and square feet required. Habitat and habitat buffer that is enhanced by the applicant may also qualify for this reduction. Preservation of secondary habitat shall be by execution of an easement or other protective device acceptable to the city of Richland.~~

26.60.045 Fish and wildlife habitat conservation area – Performance standards.

Development or any regulated activity occurring within a designated habitat conservation area or within its respective protection buffer, or development or any regulated activity proposed to occur adjacent to, or close enough to, a habitat conservation area so as to likely impact critical area ecosystem functions and values, shall only be permitted in accordance with the conditions of an approved habitat conservation area report. Such report shall be based on the following standards using the best available science:

A. Consider habitat in site planning and design;

B. Locate buildings and structures in a manner that preserves and minimizes adverse impacts to important habitat conservation areas, including use of bird-friendly building design and use of dark sky lighting standards;

C. Integrate retained habitat into open space and native plantings, consistent with the provisions of all open space and landscaping requirements;

D. Activity within or close to a habitat conservation area shall not result in the degradation of the functions and values of the habitat;

E. Nonindigenous species shall not be introduced into a habitat conservation area;

F. Contiguous corridors through a project area shall be maintained. Measures necessary to mitigate impacts within a habitat conservation area shall attempt to achieve contiguous functioning habitat corridors in order to minimize the isolating effects of development on habitat;

G. Identify habitat contiguous to other habitat conservation areas, open space or landscape areas to contribute to a continuous system or corridor that provides connections to adjacent habitat conservation areas and allows movement of wildlife;

H. Use native species in any landscaping of disturbed or undeveloped areas and in any enhancement of habitat conservation areas;

I. Emphasize heterogeneity and structural diversity of vegetation in landscaping and food producing plants beneficial to wildlife;

J. Width of riparian corridors shall be in accordance with ~~buffer widths suggested by BAS, including WDFW publication Riparian Ecosystems, Volume 2: Management Recommendations, May 2018, or as revised. Riparian corridors shall also meet the minimum requirements as established in RMC Title 26 and wetland buffer requirements as established in RMC 22.10.110~~26.60.042;

K. Activities within a habitat conservation area shall be conditioned as identified in the habitat conservation area report to avoid, minimize, or mitigate potential adverse impacts. Conditions shall include protective buffers based on the State of Washington Department of Fish and Wildlife management recommendations for Washington's priority species modified for local conditions and the recommendations of the Department of Fish and Wildlife biologists and may include, but are not limited to, the following measures:

1. Establishment of undisturbed habitat conservation areas;
2. Staking of undisturbed habitat conservation areas prior to any construction, including clearing, grading and filling taking place on ~~or adjacent to the site~~;
3. Fencing of undisturbed habitat conservation areas in a manner consistent with the provisions of RMC ~~22.10.115~~(H)26.60.025 (H);
4. Temporary erosion and sedimentation controls, pursuant to an approved plan, shall be implemented during construction;
5. Preservation of critically important vegetation;
6. Supplemental planting of native tree ~~and~~ shrub cover;
7. Removal and/or control of any noxious or undesirable species of plants and animals;
8. Preservation of significant trees and/or snags, preferably in groups, consistent with achieving the objectives of these standards;
9. Replanting of disturbed areas and/or areas where noxious weed species were removed with native vegetation types, including ongoing plans for weed control and irrigation as appropriate;
10. Limitation of access to an identified habitat area, including fencing to deter unauthorized access;
11. Seasonal restriction on construction activities;
12. Implementation of a schedule for periodic review of completed mitigation measures for a specified time period;
13. Posting of a bond or other financial surety to ensure completion and success of proposed mitigation measures. Such bond or other security device shall be required to assure successful establishment of required planting for an appropriate monitoring period. The amount of the bond or other security device shall equal 125

percent of the cost of the mitigation project for a period of five years. The administrator may agree to reduce the bond in phases in proportion to work successfully completed over the period of the bond.

~~26.60.045 Fish and wildlife habitat conservation area alteration.~~

~~In an individual case, these actions may include consideration of alternative site plans and layouts, reductions in the density or scope of the proposal, and/or implementation of the performance standards listed in this section (RMC 22.10.21026.60.044).~~

26.60.0436 Fish and wildlife habitat conservation area alteration.

A. Adverse impacts to habitat functions and values shall be mitigated to the extent feasible and reasonable. Mitigation actions by an applicant or property owner shall occur in accordance with RMC 26.20.020, Ecological functions, no net loss, including the specified mitigation sequence. ~~the following preferred sequence:~~

B. Where impacts cannot be avoided, the applicant or property owner shall seek to implement other appropriate mitigation actions in compliance with the intent, standards, and criteria of this section. ~~Mitigation shall meet the criteria of RMC 26.20.020, Ecological functions, no net loss, including the specified mitigation sequence. In an individual case, these actions may include consideration of alternative site plans and layouts, or reductions in the density or scope of the proposal. In an individual case,~~ these actions may include consideration of alternative site plans and layouts, reductions in the density or scope of the proposal, and/or implementation of the performance standards listed in RMC 22.10.21026.60.040.

~~C. Alteration of habitat and/or their buffers may be permitted by the city subject to the following standards:~~

~~1. Critical Habitat. Alterations of critical habitat shall be avoided, subject to the reasonable use provisions of this shoreline program.~~

~~2. Secondary Habitat. Alterations of secondary habitat may be permitted; provided, that the applicant mitigates adverse impacts consistent with the performance standards and other requirements of this shoreline program~~

~~26.60.044 Fish and wildlife habitat performance standards and incentives.~~

~~A. The performance standards and criteria contained in this section shall be incorporated into plans submitted for regulated activities and shall:~~

~~1. Consider habitat in site planning and design;~~

~~2. Locate buildings and structures in a manner that preserves and minimizes adverse impacts to important habitat areas;~~

~~3. Integrate retained habitat into open space and landscaping, consistent with the provisions of all open space and landscaping requirements;~~

~~4. Consolidate habitat and vegetated open space in contiguous blocks where feasible;~~

- ~~5. Locate habitat contiguous to other habitat areas, open space or landscaped areas to contribute to a continuous system or corridor that provides connections to adjacent habitat areas and allows movement of wildlife;~~
- ~~6. Use native species in any landscaping of disturbed or undeveloped areas and in any enhancement of habitat or buffers;~~
- ~~7. Emphasize heterogeneity and structural diversity of vegetation in landscaping and food producing plants beneficial to wildlife;~~
- ~~8. Remove and/or control any noxious or undesirable species of plants and animals;~~
- ~~9. Preserve significant trees and/or snags, preferably in groups, consistent with achieving the objectives of these standards;~~
- ~~10. Buffers shall be preserved and shall be surveyed, staked, and fenced before any constructed work, including grading and clearing, may take place on the site; and~~
- ~~11. Temporary erosion and sedimentation controls, pursuant to an approved plan, shall be implemented during construction.~~

~~B. A vegetation management plan shall be submitted consistent with the requirements, goals, and standards of this program. The plan shall reflect the report prepared pursuant to RMC 26.20.040. Any required mitigation, including supplemental buffer plantings, shall be guaranteed by a bond or other acceptable security device to assure successful establishment, including an appropriate monitoring period. The amount of the performance and maintenance bond shall equal 125 percent of the cost of the mitigation project for a period of five years. The city may agree to reduce the bond in phases in proportion to work successfully completed over the period of the bond.~~

~~C. As an incentive to encourage preservation of secondary habitat as defined in this program, the net amount of landscaping required by the city of Richland may be reduced by one-quarter acre for each one acre of secondary habitat and buffer preserved on the site; however, that amount cannot exceed 50 percent of the amount of required landscaping. The reduction shall be calculated on the basis of square feet of habitat preserved or enhanced and square feet required. Habitat and habitat buffer that is enhanced by the applicant may also qualify for this reduction. Preservation of secondary habitat shall be by execution of an easement or other protective device acceptable to the city of Richland.~~

Article IV. ~~Geologic Hazard~~Geologically Hazardous Areas

26.60.050 Identification and definition.

A. ~~Geologic hazard areas~~Geologically hazardous areas identification and designation shall be consistent with the minimum guideline classifications established in WAC 365-190-080(4), which include any future amendments to the code. Areas that are susceptible to one or more of the following types of hazards shall be classified as a ~~geologic hazard area~~geologically hazardous area:

1. Erosion hazard;
2. Landslide hazard;
3. Seismic hazard; and
4. Mine hazard.

B. Erosion Hazard Areas. Those areas that are identified by the United States Department of Agriculture Soil Conservation Service as having a severe rill and inter-rill erosion hazard.

C. Landslide Hazard Areas. Those areas that are potentially subject to landslides based on a combination of geologic, topographic, and hydrologic factors. They include any areas susceptible because of any combination of bedrock, soil, slope (gradient), slope aspect, structure, hydrology, or other factors. Landslide hazard areas include, but are not limited to, the following types of areas:

1. Areas delineated by the United States Department of Agriculture Soil Conservation Service as having a severe limitation for building site development;
2. Areas designated as quaternary slumps, earthflows, mudflows, lahars, or landslides on maps published by the United States Geological Survey or Department of Natural Resources Division of Geology and Earth Resources;
3. Areas with all three of the following characteristics:
 - a. Areas with slope steeper than 15 percent;
 - b. Hillsides intersecting geologic contacts with a relatively permeable sediment overlying a relatively impermeable sediment or bedrock; and
 - c. Springs or ground water seepage;
4. Areas that have shown movement during the Holocene epoch (from 10,000 years ago to the present) or which are underlain or covered by mass wastage debris of that epoch;
5. Areas with slopes that are parallel or subparallel to planes of weakness (such as bedding planes, joint systems, and fault planes) in subsurface materials;
6. Areas with slopes having gradients steeper than 80 percent subject to rockfall during seismic shaking;
7. Areas potentially unstable as a result of rapid stream incision, stream bank erosion and undercutting by wave action;
8. Areas that show evidence of, or on, an active alluvial fan presently or potentially subject to inundation by debris flows or catastrophic flooding; or

9. Areas with a slope of 40 percent or steeper and with a vertical relief of 10 or more feet except areas composed of consolidated rock. A slope is delineated by establishing its toe and top and measured by averaging the inclination over at least 10 feet of vertical relief.

D. Seismic Hazard Areas. Those areas subject to severe risk of damage as a result of earthquake-induced ground shaking, slope failure, settlement, soil liquefaction, or surface faulting. One indicator of potential for future earthquake damage is a record of earthquake damage in the past. Ground shaking is the primary cause of earthquake damage in Washington. The strength of ground shaking is primarily affected by: (1) magnitude of an earthquake; (2) distance from the source of an earthquake; (3) type of thickness of geologic materials at the surface; and (4) type of subsurface geologic structure.

E. Mine Hazard Areas. Those areas underlain by, adjacent to, or affected by mine working areas as designated by the Washington State Department of Natural Resources.

26.60.051 Applicability to geological hazards.

The provisions of this program shall apply to any activity that occurs in or within 200 feet of a ~~geologic hazard area~~geologically hazardous area unless otherwise exempt. These activities include, but are not limited to, the following:

A. Removing, excavating, disturbing or dredging soil, sand, gravel, minerals, organic matter or materials of any kind;

B. Dumping, discharging or filling with any material;

C. Driving piling or placing obstructions;

D. Constructing, reconstructing, demolishing, or altering the size of any structure or infrastructure which has an adverse effect on a ~~geologic hazard area~~geologically hazardous area; destroying or altering vegetation through clearing or harvesting; and any project permit established in Chapter 19.20 RMC.

26.60.052 ~~Geologic hazard~~Geologically hazardous areas inventory maps.

The approximate location and extent of ~~geologic hazard areas~~geologically hazardous areas within the city of Richland's planning area are shown on the ~~Sensitive~~ Critical areas maps adopted as part of this program, as provided in the city's SMP inventory, analysis and characterization report. These maps should be used as a general guide only for the assistance of property owners and the city of Richland to identify and designate ~~geologic hazard~~geologically hazardous areas.

26.60.053 Preliminary assessment.

A. The ~~city of Richland~~administrator shall conduct a preliminary assessment of the proposed activity. The preliminary assessment shall consist of reviewing geologic hazard inventory maps as provided in the city's SMP inventory, analysis and characterization report, conducting an on-site evaluation, and, if necessary, consulting with state and/or federal agencies to determine whether there is reasonable evidence

that a proposed activity is within 200 feet of a ~~geologic hazard area~~geologically hazardous area. In the event there is a disagreement as to whether the activity is within 200 feet of a ~~geologic hazard area~~geologically hazardous area, a geologic report prepared by a qualified ~~consultant~~professional as defined in Chapter 26.80 RMC shall be required, at the property owner or applicant's expense, to determine this issue.

B. If it is determined that there is reasonable evidence that a proposed activity is within 200 feet of a ~~geologic hazard area~~geologically hazardous area, then geologic reports and studies are required at the property owner or applicant's expense.

26.60.054 Geologic reports and studies.

Geologic studies and reports shall comply with the requirements established in RMC 26.60.081(B)(6), Permit process and application requirements.

26.60.055 Administrative evaluation of geologic reports and studies.

The ~~city of Richland~~administrator shall review the geologic reports and studies to determine the significant risks posed by the activity to life and property on and off the project site. The ~~city of Richland~~administrator may approve, conditionally approve, or deny an activity, as appropriate, based on the degree to which significant risks are posed to public and private property and to the health and safety of the community. Conditional approval of the activity may include mitigation measures based on the geologic reports and studies. Where potential impacts of the activity cannot be effectively mitigated, or where the risk to public health, safety, and welfare of the community is significant notwithstanding mitigation, the activity shall be denied.

26.60.056 Assurance.

The ~~city of Richland~~administrator may require assurance from the owner or applicant and/or its geologic consultant that the activity creates a minimal risk of danger to life or property on or off the project site. Such assurance may include the following:

A. A letter from the geologic consultant who prepared the required study and report stating that the activity creates a minimal risk of danger to life or property on or off the project site; or

B. A letter from the owner or applicant stating its understanding and acceptance of any risk of injury or damage associated with the activity and agreeing to notify any future purchasers of the site, portions of the site, or structures located on the site of the geologic hazard.

Article V. Critical Aquifer Recharge Areas Protection

26.60.057 Identification and definition.

Critical aquifer recharge areas (CARAs) are defined as those areas having a critical recharging effect on aquifer use for potable water in community systems. CARAs are classified and designated as follows:

A. Those areas designated as "wellhead protection areas" pursuant to WAC 246-290-135(43) and the ground water contribution area in WAC 246-291-~~100(2)(e)~~125. Wellhead protection areas shall, for the purpose of this regulation, include the identified

recharge areas associated with either Group A ~~public water supply wells and those~~ or Group B public water supplies ~~wells with a wellhead protection plan filed with the city-~~ and/or the Benton-Franklin Health District; and

B. Any land identified in the soil survey of Benton County as having high potential for aquifer recharge, as determined by the administrator.

In order to protect the public health and safety, prevent degradation of ground water and for potentially usable potable water, and to provide for regulations that prevent and control risks to the degradation of ground water quality and quantity, development in CARAs shall be subject to the standards described in this article.

26.60.058 Critical aquifer recharge area maps.

The approximate location and extent of aquifer recharge areas within the city of Richland's shoreline planning area are shown on the Sensitive Critical areas maps adopted as part of this SMP, as provided in the city's SMP inventory, analysis and characterization report. Wellhead protection areas are shown in the state Department of Health's Source Water Assessment Program mapping. These maps should be used as a general guide only for the assistance of property owners and the city of Richland to identify and designate critical aquifer recharge areas.

26.60.059 ~~General exemptions.~~ Exceptions from critical aquifer recharge area regulations.

The following activities shall ~~be exempt from~~ not be subject to the CARA provisions of this ~~article-section~~, provided they are conducted using best management practices for protecting surface and ground water quality:

A. Single-family residential development;

B. Development and improvement of parks, recreation facilities, open space, or conservation areas resulting in less than five percent total site impervious surface area that do not increase the use of a hazardous substance;

C. Group A & Group B public water system source development and associated infrastructure;

D. Public water supply aquifer storage and recovery (ASR) facilities;

E. Public water pipelines and supply storage structures; ~~and;~~

F. The following underground storage tank (UST) systems, including any piping connected thereto:

1. Any UST system holding hazardous wastes subject to Subtitle C of the Federal Solid Waste Disposal Act, or a mixture of such hazardous waste and other regulated substances;
2. Any wastewater treatment tank system that is part of a wastewater treatment facility regulated under Section 402 or 307(b) of the Clean Water Act;

3. Equipment or machinery that contains regulated substances for operational purposes such as hydraulic lift tanks and electrical equipment tanks;
4. Any UST system whose capacity is 110 gallons or less;
5. Any UST system that contains a de minimis concentration of regulated substances;
6. Any emergency spill or overflow containment UST system that is expeditiously emptied after use;

~~7. Farm or residential UST systems of 1,100 gallons or less capacity used for storing motor fuel for noncommercial purposes (i.e., not for resale);~~

~~8.~~7. UST systems used for storing heating oil for consumptive use on the premises where stored; except that such systems which store in excess of 1,100 gallons are subject to the release reporting requirements of WAC 173-360-372;

~~9. On-site domestic septic systems releasing less than 500 gallons of effluent per day and that are limited to a maximum density of one system per one acre;~~

~~10.~~8. Any pipeline facility (including gathering lines) regulated under:

a.i. The Natural Gas Pipeline Safety Act of 1968 (49 USC App. 1671 et seq.), or

~~b.~~ii. The Hazardous Liquid Pipeline Safety Act of 1979 (49 USC App. 2001 et seq.);

iii. Which is an intrastate pipeline facility regulated under state laws comparable to the provisions of the law referred to in subsection (B)(6)(h) (F)(8)(i) or (ii) of this section;

~~11.~~9. Surface impoundments, pits, ponds, or lagoons;

~~12.~~10. Stormwater or wastewater collection systems;

~~13.~~11. Flow-through process tanks;

~~14. Liquid traps or associated gathering lines directly related to oil or gas production and gathering operations; or~~

~~15.~~12. Storage tanks situated in an underground area (such as a basement, cellar, vault, mineworking drift, shaft, or tunnel), if the storage tank is situated upon or above the surface of the floor.

26.60.060 Reports and studies.

Reports for CARAs shall be submitted to the ~~city~~Administrator by the applicant for a development proposal activity not otherwise ~~exempted~~excepted as provided in RMC ~~26.60.059~~26.60.059 that is proposed on a parcel within an aquifer recharge area. Requirements for a hydrogeologic assessment are found in RMC 26.60.081 ~~Permit process and application requirements.~~

26.60.061 Performance standards.

A. Activities may only be permitted in a critical aquifer recharge area if the applicant can show that the proposed activity will not cause contaminants to enter the aquifer, and that the proposed activity will not adversely affect the recharging of the aquifer.

B. The proposed activity must comply with the water source protection requirements and recommendations of the U.S. Environmental Protection Agency, Washington State Department of Health, Washington State Department of Ecology, and the Benton-Franklin Health District.

C. The proposed activity must be designed and constructed in accordance with existing local, state and federal laws and regulations, and the Stormwater Management Manual for Eastern Washington, as amended (Ecology 2004) for those geographic areas covered under the Eastern Washington Phase II Municipal Stormwater Permit (Ecology 2007) or activities covered under the Ecology General Construction Permit (Ecology 2005), and/or the locally adopted program, as applicable.

26.60.062 Uses prohibited in critical aquifer recharge areas.

The following activities and uses are prohibited in CARAs:

A. Landfills. Landfills, including hazardous or dangerous waste, municipal solid waste, special waste, ~~woodwaste~~[wood waste](#), and inert and demolition waste landfills.

B. Underground Injection Wells. Class I, III, and IV wells and [underground injection wells that do not comply with Chapter 173-200 or 173-218 WAC](#)~~subclasses 5F01, 5D03, 5F04, 5W09, 5W10, 5W11, 5W31, 5X13, 5X14, 5X15, 5W20, 5X28, and 5N24 of Class-V wells.~~

C. Mining in critical aquifer recharge areas determined to be highly susceptible or vulnerable in a public water system wellhead protection plan, to include:

1. Metals and hard rock mining;
2. Sand and gravel mining.

D. Wood Treatment Facilities. Wood treatment facilities that allow any portion of the treatment process to occur over permeable surfaces (both natural and manmade).

E. Storage, Processing, or Disposal of Radioactive Substances. Facilities that store, process, or dispose of radioactive substances.

F. Other Prohibited Uses or Activities.

1. Activities that would significantly reduce the recharge to aquifers currently or potentially used as a potable water source; and
2. Activities that would significantly reduce the recharge to aquifers that are a source of significant baseflow to a regulated stream.

Article VI. Flood Hazard Areas

26.60.070 Identification and definition.

Frequently flooded areas shall be those floodways and associated floodplains designated by the Federal Emergency Management Agency (FEMA) flood hazard classifications as delineated on the most current available Flood Insurance Rate Maps for the city, or as subsequently revised by FEMA, as being within the 100-year floodplain, or those floodways and associated floodplains delineated by a comprehensive flood hazard management plan adopted by the city, as being within the 100-year floodplain or having experienced historic flooding; or channel migration zones (CMZ) identified through mapping provided in the city's SMP inventory, analysis and characterization report. The CMZ is considered to be that area of a stream channel which may erode as a result of normal and naturally occurring processes and has been mapped consistent with WAC 173-26-221(3)(b).

26.60.071 Maps and references.

A. The approximate location and extent of ~~flood hazard areas~~ frequently flooded areas within the city of Richland's planning area are shown on the ~~sensitive~~ critical areas maps adopted as part of this SMP, including, but not limited to, the most current available FEMA Flood Insurance Rate Maps (FIRM) and channel migration zone (CMZ) mapping provided in the city's SMP inventory, analysis and characterization report. These maps should be used as a general guide only for the assistance of property owners and the city of Richland to identify and designate flood hazard areas.

B. Applicants for shoreline development or modification may submit a site-specific CMZ study if they demonstrate these conditions do not exist on the subject property and the map is not accurate. The CMZ study must be prepared consistent with WAC 173-26-221(3)(b), and may include, but is not limited to, historic aerial photographs, topographic mapping, flooding records, and field verification. The CMZ study must be prepared by a licensed geologist or engineer with at least five years of applied experience in assessing fluvial geomorphic processes and channel response.

26.60.072 Protection standards.

A. All development within frequently flooded areas shall comply with Chapter 23.12 RMC, Floodplain Use District, Chapter 22.16 RMC, Flood Damage Prevention, the city's shoreline master program, the International Building Code regarding structural safeguards to reduce risk to human life, health and property from flooding, and other pertinent ordinances and codes.

B. Any use or development shall not alter the normal movement of surface water in a manner that would cause the unnatural diversion of floodwater to otherwise flood-free areas.

~~C. CMZs shall be regulated as uses in Chapter 23.12 RMC, Floodplain Use District, and shall apply only to the Yakima River.~~

Article VII. General Information

26.60.080 General ~~exemptions~~ exceptions.

The following activities shall ~~be exempt from~~ not be subject to the provisions of ~~this chapter the provisions of~~ these critical areas requirements, provided they are conducted using best management practices and impacts are minimized:

A. Existing and ongoing agricultural activities as defined in Chapter 26.80 RMC and subject to the provisions of RMC ~~22.10.080(C)(3)~~ 26.60.021.B.4.

B. Maintenance, operation and reconstruction of existing roads, streets, utilities, and associated structures; provided, that reconstruction of any structures may not increase the impervious area.

C. Normal maintenance, repair and reconstruction of residential or commercial structures; provided, that reconstruction of any structures may not increase the impervious floor area.

D. Site investigative work and studies necessary for preparing land use applications, including soils tests, water quality studies, wildlife studies and similar tests and investigations; provided, that any disturbance of ~~sensitive~~ critical areas shall be the minimum necessary to carry out the work or studies.

E. Educational activities, scientific research, and outdoor recreational activities that will not have a significant effect on the habitat area, including, but not limited to, interpretive fields, bird watching, fishing and hiking.

F. Public agency emergency activities necessary to prevent an immediate threat to public health, safety or property; provided, that retroactive mitigation is required to restore a site to a pre-emergency response condition to ensure no net loss of ecological functions. Retroactive mitigation must occur within the first growing season following completion of the emergency work.

