



Agenda
Hearing Examiner Meeting
Thursday, September 22, 2016
City Hall Council Chamber | 505 Swift Boulevard

Hearing Examiner: Gary McLean

Liaisons: Staff Liaison Development Services Manager Simon

Public Hearing – 6:00 p.m.

Public Hearing Explanation:

New Business – Public Hearing:

1. SUP2016-100 An Application for a Special Use Permit
Submitted by Rajiv Malhan to Construct a Car Wash in the Central Business District at 1225 Guyer Avenue.
2. Z2016-104 An Application Submitted by Cody Bender to Change the Zoning on 1.1 Acres From AG - Agricultural to C-3 - General Business on Property Located North of Van Giesen Street and East of Buckskin Lane.

Adjournment

The next Hearing Examiner Meeting is October 27, 2016

This Meeting is broadcast live on CityView Channel 192 and online at CI.RICHLAND.WA.US/CITYVIEW

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HEARING EXAMINER AGENDA ITEM COVERSHEET

Meeting Date: 09/22/2016

Agenda Category: New Business – Public Hearing

Prepared By: Shane O'Neill, Senior Planner

Subject:

SUP2016-100 An Application for a Special Use Permit

Submitted by Rajiv Malhan to Construct a Car Wash in the Central Business District at 1225 Guyer Avenue.

Department:

Community & Development Services

Recommended Motion:

Staff recommends approval of the application subject to completion of recommended conditions included in the staff report.

Summary:

Rajiv Malhan has submitted an application to construct and operate an automatic car wash in the Central Business District. The location of the property is at 1225 Guyer Avenue. The attached staff report includes a description of the project and staff's recommendation of approval subject to completion of a list of recommended conditions.

Attachments:

1. Staff Report

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

GENERAL INFORMATION:

PROPOSAL NAME: Richland Carwash Special Use Permit

LOCATION: 1225 Guyer Ave. (south side of Guyer Avenue approx. 140-feet west of George Washington Way)

APPLICANT: Rajiv Malhan

FILE NO.: SUP2016-100

DESCRIPTION: Request to construct a 3,030 square foot carwash in the Central Business District.

PROJECT TYPE: Type II Zoning Special Use Permit

HEARING DATE: September 22, 2016

REPORT BY: Shane O'Neill, Senior Planner

RECOMMENDED ACTION: Approval subject to completion of proposed conditions.

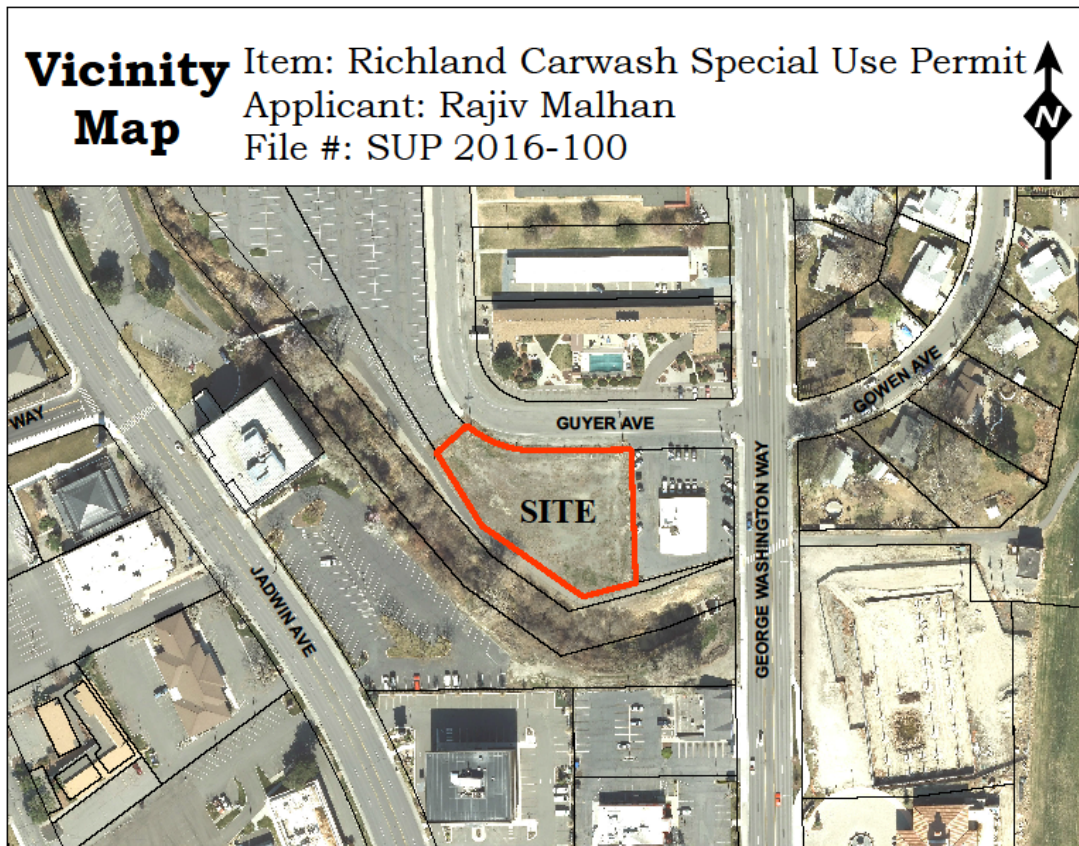


Figure 1 - Vicinity Map

DESCRIPTION OF PROPOSAL

Mr. Rajiv Malhan has filed a special use permit application to construct and operate an automatic carwash on a 0.72 acre site within the Central Business District (CBD) zone. Under the provisions of the CBD zone carwashes require special use permit review and approval prior to locating in the district subject to the site and building design requirements of RMC 23.42.270.

The carwash facility would be a single story 3,030 square foot building located on the north side of an irregularly shaped parcel fronting the south side of Guyer Avenue. Access to the site would be provided from the northeastern most corner of the site. Once on-site, cars would be routed south past the building to the drive-through lane. Off-street parking is proposed to be centrally located on the site between the carwash and the south property line.

Vacuum machines would be provided adjacent to the carwash facility in the parking area. Car washes are a permitted use within the C-1 (Neighborhood Retail) zone.

HISTORY

In 2009 the Central Business District (CBD) commercial zone was established and assigned to a cohesive area centrally located in Richland's downtown core. In doing so, the CBD zone was applied to the subject vacant site addressed 1225 Guyer Avenue. Prior to expanding the CBD zone the subject site was zoned C-2 (Retail Business) which lists carwashes as a permitted use subject to the same site and structural design criteria listed in RMC 23.42.270. Aerial imagery dating back to 1994 indicate the site has been vacant since that time. Site inspection by city staff revealed weathered asphalt, indicating that at one time the site was largely paved for an undetermined land use which may have been nothing more than a parking area.

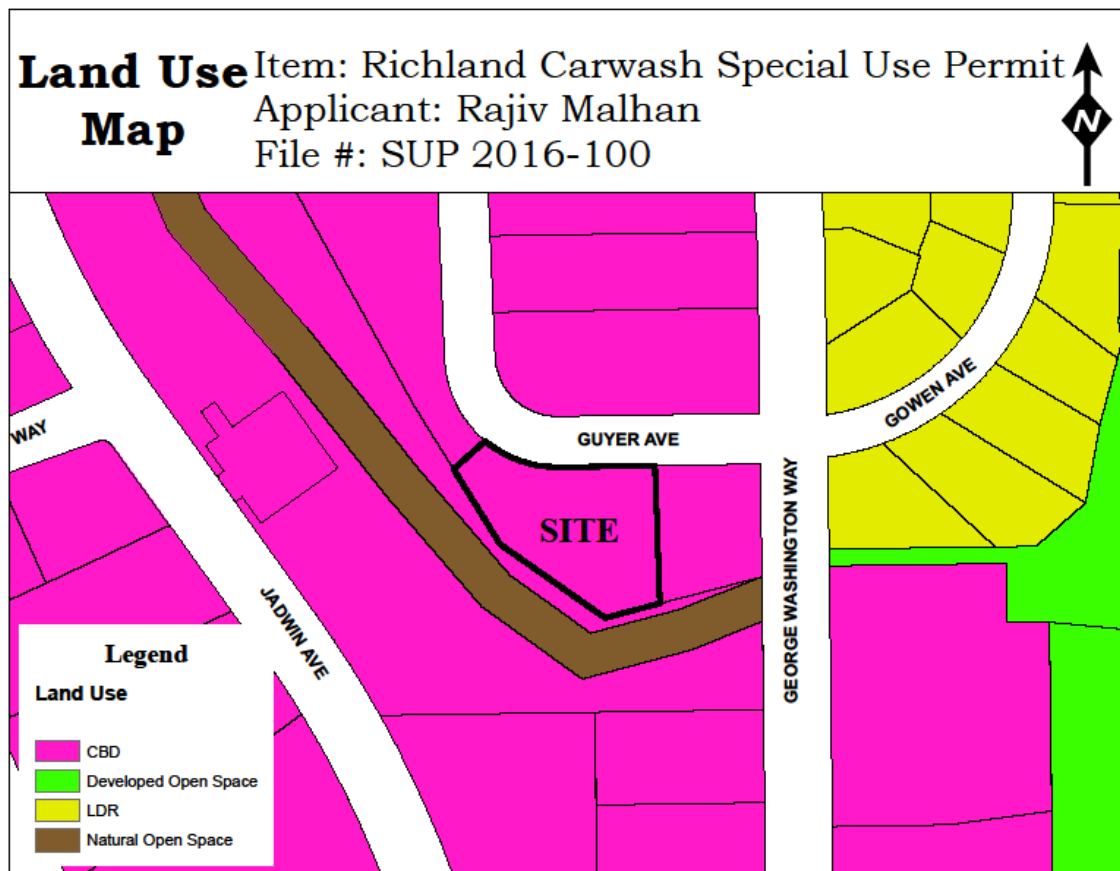


Figure 2 – Comprehensive Plan

SITE DESCRIPTION & ADJACENT LAND USES

The site consists of a single 0.72 acre parcel, fronting the south side of Guyer Avenue; lying approximately 135-feet west of George Washington Way. There are presently no improvements on the site. Adjoining property to the east contains a restaurant (without drive-thru window service). Parcels to the west and northwest contain large office buildings and associated parking lots. The City of Richland owns the land underlying these two office buildings addressed 1100 & 1200 Jadwin Ave. Many of the office tenant spaces in the two buildings are vacant with the exception of a few occupied offices in the building addressed 1100 Jadwin Ave. A natural drainage/seasonal creek runs through the office building parcels very near the southern parcel boundary of the subject site. This heavily vegetated drainage channel flows from north to south and then east into a culvert under George Washington Way. Portions of the office building site nearest to the subject site and proposed carwash contain natural vegetation and a parking lot which would help mitigate impacts generated by a carwash business.

A segment of the Urban Greenbelt Trail (UGT) hugs the south property line of the site. The UGT is a pedestrian and bicycle pathway that forms a ring around and through the Central Business District connecting a series of city parks and open spaces. In this location the UGT is detached from public roadways. Staff does not feel that a carwash along the UGT would interfere with or disrupt trail users.

The north side of the site is bordered by Guyer Avenue; across Guyer Ave. from the site is the Bali Hi Motel. This motel is a two-story building with parking directly adjacent to Guyer Avenue, bordering the entire Guyer frontage. No barrier exists between the strip of motel parking and the edge of road. Motel guests must back into the north/eastbound traffic lane in order to exit parking stalls.

Aerial images of the site and surrounding vicinity are shown in the vicinity map (Figure 1) on page 2 of this report.

EXISTING ZONING

With the exception of the drainage/creek which is zoned Parks & Public Facilities (PPF), all surrounding properties are identically zoned CBD.

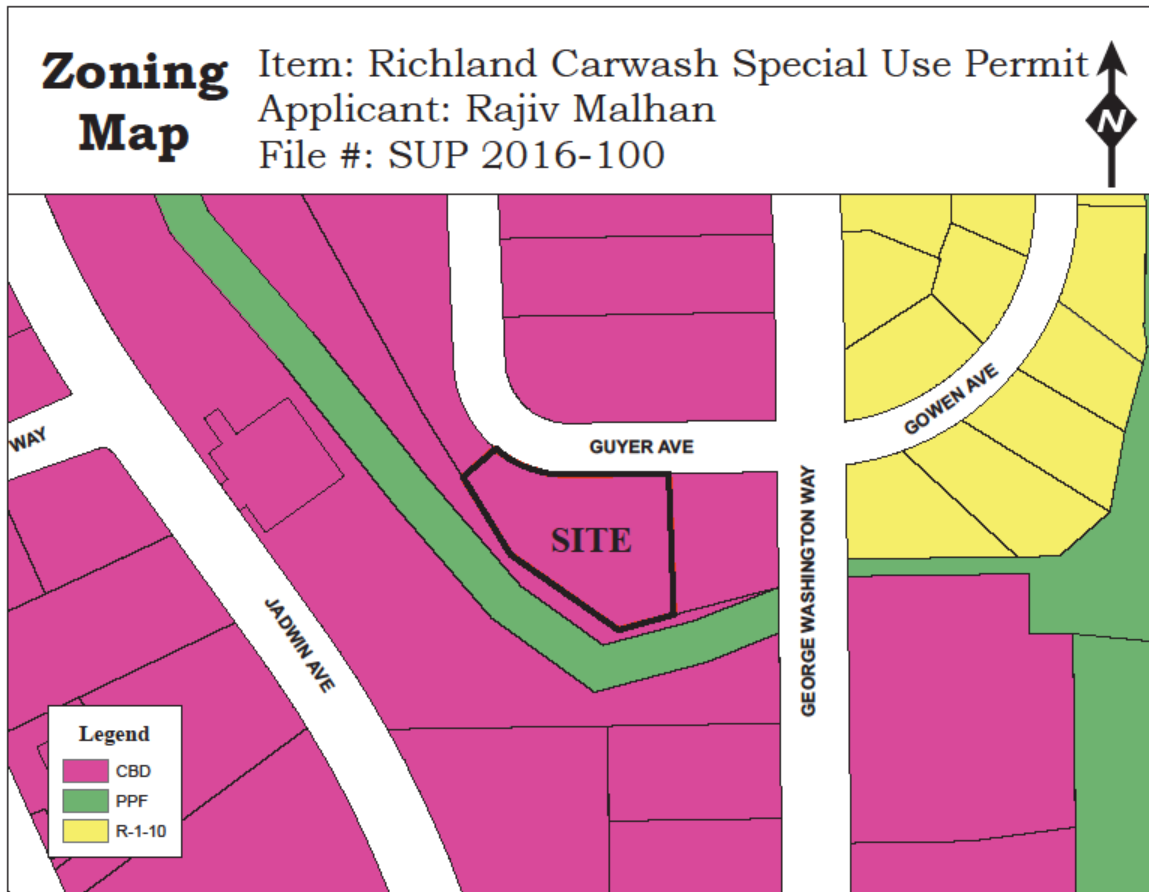


Figure 3 – Zoning Map

According to RMC 23.22.010(F), the central business district (CBD) is a special mixed use zoning classification designed to encourage the transformation of the central business district from principally a strip commercial auto-oriented neighborhood to a more compact development pattern. The central business district is envisioned to become a center for housing, employment, shopping, recreation, professional service and culture. The uses and development pattern will be integrated and complementary to create a lively and self-supporting district. Medium rise buildings will be anchored by pedestrian oriented storefronts on the ground floor with other uses including housing on upper floors. Projects will be well designed and include quality building materials. Appropriate private development will be encouraged via public investments in the streetscape and through reduction in off-street parking standards. Uses shall generally be conducted completely within an enclosed building, except that outdoor seating for cafes, restaurants, and similar uses and outdoor product display is encouraged. Buildings shall be oriented to the fronting street or access-way, to promote a sense of enclosure and continuity along the street or access-way. This zoning classification is intended for those portions of the city that are designated as

central business district, as well as some properties designated as commercial and waterfront, under the Richland comprehensive plan.

