



Agenda
Planning Commission Meeting
Wednesday, September 25, 2024
Richland City Hall ~ Council Chambers
625 Swift Boulevard

Commission Members: Chair Richardson, Vice-Chair Townsend, and Members Hernandez, Lambert, Miller, Nicholson, and Samuel

Council Liaison: Councilmember VanDyke
Staff Liaison: Planning Manager Stevens

Regular Meeting - 6:00 p.m.

Welcome and Roll Call

Approval of Agenda: (Approved by Motion)

Approval of Minutes: (Approved by Motion)

1. Meeting Minutes for the August 28, 2024 Planning Commission Meeting

Public Comments: Please limit public comments to 2 minutes. The public comment period is not an opportunity for dialogue with the Planning Commission, or for posing questions with the expectation of an immediate answer. Many questions require an opportunity for information-gathering and deliberation. For this reason, the Planning Commission will accept comments, but will not directly respond to comments, questions or concerns during public comment. Records intended for the Planning Commission's consideration must be submitted to the Planning Manager by 4:00 p.m. the day of the meeting for distribution.

Public Hearing : Please limit public comments to 2 minutes.

2. Public Hearing to Accept Comments on the 2025 Community Development Block Grant and 2025-2029 Consolidated Plan
 - Toni Lehman, CDBG / HOME Administrator

New Business - Public Hearing:

3. 2024 Comprehensive Plan and Development Regulation Annual Amendments
 - Mike Stevens, Planning Manager

Communications:

Adjournment

Richland City Hall is ADA accessible. Any individual who has difficulty attending the meeting in-person may request to provide comments remotely. (Ch. 42.30 RCW) 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: 9/25/2024

Agenda Category: Approval of Minutes

Prepared By: Carly Kirkpatrick, Administrative Assistant II

Subject:

Meeting Minutes for the August 28, 2024 Planning Commission Meeting

Request:

Recommended Motion:

Move to approve the draft meeting minutes for the August 28, 2024, Planning Commission meeting as written.

Summary:

Draft meeting minutes for the August 28, 2024, Planning Commission Meeting are attached for review and consideration.

Attachments:

- I. 2024.08.28 Planning Commission Meeting Minutes DRAFT



**MINUTES
PLANNING COMMISSION MEETING
Wednesday, August 28, 2024
Richland City Hall - Council Chambers
625 Swift Boulevard**

Call to Order:

Chair Richardson called the meeting to order at 6:00 p.m.

Attendance:

Present: Chair Richardson, Vice-Chair Townsend, Members Eadie, Hernandez, Miller, Nicholson, and Samuel

Also present were Development Services Director Jensen, Planning Manager Stevens, and Administrative Assistant II Kirkpatrick.

Approval of Agenda:

Chair Richardson presented the meeting agenda for review and approval.

VICE-CHAIR TOWNSEND MOVED AND COMMISSIONER HERNANDEZ SECONDED THE MOTION TO APPROVE THE AGENDA AS PUBLISHED. THE MOTION PASSED 7-0.

Approval of Minutes:

Chair Richardson presented the meeting minutes for the May 8, 2024, and August 14, 2024, Planning Commission Workshop meetings, and the May 22, 2024, Planning Commission Meeting for review.

COMMISSIONER NICHOLSON MOVED AND COMMISSIONER LAMBERT SECONDED THE MOTION TO APPROVE THE MEETING MINUTES FOR THE MAY 8, 2024, AND AUGUST 14, 2024, PLANNING COMMISSION WORKSHOP MEETINGS, AND THE MAY 22, 2024, MEETING. THE MOTION PASSED 7-0.

Public Comments:

Chair Richardson opened public comment at 6:03 pm. Having no one come forward Chair Richardson closed the public comment at 6:03.

Unfinished Business – Public Hearing:

1. CA2021-108 Badger Mountain South Land Use Development Regulations (LUDR) Amendments

Chair Richardson recognized Planning Manager Stevens who gave a detailed history of the

Badger Mountain South Land Use Development Regulations (LUDR), and the roughly three- and half-year process for the amendments. The intention from all sides was to make it easier to administer and be more customer forward. The packet being presented tonight is a culmination of the process to date. Mr. Stevens also wanted to emphasize that updates that are being proposed tonight have no additional reductions to open space, parks, or linear trails. The changes to those specific areas occurred almost 10 years ago and were approved by Planning Commission and Council at a time when there weren't very many public comments, primarily because there weren't many residents. Another concern that has been raised is regarding the Wine Village which also ceased to be part of the plan several years ago. This occurred in 2016-2017 when the partnership with the Port of Kennewick dissolved because they had their own projects that they were working on. Mr. Stevens also went over the handout of definitions that he passed out at the beginning of the meeting that they would also go over after the applicant presents to Commission.

Associate Master Plan Administrator Mr. Sweeney, and applicant representative, spoke to Commission about the process and amount of time that has gone in to get to where we are with the LUDR at present. He believes that everything that has occurred has only strengthened and made it a better document for both him and the community. His goal was to create a document that is as clear as possible so moving forward we have a strong baseline. He thanked the Commission for all their time and sharing frustrations to get where they are today with the document.

Public Hearing Opened at 6:18 p.m.

Daniel Sander, resident of Badger Mountain South, has been a resident for 4 years. He got up to speak, and thanked Mr. Sweeney and the City for collaboration, communication and compromise that has occurred. He is very happy with the amended LUDR and sees nothing that gives him pause.

Closed Public hearing at 6:21

Chair Richardson opened deliberation amongst Commissioners, opting to not go through the LUDR document page by page. Commissioner Lambert was the first, stating that he sees the improvement since when he previously had to work with the LUDR. He also stated that we should expect to see changes to the document as regulations and codes change, such as Accessory Dwelling Units (ADU'S).

Commissioner Samuel inquired if staff feels that the city has heard from the citizens and has done what would be considered fair and reasonable? Mr. Stevens stated that he does feel that staff has heard from the citizens by receiving several written comments, holding several public hearings with community members commenting, workshops, and other meetings to compromise and get the document to where it is today. Commissioner Samuel thanked the staff for all their hard work.

Vice-Chair Townsend thanked the staff for all their hard work. He reminisced about past meetings and how we got to where we are today. He had no further comments but brought up updating Council and staff. He also had a question regarding accessory dwelling units

(ADU'S) vs. accessory structures. Mike confirmed that they would each be separate as outlined in his handout.

Commissioner Miller had no comments, but stated that having used the LUDR in the past, he appreciates the hard work that has been put in. Mr. Stevens asked if the presented amended LUDR easier to interpret from the builder's standpoint? Commissioner Miller confirmed that it is easier, and that as much as it is great for the community it is equally as good of a compromise for the building community.

Commissioner Hernandez had no questions but stated that it was a great opportunity to review and thanked staff for all their work.

Commissioner Nicholson thanked everyone for all their time and appreciated seeing the city work for the people and listen. She also thanked NorAm for coming in and having conversations. It has made her proud to be a part of the City of Richland. Commissioner Nicholson did have a question regarding other documents that work for Badger Mountain South, specifically the Green Area infrastructure Plan that contains block parks that have since been eliminated. She thought it would be good to add a sentence in the park section of the LUDR that includes when the amendment was approved eliminating block parks so that residents that are reviewing documents don't have to do a vast search through documents to find the changes. Staff and Commissioners discussed where to best put the mentioned statement within the LUDR.

Chair Richardson thanked NorAm for continuing to work with the Commission, and their care and approach to multi-income housing. He hopes that the LUDR will inspire future developers to think holistically about housing and how we provide that to our community.

Mr. Stevens then went over definitions that were passed out at beginning of the meeting to get Commissioners input. Commissioners and Mr. Stevens went through each definition and discussed meanings and what should be included in the LUDR Glossary page.

COMMISSIONER NICHOLSON MOVED AND COMMISSIONER TOWNSEND SECONDED THE MOTION TO RECOMMEND APPROVAL OF THE PROPOSED LAND USE AND DEVELOPMENT REGULATIONS AMENDMENTS TO CITY COUNCIL. THIS RECOMMENDATION IS BASED UPON THE FINDINGS OF FACT AND CONCLUSIONS OF LAW IDENTIFIED IN THE STAFF REPORT AND SUBJECT TO THE CHANGES AND/OR MODIFICATIONS AS DISCUSSED AND DECIDED UPON BY THE PLANNING COMMISSION AND RELAYED TO CITY STAFF DURING THIS PUBLIC HEARING. MOTION PASSED 7-0.

Communications:

Planning Manager Stevens stated that staff will get it packaged up and ready for council as soon as possible. He recognized that there are items that are being held up from the 2022 comprehensive plan amendments. He also updated the Commission on the recent Senior Planner interviews that have taken place. An offer has gone out, and staff is hopeful that they will be joining the team before the end of September. He also thanked Commission for their time both today and in past meetings.

Commissioner Richardson thanked commissioner both past and present, NorAm, Nichole Stickney, and Darin Sweeney.

Adjournment:

Chair Richardson adjourned the meeting at 6:58 p.m.

PREPARED BY: _____
Carly Kirkpatrick, Administrative Assistant II

REVIEWED BY: _____
Mike Stevens, Planning Manager

APPROVED BY: _____
Jet Richardson, Chair



PLANNING COMMISSION AGENDA ITEM COVERSHEET

Meeting Date: 9/25/2024

Agenda Category: Public Hearing

Prepared By: Toni Lehman, CDBG / HOME Administrator

Subject:

Public Hearing to Accept Comments on the 2025 Community Development Block Grant and 2025-2029 Consolidated Plan

Request:

Core Focus Area 1 - Promote Financial Stability & Operational Effectiveness

Core Focus Area 6 - Enhance Neighborhood & Community Safety

Recommended Motion:

Summary:

The City of Richland anticipates receiving approximately \$295,000 in Community Development Block Grant (CDBG) funds and \$653,000 in HOME Investment Partnership Program (HOME) funds in 2025. The purpose of the public hearing is to provide an opportunity for citizens to express views and comment on community development and housing needs benefiting low-and moderate-income persons. The comments will be utilized to assist in the development of the 2025 Annual Action Plan and 2025-2029 Consolidated Plan.

The Planning Commission will only conduct a public hearing. No action is needed at this meeting.

Attachments:



PLANNING COMMISSION AGENDA ITEM COVERSHEET

Meeting Date: 9/25/2024

Agenda Category: New Business - Public Hearing

Prepared By: Mike Stevens, Planning Manager

Subject:

2024 Comprehensive Plan and Development Regulation Annual Amendments

Request:

Strategic Priority 3 - Focused Development

Recommended Motion:

Staff recommends that the Planning Commission recommend the 2024 Comprehensive Plan and Development Regulations amendments to the City Council for approval.

Summary:

In accordance with RMC 19.90.060, the City Council shall consider each Comprehensive Plan amendment and forward those selected to the Planning Commission for processing. Plan amendment applications may be submitted via private application and/or proposed by City staff and the Council.

The Comprehensive Plan serves as a policy document, which sets forth guiding principles to ensure proper growth and desirable development. The document conveys policy and plans to accommodate 20 years of growth and development, while also looking to provide strategic plans that will provide needed services and amenities far into the future. The City's Comprehensive Plan is intended to be an all-inclusive document that should bring together various planning documents such as the City's Economic Development Strategic Plan, Parks Plan, Transportation Plan, Capital Facilities Plan, and other financial/budgetary plans. The City's Comprehensive Plan should bring together the Council's vision and various plans into an integrated and effective planning tool. In doing so, city leaders ensure lasting health and vitality for residents in the area. The Comprehensive Plan serves as a living document to guide land-use decisions well into the future.

The Council has also directed staff to ensure a public process that is open and transparent to the public, creating a more vital and competitive community, developing quality neighborhoods and business centers, and ensuring proper growth planning principles are used.

The following applications have been submitted to the City for review in 2024:

1. HP Pasco, LLC CPA2024-101 & Z2024-102
2. Richland Properties, LLC CPA 2024-102 & Z2024-103

After review, public testimony, and deliberation, the Planning Commission shall make a formal recommendation to the City Council for the 2024 docket.

Attachments:

- I. FULL 2024 Comprehensive Plan Staff Report

CITY OF RICHLAND DEVELOPMENT SERVICES DIVISION STAFF REPORT

TO: PLANNING COMMISSION
FILE NO.: PLN-T4-2024-00001

PREPARED BY: MIKE STEVENS
HEARING DATE: SEPTEMBER 25, 2024

This report includes detailed analysis, and the attachments are lengthy. Here is a general outline of how this report is organized:

- Background
- Processing Timeline
- Notes on Next Steps for Processing
- Overview of Proposed Comprehensive Plan Amendments
- Analysis of CPA2024-101 – HP Pasco, LLC (Darral Moore, J-U-B Engineers, Applicant)
- Analysis of CPA2024-102 – Richland Properties, LLC (Taylor Merrill, Applicant)
- Rezone Analysis
- SEPA Threshold Determination
- Staff Recommendation
- Suggested Conclusions of Law and Suggested Findings of Fact
- Recommended Motion
- List of Exhibits

BACKGROUND

In accordance with RMC 19.90.060, the City Council shall consider each Comprehensive Plan amendment and forward those selected to the Planning Commission for processing. Plan amendment applications may be submitted via private application and/or proposed by City Staff and the Council.

The Comprehensive Plan serves as a policy document which sets forth guiding principles to promote measured growth and desirable development outcomes. The document puts forth policy and plans to accommodate 20 years of growth and development and to provide strategic plans to provide needed services and amenities far into the future. The City's Comprehensive Plan is intended to be an all-inclusive document that should bring together various forward-looking documents such as the City's Economic Development Strategic Plan, Park Plan, Transportation, Capital Facilities and financial/budgetary plans.

The City's Comprehensive Plan should be well understood by City Council, Boards and Commissions, and City Staff, and most importantly, should bring together Council's vision and various plans into an integrated and effective planning tool. In doing so, city leaders can promote lasting health and vitality for the current citizenry. The Comprehensive Plan serves as a living document to guide land-use decisions well into the future.

Council has also directed staff to ensure a public process that is open and transparent to the public, creating a more vital and competitive community, developing quality neighborhoods and business centers, and ensuring smart growth planning principles are used.

PROCESSING COMPLETED UNTIL NOW

The following key dates and milestones describe action and processing taken by staff, the Planning Commission, and Council to date on the 2024 Comprehensive Plan Docket.

- March 1, 2024: Deadline for Private Party Application submission
 - Two (2) private party applications were received and deemed complete

- April 23, 2024: City Council Workshop to review the 2024 Comprehensive Plan Amendment Docket
- June 4, 2024: City Council Public Hearing Establishing the 2024 Comprehensive Plan Amendment Docket and forwarding the Docket to the Planning Commission for processing
- August 6, 2024: SEPA Threshold Determination of Non-Significance issued by the City's Development Services Department (PLN-T1-2024-00071)
- August 6, 2024: Notice of Intent to Adopt Amendment 60 Days Prior to Adoption sent to the Department of Commerce by the City's Development Services Department
- August 26, 2024: Notice of the September 25th Planning Commission Public Hearing was mailed to affected parcels and those neighboring properties within 300-feet of parcels under consideration
- September 8, 2024: Notice of Public Hearing was published in the newspaper and posted at City Hall and the City's website
- August 12, 2024: Pending Land Use Action signs were posted at the properties

NEXT STEPS REQUIRED FOR PROCESSING

Once Planning Commission holds one (or more, if they so choose) public hearing(s), they may vote to recommend the Docket as proposed, or with changes, to the City Council and thereby forward the Docket to the council for consideration.

Next, the City Council shall consider the Planning Commission's recommendations and decide to either adopt or deny the amendments during a regular council meeting. If the Council makes any changes to the Planning Commission's recommendation, the Council is required to hold a public hearing (per RCW 36.70A.035(2)). Comprehensive Plan amendments that are approved are to be adopted by ordinance and any amendments that are rejected are addressed in a resolution.

Following Council action, the Planning Division will then transmit a copy of the amendments and adopted ordinances to the State Department of Commerce who will review the submission for compliance with the State's Growth Management Act.

OVERVIEW OF PROPOSED COMPREHENSIVE PLAN AMENDMENTS

The 2024 Comprehensive Plan Docket includes the following changes:
Staff evaluation including findings and conclusions are provided later in this report.

Summary Review of 2024 Applications	
<u>APPLICANT:</u> Darral Moore, J-U-B Engineers on behalf of HP Pasco, LLC <u>Change the Comprehensive Plan Map:</u> Amend the Comprehensive Plan map for approximately 2.13 acres of land from High-Density Residential to Commercial (Staff recommends that the Comprehensive Plan map be changed to Waterfront).	<u>FILE NO.:</u> CPA2024-101 & Z2024-102 <u>Staff Recommends:</u> Map change should be accompanied by an associated rezone of the site from Commercial Limited Business [C-LB] to Waterfront [WF].
<u>APPLICANT:</u> Richland Properties, LLC <u>Change the Comprehensive Plan Map:</u>	<u>FILE NO.:</u> CPA2024-102 & Z2024-103 <u>Staff Recommends:</u>

Amend the Comprehensive Plan map for approximately 12.62 acres by relocating/swapping the locations of the existing Commercial and Low-Density Residential land use designations.	Map change should be accompanied by an associated rezone of the site relocating/swapping the locations of the existing Commercial Limited Business [C-LB] and Single-Family Residential [R-1-10] zoning districts.
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ANALYSIS

HP PASCO LLC MAP UPDATE (CPA2024-101 & Z2023-102)

Description of Proposal

Darral Moore, PE, J-U-B Engineers, Inc., on behalf of HP Pasco, LLC, Tom Fisher, owner, is proposing to change the Comprehensive Plan Land Use designation for approximately 2.13 acres of land from High-Density Residential to Commercial, to be accompanied by a rezone of the 2.13 acres from Commercial Limited Business [C-LB] to Waterfront [WF].

Vicinity Map

Item: 2599 Duportail St
Applicant: J-U-B Engineers
File #: CPA2024-101

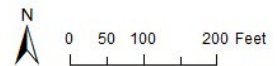


Figure 1 – Vicinity Map

Site Description & Adjacent Land Uses

The subject site consists of one 2.13-acre parcel (Parcel #115982011748012) located at the northwest corner of the intersection of Duportail Street and Tanglewood Drive.

The subject site is relatively flat and contains approximately 750 lineal feet of frontage along

Tanglewood Drive. The site is divided into three (3) building sites via the existence several existing driveways which access the multi-family apartments located to the north and east of the subject site. Given the relatively small amount of buildable space on the site, the property owner is proposing to change the land use and zoning designations of the site to Waterfront in order to match the City's Shoreline jurisdiction designation for the site. Changing the land use and zoning classification to waterfront will afford the property owner the opportunity to develop each of the smaller building footprints into commercial businesses that will provide goods and/or services to the nearby multi-family apartments.

Surrounding Zoning and Land Uses:

- North:** High-Density Residential [HDR], Commercial Limited Business [C-LB]
Private multi-family apartments
- East:** High-Density Residential [HDR], Commercial Limited Business [C-LB]
Private multi-family apartments
- South:** Natural Open Space [NOS], Natural Open Space [NOS]
US Army Corps of Engineers
- West:** High-Density Residential [HDR], Commercial Limited Business [C-LB]
Private multi-family apartments

**Land Use
Map**

Item: 2599 Duportail St
Applicant: J-U-B Engineers
File #: CPA2024-101

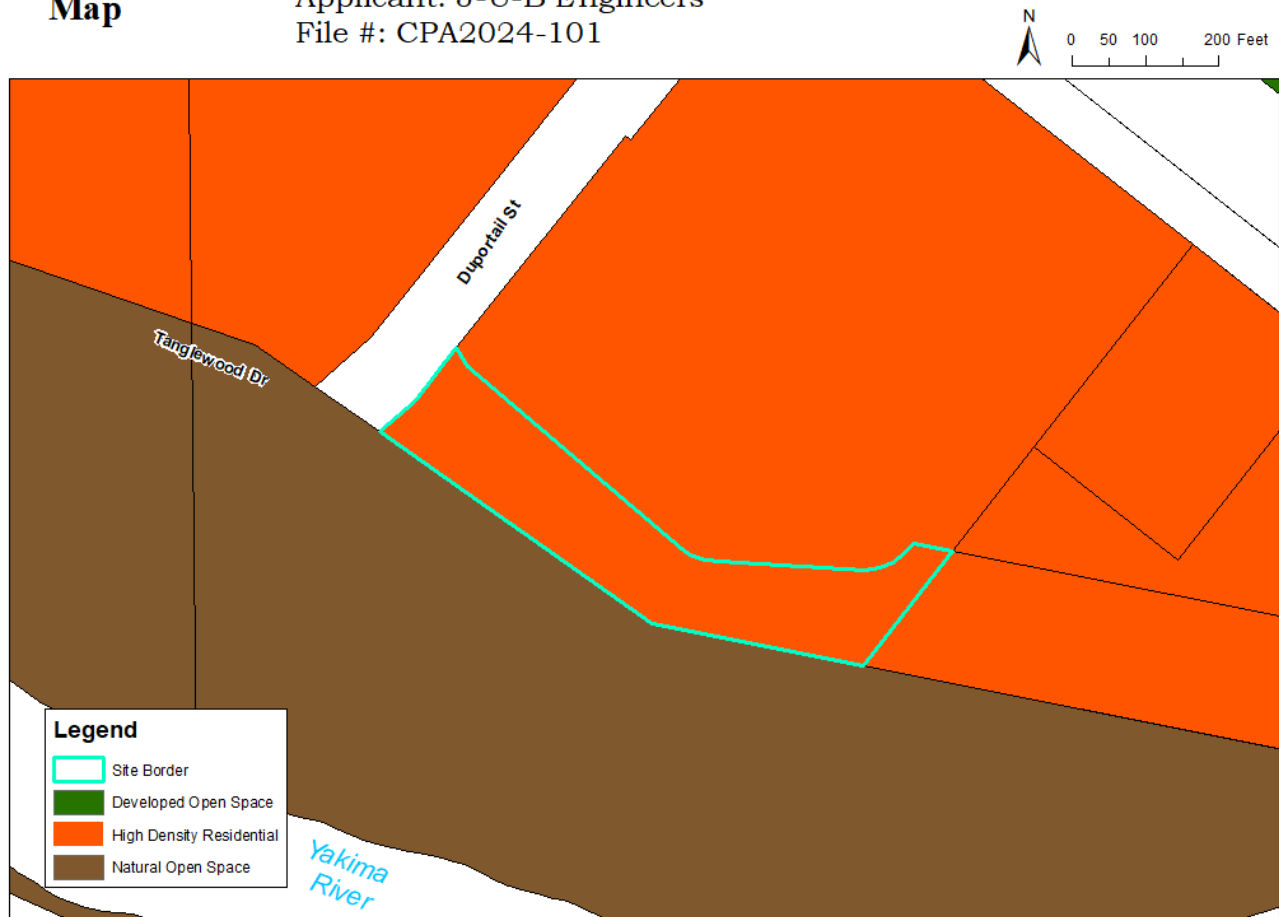


Figure 2 – Comprehensive Plan Land Use Designations

Comprehensive Plan

The site is currently designated as High-Density Residential [HDR] under the City's current Comprehensive Plan, while the request is to re-designate the site from High-Density Residential to Commercial .

The Comprehensive Plan defines High-Density Residential [HDR] lands as follows:

The HDR category includes multifamily residential uses with an average density of 15 dwelling units per acre. In transitional areas between more intensive commercial uses and lower density residential uses, limited office/institutional uses may also be located within the HDR designated areas.

The Comprehensive Plan defines Commercial [C] lands as follows:

The commercial land use category includes a variety of retail, wholesale, and office uses. Within this category are professional business offices, hotels, motels, and related uses. It also includes a variety of retail and service uses oriented to serving residential neighborhoods, such as grocery stores, hardware supply, and garden supply. Other commercial uses include automobile-related uses and uses that normally require outdoor storage and display of goods. In transitional areas between more intensive commercial uses and lower density residential uses, high-density residential development may also be located within the Commercial designated areas.

The Comprehensive Plan identifies the following goals and policies that pertain to this amendment request:

Land Use Goal 2: Establish land uses that are sustainable and create a livable and vibrant community.

Land Use Goal 4: Promote commercial and industrial growth that supports the City's economic development goals.

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

Zoning

The site is currently zoned Commercial Limited Business [C-LB], while the request is to rezone the site to Waterfront [WF].

The Richland Municipal Code [RMC] defines the Commercial Limited Business district as follows:

The limited business use district (C-LB) is a zone classification designed to provide an area for the location of buildings for professional and business offices, motels, hotels, and their associated accessory uses, and other compatible uses serving as an administrative district for the enhancement of the central business districts, with regulations to afford protection for developments in this and adjacent districts and in certain instances to provide a buffer zone between residential areas and other commercial and industrial districts. This zoning classification is intended to be applied to some portions of the city that are designated either commercial or high-density residential under the city of Richland comprehensive plan.

The Richland Municipal Code [RMC] defines the Waterfront [WF] district as follows:

The waterfront use district (WF) is a special commercial and residential zoning 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, and which are in conformance with RMC Title 26, Shoreline Management, and with applicable U.S. Corps of Engineers requirements. This zoning classification encouraged mixed special commercial and high-

density residential uses to accommodate a variety of lifestyles and housing opportunities. Any combination of listed uses may be located in one building or one development (i.e., related buildings on the same lot or site). This zoning classification is intended to be applied to those portions of the city that are designated waterfront under the city of Richland comprehensive plan.

Zoning Map

Item: 2599 Duportail St
Applicant: J-U-B Engineers
File #: CPA2024-101

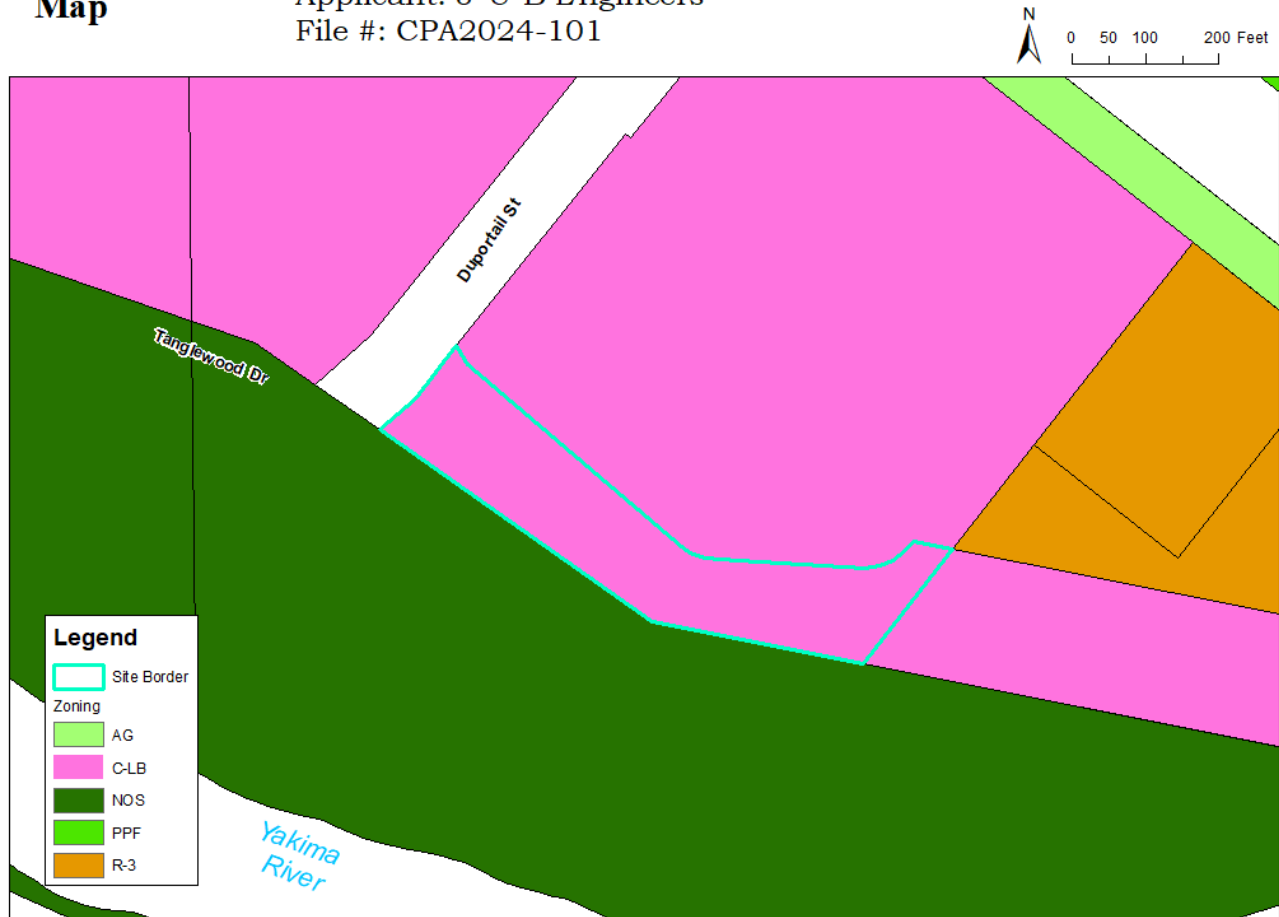


Figure 3 – Zoning Land Use Categories

Utility Availability

There are existing domestic water, sewer and electrical power line connections in place, available within existing rights-of-way and/or easements on or near the site with adequate capacity to supply anticipated development.

Transportation & Access

Primary access into the site will come from Tanglewood Drive, which extends easterly from Duportail Street, which is classified by the City as a “Major Collector”. This area is largely characterized by multi-family residential development to the north, east and west and open space/natural area associated with the Yakima River to the south.

Schools

The subject site falls within the boundaries of the Richland School District. The closest schools to this site are approximately one mile away.

Parks

While the majority of land in the nearby vicinity is zoned Parks & Public Facilities [PPF], there most of the land associated with this zoning category is in use either as educational or other public facilities, and not traditional park land. To that end, the most substantial, park-like asset near the subject site is the Columbia River trail some three-quarters of mile to the east.

Environmental Review

The applicants have submitted an environmental checklist. Planning staff reviewed the documents and issued a Determination of Non-Significance for the entire 2024 Comprehensive Plan Docket on August 6, 2024 (PLN-T1-2024-00071). No appeals or challenges to the city's Determination of Non-Significance were received. A copy of the checklist and determination of non-significance is attached.

Analysis

The proposed Comprehensive Plan map amendment proposes to provide commercial opportunities for the site that would provide additional services for the adjacent multi-family residential neighborhood.

Unfortunately, the applicant has applied for a request to amend the Comprehensive Plan Land Use designation to Commercial, rather than Waterfront, as necessary in order to rezone the site to the Waterfront zoning district. This likely occurred due to the fact that the zoning table for Commercial zoning districts lists the Waterfront zone as one of the zoning districts in which commercial uses may occur. As a result, staff recommends that the Comprehensive Plan Land Use designation be changed to Waterfront rather than Commercial. The only zoning district allowed within the Waterfront Land Use designation is the Waterfront zone, while the Waterfront zone is not an allowable zoning district within the Commercial Land Use designation. Staff contends that the impacts of having the site zoned Waterfront would be less than if the site were designated as Commercial and then ultimately re-zoned to one of the more intensive commercial zoning districts. Ultimately, given the size of the site and the proposed uses, the Waterfront zoning district is likely the most appropriate zoning district for that location.

Approval Criteria

1. *Have circumstances related to the proposed amendment and/or the area in which it is located substantially changed since the adoption of the Comprehensive Plan?*

The subject site has remained largely vacant over the preceding decades due to its relatively small size, irregular/elongated shape and other inherent limitations which did not make the lot especially ripe for multi-family residential development interest. This parcel has potential to be developed in a way appropriate to its location and the adjacent land uses.

2. *Are the assumptions upon which the Comprehensive Plan is based no longer valid, or is new information available which was not considered during the initial Comprehensive Plan adoption process or during previous annual amendments?*

The assumptions on which the current Comprehensive Plan is based took into consideration the property's location adjacent to other multi-family residential development. However, as indicated above, the size and shape of the site, and the fact that two (2) access easements cross the site make multi-family development of the site extremely limited and unlikely. As a result, Planning Staff currently believes that the highest and best use of the site is for small commercial developments, such as drive-thru coffee stands or other smaller sized commercial uses that would be accessory to the neighboring high-density residential development.

Summary

Approval of the proposed Comprehensive Plan amendment would provide areas for commercial development which could serve the nearby multi-family residential developments with various commercial opportunities.

RICHLAND PROPERTIES, LLC MAP UPDATE (CPA2024-102 & Z2024-103)

Description of Proposal

Richland Properties, LLC is proposing to change the Comprehensive Plan Land Use designations upon property that is approximately 12.62 acres in size by relocating/swapping the locations of the existing commercial and low-density residential comprehensive plan designations. Assessor's Parcel Number 134983000001009, located at 560 Bermuda Road.

Vicinity Map

Item: 560 Bermuda Road
Applicant: Richland Properties LLC
File #: CPA2024-102

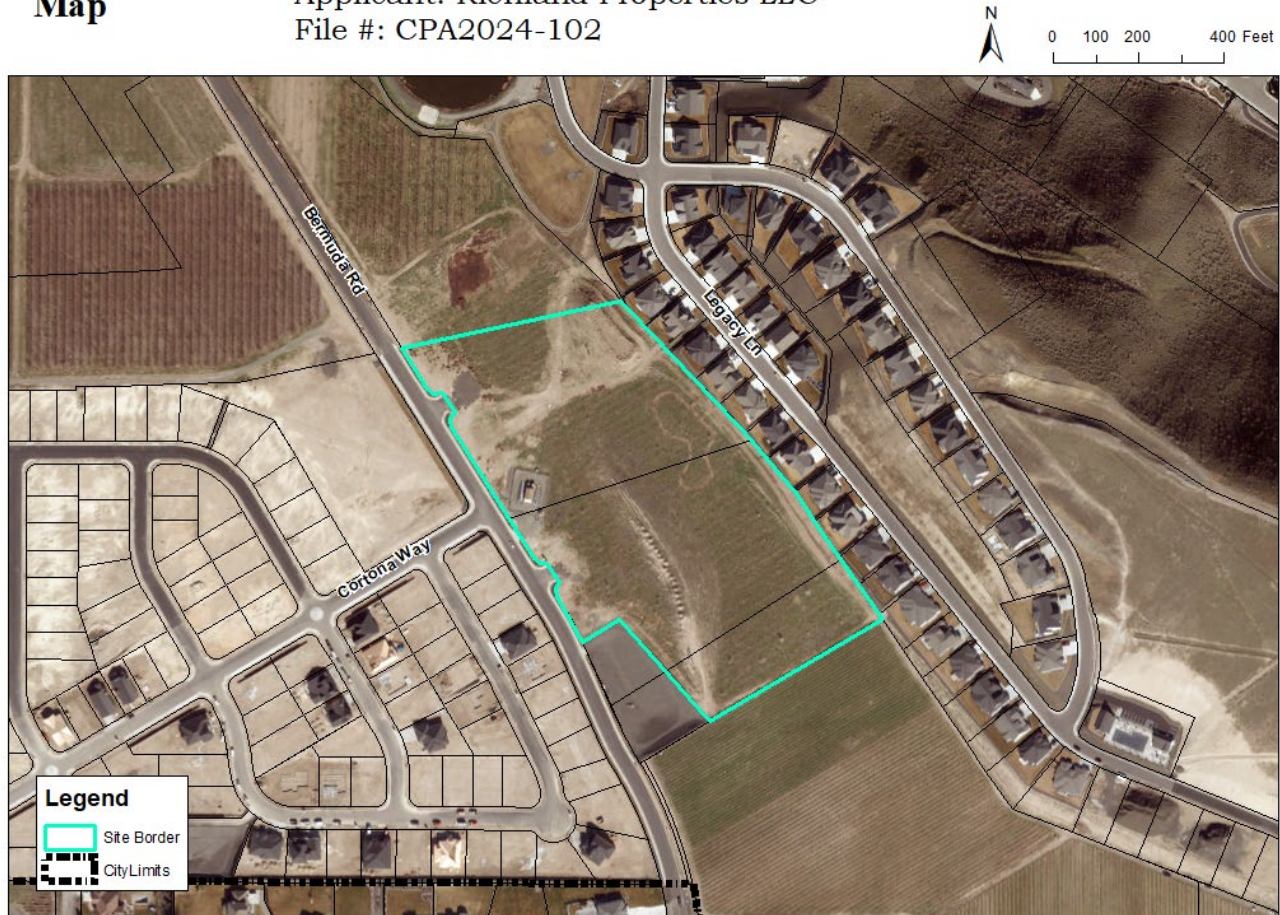


Figure 7 – Vicinity Map

Site Description & Adjacent Land Uses

The site is approximately 12.62 acres in size and is located along the east side of Bermuda Road upon parcel 134983000001009 (highlighted in turquoise, above).