G. Prior to the effective date of the ordinance codifying this chapter, any of the following activities that have met all conditions of approval in a timely manner and are consistent with the reasonable use provisions of this chapter, to include:

1. Complete applications as defined by the appropriate ordinance;
2. Approved preliminary plats; and
3. Development of legally created lots which have been recorded with Benton County.

H. Minor activities not mentioned above and determined by the community development director to pose minimal risk to the public health, safety, and general welfare.

I. The operation, maintenance, or reconstruction of existing canals, waterways, wasteways, drains, reservoirs or other facilities that lie within the boundaries of and are

maintained by an irrigation district or company; provided, that any new construction or related activity does not encroach into a critical area.

26.60.081 Permit process and application requirements.

A. Preapplication Conference. All applicants are encouraged to meet with the city of Richland's shoreline administrator or his or her representative prior to submitting an application subject to these regulations. The purpose of this meeting shall be to discuss the city of Richland's ~~sensitive~~-critical areas requirements, processes, and procedures; to review any conceptual site plans prepared by the applicant; to discuss appropriate investigative techniques and methodology; to identify potential impacts and mitigation measures; and to familiarize the applicant with state and federal programs, particularly those pertaining to wetlands. Such conference shall be for the convenience of the applicant and any recommendations shall not be binding on the applicant or the city of Richland.

B. Application Requirements. The information required by this section should be coordinated with reporting requirements required by this section for any other ~~sensitive~~-critical area located on the site.

1. Prior to the issuance of a SEPA threshold determination for a proposal, all ~~sensitive~~-critical area reports relevant to the site must be submitted to the city of Richland, if requested, for review by staff if such ~~sensitive~~-critical areas are indicated on any portion of the site. The purpose of the reports is to determine the extent and function of ~~sensitive~~-critical areas where regulated activities are proposed. The reports will also be used by the ~~city of Richland~~-administrator to determine the appropriate implementation of ~~sensitive~~-critical area regulations, and the extent to which potential impacts of proposed activities are addressed by existing regulations that provide environmental analysis and measures that avoid or otherwise mitigate the probable specific adverse environmental impacts of proposed activities.
2. In addition, wetland boundaries and other relevant physical features must be staked and flagged in the field by a qualified consultant.
3. The report on any ~~sensitive~~-critical area shall include the following information:
 - a. Vicinity map;
 - b. A map showing:
 - i. Site boundary, property lines and roads;
 - ii. Internal property lines, rights-of-way, easements, etc.;
 - iii. Existing physical features of the site including buildings, fences, and other structures, roads, parking lots, utilities, water bodies, etc.;
 - iv. Contours at the smallest readily available intervals, preferably at five-foot intervals; and

v. For large (50 acres or larger) or complex projects with wetlands or ~~habitat areas~~habitat conservation areas, the ~~city of Richland~~administrator may require an aerial photo with overlays displaying the site boundaries and wetland delineation or habitat area(s). Generally, an orthophotograph at a scale of one inch equals 400 feet or greater (such as one inch equals 200 feet) should be used. If an orthophotograph is not available, the center of a small scale (e.g., one inch equals 2,000 feet) aerial enlarged to one inch equals 400 feet may be used;

~~c. The report for any sensitive critical area must describe:~~

- ~~i~~vi. Locational information including legal description and address;
- ~~ii~~vii. All natural and manmade features within 150 feet of the site boundary;
- ~~iii~~viii. General site conditions including topography, acreage, and water bodies or wetlands; and
- ~~iv~~ix. Identification of any areas that have previously been disturbed or degraded by human activity or natural processes.

4. In addition to the general report requirements, a report on wetlands shall include the following information:

- a. Delineated wetland boundary;
- b. The wetland boundary must be accurately drawn at an appropriate engineering scale such that information shown is not cramped or illegible. The drawing shall be prepared by a surveyor. Generally, a scale of one inch equals 40 feet or greater (such as one inch equals 20 feet) should be used. Existing features must be distinguished from proposed features;
- c. Site designated on the wetlands area maps described in RMC 26.60.022;
- d. Hydrologic mapping showing patterns of water movement into, through, and out of the site area;
- e. Location of all test holes and vegetation sample sites, numbered to correspond with flagging in the field and field data sheets;
- f. Field data sheets from the Federal Manual, numbered to correspond with sample site locations as staked and flagged in the field, including a description of:
 - i. Specific descriptions of plant communities, soils, and hydrology;
 - ii. A summary of existing wetland function and value;
 - iii. A summary of proposed wetland and buffer alterations, impacts, and the need for the alterations as proposed. Potential impacts may include, but are not limited to, loss of flood storage potential, loss of wildlife habitat, expected

decreases in species diversity or quantity, changes in water quality, increases in human intrusion, and impacts on associated wetland or water resources. If alteration of a Category I, II, III, or IV wetland is proposed, a wetland mitigation plan is required according to the standards of RMC 26.60.028 and 26.60.029; and

g. Describe how mitigation meets the criteria of RMC 26.20.020, Ecological functions, no net loss, including the specified mitigation sequence.

5. In addition to the general report requirements, a report on fish and wildlife habitats shall include [the requirements of RMC ~~26.60.043~~ 26.60.044 together with](#) the following information. The level of detail contained in the report shall generally reflect the size and complexity of the proposal and the function and value of the habitat. The city may require field studies at the applicant's expense in appropriate cases.

a. A map of vegetative cover types, reflecting the general boundaries of different plant communities on the site;

b. A description of the species typically associated with the cover types, including an identification of any critical wildlife species expected to be found;

c. The results of searches of Washington State Department of Natural Resources' natural heritage and Washington State Department of Fish and Wildlife's nongame data system databases, if available;

d. Additional information on species occurrence available from the city of Richland or Benton County;

e. Descriptions of the following:

i. The layers, diversity and variety of habitat found on the site;

ii. Identification of edges between habitat types and any species commonly associated with that habitat;

iii. The location of any migration or movement corridors;

iv. A narrative summary of existing habitat functions and values;

v. A summary of proposed habitat and buffer alterations, impacts, and mitigation. Potential impacts may include, but are not limited to, clearing of vegetation, fragmentation of wildlife habitat, expected decreases in species diversity or quantity, changes in water quality, increases in human intrusion, and impacts on wetlands or water resources; and

f. Describe how mitigation meets the criteria of RMC 26.20.020, Ecological functions, no net loss, including the specified mitigation sequence.

6. In addition to the general report requirements, applicants for activities within 200 feet of ~~geologic hazard areas~~ geologically hazardous areas shall conduct technical studies and reports which include the following:

- a. Review site history and available information;
- b. Conduct a surface reconnaissance of the site and adjacent areas;
- c. Conduct subsurface exploration suitable to the site and proposal to assess geotechnical geohydrologic conditions;
- d. Conduct a detailed stability analysis of the existing landslide that demonstrates that the proposal will result in a suitable factor of safety during and following site development;
- e. Characterize soils, geology and drainage;
- f. Characterize ground water conditions, including the presence of any public or private wells in the immediate vicinity;
- g. Analyze proposed clearing, grading and construction activities, including construction scheduling; potential direct and indirect, on-site and off-site, impacts from development; and proposed mitigation measures, including any special construction techniques, monitoring or inspection programs (during and after construction), and surface water management controls;
- h. Evaluate the presence of geologic conditions giving rise to geologic hazards;
- i. Evaluate the safety and appropriateness of the proposed activities;
- j. Recommend appropriate construction practices, monitoring programs and other mitigating measures required to ensure achievement of the purpose and intent of these regulations. The format of any required reports shall be determined by the city of Richland;
- k. Recommend surface water management controls during construction and operation;
- l. Propose construction scheduling; and
- m. Recommend site monitoring and inspection during construction.

7. In addition to the general report requirements, a report for critical aquifer recharge areas must include the following information:

- a. Available information regarding geologic and hydrogeologic characteristics of the site, including the surface location of all CARAs located on site or immediately adjacent to the site, and permeability of the unsaturated zone;
- b. Ground water depth, flow direction, and gradient based on available information;

- c. Currently available data on wells and springs within 1,000 feet of the project area;
- d. Location of other ~~sensitive~~-critical areas, including surface waters, within 1,000 feet of the project area;
- e. Available historic water quality data for the area to be affected by the proposed activity;
- f. Evaluation of the potential impact of the proposed development on ground water quality, both short and long term, based on an assessment of the cumulative impacts of the proposal in combination with existing and potential future land use activities; and
- g. A proposed mitigation plan, as applicable. Applicants must demonstrate how they will integrate necessary and appropriate best management practices to prevent degradation of ground water.

8. In addition to the general report requirements, a report on floodplain development shall include the information required by RMC 22.16.040, Administration.

C. Permit Process. This section is not intended to create a separate permit process for development proposals. To the extent possible, the ~~city of Richland~~-~~administrator~~ shall consolidate and integrate the review and processing of ~~sensitive~~-critical area-related aspects of proposals with other land use and environmental considerations and approvals.

D. The administrator has the authority to seek expert advice in determining the adequacy of the submitted report, at the applicant's expense.

26.60.082 Requirements of qualified ~~consultants~~professional.

All reports or studies are to be performed by a licensed or qualified professional, ~~licensed or qualified as a consultant~~, in the ~~sensitive~~-critical area at issue. The ~~city of Richland~~-~~administrator~~ shall determine whether a person is a qualified ~~consultant~~-professional based on the criteria established in Chapter 26.80 RMC.

26.60.083 Land divisions.

All proposed divisions of land which include regulated ~~sensitive~~-critical areas shall comply with the following procedure and development standard:

A. New lots shall contain at least one building site, including access that is suitable for development and is not within a portion of the regulated ~~sensitive~~-critical area or its associated buffer or setback in which a restriction or prohibition on alteration is provided by this program.

26.60.084 General procedural provisions.

A. Interpretations and Conflicts. Appeal to the hearing examiner concerning interpretation or administration of this title may be taken by any person aggrieved ~~Any-~~

~~question regarding interpretation of these regulations shall be resolved~~ pursuant to the procedures set forth in RMC 23.70.070.

B. Penalties and Enforcement. Any person who has violated any provision of this chapter shall have committed a civil infraction subject to a civil penalty as set forth in RMC 10.02.050(E).

Provided, if the same violator has been found to have committed an infraction violation for the same or similar conduct two separate times, with the violations occurring at the same location and involving the same or similar sections of the Richland Municipal Code or other similar codes, the third or subsequent violation shall constitute a misdemeanor, punishable as provided in RMC 1.30.010 for criminal offenses.

C. Appeals from permit decisions shall be governed by the procedures set forth in Chapter 19.70 RMC.

26.60.085 Unauthorized alterations and enforcement.

A. When a ~~wetland~~critical area or its buffer has been altered in violation of this chapter, all ongoing development work shall ~~stop~~stop, and the critical area shall be restored. The city shall have the authority to issue a “stop-work” order to cease all ongoing development work and order restoration, rehabilitation, or replacement measures at the owner’s or other responsible party’s expense to compensate for violation of provisions of this chapter.

B. Requirement for Restoration Plan. All development work shall remain stopped until a restoration plan is prepared by the owner or responsible party and approved by city. Such a plan shall be prepared by a qualified professional using the currently accepted scientific ~~principles, and~~principles and shall describe how the actions proposed meet the minimum requirements described in subsection (C) of this section. The administrator shall, at the violator’s expense, seek expert advice in determining the adequacy of the plan. Inadequate plans shall be returned to the applicant or violator for revision and resubmittal.

C. Minimum Performance Standards for Restoration. The following minimum performance standards shall be met for the restoration of a ~~wetland~~critical area; provided, that if the violator can demonstrate that greater functions and habitat values can be obtained, these standards may be modified:

1. The historic structure, functions, and values of the affected ~~wetland~~critical area shall be restored, including water quality and habitat functions.

2. The historic soil types and configuration shall be restored to the extent practicable.

3. The ~~wetland~~critical area and buffers shall be replanted with native vegetation that replicates the vegetation historically found on the site in species types, sizes, and densities. The historic functions and values should be replicated at the location of the alteration.

4. Information demonstrating compliance with other applicable provisions of this chapter shall be submitted to the administrator.

D. Site Investigations. The administrator is authorized to make site inspections and take such actions as necessary to enforce this chapter. The administrator shall present proper credentials and make a reasonable effort to contact any property owner before entering onto private property.

E. Penalties. See RMC 26.60.084(B).

F. If the ~~wetland~~critical area affected cannot be restored, money from any associated penalties shall be deposited in a dedicated account for the preservation or restoration of landscape processes and functions in the watershed in which the affected ~~wetland~~critical area is located. The city may coordinate its preservation or restoration activities with others to optimize the effectiveness of the restoration action.

G. Illegal modifications. Wetland rating categories and/or fish and wildlife habitat conservation area boundaries shall not change due to illegal modifications made by the applicant or with the applicant's knowledge.

26.60.086 Notice on title.

A. In order to inform subsequent purchasers of real property of the existence of critical areas, the owner of any property that contains one or more critical areas or buffers for which a development proposal has been approved shall record a notice with the county auditor's office according to the direction of the city. The notice shall state the presence of the critical area(s) or buffer(s) on the property, the application of this chapter to the property, and a listing of the limitations on actions in or affecting the critical area or buffer that may exist. The notice shall note specific requirements that may include but not be limited to the preservation of existing native vegetation; restrictions on access; the prohibition on construction of buildings or other improvements; the prohibition on grading, filling or clearing activities or other requirements as identified in this chapter. The notice shall "run with the land."

B. The notice on title shall not be required for a development proposal by a public agency or public or private utility:

1. Within a recorded easement or right-of-way;
2. Where the agency or utility has been adjudicated the right to an easement or right-of-way; or
3. On the site of a permanent public facility.

C. The applicant shall submit proof that the notice has been recorded before the city grants any final development approval for the property. In the case of subdivisions, short subdivisions or binding site plans, a note on the recorded plat shall satisfy the requirement for a notice on title.

Chapter 26.70
NO SPECIAL DUTY CREATED

Sections:

26.70.010 No special duty created.

26.70.010 No special duty created.

It is the purpose of this title to provide for the health, welfare, and safety of the general public, and not to create or otherwise establish or designate any particular class or group of persons who will or should be especially protected or benefited by the terms of this title. No provision or term used in this title is intended to impose any duty whatsoever upon the city or any of its officers, agents, or employees for whom the implementation or enforcement of this title shall be discretionary and not mandatory.

Nothing contained in this title is intended to be, nor shall be construed to create or form, the basis for any liability on the part of the city or its officers, agents, and employees for any injury or damage resulting from the failure of any premises to abate a nuisance or to comply with the provisions of this title, or by reason or consequence of any inspection, notice, or order made or given in connection with the implementation or enforcement of this title, or by reason of any action of the city related in any manner to enforcement of this title by its officers, agents or employees.

Chapter 26.71 SEVERABILITY

Sections:

26.71.010 Severability.

26.71.010 Severability.

The provisions of this title are declared to be separate and severable. The invalidity of any clause, sentence, paragraph, subdivision, section, or portion of this title to any person or circumstance shall not affect the validity of the remainder of this title or the validity of its application to other persons or circumstances.

Chapter 26.80 DEFINITIONS

Sections:

26.80.010 Definitions.

26.80.010 Definitions.

~~“Agriculture” or “agricultural activities” means agricultural uses and practices including, but not limited to, producing, breeding, or increasing agricultural products; rotating and changing agricultural crops; allowing land used for agricultural activities to lie fallow (plowed and tilled, but left unseeded); allowing land used for agricultural activities to lie dormant as a result of adverse agricultural market conditions; allowing land used for agricultural activities to lie dormant because the land is enrolled in a local, state, or federal conservation program, or the land is subject to a conservation easement; conducting agricultural operations; maintaining, repairing, and replacing agricultural equipment; maintaining, repairing, and replacing agricultural facilities; provided, that the replacement facility is no closer to the shoreline than the original facility; and maintaining agricultural lands under production or cultivation.~~

~~Agricultural equipment and agricultural facilities include, but are not limited to:~~

~~A. The following used in agricultural operations: equipment; machinery; constructed shelters, buildings, and ponds; fences; upland finfish rearing facilities; water diversion, withdrawal, conveyance, and use equipment and facilities including, but not limited to, pumps, pipes, tapes, canals, ditches, and drains;~~

~~B. Corridors and facilities for transporting personnel, livestock, and equipment to, from, and within agricultural lands;~~

~~C. Farm residences and associated equipment, lands, and facilities; and~~

~~D. Roadside stands and on-farm markets for marketing fruit or vegetables.~~

“Adjacent” shall mean any activity located:

A. On a site immediately adjoining a critical area;

B. A distance equal to or less than the required critical area buffer width and building setback, or, where the buffer width has yet to be determined, a distance equal to a buffer and setback that would typically be required for the present habitat or species;

C. A distance equal to or less than 250 feet* from a stream, wetland, channel migration zone or water body;

D. Within the floodway or floodplain; or

E. A distance equal to or less than 200 feet** from a critical aquifer recharge area.

“Administrator” means such person as the city manager of the city of Richland shall designate to administer and enforce the provisions of this title.

“Agricultural activities” means agricultural uses and practices including, but not limited to: Producing, breeding, or increasing agricultural products; rotating and changing agricultural crops; allowing land used for agricultural activities to lie fallow in which it is plowed and tilled but left unseeded; allowing land used for agricultural activities to lie dormant as a result of adverse agricultural market conditions; allowing land used for agricultural activities to lie dormant because the land is enrolled in a local, state, or federal conservation program, or the land is subject to a conservation easement; conducting agricultural operations; maintaining, repairing, and replacing agricultural equipment; maintaining, repairing, and replacing agricultural facilities, provided that the replacement facility is no closer to the shoreline than the original facility; and maintaining agricultural lands under production or cultivation;

“Agricultural activities, existing and ongoing” include those activities conducted on lands defined in RCW 84.34.020(2), and those activities involved in the production of crops and livestock, including, but not limited to, operation and maintenance of farm and stock ponds or drainage ditches, irrigation systems, changes between agricultural activities, and normal operation, maintenance or repair of existing serviceable structures, facilities or improved areas. Activities that bring a previously nonagricultural area into agricultural use are not part of an ongoing activity. An operation ceases to be ongoing when the area on which it was conducted is proposed for conversion to a nonagricultural use or has lain idle for a period of longer than five years, unless the idle land is registered in a federal or state soils conservation program.

“Agricultural products” includes but is not limited to horticultural, viticultural, floricultural, vegetable, fruit, berry, grain, hops, hay, straw, turf, sod, seed, and apiary products; feed or forage for livestock; Christmas trees; hybrid cottonwood and similar hardwood trees grown as crops and harvested within twenty years of planting; and livestock including both the animals themselves and animal products including but not limited to meat, upland finfish, poultry and poultry products, and dairy products;

“Agricultural equipment” and “agricultural facilities” includes, but is not limited to: (i) The following used in agricultural operations: Equipment; machinery; constructed shelters, buildings, and ponds; fences; upland finfish rearing facilities; water diversion, withdrawal, conveyance, and use equipment and facilities including but not limited to pumps, pipes, tapes, canals, ditches, and drains; (ii) corridors and facilities for transporting personnel, livestock, and equipment to, from, and within agricultural lands; (iii) farm residences and associated equipment, lands, and facilities; and (iv) roadside stands and on-farm markets for marketing fruit or vegetables; and

“Agricultural land” means those specific land areas on which agriculture activities are conducted.

“Alteration” means a human action which results in a physical change to the existing condition of land or improvements including but not limited to: clearing vegetation, filling and grading and construction of structures or facilities including impervious surfaces.

“Applicant” means the person, party, firm, partnership, corporation, or other entity that ~~applies for any permit or approval pursuant to this title, and may include applicants for other approvals pursuant to other provisions of the Richland Municipal Code.~~ proposes any activity that could affect a critical area.

“Aquaculture” means the culture or farming of fish, shellfish, or other aquatic plants and animals. Aquaculture does not include the harvest of wild geoduck associated with the state-managed wildstock geoduck fishery.

~~“Artificially created wetland” means wetlands intentionally created from nonwetland sites, including, but not limited to, irrigation and drainage ditches, grass-lined swales, canals, detention facilities, wastewater treatment facilities, farm ponds and landscaping amenities, or those wetlands created after July 1, 1990, that were unintentionally created as a result of the construction of a road, street, or highway. Wetlands may include those artificial wetlands intentionally created from nonwetland areas to mitigate the conversion of wetlands.~~

“Associated jurisdictional wetlands” are those wetlands that are in proximity to and either influence or are influenced by shoreline areas subject to the Shoreline Management Act.

“Average grade level” means the average of the natural or existing topography of the portion of the lot, parcel, or tract of real property which will be directly under the proposed building or structure. In the case of structures to be built over water, average grade level shall be the elevation of the ordinary high water mark. Calculation of the average grade level shall be made by averaging the ground elevations at the midpoint of all exterior walls of the proposed building or structure.

“Best available science” means current scientific information used in the process to designate, protect, or restore critical areas that is derived from a valid scientific process as defined by WAC 365-195-900 through 365-195-925.

“Best management practices (BMPs)” ~~should not exclude new agricultural and land management activities, especially in sensitive areas and their buffers, and should also encourage ongoing agricultural activities to minimize their effects on water quality, riparian ecology, salmonid populations, and downstream resources.~~ BMPs are current and evolving conservation practices, or systems of practices, management or operational measures, or design and construction techniques; or normal and accepted industry standards that are applied to land use activity in a manner which:

- A. Controls soil loss and reduces surface water and ground water quality degradation caused by nutrients, wastes, toxics, and sediment;
- B. Minimizes where possible and mitigates where necessary adverse impacts to the natural chemical, physical and biological environment of the city;
- C. Utilizes the city’s natural resources on a long-term, sustainable yield basis;

D. Protects trees, vegetation, and soils designated to be retained during and following site construction, and uses native plant species appropriate to the site for revegetation of disturbed areas; and

E. Prevents contamination of surface and ground water resources, and protects from impacts to native and other desirable vegetation with BMPs for chemical pesticide, herbicide, and fertilizer applications.

“Bioengineering” means the use of biological elements, such as the planting of vegetation, often in conjunction with engineered systems, to provide a structural shoreline stabilization measure with minimal negative impact to the shoreline ecology.

“Boating facility” for the purposes of this program means any public or private facility for mooring, storing, or transfer of materials from vessels on the water, such as docks and piers, including on-land related facilities such as approaches and ramps, and includes any private and publicly accessible launch sites or facilities. A boating facility does not include on-land accessory facilities such as parking or storage.

“Buffer” means an area adjacent to a ~~sensitive~~-critical area that functions to avoid loss or diminution of the ecologic functions and values of the ~~sensitive~~-critical area. Specifically, a buffer may:

A. Preserve the ecologic functions and values of a system, including, but not limited to, providing microclimate conditions, shading, input of organic material, and sediments; room for variation and changes in natural wetland, river, or stream characteristics; providing for habitat for life cycle stages of species normally associated with the resource;

B. Physically isolate a ~~sensitive~~ critical area such as a wetland, river, or stream from potential disturbance and harmful intrusion from surrounding uses using distance, height, visual, and/or sound barriers, and generally including dense native vegetation, but also may include human-made features such as wildlife-friendly fences and other barriers;

C. Act to minimize risk to the public from loss of life, well-being, or property damage resulting from natural disasters such as from landslide or flooding.

“Building” means a roofed and walled structure built for permanent or temporary use.

“Building height in Shoreline Management Act jurisdiction” only means the vertical distance between average grade and the highest part of the coping of a flat roof, or the deck line of a mansard roof, or the highest point of the highest gable of a pitched or hipped roof. The height of a stepped or terraced building is the maximum height of that segment of the building with all roof elements at a different elevation than adjacent steps or terraces; provided, that television antennas, chimneys, and similar appurtenances shall not be used in calculating height, except where such appurtenances obstruct the view of the shoreline of a substantial number of residences on areas adjoining such shorelines. Temporary construction equipment is excluded in this calculation.

“Bulkhead” means a structure of timber, concrete, steel, rock, or similar substance located parallel to the shore, which has as its primary purpose to contain and prevent the loss of soil by erosion, wave, or current action.

“Channel migration zone” means the area along a river within which the channel(s) can be reasonably predicted to migrate over time as a result of natural and normally occurring hydrological and related processes when considered with the characteristics of the river and its surroundings. For the purpose of this program, the channel migration zone excludes areas separated from the active river channel by legally existing artificial structures that are likely to restrain channel migration, including, but not limited to, flood control facilities, transportation facilities, and structures built above or constructed to remain intact through the 100-year flood.

