



Revised Agenda
City Council Regular Meeting
Tuesday, January 7, 2025
Richland City Hall ~ Council Chambers
625 Swift Boulevard

City Council Regular Meeting - 6:00 p.m.

Welcome and Roll Call

Pledge of Allegiance

Approval of Agenda: (Approved by Motion)

Presentations:

- I. New Hires and Retirements
 - Lacey Paulsen, Human Resources Director

Public Hearing: Please limit public hearing comments to 3 minutes. Comments must speak only to the item for which the hearing is convened. Records intended for Council consideration must be given to the City Clerk for distribution.

2. Proposed Surplus and Authorizing Relinquishment of an Easement Lying within the Terraces at Queensgate, Resolution No. 2025-05

Public Comments: Please limit public comments to 2 minutes. The public comment period is not an opportunity for dialogue with councilmembers, or for posing questions with the expectation of an immediate answer. Many questions require an opportunity for information-gathering and deliberation. For this reason, Council will accept comments, but will not directly respond to comments, questions or concerns during public comment. Records intended for Council consideration must be given to the City Clerk for distribution.

Consent Calendar: Items on the Consent Calendar have been distributed to the City Council in advance for reading and study, are considered to be routine, and will be enacted by one motion of the Council with no discussion. Councilmembers may transfer individual items to Items of Business for deliberation before voting.

Minutes:

3. Approval of the December 17, 2024 City Council Regular Meeting Minutes
 - Jennifer Rogers, City Clerk

Ordinances - First Reading:

4. Ordinance No. 2025-01, Amending Chapter 13.06 of the Richland Municipal Code related to Medical and Ambulance Service Utility Fees
 - Tom Huntington, Fire Chief
5. Ordinance No. 2025-02, Amending Richland Municipal Code Section 12.03.040 related to Calculation of Impact Fees
 - Carlo D'Alessandro, Public Works Director
6. Ordinance No. 2025-03, Establishing and Dedicating Additional Right-of-Way for Polar Way
 - Carlo D'Alessandro, Public Works Director

Ordinances - Second Reading & Passage:

7. Ordinance No. 2024-39, Establishing and Dedication the Right-of-Way for a Segment of Gateway Avenue
 - Carlo D'Alessandro, Public Works Director
8. Ordinance No. 2024-40, Establishing and Dedication the Right-of-Way for a Segment of Hanford Street
 - Carlo D'Alessandro, Public Works Director
9. Ordinance No. 2024-45, Approving the 2028 Council Compensation Plan
 - Lacey Paulsen, Human Resources Director
10. Ordinance No. 2024-46, Amending Chapters 23.22 and 23.26 of the Richland Municipal Code to Establish the Horn Rapids Employment Center and Prohibit Mini-Warehouses Therein
 - Mike Stevens, Planning Manager

Resolutions - Adoption:

11. Resolution No. 2025-01, Authorizing Award of Bid to Apollo, Inc. for Phase 2A of the Horn Rapids Landfill Expansion - Phase 2 Project
 - Carlo D'Alessandro, Public Works Director
12. Resolution No. 2025-02, Setting a Public Hearing Date for Vacation of a Portion of Gay Road
 - Carlo D'Alessandro, Public Works Director
13. Resolution No. 2025-03, Authorizing a Change Order to Contract No. 28-24 with Workday, Inc. for an Enterprise Human Resources Information System
 - Brandon Allen, Finance Director
14. Resolution No. 2025-04, Authorizing Amendment No. 1 to Contract No. 333-24 with Remy Corporation for HRIS Implementation Project Management
 - Brandon Allen, Finance Director

Items of Business:

15. Resolution No. 2025-05, Declaring Surplus and Authorizing Relinquishment of an Easement Lying within the Terraces at Queensgate
 - Carlo D'Alessandro, Public Works Director
16. Resolution No. 2025-06, Authorizing an Option Agreement with Washington Energy, LLC for 425 Acres of Real Property Located in the Northwest Advanced Clean Energy Park
 - Joe Schiessl, Deputy City Manager

Reports and Comments:

1. City Manager
2. City Council
3. Mayor

Executive Session:

17. Executive Session Per RCW 42.30.110(1)(g): Review Performance of a Public Employee (45 minutes)
 - City Council

Adjournment

This meeting will be broadcast live on [CityView Channel 192](#) on the City's website and on the [City's YouTube Channel](#).

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.



MINUTES

RICHLAND CITY COUNCIL REGULAR MEETING

Tuesday, December 17, 2024

Richland City Hall ~ Council Chambers
625 Swift Boulevard

City Council Regular Meeting - 6:00 p.m.

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

Welcome and Roll Call

Mayor Richardson welcomed those in the audience and expressed appreciation for their attendance.

Attendance: Mayor Richardson	Present
Mayor Pro Tem Kent	Present
Councilmember Jones	Present
Councilmember Lukson	Absent
Councilmember Maier	Present
Councilmember VanDyke	Present (remote via Zoom)
Councilmember Whitten	Present

MAYOR PRO TEM KENT MOVED AND COUNCILMEMBER WHITTEN SECONDED THE MOTION TO EXCUSE COUNCILMEMBER LUKSON. MOTION CARRIED 6-0.

Also present were City Manager Amundson, Deputy City Manager Schiessl, City Attorney Kintzley, Fire Chief Huntington, Chief of Police Pilcher, Energy Services Director Whitney, Finance Director Allen, Human Resources Director Paulsen, Parks & Public Facilities Director Waite, Public Works Director D'Alessandro, and City Clerk Rogers.

Pledge of Allegiance

Councilmember Maier led the Council and audience in the recitation of the Pledge of Allegiance.

Approval of Agenda

MAYOR PRO TEM KENT MOVED AND COUNCILMEMBER JONES SECONDED THE MOTION TO APPROVE THE AGENDA AS PUBLISHED. MOTION CARRIED 6-0.

Presentations

1. Introduction of Basic Law Enforcement Academy Class No. 899 Graduates: Camryn Andersen, Ian Bergevin, Tayler Jackson, Michael Minarik, and Travis Schouviller

Chief of Police Pilcher introduced each graduating member and reported that the officers will begin the field training process, which will last approximately four (4) months.

Next, Monica Malhan, Richland Police Department Foundation Board President introduced herself and recognized several board members in attendance. Mrs. Malhan then presented each graduate a gift basket on behalf of the Foundation and welcomed them to the community.

Public Hearing

City Clerk Rogers read the Public Hearing and Public Comments procedures.

2. Proposed Amendment to Chapters 23.22 and 23.26 of the Richland Municipal Code to Establish the Horn Rapids Employment Center and Prohibit Mini- Warehouses Therein, Ordinance No. 2024-48

Mayor Richardson opened the public hearing at 6:08 p.m. Mayor Richardson closed the public hearing at 6:10 p.m. No testimony was offered.

3. Proposed Surplus and Authorizing Relinquishment of an Easement Lying within 341 Gleneagles Court, Resolution No. 2024-163

Mayor Richardson opened and closed the public hearing at 6:10 p.m. No testimony was offered.

Public Comments

The following individuals provided public comments:

- Christopher Hager of Richland, WA voiced concerns regarding a neighbor who is constructing a shed near his property line which is separated by a cement block wall. He expressed concerns that runoff from the shed could potentially undermine the wall's foundation and cause structural damage. Mr. Hager contacted the Code Enforcement Board for assistance on the matter but was informed that there was nothing they could do since the matter did not involve an easement.

City Manager Amundson confirmed that staff had been in contact with Mr. Hager and that Deputy City Manager Schiessl will continue to follow-up with him.

- Diahann Howard, Executive Director of the Port of Benton, expressed gratitude to city staff for organizing a successful winter lighted parade during the Winter Wonderland event held on Friday, December 6, 2024. She shared that she and her team enjoyed participating in the community event. Ms. Howard extended holiday greetings and thanked the City for its continued collaboration and partnership.

- Edward Muñuz of Richland, WA expressed his support for the adoption of Resolution No. 2024-172 on the Consent Calendar regarding the 800MHz Land Mobile Radio System, and encouraged Council to vote in favor of its adoption.

Consent Calendar

City Clerk Rogers read the Consent Calendar.

Minutes

4. Approval of the December 3, 2024 City Council Regular Meeting Minutes and the December 9, 2024 City Council Special Workshop Meeting Minutes

Ordinances - First Reading

5. Ordinance No. 2024-39, Establishing and Dedicating the Right-of-Way for a Segment of Gateway Avenue
6. Ordinance No. 2024-40, Establishing and Dedicating the Right-of-Way for a Segment of Hanford Street
7. Ordinance No. 2024-45, Approving the 2028 Council Compensation Plan

Ordinances - Second Reading & Passage

8. Ordinance No. 2024-41, Adopting the 2024 Comprehensive Plan Amendments into the existing 2017 Comprehensive Plan
9. Ordinance No. 2024-42, Amending Richland Municipal Code Title 23: Zoning Regulations and the City's Official Zoning Map to Conform to the Updated 2017 Comprehensive Plan
10. Ordinance No. 2024-43, Vacating a Portion of Robertson Drive Right-of-Way
11. Ordinance No. 2024-44, Amending the 2024 Budget in the General Fund, Streets Maintenance Fund, Special Lodging Assessment Fund, Equipment Replacement Fund, Medical Services Fund, Parks Project Construction Fund and Community Development Block Grant Fund

Resolutions - Adoption

12. Resolution No. 2024-165, Authorizing a Consultant Agreement with J-U-B Engineers, Inc. for the Extension of Battelle Boulevard and Utilities Project
13. Resolution No. 2024-166, Awarding 2025 Business License Reserve Fund Grants

14. Resolution No. 2024-167, Increasing the Change Order Threshold for Contract No. 223-23 with Virginia Transformer Corporation for the Purchase of Two Power Transformers
15. Resolution No. 2024-168, Authorizing a Reimbursable Agreement with the Bonneville Power Administration for Expansion of the Stevens Drive and Thayer Drive Substations
16. Resolution No. 2024-169, Authorizing a Letter Amendment to the Port of Benton Land Exchange Agreement Authorizing Phase I Closing and Extending the Phase II Feasibility Study Period
17. Resolution No. 2024-170, Authorizing a Reimbursement Agreement with BNSF Railway Company in support of the Steptoe Street and Tapteal Drive Intersection Improvements Project
18. Resolution No. 2024-171, Authorizing an Application for an Assistance to Firefighters Grant (AFG) from the Federal Emergency Management Agency (FEMA)
19. Resolution No. 2024-172, Authorizing a Finance Agreement with Motorola Solutions, Inc. for Expansion of the 800MHz Land Mobile Radio System on behalf of Benton County Emergency Services
20. Resolution No. 2024-173, Authorizing a Grant Application to the Washington State Department of Ecology for Aquatic Invasive Plant Funding

Expenditures - Approval

21. Expenditures from November 1, 2024 to November 30, 2024 for \$38,804,505.09 including Travel Checks Nos. 20671-20677, Accounts Payable Check Nos. 328862-329728, Accounts Payable Wire Nos. 10322-10365, Payroll Wires & ACH Nos. 14358-14414, Payroll Direct Deposit & Check Nos. 231258-232417, and Pension Check Nos. 6880-6900

MAYOR PRO TEM KENT MOVED AND COUNCILMEMBER WHITTEN SECONDED THE MOTION TO APPROVE THE CONSENT AGENDA AS PUBLISHED. THOSE IN FAVOR: MAYOR RICHARDSON, MAYOR PRO TEM KENT, AND COUNCILMEMBERS JONES, MAIER, VANDYKE AND WHITTEN. THOSE OPPOSED: NONE. MOTION CARRIED 6-0.

Items of Business

22. Ordinance No. 2024-46, Amending Chapters 23.22 and 23.26 of the Richland Municipal Code to Establish the Horn Rapids Employment Center and Prohibit Mini-Warehouses Therein

Mike Stevens, Planning Manager for the City of Richland, presented the proposed text amendment to the zoning code establishing the Horn Rapids Employment Center as an overlay district. The amendment would restrict future development of mini-warehouses or mini-storage facilities within the designated area. The Richland Planning Commission conducted an open-record public hearing on the proposal at its October 23, 2024 meeting and recommend approval.

The City's Economic Development staff supports the amendment, citing its alignment with the original purpose of the land intended for job-generating economic development.

After the presentation, Council engaged in a question-and-answer session with staff. Councilmember Maier emphasized the importance of respecting the Planning Commission's recommendations, noting the land's original designation for economic development purposes. Councilmember Jones requested staff provide a list of storage facilities and their distances for further context.

MAYOR PRO TEM KENT MOVED AND COUNCILMEMBER MAIER SECONDED THE MOTION TO APPROVE ORDINANCE NO. 2024-46, AMENDING CHAPTERS 23.22 AND 23.26 OF THE RICHLAND MUNICIPAL CODE TO ESTABLISH THE HORN RAPIDS EMPLOYMENT CENTER AND PROHIBIT MINI-WAREHOUSES, FOR FIRST READING. THOSE IN FAVOR: MAYOR RICHARDSON, MAYOR PRO TEM KENT, AND COUNCILMEMBERS JONES, MAIER, VANDYKE AND WHITTEN. THOSE OPPOSED: NONE. MOTION CARRIED 6-0.

23. Resolution No. 2024-163, Declaring Surplus and Authorizing Relinquishment of an Easement Lying within 341 Gleneagles Court

Public Works Director D'Alessandro explained that a previous easement relinquishment occurred at Gleneagles Court for the specified address, and the property owner later expressed interest in relinquishing additional easements on the property. Staff reviewed the request, confirmed there are no existing utilities or development plans within the easements, and recommend approval of the relinquishment.

COUNCILMEMBER WHITTEN MOVED AND MAYOR PRO TEM KENT SECONDED THE MOTION TO ADOPT RESOLUTION NO. 2024- 163, DECLARING SURPLUS AND AUTHORIZING RELINQUISHMENT OF AN EASEMENT LYING WITHIN 341 GLENEAGLES COURT. THOSE IN FAVOR: MAYOR RICHARDSON, MAYOR PRO TEM KENT, AND COUNCILMEMBERS JONES, MAIER, VANDYKE AND WHITTEN. THOSE OPPOSED: NONE. MOTION CARRIED 6-0.

24. Resolution No. 2024-174, Authorizing an Interlocal Agreement to Initiate a Reciprocal Borrowing Relationship with Area Libraries

With the use of a PowerPoint Presentation, Parks & Public Facilities Director Waite presented on the proposed interlocal agreement to initiate a short-term, one-year pilot period to participate in a reciprocal borrowing relationship with the following five (5)

libraries: Richland Public Library, Mid-Columbia Libraries, Walla Walla County Rural Library, Walla Walla Public Library, and Columbia County Rural Library District.

The proposal emerged from a year-long collaborative study involving the participating libraries. The study examined similar agreements statewide, assessed available resources, and gathered stakeholder input. The process resulted in a recommendation to launch the pilot reciprocal borrowing program.

Under the agreement, patrons will be eligible for free reciprocal cards from participating libraries and will allow access to physical materials and online databases, excluding digital services. Expected program benefits include expanded resource access, strengthened regional partnerships, reduced interlibrary loan costs, and improved customer service.

All five (5) libraries will track usage data to evaluate the program's success after one year. On November 12, 2024, the Richland Library Board of Trustees unanimously recommended the agreement's approval.

MAYOR PRO TEM KENT MOVED AND COUNCILMEMBER MAIER SECONDED THE MOTION TO APPROVE RESOLUTION NO. 2024-174, AUTHORIZING AN INTERLOCAL AGREEMENT TO INITIATE A RECIPROCAL BORROWING RELATIONSHIP WITH AREA LIBRARIES. THOSE IN FAVOR: MAYOR RICHARDSON, MAYOR PRO TEM KENT, AND COUNCILMEMBERS JONES, MAIER, VANDYKE AND WHITTEN. THOSE OPPOSED: NONE. MOTION CARRIED 6-0.

25. Medical Utility Rate Setting for 2025 (Discussion Only)

Fire Chief Huntington's presentation on the 2025 Medical Utility Rate Setting focused on proposed rate adjustments to the City of Richland's medical utility rates to support long-term funding needs, particularly for Fire Station No. 76, and addressed underbilling concerns identified by staff and contracted vendors.

Current rates include a monthly utility fee of \$11.47, a mileage rate of \$14 per mile, and transportation rates of \$1,042 for residents and \$1,563 for non-residents.

After a detailed review by Finance staff and the Utility Advisory Committee (UAC) during its September and November meetings, proposed rate charges for 2025 were introduced. These include increasing the monthly utility rate from \$11.47 to \$12.58 and raising the mileage rate from \$14 to \$24 per mile. The transportation rates will remain unchanged in 2025 but are slated for evaluation in 2026.

The proposed adjustments are guided by a managed-growth strategy involving incremental rate increases, reflecting the preferences of both City Council and the UAC. The proposal also includes leveraging unallocated reserves to cushion anticipated staffing expenses projected for the 2028-2030 timeframe.

Staff will review transport rates for consideration in 2026, alongside developing a monthly utility rate recommendation. An update cycle for each funding component will be established beginning in 2025. To comply with the annual October 1st submission deadline to the State Office of the Insurance Commissioner (OIC), staff will engage with City Council and the UAC each August/September starting in 2025. This process will ensure timely reviews and recommendations for necessary rate adjustments.

Detailed information can be found in the PowerPoint presentation. Following the presentation, Council engaged in a question-and-answer session with staff.

At City Manager Amundson's invitation, Fire Chief Huntington explained that the City received its first-ever vendor application for fireworks sales during the New Year's Eve holiday. After a thorough review of relevant sections in the Revised Code of Washington (RCW) and the Richland Municipal Code (RMC) regarding fireworks sales and discharge, staff determined there was no basis to deny the application. The RCW allows for fireworks sales beginning December 27th from noon to 11:00 p.m. Discharge of fireworks is legally permitted from 6:00 p.m. on New Year's Eve until 1:00 a.m. on New Year's Day. Fire Chief Huntington also reminded Council that state law mandates a one-year lead time for implementing any new fireworks-related regulations.

Reports and Comments

City Manager

City Manager Amundson expressed appreciation for the opportunity to work with City Council this past year and noted progress made on the City's Strategic Plan. He then highlighted the accomplishments achieved through productive discussions and expressed enthusiasm for continuing collaboration with City Council in 2025. In closing, City Manager Amundson extended warm wishes for a safe and happy holiday season to both City Council and those in the audience.

City Council

Councilmember VanDyke wished Council and City administration a Merry Christmas and a Happy New Year. He thanked staff for their dedicated service throughout the year, specifically recognized Deputy City Manager Schiessl and Economic Development Manager Wallner for their hard work and efforts over the past several weeks.

Councilmember Jones extended wishes for a happy holiday season. She then expressed gratitude to the City's Finance Department, emphasizing their skill and dedication. Councilmember Jones stated Richland is fortunate to have maintained a strong budget and healthy reserves, to which she credited the City's leadership and staff for their hard work and commitment, noting their efforts set Richland apart from other cities struggling with management turnover and financial instability. Councilmember Jones specifically acknowledged City Manager Amundson for his leadership and contributions.

Councilmember Whitten extended holiday greetings, wishing everyone a Merry Christmas and Happy New Year. He expressed appreciation to staff for organizing the lighting ceremony at John Dam Plaza during the Winter Wonderland Event on Friday, December 6, 2024, noting it was an enjoyable event featuring creatively lit trucks and impressive costumes. Additionally, he welcomed the recent police graduates to the City.

Councilmember Maier extended congratulations to both city staff and fellow councilmembers for completing their first year together. He then stated an intention to focus more actively on parking and zoning matters in the coming year. Councilmember Maier concluded by wishing everyone a restful and enjoyable holiday season.

Mayor Pro Tem Kent thanked Councilmember Maier for the perspectives he brought to the Richland City Council in 2024, noting they inspired her to read more articles on innovations and planning. She then thanked City Manager Amundson, the Executive Leadership Team, and staff for exceptional work during a challenging year. She highlighted staff's success in balancing fiscal responsibility while delivering high quality core services and well-received community events such as Ironman 70.3 and Winter Wonderland.

Mayor Pro Tem Kent also thanked community member Randy Slovic for her engagement with the City, and encouraged others to participate and provide feedback on city services and decisions. She then reflected on the issuance of winter fireworks permits and expressed an interest in receiving feedback from the community on the matter. In closing, Mayor Pro Tem Kent wished everyone a safe and joyous holiday season and encouraged everyone to support those in need during the holidays.

Mayor

Mayor Richardson acknowledged recent growth among the city's small business community and acknowledged the ribbon-cutting ceremony for the following: The Banks on Bradley Apartments, Ben Franklin Transit Operations Building, Salud, and Habitat for Humanity.

Shen then acknowledged the scarf she wore was from the Kennewick Chapter *Daughters of the American Revolution* and was worn in connection to the *Wreaths Across America* event, which honors veterans by placing wreaths on graves at over four thousand (4,000) cemeteries nationwide, including Sunset Gardens in Richland.

Mayor Richardson then shared the City's success in the national Ironman 70.3 event, with Richland placing second in its inaugural year, as published in the recent edition of *Triathlon* magazine. Mayor Richardson concluded by thanking City Manager Amundson and staff for their leadership and dedication and extended a happy holiday season to everyone.

Executive Session

26. Executive Session Per RCW 42.30.110(1)(c): Determine Minimum Offering Price For Sale or Lease if Disclosure Would Decrease Price (45 minutes)

At 7: 24 p.m., Richland City Council convened in executive session for forty-five (45) minutes to discuss minimum offering price for sale or lease if disclosure would decrease price. A five (5) minute transition from dais to executive session occurred, with the executive session getting underway at 7:30 p.m.

Individuals present for the executive session included Mayor Richardson, and Councilmembers Jones, Maier, VanDyke and Whitten. Also present were City Manager Amundson and Deputy City Manager Schiessl.

At 8:30 p.m. Mayor Richardson returned to the meeting to extend the executive session by fifteen (15) minutes.

Council exited the executive session at 8:45 p.m.

Adjournment

Mayor Richardson adjourned the meeting at 8:45 p.m.

APPROVED:

ATTEST:

Theresa Richardson, Mayor

Jennifer Rogers, City Clerk

DATE APPROVED:

DATE PUBLISHED:



COUNCIL AGENDA ITEM COVERSHEET

Council Date: 1/7/2025

Agenda Category: Ordinances - First Reading

Strategic Priority 2 - Financial Sustainability

Subject:

Ordinance No. 2025-01, Amending Chapter 13.06 of the Richland Municipal Code related to Medical and Ambulance Service Utility Fees

Department/Office
Fire & Emergency Services

Ordinance/Resolution Number:
2025-01

Document Type:
Ordinance

Recommended Motion:

Give first reading to Ordinance No. 2025-01, amending Chapter 13.06 of the Richland Municipal Code related to Medical and Ambulance Service Utility Fees.

Summary:

Fire & Emergency Services (RFD) and Finance previously worked with the Utility Advisory Committee (UAC) to generate a strategic plan, work plan, and ongoing rate modeling for the Medical Services Utility. As part of its 2025 rate modeling, RFES seeks to update the current mileage rate codified in RMC 13.06.330 based on feedback from RFD's third-party ambulance billing provider that the rate has fallen behind the recommended range. Proposed Ordinance No. 2025-01 codifies a recommended increase in mileage fees from \$14.00 to \$24.00 per mile. While this may seem a significant change, it will amount to approximately \$35 in additional fees on the average patient's transport invoice, billed primarily to third-party insurance such as Medicare, Medicaid and private medical insurance. The proposed mileage rate will take effect on March 1, 2025, and was endorsed by the UAC at meetings held on September 10, 2024, and November 12, 2024.

In addition, as part of the overall funding approach to the staffing and operation of the new fire station in the Badger Mountain South community on Trowbridge Blvd., staff is recommending an increase in ambulance utility fees from the current daily rate of \$0.3771 (\$11.47 monthly equivalent) to \$0.4136 (\$12.58 monthly equivalent) effective March 1, 2025. This rate increase was reviewed and endorsed by the Utility Advisory Committee (UAC) at the meeting on September 10, 2024. The proposed Medical and Ambulance Utility rate increase is an important part of the overall management strategy for the Medical Utility Fund and the operating budget for Fire Station No. 76. The new rate will take effect on March 1, 2025.

Staff recommends approval of Ordinance No. 2025-01 for first reading.

Fiscal Impact: Increasing the mileage rate from \$14 to \$24 is expected to generate approximately \$100,000 in additional revenue annually. Increasing the monthly ambulance utility rate from \$0.3771 per day to \$0.413 per day will generate approximately \$375,000 in annual revenue.

Attachments:

I. Ordinance No. 2025-01

ORDINANCE NO. 2025-01

**AN ORDINANCE OF THE CITY OF RICHLAND, WASHINGTON,
AMENDING CHAPTER 13.06 OF THE RICHLAND MUNICIPAL
CODE RELATED TO AMBULANCE UTILITY FEES.**

WHEREAS, since 1976, the City of Richland has provided emergency medical transport services to Richland citizens; and

WHEREAS, Richland City Council is authorized by RCW 35.21.766, RCW 35.27.370(15), and Chapter 13.06 of the Richland Municipal Code to set fees, rates, and charges to support an ambulance utility, emergency medical services (EMS) and ambulance transport service; and

WHEREAS, the current ambulance transport fee of \$1,042.00 for Richland residents, \$1,563.00 for non-residents, and the per-mile rate of \$14.00 were set by Richland City Council on September 6, 2022; and

WHEREAS, pursuant to RCW 35.21.766(3), the monthly service fee for operation of the utility was established based on the costs of regulating ambulances services; and

WHEREAS, the current mileage rate has fallen behind the recommended range, including Washington State's average rate; and

WHEREAS, an increase from \$14.00 per mile to \$24.00 per mile will bring the rate within the recommended range; and

WHEREAS, the current daily service fee of \$0.3771 (\$11.47 monthly equivalent) was set by Richland City Council on April 2, 2024; and

WHEREAS, a three-year funding approach was developed to support staffing of Fire Station No. 76 that consists of both general and medical utility funds, including a \$0.0365 (\$1.11 monthly equivalent) increase to the daily service fee in the second year; and

WHEREAS, to execute the funding strategy developed to support Fire Station No. 76, the daily service fee will increase on utility bills generated on or after February 1, 2025 from \$0.3771 per day to \$0.4136 per day, which equates to \$12.58 monthly.

NOW, THEREFORE, BE IT ORDAINED by the City of Richland as follows:

Section 1. Richland Municipal Code Section 13.06.330, entitled Billing for ambulance transports, as first enacted by Ordinance No. 28-06, and last amended by Ordinance No. 2022-77, is hereby amended to read as follows:

13.06.330 Billing for ambulance transports.

A. Each person who is transported by the city's EMS program shall be billed by the city at a rate of \$1,042.00, provided that the patient is a city resident or is employed at (and transported from) a place of business within the city and the patient:

1. Supplies the city with all requested information and documentation, including, but not limited to, insurance information and medical records relative to billing for the ambulance service; and
2. Assigns to the city the patient's right to receive payment from all applicable third-party payers.

B. A patient who is not a city resident and is not employed at and transported from a place of business within the city shall be subject to a 50 percent surcharge on such transport services.

C. A mileage rate of ~~\$24.00~~ ~~\$14.00~~ per mile will also be charged, regardless of resident or nonresident status.

D. Reciprocity. The ambulance service shall be provided within the city's ambulance response and mutual aid areas at no additional cost to any resident of the cities of Pasco and Kennewick who resides:

1. In a household that pays a charge similar to the utility charge; and
2. In a city that provides medical and ambulance services within its ambulance response and mutual aid areas to Richland residents at no additional cost.

E. The city shall have reciprocity with each of these cities unless they cease to have an ambulance utility or withdraw from the reciprocal agreement.

Section 2. Richland Municipal Code Section 13.06.400, entitled Charges established, as first enacted by Ordinance No. 28-06, and last amended by Ordinance No. 2024-13, is hereby amended to read as follows:

13.06.400 Charges established.

The daily ambulance utility fee shall be as follows effective for utility bills generated on or after ~~June 1, 2024~~ March 1, 2025:

User Classification	Rate
Residential	\$0.3771 <u>\$0.4136</u> per day – per unit
Multifamily Residences	\$0.3771 <u>\$0.4136</u> per day – per unit
Adult Family Homes*	\$0.3771 <u>\$0.4136</u> per day – per facility

User Classification	Rate
Assisted Living Facilities*	\$0.3771 <u>\$0.4136</u> per day – per facility

24-Hour Nursing Facilities*	\$0.3771 <u>\$0.4136</u> per day – per facility
Group Homes*	\$0.3771 <u>\$0.4136</u> per day – per facility
Physicians Clinics*	\$0.3771 <u>\$0.4136</u> per day – per facility
Schools*	\$0.3771 <u>\$0.4136</u> per day – per facility
Commercial/Business	\$0.3771 <u>\$0.4136</u> per day – per unit
City Public Areas	\$0.3771 <u>\$0.4136</u> per day – per parcel or area

Section 2. This Ordinance shall be published in the official newspaper of the City of Richland on January 26, 2025 and take effect on March 1, 2025.

Section 3. Should any section or provision of this Ordinance be declared by a court of competent jurisdiction to be invalid, that decision shall not affect the validity of the Ordinance as a whole or any part thereof, other than the part so declared to be invalid.

Section 4. The City Clerk and the codifiers of this Ordinance are authorized to make necessary corrections to this Ordinance, including but not limited to the correction of scrivener's errors/clerical errors, section numbering, references, or similar mistakes of form.

PASSED by the City Council of the City of Richland, Washington, at a regular meeting on the ____ day of _____, 2025.

Theresa Richardson, Mayor

Attest:

Approved as to Form:

Jennifer Rogers, City Clerk

Heather Kintzley, City Attorney

First Reading: _____

Second Reading: _____

Date Published: _____



COUNCIL AGENDA ITEM COVERSHEET

Council Date: 1/7/2025

Agenda Category: Ordinances - First Reading

Strategic Priority I - High Performance Government

Subject:

Ordinance No. 2025-02, Amending Richland Municipal Code Section 12.03.040 related to Calculation of Impact Fees

Department/Office
Public Works

Ordinance/Resolution Number:
2025-02

Document Type:
Ordinance

Recommended Motion:

Give first reading to Ordinance No. 2025-02, amending Richland Municipal Code Section 12.03.040 related to calculation of impact fees.

Summary:

Chapter 82.02 RCW authorizes cities to impose impact fees to ensure that adequate facilities are available to serve new growth and development, and to provide for orderly growth achieving conformance with established standards. On December 5, 2023, Richland City Council passed Ordinance No. 2023-09, amending Chapter 12.03 of the Richland Municipal Code related to transportation impact fees.

Per RMC 12.03.040, transportation impact fees are adjusted on an annual basis based on the National Highway Construction Cost Index (NHCCI). Unfortunately, NHCCI fourth quarter data from the immediately preceding year is not available in January for staff to use as the basis to adjust rates. Proposed Ordinance No. 2025-02 provides additional administrative direction to staff to use the most recently published NHCCI data to adjust transportation impact fees, thereby resulting in a predictable and fair assessment.

Staff recommends approval of Ordinance No. 2025-02 for first reading.

Fiscal Impact:

Proposed Ordinance 2025-02 will not change how fees are assessed under the current program. The vast majority of revenues in the program are returned to developers in the form of credits and reimbursements, with only a small fraction of the revenues applied to city projects.

Attachments:

I. Ordinance No. 2025-02

ORDINANCE NO. 2025-02

**AN ORDINANCE OF THE CITY OF RICHLAND, WASHINGTON,
AMENDING RICHLAND MUNICIPAL CODE SECTION 12.03.040
RELATED TO CALCULATION OF IMPACT FEES.**

WHEREAS, Chapter 82.02 RCW authorizes cities to impose impact fees to ensure that adequate facilities are available to serve new growth and development, and to provide for orderly growth achieving conformance with established standards; and

WHEREAS, on December 5, 2023, Richland City Council passed Ordinance No. 2023-09, amending Chapter 12.03 of the Richland Municipal Code (RMC) related to Transportation Impact Fees; and

WHEREAS, per RMC 12.03.040, impact fees are adjusted on an annual basis based on the National Highway Construction Cost Index; and

WHEREAS, additional direction is needed to govern administration of this annual impact fee adjustment.

NOW, THEREFORE, BE IT ORDAINED by the City of Richland as follows:

Section 1. Richland Municipal Code Section 12.03.040, entitled Calculation of impact fees, as first enacted by Ordinance No. 39-04, and last amended by Ordinance No. 2023-09, is hereby amended to read as follows:

12.03.040 Calculation of impact fees.

A. The method of calculating the transportation impact fees in this program incorporates, among other things, the following:

1. The cost of public streets and roads necessitated by new development;
2. An adjustment to the costs of the public streets and roadways for past or future SEPA mitigation payments made by previous development to pay for particular system improvements that were prorated to the particular system improvement;
3. The availability of other means of funding public street and roadway improvements; and
4. The methods by which public street and roadway improvements were financed.

B. The fee per trip shall be as follows:

	Effective January 1, 2024
Zone 1	\$2,647.13
Zone 2	\$2,453.84
Zone 3	\$4,951.56
Zone 4	\$1,815.63

Beginning January 1, 2025, and every year thereafter, the traffic impact fees for all zones from the preceding year shall be adjusted based on the annual percentage change between existing fees and the most recently published fourth quarter National Highway Construction Cost Index (NHCCI) as published by the Federal Highway Administration and ~~published~~ included in the City of Richland's fee schedule.

The fee is established based on the calculated trips generated. For example, a single-family residence produces one unit. The fees for most common uses will be as depicted in Exhibit A – Traffic Impact Fee Schedule. Fees for uses not accurately represented in Exhibit A will be calculated based on their pm peak hour trip generation rates as determined by the city engineer applying the latest edition of the ITE Trip Generation Manual. Pass-by and internally captured trips will be deducted from the total trip generation in determining new development trips. As an example, a commercial building generating 150 trips with 50 being pass-by and/or internally captured trips resulting in 100 new peak hour trips will have an impact fee of 100 x the applicable zone fee.

Section 2. This Ordinance shall take effect the day following its publication in the official newspaper of the City of Richland.

Section 3. Should any section or provision of this Ordinance be declared by a court of competent jurisdiction to be invalid, that decision shall not affect the validity of the Ordinance as a whole or any part thereof, other than the part so declared to be invalid.

Section 4. The City Clerk and the codifiers of this Ordinance are authorized to make necessary corrections to this Ordinance, including but not limited to the correction of scrivener's errors/clerical errors, section numbering, references, or similar mistakes of form.

PASSED by the City Council of the City of Richland, Washington, at a regular meeting on the ____ day of _____, 2025.

Theresa Richardson, Mayor

Attest:

Approved as to Form:

Jennifer Rogers, City Clerk

Heather Kintzley, City Attorney

First Reading: _____

Second Reading: _____

Date Published: _____



COUNCIL AGENDA ITEM COVERSHEET

Council Date: 1/7/2025

Agenda Category: Ordinances - First Reading

Strategic Priority I - High Performance Government

Subject:

Ordinance No. 2025-03, Establishing and Dedicating Additional Right-of-Way for Polar Way

Department/Office
Public Works

Ordinance/Resolution Number:
2025-03

Document Type:
Ordinance

Recommended Motion:

Give first reading to Ordinance No. 2025-03, establishing and dedicating additional right-of-way for Polar Way.

Summary:

The City owns and manages a system of public street right-of-way for the benefit of the City's residents and visitors. The City may receive dedications of new public street right-of-way through land development activity or by ordinance.

AKJM, LLC owns property adjacent to Polar Way, and has received permit approval from the City of Richland for a commercial development. AKJM, LLC has agreed to dedicate a portion of its land for future street development along Polar Way. AKJM, LLC has executed a right-of-way dedication deed that has been reviewed and approved by the City.

The City's best interests are served by accepting dedication of additional right-of-way for Polar Way.

Staff recommends approval of Ordinance No. 2025-03 for first reading.

Fiscal Impact: None.

Attachments:

1. Ordinance No. 2025-03
2. Proposed Dedication Deed - Polar Way

WHEN RECORDED RETURN TO:

Richland City Clerk's Office
625 Swift Boulevard, MS-07
Richland, WA 99352

ORDINANCE NO. 2025-03

**AN ORDINANCE OF THE CITY OF RICHLAND, WASHINGTON,
ESTABLISHING AND DEDICATING ADDITIONAL RIGHT-OF-
WAY FOR POLAR WAY.**

WHEREAS, the City owns and manages a system of public street right-of-way for the benefit of the City's residents and visitors; and

WHEREAS, the City may receive dedications of new public street right-of-way through land development activity or by ordinance; and

WHEREAS, AKJM, LLC, the owner of property adjacent to Polar Way, has received permit approval from the City of Richland for a commercial development; and

WHEREAS, AKJM, LLC has agreed to dedicate a portion of land for future street development along Polar Way; and

WHEREAS, AKJM, LLC has executed a right-of-way dedication deed that has been reviewed and approved by the City.

NOW, THEREFORE, BE IT ORDAINED by the City of Richland as follows:

Section 1. The City Manager is hereby authorized to sign, execute, and record with the Auditor of Benton County, Washington, the dedication deed for additional right-of-way for Polar Way.

Section 2. The additional Polar Way right-of-way, described in the attached **Exhibit A** and depicted in the attached **Exhibit B**, is hereby dedicated as public right-of-way.

Section 3. The City Clerk is directed to file with the Auditor of Benton County, Washington, a copy of this Ordinance and the attached Exhibits, duly certified by the Clerk as a true copy.

Section 4. This Ordinance shall take effect the day following its publication in the official newspaper of the City of Richland.

Section 5. Should any section or provision of this Ordinance be declared by a court of competent jurisdiction to be invalid, that decision shall not affect the validity of the Ordinance as a whole or any part thereof, other than the part so declared to be invalid.

Section 6. The City Clerk and the codifiers of this Ordinance are authorized to make necessary corrections to this Ordinance, including but not limited to the correction of scrivener's errors/clerical errors, section numbering, references, or similar mistakes of form.

PASSED by the City Council of the City of Richland, Washington, at a regular meeting on the ____ day of _____, 2025.

Theresa Richardson, Mayor

Attest:

Approved as to Form:

Jennifer Rogers, City Clerk

Heather Kintzley, City Attorney

First Reading: _____

Second Reading: _____

Date Published: _____

Exhibit A
Legal Description

PARCEL NO. 128081000002026

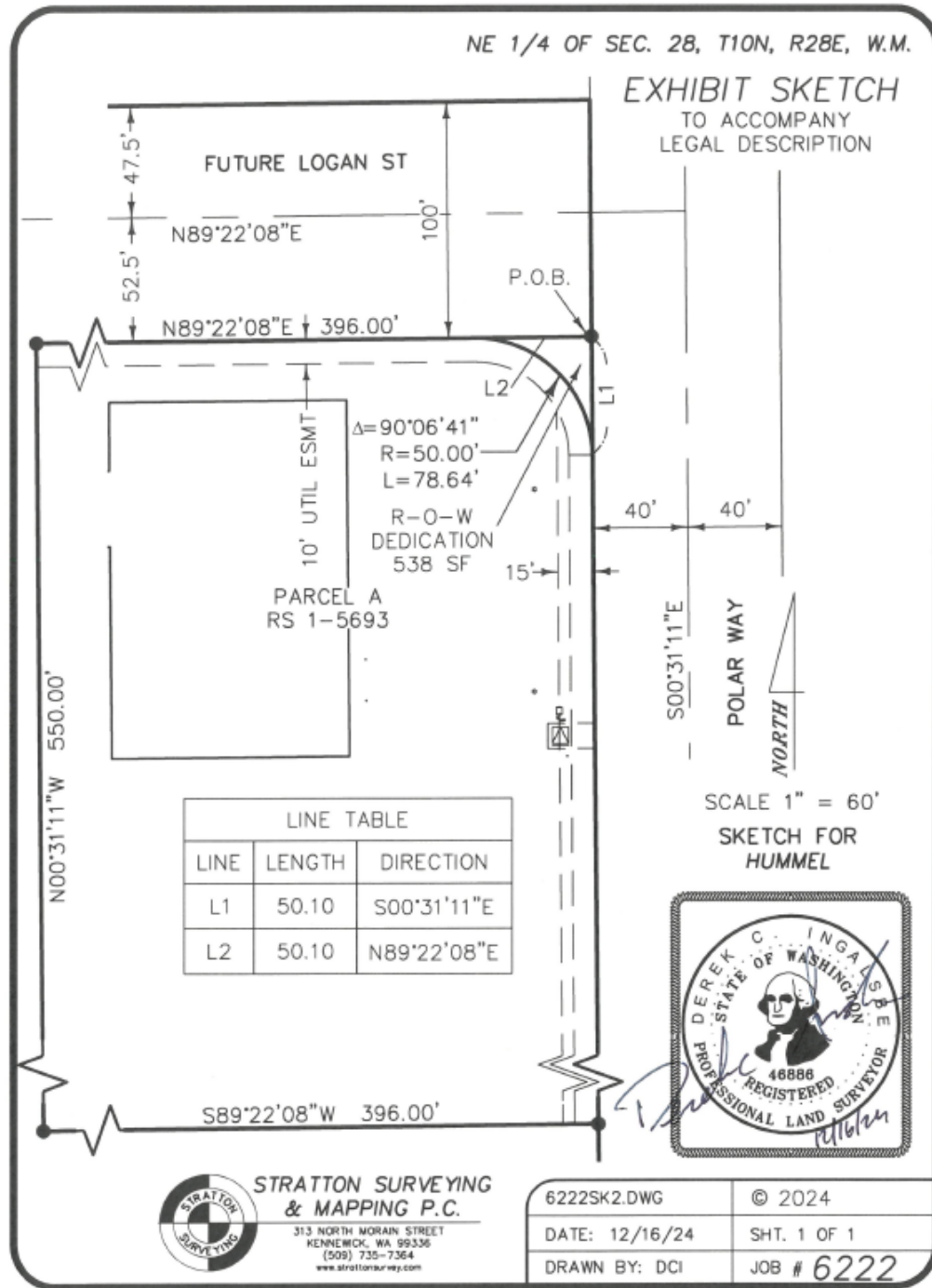
DESCRIPTION

THAT PORTION OF PARCEL A OF THE RECORD OF SURVEY RECORDED IN VOLUME 1 OF SURVEYS AT PAGE 5693, RECORDS OF BENTON COUNTY, WASHINGTON, DESCRIBED AS FOLLOWS:

BEGINNING AT THE NORTHEAST CORNER OF SAID PARCEL THENCE SOUTH 00°31'11" EAST ALONG THE EASTERLY LINE OF SAID PARCEL 50.10 FEET TO THE BEGINNING OF A NON-TANGENT CURVE TO THE LEFT THE RADIUS POINT OF WHICH BEARS SOUTH 89°28'49" WEST 50.00 FEET; THENCE NORTHWESTERLY ALONG SAID CURVE 78.64 FEET THROUGH A DEL TA ANGLE OF 90°06'41" TO THE NORTHERLY LINE OF SAID PARCEL; THENCE NORTH 89°22'08" EAST ALONG SAID LINE 50.10 FEET TO THE SAID POINT OF BEGINNING.

CONTAINS 538 SF

Exhibit B
Depiction



WHEN RECORDED RETURN TO:

**City Clerk
City of Richland
625 Swift Blvd. MS-07
Richland, WA 99352**

Portion of Parcel No. 1-2808-100-0002-026

RIGHT-OF-WAY DEDICATION DEED

In and for good and valuable consideration, the receipt and sufficiency of which are hereby acknowledged, **AKJM, LLC**, a Washington limited liability company (“Grantor”), does hereby grant, convey and dedicate to the **CITY OF RICHLAND**, a Washington municipal corporation (“Grantee”), its successors and assigns, a public right-of-way in, upon, over, under, across and through the following property situated in the County of Benton, State of Washington, to be used for all lawful right-of-way purposes, surface and subsurface:

That portion of Parcel A of the record of survey recorded in Volume 1 of surveys at Page 5693, Records of Benton County, Washington, described as follows:

Beginning at the Northeast Corner of said Parcel; Thence South 00°31’11” East along the Easterly Line of said Parcel 50.10 feet to the beginning of a non-tangent curve to the left the radius point of which bears South 89°28’49” West 50.00 feet; Thence northwesterly along said curve 78.64 feet through a delta angle of 90°06’41” to the Northerly Line of said Parcel; Thence North 89°22’08” East along said line 50.10 feet to the said **Point of Beginning**.

Contains 538 square feet.

See Exhibit “A” (the area dedicated)

Grantee shall have the right to regulate and use the area dedicated as and for right-of-way and for utility purposes. Such use shall include, but not be limited to the following: (1) the right of public ingress and egress through and along said area; (2) the right to locate, design, construct, install, inspect, protect, maintain, repair, modify, and otherwise change utilities, road rights-of-way, and any other appurtenances or related elements, including, but not limited to, pavement, signs, curbs, gutters, sidewalks, conduits, cables, wires, splicing boxes, power sources, and facilities, including but not limited to those for storm water, wastewater, water, electricity, gas, oil,

telecommunications, communication transmission and reception, together with fencing and gates when the same are deemed by Grantee to be necessary to protect facilities, prevent intrusions, and otherwise protect the public from loss or harm; and (3) the right to engage in any other activity that is reasonably related to the construction, operation and maintenance of public utilities and rights-of-way that are located in the dedicated area. In addition, Grantee shall have the right to clear, remove and dispose of any material, obstructions, timber and vegetation within the dedication area.

Grantee's uses are unrestricted in location within the right-of-way and will not be limited in any way by the state of being, condition or location of the street. Grantee is also authorized to utilize such additional width as may be necessary temporarily for the placing of excavated materials thereon and for initial construction and maintenance operations. Grantee will restore disturbed property to equal or better condition.

Subject to the terms hereof, Grantee shall have all other rights and benefits that are reasonably necessary or useful for Grantee's full and complete use of the area dedicated. Grantor shall not authorize or otherwise permit any person or entity to interfere with Grantee's use of the dedicated area.

Grantor covenants that Grantor is lawfully seized and possessed of the real property described herein, and that Grantor has a good and lawful right to convey it or any part thereof and that Grantor will forever warrant and defend the same against all persons who may lawfully claim the same.

The undersigned requests that the Assessor and Treasurer of Benton County set over to the remainder the lien of all unpaid taxes, if any, affecting the property conveyed by this Right-of-Way Dedication Deed, as provided by RCW 84.60.070.

It is understood and agreed that delivery of this Deed is hereby tendered and that its terms and obligations are not binding upon the City of Richland unless and until the Richland City Council has taken action by ordinance or resolution to accept this Right-of-Way Deed of Dedication and the below Certificate of Acceptance has been executed.

This space intentionally left blank.

CERTIFICATE OF ACCEPTANCE OF RIGHT-OF-WAY DEDICATION DEED

The interest in real property conveyed by this Right-of-Way Dedication Deed has been accepted by Ordinance No. 2025-03 of the City Council of the City of Richland on the 21st day of January, 2025, and the authorized officer of such governing body has consented to recordation of said Deed of Dedication with the Benton County Auditor.

Accepted by the City of Richland:

Jon Amundson, ICMA-CM, City Manager

Attest:

Approved as to form:

Jennifer Rogers, City Clerk

Heather Kintzley, City Attorney

This space intentionally left blank.