CBD Performance Standards

In order to assist in limiting the impact of commercial uses on adjoining neighborhoods, RMC 23.22.020(E) provides the following performance standards for all CBD uses:

E. Central Business District. New buildings shall conform to the following design standards:

1. The maximum setback area shall only be improved with pedestrian amenities including but not limited to: landscaping, street furniture, sidewalks, plazas, bicycle racks, and public art.
2. Building facades facing streets shall include:
 - a. Glass fenestration on 50 percent to 80 percent of the ground floor of the building facade. A window display cabinet, work of art, decorative grille or similar treatment may be used to cover an opening for concealment and to meet this standard on those portions of the ground floor facade where the applicant can demonstrate that the intrusion of natural light is detrimental to the ground floor use. Examples of such uses include, but are not limited to, movie theaters, museums, laboratories, and classrooms.
 - b. At least two of the following architectural elements:
 - i. Awnings;
 - ii. Wall plane modulation at a minimum of three feet for every wall more than 50 feet in length;
 - iii. Pilasters or columns;
 - iv. Bays;
 - v. Balconies or building overhangs; or
 - vi. Upper story windows (comprising a minimum of 50 percent of the facade).
3. At least one pedestrian, nonservice entrance into the building will be provided on each street frontage or provided at the building corner.
4. Variation of exterior building material between the ground and upper floors of multi-story buildings.
5. All buildings with a flat roof shall use a modulated height parapet wall for wall lengths greater than 50 feet. The modulation of parapet heights is encouraged to identify building entrances.
6. All new buildings that utilize parapet walls shall include a projecting cornice detail to create a prominent edge.
7. Public street and sidewalk improvements are required per Richland Municipal Code to implement approved street cross-sections. Curb cuts are encouraged to be located adjacent to property lines and shared with adjacent properties, via joint access agreement.

8. Service bays, loading areas, refuse dumpsters, kitchen waste receptacles, outdoor storage locations, and rooftop mechanical equipment shall be located away from public rights-of-way via site planning and screened from view with landscaping, solid screening or combination.
9. Alternative Design. In the event that a proposed building and/or site does not meet the literal standards identified in this section, or the maximum setback standards set forth in RMC 23.22.040 or the maximum parking standards set forth in RMC 23.22.050, a project representative may apply to the Richland planning commission for a deviation from these site design standards. The Richland planning commission shall consider said deviation and may approve any deviation based on its review and a determination that the application meets the following findings:
 - a. That the proposal would result in a development that offers equivalent or superior site design than conformance with the literal standards contained in this section; and
 - b. The proposal addresses all applicable design standards of this section in a manner which fulfills their basic purpose and intent; and
 - c. The proposal is compatible with and responds to the existing or intended character, appearance, quality of development and physical characteristics of the subject property and immediate vicinity.

CBD Dimensional & Parking Standards

The following standards apply in the C-1 zone per RMC 23.22.040:

Front yard setback: 0-feet min., 20-feet max.
Side yard setback: 0 feet
Maximum building height: 110 feet

Standards for Self-service and automatic carwashes.

RMC Section 23.42.270 sets forth the following building and site design standards for car washes:

- A. Vehicular Access and Circulation. Design plans shall provide for the safe and efficient movement of vehicles entering, using and exiting the site;
- B. Sight and Sound Buffers and Landscaping. Design plans shall include the following provisions for sight and sound buffering and landscaping as appropriate:
 1. The minimum landscaping required shall be as set forth in RMC 23.54.140, landscaping of parking facilities, except that no interior coverage is required;
 2. To help assure compatibility with adjoining uses, sight and sound buffers may be required as specified by the administrative official.

Where a proposed car wash has interior property lines adjoining a residential district or use, a minimum six-foot-high fence, constructed of masonry, wood, or wood slatted wire mesh, shall be constructed along said interior property lines, provided such fences shall comply with any required setbacks from adjoining streets;

C. Building Design. Building design plans shall demonstrate to the administrative official's satisfaction the following:

1. That the building design, including a type and color of exterior materials, will be compatible and consistent with the architectural character of the surrounding area;
2. That the height-to-width relationship/mass of a proposed building will be compatible and consistent with the surrounding area.

Criteria for Evaluation of Special Use Permit Applications

Section RMC 23.46.040 provides criteria for the Hearing Examiner to consider in the evaluation of a special use permit application. It states:

The hearing body shall conduct an open record public hearing on an application for special use permit as required by RMC Title 19 for a Type III permit application.

- A. *Any person may appear at the public hearing in person, or by agent or attorney.*
- B. *The hearing body shall make a finding that it is empowered under the section of this code described in the application to consider the application for the special use permit.*
- C. *The hearing body shall approve, approve with conditions or deny an application for a special use permit based on findings of fact with respect to the following criteria:*
 1. *The size and dimensions of the site provide adequate area for the proposed use;*
 2. *The physical conditions of the site, including size, shape, topography, and drainage, are suitable for the proposed development;*
 3. *All required public facilities necessary to serve the project have adequate capacity to serve the proposed project;*
 4. *The applicable requirements of this zoning regulation (RMC Title 23), the city comprehensive plan, the city sensitive area regulations (RMC Title 20), the city shoreline management regulations (RMC Title 26) and the city sign regulations (RMC Title 27) have been met; and*
 5. *Identified impacts on adjacent properties, surrounding uses and public facilities have been adequately mitigated.*

- D. The hearing body may impose conditions on the approval of a special use permit in addition to or above and beyond those required elsewhere in this title, which are found necessary to ensure the use is compatible with the public interest. These conditions may include, but are not limited to, the following:*
- 1. Limiting the hours, days, place and/or manner of operation;*
 - 2. Requiring design features which minimize environmental impacts such as noise, vibration, air pollution, glare, odor and/or dust;*
 - 3. Requiring additional setback areas, lot area and/or lot depth or width;*
 - 4. Limiting the building height, size or lot coverage, and/or location on the site;*
 - 5. Designating the size, number, location and/or design or vehicle access points;*
 - 6. Requiring street right-of-way dedication and/or street improvement;*
 - 7. Requiring additional landscaping, berms and/or screening of the proposed use and/or its parking or loading areas and designating the required size, height, type and/or location of fencing and landscaping materials;*
 - 8. Limiting the number, size, location, height and/or lighting of signs.*
- E. Violation of any conditions, requirements, and safeguards, when made a part of the terms under which the special use permit is granted, shall be deemed a violation of this code and punishable under RMC 23.70.270.*
- F. The hearing body may prescribe a time limit within which the action for which the special use permit is required shall be begun and/or completed. Failure to begin and/or complete such action within the time limit set shall void the special use permit. The time limits may be extended by the hearing body for good cause shown. In the event that no specific time limit to begin or complete a special use permit is identified, then the special use permit shall remain valid for a period of two years from the date that the permit was issued. The hearing body may authorize issuance of a special use permit for a specified probationary period of time, at the termination of which the applicant must resubmit a new application in accordance with the provisions of RMC 23.46.020.*

RMC Section 23.46.025(A)(12) designates the Hearing Examiner as the hearing body responsible for conducting the review of special use permit applications for carwashes proposed in the Central Business District.

PUBLIC NOTICE

Application Date:
Combined Notice of Application & Hearing Mailed:
Combined Notice of Application & Hearing Posted:
Public Hearing:

August 17, 2016
September 2, 2016
September 7, 2016
Sept. 22, 2016

A combined notice of application, SEPA determination and notice of hearing was provided through posting of the property, mailing of notice to property owners within 300 feet of the site and publication in the *Tri-City Herald* newspaper. Copies of the notices and affidavits are included in Exhibit 4.

UTILITY AVAILABILITY

The City has domestic water, sewer and electrical service lines in place to serve the site and have adequate capacity to supply the proposed project.

TRANSPORTATION

Guyer Avenue is classified as a local access street in the City's Transportation Plan. As such, direct access from the site onto Guyer Avenue is permitted. It is foreseen that a majority of traffic entering the site will originate from George Washington Way which is classified as principal arterial roadway. Likewise, it is anticipated that most of the vehicles exiting the site will head to George Washington Way by way of Guyer Ave.

Due to the site's location the project will not be required to pay traffic impact fees.

SEPA

The project, by virtue of the fact that it requires a special use permit, also requires compliance with the provisions of the State Environmental Policy Act. The applicant filed an environmental checklist (Exhibit 5). City staff reviewed the checklist, plans and application materials and entered a Determination of Non-Significance into the record on August 23, 2016 (Exhibit 6).

AGENCY COMMENTS

Project notification was provided to a standard list of agency contacts together with notice publication in the Tri-City Herald newspaper. Since the time of notice city staff have not received comments from any of the agencies nor from members of the community at large.

PUBLIC COMMENTS

At the time this report was prepared, the City received zero comment letters from the public relating to this project proposal.

ANALYSIS

The stated purpose of the Central Business District encourages the transformation of the district from principally a strip commercial auto-oriented

neighborhood to a more compact development pattern. The intent behind the CBD zone is aimed toward creating a pedestrian oriented and self-supporting environment.

To that end, a self-supporting environment is one which provides a full range of services to residents of the vicinity. Developing such an environment is challenging when the area involved is bifurcated by a principal arterial roadway carrying over 40,000 vehicles per day, with residences on one side of the roadway and commercial business sites on the other. In this way the purpose of the relatively new CBD zone is at odds with the long-established nature of activity in the area to which the district is applied. But we can however, promote uses which provide services meeting the needs of people who routinely travel within the Central Business District. If the observed use of the district clearly includes automotive travel, as on George Washington Way, then inclusion of businesses serving the needs of motorists is necessary in developing a self-supporting zoning district.

Barring any major traffic pattern revisions use of the CBD zone will continue to involve high volumes of vehicle traffic. In light of this it may be in the best interest of the public to allow certain businesses serving the needs of actual use patterns occurring in the district.

In terms of creating a compact development pattern, the proposal may be viewed as commercial infill; making use of a vacant tract of land which otherwise detracts from the aesthetic appeal of the area. Generally, development of this site with a new building meeting all of the design requirements imposed by the CBD zone together with conditionally required road frontage landscaping, will further enhance the CBD zone which emphasizes creating visual appeal.

To summarize, though oriented toward serving automobiles, a carwash meeting design standards of the Central Business District may fit within concept of the district by serving the residents in the neighborhood in which it is located and by infilling a vacant parcel central to the district.

All new construction within the Central Business District, regardless of the need for special permit review, is subject to a set of specific design criteria [RMC 23.22.020(E)]. Many of the details required to be met cannot be specifically evaluated at this time as the applicant wishes to gain zoning approval prior to investing in architectural renderings illustrating full building elevations. In this instance staff feels it is appropriate to condition approval upon adherence to the aforementioned design standards to be reviewed during the building permit review stage. During early consultations between city staff and the applicant, the applicant was made fully aware of the full set of design standards listed in the Current Zoning section of this report (page 6).

The criteria for the evaluation of a special use permit require review of the following factors:

1. The size and dimensions of the site provide adequate area for the proposed use;

The size of the property is adequate to support the proposed uses, as evidenced by the project's conformity to building setbacks, off-street parking requirements and stacking lanes.

2. The physical conditions of the site, including size, shape, topography, and drainage, are suitable for the proposed development;

The irregular shape of the site presented some difficulties in fitting the proposed uses on the site during early consultations with staff, but after revising the initial draft site plan to eliminate an on-site coffee shop and by pushing the building forward to meet setback requirements a suitable site plan was developed (See Exhibit 2). In terms of topography and so forth, the site is flat and does not present any unique or problematic circumstances in need of special attention or regulation.

3. All required public facilities necessary to serve the project have adequate capacity to serve the proposed project;

Water and sewer utility services are in place and has adequate capacity to serve the project. Electrical service of adequate capacity to serve a carwash are currently in place. The adjoining Guyer Avenue lacks complete right-of-way infrastructure. Roadway improvements including curb, gutter and sidewalk will be a requirement at the building permit stage of site development.

4. The applicable requirements of this zoning regulation (RMC Title 23), the city comprehensive plan, the city sensitive area regulations (RMC Title 20), the city shoreline management regulations (RMC Title 26) and the city sign regulations (RMC Title 27) have been met;

The application must be found to be consistent with Central Business District building and site design performance standards, Standards for Self-service and automatic carwashes (RMC Section 23.42.270) and to satisfy the criteria for the issuance of a special use permit. The site is not subject to the City's sensitive area regulations, as no wetlands, steep slopes, geologically hazardous areas or floodplains are known to exist on the site. The site is also removed from any water bodies that are regulated under the Shoreline Management Act and so is not subject to shoreline management regulations. The application does not identify any proposed signs.