“Clearing” means the removal of trees, brush, grass, ground cover, or other vegetative matter from a site which exposes the earth’s surface of the site.

“Compensatory mitigation” means the restoration, creation, enhancement or, in exceptional circumstances, preservation of wetlands and/or other aquatic resources for the purpose of compensating for unavoidable adverse impacts which remain after all appropriate and practicable avoidance and minimization has been achieved.

“Creation” (of wetland) means the manipulation of the physical, chemical, or biological characteristics present to develop a wetland on an upland or deepwater site, where a wetland did not previously exist. ~~Establishment~~ Creation results in a gain in wetland acreage and function. A typical action is the excavation of upland soils to elevations that will produce a wetland hydroperiod and hydric soils, and support the growth of hydrophytic plant species (Gwin et al. 1999).

“Critical aquifer recharge areas” are areas with a critical recharging effect on aquifers needed for potable water, including areas where an aquifer that is a source of drinking water is vulnerable to contamination that would affect the potability of the water.

“Critical areas” are areas defined in RCW 36.70A.030(5) including any of the following areas or ecosystems: wetlands, areas with a critical recharging effect on aquifers used for potable water, fish and wildlife habitat conservation areas, frequently flooded areas and geologically hazardous areas.

~~“Critical habitat” or “critical wildlife habitat” means habitat conservation areas associated with threatened, endangered, sensitive critical, or priority species of plants or wildlife which, if altered, could reduce the likelihood that the species will maintain and reproduce over the long term. Such areas are documented with reference to lists, categories and definitions of species promulgated by the Washington Department of Wildlife (Non-Game Data System Special Animal Species) as identified in WAC 232-12-011 or 232-12-014 and in the priority habitat species lists compiled in compliance with WAC 365-190-080, or by rules and regulations adopted currently or hereafter by the U.S. Fish and Wildlife Service.~~

~~“Critical habitat” also includes the following types of areas:~~

~~A. Regionally rare native fish and wildlife habitat (i.e., one of five or fewer examples of the habitat within the Mid-Columbia region).~~

~~B. Fish and wildlife areas with irreplaceable ecological functions, including, but not necessarily limited to, the following:~~

- ~~1. The areas listed as a national wildlife refuge, national park, natural area preserve or any preserve or reserve designated under WAC 332-30-151;~~
- ~~2. The Lake Wallula wildlife habitat conservation areas managed by the U.S. Army Corps of Engineers, including the Yakima River Wildlife Management Area and the Hanford Islands in the Columbia River managed by the U.S. Fish and Wildlife Service;~~
- ~~3. Category I wetlands as defined in RMC 26.60.023;~~
- ~~4. State nature area preserves or natural resource conservation areas identified by state law and managed by the Department of Natural Resources;~~
- ~~5. Documented habitat, other than accidental presence, of threatened or endangered species;~~
- ~~6. Documented habitat, other than accidental presence, of regional or national significance for migrating birds.~~

“Cumulative impacts” are the results of incremental actions when added to past, present, and reasonably foreseeable future actions. Cumulative impacts can be deemed substantial and subject to mitigation conditions even though they may consist of individual actions having relatively minor impacts.

“Developer” means any person, firm, corporation, or agency engaged in the act of development.

“Development” means a use consisting of the construction or exterior alteration of structures; dredging; drilling; dumping; filling; removal of any sand, gravel, or minerals; bulkheading; driving of piling; placing of obstructions; or any project of a permanent or temporary nature which interferes with the normal public use of the surface of the waters overlying lands subject to the Act at any stage of water level development does not include dismantling or removing structures if there is no other associated development or re-development.

“Development plan” means a proposal for development consisting of such site plans, vicinity maps, drawings, illustrations, documents, and conditions as may be necessary and appropriate.

“Dock” means a place for vessels to moor and may include a variety of facilities including piers and floating structures extending from the shore over the water. This definition does not include over-water trails.

“Dredging” is the removal of earth, sand, gravel, silt, or debris from below the ordinary high water mark of any river, stream, pond, lake, or other water body and beneath the area of seasonal saturation of any wetland.

“Earth/earth material” means naturally occurring rock, soil, stone, sediment, or combination thereof.

“Ecological function” means the work performed or role played by the physical, chemical, and biological processes that contribute to the maintenance of the aquatic and terrestrial environments that constitute an element of a natural ecosystem.

“Ecosystem-wide processes” means the suite of naturally occurring physical and geologic processes of erosion, transport, and deposition; and specific chemical processes that shape landforms within a specific shoreline ecosystem and determine both the types of habitat and the associated ecological functions.

“Emergency housing” means temporary indoor accommodations for individuals or families who are homeless or at imminent risk of becoming homeless that is intended to address the basic health, food, clothing, and personal hygiene needs of individuals or families. Emergency housing may or may not require occupants to enter into a lease or an occupancy agreement.

“Emergency shelter” means a facility that provides a temporary shelter for individuals or families who are currently homeless. Emergency shelter may not require occupants to enter into a lease or an occupancy agreement. Emergency shelter facilities may include day and warming centers that do not provide overnight accommodations.

“Enhancement” (of habitats in general) means the improvement of existing habitat such as by increasing plant density or structural diversity, or by ~~controlling nonindigenous or noxious species by replacing with native species~~ removing nonindigenous or noxious species and by replacing with native species.

“Enhancement” (of wetlands) means the manipulation of the physical, chemical, or biological characteristics of a wetland to heighten, intensify, or improve specific function(s), or to change the growth stage or composition of the vegetation present. Enhancement is undertaken for specified purposes such as water quality improvement, flood water retention, or wildlife habitat. Enhancement results in a change in wetland function(s) and can lead to a decline in other wetland functions, but does not result in a gain in wetland acres. ~~[Examples are planting vegetation, controlling nonnative or invasive species, and replacing with native species. And modifying site elevations to alter hydroperiods.]~~ Activities typically consist of planting vegetation, controlling nonnative or invasive species and replacing with native species, modifying site elevations or the proportion of open water to influence hydroperiods, or some combination of these activities.

“Erosion” means wearing away of rock or soil by the gradual detachment of soil and rock fragments by water, wind, ice, and other mechanical and chemical forces.

“Erosion hazard areas” are areas identified by the United States Department of Agriculture Soil Conservation Service as having a severe rill and inter-rill erosion hazard.

“Excavation” means the mechanical removal of earth material.

~~“Existing and ongoing agricultural activities” include those activities conducted on lands defined in RCW 84.34.020(2), and those activities involved in the production of crops and livestock, including, but not limited to, operation and maintenance of farm and stock ponds or drainage ditches, irrigation systems, changes between agricultural activities, and normal operation, maintenance or repair of existing serviceable structures, facilities or improved areas. Activities that bring a previously nonagricultural area into agricultural use are not part of an ongoing activity. An operation ceases to be ongoing when the area on which it was conducted is proposed for conversion to a nonagricultural use or has lain idle for a period of longer than five years, unless the idle land is registered in a federal or state soils conservation program.~~

“Exotic” means a species, plant community type, or habitat that has been introduced or modified as a result of human actions.

“Fair market value” means the open market bid price for conducting construction of the work, using the equipment and facilities, and purchase of the goods, services, and materials necessary to accomplish the development. This would normally equate to the cost of hiring a contractor to undertake the development from start to finish, including the cost of labor, materials, equipment and facility usage, transportation, and contractor overhead and profit. The fair market value of the development shall include the fair market value of any donated, contributed, or found labor, equipment or materials.

“Feasible” means that an action, such as a development project, mitigation, or restoration requirement, meets all of the following conditions:

- A. The action can be accomplished with technologies and methods that have been used in the past in similar circumstances, or studies or tests have demonstrated in similar circumstances that such approaches are currently available and likely to achieve the intended results;
- B. The action provides a reasonable likelihood of achieving its intended purpose; and
- C. The action does not physically preclude achieving the project’s primary intended legal use.

In cases where these guidelines require certain actions unless they are infeasible, the burden of proving infeasibility is on the applicant. In determining an action’s infeasibility, the city may weigh the action’s relative public costs and public benefits, considered in short- and long-term time frames.

“Federal Manual” or “federal methodology” means the methodology for identifying wetlands in the field as described in the current Federal Manual for Identifying and Delineating Jurisdictional Wetlands.

“Fill” means earth or any other substance or material placed in or on the ground, including earth retaining structures, in an area waterward of the OHWM. In wetlands, it includes any action that raises the elevation or creates dry land.

“Filling” means the act of transporting or placing (by any manner or mechanism) fill material from, to, or on any soil surface, sediment surface, or other fill material.

“Fish and wildlife habitat conservation area” means areas that serve a critical role in sustaining needed habitats and species for the functional integrity of the ecosystem, and which, if altered, may reduce the likelihood that the species will persist over the long term. These areas may include, but are not limited to, rare or vulnerable ecological systems, communities, and habitat or habitat elements including seasonal ranges, breeding habitat, winter range and movement corridors, and areas with high relative population density or species richness. “Fish and wildlife habitat conservation areas” does not include such artificial features or constructs as irrigation delivery systems, irrigation infrastructure, irrigation canals, or drainage ditches that lie within the boundaries of, and are maintained by, a port district or an irrigation district or company.

“Floodplain” is synonymous with 100-year floodplain and means that land area susceptible to inundation with a one percent chance of being equaled or exceeded in any given year. The limit of this area shall be based upon flood ordinance regulation maps or a reasonable method which meets the objectives of the Act.

~~“Floodway” means the channel of a river or other watercourse and the adjacent land areas that either:~~

~~A. Has been established in Federal Emergency Management Agency Flood Insurance Rate Maps or floodway maps; or~~

~~B. Consists of those portions of a river valley lying waterward from the outer limits of a watercourse upon which flood waters are carried during periods of flooding that occur with reasonable regularity, although not necessarily annually, said floodway being identified, under normal conditions, by changes in surface soil conditions or changes in types or quality of vegetative ground cover condition, topography, or other indicators of flooding that occurs with reasonable regularity, although not necessarily annually.~~

~~C. Regardless of the method used to identify the floodway, the floodway shall not include those lands that can reasonably be expected to be protected from flood waters by flood risk reduction devices maintained by or maintained under license from the federal government, the state, or a political subdivision of the state.~~

Means the channel of a river or other watercourse and the adjacent land areas that must be reserved in order to discharge the base flood without cumulatively increasing the water surface elevation more than a designated height (not more than one foot). Also referred to as “regulatory floodway.”

“Frequently flooded areas” are lands in the floodplain subject to at least a one percent or greater chance of flooding in any given year or within areas subject to flooding due to

high ground water. These areas include, but are not limited to, streams, rivers, and wetland areas where high ground water ponds on the ground surface.

“Functions and values” means the beneficial roles served by critical areas including, but not limited to, water quality protection and enhancement; fish and wildlife habitat; food chain support; flood storage, conveyance and attenuation; ground water recharge and discharge; erosion control; wave attenuation; protection from hazards; historical, archaeological and aesthetic value protection; educational opportunities and recreation.

“Geologically hazardous areas” are areas that because of their susceptibility to erosion, sliding, earthquakes or other geological events are not suited to siting commercial, residential or industrial development consistent with public health or safety concerns.

“Geotechnical report or geotechnical analysis” means a scientific study or evaluation conducted by a qualified expert that includes a description of the ground and surface hydrology and geology, estimates of susceptibility to erosion, sliding, earthquake, or other geological events, and the extent of risk to the health and safety of persons and property. Such a report shall include conclusions and recommendations regarding the effect of the proposed development on geologic conditions, the adequacy of the site to be developed, the impacts of the proposed development, alternative approaches to the proposed development, and measures to mitigate potential site-specific and cumulative geological and hydrological impacts of the proposed development, including the potential adverse impacts to adjacent and down-current properties. Geotechnical reports shall conform to accepted technical standards and must be prepared by qualified professional engineers or geologists who have professional expertise regarding the regional and local geology and processes.

“Grading” means the movement or redistribution of the soil, sand, rock, gravel, sediment, or other material on a site in a manner that alters the natural contour of the land.

“Habitat management” means management of land to maintain species in suitable habitats within their natural geographic distribution so that isolated subpopulations are not created. This does not imply maintaining all habitat or individuals of all species in all cases.

~~“Habitat map” means maps of plant cover types/communities, referred to as fish and wildlife conservation areas, adopted by the city of Richland to indicate the potential presence of wildlife species.~~

“High impact land use” means land uses that are generally associated with relatively high levels of human activity or disturbance, development of structures, or substantial wetland habitat impacts. Depending on their context, high impact land uses can include, but are not limited to, residential buildings and structures, active recreation areas and facilities, commercial and industrial land uses, buildings and structures, and similar uses and activities which create a significant potential for impacts to wetlands. The context for determining the impact of a land use includes the sensitivity of the wetland, the density and intensity of adjacent development, the amount of impervious surface, the

orientation of proposed buildings and structures, and other relevant factors as determined in an individual case.

“In-kind mitigation” means replacement of wetlands with substitute wetlands whose characteristics closely approximate those destroyed or degraded by a regulated activity.

“In-stream structures” are structures located waterward of the ordinary high water mark that either cause or have the potential to cause water impoundment or the diversion, obstruction, or modification of water flow.

“Isolated wetlands” means those wetlands that are outside of and not contiguous to any 100-year floodplain of a lake, river, or stream and have no contiguous hydric soil or hydrophytic vegetation between the wetland and any surface water.

“Landslide hazard areas” are areas that are potentially subject to landslides based on a combination of geologic, topographic, and hydrologic factors. They include any areas susceptible because of any combination of bedrock, soil, slope (gradient), slope aspect, structure, hydrology, or other factors. Landslide hazard areas include, but are not limited to, the following types of areas:

A. Areas delineated by the United States Department of Agriculture Soil Conservation Service as having a severe limitation for building site development;

B. Areas designated as quaternary slumps, earthflows, mudflows, lahars, or landslides on maps published by the United States Geological Survey or Department of Natural Resources Division of Geology and Earth Resources;

C. Areas with all three of the following characteristics:

1. Areas with slope steeper than 15 percent;
2. Hillsides intersecting geologic contacts with a relatively permeable sediment overlying a relatively impermeable sediment or bedrock; and
3. Springs or ground water seepage;

D. Areas that have shown movement during the Holocene epoch (from 10,000 years ago to the present) or which are underlain or covered by mass wastage debris of that epoch;

E. Areas with slopes that are parallel or subparallel to planes of weakness (such as bedding planes, joint systems, and fault planes) in subsurface materials;

F. Areas with slopes having gradients steeper than 80 percent subject to rockfall during seismic shaking;

G. Areas potentially unstable as a result of rapid stream incision, stream bank erosion and undercutting by wave action;

H. Areas that show evidence of, or on, an active alluvial fan presently or potentially subject to inundation by debris flows or catastrophic flooding; or

I. Areas with a slope of 40 percent or steeper and with a vertical relief of 10 or more feet except areas composed of consolidated rock. A slope is delineated by establishing its toe and top and measured by averaging the inclination over at least 10 feet of vertical relief.

“Local utility” means public or private utilities normally servicing a neighborhood or defined subarea in the city (e.g., telephone exchanges, sanitary sewer, stormwater facilities, distribution lines, electrical distribution less than 55 kilovolts, telephone, cable television, etc.).

“Low impact land use” means land uses that are typically associated with relatively low levels of human activity, disturbance or development, and that are conducted in a manner so as to minimize impacts to the buffer. Low impact land uses may include:

A. Conservation or restoration activities aimed at protecting the soil, water, vegetation, or wildlife;

B. Passive recreation, including walkways or trails [which may be](#) located in the outer 25 percent of the buffer area;

C. Educational and scientific research activities, provided prior approval is obtained from the approval authority;

D. Normal and routine maintenance and repair of any existing public or private facilities, provided appropriate measures are undertaken to minimize impacts to the wetland and its buffer, and that disturbed areas are restored immediately to a natural condition; or

E. Agricultural land uses that do not create a significant probable wetland impact.

“Marina” means any commercial or club-owned facility consisting of docks or piers serving five or more vessels, or a shared moorage serving a subdivision serving 10 or more vessels.

“Mining” means the removal of sand, gravel, soil, minerals, and other earth materials for commercial and other uses.

[“Mitigation” means a series of prioritized actions that when achieved in full ensures project impacts will result in no net loss of ~~habitat value or fish and wildlife populations~~ ecological functions.](#)

~~“Mitigation”~~ [Mitigation](#) involves actions that proceed in sequence from the highest to the lowest priority as follows:

A. Avoiding impacts to environmentally ~~sensitive~~ [critical](#) areas by not taking action or parts of actions.

B. Minimizing impact by limiting the degree or magnitude of the action and its implementation.

C. Rectifying the impact by repairing, rehabilitating, or restoring the affected environment.

D. Reducing or eliminating the impact over time by preservation and maintenance operations during the life of the action.

E. Compensating for the impact by replacing or providing substitute resources or environments.

While monitoring alone is not considered mitigation for purposes of these regulations, it may be part of a comprehensive mitigation program.

“Mixed use” within an area subject to the jurisdiction of the Shoreline Management Act means a combination of compatible uses within one development, in which water-oriented and non-water-oriented uses are included.

“Multiple use” means a combination of compatible uses within one development, and may include commercial, multifamily, and recreation uses, among others. The term “mixed use” in RMC Title 23, Zoning Regulations, may be used in the same sense as “multiple use” in this title, Shoreline Management.

“Native vegetation” means vegetation indigenous to the area in question.

“Natural or existing topography” means the topography of the lot, parcel, or tract of real property immediately prior to any site preparation or grading, including excavation or filling.

“No net loss of ecological functions” is the maintenance of existing ecological processes and functions at the level that existed at the time of approval of relevant policies and regulations.

A. No net loss of ecological functions on the level of the city means that the ecological processes and functions are maintained within a watershed or other functional catchment area. Regulations may result in localized cumulative impacts or loss of some localized ecological processes and functions, as long as the ecological processes and functions of the system are maintained. Maintenance of system ecological processes and functions may require compensating measures that offset localized degradation.

B. On a project basis, “no net loss” means that permitted use or alteration of a site will not result in on-site or off-site deterioration of the existing condition of ecological functions that existed prior to initiation of use or alterations as a direct or indirect result of the project.

C. No net loss is achieved both through avoidance and minimization of adverse impacts as well as compensation for impacts that cannot be avoided. Compensation may include on-site or off-site restoration of ecological functions to compensate for localized degradation.

“Non-water-dependent use” means those uses which are not water-dependent.

“Non-water-oriented use” means those uses which are not water-dependent, water-related, or water-enjoyment.

~~“Nonconforming lot, use, structure, or site” means a preexisting parcel which was lawfully created prior to the effective date of this program but does not meet minimum size or other dimensional requirements, a use which was legally established prior to the effective date of this program, which would not be permitted as a new use in the area in which it is located under the terms of this program, or a structure lawfully erected prior to the effective date of this program or a site altered or improved which does not meet current standards for setbacks, buffers, vegetation conservation, landscaping, public access, screening, or other regulations for the area in which it is located due to changes in regulations since its establishment.~~

“Non-conforming use or development” means a shoreline use, building, or structure which was lawfully constructed or established prior to the effective date of the applicable SMA/SMP provision, and which no longer conforms to the applicable permitting provisions in the shoreline jurisdiction (WAC 173-27-080).

“Open space” means an area that is intended to provide light and air, view, use, or passage of persons or animals which is almost entirely unobstructed by buildings, paved areas, or other human-made structures, and is designed or preserved for environmental, habitat, scenic, or recreational purposes.

“Ordinary high water mark” means the mark on all lakes and streams that will be found by examining the beds and banks and ascertaining where the presence and action of waters are so common and usual, and so long continued in all ordinary years, as to mark upon the soil a character distinct from that of the abutting upland and vegetation, as that condition existed on June 1, 1971, for all lands under the jurisdiction of the Shoreline Management Act, or for other lands on the effective date of the relevant provisions of this program, or as it may naturally change thereafter, or as it may change thereafter in accordance with permits issued by the city or other authorized jurisdictions. In any area where the ordinary high-water mark cannot be found, it shall be defined in accordance with WAC 173-22-030, generally the line of the mean higher high tide in areas adjoining salt water, and the line of mean high water in areas adjoining fresh water.

“Party of record” includes all persons, agencies or organizations who have submitted written comments in response to a notice of application; made oral comments in a formal public hearing conducted on the application; or notified local government of their desire to receive a copy of the final decision on a permit and who have provided an address for delivery of such notice by mail.

“Permanent erosion control” means continuous on-site and off-site control measures that are needed to control conveyance or deposition of earth, and turbidity or pollutants after development, construction, or restoration.

“Permit” means that [shoreline](#) substantial development, [shoreline](#) special use, or [shoreline](#) variance permit issued by the city of Richland [administrator](#) prior to substantial development in shoreline areas, subject to review by the State of Washington Department of Ecology and the State Attorney General.

“Pier” means docks or similar structures supported by fixed piles. This definition does not include over-water trails.

“Preservation” (of wetlands) means the removal of a threat to, or preventing the decline of, wetland conditions by an action in or near a wetland. This term includes the purchase of land or easements, repairing water control structures or fences, or structural protection. Preservation does not result in a gain of wetland acres but may result in a gain in functions over the long term.

“Priority habitat” means a habitat type with unique or significant value to one or more species. An area classified and mapped as priority habitat must [either be a habitat included on WDFW’s Priority Habitat and species list or](#) have one or more of the following attributes:

- A. Comparatively high fish or wildlife density;
- B. Comparatively high fish or wildlife species diversity;
- C. Fish spawning habitat;
- D. Important wildlife habitat;
- E. Important fish or wildlife seasonal range;
- F. Important fish or wildlife movement corridor;
- G. Rearing and foraging habitat;
- H. Important marine mammal haul-out;
- I. Refugia habitat;
- J. Limited availability;
- K. High vulnerability to habitat alteration;
- L. Unique or dependent species; or
- M. Shellfish bed.

A priority habitat may be described by a unique vegetation type or by a dominant plant species that is of primary importance to fish and wildlife (such as oak woodlands ~~or~~ eelgrass meadows [or shrub steppe habitat](#)). A priority habitat may also be described by a successional stage (such as old growth and mature forests). Alternatively, a priority habitat may consist of a specific habitat element (such as a consolidated

marine/estuarine shoreline, talus slopes, caves, snags) of key value to fish and wildlife. A priority habitat may contain priority and/or nonpriority fish and wildlife.

“Priority habitat and species list” means a list published by the Washington Department of Fish and Wildlife, which is a catalog of habitats and species considered to be priorities for conservation and management. Priority species require protective measures for their survival due to their population status, sensitivity to habitat alteration, and/or recreational, commercial or tribal importance. Priority species include state endangered, threatened, critical and candidate species; animal aggregations (e.g., heron colonies, bat colonies) considered vulnerable; and species of recreational, commercial or tribal importance that are vulnerable. Priority habitats are habitat types or elements with unique or significant value to a diverse assemblage of species. A priority habitat may consist of a unique vegetation type (e.g., shrub-steppe) or dominant plant species (e.g., juniper savannah), a described successional stage (e.g., old-growth forest) or a specific habitat feature (e.g., cliffs).

“Priority habitat and species map” means maps of plant cover types/communities. Considered by Washington State Department of Fish and Wildlife to contain priority habitat or wildlife species. PHS is a source of best available science that informs local planning activities and land use applications.

~~“Priority species” means species requiring protective measures and/or management guidelines to ensure their persistence at genetically viable population levels. Priority species are those that meet any of the criteria listed below.~~

~~A. Criterion 1, State-Listed or State-Proposed Species. State-listed species are those native fish and wildlife species legally designated as endangered (WAC 232-12-014), threatened (WAC 232-12-011), or sensitive (WAC 232-12-011). State-proposed species are those fish and wildlife species that will be reviewed by the Department of Fish and Wildlife (POL-M-6001) for possible listing as endangered, threatened, or sensitive according to the process and criteria defined in WAC 232-12-297.~~

~~B. Criterion 2, Vulnerable Aggregations. Vulnerable aggregations include those species or groups of animals susceptible to significant population declines, within a specific area or statewide, by virtue of their inclination to congregate. Examples include heron colonies, seabird concentrations, and marine mammal congregations.~~

~~C. Criterion 3, Species of Recreational, Commercial, and/or Tribal Importance. Native and nonnative fish, shellfish, and wildlife species of recreational or commercial importance, and recognized species used for tribal ceremonial and subsistence purposes that are vulnerable to habitat loss or degradation.~~

~~D. Criterion 4. Species listed under the Federal Endangered Species Act as either proposed, threatened, or endangered.~~

“Public access” means a physical and/or visual approach to and along the shoreline available to the general public.