GRANTOR – AKJM, LLC
a Washington limited liability company

By: _____
Aaron Karlson, Governor

STATE OF _____)
: SS
COUNTY OF _____)

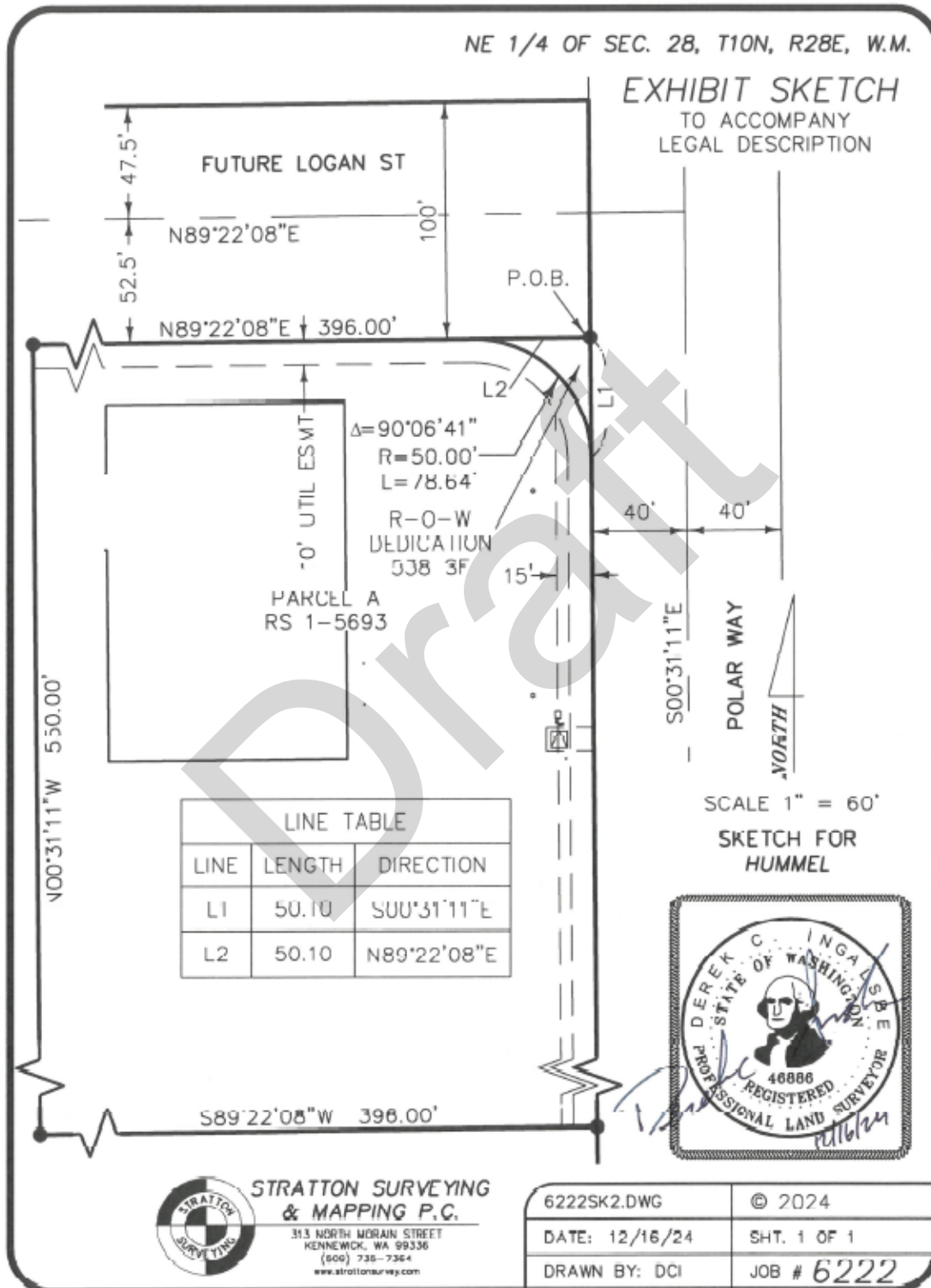
On this ____ day of _____, 2025, before me, the undersigned Notary Public in and for the State of _____, duly commissioned and sworn, personally appeared **Aaron Karlson**, to me known to be authorized and who executed the within and foregoing instrument, and acknowledged that he signed the same as his free and voluntary act and deed, for the use and purposes therein mentioned, and on oath stated that he is authorized to execute the said instrument.

IN WITNESS WHEREOF, my hand and official seal hereon affixed the day and year above written.

Sign: _____
Printed Name: _____
Notary Public in and for the State of _____
Residing at _____
My appointment expires _____

seal

**Exhibit A to Right-of-Way Dedication Deed
Depiction of Area Dedicated**





COUNCIL AGENDA ITEM COVERSHEET

Council Date: 1/7/2025

Agenda Category: Ordinances - Second Reading & Passage

Strategic Priority I - High Performance Government

Subject:

Ordinance No. 2024-39, Establishing and Dedicating the Right-of-Way for a Segment of Gateway Avenue

Department/Office
Public Works

Ordinance/Resolution Number:
2024-39

Document Type:
Ordinance

Recommended Motion:

Give second reading and pass Ordinance No. 2024-39, establishing and dedicating the right-of-way for a segment of Gateway Avenue as provided therein.

Summary:

The City owns and manages a system of public street right-of-way for the benefit of the City's residents and visitors. The City may receive dedications of new public street right-of-way through land development activity or by ordinance.

Badger Communities, LLC received preliminary plat approval from the City of Richland for the Veneto Villagio subdivision near Ava Way and Dallas Road. Badger Mountain South Community Association, the owner of a tract between the Veneto Villagio subdivision and Ava Way, has agreed to dedicate a portion of its land to facilitate entrance into the Veneto Villagio subdivision from Ava Way. This entrance is known by the street name Gateway Avenue. The Badger Mountain South Community Association has executed a right-of-way dedication deed that has been reviewed and approved by the City.

The City's best interests are served by accepting the dedication of right-of-way for the extension of proposed Gateway Avenue to Ava Way.

Staff recommends approval of Ordinance No. 2024-39 for second reading and passage.

Fiscal Impact: None.

Attachments:

1. Ordinance No. 2024-39
2. Proposed Right-of-Way Dedication Deed - Gateway Avenue

WHEN RECORDED RETURN TO:

Richland City Clerk's Office
625 Swift Boulevard, MS-07
Richland, WA 99352

ORDINANCE NO. 2024-39

**AN ORDINANCE OF THE CITY OF RICHLAND, WASHINGTON,
ESTABLISHING AND DEDICATING THE RIGHT-OF-WAY FOR
A SEGMENT OF GATEWAY AVENUE.**

WHEREAS, the City owns and manages a system of public street rights-of-way for the benefit of the City's residents and visitors; and

WHEREAS, the City may receive dedications of new public street rights-of-way through land development activity or by ordinance; and

WHEREAS, the owners of properties near Ava Way and Dallas Road received preliminary plat approval from the City of Richland for the Veneto Villagio subdivision; and

WHEREAS, Badger Mountain South Community Association has agreed to dedicate a portion of its land to facilitate the entrance into the Veneto Villagio subdivision from Ava Way; and

WHEREAS, a right-of-way dedication deed has been reviewed, approved by the City, and executed by Badger Mountain South Community Association; and

WHEREAS, the City's best interests are served by accepting the dedication of right-of-way for the extension of the proposed Gateway Avenue to Ava Way.

NOW, THEREFORE, BE IT ORDAINED by the City of Richland as follows:

Section 1. The Gateway Avenue right-of-way legally described in **Exhibit A-1** and depicted in **Exhibit A**, attached hereto and incorporated herein by this reference, is hereby accepted by the City of Richland and dedicated as a public street right-of-way.

Section 2. The City Manager is hereby authorized to sign, execute, and record with the Auditor of Benton County, Washington, the right-of-way dedication deed for the identified portion of Gateway Avenue.

Section 3. The City Clerk is directed to file with the Auditor of Benton County, Washington, a copy of this Ordinance and the attached Exhibits, duly certified by the Clerk as a true copy.

Section 4. This Ordinance shall take effect the day following its publication in the official newspaper of the City of Richland.

Section 5. Should any section or provision of this Ordinance be declared by a court of competent jurisdiction to be invalid, that decision shall not affect the validity of this Ordinance as a whole or any part thereof, other than the part so declared to be invalid.

Section 6. The City Clerk and the codifiers of this Ordinance are authorized to make necessary corrections to this Ordinance, including but not limited to the correction of scrivener's errors/clerical errors, section numbering, references, or similar mistakes of form.

PASSED by the City Council of the City of Richland, Washington, at a regular meeting on the 7th day of January, 2025.

Theresa Richardson, Mayor

Attest:

Approved as to Form:

Jennifer Rogers, City Clerk

Heather Kintzley, City Attorney

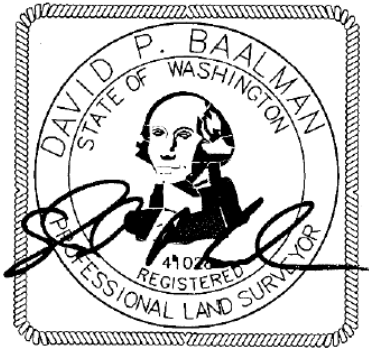
First Reading: December 17, 2024
Second Reading: January 7, 2025
Date Published: January 12, 2025

EXHIBIT 'A-1'
LEGAL DESCRIPTION
PUBLIC ROAD RIGHT OF WAY DEDICATION

THAT PORTION OF TRACT B, PLAT OF WEST VINEYARD PHASE 1, ACCORDING TO THE PLAT THEREOF RECORDED IN VOLUME 15 OF PLATS, PAGE 458, RECORDS OF BENTON COUNTY, WASHINGTON, SITUATE IN THE NORTHWEST QUARTER OF SECTION 32, TOWNSHIP 9 NORTH, RANGE 28 EAST, WILLAMETTE, CITY OF RICHLAND, DESCRIBED AS FOLLOWS:

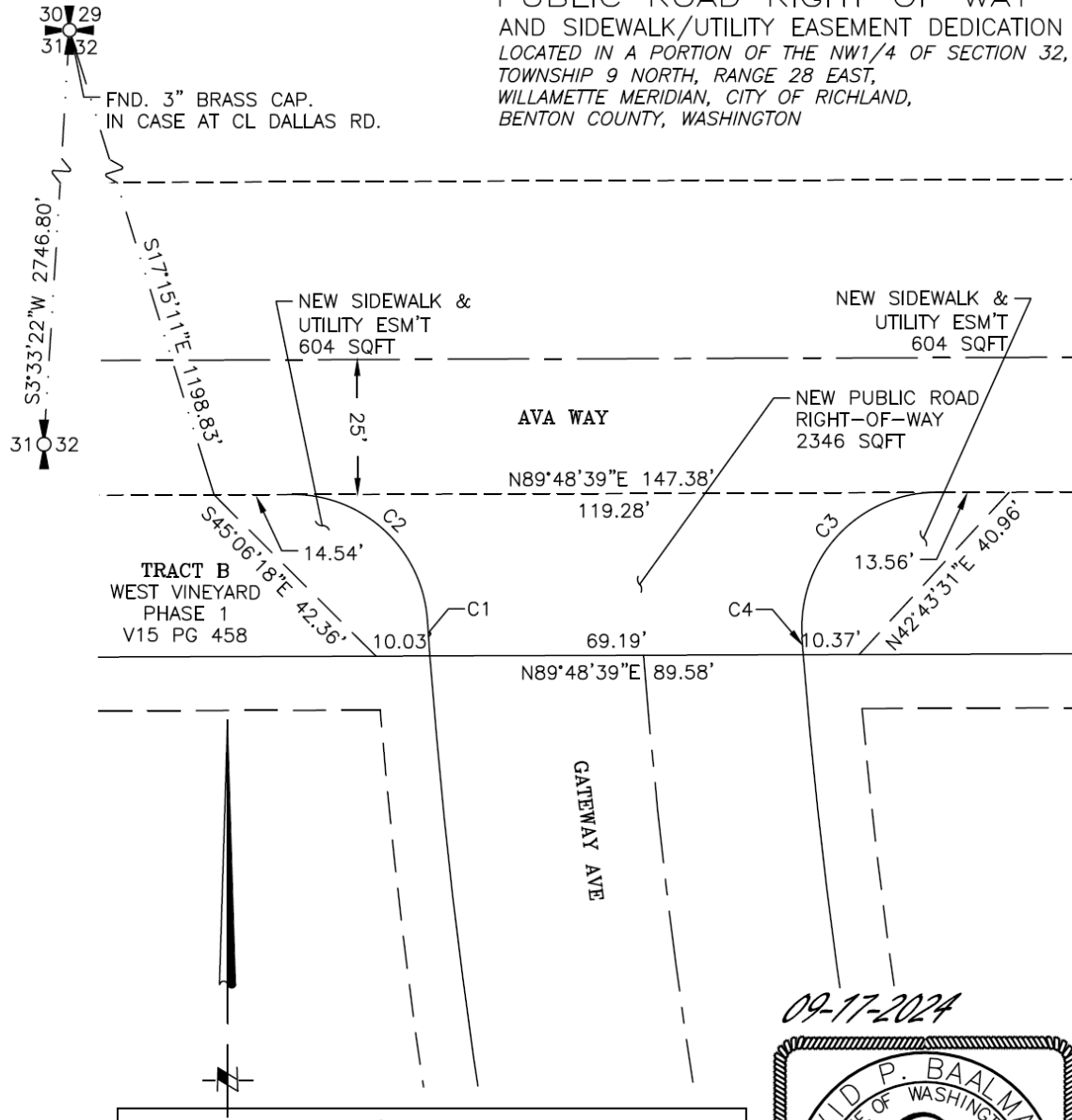
COMMENCING AT THE NORTHWEST CORNER OF SAID SECTION 32 (FROM WHICH THE WEST QUARTER CORNER OF SAID SECTION 32 BEARS SOUTH 3°33'22" WEST 2746.80 FEET); THENCE SOUTH 17°15'11" EAST 1198.83 FEET TO A POINT ON THE NORTHERLY BOUNDARY OF SAID TRACT B; THENCE NORTH 89°48'39" EAST 14.54 FEET ALONG SAID NORTHERLY BOUNDARY TO THE **POINT OF BEGINNING**; THENCE CONTINUING NORTH 89°48'39" EAST 119.28 FEET ALONG SAID NORTHERLY BOUNDARY TO A POINT OF CUSP WITH A NON-TANGENT CURVE CONCAVE TO THE SOUTHEAST, HAVING A RADIUS OF 25.00 FEET (THE LONG CHORD OF SAID CURVE BEARS SOUTH 42°43'21" WEST 36.62 FEET); THENCE SOUTHWESTERLY 41.09 FEET ALONG THE ARC OF SAID CURVE THROUGH A CENTRAL ANGLE OF 94°10'36" TO THE BEGINNING OF A COMPOUND CURVE, CONCAVE TO THE EAST, HAVING A RADIUS OF 1038.50 FEET; THENCE SOUTHERLY 3.18 FEET ALONG THE ARC OF SAID CURVE THROUGH A CENTRAL ANGLE OF 0°10'32" TO THE SOUTHERLY BOUNDARY OF SAID TRACT B; THENCE SOUTH 89°48'39" WEST 69.19 FEET TO THE BEGINNING OF A NON-TANGENT CURVE, CONCAVE TO THE EAST, HAVING A RADIUS OF 1107.50 FEET (THE LONG CHORD OF SAID CURVE BEARS NORTH 4°05'53" WEST 6.64 FEET); THENCE NORTHERLY 6.64 FEET ALONG THE ARC OF SAID CURVE THROUGH A CENTRAL ANGLE OF 0°20'37" TO THE BEGINNING OF A REVERSE CURVE CONCAVE TO THE SOUTHWEST, HAVING A RADIUS OF 25.00 FEET; THENCE NORTHWESTERLY 37.64 FEET ALONG THE ARC OF SAID CURVE THROUGH A CENTRAL ANGLE OF 86°15'46" TO THE **POINT OF BEGINNING**.

CONTAINS 2346 SQUARE FEET, MORE OR LESS.

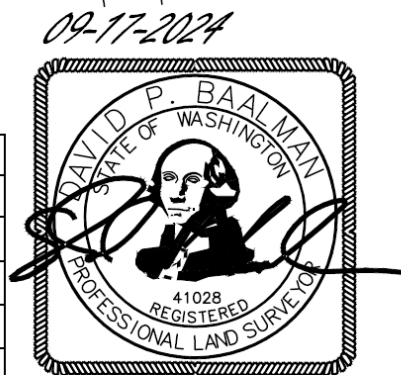


9-17-2024

EXHIBIT A
PUBLIC ROAD RIGHT OF WAY
AND SIDEWALK/UTILITY EASEMENT DEDICATION
 LOCATED IN A PORTION OF THE NW1/4 OF SECTION 32,
 TOWNSHIP 9 NORTH, RANGE 28 EAST,
 WILLAMETTE MERIDIAN, CITY OF RICHLAND,
 BENTON COUNTY, WASHINGTON



Curve Table					
CURVE	LENGTH	RADIUS	DELTA	CH. BRNG.	CHORD
C1	6.64	1107.50	0°20'37"	S4°05'53"E	6.64
C2	37.64	25.00	86°15'46"	N47°03'28"W	34.18
C3	41.09	25.00	94°10'36"	S42°43'21"W	36.62
C4	3.18	1038.50	0°10'32"	S4°27'13"E	3.18



16724-EXHIBIT2.DWG

WHEN RECORDED RETURN TO:

**City Clerk
City of Richland
625 Swift Blvd. MS-07
Richland, WA 99352**

Portion of Parcel No. 1-3298-202-0013-000

RIGHT-OF-WAY DEDICATION DEED

In and for good and valuable consideration, the receipt and sufficiency of which are hereby acknowledged, **Badger Mountain South Community Association**, a Washington nonprofit corporation (“Grantor”), does hereby grant, convey and dedicate to the **CITY OF RICHLAND**, a Washington municipal corporation (“Grantee”), its successors and assigns, a public right-of-way in, upon, over, under, across and through the following property situated in the County of Benton, State of Washington, to be used for all lawful right-of-way purposes, surface and subsurface:

That portion of Tract B, Plat of West Vineyard Phase 1, according to the plat thereof recorded in Volume 15 of Plats, Page 458, records of Benton County, Washington, situate in the Northwest Quarter of Section 32, Township 9 North, Range 28 East, Willamette, City of Richland, described as follows:

Commencing at the Northwest Corner of said Section 32 (from which the west Quarter Corner of said Section 32 bears South 3°33'22" West 2746.80 feet); Thence South 17°15'11" East 1198.83 feet to a point on the Northerly Boundary of said Tract B; Thence North 89°48'39" East 14.54 feet along said Northerly Boundary to the **Point of Beginning**;

Thence continuing North 89°48'39" East 119.28 feet along said Northerly Boundary to a point of cusp with a non-tangent curve concave to the southeast, having a radius of 25.00 feet (the long chord of said curve bears South 42°43'21" West 36.62 feet); Thence southwesterly 41.09 feet along the arc of said curve through a central angle of 94°10'36" to the beginning of a compound curve, concave to the east, having a radius of 1038.50 feet; Thence southerly 3.18 feet along the arc of said curve through a central angle of 0°10'32" to the Southerly Boundary of said Tract B; Thence South 89°48'39" West 69.19 feet to the beginning of a non-tangent curve, concave to the east, having a radius of 1107.50 feet (the long chord of said curve bears North 4°05'53" West 6.64 feet); Thence

northerly 6.64 feet along the arc of said curve through a central angle of 0°20'37" to the beginning of a reverse curve concave to the southwest, having a radius of 25.00 feet; Thence northwesterly 37.64 feet along the arc of said curve through a central angle of 86°15'46" to the **Point of Beginning**.

Contains 2346 square feet, more or less.

See Exhibit "A" (the area dedicated)

Grantee shall have the right to regulate and use the area dedicated as and for right-of-way and for utility purposes. Such use shall include, but not be limited to the following: (1) the right of public ingress and egress through and along said area; (2) the right to locate, design, construct, install, inspect, protect, maintain, repair, modify, and otherwise change utilities, road rights-of-way, and any other appurtenances or related elements, including, but not limited to, pavement, signs, curbs, gutters, sidewalks, conduits, cables, wires, splicing boxes, power sources, and facilities, including but not limited to those for storm water, wastewater, water, electricity, gas, oil, telecommunications, communication transmission and reception, together with fencing and gates when the same are deemed by Grantee to be necessary to protect facilities, prevent intrusions, and otherwise protect the public from loss or harm; and (3) the right to engage in any other activity that is reasonably related to the construction, operation and maintenance of public utilities and rights-of-way that are located in the dedicated area. In addition, Grantee shall have the right to clear, remove and dispose of any material, obstructions, timber and vegetation within the dedication area.

Grantee's uses are unrestricted in location within the right-of-way and will not be limited in any way by the state of being, condition or location of the street. Grantee is also authorized to utilize such additional width as may be necessary temporarily for the placing of excavated materials thereon and for initial construction and maintenance operations. Grantee will restore disturbed property to equal or better condition.

Subject to the terms hereof, Grantee shall have all other rights and benefits that are reasonably necessary or useful for Grantee's full and complete use of the area dedicated. Grantor shall not authorize or otherwise permit any person or entity to interfere with Grantee's use of the dedicated area.

Grantor covenants that Grantor is lawfully seized and possessed of the real property described herein, and that Grantor has a good and lawful right to convey it or any part thereof and that Grantor will forever warrant and defend the same against all persons who may lawfully claim the same.

The undersigned requests that the Assessor and Treasurer of Benton County set over to the remainder the lien of all unpaid taxes, if any, affecting the property conveyed by this Right-of-Way Dedication Deed, as provided by RCW 84.60.070.

It is understood and agreed that delivery of this Deed is hereby tendered and that its terms and obligations are not binding upon the City of Richland unless and until the Richland City Council

has taken action by ordinance or resolution to accept this Right-of-Way Deed of Dedication and the below Certificate of Acceptance has been executed.

CERTIFICATE OF ACCEPTANCE OF RIGHT-OF-WAY DEDICATION DEED

The interest in real property conveyed by this Right-of-Way Dedication Deed has been accepted by Ordinance No. 2024-39 of the City Council of the City of Richland on the 7th day of January, 2025, and the authorized officer of such governing body has consented to recordation of said Deed of Dedication with the Benton County Auditor.

Accepted by the City of Richland:

Jon Amundson, ICMA-CM, City Manager

Attest:

Approved as to form:

Jennifer Rogers, City Clerk

Heather Kintzley, City Attorney

GRANTOR – Badger Mountain South Community Association
a Washington nonprofit corporation

By: _____
Lawrence White, Governor

STATE OF _____)
: SS
COUNTY OF _____)

On this ____ day of _____, 2024, before me, the undersigned Notary Public in and for the State of _____, duly commissioned and sworn, personally appeared **Lawrence White**, to me known to be authorized and who executed the within and foregoing instrument, and acknowledged that he signed the same as his free and voluntary act and deed, for the use and purposes therein mentioned, and on oath stated that he is authorized to execute the said instrument.

IN WITNESS WHEREOF, my hand and official seal hereon affixed the day and year above written.

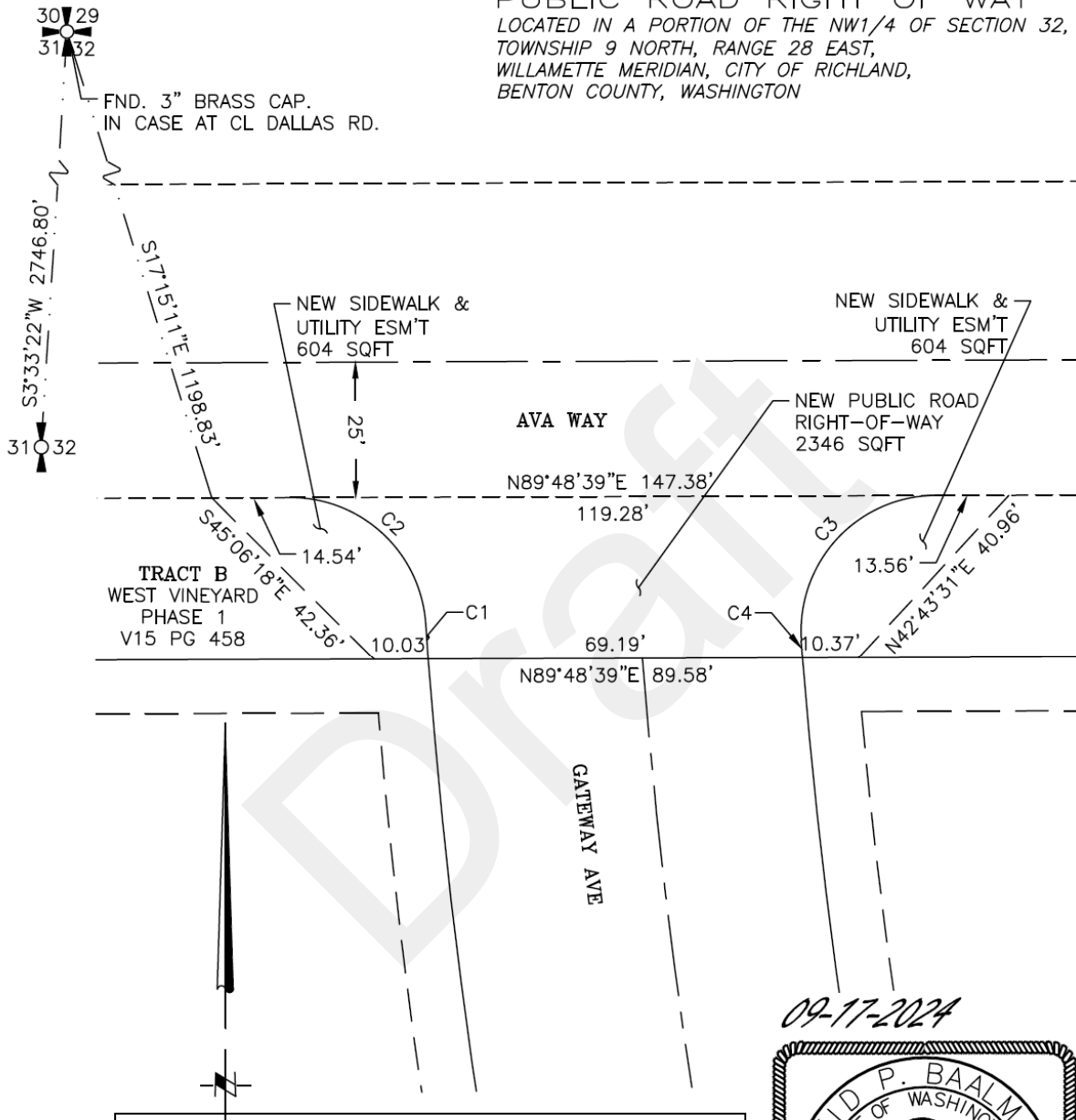
Sign: _____
Printed Name: _____

Notary Public in and for the State of _____
Residing at _____
My appointment expires _____

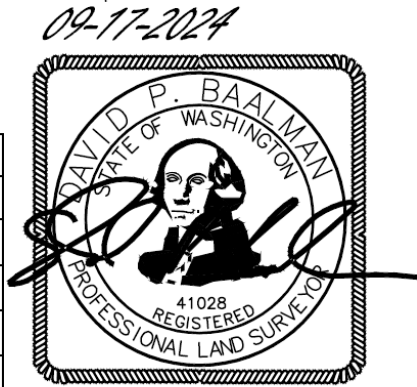
seal

EXHIBIT A

PUBLIC ROAD RIGHT OF WAY
LOCATED IN A PORTION OF THE NW1/4 OF SECTION 32,
TOWNSHIP 9 NORTH, RANGE 28 EAST,
WILLAMETTE MERIDIAN, CITY OF RICHLAND,
BENTON COUNTY, WASHINGTON



Curve Table					
CURVE	LENGTH	RADIUS	DELTA	CH. BRNG.	CHORD
C1	6.64	1107.50	0°20'37"	S4°05'53"E	6.64
C2	37.64	25.00	86°15'46"	N47°03'28"W	34.18
C3	41.09	25.00	94°10'36"	S42°43'21"W	36.62
C4	3.18	1038.50	0°10'32"	S4°27'13"E	3.18



16724-EXHIBIT2.DWG



COUNCIL AGENDA ITEM COVERSHEET

Council Date: 1/7/2025

Agenda Category: Ordinances - Second Reading & Passage

Strategic Priority I - High Performance Government

Subject:

Ordinance No. 2024-40, Establishing and Dedicating the Right-of-Way for a Segment of Hanford Street

Department/Office
Public Works

Ordinance/Resolution Number:
2024-40

Document Type:
Ordinance

Recommended Motion:

Give second reading and pass Ordinance No. 2024-40, establishing and dedicating the right-of-way for a segment of Hanford Street.

Summary:

The City owns and manages a system of public street right-of-way for the benefit of the City's residents and visitors. The City may receive dedications of new public street right-of-way through land development activity or by ordinance.

SMI Group XVIII, L.L.C., the owner of property at the west end of Hanford Street, received development approval from the City of Richland for a mini-storage project. SMI Group XVIII, L.L.C. has completed street improvements in accordance with city requirements, and agrees to dedicate a portion of its land for a cul-de-sac to facilitate the flow of traffic at the end of Hanford Street. SMI Group XVIII, L.L.C. has executed a right-of-way dedication deed that has been reviewed and approved by the City.

The City's best interests are served by accepting dedication of right-of-way for the modifications made at the end of Hanford Street.

Staff recommends approval of Ordinance No. 2024-40 for second reading and passage.

Fiscal Impact: None.

Attachments:

1. Ordinance No. 2024-40
2. Proposed Right-of-Way Dedication Deed - Hartford Street

WHEN RECORDED RETURN TO:

Richland City Clerk's Office
625 Swift Boulevard, MS-07
Richland, WA 99352

ORDINANCE NO. 2024-40

**AN ORDINANCE OF THE CITY OF RICHLAND, WASHINGTON,
ESTABLISHING AND DEDICATING THE RIGHT-OF-WAY FOR
A SEGMENT OF HANFORD STREET.**

WHEREAS, the City owns and manages a system of public street rights-of-way for the benefit of the City's residents and visitors; and

WHEREAS, the City may receive dedications of new public street rights-of-way through land development activity or by ordinance; and

WHEREAS, SMI Group XVIII, L.L.C., the owners of property at the end of Hanford Street, received development approval from the City of Richland for a mini-storage; and

WHEREAS, SMI Group XVIII, L.L.C. has agreed to dedicate a portion of its land to facilitate the flow of traffic at the end of Hanford Street; and

WHEREAS, SMI Group XVIII, L.L.C. has executed a right-of-way dedication deed that has been reviewed and approved by the City; and

WHEREAS, the City's best interests are served by accepting the proposed dedication of right-of-way for the modification at the end of Hanford Street.

NOW, THEREFORE, BE IT ORDAINED by the City of Richland as follows:

Section 1. The Hanford Street right-of-way legally described in **Exhibit A** and depicted in **Exhibit B**, attached hereto and incorporated herein by this reference, is hereby accepted by the City of Richland and dedicated as a public street right-of way.

Section 2. The City Manager is hereby authorized to sign, execute, and record with the Auditor of Benton County, Washington, the right-of-way dedication deed for a portion of Hanford Street.

Section 3. The City Clerk is directed to file with the Auditor of Benton County, Washington, a copy of this Ordinance and the attached Exhibits, duly certified by the Clerk as a true copy.

Section 4. This Ordinance shall take effect the day following its publication in the official newspaper of the City of Richland.

Section 5. Should any section or provision of this Ordinance be declared by a court of competent jurisdiction to be invalid, that decision shall not affect the validity of the Ordinance as a whole or any part thereof, other than the part so declared to be invalid.

Section 6. The City Clerk and the codifiers of this Ordinance are authorized to make necessary corrections to this Ordinance, including but not limited to the correction of scrivener's errors/clerical errors, section numbering, references, or similar mistakes of form.

PASSED by the City Council of the City of Richland, Washington, at a regular meeting on the 7th day of January, 2025.

Theresa Richardson, Mayor

Attest:

Approved as to Form:

Jennifer Rogers, City Clerk

Heather Kintzley, City Attorney

First Reading: December 17, 2024

Second Reading: January 7, 2025

Date Published: January 12, 2025

EXHIBIT A (Legal Description)

RIGHT-OF-WAY DESCRIPTION

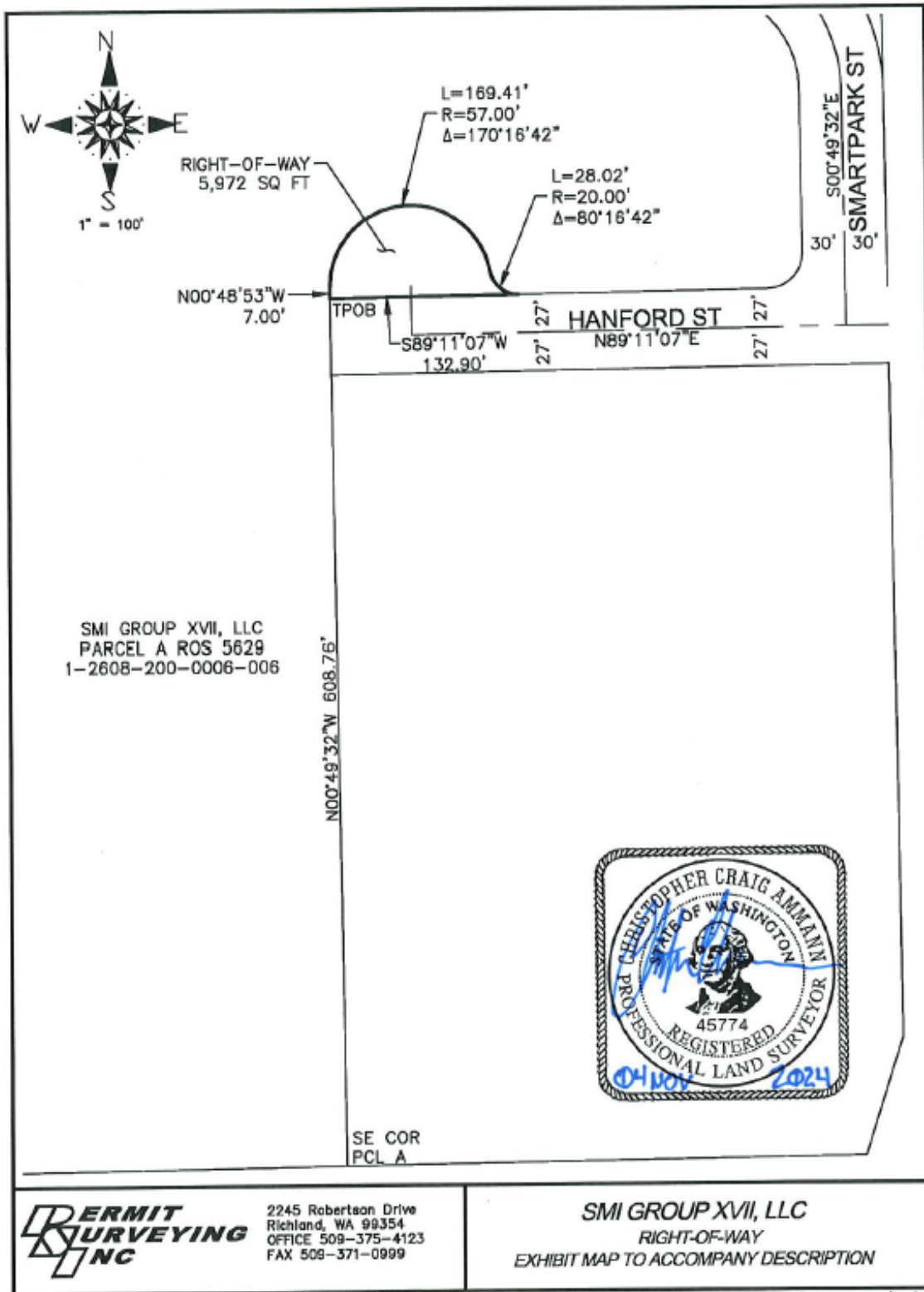
THAT PORTION OF THE SOUTHEAST QUARTER OF THE NORTHWEST QUARTER OF SECTION 26, TOWNSHIP 10 NORTH, RANGE 28 EAST, WILLAMETTE MERIDIAN, BENTON COUNTY, WASHINGTON, ALSO BEING A PORTION OF PARCEL A AS DEPICTED AND DESCRIBED ON RECORD OF SURVEY NO. 5629, RECORDED UNDER AUDITOR'S FILE NO. 2022-007860, RECORDS OF SAID COUNTY AND STATE, DESCRIBED AS FOLLOWS:

COMMENCING AT THE MOST SOUTHERLY SOUTHEAST CORNER OF SAID PARCEL A; THENCE ALONG THE EAST LINE THEREOF NORTH 00°49'32" WEST 608.76 FEET TO A POINT ON THE NORTH RIGHT-OF-WAY MARGIN OF HANFORD STREET AND THE TRUE POINT OF BEGINNING; THENCE LEAVING SAID NORTH RIGHT-OF-WAY MARGIN NORTH 00°48'53" WEST 7.00 FEET; THENCE ALONG A CURVE TO THE RIGHT THROUGH A CENTRAL ANGLE OF 170°16'42" HAVING A RADIUS OF 57.00 FEET AND AN ARC LENGTH OF 169.41 FEET; THENCE ALONG A CURVE TO THE LEFT THROUGH A CENTRAL ANGLE OF 80°16'42" HAVING A RADIUS OF 20.00 FEET AND AN ARC LENGTH OF 28.02 FEET TO A POINT ON SAID NORTH LINE; THENCE ALONG SAID NORTH LINE SOUTH 89°11'07" WEST 132.90 FEET TO THE TRUE POINT OF BEGINNING.

CONTAINS 5,972 SQUARE FEET.



EXHIBIT B (Depiction)



WHEN RECORDED RETURN TO:

**City Clerk
City of Richland
625 Swift Blvd. MS-07
Richland, WA 99352**

Portion of Parcel No. 1-2608-200-0006-006

RIGHT-OF-WAY DEDICATION DEED

In and for good and valuable consideration, the receipt and sufficiency of which are hereby acknowledged, **SMI Group XVIII, L.L.C.**, a Washington limited liability company (“Grantor”), does hereby grant, convey and dedicate to the **CITY OF RICHLAND**, a Washington municipal corporation (“Grantee”), its successors and assigns, a public right-of-way in, upon, over, under, across and through the following property situated in the County of Benton, State of Washington, to be used for all lawful right-of-way purposes, surface and subsurface:

That portion of the Southeast Quarter of the Northwest Quarter of Section 26, Township 10 North, Range 28 East, Willamette Meridian, Benton County, Washington, also being a portion of Parcel a as depicted and described on Record of Survey No. 5629, recorded under Auditor’s File Number 2022-007860, records of said county and state, described as follows:

Commencing at the most Southerly Southeast Corner of said Parcel A; Thence along the East Line thereof North 00°49’32” West 608.76 feet to a point on the north right-of-way margin of Hanford Street and the **True Point of Beginning**;

Thence leaving said north right-of-way margin North 00°48’53” West 7.00 feet; Thence along a curve to the right through a central angle of 170°16’42” having a radius of 57.00 feet and an arc length of 169.41 feet; Thence along a curve to the left through a central angle of 80°16’42” having a radius of 20.00 feet and an arc length of 28.02 feet to a point on said North Line; Thence along said North Line South 89°11’07” West 132.90 feet to the **True Point of Beginning**.

Contains 5,972 square feet.

See **Exhibit “A”** (the area dedicated)

Grantee shall have the right to regulate and use the area dedicated as and for right-of-way and for utility purposes. Such use shall include, but not be limited to the following: (1) the right of public ingress and egress through and along said area; (2) the right to locate, design, construct, install, inspect, protect, maintain, repair, modify, and otherwise change utilities, road rights-of-way, and any other appurtenances or related elements, including, but not limited to, pavement, signs, curbs, gutters, sidewalks, conduits, cables, wires, splicing boxes, power sources, and facilities, including but not limited to those for storm water, wastewater, water, electricity, gas, oil, telecommunications, communication transmission and reception, together with fencing and gates when the same are deemed by Grantee to be necessary to protect facilities, prevent intrusions, and otherwise protect the public from loss or harm; and (3) the right to engage in any other activity that is reasonably related to the construction, operation and maintenance of public utilities and rights-of-way that are located in the dedicated area. In addition, Grantee shall have the right to clear, remove and dispose of any material, obstructions, timber and vegetation within the dedication area.

Grantee's uses are unrestricted in location within the right-of-way and will not be limited in any way by the state of being, condition or location of the street. Grantee is also authorized to utilize such additional width as may be necessary temporarily for the placing of excavated materials thereon and for initial construction and maintenance operations. Grantee will restore disturbed property to equal or better condition.

Subject to the terms hereof, Grantee shall have all other rights and benefits that are reasonably necessary or useful for Grantee's full and complete use of the area dedicated. Grantor shall not authorize or otherwise permit any person or entity to interfere with Grantee's use of the dedicated area.

Grantor covenants that Grantor is lawfully seized and possessed of the real property described herein, and that Grantor has a good and lawful right to convey it or any part thereof and that Grantor will forever warrant and defend the same against all persons who may lawfully claim the same.

The undersigned requests that the Assessor and Treasurer of Benton County set over to the remainder the lien of all unpaid taxes, if any, affecting the property conveyed by this Right-of-Way Dedication Deed, as provided by RCW 84.60.070.

It is understood and agreed that delivery of this Deed is hereby tendered and that its terms and obligations are not binding upon the City of Richland unless and until the Richland City Council has taken action by ordinance or resolution to accept this Right-of-Way Deed of Dedication and the below Certificate of Acceptance has been executed.

CERTIFICATE OF ACCEPTANCE OF RIGHT-OF-WAY DEDICATION DEED

The interest in real property conveyed by this Right-of-Way Dedication Deed has been accepted by Ordinance No. 2024-40 of the City Council of the City of Richland on the 7th day of January, 2025, and the authorized officer of such governing body has consented to recordation of said Deed of Dedication with the Benton County Auditor.

Accepted by the City of Richland:

Jon Amundson, ICMA-CM, City Manager

Attest:

Approved as to form:

Jennifer Rogers, City Clerk

Heather Kintzley, City Attorney

Draft

GRANTOR – SMI Group XVIII, L.L.C.
a Washington limited liability company

By: _____
Michael Henry, Governor

STATE OF _____)
: SS
COUNTY OF _____)

On this ____ day of _____, 2024, before me, the undersigned Notary Public in and for the State of _____, duly commissioned and sworn, personally appeared **Michael Henry**, to me known to be authorized and who executed the within and foregoing instrument, and acknowledged that he signed the same as his/her free and voluntary act and deed, for the use and purposes therein mentioned, and on oath stated that he/she is authorized to execute the said instrument.

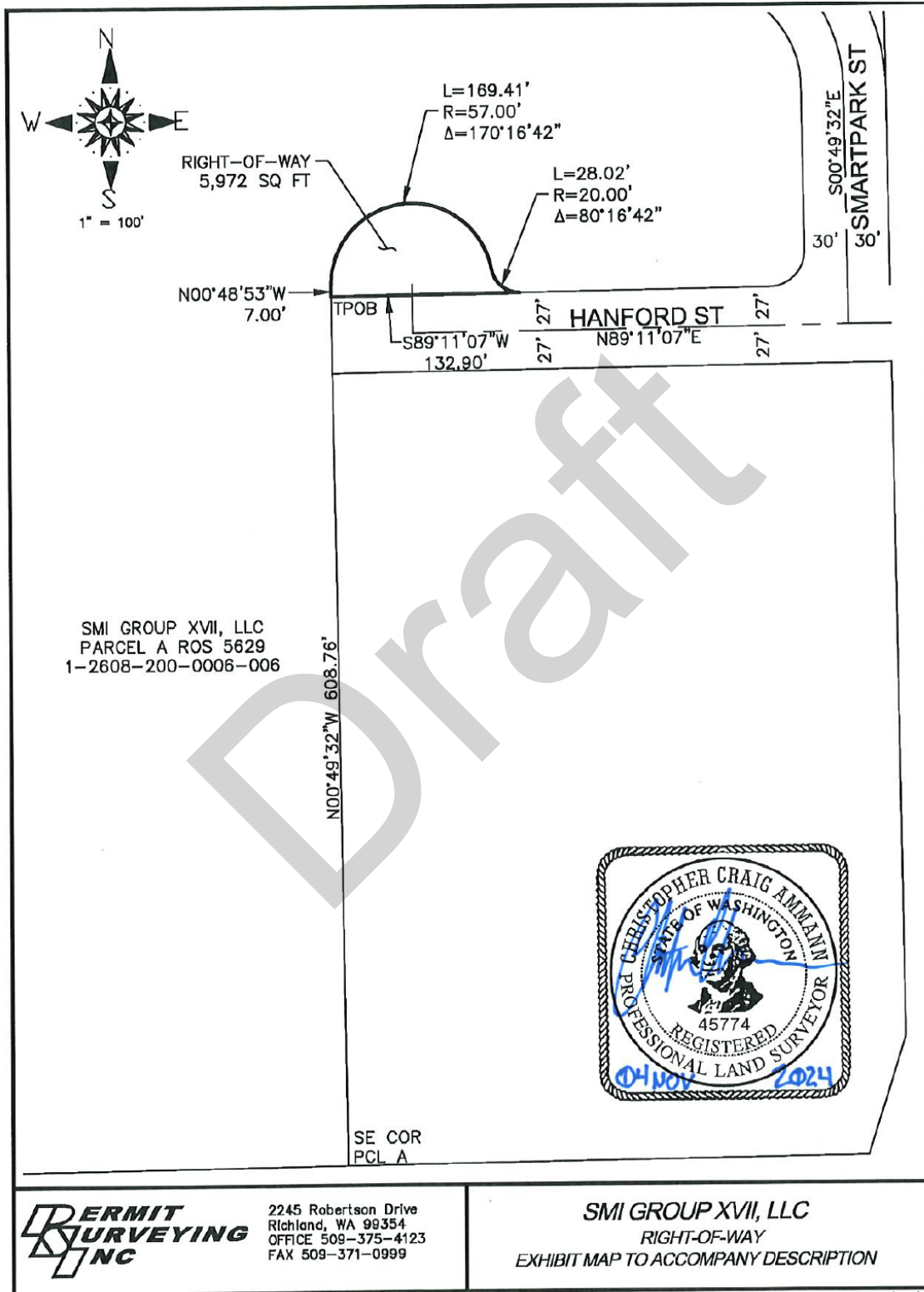
IN WITNESS WHEREOF, my hand and official seal hereon affixed the day and year above written.

Sign: _____
Printed Name: _____

Notary Public in and for the State of _____
Residing at _____
My appointment expires _____

seal

**Exhibit A to Right-of-Way Dedication Deed
Depiction of Area Dedicated**



**PERMIT
SURVEYING
INC**

2245 Robertson Drive
Richland, WA 99354
OFFICE 509-375-4123
FAX 509-371-0999

SMI GROUP XVII, LLC
RIGHT-OF-WAY
EXHIBIT MAP TO ACCOMPANY DESCRIPTION

PLOT DATE: 11/04/24

FILE21142 EXH-DWG



COUNCIL AGENDA ITEM COVERSHEET

Council Date: 1/7/2025

Agenda Category: Ordinances - Second Reading & Passage

Strategic Priority 2 - Financial Sustainability

Subject:

Ordinance No. 2024-45, Approving the 2028 Council Compensation Plan

Department/Office
Human Resources

Ordinance/Resolution Number:
2024-45

Document Type:
Ordinance

Recommended Motion:

Give second reading and pass Ordinance No. 2024-45, approving the 2028 Council Compensation Plan.

Summary:

Article II of the Richland City Charter allows the City Council to set its own compensation by ordinance. However, per RCW 35.27.130, the Council may not set its own salaries during its current members' terms of office. Read together, these two laws grant the City Council the authority to set compensation to be realized by future councilmembers in subsequent years. Since 2002, Council has based the annual adjustment on the increase in the Compensation Plan for Unaffiliated Staff (also referred to as the unaffiliated wage schedule).

On December 3, 2024, Resolution No. 2024-45 was adopted to update the unaffiliated wage schedule. The update included a 2.0% market adjustment that will also be applied to the Council's compensation. Beginning in 2028, City Council's compensation will be \$1,452 per month. In addition to the monthly Council stipend, the Mayor receives an additional \$250 per month. A history of council compensation adjustments from 2003 to present is provided with this staff report.

Staff recommends approval of Ordinance No. 2024-45 for second reading and passage.

Fiscal Impact: Ordinance No. 2024-45 will result in a 2.0% increase in City Council's compensation in 2028.

Attachments:

1. Ordinance No. 2024-45
2. 2028 Council Compensation and History

ORDINANCE NO. 2024-45

**AN ORDINANCE OF THE CITY OF RICHLAND, WASHINGTON,
AMENDING RICHLAND MUNICIPAL CODE SECTION 2.32.040
RELATED TO THE 2028 COUNCIL COMPENSATION PLAN.**

NOW, THEREFORE, BE IT ORDAINED by the City of Richland as follows:

Section 1. Section 2.32.040 of the Richland Municipal Code, as enacted by Ordinance No. 8 and last amended by Ordinance No. 2023-34, is hereby amended to read as follows:

2.32.040 Councilmembers

The monthly compensation of each member of the council, whether a new or incumbent member, is as follows: ~~2024, \$1,269~~; 2025, \$1,329; 2026, \$1,396; 2027, \$1,424; and 2028, \$1,452; provided, however, that nothing herein shall cause an increase or decrease to the compensation of any member of the council after his or her election or during the term of office or any unexpired term of office, to which such member of the council is appointed or elected. City council shall establish council salary based on the annual increase, if any, in the Compensation Plan for Unaffiliated Employees wage table, maintaining a four-year schedule.

All members of the council who participate in the Washington Public Employees' Retirement System shall provide a written certification to human resources, detailing a monthly calculation of the number of hours of service they provide to the city of Richland each year. This record shall be maintained in the human resources division for auditing purposes as generally required in Chapter 41.40 RCW.

Section 2. This Ordinance shall take effect the day following its publication in the official newspaper of the City of Richland.