5. Identified impacts on adjacent properties, surrounding uses and public facilities have been adequately mitigated.

Based on the lack of comments received on this application, both from agencies and the public there are no additional areas of concern in need of special

regulating conditions beyond those imposed by CBD zoning performance standards. Aesthetic impacts will be addressed through the requirements of RMC 23.22.020(E) and as conditioned herein. Impacts on public facilities will be addressed through the typical commercial building permit review process by city public works, building and energy services departments.

Many aspects of the development related to building and site design can be addressed through existing provisions in the code. For example, the CBD performance standards include the following design requirements: glass fenestration on 50 – 80 percent of the ground floor of the building façade, a minimum of two architectural features and varying exterior building materials.

In summary, staff holds that with the imposition of specific conditions of approval, the application meets the criteria for the issuance of a special use permit.

RECOMMENDED CONDITIONS OF APPROVAL

1. The project shall comply with all performance standards applicable to the Central Business District (CBD) zone set forth in RCM 23.22.020 (E); and
2. Building finishes shall be in conformance with the standards of RMC Section 23.42.270; and
3. The project shall developed in substantial conformance with the site plan submitted with this special use permit application dated February, 16, 2016 with the exception of the trash enclosure shown. The final site plan must propose a revised trash enclosure location meeting City standards and may result in an alternate/additional point of egress; and
4. Five (5) street trees shall be planted within the right-of-way between the sidewalk and the front property line. Trees shall be a minimum of six to eight feet in height and have a diameter at breast height (dbh) caliper of at least one and one-half inches at the time of planting. Diameter at breast height is measured at four and one-half feet from average grade within six feet of the tree trunk so as not to include mounding at the tree base; and
5. The applicant shall install right-of-way infrastructure in accordance with civil plans prepared by a professional engineer for review and approval by the Richland Public Works Department; and
6. The applicant shall place appropriate pavement markings and/or signage to direct traffic though the car wash facility; and
7. A single freestanding sign meeting the standards of RMC Title 27 (Signs) is permitted on the property through the issuance of a City sign permit.

FINDINGS AND CONCLUSIONS

Staff has completed its review of the request for a special use permit (SUP2016-100) and recommends approval of the request subject to conformance to the conditions of approval identified above, based on the following findings:

1. The applicant, Rajiv Malhan, has filed a special use permit application to locate and operate a carwash on the subject vacant site addresses 1225 Guyer Avenue;
- 2.
3. The City of Richland Comprehensive Plan designates the subject site as suitable for commercial land uses;
4. The subject site is located within the Central Business District (CBD) zone;
5. In January of 2009 the City adopted Ordinance 04-09 which created a new Central Business District (CBD) zoning classification. Among other items, the CBD zoning classification is intended to encourage the transformation of the CBD from principally a strip commercial auto-oriented neighborhood to a more compact development pattern with buildings oriented to the fronting street;
6. In 2009 the subject property was rezoned from Retail Business (C-2) to Central Business District (CBD). The previous C-2 zoning district permitted the operation of a car wash without the requirement for a special use permit;
7. Carwashes are considered a special use, permitted through the issuance of a special use permit as stipulated in RMC 23.22.030, in the Central Business District by virtue of the fact that a land use relying specifically and exclusively upon automobile traffic generally runs counter to the pedestrian orientation of buildings and uses that are intended for the Central Business District as defined in the purpose statement of the CBD zone found in RMC Section 23.22.010(F).;
8. **Conclusion of Law**
Given the site is 135-feet west of George Washington Way, a principal arterial roadway carrying over 40,000 vehicles per day, provides adequate justification for an automotive oriented business within this immediate vicinity. Further, the site is large enough to accommodate the proposed use without detrimentally impacting adjacent properties.
9. Pursuant to RMC Section 23.46.010, the purpose of a special use permit is to provide opportunities to accommodate certain uses, which, by nature of use, intensity or general impact on an area, cannot be considered as a use of right within a zoning district;

10. RMC Section 23.42.270 requires self-service and automatic car washes to meet minimum standards regarding vehicular access and circulation; sight and sound buffers and building design;
11. All uses within the CBD Central Business District are subject to the performance standards contained in RMC 23.22.020(E);
12. Applications for special use permit are evaluated under the criteria contained in RMC 23.46.040;
13. The Hearing Examiner is granted the authority to conduct the review of special use permit applications for carwashes in the CBD zone in RMC 23.46.025(A)(12);
14. A special use permit is classified as a Type II application under RMC 19.20.030 and specifies that the Hearing Examiner shall make a final decision on an application unless appealed to City Council;
15. Public notice of the application and hearing was provided via mail to surrounding land owners within 300 feet of the site; through the posting of a sign on-site and through a legal advertisement in the *Tri-City Herald*, all in accordance with the notice provisions contained in RMC 19.40.010;
16. The applicant filed an environmental checklist, which was reviewed by City staff who entered a Determination on Non-Significance into the record on August 23, 2016. A 14 day comment period was provided to agencies with jurisdiction, thus satisfying the requirements of the State Environmental Policy Act;
17. The site plan submitted by the applicant meets the requirements of RMC 23.42.270 in that the site plan does provide for safe and efficient movement of vehicles entering and exiting the site. Further, given the nature of the adjacent land uses, there is no need for sight and sound buffering. In the absence of elevation renderings, building architecture requirements have not been evaluated;
18. The proposed carwash is proposed to be setback 5 feet from the street right-of-way property line in accordance with the CDB performance standards contained in RMC 23.22.020(E);
19. The proposed carwash would have 14 off-street parking spaces and so meets the parking standards identified in RMC 23.54.020(D);

20. The internal circulation of the site provides for vehicular stacking lanes that meet the requirements of RMC 23.54.020;
21. The design of the project provides adequate stacking space internally within the site without creating a situation where vehicles would be waiting for service on public sidewalks or streets;
22. The size of the property is adequate to support the proposed uses, as evidenced by the project's conformity to building setbacks, off-street parking requirements and stacking lanes;
23. Physical conditions of the site are suitable for the proposed development;
24. Public facilities consisting of sewer, water and electricity are in place and available to serve the proposed development. All utility systems have adequate capacity to serve the proposed development;
25. The proposal, as conditioned, is consistent with the City's comprehensive plan and the provisions of the CBD Central Business District zoning performance standards;
26. The proposal is exempt from the provisions of the City's sensitive areas ordinance and the shoreline management regulations given the absence of wetlands, water bodies, flood plains, steep slopes or geologically hazardous areas on site or in close proximity to the site;
27. The proposal is subject to the City's sign code regulations and as conditioned, will limit the project to a single freestanding sign;
28. As conditioned, the project meets the criteria for the issuance of a special use permit as established in RMC 23.46.040.

EXHIBIT LIST

1. Application
2. Site Plan
3. Site Photos
4. Public Notices & Affidavit of Publication
5. Environmental Checklist
6. Determination of Non-Significance



SPECIAL USE PERMIT INSTRUCTIONS AND APPLICATION

General Information

Application for a Special Use Permit must be submitted to the Development Services Division office prior to the regular meeting of the Richland Planning Commission or Board of Adjustment. The Current Planning Section staff will review the application, solicit comments from City staff, and consulted agencies, notify surrounding property owners, and prepare a staff report and recommendations to the Planning Commission or Board of Adjustment. The Planning Commission or Board of Adjustment, at their regular monthly meeting, will conduct a public hearing on the applicant's request and make a decision to approve, deny, or approve with conditions. Any decision of the Planning Commission or Board of Adjustment is final, unless appealed to the City Council.

Requirements

Requirements for filing an application for Special Use Permit with the Planning Commission or Board of Adjustment (see RMC, Chapter 23.46):

- ♦ **Filing Fee** The City of Richland's Municipal Code requires a filing fee be paid at the time of filing an application for the Special Use Permit. This fee is to assist in covering the expense to the City for advertising investigations, map work, and processing the application through its various stages.
- ♦ **Application Form** The attached application for Special Use Permit must be filled out completely with answers to each question. The application form must also contain the signatures of both the applicant(s) and the owner(s) of record of the property for which the Special Use Permit is being requested.
- ♦ **Required Attachments** The application shall be accompanied by a title insurance company report showing ownership of record of the property involved and a list of the names and addresses of all owners of record of property within a radius of 300-feet of the exterior boundaries of the subject property, or within the distance specified within the appropriate section of Chapter 23.46 relating to the special use being proposed. Specified distance _____ feet.

The application shall also be accompanied by 20 copies of a plot plan which shall be drawn at a scale of not less than 30-feet to the inch, nor more than 100-feet to the inch, which shall be clear and precise and shall contain the following information:

- ♦ Boundaries and dimensions of property,
- ♦ Location and width of boundary streets,
- ♦ Size and location of existing or proposed buildings, structures, or activities on the site,
- ♦ Roadways, walkways, off-street parking, loading facilities, and emergency vehicle access,
- ♦ Fencing, screening, or buffering with reference to location, type, dimension, and character,
- ♦ Required setbacks, yards, and other open spaces, and
- ♦ Easements, right-of-ways, etc.

In addition, architect's sketches showing elevations of proposed buildings or structures, complete plans, and any other information needed by the Commission may also be required.

- ♦ Written assurance from all applicable federal, state, or local regulatory agencies indicating that the applicant has complied with at least one (1) of the following requirements:
 - ♦ Make initial contact with those agencies suspected of having jurisdiction over the proposed project,
 - ♦ Applied for the necessary permits and/or licenses from those agencies having jurisdiction over the proposed project, or
 - ♦ Received the necessary permits and/or licenses from those agencies having jurisdiction over the proposed project.
- ♦ State Environmental Policy Act (SEPA) checklist as required.

FOR OFFICE USE ONLY

☐ Filing Fee ☐ Completed Application ☐ Title Company Report ☐ Plot Plan
☐ SEPA Checklist → ☐ Required ☐ Not Required
Determination

Written assurances from local, state, or federal agencies:

Signature of Reviewer

Date Submitted



DEPARTMENT OF COMMUNITY & DEVELOPMENT
Planning & Development

Exhibit 1

840 Northgate Drive • Richland, WA 99352
Telephone 509-942-7794 • Fax 509-942-7764
www.ci.richland.wa.us
P.O. Box 190 Richland, WA 99352

SPECIAL USE PERMIT APPLICATION

Applicant's Section			
Applicant <i>Rajiv Malhan</i>			
Address <i>1231 Country Ridge Dr.</i>		City <i>Richland</i>	State <i>WA</i> Zip <i>99352</i>
Phone Number <i>509-539-2200</i>	Fax Number	E-mail <i>Rajivmalhan@msn.com</i>	
Address and/or Location of Property <i>1225 Guyer Richland WA</i>			
Legal Description (including lot, block, and plat)			Present Zoning
Request to use the above-described property for the following purpose (use this space to identify the intended use involved). Also include the title and section of the Richland Municipal Code under which the special use is sought.			
<i>use will be car automatic car wash - Tunnel is 95' Long</i>			
<i>WALL Facing the street will be at least 50% Glass.</i>			

Explanation of use. Please complete the information below, selecting the items that apply to the proposed use, in order that the Physical Planning Commission and City Council may ascertain whether the intended use on the proposed site would conform to the stated purposes of Title 23, Zoning, Richland Municipal Code, and be compatible with the permitted uses in the zone.

What are the products resulting from the operations?

Clean Car.

What supplies and materials are to be kept or used on the premises? Raw materials:

Soap, Wax, cleaning chemicals.

Finished products:

none

What are the type, amount, and location of storage to be provided?

Location adjacent to car wash Bay, in separate Room, concrete floor.

If any of the materials used and stored in connection with this activity are hazardous, what is the nature of the hazard? What precautionary means will be employed to provide safety both to employees, customers, and adjoining properties?

How many people will be employed? 4 In the manufacture of the product? 2
In the sale of the product? 2 In any other capacity? _____

What do you estimate will be the greatest number of persons on the premises at any one time, excluding employees?

10

What type of volume of trucking is involved? ~~Chemical~~ delivery twice a month.

What are the hours of peak loading and unloading? Peak 3pm - 6pm.

What other type and volume of traffic would be generated? Peak hour - 20 car/hr normal 10 car/hr

Would the activity normally attract the public to the premises? Yes ☒ No ☐

Number of visitors daily? 100 Number of patrons daily? 100

Will this activity be carried on outside of daylight working hours? If so, what are the hours? 8 am - 8 pm

What type of power would be employed? Electric ☒ Gas ☒ Oil ☐ Steam ☐

or Internal Combustion Engine ☐

What type and volume of noise results from operations on premises? < 80 db.

Have you any evidence of the decibel rating of sound emanating from this or similar operations? If so, what is it?

Soap Smell.
What odors, fumes, smoke, or dust result from the operations? _____

Is there any sewage from the processes involved that would sterilize or overload existing wastewater (sewer) facilities?

Yes ☐ No ☒ What are they? _____

What are the demands of this activity upon available public facilities and utilities?

Electricity _____

Water _____

Wastewater (Sewer) Disposal _____

Refuse Disposal _____

Transportation (railroad and streets) _____

Explain in detail why this particular site is especially suited, if it is, for the intended purpose:

Describe how the proposed use and improvements are designed and arranged to fit into the development of adjacent property and the neighborhood:

I have examined and am familiar with the regulations covered in Title 23 of the Richland Municipal Code, as they pertain to the application.



Signature of Applicant or Authorized Agent

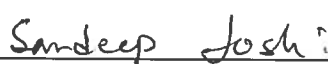
Signature of Applicant or Authorized Agent

I have read and consent to the filing of this application as the owner of record of the property for which the Special Use Permit is being requested.

I DECLARE UNDER PENALTY OF THE PERJURY LAWS THAT THE INFORMATION I HAVE PROVIDED ON THIS FORM/APPLICATION IS TRUE, CORRECT AND COOMplete.



Owner's Name



Owner's Name

Address

Address

City

City

State

Zip

State

Zip

Phone No.

Other No.

Phone No.

Other No.