Land Use Map

Item: 560 Bermuda Road
Applicant: Richland Properties LLC
File #: CPA2024-102

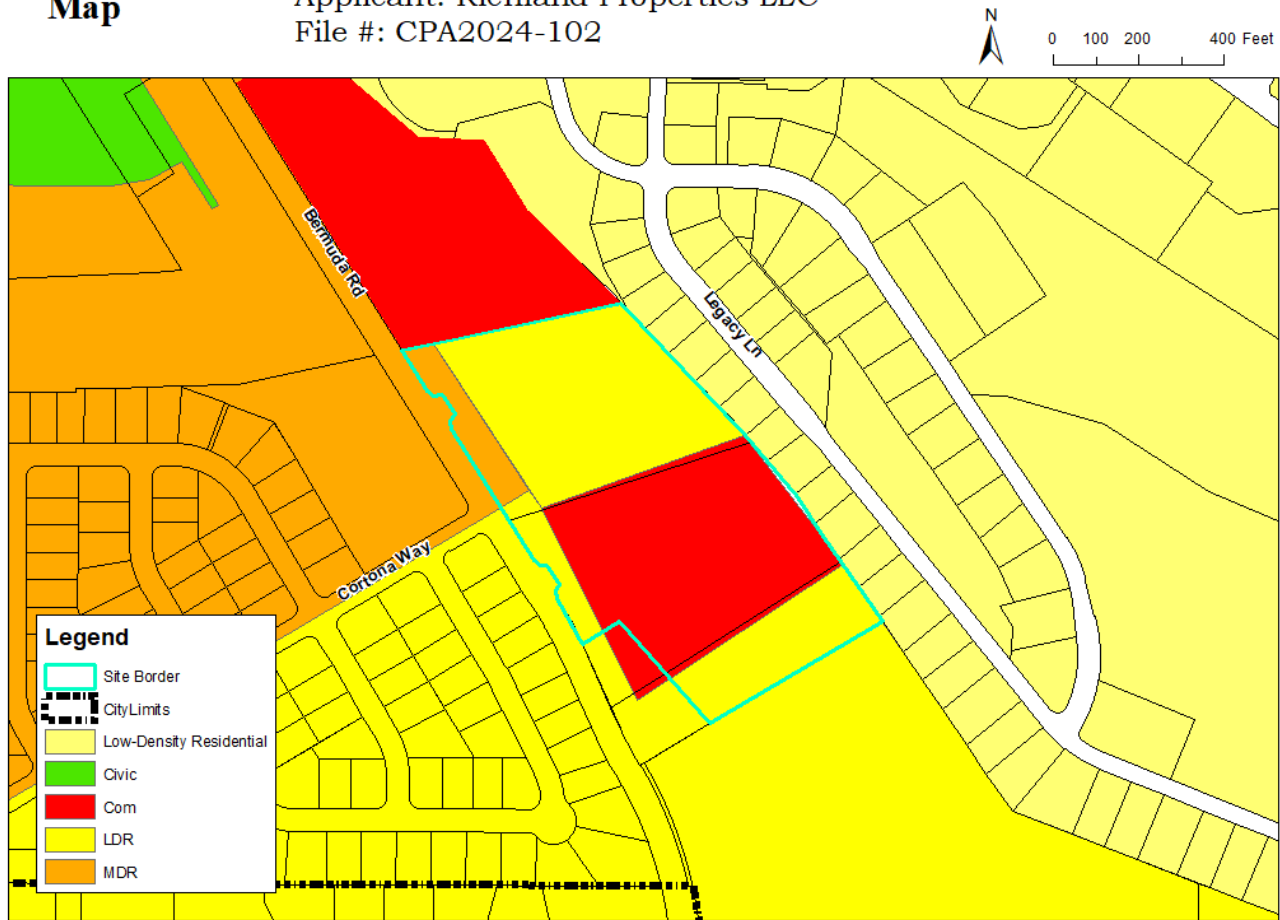


Figure 8 – Badger Mountain Subarea Land Use Designations

Comprehensive Plan

The site is currently designated as Commercial [COM] and Low-Density Residential [MDR] under the City's current Badger Mountain Subarea Plan. The intent of the proposed "swap" is to create a larger commercial node (when taken into consideration with the property to the north) with residential on either side, rather than have commercial areas separating residential areas.

The Badger Mountain South Subarea Plan Low-Density Residential land use category is described as follows:

The Badger Mountain Low-Density Residential (BMLDR) designation includes the existing and vested low-density subdivisions within the Subarea while also accommodating the development of new low-density dwellings. It is intended to accommodate a variety of housing types and sizes. It supports the idea that housing choice and opportunities for homeownership responds best when a mixture of price ranges are available within the new neighborhoods of the Badger Mountain Subarea.

The BMLDR designation also provides a transition between the existing Badger Mountain Plateau and El Rancho Reata neighborhoods with the new, denser neighborhoods proposed within the Badger Mountain South development.

The Badger Mountain South Subarea Plan Commercial land use category is described as follows:

The Commercial (C) designation would allow retail business and service uses that provide products and services. It is found in future commercial nodes in areas outside of Badger Mountain South. The Commercial designation may include areas that provide limited retail business for the convenience of nearby neighborhoods or areas that provide a wider array of business and service uses.

The Comprehensive Plan identifies the following goals and policies that pertain to this amendment request:

Land Use Goal 1: Plan for growth within the urban growth area and promote compatible land use.

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

Land Use Goal 3: Maintain a broad range of residential land use designations to accommodate a variety of lifestyles and housing opportunities.

Policy 1: Distribute residential uses and densities throughout the urban growth area consistent with the City's vision.

Land Use Goal 8: Address unique land use situations in the urban area with policies specific to those situations that ensure compatibility between land uses without infringing on private property rights.

Zoning

The subject property is currently split between the Commercial Limited Business zone [C-LB] and Single-Family Residential [R-1-10]. The requested Comprehensive Plan map amendment and associated rezone will not change the zoning classifications of the property, rather, it will just swap the locations resulting in a larger area of commercially designated property when looked at in conjunction with the land use designation of the property located to the northwest. The proposal will also remove the separation between single-family residentially zoned land on the subject property.

Zoning Map

Item: 560 Bermuda Road
Applicant: Richland Properties LLC
File #: CPA2024-102

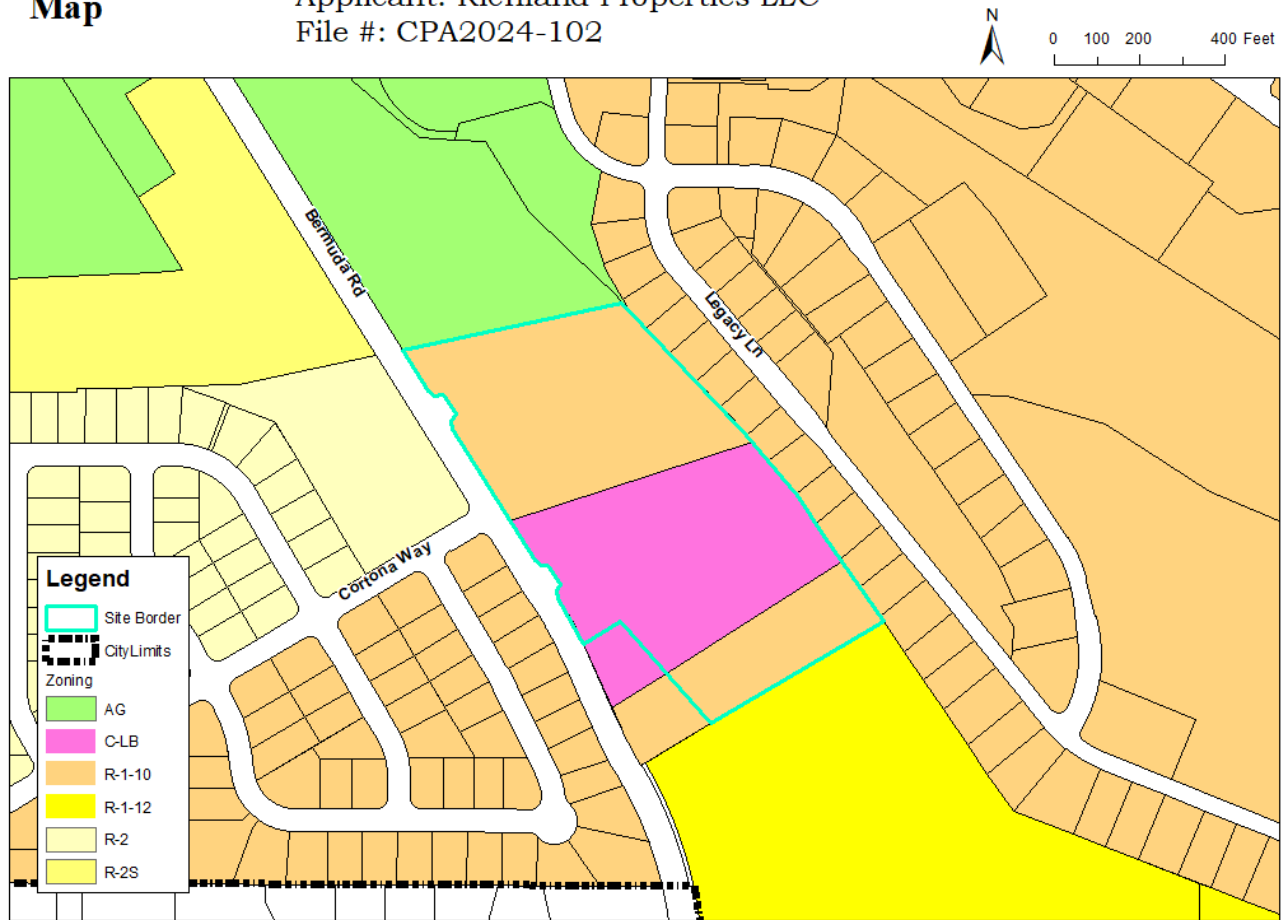


Figure 9 – Zoning Land Use Categories

Utility Availability

There are existing domestic water, sewer, natural gas, fiber, and electrical power line connections in place, available within existing rights-of-way or otherwise on property near the site with adequate capacity to supply anticipated development.

Transportation & Access

Primary access into the site will come from Bermuda Road, classified by the City as a “Major Collector”. This area is largely characterized as single-family housing in transition from undeveloped and agricultural uses. As such, there are currently no significant nodes of employment or shopping amenities via suburban scale commercial, office or industrial development within close proximity. This proposal, along with the establishment of a commercial area to the north will ultimately result in a relatively large commercial node that will help create jobs and provide commercial services to this area of the city.

Schools

The plat falls within the boundaries of the Richland School District. The school district anticipates the siting of a future elementary school in this area. Recent land actions have contemporized the District’s land holdings in preparation for future phases of this development. Secondary education is not in the immediate vicinity of this proposed development.

Parks

Other than the existing private park within the Siena Hills development, immediately west, there are no other parks planned at this time. Crested Hills Park is one-half mile due east and the Badger Mountain Centennial Preserve is 0.8-miles to the northwest. Of these, the latter is a more significant asset to future residents, but as of yet, there are no formal connections to the Preserve from areas southeast, though at least two separate connections are proposed.

Environmental Review

The applicants have submitted an environmental checklist. Planning staff reviewed the documents and issued a Determination of Non-Significance for the entire 2024 Comprehensive Plan Docket on August 6, 2024 (PLN-T1-2024-00071). No appeals or challenges to the city's Determination of Non-Significance were received. A copy of the checklist and determination of non-significance is attached.

Analysis

The requested Comprehensive Plan amendment and associated rezone request will not result in any new land use designations or zoning districts. Rather, the current land use and zoning designations will just be "swapped" in their locations to help facilitate a more congruent development pattern on that side of Bermuda Road. The current size of the residential area is approximately 5.42 acres, while the current size of the commercial area is approximately 5.34 acres, a difference of approximately 3,350 square feet.

Approval Criteria

1. Have circumstances related to the proposed amendment and/or the area in which it is located substantially changed since the adoption of the Comprehensive Plan?

The property to the northwest was re-designated via the City's Comprehensive Plan update in 2023 to create a commercial area, where previous low-density residential existed. The proposed map amendment will simply "swap" locations of the residential and commercial designations on the subject property so that the commercial area will be immediately adjacent to the commercially designated area on the neighboring property, thus creating a larger commercial node, rather than two (2) separate commercial areas.

2. Are the assumptions upon which the Comprehensive Plan is based no longer valid, or is new information available which was not considered during the initial Comprehensive Plan adoption process or during previous annual amendments?

The Comprehensive Plans original assumptions are correct, but the specific bounds of the land use designations need to be updated based on recent changes.

Summary

Approval of the proposed Comprehensive Plan amendment will simply swap the locations of the existing low-density residential and commercial designations on the subject property. The "swap" results in an overall loss of approximately 3,350 s.f. of low-density residential area. This amount is negligible and does not create any significant loss of residentially designated land.

ASSOCIATED REZONE ANALYSIS

The State of Washington's Growth Management Act (RCW 36.70A) requires that Comprehensive Plans be effectuated by various development regulations such as subdivision regulations, critical areas, and zoning. As a result, any time land use designations are changed, the underlying zoning district must be brought into conformance with the Comprehensive Plan. The City is requesting that the Planning Commission authorize an area-wide rezone in order to bring the zoning into compliance with the change of land-use designation authorized by the passage of the two (2) above listed Comprehensive Plan amendment applications.

The associated rezones must be a separate action by the Planning Commission and must result in the rezoning of lands so that the underlying zoning regulations are consistent with the intent and goals of the City's Comprehensive Plan. Failure to have the zoning designations match the underlying Comprehensive Plan designation usually results in "spot-zoning", which is not allowed in the State of Washington.

In determining whether an area shall be rezoned, the Planning Commission and City Council should consider how the proposed area-wide rezone implements the Comprehensive Plan, growth management act and benefits the community:

1. *The manner in which the proposed rezone conforms to patterns in adjacent zones;*
The proposed rezones would not result in any non-conformities as it would just effectuate the intent of the already approved Comprehensive Plan changes. Denial of the rezoning would result in a situation in which the zoning districts are out of compliance with, and do not effectuate, the Comprehensive Plan.
2. *The benefits or detriments accruing to the city which would result from the approval of the associated rezones; and,*
Benefits to the city as a result of the granting of the associated rezones come primarily in the form of additional tax revenue due to the creation of additional housing and additional commercial development, though there are ancillary benefits of significance as well.
3. *The impacts on the environment and public safety.*
Both the change in land-use designation and subsequent area-wide rezonings have been reviewed by the City of Richland and other local and state agencies for compliance with the State of Washington's Growth Management Act and State Environmental Policy Act (SEPA). Development Review Staff will likewise condition future projects to meet Code and other applicable safety and sanitary standards.

SEPA THRESHOLD DETERMINATION

The City of Richland issued a Determination of Non-Significance (DNS) for the proposed Comprehensive Plan amendment and associated rezoning on August 6, 2024 (PLN-T1-2024-00071). No challenges or appeals to the SEPA Determination of Non-Significance (DNS) were filed.

RECOMMENDATION

1. Staff recommends that all text and map amendments included in the 2024 Comprehensive Plan Docket (as amended by staff during the public hearing) be incorporated into the City's official Comprehensive Plan Document.
2. Staff recommends that the associated rezoning be approved, on condition of approval of the Comprehensive Plan amendments.

Commission Alternatives:

- a. Recommend approval of the amendments and subsequent associated rezones as proposed.
- b. Hold additional public hearings.
- c. Modify the proposed changes before forwarding the document to City Council.

SUGGESTED CONCLUSIONS OF LAW

1. The Planning Commission has a legal obligation to hold an open record public hearing and issue a recommendation to the City Council that meets the requirements of Chapter 36.70A RCW.
2. The City Staff, Planning Commission and City Council have involved the public in this planning exercise.
3. The Docket is deemed complete and ready for action by the Planning Commission.
4. For areas that are incorporated into the associated rezoning: future development of any property will be reviewed for consistence and compliance with applicable development regulations in effect at the time of future development. Approval of these zoning map amendments do not vest or imply approval of subsequent developments.
5. The 2017 City of Richland Comprehensive Plan (as amended in 2018-2019, 2020, 21 and again in 2023) and the associated environmental review comply with the goals and requirements of Chapter 36.70A RCW, Chapter 365-195 WAC, Chapter 43.21C RCW, Chapter 197-11 WAC, and City of Richland Municipal Code Chapter 22.09.
6. The Washington State Growth Management Act (GMA), Chapter 36.70A RCW, mandates that Counties and Cities required or choosing to plan under the authority of the Growth Management Act must adopt development regulations consistent with the jurisdictional Comprehensive Plan and state law.
7. The 2024 Comprehensive Plan Amendment Docket will produce no probable significant adverse environmental impacts. A determination of non-significance (DNS) under the State Environmental Policy Act (SEPA) is appropriate for this Comprehensive Plan amendment and Zoning Ordinance Map changes.

SUGGESTED FINDINGS OF FACT

1. RMC 19.90 indicates that the City Council shall consider each Comprehensive Plan amendment and forward those selected to the Planning Commission for processing. Plan amendment applications may be submitted via private application and/or proposed by City Staff and the Council.
2. The deadline for the submittal of Private Party Applications for the consideration as part of the 2024 Comprehensive Plan Docket Policy and Map, and Code Amendments Docket was March 1, 2024.
3. Two (2) applications were received and deemed complete.
4. The City Council conducted a Workshop on April 23, 2024 to review the 2024 Comprehensive Plan Policy and Map, and Code Amendment Docket.
5. The City Council conducted a Public Hearing on June 4, 2024 establishing the 2024 Comprehensive Plan Policy and Map, and Code Amendment Docket.
6. The City of Richland Community Development Department issued a SEPA Threshold Determination of Non-Significance on August 6, 2024 for the proposed 2024 Comprehensive Plan Policy and Map, and Code Amendment Docket (PLN-T1-2024-00071).
7. On August 6, 2024 the City of Richland provided the required sixty (60) day notification under RCW 36.70A.106 to the State of Washington of the City's proposed Comprehensive Plan Policy and Map, and Code Amendment Docket and intent to adopt.
8. On August 26, 2024 the City of Richland provided Notice of Public Hearing to affected parcels and neighboring properties within a 300-foot radius of parcels under consideration.
9. Public Hearing Notice signs were posted on, or near, the two (2) physical properties which had submitted applications for consideration on August 12, 2024.
10. On August 11, 2024 the Tri-City Herald newspaper published notice of SEPA determination on upcoming Comprehensive Plan Docket.
11. All public notification requirements for the public workshops and public hearings were met.
12. On September 8, 2024 the Tri-City Herald newspaper published notice of upcoming

Comprehensive Plan Docket public hearing (September 25, 2024).

13. Darral Moore, J-U-B Engineers, Inc. on behalf of Tom Fisher, HP Pasco, LLC, is proposing to change the Comprehensive Plan Land Use designation for approximately 2.13 acres of land from High-Density Residential to Commercial and rezone the site from C-LB (Commercial Limited Business) to WF (Waterfront). Assessor's Parcel Number 115982011748012, located at 2599 Duportail Street.
14. Richland Properties, LLC is proposing to change the Comprehensive Plan Land Use designations upon property that is approximately 12.62 acres in size by relocating/swapping the locations of the existing commercial and low-density residential comprehensive plan designations. Assessor's Parcel Number 134983000001009, located at 560 Bermuda Road.
15. Based upon the application materials submitted and upon presentation by the applicants, the proposed amendments will not adversely impact the city's ability to provide sewer and water, and, will not adversely affect adopted levels of service standards for other public facilities and services such as parks, police, fire, emergency medical services and governmental services.
16. Adequate infrastructure, facilities and services are available to serve the proposed or potential development expected as a result of these amendments.
17. The proposed amendments are consistent with the goals, policies, and objectives of the Comprehensive Plan.
18. The proposed Comprehensive Plan amendments will not result in probable significant adverse impacts to the transportation network, capital facilities, utilities, parks, and environmental features.
19. The subject parcels being re-designated are physically suitable for the allowed land uses in the designation being requested.
20. The proposed amendments are consistent with the Washington State Growth Management Act, the Benton County planning policies and other applicable local and state policies, agreements, and laws.
21. The proposed amendments will not have a cumulative adverse effect on the planning area.
22. The State of Washington's Growth Management Act (RCW 36.70A) requires that Comprehensive Plans be effectuated by various development regulations such as subdivision regulations, critical areas and zoning.
23. The proposed area-wide rezoning of the properties in question is dependent upon a change in the land-use designation of the Comprehensive Plan.
24. The City is requesting that the Planning Commission authorize the associated rezones in order to bring the zoning into compliance with the change of land-use designations authorized by the passage of the two (2) applications.

RECOMMENDED MOTION

1. "I move that the Planning Commission adopt the findings, conclusions, and recommendation found in the staff report and recommend City Council approve the 2024 Comprehensive Plan Policy and Map, and Code Amendment Docket as amended by staff during the Public Hearing."
2. "I move that the Planning Commission adopt the findings, conclusions and recommendation found in the staff report and recommend City Council approval of the associated rezones."

EXHIBITS

1. Notice of Intent to Adopt Amendment (60-Days Prior to Adoption)
2. PLN-T1-2024-00071 - SEPA Determination of Non-Significance – 2024 Docket
3. CPA2024-101 & Z2024-102 – HP Pasco, LLC
4. CPA2024-102 & Z2024-103 – Richland Properties, LLC
5. Public Notice
6. Agency/Public Remarks and Comments



Department of Commerce

Notice of Intent to Adopt Amendment / Notice of Adoption Cover Sheet

Pursuant to RCW 36.70A.106, the following jurisdiction provides the following required state agency notice.

1. Jurisdiction Name:	City of Richland – Development Services Dept.
2. Select Submittal Type: Select the Type of Submittal listed. (Select One Only)	☒ 60-Day Notice of Intent to Adopt Amendment. ☐ Request of Expedited Review / Notice of Intent to Adopt Amendment. ☐ Supplemental Submittal for existing Notice of Intent to Adopt Amendment. ☐ Notice of Final Adoption of Amendment.
3. Amendment Type: Select Type of Amendment listed. (Select One Only)	☐ Comprehensive Plan Amendment. ☐ Development Regulation Amendment. ☐ Critical Areas Ordinance Amendment. ☒ Combined Comprehensive and Development Regulation Amendments. ☐ Countywide Planning Policy .
4. Description Enter a brief description of the amendment. Begin your description with “Proposed” or “Adopted”, based on the type of Amendment you are submitting. Examples: <i>“Proposed comprehensive plan amendment for the GMA periodic update.”</i> or <i>“Adopted Ordinance 123, adoption amendment to the sign code.”</i> (Maximum 400 characters).	Proposed 2024 Comprehensive Plan Annual Amendment and associated Rezones.



Department of Commerce

5. Is this action part of your 8-year periodic update required under RCW 36.70A.130 of the Growth Management Act (GMA)?	☐ Yes ☒ No
6. Proposed Dates: Enter the anticipated public hearing date(s) for your Planning Commission/Planning Board or for your Council/Commission.	Planning Commission: October 23, 2024 City Council: November 19, 2024 Proposed / Date of Adoption: December 3, 2024
7. Contact Information:	
A. Prefix/Salutation: (Examples: "Mr.", "Ms.", or "The Honorable" (elected official))	Mr.
B. Name:	Mike Stevens
C. Title:	Planning Manager
D. Email:	mstevens@ci.richland.wa.us
E. Work Phone:	(509) 942-7596
F. Cell/Mobile Phone: (optional)	
Consultant Information:	
G. Is this person a consultant?	☐ Yes
H. Consulting Firm name?	
8. Would you like Commerce to contact you for Technical Assistance regarding this submitted amendment?	☐ Yes

REQUIRED: Attach or include a copy of the proposed amendment text or document(s). We do not accept a website hyperlink requiring us to retrieve external documents. Jurisdictions must submit the actual document(s) to Commerce. If you experience difficulty, please email the reviewteam@commerce.wa.gov

Questions? Call the review team at (509) 725-3066.



STATE OF WASHINGTON
DEPARTMENT OF COMMERCE
1011 Plum Street SE • PO Box 42525 • Olympia, Washington 98504-2525 • (360) 725-4000
www.commerce.wa.gov

08/07/2024

Mr. Mike Stevens
Planning Manager
City of Richland
505 Swift Boulevard
Post Office Box 190
Richland, WA 99352

Sent Via Electronic Mail

Re: City of Richland--2024-S-7321--60-day Notice of Intent to Adopt Amendment

Dear Mr. Stevens:

Thank you for sending the Washington State Department of Commerce (Commerce) the 60-day Notice of Intent to Adopt Amendment as required under [RCW 36.70A.106](#). We received your submittal with the following description.

2024 Comprehensive Plan and Development Regulations annual amendment

We received your submittal on 08/06/2024 and processed it with the Submittal ID 2024-S-7321. Please keep this letter as documentation that you have met this procedural requirement. Your 60-day notice period ends on 10/05/2024.

We have forwarded a copy of this notice to other state agencies for comment.

Please remember to submit the final adopted amendment to Commerce within ten days of adoption.

If you have any questions, please contact Growth Management Services at reviewteam@commerce.wa.gov, or call Deanah Watson, (509) 290-4754.

Sincerely,

Review Team
Growth Management Services

Exhibit 2



File No. PLN-T1-2024-00071

CITY OF RICHLAND **Determination of Non-Significance**

Description of Proposal: City of Richland 2024 Comprehensive Plan Amendment Docket and Associated Rezones. The City received two (2) applications and SEPA Checklists for map and/or text amendments. The items have been consolidated into the 2024 Docket of Comprehensive Plan Policies, Maps and Zone Code Amendments (as established by City Council on June 4, 2024) and is file number PLN-T4-2024-00001. Staff has prepared a SEPA Checklist to consolidate environmental review and consider the cumulative effects of the docketed proposals.

The SEPA Checklist and related information can be found by visiting the City of Richland website at <https://www.ci.richland.wa.us/departments/development-services/planning/2024-land-use>

File Number: CPA2024-101 & Z2024-102

Applicant: Darral Moore, J-U-B Engineers, Inc. on behalf of Tom Fisher, HP Pasco, LLC (owner)

Darral Moore, J-U-B Engineers, Inc. on behalf of Tom Fisher, HP Pasco, LLC, is proposing to change the Comprehensive Plan Land Use designation for approximately 2.13 acres of land from High-Density Residential to Commercial and rezone the site from C-LB (Commercial Limited Business) to WF (Waterfront). Assessor's Parcel Number 115982011748012, located at 2599 Duportail Street.

File Number: CPA2024-102 & Z2024-103

Applicant: Richland Properties, LLC

Richland Properties, LLC is proposing to change the Comprehensive Plan Land Use designations upon property that is approximately 12.62 acres in size by relocating/swapping the locations of the existing commercial and low-density residential comprehensive plan designations. Assessor's Parcel Number 134983000001009, located at 560 Bermuda Road.

Lead Agency: City of Richland

The lead agency for this proposal has determined that it does not have a probable significant adverse impact on the environment. An environmental impact statement (EIS) is not required under RCW 43.21C.030(2)(c). This decision was made after review of a

completed environmental checklist and other information on file with the lead agency. This information is available to the public on request.

() There is no comment for the DNS.

(X) This DNS is issued under WAC 197-11-340(2); the lead agency will not act on this proposal for fourteen days from the date of issuance.

() This DNS is issued after using the optional DNS process in WAC 197-11-355. There is no further comment period on the DNS.

Responsible Official: Mike Stevens

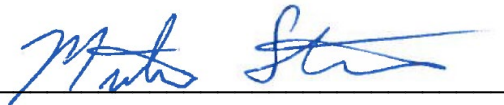
Position/Title: Planning Manager

Address: 625 Swift Blvd., MS #35, Richland, WA 99352

Date: August 6, 2024

Comments Due: August 21, 2024

Signature



SEPA ENVIRONMENTAL CHECKLIST

Purpose of checklist

Governmental agencies use this checklist to help determine whether the environmental impacts of your proposal are significant. This information is also helpful to determine if available avoidance, minimization, or compensatory mitigation measures will address the probable significant impacts or if an environmental impact statement will be prepared to further analyze the proposal.

Instructions for applicants

This environmental checklist asks you to describe some basic information about your proposal. Please answer each question accurately and carefully, to the best of your knowledge. You may need to consult with an agency specialist or private consultant for some questions. **You may use “not applicable” or “does not apply” only when you can explain why it does not apply and not when the answer is unknown.** You may also attach or incorporate by reference additional studies reports. Complete and accurate answers to these questions often avoid delays with the SEPA process as well as later in the decision-making process.

The checklist questions apply to **all parts of your proposal**, even if you plan to do them over a period of time or on different parcels of land. Attach any additional information that will help describe your proposal or its environmental effects. The agency to which you submit this checklist may ask you to explain your answers or provide additional information reasonably related to determining if there may be significant adverse impact.

Instructions for lead agencies

Please adjust the format of this template as needed. Additional information may be necessary to evaluate the existing environment, all interrelated aspects of the proposal and an analysis of adverse impacts. The checklist is considered the first but not necessarily the only source of information needed to make an adequate threshold determination. Once a threshold determination is made, the lead agency is responsible for the completeness and accuracy of the checklist and other supporting documents.

Use of checklist for nonproject proposals

For nonproject proposals (such as ordinances, regulations, plans and programs), complete the applicable parts of sections A and B, plus the [Supplemental Sheet for Nonproject Actions \(Part D\)](#). Please completely answer all questions that apply and note that the words "project," "applicant," and "property or site" should be read as "proposal," "proponent," and "affected geographic area," respectively. The lead agency may exclude (for non-projects) questions in “Part B: Environmental Elements” that do not contribute meaningfully to the analysis of the proposal.

A. Background [Find help answering background questions](#)

1. **Name of proposed project, if applicable:** 2024 Docket of Comprehensive Plan Policies, Maps and Zoning Code Amendments (CPA2024-103), consisting of two (2) map and/or text amendment applications.
2. **Name of applicant:** City of Richland, Development Services Department
3. **Address and phone number of applicant and contact person:**
City of Richland
Attn: Kyle Hendricks, Planner
625 Swift Blvd. MS-35
Richland, WA 99352
(509)942-7683
4. **Date checklist prepared:** 08/01/2024
5. **Agency requesting checklist:** City of Richland, Development Services Department

6. Proposed timing or schedule (including phasing, if applicable): Fall 2024

7. **Do you have any plans for future additions, expansion, or further activity related to or connected with this proposal? If yes, explain.** The city is allowed to amend its Comprehensive Plan and associated development regulations once per year. The landowners who have submitted private-party applications may have future plans to develop their properties.

8. **List any environmental information you know about that has been prepared, or will be prepared, directly related to this proposal.**

City of Richland Comprehensive Plan Integrated Non-project Final Environmental Impact Statement, September 12, 2017.

Individual SEPA Checklists and related information prepared by applicants and submitted for File Numbers CPA2024-101 & Z2024-102 (2599 Duportail Street) and CPA2024-102 & Z2024-103 (560 Bermuda Road).

This checklist is intended to consolidate the private-party applications for the purposes of streamlined environmental review.

No additional environmental information is expected as part of this current proposal. It is likely that some of the properties will require further environmental review when development is proposed.

- 9. Do you know whether applications are pending for governmental approvals of other proposals directly affecting the property covered by your proposal? If yes, explain.** The rezoning applications will be acted upon subsequent to the Comprehensive Plan Amendments.

- 10. List any government approvals or permits that will be needed for your proposal, if known.**

SEPA review, City of Richland

Comprehensive Plan Amendment, City of Richland

Rezone, City of Richland

Future development will need additional permitting based upon the Richland Municipal Code

The City Council is expected to take action on adopting, modifying, or denying the proposed Comprehensive Plan Amendments and associated rezones via ordinance after receiving a recommendation from the Planning Commission conducts open record public hearing(s).

- 11. Give a brief, complete description of your proposal, including the proposed uses and the size of the project and site. There are several questions later in this checklist that ask you to describe certain aspects of your proposal. You do not need to repeat those answers on this page. (Lead agencies may modify this form to include additional specific information on project description.)**

The proposal consists of two (2) map amendments (Comprehensive Plan & Zoning).

Site	Parcel #	Size (Acres)	Current Land Use Designation	Requested Land Use Designation	Current Zoning	Requested Zoning
2599 Duportail Street	115982011748012	2.13 acres	High-Density Residential (HDR)	Commercial	Commercial Limited Business (C-LB)	Waterfront (WF)
560 Bermuda Road	134983000001009	12.62	Commercial and Low-Density Residential (LDR)	Swap the locations	Low Density Residential (R-1-10) and Commercial Limited Business (C-LB)	Swap the locations

12. Location of the proposal. Give sufficient information for a person to understand the precise location of your proposed project, including a street address, if any, and section, township, and range, if known. If a proposal would occur over a range of area, provide the range or boundaries of the site(s). Provide a legal description, site plan, vicinity map, and topographic map, if reasonably available. While you should submit any plans required by the agency, you are not required to duplicate maps or detailed plans submitted with any permit applications related to this checklist.
- See attached maps.

B. Environmental Elements

1. Earth [Find help answering earth questions](#)

a. General description of the site:

Circle or highlight one: Flat, rolling, hilly, steep slopes, mountainous, other:

N/A. Non-project Action.

b. What is the steepest slope on the site (approximate percent slope)?

N/A. Non-project Action.

c. What general types of soils are found on the site (for example, clay, sand, gravel, peat, muck)? If you know the classification of agricultural soils, specify them, and note any agricultural land of long-term commercial significance and whether the proposal results in removing any of these soils.

Much of the city contains soils typically classified as sandy loam.

- d. Are there surface indications or history of unstable soils in the immediate vicinity? If so, describe.**

None known.

- e. Describe the purpose, type, total area, and approximate quantities and total affected area of any filling, excavation, and grading proposed. Indicate source of fill.**

N/A. Non-project action. Future development proposals may include filling, excavation or grading, and will be subject to applicable environmental project review at the time.

- f. Could erosion occur because of clearing, construction, or use? If so, generally describe.**

N/A/ Non-project action. Future projects may result in erosion, but will be subject to applicable environmental project review at the time.

- g. About what percent of the site will be covered with impervious surfaces after project construction (for example, asphalt or buildings)?**

N/A. Non-project action. Future projects will likely result in impervious coverage. Specific projects will be reviewed for compliance with all local, state and/or federal regulations as applicable at time of development.

- h. Proposed measures to reduce or control erosion, or other impacts to the earth, if any.**

N/A. Non-project action. Future projects will be subject to applicable environmental review.

2. Air [Find help answering air questions](#)

a. What types of emissions to the air would result from the proposal during construction, operation, and maintenance when the project is completed? If any, generally describe and give approximate quantities if known.

N/A. Non-project action. Future development of each specific site could result in an increase of emissions. To be reviewed at project time.

b. Are there any off-site sources of emissions or odor that may affect your proposal? If so, generally describe.

N/A. Non-project action.

c. Proposed measures to reduce or control emissions or other impacts to air, if any.

N/A. Non-project action.

3. Water [Find help answering water questions](#)

a. Surface Water: [Find help answering surface water questions](#)

1. Is there any surface water body on or in the immediate vicinity of the site (including year-round and seasonal streams, saltwater, lakes, ponds, wetlands)? If yes, describe type and provide names. If appropriate, state what stream or river it flows into.

N/A. Non-project action.

2. Will the project require any work over, in, or adjacent to (within 200 feet) the described waters? If yes, please describe and attach available plans.

N/A. Non-project action.

3. Estimate the amount of fill and dredge material that would be placed in or removed from surface water or wetlands and indicate the area of the site that would be affected. Indicate the source of fill material.

N/A. Non-project action.

4. Will the proposal require surface water withdrawals or diversions? Give a general description, purpose, and approximate quantities if known.

N/A. Non-project action.

5. **Does the proposal lie within a 100-year floodplain? If so, note location on the site plan.**
None of the proposed map amendment sites are located within the 100-year floodplain.

6. **Does the proposal involve any discharges of waste materials to surface waters? If so, describe the type of waste and anticipated volume of discharge.**
N/A. Non-project action.

b. Ground Water: [Find help answering ground water questions](#)

1. **Will groundwater be withdrawn from a well for drinking water or other purposes? If so, give a general description of the well, proposed uses and approximate quantities withdrawn from the well. Will water be discharged to groundwater? Give a general description, purpose, and approximate quantities if known.**
No. Future development will have access to city water.
2. **Describe waste material that will be discharged into the ground from septic tanks or other sources, if any (domestic sewage; industrial, containing the following chemicals...; agricultural; etc.). Describe the general size of the system, the number of such systems, the number of houses to be served (if applicable), or the number of animals or humans the system(s) are expected to serve.**
N/A. Non-project action. Future development is unknown at this time.

c. Water Runoff (including stormwater):

1. **Describe the source of runoff (including storm water) and method of collection and disposal, if any (include quantities, if known). Where will this water flow? Will this water flow into other waters? If so, describe.**
N/A. Non-project action. Future development may need stormwater management.
2. **Could waste materials enter ground or surface waters? If so, generally describe.**
N/A. Non-project action. Future development proposals are unknown at this time.
3. **Does the proposal alter or otherwise affect drainage patterns in the vicinity of the site? If so, describe.**
N/A. Non-project action. Future site-specific development proposals are unknown at this time.

4. **Proposed measures to reduce or control surface, ground, and runoff water, and drainage pattern impacts, if any.**

N/A. Non-project action.

4. Plants [Find help answering plants questions](#)

- a. **Check the types of vegetation found on the site:**

- ☐ deciduous tree: alder, maple, aspen, other
- ☐ evergreen tree: fir, cedar, pine, other
- ☒ shrubs
- ☒ grass
- ☐ pasture
- ☐ crop or grain
- ☒ orchards, vineyards, or other permanent crops.
- ☐ wet soil plants: cattail, buttercup, bullrush, skunk cabbage, other
- ☐ water plants: water lily, eelgrass, milfoil, other
- ☐ other types of vegetation

- b. **What kind and amount of vegetation will be removed or altered?**

N/A. Non-project action.

- c. **List threatened and endangered species known to be on or near the site.**

N/A/ Non-project action.

- d. **Proposed landscaping, use of native plants, or other measures to preserve or enhance vegetation on the site, if any.**

N/A/ Non-project action.

- e. **List all noxious weeds and invasive species known to be on or near the site.**

N/A/ Non-project action.

5. Animals [Find help answering animal questions](#)

- a. **List any birds and other animals that have been observed on or near the site or are known to be on or near the site.**

Examples include:

- **Birds:** hawk, heron, eagle, songbirds, other:
- **Mammals:** deer, bear, elk, beaver, other:
- **Fish:** bass, salmon, trout, herring, shellfish, other:

Birds and animals in the general area of each specific site include species that are

commonly found in developed environments, such as squirrels, raccoons, small rodents, etc.

b. List any threatened and endangered species known to be on or near the site.

N/A. Non-project action. Future development proposals will be required to comply with the City of Richland's Critical Areas regulations pertaining to threatened and endangered species (Fish & Wildlife Habitat Conservation Areas).

c. Is the site part of a migration route? If so, explain.

Yes, all of Richland is within the Columbia Flyway.

d. Proposed measures to preserve or enhance wildlife, if any.

None proposed.

e. List any invasive animal species known to be on or near the site.

N/A. Non-project action.

6. Energy and Natural Resources [Find help answering energy and natural resource questions](#)

a. What kinds of energy (electric, natural gas, oil, wood stove, solar) will be used to meet the completed project's energy needs? Describe whether it will be used for heating, manufacturing, etc.