Section 3. Should any section or provision of this Ordinance be declared by a court of competent jurisdiction to be invalid, that decision shall not affect the validity of the Ordinance as a whole or any part thereof, other than the part so declared to be invalid.

Section 4. The City Clerk and the codifiers of this Ordinance are authorized to make necessary corrections to this Ordinance, including but not limited to the correction of scrivener's errors/clerical errors, section numbering, references, or similar mistakes of form.

This space is intentionally left blank.

PASSED by the City Council of the City of Richland, Washington, at a regular meeting on the 7th day of January, 2025.

Theresa Richardson, Mayor

Attest:

Approved as to Form:

Jennifer Rogers, City Clerk

Heather Kintzley, City Attorney

First Reading: December 17, 2024
Second Reading: January 7, 2025
Date Published: January 12, 2025

CITY OF RICHLAND
HUMAN RESOURCES

625 Swift Boulevard, MS-12
Richland, WA 99352
(509) 942-7390



MEMORANDUM

TO: City Council

FROM: Lacey Paulsen, Human Resources Director

THROUGH: Jon Amundson, City Manager

DATE: December 17, 2024

SUBJECT: 2028 City Council Compensation and History

Year	Mayor	Council Member	% Increase by year
2003	\$1,075	\$825	0.00%
2004	\$1,125	\$875	6.00%
2005	\$1,150	\$900	3.00%
2006	\$1,177	\$927	3.00%
2007	\$1,214	\$964	4.00%
2008	\$1,253	\$1,003	4.00%
2009	\$1,263	\$1,013	1.00%
2010	\$1,278	\$1,028	1.50%
2011	\$1,288	\$1,038	1.00%
2012	\$1,319	\$1,069	3.00%
2013	\$1,340	\$1,090	2.00%
2014	\$1,340	\$1,090	0.00%
2015	\$1,362	\$1,112	2.00%
2016	\$1,373	\$1,123	1.00%
2017	\$1,373	\$1,123	0.00%
2018	\$1,393	\$1,143	1.75%
2019	\$1,410	\$1,160	1.50%
2020	\$1,427	\$1,177	1.50%
2021	\$1,445	\$1,195	1.50%
2022	\$1,481	\$1,231	3.00%
2023	\$1,503	\$1,253	1.80%
2024	\$1,519	\$1,269	1.30%
2025	\$1,579	\$1,329	4.75%
2026	\$1,646	\$1,396	5.00%
2027	\$1,674	\$1,424	2.00%
2028	\$1,702	\$1,452	2.00%



COUNCIL AGENDA ITEM COVERSHEET

Council Date: 1/7/2025

Agenda Category: Ordinances - Second Reading & Passage

Strategic Priority 3 - Focused Development

Subject:

Ordinance No. 2024-46, Amending Chapters 23.22 and 23.26 of the Richland Municipal Code to Establish the Horn Rapids Employment Center and Prohibit Mini-Warehouses Therein

Department/Office
Development Services

Ordinance/Resolution Number:
2024-46

Document Type:
Ordinance

Recommended Motion:

Give second reading and pass Ordinance No. 2024-46, establishing the Horn Rapids Employment Center overlay district and prohibiting the establishment of new mini-warehouse facilities therein.

Summary:

The purpose of the Horn Rapids Employment Center (HREC) is to promote and support job creation. Certain permitted land uses in the Richland Zoning Code do not align with the purpose of the Horn Rapids Employment Center. One such use is mini-warehouses.

Ordinance No. 2024-46 will prohibit the establishment of mini-warehouses (mini-storage facilities) within the Horn Rapids Employment Center, which is currently zoned General Business (C-3) and Medium Industrial (I-M). Ordinance No. 2024-46 will amend RMC sections 23.22.030, 23.22.040, 23.26.030 and 23.26.040 to prohibit mini-warehouses in the C-3 and I-M zones. A new map plate will also be adopted to establish the geographical boundary of the Horn Rapids Employment Center where these prohibitions apply.

On October 23, 2024, the Richland Planning Commission conducted an open-record public hearing on the proposed code amendment, after which it voted to recommend approval to the Richland City Council.

There are no vested mini-warehouse permit applications, and new mini-warehouse facilities would not be allowed once Ordinance No. 2024-46 goes into effect.

Zoning text amendments are Type IV permit applications that require an open-record public hearing before Richland City Council. A public hearing notice was duly published on December 15, 2024, and a public hearing was held on December 17, 2024. No public testimony was offered. Staff recommends approval of Ordinance No. 2024-46 for second reading and passage.

Fiscal Impact: None.

Attachments:

1. Ordinance No. 2024-46
2. CA2024-102 Staff Report
3. Draft October 23, 2024 Planning Commission Meeting Minutes

ORDINANCE NO. 2024-46

**AN ORDINANCE OF THE CITY OF RICHLAND, WASHINGTON,
AMENDING CHAPTERS 23.22 AND 23.26 OF THE RICHLAND
MUNICIPAL CODE TO ESTABLISH THE HORN RAPIDS
EMPLOYMENT CENTER AND PROHIBIT MINI-WAREHOUSES
THEREIN.**

WHEREAS, the City has need, from time to time, to amend the Richland Municipal Code (RMC) to bring it into alignment with best practices; and

WHEREAS, The City of Richland annexed the land to be known as the Horn Rapids Employment Center into its boundaries through an annexation recorded in September of 1967, Ordinance number 428; and

WHEREAS, the City has identified the Horn Rapids Employment Center to be an area for significant employment opportunities; and

WHEREAS, the City has determined that the mini-warehouse use type does not meet the goal of providing significant employment opportunities.

NOW, THEREFORE, BE IT ORDAINED by the City of Richland as follows:

Section 1. Subsection 23.22.030 of the Richland Municipal Code, entitled Commercial use districts permitted land uses, as first enacted by Ordinance No. 28-05, and last amended by Ordinance No. 2022-19, is hereby amended to read as follows:

23.22.030 Commercial use districts permitted land uses

In the following chart, land use classifications are listed on the vertical axis. Zoning districts are listed on the horizontal axis.

A. If the symbol “P” appears in the box at the intersection of the column and row, the use is permitted, subject to the general requirements and performance standards required in that zoning district.

B. If the symbol “S” appears in the box at the intersection of the column and row, the use is permitted subject to the special use permit provisions contained in Chapter 23.46 RMC.

C. If the symbol “A” appears in the box at the intersection of the column and the row, the use is permitted as an accessory use, subject to the general requirements and performance standards required in the zoning district.

D. If a number appears in the box at the intersection of the column and the row, the use is subject to the general conditions and special provisions indicated in the corresponding note.

E. If no symbol appears in the box at the intersection of the column and the row, the use is prohibited in that zoning district.

Land Use	C-LB	C-1	C-2	C-3	CBD	WF	CR	CW
Agricultural Uses								
Raising Crops, Trees, Vineyards								P
Automotive, Marine and Heavy Equipment								
Automotive Repair – Major				P				
Automotive Repair – Minor		P	P	P	S			
Automotive Repair – Specialty Shop		S	P	P	S			
Automobile Service Station		P ¹	P ¹	P ¹	S ¹			
Auto Part Sales		P	P	P	S			
Boat Building				P				
Bottling Plants				P				p ²⁸
Car Wash – Automatic or Self-Service		P ²	P ²	P ²	S ²			
Equipment Rentals			P	P				
Farm Equipment and Supplies Sales				P				
Fuel Station/Mini Mart	S	P	P	P	P			
Heavy Equipment Sales and Repair				P				
Manufactured Home Sales Lot				P				
Marinas						P	P	
Marine Equipment Rentals				P		P	P	
Marine Gas Sales						A	A	
Marine Repair				P		P	P	
Towing, Vehicle Impound Lots				S ³				
Truck Rentals			P	P				
Truck Stop – Diesel Fuel Sales			S	P				
Truck Terminal				P				
Vehicle Leasing/Renting			P ⁴	P	S ⁴			
Vehicle Sales			P ⁴	P	S ⁴			
Warehousing, Wholesale Use				P				

Land Use	C-LB	C-1	C-2	C-3	CBD	WF	CR	CW
Business and Personal Services								
Animal Shelter				S ⁵				
Automatic Teller Machines	P	P	P	P	P	P		P
Commercial Kennel				P ⁵				
Contractors' Offices		P	P	P	P			
Funeral Establishments			P	P				
General Service Businesses	A	P	P	P	P	P		
Health/Fitness Facility	A	P	P	P	P	A	P	
Health/Fitness Center			P	P	P		P	
Health Spa		P	P	P	P	P		P
Hospital/Clinic – Large Animal				S ⁵				
Hospital/Clinic – Small Animal			S ⁵	P ⁵	P			
Laundry/Dry Cleaning, Com.				P	p ²⁹			
Laundry/Dry Cleaning, Neighborhood		P	P	P	P			
Laundry/Dry Cleaning, Retail	P	P	P	P	P	P		
Laundry – Self-Service		P	P	P	P			
Mini-Warehouse				p ^{6,31}				
Mailing Service	P	P	P	P	P	P		
Personal Loan Business	P	P	P	P	P			
Personal Services Businesses	A	P	P	P	P	P		
Photo Processing, Copying and Printing Services	P	P	P	P	P	P		
Telemarketing Services	P		P	P	P			
Video Rental Store		P	P	P	P	P		P
Food Service								
Cafeterias	A		A	A	A	A	A	
Delicatessen	P	P	P	P	P	P	P	P
Drinking Establishments		P ⁷	P	P	P	P	P	P
Micro-Brewery			P	P	P	P	P	P
Portable Food Vendors ²⁶	A ²⁷	A ²⁷	A ²⁷	A ²⁷	A ²⁷	A ²⁷	A ²⁷	A ²⁸
Restaurants/Drive-Through		S ⁸	P ⁸	P ⁸	S ^{8,9}	S ^{8,9}		

Land Use	C-LB	C-1	C-2	C-3	CBD	WF	CR	CW
Restaurants/Lounge		P ⁷	P	P	P	P	P	P
Restaurants/Sit Down	A	P	P	P	P	P	P	P
Restaurants/Take Out		P	P	P	P	P		P
Restaurants with Entertainment/Dancing Facilities		P ⁷	P	P	P	P	P	P
Vehicle-Based Food Service		P ³⁰	P ³⁰	P ³⁰	P ³⁰	P ³⁰		
Wineries – Tasting Room		P ⁷	P	P	P	P	P	P
Industrial/Manufacturing Uses								
Laundry and Cleaning Plants				P				P ²⁸
Light Manufacturing Uses				P				P ²⁸
Warehousing and Distribution Facilities				P				P ²⁸
Wholesale Facilities and Operations				P				P ²⁸
Wineries – Production				P				P
Office Uses								
Financial Institutions	P	P/S ²²	P	P	P/S ²²	P		
Medical, Dental and Other Clinics	P	P	P	P	P	P		
Newspaper Offices and Printing Works			P	P	P			
Office – Consulting Services	P	P	P	P	P	P		P ²⁸
Office – Corporate	P		P	P	P	P		P ²⁸
Office – General	P	P	P	P	P	P		P ²⁸
Office – Research and Development	P		P	P	P			P ²⁸
Radio and Television Studios			P	P	P			
Schools, Commercial	P		P	P	P	P		
Schools, Trade			P	P	P			P ²⁸
Travel Agencies	P	P	P	P	P	P		
Public/Quasi-Public Uses								
Churches	P ¹⁰	P ¹⁰	P ¹⁰	P ¹⁰	P	P ¹⁰		
Clubs or Fraternal Societies	P ¹⁰	P ¹⁰	P ¹⁰	P ¹⁰	P ¹⁰	P ¹⁰		
Cultural Institutions	P ¹⁰	P ¹⁰	P ¹⁰		P ¹⁰	P ¹⁰		P ¹⁰
General Park O&M Activities	P	P	P	P	P	P	P	P

Land Use	C-LB	C-1	C-2	C-3	CBD	WF	CR	CW
Hospitals	P		P	P	P			
Passive Open Space Use	P	P	P	P	P	P	P	P
Power Transmission and Irrigation Wasteway Easements and Utility Uses	P ¹¹	P ¹¹	P ¹¹	P ¹¹	P ¹¹	P ¹¹	P ¹¹	P ¹¹
Public Agency Buildings	P	P	P	P	P	P	P	
Public Agency Facilities	P ¹¹	P ¹¹	P ¹¹	P ¹¹	P ¹¹	P ¹¹	P ¹¹	P ¹¹
Public Campgrounds				S			S	
Public Parks	P	P	P	P	P	P	P	P
Schools	P ¹²	P ¹²	P ¹²	P ¹²	P ¹²	P ¹²		
Schools, Alternative	P ¹³	P ¹³	P ¹³	P ¹³	P ¹³			
Special Events Including Concerts, Tournaments and Competitions, Fairs, Festivals and Similar Public Gatherings	P	P	P	P	P	P	P	P
Trail Head Facilities	P	P	P	P	P	P	P	P
Trails for Equestrian, Pedestrian, or Nonmotorized Vehicle Use	P	P	P	P	P	P	P	P
Recreational Uses								
Art Galleries			P	P	P	P	P	P
Arcades		P	P	P	P	P	P	
Boat Mooring Facilities						P	P	
Cinema, Indoor			P	P	P	P	P	
Cinema, Drive-In			P	P				
Commercial Recreation, Indoor		S ⁷	P	P	P	P	P	
Commercial Recreation, Outdoor			P	P		P	P	
House Banked Card Rooms				P ¹⁴	P ¹⁴	P ¹⁴	P ¹⁴	
Recreational Vehicle Campgrounds				S ¹⁵			S ¹⁵	
Recreational Vehicle Parks				S ¹⁶			S ¹⁶	
Stable, Public				S ¹⁷				
Theater		P ⁷	P	P	P	P	P	P
Residential Uses								
Accessory Dwelling Unit		A	A	A	A	A		A

Land Use	C-LB	C-1	C-2	C-3	CBD	WF	CR	CW
Apartment, Condominium (3 or more units)	P		P ¹⁸		P	P		
Assisted Living Facility	P		P		P ¹⁸	P		
Bed and Breakfast	P	P	P	P	P	P	P	P
Day Care Center	P ¹⁹	P ¹⁹	P ¹⁹	P ¹⁹	P ¹⁹	P ¹⁹		
Dormitories, Fraternities, and Sororities	P				P	P		
Dwelling, One-Family Attached						P ²⁵		
Dwelling, Two-Family Detached						P		
Dwelling Units for a Resident Watchman or Custodian				A				P ²⁸
Emergency Housing	P		P	P	P	P	P	P
Emergency Shelters	P		P	P	P	P	P	P
Family Day Care Home	P ¹⁹					P ¹⁹		
Houseboats						P	P	
Hotels or Motels	P		P	P	P	P	P	P
Nursing or Rest Home	P		P		P ¹⁸	P		
Permanent Supportive Housing	P		P	P	P	P	P	P
Recreational Club	A				A	A		
Senior Housing	P				P ¹⁸	P		
Temporary Residence	P ²⁰	P ²⁰	P ²⁰	P ²⁰	P ²⁰	P ²⁰		P
Transitional Housing	P		P	P	P	P	P	P
Retail Uses								
Adult Use Establishments				P ²¹				
Apparel and Accessory Stores		P	P	P	P	P		P
Auto Parts Supply Store		P	P	P	P			
Books, Stationery and Art Supply Stores	A	P	P	P	P	P		P
Building, Hardware, Garden Supply Stores		P	P	P	P			
Department Store			P	P	P			
Drug Store/Pharmacy	A	P/S ²²	P	P	P	P		
Electronic Equipment Stores		P	P	P	P	P		
Food Stores		P	P	P	P	P		

Land Use	C-LB	C-1	C-2	C-3	CBD	WF	CR	CW
Florist		P	P	P	P	P		P
Furniture, Home Furnishings and Appliance Stores		P	P	P	P			
Landscaping Material Sales			A	P				
Lumberyards				P				
Nursery, Plant				P				P
Office Supply Store	A	P	P	P	P	P		
Outdoor Sales				P				
Parking Lot or Structure	P	P	P	P	A	P		P
Pawn Shop				P				
Pet Shop and Pet Supply Stores		P	P	P	P			
Retail Hay, Grain and Feed Stores				P				
Secondhand Store			P	P	P	P		
Specialty Retail Stores		P	P	P	P	P		P
Miscellaneous Uses								
Bus Station				P	P			
Bus Terminal				P	P			
Bus Transfer Station	P		P	P	P		P	
Cemetery	P		P	P				
Community Festivals and Street Fairs	P	P	P	P	P	P	P	P
Convention Center	P		P	P	P	P	P	
Macro-Antennas	P	P	P	P	P	P	P	P
Monopole			S ²³	P/S ²³	S ²³			
On-Site Hazardous Waste Treatment and Storage	A	A	A	A	A	A	A	A
Outdoor Storage		A ²⁴	A ²⁴	P ²⁴				
Storage in an Enclosed Building	A	A	A	A	A	A	A	A ²⁸

1. RMC 23.42.280
2. RMC 23.42.270
3. RMC 23.42.320
4. RMC 23.42.330
5. RMC 23.42.040
6. RMC 23.42.170
7. RMC 23.42.053

8. RMC 23.42.047
9. RMC 23.42.055
10. RMC 23.42.050
11. RMC 23.42.200
12. RMC 23.42.250
13. RMC 23.42.260
14. RMC 23.42.100
15. RMC 23.42.230
16. RMC 23.42.220
17. RMC 23.42.190
18. Use permitted on upper stories of multistory buildings, if main floor is used for commercial or office uses.
19. RMC 23.42.080
20. RMC 23.42.110
21. RMC 23.42.030
22. Use permitted, requires special use permit with drive-through window.
23. Chapter 23.62 RMC
24. RMC 23.42.180
25. RMC 23.18.025
26. See definition, RMC 23.06.780.
27. RMC 23.42.185
28. Activities permitted only when directly related to and/or conducted in support of winery operations.
29. Within the central business district (CBD), existing commercial laundry/dry cleaning uses, established and operating at the time the CBD district was established, are allowed as a permitted use. All use of the land and/or buildings necessary and incidental to that of the commercial laundry/dry cleaning use, and existing at the effective date of the CBD district, may be continued. Commercial laundry/dry cleaning uses not established and operating at the time the CBD district was established are prohibited.
30. RMC 23.42.325
31. [Mini-Warehouse uses are prohibited in the Horn Rapids Employment Center.](#)

Section 2. Richland Municipal Code Section 23.22.040, entitled Site requirements and development standards for commercial use districts, as first enacted by Ordinance No. 28-05, and last amended by Ordinance No. 2024-38, is hereby amended to read as follows:

23.22.040 Site requirements and development standards for commercial use districts.

In the following chart, development standards are listed on the vertical axis. Zoning districts are listed on the horizontal axis. The number appearing in the box at the intersection of the column and row represents the dimensional standard that applies to that zoning district.

Standard	C-LB	C-1	C-2	C-3	CBD	WF	CR	CW
Minimum Lot Area	None	None	None	None	None	None	None	None
Maximum Density – Multifamily Dwellings (units:square feet)	1:1,500	N/A	N/A	N/A	None	1:1,000	N/A	N/A
Minimum Lot Width – One-Family Attached Dwellings	N/A	N/A	N/A	N/A	N/A	30 feet	N/A	N/A

Standard	C-LB	C-1	C-2	C-3	CBD	WF	CR	CW
Minimum Front Yard Setback ¹⁴	20 feet	45 feet ¹	0 feet ²	0 feet ²	CBD, Parkway, Uptown Districts: 0 feet min. – 20 feet max. ^{3,11,13} Medical District: 0 feet min.	Note 4,5	Note 4	20 feet
Minimum Side Yard Setback	0 feet ⁶	0 feet ⁷	None	None	0 feet ^{6,8}	0 feet ^{5,9}	0 feet	0 feet ^{6,8}
Minimum Rear Yard Setback	0 feet ^{6,8}	0 feet ⁷	None	None	0 feet ^{6,8}	0 feet ^{5,8,10}	0 feet	0 feet ^{6,8}
Maximum Building Height ^{14, 15}	55 feet	30 feet	80 feet	80 feet	CBD: 110 feet Medical: 140 feet Parkway: 50 feet Uptown: 50 feet	55 feet ¹² Columbia Point North: 100 feet	35/55 feet ¹²	35 feet
Minimum Dwelling Unit Size (in square feet, excluding porches, decks, balconies and basements)	500 feet	N/A	N/A	N/A	N/A	500 feet	N/A	N/A

1. Each lot shall have a front yard 45 feet deep or equal to the front yards of existing buildings in the same C-1 district and within the same block.
2. No setback required if street right-of-way is at least 80 feet in width. Otherwise, a minimum setback of 40 feet from street centerline is required.
3. Unless a greater setback is required by Chapter 12.11 RMC, Intersection Sight Distance.
4. Front and Side Street. No building shall be closer than 40 feet to the centerline of a public right-of-way. The setback area shall incorporate pedestrian amenities such as increased sidewalk width, street furniture, landscaped area, public art features, or similar features.
5. In the case of attached one-family dwelling units, setback requirements shall be as established for attached dwelling units in the medium-density residential small lot (R-2S) zoning district. Refer to RMC 23.18.040.
6. In any commercial limited business (C-LB), central business (CBD) or in any commercial winery (CW) zoning district that directly abuts a single-family zoning district, the following buffer, setback and building height regulations shall apply to all structures:
 - a. Within the commercial limited business (C-LB), the central business district (CBD) and the commercial winery (CW) districts, buildings shall maintain at least a 35-foot setback from any property that is zoned for single-family residential use. Single-family residential zones include R-1-12 – single-family residential 12,000, R-1-10 – single-family residential 10,000, R-2 – medium-density residential, R-2S – medium-density residential small lot, or any residential planned unit development that is comprised of single-family detached dwellings.

b. Buildings that are within 50 feet of any property that is zoned for single-family residential use in commercial limited business (C-LB) and the commercial winery (CW) districts and buildings that are within 50 feet of any property that is zoned for and currently developed with a single-family residential use in the central business district (CBD) (as defined in footnote (6)(a)) shall not exceed 30 feet in height. Beyond the area 50 feet from any property that is zoned for single-family residential use, building height may be increased at the rate of one foot in building height for each additional one foot of setback from property that is zoned for single-family residential use to the maximum building height allowed in the C-LB, CW and CBD zoning districts, respectively.

c. A six-foot-high fence that provides a visual screen shall be constructed adjacent to any property line that adjoins property that is zoned for single-family residential use, or currently zoned for and developed with a single-family residential use in the CBD district. Additionally, a 10-foot landscape strip shall be provided adjacent to the fence. This landscape strip may be used to satisfy the landscaping requirements established for the landscaping of parking facilities as identified in RMC 23.54.140.

d. In the C-LB and CW districts, a 20-foot setback shall be provided for any side yard that adjoins a street.

7. Side yard and rear yard setbacks are not required except for lots adjoining a residential development, residential district, or a street. Lots adjoining either a residential development or residential district shall maintain a minimum 15-foot setback. Lots adjoining a street shall maintain a minimum 20-foot setback. Required side or rear yards shall be landscaped or covered with a hard surface, or a combination of both. No accessory buildings or structures shall be located in such yards unless otherwise permitted by this title.

8. No minimum required, except parking shall be set back a minimum of five feet to accommodate required landscape screening as required under RMC 23.54.140.

9. Side Yard. No minimum, except parking shall be set back a minimum of five feet, and buildings used exclusively for residences shall maintain at least one foot of side yard for each three feet or portion thereof of building height. Side yards adjoining a residential district shall maintain setbacks equivalent to the adjacent residential district.

10. No minimum, except parking shall be set back a minimum of five feet. Rear yards adjoining a residential district shall maintain setbacks equivalent to the adjacent residential district.

11. Commercial developments such as community shopping centers or retail centers over 40,000 square feet in size and typically focused around a major tenant, such as a supermarket grocery, department store or discount store, and supported with smaller “ancillary” retail shops and services located in multiple building configurations, are permitted front and street side maximum setback flexibility for the largest building. Maximum setback standards on any other new buildings may be adjusted by the planning commission as part of the alternative design review as set forth in the performance standards and special requirements of RMC 23.22.020(E)(9).

12. All buildings that are located in both the waterfront (WF) district and that fall within the jurisdictional limits of the Shoreline Management Act shall comply with the height limitations established in the Richland shoreline master program (RMC Title 26). Buildings in the WF district that are not subject to the Richland shoreline master program shall not exceed a height of 55 feet unless located within the Columbia Point North District established by footnote no. 15 (below) and depicted on Plate No. 4.

13. Physical additions to existing nonconforming structures are not subject to the maximum front yard setback requirements.

14. The medical, uptown and parkway districts of the CBD zoning district are established as shown by Plates 23.22.040(1), (2) and (3).

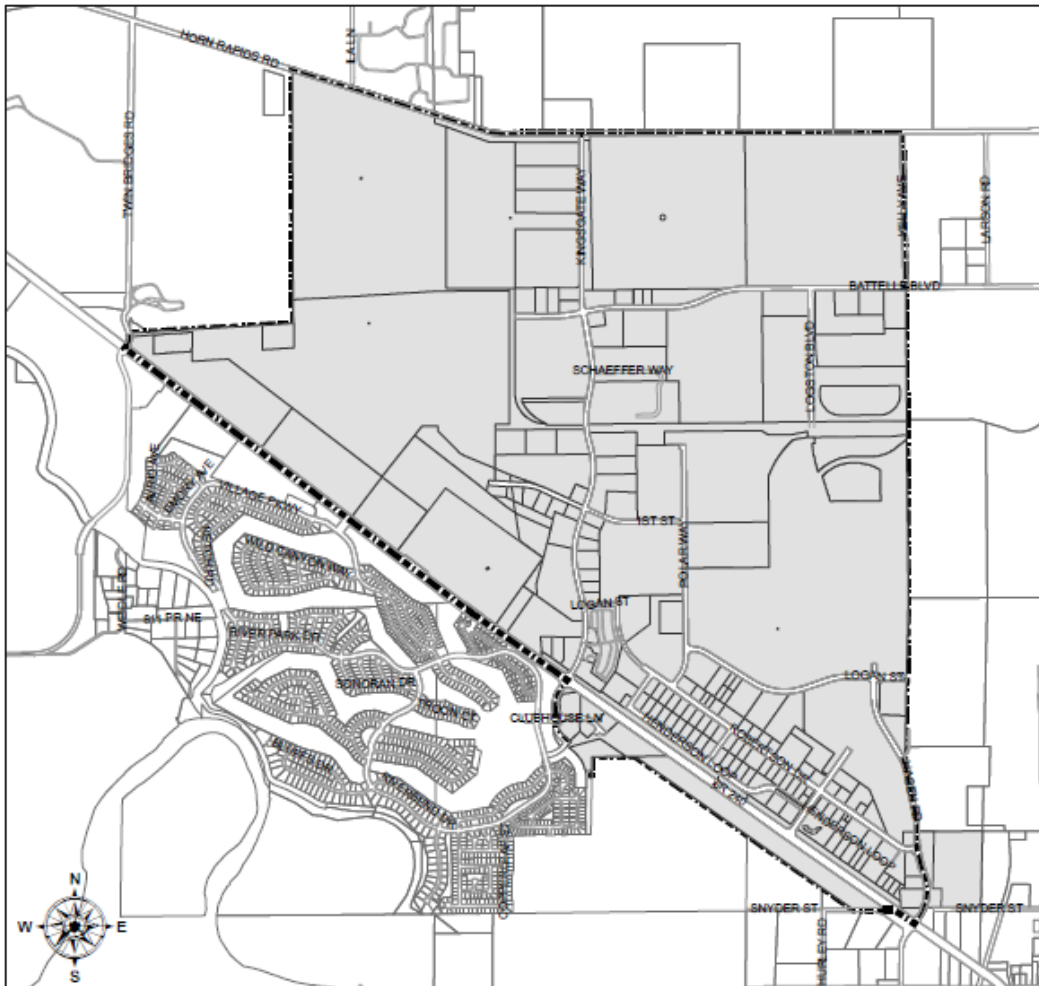
15. The Columbia Point North District of the Waterfront Zoning District is established as shown by Plate 23.22.040(4).

16. The Horn Rapids Employment Center is established as shown by Plate 23.22.040(5).

This space intentionally left blank.

PLATE NO. 5 - 23.22.040

PLATE 5



HORN RAPIDS EMPLOYMENT CENTER

Section 3. Richland Municipal Code Section 23.26.030, entitled Industrial use districts permitted land uses, as first enacted by Ordinance No. 28-05, and last amended by Ordinance No. 2022-19, is hereby amended to read as follows:

23.26.030 Industrial use districts permitted land uses.

In the following chart, land use classifications are listed on the vertical axis. Zoning districts are listed on the horizontal axis.

A. If the symbol “P” appears in the box at the intersection of the column and row, the use is permitted, subject to the general requirements and performance standards required in that zoning district.

B. If the symbol “S” appears in the box at the intersection of the column and row, the use is permitted subject to the special use permit provisions contained in Chapter 23.46 RMC.

C. If the symbol “A” appears in the box at the intersection of the column and the row, the use is permitted as an accessory use, subject to the general requirements and performance standards required in the zoning district.

D. If a number appears in the box at the intersection of the column and the row, the use is subject to the general conditions and special provisions indicated in the corresponding note.

E. If no symbol appears in the box at the intersection of the column and the row, the use is prohibited in that zoning district.

Land Use	I-M	M-2
Automotive, Marine and Heavy Equipment Uses		
Automotive Repair – Major	P	P
Automotive Repair – Minor	P	
Automotive Repair – Specialty Shop	P	
Automobile Service Station	P	
Automobile Wrecking		S ¹
Boat Building	P	P
Bottling Plants	P	P
Car Wash – Automatic or Self-Service	P ²	A
Equipment Rentals	P	
Farm Equipment and Supplies Sales	P	S
Gas/Fuel Station	P	S
Heavy Equipment Sales and Repair	P	P

Land Use	I-M	M-2
Marine Repair	P	P
Towing, Vehicle Impound Lots	P ³	
Truck Rentals	P	
Truck Stop – Diesel Fuel Sales	P	P
Truck Terminal	P	P
Vehicle Sales	P	
Warehousing, Wholesale Use	P	P
Business and Personal Services		
Animal Shelter	S ⁴	
Contractors' Offices and Shops	P	
General Service Businesses	P	P
Health/Fitness Facility	P	A
Health/Fitness Center	P	
Laundry/Dry Cleaning, Commercial	P	
Laundry/Dry Cleaning, Retail	P	
Mini-Warehouse	P ⁵ , 15	
Mailing Service	P	
Personal Loan Business	P	
Personal Services Businesses	P	
Photo Processing, Copying and Printing Services	P	
Telemarketing Services	P	
Food Service		
Cafeterias	A	A
Delicatessen	A	A
Drinking Establishments	P	P
Restaurants/Sit Down	P	
Restaurants/Drive-Through	P ⁶	A ⁶
Restaurants/Lounge	P	
Restaurants/Take Out	P	
Restaurants with Entertainment/Dancing Facilities	P	

Land Use	I-M	M-2
Wineries	P	
Industrial/Manufacturing Uses		
Airport, Industrial	P	
Excavating, Processing, Removal of Topsoil, Sand, Gravel, Rock or Similar Natural Deposits	S ⁷	S ⁷
Junkyard		S
Laundry and Cleaning Plants	P	P
General Manufacturing Uses	P	P
Heavy Manufacturing Uses		P
Light Manufacturing Uses	P	P
Research, Development and Testing Facilities	P	P
Warehousing, Storage and Distribution	P	P
Wholesale Facilities and Operations	P	P
Office Uses		
Financial Institutions	P	
Medical, Dental and Other Clinics	P	
Office – Consulting Services	P	
Office – Corporate	P	
Office – General	P	
Office – Research and Development	P	P
Public/Quasi-Public Uses		
General Park Operations and Maintenance Activities	P	P
Passive Open Space Use	P	P
Power Transmission and Irrigation Wasteway Easements and Utility Uses	P ⁸	P ⁸
Public Agency Buildings	P ⁸	P ⁸
Public Agency Facilities	P ⁸	P ⁸
Public Parks	P	
Special Events Including Concerts, Tournaments and Competitions, Fairs, Festivals and Similar Public Gatherings	P	P
Trail Head Facilities	P	P
Trails for Equestrian, Pedestrian, or Nonmotorized Vehicle Use	P	P

Land Use	I-M	M-2
Recreational Uses		
Commercial Recreation, Outdoor	S ⁹	
Residential Uses		
Accessory Dwelling Unit	A	
Day Care Center	S ¹⁰	
Dwelling Units for a Resident Watchman or Custodian	A	A
Emergency Housing	S	S
Emergency Shelters	S	S
Hotels or Motels	S	S
Permanent Supportive Housing	S	S
Temporary Residence	P ¹¹	P ¹¹
Transitional Housing	S	S
Retail Uses		
Adult Use Establishments	P ¹²	
Airport, Commercial	P	
Parking Lot or Structure	P	P
Miscellaneous Uses		
Bus Station	P	
Bus Terminal	P	
Bus Transfer Station	P	P
Community Festivals and Street Fairs	P	P
Farming of Land	P	P
Macro-Antennas	P	P
Monopole	P ¹³	P ¹³
On-Site Hazardous Waste Treatment and Storage	P	P
Outdoor Storage	P ¹⁴	P ¹⁴
Storage in an Enclosed Building	P	P

1. RMC 23.42.290
2. RMC 23.42.270
3. RMC 23.42.320
4. RMC 23.42.040
5. RMC 23.42.170
6. RMC 23.42.047

7. RMC 23.42.070
8. RMC 23.42.200
9. RMC 23.42.175
10. RMC 23.42.080
11. RMC 23.42.110
12. RMC 23.42.030
13. Chapter 23.62 RMC
14. RMC 23.42.180
- [15. Mini-Warehouse uses are prohibited in the Horn Rapids Employment Center.](#)

Section 4. Richland Municipal Code Section 23.26.040, entitled Site requirements for industrial use districts, as first enacted by Ordinance No. 28-05, and last amended by Ordinance No. 32-11, is hereby amended to read as follows:

23.26.040 Site requirements for industrial use districts.

In the following chart, development standards are listed on the vertical axis. Zoning districts are listed on the horizontal axis. The number appearing in the box at the intersection of the column and row represents the dimensional standard that applies to that zoning district.

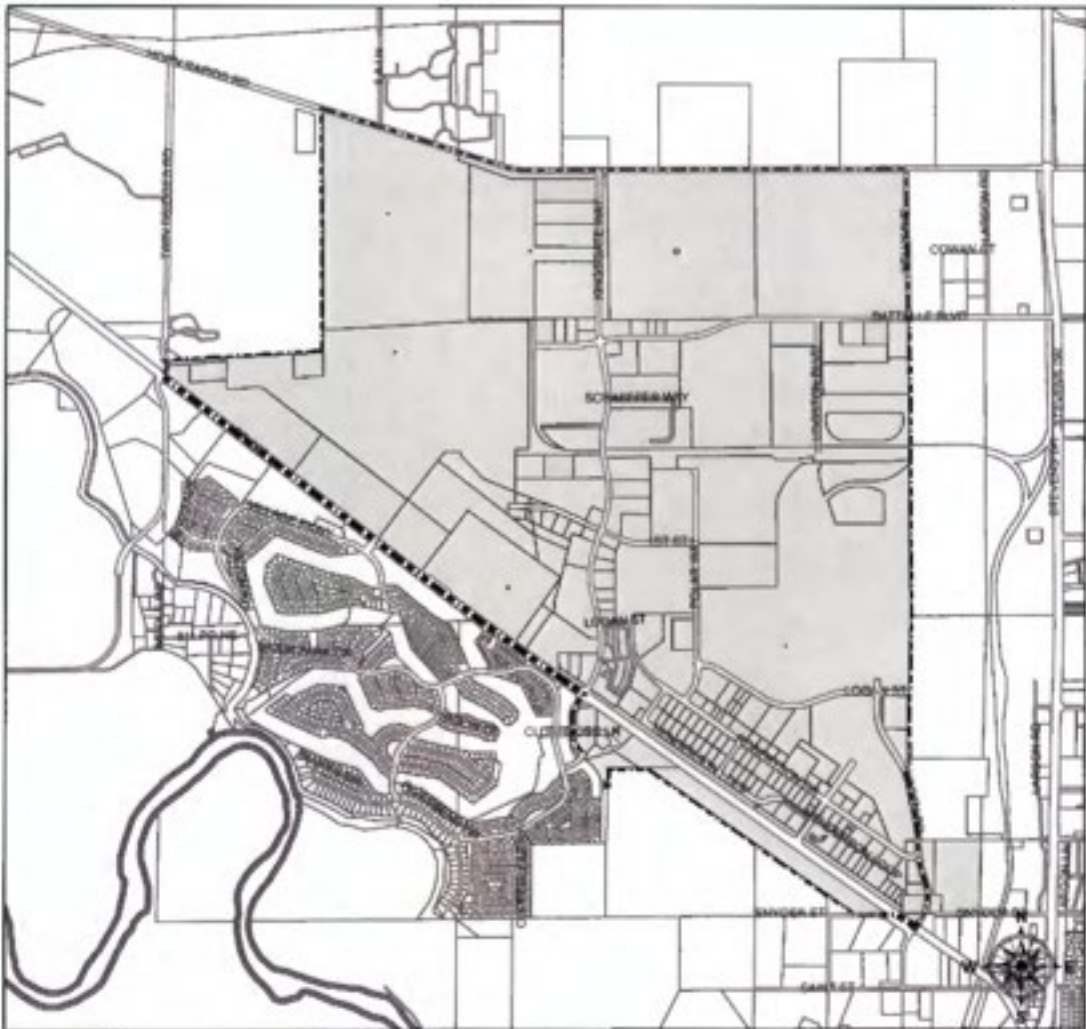
Standard	I-M	M-2
Minimum Lot Area	None	None
Minimum Front Yard Setback	0 feet ¹	0 feet ¹
Minimum Side Yard Setback	None	None
Minimum Rear Yard Setback	None	None
Maximum Building Height – Main Building	55 feet ²	None

1. No setback required if street right-of-way is at least 80 feet in width. Otherwise, a minimum setback of 40 feet from street centerline is required.
2. Except as otherwise provided in this section, the maximum building height in the I-M district shall be 55 feet:
 - a. Any building or structure located within 300 feet of any residential use district shall be limited to 24 feet in height.
 - b. Any building further than 300 feet but less than 600 feet from districts described in note (2)(a) of this section shall not exceed 55 feet in height.
 - c. Except as provided in notes (2)(a) and (b) of this section, buildings may exceed the maximum height in accordance with the provisions of RMC 23.38.090.

[3. The Horn Rapids Employment Center is established as shown by Plate 23.26.040\(1\).](#)

PLATE NO. 1 - 23.26.040

PLATE 1



HORN RAPIDS EMPLOYMENT CENTER

Section 5. This Ordinance shall take effect the day following its publication in the official newspaper of the City of Richland.

Section 6. Should any section or provision of this Ordinance be declared by a court of competent jurisdiction to be invalid, that decision shall not affect the validity of the Ordinance as a whole or any part thereof, other than the part so declared to be invalid.

Section 7. The City Clerk and the codifiers of this Ordinance are authorized to make necessary corrections to this Ordinance, including but not limited to the correction of scrivener's errors/clerical errors, section numbering, references, or similar mistakes of form.

PASSED by the City Council of the City of Richland, Washington, at a regular meeting on the 7th day of January, 2025.

Theresa Richardson, Mayor

Attest:

Approved as to Form:

Jennifer Rogers, City Clerk

Heather Kintzley, City Attorney

First Reading: December 17, 2024
Second Reading: January 7, 2025
Date Published: January 12, 2025

**CITY OF RICHLAND DEVELOPMENT SERVICES DIVISION
STAFF REPORT TO THE PLANNING COMMISSION**

TO: PLANNING COMMISSION
FILE NO.: CA2024-102

PREPARED BY: MIKE STEVENS
MEETING DATE: OCT. 23, 2024

GENERAL INFORMATION:

APPLICANT: CITY OF RICHLAND ECONOMIC DEVELOPMENT
REQUEST: TEXT AMENDMENT TO RMC TITLE 23 PROHIBITING THE ESTABLISHMENT OF MINI WAREHOUSES WITHIN THE HORN RAPIDS EMPLOYMENT CENTER ESTABLISHED WITH THIS AMENDMENT. THE AMENDMENT ALSO INCLUDES TEXT CHANGES TO RMC 23.22.030, 23.22.040, 23.26.030, AND 23.26.040.
LOCATION: NORTH RICHLAND - HORN RAPIDS EMPLOYMENT CENTER

REASON FOR REQUEST

The Economic Development of the City of Richland is proposing to prohibit the establishment of mini warehouses within the Horn Rapids Employment Center located within North Richland. The proposed amendment would apply only within the newly created Horn Rapids Employment Center, which is currently zoned C-3 and I-M. Specifically, the proposal amends the Richland Municipal Code [RMC] by amending RMC 23.22.030, 23.22.040, 23.26.030 and 23.26.040, and establishing a new map plate to establish the affected area of these amendments. The proposed amendments are as indicated below.

TEXT CHANGE

For the purposes of review, Staff have included the following amended text of RMC 23.22.030, 23.22.040, 23.26.030, 23.26.040, with demonstrated change inserted in **bold** and removed with ~~strikethrough~~:

23.22.030 Commercial use districts permitted land uses

In the following chart, land use classifications are listed on the vertical axis. Zoning districts are listed on the horizontal axis.

A. If the symbol "P" appears in the box at the intersection of the column and row, the use is permitted, subject to the general requirements and performance standards required in that zoning district.

B. If the symbol "S" appears in the box at the intersection of the column and row, the use is permitted subject to the special use permit provisions contained in Chapter 23.46 RMC.

C. If the symbol “A” appears in the box at the intersection of the column and the row, the use is permitted as an accessory use, subject to the general requirements and performance standards required in the zoning district.

D. If a number appears in the box at the intersection of the column and the row, the use is subject to the general conditions and special provisions indicated in the corresponding note.

E. If no symbol appears in the box at the intersection of the column and the row, the use is prohibited in that zoning district

Land Use	C-LB	C-1	C-2	C-3	CBD	WF	CR	CW
Agricultural Uses								
Raising Crops, Trees, Vineyards								P
Automotive, Marine and Heavy Equipment								
Automotive Repair – Major				P				
Automotive Repair – Minor		P	P	P	S			
Automotive Repair – Specialty Shop		S	P	P	S			
Automobile Service Station		P ¹	P ¹	P ¹	S ¹			
Auto Part Sales		P	P	P	S			
Boat Building				P				
Bottling Plants				P				P ²⁸
Car Wash – Automatic or Self-Service		P ²	P ²	P ²	S ²			
Equipment Rentals			P	P				
Farm Equipment and Supplies Sales				P				
Fuel Station/Mini Mart	S	P	P	P	P			
Heavy Equipment Sales and Repair				P				
Manufactured Home Sales Lot				P				
Marinas						P	P	
Marine Equipment Rentals				P		P	P	
Marine Gas Sales						A	A	
Marine Repair				P		P	P	
Towing, Vehicle Impound Lots				S ³				
Truck Rentals			P	P				
Truck Stop – Diesel Fuel Sales			S	P				

Land Use	C-LB	C-1	C-2	C-3	CBD	WF	CR	CW
Truck Terminal				P				
Vehicle Leasing/Renting			P ⁴	P	S ⁴			
Vehicle Sales			P ⁴	P	S ⁴			
Warehousing, Wholesale Use				P				
Business and Personal Services								
Animal Shelter				S ⁵				
Automatic Teller Machines	P	P	P	P	P	P		P
Commercial Kennel				P ⁵				
Contractors' Offices		P	P	P	P			
Funeral Establishments			P	P				
General Service Businesses	A	P	P	P	P	P		
Health/Fitness Facility	A	P	P	P	P	A	P	
Health/Fitness Center			P	P	P		P	
Health Spa		P	P	P	P	P		P
Hospital/Clinic – Large Animal				S ⁵				
Hospital/Clinic – Small Animal			S ⁵	P ⁵	P			
Laundry/Dry Cleaning, Com.				P	P ²⁹			
Laundry/Dry Cleaning, Neighborhood		P	P	P	P			
Laundry/Dry Cleaning, Retail	P	P	P	P	P	P		
Laundry – Self-Service		P	P	P	P			
Mini-Warehouse				P ⁶ , 31				
Mailing Service	P	P	P	P	P	P		
Personal Loan Business	P	P	P	P	P			
Personal Services Businesses	A	P	P	P	P	P		
Photo Processing, Copying and Printing Services	P	P	P	P	P	P		
Telemarketing Services	P		P	P	P			
Video Rental Store		P	P	P	P	P		P
Food Service								
Cafeterias	A		A	A	A	A	A	

Land Use	C-LB	C-1	C-2	C-3	CBD	WF	CR	CW
Delicatessen	P	P	P	P	P	P	P	P
Drinking Establishments		P ⁷	P	P	P	P	P	P
Micro-Brewery			P	P	P	P	P	P
Portable Food Vendors ²⁶	A ²⁷	A ²⁷	A ²⁷	A ²⁷	A ²⁷	A ²⁷	A ²⁷	A ²⁸
Restaurants/Drive-Through		S ⁸	P ⁸	P ⁸	S ^{8, 9}	S ^{8, 9}		
Restaurants/Lounge		P ⁷	P	P	P	P	P	P
Restaurants/Sit Down	A	P	P	P	P	P	P	P
Restaurants/Take Out		P	P	P	P	P		P
Restaurants with Entertainment/Dancing Facilities		P ⁷	P	P	P	P	P	P
Vehicle-Based Food Service		P ³⁰	P ³⁰	P ³⁰	P ³⁰	P ³⁰		
Wineries – Tasting Room		P ⁷	P	P	P	P	P	P
Industrial/Manufacturing Uses								
Laundry and Cleaning Plants				P				P ²⁸
Light Manufacturing Uses				P				P ²⁸
Warehousing and Distribution Facilities				P				P ²⁸
Wholesale Facilities and Operations				P				P ²⁸
Wineries – Production				P				P
Office Uses								
Financial Institutions	P	P/S ²²	P	P	P/S ²²	P		
Medical, Dental and Other Clinics	P	P	P	P	P	P		
Newspaper Offices and Printing Works			P	P	P			
Office – Consulting Services	P	P	P	P	P	P		P ²⁸
Office – Corporate	P		P	P	P	P		P ²⁸
Office – General	P	P	P	P	P	P		P ²⁸
Office – Research and Development	P		P	P	P			P ²⁸
Radio and Television Studios			P	P	P			
Schools, Commercial	P		P	P	P	P		
Schools, Trade			P	P	P			P ²⁸
Travel Agencies	P	P	P	P	P	P		

Land Use	C-LB	C-1	C-2	C-3	CBD	WF	CR	CW
Public/Quasi-Public Uses								
Churches	P ¹⁰	P ¹⁰	P ¹⁰	P ¹⁰	P	P ¹⁰		
Clubs or Fraternal Societies	P ¹⁰	P ¹⁰	P ¹⁰	P ¹⁰	P ¹⁰	P ¹⁰		
Cultural Institutions	P ¹⁰	P ¹⁰	P ¹⁰		P ¹⁰	P ¹⁰		P ¹⁰
General Park O&M Activities	P	P	P	P	P	P	P	P
Hospitals	P		P	P	P			
Passive Open Space Use	P	P	P	P	P	P	P	P
Power Transmission and Irrigation Wasteway Easements and Utility Uses	P ¹¹	P ¹¹	P ¹¹	P ¹¹	P ¹¹	P ¹¹	P ¹¹	P ¹¹
Public Agency Buildings	P	P	P	P	P	P	P	
Public Agency Facilities	P ¹¹	P ¹¹	P ¹¹	P ¹¹	P ¹¹	P ¹¹	P ¹¹	P ¹¹
Public Campgrounds				S			S	
Public Parks	P	P	P	P	P	P	P	P
Schools	P ¹²	P ¹²	P ¹²	P ¹²	P ¹²	P ¹²		
Schools, Alternative	P ¹³	P ¹³	P ¹³	P ¹³	P ¹³			
Special Events Including Concerts, Tournaments and Competitions, Fairs, Festivals and Similar Public Gatherings	P	P	P	P	P	P	P	P
Trail Head Facilities	P	P	P	P	P	P	P	P
Trails for Equestrian, Pedestrian, or Nonmotorized Vehicle Use	P	P	P	P	P	P	P	P
Recreational Uses								
Art Galleries			P	P	P	P	P	P
Arcades		P	P	P	P	P	P	
Boat Mooring Facilities						P	P	
Cinema, Indoor			P	P	P	P	P	
Cinema, Drive-In			P	P				
Commercial Recreation, Indoor		S ⁷	P	P	P	P	P	
Commercial Recreation, Outdoor			P	P		P	P	
House Banked Card Rooms				P ¹⁴	P ¹⁴	P ¹⁴	P ¹⁴	
Recreational Vehicle Campgrounds				S ¹⁵			S ¹⁵	

Land Use	C-LB	C-1	C-2	C-3	CBD	WF	CR	CW
Recreational Vehicle Parks				S ¹⁶			S ¹⁶	
Stable, Public				S ¹⁷				
Theater		P ⁷	P	P	P	P	P	P
Residential Uses								
Accessory Dwelling Unit		A	A	A	A	A		A
Apartment, Condominium (3 or more units)	P		P ¹⁸		P	P		
Assisted Living Facility	P		P		P ¹⁸	P		
Bed and Breakfast	P	P	P	P	P	P	P	P
Day Care Center	P ¹⁹	P ¹⁹	P ¹⁹	P ¹⁹	P ¹⁹	P ¹⁹		
Dormitories, Fraternities, and Sororities	P				P	P		
Dwelling, One-Family Attached						P ²⁵		
Dwelling, Two-Family Detached						P		
Dwelling Units for a Resident Watchman or Custodian				A				P ²⁸
Emergency Housing	P		P	P	P	P	P	P
Emergency Shelters	P		P	P	P	P	P	P
Family Day Care Home	P ¹⁹					P ¹⁹		
Houseboats						P	P	
Hotels or Motels	P		P	P	P	P	P	P
Nursing or Rest Home	P		P		P ¹⁸	P		
Permanent Supportive Housing	P		P	P	P	P	P	P
Recreational Club	A				A	A		
Senior Housing	P				P ¹⁸	P		
Temporary Residence	P ²⁰	P ²⁰	P ²⁰	P ²⁰	P ²⁰	P ²⁰		P
Transitional Housing	P		P	P	P	P	P	P
Retail Uses								
Adult Use Establishments				P ²¹				
Apparel and Accessory Stores		P	P	P	P	P		P
Auto Parts Supply Store		P	P	P	P			
Books, Stationery and Art Supply Stores	A	P	P	P	P	P		P

Land Use	C-LB	C-1	C-2	C-3	CBD	WF	CR	CW
Building, Hardware, Garden Supply Stores		P	P	P	P			
Department Store			P	P	P			
Drug Store/Pharmacy	A	P/S ²²	P	P	P	P		
Electronic Equipment Stores		P	P	P	P	P		
Food Stores		P	P	P	P	P		
Florist		P	P	P	P	P		P
Furniture, Home Furnishings and Appliance Stores		P	P	P	P			
Landscaping Material Sales			A	P				
Lumberyards				P				
Nursery, Plant				P				P
Office Supply Store	A	P	P	P	P	P		
Outdoor Sales				P				
Parking Lot or Structure	P	P	P	P	A	P		P
Pawn Shop				P				
Pet Shop and Pet Supply Stores		P	P	P	P			
Retail Hay, Grain and Feed Stores				P				
Secondhand Store			P	P	P	P		
Specialty Retail Stores		P	P	P	P	P		P
Miscellaneous Uses								
Bus Station				P	P			
Bus Terminal				P	P			
Bus Transfer Station	P		P	P	P		P	
Cemetery	P		P	P				
Community Festivals and Street Fairs	P	P	P	P	P	P	P	P
Convention Center	P		P	P	P	P	P	
Macro-Antennas	P	P	P	P	P	P	P	P
Monopole			S ²³	P/S ²³	S ²³			
On-Site Hazardous Waste Treatment and Storage	A	A	A	A	A	A	A	A

Land Use	C-LB	C-1	C-2	C-3	CBD	WF	CR	CW
Outdoor Storage		A ²⁴	A ²⁴	P ²⁴				
Storage in an Enclosed Building	A	A	A	A	A	A	A	A ²⁸

1. RMC 23.42.280
2. RMC 23.42.270
3. RMC 23.42.320
4. RMC 23.42.330
5. RMC 23.42.040
6. RMC 23.42.170
7. RMC 23.42.053
8. RMC 23.42.047
9. RMC 23.42.055
10. RMC 23.42.050
11. RMC 23.42.200
12. RMC 23.42.250
13. RMC 23.42.260
14. RMC 23.42.100
15. RMC 23.42.230
16. RMC 23.42.220
17. RMC 23.42.190
18. Use permitted on upper stories of multistory buildings, if main floor is used for commercial or office uses.
19. RMC 23.42.080
20. RMC 23.42.110
21. RMC 23.42.030
22. Use permitted, requires special use permit with drive-through window.
23. Chapter 23.62 RMC
24. RMC 23.42.180
25. RMC 23.18.025
26. See definition, RMC 23.06.780.
27. RMC 23.42.185
28. Activities permitted only when directly related to and/or conducted in support of winery operations.
29. Within the central business district (CBD), existing commercial laundry/dry cleaning uses, established and operating at the time the CBD district was established, are allowed as a permitted use. All use of the land and/or buildings necessary and incidental to that of the commercial laundry/dry cleaning use, and existing at the effective date of the CBD district, may be continued. Commercial laundry/dry cleaning uses not established and operating at the time the CBD district was established are prohibited.
30. RMC 23.42.325
- 31. Mini-Warehouse uses are prohibited in the Horn Rapids Employment Center.**

23.22.040 Site requirements and development standards for commercial use districts.

In the following chart, development standards are listed on the vertical axis. Zoning districts are listed on the horizontal axis. The number appearing in the box at the intersection of the column and row represents the dimensional standard that applies to that zoning district.