“Public interest” means the interest shared by the citizens of the state or community at large in the affairs of government, or some interest by which their rights or liabilities are affected, including, but not limited to, an effect on public property or on health, safety, or general welfare resulting from a use or development.

~~“Qualified consultant” means a professionally trained and/or certified wildlife biologist, ecologist or other professional with expertise in the scientific disciplines necessary to identify, evaluate and manage habitat.~~

“Qualified professional” ~~means~~ for the purpose of these regulations, shall mean a person with experience and training in the pertinent scientific discipline, and who is a qualified scientific expert with expertise appropriate for the relevant critical area subject in accordance with WAC 365-195-905(4). A qualified professional must have obtained a Bachelor of Science or Bachelor of Arts or equivalent degree in biology, ecology, engineering, environmental studies, fisheries, geomorphology or related field, and at least two years of related work experience.

A. A qualified professional for habitats or wetlands must have a degree in biology, ecology or related field and professional experience related to the subject species. A “qualified wetland specialist” is further defined below.

B. A qualified professional for a geological hazard must be a professional geotechnical engineer or geologist, licensed in the state of Washington.

C. A qualified professional for critical aquifer recharge areas ~~means a hydrogeologist, geologist, engineer, or other scientist with experience in preparing hydrogeologic assessments~~ must be a currently licensed Washington State geologist holding a current specialty license in hydrology.

“Qualified wetland specialist” means a person or firm with experience and training in wetland issues, and with experience in performing delineations, analyzing wetland impacts, and recommending wetland mitigation and restoration. Qualifications include:

A. A Bachelor of Science or Bachelor of Arts or equivalent degree in biology, botany, ecology, environmental studies, fisheries, soil science, wildlife or related field, and at least two years of related work experience, including a minimum of one year of experience delineating wetlands using the Unified Federal Manual in preparing wetland reports. Additional education may substitute for one year of related work experience; or

B. Four or more years of related work experience and training, with a minimum of two years’ experience delineating wetlands using the Unified Federal Manual in preparing wetland reports.

“Recreation areas or facilities” means any privately or publicly owned passive or active facility that provides for activities undertaken for pleasure or relaxation and for the refreshment of the mind and body that takes place in the outdoors or in a facility dedicated to the use, including, but not limited to, walking, fishing, photography, viewing, and bird watching, and may include parks, playgrounds, sports fields, paths and trails, beaches, or other recreation areas or facilities.

“Reestablishment” (of wetland) means the manipulation of the physical, chemical, or biological characteristics of a site with the goal of returning natural or historic functions to a former wetland. Reestablishment results in rebuilding a former wetland and results in a gain in wetland acres and functions. Activities could include removing fill, plugging ditches, or breaking drain tiles.

“Regulated activity” means ~~activities occurring in or near and/or potentially affecting a wetland or wetland buffer that are subject to the provisions of the shoreline master program. Regulated activities generally include, but are not limited to, any filling, dredging, dumping or stockpiling, draining, excavation, flooding, construction or reconstruction, driving pilings, obstructing, shading, clearing or harvesting~~ activities generally including, but not limited to, filling, dredging, dumping, stockpiling, draining, excavation, flooding, construction or reconstruction, driving pilings, obstructing, shading, clearing or harvesting, or any other activity that may impact the functions and values of the nearby critical area as determined by the administrator.

“Rehabilitation” (of wetland) means the manipulation of the physical, chemical, or biological characteristics of a site with the goal of repairing natural or historic functions and processes of a degraded wetland. Rehabilitation results in a gain in wetland function but does not result in a gain in wetland acres. Activities could involve breaching a dike to reconnect wetlands to a floodplain or returning tidal influence to a wetland.

“Restore” or “restoration” or “ecological restoration” means the reestablishment or upgrading of impaired natural or enhanced ecological shoreline processes or functions. This may be accomplished through measures including, but not limited to, revegetation, removal of intrusive shoreline structures and removal or treatment of toxic materials. Restoration does not imply a requirement for returning the shoreline area to pre-Columbia Basin Project, aboriginal or pre-European settlement conditions.

~~“Riparian management zone” (RMZ) means the fish and wildlife habitat conservation area adjacent to all rivers and streams delineated to protect riparian ecosystem functions and values. Its inner point of measure is the wider of (A) the ordinary high water mark or (B) the outer extent of the channel migration zone. Its width is the greater of (A) 100 feet, (B) one site potential tree height of a 200-year old tree, and (C) the width needed to reliably remove pollutants as determined through a habitat conservation report.~~

“Riparian ecosystem”, or “Riparian area” means the area alongside a water body that significantly influences exchanges of energy and matter among terrestrial and aquatic ecosystems. Along streams and rivers, it includes the active channel, channel migration zone, floodplain, and portions of the adjacent uplands that contribute organic matter and shade, provide space for nutrient cycling, and keep pollutants from entering the stream.

“Sanitary landfill” is a method of disposing of solid waste on land without creating nuisances or hazards to public health or safety by utilizing the principles of engineering to confine the solid waste to the smallest practical volume, and to cover it with a layer of

earth at the conclusion of each day's operation or at such more frequent intervals as may be necessary.

~~"Secondary habitat" or "secondary wildlife habitat" means areas with one or more of the following attributes: comparatively high wildlife density; high wildlife species richness; significant wildlife breeding habitat; significant wildlife seasonal ranges; significant movement corridors; limited availability; and/or high vulnerability. Secondary habitat offers less diversity of animal and plant species than critical habitat, but is important for performing the essential functions of habitat.~~

"Seismic hazard areas" are areas subject to severe risk of damage as a result of earthquake induced ground shaking, slope failure, settlement, soil liquefaction, or surface faulting. One indicator of potential for future earthquake damage is a record of earthquake damage in the past. Ground shaking is the primary cause of earthquake damage in Washington. The strength of ground shaking is primarily affected by: (A) magnitude of an earthquake; (B) distance from the source of an earthquake; (C) type of thickness of geologic materials at the surface; and (D) type of subsurface geologic structure.

~~"Sensitive Critical areas" are those areas and ecosystems as defined under Chapter 36.70A RCW, and include:~~

~~A. Wetlands;~~

~~B. Areas with a critical recharging effect on aquifers used for potable waters;~~

~~C. Fish and wildlife habitat conservation areas;~~

~~D. Frequently flooded areas; and~~

~~E. Geologically hazardous areas.~~

"Shall" means a mandate; the action must be done.

"Shorelands or shoreland areas" means those lands under the jurisdiction of the Shoreline Management Act extending landward for 200 feet in all directions as measured on a horizontal plane from the ordinary high water mark; floodways and contiguous floodplain areas landward 200 feet from such floodways; and all wetlands and river deltas associated with the streams, lakes, and tidal waters ~~that~~ which are subject to the provisions of the Shoreline Management Act, RCW 90.58.030; the same to be designated as to location by the Washington State Department of Ecology.

"Shoreline areas" mean all shorelines of the state and shorelands.

"Shoreline jurisdiction" means all areas subject to the SMP.

"Shoreline program" or "Shoreline Master Program (SMP)" shall refer to the Richland shoreline master program.

“Shoreline stabilization” means structural and nonstructural actions taken to address erosion impacts to property and dwellings, businesses, or structures caused by natural processes, such as current, flood, tides, wind, or wave action. These actions include structural and nonstructural methods.

“Shorelines of Richland” are the total of all shorelines and shorelines of statewide significance within the corporate limits of the city of Richland.

“Should” means, in areas that are subject to the provisions of the Shoreline Management Act, RCW 90.58.030, that a particular action is required unless there is a demonstrated compelling reason, based on the policy of the Shoreline Management Act and this program, against taking the action. The administrator shall make the determination about whether or not an applicant has demonstrated that there is a compelling reason against taking an action, and may consult with the Department of Ecology and other agencies with jurisdiction over a proposal in making such a determination.

“Site” means any parcel or combination of contiguous parcels where a proposed project is located.

“Slope” means an inclined earth surface, the inclination of which is expressed as the ratio of horizontal distance to vertical distance.

“Solid waste” is defined as those presently unwanted residues of used natural or manmade resources and of human activity, including garbage, rubbish, ashes, industrial wastes, swill, demolition and construction wastes, abandoned vehicles or parts thereof, and discarded commodities, which are handled or managed in solid form.

“Stormwater” means runoff during and following precipitation that does not naturally percolate into the ground or evaporate, but flows via overland flow, interflow, pipes and other features of a stormwater drainage system into a defined surface water body or a constructed treatment, evaporation or infiltration facility.

“Structural diversity” means the relative degree of diversity or complexity of vegetation in a habitat area as indicated by the stratification or layering of different plant communities (e.g., ground cover, shrub layer, and tree canopy); the variety of plant species; and the spacing or pattern of vegetation.

“Structure” means a permanent or temporary edifice or building, or any piece of work artificially built or composed of parts joined together in some definite manner, whether installed on, above, or below the surface of the ground or water, except for vessels.

“Substrate” means the soil, sediment, decomposing organic matter or combination of those located on the bottom surface of the wetland.

“Temporary erosion control” means on-site and off-site control measures that are needed to control conveyance or deposition of earth, turbidity, or pollutants during development, construction or restoration.

"Variance" means a means to grant relief from the specific bulk, dimensional, or performance standards specified in the SMP, but not a means to vary a shoreline use. Shoreline variances must be specifically approved, approved with conditions, or denied by Ecology (see WAC 173-27-170).

"Water-dependent use" means a use or portion of a use which cannot exist in a location that is not adjacent to the water, and which is dependent on the water by reason of the intrinsic nature of its operations.

"Water-enjoyment use" means a recreational use or other use that facilitates public access to the shoreline as a primary characteristic of the use, or a use that provides for enjoyment or recreational use of the shoreline for a substantial number of people as a general characteristic of the use, and which through location, design, and operation ensures the public's ability to enjoy the visual and physical qualities of the shoreline. In order to qualify as a water-enjoyment use, the use must be open to the general public, and the shoreline-oriented space within the project must be devoted to the specific aspects of the use that fosters shoreline enjoyment.

"Water-oriented use" means a use that is water-dependent, water-related or water-enjoyment, or a combination of such uses.

"Water-related use" means a use or portion of a use which is not intrinsically dependent on a waterfront location, but its economic viability is dependent upon a waterfront location because:

A. The use has a functional requirement for a waterfront location such as the arrival or shipment of materials by water or the need for large quantities of water; or

B. The use provides a necessary service supportive of the water-dependent uses, and the proximity of the use to its customers makes its services less expensive and/or more convenient.

"Wetland" or "wetlands" refers to areas that are inundated or saturated by surface water or ground water at a frequency and duration sufficient to support, and that under normal circumstances do support, a prevalence of vegetation typically adapted for life in saturated soil conditions. Wetlands generally include swamps, marshes, bogs, and similar areas. Wetlands do not include ~~those artificial~~artificially created wetlands, ~~intentionally created from nonwetland sites, including but not limited to irrigation and drainage ditches, grass-lined swales, canals, detention facilities, wastewater treatment facilities, farm ponds, and landscape amenities, or those wetlands created after July 1, 1990, that were unintentionally created as a result of the construction of a road, street, or highway.~~ Wetlands may include those artificial wetlands intentionally created from nonwetland areas to mitigate the conversion of wetlands or wetland areas preserved as mitigation for the conversion of wetlands, if permitted by the City.

"Wetland, artificially created" means wetlands intentionally created from nonwetland sites, including, but not limited to, irrigation and drainage ditches, grass-lined swales, canals, detention facilities, wastewater treatment facilities, farm ponds and landscaping amenities, or those wetlands created after July 1, 1990, that were unintentionally

created as a result of the construction of a road, street, or highway. ~~Wetlands may include those artificial wetlands intentionally created from nonwetland areas to mitigate the conversion of wetlands.~~

“Wetland buffer area” means a naturally vegetated and undisturbed, enhanced or revegetated zone surrounding a natural, restored, or newly created wetland that is an integral part of a wetland ecosystem, and protects a wetland from adverse impacts to the integrity and value of the wetland. Wetland buffers serve to moderate runoff volume and flow rates; reduce sediment, chemical nutrient and toxic pollutants; provide shading to maintain desirable water temperatures; provide habitat for wildlife; and protect wetland resources from harmful intrusion.

~~“Wetland class” means one of the 11 class names used to describe wetland and deepwater habitat types as derived from the U.S. Fish and Wildlife Service wetland classification scheme consisting of a hierarchy of systems, subsystems, classes and subclasses to describe wetland types. Refer to USFWS, December 1979, Classification of Wetlands and Deepwater Habitats of the United States for a complete explanation of the wetland classification scheme. These class names include: forested wetland, scrub-shrub wetland, emergent wetland, moss-lichen wetland, unconsolidated shore, aquatic bed, unconsolidated bottom, rock bottom, rocky shore, stream bed, and reef.~~

“Wetland delineation” means ~~the actual flagging or staking in the field of the edges of the wetland by a qualified consultant or their representative~~ a delineation done in accordance with the approved federal wetland delineation manual and applicable regional supplements as provided for in WAC 173-22-035.

“Wetland determination” means a report prepared by a qualified ~~consultant~~ professional that identifies, characterizes, and analyzes potential impacts to wetlands consistent with applicable provisions of these regulations. A determination does not include a formal delineation.

~~“Wetlands” or “wetland areas” means those areas that are inundated or saturated by surface or ground water at a frequency and duration sufficient to support, and that under normal circumstances do support, a prevalence of vegetation adapted for life in saturated soil conditions. Wetlands generally include swamps, marshes, bogs, and similar areas. Wetlands do not include those artificial wetlands intentionally created from nonwetland sites, including, but not limited to, irrigation and drainage ditches, grass-lined swales, canals, detention facilities, wastewater treatment facilities, farm ponds, and landscape amenities, or those wetlands created after July 1, 1990, that were unintentionally created as a result of the construction of a road, street, or highway. Wetlands may include those artificial wetlands intentionally created from nonwetland areas to mitigate the conversion of wetlands. For identifying and delineating a regulated wetland, the methodology shall be done in accordance with the approved federal wetland delineation manual and applicable regional supplements as provided in RCW 90.58.380 and WAC 173-22-035.~~

“Wildlife habitat” means areas that provide food, protective cover, nesting, breeding, or movement for fish and wildlife, and with which individual species have a primary association.

~~“Wildlife report” means a report prepared by a qualified consultant that evaluates plant communities and wildlife functions and values on a site, consistent with the format and requirements established by this program.—~~

Footnotes to Definitions.

* “Adjacent,” subsection (C) – The distance of 250 feet is based on maximum wetland buffer.

** “Adjacent,” subsection (E) – The distance of 200 feet is a suggested distance to ensure that activities within the critical aquifer recharge area are included under this chapter, even when the exact boundaries of the critical aquifer recharge area are not known at the time of application.

Response Matrix
City of Richland Shoreline Master Program Update

	Commenter	Comment	Comment Date	City Staff Response
1-50	Debbie Berkowitz	Comments 1-50 were submitted 4/18/2021 and on 5/19/2021, the commenter sent a revised set of comments stating, "The comments below are based on the current draft version of the SMP update that was posted online on 5/4/21 (RMCTitle26EditsV7). This is a revision of my original comments (dated 4/18/21) that had been based on the 3/16/21 draft (V5); these revised comments recognize the changes that were made between these two draft versions i.e., the addition of a number of definitions from the CAO and the switch from the term 'sensitive' to 'critical.'"	4/18/2021	The City has responded to comments 1-50 by responding to the comments as they appeared in the 5/19/2021 letter because the commenter revised their comments from 4/18/2021 and resubmitted them.
51	Patrick Paulson	In the latest Draft (also in previous drafts), the Table "26.30.012 Bulk and dimension chart" refers to "Table 26.60.042, Riparian Buffer Width", but that table has been stricken. In addition, the entry for "Riparian Forest" has been stricken from "Table 26.60.024(D) Wetland Buffer Widths". I'm wondering if the intent is that these edits are due to section 26.60.044 (FWHCA Performance standards) item J, which requires that : Width of riparian corridors shall be in accordance with buffer widths suggested by BAS, including WDFW publication Riparian Ecosystems, Volume 2: Management Recommendations, May 2018, or as revised. Riparian corridors shall also meet the minimum requirements as established in RMC Title	5/12/2021	Comment noted. The table has been retained.

		26 and wetland buffer requirements as established in RMC 22.10.110. (That would kind of make sense, since Riparian areas are PHS, and so the FWHCA performance standards would apply) Or is there a different explanation for the missing riparian buffer widths? Thanks, the answer to this question will really help when making comments.		
52	Debbie Berkowitz	For consistency with the CAO and with State nomenclature (and for internal consistency within this SMP update, including in headings), fish or wildlife habitat areas should be changed to fish and wildlife habitat conservation areas, geologic hazard areas to geologically hazardous areas, flood hazard areas to frequently flooded areas, City of Richland to administrator, and qualified consultant to qualified professional throughout as was done in the CAO (currently, both sets of terms in each category are used in the SMP).	5/19/2021	Comment accepted. Nomenclature will be consistently revised.
53	Debbie Berkowitz	P. 82 - 26.60.032. – Unauthorized alterations and enforcement – This clause is applicable to other critical areas, not just wetlands, so should be included in Article VII. General Information (as it is in the CAO, 22.10.435).	5/19/2021	We moved the section to 26.60.085 as suggested.
54	Debbie Berkowitz	P. 83 - 26.60.010 A1. Make this consistent with the CAO (22.10.010A1) by including all the listed benefits of wetlands.	5/19/2021	Revised as suggested.
55	Debbie Berkowitz	P. 84 – 26.60.010 A. Add (4) CARA benefits and (5) Frequent flooding section (from CAO 22.10.010A4 and 5.)	5/19/2021	Revised as suggested.

56	Debbie Berkowitz	P.84 – 26.60.010C. Follow CAO 22.10.010C1. The intent of this chapter is to implement the goals and policies of the city of Richland’s comprehensive plan, in particular those goals and policies that pertain to natural features and environmental protection. [the other goals and policies listed are implemented under the other parts of this document and should be deleted here].	5/19/2021	Comment noted. No Changes proposed at this time.
57	Debbie Berkowitz	P. 85 - 26.60.020 The following activities which occur in conjunction with a development application within a wetland.... [see CAO 22.10.070] (i.e., delete strikeout part since these activities should be regulated whether or not there is a development application)	5/19/2021	Comment noted and language deleted.
58	Debbie Berkowitz	P. 86 - 26.60.020F Add ‘intentional burning’ to the list [see CAO 22.10.070F]	5/19/2021	Revised as suggested.
59	Debbie Berkowitz	P. 86 - 26.60.021A1. This is not an ‘and’ list (‘e. Are not an alkali wetland; and’); it should be an ‘or’ list (‘e. Are not an alkali wetland; or’) – it is not clearly written [‘and’ was not included (after e.) in the CAO, 22.10.080B1]. A better alternative would be to eliminate this exemption as per the following: WDOE guidance for CAO Updates Eastern WA Version (2016), P. 8: “The scientific literature does not support exempting wetlands that are below a certain size. While we recognize an administrative desire to place size thresholds on wetlands that are to be regulated, you need to be aware that it is not possible to conclude from size alone what functions a particular wetland may be providing. Because of the important wildlife functions provided by small wetlands in Eastern Washington, Ecology does not recommend exempting small wetlands from regulation.”	5/19/2021	See response in line 60, below.

60	Debbie Berkowitz	...cont'd... Use this instead – “Small isolated wetlands in arid landscapes often have a higher value and perform greater functions than in other settings. However, in certain circumstances, applying the buffers in Table [26.60.024(D)] may result in buffer areas greater than that of the wetland being protected. In these instances, the City may consult with the Department of Ecology to determine whether exemptions from mitigation sequencing and/or reduced buffers are warranted.”	5/19/2021	Comment noted. We revised as suggested, with a grammatical change.
61	Debbie Berkowitz	P. 87 - 26.60.021B4. Are all agricultural activities automatically allowed without a critical area report or just existing and ongoing agricultural activities? Follow CAO 22.10.080C3. “Agricultural activities that are existing and ongoing; provided, that they implement applicable best management practices (BMPs) contained in the latest editions of the USDA Natural Resources Conservation Services Field Office Technical Guide; or develop a farm conservation plan in coordination with the local conservation district. BMPs and/or farm plans should address potential impacts to wetlands from livestock, nutrient and farm chemicals, soil erosion and sediment control and agricultural drainage infrastructure. BMPs and/or farm plans should ensure that ongoing agricultural activities minimize their effects on water quality, riparian ecology, salmonid populations and wildlife habitat.”	5/19/2021	Revised as suggested.
62	Debbie Berkowitz	P. 88 - 26.60.022. Add from CAO 22.10.090 “Additional guidance may be obtained from the Department of Ecology publication “Focus on Irrigation Influenced Wetlands” (Publication No. 10-06-015) or as may be amended in the future.”	5/19/2021	Revised as suggested.

63	Debbie Berkowitz	P. 90 - Table 26.60.024(D). Category II High level of function for water quality improvement. Add back in "No additional surface discharges of untreated runoff."	5/19/2021	Revised as suggested.
64	Debbie Berkowitz	P. 90 - Table 26.60.024(D) Category II Add Riparian forest back in and include buffers and other measures from CAO 22.10.110(D) table.	5/19/2021	Revised as suggested.
65	Debbie Berkowitz	P. 92 - 26.60.025C1a. Add 'if all three' [the width of the buffer can be reduced if all three of the following criteria are met] [see CAO 22.10.115C1a]	5/19/2021	Revised as suggested.
66	Debbie Berkowitz	P. 93 - 26.60.025(D). Table column heading should be 'Examples of Activities and Uses that Cause Disturbances. [See CAO 22.10.115(D)]	5/19/2021	Revised as suggested.
67	Debbie Berkowitz	P. 94 - See 'other issues' #6 on next page of this comment letter.	5/19/2021	26.60.057 updated to match 22.10.300 (per Ord 16-21)
68	Debbie Berkowitz	P. 95 - Add the equivalent to 22.10.115H re signs and fencing of wetlands and buffers (e.g., when domestic grazing animals are on site)	5/19/2021	We added section H. Signs and fencing of wetlands and buffers, as it appears in 22.10.115H.
69	Debbie Berkowitz	P. 95 - 26.60.026C2c. This section is redundant with section C2a. Should be replaced by the statement: "c. Avoids alterations of wetlands previously enhanced or created as mitigation." [this is section 22.10.120C2d. in the CAO].	5/19/2021	Comment noted. The section has been revised to eliminate redundancy.
70	Debbie Berkowitz	P. 112 - 26.60.032 Add G (from CAO 22.10.435). 'Illegal modifications. Wetland rating categories and/or fish and wildlife habitat conservation area boundaries shall not change due to illegal modifications made by the applicant or with the applicant's knowledge.' [as mentioned in this comments section, item #2, P. 82 26.60.032, it would be preferable to include this whole section under Article VII. General Information as was done in the CAO, 22.10.435, since it is applicable to other critical areas as well].	5/19/2021	We moved 26.60.032 to Article VII, as suggested.

71	Debbie Berkowitz	P. 132 - 26.60.080 Add from CAO 22.10.360 – provided they are conducted using best management practices ‘and minimize and/or mitigate the impacts to critical areas’.	5/19/2021	We revised 26.60.080.
72	Debbie Berkowitz	P. 132 - 26.60.080A. Add (from CAO 22.10.360) ‘and subject to the provisions found in RMC 22.10.080(C)(3)’.	5/19/2021	Revised as suggested however, the reference is to RMC 26.60.021.B.4. rather than the CAO.
73	Debbie Berkowitz	P. 133 - 26.60.080F. Add (from CAO 22.10.360) ‘Retroactive mitigation must occur within the first growing season following completion of the emergency work.’	5/19/2021	Revised as suggested.
74	Debbie Berkowitz	P. 134 - 26.60.081B3c. These items (i.-iv.) should be included on the map as well [as in the CAO 22.10.370B3b vi.-ix.].	5/19/2021	Comment noted. Changed as suggested.
75	Debbie Berkowitz	P.135 - 26.60.081B5. Add (from CAO 22.10.370B5)’a report on FWHCAs shall include the requirements listed in RMC26.60.043’ together with...	5/19/2021	Revised as suggested. <i>*Later changed to reference 26.60.044 which is the correct citation (AHBL, 5/19/2023)</i>
76	Debbie Berkowitz	P. 138 - Add section between 26.60.082 and 26.60.083, equivalent to CAO 22.10.385 Notice on title.	5/19/2021	The section has been added as 26.60.086.
77	Debbie Berkowitz	P. 138 - Include the equivalent of CAO 22.10.435 ‘Unauthorized alterations and enforcement.’ This is needed for FWHCAs; currently, the SMP includes this only for wetlands. As with the CAO, this section could be placed at the end for all critical areas and not included specifically for wetlands.	5/19/2021	The section has been added as 26.60.085.