N/A. Non-project action.

b. Would your project affect the potential use of solar energy by adjacent properties? If so, generally describe.

N/A. Non-project action.

c. What kinds of energy conservation features are included in the plans of this proposal? List other proposed measures to reduce or control energy impacts, if any.

N/A. Non-project action.

7. Environmental Health [Find help with answering environmental health questions](#)

a. Are there any environmental health hazards, including exposure to toxic chemicals, risk of fire and explosion, spill, or hazardous waste, that could occur because of this proposal? If so, describe.

N/A. Non-project action.

1. Describe any known or possible contamination at the site from present or past uses.

N/A. Non-project action.

- a. **Describe existing hazardous chemicals/conditions that might affect project development and design. This includes underground hazardous liquid and gas transmission pipelines located within the project area and in the vicinity.**
N/A. Non-project action.
- b. **Describe any toxic or hazardous chemicals that might be stored, used, or produced during the project's development or construction, or at any time during the operating life of the project.**
N/A. Non-project action.
- c. **Describe special emergency services that might be required.**
N/A. Non-project action.
- d. **Proposed measures to reduce or control environmental health hazards, if any.**
None.

b. Noise

- 1. **What types of noise exist in the area which may affect your project (for example: traffic, equipment, operation, other)?**
N/A. Non-project action.
- 2. **What types and levels of noise would be created by or associated with the project on a short-term or a long-term basis (for example: traffic, construction, operation, other)? Indicate what hours noise would come from the site?**
N/A. Non-project action.
- 3. **Proposed measures to reduce or control noise impacts, if any.**
N/A. Non-project action.

8. Land and Shoreline Use [Find help answering land and shoreline use questions](#)

- a. **What is the current use of the site and adjacent properties? Will the proposal affect current land uses on nearby or adjacent properties? If so, describe.**
N/A. Non-project action.
- b. **Has the project site been used as working farmlands or working forest lands? If so, describe. How much agricultural or forest land of long-term commercial significance will be converted to other**

uses because of the proposal, if any? If resource lands have not been designated, how many acres in farmland or forest land tax status will be converted to nonfarm or nonforest use?

N/A. Non-project action. However, none of the specific map amendment sites are known to have been used as working farmlands.

- 1. Will the proposal affect or be affected by surrounding working farm or forest land normal business operations, such as oversize equipment access, the application of pesticides, tilling, and harvesting? If so, how?**

N/A. Non-project action.

- c. Describe any structures on the site.**

N/A. Non-project action. See site-specific files for further details.

- d. Will any structures be demolished? If so, what?**

N/A. Non-project action.

- e. What is the current zoning classification of the site?**

2599 Duportail = Commercial Limited Business (C-LB). 560 Bermuda = Low Density Residential (R-1-10) and Commercial Limited Business (C-LB).

- f. What is the current comprehensive plan designation of the site?**

2599 Duportail = High Density Residential. 560 Bermuda = Badger Mountain South Commercial and Low-Density Residential.

- g. If applicable, what is the current shoreline master program designation of the site?**

One of the specific sites is located within the shoreline jurisdiction (2599 Duportail St). It is to be located within the Waterfront shoreline use classification.

- h. Has any part of the site been classified as a critical area by the city or county? If so, specify.**

N/A. Non-project action.

- i. Approximately how many people would reside or work in the completed project?**

N/A. Non-project action.

- j. Approximately how many people would the completed project displace?**

N/A. Non-project action.

- k. Proposed measures to avoid or reduce displacement impacts, if any.**

N/A. Non-project action.

- l. Proposed measures to ensure the proposal is compatible with existing and projected land uses and plans, if any.**

N/A. Non-project action.

- m. Proposed measures to reduce or control impacts to agricultural and forest lands of long-term commercial significance, if any.**

N/A. Non-project action.

9. Housing [Find help answering housing questions](#)

- a. Approximately how many units would be provided, if any? Indicate whether high, middle, or low-income housing.**

N/A. Non-project action. See site-specific files for further details.

- b. Approximately how many units, if any, would be eliminated? Indicate whether high, middle, or low-income housing.**

N/A. Non-project action.

- c. Proposed measures to reduce or control housing impacts, if any.**

N/A. Non-project action.

10. Aesthetics [Find help answering aesthetics questions](#)

- a. What is the tallest height of any proposed structure(s), not including antennas; what is the principal exterior building material(s) proposed?**

N/A. Non-project action.

- b. What views in the immediate vicinity would be altered or obstructed?**

N/A. Non-project action.

- c. Proposed measures to reduce or control aesthetic impacts, if any.**

N/A. Non-project action.

11. Light and Glare [Find help answering light and glare questions](#)

- a. What type of light or glare will the proposal produce? What time of day would it mainly occur?**

N/A. Non-project action.

- b. Could light or glare from the finished project be a safety hazard or interfere with views?**

N/A. Non-project action.

- c. What existing off-site sources of light or glare may affect your proposal?**

N/A. Non-project action.

- d. Proposed measures to reduce or control light and glare impacts, if any.**

N/A. Non-project action.

12. Recreation [Find help answering recreation questions](#)

- a. What designated and informal recreational opportunities are in the immediate vicinity?**

Golf courses, city parks, movie theaters, Columbia River, Rattlesnake Mountain, Yakima River are all within/near the City of Richland.

- b. Would the proposed project displace any existing recreational uses? If so, describe.**

N/A. Non-project action.

- c. Proposed measures to reduce or control impacts on recreation, including recreation opportunities to be provided by the project or applicant, if any.**

N/A. Non-project action.

13. Historic and Cultural Preservation [Find help answering historic and cultural preservation questions](#)

- a. Are there any buildings, structures, or sites, located on or near the site that are over 45 years old listed in or eligible for listing in national, state, or local preservation registers? If so, specifically describe.**

N/A. Non-project action. Future projects will be required to comply with all applicable regulations.

- b. Are there any landmarks, features, or other evidence of Indian or historic use or occupation? This may include human burials or old cemeteries. Are there any material evidence, artifacts, or areas of cultural importance on or near the site? Please list any professional studies conducted at the site to identify such resources.**

N/A. Non-project action.

- c. Describe the methods used to assess the potential impacts to cultural and historic resources on or near the project site. Examples include consultation with tribes and the department of archeology and historic preservation, archaeological surveys, historic maps, GIS data, etc.**

N/A. Non-project action.

- d. Proposed measures to avoid, minimize, or compensate for loss, changes to, and disturbance to resources. Please include plans for the above and any permits that may be required.**

N/A. Non-project action.

14. Transportation [Find help with answering transportation questions](#)

- a. **Identify public streets and highways serving the site or affected geographic area and describe proposed access to the existing street system. Show on site plans, if any.**

N/A. Non-project action.

- b. **Is the site or affected geographic area currently served by public transit? If so, generally describe. If not, what is the approximate distance to the nearest transit stop?**

N/A. Non-project action.

- c. **Will the proposal require any new or improvements to existing roads, streets, pedestrian, bicycle, or state transportation facilities, not including driveways? If so, generally describe (indicate whether public or private).**

N/A. Non-project action.

- d. **Will the project or proposal use (or occur in the immediate vicinity of) water, rail, or air transportation? If so, generally describe.**

N/A. Non-project action. Future development of the various sites may require traffic improvements. See site specific files for additional information regarding traffic.

- e. **How many vehicular trips per day would be generated by the completed project or proposal? If known, indicate when peak volumes would occur and what percentage of the volume would be trucks (such as commercial and nonpassenger vehicles). What data or transportation models were used to make these estimates?**

N/A. Non-project action.

- f. **Will the proposal interfere with, affect, or be affected by the movement of agricultural and forest products on roads or streets in the area? If so, generally describe.**

N/A. Non-project action. See site specific files for additional information regarding traffic.

- g. **Proposed measures to reduce or control transportation impacts, if any.**

N/A. Non-project action.

15. Public Services [Find help answering public service questions](#)

- a. **Would the project result in an increased need for public services (for example: fire protection, police protection, public transit, health care, schools, other)? If so, generally describe.**

N/A. Non-project action. Future development may result in the need for increased public services. Each site specific development will be reviewed for impacts to public services at time of application.

- b. **Proposed measures to reduce or control direct impacts on public services, if any.**

N/A. Non-project action.

16. Utilities [Find help answering utilities questions](#)

- a. **Circle utilities currently available at the site: electricity, natural gas, water, refuse service, telephone, sanitary sewer, septic system, other:**

All typical municipal utilities are located within the City of Richland.

- b. **Describe the utilities that are proposed for the project, the utility providing the service, and the general construction activities on the site or in the immediate vicinity which might be needed.**

N/A. Non-project action.

C. Signature [Find help about who should sign](#)

The above answers are true and complete to the best of my knowledge. I understand that the lead agency is relying on them to make its decision.

Type name of signee: Kyle Hendricks



Position and agency/organization: Planner

Date submitted: 8/1/2024

D. Supplemental sheet for nonproject actions [Find help for the nonproject actions worksheet](#)

IT IS NOT REQUIRED to use this section for project actions.

Because these questions are very general, it may be helpful to read them in conjunction with the list of the elements of the environment.

When answering these questions, be aware of the extent the proposal, or the types of activities likely to result from the proposal, would affect the item at a greater intensity or at a faster rate than if the proposal were not implemented. Respond briefly and in general terms.

1. **How would the proposal be likely to increase discharge to water; emissions to air; production, storage, or release of toxic or hazardous substances; or production of noise?**

The proposed amendments to the Comprehensive Plan and Zoning Code will not likely have any significant impacts to the items specified above.

- **Proposed measures to avoid or reduce such increases are:**
None.

2. How would the proposal be likely to affect plants, animals, fish, or marine life?

The proposed amendments will not likely have any impacts to plants, animals, fish or marine life.

- **Proposed measures to protect or conserve plants, animals, fish, or marine life are:**
None.

3. How would the proposal be likely to deplete energy or natural resources?

The proposed mapping amendments will not result in a depletion of energy or natural resources.

- **Proposed measures to protect or conserve energy and natural resources are:**
None.

4. How would the proposal be likely to use or affect environmentally sensitive areas or areas designated (or eligible or under study) for governmental protection, such as parks, wilderness, wild and scenic rivers, threatened or endangered species habitat, historic or cultural sites, wetlands, floodplains, or prime farmlands?

The proposed mapping amendments will not affect environmentally sensitive areas or areas under governmental protection. The proposed amendments are a non-project action.

- **Proposed measures to protect such resources or to avoid or reduce impacts are:**
None.

5. How would the proposal be likely to affect land and shoreline use, including whether it would allow or encourage land or shoreline uses incompatible with existing plans?

The proposed amendments will not affect shoreline uses and will only result in changes to land uses that are deemed acceptable by the city (if approved).

- **Proposed measures to avoid or reduce shoreline and land use impacts are:**
None.

6. How would the proposal be likely to increase demands on transportation or public services and utilities?

The proposed mapping amendments will not result in an increase to demands on transportation or public services and utilities. Future development proposals for each site will be reviewed for their specific impacts at time of project development.

- **Proposed measures to reduce or respond to such demand(s) are:**
None.

7. Identify, if possible, whether the proposal may conflict with local, state, or federal laws or requirements for the protection of the environment.

The proposed mapping amendments will not result in any conflicts with other local, state or federal laws related to protection of the environment.



Comprehensive Plan Amendment Application

☒ Comprehensive Plan Land Use Map

☐ Text of Comprehensive Plan

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

PROPERTY OWNER INFORMATION

☐ Contact Person

Owner: HP Pasco LLC c/o Tom Fisher

Address: PO Box 752 Richland, WA 99352

Phone: 509-438-1816

Email: tomfisher121@hotmail.com

APPLICANT/CONTRACTOR INFORMATION (if different)

☒ Contact Person

Company: J-U-B Engineers, Inc.

UBI#:

Contact: Darral Moore, P.E.

Address: 3611 S. Zintel Way, Kennewick, WA 99337

Phone: 509-783-2144

Email: dmoore@jub.com

PROPERTY INFORMATION

Legal Description:

Lot 2 of Record of Survey 4182

Parcel Number: 115982011748012

Current Zoning: C-LB

Current Land Use Designation: High Density Residential

APPLICATION REQUIREMENTS – Submit as required or attach written statements explaining the following:

1. Completed application and filing fee;
2. The purpose of the proposed amendment;
3. Describe how the amendment is consistent with Washington State Growth Management Act-RCW 36.70A (the goals of the Act are listed in 36.70A.020);
4. How the amendment is consistent with the adopted countywide planning policies;
5. How the amendment furthers the purpose of the City's comprehensive plan;
6. How the amendment is internally consistent with the City's comprehensive plan, as well as other adopted City plans and codes;
7. If applicable, how the project will meet concurrency requirements for transportation;
8. As necessary, supplemental environmental review and/or critical areas review, as determined by the Administrator;
9. **Comprehensive Plan TEXT AMENDMENT applications must also include:**
 - a. The proposed element, chapter, section and page number of the comp. plan to be amended;
 - b. The proposed text change, with new text underlined and deleted text crossed out;
10. **Comprehensive Plan MAP AMENDMENT applications must also include:**
 - a. The current land use map designation for the subject parcel(s);
 - b. The land use map designation requested;
 - c. A complete legal description describing the combined area of the subject parcel(s);
 - d. A vicinity map showing:
 - i. All land use designations within 300 feet of the subject parcel(s);
 - ii. All parcels within 300 feet of the subject parcel and all existing uses of those parcels;
 - iii. All roads abutting and/or providing access to the subject parcel(s) including information on road classification (arterial, collector, access) and improvements to such roads;
 - iv. Location of shorelines and critical areas on or within 300 feet of the site, if applicable;

- v. The location of existing utilities serving the subject parcels, including electrical, water, and sewer;
 - vi. The location and uses of existing structures located on the subject parcel(s);
- e. Topographical map of the subject parcels and abutting properties at a minimum scale of one inch represents 200 feet (1:200);
- f. The current official zoning map designation for the subject parcel(s);
- g. A detailed plan which indicates any proposed improvements to:
 - i. Paved streets;
 - ii. Storm drainage control and detention facilities;
 - iii. Public water supply;
 - iv. Public sanitary sewers;
 - v. Circulation and traffic patterns for the development and the surrounding neighborhoods;
- h. A corresponding zoning map amendment application, where necessary, to maintain consistency between the land use and zoning maps. The rezone application will be processed separately from, and after, the comprehensive plan amendment;
- i. A description of any associated development proposals. Development proposals shall not be processed concurrently with comprehensive plan amendments, but the development proposals may be submitted for consideration of the comprehensive plan amendments to limit consideration of all proposed uses and densities of the property under the City's SEPA, zoning and comprehensive land use plan. If no proposed development description is provided, the City will assume that the applicant intends to develop the property with the most intense development allowed under the proposed land use designation. The City shall assume the maximum impact, unless the applicant submits with the comprehensive plan amendment a development agreement to ameliorate the adverse impact(s) of the proposed development.

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

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

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

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

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

Applicant Printed Name: Darral Moore

Applicant Signature:  Date March 01, 2024

Key: 62e6b5f0794ad0c8364e675742f989d38



Zoning Map Amendment Application

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

PROPERTY OWNER INFORMATION

☐ Contact Person

Owner: HP Pasco LLC c/o Tom Fisher

Address: PO Box 752, Richland, WA 99352

Phone: 509-438-1816

Email: tomfisher121@hotmail.com

APPLICANT/CONTRACTOR INFORMATION (if different)

☒ Contact Person

Company: J-U-B ENGINEERS, Inc.

UBI#

Contact: Darral Moore, P.E.

Address: 3611 S. Zintel Way, Kennewick, WA 99337

Phone: (509) 783-2144

Email: dmoore@jub.com

DESCRIPTION OF WORK

Amend the City's Zoning Map for a property currently zoned C-LB and rezone to Waterfront

PROPERTY INFORMATION

Parcel #: 1-1598-201-1748-012

Legal Description: See attachment A.

Current Zoning: C-LB

Current Comp Plan: HDR

Requested Zoning: Waterfront

Current Use: UNDEVELOPED

Proposed Use: Commercial

Area of Property: 1.6 acres

APPLICATION MUST INCLUDE

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

ANSWER QUESTIONS AS COMPLETELY AS POSSIBLE

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

The property owner has a variety of successful commercial properties in the Tri-Cities area.

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

The property owner will not be able to develop the land for its proposed use

The manner in which the proposed rezone conforms to patterns in adjacent zones:
The site plan for the rezone property will meet all City standards and be cohesive with the adjacent zones.

Any beneficial or adverse effects the granting or denial of the rezone would have on adjacent or surrounding zones:
With the approval of this zone change, the surrounding properties (predominately residential) will have more access to commercial use within walking distance.

Any beneficial or adverse effects the granting or denial of the rezone would have in relation to the overall purpose and intent of the comprehensive plan and this title:
The approval of this rezone will encourage economic diversification and create additional jobs in the area.

The benefits or detriments accruing to the city which would result from the granting or denial of this special permit:
The approval of the rezone will provide commercial development opportunities.

Whether the proposed rezone represents a better use of the land from the standpoint of the comprehensive plan than the original zone:
The comprehensive plan currently has the property identified as High Density Residential. With a land use change to Commercial, it will create jobs and economic diversification in a predominately residential area, creating mixed-uses.

Whether the proposed rezone represents spot zoning and whether a larger area should be considered:
The approval of the rezone will provide commercial flexibility for uses and services compatible to the core of the City.

Identify impacts on the environment and public safety:
There will be no environmental or public safety impacts.

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

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

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

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

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

Applicant Printed Name: Darral Moore

Applicant Signature: 

Date 3/1/2024

COMPREHENSIVE PLAN AMENDMENT APPLICATION

1. The purpose of the proposed amendment;
The purpose of this amendment is to rezone the property currently zoned C-LB (Limited Business). The future zoning is proposed to be Waterfront.
2. Describe how the amendment is consistent with Washington State Growth Management Act-RCW 36.70A (The goals and the Act for listed in 36.70A.020);
The amendment is consistent Washington State Growth Management Act-RCW 36.70A because the parcel to be rezoned will encourage economic growth and provide opportunities for citizens in the surrounding area, all within the capacities of the state's public facilities.
3. How the amendment is consistent with the adopted countywide planning policies;
Rezoning to Waterfront is consistent with county wide policies creating urban growth. This will encourage development where adequate public facilities exist or can be provided.
4. How the amendment furthers the purpose of the city's comprehensive plan;
Community Goal 2 of the City of Richland Comprehensive Plan states, "Create a vibrant, progressive, and physically, socially, economically, and culturally diverse community providing chooses of jobs, housing, and recreational opportunities to its residents of all ages." The rezone will further the goal to create more economic diversity in the area and increase in jobs for the nearby residents.
5. How the amendment is internally consistent with the city's comprehensive plan, as well as other adopted city plans and codes;
Land Use Goal 2: Establish land uses that are sustainable and create livable and vibrant community encourages a variety of land use designations to accommodate commercial uses that will take advantage of the existing infrastructure network. With the new Duportail Bridge, traffic will increase, therefore the need for retail businesses arises.
6. If applicable, how the project will meet concurrency requirements for transportation;
The proposed use will include sidewalks, improved shoulders, and pedestrian friendly signage.
7. As necessary, supplemental environmental review and/or critical areas review, as determined by the Administrator;
The property is located within the Aquifer Recharge Area. Per Richland Municipal Code 22.10.350 Uses prohibited in critical aquifer recharge areas (CARA), the following activities and uses are prohibited: landfills, underground injection wells, mining, wood treatment facilities, and storage, processing, or disposal of radioactive substances. The proposed use of the property may include a drive-thru coffee shop and small strip building for convenient store, permitted uses.
8. Comprehensive Plan TEXT AMEDNMENT application must also include;

Date: 2/27/2024

- a. The proposed element, chapter, section and page number of the comp plan to be amended; **N/A**
 - b. The proposed text change, with new underlined and deleted text crossed out; **N/A**
9. Comprehensive Plan MAP AMENDMENT applications must also include;
- a. The current land use map designation for the subject parcel(s).
The current land use for the parcel is High Density Residential.
 - b. The land use map designation requested.
The amendment is asking for the land use to change to Waterfront.
 - c. A complete legal description describing the combined area of the subject parcel(s)
See Record Survey No. 4185 – New Parcel, Lot 2 (attached).
 - d. A vicinity map showing:
See attachment C.
 - i. All land use designation within 300 feet of the subject parcel(s);
 - ii. All parcels within 300 feet of the subject parcel and all existing uses of those parcels;
 - iii. All road abutting and/or providing access to the subject parcel(s) including information on road classification (arterial, collector, access) and improvements to such roads;
 - iv. Location of shorelines and critical areas on or within 300 feet of the site, if application; ***The site is completely within the Aquifer Recharge Area.***
 - v. The location of existing utilities serving the subject parcels including electrical, water, and sewer’
 - vi. The location and uses of existing structures location on the subject parcel(s);
None.
 - e. Topographical map of the subject parcels and abutting properties at a scale of a minimum of one inch represents 200 feet (1:200);
See attachment D.
 - f. The current official zoning map designation for the subject parcel(s);
The property is currently zoned C-LB (Limited Business).

Date: 2/27/2024

- g. A detailed plan within indicates any proposed improve
 - i. Paved streets;
 - ii. Storm drainage control and detention facilities;
 - iii. Public water supply'
 - iv. Public sanitary sewers;
 - v. Circulation and traffic patterns for the development and the surrounding neighborhoods;

See attachment E.

- h. A corresponding zoning map amendment application, where necessary to maintain consistency between the land use and zoning maps. The rezone application will be processed separately from, and after, the comprehensive plan amendment;

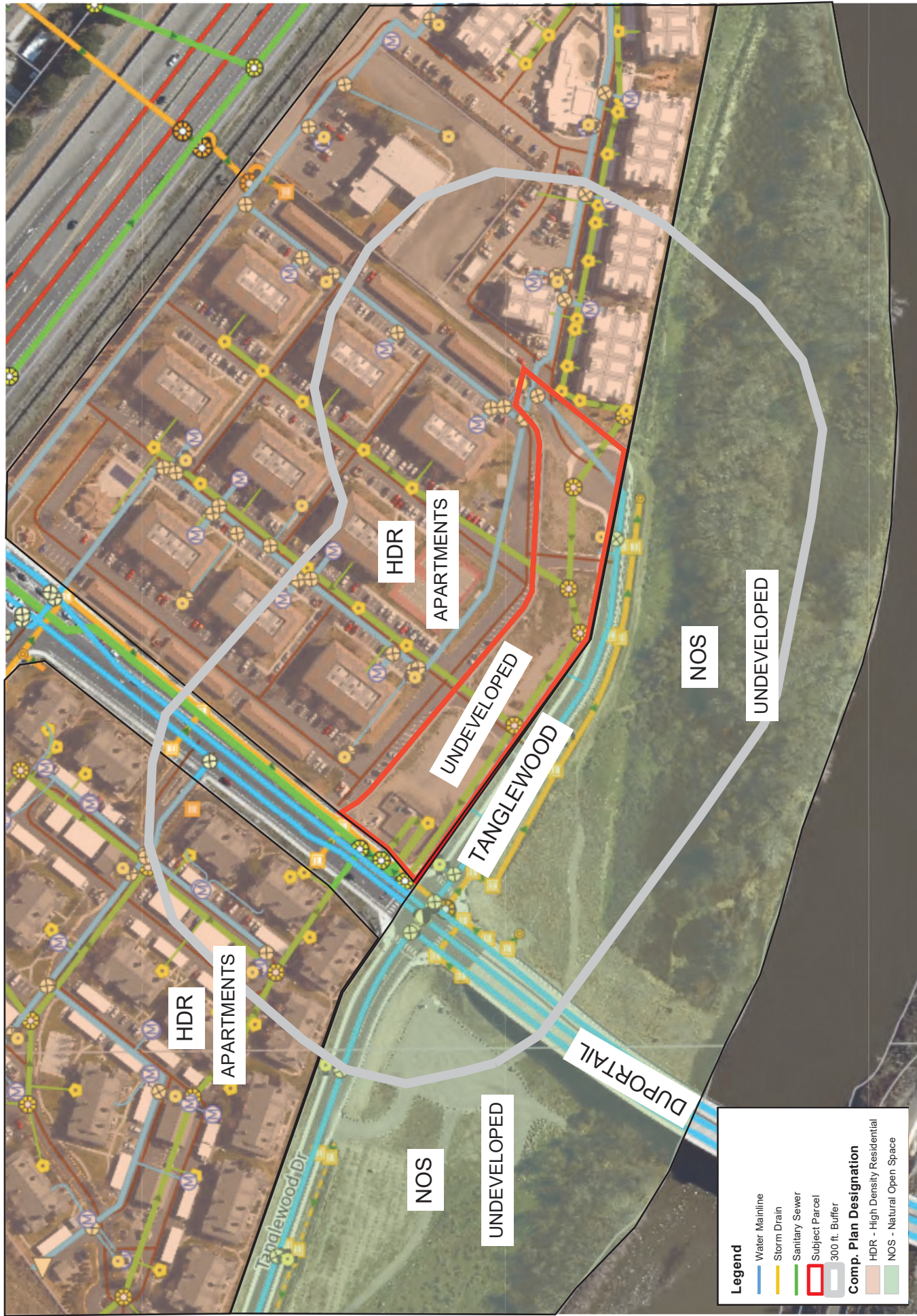
A zoning map amendment application is attached.

- i. A description of any associated development proposals. Development proposals shall not be processed concurrent with comprehensive plan amendment, but the development proposals may be submitted for consideration of the comprehensive plan amendments to limit consideration of all proposed uses and densities of the property under the city's SEPA, zoning and comprehensive land use plan. If no proposed development description is provided, the city will assume that the applicant intends to develop the property with the most intense development allowed under the proposed land use designation. The city shall assume the maximum impact, unless the applicant submits with the comprehensive plan amendment a development agreement to ameliorate the adverse impact(s) of the proposed development.

The proposed rezone design plan has taken the surrounding zones into consideration. The property owner(s) proposes to rezone C-LB to Waterfront, with the ability for commercial use that may include drive-thru restaurant.

The Waterfront zone will give the community opportunities for economic diversification and employment opportunities. The potential uses for the parcel to be rezoned to Waterfront may include a drive-thru coffee shop, restaurant/bar, small convenient store or other similar uses.

The current lot is undeveloped and not improving economic or employment opportunities. The rezone will encourage growth and continue to develop the community with landscaping and streetscape design.



Legend

- Water Mainline
- Storm Drain
- Sanitary Sewer
- Subject Parcel
- 300 ft. Buffer

Comp. Plan Designation

- HDR - High Density Residential
- NOS - Natural Open Space

Attachment C - Vicinity Map

200 Feet
1 inch = 200 feet
Date: 2/10/2020





Document Path: \\jub.com\Central\Clients\VA\HFPasco\Projects\30-20-014 Tanglewood\GIS\Projects\Tanglewood\Property Topo.mxd
Username: eridley

Sources: Esri, DigitalGlobe, GeoEye, Earthstar Geographics, CNES/Airbus DS, USDA, USGS, AeroGRID, IGN, and the GIS User Community



Attachment D - Topography Map



200 Feet

1 inch = 200 feet

Date: 2/10/2020

RETURN ADDRESS:

NUMERICA CREDIT UNION
ATTN: LOAN
ADMINISTRATION
PO BOX 4000
SPOKANE VALLEY, WA
99037

3164681

113

DEED OF TRUST**DATE: December 6, 2018**

Reference # (if applicable): _____

Additional on page _____

Grantor(s):

1. HF PASCO, LLC

Grantee(s)

1. NUMERICA CREDIT UNION
2. FIRST AMERICAN TITLE INSURANCE COMPANY, Trustee

Legal Description: Portion of Lot 2, Record Survey No. 3572

Additional on page _____

Assessor's Tax Parcel ID#: 115982011748012

THIS DEED OF TRUST is dated December 6, 2018, among HF Pasco, LLC, a Washington limited liability company ("Grantor"); NUMERICA CREDIT UNION, whose mailing address is LOAN ADMINISTRATION, PO BOX 4000, SPOKANE VALLEY, WA 99037 (referred to below sometimes as "Lender" and sometimes as "Beneficiary"); and FIRST AMERICAN TITLE INSURANCE COMPANY, whose mailing address is 8109 W GRANDRIDGE BLVD SUITE 110, KENNEWICK, WA 99336 (referred to below as "Trustee").

Loan No: 869532-63

**DEED OF TRUST
(Continued)**

Page 2

CONVEYANCE AND GRANT. For valuable consideration, Grantor conveys to Trustee in trust with power of sale, right of entry and possession and for the benefit of Lender as Beneficiary, all of Grantor's right, title, and interest in and to the following described real property, together with all existing or subsequently erected or affixed buildings, improvements and fixtures; all easements, rights of way, and appurtenances; all water, water rights and ditch rights (including stock in utilities with ditch or irrigation rights); and all other rights, royalties, and profits relating to the real property, including without limitation all minerals, oil, gas, geothermal and similar matters, **(the "Real Property")** located in BENTON County, State of Washington:

See EXHIBIT A, which is attached to this Deed of Trust and made a part of this Deed of Trust as if fully set forth herein.

The Real Property or its address is commonly known as **2595 DUPORTAIL ST, RICHLAND, WA 99352**. The Real Property tax identification number is **115982011748012**.

Grantor hereby assigns as security to Lender, all of Grantor's right, title, and interest in and to all leases, Rents, and profits of the Property. This assignment is recorded in accordance with RCW 65.08.070; the lien created by this assignment is intended to be specific, perfected and choate upon the recording of this Deed of Trust. Lender grants to Grantor a license to collect the Rents and profits, which license may be revoked at Lender's option and shall be automatically revoked upon acceleration of all or part of the Indebtedness. In addition, Grantor grants to Lender a Uniform Commercial Code security interest in the Personal Property and Rents.

THIS DEED OF TRUST, INCLUDING THE ASSIGNMENT OF RENTS AND THE SECURITY INTEREST IN THE RENTS AND PERSONAL PROPERTY, IS GIVEN TO SECURE (A) PAYMENT OF THE INDEBTEDNESS AND (B) PERFORMANCE OF ANY AND ALL OBLIGATIONS UNDER THE NOTE, THE RELATED DOCUMENTS, AND THIS DEED OF TRUST. THIS DEED OF TRUST IS GIVEN AND ACCEPTED ON THE FOLLOWING TERMS:

PAYMENT AND PERFORMANCE. Except as otherwise provided in this Deed of Trust, Grantor shall pay to Lender all amounts secured by this Deed of Trust as they become due, and shall strictly and in a timely manner perform all of Grantor's obligations under the Note, this Deed of Trust, and the Related Documents.

POSSESSION AND MAINTENANCE OF THE PROPERTY. Grantor agrees that Grantor's possession and use of the Property shall be governed by the following provisions:

Possession and Use. Until the occurrence of an Event of Default, Grantor may (1) remain in possession and control of the Property; (2) use, operate or manage the Property; and (3) collect the Rents from the Property (this privilege is a license from Lender to Grantor automatically revoked upon default). The following provisions relate to the use of the Property or to other limitations on the Property. The Real Property is not used principally for agricultural purposes.

Duty to Maintain. Grantor shall maintain the Property in tenantable condition and promptly perform all repairs, replacements, and maintenance necessary to preserve its value.

Nuisance, Waste. Grantor shall not cause, conduct or permit any nuisance nor commit, permit, or suffer any stripping of or waste on or to the Property or any portion of the Property. Without limiting the generality of the foregoing, Grantor will not remove, or grant to any other party the right to remove, any timber, minerals (including oil and gas), coal, clay, scoria, soil, gravel or rock products without Lender's prior written consent.

Removal of Improvements. Grantor shall not demolish or remove any Improvements from the Real Property without Lender's prior written consent. As a condition to the removal of any Improvements, Lender may require Grantor to make arrangements satisfactory to Lender to replace such Improvements with Improvements of at least equal value.

Lender's Right to Enter. Lender and Lender's agents and representatives may enter upon the Real Property at all reasonable times to attend to Lender's interests and to inspect the Real Property for purposes of Grantor's compliance with the terms and conditions of this Deed of Trust.

Compliance with Governmental Requirements. Grantor shall promptly comply, and shall promptly cause compliance by all agents, tenants or other persons or entities of every nature whatsoever who rent, lease or otherwise use or occupy the Property in any manner, with all laws, ordinances, and regulations, now or hereafter in effect, of all governmental authorities applicable to the use or occupancy of the Property, including without limitation, the Americans With Disabilities Act. Grantor may contest in good faith any such law, ordinance, or regulation and withhold compliance during any proceeding, including appropriate appeals, so long as Grantor has notified Lender in writing prior to doing so and so long as, in Lender's sole opinion, Lender's interests in the Property are not jeopardized. Lender may require Grantor to post adequate security or a surety bond, reasonably satisfactory to Lender, to protect Lender's interest.

**DEED OF TRUST
(Continued)**

Loan No: 869532-63

Page 3

Duty to Protect. Grantor agrees neither to abandon or leave unattended the Property. Grantor shall do all other acts, in addition to those acts set forth above in this section, which from the character and use of the Property are reasonably necessary to protect and preserve the Property.

DUE ON SALE - CONSENT BY LENDER. Lender may, at Lender's option, (A) declare immediately due and payable all sums secured by this Deed of Trust or (B) increase the interest rate provided for in the Note or other document evidencing the indebtedness and impose such other conditions as Lender deems appropriate, upon the sale or transfer, without Lender's prior written consent, of all or any part of the Real Property, or any interest in the Real Property. A "sale or transfer" means the conveyance of Real Property or any right, title or interest in the Real Property; whether legal, beneficial or equitable; whether voluntary or involuntary; whether by outright sale, deed, installment sale contract, land contract, contract for deed, leasehold interest with a term greater than three (3) years, lease-option contract, or by sale, assignment, or transfer of any beneficial interest in or to any land trust holding title to the Real Property, or by any other method of conveyance of an interest in the Real Property. However, this option shall not be exercised by Lender if such exercise is prohibited by federal law or by Washington law.

TAXES AND LIENS. The following provisions relating to the taxes and liens on the Property are part of this Deed of Trust:

Payment. Grantor shall pay when due (and in all events prior to delinquency) all taxes, special taxes, assessments, charges (including water and sewer), fines and impositions levied against or on account of the Property, and shall pay when due all claims for work done on or for services rendered or material furnished to the Property. Grantor shall maintain the Property free of all liens having priority over or equal to the interest of Lender under this Deed of Trust, except for the lien of taxes and assessments not due and except as otherwise provided in this Deed of Trust.

Right to Contest. Grantor may withhold payment of any tax, assessment, or claim in connection with a good faith dispute over the obligation to pay, so long as Lender's interest in the Property is not jeopardized. If a lien arises or is filed as a result of nonpayment, Grantor shall within fifteen (15) days after the lien arises or, if a lien is filed, within fifteen (15) days after Grantor has notice of the filing, secure the discharge of the lien, or if requested by Lender, deposit with Lender cash or a sufficient corporate surety bond or other security satisfactory to Lender in an amount sufficient to discharge the lien plus any costs and attorneys' fees, or other charges that could accrue as a result of a foreclosure or sale under the lien. In any contest, Grantor shall defend itself and Lender and shall satisfy any adverse judgment before enforcement against the Property. Grantor shall name Lender as an additional obligee under any surety bond furnished in the contest proceedings.

Evidence of Payment. Grantor shall upon demand furnish to Lender satisfactory evidence of payment of the taxes or assessments and shall authorize the appropriate governmental official to deliver to Lender at any time a written statement of the taxes and assessments against the Property.

Notice of Construction. Grantor shall notify Lender at least fifteen (15) days before any work is commenced, any services are furnished, or any materials are supplied to the Property, if any mechanic's lien, materialmen's lien, or other lien could be asserted on account of the work, services, or materials. Grantor will upon request of Lender furnish to Lender advance assurances satisfactory to Lender that Grantor can and will pay the cost of such improvements.

PROPERTY DAMAGE INSURANCE. The following provisions relating to insuring the Property are a part of this Deed of Trust.

Maintenance of Insurance. Grantor shall procure and maintain policies of fire insurance with standard extended coverage endorsements on a fair value basis for the full insurable value covering all improvements on the Real Property in an amount sufficient to avoid application of any coinsurance clause, and with a standard mortgagee clause in favor of Lender. Grantor shall also procure and maintain comprehensive general liability insurance in such coverage amounts as Lender may request with Trustee and Lender being named as additional insureds in such liability insurance policies. Additionally, Grantor shall maintain such other insurance, including but not limited to hazard, business interruption, and boiler insurance, as Lender may reasonably require. Policies shall be written in form, amounts, coverages and basis reasonably acceptable to Lender and issued by a company or companies reasonably acceptable to Lender. Grantor, upon request of Lender, will deliver to Lender from time to time the policies or certificates of insurance in form satisfactory to Lender, including stipulations that coverages will not be cancelled or diminished without at least ten (10) days prior written notice to Lender. Each insurance policy also shall include an endorsement providing that coverage in favor of Lender will not be impaired in any way by any act, omission or default of Grantor or any other person. Should the Real Property be located in an area designated by the Administrator of the Federal Emergency Management Agency as a special flood hazard area, Grantor agrees to obtain and maintain Federal Flood Insurance, if available, for the full unpaid principal balance of the loan and any prior liens on the property securing the loan, up to the maximum policy limits set under the National Flood Insurance Program, or as otherwise required by Lender, and to maintain such insurance for the term of the loan.

Application of Proceeds. Grantor shall promptly notify Lender of any loss or damage to the Property. Lender may

DEED OF TRUST (Continued)

Loan No: 869532-63

Page 4

make proof of loss if Grantor fails to do so within fifteen (15) days of the casualty. Whether or not Lender's security is impaired, Lender may, at Lender's election, receive and retain the proceeds of any insurance and apply the proceeds to the reduction of the Indebtedness, payment of any lien affecting the Property, or the restoration and repair of the Property. If Lender elects to apply the proceeds to restoration and repair, Grantor shall repair or replace the damaged or destroyed Improvements in a manner satisfactory to Lender. Lender shall, upon satisfactory proof of such expenditure, pay or reimburse Grantor from the proceeds for the reasonable cost of repair or restoration if Grantor is not in default under this Deed of Trust. Any proceeds which have not been disbursed within 180 days after their receipt and which Lender has not committed to the repair or restoration of the Property shall be used first to pay any amount owing to Lender under this Deed of Trust, then to pay accrued interest, and the remainder, if any, shall be applied to the principal balance of the Indebtedness. If Lender holds any proceeds after payment in full of the Indebtedness, such proceeds shall be paid without interest to Grantor as Grantor's interests may appear.