Standard	C-LB	C-1	C-2	C-3	CBD	WF	CR	CW
Minimum Lot Area	None	None	None	None	None	None	None	None
Maximum Density – Multifamily Dwellings (units:square feet)	1:1,500	N/A	N/A	N/A	None	1:1,000	N/A	N/A
Minimum Lot Width – One-Family Attached Dwellings	N/A	N/A	N/A	N/A	N/A	30 feet	N/A	N/A
Minimum Front Yard Setback ¹⁴	20 feet	45 feet ¹	0 feet ²	0 feet ²	CBD, Parkway, Uptown Districts: 0 feet min. – 20 feet max. ^{3,11,13} Medical District: 0 feet min.	Note 4,5	Note 4	20 feet
Minimum Side Yard Setback	0 feet ⁶	0 feet ⁷	None	None	0 feet ^{6,8}	0 feet ^{5,9}	0 feet	0 feet ^{6,8}
Minimum Rear Yard Setback	0 feet ^{6,8}	0 feet ⁷	None	None	0 feet ^{6,8}	0 feet ^{5,8,10}	0 feet	0 feet ^{6,8}
Maximum Building Height ¹⁴	55 feet	30 feet	80 feet	80 feet	CBD: 110 feet Medical: 140 feet Parkway: 50 feet Uptown: 50 feet	35/55 feet ¹²	35/55 feet ¹²	35 feet
Minimum Dwelling Unit Size (in square feet, excluding porches, decks, balconies and basements)	500 feet	N/A	N/A	N/A	N/A	500 feet	N/A	N/A

1. Each lot shall have a front yard 45 feet deep or equal to the front yards of existing buildings in the same C-1 district and within the same block.

2. No setback required if street right-of-way is at least 80 feet in width. Otherwise, a minimum setback of 40 feet from street centerline is required.

3. Unless a greater setback is required by Chapter 12.11 RMC, Intersection Sight Distance.

4. Front and Side Street. No building shall be closer than 40 feet to the centerline of a public right-of-way. The setback area shall incorporate pedestrian amenities such as increased sidewalk width, street furniture, landscaped area, public art features, or similar features.
5. In the case of attached one-family dwelling units, setback requirements shall be as established for attached dwelling units in the medium-density residential small lot (R-2S) zoning district. Refer to RMC 23.18.040.
6. In any commercial limited business (C-LB), central business (CBD) or in any commercial winery (CW) zoning district that directly abuts a single-family zoning district, the following buffer, setback and building height regulations shall apply to all structures:
 - a. Within the commercial limited business (C-LB), the central business district (CBD) and the commercial winery (CW) districts, buildings shall maintain at least a 35-foot setback from any property that is zoned for single-family residential use. Single-family residential zones include R-1-12 – single-family residential 12,000, R-1-10 – single-family residential 10,000, R-2 – medium-density residential, R-2S – medium-density residential small lot, or any residential planned unit development that is comprised of single-family detached dwellings.
 - b. Buildings that are within 50 feet of any property that is zoned for single-family residential use in commercial limited business (C-LB) and the commercial winery (CW) districts and buildings that are within 50 feet of any property that is zoned for and currently developed with a single-family residential use in the central business district (CBD) (as defined in footnote (6)(a)) shall not exceed 30 feet in height. Beyond the area 50 feet from any property that is zoned for single-family residential use, building height may be increased at the rate of one foot in building height for each additional one foot of setback from property that is zoned for single-family residential use to the maximum building height allowed in the C-LB, CW and CBD zoning districts, respectively.
 - c. A six-foot-high fence that provides a visual screen shall be constructed adjacent to any property line that adjoins property that is zoned for single-family residential use, or currently zoned for and developed with a single-family residential use in the CBD district. Additionally, a 10-foot landscape strip shall be provided adjacent to the fence. This landscape strip may be used to satisfy the landscaping requirements established for the landscaping of parking facilities as identified in RMC 23.54.140.
 - d. In the C-LB and CW districts, a 20-foot setback shall be provided for any side yard that adjoins a street.
7. Side yard and rear yard setbacks are not required except for lots adjoining a residential development, residential district, or a street. Lots adjoining either a residential development or residential district shall maintain a minimum 15-foot setback. Lots adjoining a street shall maintain a minimum 20-foot setback. Required side or rear yards shall be landscaped or covered with a hard surface, or a combination of both. No accessory buildings or structures shall be located in such yards unless otherwise permitted by this title.

8. No minimum required, except parking shall be set back a minimum of five feet to accommodate required landscape screening as required under RMC 23.54.140.

9. Side Yard. No minimum, except parking shall be set back a minimum of five feet, and buildings used exclusively for residences shall maintain at least one foot of side yard for each three feet or portion thereof of building height. Side yards adjoining a residential district shall maintain setbacks equivalent to the adjacent residential district.

10. No minimum, except parking shall be set back a minimum of five feet. Rear yards adjoining a residential district shall maintain setbacks equivalent to the adjacent residential district.

11. Commercial developments such as community shopping centers or retail centers over 40,000 square feet in size and typically focused around a major tenant, such as a supermarket grocery, department store or discount store, and supported with smaller “ancillary” retail shops and services located in multiple building configurations, are permitted front and street side maximum setback flexibility for the largest building. Maximum setback standards on any other new buildings may be adjusted by the planning commission as part of the alternative design review as set forth in the performance standards and special requirements of RMC 23.22.020(E)(9).

12. All buildings that are located in both the waterfront (WF) district and that fall within the jurisdictional limits of the Shoreline Management Act shall comply with the height limitations established in the Richland shoreline master program (RMC Title 26). Buildings in the WF district that are not subject to the Richland shoreline master program shall not exceed a height of 35 feet, unless the planning commission authorizes an increase in building height to a maximum height of 55 feet, based upon a review of the structure and a finding that the proposed building is aesthetically pleasing in relation to buildings and other features in the vicinity and that the building is located a sufficient distance from the Columbia River to avoid creating a visual barrier.

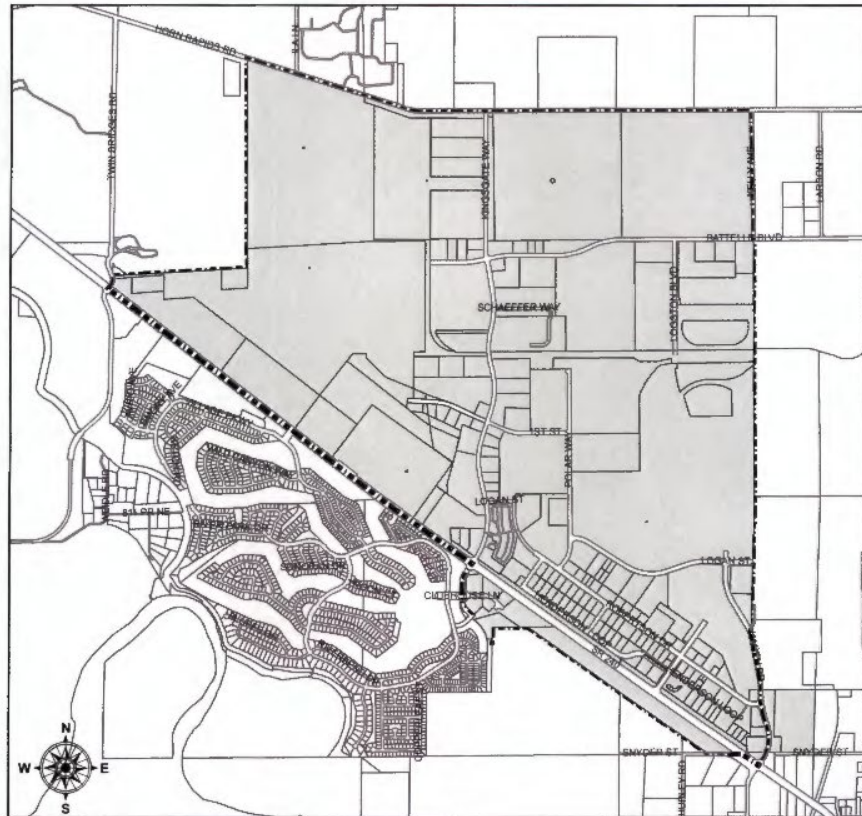
13. Physical additions to existing nonconforming structures are not subject to the maximum front yard setback requirements.

14. The medical, uptown and parkway districts of the CBD zoning district are established as shown by Plates 23.22.040(1), (2) and (3).

15. The Horn Rapids Employment Center is established as shown by Plate 23.22.040(4).

PLATE NO. 4 - 23.22.040

PLATE 4



HORN RAPIDS EMPLOYMENT CENTER

23.26.030 Industrial use districts permitted land uses.

In the following chart, land use classifications are listed on the vertical axis. Zoning districts are listed on the horizontal axis.

A. If the symbol “P” appears in the box at the intersection of the column and row, the use is permitted, subject to the general requirements and performance standards required in that zoning district.

B. If the symbol “S” appears in the box at the intersection of the column and row, the use is permitted subject to the special use permit provisions contained in Chapter 23.46 RMC.

C. If the symbol “A” appears in the box at the intersection of the column and the row, the use is permitted as an accessory use, subject to the general requirements and performance standards required in the zoning district.

D. If a number appears in the box at the intersection of the column and the row, the use is subject to the general conditions and special provisions indicated in the corresponding note.

E. If no symbol appears in the box at the intersection of the column and the row, the use is prohibited in that zoning district.

Land Use	I-M	M-2
Automotive, Marine and Heavy Equipment Uses		
Automotive Repair – Major	P	P
Automotive Repair – Minor	P	
Automotive Repair – Specialty Shop	P	
Automobile Service Station	P	
Automobile Wrecking		S ¹
Boat Building	P	P
Bottling Plants	P	P
Car Wash – Automatic or Self-Service	P ²	A
Equipment Rentals	P	
Farm Equipment and Supplies Sales	P	S
Gas/Fuel Station	P	S
Heavy Equipment Sales and Repair	P	P
Marine Repair	P	P
Towing, Vehicle Impound Lots	P ³	
Truck Rentals	P	
Truck Stop – Diesel Fuel Sales	P	P
Truck Terminal	P	P
Vehicle Sales	P	

Land Use	I-M	M-2
Warehousing, Wholesale Use	P	P
Business and Personal Services		
Animal Shelter	S ⁴	
Contractors' Offices and Shops	P	
General Service Businesses	P	P
Health/Fitness Facility	P	A
Health/Fitness Center	P	
Laundry/Dry Cleaning, Commercial	P	
Laundry/Dry Cleaning, Retail	P	
Mini-Warehouse	P ^{5, 15}	
Mailing Service	P	
Personal Loan Business	P	
Personal Services Businesses	P	
Photo Processing, Copying and Printing Services	P	
Telemarketing Services	P	
Food Service		
Cafeterias	A	A
Delicatessen	A	A
Drinking Establishments	P	P
Restaurants/Sit Down	P	
Restaurants/Drive-Through	P ⁶	A ⁶
Restaurants/Lounge	P	
Restaurants/Take Out	P	
Restaurants with Entertainment/Dancing Facilities	P	
Wineries	P	
Industrial/Manufacturing Uses		
Airport, Industrial	P	
Excavating, Processing, Removal of Topsoil, Sand, Gravel, Rock or Similar Natural Deposits	S ⁷	S ⁷
Junkyard		S
Laundry and Cleaning Plants	P	P

Land Use	I-M	M-2
General Manufacturing Uses	P	P
Heavy Manufacturing Uses		P
Light Manufacturing Uses	P	P
Research, Development and Testing Facilities	P	P
Warehousing, Storage and Distribution	P	P
Wholesale Facilities and Operations	P	P
Office Uses		
Financial Institutions	P	
Medical, Dental and Other Clinics	P	
Office – Consulting Services	P	
Office – Corporate	P	
Office – General	P	
Office – Research and Development	P	P
Public/Quasi-Public Uses		
General Park Operations and Maintenance Activities	P	P
Passive Open Space Use	P	P
Power Transmission and Irrigation Wasteway Easements and Utility Uses	P ⁸	P ⁸
Public Agency Buildings	P ⁸	P ⁸
Public Agency Facilities	P ⁸	P ⁸
Public Parks	P	
Special Events Including Concerts, Tournaments and Competitions, Fairs, Festivals and Similar Public Gatherings	P	P
Trail Head Facilities	P	P
Trails for Equestrian, Pedestrian, or Nonmotorized Vehicle Use	P	P
Recreational Uses		
Commercial Recreation, Outdoor	S ⁹	
Residential Uses		
Accessory Dwelling Unit	A	
Day Care Center	S ¹⁰	
Dwelling Units for a Resident Watchman or Custodian	A	A
Emergency Housing	S	S

Land Use	I-M	M-2
Emergency Shelters	S	S
Hotels or Motels	S	S
Permanent Supportive Housing	S	S
Temporary Residence	P ¹¹	P ¹¹
Transitional Housing	S	S
Retail Uses		
Adult Use Establishments	P ¹²	
Airport, Commercial	P	
Parking Lot or Structure	P	P
Miscellaneous Uses		
Bus Station	P	
Bus Terminal	P	
Bus Transfer Station	P	P
Community Festivals and Street Fairs	P	P
Farming of Land	P	P
Macro-Antennas	P	P
Monopole	P ¹³	P ¹³
On-Site Hazardous Waste Treatment and Storage	P	P
Outdoor Storage	P ¹⁴	P ¹⁴
Storage in an Enclosed Building	P	P

1. RMC 23.42.290
2. RMC 23.42.270
3. RMC 23.42.320
4. RMC 23.42.040
5. RMC 23.42.170
6. RMC 23.42.047
7. RMC 23.42.070
8. RMC 23.42.200
9. RMC 23.42.175
10. RMC 23.42.080
11. RMC 23.42.110
12. RMC 23.42.030
13. Chapter 23.62 RMC
14. RMC 23.42.180
15. Mini-Warehouse uses are prohibited in the Horn Rapids Employment Center.

23.26.040 Site requirements for industrial use districts.

In the following chart, development standards are listed on the vertical axis. Zoning districts are listed on the horizontal axis. The number appearing in the box at the intersection of the column and row represents the dimensional standard that applies to that zoning district.

Standard	I-M	M-2
Minimum Lot Area	None	None
Minimum Front Yard Setback	0 feet ¹	0 feet ¹
Minimum Side Yard Setback	None	None
Minimum Rear Yard Setback	None	None
Maximum Building Height – Main Building	55 feet ²	None

1. No setback required if street right-of-way is at least 80 feet in width. Otherwise, a minimum setback of 40 feet from street centerline is required.

2. Except as otherwise provided in this section, the maximum building height in the I-M district shall be 55 feet:

a. Any building or structure located within 300 feet of any residential use district shall be limited to 24 feet in height.

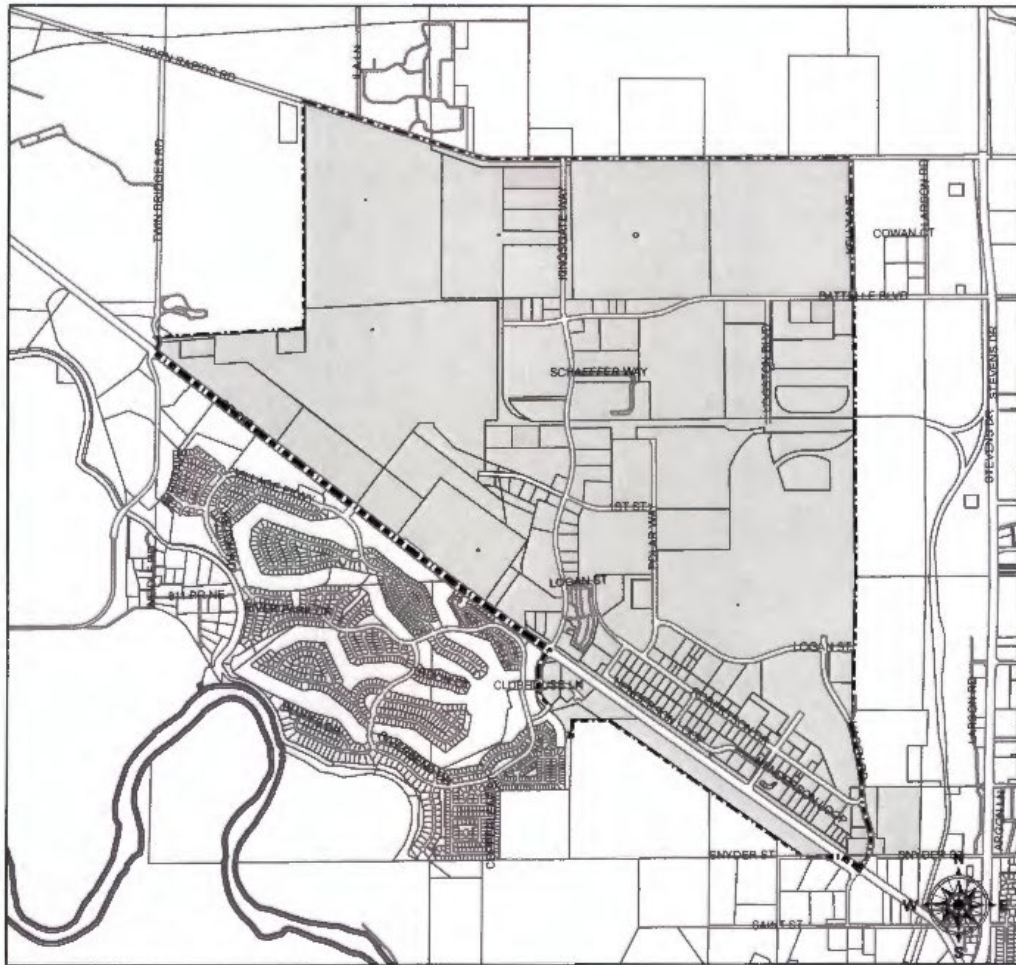
b. Any building further than 300 feet but less than 600 feet from districts described in note (2)(a) of this section shall not exceed 55 feet in height.

c. Except as provided in notes (2)(a) and (b) of this section, buildings may exceed the maximum height in accordance with the provisions of RMC 23.38.090.

3. The Horn Rapids Employment Center is established as shown by Plate 23.26.040(1).

PLATE NO. 1 - 23.26.040

PLATE 1



HORN RAPIDS EMPLOYMENT CENTER

ANALYSIS

As indicated above, the proposed amendments to the zoning code would prohibit the establishment of new mini warehouse facilities within the newly created Horn Rapids Employment Center. This area was established as a center for employment, sales tax revenue and commercial and industrial enterprises that contribute to and stimulate the economy of the city by funding its operations and programs through the sales of such lands to private developers. Since mini warehouses provide virtually no employment or sales tax revenue they do not contribute much fiscally to the city's economy. Furthermore, other than the revenue from the sale of the land, mini warehouses do not provide a consistent source of revenue for the city's operations and programs.

PUBLIC NOTICE/ COMMENTS

Staff provided notice of the proposed amendment to local and state agencies via SEPA review and via Notice of Application on October 2, 2024. The SEPA DNS and Notice of Application/Public Hearing were also posted on the city's official website on October 2, 2024. Notice of the SEPA DNS, Application and Public Hearing was also published in the Tri-Cities Herald on October 6, 2024. See *Exhibit 5*. Staff provided notice to the Washington State Dept. of Commerce and other state agencies as required by RCW 36.70A on October 2, 2024. See *Exhibit 4*.

As of the date this Staff Report was written, there have been no public or agency comments received on this matter. Any comments received after the writing of this report will be provided to the Planning Commission during the public hearing.

SEPA

The proposal is subject to environmental review. The City of Richland issued a Determination of Non-Significance (DNS) for the proposal on October 2, 2024, no appeals of the City's DNS were received. See *Exhibit 3*.

FINDINGS OF FACT

1. The City of Richland Economic Development Division is proposing to amend RMC Title 23 to establish the Horn Rapids Employment Center and to prohibit the establishment of mini warehouses within the Horn Rapids Employment Center.
2. Horn Rapids Employment Center. This area was established as a center for employment, sales tax revenue and commercial and industrial enterprises that contribute to and stimulate the economy of the city by funding its operations and programs through the sales of such lands to private developers.
3. Since mini warehouses provide virtually no employment or sales tax revenue they do not contribute much fiscally to the city's economy.
4. Other than the revenue from the sale of the land, mini warehouses do not provide a consistent source of revenue for the city's operations and programs.
5. Notice of the proposed amendment was provided to local and state agencies. Notice was also published in the Tri-Cities Herald, posted at the official posting places and on the city's official website. Notice was provided to the Washington State Dept. of

Commerce and other state agencies as required by RCW 36.70A.

6. The Washington State Department of Commerce received the 60-day Notice of Intent to Adopt Amendment and granted expedited review. *See Exhibit 4.*
7. The City issued a SEPA Threshold Determination of Non-Significance on October 2, 2024. No appeals of the DNS were received. *See Exhibit 3.*
8. No comments from the public were received regarding the proposed code amendment.

CONCLUSIONS OF LAW

1. The Planning Commission has jurisdiction to hold an open record public hearing and issue a recommendation on the proposed ordinance amendment to the City Council.
2. The proposed code amendment is consistent with the goals and policies of the City's Comprehensive Plan.

RECOMMENDATION

Staff recommends the Planning Commission concur with the findings and conclusions set forth in Staff Report (CA2024-102) and recommend to the City Council adoption of the proposed amendments to Title 23, Zoning, as provided in the draft ordinance attached to this report.

ALTERNATIVES

1. Recommend approval of the amendments as proposed.
2. Recommend approval of the amendments, as modified by the Planning Commission.
3. Recommend denial of the amendments.

RECOMMENDED MOTION – PLANNING COMMISSION

"I move that the Planning Commission recommend approval of the proposed amendments to RMC Title 23 as identified in the draft ordinance. This recommendation is based upon the listed Findings of Fact and Conclusions of Law."

EXHIBITS

1. Application Materials
2. Draft Ordinance
3. SEPA DNS & SEPA Checklist
4. Department of Commerce Expedited Review
5. Public Notice



Exhibit 1

City of Richland
Development Services

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

Code Amendment Application

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

APPLICANT

☐ Contact Person

Company: City of Richland - Economic Development Division

UBI#:

Contact: Mandy Wallner, Economic Development Manager

Address: 625 Swift Blvd., MS-19, Richland, WA 99352

Phone: 509.942.7595

Email: mwallner@ci.richland.wa.us

DESCRIPTION OF PROPOSED AMENDMENT

See attached Amendment List and proposed Plates.

APPLICATION MUST INCLUDE:

1. Completed application and filing fee
2. SEPA Checklist (if necessary)
3. Other information as determined by the Administrator

ANSWER THE FOLLOWING AS COMPLETELY AS POSSIBLE:

Section(s) of code proposed to be amended (include code citation):

See attached Amendment List and proposed Plates.

Summary of requested code amendment(s):

See attached Amendment List and proposed Plates.

Reason(s) for code amendment(s):

The Hom Rapids Industrial Park, Hom Rapids Business Center, Hom Rapids Commercial Plaza and Hom Rapids Retail Plaza were established as centers for employment, sales tax revenue and commercial and industrial enterprises that contribute to and stimulate the economy of the City in funding its operations and programs, as well as for other districts such as schools and the port. Mini-warehouse uses provide no employment, no sales taxes, and have a negative impact on neighboring property values.

AMENDMENT LIST (ECONOMIC DEVELOPMENT DIVISION – MAY 2024)

Amend RMC Chapter 23.22 Commercial Zoning Districts with the following:

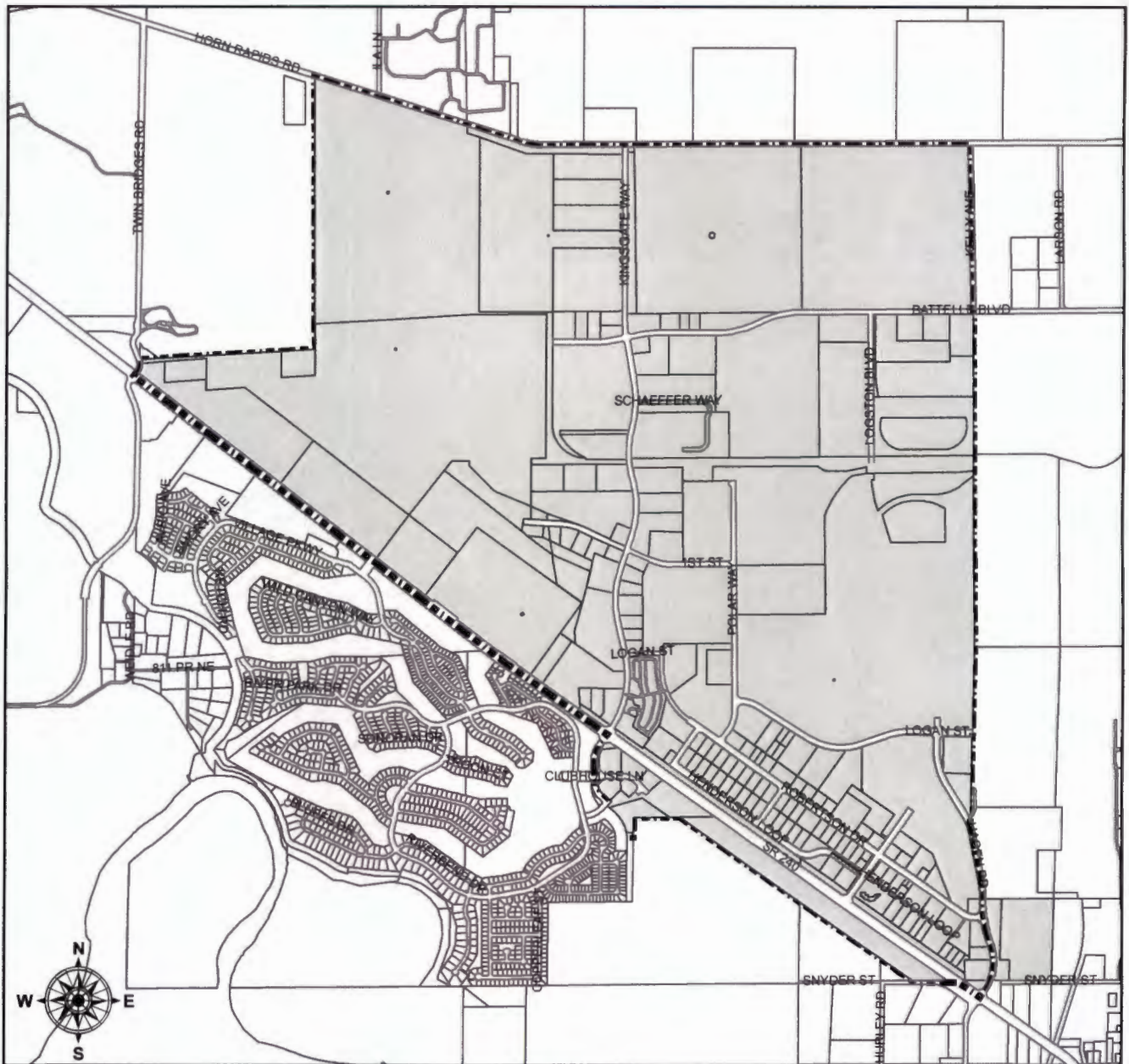
- 23.22.030 Adding a superscript number 31 to the "P" symbol for Mini-Warehouse in the C-3 column of the Business and Personal Services section.
- 23.22.030 Adding footnote number 31 – “Mini-warehouse uses are prohibited in the Horn Rapids Employment Center.”
- 23.22.040 Adding footnote number 15 – “The Horn Rapids Employment Center is established as shown by Plate 23.22.040(4).”
- 23.22.040 Adding Plate No. 4 “Horn Rapids Employment Center”.

Amend RMC Chapter 23.26 Industrial Zoning Districts with the following:

- 23.26.030 Adding a superscript number 15 to the "P" symbol for Mini-Warehouse in the I-M column of the Business and Personal Services section.
- 23.26.030 Adding footnote number 15 – “Mini-warehouse uses are prohibited in the Horn Rapids Employment Center.”
- 23.26.040 Adding footnote number 3 – “The Horn Rapids Employment Center is established as shown by Plate 23.26.040(1).”
- 23.26.040 Adding Plate No. 1 “Horn Rapids Employment Center”.

PLATE NO. 4 - 23.22.040

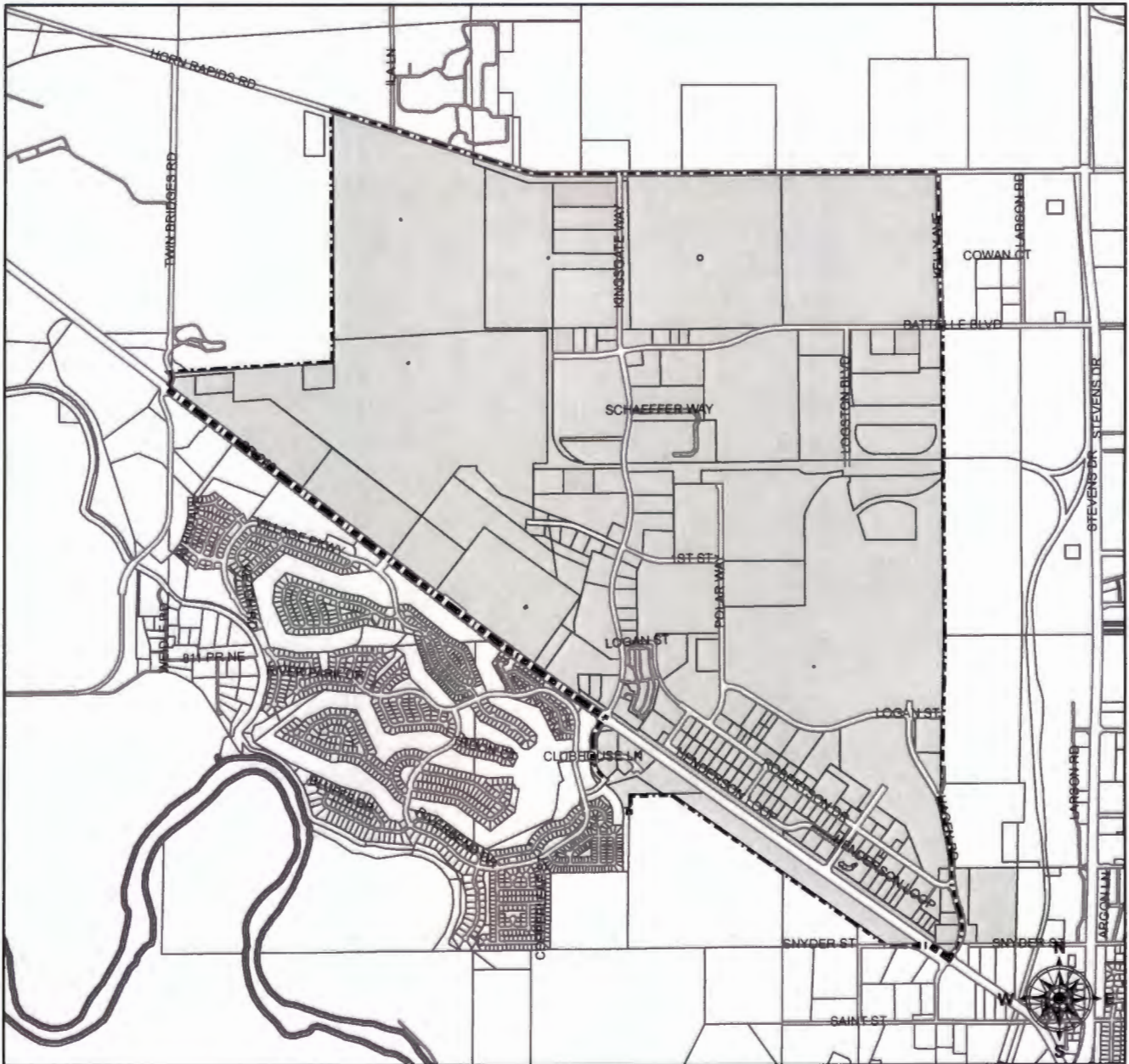
PLATE 4



HORN RAPIDS EMPLOYMENT CENTER

PLATE NO. 1 - 23.26.040

PLATE 1



HORN RAPIDS EMPLOYMENT CENTER

Exhibit 2

ORDINANCE NO. 2024-XX

AN ORDINANCE OF THE CITY OF RICHLAND, WASHINGTON, AMENDING CHAPTERS 23.22 AND 23.26 OF THE RICHLAND MUNICIPAL CODE TO PROHIBIT MINI-WAREHOUSE BUSINESSES IN THE HORN RAPIDS EMPLOYMENT CENTER.

WHEREAS, the City has need, from time to time, to amend the Richland Municipal Code (RMC) to bring it into alignment with best practices; and

WHEREAS, The City of Richland annexed the land to be known as the Horn Rapids Employment Center into its boundaries through an annexation recorded in September of 1967, Ordinance number 428; and

WHEREAS, the City has identified the Horn Rapids Employment Center to be an area for significant employment opportunities; and

WHEREAS, the City has determined that the mini-warehouse use type does not meet the goal of providing significant employment opportunities.

NOW, THEREFORE, BE IT ORDAINED by the City of Richland as follows:

Section 1. Subsection 23.22.030 of the Richland Municipal Code, entitled Commercial use districts permitted land uses, as first enacted by Ordinance No. 28-05, and last amended by Ordinance No. 2022-19, is hereby amended to read as follows:

23.22.030 Commercial use districts permitted land uses

In the following chart, land use classifications are listed on the vertical axis. Zoning districts are listed on the horizontal axis.

A. If the symbol “P” appears in the box at the intersection of the column and row, the use is permitted, subject to the general requirements and performance standards required in that zoning district.

B. If the symbol “S” appears in the box at the intersection of the column and row, the use is permitted subject to the special use permit provisions contained in Chapter 23.46 RMC.

C. If the symbol “A” appears in the box at the intersection of the column and the row, the use is permitted as an accessory use, subject to the general requirements and performance standards required in the zoning district.

D. If a number appears in the box at the intersection of the column and the row, the use is subject to the general conditions and special provisions indicated in the corresponding note.

E. If no symbol appears in the box at the intersection of the column and the row, the use is prohibited in that zoning district.

Land Use	C-LB	C-1	C-2	C-3	CBD	WF	CR	CW
Agricultural Uses								
Raising Crops, Trees, Vineyards								P
Automotive, Marine and Heavy Equipment								
Automotive Repair – Major				P				
Automotive Repair – Minor		P	P	P	S			
Automotive Repair – Specialty Shop		S	P	P	S			
Automobile Service Station		P ¹	P ¹	P ¹	S ¹			
Auto Part Sales		P	P	P	S			
Boat Building				P				
Bottling Plants				P				p ²⁸
Car Wash – Automatic or Self-Service		P ²	P ²	P ²	S ²			
Equipment Rentals			P	P				
Farm Equipment and Supplies Sales				P				
Fuel Station/Mini Mart	S	P	P	P	P			
Heavy Equipment Sales and Repair				P				
Manufactured Home Sales Lot				P				
Marinas						P	P	
Marine Equipment Rentals				P		P	P	
Marine Gas Sales						A	A	
Marine Repair				P		P	P	
Towing, Vehicle Impound Lots				S ³				
Truck Rentals			P	P				
Truck Stop – Diesel Fuel Sales			S	P				
Truck Terminal				P				
Vehicle Leasing/Renting			P ⁴	P	S ⁴			
Vehicle Sales			P ⁴	P	S ⁴			
Warehousing, Wholesale Use				P				
Business and Personal Services								
Animal Shelter				S ⁵				
Automatic Teller Machines	P	P	P	P	P	P		P

Land Use	C-LB	C-1	C-2	C-3	CBD	WF	CR	CW
Commercial Kennel				P ⁵				
Contractors' Offices		P	P	P	P			
Funeral Establishments			P	P				
General Service Businesses	A	P	P	P	P	P		
Health/Fitness Facility	A	P	P	P	P	A	P	
Health/Fitness Center			P	P	P		P	
Health Spa		P	P	P	P	P		P
Hospital/Clinic – Large Animal				S ⁵				
Hospital/Clinic – Small Animal			S ⁵	P ⁵	P			
Laundry/Dry Cleaning, Com.				P	P ²⁹			
Laundry/Dry Cleaning, Neighborhood		P	P	P	P			
Laundry/Dry Cleaning, Retail	P	P	P	P	P	P		
Laundry – Self-Service		P	P	P	P			
Mini-Warehouse				P ^{6, 31}				
Mailing Service	P	P	P	P	P	P		
Personal Loan Business	P	P	P	P	P			
Personal Services Businesses	A	P	P	P	P	P		
Photo Processing, Copying and Printing Services	P	P	P	P	P	P		
Telemarketing Services	P		P	P	P			
Video Rental Store		P	P	P	P	P		P
Food Service								
Cafeterias	A		A	A	A	A	A	
Delicatessen	P	P	P	P	P	P	P	P
Drinking Establishments		P ⁷	P	P	P	P	P	P
Micro-Brewery			P	P	P	P	P	P
Portable Food Vendors ²⁶	A ²⁷	A ²⁷	A ²⁷	A ²⁷	A ²⁷	A ²⁷	A ²⁷	A ²⁸
Restaurants/Drive-Through		S ⁸	P ⁸	P ⁸	S ^{8, 9}	S ^{8, 9}		
Restaurants/Lounge		P ⁷	P	P	P	P	P	P
Restaurants/Sit Down	A	P	P	P	P	P	P	P
Restaurants/Take Out		P	P	P	P	P		P

Land Use	C-LB	C-1	C-2	C-3	CBD	WF	CR	CW
Restaurants with Entertainment/Dancing Facilities		P ⁷	P	P	P	P	P	P
Vehicle-Based Food Service		p ³⁰	p ³⁰	p ³⁰	p ³⁰	p ³⁰		
Wineries – Tasting Room		P ⁷	P	P	P	P	P	P
Industrial/Manufacturing Uses								
Laundry and Cleaning Plants				P				p ²⁸
Light Manufacturing Uses				P				p ²⁸
Warehousing and Distribution Facilities				P				p ²⁸
Wholesale Facilities and Operations				P				p ²⁸
Wineries – Production				P				P
Office Uses								
Financial Institutions	P	P/S ²²	P	P	P/S ²²	P		
Medical, Dental and Other Clinics	P	P	P	P	P	P		
Newspaper Offices and Printing Works			P	P	P			
Office – Consulting Services	P	P	P	P	P	P		p ²⁸
Office – Corporate	P		P	P	P	P		p ²⁸
Office – General	P	P	P	P	P	P		p ²⁸
Office – Research and Development	P		P	P	P			p ²⁸
Radio and Television Studios			P	P	P			
Schools, Commercial	P		P	P	P	P		
Schools, Trade			P	P	P			p ²⁸
Travel Agencies	P	P	P	P	P	P		
Public/Quasi-Public Uses								
Churches	P ¹⁰	P ¹⁰	P ¹⁰	P ¹⁰	P	P ¹⁰		
Clubs or Fraternal Societies	P ¹⁰	P ¹⁰	P ¹⁰	P ¹⁰	P ¹⁰	P ¹⁰		
Cultural Institutions	P ¹⁰	P ¹⁰	P ¹⁰		P ¹⁰	P ¹⁰		P ¹⁰
General Park O&M Activities	P	P	P	P	P	P	P	P
Hospitals	P		P	P	P			
Passive Open Space Use	P	P	P	P	P	P	P	P

Land Use	C-LB	C-1	C-2	C-3	CBD	WF	CR	CW
Power Transmission and Irrigation Wasteway Easements and Utility Uses	P ¹¹	P ¹¹	P ¹¹	P ¹¹	P ¹¹	P ¹¹	P ¹¹	P ¹¹
Public Agency Buildings	P	P	P	P	P	P	P	
Public Agency Facilities	P ¹¹	P ¹¹	P ¹¹	P ¹¹	P ¹¹	P ¹¹	P ¹¹	P ¹¹
Public Campgrounds				S			S	
Public Parks	P	P	P	P	P	P	P	P
Schools	P ¹²	P ¹²	P ¹²	P ¹²	P ¹²	P ¹²		
Schools, Alternative	P ¹³	P ¹³	P ¹³	P ¹³	P ¹³			
Special Events Including Concerts, Tournaments and Competitions, Fairs, Festivals and Similar Public Gatherings	P	P	P	P	P	P	P	P
Trail Head Facilities	P	P	P	P	P	P	P	P
Trails for Equestrian, Pedestrian, or Nonmotorized Vehicle Use	P	P	P	P	P	P	P	P
Recreational Uses								
Art Galleries			P	P	P	P	P	P
Arcades		P	P	P	P	P	P	
Boat Mooring Facilities						P	P	
Cinema, Indoor			P	P	P	P	P	
Cinema, Drive-In			P	P				
Commercial Recreation, Indoor		S ⁷	P	P	P	P	P	
Commercial Recreation, Outdoor			P	P		P	P	
House Banked Card Rooms				P ¹⁴	P ¹⁴	P ¹⁴	P ¹⁴	
Recreational Vehicle Campgrounds				S ¹⁵			S ¹⁵	
Recreational Vehicle Parks				S ¹⁶			S ¹⁶	
Stable, Public				S ¹⁷				
Theater		P ⁷	P	P	P	P	P	P
Residential Uses								
Accessory Dwelling Unit		A	A	A	A	A		A
Apartment, Condominium (3 or more units)	P		P ¹⁸		P	P		
Assisted Living Facility	P		P		P ¹⁸	P		

Land Use	C-LB	C-1	C-2	C-3	CBD	WF	CR	CW
Bed and Breakfast	P	P	P	P	P	P	P	P
Day Care Center	p ¹⁹	p ¹⁹	p ¹⁹	p ¹⁹	p ¹⁹	p ¹⁹		
Dormitories, Fraternities, and Sororities	P				P	P		
Dwelling, One-Family Attached						p ²⁵		
Dwelling, Two-Family Detached						P		
Dwelling Units for a Resident Watchman or Custodian				A				p ²⁸
Emergency Housing	P		P	P	P	P	P	P
Emergency Shelters	P		P	P	P	P	P	P
Family Day Care Home	p ¹⁹					p ¹⁹		
Houseboats						P	P	
Hotels or Motels	P		P	P	P	P	P	P
Nursing or Rest Home	P		P		p ¹⁸	P		
Permanent Supportive Housing	P		P	P	P	P	P	P
Recreational Club	A				A	A		
Senior Housing	P				p ¹⁸	P		
Temporary Residence	p ²⁰	p ²⁰	p ²⁰	p ²⁰	p ²⁰	p ²⁰		P
Transitional Housing	P		P	P	P	P	P	P
Retail Uses								
Adult Use Establishments				p ²¹				
Apparel and Accessory Stores		P	P	P	P	P		P
Auto Parts Supply Store		P	P	P	P			
Books, Stationery and Art Supply Stores	A	P	P	P	P	P		P
Building, Hardware, Garden Supply Stores		P	P	P	P			
Department Store			P	P	P			
Drug Store/Pharmacy	A	P/S ²²	P	P	P	P		
Electronic Equipment Stores		P	P	P	P	P		
Food Stores		P	P	P	P	P		
Florist		P	P	P	P	P		P

Land Use	C-LB	C-1	C-2	C-3	CBD	WF	CR	CW
Furniture, Home Furnishings and Appliance Stores		P	P	P	P			
Landscaping Material Sales			A	P				
Lumberyards				P				
Nursery, Plant				P				P
Office Supply Store	A	P	P	P	P	P		
Outdoor Sales				P				
Parking Lot or Structure	P	P	P	P	A	P		P
Pawn Shop				P				
Pet Shop and Pet Supply Stores		P	P	P	P			
Retail Hay, Grain and Feed Stores				P				
Secondhand Store			P	P	P	P		
Specialty Retail Stores		P	P	P	P	P		P
Miscellaneous Uses								
Bus Station				P	P			
Bus Terminal				P	P			
Bus Transfer Station	P		P	P	P		P	
Cemetery	P		P	P				
Community Festivals and Street Fairs	P	P	P	P	P	P	P	P
Convention Center	P		P	P	P	P	P	
Macro-Antennas	P	P	P	P	P	P	P	P
Monopole			S ²³	P/S ²³	S ²³			
On-Site Hazardous Waste Treatment and Storage	A	A	A	A	A	A	A	A
Outdoor Storage		A ²⁴	A ²⁴	P ²⁴				
Storage in an Enclosed Building	A	A	A	A	A	A	A	A ²⁸

1. RMC 23.42.280
2. RMC 23.42.270
3. RMC 23.42.320
4. RMC 23.42.330
5. RMC 23.42.040
6. RMC 23.42.170
7. RMC 23.42.053
8. RMC 23.42.047

9. RMC 23.42.055
10. RMC 23.42.050
11. RMC 23.42.200
12. RMC 23.42.250
13. RMC 23.42.260
14. RMC 23.42.100
15. RMC 23.42.230
16. RMC 23.42.220
17. RMC 23.42.190
18. Use permitted on upper stories of multistory buildings, if main floor is used for commercial or office uses.
19. RMC 23.42.080
20. RMC 23.42.110
21. RMC 23.42.030
22. Use permitted, requires special use permit with drive-through window.
23. Chapter 23.62 RMC
24. RMC 23.42.180
25. RMC 23.18.025
26. See definition, RMC 23.06.780.
27. RMC 23.42.185
28. Activities permitted only when directly related to and/or conducted in support of winery operations.
29. Within the central business district (CBD), existing commercial laundry/dry cleaning uses, established and operating at the time the CBD district was established, are allowed as a permitted use. All use of the land and/or buildings necessary and incidental to that of the commercial laundry/dry cleaning use, and existing at the effective date of the CBD district, may be continued. Commercial laundry/dry cleaning uses not established and operating at the time the CBD district was established are prohibited.
30. RMC 23.42.325
31. [Mini-Warehouse uses are prohibited in the Horn Rapids Employment Center.](#)

Section 2. Subsection 23.22.040 of the Richland Municipal Code, entitled Site requirements and development standards for commercial use districts, as first enacted by Ordinance No. 28-05, and last amended by Ordinance No. 15-21, is hereby amended to read as follows:

23.22.040 Site requirements and development standards for commercial use districts.

In the following chart, development standards are listed on the vertical axis. Zoning districts are listed on the horizontal axis. The number appearing in the box at the intersection of the column and row represents the dimensional standard that applies to that zoning district.