E-mail

E-mail



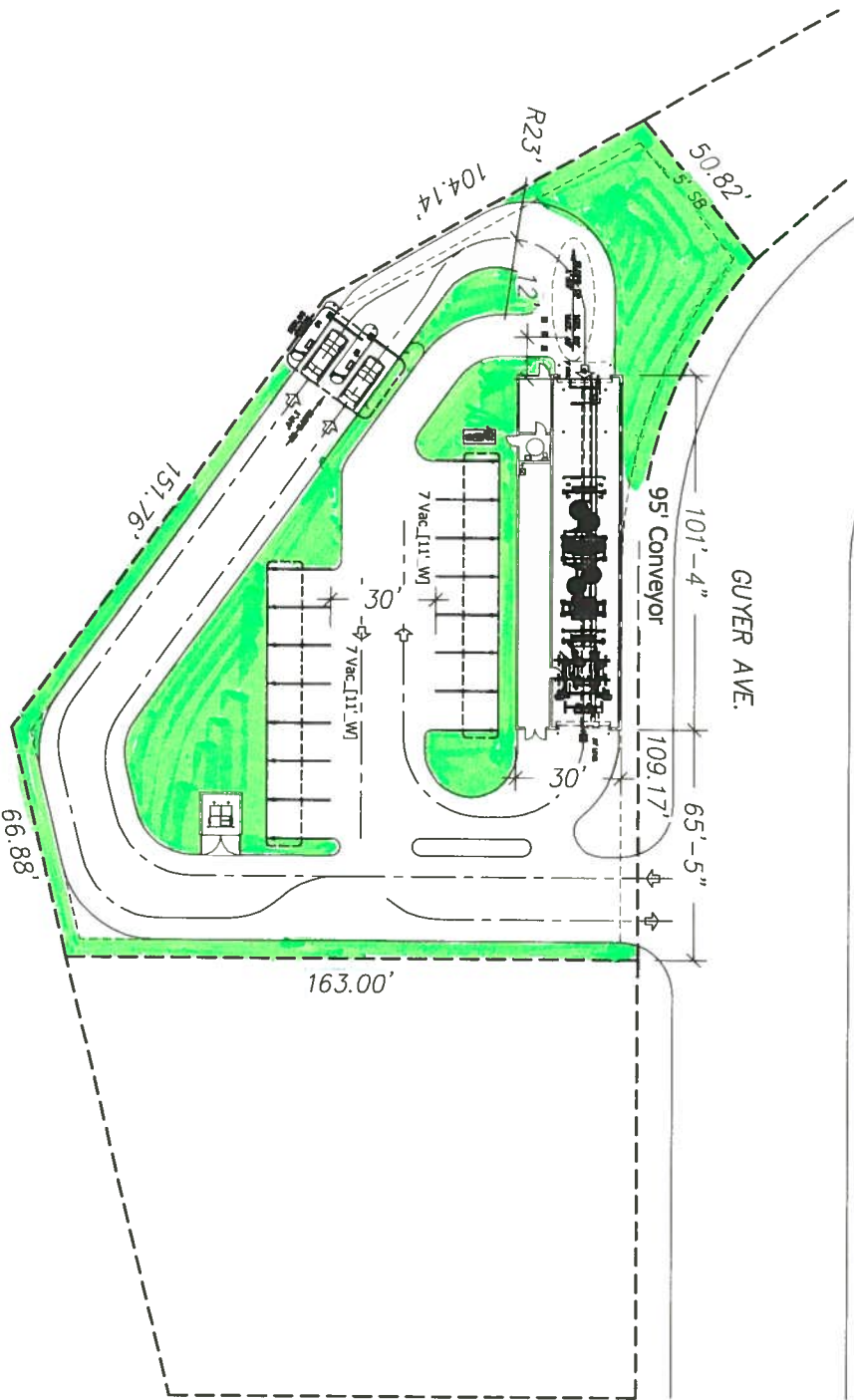
Owner's Signature



Owner's Signature

SONNY'S CARWASH
DESIGN SERVICES

The Tunnel Experts™



SITE LEGEND

- HANDICAP PARKING
- PROPOSED CURB
- SITE BOUNDARY LINE
- CENTER LINE OF ROAD
- STRAKES

GENERAL NOTES

1. ALL CENTER LINE OF ROAD CURB SHALL BE 23' UNLESS OTHERWISE NOTED.
2. ALL VEHICLE SPACES ARE 8'-10" UNLESS OTHERWISE NOTED.

PRELIMINARY PLAN NOTE

THIS PLAN HAS BEEN PREPARED WITH THE BEST AVAILABLE INFORMATION PROVIDED BY THE CLIENT. SONNY'S ENTERPRISES, INC. IS NOT RESPONSIBLE FOR ANY OMISSIONS, ERRORS, OR INACCURACIES IN THE INFORMATION PROVIDED BY THE CLIENT. SONNY'S ENTERPRISES, INC. IS NOT RESPONSIBLE FOR ANY OMISSIONS, ERRORS, OR INACCURACIES IN THE INFORMATION PROVIDED BY THE CLIENT. SONNY'S ENTERPRISES, INC. IS NOT RESPONSIBLE FOR ANY OMISSIONS, ERRORS, OR INACCURACIES IN THE INFORMATION PROVIDED BY THE CLIENT.

DISCLAIMER
ALTHOUGH BUILDING CODES HAVE BEEN CONSIDERED IN DEVELOPING THIS DRAWING, VERIFICATION OF THE SPECIFIC CONDITIONS AND COMPLIANCE WITH FEDERAL, STATE AND LOCAL BUILDING CODES IS THE EXCLUSIVE RESPONSIBILITY OF THE CUSTOMER AND/OR ARCHITECT AND ENGINEER.
THESE DRAWINGS REFLECT REQUIREMENTS FOR SONNY'S EQUIPPED EQUIPMENT ONLY. UNLESS OTHERWISE NOTED, PLEASE REFER TO OTHER MANUFACTURERS' AND/OR THEIR EQUIPMENT REQUIREMENTS.



World's
Best Selling!



12,000 Parts
In Stock!



Affordable
Controls!



Hands-On
Training!

16059-C2- MALHAN, RAJIV
SCALE: N.T.S.

LOCATION: WA

Sheet 01
Rev. -5-

SITE LAYOUT

"DRAFT"



<http://www.SonnysDirect.com>

DATE:	02.16.16
REVISION DATE:	06.23.16
CREATED BY:	LV
REVISED BY:	JCH
CHECKED BY:	

Looking North



Looking East

Geo. Wash. Way



Looking South



Looking West



CITY OF RICHLAND
NOTICE OF APPLICATION
AND PUBLIC HEARING (SUP2016-100)

Notice is hereby given that the Rajiv Malhan, on August 17, 2016 filed application for a Special Use Permit to allow for the construction of a 3,030 square foot carwash (SUP 2016-100) on a 0.72 acre site. The property is located at 1225 Guyer Avenue; a vacant site lying on the south side of Guyer Avenue, approximately 140-feet west of George Washington Way. Pursuant to Richland Municipal Code (RMC) Section 19.30.030 the City of Richland determined the application complete for processing on August 17, 2016.

Any person desiring to express his views or to be notified of any decisions pertaining to this application should notify Shane O'Neill, Senior Planner, 840 Northgate Avenue, P.O. Box 190, Richland, WA 99352. Comments may also be faxed to (509) 942-7587 or e-mailed to soneill@ci.richland.wa.us.

The Richland Hearing Examiner, on Thursday, September 22, 2016, will conduct a public hearing and review of the application at 6:00 p.m. in the Council Chamber at the Richland City Hall, 505 Swift Boulevard. All interested parties are invited to attend and give testimony at the public hearing.

Notice is further given that the applicant has filed an environmental checklist as required by the State Environmental Policy Act (SEPA). In addition to the proposed carwash. On August 23, 2016, the City issued a Determination of Non-Significance for the project having determined that the proposal 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). Copies of the special use permit application, the SEPA document and proposed development plans are available for review at the Richland Development Services Center at 840 Northgate Drive, Richland, Washington.

The proposed application will be reviewed in accordance with the regulations in RMC Title 19 Development Regulation Administration and RMC Title 23 Zoning. Appeal procedures of decisions related to the above referenced application are set forth in RMC Chapter 19.70. Contact the Richland Development Services Division at the above referenced address with questions related to the available appeal process.



AFFIDAVIT OF POSTING

STATE OF WASHINGTON)
) ss.
 COUNTY OF BENTON)

COMES NOW, **Shane O'Neill**, who, being first duly sworn upon oath deposes and says:

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

2. On the 7th day of September, 2016, I posted the attached NOTICE OF PUBLIC HEARING, File Number SUP2016-100 on the property at:

1225 Guyer Ave
 PIN # 1- 11981020618010

[Handwritten Signature]

Print Name: Shane O'Neill

SIGNED AND SWORN to before me this 7th day of September, 2016 by SHANE O'NEILL.



[Handwritten Signature]
 Signature of Notary

[Handwritten Name]
 Printed Name

Notary Public in and for the State of Washington,

Residing in Kennelworth WA

My appointment expires: 7-10-2020



SEPA ENVIRONMENTAL CHECKLIST

UPDATED 2014

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

1. Name of proposed project, if applicable: Richland CAR Wash.
2. Name of applicant: Rajiv Malhan
3. Applicant contact information:
Address: 1231 Country Ridge Dr. Richland, WA 99352
Phone #: 509-539-2200
email address: Rajivmalhan@msn.com.
4. Date checklist prepared:
5. Agency requesting checklist: City of Richland.
6. Proposed timing or schedule (including phasing, if applicable): Sept/Oct 2016.
7. Do you have any plans for future additions, expansion, or further activity related to or connected with this proposal? If yes, explain. NO
8. List any environmental information you know about that has been prepared, or will be prepared, directly related to this proposal. None.
9. Do you know whether applications are pending for governmental approvals of other proposals directly affecting the property covered by your proposal? If yes, explain.
NO.

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

- CITY OF RICHLAND SPECIAL USE PERMIT

- CITY OF RICHLAND BUILDING PERMIT

None. Other than City of Richland.

11. Give 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.)

95' Long Tunnel Automatic (with Brushes)
Car Wash.

CARWASHES REQUIRE SPECIAL USE PERMIT APPROVAL
PRIOR TO LOCATING WITHIN THE CENTRAL BUSINESS DISTRICT.

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

1225 Guyer st, Richland wa 99352
Just West of George Washington Way

B. ENVIRONMENTAL ELEMENTS

1. Earth

- a. General description of the site
(circle one): Flat, rolling, hilly, steep slopes, mountainous, other
- b. What is the steepest slope on the site (approximate percent slope)? 1 1/2 %
- 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.
- d. Are there surface indications or history of unstable soils in the immediate vicinity? If so, describe. NO
- e. Describe the purpose, type, total area, and approximate quantities and total affected area of any filling, excavation, and grading proposed. Indicate source of fill.
NO DIPS ON LAND, GRUB + LEVEL
- f. Could erosion occur as a result of clearing, construction, or use? If so, generally describe. NO

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

85%

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

Landscaping (Grass, Rock and shrubs.)

2. Air

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

Dust and control method is water sprinkler.

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

NO

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

Spray water.

3. Water

- a. Surface Water:

- 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.

YES, THE SITE IS ADJACENT TO A NATURAL DRAINAGE FEATURE/SEASONAL CREEK. NAME/DESIGNATION - UNKNOWN FLOWS INTO THE COLUMBIA RIVER.

SSO
6.23

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

NO

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

None.

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

NO

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

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

NO

b. Ground Water:

- 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 general description, purpose, and approximate quantities if known.

NO

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

None -

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.

If any it will be from Rain

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

NO

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

NO

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

None -

4. Plants

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

___deciduous tree: alder, maple, aspen, other

___evergreen tree: fir, cedar, pine, other

___shrubs

☒ grass (dry 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?

None

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

None -

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

Yes, Approx. 5% of the lot will be covered with grass, shrubs, trees)

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

5. Animals

- a. List any birds and other animals which have been observed on or near the site or are known to be on or near the site. Examples include:

birds: hawk, heron, eagle, songbirds, other: None

mammals: deer, bear, elk, beaver, other: none

fish: bass, salmon, trout, herring, shellfish, other None

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

None -

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

Yes, Richland is within the Pacific Flyway.

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

None, never observed any animals or Pacific Geese on this site.

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

None .

6. Energy and natural resources

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

Electrical, Gas

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

NO .

none in existence

- 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:
Reclaim water system and Reuse water after filtration.

7. Environmental health

- a. Are there any environmental health hazards, including exposure to toxic chemicals, risk of fire and explosion, spill, or hazardous waste, that could occur as a result of this proposal? *NO.*

If so, describe.

- 1) Describe any known or possible contamination at the site from present or past uses. *None.*

- 2) Describe existing hazardous chemicals/conditions that might affect project development and design. This includes underground hazardous liquid and gas transmission pipelines located within the project area and in the vicinity.
None.

- 3) 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. *BA Glean (EXT 144) Blue Ice (EXT 300) Magma Shine (EXT 504) Quick Dry (EXT 150) Splash Blue (EXT 142B) Splash Red (EXT 142R) Splash Yellow (EXT 142Y) Thunderbolt (THU 100) Vision (EXT 450)*

- 4) Describe special emergency services that might be required.

Safety shower.

- 5) Proposed measures to reduce or control environmental health hazards, if any:

None.

b. Noise

- 1) What types of noise exist in the area which may affect your project (for example: traffic, equipment, operation, other)? *At the Nozzle 104db, 5' away 103db 10' away 102db at the exit door 100db, 10' outside the 97db. 20' outside building 87db.*

- 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.
During Construction maximum 120db, during operation 87db

- 3) Proposed measures to reduce or control noise impacts, if any:

Normal operating hours are 8am - 8pm and closest building is 55' feet away the noise from operation at 55' feet is 66db. Relatively same levels.

8. Land and shoreline use

- 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. *no it will not, across from this property approx 50' away is a motel and other side is Restaurant.*
- 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 as a result of the proposal, if any? If resource lands have not been designated, how many acres in farmland or forest land tax status will be converted to nonfarm or nonforest use? *NO*
- i) Will the proposal affect or be affected by surrounding working farm or forest land normal business operations, such as oversize equipment access, the application of pesticides, tilling, and harvesting? If so, how: *NO*
- c. Describe any structures on the site.
None
- d. Will any structures be demolished? If so, what?
N/A
- e. What is the current zoning classification of the site?
CBD
- f. What is the current comprehensive plan designation of the site?
CBD
- g. If applicable, what is the current shoreline master program designation of the site?
None
- h. Has any part of the site been classified as a critical area by the city or county? If so, specify.
NO
- i. Approximately how many people would reside or work in the completed project?
4
- j. Approximately how many people would the completed project displace?
0
- k. Proposed measures to avoid or reduce displacement impacts, if any:
N/A
- l. Proposed measures to ensure the proposal is compatible with existing and projected land uses and plans, if any: *Special use permit applied with City of Richland*

- m. Proposed measures to ensure the proposal is compatible with nearby agricultural and forest lands of long-term commercial significance, if any:

9. Housing N/A

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

N/A

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

N/A

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

N/A

10. Aesthetics

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

Tallest part of the building is 30', material
cinder blocks & stucco.