Grantor's Report on Insurance. Upon request of Lender, however not more than once a year, Grantor shall furnish to Lender a report on each existing policy of insurance showing: (1) the name of the insurer; (2) the risks insured; (3) the amount of the policy; (4) the property insured, the then current replacement value of such property, and the manner of determining that value; and (5) the expiration date of the policy. Grantor shall, upon request of Lender, have an independent appraiser satisfactory to Lender determine the cash value replacement cost of the Property.

LENDER'S EXPENDITURES. If any action or proceeding is commenced that would materially affect Lender's interest in the Property or if Grantor fails to comply with any provision of this Deed of Trust or any Related Documents, including but not limited to Grantor's failure to discharge or pay when due any amounts Grantor is required to discharge or pay under this Deed of Trust or any Related Documents, Lender on Grantor's behalf may (but shall not be obligated to) take any action that Lender deems appropriate, including but not limited to discharging or paying all taxes, liens, security interests, encumbrances and other claims, at any time levied or placed on the Property and paying all costs for insuring, maintaining and preserving the Property. All such expenditures incurred or paid by Lender for such purposes will then bear interest at the rate charged under the Note from the date incurred or paid by Lender to the date of repayment by Grantor. All such expenses will become a part of the Indebtedness and, at Lender's option, will (A) be payable on demand; (B) be added to the balance of the Note and be apportioned among and be payable with any installment payments to become due during either (1) the term of any applicable insurance policy; or (2) the remaining term of the Note; or (C) be treated as a balloon payment which will be due and payable at the Note's maturity. The Deed of Trust also will secure payment of these amounts. Such right shall be in addition to all other rights and remedies to which Lender may be entitled upon Default.

WARRANTY; DEFENSE OF TITLE. The following provisions relating to ownership of the Property are a part of this Deed of Trust:

Title. Grantor warrants that: (a) Grantor holds good and marketable title of record to the Property in fee simple, free and clear of all liens and encumbrances other than those set forth in the Real Property description or in any title insurance policy, title report, or final title opinion issued in favor of, and accepted by, Lender in connection with this Deed of Trust; and (b) Grantor has the full right, power, and authority to execute and deliver this Deed of Trust to Lender.

Defense of Title. Subject to the exception in the paragraph above, Grantor warrants and will forever defend the title to the Property against the lawful claims of all persons. In the event any action or proceeding is commenced that questions Grantor's title or the interest of Trustee or Lender under this Deed of Trust, Grantor shall defend the action at Grantor's expense. Grantor may be the nominal party in such proceeding, but Lender shall be entitled to participate in the proceeding and to be represented in the proceeding by counsel of Lender's own choice, and Grantor will deliver, or cause to be delivered, to Lender such instruments as Lender may request from time to time to permit such participation.

Compliance With Laws. Grantor warrants that the Property and Grantor's use of the Property complies with all existing applicable laws, ordinances, and regulations of governmental authorities.

Survival of Representations and Warranties. All representations, warranties, and agreements made by Grantor in this Deed of Trust shall survive the execution and delivery of this Deed of Trust, shall be continuing in nature, and shall remain in full force and effect until such time as Grantor's Indebtedness shall be paid in full.

CONDEMNATION. The following provisions relating to condemnation proceedings are a part of this Deed of Trust:

Proceedings. If any proceeding in condemnation is filed, Grantor shall promptly notify Lender in writing, and Grantor shall promptly take such steps as may be necessary to defend the action and obtain the award. Grantor may be the nominal party in such proceeding, but Lender shall be entitled to participate in the proceeding and to be represented in the proceeding by counsel of its own choice all at Grantor's expense, and Grantor will deliver or cause to be delivered to Lender such instruments and documentation as may be requested by Lender from time to time to permit such participation.

**DEED OF TRUST
(Continued)**

Loan No: 869532-63

Page 5

Assignment of Proceeds. Grantor hereby assigns to Beneficiary all right, title and interest of Grantor in any award, settlement, sale or purchase, claim for damages (direct, incidental or consequential) or any other proceeds due in connection with any condemnation or other taking of all or part of the Property or for conveyance in lieu of condemnation, all whether now or hereafter existing (hereinafter referred to as "Condemnation").

Application of Net Proceeds. Upon any Condemnation, Lender may at its election require that all or any portion of the net proceeds of the Condemnation be applied to the Indebtedness or the repair or restoration of the Property. The net proceeds of the Condemnation shall mean the amount after payment of all reasonable costs, expenses, and attorneys' fees incurred by Trustee or Lender in connection with the Condemnation.

IMPOSITION OF TAXES, FEES AND CHARGES BY GOVERNMENTAL AUTHORITIES. The following provisions relating to governmental taxes, fees and charges are a part of this Deed of Trust:

Current Taxes, Fees and Charges. Upon request by Lender, Grantor shall execute such documents in addition to this Deed of Trust and take whatever other action is requested by Lender to perfect and continue Lender's lien on the Real Property. Grantor shall reimburse Lender for all taxes, as described below, together with all expenses incurred in recording, perfecting or continuing this Deed of Trust, including without limitation all taxes, fees, documentary stamps, and other charges for recording or registering this Deed of Trust.

Taxes. The following shall constitute taxes to which this section applies: (1) a specific tax upon this type of Deed of Trust or upon all or any part of the Indebtedness secured by this Deed of Trust; (2) a specific tax on Grantor which Grantor is authorized or required to deduct from payments on the Indebtedness secured by this type of Deed of Trust; (3) a tax on this type of Deed of Trust chargeable against the Lender or the holder of the Note; and (4) a specific tax on all or any portion of the Indebtedness or on payments of principal and interest made by Grantor.

Subsequent Taxes. If any tax to which this section applies is enacted subsequent to the date of this Deed of Trust, this event shall have the same effect as an Event of Default, and Lender may exercise any or all of its available remedies for an Event of Default as provided below unless Grantor either (1) pays the tax before it becomes delinquent, or (2) contests the tax as provided above in the Taxes and Liens section and deposits with Lender cash or a sufficient corporate surety bond or other security satisfactory to Lender.

SECURITY AGREEMENT; FINANCING STATEMENTS. The following provisions relating to this Deed of Trust as a security agreement are a part of this Deed of Trust:

Security Agreement. This instrument shall constitute a Security Agreement to the extent any of the Property constitutes fixtures, and Lender shall have all of the rights of a secured party under the Uniform Commercial Code as amended from time to time.

Security Interest. Upon request by Lender, Grantor shall take whatever action is requested by Lender to perfect and continue Lender's security interest in the Rents and Personal Property. In addition to recording this Deed of Trust in the real property records, Lender may, at any time and without further authorization from Grantor, file executed counterparts, copies of reproductions of this Deed of Trust as a financing statement. Grantor shall reimburse Lender for all expenses incurred in perfecting or continuing this security interest. Upon default, Grantor shall not remove, sever or detach the Personal Property from the Property. Upon default, Grantor shall assemble any Personal Property not affixed to the Property in a manner and at a place reasonably convenient to Grantor and Lender and make it available to Lender within three (3) days after receipt of written demand from Lender to the extent permitted by applicable law.

Addresses. The mailing addresses of Grantor (debtor) and Lender (secured party) from which information concerning the security interest granted by this Deed of Trust may be obtained (each as required by the Uniform Commercial Code) are as stated on the first page of this Deed of Trust.

FURTHER ASSURANCES; ATTORNEY-IN-FACT. The following provisions relating to further assurances and attorney-in-fact are a part of this Deed of Trust:

Further Assurances. At any time, and from time to time, upon request of Lender, Grantor will make, execute and deliver, or will cause to be made, executed or delivered, to Lender or to Lender's designee, and when requested by Lender, cause to be filed, recorded, refiled, or rerecorded, as the case may be, at such times and in such offices and places as Lender may deem appropriate, any and all such mortgages, deeds of trust, security deeds, security agreements, financing statements, continuation statements, instruments of further assurance, certificates, and other documents as may, in the sole opinion of Lender, be necessary or desirable in order to effectuate, complete, perfect, continue, or preserve (1) Grantor's obligations under the Note, this Deed of Trust, and the Related Documents, and (2) the liens and security interests created by this Deed of Trust as first and prior liens on the Property, whether now owned or hereafter acquired by Grantor. Unless prohibited by law or Lender agrees to the contrary in writing, Grantor shall reimburse Lender for all costs and expenses incurred in connection with the matters referred to in this paragraph.

Attorney-in-Fact. If Grantor fails to do any of the things referred to in the preceding paragraph, Lender may do so

DEED OF TRUST (Continued)

Loan No: 869532-63

Page 6

for and in the name of Grantor and at Grantor's expense. For such purposes, Grantor hereby irrevocably appoints Lender as Grantor's attorney-in-fact for the purpose of making, executing, delivering, filing, recording, and doing all other things as may be necessary or desirable, in Lender's sole opinion, to accomplish the matters referred to in the preceding paragraph.

FULL PERFORMANCE. If Grantor pays all the indebtedness when due, and otherwise performs all the obligations imposed upon Grantor under this Deed of Trust, Lender shall execute and deliver to Trustee a request for full reconveyance and shall execute and deliver to Grantor suitable statements of termination of any financing statement on file evidencing Lender's security interest in the Rents and the Personal Property. Any reconveyance fee shall be paid by Grantor, if permitted by applicable law. The grantee in any reconveyance may be described as the "person or persons legally entitled thereto", and the recitals in the reconveyance of any matters or facts shall be conclusive proof of the truthfulness of any such matters or facts.

EVENTS OF DEFAULT. Each of the following, at Lender's option, shall constitute an Event of Default under this Deed of Trust:

Payment Default. Grantor fails to make any payment when due under the Indebtedness.

Other Defaults. Grantor fails to comply with or to perform any other term, obligation, covenant or condition contained in this Deed of Trust or in any of the Related Documents or to comply with or to perform any term, obligation, covenant or condition contained in any other agreement between Lender and Grantor.

Compliance Default. Failure to comply with any other term, obligation, covenant or condition contained in this Deed of Trust, the Note or in any of the Related Documents.

Default on Other Payments. Failure of Grantor within the time required by this Deed of Trust to make any payment for taxes or insurance, or any other payment necessary to prevent filing of or to effect discharge of any lien.

Default in Favor of Third Parties. Should Grantor default under any loan, extension of credit, security agreement, purchase or sales agreement, or any other agreement, in favor of any other creditor or person that may materially affect any of Grantor's property or Grantor's ability to repay the indebtedness or Grantor's ability to perform Grantor's obligations under this Deed of Trust or any of the Related Documents.

False Statements. Any warranty, representation or statement made or furnished to Lender by Grantor or on Grantor's behalf under this Deed of Trust or the Related Documents is false or misleading in any material respect, either now or at the time made or furnished or becomes false or misleading at any time thereafter or is found not to be as represented. This includes the use of the Note proceeds for a purpose other than the purposes stated in Grantor's loan application.

Defective Collateralization. This Deed of Trust or any of the Related Documents ceases to be in full force and effect (including failure of any collateral document to create a valid and perfected security interest or lien) at any time and for any reason.

Death or Insolvency. The dissolution of Grantor's (regardless of whether election to continue is made), any member withdraws from the limited liability company, or any other termination of Grantor's existence as a going business or the death of any member, the insolvency of Grantor, the appointment of a receiver for any part of Grantor's property, any assignment for the benefit of creditors, any type of creditor workout, or the commencement of any proceeding under any bankruptcy or insolvency laws by or against Grantor.

Creditor or Forfeiture Proceedings. Commencement of foreclosure or forfeiture proceedings, whether by judicial proceeding, self-help, repossession or any other method, by any creditor of Grantor or by any governmental agency against any property securing the Indebtedness. This includes a garnishment of any of Grantor's accounts, including deposit accounts, with Lender. However, this Event of Default shall not apply if there is a good faith dispute by Grantor as to the validity or reasonableness of the claim which is the basis of the creditor or forfeiture proceeding and if Grantor gives Lender written notice of the creditor or forfeiture proceeding and deposits with Lender monies or a surety bond for the creditor or forfeiture proceeding, in an amount determined by Lender, in its sole discretion, as being an adequate reserve or bond for the dispute.

Breach of Other Agreement. Any breach by Grantor under the terms of any other agreement between Grantor and Lender that is not remedied within any grace period provided therein, including without limitation any agreement concerning any indebtedness or other obligation of Grantor to Lender, whether existing now or later.

Events Affecting Guarantor. Any of the preceding events occurs with respect to any Guarantor of any of the Indebtedness or any Guarantor dies or becomes incompetent, or revokes or disputes the validity of, or liability under, any Guaranty of the Indebtedness.

Adverse Change. A material adverse change occurs in Grantor's financial condition, or Lender believes the prospect of payment or performance of the Indebtedness is impaired.

Insecurity. Lender in good faith believes itself insecure.

DEED OF TRUST (Continued)

Loan No: 869532-63

Page 7

RIGHTS AND REMEDIES ON DEFAULT. If an Event of Default occurs under this Deed of Trust, at any time thereafter, Trustee or Lender may exercise any one or more of the following rights and remedies:

Election of Remedies. Election by Lender to pursue any remedy shall not exclude pursuit of any other remedy, and an election to make expenditures or to take action to perform an obligation of Grantor under this Deed of Trust, after Grantor's failure to perform, shall not affect Lender's right to declare a default and exercise its remedies.

Accelerate Indebtedness. Lender shall have the right at its option to declare the entire Indebtedness immediately due and payable, including any prepayment penalty which Grantor would be required to pay.

Foreclosure. With respect to all or any part of the Real Property, the Trustee shall have the right to exercise its power of sale and to foreclose by notice and sale, and Lender shall have the right to foreclose by judicial foreclosure, in either case in accordance with and to the full extent provided by applicable law.

UCC Remedies. With respect to all or any part of the Personal Property, Lender shall have all the rights and remedies of a secured party under the Uniform Commercial Code.

Collect Rents. Lender shall have the right, without notice to Grantor to take possession of and manage the Property and collect the Rents, including amounts past due and unpaid, and apply the net proceeds, over and above Lender's costs, against the Indebtedness. In furtherance of this right, Lender may require any tenant or other user of the Property to make payments of rent or use fees directly to Lender. If the Rents are collected by Lender, then Grantor irrevocably designates Lender as Grantor's attorney-in-fact to endorse instruments received in payment thereof in the name of Grantor and to negotiate the same and collect the proceeds. Payments by tenants or other users to Lender in response to Lender's demand shall satisfy the obligations for which the payments are made, whether or not any proper grounds for the demand existed. Lender may exercise its rights under this subparagraph either in person, by agent, or through a receiver.

Appoint Receiver. Lender shall have the right to have a receiver appointed to take possession of all or any part of the Property, with the power to protect and preserve the Property, to operate the Property preceding or pending foreclosure or sale, and to collect the Rents from the Property and apply the proceeds, over and above the cost of the receivership, against the Indebtedness. The receiver may serve without bond if permitted by law. Lender's right to the appointment of a receiver shall exist whether or not the apparent value of the Property exceeds the Indebtedness by a substantial amount. Employment by Lender shall not disqualify a person from serving as a receiver.

Tenancy at Sufferance. If Grantor remains in possession of the Property after the Property is sold as provided above or Lender otherwise becomes entitled to possession of the Property upon default of Grantor, Grantor shall become a tenant at sufferance of Lender or the purchaser of the Property and shall, at Lender's option, either (1) pay a reasonable rental for the use of the Property, or (2) vacate the Property immediately upon the demand of Lender.

Other Remedies. Trustee or Lender shall have any other right or remedy provided in this Deed of Trust or the Note or available at law or in equity.

Notice of Sale. Lender shall give Grantor reasonable notice of the time and place of any public sale of the Personal Property or of the time after which any private sale or other intended disposition of the Personal Property is to be made. Reasonable notice shall mean notice given at least ten (10) days before the time of the sale or disposition. Any sale of the Personal Property may be made in conjunction with any sale of the Real Property.

Sale of the Property. To the extent permitted by applicable law, Grantor hereby waives any and all rights to have the Property marshalled. In exercising its rights and remedies, the Trustee or Lender shall be free to sell all or any part of the Property together or separately, in one sale or by separate sales. Lender shall be entitled to bid at any public sale on all or any portion of the Property.

Attorneys' Fees; Expenses. If Lender institutes any suit or action to enforce any of the terms of this Deed of Trust, Lender shall be entitled to recover such sum as the court may adjudge reasonable as attorneys' fees at trial and upon any appeal. Whether or not any court action is involved, and to the extent not prohibited by law, all reasonable expenses Lender incurs that in Lender's opinion are necessary at any time for the protection of its interest or the enforcement of its rights shall become a part of the Indebtedness payable on demand and shall bear interest at the Note rate from the date of the expenditure until repaid. Expenses covered by this paragraph include, without limitation, however subject to any limits under applicable law, Lender's attorneys' fees and Lender's legal expenses, whether or not there is a lawsuit, including attorneys' fees and expenses for bankruptcy proceedings (including efforts to modify or vacate any automatic stay or injunction), appeals, and any anticipated post-judgment collection services, the cost of searching records, obtaining title reports (including foreclosure reports), surveyors' reports, and appraisal fees, title insurance, and fees for the Trustee, to the extent permitted by applicable law. Grantor also will pay any court costs, in addition to all other sums provided by law.

Rights of Trustee. Trustee shall have all of the rights and duties of Lender as set forth in this section.

**DEED OF TRUST
(Continued)**

Loan No: 869532-63

Page 8

POWERS AND OBLIGATIONS OF TRUSTEE. The following provisions relating to the powers and obligations of Trustee (pursuant to Lender's instructions) are part of this Deed of Trust:

Powers of Trustee. In addition to all powers of Trustee arising as a matter of law, Trustee shall have the power to take the following actions with respect to the Property upon the written request of Lender and Grantor: (a) join in preparing and filing a map or plat of the Real Property, including the dedication of streets or other rights to the public; (b) join in granting any easement or creating any restriction on the Real Property; and (c) join in any subordination or other agreement affecting this Deed of Trust or the interest of Lender under this Deed of Trust.

Obligations to Notify. Trustee shall not be obligated to notify any other party of a pending sale under any other trust deed or lien, or of any action or proceeding in which Grantor, Lender, or Trustee shall be a party, unless required by applicable law, or unless the action or proceeding is brought by Trustee.

Trustee. Trustee shall meet all qualifications required for Trustee under applicable law. In addition to the rights and remedies set forth above, with respect to all or any part of the Property, the Trustee shall have the right to foreclose by notice and sale, and Lender shall have the right to foreclose by judicial foreclosure, in either case in accordance with and to the full extent provided by applicable law.

Successor Trustee. Lender, at Lender's option, may from time to time appoint a successor Trustee to any Trustee appointed under this Deed of Trust by an instrument executed and acknowledged by Lender and recorded in the office of the recorder of BENTON County, State of Washington. The instrument shall contain, in addition to all other matters required by state law, the names of the original Lender, Trustee, and Grantor, the book and page or the Auditor's File Number where this Deed of Trust is recorded, and the name and address of the successor trustee, and the instrument shall be executed and acknowledged by Lender or its successors in interest. The successor trustee, without conveyance of the Property, shall succeed to all the title, power, and duties conferred upon the Trustee in this Deed of Trust and by applicable law. This procedure for substitution of Trustee shall govern to the exclusion of all other provisions for substitution.

NOTICES. Subject to applicable law, and except for notice required or allowed by law to be given in another manner, any notice required to be given under this Deed of Trust, including without limitation any notice of default and any notice of sale shall be given in writing, and shall be effective when actually delivered, when actually received by telefacsimile (unless otherwise required by law), when deposited with a nationally recognized overnight courier, or, if mailed, when deposited in the United States mail, as first class, certified or registered mail postage prepaid, directed to the addresses shown near the beginning of this Deed of Trust. All copies of notices of foreclosure from the holder of any lien which has priority over this Deed of Trust shall be sent to Lender's address, as shown near the beginning of this Deed of Trust. Any party may change its address for notices under this Deed of Trust by giving formal written notice to the other parties, specifying that the purpose of the notice is to change the party's address. For notice purposes, Grantor agrees to keep Lender informed at all times of Grantor's current address. Subject to applicable law, and except for notice required or allowed by law to be given in another manner, if there is more than one Grantor, any notice given by Lender to any Grantor is deemed to be notice given to all Grantors.

MISCELLANEOUS PROVISIONS. The following miscellaneous provisions are a part of this Deed of Trust:

Amendments. This Deed of Trust, together with any Related Documents, constitutes the entire understanding and agreement of the parties as to the matters set forth in this Deed of Trust. No alteration of or amendment to this Deed of Trust shall be effective unless given in writing and signed by the party or parties sought to be charged or bound by the alteration or amendment.

Annual Reports. If the Property is used for purposes other than Grantor's residence, Grantor shall furnish to Lender, upon request, a certified statement of net operating income received from the Property during Grantor's previous fiscal year in such form and detail as Lender shall require. "Net operating income" shall mean all cash receipts from the Property less all cash expenditures made in connection with the operation of the Property.

Caption Headings. Caption headings in this Deed of Trust are for convenience purposes only and are not to be used to interpret or define the provisions of this Deed of Trust.

Merger. There shall be no merger of the interest or estate created by this Deed of Trust with any other interest or estate in the Property at any time held by or for the benefit of Lender in any capacity, without the written consent of Lender.

Governing Law. This Deed of Trust will be governed by federal law applicable to Lender and, to the extent not preempted by federal law, the laws of the State of Washington without regard to its conflicts of law provisions. This Deed of Trust has been accepted by Lender in the State of Washington.

Choice of Venue. If there is a lawsuit, Grantor agrees upon Lender's request to submit to the jurisdiction of the courts of SPOKANE County, State of Washington.

No Waiver by Lender. Lender shall not be deemed to have waived any rights under this Deed of Trust unless such waiver is given in writing and signed by Lender. No delay or omission on the part of Lender in exercising any right

DEED OF TRUST (Continued)

Loan No: 869532-63

Page 9

shall operate as a waiver of such right or any other right. A waiver by Lender of a provision of this Deed of Trust shall not prejudice or constitute a waiver of Lender's right otherwise to demand strict compliance with that provision or any other provision of this Deed of Trust. No prior waiver by Lender, nor any course of dealing between Lender and Grantor, shall constitute a waiver of any of Lender's rights or of any of Grantor's obligations as to any future transactions. Whenever the consent of Lender is required under this Deed of Trust, the granting of such consent by Lender in any instance shall not constitute continuing consent to subsequent instances where such consent is required and in all cases such consent may be granted or withheld in the sole discretion of Lender.

Severability. If a court of competent jurisdiction finds any provision of this Deed of Trust to be illegal, invalid, or unenforceable as to any circumstance, that finding shall not make the offending provision illegal, invalid, or unenforceable as to any other circumstance. If feasible, the offending provision shall be considered modified so that it becomes legal, valid and enforceable. If the offending provision cannot be so modified, it shall be considered deleted from this Deed of Trust. Unless otherwise required by law, the illegality, invalidity, or unenforceability of any provision of this Deed of Trust shall not affect the legality, validity or enforceability of any other provision of this Deed of Trust.

Successors and Assigns. Subject to any limitations stated in this Deed of Trust on transfer of Grantor's interest, this Deed of Trust shall be binding upon and inure to the benefit of the parties, their successors and assigns. If ownership of the Property becomes vested in a person other than Grantor, Lender, without notice to Grantor, may deal with Grantor's successors with reference to this Deed of Trust and the indebtedness by way of forbearance or extension without releasing Grantor from the obligations of this Deed of Trust or liability under the indebtedness.

Time is of the Essence. Time is of the essence in the performance of this Deed of Trust.

Waive Jury. All parties to this Deed of Trust hereby waive the right to any jury trial in any action, proceeding, or counterclaim brought by any party against any other party.

Waiver of Homestead Exemption. Grantor hereby releases and waives all rights and benefits of the homestead exemption laws of the State of Washington as to all indebtedness secured by this Deed of Trust.

DEFINITIONS. The following capitalized words and terms shall have the following meanings when used in this Deed of Trust. Unless specifically stated to the contrary, all references to dollar amounts shall mean amounts in lawful money of the United States of America. Words and terms used in the singular shall include the plural, and the plural shall include the singular, as the context may require. Words and terms not otherwise defined in this Deed of Trust shall have the meanings attributed to such terms in the Uniform Commercial Code:

Beneficiary. The word "Beneficiary" means NUMERICA CREDIT UNION, and its successors and assigns.

Borrower. The word "Borrower" means HF PASCO, LLC and includes all co-signers and co-makers signing the Note and all their successors and assigns.

Deed of Trust. The words "Deed of Trust" mean this Deed of Trust among Grantor, Lender, and Trustee, and includes without limitation all assignment and security interest provisions relating to the Personal Property and Rents.

Default. The word "Default" means the Default set forth in this Deed of Trust in the section titled "Default".

Event of Default. The words "Event of Default" mean any of the events of default set forth in this Deed of Trust in the events of default section of this Deed of Trust.

Grantor. The word "Grantor" means HF PASCO, LLC.

Guarantor. The word "Guarantor" means any guarantor, surety, or accommodation party of any or all of the Indebtedness.

Guaranty. The word "Guaranty" means the guaranty from Guarantor to Lender, including without limitation a guaranty of all or part of the Note.

Improvements. The word "Improvements" means all existing and future improvements, buildings, structures, mobile homes affixed on the Real Property, facilities, additions, replacements and other construction on the Real Property.

Indebtedness. The word "Indebtedness" means all principal, interest, and other amounts, costs and expenses payable under the Note or Related Documents, together with all renewals of, extensions of, modifications of, consolidations of and substitutions for the Note or Related Documents and any amounts expended or advanced by Lender to discharge Grantor's obligations or expenses incurred by Trustee or Lender to enforce Grantor's obligations under this Deed of Trust, together with interest on such amounts as provided in this Deed of Trust.

Lender. The word "Lender" means NUMERICA CREDIT UNION, its successors and assigns.

Note. The word "Note" means the promissory note dated December 6, 2018, in the original principal amount of \$168,500.00 from Grantor to Lender, together with all renewals of, extensions of, modifications

**DEED OF TRUST
(Continued)**

Loan No: 869532-63

Page 10

of, refinancings of, consolidations of, and substitutions for the promissory note or agreement.

Personal Property. The words "Personal Property" mean all equipment, fixtures, and other articles of personal property now or hereafter owned by Grantor, and now or hereafter attached or affixed to the Real Property; together with all accessions, parts, and additions to, all replacements of, and all substitutions for, any of such property; and together with all issues and profits thereon and proceeds (including without limitation all insurance proceeds and refunds of premiums) from any sale or other disposition of the Property.

Property. The word "Property" means collectively the Real Property and the Personal Property.

Real Property. The words "Real Property" mean the real property, interests and rights, as further described in this Deed of Trust.

Related Documents. The words "Related Documents" mean all promissory notes, credit agreements, loan agreements, security agreements, mortgages, deeds of trust, security deeds, collateral mortgages, and all other instruments, agreements and documents, whether now or hereafter existing, executed in connection with the indebtedness; provided, that guaranties and environmental indemnity agreements are not "Related Documents" and are not secured by this Deed of Trust.

Rents. The word "Rents" means all present and future rents, revenues, income, issues, royalties, profits, and other benefits derived from the Property.

Trustee. The word "Trustee" means FIRST AMERICAN TITLE INSURANCE COMPANY, whose mailing address is 8109 W GRANDRIDGE BLVD SUITE 110, KENNEWICK, WA 99336 and any substitute or successor trustees.

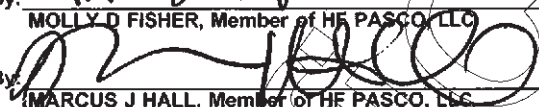
GRANTOR ACKNOWLEDGES HAVING READ ALL THE PROVISIONS OF THIS DEED OF TRUST, AND GRANTOR AGREES TO ITS TERMS.

GRANTOR:

HF PASCO, LLC

By: 
THOMAS G FISHER, Member of HF PASCO, LLC

By: 
MOLLY D FISHER, Member of HF PASCO, LLC

By: 
MARCUS J HALL, Member of HF PASCO, LLC

Loan No: 869532-63

**DEED OF TRUST
(Continued)**

Page 11

LIMITED LIABILITY COMPANY ACKNOWLEDGMENT

STATE OF Washington

)

) ss

COUNTY OF Benton

)

This record was acknowledged before me on December 11th, 20 18 by THOMAS G FISHER, Member of HF PASCO, LLC; MOLLY D FISHER, Member of HF PASCO, LLC; and MARCUS J HALL, Member of HF PASCO, LLC.



Ashley Wallis
(Signature of notary public)

Notary
(Title of office)

My commission expires:

Nov. 30th, 2021
(date)

REQUEST FOR FULL RECONVEYANCE

To: _____, Trustee

The undersigned is the legal owner and holder of all indebtedness secured by this Deed of Trust. You are hereby requested, upon payment of all sums owing to you, to reconvey without warranty, to the persons entitled thereto, the right, title and interest now held by you under the Deed of Trust.

Date: _____

Beneficiary: _____

By: _____

Its: _____

EXHIBIT A

THE LAND REFERRED TO HEREIN BELOW IS SITUATED IN THE COUNTY OF BENTON, STATE OF WA, AND IS DESCRIBED AS FOLLOWS:

THAT PORTION OF TRACT 2 OF RECORDS SURVEY RECORDED IN VOLUME 1 OF SURVEYS AT PAGE 3572 LYING IN THE WEST HALF OF SECTION 15, TOWNSHIP 9 NORTH, RANGE 28 EAST, W.M. CITY OF RICHLAND, BENTON COUNTY, WASHINGTON, DESCRIBED AS FOLLOWS;

COMMENCING AT THE INTERSECTION OF DUPORTAIL STREET AND STATE ROUTE 240 (BYPASS HIGHWAY) AS SHOWN ON THE PLAT OF RICHLAND; THENCE SOUTH 38°08'18" WEST ALONG THE CENTERLINE OF DUPORTAIL STREET 185.18 FEET TO THE INTERSECTION OF SAID CENTERLINE WITH THE BOUNDARY OF SAID PLAT OF RICHLAND; THENCE SOUTH 51°51'18" EAST ALONG SAID PLAT BOUNDARY 1582.28 FEET TO A POINT ON THE WEST LINE OF A 30 FOOT WIDE GAS LINE EASEMENT AS SHOWN ON SHORT PLAT 1748; THENCE SOUTH 44°53'14" WEST ALONG THE WEST LINE OF SAID GAS LINE EASEMENT 120.64 FEET; THENCE SOUTH 03°56'59" EAST ALONG THE WEST LINE OF SAID GAS LINE EASEMENT 181.54 FEET TO A POINT ON THE CORPS OF ENGINEERS TAKING LINE PER RECORD OF SURVEY 1-1405; THENCE NORTH 78°45'16" WEST ALONG SAID TAKING LINE 1050.23 FEET TO THE TRUE POINT OF BEGINNING; THENCE CONTINUING NORTH 78°45'16" WEST ALONG SAID LINE 292.52 FEET; THENCE NORTH 54°59'11" WEST CONTINUING ALONG SAID TAKING LINE 455.73 FEET TO A POINT ON THE SOUTHERLY RIGHT OF WAY LINE OF DUPORTAIL STREET; THENCE NORTH 48°10'35" EAST ALONG SAID SOUTHERLY RIGHT OF WAY LINE 65.08 FEET; THENCE NORTH 38°18'04" EAST ALONG SAID SOUTHERLY RIGHT OF WAY LINE 91.54 FEET; THENCE SOUTH 32°36'35" EAST 29.67 FEET; THENCE SOUTH 44°11'12" EAST 30.63 FEET; THENCE SOUTH 49°52'56" EAST 351.89 FEET TO THE BEGINNING OF A CURVE TO THE LEFT THE RADIUS POINT OF WHICH BEARS NORTH 40°07'04" EAST 80.00 FEET; THENCE EASTERLY ALONG SAID CURVE 51.64 FEET; THENCE SOUTH 86°52'12" EAST 198.20 FEET TO THE BEGINNING OF A CURVE TO THE LEFT THE RADIUS POINT OF WHICH BEARS NORTH 3°07'48" EAST 80.00 FEET; THENCE EASTERLY ALONG SAID CURVE 65.01 FEET; THENCE NORTH 46°34'01" EAST 20.45 FEET; THENCE SOUTH 78°45'16" EAST 52.80 FEET; THENCE SOUTH 38°08'42" WEST 198.47 FEET TO THE SAID TRUE POINT OF BEGINNING;

(Also shown as Lot 2 of Survey No. 4185)

EXCEPT that portion described as follows;

THAT PORTION OF TRACT 2 AS SHOWN ON RECORD SURVEY NO. 3572 AND A PORTION OF LOT 2 AS SHOWN ON RECORD SURVEY NO. 4185 (RECORDS OF BENTON COUNTY, WASHINGTON) LOCATED IN THE WEST HALF OF SECTION 15, TOWNSHIP 9 NORTH, RANGE 28 EAST, W.M., WILLAMETTE MERIDIAN, BENTON COUNTY, WASHINGTON, AND MORE PARTICULARLY DESCRIBED AS FOLLOWS;

Beginning at a 5/8" diameter Street Pin with a plastic cap marked PLS 14120 on the Easterly right-of-way of Duportail Street and also on the Westerly boundary of said Tract 2 from which the Northwest corner of said Tract 2 bears North 38°17'29" East, 91.54 feet;

Thence South 48°10'35" West, 64.64 feet to the Northerly boundary of the McNary lock and Dam Project shown on Amended Map of Record recorded in Book 1 of Surveys at Page 2316 (Records of Benton County, Washington):

Thence along said Northerly boundary, South 54°58'11" East, 241.63 feet;

Thence leaving said Northerly boundary, North 40°02'11" East, 5.02 feet

Thence North 54°58'11" West, 160.56 feet;

Thence North 38°17'29" East, 132.23 feet to the Northerly boundary of said Tract 2;

Thence North 49°48'32" West, along the Northerly boundary of said Tract 2 for a distance of 12.46 feet;

Thence North 45°48'54" West, 29.71 feet;

Thence North 32°14'07" West, 29.69 feet to the Easterly right-of-way of Duportail Street said point also being the Northwest corner of said Tract 2;

Thence South 38°17'29" West along the Easterly right-of-way of Duportail Street and the Westerly boundary of said Tract 2 for a distance of 91.54 feet to the POINT OF BEGINNING.

AND EXCEPT that portion described as follows;

THAT PORTION OF TRACT 2 AS SHOWN ON RECORD SURVEY NO. 3572 AND A PORTION OF LOT 2 AS SHOWN ON RECORD SURVEY NO. 4185 (RECORDS OF BENTON COUNTY, WASHINGTON) LOCATED IN THE WEST HALF OF SECTION 15, TOWNSHIP 9 NORTH, RANGE 28 EAST, W.M., WILLAMETTE MERIDIAN, BENTON COUNTY, WASHINGTON, AND MORE PARTICULARLY DESCRIBED AS FOLLOWS;

Commencing at a 5/8" diameter Steel pin with a plastic cap marked PLS 14120 on the Easterly right-of-way of Duportail Street and also on the Westerly boundary of said Tract 2 from which the Northwest corner of said Tract 2 bears North 38°17'29" East, 91.54 feet;

Thence South 48°10'35" West, 64.64 feet to the Northerly boundary of the McNary Lock and Dam Project shown on Amended Map of Record recorded in Book 1 of Surveys at Page 2316 (Records of Benton County, Washington);

Thence along said Northerly boundary, South 54°58'11" East, 407.35 feet to the POINT OF BEGINNING.