Standard	C-LB	C-1	C-2	C-3	CBD	WF	CR	CW
Minimum Lot Area	None	None	None	None	None	None	None	None
Maximum Density – Multifamily Dwellings (units:square feet)	1:1,500	N/A	N/A	N/A	None	1:1,000	N/A	N/A
Minimum Lot Width – One-Family Attached Dwellings	N/A	N/A	N/A	N/A	N/A	30 feet	N/A	N/A
Minimum Front Yard Setback ¹⁴	20 feet	45 feet ¹	0 feet ²	0 feet ²	CBD, Parkway, Uptown Districts: 0	Note 4,5	Note 4	20 feet

Standard	C-LB	C-1	C-2	C-3	CBD	WF	CR	CW
					feet min. – 20 feet max. ^{3,11,13} Medical District: 0 feet min.			
Minimum Side Yard Setback	0 feet ⁶	0 feet ⁷	None	None	0 feet ^{6,8}	0 feet ^{5,9}	0 feet	0 feet ^{6,8}
Minimum Rear Yard Setback	0 feet ^{6,8}	0 feet ⁷	None	None	0 feet ^{6,8}	0 feet ^{5,8,10}	0 feet	0 feet ^{6,8}
Maximum Building Height ¹⁴	55 feet	30 feet	80 feet	80 feet	CBD: 110 feet Medical: 140 feet Parkway: 50 feet Uptown: 50 feet	35/55 feet ¹²	35/55 feet ¹²	35 feet
Minimum Dwelling Unit Size (in square feet, excluding porches, decks, balconies and basements)	500 feet	N/A	N/A	N/A	N/A	500 feet	N/A	N/A

- Each lot shall have a front yard 45 feet deep or equal to the front yards of existing buildings in the same C-1 district and within the same block.
- No setback required if street right-of-way is at least 80 feet in width. Otherwise, a minimum setback of 40 feet from street centerline is required.
- Unless a greater setback is required by Chapter 12.11 RMC, Intersection Sight Distance.
- Front and Side Street. No building shall be closer than 40 feet to the centerline of a public right-of-way. The setback area shall incorporate pedestrian amenities such as increased sidewalk width, street furniture, landscaped area, public art features, or similar features.
- In the case of attached one-family dwelling units, setback requirements shall be as established for attached dwelling units in the medium-density residential small lot (R-2S) zoning district. Refer to RMC 23.18.040.
- In any commercial limited business (C-LB), central business (CBD) or in any commercial winery (CW) zoning district that directly abuts a single-family zoning district, the following buffer, setback and building height regulations shall apply to all structures:
 - Within the commercial limited business (C-LB), the central business district (CBD) and the commercial winery (CW) districts, buildings shall maintain at least a 35-foot setback from any property that is zoned for single-family residential use. Single-family residential zones include R-1-12 – single-family residential 12,000, R-1-10 – single-family residential 10,000, R-2 – medium-density residential, R-2S – medium-density residential small lot, or any residential planned unit development that is comprised of single-family detached dwellings.
 - Buildings that are within 50 feet of any property that is zoned for single-family residential use in commercial limited business (C-LB) and the commercial winery (CW) districts and buildings that are within 50 feet of any property that is zoned for and currently developed with a single-family residential use in the central business district (CBD) (as defined in footnote (6)(a)) shall not exceed 30 feet in height.

Beyond the area 50 feet from any property that is zoned for single-family residential use, building height may be increased at the rate of one foot in building height for each additional one foot of setback from property that is zoned for single-family residential use to the maximum building height allowed in the C-LB, CW and CBD zoning districts, respectively.

c. A six-foot-high fence that provides a visual screen shall be constructed adjacent to any property line that adjoins property that is zoned for single-family residential use, or currently zoned for and developed with a single-family residential use in the CBD district. Additionally, a 10-foot landscape strip shall be provided adjacent to the fence. This landscape strip may be used to satisfy the landscaping requirements established for the landscaping of parking facilities as identified in RMC 23.54.140.

d. In the C-LB and CW districts, a 20-foot setback shall be provided for any side yard that adjoins a street.

7. Side yard and rear yard setbacks are not required except for lots adjoining a residential development, residential district, or a street. Lots adjoining either a residential development or residential district shall maintain a minimum 15-foot setback. Lots adjoining a street shall maintain a minimum 20-foot setback. Required side or rear yards shall be landscaped or covered with a hard surface, or a combination of both. No accessory buildings or structures shall be located in such yards unless otherwise permitted by this title.

8. No minimum required, except parking shall be set back a minimum of five feet to accommodate required landscape screening as required under RMC 23.54.140.

9. Side Yard. No minimum, except parking shall be set back a minimum of five feet, and buildings used exclusively for residences shall maintain at least one foot of side yard for each three feet or portion thereof of building height. Side yards adjoining a residential district shall maintain setbacks equivalent to the adjacent residential district.

10. No minimum, except parking shall be set back a minimum of five feet. Rear yards adjoining a residential district shall maintain setbacks equivalent to the adjacent residential district.

11. Commercial developments such as community shopping centers or retail centers over 40,000 square feet in size and typically focused around a major tenant, such as a supermarket grocery, department store or discount store, and supported with smaller “ancillary” retail shops and services located in multiple building configurations, are permitted front and street side maximum setback flexibility for the largest building. Maximum setback standards on any other new buildings may be adjusted by the planning commission as part of the alternative design review as set forth in the performance standards and special requirements of RMC 23.22.020(E)(9).

12. All buildings that are located in both the waterfront (WF) district and that fall within the jurisdictional limits of the Shoreline Management Act shall comply with the height limitations established in the Richland shoreline master program (RMC Title 26). Buildings in the WF district that are not subject to the Richland shoreline master program shall not exceed a height of 35 feet, unless the planning commission authorizes an increase in building height to a maximum height of 55 feet, based upon a review of the structure and a finding that the proposed building is aesthetically pleasing in relation to buildings and other features in the vicinity and that the building is located a sufficient distance from the Columbia River to avoid creating a visual barrier.

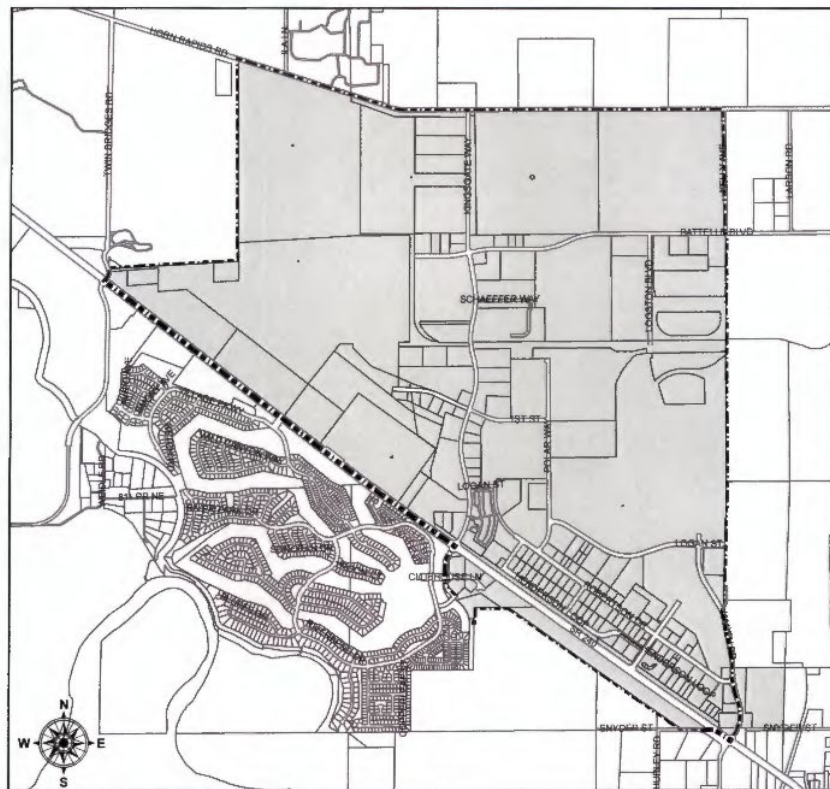
13. Physical additions to existing nonconforming structures are not subject to the maximum front yard setback requirements.

14. The medical, uptown and parkway districts of the CBD zoning district are established as shown by Plates 23.22.040(1), (2) and (3).

[15. The Horn Rapids Employment Center is established as shown by Plate 23.22.040\(4\).](#)

PLATE NO. 4 - 23.22.040

PLATE 4



HORN RAPIDS EMPLOYMENT CENTER

Section 3. Subsection 23.26.030 of the Richland Municipal Code, entitled Industrial use districts permitted land uses, as first enacted by Ordinance No. 28-05, and last amended by Ordinance No. 2022-19, is hereby amended to read as follows:

23.26.030 Industrial use districts permitted land uses.

In the following chart, land use classifications are listed on the vertical axis. Zoning districts are listed on the horizontal axis.

A. If the symbol “P” appears in the box at the intersection of the column and row, the use is permitted, subject to the general requirements and performance standards required in that zoning district.

B. If the symbol “S” appears in the box at the intersection of the column and row, the use is permitted subject to the special use permit provisions contained in Chapter 23.46 RMC.

C. If the symbol “A” appears in the box at the intersection of the column and the row, the use is permitted as an accessory use, subject to the general requirements and performance standards required in the zoning district.

D. If a number appears in the box at the intersection of the column and the row, the use is subject to the general conditions and special provisions indicated in the corresponding note.

E. If no symbol appears in the box at the intersection of the column and the row, the use is prohibited in that zoning district.

Land Use	I-M	M-2
Automotive, Marine and Heavy Equipment Uses		
Automotive Repair – Major	P	P
Automotive Repair – Minor	P	
Automotive Repair – Specialty Shop	P	
Automobile Service Station	P	
Automobile Wrecking		S ¹
Boat Building	P	P
Bottling Plants	P	P
Car Wash – Automatic or Self-Service	P ²	A
Equipment Rentals	P	
Farm Equipment and Supplies Sales	P	S
Gas/Fuel Station	P	S
Heavy Equipment Sales and Repair	P	P
Marine Repair	P	P
Towing, Vehicle Impound Lots	P ³	
Truck Rentals	P	

Land Use	I-M	M-2
Truck Stop – Diesel Fuel Sales	P	P
Truck Terminal	P	P
Vehicle Sales	P	
Warehousing, Wholesale Use	P	P
Business and Personal Services		
Animal Shelter	S ⁴	
Contractors' Offices and Shops	P	
General Service Businesses	P	P
Health/Fitness Facility	P	A
Health/Fitness Center	P	
Laundry/Dry Cleaning, Commercial	P	
Laundry/Dry Cleaning, Retail	P	
Mini-Warehouse	P ^{5, 15}	
Mailing Service	P	
Personal Loan Business	P	
Personal Services Businesses	P	
Photo Processing, Copying and Printing Services	P	
Telemarketing Services	P	
Food Service		
Cafeterias	A	A
Delicatessen	A	A
Drinking Establishments	P	P
Restaurants/Sit Down	P	
Restaurants/Drive-Through	P ⁶	A ⁶
Restaurants/Lounge	P	
Restaurants/Take Out	P	
Restaurants with Entertainment/Dancing Facilities	P	
Wineries	P	
Industrial/Manufacturing Uses		
Airport, Industrial	P	

Land Use	I-M	M-2
Excavating, Processing, Removal of Topsoil, Sand, Gravel, Rock or Similar Natural Deposits	S ⁷	S ⁷
Junkyard		S
Laundry and Cleaning Plants	P	P
General Manufacturing Uses	P	P
Heavy Manufacturing Uses		P
Light Manufacturing Uses	P	P
Research, Development and Testing Facilities	P	P
Warehousing, Storage and Distribution	P	P
Wholesale Facilities and Operations	P	P
Office Uses		
Financial Institutions	P	
Medical, Dental and Other Clinics	P	
Office – Consulting Services	P	
Office – Corporate	P	
Office – General	P	
Office – Research and Development	P	P
Public/Quasi-Public Uses		
General Park Operations and Maintenance Activities	P	P
Passive Open Space Use	P	P
Power Transmission and Irrigation Wasteway Easements and Utility Uses	P ⁸	P ⁸
Public Agency Buildings	P ⁸	P ⁸
Public Agency Facilities	P ⁸	P ⁸
Public Parks	P	
Special Events Including Concerts, Tournaments and Competitions, Fairs, Festivals and Similar Public Gatherings	P	P
Trail Head Facilities	P	P
Trails for Equestrian, Pedestrian, or Nonmotorized Vehicle Use	P	P
Recreational Uses		
Commercial Recreation, Outdoor	S ⁹	
Residential Uses		

Land Use	I-M	M-2
Accessory Dwelling Unit	A	
Day Care Center	S ¹⁰	
Dwelling Units for a Resident Watchman or Custodian	A	A
Emergency Housing	S	S
Emergency Shelters	S	S
Hotels or Motels	S	S
Permanent Supportive Housing	S	S
Temporary Residence	p ¹¹	p ¹¹
Transitional Housing	S	S
Retail Uses		
Adult Use Establishments	p ¹²	
Airport, Commercial	P	
Parking Lot or Structure	P	P
Miscellaneous Uses		
Bus Station	P	
Bus Terminal	P	
Bus Transfer Station	P	P
Community Festivals and Street Fairs	P	P
Farming of Land	P	P
Macro-Antennas	P	P
Monopole	p ¹³	p ¹³
On-Site Hazardous Waste Treatment and Storage	P	P
Outdoor Storage	p ¹⁴	p ¹⁴
Storage in an Enclosed Building	P	P

1. RMC 23.42.290
2. RMC 23.42.270
3. RMC 23.42.320
4. RMC 23.42.040
5. RMC 23.42.170
6. RMC 23.42.047
7. RMC 23.42.070
8. RMC 23.42.200
9. RMC 23.42.175
10. RMC 23.42.080

11. RMC 23.42.110
12. RMC 23.42.030
13. Chapter 23.62 RMC
14. RMC 23.42.180
15. [Mini-Warehouse uses are prohibited in the Horn Rapids Employment Center.](#)

Section 4. Subsection 23.26.040 of the Richland Municipal Code, entitled Site requirements for industrial use districts, as first enacted by Ordinance No. 28-05, and last amended by Ordinance No. 32-11, is hereby amended to read as follows:

23.26.040 Site requirements for industrial use districts.

In the following chart, development standards are listed on the vertical axis. Zoning districts are listed on the horizontal axis. The number appearing in the box at the intersection of the column and row represents the dimensional standard that applies to that zoning district.

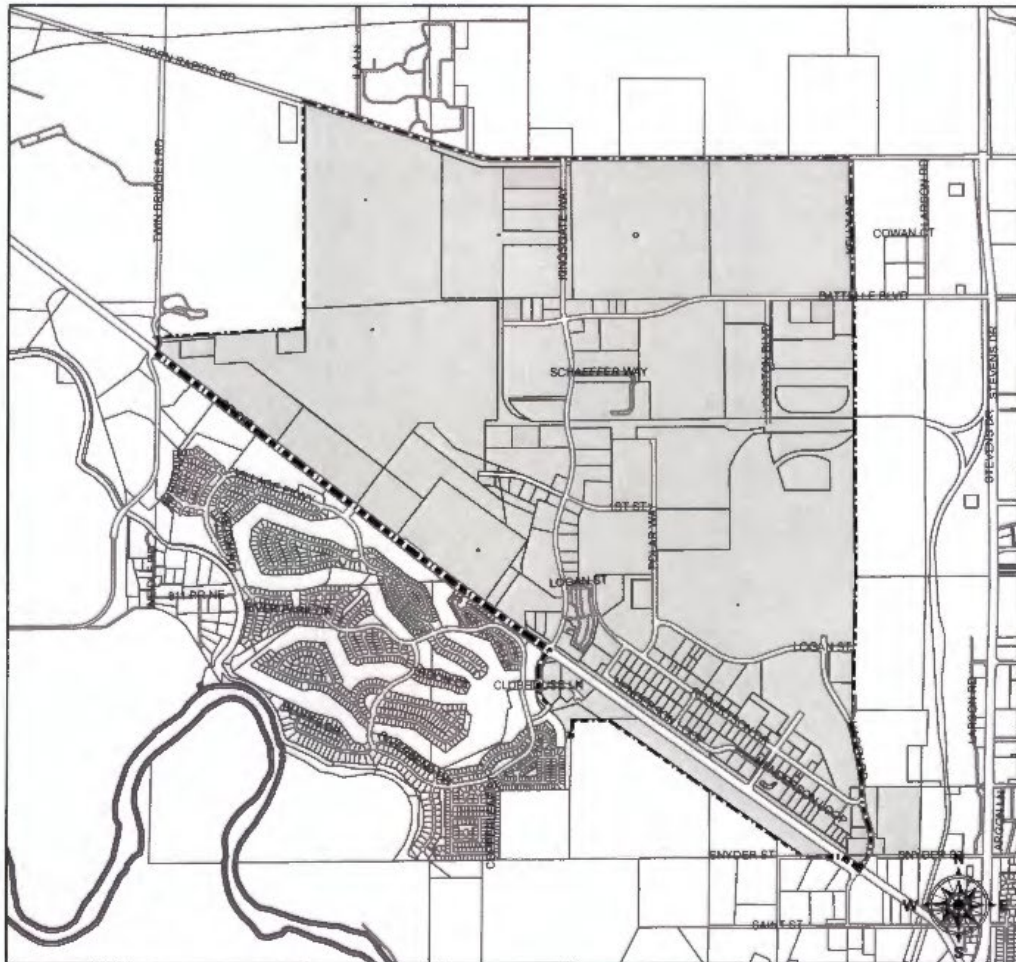
Standard	I-M	M-2
Minimum Lot Area	None	None
Minimum Front Yard Setback	0 feet ¹	0 feet ¹
Minimum Side Yard Setback	None	None
Minimum Rear Yard Setback	None	None
Maximum Building Height – Main Building	55 feet ²	None

1. No setback required if street right-of-way is at least 80 feet in width. Otherwise, a minimum setback of 40 feet from street centerline is required.
2. Except as otherwise provided in this section, the maximum building height in the I-M district shall be 55 feet:
 - a. Any building or structure located within 300 feet of any residential use district shall be limited to 24 feet in height.
 - b. Any building further than 300 feet but less than 600 feet from districts described in note (2)(a) of this section shall not exceed 55 feet in height.
 - c. Except as provided in notes (2)(a) and (b) of this section, buildings may exceed the maximum height in accordance with the provisions of RMC 23.38.090.

3. [The Horn Rapids Employment Center is established as shown by Plate 23.26.040\(1\).](#)

PLATE NO. 1 - 23.26.040

PLATE 1



HORN RAPIDS EMPLOYMENT CENTER

Section 5. This Ordinance shall take effect the day following its publication in the official newspaper of the City of Richland.

Section 6. Should any section or provision of this Ordinance be declared by a court of competent jurisdiction to be invalid, that decision shall not affect the validity of the Ordinance as a whole or any part thereof, other than the part so declared to be invalid.

Section 7. The City Clerk and the codifiers of this Ordinance are authorized to make necessary corrections to this Ordinance, including but not limited to the correction of scrivener's errors/clerical errors, section numbering, references, or similar mistakes of form.

PASSED by the City Council of the City of Richland, Washington, at a regular meeting on the ____ day of _____, 2024.

Theresa Richardson, Mayor

Attest:

Approved as to Form:

Jennifer Rogers, City Clerk

Heather Kintzley, City Attorney

First Reading: _____

Second Reading: _____

Date Published: _____

Exhibit 3



File No. EA2024-116

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

Description of Proposal: Zoning text amendment to prohibit mini-warehouses in the Horn Rapids Employment Center.

Proponent: City of Richland Economic Development
Darin Arrasmith
625 Swift Blvd., MS-19
Richland, WA 99352

Location of Proposal: The Horn Rapids Employment Center includes: Horn Rapids Industrial Park, Horn Rapids Business Center, Horn Rapids Commercial Plaza, Horn Rapids Retail Plaza, and the City-owned property fronting along the south side of Highway SR 240.

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: October 2, 2024

Comments Due: October 17, 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:

Zoning Text Amendment to prohibit mini-warehouse uses in the Horn Rapids Employment Center.

2. Name of applicant:

City of Richland - Economic Development Division

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

Darin Arrasmith, Economic Development Division
625 Swift Blvd., MS-19 Richland, WA 99352

4. Date checklist prepared:

May 15, 2024

5. Agency requesting checklist:

City of Richland, Development Services Department

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

7. Do you have any plans for future additions, expansion, or further activity related to or connected with this proposal? If yes, explain. None. This is a stand-alone amendment.

8. List any environmental information you know about that has been prepared, or will be prepared, directly related to this proposal. No additional environmental information is being prepared for this proposal.

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 other governmental approvals are required.

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

City Council approval of zoning text amendment.

- 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.)**

Zoning text amendment to prohibit mini-warehouses in the Horn Rapids Employment Center.

- 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 Horn Rapids Employment Center includes: Horn Rapids Industrial Park, Horn Rapids Business Center, Horn Rapids Commercial Plaza, Horn Rapids Retail Plaza, and the City-owned property fronting along the south side of Highway SR 240.

B. Environmental Elements

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

a. General description of the site:

Industrial park and commercial centers.

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

- b. What is the steepest slope on the site (approximate percent slope)?** Not applicable. Proposed amendment would apply to all of the Horn Rapids industrial and business center areas.
- 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.** Various silty sandy loams.
- d. Are there surface indications or history of unstable soils in the immediate vicinity? If so, describe.** N/A. Proposal would apply to the entire Horn Rapids industrial park and business center areas.
- 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.** Not applicable.
- f. Could erosion occur because of clearing, construction, or use? If so, generally describe.** Not applicable.
- g. About what percent of the site will be covered with impervious surfaces after project construction (for example, asphalt or buildings)?** Not applicable.
- h. Proposed measures to reduce or control erosion, or other impacts to the earth, if any.** Not applicable.

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. Not applicable.**
- b. **Are there any off-site sources of emissions or odor that may affect your proposal? If so, generally describe. Not applicable.**
- c. **Proposed measures to reduce or control emissions or other impacts to air, if any. Not applicable.**

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. Not applicable. This is a non-project related code amendment. All future site-specific development projects will be subject to SEPA analysis, if required.**
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. Not applicable.**
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. Not applicable.**
4. **Will the proposal require surface water withdrawals or diversions? Give a general description, purpose, and approximate quantities if known. Not applicable.**
5. **Does the proposal lie within a 100-year floodplain? If so, note location on the site plan. Not applicable.**
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. Not applicable.**

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. Not applicable. This is a non-project related code amendment. All future site-specific development projects will be subject to SEPA analysis, if required.**
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.

Not applicable.

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.** *Not applicable. This is a non-project related code amendment. All future site-specific development projects will be subject to SEPA analysis, if required.*
2. **Could waste materials enter ground or surface waters? If so, generally describe.** Not applicable.
3. **Does the proposal alter or otherwise affect drainage patterns in the vicinity of the site? If so, describe.** Not applicable.
4. **Proposed measures to reduce or control surface, ground, and runoff water, and drainage pattern impacts, if any.** Not applicable.

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

- a. **Check the types of vegetation found on the site:** Not applicable. Applies to Horn Rapids industrial and commercial properties.
- ☐ 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?** *Not applicable. This is a non-project related code amendment. All future site-specific development projects will be subject to SEPA analysis, if required.*
- c. **List threatened and endangered species known to be on or near the site.** *Not applicable. This is a non-project related code amendment. All future site-specific development projects will be subject to SEPA analysis, if required.*
- d. **Proposed landscaping, use of native plants, or other measures to preserve or enhance vegetation on the site, if any.** *Not applicable. This is a non-project related code amendment. All future site-specific development projects will be subject to SEPA analysis, if required.*
- e. **List all noxious weeds and invasive species known to be on or near the site.**
Not applicable. This is a non-project related code amendment. All future site-specific development projects will be subject to SEPA analysis, if required.

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.** *Not applicable. This is a non-project related code amendment. All future site-specific development projects will be subject to SEPA analysis, if required.*

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.** *Not applicable. This is a non-project related code amendment. All future site-specific development projects will be subject to SEPA analysis, if required.*
- c. **Is the site part of a migration route? If so, explain.** The Horn Rapids Employment Center is located within the City of Richland, which is within the Pacific Fly Way.
- d. **Proposed measures to preserve or enhance wildlife, if any.** *Not applicable. This is a non-project related code amendment. All future site-specific development projects will be subject to SEPA analysis, if required.*

- e. **List any invasive animal species known to be on or near the site.** *Not applicable. This is a non-project related code amendment. All future site-specific development projects will be subject to SEPA analysis, if required.*

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.** *Not applicable. This is a non-project related code amendment. All future site-specific development projects will be subject to SEPA analysis, if required.*
- b. **Would your project affect the potential use of solar energy by adjacent properties? If so, generally describe.** *Not applicable. This is a non-project related code amendment. All future site-specific development projects will be subject to SEPA analysis, if required.*
- 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.** *Not applicable. This is a non-project related code amendment. All future site-specific development projects will be subject to SEPA analysis, if required.*

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.** *Not applicable. This is a non-project related code amendment. All future site-specific development projects will be subject to SEPA analysis, if required.*

1. **Describe any known or possible contamination at the site from present or past uses.** *Not applicable. This is a non-project related code amendment. All future site-specific development projects will be subject to SEPA analysis, if required.*

- 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.** *Not applicable. This is a non-project related code amendment. All future site-specific development projects will be subject to SEPA analysis, if required.*
- 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.** *Not applicable. This is a non-project related code amendment. All future site-specific development projects will be subject to SEPA analysis, if required.*
- c. **Describe special emergency services that might be required.** *Not applicable. This is a non-project related code amendment. All future site-specific development projects will be subject to SEPA analysis, if required.*
- d. **Proposed measures to reduce or control environmental health hazards, if any.** *Not applicable.*

This is a non-project related code amendment. All future site-specific development projects will be subject to SEPA analysis, if required.

b. Noise

1. **What types of noise exist in the area which may affect your project (for example: traffic, equipment, operation, other)?** *Not applicable. This is a non-project related code amendment. All future site-specific development projects will be subject to SEPA analysis, if required.*
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)?** *Not applicable. This is a non-project related code amendment. All future site-specific development projects will be subject to SEPA analysis, if required.*
3. **Proposed measures to reduce or control noise impacts, if any.** *Not applicable. This is a non-project related code amendment. All future site-specific development projects will be subject to SEPA analysis, if required.*

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.** *Not applicable. This is a non-project related code amendment. All future site-specific development projects will be subject to SEPA analysis, if required.*
- 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?** *Not applicable. This is a non-project related code amendment. All future site-specific development projects will be subject to SEPA analysis, if required.*
 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?** *Not applicable. This is a non-project related code amendment. All future site-specific development projects will be subject to SEPA analysis, if required.*
- c. **Describe any structures on the site.** *Not applicable. This is a non-project related code amendment. All future site-specific development projects will be subject to SEPA analysis, if required.*
- d. **Will any structures be demolished? If so, what?** *Not applicable. This is a non-project related code amendment. All future site-specific development projects will be subject to SEPA analysis, if required.*
- e. **What is the current zoning classification of the site?** C-LB, C-1, C-3, I-M, M-2.
- f. **What is the current comprehensive plan designation of the site?** Industrial, Commercial

- g. **If applicable, what is the current shoreline master program designation of the site?** Not applicable.
- h. **Has any part of the site been classified as a critical area by the city or county? If so, specify.** *Not applicable. This is a non-project related code amendment. All future site-specific development projects will be subject to SEPA analysis, if required.*
- i. **Approximately how many people would reside or work in the completed project?** *Not applicable. This is a non-project related code amendment. All future site-specific development projects will be subject to SEPA analysis, if required.*
- j. **Approximately how many people would the completed project displace?** *Not applicable. This is a non-project related code amendment. All future site-specific development projects will be subject to SEPA analysis, if required.*
- k. **Proposed measures to avoid or reduce displacement impacts, if any.** *Not applicable. This is a non-project related code amendment. All future site-specific development projects will be subject to SEPA analysis, if required.*
- l. **Proposed measures to ensure the proposal is compatible with existing and projected land uses and plans, if any.** *Not applicable. This is a non-project related code amendment. All future site-specific development projects will be subject to SEPA analysis, if required.*
- m. **Proposed measures to reduce or control impacts to agricultural and forest lands of long-term commercial significance, if any.** *Not applicable. This is a non-project related code amendment. All future site-specific development projects will be subject to SEPA analysis, if required.*

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. This is a non-project related code amendment. All future site-specific development projects will be subject to SEPA analysis, if required.*
- b. **Approximately how many units, if any, would be eliminated? Indicate whether high, middle, or low-income housing.** *Not applicable. This is a non-project related code amendment. All future site-specific development projects will be subject to SEPA analysis, if required.*
- c. **Proposed measures to reduce or control housing impacts, if any.** *Not applicable. This is a non-project related code amendment. All future site-specific development projects will be subject to SEPA analysis, if required.*

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. This is a non-project related code amendment. All future site-specific development projects will be subject to SEPA analysis, if required.*
- b. **What views in the immediate vicinity would be altered or obstructed?** *Not applicable. This is a non-project related code amendment. All future site-specific development projects will be subject to SEPA analysis, if required.*
- c. **Proposed measures to reduce or control aesthetic impacts, if any.** *Not applicable. This is a non-project related code amendment. All future site-specific development projects will be subject to SEPA analysis, if required.*

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. This is a non-project related code amendment. All future site-specific development projects will be subject to SEPA analysis, if required.*
- b. **Could light or glare from the finished project be a safety hazard or interfere with views?** *Not applicable. This is a non-project related code amendment. All future site-specific development projects will be subject to SEPA analysis, if required.*
- c. **What existing off-site sources of light or glare may affect your proposal?** *Not applicable. This is a non-project related code amendment. All future site-specific development projects will be subject to SEPA analysis, if required.*
- d. **Proposed measures to reduce or control light and glare impacts, if any.** *Not applicable. This is a non-project related code amendment. All future site-specific development projects will be subject to SEPA analysis, if required.*

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

- a. **What designated and informal recreational opportunities are in the immediate vicinity?** *Not applicable. This is a non-project related code amendment. All future site-specific development projects will be subject to SEPA analysis, if required.*
- b. **Would the proposed project displace any existing recreational uses? If so, describe.** *Not applicable. This is a non-project related code amendment. All future site-specific development projects will be subject to SEPA analysis, if required.*
- c. **Proposed measures to reduce or control impacts on recreation, including recreation opportunities to be provided by the project or applicant, if any.** *Not applicable. This is a non-project related code amendment. All future site-specific development projects will be subject to SEPA analysis, if required.*

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.** *Not applicable. This is a non-project related code amendment. All future site-specific development projects will be subject to SEPA analysis, if required.*
- 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.** *Not applicable. This is a non-project related code amendment. All future site-specific development projects will be subject to SEPA analysis, if required.*
- 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.** *Not applicable. This is a non-project related code amendment. All future site-specific development projects will be subject to SEPA analysis, if required.*
- 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.** *Not applicable. This is a non-project related code amendment. All future site-specific development projects will be subject to SEPA analysis, if required.*

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.** *Not applicable. This is a non-project related code amendment. All future site-specific development projects will be subject to SEPA analysis, if required.*
- 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?** *Not applicable. This is a non-project related code amendment. All future site-specific development projects will be subject to SEPA analysis, if required.*
- 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).** *Not applicable. This is a non-project related code amendment. All future site-specific development projects will be subject to SEPA analysis, if required.*
- d. **Will the project or proposal use (or occur in the immediate vicinity of) water, rail, or air transportation? If so, generally describe.** *Not applicable. This is a non-project related code amendment. All future site-specific development projects will be subject to SEPA analysis, if required.*
- 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?** *Not applicable. This is a non-project related code amendment. All future site-specific development projects will be subject to SEPA analysis, if required.*

- 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.** *Not applicable. This is a non-project related code amendment. All future site-specific development projects will be subject to SEPA analysis, if required.*
- g. **Proposed measures to reduce or control transportation impacts, if any.** *Not applicable. This is a non-project related code amendment. All future site-specific development projects will be subject to SEPA analysis, if required.*

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

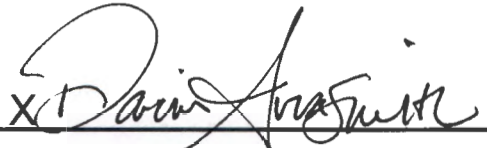
- a. **Would the project result in an increased need for public services (for example: fire protection, police protection, public transit, health care, schools, other)? If so, generally describe.** *Not applicable. This is a non-project related code amendment. All future site-specific development projects will be subject to SEPA analysis, if required.*
- b. **Proposed measures to reduce or control direct impacts on public services, if any.** *Not applicable. This is a non-project related code amendment. All future site-specific development projects will be subject to SEPA analysis, if required.*

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:** *Not applicable. This is a non-project related code amendment. All future site-specific development projects will be subject to SEPA analysis, if required.*
- 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.** *Not applicable. This is a non-project related code amendment. All future site-specific development projects will be subject to SEPA analysis, if required.*

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.


SEPA Responsible Official

Type name of signee: Darin Arrasmith

Position and agency/organization: Economic Development Planner, City of Richland – Economic Development Division.

Date submitted: May 15, 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?

It is not anticipated that development authorized by the proposed code amendment would result in any increase of discharge to water, emissions to air, productions, storage, the release of toxic or hazardous substances or production of noise.

- **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 text amendment will not result in any detrimental impacts to plants or animals.

- **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 text amendment will not result in additional 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 text amendment will not change a development proposal's requirement to comply with all local, state, and federal environmental regulations.

- **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?

Amendment not located within shorelines. Mini-warehouses would be prohibited in the Horn Rapids Employment Center.

- **Proposed measures to avoid or reduce shoreline and land use impacts are:** The proposed text amendment will not change a development proposal's requirement to comply with all local, state, and federal environmental regulations.

6. How would the proposal be likely to increase demands on transportation or public services and utilities? The proposed text amendment is not likely to increase demands on transportation or public services and utilities.

- **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. There is not a conflict as this will be consistent with Chapters 25.21 and 35A.21 RCW.

Please publish the following:

Type of Legal Ad: SEPA Determination Notice

Date(s) of Publication: Sunday, October 13, 2024

Richland's TCH Account: AP36823

For Invoice Text Box on TCH Invoice EA2024-116
(Richland MUNIS Description)

For PO Box on TCH Invoice D2586000 4401
(Richland Account No. - MUNIS)

Attention: Jen Anderson (TC)

**CITY OF RICHLAND
NOTICE OF SEPA DETERMINATION**

Date Notice Issued: October 2, 2024, per WAC 197-11-340(2)

File #: EA2024-116

Proponent: City of Richland Economic Development, Darin Arrasmith, 625 Swift Blvd, Richland, WA 99352

Proposal: Zoning text amendment to prohibit mini-warehouses in the Horn Rapids Employment Center..

Location of Proposal(s): The Horn Rapids Employment Center includes: Horn Rapids Industrial Park, Horn Rapids Business Center, Horn Rapids Commercial Plaza, Horn Rapids Retail Plaza, and the City-owned property fronting along the south side of Highway SR 240.

Determination: The City has reviewed the project for environmental impacts and has issued a determination of non-significance using the process outlined in WAC 197-11-340(2). This may be the only opportunity to comment on the environmental impacts of the proposal.

Public Comments Due: October 17, 2024

Contact: Mike Stevens, Planning Manager
625 Swift Boulevard, MS-35
Richland, WA 99352
mstevens@ci.richland.wa.us

Date Published: Sunday October 13, 2024



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.



Department of Commerce

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 City of Richland Economic Development Division request to amend the Richland Municipal Code [RMC] within Chapters RMC 23.22 and 23.26 to prohibit Mini-Warehouses within a limited geographic area of the city. Amending RMC Chapter 23.22 Commercial Zoning Districts with the following: RMC 23.22.030: Adding a superscript number 31 to the "P" symbol for Mini-Warehouse in the C-3 column of the Business and Personal Services section and adding footnote number 31 - "Mini-warehouse uses are prohibited in the Horn Rapids Employment Center." RMC 23.22.040: Adding footnote number 15 - "The Horn Rapids Employment Center is established as shown by Plate 23 .22.040(4)" and adding Plate No. 4 "Horn Rapids Employment Center". Amend RMC Chapter 23.26 Industrial Zoning Districts with the following: RMC 23.26.030: Adding a superscript number 15 to the "P" symbol for Mini-Warehouse in the I-M column of the Business and Personal Services section, and, adding footnote number 15 - "Mini-warehouse uses are prohibited in the Horn Rapids Employment Center." RMC 23.26.040: Adding footnote number 3 - "The Horn Rapids Employment Center is established as shown by Plate 23 .26.040(1)", and, adding Plate No. 1 "Horn Rapids Employment Center".
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 (First Reading) 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



Department of Commerce

C. Title:	Planning Manager
D. Email:	mstevens@ci.richland.wa.us
E. Work Phone:	(509) 942-7596
F. Cell/Mobile Phone: <i>(optional)</i>	
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.



Department of Commerce

ORDINANCE NO. 2024-XX

AN ORDINANCE OF THE CITY OF RICHLAND, WASHINGTON, AMENDING CHAPTERS 23.22 AND 23.26 OF THE RICHLAND MUNICIPAL CODE TO PROHIBIT MINI-WAREHOUSE BUSINESSES IN THE HORN RAPIDS EMPLOYMENT CENTER.

WHEREAS, the City has need, from time to time, to amend the Richland Municipal Code (RMC) to bring it into alignment with best practices; and

WHEREAS, The City of Richland annexed the land to be known as the Horn Rapids Employment Center into its boundaries through an annexation recorded in September of 1967, Ordinance number 428; and

WHEREAS, the City has identified the Horn Rapids Employment Center to be an area for significant employment opportunities; and

WHEREAS, the City has determined that the mini-warehouse use type does not meet the goal of providing significant employment opportunities.

NOW, THEREFORE, BE IT ORDAINED by the City of Richland as follows:

Section 1. Subsection 23.22.030 of the Richland Municipal Code, entitled Commercial use districts permitted land uses, as first enacted by Ordinance No. 28-05, and last amended by Ordinance No. 2022-19, is hereby amended to read as follows:

23.22.030 Commercial use districts permitted land uses

In the following chart, land use classifications are listed on the vertical axis. Zoning districts are listed on the horizontal axis.

A. If the symbol “P” appears in the box at the intersection of the column and row, the use is permitted, subject to the general requirements and performance standards required in that zoning district.

B. If the symbol “S” appears in the box at the intersection of the column and row, the use is permitted subject to the special use permit provisions contained in Chapter 23.46 RMC.

C. If the symbol “A” appears in the box at the intersection of the column and the row, the use is permitted as an accessory use, subject to the general requirements and performance standards required in the zoning district.

D. If a number appears in the box at the intersection of the column and the row, the use is subject to the general conditions and special provisions indicated in the corresponding note.

E. If no symbol appears in the box at the intersection of the column and the row, the use is prohibited in that zoning district.

Land Use	C-LB	C-1	C-2	C-3	CBD	WF	CR	CW
Agricultural Uses								
Raising Crops, Trees, Vineyards								P
Automotive, Marine and Heavy Equipment								
Automotive Repair – Major				P				
Automotive Repair – Minor		P	P	P	S			
Automotive Repair – Specialty Shop		S	P	P	S			
Automobile Service Station		P ¹	P ¹	P ¹	S ¹			
Auto Part Sales		P	P	P	S			
Boat Building				P				
Bottling Plants				P				p ²⁸
Car Wash – Automatic or Self-Service		P ²	P ²	P ²	S ²			
Equipment Rentals			P	P				
Farm Equipment and Supplies Sales				P				
Fuel Station/Mini Mart	S	P	P	P	P			
Heavy Equipment Sales and Repair				P				
Manufactured Home Sales Lot				P				
Marinas						P	P	
Marine Equipment Rentals				P		P	P	
Marine Gas Sales						A	A	
Marine Repair				P		P	P	
Towing, Vehicle Impound Lots				S ³				
Truck Rentals			P	P				
Truck Stop – Diesel Fuel Sales			S	P				
Truck Terminal				P				
Vehicle Leasing/Renting			P ⁴	P	S ⁴			
Vehicle Sales			P ⁴	P	S ⁴			
Warehousing, Wholesale Use				P				
Business and Personal Services								
Animal Shelter				S ⁵				
Automatic Teller Machines	P	P	P	P	P	P		P

Land Use	C-LB	C-1	C-2	C-3	CBD	WF	CR	CW
Commercial Kennel				P ⁵				
Contractors' Offices		P	P	P	P			
Funeral Establishments			P	P				
General Service Businesses	A	P	P	P	P	P		
Health/Fitness Facility	A	P	P	P	P	A	P	
Health/Fitness Center			P	P	P		P	
Health Spa		P	P	P	P	P		P
Hospital/Clinic – Large Animal				S ⁵				
Hospital/Clinic – Small Animal			S ⁵	P ⁵	P			
Laundry/Dry Cleaning, Com.				P	P ²⁹			
Laundry/Dry Cleaning, Neighborhood		P	P	P	P			
Laundry/Dry Cleaning, Retail	P	P	P	P	P	P		
Laundry – Self-Service		P	P	P	P			
Mini-Warehouse				P ^{6, 31}				
Mailing Service	P	P	P	P	P	P		
Personal Loan Business	P	P	P	P	P			
Personal Services Businesses	A	P	P	P	P	P		
Photo Processing, Copying and Printing Services	P	P	P	P	P	P		
Telemarketing Services	P		P	P	P			
Video Rental Store		P	P	P	P	P		P
Food Service								
Cafeterias	A		A	A	A	A	A	
Delicatessen	P	P	P	P	P	P	P	P
Drinking Establishments		P ⁷	P	P	P	P	P	P
Micro-Brewery			P	P	P	P	P	P
Portable Food Vendors ²⁶	A ²⁷	A ²⁷	A ²⁷	A ²⁷	A ²⁷	A ²⁷	A ²⁷	A ²⁸
Restaurants/Drive-Through		S ⁸	P ⁸	P ⁸	S ^{8, 9}	S ^{8, 9}		
Restaurants/Lounge		P ⁷	P	P	P	P	P	P
Restaurants/Sit Down	A	P	P	P	P	P	P	P
Restaurants/Take Out		P	P	P	P	P		P

Land Use	C-LB	C-1	C-2	C-3	CBD	WF	CR	CW
Restaurants with Entertainment/Dancing Facilities		P ⁷	P	P	P	P	P	P
Vehicle-Based Food Service		p ³⁰	p ³⁰	p ³⁰	p ³⁰	p ³⁰		
Wineries – Tasting Room		P ⁷	P	P	P	P	P	P
Industrial/Manufacturing Uses								
Laundry and Cleaning Plants				P				p ²⁸
Light Manufacturing Uses				P				p ²⁸
Warehousing and Distribution Facilities				P				p ²⁸
Wholesale Facilities and Operations				P				p ²⁸
Wineries – Production				P				P
Office Uses								
Financial Institutions	P	P/S ²²	P	P	P/S ²²	P		
Medical, Dental and Other Clinics	P	P	P	P	P	P		
Newspaper Offices and Printing Works			P	P	P			
Office – Consulting Services	P	P	P	P	P	P		p ²⁸
Office – Corporate	P		P	P	P	P		p ²⁸
Office – General	P	P	P	P	P	P		p ²⁸
Office – Research and Development	P		P	P	P			p ²⁸
Radio and Television Studios			P	P	P			
Schools, Commercial	P		P	P	P	P		
Schools, Trade			P	P	P			p ²⁸
Travel Agencies	P	P	P	P	P	P		
Public/Quasi-Public Uses								
Churches	P ¹⁰	P ¹⁰	P ¹⁰	P ¹⁰	P	P ¹⁰		
Clubs or Fraternal Societies	P ¹⁰	P ¹⁰	P ¹⁰	P ¹⁰	P ¹⁰	P ¹⁰		
Cultural Institutions	P ¹⁰	P ¹⁰	P ¹⁰		P ¹⁰	P ¹⁰		P ¹⁰
General Park O&M Activities	P	P	P	P	P	P	P	P
Hospitals	P		P	P	P			
Passive Open Space Use	P	P	P	P	P	P	P	P

Land Use	C-LB	C-1	C-2	C-3	CBD	WF	CR	CW
Power Transmission and Irrigation Wasteway Easements and Utility Uses	P ¹¹	P ¹¹	P ¹¹	P ¹¹	P ¹¹	P ¹¹	P ¹¹	P ¹¹
Public Agency Buildings	P	P	P	P	P	P	P	
Public Agency Facilities	P ¹¹	P ¹¹	P ¹¹	P ¹¹	P ¹¹	P ¹¹	P ¹¹	P ¹¹
Public Campgrounds				S			S	
Public Parks	P	P	P	P	P	P	P	P
Schools	P ¹²	P ¹²	P ¹²	P ¹²	P ¹²	P ¹²		
Schools, Alternative	P ¹³	P ¹³	P ¹³	P ¹³	P ¹³			
Special Events Including Concerts, Tournaments and Competitions, Fairs, Festivals and Similar Public Gatherings	P	P	P	P	P	P	P	P
Trail Head Facilities	P	P	P	P	P	P	P	P
Trails for Equestrian, Pedestrian, or Nonmotorized Vehicle Use	P	P	P	P	P	P	P	P
Recreational Uses								
Art Galleries			P	P	P	P	P	P
Arcades		P	P	P	P	P	P	
Boat Mooring Facilities						P	P	
Cinema, Indoor			P	P	P	P	P	
Cinema, Drive-In			P	P				
Commercial Recreation, Indoor		S ⁷	P	P	P	P	P	
Commercial Recreation, Outdoor			P	P		P	P	
House Banked Card Rooms				P ¹⁴	P ¹⁴	P ¹⁴	P ¹⁴	
Recreational Vehicle Campgrounds				S ¹⁵			S ¹⁵	
Recreational Vehicle Parks				S ¹⁶			S ¹⁶	
Stable, Public				S ¹⁷				
Theater		P ⁷	P	P	P	P	P	P
Residential Uses								
Accessory Dwelling Unit		A	A	A	A	A		A
Apartment, Condominium (3 or more units)	P		P ¹⁸		P	P		
Assisted Living Facility	P		P		P ¹⁸	P		

Land Use	C-LB	C-1	C-2	C-3	CBD	WF	CR	CW
Bed and Breakfast	P	P	P	P	P	P	P	P
Day Care Center	p ¹⁹	p ¹⁹	p ¹⁹	p ¹⁹	p ¹⁹	p ¹⁹		
Dormitories, Fraternities, and Sororities	P				P	P		
Dwelling, One-Family Attached						p ²⁵		
Dwelling, Two-Family Detached						P		
Dwelling Units for a Resident Watchman or Custodian				A				p ²⁸
Emergency Housing	P		P	P	P	P	P	P
Emergency Shelters	P		P	P	P	P	P	P
Family Day Care Home	p ¹⁹					p ¹⁹		
Houseboats						P	P	
Hotels or Motels	P		P	P	P	P	P	P
Nursing or Rest Home	P		P		p ¹⁸	P		
Permanent Supportive Housing	P		P	P	P	P	P	P
Recreational Club	A				A	A		
Senior Housing	P				p ¹⁸	P		
Temporary Residence	p ²⁰	p ²⁰	p ²⁰	p ²⁰	p ²⁰	p ²⁰		P
Transitional Housing	P		P	P	P	P	P	P
Retail Uses								
Adult Use Establishments				p ²¹				
Apparel and Accessory Stores		P	P	P	P	P		P
Auto Parts Supply Store		P	P	P	P			
Books, Stationery and Art Supply Stores	A	P	P	P	P	P		P
Building, Hardware, Garden Supply Stores		P	P	P	P			
Department Store			P	P	P			
Drug Store/Pharmacy	A	P/S ²²	P	P	P	P		
Electronic Equipment Stores		P	P	P	P	P		
Food Stores		P	P	P	P	P		
Florist		P	P	P	P	P		P

Land Use	C-LB	C-1	C-2	C-3	CBD	WF	CR	CW
Furniture, Home Furnishings and Appliance Stores		P	P	P	P			
Landscaping Material Sales			A	P				
Lumberyards				P				
Nursery, Plant				P				P
Office Supply Store	A	P	P	P	P	P		
Outdoor Sales				P				
Parking Lot or Structure	P	P	P	P	A	P		P
Pawn Shop				P				
Pet Shop and Pet Supply Stores		P	P	P	P			
Retail Hay, Grain and Feed Stores				P				
Secondhand Store			P	P	P	P		
Specialty Retail Stores		P	P	P	P	P		P
Miscellaneous Uses								
Bus Station				P	P			
Bus Terminal				P	P			
Bus Transfer Station	P		P	P	P		P	
Cemetery	P		P	P				
Community Festivals and Street Fairs	P	P	P	P	P	P	P	P
Convention Center	P		P	P	P	P	P	
Macro-Antennas	P	P	P	P	P	P	P	P
Monopole			S ²³	P/S ²³	S ²³			
On-Site Hazardous Waste Treatment and Storage	A	A	A	A	A	A	A	A
Outdoor Storage		A ²⁴	A ²⁴	P ²⁴				
Storage in an Enclosed Building	A	A	A	A	A	A	A	A ²⁸

1. RMC 23.42.280
2. RMC 23.42.270
3. RMC 23.42.320
4. RMC 23.42.330
5. RMC 23.42.040
6. RMC 23.42.170
7. RMC 23.42.053
8. RMC 23.42.047

9. RMC 23.42.055
10. RMC 23.42.050
11. RMC 23.42.200
12. RMC 23.42.250
13. RMC 23.42.260
14. RMC 23.42.100
15. RMC 23.42.230
16. RMC 23.42.220
17. RMC 23.42.190
18. Use permitted on upper stories of multistory buildings, if main floor is used for commercial or office uses.
19. RMC 23.42.080
20. RMC 23.42.110
21. RMC 23.42.030
22. Use permitted, requires special use permit with drive-through window.
23. Chapter 23.62 RMC
24. RMC 23.42.180
25. RMC 23.18.025
26. See definition, RMC 23.06.780.
27. RMC 23.42.185
28. Activities permitted only when directly related to and/or conducted in support of winery operations.
29. Within the central business district (CBD), existing commercial laundry/dry cleaning uses, established and operating at the time the CBD district was established, are allowed as a permitted use. All use of the land and/or buildings necessary and incidental to that of the commercial laundry/dry cleaning use, and existing at the effective date of the CBD district, may be continued. Commercial laundry/dry cleaning uses not established and operating at the time the CBD district was established are prohibited.
30. RMC 23.42.325
31. [Mini-Warehouse uses are prohibited in the Horn Rapids Employment Center.](#)

Section 2. Subsection 23.22.040 of the Richland Municipal Code, entitled Site requirements and development standards for commercial use districts, as first enacted by Ordinance No. 28-05, and last amended by Ordinance No. 15-21, is hereby amended to read as follows:

23.22.040 Site requirements and development standards for commercial use districts.

In the following chart, development standards are listed on the vertical axis. Zoning districts are listed on the horizontal axis. The number appearing in the box at the intersection of the column and row represents the dimensional standard that applies to that zoning district.