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

none. (or other buildings).

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

11. Light and glare

- a. What type of light or glare will the proposal produce? What time of day would it mainly occur? From wall sconces, ~~dark~~ Dark sky shades

are being used to minimize glare to surrounding as well as sky

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

NO

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

None

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

Dark Sky shades.

12. Recreation

- a. What designated and informal recreational opportunities are in the immediate vicinity? *None*.
- b. Would the proposed project displace any existing recreational uses? If so, describe. *None*.
- c. Proposed measures to reduce or control impacts on recreation, including recreation opportunities to be provided by the project or applicant, if any: *N/A*

13. Historic and cultural preservation

- 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 located on or near the site? If so, specifically describe. *None*
- 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. *None*
- 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. *None exist.*
- 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. *None.*

14. Transportation

- 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. *see attached*
- b. Is the site or affected geographic area currently served by public transit? If so, generally describe. If not, what is the approximate distance to the nearest transit stop? *NO*
- c. How many additional parking spaces would the completed project or non-project proposal have? How many would the project or proposal eliminate? *Adding 13 spots*

- d. Will the proposal require any new or improvements to existing roads, streets, pedestrian, bicycle or state transportation facilities, not including driveways? If so, generally describe (indicate whether public or private).
yes, sidewalks, curb and gutter.
- e. Will the project or proposal use (or occur in the immediate vicinity of) water, rail, or air transportation? If so, generally describe. *NO*
- f. 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?
approx. 100.
- g. Will the proposal interfere with, affect or be affected by the movement of agricultural and forest products on roads or streets in the area? If so, generally describe.
NO
- h. Proposed measures to reduce or control transportation impacts, if any:
NO

15. Public services

- 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. *NO*
- b. Proposed measures to reduce or control direct impacts on public services, if any.
None.

16. Utilities

- a. Circle utilities currently available at the site: electricity, natural gas, water, refuse service, telephone, sanitary sewer, septic system, other _____
- b. Describe the utilities that are proposed for the project, the utility providing the service, and the general construction activities on the site or in the immediate vicinity which might be needed.

*Elec.
Gas
Water
Sewer.
Telephones*

C. Signature

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.

Signature: 

Name of signee: Rajiv Malhan

Position and Agency/Organization: General Contractor / RM Construction & Interior Design Inc.

Date Submitted: 8/18/16

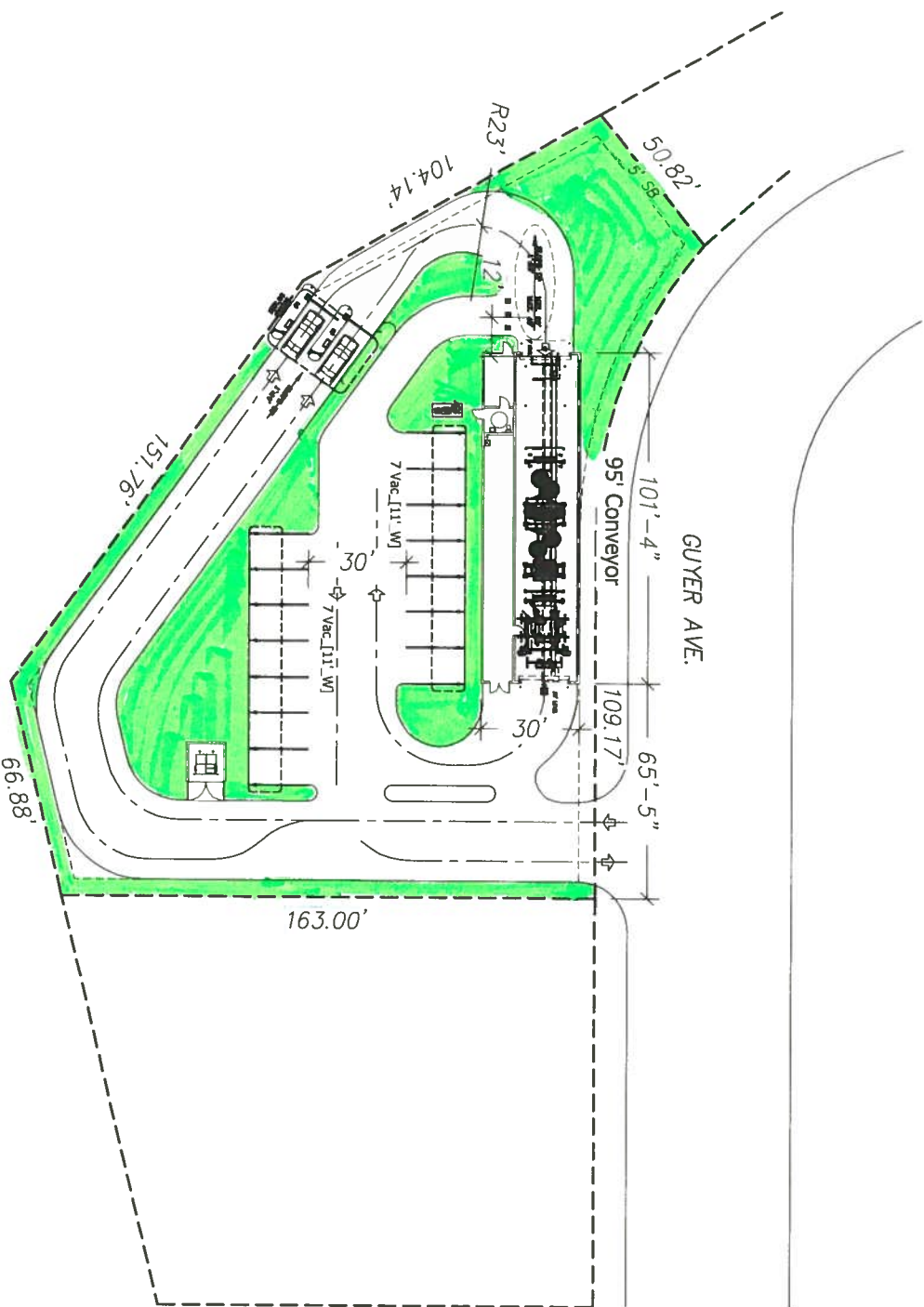
Community & Economic Development Department

This application was reviewed by the Planning Division of the Community & Economic Development Department. Any comments or changes made by the Department are entered in the body of the checklist and contain initials of the reviewer.

 SENIOR PLANNER 8.23.2016
Reviewer Signature Date

SONNY'S CARWASH
DESIGN SERVICES

The Tunnel Experts™



SITE LEGEND

- HANDICAP PARKING
- PROPOSED CURB
- SITE BOUNDARY LINE
- CENTER LINE OF ROAD
- SETBACKS

GENERAL NOTES

1. ALL CENTER LINE OF ROAD CURB SHALL BE 23'
2. ALL VEHICLE SPACES ARE 8'-10" UNLESS OTHERWISE NOTED.

PRELIMINARY PLAN NOTE

THIS PLAN HAS BEEN PREPARED WITH THE BEST AVAILABLE INFORMATION PROVIDED BY THE CLIENT. SONNY'S ENTERPRISES, INC. IS NOT RESPONSIBLE FOR ANY OMISSIONS, ERRORS, OR INACCURACIES IN THE INFORMATION PROVIDED BY THE CLIENT. SONNY'S ENTERPRISES, INC. IS NOT RESPONSIBLE FOR ANY OMISSIONS, ERRORS, OR INACCURACIES IN THE INFORMATION PROVIDED BY THE CLIENT. SONNY'S ENTERPRISES, INC. IS NOT RESPONSIBLE FOR ANY OMISSIONS, ERRORS, OR INACCURACIES IN THE INFORMATION PROVIDED BY THE CLIENT.

DISCLAIMER
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16059-C2- MALHAN, RAJIV
SCALE: N.T.S.

LOCATION: WA

Sheet 01
Rev. -5-

SITE LAYOUT

"DRAFT"



<http://www.SonnysDirect.com>

DATE:	02.16.16
REVISION DATE:	06.23.16
CREATED BY:	LV
REVISED BY:	JCH
CHECKED BY:	



CITY OF RICHLAND
Determination of Non-Significance

Description of Proposal: Construction of an approximately 3,030 square-foot commercial carwash in the Central Business District (CBD) Zone

Proponent: Rajiv Malhan

Location of Proposal: The south side of Guyer Street, approximately 135-feet west of George Washington Way - addressed 1225 Guyer Street, Richland WA

Lead Agency: City of Richland

The lead agency for this proposal has determined that the project 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. 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 14 days from June 1, 2016. Comments must be submitted by September 7, 2016.
- () 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: Shane O'Neill

Position/Title: Senior Planner

Address: P.O. Box 190, Richland, WA 99352

Date: August 23, 2016

Signature _____



HEARING EXAMINER AGENDA ITEM COVERSHEET

Meeting Date: 09/22/2016

Agenda Category: New Business – Public Hearing

Prepared By: Rick Simon, Development Services Manager

Subject:

Z2016-104 An Application Submitted by Cody Bender to Change the Zoning on 1.1 Acres From AG - Agricultural to C-3 - General Business on Property Located North of Van Giesen Street and East of Buckskin Lane.

Department:

Community & Development Services

Recommended Motion:

Staff recommends approval of the application based on the suggested findings and conclusions contained in the attached staff report.

Summary:

Cody Bender, the owner of a 1.1 acre site located east of Buckskin Land and North of Van Giesen Street has applied for a zone change from the existing AG- Agricultural zone to C-3 General Business. The attached report includes a description of the property and staff's recommendation for approval of the application.

Attachments:

1. Staff Report
2. Exhibit 1 - Application
3. Exhibit 2 - Site Photos
4. Exhibit 3 - Ag Zone
5. Exhibit 4 - Commercial Zone
6. Exhibit 5A - Notice
7. Exhibit 5B - Affidavit
8. Exhibit 5C - Legal Ad

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

GENERAL INFORMATION:

PROPOSAL NAME: Cody Bender Rezone

LOCATION: 2682 Van Giesen Street

APPLICANT: Cody Bender

FILE NO.: Z2016-104

DESCRIPTION: Request to change zoning on 1.15 acres from AG –
Agricultural to C-3 General Business

PROJECT TYPE: Type 3 Site-specific rezone

HEARING DATE: September 22, 2016

REPORT BY: Rick Simon, Development Services Manager

RECOMMENDED
ACTION: Approval



Figure 1 - Vicinity Map

(site outlined in red)

DESCRIPTION OF PROPOSAL

The applicant, Cody Bender, owns the subject property, and has filed a rezone request to change the zoning on a 1.15 acre site from AG – Agricultural to C-3 General Commercial. The applicant has not provided specific plans for the development of the property but has indicated an intent is to locate his business, C2 Pools, Inc. on the site. Refer to the application material submitted by the applicant in Exhibit 1.

SITE DESCRIPTION & ADJACENT LAND USES

The site consists of a single 1.1 acre parcel, bounded on the south by Van Giesen Street. The site is level and is currently used informally for vehicle storage. The adjacent property to the east is developed with an automotive repair business. Adjacent property to the west is undeveloped and has been approved for use as a landscaping contractor's business through the issuance of a special use permit. Adjacent property to the north is developed with a single family residence and pasture. The Buckskin Golf Course is located northeast of the site. Along the Van Giesen Street corridor there are a variety of commercial businesses including a veterinarian clinic, and a contractor's business and a

nursery. Across Van Giesen to the south there is a single family residence and pasture and a commercial nursery. Photos of the site are attached in Exhibit 2.

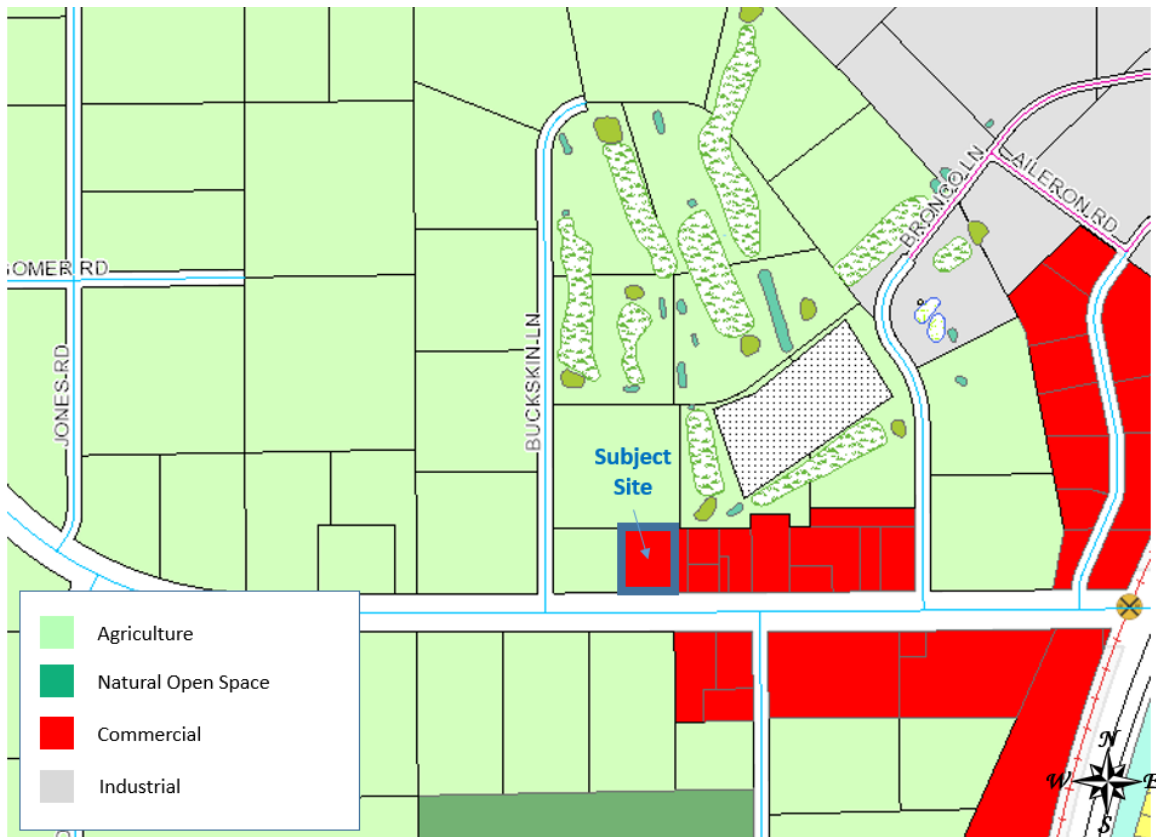


Figure 2 – Comprehensive Plan Map

COMPREHENSIVE PLAN

The City's comprehensive plan designates the site as suitable for commercial land uses. The adjacent properties to the east along Van Giesen Street are designated as commercial. Generally, the properties lying between the Bypass Highway and the Yakima River that are located within the 100 year floodplain have been designated as Agricultural lands.