78	Debbie Berkowitz	P. 122 26.60.044J and P. 37 – 26.30.012. The Riparian Buffer Width table is missing, yet is referred to in the text in the chart on P. 37. Having minimum buffer widths established in the SMP is also referenced in the CAO (section 22.10.210). CAO section 22.10.210 (and SMP section 26.60.044J) state that “Riparian corridors shall also meet the minimum requirements as established in RMC Title 26.” It is very important to have minimum riparian buffer width requirements as provided in original Table 26.60.042 for different shoreline environmental designations (even though as shoreline designations, they are not included in the CAO). In section 26.60.044J, the riparian buffer widths should also take into account the Best Available Science from WDFW (2020 Riparian Ecosystems Vol 1 and Vol 2, which discuss aquatic system functions; and 1997 Management Recommendations for Washington’s Priority Habitats: Riparian, which discusses terrestrial habitat functions).	5/19/2021	Comment noted. The table has been retained. A change to the buffer widths is beyond the scope of this periodic update.
79	Debbie Berkowitz	P. 64-65 – 26.50.012D. How is the city tracking and periodically evaluating the cumulative effects of all project review actions in shoreline areas? What about non-project actions and exempt actions?	5/19/2021	Thank you for your question. Project review and permit administration is regulated by RMC Chapter 26.50.
80	Debbie Berkowitz	P. 67 – 26.50.020B7. Is noncommercial dock construction controlled by the Corps (since it’s below OHWM)?	5/19/2021	The SMP provides regulations for noncommercial docks such as in section 26.20.090.
81	Debbie Berkowitz	P. 70-71 – 26.50.025A, B, D. If there is no Substantial Development Permit, how do the City and the community track cumulative effects of these activities since these regulations apply whether or not a substantial development permit or other type of city approval is sought [26.60.012]?	5/19/2021	Project review and permit administration is regulated by RMC Chapter 26.50. Please note, we changed the word "certificate" to "permit"; and "letter" changed to "permit".

82	Debbie Berkowitz	5. P. 94 26.60.025F. ...normal and routine maintenance of existing utility easements providing that the maintenance and repair does not increase the footprint or use of the facility or right-of-way. (Add underlined portion, from WDOE 1606002)	5/19/2021	Revised as suggested.
83	Debbie Berkowitz	P. 128 – Article V. Since the CARA section of the CAO is currently being updated to comply with DOH guidance, shouldn't the CARA section of the SMP also be updated?	5/19/2021	We updated section 26.60.057 to match 22.10.300 (per Ord 16-21).
84	Debbie Berkowitz	General. Vegetation along the shoreline has been cut back in City-owned/leased areas and private areas with little or no replanting of native plants in a number of instances since (and before) the last SMP update. There has been little mitigation or consequences to those who cut the vegetation. Enforcement is an issue along the shoreline, especially in FWHCA buffer zones. For example, the City is supposed to 'control invasive weeds and replace existing invasive species with native or compatible species that perform ecological functions similar to native species. Native species are preferred in underdeveloped areas of the shoreline.' (26.20.040 A and B and F) The SMP update should provide a more robust enforcement capability with an educational component that stresses the importance of the riparian and associated upland environment for water quality and for fish and wildlife. What can the City do to improve enforcement and education?	5/19/2021	Comment noted. The proposed change to the SMP you describe is beyond the scope of the periodic update.
85	Debbie Berkowitz	P. 95 - 26.60.026C2a. this section through RMC 26.60.030 (not 26.60.028 Mitigation standards...). [see 22.10.120C2a]	5/19/2021	Revised as noted.

86	Debbie Berkowitz	P. 102 - 26.60.028C1. reference section in SMP (not CAO)	5/19/2021	We made the change as noted.
87	Debbie Berkowitz	P. 107 - 26.60.029B4. reference section in SMP (not CAO)	5/19/2021	Revised as noted.
88	Debbie Berkowitz	P. 108 - 26.60.030A15. add 'qualified' professional	5/19/2021	Revised as noted.
89	Debbie Berkowitz	P. 111 - 26.60.031B7. reference section in SMP (not CAO)	5/19/2021	We changed the reference to 26.60.029.B.3. <i>*Later changed to reference 26.60.030 which is the correct citation (AHBL, 5/19/2023)</i>
90	Debbie Berkowitz	P. 122 - 26.60.044J reference section in SMP, i.e., 26.60.024(D) (not CAO)	5/19/2021	Revised as noted.
91	Debbie Berkowitz	P. 123 - 26.60.045B. reference section in SMP (not CAO).	5/19/2021	Revised as suggested.
92	Debbie Berkowitz	P. 132 - 26.60.072C CMZs aren't mentioned in Chap. 23.12. This needs to reference RMC 22.16	5/19/2021	We removed section C.
93	Debbie Berkowitz	Definitions: • Artificially created wetland and Associated jurisdictional wetland – in SMP, move to Wetland, artificially created, etc. [easier to find if use the main term in the phrase]	5/19/2021	Revised as suggested.
94	Debbie Berkowitz	• Buffers B. add 'wildlife friendly' fences	5/19/2021	We added signs and fencing of wetland buffers as in 22.10.115H.
95	Debbie Berkowitz	• Creation – 3rd line, change 'Establishment' to 'Creation'	5/19/2021	Changed 'Establishment' to 'Creation'.
96	Debbie Berkowitz	• Critical habitat or critical wildlife habitat – eliminate, redundant with FWHCA definition and text.	5/19/2021	Revised as suggested.

97	Debbie Berkowitz	• Enhancement – add ‘ and replacing with native species’ (i.e.,... ‘removing nonindigenous or noxious species and replacing with native species’]	5/19/2021	Revised as suggested.
98	Debbie Berkowitz	• Existing and ongoing agricultural activities – move to ‘Agricultural activities, existing and ongoing’ [easier to find if use the main term in the phrase]	5/19/2021	Revised as suggested.
99	Debbie Berkowitz	• Floodway – use definition from RMC 22.16 – Floodway means the channel of a river or other watercourse and the adjacent land areas that must be reserved in order to discharge the base flood without cumulatively increasing the water surface elevation more than a designated height (not more than one foot).	5/19/2021	Revised as suggested.
100	Debbie Berkowitz	• Habitat maps – eliminate (term isn’t used)	5/19/2021	Revised as suggested.
101	Debbie Berkowitz	• High impact and low impact land uses – definition ok, but examples and context should be left to the text so there are no inconsistencies	5/19/2021	Revised as suggested.
102	Debbie Berkowitz	• Priority habitat – last paragraph Add ‘shrub steppe habitat’ (as in CAO) – i.e., A priority habitat may be described by a unique vegetation type..... (such as oak woodlands or eelgrass meadows or shrub steppe habitat).	5/19/2021	Comment noted and this is already proposed.
103	Debbie Berkowitz	• Priority species – eliminate [already covered under priority habitats and species definition and, therefore, not in CAO]	5/19/2021	Revised as suggested.
104	Debbie Berkowitz	• Qualified consultant – remove from SMP; use qualified professional instead and incorporate missing parts of CAO definition	5/19/2021	We replaced CARA (C) with the definition from the CAO.
105	Debbie Berkowitz	• Regulated activity – use CAO definition instead of SMP definition (i.e., not restricted to wetlands)	5/19/2021	We replaced with the definition from the CAO.
106	Debbie Berkowitz	• Secondary habitat – remove from SMP, term not used	5/19/2021	We removed the term.

107	Debbie Berkowitz	• Sensitive areas – already changed to critical areas – move to correct alphabetical location.	5/19/2021	Revised as suggested.
108	Debbie Berkowitz	• Site – add CAO definition	5/19/2021	Comment noted and no change proposed. There are many uses of the word “site” in situations that are not specific to having an impact on a critical area.
109	Debbie Berkowitz	• Wetland class – eliminate (term isn’t used)	5/19/2021	Revised as suggested.
110	Debbie Berkowitz	• Wetland delineation – use CAO definition	5/19/2021	Revised as suggested.
111	Debbie Berkowitz	• Wetland determination – change ‘consultant’ to ‘professional’	5/19/2021	Revised as suggested.
112	Debbie Berkowitz	• Wetlands or wetland area – eliminate (redundant with ‘Wetland or Wetlands’ definition)	5/19/2021	Revised as suggested.
113	Debbie Berkowitz	• Wildlife habitat – remove from SMP, change terminology to wildlife habitat conservation area	5/19/2021	Both definitions are necessary because the term ‘wildlife habitat’ is used throughout the chapter when referring to general wildlife habitat. No change proposed.
114	Debbie Berkowitz	• Wildlife report – remove from SMP, change terminology to FWHCA report (not needed as a definition)	5/19/2021	Definition deleted and the one instance where ‘wildlife report’ used has been changed.
115	Patrick Paulson, Laurie Ness	The SMP should be clear about where riparian buffers are required and the minimum width of those buffers. To simply say “riparian areas will be protected according to Best Available Science (BAS)” gives developers, planners, and the public no idea of what buffer width requirements might be because they won’t be able to determine what the BAS is or how to interpret it. Unless buffer requirements are explicit, the Department of	5/24/2021	Table 26.60.042. Riparian Buffer Width provides the required widths of habitat/riparian buffers in the various shoreline environments.

		Ecology will be unable to determine if the SMP meets their requirements for protection of ecological functions.		
116	Patrick Paulson, Laurie Ness	We want to ensure that within the shoreline jurisdiction riparian areas are always protected. With the current language, riparian zones are protected since they must maintain the functions and values of any 'waters of the state' they are associated with, and waters of the state are FWHCA. Riparian zones are also protected because • Riparian zones are PHS (WDFW 2008, pp. 267-268), • PHS is FWHCA, and • FWHCA is protected as required by BAS. But these inferences are not clear and may be subject to future revisions of WDFW's PHS list and management recommendations.	5/24/2021	Thank you for your comments. We have made a few revisions to clarify the intent of this section of the SMP. However, a change to the buffer widths is beyond the scope of this periodic update. The following changes are proposed: • Table 26.60.042 refers to a map that the City adopted as a part of the SMP. The map is currently titled, "Regulatory Reaches" and as you pointed out, this does not match the table. The title of the map will be updated to match the reference in the table mentioned above which should reduce an element of confusion on the matter. • We have revised section 26.60.042 to better explain riparian and other buffers. • These areas will typically be subject to other required buffers such as those required for wetlands and for those required for specific uses in RMC 26.30.012.

117	Patrick Paulson, Laurie Ness	1.1 Riparian Zone Protection Text Pull the riparian buffer requirements into a separate section so they can be referenced from multiple locations in the code: 26.60.045 Protection of Riparian Zones J. A. Riparian zones shall be protected with buffers. Buffer width Width of riparian corridors shall be in accordance with buffer widths suggested by BAS, including WDFW publication Riparian Ecosystems, Volume 2: Management Recommendations, May 2018, or as revised. Riparian corridors shall also meet the minimum requirements as established in RMC Title 26 in Table XX and wetland buffer requirements as established in RMC 22.10.110;. (Need to change the numbering of the following section ...) 26.60.0456 Fish and wildlife habitat conservation area alteration. For the riparian buffer table we've used values for the width of the Riparian Management Zone given by current WDFW recommendations. We've removed the exception for roads, canals, etc.; maintenance of existing infrastructure is already exempt from these regulations. However, the area within the riparian buffer width, but upland of any infrastructure, should be protected since not all functions and values of the riparian zone will be affected by the infrastructure (e.g., some terrestrial species can still cross a road or path at night). There is no current direct connection between the environment designations from the previous riparian buffer table to the current environment designations, so we don't know whether different values should be specified for other environment designations, what those values should be, or how	5/24/2021	See responses to comment #116. Also, section 26.60.045 Fish and wildlife habitat conservation area – Performance standards, provides protection for these areas.
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		the City can ensure that no loss of ecological function occurs in reaches with these environment designations....		
118	Patrick Paulson, Laurie Ness	(...cont'd...)Table XX. Minimum Riparian Buffer Widths Environment Designation Stream Type[3] Riparian Buffer Width (Feet)[1 and 2] Natural All Entire shoreline jurisdiction Recreation and Recreation Conservancy All Type 'S' and Type 'F' wider than 5 ft Entire shoreline jurisdiction All others 150 Rural?, Residential?, Waterfront Use?, Industrial Conservancy?, Aquatic NA (1) Measured from the OHWM or top of bank, as applicable (2) Accompanied by other critical area provisions and stormwater management measures, as applicable. (3) Waters of the state are Type S; Fish bearing streams are Type F.	5/24/2021	A change to the buffer widths is beyond the scope of this periodic update.

119	Patrick Paulson, Laurie Ness	1.2 Update references to protection for Riparian Zones Update sections that require riparian buffers. Paragraph J of “26.60.044 Fish and wildlife habitat conservation area – Performance standards” should now read: J. Width of riparian corridors shall be in accordance with RMC 20.60.045A. buffer widths suggested by BAS, including WDFW publication Riparian Ecosystems, Volume 2: Management Recommendations, May 2018, or as revised. Riparian corridors shall also meet the minimum requirements as established in RMC Title 26 and wetland buffer requirements as established in RMC 22.10.110;	5/24/2021	See Line 144 below. We simplified RMC 26.60.045.J so that it refers to the section that explains riparian buffers.
119	Patrick Paulson, Laurie Ness	...Cont’d...Update the entry for “Critical Area Buffer Non-Water-Dependent Use” in “Table 26.30.012 Bulk and dimension chart.” It currently only provides buffers for wetlands and riparian areas; it does not provide buffers to protect other types of FWHCA such as Shrub-steppe or areas associated with Endangered, Threatened or Sensitive Species. Remove the reference to the Riparian buffer table, since the text “applicable riparian buffer” already specifies the buffer meets the requirements of Chapter 26.60. Also remove the other reference to the Riparian buffer table and rely on the text ‘applicable riparian buffer’ to ensure buffer requirements are met. Critical Area Buffer Non-Water-Dependent Use Buffers and other protective measures as required by RMC Chapter 26.60. As provided by Table	5/24/2021	We revised the table so that individual buffer tables are not referenced. The reference now says, “Subject to applicable requirements in Chapter 26.60.”

		26.60.024(D), Wetland Buffer Widths, Table 26.60.042, Riparian Buffer Width		
119	Patrick Paulson, Laurie Ness	...cont'd... Minimum Building Setback Non-Water-Dependent Use NA2 15 feet (except for residential, which is 25 feet) from the edge of the applicable riparian buffer, or 15 feet (except for residential, which is 25 feet) from the landward edge of a roadway, canal, levee, paved trail or parking area, as applicable, as provided in Table 26.60.0422	5/24/2021	We revised the table to include a general reference to Chapter 26.60 instead of the riparian buffer table.
120	Patrick Paulson, Laurie Ness	1.3 Protect Riparian Zones within Wetlands Protect riparian zones within wetlands by adding the following row to “Table 26.60.024(D) Wetland Buffer Widths”: Riparian Zones within wetlands Riparian zone buffers as required by RMC Chapter 26.60. This ensures adequate protection for riparian areas within wetlands where the required wetland buffer is insufficient to protect riparian functions.	5/24/2021	Comment noted and no changes proposed. RMC 26.60.015 says, “In the event of any conflict between these regulations and any other regulations of the city of Richland, the regulations which provide greater protection to environmentally critical areas shall apply.
121	Patrick Paulson, Laurie Ness	Revise the definition of “Priority Habitat” from 26.80. This same definition also occurs in Richland’s CAO. The definition should be revised in both since it may cause confusion with Priority Habitats identified on WDFW’s PHS list. The following revision is meant to ensure that all WDFW PHS habitats are considered Priority Habitat: “Priority habitat” means a habitat type with unique or significant value to one or more species. An area classified and mapped as priority habitat must either be a habitat included on WDFW’s Priority Habitat and species list or have one or more of the	5/24/2021	• Language added to the definition of “priority habitat”. • Definitions of RMZ and SPTH are not needed since the terms are not used in the text. • The definition of “sensitive area” was changed to “critical area” and moved to its alphabetically correct location.

		following attributes: ... The draft version of 26.80 is missing definitions for “Riparian Management Zone (RMZ)” and “Site Potential Tree Height (SPTH)” that are given in the CAO (But we note these phrases don’t occur in the text, so the definitions might not be needed). The definition of “Critical Area” (formerly “Sensitive Area”) needs to be moved so the definition list remains alphabetical.		
122	Myra Weihermiller	Please provide more public parking on the river side of George Washington Way near Howard Amon park. The current parking is very limited, especially so when there are events in the park. Please consider the vacant building and lot north of Sterlings.		Comment noted.
123	Debbie Berkowitz	RE:[26.30.011] Permitting Boat Mooring Facilities in all SMP environments (except Natural) -"This doesn't specify size of boat mooring facilities. Recreation conservancy designated areas should be limited in boat mooring facilities, as should rural, residential, and some recreation areas, e.g., in wetland areas."	11/26/2021	The use table in 26.30.011 was updated to reflect where boat mooring facilities are allowed in certain waterfront zoning districts in Title 23 Zoning Regulations. It is not necessary to specify in the table the number of boats allowed at moorage facilities because the size of boat mooring facilities is regulated by other code sections such as in 26.20.090 Boat and vessel facilities. Further, the definition of “Marina” in Chapter 26.80 specifies that boat moorage facilities that serve 5 or more

				vessels are considered marinas and “Marinas” are listed separately from “boat moorage” in the use table and are only permitted in 2 environments.
124	Patrick Paulson	RE:[26.20.040.E] Cite specific sources of BMP's (for pesticide application).	11/19/2021	Comment noted however no changes proposed. The SMP contains a detailed definition of “Best management practices (BMPs)” which explains that BMPs are industry standards and practices that evolve. We believe that in most cases, it is prudent to refer to BMPs in a general sense and rely on the most current data and research available rather than have the code refer to a specific source that may be outdated or superseded.
125	Patrick Paulson	RE:[26.30.012] deleted "As provided by Table 26.60.024.D, Wetland Buffer Widths, Table 26.60.042, Riparian Buffer"	11/21/2021	Revised.
126	Patrick Paulson	RE:[26.30.012] deleted "the applicable riparian buffer", wants language to be more expansive so all buffers are considered	11/7/2021	Revised to reflect a broader range of regulations.
127	Patrick Paulson	RE:[26.30.012] Minimum Building Setback Non-Water-Dependent Use: deleted "area, as applicable, as provided in Table 26.60.042".	11/21/2021	We kept the word “area” to refer to a parking area but removed the other text, as suggested.
128	Patrick Paulson	RE:[23.30.020.C] wants BMP's specified as in CAO/SMP	11/19/2021	Revised as suggested.
129	Patrick Paulson	RE:[26.30.080.F] wants BMP's specified	11/19/2021	Comment noted however no changes proposed. A general

				reference to BMPs will ensure that the most current data, research, and regulations will be consulted to minimize the potential for contamination of surface water and ground water resources. For instance, the City could expect an applicant to refer to any of the following: • Washington Pesticide Control Act (15.58 RCW), • the Washington Pesticide Application Act (17.21 RCW), • the General Pesticide Rules (WAC 16-228), • the Worker Protection Standard (WAC 16-233), and • a number of pesticide and/or county specific regulations.
130	Debbie Berkowitz	RE:[26.60.020 - Wetlands] wants listed activities regulated regardless of a development application; language stricken	11/7/2021 & 11/21/2021	Comment noted and language deleted.
131	Patrick Paulson	RE:[26.60.021] Asks, can we reference BMP's in other places so compliance w/BMP's can be evaluated?	11/19/2021	Question noted however no changes proposed. See responses to similar questions/comments.
132	Patrick Paulson	RE:[26.60.024] "We'd like text somewhere that ensures that buffers are evaluated separately for wetlands and FWHCA. For example, if a wetland contains a protective(ed?) species, and the species requires a larger buffer than required for the wetland, the larger buffer should be used. Not sure	11/7/2021	Comment noted and no changes proposed. RMC 26.60.015 says, "In the event of any conflict between these regulations and any other regulations of the city of

		how to make that general in a way that will be easily understood."		Richland, the regulations which provide greater protection to environmentally critical areas shall apply.
133	Patrick Paulson	RE:[26.60.024.D - Wetland Buffer Widths] "Want some way to state that the wetland buffer won't necessarily be enough if other critical areas occur in the same area."	11/7/2021	Comment noted and no changes proposed. RMC 26.60.015 contains a statement that critical areas may be subject to other regulations in the code.
134	Debbie Berkowitz	RE:[26.60.025.F] Added "pervious" to qualify low-impact trails	11/7/2021	Changed as requested.
135	Debbie Berkowitz	RE:[26.60.026.2.C] Wants to add the statement "Avoids alterations of wetlands previously enhanced or created as mitigation." per CAO (22.10.120.2.d)	11/7/2021	We added the statement as suggested.
136	Debbie Berkowitz	RE:[26.60.031.B.7] Should the reference to 26.60.029.B.3 reference 26.60.030 instead?		Changed as suggested.
137	Debbie Berkowitz	RE:[26.60.040.A] wants reference to 22.10.360 to reference 26.60.080 instead.		Changed as suggested.
138	Patrick Paulson	RE:[26.60.040.B] Wants BMP source(s) specified		Comment noted however no changes proposed. See responses to similar questions/comments above.
139	Patrick Paulson	Re-added a modified version of 26.60.042 FWHCA inventory maps, back to the code, so buffer, reporting and performance standards are close together.	11/19/2021	Comment noted and text was added however the section has not been moved but remains after the Fish & wildlife habitat buffer areas section so that more general info is followed by more specific info.
140	Patrick Paulson	RE: [26.60.043] "Moved riparian buffers to different section. The way It was made it seem like buffers were only required for riparian areas, but this	11/7/2021	Comment noted. No changes to format proposed. Language was added to RMC 26.60.042 to

		section is about all buffers required for habitat protection."		clarify which buffers are required.
141	Patrick Paulson & Debbie Berkowitz	26.60.043 (Pgs 118 - 120) Commenters added a modified section titled Fish and Wildlife habitat buffer areas, including a modified Riparian Buffer Width table. This item includes over twenty (20) individual edits.	11/11/21-11/21/21	Comment noted. No changes proposed.
142	Debbie Berkowitz	26.60.044.C.2 (pg 121), suggests adding "monitored species" to habitat conservation area reports	11/7/2021	Added as suggested.
143	Debbie Berkowitz	26.60.044.C.4 (pg 121), suggests cross-referencing Title 22.10.220 (mitigation sequencing)	11/7/2021	Comment noted and a cross reference has been added however, referring to Title 22 is inconsistent with our overall attempt to eliminate cross-references. The section now references RMC 26.20.020.
144	Debbie Berkowitz	26.60.045.J (pg 123) deleted "buffer widths suggested by BAS, including WDFW publication Riparian Ecosystems, Volume 2: Management Recommendations, May 2018, or as revised. Riparian corridors shall also meet the minimum requirements as established in RMC Title 26 and wetland buffer requirements as established in"	11/21/2021	Revised as suggested.
145	Debbie Berkowitz	26.60.045.K.2. (pg. 124) added "or adjacent to the site"	11/26/2021	Language added as suggested.
146	Debbie Berkowitz	26.60.045.K.6. (pg. 124) replaced "or" with "and"	11/26/2021	Comment noted. The statement has been changed to say, "Supplemental planting of native tree and/or shrub cover; "because it may not always be appropriate to include both.
147	Debbie Berkowitz	26.60.046.A (pg 124) Fish and wildlife habitat conservation are alterations, deleted "to the extent feasible and reasonable".	11/21/2021	Comment noted however, the language was added to match the updated CAO, specifically,