Standard	C-LB	C-1	C-2	C-3	CBD	WF	CR	CW
Minimum Lot Area	None	None	None	None	None	None	None	None
Maximum Density – Multifamily Dwellings (units:square feet)	1:1,500	N/A	N/A	N/A	None	1:1,000	N/A	N/A
Minimum Lot Width – One-Family Attached Dwellings	N/A	N/A	N/A	N/A	N/A	30 feet	N/A	N/A
Minimum Front Yard Setback ¹⁴	20 feet	45 feet ¹	0 feet ²	0 feet ²	CBD, Parkway, Uptown Districts: 0	Note 4,5	Note 4	20 feet

Standard	C-LB	C-1	C-2	C-3	CBD	WF	CR	CW
					feet min. – 20 feet max. ^{3,11,13} Medical District: 0 feet min.			
Minimum Side Yard Setback	0 feet ⁶	0 feet ⁷	None	None	0 feet ^{6,8}	0 feet ^{5,9}	0 feet	0 feet ^{6,8}
Minimum Rear Yard Setback	0 feet ^{6,8}	0 feet ⁷	None	None	0 feet ^{6,8}	0 feet ^{5,8,10}	0 feet	0 feet ^{6,8}
Maximum Building Height ¹⁴	55 feet	30 feet	80 feet	80 feet	CBD: 110 feet Medical: 140 feet Parkway: 50 feet Uptown: 50 feet	35/55 feet ¹²	35/55 feet ¹²	35 feet
Minimum Dwelling Unit Size (in square feet, excluding porches, decks, balconies and basements)	500 feet	N/A	N/A	N/A	N/A	500 feet	N/A	N/A

1. Each lot shall have a front yard 45 feet deep or equal to the front yards of existing buildings in the same C-1 district and within the same block.
2. No setback required if street right-of-way is at least 80 feet in width. Otherwise, a minimum setback of 40 feet from street centerline is required.
3. Unless a greater setback is required by Chapter 12.11 RMC, Intersection Sight Distance.
4. Front and Side Street. No building shall be closer than 40 feet to the centerline of a public right-of-way. The setback area shall incorporate pedestrian amenities such as increased sidewalk width, street furniture, landscaped area, public art features, or similar features.
5. In the case of attached one-family dwelling units, setback requirements shall be as established for attached dwelling units in the medium-density residential small lot (R-2S) zoning district. Refer to RMC 23.18.040.
6. In any commercial limited business (C-LB), central business (CBD) or in any commercial winery (CW) zoning district that directly abuts a single-family zoning district, the following buffer, setback and building height regulations shall apply to all structures:
 - a. Within the commercial limited business (C-LB), the central business district (CBD) and the commercial winery (CW) districts, buildings shall maintain at least a 35-foot setback from any property that is zoned for single-family residential use. Single-family residential zones include R-1-12 – single-family residential 12,000, R-1-10 – single-family residential 10,000, R-2 – medium-density residential, R-2S – medium-density residential small lot, or any residential planned unit development that is comprised of single-family detached dwellings.
 - b. Buildings that are within 50 feet of any property that is zoned for single-family residential use in commercial limited business (C-LB) and the commercial winery (CW) districts and buildings that are within 50 feet of any property that is zoned for and currently developed with a single-family residential use in the central business district (CBD) (as defined in footnote (6)(a)) shall not exceed 30 feet in height.

Beyond the area 50 feet from any property that is zoned for single-family residential use, building height may be increased at the rate of one foot in building height for each additional one foot of setback from property that is zoned for single-family residential use to the maximum building height allowed in the C-LB, CW and CBD zoning districts, respectively.

c. A six-foot-high fence that provides a visual screen shall be constructed adjacent to any property line that adjoins property that is zoned for single-family residential use, or currently zoned for and developed with a single-family residential use in the CBD district. Additionally, a 10-foot landscape strip shall be provided adjacent to the fence. This landscape strip may be used to satisfy the landscaping requirements established for the landscaping of parking facilities as identified in RMC 23.54.140.

d. In the C-LB and CW districts, a 20-foot setback shall be provided for any side yard that adjoins a street.

7. Side yard and rear yard setbacks are not required except for lots adjoining a residential development, residential district, or a street. Lots adjoining either a residential development or residential district shall maintain a minimum 15-foot setback. Lots adjoining a street shall maintain a minimum 20-foot setback. Required side or rear yards shall be landscaped or covered with a hard surface, or a combination of both. No accessory buildings or structures shall be located in such yards unless otherwise permitted by this title.

8. No minimum required, except parking shall be set back a minimum of five feet to accommodate required landscape screening as required under RMC 23.54.140.

9. Side Yard. No minimum, except parking shall be set back a minimum of five feet, and buildings used exclusively for residences shall maintain at least one foot of side yard for each three feet or portion thereof of building height. Side yards adjoining a residential district shall maintain setbacks equivalent to the adjacent residential district.

10. No minimum, except parking shall be set back a minimum of five feet. Rear yards adjoining a residential district shall maintain setbacks equivalent to the adjacent residential district.

11. Commercial developments such as community shopping centers or retail centers over 40,000 square feet in size and typically focused around a major tenant, such as a supermarket grocery, department store or discount store, and supported with smaller “ancillary” retail shops and services located in multiple building configurations, are permitted front and street side maximum setback flexibility for the largest building. Maximum setback standards on any other new buildings may be adjusted by the planning commission as part of the alternative design review as set forth in the performance standards and special requirements of RMC 23.22.020(E)(9).

12. All buildings that are located in both the waterfront (WF) district and that fall within the jurisdictional limits of the Shoreline Management Act shall comply with the height limitations established in the Richland shoreline master program (RMC Title 26). Buildings in the WF district that are not subject to the Richland shoreline master program shall not exceed a height of 35 feet, unless the planning commission authorizes an increase in building height to a maximum height of 55 feet, based upon a review of the structure and a finding that the proposed building is aesthetically pleasing in relation to buildings and other features in the vicinity and that the building is located a sufficient distance from the Columbia River to avoid creating a visual barrier.

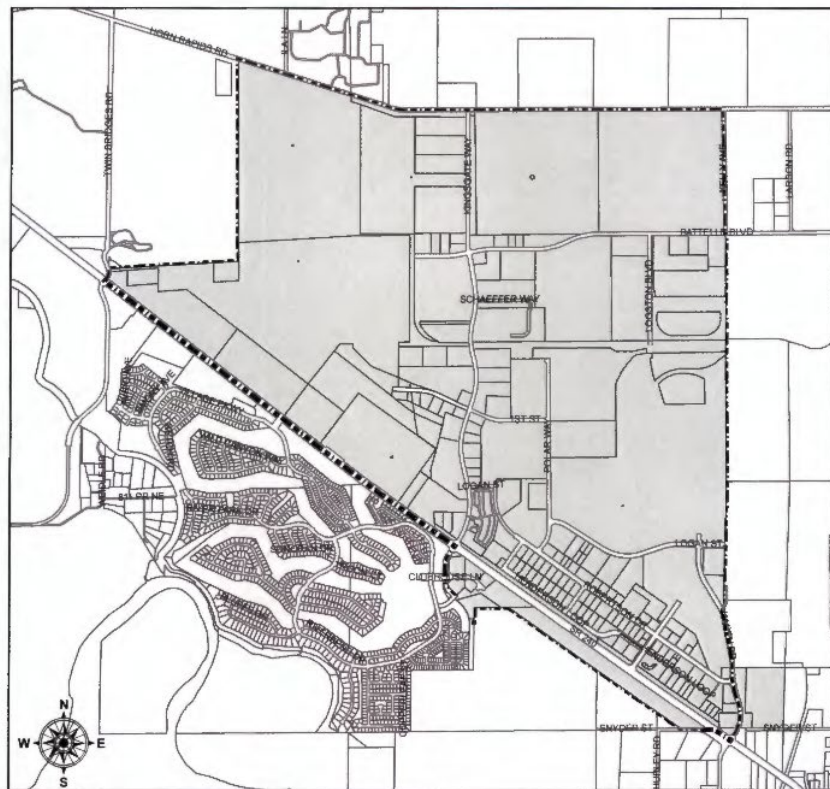
13. Physical additions to existing nonconforming structures are not subject to the maximum front yard setback requirements.

14. The medical, uptown and parkway districts of the CBD zoning district are established as shown by Plates 23.22.040(1), (2) and (3).

[15. The Horn Rapids Employment Center is established as shown by Plate 23.22.040\(4\).](#)

PLATE NO. 4 - 23.22.040

PLATE 4



HORN RAPIDS EMPLOYMENT CENTER

Section 3. Subsection 23.26.030 of the Richland Municipal Code, entitled Industrial use districts permitted land uses, as first enacted by Ordinance No. 28-05, and last amended by Ordinance No. 2022-19, is hereby amended to read as follows:

23.26.030 Industrial use districts permitted land uses.

In the following chart, land use classifications are listed on the vertical axis. Zoning districts are listed on the horizontal axis.

A. If the symbol “P” appears in the box at the intersection of the column and row, the use is permitted, subject to the general requirements and performance standards required in that zoning district.

B. If the symbol “S” appears in the box at the intersection of the column and row, the use is permitted subject to the special use permit provisions contained in Chapter 23.46 RMC.

C. If the symbol “A” appears in the box at the intersection of the column and the row, the use is permitted as an accessory use, subject to the general requirements and performance standards required in the zoning district.

D. If a number appears in the box at the intersection of the column and the row, the use is subject to the general conditions and special provisions indicated in the corresponding note.

E. If no symbol appears in the box at the intersection of the column and the row, the use is prohibited in that zoning district.

Land Use	I-M	M-2
Automotive, Marine and Heavy Equipment Uses		
Automotive Repair – Major	P	P
Automotive Repair – Minor	P	
Automotive Repair – Specialty Shop	P	
Automobile Service Station	P	
Automobile Wrecking		S ¹
Boat Building	P	P
Bottling Plants	P	P
Car Wash – Automatic or Self-Service	P ²	A
Equipment Rentals	P	
Farm Equipment and Supplies Sales	P	S
Gas/Fuel Station	P	S
Heavy Equipment Sales and Repair	P	P
Marine Repair	P	P
Towing, Vehicle Impound Lots	P ³	
Truck Rentals	P	

Land Use	I-M	M-2
Truck Stop – Diesel Fuel Sales	P	P
Truck Terminal	P	P
Vehicle Sales	P	
Warehousing, Wholesale Use	P	P
Business and Personal Services		
Animal Shelter	S ⁴	
Contractors' Offices and Shops	P	
General Service Businesses	P	P
Health/Fitness Facility	P	A
Health/Fitness Center	P	
Laundry/Dry Cleaning, Commercial	P	
Laundry/Dry Cleaning, Retail	P	
Mini-Warehouse	P ^{5, 15}	
Mailing Service	P	
Personal Loan Business	P	
Personal Services Businesses	P	
Photo Processing, Copying and Printing Services	P	
Telemarketing Services	P	
Food Service		
Cafeterias	A	A
Delicatessen	A	A
Drinking Establishments	P	P
Restaurants/Sit Down	P	
Restaurants/Drive-Through	P ⁶	A ⁶
Restaurants/Lounge	P	
Restaurants/Take Out	P	
Restaurants with Entertainment/Dancing Facilities	P	
Wineries	P	
Industrial/Manufacturing Uses		
Airport, Industrial	P	

Land Use	I-M	M-2
Excavating, Processing, Removal of Topsoil, Sand, Gravel, Rock or Similar Natural Deposits	S ⁷	S ⁷
Junkyard		S
Laundry and Cleaning Plants	P	P
General Manufacturing Uses	P	P
Heavy Manufacturing Uses		P
Light Manufacturing Uses	P	P
Research, Development and Testing Facilities	P	P
Warehousing, Storage and Distribution	P	P
Wholesale Facilities and Operations	P	P
Office Uses		
Financial Institutions	P	
Medical, Dental and Other Clinics	P	
Office – Consulting Services	P	
Office – Corporate	P	
Office – General	P	
Office – Research and Development	P	P
Public/Quasi-Public Uses		
General Park Operations and Maintenance Activities	P	P
Passive Open Space Use	P	P
Power Transmission and Irrigation Wasteway Easements and Utility Uses	P ⁸	P ⁸
Public Agency Buildings	P ⁸	P ⁸
Public Agency Facilities	P ⁸	P ⁸
Public Parks	P	
Special Events Including Concerts, Tournaments and Competitions, Fairs, Festivals and Similar Public Gatherings	P	P
Trail Head Facilities	P	P
Trails for Equestrian, Pedestrian, or Nonmotorized Vehicle Use	P	P
Recreational Uses		
Commercial Recreation, Outdoor	S ⁹	
Residential Uses		

Land Use	I-M	M-2
Accessory Dwelling Unit	A	
Day Care Center	S ¹⁰	
Dwelling Units for a Resident Watchman or Custodian	A	A
Emergency Housing	S	S
Emergency Shelters	S	S
Hotels or Motels	S	S
Permanent Supportive Housing	S	S
Temporary Residence	P ¹¹	P ¹¹
Transitional Housing	S	S
Retail Uses		
Adult Use Establishments	P ¹²	
Airport, Commercial	P	
Parking Lot or Structure	P	P
Miscellaneous Uses		
Bus Station	P	
Bus Terminal	P	
Bus Transfer Station	P	P
Community Festivals and Street Fairs	P	P
Farming of Land	P	P
Macro-Antennas	P	P
Monopole	P ¹³	P ¹³
On-Site Hazardous Waste Treatment and Storage	P	P
Outdoor Storage	P ¹⁴	P ¹⁴
Storage in an Enclosed Building	P	P

1. RMC 23.42.290
2. RMC 23.42.270
3. RMC 23.42.320
4. RMC 23.42.040
5. RMC 23.42.170
6. RMC 23.42.047
7. RMC 23.42.070
8. RMC 23.42.200
9. RMC 23.42.175
10. RMC 23.42.080

11. RMC 23.42.110
12. RMC 23.42.030
13. Chapter 23.62 RMC
14. RMC 23.42.180
15. [Mini-Warehouse uses are prohibited in the Horn Rapids Employment Center.](#)

Section 4. Subsection 23.26.040 of the Richland Municipal Code, entitled Site requirements for industrial use districts, as first enacted by Ordinance No. 28-05, and last amended by Ordinance No. 32-11, is hereby amended to read as follows:

23.26.040 Site requirements for industrial use districts.

In the following chart, development standards are listed on the vertical axis. Zoning districts are listed on the horizontal axis. The number appearing in the box at the intersection of the column and row represents the dimensional standard that applies to that zoning district.

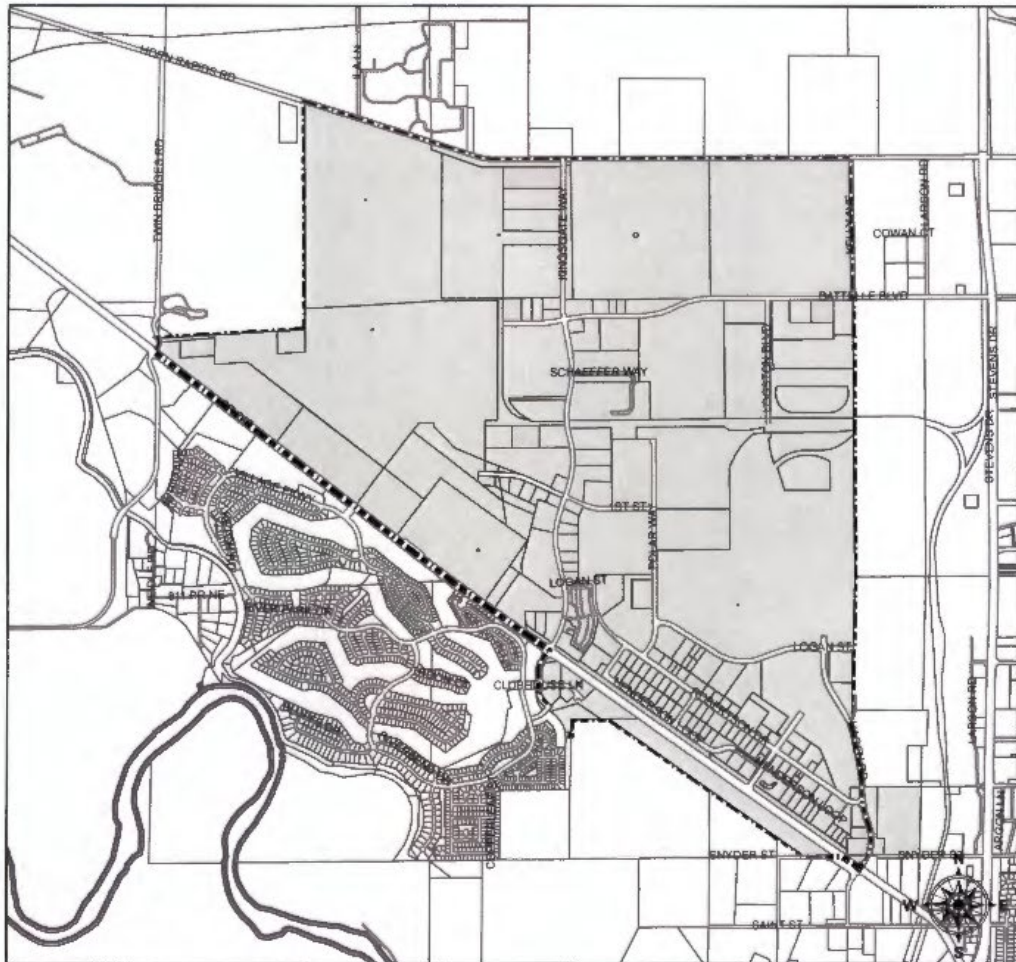
Standard	I-M	M-2
Minimum Lot Area	None	None
Minimum Front Yard Setback	0 feet ¹	0 feet ¹
Minimum Side Yard Setback	None	None
Minimum Rear Yard Setback	None	None
Maximum Building Height – Main Building	55 feet ²	None

1. No setback required if street right-of-way is at least 80 feet in width. Otherwise, a minimum setback of 40 feet from street centerline is required.
2. Except as otherwise provided in this section, the maximum building height in the I-M district shall be 55 feet:
 - a. Any building or structure located within 300 feet of any residential use district shall be limited to 24 feet in height.
 - b. Any building further than 300 feet but less than 600 feet from districts described in note (2)(a) of this section shall not exceed 55 feet in height.
 - c. Except as provided in notes (2)(a) and (b) of this section, buildings may exceed the maximum height in accordance with the provisions of RMC 23.38.090.

[3. The Horn Rapids Employment Center is established as shown by Plate 23.26.040\(1\).](#)

PLATE NO. 1 - 23.26.040

PLATE 1



HORN RAPIDS EMPLOYMENT CENTER

Section 5. This Ordinance shall take effect the day following its publication in the official newspaper of the City of Richland.

Section 6. Should any section or provision of this Ordinance be declared by a court of competent jurisdiction to be invalid, that decision shall not affect the validity of the Ordinance as a whole or any part thereof, other than the part so declared to be invalid.

Section 7. The City Clerk and the codifiers of this Ordinance are authorized to make necessary corrections to this Ordinance, including but not limited to the correction of scrivener's errors/clerical errors, section numbering, references, or similar mistakes of form.

PASSED by the City Council of the City of Richland, Washington, at a regular meeting on the ____ day of _____, 2024.

Theresa Richardson, Mayor

Attest:

Approved as to Form:

Jennifer Rogers, City Clerk

Heather Kintzley, City Attorney

First Reading: _____

Second Reading: _____

Date Published: _____



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

10/02/2024

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-7556--Request for Expedited Review / Notice of Intent to Adopt Amendment

Dear Mr. Stevens:

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

Proposed City of Richland Economic Development Division request to amend the Richland Municipal Code [RMC] within Chapters RMC 23.22 and 23.26 to prohibit Mini-Warehouses within a limited geographic area of the city.

We received your submittal on 10/02/2024 and processed it with the Submittal ID 2024-S-7556. Please keep this letter as documentation that you have met this procedural requirement. Your 60-day notice period ends on 12/01/2024.

You requested expedited review under [RCW 36.70A.106\(3\)\(b\)](#). We have forwarded a copy of this notice to other state agencies for expedited review and comment. If one or more state agencies indicate that they will be commenting, then Commerce will deny expedited review and the standard 60-day review period (from date received) will apply. Commerce will notify you by e-mail regarding of approval or denial of your expedited review request. If approved for expedited review, then final adoption may occur no earlier than fifteen calendar days after the original date of receipt by Commerce.

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

From: [Stevens, Mike](#)
To: [Hendricks, Kyle](#)
Subject: FW: City of Richland - Expedited Review Request Granted for Submittal ID: 2024-S-7556
Date: Wednesday, October 16, 2024 1:28:44 PM
Attachments: [image001.png](#)

Please place in the Commerce file for the code amendment.



Mike Stevens
Planning Manager
625 Swift Blvd., MS-35 | Richland, WA 99352
(509) 942-7596

From: COM GMU Review Team <reviewteam@commerce.wa.gov>
Sent: Wednesday, October 16, 2024 7:11 AM
To: Stevens, Mike <mstevens@CI.RICHLAND.WA.US>
Subject: City of Richland - Expedited Review Request Granted for Submittal ID: 2024-S-7556

[EXTERNAL EMAIL] Exercise caution before clicking links or opening attachments.

Dear Mr. Stevens,

Your request for an Expedited Review has been granted for: Proposed City of Richland Economic Development Division request to amend the Richland Municipal Code [RMC] within Chapters RMC 23.22 and 23.26 to prohibit Mini-Warehouses within a limited geographic area of the city.

As of receipt of this email, you have met the Growth Management notice to state agency requirements in RCW 36.70A.106 for this submittal. Please keep this email as confirmation.