EXISTING ZONING

The subject site along with adjacent properties to the north, west and south are zoned AG – Agricultural. Lands immediately east of the site are zoned C-3 General Business.

The stated purpose of the agricultural use district as set forth in RMC 23.14.010(A) is as follows:

The agricultural use district (AG) is a primary zone classification permitting essentially open land uses such as grazing lands or pasture, agriculture, and development of part-time small tract farming and other compatible uses of an open nature such as a cemetery, park, and recreational or similar uses on land which has favorable combinations of slope, climate, availability of water, or soil conditions. This zoning classification is intended to be applied to some portions of the city that are designated as agriculture or as urban reserve under the city of Richland comprehensive plan.

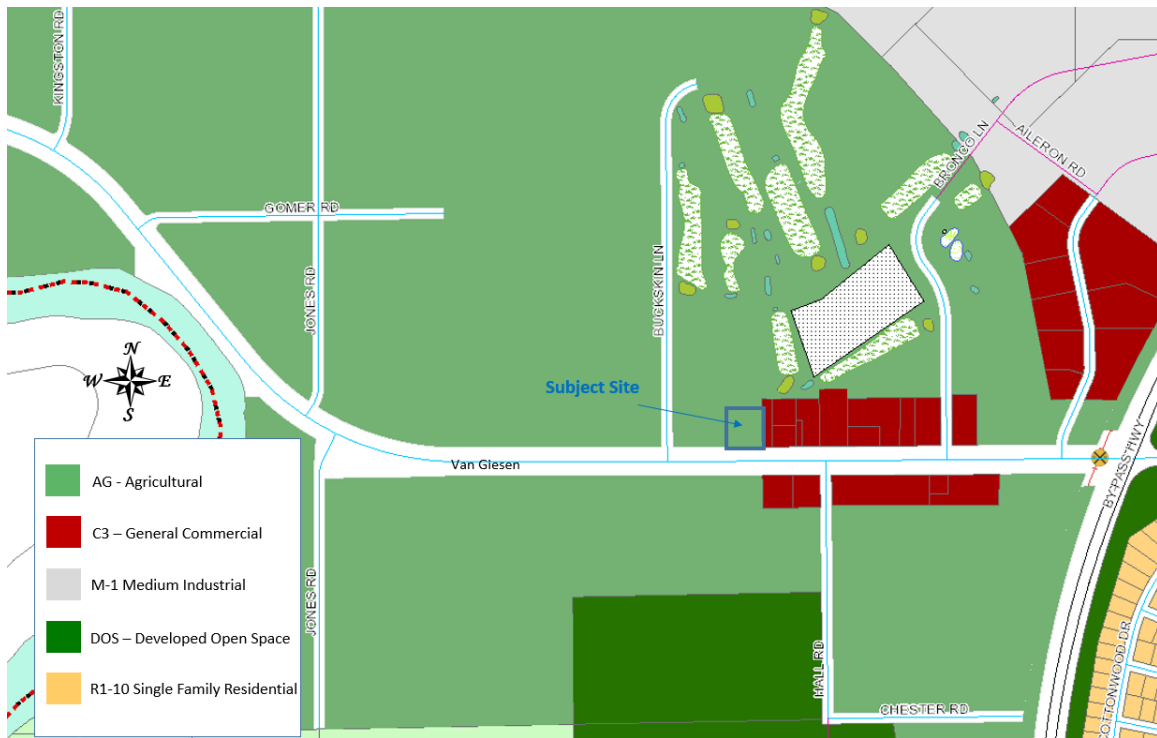


Figure 3 – Zoning Map

The stated purpose of the C-3 zone (as set forth in RMC 23.22.010) is as follows:

The general business use district (C-3) is a zone classification providing a use district for commercial establishments which require a retail contact with the public together with incidental shop work, storage and warehousing, or light manufacturing and extensive outdoor storage and

display, and those retail businesses satisfying the essential permitted use criteria of the C-2 use district. This zoning classification is intended to be applied to some portions of the city that are designated commercial under the city of Richland comprehensive plan.

There are distinct differences in the dimensional requirements associated with the existing and proposed zone, as shown in the following table:

Zoning	Existing AG	Proposed C-3
STANDARD	REQUIRED/ALLOWED	REQUIRED/ALLOWED
Min. Lot Area	5 Acres	None
Max. Lot Coverage	None	None
Building Setbacks		
Front	25 ft.	0 ft.
Side(s)	10 ft.	0 ft.
Rear	25 ft.	0 ft.
Building Height	30 ft.	80 ft.

Table 1 – Comparison of AG & C-3 Dimensional Standards

Specific uses permitted in the Agricultural and Commercial zones are identified in the attached Exhibits 3 and 4 respectively. The C-3 zone permits a wide variety of retail and even light industrial land uses while the AG zone uses are limited to large lot single family uses, farming uses and a few specific types of outdoor commercial uses such as nurseries or landscaping material sales.

FLOODPLAIN

Much of the area lying east of the Yakima River along the Van Giesen Street corridor is located within the 100 year floodplain as identified by the Federal Emergency Management Agency. The subject site, while is close proximity to areas designated as floodplain is actually located outside the 100 year floodplain (Zone A) and within the 500 year floodplain (Zone B). The floodplain elevation for the subject site is between elevation 367 and 368 according to FEMA studies. The site is at elevation 370 according to the city's GIS mapping system.



PUBLIC NOTICE

Application Date:	August 18, 2016
Notice of Hearing Mailed:	September 12, 2016
Notice of Hearing Posted:	September 8, 2016
Public Hearing:	September 22, 2016

Notice of application and notice of hearing was provided through posting of the property, mailing of notice to property owners within 300 feet of the site and publication in the *Tri-City Herald* newspaper. Copies of the notices and affidavits are included in Exhibit 4. As of the date of this report, no comments were received from the public.

UTILITY AVAILABILITY

There is an existing 8 inch water main located on Van Giesen Street. Electrical power is also available to the site. No sewer service is available in the area, so any sewage disposal would have to be provided through an on-site septic system.

TRANSPORTATION

Van Giesen Street, also known as State Route 224, is classified as a highway under the City's Transportation Plan and would provide direct access to the site, as there are no other options for access to the site. Access control onto the state highway is under the authority of the City of Richland and would be reviewed and

permitted by the City's Public Works Department at the time specific plans for development are submitted to the City.

SEPA

No environmental review was conducted as part of this rezone application, based on the categorical exemption in WAC 197-11-800(6) (c) which provides for exemptions under the following circumstances:

Where an exempt project requires a rezone, the rezone is exempt only if:

- (i) The project is in an urban growth area in a city or county planning under RCW 36.70A.040;*
- (ii) The proposed rezone is consistent with and does not require an amendment to the comprehensive plan; and*
- (iii) The applicable comprehensive plan was previously subjected to environmental review and analysis through an EIS under the requirements of this chapter prior to adoption; and the EIS adequately addressed the environmental impacts of the rezone.*

In this case, the proposed project is located with the City and within Richland's urban growth area; the proposed action is consistent with the City's comprehensive plan; and the City's comprehensive plan was analyzed through the preparation of an environmental impact statement at the time of the plan's initial adoption in 1997.

ANALYSIS

The subject site is designated as commercial under the comprehensive plan and is located immediately adjacent to properties that are zoned C-3 General Business along the Van Giesen corridor.

City water and electrical services are located adjacent to the site and have adequate capacity to serve future development. While no sewer service is available in the area, many commercial uses generate a relatively low volume of sewage that could be accommodated through on-site sewage disposal systems. Likewise, the local street system has capacity to accommodate additional traffic that would be generated from future development.

While the site is located in close proximity to the floodplain, it has been identified by FEMA through its flood hazard maps as being outside the 100 year floodplain. No other critical areas or limitations to development are known to exist on the site.

FINDINGS AND CONCLUSIONS

Staff has completed its review of the request for a change in zoning (Z2016-104) and recommends approval of the request based on the following:

1. The City of Richland Comprehensive Plan designates the subject site as suitable for commercial land uses;
2. The site is immediately adjacent to Van Giesen Street, which is a portion of State Route 224, a roadway that is classified as a highway under the City's Transportation Plan;
3. C-3 General Commercial zoning applied to the property would be consistent with the intent of the comprehensive plan;
4. City water mains and electrical services are adjacent to the site and have adequate capacity to serve future development of the site;
5. Public sewer is not available in the area. Requirements for sewage disposal will have to be met through on-site septic systems as required by the Benton-Franklin Health Department.
6. Adjacent properties along the Van Giesen Street corridor are developed with a variety of commercial uses and are zoned C-3 General Business;
7. The site is located outside the FEMA designated 100 year floodplain.
8. The project is exempt from the provisions of the State Environmental Policy Act, as identified in WAC 197-11-800(6) (c); and
9. Based on the above findings and conclusions, approval of the zone change request would be in the best interest of the community of Richland.

EXHIBIT LIST

1. Application Form
2. Site Photos
3. Zoning – Chapter 18.14 of the Richland Municipal Code – Agriculture
4. Zoning – Chapter 18.22 of the Richland Municipal Code – Commercial
5. Public Notices

Planning & Development Services Division • Current Planning Section
840 Northgate Drive • Richland, WA 99352
General Information: 509/942-7794 • Fax: 509/942-7764

Petition for Change of Zoning District Classification

Application is hereby made to the City of Richland for a change of zone, pursuant to Section 23.82.190 of the City of Richland Municipal Code.

The following required information must be typed or printed legibly in the appropriate spaces.

SECTION I – APPLICANT INFORMATION			
Applicant's Name: <u>CODY W. BENDER</u>			
Address: <u>85411 BADGER VIEW DR.</u>			
City: <u>KENNEWICK</u>	State: <u>WA.</u>	Zip: <u>99338</u>	
Phone: <u>509-430-0335</u>	Fax:	Other and/or e-mail address: <u>Cody@C2 Pools.com</u>	
Please check under what capacity you are filing:			
☐ Recorded owner of the property as of		☒ Purchasing under contract as of	
☐ The lessee as of		☐ The authorized agent of any of the foregoing, duly authorized in writing (written authorization must be attached to application).	
SECTION II – PROPERTY LOCATION AND GENERAL DESCRIPTION			
Street address(es) of property for which the zone change is requested, if applicable: <u>2682 VAN GIESEN ST. RICH. WA. 99354</u>			
Relationship to adjacent streets (i.e., west of Main Street between 1 st Avenue and 2 nd Avenue): <u>EAST OF BUCKSKIN LOOP LN</u> <u>WEST OF BRONCO LN.</u>			
General description of development status (i.e., vacant, agricultural, buildings, or miscellaneous improvement):			
Size of petition area <u>1.15</u> acres and		square feet	
SECTION III - CHANGE OF ZONE REQUEST			
A change of zone from <u>AGRICULTURE</u>		To <u>COMMERCIAL C-3</u>	
is requested for the property described in Section II of this application.			
SECTION IV – JUSTIFICATION			
State the reason(s) for the requested change of zone: <u>WOULD LIKE TO</u> <u>RUN C2 POOLS INC. AND IN FUTURE PUT</u> <u>STORAGE WITH OFFICE ON THE LAND.</u>			

[Continued

I DECLARE UNDER PENALTY OF THE PERJURY LAWS THAT THE INFORMATION I HAVE PROVIDED ON THIS FORM/APPLICATION IS TRUE, CORRECT AND COMPLETE.

DATED THIS 18 DAY OF AUGUST, 2016


Applicant's Signature

85411 BADGER VIEW DR.

Address

KENN. WA. 98338

City, State, Zip

509-430-0335

Phone

Applicant's Signature

Address

City, State, Zip

Phone

FOR OFFICE USE ONLY

Date accepted for filing _____

Items enclosed: Filing fee and Title Insurance
Company Ownership Report showing all property
Owners of Record within 300-feet.

City Official's Signature

Z2016-104 – Bender Zone Change Application



Subject Site

From the West Looking East

Source: Google Earth

Z2016-104 – Bender Zone Change Application



Z2016-104 – Bender Zone Change Application



Subject Site

From the Northwest Looking Southeast

Source: Google Earth

Chapter 23.14 – Agricultural Zoning Districts

Sections:

23.14.010 Purpose of Agricultural Use Districts

23.14.020 Agricultural Performance Standards and Special Requirements

23.14.030 Agricultural Use Districts Permitted Land Uses

23.14.040 Site Requirements for Agricultural Use Districts

23.14.050 Parking Standards for Agricultural Use Districts

23.14.010 Purpose of Agricultural Use Districts

- A. The Agricultural Use District (AG) is a primary zone classification permitting essentially open land uses such as grazing lands or pasture, agriculture, and development of part-time small tract farming and other compatible uses of an open nature such as a cemetery, park, and recreational or similar uses on land which has favorable combinations of slope, climate, availability of water, or soil conditions. This zoning classification is intended to be applied to some portions of the City that are designated as Agriculture or as Urban Reserve under the City of Richland Comprehensive Plan
- B. The Suburban Agricultural Use District (SAG) is a zone classification providing for residential areas, rural in nature, with sufficiently large lots to allow for the maintenance of certain animals and farm crops, while at the same time establishing and maintaining a living environment of high standards for residential uses. This zoning classification is intended to be applied to some portions of the City that are designated Low Density Residential (0 – 5 Dwellings/Acre) under the City of Richland Comprehensive Plan.

