



Agenda
Planning Commission Workshop
Wednesday, October 4, 2017
City Manager's Conference Room | 975 George Washington Way

Commission Members: Chair Wallner, Vice-Chair Madsen and Commissioners Mealer, Wise, Palmer, Boring, and Berkowitz

Liaisons: Council Liaison Lemley and Alternate Council Liaison Luzzo Gilmour
Staff Liaison Development Services Manager Simon

Regular Workshop - 7:00 p.m.

Call to Order / Attendance:

Agenda Items:

1. Discussion of Portable Food Vendor Regulations
- Rick Simon, Development Services Manager
2. Discussion of Zoning Map Corrections
- Rick Simon, Development Services Manager
3. Discussion of Subdivision Code Amendments
- Rick Simon, Development Services Manager

Adjournment

The next Planning Commission Workshop is November 8, 2017

The next Planning Commission Meeting is October 25, 2017

Richland City Hall is ADA accessible. Council Chamber parking and access is available at the entrance facing George Washington Way. Requests for sign interpreters, audio equipment, and/or other special services must be received 48 hours prior to the Planning Commission Workshop by calling the City Clerk's Office at 942-7388.



PLANNING COMMISSION AGENDA ITEM COVERSHEET

Meeting Date: 10/04/2017

Agenda Category: Agenda Items

Prepared By: Rick Simon, Development Services Manager

Subject:

Discussion of Portable Food Vendor Regulations

Request:

Key 3 - Economic Vitality

Recommended Motion:

None

Summary:

The Economic Development Committee has reviewed the City's current regulations pertaining to portable food vendors and is suggesting amendments to the City zoning code. Attached is a memo from the Business and Redevelopment Office along with the proposed code amendments.

Attachments:

1. Staff Report
2. Draft ordinance - Vehicle Based Food Service



MEMORANDUM

TO: Richland Planning Commission

FROM: Business and Economic Development Office

THROUGH: Economic Development Committee

DATE:

SUBJECT: Review and recommendation on modifications to RMC Title 23 related to vehicle based food vendors

AGENDA:

ISSUE:

City Staff has observed an increase in the number of vehicle based food vendor requests, and businesses who would like to operate within and near to the Central Business District. At present, Richland Municipal Code allows for these uses under the definition of outdoor sales, limiting their potential food service to the C-3 General Business zoning district. A secondary provision for concessionaires, allows vehicle based food vendors to locate on City owned property with a permit from Public Facilities.

RECOMMENDATION:

Recommend approval to the Richland City Council to approve the ordinance amending Title 23 of the Richland Municipal Code as attached, updating provisions allowing for and clarifying the operation of vehicle based food vendors.

BACKGROUND:

Current conditions

Vehicle based food vendors, or food trucks, are a relatively recent growing medium by which businesses conduct food service semi-permanently. The Richland Municipal Code (RMC) has never addressed this enterprise specifically, and therefore an array of standards allows for their extremely limited operation within the City of Richland. Food trucks currently, legally, operate as an outdoor sales use in the C-3 General Business District, and as a concessionaire use at City Parks and Public Facilities. These uses do not specifically address the operation style of a food truck, and in practice permit temporary mobile structures to be altered in to permanent structures with mobile appurtenances not typically permitted at a year-round brick-and-mortar establishment.

Enforcement and action precipitating ordinance amendment

City Staff have observed an increase in the number of requests to permit vehicle based food vendors in and around the Central Business District. When staff receive these requests, they are only able to refer them to locate in C-3 General Business or to apply for a concessionaire permit. Concurrently, there are non-conforming food trucks located around the City, that by their transient nature, available staff time, and increasing patronage would be difficult to limit or enforce. Granted, if the City were to receive a complaint, existing business would be open to enforcement; including but not limited to action that would result in their closure, relocation, or significant investment in alteration of their premises.

Amending this regulation would enable existing businesses to become compliant, providing for the City to clearly articulate what is an existing 'grey area' in enforcement (as noted above). Existing compliant businesses in the C-3 zoning district would not be affected by this amendment, and their existing enterprise would be considered a legal non-conformity; only required to be brought in to legal conformity if they voluntarily alter their existing business. Further, the allowance for concessionaires at City Parks and Public Facilities would be unaltered; this existing procedure for concessionaires is related to the production of events, and the associated requirements for the City to assure concessionaires have adequate liability insurance and legal authority to operate on City property.

Comment and recommendation of the Economic Development Committee

The City's Business and Economic Development Staff brought this amendment forward to the City's Economic Development Committee (hereafter 'Committee') to address the Committee's identified weaknesses and threats to the existing regulatory environment. Vehicle based food vendors were observed by the Committee as an opportunity area, and an industry that allows startup enterprises to get started in a highly competitive market at a low cost of entry. Further, staff desired to put forth a set of standards that addresses this growing business sector; reducing permitting and enforcement complexity while retaining standards to protect and enhance adjacent commercial activities.