Thence leaving said Northerly boundary 109.87 feet along the arc of a curve to the left having a radius of 325.00 feet, a delta of 19°22'08" and a long chord that bears South 74°43'03" East a chord distance of 109.34 feet;

Thence South 84°24'07" East, 108.02 feet;

Thence 24.90 feet along the arc of a curve to the left having a radius of 20.00 feet, a delta of 71°20'19" and a long chord that bears North 59°55'43" East a chord distance of 23.32 feet;

Thence North 24°15'33" East, 10.57 feet;

Thence 56.06 feet along the arc of a curve to the right having a radius of 53.50 feet, a delta of 60°02'11" and a long chord that bears North 54°16'39" East a chord distance of 53.53 feet;

Thence North 05°10'08" West, 35.43 feet to the Northerly boundary of said Tract 2;

Thence along said Northerly boundary the following (4) courses:

South 86°47'36" East, 44.62 feet;

65.01 feet along the arc of a curve to the left having a radius of 80.00 feet, a delta of $46^{\circ}33'36''$ and a long chord that bears North $69^{\circ}55'36''$ East a chord distance of 63.24 feet;

Thence North $46^{\circ}38'48''$ East, 20.45 feet;

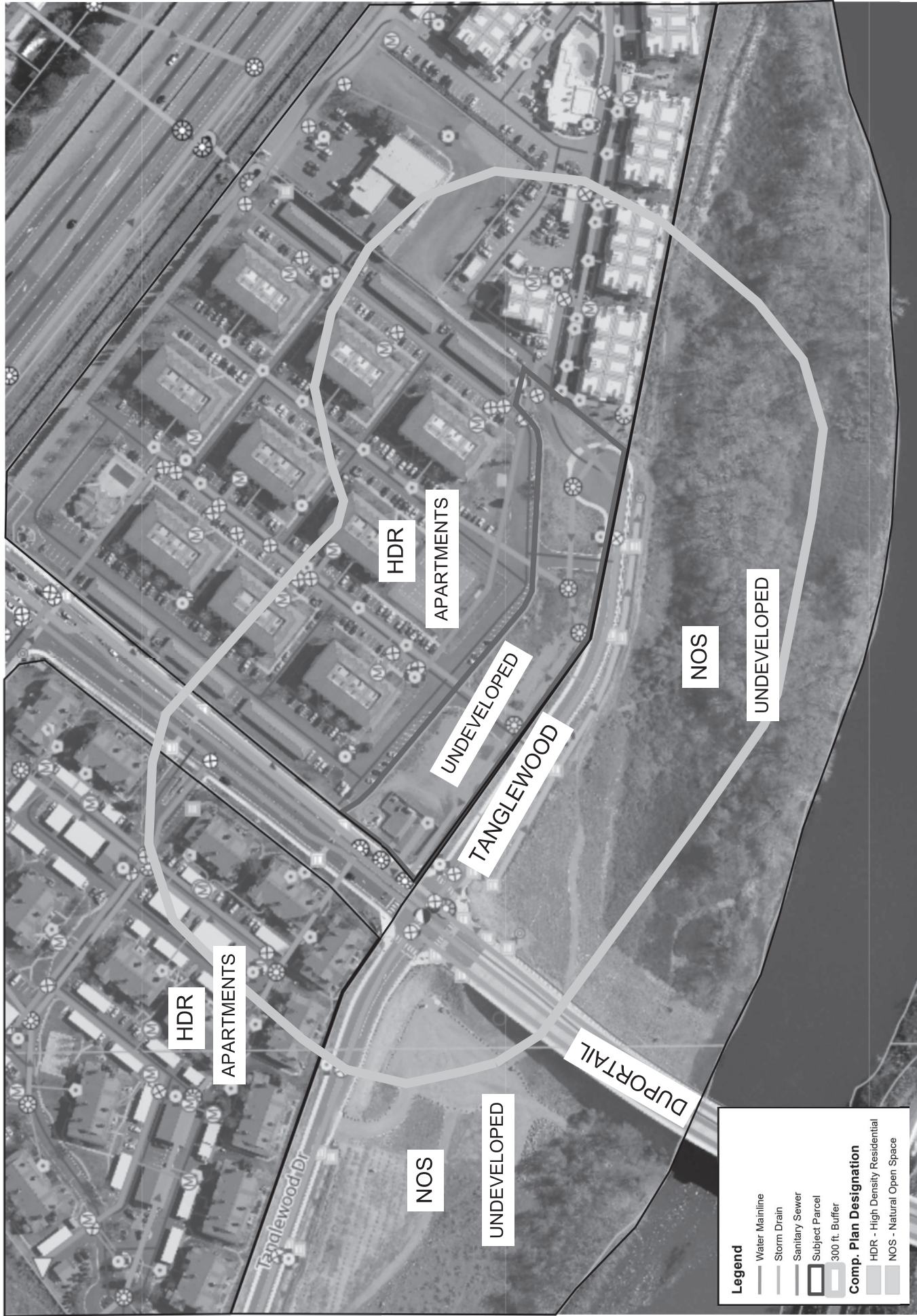
Thence South $78^{\circ}45'17''$ East, 52.80 feet to the Northeast corner of said Lot 2, also being the Easterly boundary of said Tract 2;

Thence leaving the Northerly boundary of said Tract 2, along said easterly boundary South $38^{\circ}12'42''$ West, 199.10 feet to the Northerly boundary of said McNary Lock and Dam Project;

Thence along said Northerly boundary the following (2) courses:

North $78^{\circ}44'46''$ West, 290.45 feet to Army Corp of Engineers monument U-6;

North $54^{\circ}58'11''$ West, 49.29 feet to the POINT OF BEGINNING.



Legend

- Water Mainline
- Storm Drain
- Sanitary Sewer
- Subject Parcel
- 300 ft. Buffer

Comp. Plan Designation

- HDR - High Density Residential
- NOS - Natural Open Space

Attachment C - Vicinity Map

SEPA ENVIRONMENTAL CHECKLIST

Purpose of checklist

Governmental agencies use this checklist to help determine whether the environmental impacts of your proposal are significant. This information is also helpful to determine if available avoidance, minimization, or compensatory mitigation measures will address the probable significant impacts or if an environmental impact statement will be prepared to further analyze the proposal.

Instructions for applicants

This environmental checklist asks you to describe some basic information about your proposal. Please answer each question accurately and carefully, to the best of your knowledge. You may need to consult with an agency specialist or private consultant for some questions. **You may use “not applicable” or “does not apply” only when you can explain why it does not apply and not when the answer is unknown.** You may also attach or incorporate by reference additional studies reports. Complete and accurate answers to these questions often avoid delays with the SEPA process as well as later in the decision-making process.

The checklist questions apply to **all parts of your proposal**, even if you plan to do them over a period of time or on different parcels of land. Attach any additional information that will help describe your proposal or its environmental effects. The agency to which you submit this checklist may ask you to explain your answers or provide additional information reasonably related to determining if there may be significant adverse impact.

Instructions for lead agencies

Please adjust the format of this template as needed. Additional information may be necessary to evaluate the existing environment, all interrelated aspects of the proposal and an analysis of adverse impacts. The checklist is considered the first but not necessarily the only source of information needed to make an adequate threshold determination. Once a threshold determination is made, the lead agency is responsible for the completeness and accuracy of the checklist and other supporting documents.

Use of checklist for nonproject proposals

For nonproject proposals (such as ordinances, regulations, plans and programs), complete the applicable parts of sections A and B, plus the [Supplemental Sheet for Nonproject Actions \(Part D\)](#). Please completely answer all questions that apply and note that the words "project," "applicant," and "property or site" should be read as "proposal," "proponent," and "affected geographic area," respectively. The lead agency may exclude (for non-projects) questions in “Part B: Environmental Elements” that do not contribute meaningfully to the analysis of the proposal.

A. Background [Find help answering background questions](#)

1. Name of proposed project, if applicable:

Tanglewood Development

2. Name of applicant:

HP Pasco LLC - Tom Fisher

3. Address and phone number of applicant and contact person:

Tom Fisher Phone: 509-438-1816
PO Box 752 Email: tomfisher121@hotmail.com
Richland, WA 99352

4. Date checklist prepared:

2-27-24

5. Agency requesting checklist:

City of Richland

6. Proposed timing or schedule (including phasing, if applicable):

2024/2025

7. Do you have any plans for future additions, expansion, or further activity related to or connected with this proposal? If yes, explain.

None

8. List any environmental information you know about that has been prepared, or will be prepared, directly related to this proposal.

None

9. Do you know whether applications are pending for governmental approvals of other proposals directly affecting the property covered by your proposal? If yes, explain.

Comprehensive Plan Amendment, Zone Change, LOMAR Updates

10. List any government approvals or permits that will be needed for your proposal, if known.

Comprehensive Plan Amendment, Zone Change, Building Permit, Right of Way Permit

- 12. Give a brief, complete description of your proposal, including the proposed uses and the size of the project and site. There are several questions later in this checklist that ask you to describe certain aspects of your proposal. You do not need to repeat those answers on this page. (Lead agencies may modify this form to include additional specific information on project description.)**

Develop undeveloped property into a commercial use in compliance with City code requirements. Commercial uses could include but not be limited to a drive-through coffee stand, drive-through/sit-in restaurant/bar, convenience store or other commercial use. This is a non-project proposal to change the City Comprehensive Plan to a Waterfront designation.

- 13. Location of the proposal. Give sufficient information for a person to understand the precise location of your proposed project, including a street address, if any, and section, township, and range, if known. If a proposal would occur over a range of area, provide the range or boundaries of the site(s). Provide a legal description, site plan, vicinity map, and topographic map, if reasonably available. While you should submit any plans required by the agency, you are not required to duplicate maps or detailed plans submitted with any permit applications related to this checklist.**

Project is located just east of the Duportail/Tanglewood intersection and just north of the Yakima river. The address is 2595 Duportail Street. The Parcel # is 115982011748012. Legal description is Lot 2 of Record of Survey 4182.

B. Environmental Elements

1. Earth [Find help answering earth questions](#)

a. General description of the site:

The site is generally flat and is undeveloped with minimal vegetation.

Circle or highlight one: Flat, rolling, hilly, steep slopes, mountainous, other:

b. What is the steepest slope on the site (approximate percent slope)?

2-3%

c. What general types of soils are found on the site (for example, clay, sand, gravel, peat, muck)? If you know the classification of agricultural soils, specify them, and note any agricultural land of long-term commercial significance and whether the proposal results in removing any of these soils.

Gravelly soils

d. Are there surface indications or history of unstable soils in the immediate vicinity? If so, describe.

No

e. Describe the purpose, type, total area, and approximate quantities and total affected area of any filling, excavation, and grading proposed. Indicate source of fill.

Overall development area is approximately 1.6 acres. Earthworks is anticipated to be minimal.

f. Could erosion occur because of clearing, construction, or use? If so, generally describe.

Erosion caused by wind may cause airborne dust to occur during construction activities.

g. About what percent of the site will be covered with impervious surfaces after project construction (for example, asphalt or buildings)?

85%

h. Proposed measures to reduce or control erosion, or other impacts to the earth, if any.

Best management practices will be used to reduce and control erosion. Local and state laws will be followed. Silt fence, construction entrance, inlet protection.

2. Air [Find help answering air questions](#)

a. What types of emissions to the air would result from the proposal during construction, operation, and maintenance when the project is completed? If any, generally describe and give approximate quantities if known.

Dust and machinery exhaust from construction activities. Anticipate additional vehicular trips to occur in the general area as the area develops.

b. Are there any off-site sources of emissions or odor that may affect your proposal? If so, generally describe.

No

c. Proposed measures to reduce or control emissions or other impacts to air, if any.

Dust control would be enacted during construction activities. Construction machinery and vehicles are required to satisfy current State emissions requirements.

3. Water [Find help answering water questions](#)

a. Surface Water: [Find help answering surface water questions](#)

1. Is there any surface water body on or in the immediate vicinity of the site (including year-round and seasonal streams, saltwater, lakes, ponds, wetlands)? If yes, describe type and provide names. If appropriate, state what stream or river it flows into.

Yakima River near the site.

2. Will the project require any work over, in, or adjacent to (within 200 feet) the described waters? If yes, please describe and attach available plans.

No

3. Estimate the amount of fill and dredge material that would be placed in or removed from surface water or wetlands and indicate the area of the site that would be affected. Indicate the source of fill material.

None

4. Will the proposal require surface water withdrawals or diversions? Give a general description, purpose, and approximate quantities if known.

No

5. Does the proposal lie within a 100-year floodplain? If so, note location on the site plan.

No

6. Does the proposal involve any discharges of waste materials to surface waters? If so, describe the type of waste and anticipated volume of discharge.

No

b. Ground Water: [Find help answering ground water questions](#)

1. Will groundwater be withdrawn from a well for drinking water or other purposes? If so, give a general description of the well, proposed uses and approximate quantities withdrawn from the well. Will water be discharged to groundwater? Give a general description, purpose, and approximate quantities if known.

No

2. Describe waste material that will be discharged into the ground from septic tanks or other sources, if any (domestic sewage; industrial, containing the following chemicals...; agricultural; etc.). Describe the general size of the system, the number of such systems, the number of houses to be served (if applicable), or the number of animals or humans the system(s) are expected to serve.

None anticipated.

c. Water Runoff (including stormwater):

1. Describe the source of runoff (including storm water) and method of collection and disposal, if any (include quantities, if known). Where will this water flow? Will this water flow into other waters? If so, describe.

Stormwater will be collected from impervious surfaces throughout the development. Stormwater will be retained in below grade stormwater facilities. Stormwater is planned to be infiltrated into the ground.

2. Could waste materials enter ground or surface waters? If so, generally describe.

Stormwater runoff can contain sediments, oils, and metals. The stormwater collection system will be designed in accordance with the Stormwater Management Manual for Eastern Washington.

3. Does the proposal alter or otherwise affect drainage patterns in the vicinity of the site? If so, describe.

No

4. Proposed measures to reduce or control surface, ground, and runoff water, and drainage pattern impacts, if any.

Areas will be graded to various stormwater collection points and to direct stormwater runoff to onsite stormwater systems.

4. Plants [Find help answering plants questions](#)

a. Check the types of vegetation found on the site:

- ☐ deciduous tree: alder, maple, aspen, other
- ☐ evergreen tree: fir, cedar, pine, other
- ☐ shrubs
- ☐ grass
- ☐ pasture
- ☐ crop or grain
- ☐ orchards, vineyards, or other permanent crops.
- ☐ wet soil plants: cattail, buttercup, bullrush, skunk cabbage, other
- ☐ water plants: water lily, eelgrass, milfoil, other
- ☒ other types of vegetation

b. What kind and amount of vegetation will be removed or altered?

Existing vegetation will be removed for overall project development.

c. List threatened and endangered species known to be on or near the site.

None known.

d. Proposed landscaping, use of native plants, or other measures to preserve or enhance vegetation on the site, if any.

Project area will be landscaped in accordance with local jurisdiction landscaping requirements.

e. List all noxious weeds and invasive species known to be on or near the site.

None known.

5. Animals [Find help answering animal questions](#)

a. List any birds and other animals that have been observed on or near the site or are known to be on or near the site.

Examples include:

- Birds: hawk, heron, eagle, songbirds, other:
- Mammals: deer, bear, elk, beaver, other:
- Fish: bass, salmon, trout, herring, shellfish, other:

b. List any threatened and endangered species known to be on or near the site.

None known.

c. Is the site part of a migration route? If so, explain.

Pacific Flyway Migration

d. Proposed measures to preserve or enhance wildlife, if any.

None

e. List any invasive animal species known to be on or near the site.

None known.

6. Energy and Natural Resources [Find help answering energy and natural resource questions](#)

- a. What kinds of energy (electric, natural gas, oil, wood stove, solar) will be used to meet the completed project's energy needs? Describe whether it will be used for heating, manufacturing, etc.

Electrical power and natural gas will be needed for heating and cooling.

- b. Would your project affect the potential use of solar energy by adjacent properties? If so, generally describe.

No

- c. What kinds of energy conservation features are included in the plans of this proposal? List other proposed measures to reduce or control energy impacts, if any.

Energy conservation as required by local and state energy codes.

7. Environmental Health [Find help with answering environmental health questions](#)

- a. Are there any environmental health hazards, including exposure to toxic chemicals, risk of fire and explosion, spill, or hazardous waste, that could occur because of this proposal? If so, describe.

1. Describe any known or possible contamination at the site from present or past uses.

None known

- a. Describe existing hazardous chemicals/conditions that might affect project development and design. This includes underground hazardous liquid and gas transmission pipelines located within the project area and in the vicinity.

None known

- b. Describe any toxic or hazardous chemicals that might be stored, used, or produced during the project's development or construction, or at any time during the operating life of the project.

None known

- c. Describe special emergency services that might be required.

None known

- d. Proposed measures to reduce or control environmental health hazards, if any.

None

b. Noise

1. What types of noise exist in the area which may affect your project (for example: traffic, equipment, operation, other)?

Existing vehicular and train traffic

2. What types and levels of noise would be created by or associated with the project on a short-term or a long-term basis (for example: traffic, construction, operation, other)? Indicate what hours noise would come from the site)?

Short term – construction noise generally 6 am to 8 pm

Long term – vehicular generally 6 am to 10pm

3. Proposed measures to reduce or control noise impacts, if any.

As required by local code requirements

8. Land and Shoreline Use [Find help answering land and shoreline use questions](#)

- a. What is the current use of the site and adjacent properties? Will the proposal affect current land uses on nearby or adjacent properties? If so, describe.

Site is undeveloped. Adjacent areas are multi-family apartment complexes.

- b. Has the project site been used as working farmlands or working forest lands? If so, describe. How much agricultural or forest land of long-term commercial significance will be converted to other uses because of the proposal, if any? If resource lands have not been designated, how many acres in farmland or forest land tax status will be converted to nonfarm or nonforest use?

No

1. Will the proposal affect or be affected by surrounding working farm or forest land normal business operations, such as oversize equipment access, the application of pesticides, tilling, and harvesting? If so, how?

No

- c. Describe any structures on the site.

None

- d. Will any structures be demolished? If so, what?

No

- e. What is the current zoning classification of the site?

Site is zoned as C-LB

- f. What is the current comprehensive plan designation of the site?

HDR

g. If applicable, what is the current shoreline master program designation of the site?

Recreation Conservancy

h. Has any part of the site been classified as a critical area by the city or county? If so, specify.

No

i. Approximately how many people would reside or work in the completed project?

Not yet determined

j. Approximately how many people would the completed project displace?

None

k. Proposed measures to avoid or reduce displacement impacts, if any.

None

l. Proposed measures to ensure the proposal is compatible with existing and projected land uses and plans, if any.

By complying with Richland zoning code requirements.

m. Proposed measures to reduce or control impacts to agricultural and forest lands of long-term commercial significance, if any.

None

9. Housing [Find help answering housing questions](#)

a. Approximately how many units would be provided, if any? Indicate whether high, middle, or low-income housing.

None

b. Approximately how many units, if any, would be eliminated? Indicate whether high, middle, or low-income housing.

None

c. Proposed measures to reduce or control housing impacts, if any.

None

10. Aesthetics [Find help answering aesthetics questions](#)

- a. What is the tallest height of any proposed structure(s), not including antennas; what is the principal exterior building material(s) proposed?

To be in compliance with City code requirements.

- b. What views in the immediate vicinity would be altered or obstructed?

None

- c. Proposed measures to reduce or control aesthetic impacts, if any.

Compliance with City code requirements.

11. Light and Glare [Find help answering light and glare questions](#)

- a. What type of light or glare will the proposal produce? What time of day would it mainly occur?

Overall development will include additional lighting for security and safety. Lighting would generally occur from sunset to sunrise.

- b. Could light or glare from the finished project be a safety hazard or interfere with views?

No

- c. What existing off-site sources of light or glare may affect your proposal?

None

- d. Proposed measures to reduce or control light and glare impacts, if any.

Compliance with City code requirements.

12. Recreation [Find help answering recreation questions](#)

- a. What designated and informal recreational opportunities are in the immediate vicinity?

Yakima River public access area

- b. Would the proposed project displace any existing recreational uses? If so, describe.

No

- c. Proposed measures to reduce or control impacts on recreation, including recreation opportunities to be provided by the project or applicant, if any.

None

13. Historic and Cultural Preservation [Find help answering historic and cultural preservation questions](#)

- a. Are there any buildings, structures, or sites, located on or near the site that are over 45 years old listed in or eligible for listing in national, state, or local preservation registers? If so, specifically describe.

No

- b. Are there any landmarks, features, or other evidence of Indian or historic use or occupation? This may include human burials or old cemeteries. Are there any material evidence, artifacts, or areas of cultural importance on or near the site? Please list any professional studies conducted at the site to identify such resources.

No

- c. Describe the methods used to assess the potential impacts to cultural and historic resources on or near the project site. Examples include consultation with tribes and the department of archeology and historic preservation, archaeological surveys, historic maps, GIS data, etc.

Area was recently developed as a part of the Duportail Bridge project and no findings of artifacts were discovered during that project.

- d. Proposed measures to avoid, minimize, or compensate for loss, changes to, and disturbance to resources. Please include plans for the above and any permits that may be required.

If applicable, Inadvertent Discovery Plan during construction activities.

14. Transportation [Find help with answering transportation questions](#)

- a. Identify public streets and highways serving the site or affected geographic area and describe proposed access to the existing street system. Show on site plans, if any.

HWY 240, Duportail and Tanglewood.

- b. Is the site or affected geographic area currently served by public transit? If so, generally describe. If not, what is the approximate distance to the nearest transit stop?

No. Approximately 1,500 feet to the nearest stop

- c. Will the proposal require any new or improvements to existing roads, streets, pedestrian, bicycle, or state transportation facilities, not including driveways? If so, generally describe (indicate whether public or private).

No

- d. Will the project or proposal use (or occur in the immediate vicinity of) water, rail, or air transportation? If so, generally describe.

Will occur in the vicinity of rail.

- e. How many vehicular trips per day would be generated by the completed project or proposal? If known, indicate when peak volumes would occur and what percentage of the volume would be trucks (such as commercial and nonpassenger vehicles). What data or transportation models were used to make these estimates?

It is unknown what the project may consist of so vehicle trips per day is unknown at this time.

- f. Will the proposal interfere with, affect, or be affected by the movement of agricultural and forest products on roads or streets in the area? If so, generally describe.

No

- g. Proposed measures to reduce or control transportation impacts, if any.

None

15. Public Services [Find help answering public service questions](#)

- a. Would the project result in an increased need for public services (for example: fire protection, police protection, public transit, health care, schools, other)? If so, generally describe.

Yes, an increase in the need for fire and police protection.

- b. Proposed measures to reduce or control direct impacts on public services, if any.

None

16. Utilities [Find help answering utilities questions](#)

- a. Circle utilities currently available at the site: electricity, natural gas, water, refuse service, telephone, sanitary sewer, septic system, other:

Electricity, natural gas, water, telephone, sanitary sewer

- b. Describe the utilities that are proposed for the project, the utility providing the service, and the general construction activities on the site or in the immediate vicinity which might be needed.

The project will require domestic water services, sanitary sewer services, electrical power and communications.

C. Signature [Find help about who should sign](#)

The above answers are true and complete to the best of my knowledge. I understand that the lead agency is relying on them to make its decision.

X 
SEPA Responsible Official

Type name of signee: Darrell Moore, J-U-B Engineers, Inc.

Position and agency/organization: Project Manager, J-U-B Engineers, Inc.

Date submitted: 3/1/2024

D. Supplemental sheet for nonproject actions [Find help for the nonproject actions worksheet](#)

IT IS NOT REQUIRED to use this section for project actions.

Because these questions are very general, it may be helpful to read them in conjunction with the list of the elements of the environment.

When answering these questions, be aware of the extent the proposal, or the types of activities likely to result from the proposal, would affect the item at a greater intensity or at a faster rate than if the proposal were not implemented. Respond briefly and in general terms.

1. How would the proposal be likely to increase discharge to water; emissions to air; production, storage, or release of toxic or hazardous substances; or production of noise?

Increase in emission to include dust and exhaust from machinery during construction activities. Additional vehicular trips to occur in the general area as the project develops.

- **Proposed measures to avoid or reduce such increases are:**

Dust control would be enacted during construction activities. Construction machinery and vehicles are required to satisfy current State emissions requirements.

2. How would the proposal be likely to affect plants, animals, fish, or marine life?

Existing vegetation to be removed to accommodate development.

- **Proposed measures to protect or conserve plants, animals, fish, or marine life are:**

Project area will be landscaped in accordance with local jurisdiction landscaping requirements. All disturbed areas will be hydro-seeded with an arid dry land grass mix.

3. How would the proposal be likely to deplete energy or natural resources?

Proposal will require electrical power demand.

- **Proposed measures to protect or conserve energy and natural resources are:**

Energy conservation as required by local and state energy codes.

4. How would the proposal be likely to use or affect environmentally sensitive areas or areas designated (or eligible or under study) for governmental protection, such as parks, wilderness, wild and scenic rivers, threatened or endangered species habitat, historic or cultural sites, wetlands, floodplains, or prime farmlands?

Project area does not contain sensitive areas.

- **Proposed measures to protect such resources or to avoid or reduce impacts are:**

None

5. How would the proposal be likely to affect land and shoreline use, including whether it would allow or encourage land or shoreline uses incompatible with existing plans?

Project is located on the north side of Tanglewood Drive and would not impact shoreline uses.

- **Proposed measures to avoid or reduce shoreline and land use impacts are:**

None

6. How would the proposal be likely to increase demands on transportation or public services and utilities?

The development will have a slight increase vehicular traffic throughout the general area.

- **Proposed measures to reduce or respond to such demand(s) are:**

None

7. Identify, if possible, whether the proposal may conflict with local, state, or federal laws or requirements for the protection of the environment.

None known

HELPING EACH OTHER
CREATE BETTER COMMUNITIES



J-U-B FAMILY OF COMPANIES

February 29, 2024

Mike Stevens, Planning Manager
City of Richland
625 Swift Blvd, MS-35
Richland, WA 99352

RE: Tanglewood Comprehensive Plan Amendment – Traffic Analysis

Dear Mr. Stevens:

This letter is prepared to discuss traffic issues associated with the proposed Comprehensive Plan Amendment and Zoning request for the property situated on the north side of Tanglewood Drive east of Duportail Street. The parcel address is 2595 Duportail Street, Richland, WA. The Benton County Tax Parcel is #115982011748012.

The current land use designation in the Comprehensive Plan is High Density Residential, with the zoning of the 1.38-acre parcel being C-LB Limited Business. The owner of the property is seeking for a Comprehensive Plan amendment to Waterfront with zoning designation of WF, Waterfront.

To determine the potential traffic impacts of the proposed Comprehensive Plan amendment and zoning change, a comparison of trips under the allowed zoning with the highest trip making land use allowed under the Waterfront zone. This will be done by assuming development similar to the adjacent apartment complex for the existing zoning, since it shares the C-LB zoning.

In the C-LB zone one apartment is allowed for every 1500 sq ft of parcel size, subject to a height limitation of 55', which would amount to 40 units on the 1.38 acres. According to the Institute of Transportation Engineers Trip Generation Manual 11th Edition, Land Use 220 Multi-Family housing, 40 apartments would typically generate 332 average weekday trips with 35 during the AM peak hour (8 in/27 out) and 38 during the PM peak hour (24 in/14 out).

The Richland Zoning Code section 23.22.030 was examined to determine the land uses allowed under the proposed Waterfront zoning. There are several land uses allowed in the Waterfront Zone that are not allowed in the existing C-LB zone, namely: marina uses, health spa, video rental store, drinking establishment, microbrewery, restaurants – drive-thru, lounge or take-out, vehicle-based food services and wineries. The highest trip making of any of these uses in the ITE Trip Generation Manual is land use 934, Fast Food with Drive-thru window which typically generates 467.48 per 1,000 sq ft of floor area on a typical weekday, with 44.61 trips during the AM peak hour (51% in, 49% out) and 33.03 trips during the PM peak hour (52% in, 48% out). Assuming that two 2,000 sq ft fast food restaurants with drive-

thru could be accommodated on the parcel, in between the two existing access easements to the apartments, combined they could generate approximately 1,870 trips on a weekday, with 178 during the AM peak hour (91 inbound and 87 outbound) and 120 Pm peak hour trips (62 in, 58 out). This is an increase of 1,538 daily trips and 143 during the AM peak hour and 82 during the PM peak hour.

The potential increase in traffic initially may appear to be a lot of vehicles. When considering the transportation network that will serve the parcel and the fact that the intersection of Tanglewood Drive/Duportail Street has a traffic signal as well as exclusive left turn lanes on each approach, the intersection is well suited to serve the additional traffic. With approximately half of the traffic inbound and half outbound, there will be approximately 1-2 more vehicles per signal cycle approaching from the east leg which will use very little of the capacity of the signal cycle. Duportail Street will continue to dominate the intersection and it is unlikely that the traffic signal cycle will need to be modified to give additional green time to the Tanglewood approach. Inbound trips to any development on the parcel will not take green time away from the main traffic flow on Duportail Street.

From a traffic perspective the proposed zoning is unlikely to have a significant impact on the transportation system when compared to the existing zoning. The proposed zoning is likely to generate additional traffic, but the parcel is not significant in size, and the street network is already built to accommodate this level of traffic.

We hope this answers any questions there may be regarding the transportation network serving the subject parcel. Please feel free to contact me at (509) 783-2144 or dmoore@jub.com if there are any questions.

Sincerely,



Darral Moore, PE
Land Development Manager



Spencer Montgomery
Transportation Planner



Cascade Title Company of Benton-Franklin Counties
8203 W. Quinault Ave. Ste 10
Kennewick, WA. 99336

Date	Invoice #
2/21/2024	17943

Tom Fisher
PO Box 752
Richland, WA 99352
tomfisher121@hotmail.com
509-438-1816

HF Pasco, LLC
2595 Duportail Street

Due Date	Terms
3/22/2024	Net 30

[illegible]



8203 West Quinault Ave, Suite 10, Kennewick, WA 99336
Phone: 509-783-0660 Fax: 509-783-6612

DISTRIBUTION LIST

Our Order No.: CBF17943
Reference No:
Re: HF PASCO, LLC/
Property Address: 2595 DUPORTAIL ST
RICHLAND, WA 99352

This Preliminary Commitment has been prepared and distributed to the following parties:

	Lender
Tom Fisher PO Box 752 Richland, WA 99352 509-438-1816 Email: Tomfisher121@hotmail.com	
Selling Agent	Listing Agent
Additional Selling Agent	Additional Listing Agent
Buyer's Attorney	Seller's Attorney
Mortgage Broker	Additional Lender

LIMITED LIABILITY REPORT

SCHEDULE A

Office File Number CBF17943 Ref. No.:	Effective Date February 15, 2024 at 8:00 a.m.	Premium \$250.00
--	--	----------------------------

THE ASSURED REFERRED TO ON THE FACE PAGE ARE: **TOM FISHER**

THAT ACCORDING TO THE COMPANY'S PROPERTY RECORDS RELATIVE TO THE FOLLOWING DESCRIBED REAL PROPERTY (BUT WITHOUT EXAMINATION OF THOSE COMPANY RECORDS MAINTAINED AND INDEXED BY NAME):

SEE ATTACHED EXHIBIT "A"

A. THE LAST RECORDED INSTRUMENT PURPORTING TO TRANSFER TITLE TO SAID REAL PROPERTY INDICATES THAT TITLE WAS CONVEYED TO:

HF PASCO, LLC, A WASHINGTON LIMITED LIABILITY COMPANY

B. THERE ARE NO MORTGAGES OR DEEDS OF TRUST WHICH PURPORT TO AFFECT SAID PROPERTY, OTHER THAN THOSE SHOWN BELOW UNDER EXCEPTIONS.

NO GUARANTEE IS MADE REGARDING (A) MATTERS AFFECTING THE BENEFICIAL INTEREST OF ANY MORTGAGE OR DEED OF TRUST WHICH MAY BE SHOWN HEREIN AS AN EXCEPTION, OR (B) OTHER MATTERS WHICH MAY AFFECT ANY SUCH MORTGAGE OR DEED OF TRUST.

NO GUARANTEE IS MADE REGARDING ANY LIENS, CLAIMS OF LIEN, DEFECTS OR ENCUMBRANCES OTHER THAN THOSE SPECIFICALLY PROVIDED FOR ABOVE, AND, IF INFORMATION WAS REQUESTED BY REFERENCE TO A STREET ADDRESS, NO GUARANTEE IS MADE THAT SAID REAL PROPERTY IS THE SAME AS SAID ADDRESS.

EXCEPTIONS:

1. GENERAL TAXES FOR THE YEAR 2024. THE FIRST HALF THEREOF MUST BE PAID ON OR BEFORE APRIL 30, 2024, TO AVOID INTEREST AND PENALTIES;

AMOUNT BILLED: \$2,560.81

AMOUNT DUE: \$1,280.46

TAX ACCOUNT NO.: 1-1598-201-1748-012

2. TERMS AND CONDITIONS CONTAINED IN PROPERTY USE AND DEVELOPMENT AGREEMENTS DISCLOSED BY CITY OF RICHLAND;

ORDINANCE NO. 53-79

RECORDED: AUGUST 20, 1979

RECORDING NO.: 800290 (INCLUDES OTHER PROPERTY)

ORDINANCE NO.24-92

RECORDED: AUGUST 31, 1992

RECORDING NO.: 92-21216 (INCLUDES OTHER PROPERTY)

CONTINUED

ORDINANCE NO. 34-01

RECORDED: JANUARY 9, 2002

RECORDING NO.: [2002-000734](#) (INCLUDES OTHER PROPERTY)

3. COVENANTS, CONDITIONS AND RESTRICTIONS CONTAINED IN INSTRUMENT;

RECORDED: April 30, 1991

AUDITOR'S FILE NO.: [91-6922](#)

(COPY IS HERETO ATTACHED)

SAID COVENANTS, CONDITIONS AND RESTRICTIONS HAVE BEEN MODIFIED BY INSTRUMENT;

RECORDED: February 10, 1994 AND June 10, 2010

AUDITOR'S FILE NO.: [94-6264](#) AND [2010-012642](#)

(COPY IS HERETO ATTACHED)

4. AGREEMENT AND THE TERMS AND CONDITIONS THEREOF:

BETWEEN: CITY OF RICHLAND AND FOUNTAIN OF LIFE CHRISTIAN , ET AL

REGARDING: PROPERTY USE AGREEMENT

RECORDED: August 11, 1992

AUDITOR'S FILE NO.: [92-21217](#) (INCLUDES OTHER PROPERTY)

5. EXCEPTIONS AND RESERVATIONS CONTAINED IN DEED;

FROM: DESERT STREAMS BIBLE CHURCH (GRANTOR)

TO: JAMES R. HALFORD, A SINGLE MAN

RECORDED: AUGUST 20, 2001

RECORDING NO.: [2001-025797](#)

AS FOLLOWS:

SEE DEED ATTACHED FOR ALL RESERVATIONS AND EASEMENTS

6. EASEMENT AND THE TERMS AND CONDITIONS THEREOF:

GRANTEE: DESERT STREAMS BIBLE CHURCH

PURPOSE: RIGHT OF WAY EASEMENT AND WELLHOUSE ACCESS

RECORDED: August 30, 2001

AUDITOR'S FILE NO.: [2001-027096](#)

AREA AFFECTED: INCLUDES OTHER PROPERTY

7. EASEMENT AND THE TERMS AND CONDITIONS THEREOF:

GRANTEE: DESERT STREAMS BIBLE CHURCH AND JAMES R. HALFORD

PURPOSE: RIGHT OF WAY EASEMENT AND IRRIGATION LINES

RECORDED: August 30, 2001

AUDITOR'S FILE NO.: [2001-027097](#)

AREA AFFECTED: INCLUDES OTHER PROPERTY

CONTINUED

8. EASEMENT AND THE TERMS AND CONDITIONS THEREOF:
GRANTEE: GTE NORTHWEST INCORPORATED
PURPOSE: RIGHT OF WAY EASEMENT AND COMMUNICATION SERVICES
RECORDED: May 23, 2002
AUDITOR'S FILE NO.: [2002-020160](#)
9. AGREEMENT AND THE TERMS AND CONDITIONS THEREOF:
BETWEEN: CITY OF RICHLAND, A WASHINGTON MUNICIPAL CORPORATION AND
SHORELINE LLC, A LIMITED LIABILITY WASHINGTON CORPORATION
REGARDING: FOR IMPLEMENTATION OF A RAILROAD CROSSING SYSTEM UPGRADE
RECORDED: May 29, 2003
AUDITOR'S FILE NO.: [2003-024853](#)
10. EASEMENT AND THE TERMS AND CONDITIONS THEREOF:
GRANTEE: RIVER TRAILS CLUB, LLC, A WASHINGTON LIMITED LIABILITY
COMPANY
PURPOSE: EMERGENCY VEHICLE ACCESS
RECORDED: March 16, 2011
AUDITOR'S FILE NO.: [2011-007985](#)
11. EASEMENT AND THE TERMS AND CONDITIONS THEREOF:
GRANTEE: CITY OF RICHLAND
PURPOSE: UTILITY EASEMENT
RECORDED: April 27, 2011
AUDITOR'S FILE NO.: [2011-011974](#)
12. EASEMENT, INCLUDING THE TERMS, COVENANTS AND PROVISIONS THEREOF;
RECORDED: May 5, 2017
RECORDING NO.: [2017-011984](#)
IN FAVOR OF: CITY OF RICHLAND
FOR: ACCESS
AFFECTS: PORTION OF SUBJECT PROPERTY
13. EASEMENTS SHOWN ON THE FACE OF SURVEY NO. 1405 FOR ACCESS, UTILITY, OVERHEAD
POWER LINE AND ALSO DISCLOSING A PUMP HOUSE.
14. ANY QUESTION THAT MAY ARISE DUE TO SHIFTING OR CHANGE IN THE COURSE OF THE YAKIMA
RIVER DUE TO SAID YAKIMA RIVER HAVING CHANGED ITS COURSE.
15. PARAMOUNT RIGHTS AND EASEMENTS IN FAVOR OF THE UNITED STATES OF AMERICA TO
REGULATE COMMERCE, NAVIGATION, FISHING AND PRODUCTION OF POWER.
16. ANY PROHIBITION OR LIMITATION ON THE USE, OCCUPANCY OR IMPROVEMENT OF THE LAND
RESULTING FROM THE RIGHTS OF THE PUBLIC OR RIPARIAN OWNERS TO USE ANY WATERS
WHICH MAY COVER THE LAND OR TO USE ANY PORTION OF THE LAND WHICH IS NOW OR MAY
FORMERLY HAVE BEEN COVERED BY WATER.
17. UNRECORDED TELEPHONE EASEMENT AS DISCLOSED BY SURVEY 2917 UNDER JOB NO. 3010
CONDUCTED BY STRATTON SURVEYING.

END OF SCHEDULE A EXCEPTIONS.

NOTES:

- a. THE ADDRESS OF THE SUBJECT PROPERTY IS:

2595 DUPORTAIL ST
RICHLAND, WA 99352

- b. ACCORDING TO THE RECORDS OF BENTON COUNTY ASSESSOR, THE CURRENT VALUE OF SAID PREMISES IS AS FOLLOWS:

TAX ACCOUNT NO.: 1-1598-201-1748-012

LAND: \$274,680.00

IMPROVEMENTS: \$0.00

TOTAL: \$274,680.00

- c. THE FOLLOWING ABBREVIATED LEGAL DESCRIPTION IS PROVIDED AS A COURTESY TO ENABLE THE DOCUMENT PREPARER TO CONFORM WITH THE REQUIREMENTS OF RCW 65.04.045, PERTAINING TO STANDARDIZATION OF RECORDED DOCUMENTS.