23.14.020 Agricultural Performance Standards and Special Requirements

- A. The following standards relate to the raising and keeping of livestock in an AG district:
 1. A permitted structure, pen or building in which livestock is kept shall be located not less than twenty-five feet from any lot line and not less than forty feet from any one-family dwelling;
 2. A pasture, including perimeter fencing, shall be located not less than fifteen feet from any one-family dwelling located on the same lot;
 3. Uses, structures and buildings shall comply with the applicable yard and area requirements of Sections 23.38.010 through 23.38.090 of this title.

The following standards relate to the agricultural activities permitted in the SAG district:

Limited agricultural uses such as orchards, vineyards, vegetable gardens, field crops and pastures;

Sale of products grown on the premises;

Limited raising or keeping of large livestock as follows:

- a) Horses, ponies, mules, donkeys, burros, and similar animals,
- b) Dairy cattle, beef cattle, buffalo and similar animals,
- c) Sheep, goats, and similar animals.

A maximum of two animal units (one animal unit equals approximately one thousand pounds of animal weight) may be kept per one acre gross pasture area. Gross pasture area is that portion of a lot, which is fenced and used solely for the grazing and keeping of large livestock. The following are examples of animal unit usages:

- 1 horse and 1 cow per gross pasture acre;
- 2 cows or 2 horses per gross pasture acre;
- 10 sheep or 10 goats per gross pasture acre;
- 8 sheep and 2 goats per gross pasture acre.

If any additional animal(s) born on the premises causes the maximum allowable number of animals to be exceeded, adjustments must be made to bring the total number of animals into compliance with this chapter with the corresponding time limits specified below:

- Horses and similar animals-one year from date of birth;
- Cattle and similar animals-one year from date of birth;
- Sheep, goats, and similar animals-six months from date of birth.

If any additional animal(s) are acquired by any means other than by birth, and cause the maximum allowable number of animals to be exceeded, adjustments must be made to bring the total number of animals into compliance with this chapter within ninety days after placement of the additional animal(s) on the premises. In addition, a fence must be constructed prior to the acquisition of any large livestock to ensure containment of the livestock on the premises;

Limited raising or keeping of small livestock as follows:

- d) Rabbits and similar animals,
- e) Chickens, ducks, geese, turkeys, and other similar fowl.

A maximum of twelve animals or fowl, as defined above, may be raised or kept per one acre gross lot area.

In addition, a shed, coop, hutch, or similar containment structure must be constructed prior to the acquisition of any small livestock to ensure containment of the livestock on the premises.

Standings under roofed stable must be made of material and which provides for proper drainage so as not to create offensive odors, fly, or insect breeding, or other nuisances.

Manure must be collected at least once a week and shall be disposed of in one or more of the following manners:

Placement of manure in a fly-proof container with periodic removal of manure from the lot;

Adequate burying of the manure;

Removal of manure from the lot.

Fences, pens, corrals or similar enclosures must be of sufficient height and strength to retain animals

Any structures used for the keeping of livestock shall be setback a minimum of fifty feet (50') from any property line.

23.14.030 Agricultural 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 of this title.
- 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	AG	SAG
Agriculture		
Agricultural Use	P	P
Business and Personal Services		
Animal Shelter	S ¹	
Commercial Kennel	S ¹	
Hospital Clinic – Large Animal	S ¹	
Hospital Clinic – Small Animal	S ¹	
Industrial Uses		
Excavating, processing, removal of topsoils, sand, gravel, rock or similar natural deposits	S ²	
Public Uses		
Churches	P ³	P ³

Land Use	AG	SAG
Clubs or Fraternal Societies	P ³	P ³
Cultural Institutions	P ³	P ³
General Park Maintenance & Operations	P	P
Golf Courses	P	P
Passive Open Space Uses	P	P
Power Transmission & Irrigation Wasteway Easements & Utility Uses	P ⁴	P ⁴
Public Agency Buildings	P ⁴	P ⁴
Public Agency Facilities	P ⁴	P ⁴
Public Parks	P	P
Schools	P ⁵	P ⁵
Special Events including concerts, tournaments, and competitions, fairs, festivals and similar public gatherings	P	P
Trail Head Facilities	P	P
Trail for Equestrian, Pedestrian or non-motorized Vehicle Use	P	P
Recreational Uses		
Commercial Recreation, Outdoor	S ⁶	
Recreational Vehicle Campgrounds	S ⁷	
Stable, Public	S ⁸	
Retail Uses		
Landscaping Material Sales	S ⁹	
Nursery, Plant	S ⁹	
Parking Lot	A	A
Residential Uses		
Accessory Apartments	A ¹⁰	A ¹⁰
Adult Family Home	P	P
Bed and Breakfast	S ¹¹	S ¹¹
Day Care Center	S ¹²	S ¹²
Designated Manufactured Home	P ¹³	P ¹³
Dwelling, One Family Detached	P ¹³	P ¹³
Family Day Care Home	A ¹²	A ¹²
Home Occupations	A ¹⁴	A ¹⁴
Private Swimming Pools	A ¹⁵	A ¹⁵
Recreational Club	P ¹⁶	P ¹⁶
Rental of Rooms to not more than four persons other than the family occupying the single family dwelling	A	A
Miscellaneous Uses		
Cemetery	P	
Micro and Macro Antennas	P	P
Raising Crops, Trees or Vineyards	P	P

1 Section 23.42.040

2 Section 23.42.070

3 Section 23.42.050

4 Section 23.42.200

5 Section 23.42.250

6 Section 23.42.175

7 Section 23.42.230

8 Section 23.42.190

9 Section 23.25.105

10 Section 23.42.020

11 Section 23.42.045

12 Section 23.42.080

13 Section 23.18.025

14 Section 23.42.090

15 Section 23.42.300

16 Section 23.42.210

23.14.040 Site Requirements for Agricultural Use Districts

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

Standard	AG	SAG
Minimum Lot Area Requirement	5 Acres	43,560 square ft.
Minimum Lot Width	None	145
Minimum Lot Depth	None	145
Minimum Street Frontage	None	40
Minimum Front Yard Setback	25	20
Minimum Side Yard Setback	10	10
Minimum Rear Yard Setback	25	25 ¹
Maximum Lot Coverage ²	None	20%
Maximum Building Height - Main Building	30	30
Maximum Building Height - Accessory Buildings	24	24

¹ Main structures shall be setback a minimum of twenty five feet (25') and accessory structures shall meet the requirements of RMC Section 23.38.020 except that structures intended for the keeping of livestock shall meet the setback requirements of fifty feet (50') as established in 23.14.020(B)(10).

² Lot coverage includes all buildings, including accessory buildings or structures on any lot in a residential district, exclusive of patios without roof coverings or patios with only open lattice or similar type roof construction.
(Ord. 04-09)

23.14.050 Parking Standards for Agriculture Use Districts

Off street parking space shall be provided in all agricultural zones in compliance with the requirements of Chapter 23.54 of this title.

Chapter 23.22

COMMERCIAL ZONING DISTRICTS

Sections:

[23.22.010](#) Purpose of commercial use districts.

[23.22.020](#) Performance standards and special requirements.

[23.22.030](#) Commercial use districts permitted land uses.

[23.22.040](#) Site requirements and development standards for commercial use districts.

[23.22.050](#) Parking standards for commercial use districts.

23.22.010 Purpose of commercial use districts.

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

B. The neighborhood retail business use district (C-1) is a limited retail business zone classification for areas which primarily provide retail products and services for the convenience of nearby neighborhoods with minimal impact to the surrounding residential area. This zoning classification is intended to be applied to some portions of the city that are designated commercial under the city of Richland comprehensive plan.

C. The retail business use district (C-2) is a business zone classification providing for a wide range of retail business uses and services compatible to the core of the city and providing a focal point for the commerce of the city. All activities shall be conducted within an enclosed building except that off-street loading, parking, and servicing of automobiles may be in the open and except that outdoor storage may be permitted when conducted in conjunction with the principal operation which is in an enclosed adjoining building. This zoning classification is intended to be applied to some portions of the city that are designated commercial under the city of Richland comprehensive plan.

D. The general business use district (C-3) is a zone classification providing a use district for commercial establishments which require a retail contact with the public together with incidental shop work, storage and warehousing, or light manufacturing and extensive outdoor storage and display, and those retail businesses satisfying the essential permitted use criteria of the C-2 use district. This zoning classification is intended to be applied to some portions of the city that are designated commercial under the city of Richland comprehensive plan.

E. The waterfront use district (WF) is a special commercial and residential zoning classification providing for the establishment of such uses as marinas, boat docking facilities, resort motel and hotel facilities, offices, and other similar commercial, apartment, and multifamily uses which are consistent with

waterfront oriented development, and which are in conformance with RMC Title [26](#), Shoreline Management, and with applicable U.S. Corps of Engineers requirements. This zoning classification encourages mixed special commercial and high-density residential uses to accommodate a variety of lifestyles and housing opportunities. Any combination of listed uses may be located in one building or one development (i.e., related buildings on the same lot or site). This zoning classification is intended to be applied to those portions of the city that are designated waterfront under the city of Richland comprehensive plan.

F. The central business district (CBD) is a special mixed use zoning classification designed to encourage the transformation of the central business district from principally a strip commercial auto-oriented neighborhood to a more compact development pattern. The central business district is envisioned to become a center for housing, employment, shopping, recreation, professional service and culture. The uses and development pattern will be integrated and complementary to create a lively and self-supporting district. Medium rise buildings will be anchored by pedestrian oriented storefronts on the ground floor with other uses including housing on upper floors. Projects will be well designed and include quality building materials. Appropriate private development will be encouraged via public investments in the streetscape and through reduction in off-street parking standards. Uses shall generally be conducted completely within an enclosed building, except that outdoor seating for cafes, restaurants, and similar uses and outdoor product display is encouraged. Buildings shall be oriented to the fronting street or accessway, to promote a sense of enclosure and continuity along the street or accessway. This zoning classification is intended for those portions of the city that are designated as central business district, as well as some properties designated as commercial and waterfront, under the Richland comprehensive plan. The central business district zone contains overlay districts titled medical, parkway, and uptown. The overlay districts implement varying site development requirements.

G. The commercial recreation district (CR) is a special commercial district providing for the establishment of such uses as marinas, boat docking facilities, resort motel and hotel facilities, and other commercial uses which are consistent with waterfront oriented development, and which are in conformance with RMC Title [26](#), Shoreline Management, and with the U.S. Corps of Engineers requirements, and providing for regulations to protect the business and residents of the city from objectionable influences, building congestion and lack of light, air and privacy. This zoning classification is intended for those portions of the city that are designated as waterfront or commercial under the Richland comprehensive plan.

H. The commercial winery use district (CW) is a zone classification designed to provide an area for the operation of commercial wineries, including all aspects of the wine making industry, from the raising of crops to the production, storage and bottling of wine and the retail sales of wine and related products. Other uses, which support winery-related tourism, such as restaurants, entertainment venues, retail services such as gift shops and bed and breakfast facilities are also permitted, along with other uses that are compatible with wineries. [Ord. 28-05 § 1.02; Ord. 04-09].

23.22.020 Performance standards and special requirements.

A. Commercial Limited Business. Residential uses permitted in the C-LB district must comply with the following standards except as provided by footnote (6) of RMC [23.22.040](#):

1. Minimum Yard Requirements.

- a. Front Yard. Twenty feet except as provided by footnote (3) of RMC [23.18.040](#);
 - b. Side Yards. Each side yard shall provide one foot of side yard for each three feet or portion thereof of building height;
 - c. Rear Yards. Twenty-five feet.
2. Required Court Dimensions. Each court on which windows open from any room other than a kitchen, bathroom or a closet, shall have all horizontal dimensions measured at right angles from the windows to any wall or to any lot line other than a front lot line equal to not less than the height of the building above the floor level of the story containing the room, but no dimension shall be less than 20 feet.
3. Distance Between Buildings. No main building shall be closer to any other main building on the lot than a distance equal to the average of their heights. This provision shall not apply if no portion of either building lies within the space between the prolongation of lines along any two of the opposite walls of the other building, but in any such situation the buildings shall not be closer to each other than a distance of 10 feet.
4. Percentage of Lot Coverage. Apartment buildings in a C-LB district shall cover not more than 33 percent of the area of the lot.
- B. Neighborhood Retail Business. All uses permitted in a C-1 district must comply with the following performance standards:
- 1. All business, service, repair, processing, or merchandise display shall be conducted wholly within an enclosed building, except for off-street automobile parking, the sale of gasoline, and self-service car washes. Limited outdoor display of merchandise is permitted; provided, that such display shall include only those quantities sold in a day's operation.
 - 2. Outdoor storage areas incidental to a permitted use shall be enclosed with not less than a six-foot-high fence and shall be visually screened from adjoining properties. All storage areas shall comply with building setbacks.
 - 3. Not more than three persons shall be engaged at any one time in fabricating, repairing, cleaning, or other processing of goods other than food preparation in any establishment. All goods produced shall be primarily sold at retail on the premises where produced.
 - 4. Lighting, including permitted illuminated signs, shall be shielded or arranged so as not to reflect or cause glare to extend into any residential districts, or to interfere with the safe operation of motor vehicles.
 - 5. Noise levels resulting from the operation of equipment used in the conduct of business in the C-1 district shall conform to the requirements of Chapter 173-60 WAC, Maximum Environmental Noise Levels.
 - 6. No single retail business, except for a food store, shall operate within a building space that exceeds 15,000 square feet in area, unless approved by the planning commission through the issuance of a special use permit upon the finding that the proposed retail business primarily serves and is appropriately located within the surrounding residential neighborhoods.

C. General Business. All permitted commercial business uses may be located in the C-3 district, provided their performance is of such a nature that they do not inflict upon the surrounding residential areas, smoke, dirt, glare, odors, vibration, noise, excessive hazards or water pollution detrimental to the health, welfare or safety of the public occupying or visiting the areas. The maximum permissible limits of these detrimental effects shall be as herein defined and upon exceeding these limits they shall be as herein considered a nuisance, declared in violation of this title and shall be ordered abated.

1. Smokestacks shall not emit a visible smoke except for one 10-minute period each day, when a new fire is being started. During this period, the density of the smoke shall not be darker than No. 2 of the Ringlemann Chart as published by the U.S. Bureau of Mines.