				RMC 22.10.220. No change proposed.
148	Debbie Berkowitz	26.60.046.A (pgs 124 - 125) commenter suggests adding mitigation sequencing verbatim.		The section is remaining as it currently exists, with minor edits.
149	Debbie Berkowitz	26.60.072.C (pg 133) suggests deleting reference to 23.12 (zoning), referencing 22.16 (CAO) instead	11/7/21 & 11/21/21	Removed section. See response to Line 96 above.
150	Debbie Berkowitz	26.60.080.A (pg 134) suggests changing reference to 22.10.080.c.3 to 26.60.021.b.4	11/21/2021	Revised as noted.
151	Debbie Berkowitz	26.60.081.b.1 (pg 135) change "sensitive" to "critical"	11/7/2021	Revised as noted.
152	Debbie Berkowitz	26.60.081.D (pg 139), added sub-section "D. The administrator has the authority to seek expert advice in determining the adequacy of the submitted report, at the applicant's expense." to match CAO (22.10.370.D).	11/7/2021	Added the section as recommended.
153	Debbie Berkowitz	26.60.082 (pg 139) replaced "consultant" with "professional"	11/7/2021	Revised.
154	Debbie Berkowitz	26.60.085 (pg 140) suggests changing "wetland" to "critical area" (x6)	11/7/2021	Revised as suggested.
155	Debbie Berkowitz	26.60.085(G) (pg 141) suggests adding new sub-section (G) "Illegal modifications. Wetland rating categories and/or fish and wildlife habitat conservation area boundaries shall not change due to illegal modifications made by the applicant or with the applicant's knowledge."	11/7/2021	Revised as suggested. There was a note in the edited Word version asking if flood areas should also be included in this caveat. RMC 22.16.030 regulates alterations in flood areas and makes it clear that changes are not allowed without compliance to all applicable rules and regulations.
156	Patrick Paulson	26.80.010 (pg 145) RE: definition of "agricultural activities" commenter asserts "there shouldn't be exceptions in the critical area provisions for	11/19/2021	Comment received.

		agriculture, and there doesn't seem to be any, except for ongoing agriculture"		
157	Debbie Berkowitz	26.80.010 (pg 145) RE: definition of "agricultural activities, existing and ongoing", commenter asks "Doesn't this replace 'agricultural activities' as it did in the CAO? Or is this different in the SMP?"	11/7/2021	The term "agricultural activities" is used in Chapter 26.30 as a general term and the definition is necessary.
158	Debbie Berkowitz	26.80.010 (pg 146) RE: definition of "Best Management Practices" commenter asks "Are ag and existing ag activities included in the BMPs as a land use activity, so this phrase becomes redundant?"	11/19/2021	The phrase has been deleted.
159	Patrick Paulson	26.80.010 (pg 146) RE: definition of "Best Management Practices" commenter states "I think its fine to have this definition here, but specific sources of BMPs should be given in the code. "	11/19/2021	Comment received.
160	Debbie Berkowitz	26.80.010 (pg 150) RE: definition of "Enhancement", commenter suggests "Controlling nonnative/invasive species should include planting natives."	11/26/2021	Language added as noted.
161	Debbie Berkowitz	26.80.010 (pg 155) RE: definition of "low impact land uses, commenter deleted listed examples; stating "Definition is fine, but examples and context should be left to the text so there are no inconsistencies."	11/7/2021	Comment noted. The examples were not deleted from the definition because it provides a more conclusive list than that provided in RMC 26.60.025.F, 26.60.042.F and Table 26.60.024(C). The word "land" was added to these sections where it previously said, "low impact uses".
162	Patrick Paulson	26.80.010 (pg 157) RE: definition of Priority Habitat, commenter added language, stating "ensure that all WDFW PHS habitats are considered Priority Habitat".	11/7/2021	Language added to the definition of "priority habitat".

163	Debbie Berkowitz	26.80.010 (pg 163) RE: definition of "wetland, artificially created", commenter states "This is already included under "Wetland" – so seems unnecessary."	11/7/2021	The definition for "wetland, artificially created" has been in the SMP but was moved to the proposed location per D. Berkowitz's request (05.19.2021). Both definitions have been revised to avoid redundancy.
164	Debbie Berkowitz	26.80.010 (pg 165) RE: definition of "wildlife report", commenter states "FWHCA report is described in the text, not needed as a definition." The commenter suggests deleting this definition.	11/7/2021	The definition has been removed.

	1st round of comments
	2nd round of comments
	Edits made directly into the Word doc.



**MINUTES
PLANNING COMMISSION MEETING
WEDNESDAY, JUNE 9, 2021
VIA ZOOM MEETINGS
6:00 p.m.**

Call to Order:

Chairwoman Maier called the meeting to order at 6:00 p.m. and welcomed attendees.

Attendance:

Present: Chairwoman Maier, Vice-Chair Townsend, Commissioners Mealer, Smith, and Palmer. Planning Manager Stevens, Senior Planner O'Neill Administrative Assistant II Follett were also present.

Approval of Agenda:

Chair Maier asked for a motion to approve the agenda.

COMMISSIONER PALMER MOVED AND COMMISSIONER MEALER SECONDED THE MOTION TO APPROVE THE JUNE 9, 2021 MEETING AGENDA AS WRITTEN. MOTION CARRIED 5-0.

Approval of Minutes:

None included in packet for review and approval.

New Business – Pubic Hearing:

1. Shoreline Master Program Update

Chairwoman Maier introduced the item and recognized Sr. Planner Shane O'Neill to present the staff report. Mr. O'Neill first presented a Power Point explaining the process for the periodic update. He highlighted the purpose of tonight's public hearing and the joint review process with the Department of Ecology. Mr. O'Neill noted the Commission could make a recommendation or take input and hold a closed record hearing at a later date to make a recommendation. Mr. Stevens also provided input outlining the required updates and those items not required for updates.

Chairwoman Maier opened the public hearing at 6:19 p.m. and recognized Patrick Paulson. Mr. Paulson summarized his written comments and highlighted key points from his submitted comments.

Chair Maier recognized Debby Berkowitz. Ms. Berkowitz referred Commissioners to her comments contained in the packet and spoke about the Commission's previous update of the Critical Areas Ordinance and the importance of both regulations providing the same clear guidance.

Chair Maier recognized Chelsea Benner, Department of Ecology Shoreline Planner. Ms. Benner introduced herself and noted her participation was to listen and receive public comment, which she would then respond to at a later date. She asked if Commissioners had any questions for her. There were none.

Chairwoman Maier closed the public hearing at 6:27 p.m. and opened the item for Commission questions. Chair Maier asked Mr. Stevens if there was a time frame the Commission had to meet for making a recommendation. Mr. Stevens clarified that there was no deadline and the Commission could make a motion to postpone action and reconsider at the next meeting if so desired. Chair Maier also asked about the comment matrix referred to in staff's presentation. Mr. O'Neill noted it was inadvertently left out of the packet but is available on the SMP webpage on the City's website. Commissioners asked further questions and discussed information and comments.

VICE-CHAIR TOWNSEND MOVED AND COMMISSIONER MEALER SECONDED THE MOTION TO POSTPONE ACTION ON THE SHORELINE MASTER PROGRAM TO ALLOW CITY AND STATE OFFICIALS TIME TO RESPOND TO WRITTEN AND ORAL COMMENTS RECEIVED ON THE UPDATE. MOTION PASSED 5-0.

Communications:

Mr. Stevens noted there were several upcoming items for Commission consideration.

Adjournment:

Chairwoman Maier adjourned the meeting at 6:35 PM.

PREPARED BY: *Lynne Follett*
Lynne Follett, Administrative Assistant II

REVIEWED BY: *Mike Stevens*
Mike Stevens, Planning Manager

APPROVED BY: *[Signature]*
Francesca Maier, Chairwoman

SHORELINE MASTER PROGRAM PERIODIC REVIEW

Periodic Review Checklist

Introduction

This document is intended for use by counties, cities and towns conducting the “periodic review” of their Shoreline Master Programs (SMPs). This review is intended to keep SMPs current with amendments to state laws or rules, changes to local plans and regulations, and changes to address local circumstances, new information or improved data. The review is required under the Shoreline Management Act (SMA) at [RCW 90.58.080\(4\)](#). Ecology’s rule outlining procedures for conducting these reviews is at [WAC 173-26-090](#).

This checklist summarizes amendments to state law, rules and applicable updated guidance adopted between 2007 and 2017 that may trigger the need for local SMP amendments during periodic reviews.

How to use this checklist

See Section 2 of Ecology’s *Periodic Review Checklist Guidance* document for a description of each item, relevant links, review considerations, and example language.

At the beginning: Use the review column to document review considerations and determine if local amendments are needed to maintain compliance. See WAC 173-26-090(3)(b)(i).

At the end: Use the checklist as a final summary identifying your final action, indicating where the SMP addresses applicable amended laws, or indicate where no action is needed. See WAC 173-26-090(3)(d)(ii)(D), and WAC 173-26-110(9)(b).

Local governments should coordinate with their assigned [Ecology regional planner](#) for more information on how to use this checklist and conduct the periodic review.

Row	Summary of change	Review	Action
2019			
a.	OFM adjusted the cost threshold for building freshwater docks	<i>Amend the SMP:</i> In RMC 26.50.020.B.2 the existing cost threshold is \$6,416 or below. Update the threshold to \$7,047 OR replace with a reference to the applicable state code, to eliminate the need to change the value every five years. (Source: RCW 90.58.030(3)(3) and State Register announcement WRC 17-17-007)	Changes made to 26.50.020.B.2 & 7.
b.	The Legislature removed the requirement for a shoreline permit for disposal of dredged materials at Dredged Material Management Program sites (applies to 9 jurisdictions)	<i>The City does not have any open water disposal sites managed by the Dredge Material Management Program (DMMP) that would be applicable to this program.</i>	No action needed.
c.	The Legislature added restoring native kelp, eelgrass beds and native oysters as fish habitat enhancement projects.	<i>No amendments necessary since these habitats are not found in inland waters of the region.</i>	None needed.
2017			
a.	OFM adjusted the cost threshold for substantial development to \$7,047.	<i>Amend the SMP:</i> In RMC 26.50.020.B.2 the existing cost threshold is \$6,416 or below. Update the threshold to \$7,047 OR replace with a reference to the applicable state code, to eliminate the need to change the value every five years.	Changes made to 26.50.020.B.2 & 7.

Row	Summary of change	Review	Action
		(Source: RCW 90.58.030(3)(3) and State Register announcement WRC 17-17-007) <i>Additional recommendation:</i> Revise all permit application forms, websites, or other administrative documents to reflect the new cost threshold (note: the city does not need to wait to update the SMP to apply these changes administratively)	
b.	Ecology amended rules to clarify that the definition of “development” does not include dismantling or removing structures.	<i>Amend the SMP:</i> The definition of “development” found in RMC 26.80.010 should up updated. Keep existing definition but add to it using the example language in the Ecology guidance document: “Development” does not include dismantling or removing structures if there is no other associated development or re-development.”	Change made, see definition of development found in RMC 26.80.010.
c.	Ecology adopted rules that clarify exceptions to local review under the SMA.	<i>Amend the SMP:</i> While the current SMP includes “shoreline exemptions” in RMC 26.50.020, these are different from Exceptions to local review. Exemptions in RMC 26.50.020 means exempt from a Shoreline Substantial Development Permit but still need to meet the standards in the SMP, whereas some projects do not require any local review at all.	Changes made, see 26.50.020.B (#16 was removed). See also section 26.50.021.

Row	Summary of change	Review	Action
		Per the Ecology suggestions, the City should create a new “Exceptions to Local Review” section within RMC Chapter 26.50. This would include the following three exceptions, as well as potentially other minor actions that do not require local review: • Remedial hazardous substance cleanup actions (1994 law), • Boatyard improvements to meet NPDES requirements (2012 law), and • Certain WSDOT maintenance and safety projects and activities (2015 law). In addition, the City’s exemption #16, Hazardous Substance Remediation, may need to be removed as it would now be covered under the newly created “exceptions to local review” section.	
d.	Ecology amended rules that clarify permit filing procedures consistent with a 2011 statute.	<i>Consider amending the City’s SMP:</i> Permit filing procedures are generally described in RMC 26.50; however, it may be helpful to add example language from Ecology to this chapter so the permit filing process is clear. RMC 26.50.070 references filing procedures from WAC 173-27-130; ecology amendments apply to the city, but local amendments are optional.	No changes proposed.

Row	Summary of change	Review	Action
e.	Ecology amended forestry use regulations to clarify that forest practices that only involves timber cutting are not SMA “developments” and do not require SDPs.	<i>No amendments necessary:</i> These amendments are optional, and this provision simply states that timber cutting does not need an SSDP or exemption. The City of Richland does not have commercial forestry along shorelines and this amendment is not necessary.	No changes proposed.
f.	Ecology clarified the SMA does not apply to lands under exclusive federal jurisdiction	<i>Consider amending the City’s SMP:</i> This amendment is optional, and simply clarifies that areas under exclusive federal jurisdiction (such as military bases) are not subject to the City’s SMP. In the City of Richland, there are shoreline lands owned by the Corps of Engineers and leased to the City. The City does not need to list these areas individually, but it is recommended to add the general ecology language in case future issues arise: “Areas and uses in those areas that are under exclusive federal jurisdiction as established through federal or state statutes are not subject to the jurisdiction of chapter 90.58 RCW.”	Change made , see RMC 26.50.021.6.
g.	Ecology clarified “default” provisions for nonconforming uses and development .	<i>Consider amending the City’s SMP:</i>	Change made, see RMC 26.50.160 and definition of non-conforming use or development found in RMC 26.80.010.

Row	Summary of change	Review	Action
		The City of Richland does not appear to have its own tailored provisions for regulating nonconforming uses, lots, or structures specifically within the Shoreline Jurisdiction. The zoning code does briefly mention in RMC 23.66.090 that alteration, repair, or extension of nonconforming uses/structures must be consistent with the master program; however, the SMP (Title 26) should have its own section regarding nonconformities. Additionally, we recommend updating the SMP to include language similar to the template Ecology language for nonconforming structures, uses and lots. Similarly, the definition in RMC 26.80 for “Nonconforming lot, use, structure, or site” should be separated into separate definitions and use the example language from Ecology.	
h.	Ecology adopted rule amendments to clarify the scope and process for conducting periodic reviews .	<i>Consider amending the City’s SMP:</i> This amendment is not required; however, the City could easily add a sentence to RMC 26.01.040 which describes that a periodic review process is undertaken in certain intervals under requirements of RCW 90.58.080 and WAC 173-2-	Change made, see RMC 26.01.040.

Row	Summary of change	Review	Action
		090, which would be helpful information for all readers.	
i.	Ecology adopted a new rule creating an optional SMP amendment process that allows for a shared local/state public comment period.	<i>No Amendment Needed:</i> This amendment is optional as the current SMP does not have any impediments for using the shared local/state public comment period, should the City choose to do so. There are advantages and efficiencies to using the shared comment period, but not all jurisdictions favor this option. The City may consider adding to RMC Title 26 to enable the shared comment period; however, this is not necessary.	No changes proposed.
j.	Submittal to Ecology of proposed SMP amendments.	<i>No Amendment Needed:</i> The existing SMP does not describe the SMP submittal process to Ecology for review, so it does not need to be updated as the City of Richland relies on state rule. This is an amendment to the guidelines that are applicable to the Department of Ecology.	No changes proposed.
2016			
a.	The Legislature created a new shoreline permit exemption for retrofitting existing structures to comply with the Americans with Disabilities Act .	<i>Amend the SMP:</i> An exemption needs to be added to RMC 26.50.020.B to include the following language:	Change made, see RMC 26.50.020.B.17.

Row	Summary of change	Review	Action
		<i>"The external or internal retrofitting of an existing structure with the exclusive purpose of compliance with the Americans with Disabilities Act of 1990 (42 U.S.C. Sec. 12101 et seq.) or to otherwise provide physical access to the structure by individuals with disabilities."</i>	
b.	Ecology updated wetlands critical areas guidance including implementation guidance for the 2014 wetlands rating system.	<i>No Amendment Needed:</i> It appears the City updated its Critical Areas Ordinance in 2017, so there are likely no issues, however, the City should review its Critical Area Ordinance once more to ensure there are no conflicts. The current sensitive areas portion of the existing SMP refers to using the most recent version of Ecology's Wetland Rating System for Eastern Washington. Because this amendment is mostly directed toward consistency with changes in the new rating system, the City of Richland does not need to update the SMP for compliance. In addition, the City's SMP refers to the use of "minimization measures" another more recent component of Ecology rules.	No changes proposed.
2015			
a.	The Legislature adopted a 90-day target for local review of Washington State Department of	<i>Consider amending the City's SMP:</i> This is optional to add. However, because the City of Richland has state owned highways	No change proposed. City meets this time requirement already.

Row	Summary of change	Review	Action
	Transportation (WSDOT) projects.	within the shoreline jurisdiction, it may make sense to add these provisions to ensure compliance with the 90-day review target. Example Ecology language could be added to RMC Chapter 26.50.	
2014			
a.	The Legislature raised the cost threshold for requiring a Substantial Development Permit (SDP) for replacement docks on lakes and rivers to \$20,000 (from \$10,000).	<i>No Amendment Needed:</i> The fair market value is up to date (found in RMC 26.50.020.B.7)	No changes proposed.
b.	The Legislature created a new definition and policy for floating on-water residences legally established before 7/1/2014.	<i>No Amendment Needed:</i> The City does not have any existing floating on-water residences so no amendment is necessary.	No changes proposed.
2012			
a.	The Legislature amended the SMA to clarify SMP appeal procedures .	<i>No Amendment Needed:</i> The City does not outline an SMP appeal process, so no amendments are necessary. This is in regards to appeal procedures for the SMP itself, not individual permits.	No changes proposed.

Row	Summary of change	Review	Action
2011			
a.	Ecology adopted a rule requiring that wetlands be delineated in accordance with the approved federal wetland delineation manual .	<i>Consider amending the City's SMP:</i> Per RMC 26.60.025, the SMP currently states that wetlands should be delineated using the 1987 U.S. Army Corps of Engineers Wetlands Delineation Manual and Arid West Regional Supplement. To eliminate issues arising from future updates to the federal /local manual, consider updating this reference to simply say "Identification of wetlands and delineation of their boundaries shall be done in accordance with the approved federal wetland delineation manual and applicable regional supplements."	Change made, see RMC 26.60.024.B.
b.	Ecology adopted rules for new commercial geoduck aquaculture .	<i>No amendments necessary:</i> The City of Richland has no saltwater shorelines and no geoduck aquaculture.	No changes proposed.
c.	The Legislature created a new definition and policy for floating homes permitted or legally established prior to January 1, 2011.	<i>No amendments necessary:</i> The City does not have any existing floating homes, therefore no amendment is necessary.	No changes proposed.
d.	The Legislature authorized a new option to classify existing structures as conforming .	<i>Consider amending the City's SMP:</i>	No changes proposed.

Row	Summary of change	Review	Action
		This is an optional amendment. However, as stated earlier in this checklist (see row “g” of 2017), the City does not currently have robust standards for nonconforming structures in the SMP. In the update, the City should consider opting-in to add language clarifying that existing legally established structures can be considered conforming, even if they do not meet current dimensional standards.	
2010			
a.	The Legislature adopted Growth Management Act – Shoreline Management Act clarifications .	<i>No amendments necessary:</i> The Richland SMP has an effective date (June 2014) after these amendments to the SMP Guidelines were established, and no amendments are necessary.	No changes proposed.
2009			
a.	The Legislature created new “relief” procedures for instances in which a shoreline restoration project within a UGA creates a shift in Ordinary High Water Mark.	<i>No amendments necessary:</i> This has been addressed in a previous update, as the language in RMC 26.50.140 mimics Ecology’s suggested language.	No changes proposed.
b.	Ecology adopted a rule for certifying wetland mitigation banks .	<i>No amendments necessary:</i> The potential use of a mitigation bank to compensate for unavoidable impacts is already enabled in RMC 26.60.028.A	No changes proposed.

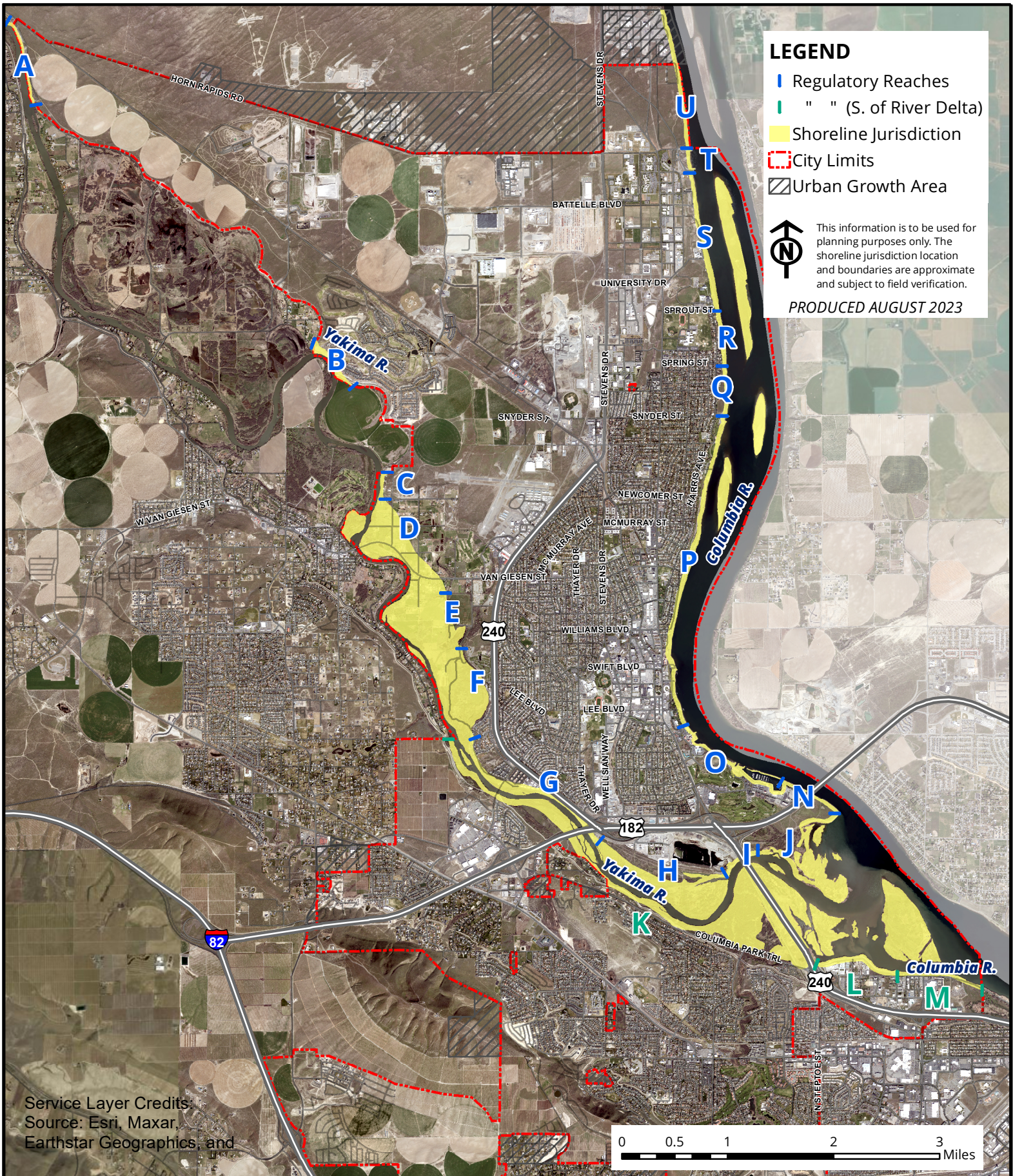
Row	Summary of change	Review	Action
c.	The Legislature added moratoria authority and procedures to the SMA.	<i>Consider amending the City's SMP:</i> This is an optional amendment. The City already addresses Shoreline moratorium in RMC 26.50.150, and simply adopts procedures in RCW 90.58.590. However, per the Ecology guidelines, the City may choose to outline moratorium procedures further, including holding a public hearing, notifying the department of Ecology, and frequency of renewing the moratorium.	No changes proposed.
2007			
a.	The Legislature clarified options for defining "floodway" as either the area that has been established in FEMA maps, or the floodway criteria set in the SMA.	<i>Consider amending the City's SMP:</i> The current definition of "Floodway" within RMC 26.80.010 includes both the FEMA maps definition and the floodway criteria set in the SMA. The definition language is not identical to the sample Ecology language but very similar. Ecology has indicated in the past that using both definitions can create internal inconsistency. To avoid this issue, the City may choose the definition it prefers from one of the two options, consistent with the example Ecology language, and strike out the remaining option	No change necessary per Department of Ecology.