ABBREVIATED LEGAL DESCRIPTION:

PTN W2 OF 15-9-28

EXHIBIT "A"

THAT PORTION OF TRACT 2 OF RECORD SURVEY RECORDED IN VOLUME 1 OF SURVEYS AT PAGE 3572 LYING IN THE WEST HALF OF SECTION 15, TOWNSHIP 9 NORTH, RANGE 28 EAST, WILLAMETTE MERIDIAN, CITY OF RICHLAND, BENTON COUNTY, WASHINGTON, DESCRIBED AS FOLLOWS:

COMMENCING AT THE INTERSECTION OF DUPORTAIL STREET AND STATE ROUTE 240 (BYPASS HIGHWAY) AS SHOWN ON THE PLAT OF RICHLAND;

THENCE SOUTH 38°08'18" WEST ALONG THE CENTERLINE OF DUPORTAIL STREET 185.18 FEET TO THE INTERSECTION OF SAID CENTERLINE WITH THE BOUNDARY OF SAID PLAT OF RICHLAND;

THENCE SOUTH 51°51'18" EAST ALONG SAID PLAT BOUNDARY 1582.28 FEET TO A POINT ON THE WEST LINE OF A 30 FOOT WIDE GAS LINE EASEMENT AS SHOWN ON SHORT PLAT 1748;

THENCE SOUTH 44°53'14" WEST ALONG THE WEST LINE OF SAID GAS LINE EASEMENT 120.64 FEET;

THENCE SOUTH 03°56'59" EAST ALONG THE WEST LINE OF SAID GAS LINE EASEMENT 181.54 FEET TO A POINT ON THE CORPS OF ENGINEERS TAKING LINE PER RECORD OF SURVEY 1-1405;

THENCE NORTH 78°45'16" WEST ALONG SAID TAKING LINE 1050.23 FEET TO THE TRUE POINT OF BEGINNING;

THENCE CONTINUING NORTH 78°45'16" WEST ALONG SAID LINE 292.52 FEET;

THENCE NORTH 54°59'11" WEST CONTINUING ALONG SAID TAKING LINE 455.73 FEET TO A POINT ON THE SOUTHERLY RIGHT-OF-WAY LINE OF DUPORTAIL STREET;

THENCE NORTH 48°10'35" EAST ALONG SAID SOUTHERLY RIGHT-OF-WAY LINE 65.08 FEET;

THENCE NORTH 38°18'04" EAST ALONG SAID SOUTHERLY RIGHT-OF-WAY LINE 91.54 FEET;

THENCE SOUTH 32°36'35" EAST 29.67 FEET;

THENCE SOUTH 44°11'12" EAST 30.63 FEET;

THENCE SOUTH 49°52'56" EAST 351.89 FEET TO THE BEGINNING OF A CURVE TO THE LEFT THE RADIUS POINT OF WHICH BEARS NORTH 40°07'04" EAST 80.00 FEET;

THENCE EASTERLY ALONG SAID CURVE 51.64 FEET; THENCE SOUTH 86°52'12" EAST 198.20 FEET TO THE BEGINNING OF A CURVE TO THE LEFT THE RADIUS POINT OF WHICH BEARS NORTH 3°07'48" EAST 80.00 FEET;

THENCE EASTERLY ALONG SAID CURVE 65.01 FEET;

THENCE NORTH 46°34'01" EAST 20.45 FEET;

THENCE SOUTH 78°45'16" EAST 52.80 FEET;

THENCE SOUTH 38°08'42" WEST 198.47 FEET TO THE SAID TRUE POINT OF BEGINNING.

EXCEPTING THEREFROM THAT PORTION CONVEYED TO THE CITY OF RICHLAND BY

STATUTORY WARRANTY DEED RECORDED May 5, 2017, UNDER RECORDING NO. 2017-011983.

(ALSO KNOWN AS LOT 2 OF SURVEY NO. 4185 RECORDED March 18, 2011, UNDER RECORDING NO. 2011-008089)

Cascade Title Company of Benton-Franklin Counties

Privacy Policy Notice

PURPOSE OF THIS NOTICE

Title V of the Gramm-Leach-Bliley Act (GLBA) generally prohibits any financial institution, directly or through its affiliates, from sharing nonpublic personal information about you with a nonaffiliated third party unless the institution provides you with a notice of its privacy policies and practices, such as the type of information that it collects about you and the categories of persons or entities to whom it may be disclosed. In compliance with the GLBA, we are providing you with this document, which notifies you of the privacy policies and practices of **Cascade Title Company of Benton-Franklin Counties**

We may collect nonpublic personal information about you from the following sources:

- Information we receive from you such as on applications or other forms.

- Information about your transactions we secure from our files, or from [our affiliates or] others.

- Information we receive from a consumer reporting agency.

- Information that we receive from others involved in your transaction, such as the real estate agent or lender.

Unless it is specifically stated otherwise in an amended Privacy Policy Notice, no additional nonpublic personal information will be collected about you.

We may disclose any of the above information that we collect about our customers or former customers to our affiliates as permitted by law.

WE DO NOT DISCLOSE ANY NONPUBLIC PERSONAL INFORMATION ABOUT YOU WITH ANYONE FOR ANY PURPOSE THAT IS NOT SPECIFICALLY PERMITTED BY LAW.

We restrict access to nonpublic personal information about you to those employees who need to know that information in order to provide products or services to you. We maintain physical, electronic, and procedural safeguards that comply with federal regulations to guard your nonpublic personal information.



Memorandum

DATE: February 28, 2024

TO: Mike Stevens, Planning Manager
City of Richland
625 Swift Boulevard, MS-35
Richland, Washington, 99352

FROM: Jason Mattox, PE, PBS Engineering and Environmental Inc. Engineering Department Manager

PROJECT: 66150.004

REGARDING: Siena Hills Comprehensive Plan Amendment Application

Richland Properties, LLC is respectfully requesting a Comprehensive Plan Amendment to reclassify portions of parcel ID number 134983000001009. The applicant proposed a mix of low-density residential and commercial for the site. The proposal will join similar Land Uses to adjacent Land Uses to eliminate spot Land Uses.

The project site is part of the Siena Hills subdivision. Siena Hills is a planned low- and medium- density residential development located in Richland, Washington on the south side of the Bermuda Road and Legacy Lane intersection. The site had undeveloped land to the west and single-family homes on three of its sides. The adopted comprehensive land use designations for the site include medium density residential (MDR), commercial (COM), and low density residential (LDR).

We believe our application is consistent with the submittal requirements set forth by the City. If you are in need of additional information or clarification, please advise as soon as possible.

Thank you for your review of this application. We look forward to working with you toward approval of our application.

Attachment(s):
Comprehensive Plan Map Amendment Application
Narrative for Comprehensive Plan Map Amendment
Legal Descriptions
Exhibits
SEPA Checklist
Rezone Map Amendment Application
Title Reports

cc: Taylor Merrill, Richland Properties, LLC



Comprehensive Plan Amendment Application

☒ Comprehensive Plan Land Use Map

☐ Text of Comprehensive Plan

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

PROPERTY OWNER INFORMATION

☐ Contact Person

Owner: Richland Properties, LLC c/o: Greg Johnson

Address: 2436 E. Gala St. Ste. 120, Meridian, ID 83642

Phone: 208-888-9946

Email:

APPLICANT/CONTRACTOR INFORMATION (if different)

☒ Contact Person

Company: Richland Properties, LLC

UBI#:

Contact: Taylor Merrill

Address: 2463 E. Gala St. Ste. 120, Meridian, ID 83642

Phone: 208-870-3432

Email: Taylor@westparkco.com

PROPERTY INFORMATION

Legal Description:

See Attached legal description

Parcel Number: 134983000001009

Current Zoning: C-LB and R-1-10

Current Land Use Designation: BMS: Commercial, Low
Density Residential

APPLICATION REQUIREMENTS – Submit as required or attach written statements explaining the following:

1. Completed application and filing fee;
2. The purpose of the proposed amendment;
3. Describe how the amendment is consistent with Washington State Growth Management Act-RCW 36.70A (the goals of the Act are listed in 36.70A.020);
4. How the amendment is consistent with the adopted countywide planning policies;
5. How the amendment furthers the purpose of the City's comprehensive plan;
6. How the amendment is internally consistent with the City's comprehensive plan, as well as other adopted City plans and codes;
7. If applicable, how the project will meet concurrency requirements for transportation;
8. As necessary, supplemental environmental review and/or critical areas review, as determined by the Administrator;
9. **Comprehensive Plan TEXT AMENDMENT applications must also include:**
 - a. The proposed element, chapter, section and page number of the comp. plan to be amended;
 - b. The proposed text change, with new text underlined and deleted text crossed out;
10. **Comprehensive Plan MAP AMENDMENT applications must also include:**
 - a. The current land use map designation for the subject parcel(s);
 - b. The land use map designation requested;
 - c. A complete legal description describing the combined area of the subject parcel(s);
 - d. A vicinity map showing:
 - i. All land use designations within 300 feet of the subject parcel(s);
 - ii. All parcels within 300 feet of the subject parcel and all existing uses of those parcels;
 - iii. All roads abutting and/or providing access to the subject parcel(s) including information on road classification (arterial, collector, access) and improvements to such roads;
 - iv. Location of shorelines and critical areas on or within 300 feet of the site, if applicable;

- v. The location of existing utilities serving the subject parcels, including electrical, water, and sewer;
- vi. The location and uses of existing structures located on the subject parcel(s);
- e. Topographical map of the subject parcels and abutting properties at a minimum scale of one inch represents 200 feet (1:200);
- f. The current official zoning map designation for the subject parcel(s);
- g. A detailed plan which indicates any proposed improvements to:
 - i. Paved streets;
 - ii. Storm drainage control and detention facilities;
 - iii. Public water supply;
 - iv. Public sanitary sewers;
 - v. Circulation and traffic patterns for the development and the surrounding neighborhoods;
- h. A corresponding zoning map amendment application, where necessary, to maintain consistency between the land use and zoning maps. The rezone application will be processed separately from, and after, the comprehensive plan amendment;
- i. A description of any associated development proposals. Development proposals shall not be processed concurrently with comprehensive plan amendments, but the development proposals may be submitted for consideration of the comprehensive plan amendments to limit consideration of all proposed uses and densities of the property under the City's SEPA, zoning and comprehensive land use plan. If no proposed development description is provided, the City will assume that the applicant intends to develop the property with the most intense development allowed under the proposed land use designation. The City shall assume the maximum impact, unless the applicant submits with the comprehensive plan amendment a development agreement to ameliorate the adverse impact(s) of the proposed development.

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

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

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

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

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

Applicant Printed Name: Taylor Merrill

Applicant Signature: [Signature] Date Feb 24th 2024



Zoning Map Amendment Application

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

PROPERTY OWNER INFORMATION

☐ Contact Person

Owner: Richland Properties, LLC c/o: Greg Johnson

Address: 2436 E. Gala St. Ste. 120, Meridian, ID 83642

Phone: 208-888-9946

Email:

APPLICANT/CONTRACTOR INFORMATION (if different)

☒ Contact Person

Company: Richland Properties, LLC

UBI#:

Contact: Taylor Merrill

Address: 2463 E. Gala St. Ste. 120, Meridian, ID 83642

Phone: 208-870-3432

Email: Taylor@westparkco.com

DESCRIPTION OF WORK

Rezone of commercial and low density residential to group zoning of similar types surrounding parcel.

PROPERTY INFORMATION

Parcel #: 134983000001009

Legal Description: See Attached legal description

Current Zoning: C-LB and R-1-10

Current Comp Plan: BMS: COM & LDR

Requested Zoning: C-LB and R-1-10

Current Use: undeveloped

Proposed Use: single family residential and
neighborhood business

Area of Property: 12.62 acre

APPLICATION MUST INCLUDE

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

ANSWER THE FOLLOWING AS COMPLETELY AS POSSIBLE

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

None

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

Low density residential will be surrounded by commercial properties. With the rezone, commercial properties will be continuous.

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

The proposed rezone matches corresponding zones in the area.

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

No adverse effects on the surrounding zones.

Any beneficial or adverse effects the granting or denial of the rezone would have in relation to the overall purpose and intent of the comprehensive plan and this title:

No adverse effects on the overall purpose and intent of the comprehensive plan.

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

None.

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

None

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

Proposed rezone is not a spot rezone and is consistent with surrounding zoning.

Identify impacts on the environment and public safety:

No impacts on the environment or public safety.

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

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

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

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

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

Applicant Printed Name: Taylor Merrill

Applicant Signature:  Date 2/28/24

Narrative for Comprehensive Plan Map Amendment

Siena Hills
Richland, Washington

Prepared for:
Richland Properties, LLC
2436 E. Gala St. Ste. 120
Meridian, ID 83642

February 29, 2024
PBS Project 66150.004



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Table of Contents

Project Summary 1

 Introduction 1

 Site Information 1

 Surrounding Uses and Zones 1

 Project Description 1

Purpose of Proposed Amendment..... 2

Growth Management Act Consistency 2

How the Amendment Is Consistent with the Adopted County’s Planning Policies 5

How The Amendment Furthers the Purpose of the City’s Comprehensive Plan 9

How the Amendment Is Internally Consistent with the City’s Comprehensive Plan 14

If Applicable, How the Project Will Meet Concurrency Requirements for Transportation..... 15

Description of Any Associated Development Proposals 15

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PROJECT SUMMARY

Introduction

This narrative accompanies the comprehensive plan map amendment application for Richland Properties, LLC (applicant). The application package was submitted to the City of Richland (City) in accordance with Title 19 of the Richland Municipal Code (RMC).

Site Information

The project site comprises of a single tax lot, totaling 12.62 acres. The site is identified by the Benton County Assessor as Parcel ID numbers 134983000001009.

The project site is part of the Siena Hills subdivision. Siena Hills is a planned low and medium-density residential development located in Richland on the south side of the Bermuda Road and Legacy Lane intersection. The site has single family homes on three of its sides—parcel number 134984000002002 to its southern boundary is cultivated agriculture land. See Figure 1 for the vicinity map.

The adopted comprehensive land use designations for the site include commercial (COM) and low density residential (LDR). The site is currently zoned as commercial (COM) and low density residential (LDR). The current comprehensive land use designations map can be found on Figure 2.

Surrounding Uses and Zones

The uses and zones surrounding the site are noted as follows:

Table 1. Surrounding Uses and Zones

Direction	Land Uses	Zone
North	Low Density Residential (LDR), City of Richland	AG – Agriculture, City of Richland
South	Low Density Residential (LDR), City of Richland	Single Family Residential (R-1-12), City of Richland
East	Low Density Residential (LDR), City of Richland	Single Family Residential (R-1-10), City of Richland
West	Low Density Residential (LDR) and Medium Density Residential (MDR), City of Richland	Single Family Residential (R-1-10) and Medium Density Residential (R-2), City of Richland

Project Description

The applicant proposes to amend the Land Use Map for approximately 12.62 acres from COM and LDR to LDR and COM on the comprehensive plan map, and to apply comprehensive plan land use designations to the entire project area as shown on Figure 3. The proposal will unify the commercial availability, providing for a variety of housing at different price points. In addition, the proposal will provide complete streets and multi-use paths to ensure residents have multimodal accessibility to the future elementary school and neighborhood friendly retail establishments.

The proposed land use designations include COM and LDR.

Table 2. Proposed Land Use Designations

	Site 1 – Low Density Residential	Site 2 – Commercial
Existing Acres	7.25 acres	5.36 acres
Proposed Acres	7.21 acres	5.40 acres
Current Zoning	R-1-10 – Single Family Residential	C-LB – Limited Business
Parcel ID Numbers	134983000001009	134983000001009
Current Land Use Designation	COM and LDR	COM and LDR
Proposed Land Use Designation	COM and LDR	COM and LDR

PURPOSE OF PROPOSED AMENDMENT

The Badger Mountain Subarea Plan (BMSP) is consistent with the City of Richland Comprehensive Plan, the Benton County-Wide Planning Policies, and the Washington State Growth Management Act (GMA). The BMSP further implements those goals in an identified area where the City's growth will occur, accommodating its future land use needs.

The purpose of the proposed comprehensive plan map amendment is to reclassify portions of parcel ID number 134983000001009. The applicant proposes a mix of low-density residential and commercial for the site. The proposed comprehensive plan land use designation can be found on Figure 3.

GROWTH MANAGEMENT ACT CONSISTENCY

Response: The GMA identifies planning goals in the Revised Code of Washington (RCW) 36.70A.020. The table below lists each goal and explains how the proposed land use map amendment is consistent with each goal.

Table 3. Consistency with GMA Planning Goals

GMA Planning Goal	Project Consistency
Urban Growth. <i>Encourage development in urban areas where adequate public facilities and services exist or can be provided in an efficient manner.</i>	The proposed site for reclassification is located in the defined urban setting and is located within both the city limits and its urban growth area of Richland. The site is or will be served by public facilities and services, including streets, water, sanitary sewer and stormwater systems, schools, fire protection, emergency, and police services. The request does not seek an expansion of the urban growth area, nor does it seek to rescind the City's previous approval of the site as an area designated for urban growth. Rather, this action simply seeks to revise the site's prior-approved land use classification areas.

GMA Planning Goal	Project Consistency
Reduce Sprawl. <i>Reduce the inappropriate conversion of undeveloped land into sprawling, low-density development.</i>	The site is designated in the City's current comprehensive plan, urban growth area, and city limits. The site area adjacent to developed and developing properties make this proposal a natural extension of the adjacent development. The proposed amendment could not be reasonably described as sprawl. The vision is to create a development that provides a range of residential densities and supporting commercial uses to provide employment opportunities and services within walking distance or reduce the need for vehicles.
Transportation. <i>Encourage efficient multimodal transportation systems that are based on regional priorities and coordinated with county and city comprehensive plans.</i>	The site will be served by Queensgate Drive/Bermuda Road, the extension of Gage Boulevard, and a series of to-be-constructed local streets. The concept of Siena Hills includes the incorporation of multi-use paths to connect greenbelts and parks with schools, neighborhoods, and retail centers. The proposed amendment will not result in significant adverse impacts to the transportation network and will not place uncompensated burdens upon existing or planned services.
Housing. <i>Encourage the availability of affordable housing to all economic segments of the population of this state, promote a variety of residential densities and housing types, and encourage preservation of existing housing stock.</i>	The proposed comprehensive plan amendment would not negatively impact housing affordability. If approved the proposal will increase the availability of middle housing types, diversifying the housing price point options. No decrease in the land area available for housing would result from approval of the application.
Economic Development. <i>Encourage economic development throughout the state that is consistent with adopted comprehensive plans, promote economic opportunity for all citizens of this state, especially for unemployed and for disadvantaged persons, promote the retention and expansion of existing businesses and recruitment of new businesses, recognize regional differences impacting economic development opportunities, and encourage growth in areas experiencing insufficient economic growth, all within the capacities of the state's natural resources, public services, and public facilities.</i>	The proposed comprehensive plan amendment would neither increase or decrease the amount of land available for the expansion or retention of businesses and so it does not have an impact on this goal.
Property Rights. <i>Private property shall not be taken for public use without just compensation having been made. The property rights of landowners shall be protected from arbitrary and discriminatory actions.</i>	The proposal does not involve the taking of private lands for public purposes. The proposed request is being submitted to the City for due and fair consideration through the appropriate process prescribed by city and state law. The prescribed process protects the property rights of landowners from arbitrary and discriminatory actions. Accordingly, the request is consistent with this goal.

GMA Planning Goal	Project Consistency
Permits. Applications for both state and local government permits should be processed in a timely and fair manner to ensure predictability.	This request for a comprehensive plan map amendment does not involve an application for a state permit. As per RMC 19.90.060, the required local government application will be considered during the current annual review period. Accordingly, the request is consistent with this goal.
Natural Resource Industries. Maintain and enhance natural resource-based industries, including productive timber, agricultural, and fisheries industries. Encourage the conservation of productive forestlands and productive agricultural lands and discourage incompatible uses.	The proposed site will not enhance or detract any natural resource industry such as timber, high producing agricultural lands, or fishery industries. The site does not contain, nor is it adjacent to, any productive timber or fisheries industries. No productive forest lands will be removed since the site does not contain any forest lands. The site is presently in use for agricultural purposes, and that use will cease once the land is developed. However, it is noted that the site is within the city limits, is designated for development in the City's comprehensive plan, is within the urban growth area, and is not part of any area that has been designated for exclusive farm use.
Open Space and Recreation. Retain open space, enhance recreational opportunities, conserve fish and wildlife habitat, increase access to natural resource lands and water, and develop parks and recreation facilities.	The proposed application will not remove any existing or proposed recreational activities. Future applications for development of the site will include parks and multi-use trails.
Environment. Protect the environment and enhance the state's high quality of life, including air and water quality, and the availability of water.	The proposed application will reclassify one site from COM and LDR to COM and LDR. The site has been disturbed in the past and is surrounded by residential development. Consequently, it lacks natural vegetation and viable wildlife habitat. The proposed comprehensive plan amendment would not negatively impact the environment. The proposed plan would not result in either impacts to air or water quality. Any future development of, on, or to the site will comply with all state and federal environmental regulations
Citizen Participation and Coordination. Encourage the involvement of citizens in the planning process and ensure coordination between communities and jurisdictions to reconcile conflicts.	The site will be subject to several public hearings if the application is approved to move forward. The public will have the opportunity to comment on the Comprehensive Plan Amendment, and the State Environmental Policy Act (SEPA) application. The City's Planning Commission will hold a public hearing and make a recommendation, followed by the City Council's review and consideration of the request during a regular City Council hearing. Accordingly, the request is consistent with this goal.
Public Facilities and Services. Ensure that those public facilities and services necessary to support development shall be adequate to serve the development at the time the development is available for occupancy and use without decreasing current service levels below locally established minimum standards.	Collectively, the proposed comprehensive plan amendment would not result in increased demands for City water, sewer, or power. A future development proposal will provide details regarding Siena Hills demands on the City's water and sewer. As part of the review process of future development actions and applications, utilities plans will be submitted for review and approval.

GMA Planning Goal	Project Consistency
Historic Preservation. <i>Identify and encourage the preservation of lands, sites, and structures, which have historical or archaeological significance.</i>	There are no known historical or archaeological resources on the site. This request does not entail any ground disturbance. Development will comply with all applicable state rules and regulations that are in place to protect historical or archaeological resources. A cultural report will be completed as part of the planned action Environmental Impact Statement (EIS).

As noted in the above table, the proposed comprehensive plan land use map amendment is consistent with the planning goals identified in the GMA.

HOW THE AMENDMENT IS CONSISTENT WITH THE ADOPTED COUNTY'S PLANNING POLICIES

The county-wide planning policies serve as guidelines and principles used by all cities within Benton County (County) to ensure regional coordination and smart growth. It is also used to avoid inconsistencies or incompatible strategies, particularly transportation networks, public services, and provisions for affordable housing. Specifically, pertinent to land use, page 13 of the Comprehensive Plan states that the land use element "is written with the intent to be harmonious with the policies set forth in Benton County's Countywide Planning Policies, which is intended to serve as a framework for this Comprehensive Plan." On page 28, the Comprehensive Plan states: "In accordance with Benton Countywide Planning Policy #2, the City plans for future population growth based on the published, official projections of the state Office of Financial Management, and the allocation for the city as provided by the County" and "the Benton Countywide Planning Policies apply to the City's planning efforts and are intended to provide a framework for development of the Comprehensive Plan." This narrative shows consistency with the City's comprehensive plan, thereby also showing consistency with the county-wide planning policies since the City's comprehensive plan was adopted as being "compatible" and "harmonious" with the county-wide planning policies.

Following is a brief statement identifying how the proposed comprehensive plan amendment relates to the adopted county-wide planning policies.

County's Policies	Response
Policy 1: <i>The County shall allocate future projected populations through the use of the latest population projections published by the Washington State Office of Financial Management (OFM). Allocation of future populations shall be based on the following distribution: City of Kennewick 40% of total county population; City of Richland 28% of total county population, Benton County 19% of total county population; City of West Richland 8% of total county population; City of Prosser 3% of total county population and City of Benton City 2% of total county population. The County, in consultation with the Cities will review the OFM population projection ranges (Low, Medium, and High) and allocation percentages whenever OFM publishes new GMA population projections.</i>	The proposed comprehensive plan amendment would not have any direct impacts on population projections for either the County or the City and would not involve any changes to the population allocation formula.

County's Policies	Response
Policy 3: <i>The locating of Urban Growth Areas within the County shall be accomplished through the use of accepted planning practices which provide sufficient land and service capacity, up to the determined need, to meet project populations at urban densities and service standards within the Cities, and urban densities for those portions of the County located within the urban growth areas.</i>	The proposed comprehensive plan amendment would not alter population projections, urban densities, or service standards and therefore does not impact this policy.
Policy 4: <i>That Urban Growth Areas of each City shall be based upon official and accepted population projections for minimum of 20 years. The gross undeveloped and underdeveloped acreage within the city limits and the Urban Growth Area shall be sufficient to meet all the land requirements, for the following. Community and essential public facilities, population projection, commercial and industrial activities, employment projections, infill and to prevent inflation of land cost due to a limited land supply. (Note: The formula for identifying per capita land needs included in this policy has not been reprinted here.)</i>	The proposed comprehensive plan amendment would not impact population projections, nor the amount of land allocated for various future land uses.
Policy 5: <i>That within the urban growth area, urban uses shall be concentrated in and adjacent to existing urban services or where they are shown on a Capital Improvement Plan to be available within 6 years.</i>	The proposed comprehensive plan amendment occurs in an area where urban services and development already exist.
Policy 6: <i>That cities limit the extension of service district boundaries and water and sewer infrastructure to areas within each jurisdiction's urban growth area contained in their adopted Comprehensive Plan. Utility plans should attempt to reflect possible needs for 50 years.</i>	The proposed comprehensive plan amendment occurs in an area where urban services and development already exist.
Policy 7: <i>Within each Comprehensive Plan, the Land Use Plan for urban growth areas shall designate urban densities and indicate the general locations of greenbelt and critical areas.</i>	The proposed comprehensive plan amendment would not result in the change of any urban growth area boundaries, alter urban densities, or impact critical areas.
Policy 8: <i>Wherever possible, given consideration of all other variables, such as existing unused service infrastructure, the placement of an urban growth line into an area of existing commercial agriculture shall be avoided.</i>	The proposed comprehensive plan amendment does not involve either the movement of an urban growth boundary or the conversion of commercial agricultural lands.
Policy 9: <i>The appropriate directions for the expansion of urban growth areas are those which are unincorporated land with existing service infrastructure and lands adjacent to corporate limits.</i>	The proposed comprehensive plan amendment does not involve an expansion of an urban growth area boundary. The site is located within the existing urban growth area and falls within the limits of the City.
Policy 10: <i>All policies within each jurisdiction's Comprehensive Plans shall be modified to be consistent with adopted Countywide Policies.</i>	The proposed comprehensive plan amendment would not require the amendment of any policies within the City of Richland Comprehensive Plan.

County's Policies	Response
Policy 11: <i>The County and Cities, along with public participation shall develop a cooperative regional process to site essential public facilities of regional and statewide importance. The objective of the process shall be to ensure that such facilities are located so as to protect environmental quality, optimize access and usefulness to all jurisdictions, and equitably distribute economic benefits/burdens throughout the region or county.</i>	The proposed comprehensive plan amendment does not involve the siting of essential public facilities.
Policy 12: <i>Support the existing solid waste program that promotes and maintains a high level of public health and safety, protects the natural and human environment of Benton County, and encourages public involvement by securing representation of the public in the planning process.</i>	The proposed comprehensive plan amendment would not impact existing solid waste programs.
Policy 13: <i>Encourage and expand coordination and communication among all jurisdictions and solid waste agencies/firms in Benton and Franklin Counties in order to develop consistent and cost-effective programs that avoid duplication of effort and gaps in program activities.</i>	The proposed comprehensive plan amendment would not impact existing solid waste programs.
Policy 14: <i>Maintain active County-City participation in the Regional Transportation Planning Organization in order to facilitate City, County and State coordination in planning regional transportation facilities and infrastructure improvements to serve essential public facilities including Port District facilities and properties.</i>	The proposed comprehensive plan amendment would not impact existing City, County, or regional transportation plans.
Policy 15: <i>The County and Cities within shall work together to provide housing for all economic segments of the population. All jurisdictions shall seek to create the conditions necessary for the construction of affordable housing, at the appropriate densities within the cities and county. The following actions should be accomplished:</i> <i>Jointly quantify and project total countywide housing needs by income level and housing type (i.e., rental, ownership, senior, farm worker housing, group housing.)</i> <i>Establish a mechanism whereby the housing efforts/programs of each jurisdiction address the projected countywide need.</i> <i>Address the affordable housing needs of very low-, low- and moderate-income households, and special needs individuals through the Comprehensive Housing Affordability Strategy (CHAS).</i> <i>Develop design standards for implementation within the Comprehensive Plan with special attention to be given to the residential needs of low to moderate income families.</i>	The proposed comprehensive plan amendment would increase the availability of middle housing types in the area, diversifying the housing units' price point for future residents.

County's Policies	Response
Policy 16: <i>Urban growth areas may include territory located outside of a city if such territory may be characterized by urban growth or is adjacent to territory already characterized by urban growth. Within urban growth areas, only urban development may occur.</i>	The proposed comprehensive plan amendment is in an area that is incorporated within the City and is already part of Richland's Urban Growth Area. Therefore, the proposed amendment would not impact urban growth area boundaries.
Policy 17: <i>To encourage logical expansion of corporate boundaries into urban growth areas, and to enable the most cost-efficient expenditure of public funds for the provision of urban services into newly annexed areas. The County and each City shall jointly develop and implement development, land division and building standards, and coordinated permit procedures for the review and permitting of new subdivision within Urban Growth Areas.</i>	As the proposed comprehensive plan amendment site is located within the City, it does not impact City/County efforts to establish joint development standards.
Policy 18: <i>Consistent with the protection of public health, safety, welfare and the use of natural resources on a long-term sustainable basis, the ability of service capacity to accommodate demands, and the expressed desires of each community, Comprehensive Plans shall jointly and individually support the County and region's economic prosperity in order to promote employment and economic opportunity for all citizens.</i>	The proposed comprehensive plan amendment would not impact the region's economic prosperity or affect the use of natural resources on a sustainable basis.
Policy 19: <i>The County and Cities have historically partnered with each other as well as with other organizations to achieve economic development throughout the region. It is the intention of the County and Cities to continue to actively pursue mutually beneficial partnerships that promote growth in all sectors of business and industry, including but not limited to areas of agriculture, agri-business, industrial, commercial, public schools, recreation, and tourism. Key strategies will include promoting family wage jobs, increasing business formation, expansion, and retention, and creating jobs and financial investment to improve the economics of our communities.</i>	Neither the existing land use designation nor the proposed comprehensive plan amendment contemplate any economic related development of the site, so the application does not impact this policy.
Policy 20: <i>Capital Improvement Plans and Land Use Plans, shall conduct fiscal analyses which identify and refine the most cost-effective use of regional and local public services.</i>	The proposed comprehensive plan amendment would not impact regional and local public services.
Policy 21: <i>Support the development of public schools in areas where utilities are present or can be extended, is financially supportable at urban densities, where the extension of public infrastructure will protect health and safety and the school locations are consistent with the analysis recommended by WAC 365-196-425(3)(b).</i>	The proposed comprehensive plan amendment would support the development of public schools where utilities are present or can be extended.

County's Policies	Response
Policy 22: <i>The Growth Management Act requires counties planning under the Act to adopt a countywide planning policy in cooperation with the cities located in the county. The countywide planning policy is to be a written policy statement or statements used solely for establishing a countywide framework from which county and city comprehensive plans are developed and adopted pursuant to this (GMA) chapter. The purpose for the Benton County Wide Planning Policies is to meet this requirement of the Act. This document is a tool that will provide the necessary guidance to achieve consistency during the updating of comprehensive plans for the county and the cities.</i>	The proposed comprehensive plan amendment would not directly impact this county-wide planning policy.

HOW THE AMENDMENT FURTHERS THE PURPOSE OF THE CITY'S COMPREHENSIVE PLAN

The goals and policies of the City's comprehensive plan are below followed by a brief response describing how the application is consistent with the goals and policies.

Comprehensive Plan Goal/Policy	Response
LU Goal 1: <i>Plan for growth within the urban growth area and promote compatible land use.</i> <i>Policy 1: Revitalize areas that are already within the City, especially areas within the Central Business District, such as the Parkway and Uptown, and the Island View areas.</i> <i>Policy 2: Facilitate planned growth and infill developments within the City.</i>	The proposed comprehensive plan amendment would facilitate planned growth and promote compatible land uses. As such, the application is compatible with existing development.
LU Goal 2: <i>Establish land uses that are sustainable and create a livable and vibrant community.</i> <i>Policy 1: Maintain a variety of land use designations to accommodate appropriate residential, commercial, industrial, healthcare, educational, recreational, and open space uses that will take advantage of the existing infrastructure network.</i> <i>Policy 2: Ensure that adequate public services are provided in a reasonable time frame for new developments.</i> <i>Policy 3: Ensure that the intent of the land use and districts are maintained.</i>	The amendment would be a benefit to residents and would help to maintain a livable and vibrant neighborhood.
LU Goal 3: <i>Maintain a broad range of residential land use designations to accommodate a variety of lifestyles and housing opportunities.</i> <i>Policy 1: Distribute residential uses and densities throughout the urban growth area consistent with the City's vision.</i> <i>Policy 2: Encourage higher residential densities especially in and near the Central Business District area.</i>	The proposed comprehensive plan amendment will expand the variety of housing opportunities available in the City.

Comprehensive Plan Goal/Policy	Response
<i>Policy 3: Innovative and non-traditional residential developments can occur through the use of planned unit developments, density bonuses, new types of housing, and multi-use or mixed-use developments.</i>	
LU Goal 4: Promote commercial and industrial growth that supports the City's economic development goals. <i>Policy 1: Accommodate a variety of commercial land uses including retail and wholesale sales and services, and research and professional services.</i> <i>Policy 2: Promote developments such as business and research parks, office parks, technology centers, manufacturing and processing facilities, and other types for high- tech uses.</i> <i>Policy 3: Locate neighborhood-oriented commercial land uses in Neighborhood Retail Business areas.</i> <i>Policy 4: Encourage the use of buffers or transition zones between non-compatible land uses.</i> <i>Policy 5: In areas where residential uses are in close proximity to industrial or commercial lands, adequate development standards should be used in industrial or commercial developments to mitigate the impacts on residential uses.</i> <i>Policy 6: Support industrial developments on lands previously owned by the Department of Energy and transferred to the City and the Port of Benton.</i>	The proposed comprehensive plan amendment unifies commercial land uses in a single area of Neighborhood Retail Business area per Policy 3.
LU Goal 5: Ensure connectivity that enhances community access and promotes physical, social, and overall well-being so residents can live healthier and more active lives. <i>Policy 1: Locate commercial uses so that they conveniently serve the needs of residential neighborhoods, workplaces, and are easily accessible via non-motorized modes of transport.</i> <i>Policy 2: Promote pedestrian and bicycle circulation throughout the community by connecting with the infrastructure and the City's network of parks and trail system.</i>	The proposed comprehensive plan amendment would allow for multiuse paths throughout the development and therefore will promote the overall well-being of neighborhood residents. These paths will provide a safe place for homeowners to walk and ride their bikes.
LU Goal 6: Develop an attractive and vibrant Central Business District that displays the unique character of Richland. <i>Policy 1: Revitalize declining commercial areas by promoting clean, safe, and pedestrian- and bicycle- friendly environments.</i> <i>Policy 2: Designate land use and zoning for higher-density residential uses, mixed-use, and business uses within and adjacent to the Central Business District.</i> <i>Policy 3: Encourage infill development and redevelopment in the Central Business District.</i>	This proposed comprehensive plan amendment is not located near the existing central business district. However, the proposal will incorporate mixed-used development, using the allowable land uses under the central business district land use designation to showcase and display the unique characters of the Badger Mountain South development and specifically Siena Hills.

Comprehensive Plan Goal/Policy	Response
LU Goal 7: Encourage efficient use and location of public facilities such as transit centers, utility facilities, schools, parks, and other public uses. <i>Policy 1:</i> Locate municipal facilities within their service areas and ensure the grouping of facilities within neighborhoods, whenever feasible. <i>Policy 2:</i> Ensure that the scale, and location of public facilities are compatible with or buffered from existing and planned surrounding areas. <i>Policy 3:</i> Wherever possible, the City will locate park and school facilities together for efficient use of public facilities. <i>Policy 4:</i> Encourage the development of private and public regional sports and recreational facilities of a size and quality to attract significant numbers of users and spectators.	The unique circumstances addressed in these land use policies do not apply to this application, as the site is not near a Ben Franklin Transit route.
LU Goal 8: Address unique land use situations in the urban area with policies specific to those situations that ensure compatibility between land uses without infringing on private property rights. <i>Policy 1:</i> Ensure that lands designated Urban Reserve remain in this holding category to serve future demand for land. <i>Policy 2:</i> Apply the Agricultural designation in the Yakima River floodplain. <i>Policy 3:</i> At designated Waterfront land use locations, encourage an active mix of commercial, residential, and marine uses as allowed in the SMP. <i>Policy 4:</i> Identify and encourage the preservation of lands, sites, and structures that have historical or archaeological significance. <i>Policy 5:</i> Define and identify mineral resource lands located within its boundaries that are not already compromised by on-site, immediate, or adjacent urban growth and that have long-term significance for the extraction of minerals on a commercially viable basis. <i>Policy 6:</i> Property and/or mineral rights owners should work with the City and appropriate agencies for protection of these sites. Designate mineral resource lands located in the City of Richland that meet the Criteria for Classification of Mineral Resources (WAC 365-190-070). <i>Policy 7:</i> Ensure that land uses surrounding the Richland Airport are compatible with existing and future airport operations and do not restrict the airport's ability to maintain or expand its existing and future aviation demands. Coordinate with the Port of Benton to restrict land uses in airport areas that would create conflict or negatively impact the safe and effective airport operations.	The unique circumstances addressed in these land use policies do not apply to this application, as the site is not used for agricultural production; is not near the waterfront; is without any known historical or archeological significance; is not a mineral resource area; or near the Richland Airport.