2. No visible or invisible noxious gases, fumes, fly ash, soot or industrial wastes shall be discharged into the atmosphere from any continuous or intermittent operation except such as is common to the normal operations of heating plants or gasoline or diesel engines in cars, trucks or railroad engines.

3. Building materials with high light reflective qualities shall not be used in the construction of buildings in such a manner that reflected sunlight will throw intense glare to areas surrounding the C-3 district.

4. Odors of an intensity greater than that of a faint smell of cinnamon which can be detected by persons traveling the roads bordering the lee side of the C-3 district, when a 10 mph wind or less is blowing, are prohibited.

5. Machines or operations which generate air or ground vibration must be baffled or insulated to eliminate any sensation of sound or vibration outside the C-3 district.

D. Waterfront. It is the intent of this section that:

1. Uses should be oriented primarily to the waterfront and secondarily to the public street to facilitate public access to the waterfront; and

2. Public pedestrian access shall include clearly marked travel pathways from the public street through parking areas to primary building entries.

E. Central Business District. New buildings shall conform to the following design standards:

1. The maximum setback area shall only be improved with pedestrian amenities including but not limited to: landscaping, street furniture, sidewalks, plazas, bicycle racks, and public art.

2. Building facades facing streets shall include:

- a. Glass fenestration on 50 percent to 80 percent of the ground floor of the building facade. A window display cabinet, work of art, decorative grille or similar treatment may be used to cover an opening for concealment and to meet this standard on those portions of the ground floor facade where the applicant can demonstrate that the intrusion of natural light is detrimental to the ground floor use. Examples of such uses include, but are not limited to, movie theaters, museums, laboratories, and classrooms.

- b. At least two of the following architectural elements:

- i. Awnings;

- ii. Wall plane modulation at a minimum of three feet for every wall more than 50 feet in length;
 - iii. Pilasters or columns;
 - iv. Bays;
 - v. Balconies or building overhangs; or
 - vi. Upper story windows (comprising a minimum of 50 percent of the facade).
3. At least one pedestrian, nonservice entrance into the building will be provided on each street frontage or provided at the building corner.
 4. Variation of exterior building material between the ground and upper floors of multi-story buildings.
 5. All buildings with a flat roof shall use a modulated height parapet wall for wall lengths greater than 50 feet. The modulation of parapet heights is encouraged to identify building entrances.
 6. All new buildings that utilize parapet walls shall include a projecting cornice detail to create a prominent edge.
 7. Public street and sidewalk improvements are required per Richland Municipal Code to implement approved street cross-sections. Curb cuts are encouraged to be located adjacent to property lines and shared with adjacent properties, via joint access agreement.
 8. Service bays, loading areas, refuse dumpsters, kitchen waste receptacles, outdoor storage locations, and rooftop mechanical equipment shall be located away from public rights-of-way via site planning and screened from view with landscaping, solid screening or combination.
 9. Alternative Design. In the event that a proposed building and/or site does not meet the literal standards identified in this section, or the maximum setback standards set forth in RMC [23.22.040](#) or the maximum parking standards set forth in RMC [23.22.050](#), a project representative may apply to the Richland planning commission for a deviation from these site design standards. The Richland planning commission shall consider said deviation and may approve any deviation based on its review and a determination that the application meets the following findings:
 - a. That the proposal would result in a development that offers equivalent or superior site design than conformance with the literal standards contained in this section; and
 - b. The proposal addresses all applicable design standards of this section in a manner which fulfills their basic purpose and intent; and
 - c. The proposal is compatible with and responds to the existing or intended character, appearance, quality of development and physical characteristics of the subject property and immediate vicinity. [Ord. 28-05 § 1.02; Ord. 07-06; Ord. 04-09; Ord. 07-10 § 1.01; amended during 2011 recodification; Ord. 32-11 § 4].

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			

Land Use	C-LB	C-1	C-2	C-3	CBD	WF	CR	CW
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
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	

Land Use	C-LB	C-1	C-2	C-3	CBD	WF	CR	CW
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				
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

Land Use	C-LB	C-1	C-2	C-3	CBD	WF	CR	CW
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
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			

Land Use	C-LB	C-1	C-2	C-3	CBD	WF	CR	CW
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			
Homeless Shelter				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
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

Land Use	C-LB	C-1	C-2	C-3	CBD	WF	CR	CW
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		
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		

Land Use	C-LB	C-1	C-2	C-3	CBD	WF	CR	CW
Dwelling, One-Family Attached						p ²⁵		
Dwelling, Two-Family Detached						P		
Dwelling Units for a Resident Watchman or Custodian				A				p ²⁸
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		
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
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	
Micro- and Macro-Antennas	P	P	P	P	P	P	P	P
Monopole			S ²³	P/S ²³	S ²³			

Land Use	C-LB	C-1	C-2	C-3	CBD	WF	CR	CW
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 multi-story 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.

[Ord. 28-05 § 1.02; Ord. 15-07; Ord. 04-09; Ord. 07-10 § 1.02; amended during 2011 recodification; Ord. 32-11 § 5].

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	1:1,500	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	500 feet	N/A	N/A	N/A	500 feet	500 feet	N/A	N/A

Standard	C-LB	C-1	C-2	C-3	CBD	WF	CR	CW
basements)								

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).

PLATE NO. 1 - 23.22.040

PLATE 1



CBD - MEDICAL DISTRICT

PLATE NO. 2 - 23.22.040

PLATE 2



CBD - UPTOWN DISTRICT

PLATE NO. 3 - 23.22.040

PLATE 3



CBD - THE PARKWAY DISTRICT

[Ord. 28-05 § 1.02; Ord. 04-09; Ord. 07-10 § 1.03; amended during 2011 recodification; Ord. 32-11 § 6].

23.22.050 Parking standards for commercial use districts.

A. Off-street parking space shall be provided in all commercial zones in compliance with the requirements of Chapter [23.54](#) RMC.

B. Central Business District Off-Street Parking. All uses have a responsibility to provide parking. The parking responsibility for any new use or change in use shall be determined in accordance with the requirements of Chapter [23.54](#) RMC. The maximum number of parking spaces provided on site shall not exceed 125 percent of the minimum required parking as specified in Chapter [23.54](#) RMC; provided, that any number of parking spaces beyond the established maximum may be approved by the planning commission subject to RMC [23.22.020](#)(E)(9) (Alternative Design).

1. The off-street parking requirement may be reduced as follows:

a. The planning commission may reduce the parking responsibility as provided by RMC [23.54.080](#), joint use; and/or

b. Within a 600-foot radius of the property, and within the CBD zoning district, a 25 percent credit will be provided for each on-street parking space and/or for each off-street parking space located in a city-owned public parking lot. The allowed combined reduction in required off-street parking shall not exceed 50 percent of the overall off-street parking requirement (including any reductions contained in RMC [23.54.080](#)). Example: one off-street space will be credited if four on-street spaces are located within 600 feet of the property. Parking space dimensions are found in RMC [23.54.120](#). Only those streets designated for on-street parking shall be considered for the credit. Curb cuts, driveways, hydrant frontages, and similar restricted parking areas shall be excluded from the calculation.

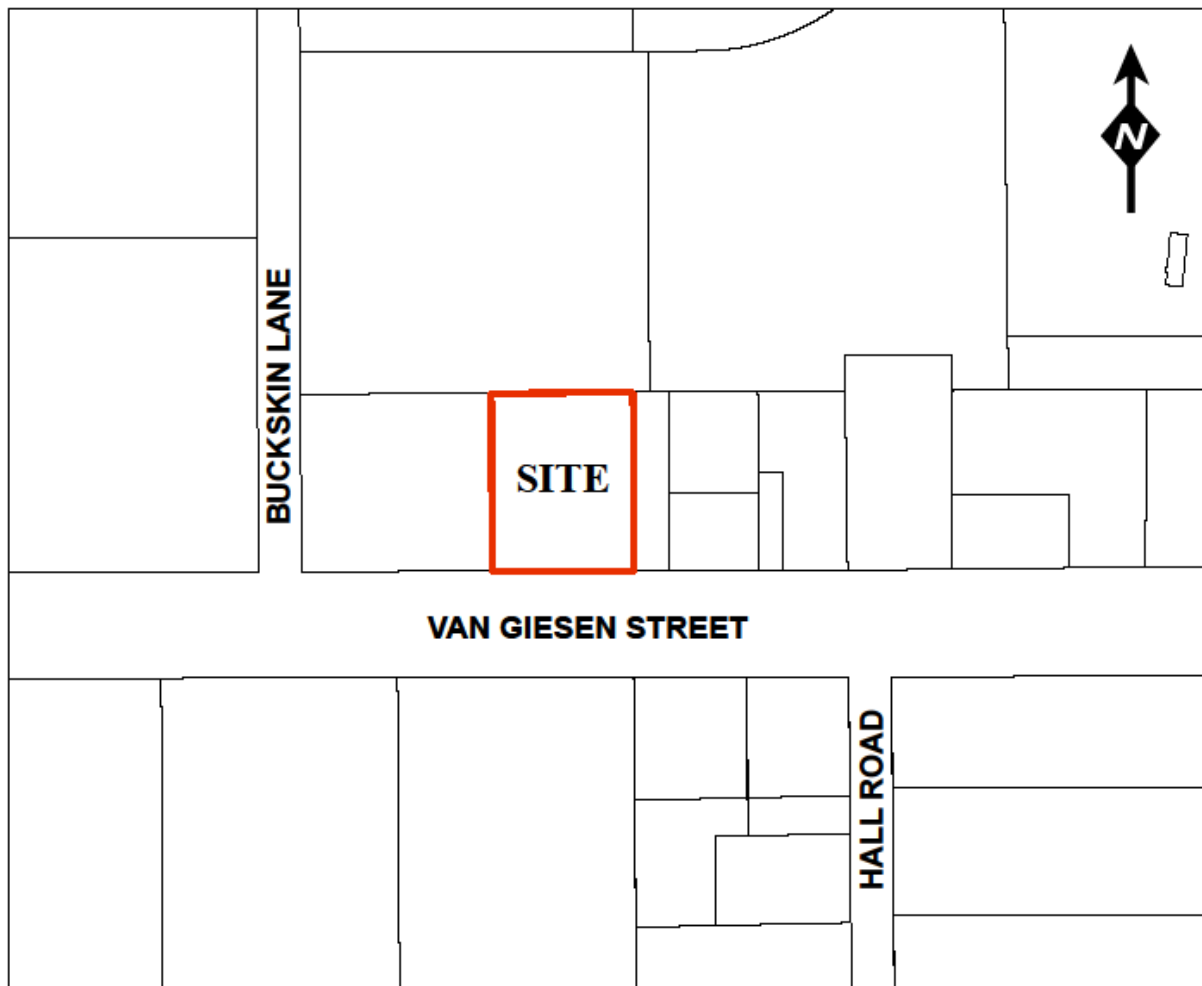
2. Any parking lot that has frontage on a public street or accessway shall be screened with a combination of trees planted at no less than 30 feet on center and shrubs planted to form a uniform hedge within five years. A masonry wall not lower than 18 inches and not higher than 36 inches may be substituted for the shrubs. The landscaping and masonry wall, if used, shall be at no greater setback than the maximum setback for a front or street side (RMC [23.22.040](#)). Masonry walls are subject to the performance standards found in RMC [23.22.020](#)(E), and must be granted approval by the public works director for compliance with vision clearance requirements for traffic safety before installation. [Ord. 28-05 § 1.02; Ord. 04-09; Ord. 07-10 § 1.02; amended during 2011 recodification].

**CITY OF RICHLAND
NOTICE OF APPLICATION & PUBLIC HEARING**

Notice is hereby given that Cody Bender has submitted an application to rezone a 1.15 acre site located on the north side of Van Giesen Street approximately 290-feet east of Buckskin Lane from Agriculture to C-3 (General Business).

A public hearing on the proposed rezone will be held before the Hearing Examiner on Thursday, **September 22, 2016** at 6:00 pm in the Council Chambers, 505 Swift Blvd., Richland WA 99352.

Any person desiring more information, to express his views or to be notified of any decisions pertaining to these applications or the DNS should notify Rick Simon, Development Services Manager, 840 Northgate Drive, P.O. Box 190, Richland, WA 99352. Ph. 509-942-7596, rsimon@ci.richland.wa.us.



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AFFIDAVIT OF POSTING

STATE OF WASHINGTON)
) ss.
COUNTY OF BENTON)

COMES NOW, **Shane O'Neill**, who, being first duly sworn upon oath deposes and says:

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

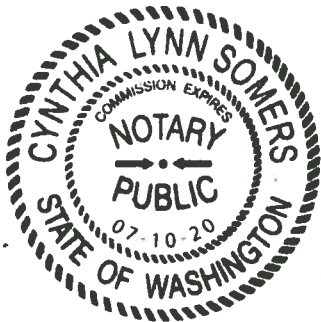
2. On the 8th day of September, 2016, I posted the attached NOTICE OF PUBLIC HEARING, File Number Z2016-104 on the property at:

2682 Van Giesen Street
PIN # 1-04981020004002



Print Name: Shane O'Neill

SIGNED AND SWORN to before me this 8th day of September, 2016 by SHANE O'NEILL.




Signature of Notary

Cynthia Lynn Somers
Printed Name

Notary Public in and for the State of Washington,
Residing in Kennedick WA

My appointment expires: 07-10-2020

**CITY OF RICHLAND
NOTICE OF PUBLIC HEARING**

Notice is hereby given the Richland Hearing Examiner will conduct a public hearing on Thursday, September 22, 2016, beginning at 6:00 p.m. in the City Council Chambers, 505 Swift Blvd, Richland, WA to consider the following applications:

A Special Use Permit application submitted by Rajiv Malhan to allow for the construction of a 3,030 square foot carwash (SUP 2016-100) on a 0.72 acre site in the Central Business District. The property is located on the south side of Guyer Avenue, approximately 135-feet west of George Washington Way.

A zone change application submitted by Cody Bender to change the zoning on a 1.1 acre site from AG – Agricultural to C-3 – General Business (Z2016-104) on property located north of and adjacent to Van Giesen Street and approximately 290 feet east of Buckskin Lane.

Any person desiring more information, to express his views is invited to attend the hearing. Any person desiring more information or wishing to be notified of any decisions pertaining to these applications should notify Shane O'Neill, Senior Planner, 840 Northgate Drive, P.O. Box 190, Richland, WA 99352. Ph. 509-942-7587, soneill@ci.richland.wa.us.