If you have any questions, please contact Deanah Watson at (509) 290-4754 or by email at deanah.watson@commerce.wa.gov.

~~~ ONLINE TRACKING SYSTEM AVAILABLE ~~~~

Log into our new PlanView system at <https://secureaccess.wa.gov/com/planview> where you can keep up with this submittal status, reprint communications and update your contact information.

Don't have a user account? Reply to this email to request one and attach a completed PlanView User Request Form.

Have questions about using PlanView? Use the PlanView User Manual for assistance

at <https://www.commerce.wa.gov/serving-communities/growth-management/washington-department-of-commerce-growth-management-submitting-materials/>.

Sincerely,

Review Team  
Growth Management Services

---

*Disclaimer: Emails and attachments sent to or from the City of Richland are public records subject to release under the Washington Public Records Act, Chapter 42.56 RCW. Sender and Recipient have no expectation of privacy in emails transmitted to or from the City of Richland.*



## Exhibit 5

# CITY OF RICHLAND COMBINED NOTICE OF APPLICATION, NOTICE OF PUBLIC HEARING AND REQUEST FOR COMMENT (CA2024-102 & EA2024-116)

The City of Richland is proposing to adopt an ordinance amending sections 23.22 and 23.26 of the Richland Municipal Code to prohibit Mini-Warehouses within a limited geographic area of the city to be referred to as the Horn Rapids Employment Center.

Pursuant to Richland Municipal Code [RMC] Section 19.20 the Richland Planning Commission will conduct a public hearing and review of the proposed code amendment on Wednesday, October 23, 2024 at 6:00 p.m. in the Richland City Hall Council Chambers, 625 Swift Blvd. All interested parties are invited to attend and present testimony at the public hearing.

**Environmental Review:** The proposal is subject to environmental review. The City of Richland is lead agency for the proposal under the State Environmental Policy Act (SEPA) and has reviewed the proposed project for probable adverse environmental impacts. A Determination of Non-Significance (DNS) was issued by the City on October 2, 2024. Comments regarding the SEPA Checklist and DNS are due by 5:00 PM, Thursday, October 17, 2024.

Any person desiring to express his/her views regarding the proposed text amendment or to be notified of any decisions pertaining to this application should notify Mike Stevens, Planning Manager, 625 Swift Blvd., MS-35, Richland, WA 99352. Comments may also be emailed to [planning@ci.richland.wa.us](mailto:planning@ci.richland.wa.us). Written comments should be received no later than 5:00 p.m. on Thursday, October 17, 2024 to be incorporated into the staff report. Comments received after that date will be entered into the record at the hearing.

Copies of the Staff Report and recommendation will be available on the City of Richland website [www.ci.richland.wa.us](http://www.ci.richland.wa.us) beginning Friday, October 18, 2024.

AFFIDAVIT OF PUBLICATION

| Account # | Order Number | Identification                          | Order PO                | Amount   | Cols | Depth |
|-----------|--------------|-----------------------------------------|-------------------------|----------|------|-------|
| 36823     | 599270       | Print Legal Ad-IPL01977320 - IPL0197732 | PC PHN CA 2024-102 &EA2 | \$186.42 | 1    | 60 L  |

Attention: Jennifer Anderson  
CITY OF RICHLAND/LEGALS  
625 SWIFT BLVD. MS-05  
RICHLAND, WA 99352

janderson@ci.richland.wa.us

CITY OF RICHLAND  
NOTICE OF APPLICATION,  
PUBLIC HEARING AND  
OPTIONAL DNS  
(CA2024-102 & EA2024-116)

Notice: Zoning text amendment to prohibit mini-warehouses in the Horn Rapids Employment Center.

Project Site: The Horn Rapids Employment Center includes: Horn Rapids Industrial Park, Horn Rapids Business Center, Horn Rapids Commercial Plaza, Horn Rapids Retail Plaza, and the City-owned property fronting along the south side of Highway SR-240.

Public Hearing: Pursuant to Richland Municipal Code (RMC) Section 19.20, the Richland Planning Commission will conduct a public hearing and review of the proposed code amendment on **Wednesday, October 23, 2024 at or after 6:00 p.m.** in the Richland City Hall Council Chambers, 625 Swift Blvd. All interested parties are invited to attend and present testimony at the public hearing.

Environmental Review: The proposal is subject to environmental review. The City of Richland is lead agency for the proposal under the State Environmental Policy Act (SEPA) and has reviewed the proposed project for probable adverse environmental impacts. A Determination of Non-Significance (DNS) was issued by the City on October 2, 2024. Comments regarding the SEPA Checklist and DNS are due by 5:00 p.m. on Thursday, October 17, 2024.

Public Comment: Any person desiring to express his/her views regarding the proposed text amendment or to be notified of any decisions pertaining to this application should notify Mike Stevens, Planning Manager, 625 Swift Blvd., MS-35, Richland, WA 99352. Comments may also be emailed to planning@ci.richland.wa.us. Written comments should be received no later than 5:00 p.m. on Thursday, October 17, 2024, to be incorporated into the staff report. Comments received after that date will be entered into the record at the hearing.

Date Published: Sunday, October 6, 2024  
IPL0197732  
Oct 6 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 10/06/2024, and ending on 10/06/2024 and that said newspaper was regularly distributed to its subscribers during all of this period.

1 insertion(s) published on:  
10/06/24

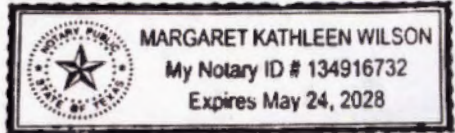
Mary Castro

(Signature of Legals Clerk)

Sworn to and subscribed before me this 7th day of October in the year of 2024

Margaret K. Wilson

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!



**MINUTES  
PLANNING COMMISSION MEETING  
WEDNESDAY, OCTOBER 23, 2024  
City Hall – 625 Swift Boulevard – Council Chamber  
6:00 p.m.**

---

**Call to Order:**

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

**Attendance:**

**Present:** Chair Richardson, Vice-Chair Townsend, Members Lambert, Miller, and Samuel.

Also present were Councilmember VanDyke, Development Services Director Jensen, Planning Manager Stevens, Economic Development Manager Wallner, CDBG/HOME Administrator Lehman and Administrative Assistant II Kirkpatrick.

**Approval of Agenda:**

Chair Richardson presented the meeting agenda for review and approval.

**COMMISSIONER TOWNSEND MOVED AND COMMISSIONER SAMUEL SECONDED THE MOTION TO APPROVE AGENDA AS PUBLISHED. THE MOTION PASSED 5-0.**

**Approval of Minutes:**

Chair Richardson presented the minutes for the September 25, 2024 Planning Commission Meeting, and the October 9, 2024 Planning Commission Workshop.

**COMMISSIONER SAMUEL MOTIONED AND COMMISSIONER TOWNSEND SECONDED THE MOTION TO APPROVE THE MINUTES OF THE SEPTEMBER 25, 2024 PLANNING COMMISSION MEETING, AND THE OCTOBER 9, 2024 PLANNING COMMISSION WORKSHOP. THE MOTION PASSED 5-0.**

**Public Comments:**

Chair Richardson opened public comment at 6:05 pm. With no public comments, he closed the comment period at 6:05 pm.

**New Business – Public Hearing:**

**2. 2025 Community Development Block Grant (CDBG) Application Presentation**

CDBG/HOME Administrator Lehman provided the Commission with an overview of the 2025 CDBG applications and went over that there is approximately \$44,250.00 available for Public Services and \$197,750.00 available for Public Facilities/Rehabilitation.

The applications for Public Service total \$80,350.0 with 5 applicants. The following representatives gave a presentation outlining their public service project and amount of grant funding requested.

Elijah Family Homes – Christine Stacy (\$10,000)

Senior Life Resources – Steven Davis (\$20,000)

ARC of Tri-Cities – Donna and Wayne (\$10,450)

Support, Advocacy and Resource Center – Rosanna and Anna (\$20,000)

Domestic Violence Services of Benton and Franklin Counties – Shannon (\$19,900)

At the conclusion of each presentation, commissioners asked questions of applicants. At the conclusion of Public Services presentations, commissioners discussed priorities and provided rankings to CDBG and HOME Administrator Lehman. After providing priority rankings, Commissioners debated funding amounts and strategies due to the lower amount of funding.

**VICE-CHAIR TOWNSEND MOVED TO FORWARD THE AMOUNTS AS INDICATED IN THE SPREADSHEET TO CITY COUNCIL AS THE RECOMMENDED DISTRIBUTION OF THE AVAILABLE GRANT FUNDS WITH THE OVER OR UNDER FUNDING TO BE DISTRIBUTED EQUALLY AMONG THE APPLICANTS AND COMMISSIONER SAMUEL SECONDED THE MOTION. MOTION CARRIED 5-0.**

Councilmember VanDyke requested Mrs. Lehman to inform commissioners and applicants what the next steps are and the timeline of when they will see the funding. Chair Richardson requested that moving forward the Planning Commission packets include the applicants operating budgets, tax returns and page 8 of 990 form be included.

The Public Facilities/Rehabilitation applications total \$298,000.00 and \$191,750.00 in funding is available. The following representatives gave presentations outlining their Public Facility project and amount of grant funding requested.

Sheldon Williams – Public Works (\$198,000)

Toni Lehman – CDBG & HOME for Owner Occupied Rehab (\$100,000)

At the conclusion of Public Facilities/Rehabilitation presentations, commissioners asked questions and discussed their appreciation of Owner-Occupied Rehabilitations and funding amounts. Commissioners debated funding amounts and strategies due to the lower amount of funding

**COMMISSIONER MILLER MOTIONED TO GIVE ONE HUNDRED PERCENT OF WHAT CITY OF RICHLAND DEVELOPMENT SERVICES IS REQUESTING AND FOR THE REMAINDER TO GO TO THE CITY OF RICHLAND PUBLIC WORKS WITH ANY OVERAGE GETTING ADDED TO THE OWNER OCCUPIED REHABILITATION AND ANY**

**UNDER FUNDING TAKEN FROM PUBLIC WORKS ADA PROJECTS. VICE-CHAIR TOWNSEND SECONDED. MOTION CARRIED 5-0.**

### **3. Proposed Code Amendment – Horn Rapids Employment Overlay**

Planning Manager Stevens gave a brief overview of the proposed code amendment regarding mini-storage units within the Horn Rapids Industrial Park. This is a region that has been dedicated to being an employment center, and the Economic development staff would like to keep it as it was intended to be used.

Economic Development Manager Wallner gave a brief review of the application with the purpose being to preserve the intention of the Industrial Park.

Vice-Chair Townsend discussed current amounts of mini storage in the area, and what happens with applicants, current. Further discussion amongst staff and planning commission occurred, and with no further discussion, Chair Richardson moved for a motion.

**AT 7:50 P.M. CHAIR RICHARDSON OPENED THE PUBLIC HEARING. HAVING NO ONE PRESENT FOR THE PUBLIC HEARING HE CLOSED IT AT 7:50 P.M.**

**COMMISSIONER NICHOLSON MOTIONED THAT THE PLANNING COMMISSION RECOMMEND APPROVAL OF CA2024-102 TO CITY COUNCIL AND COMMISSIONER SAMUEL SECONDED. THE MOTION PASSED 5-0.**

### **4. Proposed Amendment to RMC Title 23.22 – Overlay District (Columbia Point North)**

Planning Manager Stevens gave a brief overview of the proposed amendment to the RMC 23.22 to the waterfront zoning district that would first establish the Columbia Point North District and would also allow for an increase in building height within the district. At the conclusion of the presentation Mr. Stevens answered questions from the Commission.

**AT 7:55 P.M. CHAIR RICHARDSON OPENED THE PUBLIC HEARING.**

Economic Development Manager Wallner spoke as the applicant and gave her appreciation of the compromise with Planning Commission and the developer and appreciates the Planning Commissions time. Commissioner Samuel asked for next steps and timelines with this moving forward.

**CHAIR RICHARDSON CLOSED THE PUBLIC HEARING AT 7:57 PM**

**COMMISSIONER NICHOLSON MOTIONED THAT THE PLANNING COMMISSION RECOMMEND APPROVAL OF T4-2024-00002 TO THE CITY COUNCIL FOR ADOPTION COMMISSIONER SAMUEL SECONDED. THE MOTION PASSED 5-0.**

#### **Communications:**

Vice-Chair Townsend thanked staff for their diligence and patience with the Planning Commission with comments and concerns and looks forward to a more comprehensive

address of height restrictions in the future.

Councilmember VanDyke topics included:

- Code enforcement
- Waving permitting fees and getting staff feedback
- Cascadia update
- ADA ramps
- Planning Commission Involvement

Planning Manager Stevens and Economic Development Manager Wallner both expressed that they have positions that are open and need to be filled.

**Adjournment:**

Chair Richardson ended the meeting at 8:04 P.M.

PREPARED BY:

\_\_\_\_\_  
Carly Kirkpatrick, Administrative Assistant

REVIEWED BY:

\_\_\_\_\_  
Mike Stevens, Planning Manager

APPROVED BY:

\_\_\_\_\_  
Jet Richardson, Chair



# COUNCIL AGENDA ITEM COVERSHEET

Council Date: 1/7/2025

Agenda Category: Resolutions - Adoption

Strategic Priority 4 - Quality of Life

**Subject:**

Resolution No. 2025-01, Authorizing Award of Bid to Apollo, Inc. for Phase 2A of the Horn Rapids Landfill Expansion - Phase 2 Project

Department/Office  
Public Works

Ordinance/Resolution Number:  
2025-01

Document Type:  
Resolution

**Recommended Motion:**

Adopt Resolution No. 2025-01, authorizing the City Manager to sign and execute a construction contract with Apollo, Inc. in the amount of \$2,725,217.70 for the Horn Rapids Landfill Expansion, Phase 2A - Early Earthworks Project, and to execute change orders in an aggregate amount not to exceed \$272,521.77 to fulfill the Project's intent.

**Summary:**

In 2017, the City of Richland completed a feasibility study to evaluate alternative solutions to the City's long-term solid waste disposal needs. At the conclusion of the feasibility study, the City Council elected to pursue expanding capacity at the Horn Rapids Landfill to meet the City's long-term waste disposal needs. The expansion project started in 2019, and the first phase, an operational new cell, was completed in 2021.

To continue solid waste disposal at the current level of service, expansion (phase 2) must be completed and operational by the first quarter of 2026. The 2025 – 2030 Capital Improvement Plan (CIP) includes the project titled Horn Rapids Landfill Expansion - Phase 2. This Phase 2 project was further separated into two (2) phases of work in order to match work scope and general contractor experience: Phase 2A - Early Earthworks and Phase 2B - Liner Installation. All project development and design to advance Phase 2A of the project to construction is complete.

The City solicited bids for Phase 2A - Early Earthworks in accordance with the City's purchasing policies. The City received and opened sixteen (16) bids on December 17, 2024. Apollo, Inc. submitted the lowest responsible bid in the amount of \$2,725,217.70 inclusive of sales tax. The City's best interests are served by completing Phase 2A in accordance with the CIP, project design, and the lowest responsible bid. Phase 2B - Liner Installation is currently under design. Bids for Phase 2B will be solicited in early 2025.

Staff recommends adoption of Resolution No. 2025-01.

**Fiscal Impact:**

The Solid Waste Fund has approximately \$4,500,000 in capacity for Disposal Capacity Improvements for the Phase 2 Expansion. There is sufficient budget in the 2025 Capital Improvement Plan (CIP) to allow for the full funding of Phase 2A - Early Earthworks, which is estimated at just under \$2,998,000 including construction, contingency and construction management.

**Attachments:**

1. Resolution No. 2025-01
2. Bid Tab: Horn Rapids Landfill Phase 2 Expansion - ITB#24-0088

**RESOLUTION NO. 2025-01**

**A RESOLUTION OF THE CITY OF RICHLAND, WASHINGTON,  
AUTHORIZING AWARD OF BID TO APOLLO, INC. FOR PHASE  
2A - EARLY EARTHWORKS OF THE HORN RAPIDS LANDFILL  
EXPANSION - PHASE 2 PROJECT.**

**WHEREAS**, in 2017, the City completed a feasibility study to evaluate alternative solutions to the City's long-term solid waste disposal needs; and

**WHEREAS**, at the conclusion of the feasibility study, Richland City Council elected to pursue expanding capacity at the Horn Rapids Landfill to meeting the City's long-term waste disposal needs; and

**WHEREAS**, the expansion project commenced in 2019 and an operational first phase cell was completed in 2021; and

**WHEREAS**, to continue solid waste disposal at the current level of service, additional expansion must be completed and operational by the first quarter of 2026; and

**WHEREAS**, the 2025-2030 Capital Improvement Plan (CIP) includes a project titled Horn Rapids Landfill Expansion - Phase 2; and

**WHEREAS**, the Horn Rapids Landfill Expansion – Phase 2 project was further separated into two (2) phases in order to match work scope to general contractor experience: Phase 2A - Early Earthworks and Phase 2B - Liner Installation; and

**WHEREAS**, all project development and design work required to advance Phase 2A - Early Earthworks to construction is complete; and

**WHEREAS**, the City solicited bids for Phase 2A - Early Earthworks in accordance with the City's purchasing policies; and

**WHEREAS**, the City received and opened sixteen (16) bids on December 17, 2024; and

**WHEREAS**, Apollo, Inc. submitted the lowest responsible bid in the amount of \$2,725,217.70 inclusive of sales tax; and

**WHEREAS**, the City's best interests are served by completing Phase 2A - Early Earthworks in accordance with the CIP, project design and the lowest responsible bid; and

**WHEREAS**, bids for Phase 2B - Liner Installation will be solicited in early 2025 after design work is complete.

**NOW, THEREFORE, BE IT RESOLVED** by the City Council of the City of Richland that the City Manager is authorized to sign and execute a construction contract with Apollo, Inc. in the amount

of \$2,725,217.70 for Phase 2A of the Horn Rapids Landfill Expansion - Phase 2 Project, and to execute change orders in an aggregate amount not to exceed \$272,521.77 to fulfill the Project's intent.

**BE IT FURTHER RESOLVED** that this Resolution shall take effect immediately.

**ADOPTED** by the City Council of the City of Richland, Washington, at a regular meeting on the 7<sup>th</sup> day of January, 2025.

\_\_\_\_\_  
Theresa Richardson, Mayor

Attest:

Approved as to Form:

\_\_\_\_\_  
Jennifer Rogers, City Clerk

\_\_\_\_\_  
Heather Kintzley, City Attorney

# City of Richland

DATE BIDS OPENED: DECEMBER 17 2018 ITB # 24-0088  
HORN RAPIDS LANDFILL PH2 EXPANSION, PH 2A - EARLY SITEWORK

|                   |                                        |           |      | ENGINEER'S ESTIMATE |              | APOLLO, INC<br>KENNEWICK, WA |              | SWAGGART BROTHERS INC<br>STANFIELD, OR |              |
|-------------------|----------------------------------------|-----------|------|---------------------|--------------|------------------------------|--------------|----------------------------------------|--------------|
| Item              | Description                            | Qty       | Unit | Unit Price          | Total Price  | Unit Price                   | Total Price  | Unit Price                             | Total Price  |
|                   | BASE BID                               |           |      |                     |              |                              |              |                                        |              |
| 1                 | Mobilization                           | 1         | LS   | \$1,059,000.00      | 1,059,000.00 | 148,000.00                   | 148,000.00   | 245,000.00                             | 245,000.00   |
| 2                 | Roadway Surveying                      | 1         | LS   | 35,000.00           | 35,000.00    | 21,000.00                    | 21,000.00    | 65,000.00                              | 65,000.00    |
| 3                 | Temporary Water Pollution Prevention   | 1         | LS   | 35,000.00           | 35,000.00    | 1,000.00                     | 1,000.00     | 35,000.00                              | 35,000.00    |
| 4                 | Erosion Control & Water Pollution      | 1         | LS   | 100,000.00          | 100,000.00   | 50,000.00                    | 50,000.00    | 35,000.00                              | 35,000.00    |
| 5                 | Excavation Including Haul              | 1,030,000 | CY   | 4.80                | 4,944,000.00 | 1.96                         | 2,018,800.00 | 1.90                                   | 1,957,000.00 |
| 6                 | Embankment Construction                | 4,500     | CY   | 6.50                | 29,250.00    | 1.25                         | 5,625.00     | 3.00                                   | 13,500.00    |
| 7                 | Culvert Pipe                           | 105       | LF   | 162.00              | 17,010.00    | 75.00                        | 7,875.00     | 130.00                                 | 13,650.00    |
| 8                 | Rock Armoring                          | 200       | TON  | 70.00               | 14,000.00    | 48.00                        | 9,600.00     | 90.00                                  | 18,000.00    |
| 9                 | Construction Geotextile for Separation | 250       | SF   | 1.50                | 375.00       | 4.80                         | 1,200.00     | 5.00                                   | 1,250.00     |
| 10                | Gas Well Decommissioning               | 1         | LS   | 12,000.00           | 12,000.00    | 10,000.00                    | 10,000.00    | 85,000.00                              | 85,000.00    |
| 11                | Gas Well Construction                  | 1         | LS   | 35,000.00           | 35,000.00    | 91,000.00                    | 91,000.00    | 116,000.00                             | 116,000.00   |
| 12                | Permanent Soil Stabilization           | 1         | LS   | 50,000.00           | 50,000.00    | 127,000.00                   | 127,000.00   | 304,000.00                             | 304,000.00   |
| 13                | Trimming & Cleanup                     | 1         | LS   | 25,000.00           | 25,000.00    | 16,000.00                    | 16,000.00    | 14,100.00                              | 14,100.00    |
| 14                | Apprenticeship Incentive               | 1         | LS   | 5,000.00            | 5,000.00     | 5,000.00                     | 5,000.00     | 5,000.00                               | 5,000.00     |
| 15                | Apprenticeship Penalty                 | 1         | LS   | (5,000.00)          | (5,000.00)   | (5,000.00)                   | (5,000.00)   | (5,000.00)                             | (5,000.00)   |
| BASE BID SUBTOTAL |                                        |           |      | \$6,355,635.00      |              | \$2,507,100.00               |              | \$2,902,500.00                         |              |
| 8.7% SALES TAX    |                                        |           |      | 552,940.25          |              | 218,117.70                   |              | 252,517.50                             |              |
| TOTAL             |                                        |           |      | \$6,908,575.25      |              | \$2,725,217.70               |              | \$3,155,017.50                         |              |

|                   |                                        |           |      | GOODMAN & MEHLENBACHER ENTERPRISES INC<br>KENNEWICK, WA |              | M.A. DEATLEY CONSTRUCTION, INC<br>CLARKSTON, WA |              | TAPANI INC<br>BATTLE GROUND, WA |              |
|-------------------|----------------------------------------|-----------|------|---------------------------------------------------------|--------------|-------------------------------------------------|--------------|---------------------------------|--------------|
| Item              | Description                            | Qty       | Unit | Unit Price                                              | Total Price  | Unit Price                                      | Total Price  | Unit Price                      | Total Price  |
|                   | BASE BID                               |           |      |                                                         |              |                                                 |              |                                 |              |
| 1                 | Mobilization                           | 1         | LS   | 175,000.00                                              | 175,000.00   | 186,300.00                                      | 186,300.00   | 150,000.00                      | 150,000.00   |
| 2                 | Roadway Surveying                      | 1         | LS   | 25,000.00                                               | 25,000.00    | 25,000.00                                       | 25,000.00    | 20,000.00                       | 20,000.00    |
| 3                 | Temporary Water Pollution Prevention   | 1         | LS   | 1,500.00                                                | 1,500.00     | 5,800.00                                        | 5,800.00     | 3,692.77                        | 3,692.77     |
| 4                 | Erosion Control & Water Pollution      | 1         | LS   | 1,500.00                                                | 1,500.00     | 5,800.00                                        | 5,800.00     | 40,000.00                       | 40,000.00    |
| 5                 | Excavation Including Haul              | 1,030,000 | CY   | 2.65                                                    | 2,729,500.00 | 2.58                                            | 2,657,400.00 | 2.75                            | 2,832,500.00 |
| 6                 | Embankment Construction                | 4,500     | CY   | 2.00                                                    | 9,000.00     | 0.70                                            | 3,150.00     | 1.45                            | 6,525.00     |
| 7                 | Culvert Pipe                           | 105       | LF   | 100.00                                                  | 10,500.00    | 115.00                                          | 12,075.00    | 136.00                          | 14,280.00    |
| 8                 | Rock Armoring                          | 200       | TON  | 120.00                                                  | 24,000.00    | 44.00                                           | 8,800.00     | 55.00                           | 11,000.00    |
| 9                 | Construction Geotextile for Separation | 250       | SF   | 5.00                                                    | 1,250.00     | 5.70                                            | 1,425.00     | 3.00                            | 750.00       |
| 10                | Gas Well Decommissioning               | 1         | LS   | 25,000.00                                               | 25,000.00    | 32,000.00                                       | 32,000.00    | 17,000.00                       | 17,000.00    |
| 11                | Gas Well Construction                  | 1         | LS   | 40,000.00                                               | 40,000.00    | 52,000.00                                       | 52,000.00    | 21,000.00                       | 21,000.00    |
| 12                | Permanent Soil Stabilization           | 1         | LS   | 50,000.00                                               | 50,000.00    | 140,000.00                                      | 140,000.00   | 75,000.00                       | 75,000.00    |
| 13                | Trimming & Cleanup                     | 1         | LS   | 5,000.00                                                | 5,000.00     | 2,000.00                                        | 2,000.00     | 4,800.00                        | 4,800.00     |
| 14                | Apprenticeship Incentive               | 1         | LS   | 5,000.00                                                | 5,000.00     | 5,000.00                                        | 5,000.00     | 5,000.00                        | 5,000.00     |
| 15                | Apprenticeship Penalty                 | 1         | LS   | (5,000.00)                                              | (5,000.00)   | (5,000.00)                                      | (5,000.00)   | (5,000.00)                      | (5,000.00)   |
| BASE BID SUBTOTAL |                                        |           |      | \$3,097,250.00                                          |              | \$3,131,750.00                                  |              | \$3,196,547.77                  |              |
| 8.7% SALES TAX    |                                        |           |      | 269,460.75                                              |              | 272,462.25                                      |              | 278,099.66                      |              |
| TOTAL             |                                        |           |      | \$3,366,710.75                                          |              | \$3,404,212.25                                  |              | \$3,474,647.43                  |              |

|                   |                                        |           |      | GRADY EXCAVATING, INC<br>MUKILTEO, WA |              | SWOFFARD EXCAVATING<br>WASHOUGAL, WA |              | WATTS CONSTRUCTION, INC<br>KENNEWICK, WA |              |
|-------------------|----------------------------------------|-----------|------|---------------------------------------|--------------|--------------------------------------|--------------|------------------------------------------|--------------|
| Item              | Description                            | Qty       | Unit | Unit Price                            | Total Price  | Unit Price                           | Total Price  | Unit Price                               | Total Price  |
|                   | BASE BID                               |           |      |                                       |              |                                      |              |                                          |              |
| 1                 | Mobilization                           | 1         | LS   | 255,500.00                            | 255,500.00   | 398,000.00                           | 398,000.00   | 20,257.96                                | 20,257.96    |
| 2                 | Roadway Surveying                      | 1         | LS   | 28,500.00                             | 28,500.00    | 68,000.00                            | 68,000.00    | 22,914.70                                | 22,914.70    |
| 3                 | Temporary Water Pollution Prevention   | 1         | LS   | 12,500.00                             | 12,500.00    | 7,500.00                             | 7,500.00     | 3,525.33                                 | 3,525.33     |
| 4                 | Erosion Control & Water Pollution      | 1         | LS   | 17,500.00                             | 17,500.00    | 7,500.00                             | 7,500.00     | 1,762.67                                 | 1,762.67     |
| 5                 | Excavation Including Haul              | 1,030,000 | CY   | 2.92                                  | 3,007,600.00 | 2.75                                 | 2,832,500.00 | 3.81                                     | 3,924,300.00 |
| 6                 | Embankment Construction                | 4,500     | CY   | 6.50                                  | 29,250.00    | 6.50                                 | 29,250.00    | 4.12                                     | 18,540.00    |
| 7                 | Culvert Pipe                           | 105       | LF   | 150.00                                | 15,750.00    | 20.00                                | 2,100.00     | 115.01                                   | 12,076.05    |
| 8                 | Rock Armoring                          | 200       | TON  | 60.00                                 | 12,000.00    | 50.00                                | 10,000.00    | 53.23                                    | 10,646.00    |
| 9                 | Construction Geotextile for Separation | 250       | SF   | 5.50                                  | 1,375.00     | 30.00                                | 7,500.00     | 14.02                                    | 3,505.00     |
| 10                | Gas Well Decommissioning               | 1         | LS   | 26,090.00                             | 26,090.00    | 25,000.00                            | 25,000.00    | 71,352.85                                | 71,352.85    |
| 11                | Gas Well Construction                  | 1         | LS   | 21,505.00                             | 21,505.00    | 80,000.00                            | 80,000.00    | 96,531.14                                | 96,531.14    |
| 12                | Permanent Soil Stabilization           | 1         | LS   | 75,000.00                             | 75,000.00    | 85,000.00                            | 85,000.00    | 79,834.22                                | 79,834.22    |
| 13                | Trimming & Cleanup                     | 1         | LS   | 7,500.00                              | 7,500.00     | 10,000.00                            | 10,000.00    | 26,383.14                                | 26,383.14    |
| 14                | Apprenticeship Incentive               | 1         | LS   | 5,000.00                              | 5,000.00     | 5,000.00                             | 5,000.00     | 5,000.00                                 | 5,000.00     |
| 15                | Apprenticeship Penalty                 | 1         | LS   | (5,000.00)                            | (5,000.00)   | (5,000.00)                           | (5,000.00)   | (5,000.00)                               | (5,000.00)   |
| BASE BID SUBTOTAL |                                        |           |      | \$3,510,070.00                        |              | \$3,562,350.00                       |              | \$4,291,629.06                           |              |
| 8.7% SALES TAX    |                                        |           |      | 305,376.09                            |              | 309,924.45                           |              | 373,371.73                               |              |
| TOTAL             |                                        |           |      | \$3,815,446.09                        |              | \$3,872,274.45                       |              | \$4,665,000.79                           |              |

# City of Richland

DATE BIDS OPENED: DECEMBER 17 2017 ITB # 24-0088  
HORN RAPIDS LANDFILL PH2 EXPANSION, PH 2A - EARLY SITEWORK

|                   |                                        |           |      | PREMIER EXCAVATION, INC<br>PASCO, WA |                | ROTSCHY, INC<br>VANCOUVER, WA |                | SCARSELLA BROS., INC<br>SEATTLE, WA |                |
|-------------------|----------------------------------------|-----------|------|--------------------------------------|----------------|-------------------------------|----------------|-------------------------------------|----------------|
| Item              | Description                            | Qty       | Unit | Unit Price                           | Total Price    | Unit Price                    | Total Price    | Unit Price                          | Total Price    |
| BASE BID          |                                        |           |      |                                      |                |                               |                |                                     |                |
| 1                 | Mobilization                           | 1         | LS   | 50,000.00                            | 50,000.00      | 193,970.00                    | 193,970.00     | 488,000.00                          | 488,000.00     |
| 2                 | Roadway Surveying                      | 1         | LS   | 19,500.00                            | 19,500.00      | 33,000.00                     | 33,000.00      | 55,000.00                           | 55,000.00      |
| 3                 | Temporary Water Pollution Prevention   | 1         | LS   | 5,000.00                             | 5,000.00       | 1,600.00                      | 1,600.00       | 2,000.00                            | 2,000.00       |
| 4                 | Erosion Control & Water Pollution      | 1         | LS   | 5,000.00                             | 5,000.00       | 45,000.00                     | 45,000.00      | 2,000.00                            | 2,000.00       |
| 5                 | Excavation Including Haul              | 1,030,000 | CY   | 3.95                                 | 4,068,500.00   | 3.70                          | 3,811,000.00   | 3.76                                | 3,872,800.00   |
| 6                 | Embankment Construction                | 4,500     | CY   | 2.00                                 | 9,000.00       | 4.10                          | 18,450.00      | 4.00                                | 18,000.00      |
| 7                 | Culvert Pipe                           | 105       | LF   | 91.10                                | 9,565.50       | 89.00                         | 9,345.00       | 116.80                              | 12,264.00      |
| 8                 | Rock Armoring                          | 200       | TON  | 49.00                                | 9,800.00       | 60.00                         | 12,000.00      | 60.00                               | 12,000.00      |
| 9                 | Construction Geotextile for Separation | 250       | SF   | 4.68                                 | 1,170.00       | 3.00                          | 750.00         | 4.00                                | 1,000.00       |
| 10                | Gas Well Decommissioning               | 1         | LS   | 22,400.00                            | 22,400.00      | 10,700.00                     | 10,700.00      | 17,300.00                           | 17,300.00      |
| 11                | Gas Well Construction                  | 1         | LS   | 36,200.00                            | 36,200.00      | 84,530.00                     | 84,530.00      | 17,000.00                           | 17,000.00      |
| 12                | Permanent Soil Stabilization           | 1         | LS   | 72,500.00                            | 72,500.00      | 330,000.00                    | 330,000.00     | 77,000.00                           | 77,000.00      |
| 13                | Trimming & Cleanup                     | 1         | LS   | 25,000.00                            | 25,000.00      | 26,751.00                     | 26,751.00      | 5,000.00                            | 5,000.00       |
| 14                | Apprenticeship Incentive               | 1         | LS   | 5,000.00                             | 5,000.00       | 5,000.00                      | 5,000.00       | 5,000.00                            | 5,000.00       |
| 15                | Apprenticeship Penalty                 | 1         | LS   | (5,000.00)                           | (5,000.00)     | (5,000.00)                    | (5,000.00)     | (5,000.00)                          | (5,000.00)     |
| BASE BID SUBTOTAL |                                        |           |      |                                      | \$4,333,635.50 |                               | \$4,577,096.00 |                                     | \$4,579,364.00 |
| 8.7% SALES TAX    |                                        |           |      |                                      | 377,026.29     |                               | 398,207.35     |                                     | 398,404.67     |
| TOTAL             |                                        |           |      |                                      | \$4,710,661.79 |                               | \$4,975,303.35 |                                     | \$4,977,768.67 |

|                   |                                        |           |      | SCI INTRASTRUCTURE, LLC<br>SEA TAC, WA |                | WESTERN RIFINERY<br>SERVICES, INC<br>FERNDAL, WA |                | SHAMROCK PAVING, INC<br>SPOKANE, WA |                |
|-------------------|----------------------------------------|-----------|------|----------------------------------------|----------------|--------------------------------------------------|----------------|-------------------------------------|----------------|
| Item              | Description                            | Qty       | Unit | Unit Price                             | Total Price    | Unit Price                                       | Total Price    | Unit Price                          | Total Price    |
| BASE BID          |                                        |           |      |                                        |                |                                                  |                |                                     |                |
| 1                 | Mobilization                           | 1         | LS   | 450,000.00                             | 450,000.00     | 425,000.00                                       | 425,000.00     | 425,000.00                          | 425,000.00     |
| 2                 | Roadway Surveying                      | 1         | LS   | 26,000.00                              | 26,000.00      | 19,000.00                                        | 19,000.00      | 20,422.50                           | 20,422.50      |
| 3                 | Temporary Water Pollution Prevention   | 1         | LS   | 9,000.00                               | 9,000.00       | 2,000.00                                         | 2,000.00       | 3,850.00                            | 3,850.00       |
| 4                 | Erosion Control & Water Pollution      | 1         | LS   | 160,000.00                             | 160,000.00     | 5,000.00                                         | 5,000.00       | 68,750.00                           | 68,750.00      |
| 5                 | Excavation Including Haul              | 1,030,000 | CY   | 2.35                                   | 2,420,500.00   | 3.75                                             | 3,862,500.00   | 5.85                                | 6,025,500.00   |
| 6                 | Embankment Construction                | 4,500     | CY   | 4.00                                   | 18,000.00      | 7.00                                             | 31,500.00      | 28.87                               | 129,915.00     |
| 7                 | Culvert Pipe                           | 105       | LF   | 110.00                                 | 11,550.00      | 100.00                                           | 10,500.00      | 115.00                              | 12,075.00      |
| 8                 | Rock Armoring                          | 200       | TON  | 45.00                                  | 9,000.00       | 80.00                                            | 16,000.00      | 105.84                              | 21,168.00      |
| 9                 | Construction Geotextile for Separation | 250       | SF   | 3.00                                   | 750.00         | 4.00                                             | 1,000.00       | 5.35                                | 1,337.50       |
| 10                | Gas Well Decommissioning               | 1         | LS   | 20,000.00                              | 20,000.00      | 25,000.00                                        | 25,000.00      | 1,141.88                            | 1,141.88       |
| 11                | Gas Well Construction                  | 1         | LS   | 29,500.00                              | 29,500.00      | 30,000.00                                        | 30,000.00      | 40,000.00                           | 40,000.00      |
| 12                | Permanent Soil Stabilization           | 1         | LS   | 1,500,000.00                           | 1,500,000.00   | 250,000.00                                       | 250,000.00     | 218,617.49                          | 218,617.49     |
| 13                | Trimming & Cleanup                     | 1         | LS   | 7,000.00                               | 7,000.00       | 150,000.00                                       | 150,000.00     | 33,909.61                           | 33,909.61      |
| 14                | Apprenticeship Incentive               | 1         | LS   | 5,000.00                               | 5,000.00       | 5,000.00                                         | 5,000.00       | 5,000.00                            | 5,000.00       |
| 15                | Apprenticeship Penalty                 | 1         | LS   | (5,000.00)                             | (5,000.00)     | (5,000.00)                                       | (5,000.00)     | (5,000.00)                          | (5,000.00)     |
| BASE BID SUBTOTAL |                                        |           |      |                                        | \$4,661,300.00 |                                                  | \$4,827,500.00 |                                     | \$7,001,686.98 |
| 8.7% SALES TAX    |                                        |           |      |                                        | 405,533.10     |                                                  | 419,992.50     |                                     | 609,146.77     |
| TOTAL             |                                        |           |      |                                        | \$5,066,833.10 |                                                  | \$5,247,492.50 |                                     | \$7,610,833.75 |

|                   |                                        |           |      | KERR CONTRACTORS<br>OREGON, LLC<br>WOODBURN, OR |                | GRANITE CONSTRUCTION<br>COMPANY<br>YAKIMA, WA |                |
|-------------------|----------------------------------------|-----------|------|-------------------------------------------------|----------------|-----------------------------------------------|----------------|
| Item              | Description                            | Qty       | Unit | Unit Price                                      | Total Price    | Unit Price                                    | Total Price    |
| BASE BID          |                                        |           |      |                                                 |                |                                               |                |
| 1                 | Mobilization                           | 1         | LS   | 700,000.00                                      | 700,000.00     | 775,000.00                                    | 775,000.00     |
| 2                 | Roadway Surveying                      | 1         | LS   | 19,450.00                                       | 19,450.00      | 45,000.00                                     | 45,000.00      |
| 3                 | Temporary Water Pollution Prevention   | 1         | LS   | 45,000.00                                       | 45,000.00      | 2,500.00                                      | 2,500.00       |
| 4                 | Erosion Control & Water Pollution      | 1         | LS   | 50,000.00                                       | 50,000.00      | 30,000.00                                     | 30,000.00      |
| 5                 | Excavation Including Haul              | 1,030,000 | CY   | 5.80                                            | 5,974,000.00   | 6.05                                          | 6,231,500.00   |
| 6                 | Embankment Construction                | 4,500     | CY   | 3.00                                            | 13,500.00      | 2.25                                          | 10,125.00      |
| 7                 | Culvert Pipe                           | 105       | LF   | 95.00                                           | 9,975.00       | 185.00                                        | 19,425.00      |
| 8                 | Rock Armoring                          | 200       | TON  | 75.00                                           | 15,000.00      | 105.00                                        | 21,000.00      |
| 9                 | Construction Geotextile for Separation | 250       | SF   | 3.25                                            | 812.50         | 9.00                                          | 2,250.00       |
| 10                | Gas Well Decommissioning               | 1         | LS   | 20,400.00                                       | 20,400.00      | 35,000.00                                     | 35,000.00      |
| 11                | Gas Well Construction                  | 1         | LS   | 33,200.00                                       | 33,200.00      | 45,000.00                                     | 45,000.00      |
| 12                | Permanent Soil Stabilization           | 1         | LS   | 254,675.00                                      | 254,675.00     | 500,000.00                                    | 500,000.00     |
| 13                | Trimming & Cleanup                     | 1         | LS   | 26,075.00                                       | 26,075.00      | 75,000.00                                     | 75,000.00      |
| 14                | Apprenticeship Incentive               | 1         | LS   | 5,000.00                                        | 5,000.00       | 5,000.00                                      | 5,000.00       |
| 15                | Apprenticeship Penalty                 | 1         | LS   | (5,000.00)                                      | (5,000.00)     | (5,000.00)                                    | (5,000.00)     |
| BASE BID SUBTOTAL |                                        |           |      |                                                 | \$7,162,087.50 |                                               | \$7,791,800.00 |
| 8.7% SALES TAX    |                                        |           |      |                                                 | 623,101.61     |                                               | 677,886.60     |
| TOTAL             |                                        |           |      |                                                 | \$7,785,189.11 |                                               | \$8,469,686.60 |



## COUNCIL AGENDA ITEM COVERSHEET

Council Date: 1/7/2025

Agenda Category: Resolutions - Adoption

Strategic Priority I - High Performance Government

**Subject:**

Resolution No. 2025-02, Setting a Public Hearing Date for Vacation of a Portion of Gay Road

Department/Office  
Public Works

Ordinance/Resolution Number:  
2025-02

Document Type:  
Resolution

**Recommended Motion:**

Adopt Resolution No. 2025-02, setting Tuesday, February 4, 2025 at or after 6:00 p.m. as the date and time for a public hearing to consider vacation of a portion of Gay Road right-of-way.

**Summary:**

LCR, Limited Liability Co., the owner of undeveloped land located at 1991 and 2001 Snyder Street (parcel nos. 134081000019000 and 134081000003000), has asked the City to vacate a segment of Gay Road right-of-way encumbering its property between State Route 240 and Snyder Street. The right-of-way is no longer needed for public street purposes because no pavement surface currently exists and there is no future need for street system connectivity. However, prior to vacation, staff will determine whether an easement should be retained across the affected property for pedestrian access between the Vantage Pathway and the Horn Rapids Athletic Complex.

State law requires that a public hearing be held to allow public consideration of this proposal. Resolution No. 2025-02 will establish Tuesday, February 4, 2025 at or after 6:00 p.m. as the public hearing date.

Staff recommends adoption of Resolution No. 2025-02.

Fiscal Impact:           None.

**Attachments:**

I.     Resolution No. 2025-02

**RESOLUTION NO. 2025-02**

**A RESOLUTION OF THE CITY OF RICHLAND, WASHINGTON,  
SETTING A DATE FOR A PUBLIC HEARING TO CONSIDER THE  
PROPOSED VACATION OF A PORTION OF GAY ROAD RIGHT-  
OF-WAY.**

**WHEREAS**, LCR, Limited Liability Co., owner of undeveloped land located at 1991 and 2001 Snyder Street (parcel nos. 134081000019000 and 134081000003000), wishes to vacate a segment of the Gay Road right-of-way encumbering its property between State Route 240 and Snyder Street; and

**WHEREAS**, the right-of-way is no longer needed for public street purposes since no pavement surface currently exists, and the segment of street is not needed to support future street system connectivity; and

**WHEREAS**, prior to vacation, staff will determine whether an easement should be retained across the affected property for pedestrian access between the Vantage Pathway and the Horn Rapids Athletic Complex; and

**WHEREAS**, state law requires that a public hearing be held to allow public consideration of this vacation proposal.

**NOW, THEREFORE, BE IT RESOLVED** by the City Council of the City of Richland that the regularly scheduled City Council meeting to be held beginning at **6:00 p.m. on Tuesday, February 4, 2025** is hereby established as the date at time at which City Council will conduct a public hearing to consider the proposed vacation of a portion of the Gay Road right-of-way.

**BE IT FURTHER RESOLVED** that this Resolution shall take effect immediately.

**ADOPTED** by the City Council of the City of Richland, Washington, at a regular meeting on the 7<sup>th</sup> day of January, 2025.

\_\_\_\_\_  
Theresa Richardson, Mayor

Attest:

Approved as to Form:

\_\_\_\_\_  
Jennifer Rogers, City Clerk

\_\_\_\_\_  
Heather Kintzley, City Attorney



# COUNCIL AGENDA ITEM COVERSHEET

Council Date: 1/7/2025

Agenda Category: Resolutions - Adoption

Strategic Priority I - High Performance Government

**Subject:**

Resolution No. 2025-03, Authorizing a Change Order to Contract No. 28-24 with Workday, Inc. for an Enterprise Human Resources Information System

Department/Office  
Finance

Ordinance/Resolution Number:  
2025-03

Document Type:  
Resolution

**Recommended Motion:**

Adopt Resolution No. 2025-03, authorizing the City Manager to sign and execute a change order to Contract No. 28-24 with Workday, Inc. authorizing additional costs up to \$201,372 to complete implementation of the City's new Enterprise Human Resources Information System.

**Summary:**

On January 18, 2024, the City entered into a contract with Workday, Inc. for the software and implementation of an Enterprise Human Resources Information System (see Contract No. 28-24).

Most of the configuration and testing of the system has been completed. The remaining items to complete are related to payroll configuration and parallel testing. To achieve the most successful implementation outcome, staff and Workday, Inc. have agreed to extend the go-live date to the first quarter of 2025 to ensure payroll processing is accurate and properly configured.

Pursuant to RMC 3.04.080(A), the City Manager is authorized to administratively execute change orders valued up to \$50,000 to resolve unanticipated issues that may arise during implementation. The extension of the go-live date and additional support for implementation of the Workday, Inc. software is expected to cost up to \$201,372, including additional travel costs, which exceeds the City Manager's administrative change order authority.

Staff recommends adoption of Resolution No. 2025-03.

**Fiscal Impact:**

Resolution No. 2025-03 authorizes a change order valued up to \$201,372 for Contract No. 28-24. This amount includes professional service fees valued at \$188,833 plus \$12,539 for vendor travel paid per the base contract. This change order will potentially increase the total project cost to slightly over the budgeted amount. Any needed budget adjustment will be brought to City Council in a future meeting.

**Attachments:**

1. Resolution No. 2025-03
2. Proposed Change Order - Workday, Inc.

**RESOLUTION NO. 2025-03**

**A RESOLUTION OF THE CITY OF RICHLAND, WASHINGTON,  
AUTHORIZING A CHANGE ORDER TO CONTRACT NO. 28-24  
WITH WORKDAY, INC. FOR AN ENTERPRISE HUMAN  
RESOURCES INFORMATION SYSTEM.**

**WHEREAS**, on January 16, 2024, Richland City Council adopted Resolution No. 2024-09, authorizing an agreement with Workday, Inc. for the software and implementation of an Enterprise Human Resources Information System; and

**WHEREAS**, on January 18, 2024, the City executed an agreement with Workday, Inc. valued at \$1,127,796 plus sales tax (*see* Richland Contract No. 28-24); and

**WHEREAS**, implementation was targeted for completion by year end 2024; and

**WHEREAS**, additional time is required to confirm that all configurations for payroll are correct, and to complete adequate testing to ensure payroll processing accuracy; and

**WHEREAS**, the additional support needed from Workday, Inc. to complete implementation of the City's Enterprise HRIS is valued at \$188,833 in professional service fees plus \$12,539 for vendor travel paid per the base contract; and

**WHEREAS**, the total proposed change order value of \$201,372 requires City Council approval as it exceeds the City Manager's administrative authority under RMC 3.04.080(A).

**NOW, THEREFORE, BE IT RESOLVED** by the City Council of the City of Richland that the City Manager is authorized to sign and execute a change order to Contract No. 28-24 with Workday, Inc. authorizing additional costs up to \$201,372 to complete implementation of the City's new Enterprise Human Resources Information System, and amending the project schedule as provided therein.

**BE IT FURTHER RESOLVED** that this Resolution shall take effect immediately.

**ADOPTED** by the City Council of the City of Richland, Washington, at a regular meeting on the 7<sup>th</sup> day of January, 2025.

\_\_\_\_\_  
Theresa Richardson, Mayor

Attest:

Approved as to Form:

\_\_\_\_\_  
Jennifer Rogers, City Clerk

\_\_\_\_\_  
Heather Kintzley, City Attorney

**CHANGE ORDER**

|                                    |                                                              |
|------------------------------------|--------------------------------------------------------------|
| <b>Customer Name</b>               | City of Richland                                             |
| <b>Workday Entity Name</b>         | Workday, Inc. 6110 Stoneridge Mall Rd., Pleasanton, CA 94588 |
| <b>SOW Effective Date / SOW #</b>  | January 19, 2024 / SOW #430697                               |
| <b>Change Order Effective Date</b> | The later of the dates beneath the parties' signature below  |
| <b>Currency</b>                    | USD                                                          |
| <b>Fee Type</b>                    | Fixed Fee                                                    |
| <b>Change Order Fees</b>           | \$188,833.00                                                 |

|                                         |                                    |
|-----------------------------------------|------------------------------------|
| <b>Customer/Partner Project Manager</b> | Corey Fox                          |
| <b>Project Name</b>                     | Initial Deployment-Launch- HCM/PAY |
| <b>Project Sponsor</b>                  | Lacey Paulsen, Brandon Allen       |
| <b>Workday Engagement Manager</b>       | Eric Frame                         |
| <b>Billing Contact Email (Required)</b> | dvijayan@ci.richland.wa.us         |

**Fees:**

The Professional Services Fees for this Change Order are \$188,833.00. Customer will be invoiced upon the Change Order Effective Date with fees payable in accordance with the terms of the SOW, or the Agreement to which the SOW is subject, as the case may be.

Any travel and other expenses associated with the Professional Services set forth in this Change Order are subject to the terms of the SOW or the Agreement to which the SOW is subject, as the case may be.

**Amendment:**

This Change Order amends the SOW identified above. Except as expressly amended by this Change Order, the terms of the SOW shall remain in full force and effect.

**Change Order Reasons:**

- Additional project management
- Additional testing/post prod support

**Changes to Tasks in Scope:**

- Add third cycle of Parallel Payroll testing

**Changes to Deliverables:**

- Extend Go-Live date

**Changes to Project Schedule:**

- This Change Order modifies the project schedule set forth in the current project plan as follows:
- Parallel testing for Cycle 3 to complete on February 21, 2025
- Deployment Stage complete on March 16, 2025
- Postproduction Support complete on July 14, 2025

**Changes to Go Live Date:**

- This Change Order shall extend the Go-Live Date of the Original SOW from December 8, 2024 to March 16, 2025.



**CHANGE ORDER**

IN WITNESS WHEREOF, the parties' authorized signatories have duly executed this Change Order as of the later dates beneath the parties' signatures below.

**City of Richland**

**Workday, Inc.**

\_\_\_\_\_  
Signature

\_\_\_\_\_  