Comprehensive Plan Goal/Policy	Response
LU Goal 9: Within Island View, the City will implement a Single-Family Overlay land use designation for clusters of property that are currently used as single-family residences which have high probability of being redeveloped with non-residential land uses. <i>Policy 1: The city will use the Single-Family Overlay concept only in those instances where the majority of property owners have expressed a preference for its use.</i> <i>Policy 2: Areas designated as Single-Family Overlay will be zoned for single-family residential uses, as identified in the city's R-2 Medium Density Residential zoning district.</i> <i>Policy 3: Areas designated as Single-Family Overlay will remain as such until property owner(s) bring forward a request to remove the overlay and change the zoning to the designation contained in the Island View Subarea Plan. In such cases, an amendment to the comprehensive plan is not necessary.</i> <i>Policy 4: Applicants bringing forward a request to change the zoning of property designated Single Family Overlay should demonstrate that the land proposed for amendment is a) large enough to support redevelopment for non-single family residential land uses; and b) will have sufficient access to City streets and utility systems to support redevelopment.</i> <i>Policy 5: Whenever properties designated with the Single-Family Overlay are rezoned for non-single family residential uses in accordance with Policy 4 above, the Single Family Overlay designation should be removed from the subject property.</i>	The site is not located within the Island View area, so these land use policies do not apply.
LU Goal 10: Follow controlling law and constitutional requirements, both state and federal, to ensure the appropriate protection of private property rights. <i>Policy 1: Monitor evolving state and federal statutory amendments and judicial precedent so that timely amendments or changes can be made in the process of implementing the comprehensive plan policies and development regulations.</i> <i>Policy 2: Process comprehensive plan amendments and development regulations using a fair and open hearing process, with adequate public notice and opportunities to participate to ensure the protection of all due process rights.</i> <i>Policy 3: Process timely, fair, and predictable processing and review of land use permit applications in conformance with applicable federal and state legal and regulatory requirements.</i>	The application has been prepared and filed in compliance with City regulations that are in place to facilitate a fair and open hearing process and provide the public with adequate notice.

Comprehensive Plan Goal/Policy	Response
Natural Environment NE Goal 1: <i>Promote the protection, conservation, and restoration of natural areas, shorelines, and critical areas as unique assets to the community, and provide public access for enjoyment of such facilities based on the ability of the resource to support the use.</i> <i>Policy 1: Use the critical areas ordinance, SMP, the state environmental policy act (SEPA), and other ordinances, as applicable, to designate and protect the critical areas and natural environment.</i> <i>Policy 2: Consider the goals and policies of the SMP as part of this Comprehensive Plan. Encourage development of water-oriented recreational, cultural, and commercial facilities in certain Columbia River locations, consistent with the SMP and its criteria of no net loss of ecological functions, to enhance and diversify Richland's community recreational resources and its attractiveness to tourists.</i> <i>Policy 3: Ensure public access to shorelines on public land, subject to regulations protecting public safety, sensitive habitat areas, and wildlife.</i> <i>Policy 4: Encourage the public and/or private acquisition of the prominent ridges in the south Richland area to preserve views, protect shrub-steppe habitat, and to provide public access. Consider the preservation of the ridges and hillside areas through various standards.</i> <i>Policy 5: Develop an integrated pedestrian trail system to provide access through the City's important natural features, such as prominent ridges and Rivershore areas and provide necessary trail linkages between these natural features.</i>	Shoreline policies do not apply to the site. This site does not include prominent ridges, shrub-steppe habitat, sensitive habitat areas, or wildlife habitat areas. The site has not been identified as a critical area on City critical areas maps. The future development does provide for future multi-use paths across the site and would provide expansion of pedestrian trails within the neighborhood.
Historic and Cultural Resources HP Goal 1: <i>Preserve significant historic structures, districts, and cultural resources that are unique to Richland.</i> <i>Policy 1: Encourage preservation and promotion of adaptive reuse of historic "Alphabet Homes" of Richland.</i> <i>Policy 2: Coordinate with local tribes, federal, state, and local agencies to protect historic and cultural resources.</i>	The existing structure on site is to be preserved and no known historic or cultural resources are present.
UD Goal 1: <i>Create a physically attractive and culturally vibrant, pedestrian- and bicycle-friendly environment in the City.</i> <i>Policy 1: Establish and enhance the positive attributes of residential, commercial, central business, and other districts with appropriate transition between them.</i> <i>Policy 2: Encourage redevelopment and upgrade of suitable commercial areas.</i> <i>Policy 3: Improve streetscape and connectivity for safe and pedestrian-friendly environments.</i> <i>Policy 4: Promote public arts, museums, and interpretive centers in coordination with public plazas and community spaces that reflect the unique history and culture of Richland.</i>	The proposed plan amendment for future development provides multiuse paths across the site and so would make the Siena Hills more and active transportation friendly.

Comprehensive Plan Goal/Policy	Response
UD Goal 2: Revitalize commercial areas, such as areas in the Central Business District including the Uptown retail area and the Island View area. <i>Policy 1: Enhance the appearance, image, and design character of the Central Business District.</i> <i>Policy 2: Ensure adequate public transit, bicycle, and pedestrian access in the commercial centers along with parking and landscaping.</i> <i>Policy 3: Enhance the welcoming experience into the community through well-designed gateway features in prominent locations.</i> <i>Policy 4: Design the public realm, including streetscapes, parks, plazas, and civic amenities for the community to gather and interact.</i> <i>Policy 5: Provide continuity among adjacent uses by using cohesive landscaping, decorative paving, street furniture, public art, and integrated infrastructure elements.</i>	This urban design goal is not directly applicable to the proposed plan amendment.
UD Goal 3: Development through appropriate design, should protect natural features such as rivers, shorelines, ridgelines, steep slopes, and archaeological and historical resources. <i>Policy 1: Development should be sensitive to existing topography and landscape and should minimize environmental impacts.</i> <i>Policy 2: Hillside development should, as much as practical, blend with the natural shape and texture of the land.</i> <i>Policy 3: Lighting should be designed so as to promote public safety as well as promote "Dark Sky" principals.</i>	The site of the proposed plan amendment does not contain shorelines, steep slopes, or ridgelines and there are no known archeological or historical resources on-site. Therefore, this urban design goal is not directly applicable to this proposed plan amendment.
UD Goal 4: Promote community beautification by enhancing public spaces and thoroughfares and encouraging private property beautification. <i>Policy 1: Improve the appearance of all city- owned space and major thoroughfares.</i> <i>Policy 2: Promote programs to improve landscaping. Encourage xeriscaping and use of native plants.</i> <i>Policy 3: Promote more attractive signage throughout the City, especially in commercial districts.</i>	The proposed plan amendment would provide opportunities for landowners to make investments to beautify their private property.

HOW THE AMENDMENT IS INTERNALLY CONSISTENT WITH THE CITY'S COMPREHENSIVE PLAN

Consistency with the City's Comprehensive Plan is detailed in this narrative on pages 9 through 11. Other adopted city plans and codes, including the BMSP and the Capital Improvements Plan, were adopted to meet and satisfy goals, policies, and objectives outlined in the City's Comprehensive Plan. Accordingly, consistency with the Comprehensive Plan also means consistency with the plans and codes adopted to meet the Comprehensive Plan requirements.

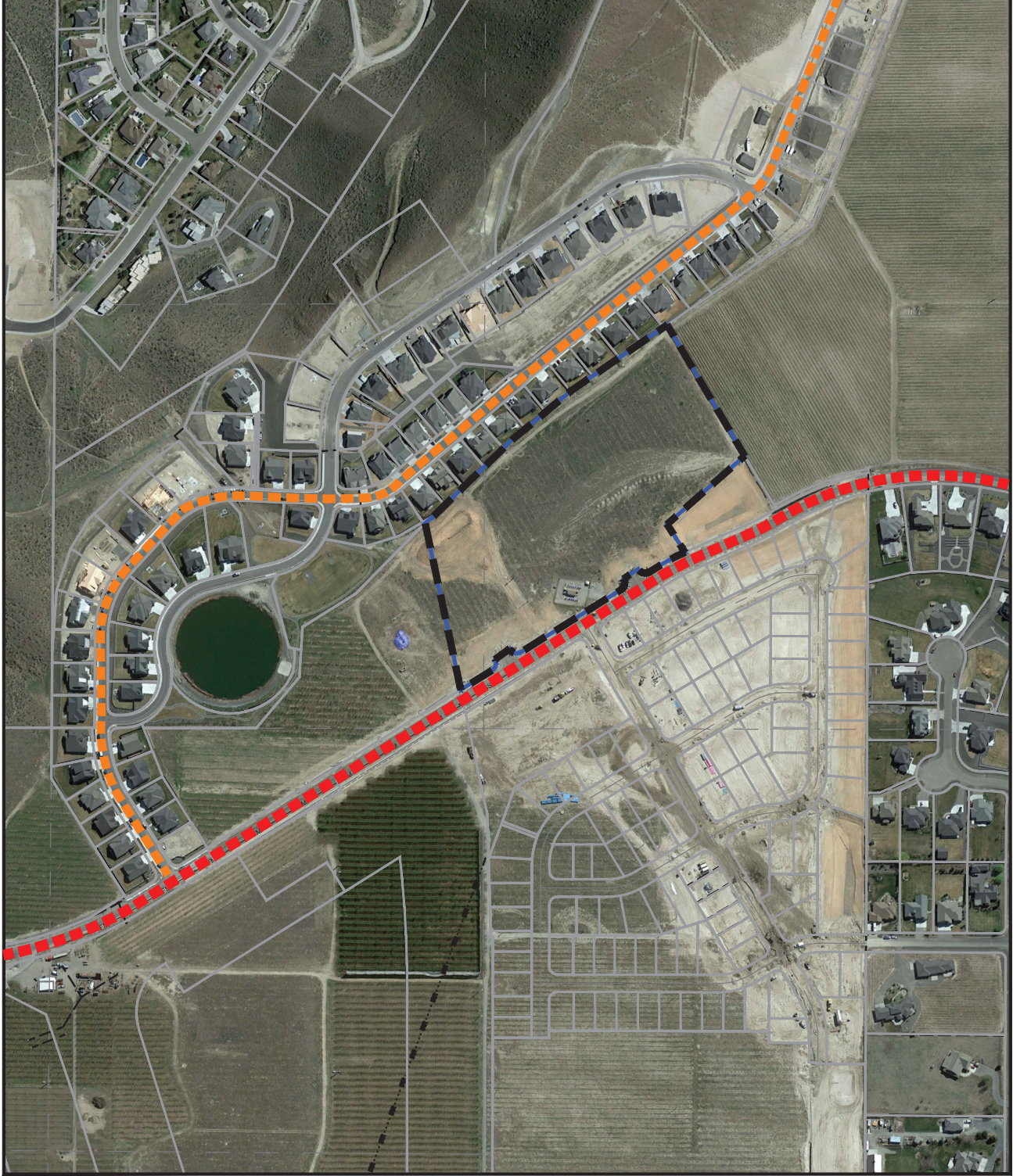
**IF APPLICABLE, HOW THE PROJECT WILL MEET CONCURRENCY REQUIREMENTS FOR
TRANSPORTATION**

The proposed amendment will not result in significant adverse impacts to the transportation network, capital facilities, utilities, parks, and environmental features which cannot be mitigated and will not place uncompensated burdens upon existing or planned services.

Future development of the site will complete public improvements including streets, city water extension, city sewer extension, installation of fire hydrants, installation of required stormwater systems, and parks/opens/trail improvements for the benefit of the site. Such improvements will be designed and reviewed as part of future development applications and will be installed once appropriate approvals have been received.

DESCRIPTION OF ANY ASSOCIATED DEVELOPMENT PROPOSALS

There are no associated development proposals with this application. If Comprehensive Plan Map Amendment is accepted, the applicant would like to move forward with a preliminary plat application for Peach Tree Estates.



PROJECT BOUNDARY

PROJECT BOUNDARY

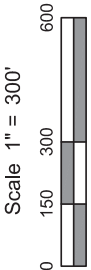
PROJECT PARCELS

PROPERTY BOUNDARY

ROADWAY CLASSIFICATION

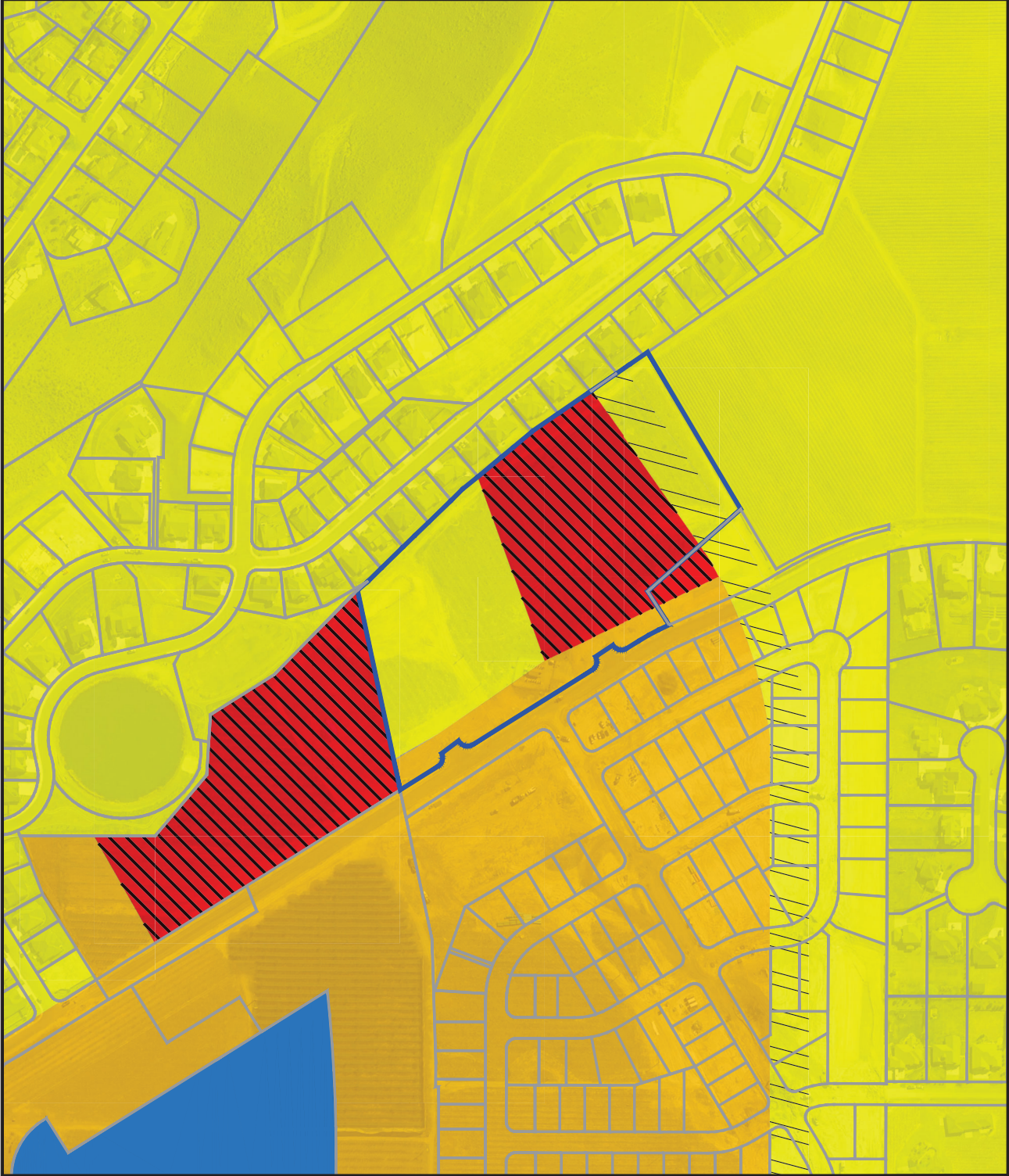
MAJOR COLLECTOR

MINOR COLLECTOR



**SIENA HILLS
VICINITY MAP EXHIBIT**

DATE: FEB 2024 - PROJECT: 66150.004



PROJECT BOUNDARY

- PROJECT BOUNDARY
- PROJECT PARCELS

BMS SUBAREA LAND USE

- COMMERCIAL
- MEDIUM DENSITY RESIDENTIAL
- LOW DENSITY RESIDENTIAL
- CIVIC (PARKS, TRAILS, OPEN SPACE)
- CIVIC SCHOOLS

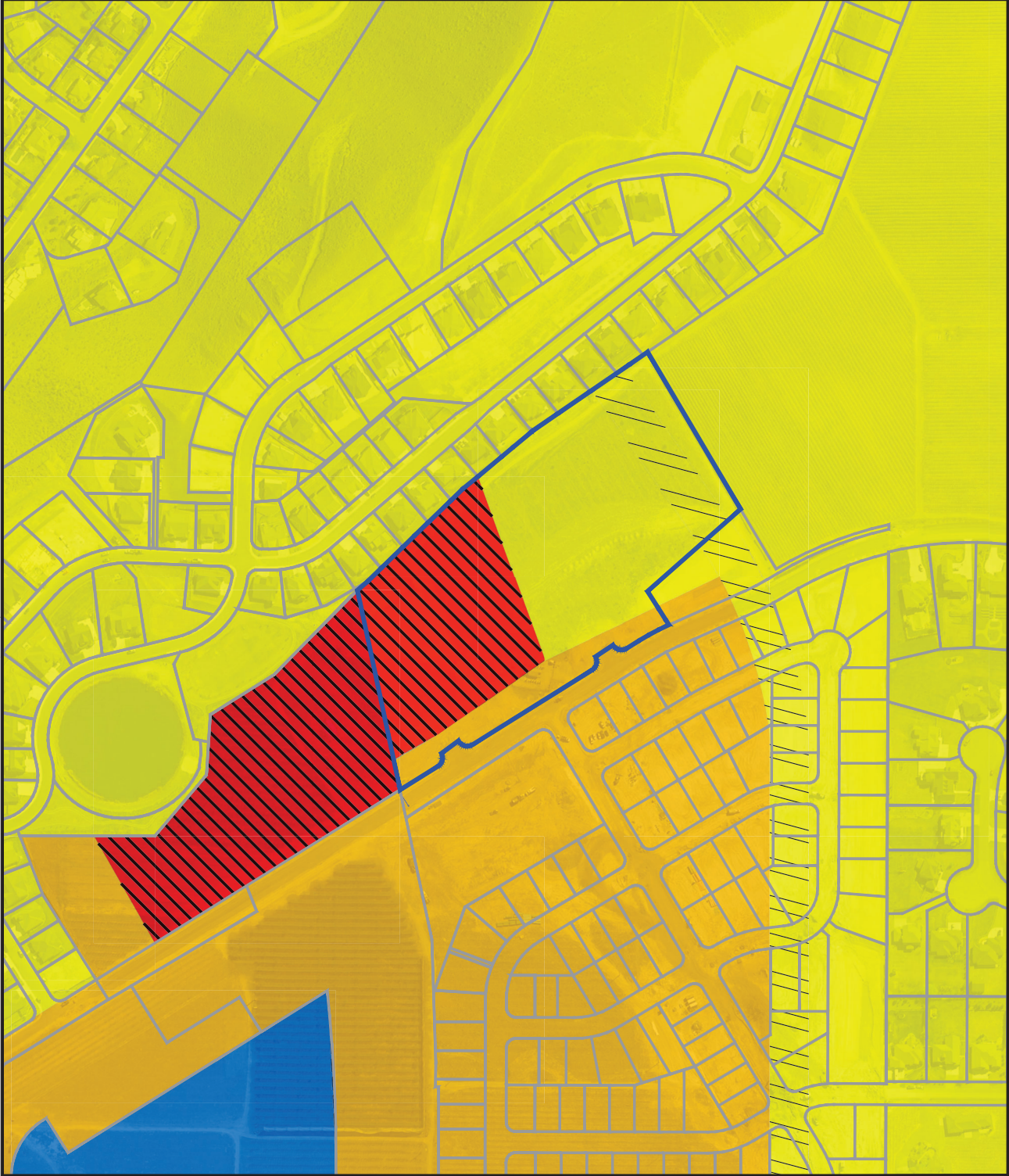


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**SIENA HILLS
CURRENT LAND USE**

DATE: FEB 2024 - PROJECT: 66150.004



PROJECT BOUNDARY

- PROJECT BOUNDARY
- PROJECT PARCELS

BMS SUBAREA LAND USE

- COMMERCIAL
- MEDIUM DENSITY RESIDENTIAL
- LOW DENSITY RESIDENTIAL
- CIVIC (PARKS, TRAILS, OPEN SPACE)
- CIVIC SCHOOLS



Scale 1" = 250'

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SIENA HILLS
PROPOSED LAND USE

DATE: FEB 2024 - PROJECT: 66150.004



PROJECT BOUNDARY

- PROJECT BOUNDARY
- PROJECT PARCELS

LINE TYPE LEGEND

- EXISTING MAJOR CONTOURS
- EXISTING MINOR CONTOURS



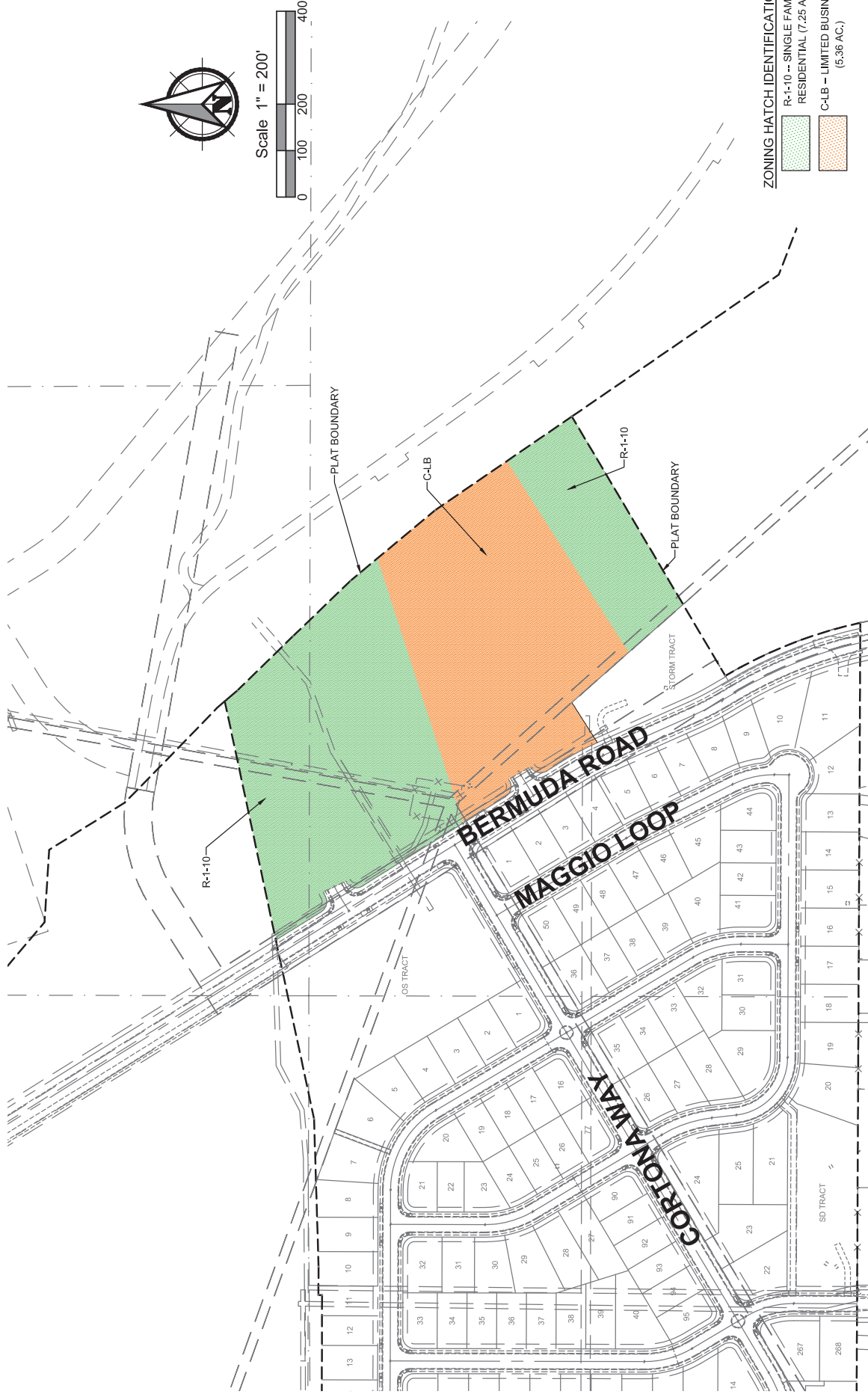
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**SIENA HILLS
TOPOGRAPHY EXHIBIT**

DATE: FEB 2024 - PROJECT: 66150.004





SIENA HILLS - CURRENT ZONING

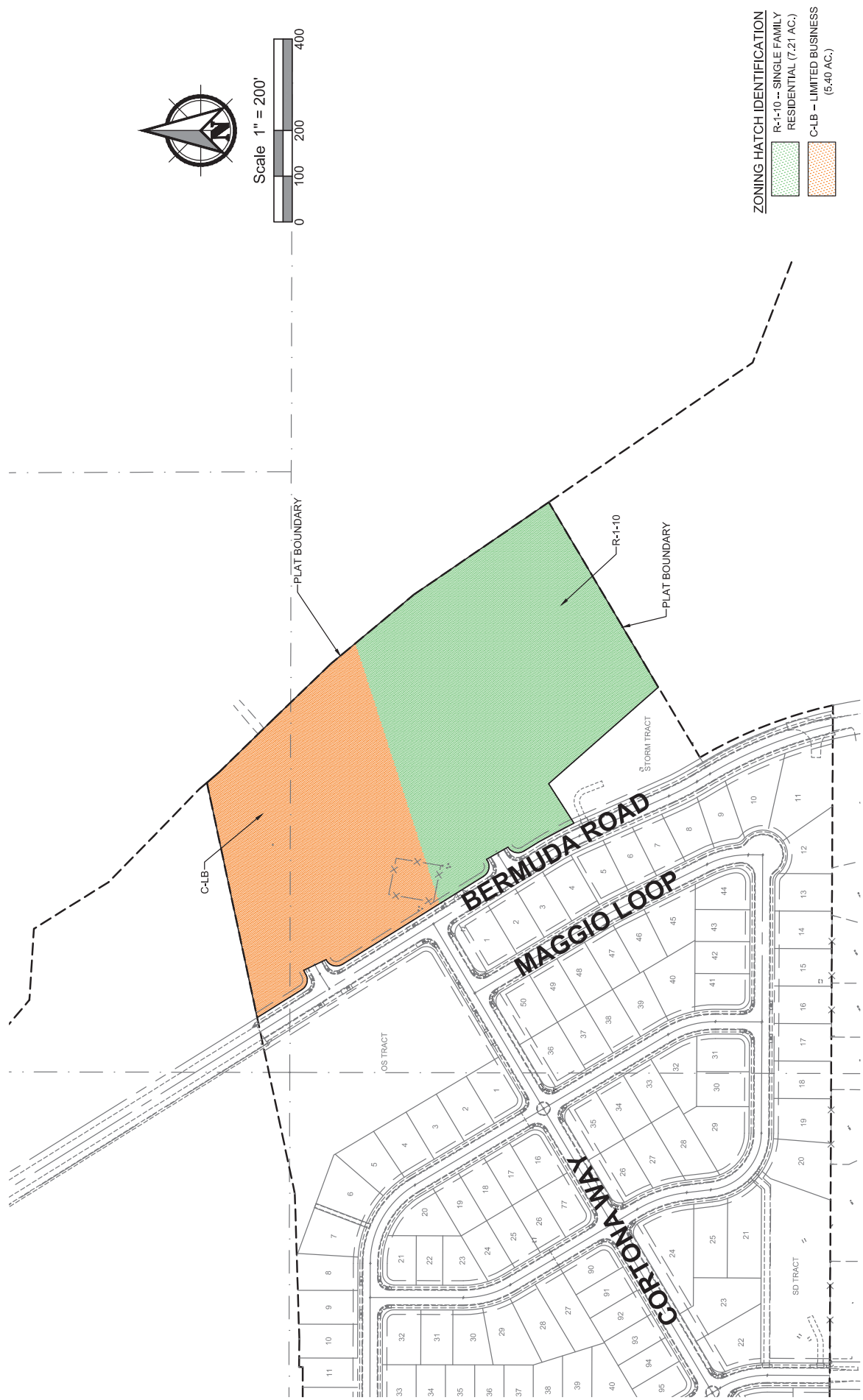


EXHIBIT A

LEGAL DESCRIPTION FOR DESCRIPTION AREA 1

A PARCEL OF LAND LOCATED IN THE NORTHWEST QUARTER OF THE SOUTHEAST QUARTER AND THE SOUTHWEST QUARTER OF THE NORTHEAST QUARTER OF SECTION 34, TOWNSHIP 9 NORTH, RANGE 28 EAST OF THE WILLAMETTE MERIDIAN, CITY OF RICHLAND, BENTON COUNTY, WASHINGTON, DESCRIBED AS FOLLOWS:

COMMENCING AT THE SOUTHEAST CORNER OF SECTION 34 MARKED BY A "X" CUT IN CULVERT, THENCE NORTH 00°33'09" WEST ALONG THE EAST LINE OF THE SOUTHEAST QUARTER A DISTANCE OF 2641.77 FEET TO THE EAST QUARTER CORNER OF SAID SECTION 34 MARKED BY A WASHINGTON STATE RECLAMATION SERVICES BRASS CAP, THENCE NORTH 89°51'31" WEST ALONG THE NORTH LINE OF THE SOUTHEAST QUARTER A DISTANCE OF 1819.02 FEET TO A POINT ON THE EAST BOUNDARY OF PARCEL 3 OF THE RECORD OF SURVEY FOR PLAT EXEMPTION RECORDED IN VOLUME 1 OF SURVEYS AT PAGE 5494 UNDER BENTON COUNTY AUDITOR'S FILE NUMBER 2021-021122 AND THE TRUE POINT OF BEGINNING;

THENCE SOUTH 43°56'19" EAST ALONG SAID EAST BOUNDARY A DISTANCE OF 121.12 FEET; THENCE SOUTH 39°48'17" EAST A DISTANCE OF 70.10 FEET; THENCE SOUTH 72°06'15" WEST A DISTANCE OF 598.52 FEET TO THE EASTERLY RIGHT-OF-WAY OF BERMUDA ROAD DEDICATED PER THE FINAL PLAT OF SIENA HILLS PHASE 1 RECORDED IN VOLUME 15 OF PLATS AT PAGE 0728 UNDER BENTON COUNTY AUDITOR'S FILE NUMBER 2021-051239;

THENCE ALONG THE EASTERLY RIGHT-OF-WAY OF SAID BERMUDA ROAD THE FOLLOWING COURSES:

THENCE NORTH 31°58'33" WEST A DISTANCE OF 249.53 FEET TO A POINT OF CURVATURE WITH A TANGENT CURVE TURNING TO THE RIGHT, HAVING A RADIUS OF 25.00 FEET; THENCE ALONG SAID CURVE, HAVING AN ARC LENGTH OF 42.03 FEET, WITH A DELTA ANGLE OF 96°18'44", A CHORD BEARING OF NORTH 16°10'49" EAST, AND A CHORD LENGTH OF 37.25 FEET; THENCE NORTH 36°32'48" WEST A DISTANCE OF 54.76 FEET TO A POINT ON THE ARC OF A NON TANGENT CURVE TURNING TO THE RIGHT, HAVING A RADIUS OF 25.00 FEET; THE RADIUS POINT OF WHICH BEARS NORTH 28°16'25" WEST; THENCE ALONG SAID CURVE, HAVING AN ARC LENGTH OF 37.66 FEET, WITH A DELTA ANGLE OF 86°17'52", A CHORD BEARING OF NORTH 75°07'29" WEST, AND A CHORD LENGTH OF 34.20 FEET; THENCE NORTH 31°58'33" WEST A DISTANCE OF 115.42 FEET TO THE NORTH BOUNDARY OF PARCEL 3 OF SAID RECORD OF SURVEY FOR PLAT EXEMPTION;

THENCE LEAVING SAID EASTERLY RIGHT-OF-WAY NORTH 77°55'39" EAST ALONG SAID NORTH BOUNDARY A DISTANCE OF 525.70 FEET TO THE EAST BOUNDARY OF SAID PARCEL 3; THENCE SOUTH 40°37'06" EAST ALONG SAID EAST BOUNDARY A DISTANCE OF 36.09 FEET; THENCE SOUTH 44°19'57" EAST A DISTANCE OF 166.89 FEET; THENCE SOUTH 43°56'19" EAST A DISTANCE OF 50.44 FEET TO THE TRUE POINT OF BEGINNING.

HAVING AN AREA OF 235,249 SQUARE FEET, 5.40 ACRES, MORE OR LESS.

SUBJECT TO EASEMENTS, RESERVATIONS AND RESTRICTIONS OF RECORD.



02/28/2024



**PBS Engineering
and
Environmental Inc.**
pbsusa.com

DRAWN BY: BCH

SCALE: N/A

DATE: 02/28/2024

CHECKED BY: ADM

PROJECT NO.: 66150.004

SHEET 1 OF 3

EXHIBIT A

LEGAL DESCRIPTION FOR DESCRIPTION AREA 2

A PARCEL OF LAND LOCATED IN THE NORTHWEST QUARTER OF THE SOUTHEAST QUARTER OF SECTION 34, TOWNSHIP 9 NORTH, RANGE 28 EAST OF THE WILLAMETTE MERIDIAN, CITY OF RICHLAND, BENTON COUNTY, WASHINGTON, DESCRIBED AS FOLLOWS:

COMMENCING AT THE SOUTHEAST CORNER OF SECTION 34 MARKED BY A "X" CUT IN CULVERT, THENCE NORTH 00°33'09" WEST ALONG THE EAST LINE OF THE SOUTHEAST QUARTER A DISTANCE OF 2641.77 FEET TO THE EAST QUARTER CORNER OF SAID SECTION 34 MARKED BY A WASHINGTON STATE RECLAMATION SERVICES BRASS CAP, THENCE NORTH 89°51'31" WEST ALONG THE NORTH LINE OF THE SOUTHEAST QUARTER A DISTANCE OF 1819.02 FEET TO A POINT ON THE EAST BOUNDARY OF PARCEL 3 OF THE RECORD OF SURVEY FOR PLAT EXEMPTION RECORDED IN VOLUME 1 OF SURVEYS AT PAGE 5494 UNDER BENTON COUNTY AUDITOR'S FILE NUMBER 2021-021122 AND THE TRUE POINT OF BEGINNING;

THENCE SOUTH 43°56'19" EAST ALONG SAID EAST BOUNDARY A DISTANCE OF 121.12 FEET;
THENCE SOUTH 39°48'17" EAST A DISTANCE OF 70.10 FEET TO THE TRUE POINT OF BEGINNING;

THENCE SOUTH 39°48'17" EAST CONTINUING ALONG SAID EAST BOUNDARY A DISTANCE OF 167.21 FEET;

THENCE SOUTH 34°25'31" EAST A DISTANCE OF 357.52 FEET;

THENCE SOUTH 59°22'36" WEST A DISTANCE OF 470.10 FEET TO THE EASTERLY RIGHT-OF-WAY OF BERMUDA ROAD DEDICATED PER THE FINAL PLAT OF SIENA HILLS PHASE 1 RECORDED IN VOLUME 15 OF PLATS AT PAGE 0728 UNDER BENTON COUNTY AUDITOR'S FILE NUMBER 2021-051239;

THENCE ALONG THE EASTERLY RIGHT-OF-WAY OF SAID BERMUDA ROAD THE FOLLOWING COURSES:

THENCE NORTH 41°23'22" WEST A DISTANCE OF 319.51 FEET;

THENCE SOUTH 57°27'31" WEST A DISTANCE OF 102.48 FEET TO A POINT ON THE ARC OF A NON TANGENT CURVE TURNING TO THE LEFT, HAVING A RADIUS OF 630.07 FEET; THE RADIUS POINT OF WHICH BEARS SOUTH 66°00'41" WEST; THENCE ALONG SAID CURVE, HAVING AN ARC LENGTH OF 87.83 FEET, WITH A DELTA ANGLE OF 07°59'14", A CHORD BEARING OF NORTH 27°58'56" WEST, AND A CHORD LENGTH OF 87.76 FEET;

THENCE NORTH 31°58'33" WEST A DISTANCE OF 37.29 FEET TO A POINT OF CURVATURE WITH A TANGENT CURVE TURNING TO THE RIGHT, HAVING A RADIUS OF 25.00 FEET; THENCE ALONG SAID CURVE, HAVING AN ARC LENGTH OF 40.23 FEET, WITH A DELTA ANGLE OF 92°12'05", A CHORD BEARING OF NORTH 14°07'29" EAST, AND A CHORD LENGTH OF 36.03 FEET;

THENCE NORTH 33°24'48" WEST A DISTANCE OF 54.08 FEET TO A POINT ON THE ARC OF A NON TANGENT CURVE TURNING TO THE RIGHT, HAVING A RADIUS OF 25.00 FEET; THE RADIUS POINT OF WHICH BEARS NORTH 31°04'06" WEST; THENCE ALONG SAID CURVE, HAVING AN ARC LENGTH OF 38.88 FEET, WITH A DELTA ANGLE OF 89°05'32", A CHORD BEARING OF NORTH 76°31'20" WEST, AND A CHORD LENGTH OF 35.08 FEET;

THENCE NORTH 31°58'33" WEST A DISTANCE OF 114.27 FEET;

THENCE LEAVING SAID EASTERLY RIGHT-OF-WAY NORTH 72°06'15" EAST A DISTANCE OF 598.52 FEET TO THE TRUE POINT OF BEGINNING.

HAVING AN AREA OF 314,268 SQUARE FEET, 7.21 ACRES, MORE OR LESS.

SUBJECT TO EASEMENTS, RESERVATIONS AND RESTRICTIONS OF RECORD.