Row	Summary of change	Review	Action
b.	Ecology amended rules to clarify that comprehensively updated SMPs shall include a list and map of streams and lakes that are in shoreline jurisdiction.	<i>No amendments necessary:</i> No new streams or lakes have been identified since the last update and do not need to be added to the existing map or list. The map shown on page 36 of the Richland Comprehensive Plan is up to date.	No changes proposed.
c.	Ecology's rule listing statutory exemptions from the requirement for an SDP was amended to include fish habitat enhancement projects that conform to the provisions of RCW 77.55.181.	<i>No amendments necessary:</i> Fish habitat enhancement projects are already listed as an exemption in the SMP, per RMC 26.50.020.B.15	No changes proposed.



CITY OF RICHLAND SHORELINE MASTER PROGRAM SHORELINE REGULATORY REACHES

RMC Ch. 26.60 Article III

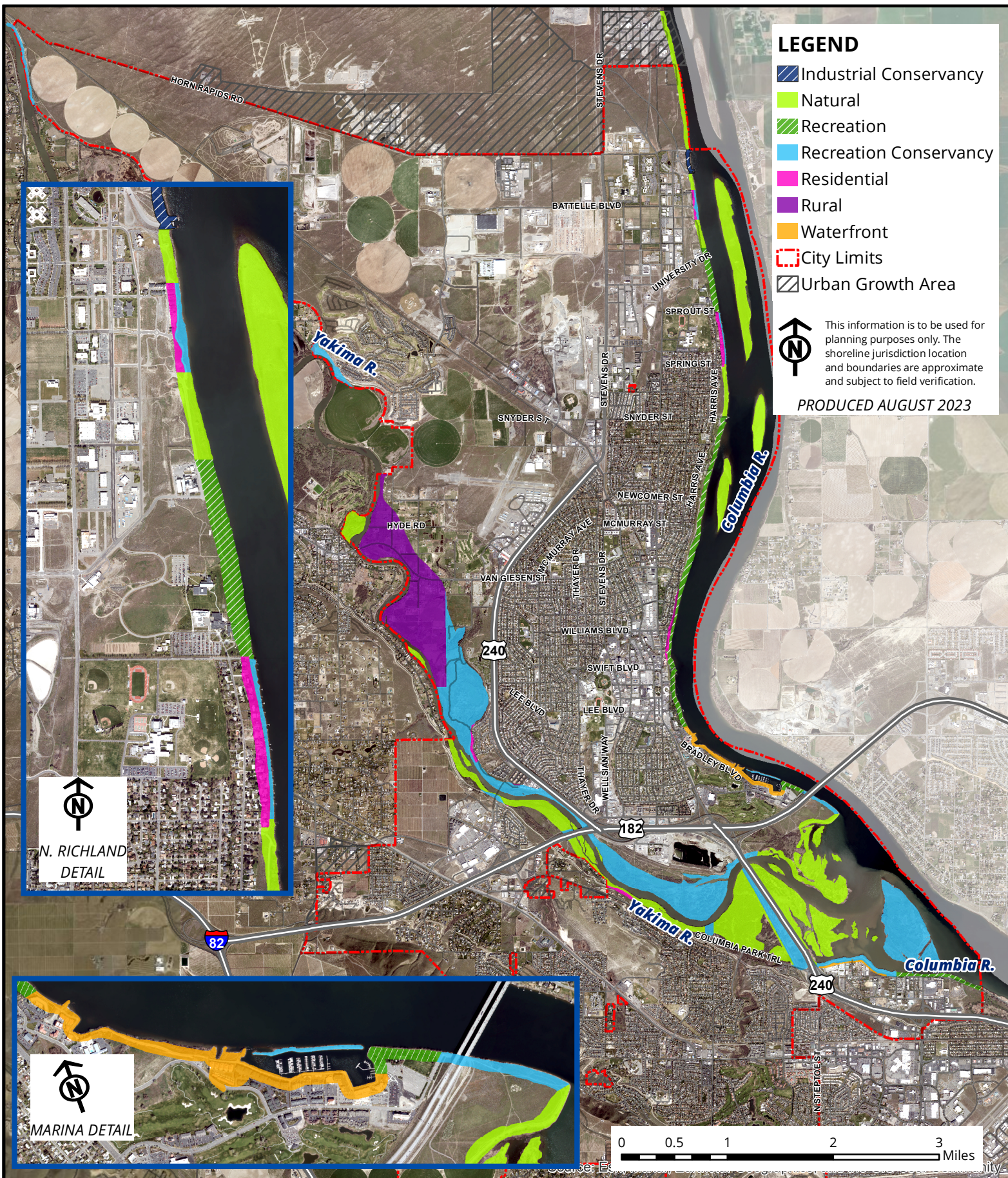




CITY OF RICHLAND

SHORELINE MASTER PROGRAM

SHORELINE ENVIRONMENT DESIGNATIONS



Follows Conditional Case No.: 13-10-1207R



Federal Emergency Management Agency

Washington, D.C. 20472

LETTER OF MAP REVISION DETERMINATION DOCUMENT

COMMUNITY AND REVISION INFORMATION		PROJECT DESCRIPTION	BASIS OF REQUEST
COMMUNITY	City of Richland Benton County Washington	BRIDGE	1D HYDRAULIC ANALYSIS FLOODWAY UPDATED TOPOGRAPHIC DATA
	COMMUNITY NO.: 535533		
IDENTIFIER	Yakima River Letter of Map Revision (LOMR)	APPROXIMATE LATITUDE & LONGITUDE: 46.264, -119.306 SOURCE: Other DATUM: WGS 84	
ANNOTATED MAPPING ENCLOSURES		ANNOTATED STUDY ENCLOSURES	
TYPE: FIRM* NO.: 5355330010E DATE: March 1, 1984 TYPE: FIRM NO.: 5355330015E DATE: March 1, 1984 TYPE: FBFM** NO.: 5355330002D DATE: June 18, 1980 TYPE: FBFM NO.: 5355330001 DATE: June 18, 1980		DATE OF EFFECTIVE FLOOD INSURANCE STUDY: December 18, 1979 PROFILE(S): 01P FLOODWAY DATA TABLE: 2	

Enclosures reflect changes to flooding sources affected by this revision.

* FIRM - Flood Insurance Rate Map; ** FBFM - Flood Boundary and Floodway Map

FLOODING SOURCE(S) & REVISED REACH(ES)

Yakima River - From approximately 3,430 feet downstream of Duportail Street to approximately 3,400 feet upstream of Duportail Street

SUMMARY OF REVISIONS

Flooding Source	Effective Flooding	Revised Flooding	Increases	Decreases
Yakima River	BFEs*	BFEs	YES	YES
	Zone A10	Zone A10	YES	YES
	Zone B	Zone B	YES	YES
	Floodway	Floodway	YES	YES

* BFEs - Base (1-percent-annual-chance) Flood Elevations

DETERMINATION

This document provides the determination from the Department of Homeland Security's Federal Emergency Management Agency (FEMA) regarding a request for a Letter of Map Revision (LOMR) for the area described above. Using the information submitted, we have determined that a revision to the flood hazards depicted in the Flood Insurance Study (FIS) report and/or National Flood Insurance Program (NFIP) map is warranted. This document revises the effective NFIP map, as indicated in the attached documentation. Please use the enclosed annotated map panels revised by this LOMR for floodplain management purposes and for all flood insurance policies and renewals in your community.

This determination is based on the flood data presently available. The enclosed documents provide additional information regarding this determination. If you have any questions about this document, please contact the FEMA Mapping and Insurance eXchange toll free at 1-877-336-2627 (1-877-FEMA MAP) or by letter addressed to the LOMC Clearinghouse, 3601 Eisenhower Avenue, Suite 500, Alexandria, VA 22304-6426. Additional Information about the NFIP is available on our website at <https://www.fema.gov/flood-insurance>.

Patrick "Rick" F. Sacbitt, P.E., Branch Chief
Engineering Services Branch
Federal Insurance and Mitigation Administration

21-10-0652P

102-I-A-C



Federal Emergency Management Agency

Washington, D.C. 20472

LETTER OF MAP REVISION DETERMINATION DOCUMENT (CONTINUED)

OTHER COMMUNITIES AFFECTED BY THIS REVISION

CID Number: 530237 **Name:** Unincorporated Areas of Benton County, Washington

AFFECTED MAP PANELS

TYPE: FIRM NO.: 5302370470B DATE: July 19, 1982
TYPE: FBFM NO.: 5302370470 DATE: July 19, 1982

AFFECTED PORTIONS OF THE FLOOD INSURANCE STUDY REPORT

DATE OF EFFECTIVE FLOOD INSURANCE STUDY: July 15, 1994
PROFILE(S): 01P
FLOODWAY DATA TABLE: 2

This determination is based on the flood data presently available. The enclosed documents provide additional information regarding this determination. If you have any questions about this document, please contact the FEMA Mapping and Insurance eXchange toll free at 1-877-336-2627 (1-877-FEMA MAP) or by letter addressed to the LOMC Clearinghouse, 3601 Eisenhower Avenue, Suite 500, Alexandria, VA 22304-6426. Additional Information about the NFIP is available on our website at <https://www.fema.gov/flood-insurance>.

A handwritten signature in black ink, appearing to read "Rick F. Sacbibit".

Patrick "Rick" F. Sacbibit, P.E., Branch Chief
Engineering Services Branch
Federal Insurance and Mitigation Administration



Federal Emergency Management Agency

Washington, D.C. 20472

LETTER OF MAP REVISION DETERMINATION DOCUMENT (CONTINUED)

COMMUNITY INFORMATION

APPLICABLE NFIP REGULATIONS/COMMUNITY OBLIGATION

We have made this determination pursuant to Section 206 of the Flood Disaster Protection Act of 1973 (P.L. 93-234) and in accordance with the National Flood Insurance Act of 1968, as amended (Title XIII of the Housing and Urban Development Act of 1968, P.L. 90-448), 42 U.S.C. 4001-4128, and 44 CFR Part 65. Pursuant to Section 1361 of the National Flood Insurance Act of 1968, as amended, communities participating in the NFIP are required to adopt and enforce floodplain management regulations that meet or exceed NFIP criteria. These criteria, including adoption of the FIS report and FIRM, and the modifications made by this LOMR, are the minimum requirements for continued NFIP participation and do not supersede more stringent State/Commonwealth or local requirements to which the regulations apply.

We provide the floodway designation to your community as a tool to regulate floodplain development. Therefore, the floodway revision we have described in this letter, while acceptable to us, must also be acceptable to your community and adopted by appropriate community action, as specified in Paragraph 60.3(d) of the NFIP regulations.

NFIP regulations Subparagraph 60.3(b)(7) requires communities to ensure that the flood-carrying capacity within the altered or relocated portion of any watercourse is maintained. This provision is incorporated into your community's existing floodplain management ordinances; therefore, responsibility for maintenance of the altered or relocated watercourse, including any related appurtenances such as bridges, culverts, and other drainage structures, rests with your community. We may request that your community submit a description and schedule of maintenance activities necessary to ensure this requirement.

COMMUNITY REMINDERS

We based this determination on the 1-percent-annual-chance flood discharges computed in the FIS for your community without considering subsequent changes in watershed characteristics that could increase flood discharges. Future development of projects upstream could cause increased flood discharges, which could cause increased flood hazards. A comprehensive restudy of your community's flood hazards would consider the cumulative effects of development on flood discharges subsequent to the publication of the FIS report for your community and could, therefore, establish greater flood hazards in this area.

Your community must regulate all proposed floodplain development and ensure that permits required by Federal and/or State/Commonwealth law have been obtained. State/Commonwealth or community officials, based on knowledge of local conditions and in the interest of safety, may set higher standards for construction or may limit development in floodplain areas. If your State/Commonwealth or community has adopted more restrictive or comprehensive floodplain management criteria, those criteria take precedence over the minimum NFIP requirements.

This determination is based on the flood data presently available. The enclosed documents provide additional information regarding this determination. If you have any questions about this document, please contact the FEMA Mapping and Insurance eXchange toll free at 1-877-336-2627 (1-877-FEMA MAP) or by letter addressed to the LOMC Clearinghouse, 3601 Eisenhower Avenue, Suite 500, Alexandria, VA 22304-6426. Additional Information about the NFIP is available on our website at <https://www.fema.gov/flood-insurance>.

Patrick "Rick" F. Sacbibit, P.E., Branch Chief
Engineering Services Branch
Federal Insurance and Mitigation Administration



Federal Emergency Management Agency

Washington, D.C. 20472

LETTER OF MAP REVISION DETERMINATION DOCUMENT (CONTINUED)

We will not print and distribute this LOMR to primary users, such as local insurance agents or mortgage lenders; instead, the community will serve as a repository for the new data. We encourage you to disseminate the information in this LOMR by preparing a news release for publication in your community's newspaper that describes the revision and explains how your community will provide the data and help interpret the NFIP maps. In that way, interested persons, such as property owners, insurance agents, and mortgage lenders, can benefit from the information.

We have designated a Consultation Coordination Officer (CCO) to assist your community. The CCO will be the primary liaison between your community and FEMA. For information regarding your CCO, please contact:

Kristen Meyers
Director, Mitigation Division
Federal Emergency Management Agency, Region X
Federal Regional Center
130 228th Street, Southwest
Bothell, WA 98021-8627
(425) 487-4543

STATUS OF THE COMMUNITY NFIP MAPS

We will not physically revise and republish the FIRM and FIS report for your community to reflect the modifications made by this LOMR at this time. When changes to the previously cited FIRM panel(s) and FIS report warrant physical revision and republication in the future, we will incorporate the modifications made by this LOMR at that time.

Please note that the revision area shown within the unincorporated areas of Benton County on the effective FIRM is annexed by the City of Richland. This LOMR does not revise the corporate limits for the City of Richland.

This determination is based on the flood data presently available. The enclosed documents provide additional information regarding this determination. If you have any questions about this document, please contact the FEMA Mapping and Insurance eXchange toll free at 1-877-336-2627 (1-877-FEMA MAP) or by letter addressed to the LOMC Clearinghouse, 3601 Eisenhower Avenue, Suite 500, Alexandria, VA 22304-6426. Additional Information about the NFIP is available on our website at <https://www.fema.gov/flood-insurance>.

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Patrick "Rick" F. Sacbibit, P.E., Branch Chief
Engineering Services Branch
Federal Insurance and Mitigation Administration



Federal Emergency Management Agency

Washington, D.C. 20472

LETTER OF MAP REVISION DETERMINATION DOCUMENT (CONTINUED)

PUBLIC NOTIFICATION OF REVISION

A notice of changes will be published in the *Federal Register*. This information also will be published in your local newspaper on or about the dates listed below, and through FEMA's Flood Hazard Mapping website at

https://www.floodmaps.fema.gov/fhm/bfe_status/bfe_main.asp

LOCAL NEWSPAPER

Name: *Tri-City Herald*

Dates: September 7, 2022 and September 14, 2022

Within 90 days of the second publication in the local newspaper, any interested party may request that we reconsider this determination. Any request for reconsideration must be based on scientific or technical data. Therefore, this letter will be effective only after the 90-day appeal period has elapsed and we have resolved any appeals that we receive during this appeal period. Until this LOMR is effective, the revised flood hazard determination presented in this LOMR may be changed.

This determination is based on the flood data presently available. The enclosed documents provide additional information regarding this determination. If you have any questions about this document, please contact the FEMA Mapping and Insurance eXchange toll free at 1-877-336-2627 (1-877-FEMA MAP) or by letter addressed to the LOMC Clearinghouse, 3601 Eisenhower Avenue, Suite 500, Alexandria, VA 22304-6426. Additional Information about the NFIP is available on our website at <https://www.fema.gov/flood-insurance>.

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Patrick "Rick" F. Sacbitt, P.E., Branch Chief
Engineering Services Branch
Federal Insurance and Mitigation Administration

FLOODING SOURCE		FLOODWAY			BASE FLOOD WATER SURFACE ELEVATION (FEET NGVD)			
CROSS SECTION	DISTANCE ¹	WIDTH (FEET)	SECTION AREA (SQUARE FEET)	MEAN VELOCITY (FEET PER SECOND)	REGULATORY	WITHOUT FLOODWAY	WITH FLOODWAY	INCREASE
A	2.073	576	8,079	6.9	351.7	351.7	351.7	0.0
B	2.793	2,050	21,507	2.6	353.4	353.4	354.2	0.8
C	3.390	1,160/790 ²	9,994	5.6	353.8	353.8	354.8	1.0
D	4.053	730/300 ²	8,366	6.6	356.2	356.2	357.0	0.8
E	4.583	730/270 ²	10,419	5.3	359.0	359.0	359.7	0.7
F	5.367	585	9,368	5.9	362.1	362.1	362.7	0.6
G	5.876	994	14,293	3.9	364.1	364.1	364.7	0.6
H	6.666	2,270/1,980 ²	14,290	3.9	365.8	365.8	366.6	0.8
I	7.083	3,560/3,350 ²	16,115	3.4	366.9	366.9	367.5	0.6
J	8.295	2,810/2,530 ²	14,943	3.7	374.1	374.1	374.6	0.5
						REVISED TO		
						REFLECT LOMR		
						EFFECTIVE: January 12, 2023		

Revised Data

TABLE 2

FEDERAL EMERGENCY MANAGEMENT AGENCY

CITY OF RICHLAND, MI
(BENTON COUNTY)

FLOODWAY DATA

YAKIMA RIVER

¹ Miles Above Confluence with Columbia River

² Width/Width Within Corporate Limits

FLOODING SOURCE		FLOODWAY			BASE FLOOD WATER SURFACE ELEVATION (FEET NGVD)			
CROSS SECTION	DISTANCE ¹	WIDTH (FEET)	SECTION AREA (SQUARE FEET)	MEAN VELOCITY (FEET PER SECOND)	REGULATORY	WITHOUT FLOODWAY	WITH FLOODWAY	INCREASE
Revised Data								
A	4.053	730/150 ²	8,366	6.6	356.2	356.2	357.0	0.8
B	4.583	730/530 ²	10,419	5.3	359.0	359.0	359.7	0.7
C	6.286	1,720/180 ²	13,612	4.1	365.1	365.1	365.5	0.4
D	6.666	2,270/300 ²	14,290	3.9	365.8	365.8	366.6	0.8
E	7.083	3,560/110 ²	16,115	3.4	366.9	366.9	367.5	0.6
F	9.150	1,870/360 ²	14,729	2.7	376.2	376.2	376.6	0.4
G	9.697	2,521/2,340 ²	19,791	2.0	376.9	376.9	377.3	0.4
H	10.032	2,308	5,951	6.8	376.9	376.9	377.4	0.5
I	10.606	906/800 ²	6,925	5.8	382.5	382.5	383.3	0.8
J	11.086	4,929	24,205	1.7	383.8	383.8	384.8	1.0
K	11.636	5,450	30,511	1.3	384.2	384.2	385.0	0.8
L	11.986	5,510	27,889	2.0	385.2	385.2	385.9	0.7
M	13.287	3,800	18,070	3.1	392.0	392.0	392.4	0.4
N	13.429	3,600	13,470	4.1	392.3	392.3	392.7	0.4
O	14.187	3,520	19,091	2.9	393.9	393.9	394.5	0.6
P	16.015	636	8,530	6.5	409.3	409.3	409.3	0.0
Q	23.130	400/335 ²	4,091	13.6	446.3	446.3	447.1	0.8
R	24.230	530	7,438	7.5	449.4	449.4	450.1	0.7
S	25.120	1,197	9,584	5.8	453.0	453.0	454.0	1.0
T	26.090	462	6,569	8.4	457.1	457.1	457.9	0.8
U	26.960	1,086	8,273	6.7	461.7	461.7	462.6	0.9
V	27.720	1,020	9,866	5.6	464.6	464.6	465.5	0.9