Signature

\_\_\_\_\_  
Name

\_\_\_\_\_  
Name

\_\_\_\_\_  
Title

\_\_\_\_\_  
Title

\_\_\_\_\_  
Date Signed

\_\_\_\_\_  
Date Signed

Draft



## COUNCIL AGENDA ITEM COVERSHEET

Council Date: 1/7/2025

Agenda Category: Resolutions - Adoption

Strategic Priority I - High Performance Government

**Subject:**

Resolution No. 2025-04, Authorizing Amendment No. I to Contract No. 333-24 with Remy Corporation for HRIS Implementation Project Management

Department/Office  
Finance

Ordinance/Resolution Number:  
2025-04

Document Type:  
Resolution

**Recommended Motion:**

Adopt Resolution No. 2025-04, authorizing the City Manager to sign and execute Amendment No. I to Contract No. 333-24 with Remy Corporation to increase the contract value by up to \$143,900 and to extend the contract term to July 15, 2025.

**Summary:**

On August 21, 2024, the City entered into a contract with Remy Corporation for project management support related to the Workday, Inc. Enterprise HRIS Implementation Project (see Contract No. 333-24). The City has utilized this contract to supplement staff resources and provide project management due to an unexpected staff vacancy and the complexity of the software implementation.

Based on the decision to extend the go-live date into the first quarter of 2025, additional support from Remy Corporation is required specific to payroll configuration, testing and training. Current staff capacity within the payroll group is not adequate to complete configuration and implementation of the new payroll system while simultaneously maintaining the current payroll system. Increasing Remy Corporation's contract amount and extending the contract term to July 15, 2025 will ensure an accurate and successful configuration and implementation of the payroll function in the new Workday HRIS system.

The City's best interests are served by executing an amendment to Contract No. 333-24 in the amount of \$143,900 and extending the contract term to July 15, 2025.

Staff recommends adoption of Resolution No. 2025-04.

**Fiscal Impact:**

Sufficient funds are available in the General Fund to support the contract increase of \$143,900. Planned carryovers and existing budget capacity are anticipated to adequately cover this increased contract cost.

**Attachments:**

1. Resolution No. 2025-04
2. Proposed Amendment No. I - Remy Corporation

**RESOLUTION NO. 2025-04**

**A RESOLUTION OF THE CITY OF RICHLAND, WASHINGTON,  
AUTHORIZING AMENDMENT NO. 1 TO CONTRACT NO. 333-24  
WITH REMY CORPORATION FOR HRIS IMPLEMENTATION  
PROJECT MANAGEMENT.**

**WHEREAS**, on January 16, 2024, Richland City Council adopted Resolution No. 2024-09, authorizing an agreement with Workday, Inc. for the software and implementation of an Enterprise Human Resources Information System; and

**WHEREAS**, on August 21, 2024, the City executed a consultant agreement with Remy Corporation valued at up to \$150,000 for project management services related to the Workday, Inc. software implementation (*see* Richland Contract No. 333-24); and

**WHEREAS**, implementation was targeted for completion by year end 2024; and

**WHEREAS**, additional time is required to confirm that all configurations for payroll are correct, and to complete adequate testing to ensure payroll processing accuracy; and

**WHEREAS**, the additional support needed from Remy Corporation to complete implementation of the City's Enterprise HRIS is valued at \$143,900; and

**WHEREAS**, the proposed amendment requires City Council approval as it exceeds the City Manager's administrative authority under RMC 3.04.080(A).

**NOW, THEREFORE, BE IT RESOLVED** by the City Council of the City of Richland that the City Manager is authorized to sign and execute Amendment No. 1 to Contract No. 333-24 with Remy Corporation to add contract value up to \$143,900 for project management in support of the City's new HRIS implementation, and to extend the contract term to and through July 15, 2025.

**BE IT FURTHER RESOLVED** that this Resolution shall take effect immediately.

**ADOPTED** by the City Council of the City of Richland, Washington, at a regular meeting on the 7<sup>th</sup> day of January, 2025.

\_\_\_\_\_  
Theresa Richardson, Mayor

Attest:

Approved as to Form:

\_\_\_\_\_  
Jennifer Rogers, City Clerk

\_\_\_\_\_  
Heather Kintzley, City Attorney



**CITY OF RICHLAND  
AGREEMENT WITH REMY CORPORATION  
CONTRACT NO. 333-24**

**AMENDMENT NO. 1**

**I. RECITALS**

There is now in full force and effect between the Parties a Professional Services Agreement, Contract No. 333-24, related to ***project management in support of HRIS implementation***. The Agreement was fully executed on **8/21/2024**. The expiration date of the Agreement is **2/28/2025**. The Parties desire to amend the Agreement as provided in Section II below.

**II. AGREEMENT**

In exchange for good and valuable consideration, the receipt and sufficiency of which is hereby acknowledged, the Parties agree to amend Contract No. 333-24 as follows:

1. The Consultant shall provide services described in the attached **N/A; continued contracted support**, which is hereby incorporated into Contract No. 333-24.
2. Fees.
  - a. ☐ The contract value remains unchanged.
  - b. ☒ Compensation for the additional services rendered pursuant to this Amendment shall be \$143,900. The new contract value is now \$293,900.
3. The contract period shall: ☐ remain unchanged; ☒ extend to **7/15/2025**.
4. It is understood and agreed that all other terms and conditions of the Agreement shall be and remain the same. This Amendment may be executed electronically.

**III. SIGNATURES**

**City:**

**Remy Corporation**

By: \_\_\_\_\_  
Jon Amundson, ICMA-CM  
City Manager

By: \_\_\_\_\_

Name: \_\_\_\_\_

Date: \_\_\_\_\_

Title: \_\_\_\_\_

Date: \_\_\_\_\_

Approved as to form:

\_\_\_\_\_  
Heather Kintzley, City Attorney



## COUNCIL AGENDA ITEM COVERSHEET

Council Date: 1/7/2025

Agenda Category: Items of Business

Strategic Priority I - High Performance Government

**Subject:**

Resolution No. 2025-05, Declaring Surplus and Authorizing Relinquishment of an Easement Lying within the Terraces at Queensgate

Department/Office  
Public Works

Ordinance/Resolution Number:  
2025-05

Document Type:  
Resolution

**Recommended Motion:**

Adopt Resolution No. 2025-05, declaring the 1959 electric utility easement originally granted to Benton Rural Electric Association as recorded under AFN 427504, Volume 180 Page 690, records of Benton County, Washington, and subsequently conveyed and quitclaimed to the City of Richland pursuant to that certain Transfer of Easements recorded under AFN 2008-017768 of said county, surplus to the City's needs and authorizing the City Manager to sign and execute all documents necessary to relinquish the same.

**Summary:**

The property owner, Columbia Valley Property Holdings, LLC, has requested relinquishment of an electric utility easement currently encumbering revised Lot 4 of Record Survey No. 5735. The property is subject to the preliminary planned unit development (PUD) of the Terraces at Queensgate South, and building permits will not be able to issue so long as the easement continues to encumber the property. The easement sought to be relinquished was originally granted to Benton Rural Electric Association in 1959 for electric utility purposes, and later conveyed and quitclaimed to the City of Richland in 2008 as Benton REA ceded service area to Richland's electric utility.

Today, no infrastructure remains in the easement, and the easement is not needed for future provision of electric service. For these reasons, the easement is surplus to the City's needs and may be relinquished. State law requires the legislative body to hold a public hearing before property acquired for utility purposes is conveyed.

Notice was duly published on January 4, 2025 that a public hearing would be held on January 7, 2025 to take public testimony regarding this surplus action.

Staff recommends adoption of Resolution No. 2025-05.

Fiscal Impact:           None.

**Attachments:**

I.     Resolution No. 2025-05

**RESOLUTION NO. 2025-05**

**A RESOLUTION OF THE CITY OF RICHLAND, WASHINGTON,  
DECLARING SURPLUS AND AUTHORIZING RELINQUISHMENT  
OF A UTILITY EASEMENT RECORDED UNDER AUDITOR'S FILE  
NUMBER 427504, VOLUME 180 PAGE 690 AND ENCUMBERING  
REVISED LOT 4 OF RECORD SURVEY NO. 5735.**

**WHEREAS**, the property owner, Columbia Valley Property Holdings, LLC, has requested relinquishment of an electrical easement currently encumbering revised Lot 4 of Record Survey No. 5735 filed under AFN 2022-035589, records of Benton County, Washington, and subject to the preliminary planned unit development (PUD) of the Terraces at Queensgate South; and

**WHEREAS**, the easement sought to be relinquished was originally granted to Benton Rural Electric Association in 1959 for electric utility purposes and recorded under AFN 427504, Volume 180 Page 690, records of Benton County, Washington; and

**WHEREAS**, in 2008, the City of Richland became a successor-in-interest to all Benton Rural Electric Association easements, permits and licenses within the City of Richland's Urban Grown Area (UGA) through execution of a Transfer of Easements recorded on June 17, 2008 under AFN 2008-017768, records of Benton County, Washington; and

**WHEREAS**, the 1959 utility easement recorded under AFN 427504, Volume 180 Page 690, records of Benton County, Washington, legally described in **Exhibit A** and depicted on **Exhibit B**, is no longer needed for municipal purposes as the utilities have been removed; and

**WHEREAS**, RCW 35.94.040 provides for the disposal of surplus property originally acquired for public utility purposes; and

**WHEREAS**, on January 5, 2025, notice was duly published that a public hearing would be held on January 7, 2025 to take testimony regarding this surplus and relinquishment action.

**NOW, THEREFORE, BE IT RESOLVED** by the City Council of the City of Richland that the 1959 electric utility easement originally granted to Benton Rural Electric Association as recorded under AFN 427504, Volume 180 Page 690, records of Benton County, Washington, and subsequently conveyed and quitclaimed to the City of Richland pursuant to that certain Transfer of Easements recorded under AFN 2008-017768 of said county, is hereby found to be surplus to the City's needs.

**BE IT FURTHER RESOLVED** that the City Manager is authorized to sign and execute all documents necessary to relinquish the City's interest in the certain portion of the public utility easement legally described in **Exhibit A** and depicted on **Exhibit B**, and to deliver the same upon payment.

**BE IT FURTHER RESOLVED** that the consideration in support of this relinquishment, which covers the City's administrative processing fees and recording costs, shall be paid by the applicant.

**BE IT FURTHER RESOLVED** that this Resolution shall take effect immediately.

**ADOPTED** by the City Council of the City of Richland, Washington, at a regular meeting on the 7<sup>th</sup> day of January, 2025.

\_\_\_\_\_  
Theresa Richardson, Mayor

Attest:

Approved as to Form:

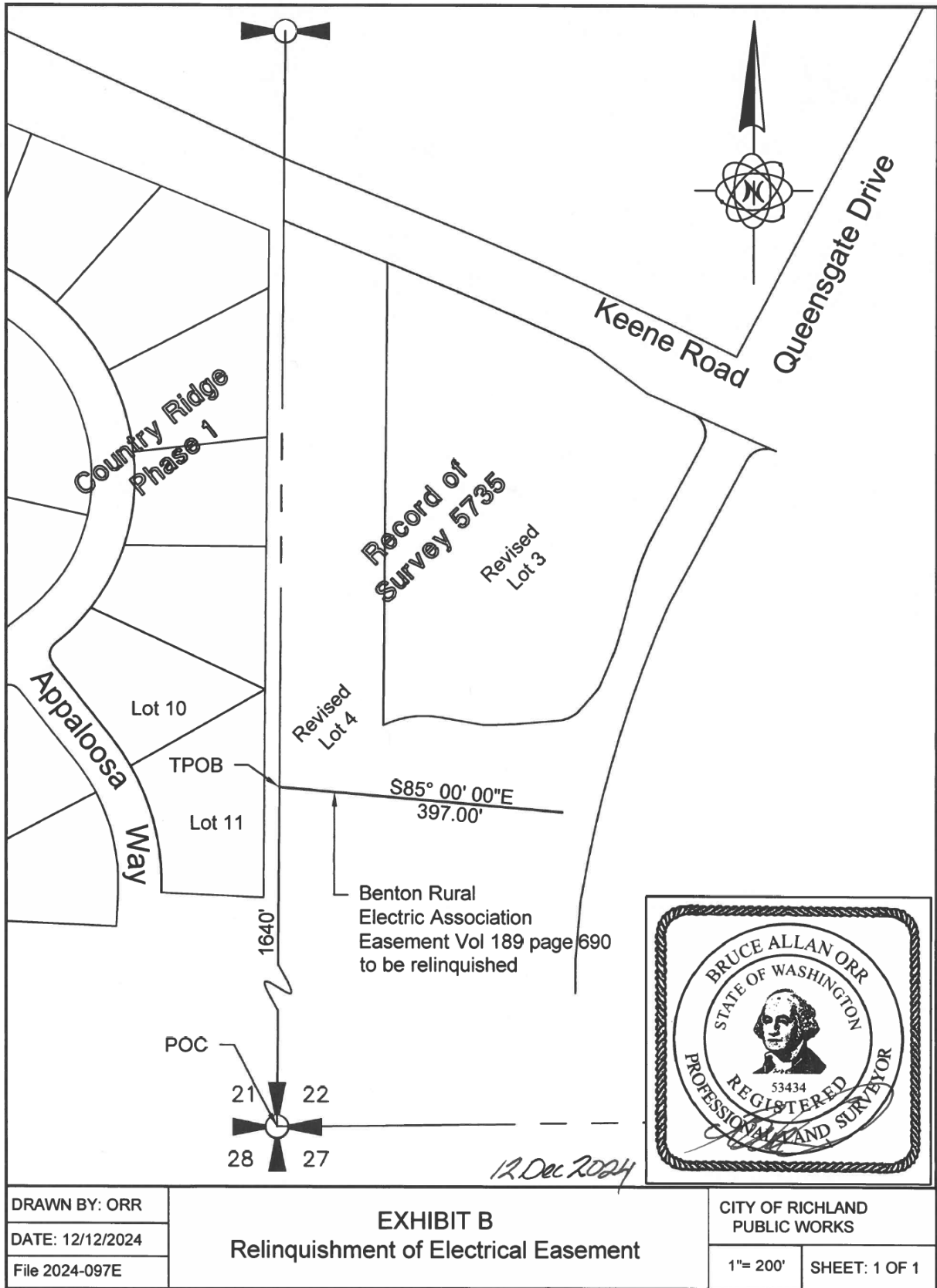
\_\_\_\_\_  
Jennifer Rogers, City Clerk

\_\_\_\_\_  
Heather Kintzley, City Attorney

**Exhibit A**  
**Legal Description**

That certain easement granted to Benton Rural Electric Association in Volume 180 Page 690 Auditor's File Number 427504 and conveyed and quitclaimed to the City of Richland by Transfer of Easements by Auditor's File Number 2008-017768 records of Benton County, Washington, situate in the South half, Section 22, Township 9 North, Range 28 East, Williamite Meridian, of said County and State described as follows:

Starting at a point approximately 1640 feet north of the Southwest corner of said property; Thence continuing south on an approximate bearing of South 85° 00' East a distance of approximately 397 feet to main pole and meter pole.





## COUNCIL AGENDA ITEM COVERSHEET

Council Date: 1/7/2025

Agenda Category: Items of Business

Strategic Priority 2 - Financial Sustainability

**Subject:**

Resolution No. 2025-06, Authorizing an Option Agreement with Washington Energy, LLC for 425 Acres of Real Property Located in the Northwest Advanced Clean Energy Park

Department/Office  
Development Services

Ordinance/Resolution Number:  
2025-06

Document Type:  
Resolution

**Recommended Motion:**

Adopt Resolution No. 2025-06, authorizing the City Manager to sign and execute an option agreement with Washington Energy, LLC for the purchase of 425 acres in the Northwest Advanced Clean Energy Park.

**Summary:**

On May 13, 2024 President Biden signed the “Prohibiting Russian Uranium Imports Act” (Act) with the intent to reduce U.S. reliance on foreign nuclear materials and to strengthen domestic production capabilities. In support of the Act, the United States Department of Energy invested up to \$2,700,000,000 to enhance the domestic nuclear supply chain including establishment of a reliable nuclear fuel cycle supply chain from U.S. sources.

The City of Richland is the owner of 425 acres of industrial property located in the Northwest Advanced Clean Energy Park, and Washington Energy, LLC desires to purchase 425 acres from the City. The property in question was transferred to the City and the Port of Benton from the United States Department of Energy for the purpose of economic development. The City of Richland and Port of Benton executed a land exchange agreement and the entirety of the land in question is now owned by the City.

The purchase of 425 acres by Washington Energy, LLC will occur over six years in three phases and the average price per acre will be \$63,182. The 425-acre property is not currently served by roads and utilities, and the sale price contemplates Washington Energy, LLC constructing necessary roads and utilities at its expense. To ensure timely development, the City will retain a repurchase right under the Option Agreement with identified timeframes and deadlines.

The buyer estimates a \$3 billion capital investment that will include a one-million square-foot nuclear fuel cycle facility and will create over 1,000 direct jobs and an additional 3,000 induced jobs. The option agreement requires that Washington Energy, LLC acquire a license from the United States Nuclear Regulatory Commission and that the City authorize a Targeted Urban Area agreement.

The proposal is consistent with the City's Strategic Plan and vision for the Northwest Advanced Clean Energy Park. On December 2, 2024 the Economic Development Committee (EDC) reviewed and recommended approval of this item.

**Fiscal Impact:**

Resolution No. 2025-06 will authorize the sale of up to 425 acres at an average price of \$63,182 benefitting the City's Industrial Development Fund to be used for future infrastructure supporting industrial development.

**Attachments:**

1. Resolution No. 2025-06
2. Proposed Real Estate Option Agreement

**RESOLUTION NO. 2025-06**

**A RESOLUTION OF THE CITY OF RICHLAND, WASHINGTON,  
AUTHORIZING AN OPTION AGREEMENT FOR THE PURCHASE  
OF REAL PROPERTY BY AND BETWEEN THE CITY OF  
RICHLAND AND WASHINGTON ENERGY, LLC.**

**WHEREAS**, on May 13, 2024, President Biden signed the “Prohibiting Russian Uranium Imports Act” (Act) with the intent to reduce U.S. reliance on foreign nuclear materials and to strengthen domestic production capabilities; and

**WHEREAS**, in support of the Act, the United States Department of Energy invested up to \$2,700,000,000 to enhance the domestic nuclear supply chain including establishment of a reliable nuclear fuel cycle supply chain from U.S. sources; and

**WHEREAS**, the City of Richland is the owner of 425 acres of industrial property located in the Northwest Advanced Clean Energy Park as depicted in the attached **Exhibit A**; and

**WHEREAS**, Washington Energy, LLC desires to purchase 425 acres from the City of Richland in the Northwest Advanced Clean Energy Park; and

**WHEREAS**, pursuant to Chapter 3.06 of the Richland Municipal Code, the City of Richland has full authority to negotiate the sale of the property in the best interests of the City; and

**WHEREAS**, the aforesaid City-owned property is available for sale; and

**WHEREAS**, the City has negotiated a land price that is in its best interests; and

**WHEREAS**, the property in question was transferred to the City of Richland and the Port of Benton from the United States Department of Energy for the purpose of economic development; and

**WHEREAS**, the City of Richland and Port of Benton executed a land exchange agreement whereby the entirety of the land in question is now owned by the City of Richland; and

**WHEREAS**, purchase of up to 425 acres will occur over six years in three phases at an average price per acre of \$63,182; and

**WHEREAS**, the 425-acre property is not currently served by roads and utilities, and the sale price contemplates Washington Energy, LLC constructing necessary roads and utilities at its expense; and

**WHEREAS**, to ensure timely development, the City will retain a repurchase right under the Option Agreement with identified timeframes and deadlines as provided therein; and

**WHEREAS**, at its December 2, 2024 meeting, the Economic Development Committee (EDC) favorably recommended the sale of the 425 acres of property in the Northwest Advanced Clean Energy Park to Washington Energy, LLC.

**NOW, THEREFORE, BE IT RESOLVED** by the City Council of the City of Richland that the City Manager is authorized to sign and execute an Option Agreement and all related documents necessary for the sale of the property to Washington Energy, LLC as described herein; provided, however, that the Option Agreement shall not be signed by any party unless the City of Richland and Washington Energy, LLC finalize negotiations on a mutually agreeable Purchase and Sale Agreement within thirty (30) calendar days of the date of this Resolution.

**BE IT FURTHER RESOLVED** that the Option Agreement authorized by this Resolution No. 2025-06 shall be null and void and of no further legal effect in the event the Purchase and Sale Agreement contemplated herein is not mutually agreed to by and between the parties within thirty (30) calendar days.

**BE IT FURTHER RESOLVED** that this Resolution shall take effect immediately.

**ADOPTED** by the City Council of the City of Richland, Washington, at a regular meeting on the 7<sup>th</sup> day of January, 2025.

\_\_\_\_\_  
Theresa Richardson, Mayor

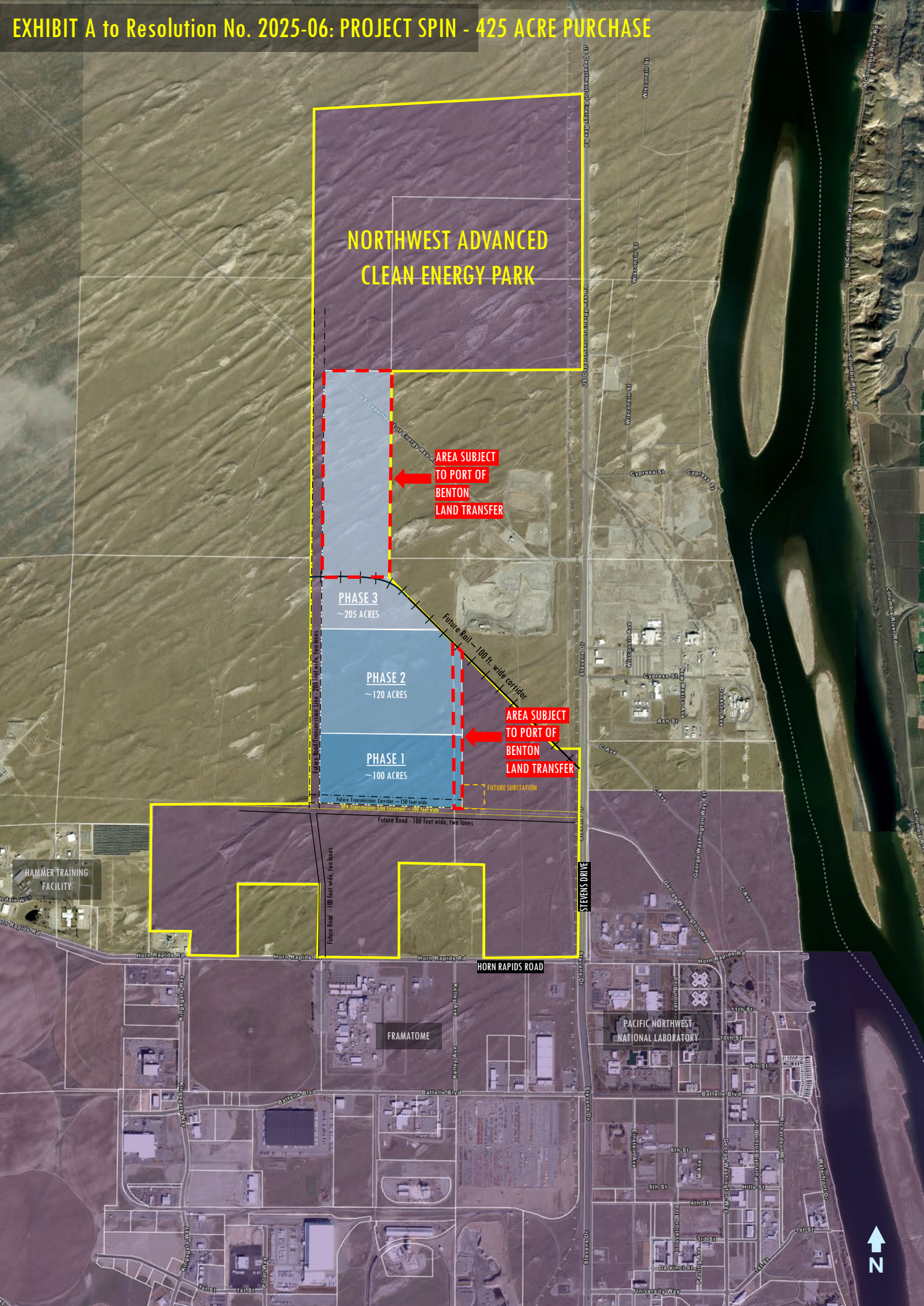
Attest:

Approved as to Form:

\_\_\_\_\_  
Jennifer Rogers, City Clerk

\_\_\_\_\_  
Heather Kintzley, City Attorney

EXHIBIT A to Resolution No. 2025-06: PROJECT SPIN - 425 ACRE PURCHASE



## OPTION AGREEMENT FOR PURCHASE OF REAL PROPERTY

This Option Agreement for Purchase of Real Property (this "Option Agreement") is dated as of \_\_\_\_\_, 2025, for reference purposes only, and is made and entered into between the CITY OF RICHLAND, a Washington municipal corporation ("Seller"), and WASHINGTON ENERGY, LLC, a Delaware limited liability company ("Buyer").

### RECITALS

WHEREAS, Seller owns certain Land described herein that it desires to make available for development of clean energy and other commercial purposes and Buyer desires to develop and accommodate facilities related to clean energy and nuclear industrial and supply chain operations on such Land over time and in phases, including, without limitation, "Phase 1" development for Buyer's direct use for nuclear related activities, "Phase 2" development for Buyer's direct use for expansion of clean energy and/or nuclear industrial related activities and "Phase 3" development for expansion of clean energy and/or nuclear industrial supply chain related activities; and

WHEREAS, Seller desires to grant to Buyer and Buyer desires to obtain options to purchase such Land in phases as more particularly described in this Option Agreement

NOW, THEREFORE, IN CONSIDERATION of the respective agreements hereinafter set forth and for other mutual consideration the receipt and adequacy of which are hereby acknowledged, Seller and Buyer agree as follows:

### ARTICLE 1

#### DEFINITIONS

For purposes of this Option Agreement, the following terms shall have the following meanings:

1.1 Property: The term "Property" shall mean the following:

A. that certain land consisting of approximately 425 acres, located at 2100 Horn Rapids Road, City of Richland, Benton County, Washington and identified as Parcels 1 & 2 (excluding Tract 3) and Parcel 3 on Exhibit A attached hereto (the "Land");

B. all of Seller's right, title and interest, if any, in and to all improvements and fixtures located on the Land, including, without limitation, all landscaping, utilities equipment and infrastructure, drainage improvements, dikes, berms and dams, but excluding any such items owned by public or private utilities (collectively, the "Improvements");

C. all rights, privileges and easements appurtenant to the Land, including, without limitation, all minerals, oil, gas and other hydrocarbon substances on and under the Land, as well as all development rights, air rights, and sun rights relating to the Land and any rights-of-way or other appurtenances used in connection with the beneficial use and enjoyment of the Land and Improvements and all of Seller's right, title and interest, if any, in and to all roads and alleys adjoining or servicing the Land (collectively, the "Appurtenances"; the Land, Improvements and Appurtenances are referred to herein collectively as the "Real Property"); and

D. all of Seller's right, title and interest, if any, in and to any intangible personal property now or hereafter owned by Seller and used in the ownership, use or operation of the Real Property,

including, without limitation, all utility contracts or other agreements or rights relating to the ownership, use and operation of the Real Property, all reports, warranties, indemnities, permits, plans, insurance proceeds and condemnation awards and all other rights, benefits or approvals issued or available to Seller by any federal, state or local municipal authorities relating to the development, use, maintenance, ownership or operation of the Real Property (collectively, the “Intangible Property”).

1.2 Access for Infrastructure Improvements: In addition to the foregoing, the term “Property” shall include, and Seller shall grant to Buyer concurrently with the Closing of Buyer’s purchase of any Phase 1 Property, non-exclusive easements, rights of way and/or permits (as applicable) appurtenant to the Land over, across and through any adjacent, surrounding or nearby land owned, leased, used or otherwise controlled by Seller to construct, operate, use for ingress and egress, install, repair, maintain, alter and replace such access roads, utilities, lines, conduits and related utility facilities that are reasonably required for Buyer’s intended improvements on the Property (the “Infrastructure Improvements”).

1.3 Effective Date of this Option: This Option Agreement shall be effective on, and the term “Effective Date” shall mean, the date the last designated signatory to this Option Agreement shall have executed this Option Agreement.

## ARTICLE 2

### OPTION TERMS

2.1 Grant of Option: Seller hereby grants to Buyer an option to purchase (the “Option”) the Property. This Option is on the terms and conditions set forth in this Option Agreement. The purchase and sale of the Property on each exercise of this Option shall be on substantially the terms and conditions set forth in the Purchase and Sale Agreement attached as Exhibit C to this Option Agreement (the “Purchase Agreement”). The City Manager is authorized to sign and execute an Option Agreement and all related documents necessary for the sale of the property to Washington Energy, LLC as described herein; provided, however, that the Option Agreement shall not be signed by any party unless the City of Richland and Washington Energy, LLC finalize negotiations on a mutually agreeable Purchase and Sale Agreement within thirty (30) calendar days of the date of this agreement. Promptly following mutual execution of this Option Agreement, the parties shall deliver an executed copy of this Option Agreement to the Title Company (defined below) to open escrow as to this Option Agreement and any subsequent Purchase Agreements.

#### 2.2 Term of Option:

A. Initial Option Term: The Initial Option Term of this Option Agreement shall commence on the Effective Date, and shall terminate at 5:00 p.m. (Richland, Washington time) on the date that is twelve (12) months following the Effective Date (the “Initial Option Term”, and together with any Extension Terms, the “Option Term”), unless sooner terminated as provided herein.

B. Automatic Termination: This Option Agreement shall automatically and immediately terminate without notice, and the parties shall thereafter have no further rights, claims or obligations hereunder, (i) if Buyer fails to timely exercise this Option in accordance with the provisions of Section 2.5 or (ii) if, prior to any exercise of the Option to purchase, Buyer notifies Seller of Buyer’s election to terminate this Option Agreement.

C. Extension of Option Term. Buyer shall have the right to extend the Option Term five (5) separate times for the following periods (the “Extension Period(s)”):

| <b>Extension Option</b> | <b>Extension Period</b>                                                      |
|-------------------------|------------------------------------------------------------------------------|
| 1                       | Commencing on First Anniversary Date of Effective Date (Months 13 thru 24).  |
| 2                       | Commencing on Second Anniversary Date of Effective Date (Months 25 thru 36). |
| 3                       | Commencing on Third Anniversary Date of Effective Date (Months 37 thru 48).  |
| 4                       | Commencing on Fourth Anniversary Date of Effective Date (Months 49 thru 60). |
| 5                       | Commencing on Fifth Anniversary Date of Effective Date (Months 61 thru 72).  |

Buyer may exercise each such extension option prior to the commencement of the Extension Period to which such extension option pertains by: (a) giving written notice of such extension to Seller and the Title Company (which notice shall specify the date to which the Option Term has been extended), and (b) depositing with the Title Company the following amounts (each, individually, an “Extension Deposit” and collectively, together with all interest thereon, the “Extension Deposits”) within the time periods set forth in Section 2.3 below:

| <b>Extension Option</b> | <b>Extension Deposit</b> |
|-------------------------|--------------------------|
| 1                       | \$100,000                |
| 2                       | \$150,000                |
| 3                       | \$200,000                |
| 4                       | \$250,000                |
| 5                       | \$300,000                |

The Extension Deposits, to the extent actually paid, shall be credited against the Purchase Price. The written notice to exercise each extension option shall specify a “Closing Date”, which shall be no fewer than thirty (30) business days nor more than ninety (90) business days after the date the written notice is given. If Buyer fails to timely give notice and pay any Extension Deposit as required herein, this Option Agreement shall immediately terminate.

### 2.3 Consideration:

A. Initial Deposit. The “Initial Deposit” for the Initial Option Term shall be Fifty Thousand and 00/100 Dollars (\$50,000) and shall be deposited by Buyer in escrow with Cascade Title Company (the “Title Company”), 8203 W. Quinault Ave. #10, Kennewick, WA 99336, Attn: Kemal Suljic, within ninety (90) days after the Effective Date. The Title Company shall invest the Initial Deposit and any Extension Deposits in an interest-bearing account acceptable to Buyer and interest accruing thereon shall be held for the account of Buyer.

B. Extension Deposits. If Buyer properly elects an Extension Period as set forth above, then Buyer shall deposit the applicable Extension Deposit with the Title Company in two (2) installments as follows: (i) within three (3) business days after the first day of the applicable Extension Period, Buyer shall deposit in escrow with the Title Company one-half (1/2) of the Extension Deposit and (ii) within one hundred eighty (180) days after the first day of the applicable Extension Period, Buyer shall deposit in escrow with the Title Company the remainder of the applicable Extension Deposit. The Initial Deposit, together with any

Extension Deposits, together in all interest thereon, are sometimes collectively referred to in this Option Agreement as the "Deposit").

C. Independent Contract Consideration. The sum of One Hundred and No/100 Dollars (\$100.00) (the "Independent Contract Consideration") out of the Deposit is independent of any other consideration provided hereunder, shall be fully earned by Seller upon the Effective Date hereof, and is not refundable to Buyer under any circumstances, but shall be applied against the Purchase Price. Accordingly, if this Agreement is terminated for any reason by either party, the Independent Contract Consideration shall be paid by the Title Company to Seller. Buyer and Seller agree that the Independent Contract Consideration, together with the mutual covenants and agreements set forth herein, are adequate to prevent this Option Agreement from constituting a revocable option to purchase the Property.

#### 2.4 Application of Deposit:

A. If this Option is exercised in accordance with its terms by Buyer and a Closing (as defined in the Purchase Agreement) occurs in accordance with the Purchase Agreement, the Deposit then held in escrow plus interest accrued thereon, shall be credited against the Purchase Price.

B. If, after the Contingency Date, this Option Agreement terminates in accordance with Section 2.2(B), Seller shall retain, and Buyer shall not have any claim whatsoever to the Deposit.

C. Notwithstanding the foregoing, Buyer shall have the right to receive a return of the Deposit upon any termination of this Option Agreement pursuant to Section 3.1, Section 3.2, Section 3.3, Section 3.5 or Section 3.6 below, or if Buyer elects to terminate this Option Agreement due to a Seller default hereunder or if Buyer elects to terminate the Purchase Agreement pursuant to the provisions thereof.

2.5 Exercise of Option in Phases: Seller and Buyer agree that Buyer may exercise the Option in multiple phases and subphases (each, a "Phase") consisting of:

A. Phase 1: up to One Hundred (100) acres;

B. Phase 2: up to One Hundred Twenty (120) acres;

C. Phase 3: up to Two Hundred (205) Acres, which Phase 3 may be exercised in one or more sub-phases, each with a minimum of fifty (50) acres.

D. At any time prior to expiration of the Option Term, Buyer may exercise the Option as to one or more Phases as to all or any portion of the Property included in that Phase by delivery to Seller of a written notice (delivered in accordance with the provisions of Section 5.1) of Buyer's election to exercise its Option (the "Exercise Notice"). Within ten (10) business days after exercise of the Option, the Buyer and Seller shall execute and deliver into escrow with the Title Company the Purchase Agreement. Buyer further agrees that the exercise of any Option as to a Phase must be contiguous to a previous Phase as to which Buyer is exercising or has exercised the Option. As a condition to Buyer's exercise of the Option as to a Phase, Buyer shall provide to Seller a legal description and survey of the applicable Phase or Phases so exercised and Buyer and Seller shall cooperate to cause such land to be legally subdivided to the extent required under applicable law.

### ARTICLE 3

## OBLIGATIONS OF THE PARTIES DURING THE OPTION TERM

### 3.1 Buyer's Right to Enter; Due Diligence:

A. Buyer and its agents, employees, representatives and contractors shall be permitted to perform due diligence with respect to the Property from and after the Effective Date and through the date that is three hundred sixty-five days after the Effective Date (the "Contingency Date"), and, if Buyer has not terminated this Option Agreement on or prior to the Contingency Date, through the remaining Option Term and any Closing Date. Through the Closing Date, Buyer and its agents shall have the right, upon reasonable notice to Seller, at any reasonable time, to go upon the Property to inspect, examine, survey and make test borings, soil bearing tests and any other engineering, environmental, architectural or landscaping tests, drawings, investigations or surveys that Buyer deems necessary or appropriate. At Buyer's election, Buyer, at Buyer's sole cost, may obtain an ALTA survey for the Property, and shall request the Title Company to issue a Supplement (as defined in this Option Agreement) in connection therewith. Seller, or his agent, shall have the right to observe any testing by or for Buyer, Buyer shall promptly restore the Property to the condition that it was in prior to any such activities conducted by Buyer.

B. Promptly following the Effective Date, Seller agrees to deliver to Buyer all documents, instruments, contracts, agreements and other materials within Seller's possession or control relating to the ownership, operation and development of the Property. Buyer shall have the right to make such investigations, studies and tests with respect to the Property as Buyer deems necessary or appropriate in its sole discretion to determine the feasibility of purchasing and developing the Property. All inspections of the Property shall occur at reasonable times agreed upon by Seller and Buyer and shall be conducted so as not to unreasonably interfere with the use of the Property by Seller. Buyer shall not do any invasive testing, sampling or drilling at the Property without first obtaining Seller's prior written consent (which consent shall not be unreasonably withheld, conditioned or delayed). Buyer shall promptly restore the Property to substantially the same condition which existed prior to any such investigations, tests, surveys and other analyses, at Buyer's sole cost and expense. Seller shall be entitled to have a representative present at all times while Buyer or its representatives or agents are physically on the Property. Buyer hereby agrees that it shall carry, and shall cause all representatives and agents of Buyer entering the Property on behalf of Buyer in furtherance of the right of access granted under this Option Agreement to carry, commercial general liability insurance with limits of not less than Two Million and No/100 Dollars (\$2,000,000) combined single limit and providing that such coverages are primary and naming Seller as an additional insured. Prior to any entry onto the Property by Buyer or its agents, employees, consultants or representatives, Buyer shall provide to Seller certificates evidencing such insurance coverage. Purchaser agrees to indemnify and hold Seller harmless of and from any claim for damages or injuries ("Claims") arising from Purchaser's inspections of the Property; provided, however, that Buyer shall not be obligated to indemnify, protect, defend, or hold Seller harmless from any Claims to the extent arising out of or relating to any: (i) the negligent acts or omissions or the willful misconduct of Seller, its agents or representatives; (ii) hazardous or toxic materials not first placed on the Project by Buyer; or (iii) discovery of conditions, facts or circumstances that adversely affect (or may adversely affect) the value of the Property. The foregoing indemnity obligations shall survive any termination of this Option Agreement.

C. During the Option Term, Buyer may apply to the City of Richland for an ad valorem tax exemption under the Targeted Urban Areas program to support the costs of the development of Buyer's planned improvements on the Property (the "Project"). In the event Purchaser does not receive an ad valorem tax exemption for the Project, the Purchaser may terminate this Option Agreement upon written notice to Seller, in which event Seller shall pay any title and escrow fees, the Title Company shall immediately return the Deposit, plus all interest thereon to Buyer and neither party shall have any further rights or obligations hereunder.

D. If Buyer determines on or prior to the Contingency Date, that the results of Buyer's review are unsatisfactory in Buyer's sole discretion, Buyer may, at its option, elect to terminate this Option Agreement by giving Seller written notice of termination prior to the Contingency Date (the "Due Diligence Termination Notice"). In the event of termination by Buyer under this Section, this Option Agreement shall immediately terminate and be without any further force and effect, the Deposit shall be returned to Buyer; and neither party shall have any rights or responsibilities to the other except as otherwise expressly provided herein. If Buyer fails to provide a Due Diligence Termination Notice to Seller on or before the Contingency Date, the due diligence contingency set forth under this Section 3.2 shall be deemed waived by Buyer.

E. If Buyer does not exercise the Option and this Option Agreement terminates, then Buyer shall provide to Seller any non-confidential, completed third-party reports on the legal or physical condition of the land; however, if Buyer terminates this Option Agreement pursuant to Section 3.5 below, then Seller shall reimburse Buyer for the cost of the foregoing reports if Seller desires to receive such copies.

### 3.2 Condition of Title.

A. Within ten (10) business days following the Effective Date, Seller shall deliver to Buyer at Seller's sole cost and expense (i) a current preliminary title report on the Real Property, issued by the Title Company, accompanied by copies of all documents referred to in the report and all vesting deeds and (ii) a copy of the most recent tax bill for the Real Property, including information regarding any assessments affecting the Real Property (collectively, the "Preliminary Report") and (iii) copies of all existing and proposed easements, covenants, restrictions, agreements or other documents which affect title to the Property and which are not disclosed by the Preliminary Report. Buyer shall deliver to Seller and the Title Company written notice ("Buyer's Title Notice"), within forty-five (45) days after receipt of the Preliminary Report and related materials listed above, identifying what exceptions to title, if any, will be accepted by Buyer. Seller shall have twenty (20) days after receipt of Buyer's objections to give Buyer: (i) evidence satisfactory to Buyer of the removal of all objectionable exemptions from title or Seller's agreement that said exemptions will be removed on or before the applicable Closing Date; or (ii) notice that Seller elects not to cause such exemptions to be removed. Seller's failure to deliver the notice described in the immediately preceding sentence shall be deemed to be Seller's election pursuant to clause (ii) of such sentence not to cause such exceptions to be removed. If Seller gives (or is deemed to give) Buyer notice under clause (ii), Buyer may elect to terminate this Option Agreement. If Buyer elects to terminate, then this Option Agreement shall terminate, in which event Seller shall pay any title and escrow fees, the Title Company shall immediately return the Deposit, plus all interest thereon to Buyer and neither party shall have any further rights or obligations hereunder.

B. A similar procedure to the foregoing shall be followed with respect to any supplement issued to the Preliminary Report (each, a "Supplement"); provided, however, that Buyer shall have ten (10) business days after receipt of any Supplement issued to deliver Buyer's Title Notice to Seller and Title Company, and if additional exceptions appear on any Supplement that result from the acts of Seller, Seller shall be obligated to remove such additional exceptions if Buyer timely objects to them. At Buyer's election, Buyer, at Buyer's sole cost, may obtain an ALTA or other boundary line survey for the Property (a "Survey"), and shall request the Title Company to issue a Supplement (as defined in the Option Agreement) in connection therewith.

C. Buyer acknowledges that the Property, and all buildings and structures hereafter constructed thereon, will be held, used, sold, encumbered, leased, improved and conveyed subject to and burdened by the covenants, conditions, restrictions, easements, assessments and liens set forth in the Quitclaim Deed, Terms, Conditions, Covenants and Restrictions for the U.S. Department of Energy Conveyance of Land to the Tri-City Development Council (Quitclaim Deed), as recorded under Benton

County Auditor's File Number 2015-029457, as amended. All provisions of the Quitclaim Deed shall be binding upon all parties having or acquiring any right, title, or interest in the Property or any part thereof and their heirs, successors, grantees and assigns, and shall in all respects be covenants running with the land. Buyer acknowledges that the Quitclaim Deed has been fully examined, including all Exhibits therein (Exhibits A, B, C, D, E, F, G and H). Buyer acknowledges that, at each Closing, Buyer will take title to the Property subject to the covenants, conditions, restrictions, easements, assessments, and liens set forth in the Quitclaim Deed, which shall be incorporated by reference in the Statutory Warranty Deed.

3.3 Confirmation of Legal Description of the Land. Seller and Buyer acknowledge that the description of the Land attached as Exhibit A to this Option Agreement may be either a graphical or approximate description of the Land. Buyer shall have the right to obtain a Survey of the Land to verify the legal description and boundaries of the Land after the Effective Date and submit such legal description to Seller for Seller's approval, which shall not be unreasonably withheld, conditioned or delayed. Upon Seller's approval of any such verified legal description, the approved legal description shall be deemed to be substituted as Exhibit A to this Option Agreement. If Seller and Buyer do not agree as to the legal description of the Land within thirty (30) days after Buyer's submission thereof to Seller, then Buyer shall have the right to terminate this Option Agreement, in which event Seller shall pay any title and escrow fees, the Title Company shall immediately return the Deposit, plus all interest thereon to Buyer and neither party shall have any further rights or obligations hereunder.

3.4 Covenants and Warranties of Seller Concerning the Property: Seller covenants, warrants and represents to Buyer that all of the representations and warranties set forth in the Purchase Agreement are true and correct, and will be correct as of the Closing Date. Seller agrees to operate and maintain the Property in accordance with the provisions of the Purchase Agreement, which provisions are hereby incorporated by reference into this Option Agreement. Without limiting the foregoing, Seller represents and warrants to Buyer as of the Effective Date, each Option exercise date and each Closing Date, that the execution and delivery of this Option Agreement by Seller and any Purchase Agreement thereafter and any transfer of the Property contemplated therein has been irrevocably approved by the City Council of the City of Richland and that no further approval is required in connection with the foregoing and that such approval is binding upon the City of Richland and all future City Counsels. Seller further represents and warrants that Seller has full power and authority to enter into and carry out the terms and provisions of this Option Agreement, any Purchase Agreement executed thereafter and any transfer of the Property contemplated therein, and to execute and deliver all documents which are contemplated by this Option Agreement and any Purchase Agreement, and all actions of Seller necessary to confer such authority upon the persons executing this Option Agreement, and Purchase Agreement and such other documents have been taken.

3.5 Development of the Property: Seller agrees to reasonably cooperate with Buyer's proposed development of the Property. The Deposit shall be refunded if, at its sole discretion, Buyer terminates this Option Agreement because it deems the Property to be unsuitable due to environmental issues or a lack of community support in Richland that meaningfully impacts Buyer's ability to develop and construct Buyer's intended project.

3.6 Risk of Loss. In the event (A) any material loss or damage occurs to the Property during the Option Term but before exercise of the Option the cost of repair of which would exceed One Hundred Thousand Dollars (\$100,000) or (B) any condemnation proceedings are commenced against all or any portion of the Property during the Option Term but before exercise of the Option, then, notwithstanding anything to the contrary in this Option Agreement, Buyer shall have the right to terminate this Option Agreement, in which event Seller shall pay any reasonable title and escrow fees, the Title Company, shall immediately return the Deposit, together with all interest accrued thereon, to Buyer, Buyer shall return to

Seller all Due Diligence Materials received from Seller and neither party shall have any further rights or obligations hereunder.

## ARTICLE 4

### TERMS OF PURCHASE

4.1 Effect of Exercise: In the event that Buyer exercises the Option, then Buyer shall purchase, and Seller shall sell the applicable Phase of the Property to Buyer, upon the terms and conditions set forth in the Purchase Agreement.

4.2 Purchase Price: The purchase price as to each Phase of the Property, subject to reduction by any credits due Buyer pursuant to the Purchase Agreement and any adjustment pursuant to Section 4.3 below (the "Purchase Price"), and subject to prorations and the allocation of costs and expenses set forth in the Purchase Agreement, is as follows:

- A. Phase 1: \$35,000 per acre;
- B. Phase 2: \$40,000 per acre;
- C. Phase 3: \$90,500 per acre.

4.3 True Up:

A. If, following conveyance of the Phase 1 Property to Buyer, Buyer fails to exercise its Option as to any Phase 2 Property and purchase any Phase 2 Property prior to the expiration of the Option Term, then, within forty-five (45) days after the expiration of the Option Term, Buyer must pay Seller an additional Purchase Price per acre of the Phase 1 Property actually purchased sufficient to true-up the Purchase Price for the Phase 1 Property already purchased to the amount of Sixty-Three Thousand One Hundred Eighty-Two Dollars and No Cents (\$63,182.00) per acre, which is the average per acre price Buyer would have paid for all of the 425 acres of Property.

B. If, following conveyances of any Phase 1 Property and Phase 2 Property to Buyer, Buyer fails to exercise its Option as to the entire Phase 3 Property and purchase the entire Phase 3 Property prior to the expiration of the Option Term, then upon the expiration of the Option Term, Buyer must pay to Seller an additional Purchase Price per acre of the Phase 1 Property and the Phase 2 Property actually purchased sufficient to true-up the Purchase Price for the Phase 1 Property and the Phase 2 Property already purchased to the amount of Sixty-Three Thousand One Hundred Eighty-Two Dollars and No Cents (\$63,182.00) per acre, which is the average per acre price Purchaser would have paid for all of the 425 acres of Property.

4.4 Latecomer Agreements. Seller agrees to cooperate with Purchaser to timely review and act on Purchaser's requests for Latecomer Agreements in accordance with RMC Chapter 3.10 for Purchaser's construction of Infrastructure Improvements.

## ARTICLE 5

### GENERAL PROVISIONS

5.1 Notices: Any notice, consent or approval required or permitted to be given under this Option Agreement shall be in writing and shall be deemed to have been given upon (i) hand delivery or (ii) one (1) day after being deposited with Federal Express or another reliable overnight courier service, or (iii) on the date transmitted by email, and addressed as follows:

If to Seller: City of Richland  
Economic Development Division  
625 Swift Blvd., MS #18  
Richland, Washington 99352  
Attn: Mandy Wallner, Economic Development Manager  
Phone: 509-942-7595  
Email: [mwallner@ci.richland.wa.us](mailto:mwallner@ci.richland.wa.us)

With a copy to: City of Richland  
City Attorney  
625 Swift Blvd., MS #07  
Richland, Washington 99352  
Attn: Heather Kintzley  
Phone: 509-942-7385  
Email: [hkintzley@ci.richland.wa.us](mailto:hkintzley@ci.richland.wa.us)

If to Buyer: Washington Energy, LLC  
650 Page Mill Road  
Palo Alto, CA 94304  
Attn: Drew DeWalt  
Email: [dwdewalt@gmail.com](mailto:dwdewalt@gmail.com)

With a copy to: Wilson Sonsini Goodrich & Rosati  
650 Page Mill Road  
Palo Alto, CA 94304-1050  
Attn: James P. McCann, Esq.  
Email: [jpmccann@wsgr.com](mailto:jpmccann@wsgr.com)

or such other address as either party may from time to time specify in writing to the other.

5.2 Brokerage Commissions: Neither party has had any contact or dealings regarding the Property, or any communication in connection with the subject matter of this transaction, through any real estate broker or other person who can claim a right to a commission or finder's fee in connection with the sale contemplated herein. In the event that any broker or finder perfects a claim for a commission or finder's fee based upon any such contact, dealings or communication, the party through whom the broker or finder makes its claim shall be responsible for said commission or fee and all costs and expenses (including reasonable attorneys' fees) incurred by the other party in defending against the same. The provisions of this paragraph shall survive the expiration or termination of this Option Agreement.

5.3 Marketing. Seller agrees not to negotiate with, market or show the Property or to any other prospective purchasers during the term of this Option Agreement.

5.4 Assignment: This Option Agreement shall be binding upon, and inure to the benefit of, the parties hereto and their respective successors, heirs, administrators and assigns. Buyer shall have the right, with notice to Seller, to assign its right, title and interest in and to this Option Agreement to one or more affiliates or a direct or indirect subsidiaries of Buyer, and in such event, the party originally designated as Buyer shall be relieved of any and all obligations under this Option Agreement and any other instruments executed pursuant hereto, and such assignee(s) shall be substituted in its place.

5.5 Miscellaneous. Time is of the essence of this Option Agreement. This Option Agreement shall be governed by and construed in accordance with the laws of the State of Washington. If any provision of this Option Agreement, or the application thereof to any person, place, or circumstance, shall be held by a court of competent jurisdiction to be invalid, unenforceable or void, the remainder of this Option Agreement and such provisions as applied to other persons, places and circumstances shall remain in full force and effect. This Option Agreement and the exhibits hereto constitute the entire agreement between the parties and supersede all prior agreements and understandings between the parties relating to the subject matter hereof. In the event a dispute arises concerning the performance, meaning or interpretation of any provision of this Option Agreement, the defaulting party or the party not prevailing in such dispute shall pay any and all costs and expenses incurred by the other party in enforcing or establishing its rights hereunder, including, without limitation, court costs and attorneys' fees. Each party hereto agrees to execute and deliver such other and further instruments and documents as may reasonably be requested by the other to carry out this Option Agreement. Each party hereto covenants to use reasonable efforts to cause satisfaction of all conditions to its obligation under this Option Agreement, and to exercise good faith in fulfilling its obligations under this Option Agreement.

5.6 Memorandum of Option Agreement: At Buyer's request, Seller shall promptly execute and deliver to Buyer in recordable form a Memorandum of Option Agreement (the "Memorandum") in the form attached hereto as Exhibit B. Buyer may cause the Memorandum to be recorded in the Official Records of Benson County, Washington without the need for further instruction from Seller. Seller and Buyer agree to execute a Termination of Option Agreement upon the expiration of this Option Agreement.

5.7 Right to Repurchase.

A. Phase 1 & 2 Right to Repurchase. If and only if Buyer fails to initiate construction of structures on any Phase 1 Property or Phase 2 Property, as authorized by the issuance of a building permit, at any time prior to the date that is eighteen (18) months after Buyer receives licensing approval of Buyer's project by the United States Nuclear Regulatory Commission (the "Phase 1 & 2 Repurchase Right Condition"), Seller reserves the right to reclaim title to all (but not less than all) of the Phase 1 and Phase 2 Property then purchased by Buyer through repurchase (the "Phase 1 & 2 Right to Repurchase") by delivering written notice to Buyer of such election within thirty (30) days of the foregoing date. Seller shall reclaim such Phase 1 and Phase 2 Property by refunding, without interest, the original Purchase Price identified herein for the Property and reimbursing to Buyer any out-of-pocket costs incurred by Buyer for the engineering, design, permitting and construction of any Infrastructure Improvements. Buyer and Seller shall each pay for one half of the closing costs related to Seller's repurchase of the Property. Buyer agrees to re-convey fee title to Seller within sixty (60) days of receipt of notification of Seller's election to exercise its Phase 1 & 2 Right to Repurchase. This Phase 1 & 2 Right to Repurchase is exclusive to Seller and shall be exercised at Seller's sole discretion. Seller shall be under no obligation to exercise this Phase 1 & 2 Right to Repurchase. This Phase 1 & 2 Right to Repurchase right shall survive Closing as to any Phase 1 Property and Phase 2 Property and the delivery of the applicable Deeds. Seller and Buyer agree to execute a Memorandum of Phase 1 & 2 Repurchase Right to evidence Seller's Phase 1 & 2 Right to Repurchase, which Memorandum of Phase 1 & 2 Repurchase Right may be recorded by Seller in the real property records of Benton County, Washington as to such Phase 1 Property and Phase 2 Property. If the Memorandum of Phase 1 & 2 Repurchase Right is

recorded, Seller and Buyer agree to execute a Termination of Repurchase Right upon the expiration of the Phase 1 & 2 Right to Repurchase. Seller agrees that the Phase 1 & 2 Right to Repurchase shall be void, terminated and of no further force and effect immediately upon Buyer's satisfaction of the Phase 1 & 2 Repurchase Right Condition.

B. Phase 3 Right to Repurchase. If and only if Buyer fails to initiate construction of any improvements, including site preparation, grading or infrastructure work on the Phase 3 Property at any time prior to the date that is twenty-four (24) months after Buyer first acquires any Phase 3 Property (the "Phase 3 Repurchase Right Condition"), Seller reserves the right to reclaim title to all (but not less than all) of the Phase 3 Property then purchased by Buyer through repurchase (the "Phase 3 Right to Repurchase") by delivering written notice to Buyer of such election within thirty (30) days of the foregoing date. Seller shall reclaim such Phase 3 Property by refunding, without interest, the original Purchase Price identified herein for the Property and reimbursing to Buyer any out-of-pocket costs incurred by Buyer for due diligence, development, engineering, design, permitting and construction of Buyer's contemplated project on such Phase 3 Property. Buyer and Seller shall each pay for one half of the closing costs related to Seller's repurchase of the Property. Buyer agrees to re-convey fee title to Seller within sixty (60) days of receipt of notification of Seller's election to exercise its Phase 3 Right to Repurchase. This Phase 3 Right to Repurchase is exclusive to Seller and shall be exercised at Seller's sole discretion. Seller shall be under no obligation to exercise this Phase 3 Right to Repurchase. This Phase 3 Right to Repurchase right shall survive Closing as to any Phase 3 Property and the delivery of the applicable Deeds. Seller and Buyer agree to execute a Memorandum of Phase 3 Repurchase Right to evidence Seller's Phase 3 Right to Repurchase, which Memorandum of Phase 3 Repurchase Right may be recorded by Seller in the real property records of Benton County, Washington as to such Phase 3 Property. If the Memorandum of Phase 3 Repurchase Right is recorded, Seller and Buyer agree to execute a Termination of Repurchase Right upon the expiration of the Phase 3 Right to Repurchase. Seller agrees that the Phase 3 Right to Repurchase shall be void, terminated and of no further force and effect immediately upon Buyer's satisfaction of the Phase 3 Repurchase Right Condition.

[Signature Page to Follow]

IN WITNESS WHEREOF, the parties have executed this Option Agreement as of the date first set forth above.

**Seller:**

CITY OF RICHLAND

By: \_\_\_\_\_

Jon Amundson, ICMA-CM

City Manager

Date of signature: \_\_\_\_\_

APPROVED AS TO FORM:

By: \_\_\_\_\_

Heather Kintzley, City Manager

**Buyer:**

WASHINGTON ENERGY, LLC,  
a Delaware limited liability company

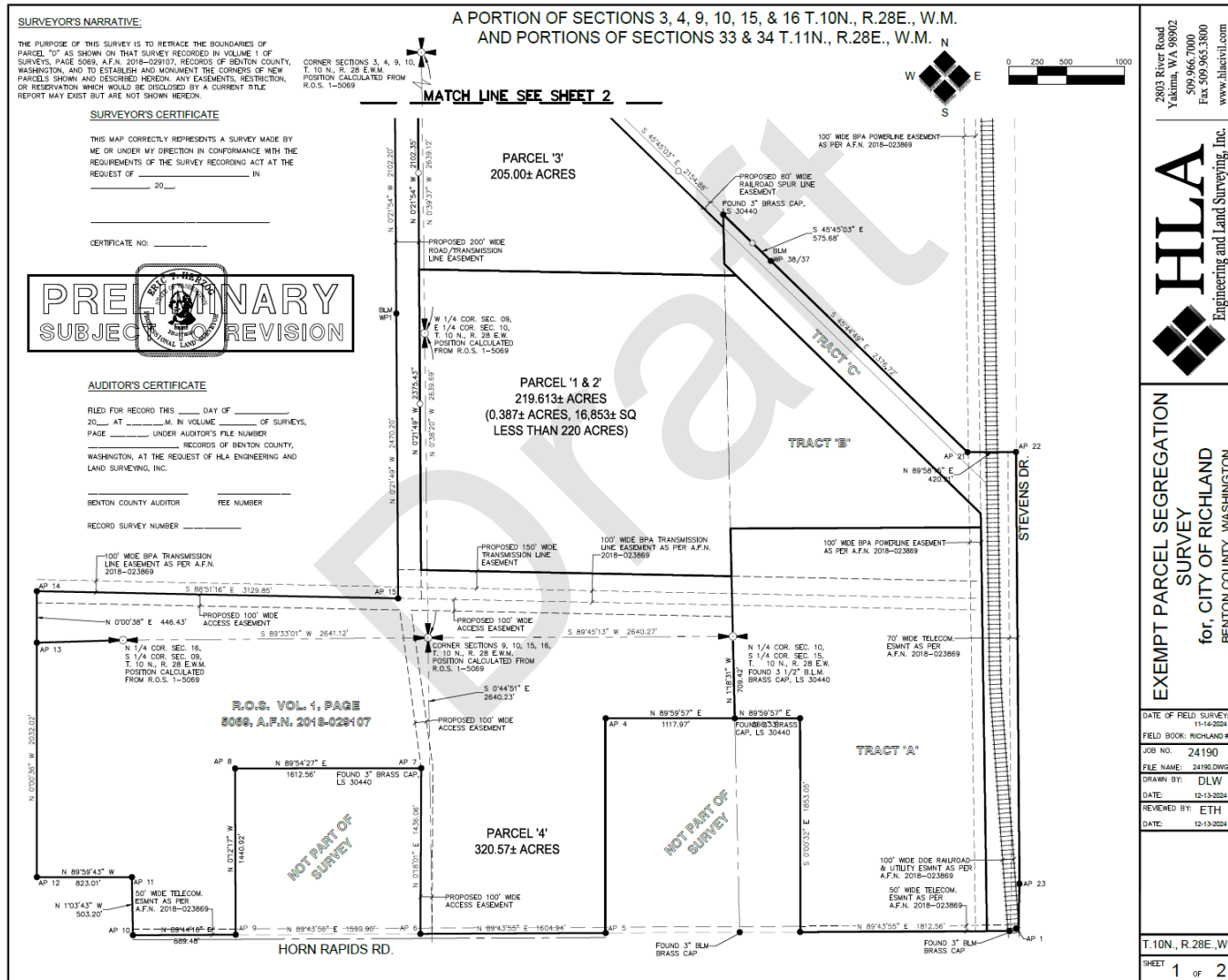
By: \_\_\_\_\_

Name:

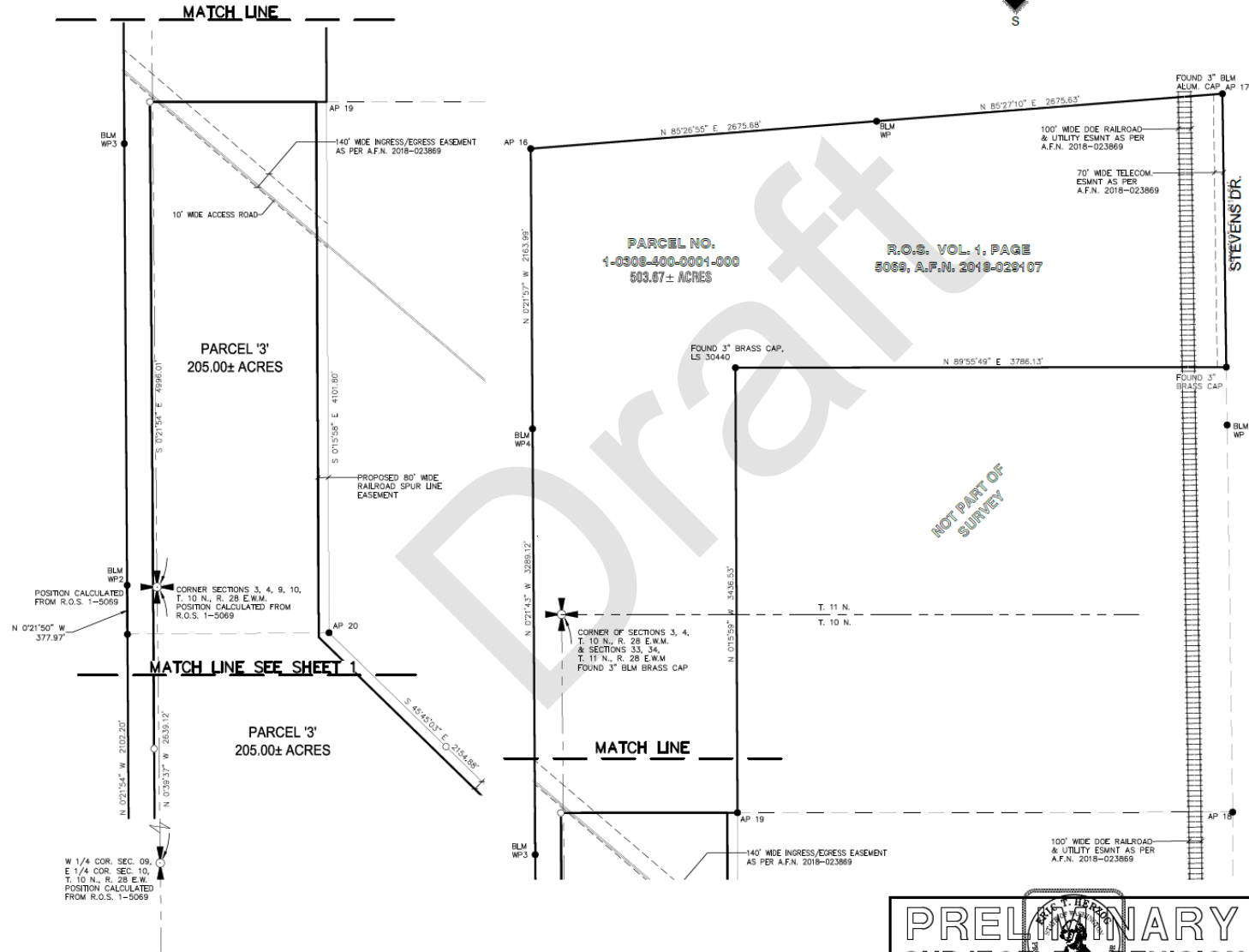
Title:

Date of signature: \_\_\_\_\_

### Property Description



A PORTION OF SECTIONS 3, 4, 9, 10, 15, & 16 T.10N., R.28E., W.M.  
AND PORTIONS OF SECTIONS 33 & 34 T.11N., R.28E., W.M.



2803 River Road  
Yakima, WA 98902  
509.966.7000  
Fax 509.965.3800  
www.hlaivil.com



**RECORD OF SURVEY**  
**for, CITY OF RICHLAND**  
**BENTON COUNTY, WASHINGTON**

DATE OF FIELD SURVEY: 11-14-2024  
FIELD BOOK: RICHLAND #1  
JOB NO.: 24190  
FILE NAME: 24190.DWG  
DRAWN BY: DLW  
DATE: 12-13-2024  
REVIEWED BY: ETH  
DATE: 12-13-2024

T.10N., R.28E., W.M.  
SHEET 2 OF 3

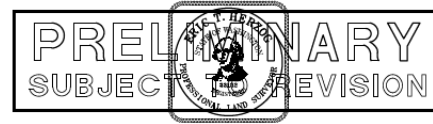


EXHIBIT B

Memorandum of Option Agreement

RECORDING REQUESTED  
BY AND WHEN RECORDED  
MAIL THIS MEMORANDUM  
OF OPTION AGREEMENT TO:

Wilson Sonsini Goodrich & Rosati  
650 Page Mill Road  
Palo Alto, California 94304  
Attn: James P. McCann, Esq.

---

(Above Space for Recorder's Use Only)

**MEMORANDUM OF OPTION AGREEMENT**

This Memorandum of Option Agreement (this “Memorandum”) is made as of the \_\_\_\_ day of \_\_\_\_, 202\_\_, by and between \_\_\_\_\_, a \_\_\_\_\_ (“Seller”), and \_\_\_\_\_, a [Delaware] corporation (“Buyer”), and is executed pursuant to that certain unrecorded Option Agreement dated as of \_\_\_\_\_, 2025 (the “Option Agreement”) between Seller and Buyer and relating to certain real property situated in the[COUNTY], [STATE] as more particularly described in Exhibit “A” attached hereto and by this reference incorporated herein (the “Property”).

Seller has granted, and hereby grants, to Buyer the exclusive and irrevocable right and option to purchase the Property during the time, for the price and on the terms and conditions set forth in the Option Agreement.

IN WITNESS WHEREOF, the parties have executed this Memorandum of Option Agreement as of the date first set forth above.

**Seller:**

[ \_\_\_\_\_ ]  
[a \_\_\_\_\_ ]

By: \_\_\_\_\_  
Name:  
Title:

STATE OF [STATE]            )  
COUNTY OF [COUNTY]    )

Before me, \_\_\_\_\_ a Notary Public in and for the state and county aforesaid, personally appeared \_\_\_\_\_, to me known (or proved to me on the basis of satisfactory evidence) to be the \_\_\_\_\_ of [COUNTY], [STATE], a political subdivision of the State of [STATE], the within named bargainor, who acknowledged that he/she executed the foregoing instrument, after being duly authorized, for the purposes therein contained on behalf of said county in his/her official and authorized capacity.

**WITNESS** my hand at office this \_\_\_\_\_ day of \_\_\_\_\_, 2025.

\_\_\_\_\_  
Notary Public  
My Commission Expires:

[Signatures Continue on Following Page]

**Buyer:**

[\_\_\_\_\_  
a [Delaware] corporation]

By: \_\_\_\_\_

Name:

Title:

STATE OF \_\_\_\_\_ )  
COUNTY OF \_\_\_\_\_ )

Before me, \_\_\_\_\_ a Notary Public in and for the state and county aforesaid, personally appeared \_\_\_\_\_, to me known (or proved to me on the basis of satisfactory evidence) to be the \_\_\_\_\_ of \_\_\_\_\_, a [Delaware] corporation, the within named bargainor, who acknowledged that he/she executed the foregoing instrument, after being duly authorized, for the purposes therein contained on behalf of said corporation in his/her official and authorized capacity.

**WITNESS** my hand at office this \_\_\_\_\_ day of \_\_\_\_\_, 2025.

\_\_\_\_\_  
Notary Public

My Commission Expires:

EXHIBIT C

Form of Purchase Agreement

[See attached]

Draft