02/28/2024



**PBS Engineering
and
Environmental Inc.**
pbsusa.com

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SCALE: N/A

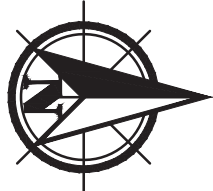
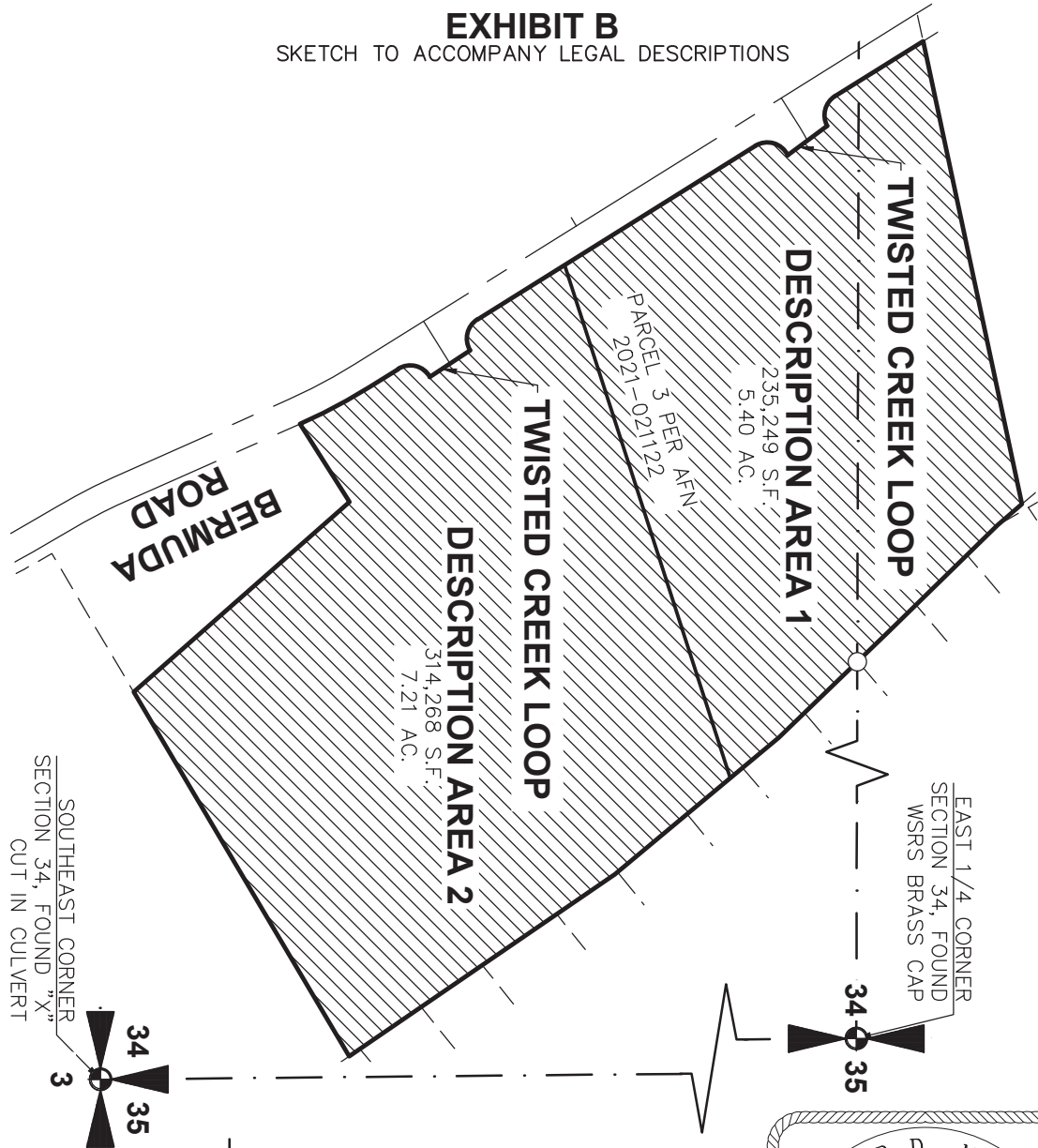
DATE: 02/28/2024

CHECKED BY: ADM

PROJECT NO.: 66150.004

SHEET 2 OF 3

EXHIBIT B
SKETCH TO ACCOMPANY LEGAL DESCRIPTIONS



Scale 1" = 200'



02/28/2024



**PBS Engineering
and
Environmental Inc.**
pbsusa.com

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SCALE: 1" = 200'

DATE: 02/28/2024

CHECKED BY: ADM

PROJECT NO.: 66150.004

SHEET 3 OF 3



March 1, 2024

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

Via email: mstevens@ci.richland.wa.us

Regarding: Rational for not including a Traffic Study
Siena Hills Comprehensive Plan Land Use Map Amendment Application
Bermuda Road and Cortona Way
Richland, WA 99352
PBS Project 66150.004

Dear Mr. Stevens:

The applicant believes that a traffic study is not warranted in order to make a map amendment in this instance, due to the negligible changes in land use and zoning acreages currently in effect on the site.

The applicant proposes to amend the Land Use Map for the existing commercial (COM) use from 5.36 acres to a proposed 5.40 acres and low density residential (LDR) use from 7.25 acres to a proposed 7.21 acres. This equates to a difference of 0.04 acres (1,742 square feet) which is negligible from the perspective of trip generation.

Please feel free to contact me at 509.942.1600 or jason.mattox@pbsusa.com with any questions or comments.

Sincerely,

Jason Mattox, PE
Engineering Department Manager

cc: Taylor Merrill, Richland Properties, LLC

SEPA ENVIRONMENTAL CHECKLIST

Purpose of checklist

Governmental agencies use this checklist to help determine whether the environmental impacts of your proposal are significant. This information is also helpful to determine if available avoidance, minimization, or compensatory mitigation measures will address the probable significant impacts or if an environmental impact statement will be prepared to further analyze the proposal.

Instructions for applicants

This environmental checklist asks you to describe some basic information about your proposal. Please answer each question accurately and carefully, to the best of your knowledge. You may need to consult with an agency specialist or private consultant for some questions. **You may use “not applicable” or “does not apply” only when you can explain why it does not apply and not when the answer is unknown.** You may also attach or incorporate by reference additional studies reports. Complete and accurate answers to these questions often avoid delays with the SEPA process as well as later in the decision-making process.

The checklist questions apply to **all parts of your proposal**, even if you plan to do them over a period of time or on different parcels of land. Attach any additional information that will help describe your proposal or its environmental effects. The agency to which you submit this checklist may ask you to explain your answers or provide additional information reasonably related to determining if there may be significant adverse impact.

Instructions for lead agencies

Please adjust the format of this template as needed. Additional information may be necessary to evaluate the existing environment, all interrelated aspects of the proposal and an analysis of adverse impacts. The checklist is considered the first but not necessarily the only source of information needed to make an adequate threshold determination. Once a threshold determination is made, the lead agency is responsible for the completeness and accuracy of the checklist and other supporting documents.

Use of checklist for nonproject proposals

For nonproject proposals (such as ordinances, regulations, plans and programs), complete the applicable parts of sections A and B, plus the [Supplemental Sheet for Nonproject Actions \(Part D\)](#). Please completely answer all questions that apply and note that the words "project," "applicant," and "property or site" should be read as "proposal," "proponent," and "affected geographic area," respectively. The lead agency may exclude (for non-projects) questions in “Part B: Environmental Elements” that do not contribute meaningfully to the analysis of the proposal.

A. Background [Find help answering background questions](#)

1. Name of proposed project, if applicable:

Siena Hills Comprehensive Plan Amendment

2. Name of applicant:

Richland Properties, LLC

3. Address and phone number of applicant and contact person:

Taylor Merrill
2463 E. Gala St. Ste. 120, Meridian, ID 83642
208-870-3432

4. Date checklist prepared:

February 23, 2024

5. Agency requesting checklist:

City of Richland

6. Proposed timing or schedule (including phasing, if applicable):

This is a non-project proposal. It addresses proposed comprehensive plan map amendments. No construction is proposed at this time.

7. Do you have any plans for future additions, expansion, or further activity related to or connected with this proposal? If yes, explain.

The future plans include development of the project. This will include extension of public facilities to and within the project. Development of a street system to support the development for commercial and residential uses.

8. List any environmental information you know about that has been prepared, or will be prepared, directly related to this proposal.

Soil testing and a geologic engineering report were done for the area.

9. Do you know whether applications are pending for governmental approvals of other proposals directly affecting the property covered by your proposal? If yes, explain.

No, there are no known projects in the project area currently seeking government approval that would directly affect this project.

10. List any government approvals or permits that will be needed for your proposal, if known.

This SEPA checklist is a non-project checklist; when the area within the Comprehensive Plan is developed, the projects will seek the required approvals and permits. The requested comprehensive plan map amendments and the requested zoning map requires approval by the City of Richland of an ordinance adopting the proposed amendments.

- 12. Give a brief, complete description of your proposal, including the proposed uses and the size of the project and site. There are several questions later in this checklist that ask you to describe certain aspects of your proposal. You do not need to repeat those answers on this page. (Lead agencies may modify this form to include additional specific information on project description.)**

The applicant proposed to modify the approved Badger Mountain Subarea Comprehensive Plan. All portions of this SEPA Checklist submittal are non-project at this time. Any future projects will provide project related SEPA Checklist information, as required.

- 13. Location of the proposal. Give sufficient information for a person to understand the precise location of your proposed project, including a street address, if any, and section, township, and range, if known. If a proposal would occur over a range of area, provide the range or boundaries of the site(s). Provide a legal description, site plan, vicinity map, and topographic map, if reasonably available. While you should submit any plans required by the agency, you are not required to duplicate maps or detailed plans submitted with any permit applications related to this checklist.**

The area within the adopted Badger Mountain Subarea Plan can be generally described as;

Property lying east of the intersection Bermuda Drive and Cortona Way.

Further described as: A PORTION OF THOSE LAND DESCRIBED IN DEED RECORDED UNDER BENTON COUNTY AUDITOR'S FILE NUMBER 2019-001554 AND SHOWN AS NEW PARCEL 1 ON SURVEY FOR BOUNDARY LINE ADJUSTMENT RECORDED IN VOLUME 1 OF SURVEYS AT PAGE 5031

B. Environmental Elements

1. Earth [Find help answering earth questions](#)

a. General description of the site:

Topography ranges from nearly rolling to hilly.

Circle or highlight one: Flat, rolling, hilly, steep slopes, mountainous, other:

b. What is the steepest slope on the site (approximate percent slope)?

According to the PBS Engineering and Environmental survey, the slopes within the proposed commercial project areas are mapped as 5% to 10% with a portion reaching 15% slope. the slopes within the proposed residential area are mapped as 10% to 15% with a portion reaching 50% slope.

c. What general types of soils are found on the site (for example, clay, sand, gravel, peat, muck)? If you know the classification of agricultural soils, specify them, and note any agricultural land of long-term commercial significance and whether the proposal results in removing any of these soils.

HeE - Hezel loamy fine sand, 0 to 30 percent slopes

WfC2 - Warden silt loam, 0 to 5 percent slopes

WdAB - Warden very fine sandy loam, 0 to 15 percent sloaps

d. Are there surface indications or history of unstable soils in the immediate vicinity? If so, describe.

There are no known indications or history of unstable soils.

e. Describe the purpose, type, total area, and approximate quantities and total affected area of any filling, excavation, and grading proposed. Indicate source of fill.

This is a non-project application. The application is for amendments to the Badger Mountain Subarea Plan. No construction is proposed at this time.

f. Could erosion occur because of clearing, construction, or use? If so, generally describe.

This is a non-project application. The application is for amendments to the Badger Mountain Subarea Plan. No construction is proposed at this time.

g. About what percent of the site will be covered with impervious surfaces after project construction (for example, asphalt or buildings)?

This is a non-project application. The application is for amendments to the Badger Mountain Subarea Plan. No construction is proposed at this time.

h. Proposed measures to reduce or control erosion, or other impacts to the earth, if any.

This is a non-project application. The application is for amendments to the Badger Mountain Subarea Plan. No construction is proposed at this time.

2. Air [Find help answering air questions](#)

a. What types of emissions to the air would result from the proposal during construction, operation, and maintenance when the project is completed? If any, generally describe and give approximate quantities if known.

This is a non-project application. The application is for amendments to the Badger Mountain Subarea Plan. No construction is proposed at this time.

b. Are there any off-site sources of emissions or odor that may affect your proposal? If so, generally describe.

This is a non-project application. The application is for amendments to the Badger Mountain Subarea Plan. No construction is proposed at this time.

c. Proposed measures to reduce or control emissions or other impacts to air, if any.

This is a non-project application. The application is for amendments to the Badger Mountain Subarea Plan. No construction is proposed at this time.

3. Water [Find help answering water questions](#)

a. Surface Water: [Find help answering surface water questions](#)

1. Is there any surface water body on or in the immediate vicinity of the site (including year-round and seasonal streams, saltwater, lakes, ponds, wetlands)? If yes, describe type and provide names. If appropriate, state what stream or river it flows into.

There are no surface waterbodies on or in the immediate vicinity of the site.

2. Will the project require any work over, in, or adjacent to (within 200 feet) the described waters? If yes, please describe and attach available plans.

The project will not require any work within 200 feet of waterbodies.

3. Estimate the amount of fill and dredge material that would be placed in or removed from surface water or wetlands and indicate the area of the site that would be affected. Indicate the source of fill material.

This is a non-project SEPA Checklist - no development is planned at this time.

4. Will the proposal require surface water withdrawals or diversions? Give a general description, purpose, and approximate quantities if known.

This is a planning related project, and no surface water withdrawals are planned.

5. Does the proposal lie within a 100-year floodplain? If so, note location on the site plan.

The site is not located within the 100-year floodplain.

- 6. Does the proposal involve any discharges of waste materials to surface waters? If so, describe the type of waste and anticipated volume of discharge.**

No waste materials will be discharged to surface waters.

b. Ground Water: [Find help answering ground water questions](#)

- 1. Will groundwater be withdrawn from a well for drinking water or other purposes? If so, give a general description of the well, proposed uses and approximate quantities withdrawn from the well. Will water be discharged to groundwater? Give a general description, purpose, and approximate quantities if known.**

The project will not involve any groundwater withdrawals.

- 2. Describe waste material that will be discharged into the ground from septic tanks or other sources, if any (domestic sewage; industrial, containing the following chemicals...; agricultural; etc.). Describe the general size of the system, the number of such systems, the number of houses to be served (if applicable), or the number of animals or humans the system(s) are expected to serve.**

No waste material will be discharged into the ground.

c. Water Runoff (including stormwater):

- 1. Describe the source of runoff (including storm water) and method of collection and disposal, if any (include quantities, if known). Where will this water flow? Will this water flow into other waters? If so, describe.**

This is a planning related project, and no grading or development to change runoff patterns is proposed.

- 2. Could waste materials enter ground or surface waters? If so, generally describe.**

There are no known opportunities for waste materials to enter ground or surface waters.

- 3. Does the proposal alter or otherwise affect drainage patterns in the vicinity of the site? If so, describe.**

The project will not affect drainage patterns within the surrounding area.

- 4. Proposed measures to reduce or control surface, ground, and runoff water, and drainage pattern impacts, if any.**

None.

4. Plants [Find help answering plants questions](#)

a. Check the types of vegetation found on the site:

- ☐ deciduous tree: alder, maple, aspen, other
- ☐ evergreen tree: fir, cedar, pine, other
- ☒ shrubs
- ☒ grass
- ☐ pasture
- ☐ crop or grain
- ☐ orchards, vineyards, or other permanent crops.
- ☐ wet soil plants: cattail, buttercup, bullrush, skunk cabbage, other
- ☐ water plants: water lily, eelgrass, milfoil, other
- ☐ other types of vegetation

b. What kind and amount of vegetation will be removed or altered?

This is a planning related project, and no vegetation removal will occur.

c. List threatened and endangered species known to be on or near the site.

There are no known ESA listed plant species on or within close proximity to the site.

d. Proposed landscaping, use of native plants, or other measures to preserve or enhance vegetation on the site, if any.

This is a planning related project, and no landscaping is proposed at the site.

e. List all noxious weeds and invasive species known to be on or near the site.

No known noxious weeds are known to be on-site.

5. Animals [Find help answering animal questions](#)

a. List any birds and other animals that have been observed on or near the site or are known to be on or near the site.

Examples include:

- Birds: hawk, heron, eagle, songbirds, other:
- Mammals: deer, bear, elk, beaver, other:
- Fish: bass, salmon, trout, herring, shellfish, other:

Wildlife is limited to common passerine songbirds and small rodents.

b. List any threatened and endangered species known to be on or near the site.

There are no threatened or endangered species known to occur within the project area or general vicinity.

c. Is the site part of a migration route? If so, explain.

The site is part of the Pacific Flyway for migratory birds.

d. Proposed measures to preserve or enhance wildlife, if any.

No measures are proposed at this time.

e. List any invasive animal species known to be on or near the site.

No invasive animal species are known to occur on or near the site.

6. Energy and Natural Resources [Find help answering energy and natural resource questions](#)

- a. **What kinds of energy (electric, natural gas, oil, wood stove, solar) will be used to meet the completed project's energy needs? Describe whether it will be used for heating, manufacturing, etc.** This is a non-project SEPA Check - no development is planned at this time.
- b. **Would your project affect the potential use of solar energy by adjacent properties? If so, generally describe.**

This is a non-project SEPA Check - no development is planned at this time.

- c. **What kinds of energy conservation features are included in the plans of this proposal? List other proposed measures to reduce or control energy impacts, if any.**

This is a non-project SEPA Check - no development is planned at this time.

7. Environmental Health [Find help with answering environmental health questions](#)

- a. **Are there any environmental health hazards, including exposure to toxic chemicals, risk of fire and explosion, spill, or hazardous waste, that could occur because of this proposal? If so, describe.**

The Washington Department of Ecology Database shows no known spills or potential contaminants within the project area.

1. **Describe any known or possible contamination at the site from present or past uses.**

The Washington Department of Ecology Database shows no known spills or potential contaminants within the project area.

- a. **Describe existing hazardous chemicals/conditions that might affect project development and design. This includes underground hazardous liquid and gas transmission pipelines located within the project area and in the vicinity.**

None. The Washington Department of Ecology Database shows no known spills or potential contaminants within the project area.

- b. **Describe any toxic or hazardous chemicals that might be stored, used, or produced during the project's development or construction, or at any time during the operating life of the project.**

No construction activities are planned at this time so no hazardous or toxic chemicals will be utilized.

- c. **Describe special emergency services that might be required.**

None.

- d. **Proposed measures to reduce or control environmental health hazards, if any.**

None.

b. Noise

1. **What types of noise exist in the area which may affect your project (for example: traffic, equipment, operation, other)?**

This is a non-project application. There are no known noise generators in the area that would impact the project.

2. **What types and levels of noise would be created by or associated with the project on a short-term or a long-term basis (for example: traffic, construction, operation, other)? Indicate what hours noise would come from the site)?**

This is a non-project application. Future development on the site will generate construction-associated noise. As development occurs, traffic and noise associated with the residential and commercial uses would be expected.

3. **Proposed measures to reduce or control noise impacts, if any.**

This is a non-project application. At this time, no measures to reduce or control noise are being considered.

8. Land and Shoreline Use [Find help answering land and shoreline use questions](#)

- a. **What is the current use of the site and adjacent properties? Will the proposal affect current land uses on nearby or adjacent properties? If so, describe.**

This is a non-project application. The application is for amendments to the Badger Mountain Subarea Plan. No construction is proposed at this time.

- b. **Has the project site been used as working farmlands or working forest lands? If so, describe. How much agricultural or forest land of long-term commercial significance will be converted to other uses because of the proposal, if any? If resource lands have not been designated, how many acres in farmland or forest land tax status will be converted to nonfarm or nonforest use?**

The area has been used as working farmlands. this is a non-project application. The application is for amendments to the Badger Mountain subarea Plan. As no construction is proposed at this time the acreage of converted land cannot be accurately calculated.

1. **Will the proposal affect or be affected by surrounding working farm or forest land normal business operations, such as oversize equipment access, the application of pesticides, tilling, and harvesting? If so, how?**

This is a non-project application. The application is for amendments to the Badger Mountain Subarea Plan. As no construction is proposed at this time, the impact on surrounding working farmland cannot be accurately calculated.

- c. **Describe any structures on the site.**

There is a Badger Mountain Irrigation District pump house on the property.

- d. **Will any structures be demolished? If so, what?**

Not applicable at this time, as this is a non-project SEPA Checklist.

- e. **What is the current zoning classification of the site?**

C-LB and R-1-10

- f. **What is the current comprehensive plan designation of the site?**

Current land use designation is commercial and low density residential.

g. If applicable, what is the current shoreline master program designation of the site?

Not applicable. There is no shoreline within the project area.

h. Has any part of the site been classified as a critical area by the city or county? If so, specify.

According to the WDFW mapping, there are no critical areas in the non-project areas. There are areas of Benton County Presumptive Shrubsteppe to the east of the site.

i. Approximately how many people would reside or work in the completed project?

Not applicable at this time, as this is a non-project SEPA Checklist. Future design and zoning code would determine the number of people.

j. Approximately how many people would the completed project displace?

To the applicant's knowledge, future projects will not cause displacement.

k. Proposed measures to avoid or reduce displacement impacts, if any.

To the applicant's knowledge, future projects will not cause displacement.

l. Proposed measures to ensure the proposal is compatible with existing and projected land uses and plans, if any.

Any future projects will be required to comply with the underlying zoning codes as enforced by the City of Richland.

m. Proposed measures to reduce or control impacts to agricultural and forest lands of long-term commercial significance, if any.

None proposed at this time. Impacts to these land uses are not anticipated.

9. Housing [Find help answering housing questions](#)

a. Approximately how many units would be provided, if any? Indicate whether high, middle, or low-income housing.

Not applicable at this time, as this is a non-project SEPA Checklist. Housing design would be considered with future projects.

b. Approximately how many units, if any, would be eliminated? Indicate whether high, middle, or low-income housing.

Not applicable at time, as this is a non-project SEPA Checklist. Housing design would be considered with future projects.

c. Proposed measures to reduce or control housing impacts, if any.

Not applicable at time, as this is a non-project SEPA Checklist. Housing design would be considered with future projects.

10. Aesthetics [Find help answering aesthetics questions](#)

a. What is the tallest height of any proposed structure(s), not including antennas; what is the principal exterior building material(s) proposed?

Not applicable at time, as this is a non-project SEPA Checklist. Building height would be considered during future design and would follow zoning regulations.

b. What views in the immediate vicinity would be altered or obstructed?

Not currently applicable, as this is a non-project SEPA Checklist. Views would be considered during future designs.

c. Proposed measures to reduce or control aesthetic impacts, if any.

Not applicable, as this is a non-project SEPA Checklist. Aesthetics would be considered during future design.

11. Light and Glare [Find help answering light and glare questions](#)

a. What type of light or glare will the proposal produce? What time of day would it mainly occur?

Not applicable at time, as this is a non-project SEPA Checklist. When the projects occur in the future, the glare will likely come from the residences and commercial areas, along with the accompanying transit areas.

b. Could light or glare from the finished project be a safety hazard or interfere with views?

The lighting in the project will likely come from the single family houses to the east and the south, along with the accompanying transit areas. Most of the glare would occur during darkness.

c. What existing off-site sources of light or glare may affect your proposal?

When future development occurs, there could be ambient light from the developed portions of Richland to the north and to the southeast.

d. Proposed measures to reduce or control light and glare impacts, if any.

When the future projects occur, along with the applicable regulations, the proposed lighting would be directed downward to reduce glare.

12. Recreation [Find help answering recreation questions](#)

a. What designated and informal recreational opportunities are in the immediate vicinity?

Badger Mountain Trail, Chamna Natural Preserve, Claybell Park Trail, Brookstone Park have recreational opportunities around the general area.

b. Would the proposed project displace any existing recreational uses? If so, describe.

No recreational uses would be displaced.

c. Proposed measures to reduce or control impacts on recreation, including recreation opportunities to be provided by the project or applicant, if any.

This is a non-project SEPA Checklist - future projects will follow State and local guidelines to reduce or control impacts on recreation.

13. Historic and Cultural Preservation [Find help answering historic and cultural preservation questions](#)

- a. **Are there any buildings, structures, or sites, located on or near the site that are over 45 years old listed in or eligible for listing in national, state, or local preservation registers? If so, specifically describe.**

There are no building, sites, or structures listed or eligible for listing in any preservation registers.

- b. **Are there any landmarks, features, or other evidence of Indian or historic use or occupation? This may include human burials or old cemeteries. Are there any material evidence, artifacts, or areas of cultural importance on or near the site? Please list any professional studies conducted at the site to identify such resources.**

This is a non-project SEPA Checklist - the applicant will follow State and local guidelines regarding protocol prior to future project construction.

- c. **Describe the methods used to assess the potential impacts to cultural and historic resources on or near the project site. Examples include consultation with tribes and the department of archeology and historic preservation, archaeological surveys, historic maps, GIS data, etc.**

This is a non-project SEPA Checklist - the applicant will follow State and local guidelines regarding protocol prior to future project construction. When future projects do occur, assessment of potential impacts include the use of Google Earth imagery and the Washington Information System for Architectural and Archaeological Records Data (WISSARD) from the Washington State Department of Archeology and Historic Preservation.

- d. **Proposed measures to avoid, minimize, or compensate for loss, changes to, and disturbance to resources. Please include plans for the above and any permits that may be required.**

This is a non-project SEPA Checklist, as such, there are no plans or permits at this time. The applicant will follow State and local guidelines regarding protocol prior to future project construction.

14. Transportation [Find help with answering transportation questions](#)

- a. **Identify public streets and highways serving the site or affected geographic area and describe proposed access to the existing street system. Show on site plans, if any.**

The area is served by Queensgate Drive/Bermuda Road, Interstate 182, Interstate 82, and North Bermuda road, and Cortona Drive.

- b. **Is the site or affected geographic area currently served by public transit? If so, generally describe. If not, what is the approximate distance to the nearest transit stop?**

There is not currently bus service offered in this area. At this time, the nearest service is rout 123, which runs along Keene road and Gage Boulevard.

- c. **Will the proposal require any new or improvements to existing roads, streets, pedestrian, bicycle, or state transportation facilities, not including driveways? If so, generally describe (indicate whether public or private).**

Yes, the future projects will look to dedicate right of way and install public streets, as required.

- d. **Will the project or proposal use (or occur in the immediate vicinity of) water, rail, or air transportation? If so, generally describe.**

None of the above listed transportation modes occur within the general vicinity.

- e. **How many vehicular trips per day would be generated by the completed project or proposal? If known, indicate when peak volumes would occur and what percentage of the volume would be trucks (such as commercial and nonpassenger vehicles). What data or transportation models were used to make these estimates?**

As this is a non-project SEPA Checklist, this information is not currently available. When the future projects are designed the transportation demands will be studied as required. Any new development is anticipated to increase trips per day.

- f. **Will the proposal interfere with, affect, or be affected by the movement of agricultural and forest products on roads or streets in the area? If so, generally describe.**

No, the project is not expected to interfere with agricultural equipment.

- g. **Proposed measures to reduce or control transportation impacts, if any.**

As this is a non-project SEPA Checklist, this information is not currently available. When future projects are designed, the transportation demands will be studied, as required.

15. Public Services [Find help answering public service questions](#)

- a. **Would the project result in an increased need for public services (for example: fire protection, police protection, public transit, health care, schools, other)? If so, generally describe.**

Yes, the future projects would require additional need for fire protection, police protection, public transit, and schools. The site is seeking to provide housing and commercial uses to the project area.

- b. **Proposed measures to reduce or control direct impacts on public services, if any.**

The completed project would be subject to property tax value increases and levies upon completion to pay toward public services.

16. Utilities [Find help answering utilities questions](#)

- a. **Circle utilities currently available at the site:** electricity, natural gas, water, refuse service, telephone, sanitary sewer, septic system, other:

- b. **Describe the utilities that are proposed for the project, the utility providing the service, and the general construction activities on the site or in the immediate vicinity which might be needed.**

It is assumed that public water, sewer, industrial sewer service will be extended with road construction and will be provided by the City of Richland. Electricity will be provided by Benton REA. Cable, Internet, and telephone would be provided by Spectrum.

C. Signature [Find help about who should sign](#)

The above answers are true and complete to the best of my knowledge. I understand that the lead agency is relying on them to make its decision.

X

SEPA Responsible Official

Type name of signee: Click or tap here to enter text.

Position and agency/organization: Click or tap here to enter text.

Date submitted: Click or tap to enter a date.

D. Supplemental sheet for nonproject actions [Find help for the nonproject actions worksheet](#)

IT IS NOT REQUIRED to use this section for project actions.

Because these questions are very general, it may be helpful to read them in conjunction with the list of the elements of the environment.

When answering these questions, be aware of the extent the proposal, or the types of activities likely to result from the proposal, would affect the item at a greater intensity or at a faster rate than if the proposal were not implemented. Respond briefly and in general terms.

1. How would the proposal be likely to increase discharge to water; emissions to air; production, storage, or release of toxic or hazardous substances; or production of noise?

- Proposed measures to avoid or reduce such increases are:

2. How would the proposal be likely to affect plants, animals, fish, or marine life?

- Proposed measures to protect or conserve plants, animals, fish, or marine life are:

3. How would the proposal be likely to deplete energy or natural resources?

- Proposed measures to protect or conserve energy and natural resources are:

4. How would the proposal be likely to use or affect environmentally sensitive areas or areas designated (or eligible or under study) for governmental protection, such as parks, wilderness, wild and scenic rivers, threatened or endangered species habitat, historic or cultural sites, wetlands, floodplains, or prime farmlands?

- Proposed measures to protect such resources or to avoid or reduce impacts are:

5. How would the proposal be likely to affect land and shoreline use, including whether it would allow or encourage land or shoreline uses incompatible with existing plans?

- Proposed measures to avoid or reduce shoreline and land use impacts are:

6. How would the proposal be likely to increase demands on transportation or public services and utilities?

- **Proposed measures to reduce or respond to such demand(s) are:**

7. Identify, if possible, whether the proposal may conflict with local, state, or federal laws or requirements for the protection of the environment.

Exhibit 5



CITY OF RICHLAND NOTICE OF PUBLIC HEARING FOR THE 2024 CITY OF RICHLAND ANNUAL COMPREHENSIVE PLAN AND DEVELOPMENT REGULATIONS UPDATE

Notice is hereby given that the Richland Planning Commission will conduct a public hearing on Wednesday, September 25, 2024 at 6:00 p.m. to consider proposed amendments to the City's adopted comprehensive plan and zoning ordinance. You are receiving this notice because you own property located within 300 feet of one of the proposed amendment locations. The proposed amendments are as follows:

File Number: CPA2024-101 & Z2024-102

Applicant: Darral Moore, J-U-B Engineers, Inc. on behalf of Tom Fisher, HP Pasco, LLC (owner)

Darral Moore, J-U-B Engineers, Inc. on behalf of Tom Fisher, HP Pasco, LLC, is proposing to change the Comprehensive Plan Land Use designation for approximately 2.13 acres of land from High-Density Residential to Commercial and rezone the site from C-LB (Commercial Limited Business) to WF (Waterfront). Assessor's Parcel Number 115982011748012, located at 2599 Duportail Street.

File Number: CPA2024-102 & Z2024-103

Applicant: Richland Properties, LLC

Richland Properties, LLC is proposing to change the Comprehensive Plan Land Use designations upon property that is approximately 12.62 acres in size by relocating/swapping the locations of the existing commercial and low-density residential comprehensive plan designations. Assessor's Parcel Number 134983000001009, located at 560 Bermuda Road.

Environmental Review: The proposals are subject to environmental review. As lead agency, the City of Richland reviewed the project(s) for probable adverse environmental impacts and issued a determination of non-significance (DNS) for these amendments on August 6, 2024. The end of the SEPA comment period was August 21, 2024.

Application materials can be found by visiting the City of Richland website at <https://www.ci.richland.wa.us/departments/development-services/planning/2024-land-use>.

Any person desiring to express their views or to be notified of any decisions pertaining to any of these amendment requests should notify Mike Stevens, Planning Manager, 625 Swift Boulevard, Richland, WA 99352. Comments may also be emailed to mstevens@ci.richland.wa.us. Written comments should be received no later than 5:00 p.m. on Wednesday, September 18, 2024 to be incorporated into the staff report. Comments received after that date will be entered into the record at the hearing. The

requested amendment materials are available to the public and can be viewed at www.ci.richland.wa.us . The staff report and recommendation will be available on the city's website beginning Friday, September 20, 2024.



The Beaufort Gazette
The Belleville News-Democrat
Bellingham Herald
Centre Daily Times
Sun Herald
Idaho Statesman
Bradenton Herald
The Charlotte Observer
The State
Ledger-Enquirer

Durham | The Herald-Sun
Fort Worth Star-Telegram
The Fresno Bee
The Island Packet
The Kansas City Star
Lexington Herald-Leader
The Telegraph - Macon
Merced Sun-Star
Miami Herald
El Nuevo Herald

The Modesto Bee
The Sun News - Myrtle Beach
Raleigh News & Observer
Rock Hill | The Herald
The Sacramento Bee
San Luis Obispo Tribune
Tacoma | The News Tribune
Tri-City Herald
The Wichita Eagle
The Olympian

AFFIDAVIT OF PUBLICATION

Account #	Order Number	Identification	Order PO	Amount	Cols	Depth
36823	587525	Print Legal Ad-IPL01915250 - IPL0191525	PC PHN-CPA2024-101-102	\$250.66	2	42 L

Attention: (company)

CITY OF RICHLAND/LEGALS
625 SWIFT BLVD. MS-05
RICHLAND, WA 99352

janderson@ci.richland.wa.us

CITY OF RICHLAND NOTICE OF PUBLIC HEARING

Notice is hereby given that the Richland Planning Commission will conduct a public hearing on **Wednesday, September 25, 2024 at or after 6:00 p.m.** to consider proposed amendments to the City's adopted comprehensive plan and zoning ordinance. The proposed amendments are as follows:

CPA2024-101 & Z2024-102: Darral Moore, J-U-B Engineers, Inc. on behalf of Tom Fisher, HP Pasco, LLC, is proposing to change the Comprehensive Plan Land Use designation for approximately 2.3 acres of land from the High-Density Residential to Commercial and rezone the site from C-LB (Commercial Limited Business) to WF (Waterfront). Assessor's Parcel Number 115982011748012, located at 2599 Duportail St.

CPA2024-102 & Z2024-103: Richland Properties, LLC is proposing to change the Comprehensive Plan Land Use designations upon property that is approximately 12.62 acres in size by relocating/swapping the locations of the existing commercial and low-density residential comprehensive plan designations. Assessor's Parcel Number 134983000001009, located at 560 Bermuda Rd.

Environmental Review: The proposals are subject to environmental review. As lead agency, the City of Richland reviewed the project(s) for probable adverse environmental impacts and issued a determination of non-significance (DNS) for these amendments on August 6, 2024. The end of the SEPA comment period was August 21, 2024.

Any person desiring to express their views or to be notified of any decisions pertaining to any of these amendment requests should notify Mike Stevens, Planning Manager, 625 Swift Boulevard, Richland, WA 99352. Comments may also be emailed to mstevens@ci.richland.wa.us. Written comments should be received no later than 5:00 p.m. on Wednesday, September 18, 2024, to be incorporated into the staff report. Comments received after that date will be entered into the record at the hearing. The requested amendment materials are available to the public and can be viewed at www.ci.richland.wa.us. The staff report and recommendation will be available on the city's website beginning Friday, September 20, 2024.

Date Published: September 8, 2024
IPL0191525
Sep 8 2024

COUNTY OF BENTON)

SS

STATE OF WASHINGTON)

Mary Castro, being duly sworn, deposes and says, I am the Legals Clerk of The Tri-City Herald, a daily newspaper. That said newspaper is a local newspaper and has been approved as a legal newspaper by order of the superior court in the county in which it is published and it is now and has been for more than six months prior to the date of the publications hereinafter referred to, published continually as a daily newspaper in Benton County, Washington. That the attached is a true copy as it was printed in the regular and entire issue of the Tri-City Herald and not in a supplement thereof, ran 1 time (s) commencing on 09/08/2024, and ending on 09/08/2024 and that said newspaper was regularly distributed to its subscribers during all of this period.

1 insertion(s) published on:

09/08/24

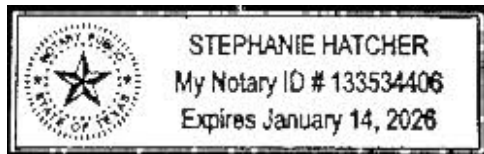
Mary Castro

(Signature of Legals Clerk)

Sworn to and subscribed before me this 9th day
of September in the year of 2024

Stephanie Hatcher

Notary Public in and for the state of Texas, residing in
Dallas County



Extra charge for lost or duplicate affidavits.
Legal document please do not destroy!

Exhibit 6

Stevens, Mike

From: Sears, Tricia (DNR) <Tricia.Sears@dnr.wa.gov>
Sent: Friday, August 9, 2024 11:04 AM
To: Stevens, Mike
Cc: Sears, Tricia (DNR); Watson, Deanah (COM)
Subject: Richland's comprehensive plan and development regulations update (Commerce ID# 2024-S-7321): WGS comments

You don't often get email from tricia.sears@dnr.wa.gov. [Learn why this is important](#)

[EXTERNAL EMAIL] Exercise caution before clicking links or opening attachments.

8/9/24

Hello Mike,

In keeping with the interagency correspondence principles, I am providing you with comments on Richland's comprehensive plan and development regulations update (Commerce ID# 2024-S-7321).

For this proposal submitted via Planview, I looked at the proposal and focused on areas related to WGS work. Of note, but not limited to, I look for language around the geologically hazardous areas, mineral resource lands, mining, climate change, and natural hazards mitigation plans.

Specifically in this proposal, I reviewed the document, 2024 Comp Plan Docket 60-Day Review Packet.

WGS has no comments on the proposed changes.

Recognizing the limitations of the current proposals, I want to mention that it would be great for you to consider these in future work, be it in your comprehensive plan, development code, and SMP updates, and in your work in general:

- Consider adding a reference to WAC 365-190-120 geologically hazardous areas for definitions in other areas besides the CAO. In addition, consider adding a reference to WAC 365-196-480 for natural resource lands.
- Consider adding a reference to the WGS Geologic Information Portal in other areas besides the CAO. If you have not checked our interactive database, the WGS Geologic Information Portal, lately, you may wish to do so. [Geologic Information Portal | WA - DNR](#)
- If you have not checked out our Geologic Planning page, you may wish to do so. [Geologic Planning | WA - DNR](#)

Thank you for considering our comments. If you have any questions or need additional information, please contact me. For your convenience, if there are no concerns or follow-up discussion, you may consider these comments to be final as of the 60-day comment deadline of 10/5/24.

Cheerio,
Tricia

Tricia R. Sears (she/her/hers)
Geologic Planning Liaison
Washington Geological Survey (WGS)
Washington Department of Natural Resources (DNR)

Cell: 360-628-2867 | Email: tricia.sears@dnr.wa.gov