¹ Miles Above Confluence with Columbia River

² Width/Width Within Corporate Limits

**REVISED TO
REFLECT LOMR
EFFECTIVE: January 12, 2023**

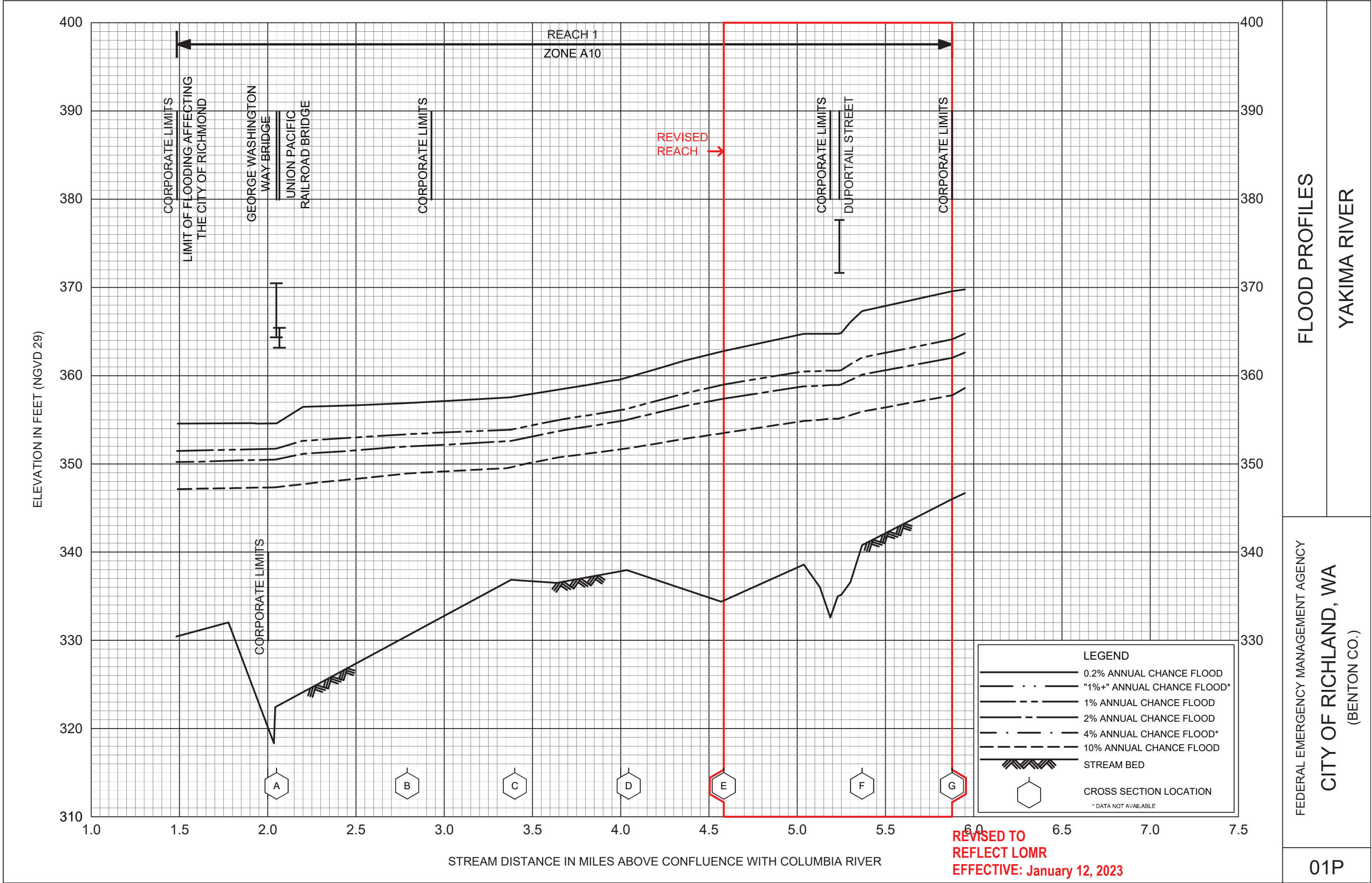
TABLE 2

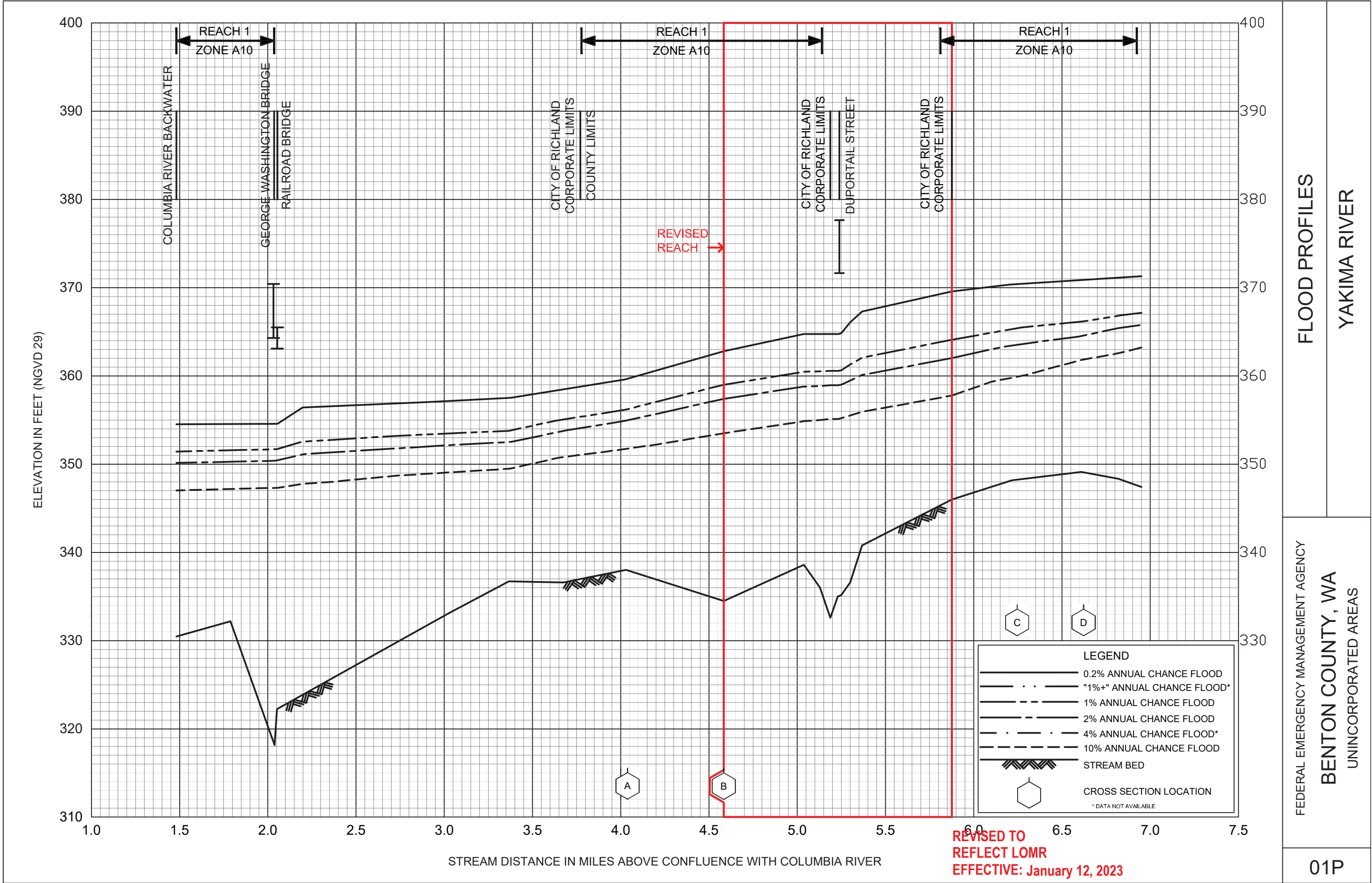
FEDERAL EMERGENCY MANAGEMENT AGENCY

**BENTON COUNTY, WA
(UNINCORPORATED AREAS)**

FLOODWAY DATA

YAKIMA RIVER





FLOOD PROFILES

YAKIMA RIVER

FEDERAL EMERGENCY MANAGEMENT AGENCY

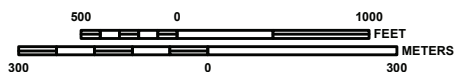
BENTON COUNTY, WA
UNINCORPORATED AREAS

Legend

- 1% annual chance
(100-Year) Floodplain
- 0.2% annual chance
(500-Year) Floodplain



MAP SCALE 1" = 1000'



NATIONAL FLOOD INSURANCE PROGRAM

FIRM
FLOOD INSURANCE RATE MAP

CITY OF
RICHLAND,
WASHINGTON
BENTON COUNTY

PANEL 10 OF 15
(SEE MAP INDEX FOR PANELS NOT PRINTED)

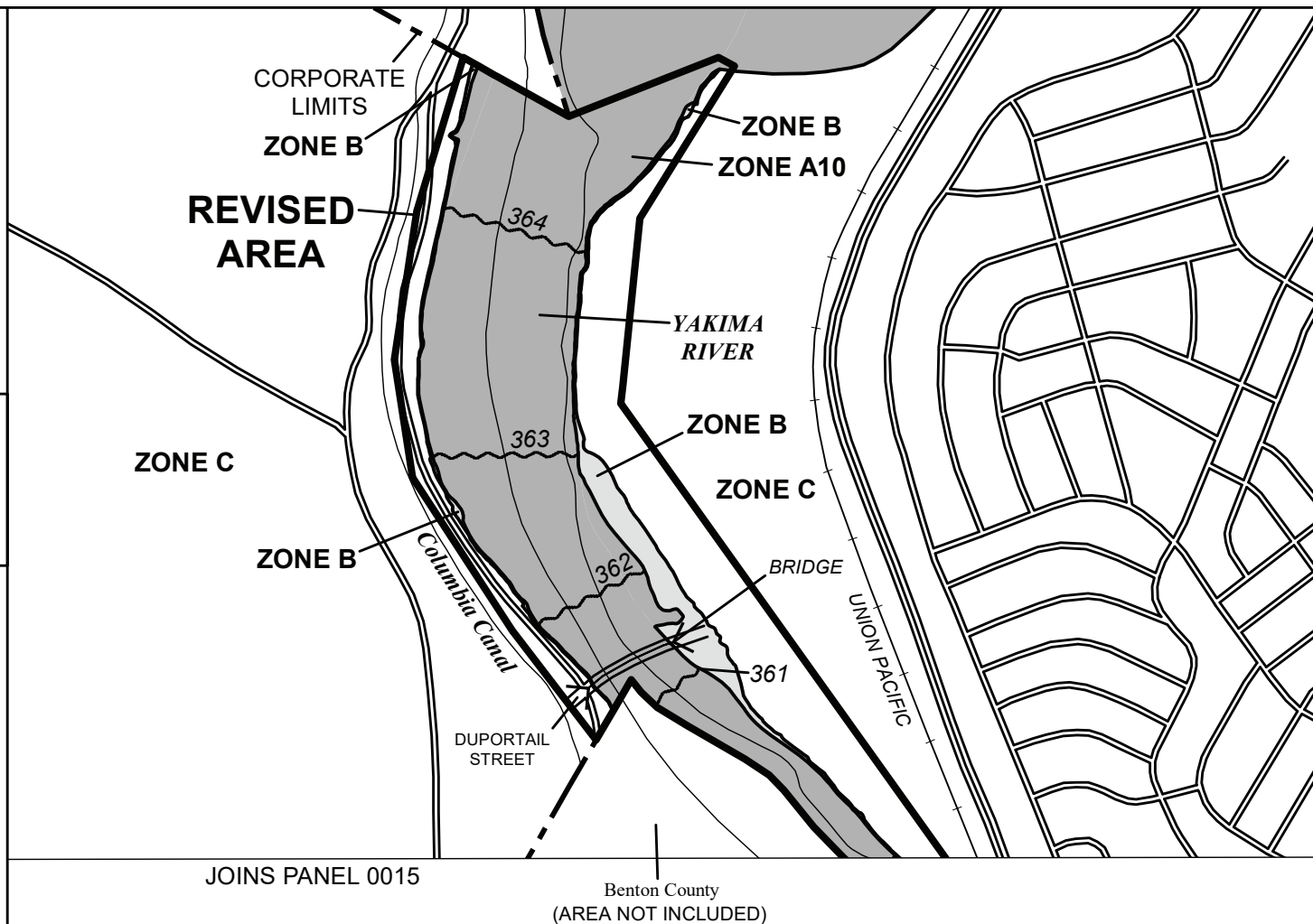
**REVISED TO
REFLECT LOMR
EFFECTIVE:
January 12, 2023**

COMMUNITY-PANEL NUMBER
535533 0010 E

MAP REVISED:
MARCH 1, 1984



Federal Emergency Management Agency

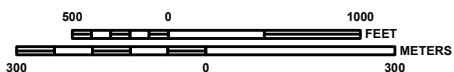


Legend

- 1% annual chance
(100-Year) Floodplain
- 0.2% annual chance
(500-Year) Floodplain



MAP SCALE 1" = 1000'



NATIONAL FLOOD INSURANCE PROGRAM

FIRM
FLOOD INSURANCE RATE MAP

CITY OF
RICHLAND,
WASHINGTON
BENTON COUNTY

PANEL 15 OF 15
(SEE MAP INDEX FOR PANELS NOT PRINTED)

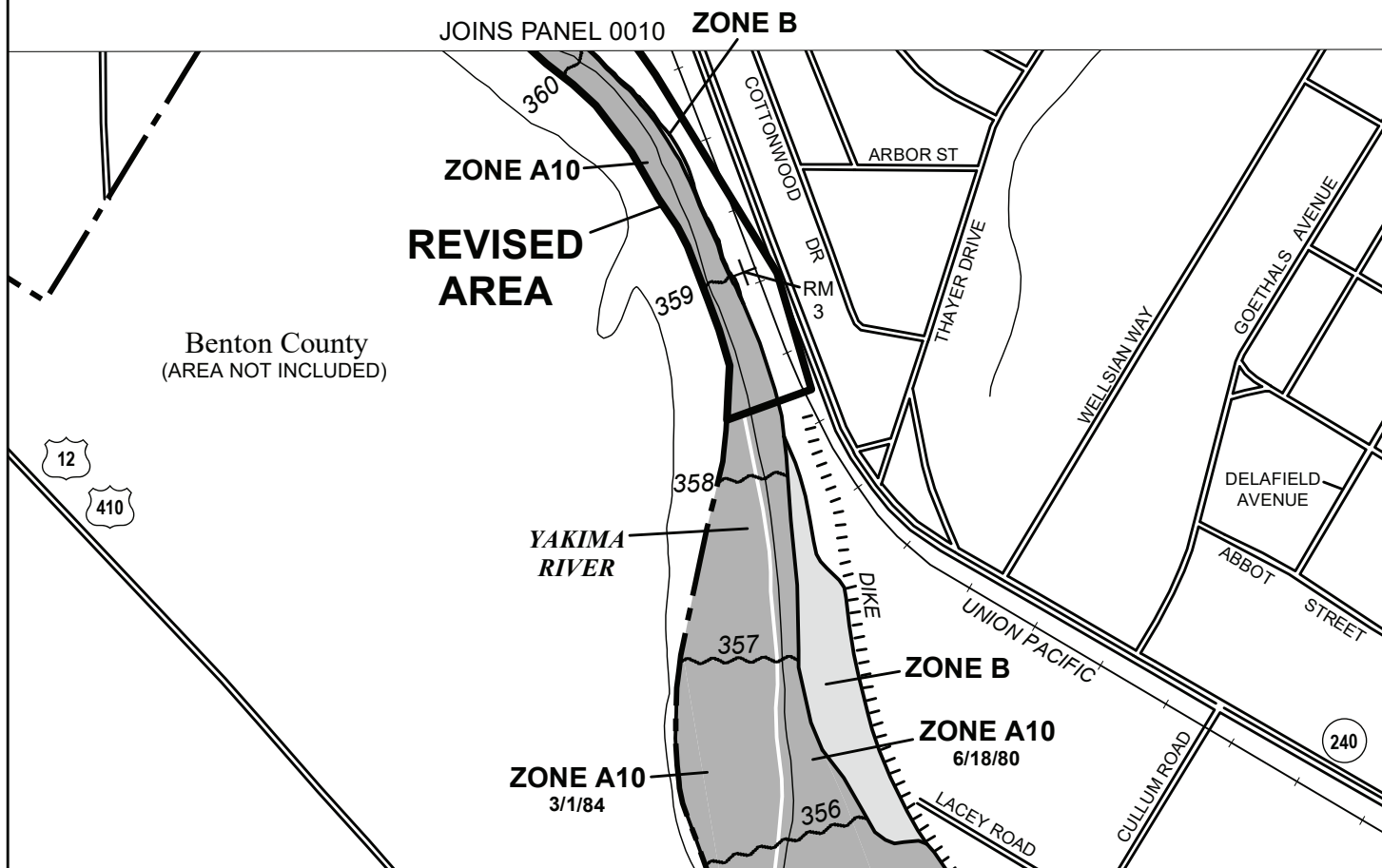
**REVISED TO
REFLECT LOMR
EFFECTIVE:
January 12, 2023**

COMMUNITY-PANEL NUMBER
535533 0015 E

MAP REVISED:
MARCH 1, 1984



Federal Emergency Management Agency



Legend

- 1% annual chance
(100-Year) Floodplain
- 1% annual chance
(100-Year) Floodway
- 0.2% annual chance
(500-Year) Floodplain



MAP SCALE 1" = 1000'



NATIONAL FLOOD INSURANCE PROGRAM

FLOODWAY

FLOOD BOUNDARY AND
FLOODWAY MAP

CITY OF
RICHLAND, WASHINGTON
BENTON COUNTY

PANEL 2 OF 2 PRINTED

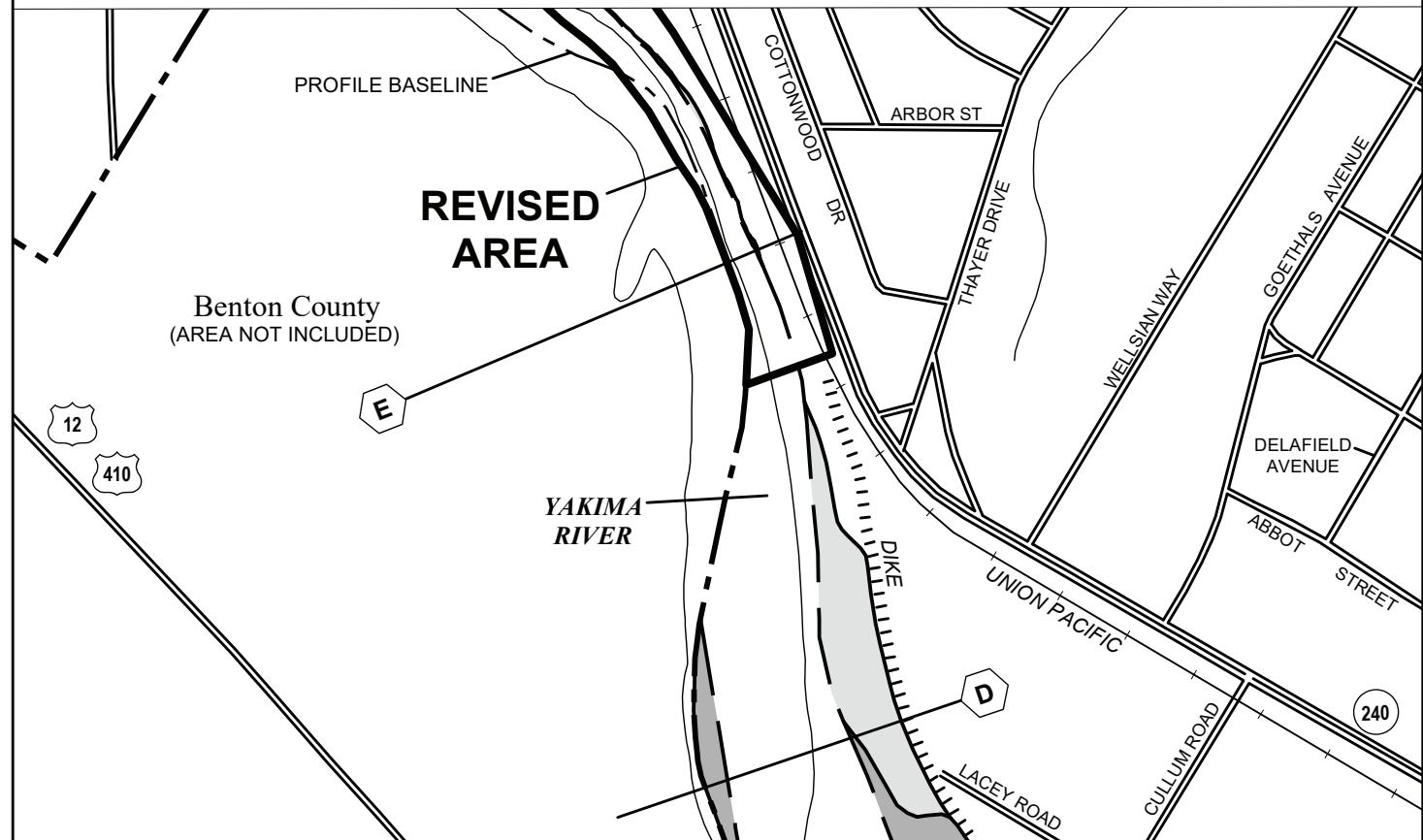
**REVISED TO
REFLECT LOMR
EFFECTIVE:
January 12, 2023**

COMMUNITY-PANEL NUMBER
535533 0002 D

MAP REVISED:
JUNE 18, 1980



U.S. DEPARTMENT OF HOUSING
AND URBAN DEVELOPMENT
FEDERAL INSURANCE ADMINISTRATION



Legend

- 1% annual chance
(100-Year) Floodplain
- 1% annual chance
(100-Year) Floodway
- 0.2% annual chance
(500-Year) Floodplain



MAP SCALE 1" = 1000'



NATIONAL FLOOD INSURANCE PROGRAM

FLOODWAY

FLOOD BOUNDARY AND
FLOODWAY MAP

CITY OF
RICHLAND, WASHINGTON
BENTON COUNTY

PANEL 1 OF 2 PRINTED

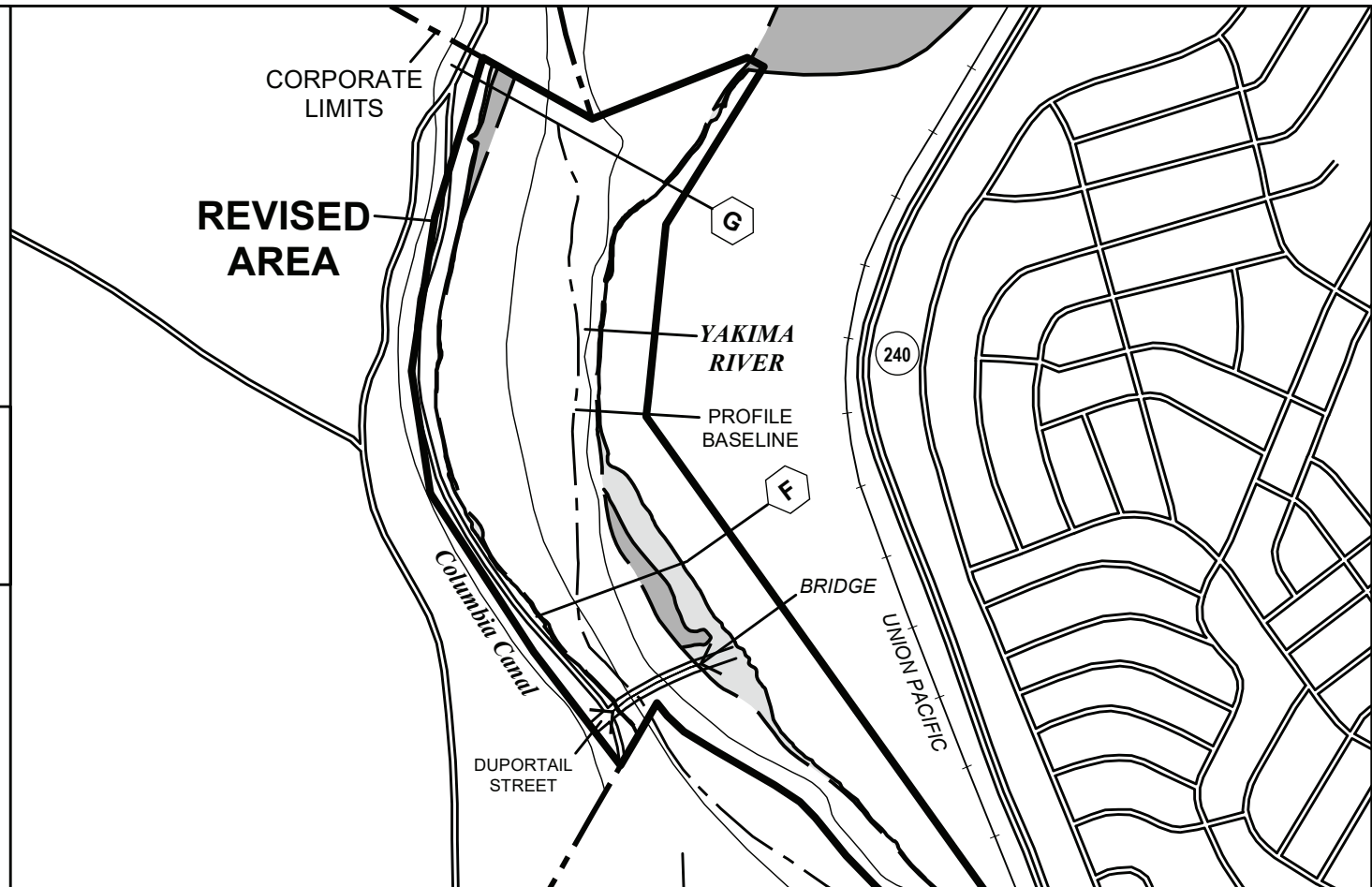
**REVISED TO
REFLECT LOMR
EFFECTIVE:
January 12, 2023**

COMMUNITY-PANEL NUMBER
535533 0001

MAP REVISED:
JUNE 18, 1980



U.S. DEPARTMENT OF HOUSING
AND URBAN DEVELOPMENT
FEDERAL INSURANCE ADMINISTRATION



Benton County
(AREA NOT INCLUDED)

City of Richland

AREA NOT INCLUDED

REVISED
AREA

361

YAKIMA RIVER

ZONE A10

15

360

359

358

357

356

355

VALLEY VIEW ROAD

ZONE C

ZONE B

22

3

12

3

JOINS PANEL 0600

Legend

- 1% annual chance (100-Year) Floodplain
- 1% annual chance (100-Year) Floodway
- 0.2% annual chance (500-Year) Floodplain



MAP SCALE 1" = 1000'



NATIONAL FLOOD INSURANCE PROGRAM

FIRM
FLOOD INSURANCE RATE MAP

**BENTON COUNTY,
WASHINGTON**
(UNINCORPORATED AREAS)

PANEL 470 OF 1075
(SEE MAP INDEX FOR PANELS NOT PRINTED)

**REVISED TO
REFLECT LOMR
EFFECTIVE:
January 12, 2023**

COMMUNITY-PANEL NUMBER
530237 0470 B

EFFECTIVE DATE:
JULY 19, 1982



Federal Emergency Management Agency

City of Richland

AREA NOT INCLUDED

REVISED
AREA

PROFILE BASELINE

YAKIMA RIVER

VALLEY VIEW ROAD

15

B

22

A

12

3

Legend

- 1% annual chance
(100-Year) Floodplain
- 0.2% annual chance
(500-Year) Floodplain



MAP SCALE 1" = 1000'



NATIONAL FLOOD INSURANCE PROGRAM

FLOODWAY FLOOD BOUNDARY AND FLOODWAY MAP

BENTON COUNTY,
WASHINGTON
(UNINCORPORATED AREAS)

PANEL 470 OF 1075
(SEE MAP INDEX FOR PANELS NOT PRINTED)

**REVISED TO
REFLECT LOMR
EFFECTIVE:
January 12, 2023**

COMMUNITY-PANEL NUMBER
530237 0470

EFFECTIVE DATE:
JULY 19, 1982



Federal Emergency Management Agency