The Committee's review was generally positive towards these amendments, but also suggested some changes to the initial ordinance to address their concerns; including:

1. Striking the proposed Section 23.42.325(B) in part, specifically striking the section referring to the vehicle based food service needing to be attached to an operational vehicle at all times while operating. The Committee instead suggested that the subsection be written to retain operable conditions, but that it should be able to be driven or towed by an operational vehicle at all times (negating need for long-term attachment).
2. Striking the proposed Section 23.42.325(C)(b) limiting the number of food trucks to one per 22,000 square feet (half acre).
3. Striking the proposed Section 23.42.325(E) prohibiting the permanent or temporary placement of outdoor seating by a vehicle based food vendor.
4. Striking the proposed Section 23.42.325(F) prohibiting equipment ancillary to the business to be placed further than the perimeter of the business conveyance.

Staff Amendments based upon Economic Development Committee

1. Amend proposed Section 23.42.325(B) to read:

“Condition of business conveyance. Any vehicle or trailer utilized for vehicle based food service shall be in complete operational condition. The vehicle shall be licensed, and able to leave the site at any time under its own power or that of an available towing vehicle.”

2. Strike proposed Section 23.42.325(C)(b)
3. Considering the temporary nature of a vehicle based food vendor, staff does not recommend that outdoor seating restrictions be removed entirely. While a typical brick-and-mortar restaurant may provide indoor and outdoor seating, they are also required to provide ample and adequate on-site parking for each seat they provide. This requirement relates to providing ample parking for patrons that by nature of the business will stay on-site for a longer period of time.

Vehicle based food vendors typically orient their service to patrons seeking ‘grab-and-go’ style meals, and providing additional seating on-site would require additional long-term parking accommodation. Staff therefore recommends:

Strike proposed Section 23.42.325(E) and Section 23.42.325(F) and amend to read:

“Equipment and outdoor seating. Ancillary or accessory equipment and outdoor seating is permitted to be used outside the business conveyance. Equipment shall be located and secured in such a manner that it does not conflict with any provision of RMC 23.54 – Off-Street Parking and Landscaping. The vehicle based food vendor may provide one set of seating, defined as (1) table and (4) chairs, for every parking stall provided above the primary permanent land use’s required minimum parking; not to exceed five sets of tables and chairs. No equipment or outdoor seating may be placed so as to reduce the required number of parking spaces necessary.”

FINAL DRAFT FOR PLANNING COMMISSION

ORDINANCE NO. XXX-17

AN ORDINANCE of the City of Richland Amending
Title 23: Zoning Regulations of the Richland Municipal Code
regarding the operation of vehicle based food service.

WHEREAS, The City of Richland has observed the desire for vehicle based food vendors in the City, and at-present regulates this operation only through general statutes related to outdoor sales; and

WHEREAS, the City has recognized a number of vehicle based food vendors that have created successful brick-and-mortar restaurants in the City of Richland's Central Business District; and

WHEREAS, vehicle based food vendors would support startup food service enterprises, and enhance the diversity of Richland's restaurant offerings to residents and visitors alike; and

WHEREAS, these amendments are to ensure that the siting and operation of vehicle based food vendors are compatible with adjacent commercial activities, and the City's existing business activities and efforts support continued positive trends in micro-economic development.

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

Section 1. Section 23.22.030 of the Richland Municipal Code, and the same hereby is, amended to add the following Commercial use districts permitted land use:

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								

FINAL DRAFT FOR PLANNING COMMISSION

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

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Land Use	C-LB	C-1	C-2	C-3	CBD	WF	CR	CW
Health/Fitness Facility	A	P	P	P	P	A	P	
Health/Fitness Center			P	P	P		P	
Health Spa		P	P	P	P	P		P
Hospital/Clinic – Large Animal				S ⁵				
Hospital/Clinic – Small Animal			S ⁵	P ⁵	P			
Laundry/Dry Cleaning, Com.				P	P ²⁹			
Laundry/Dry Cleaning, Neighborhood		P	P	P	P			
Laundry/Dry Cleaning, Retail	P	P	P	P	P	P		
Laundry – Self-Service		P	P	P	P			
Mini-Warehouse				P ⁶				
Mailing Service	P	P	P	P	P	P		
Personal Loan Business	P	P	P	P	P			
Personal Services Businesses	A	P	P	P	P	P		
Photo Processing, Copying and Printing Services	P	P	P	P	P	P		
Telemarketing Services	P		P	P	P			
Video Rental Store		P	P	P	P	P		P
Food Service								
Cafeterias	A		A	A	A	A	A	
Delicatessen	P	P	P	P	P	P	P	P
Drinking Establishments		P ⁷	P	P	P	P	P	P
Micro-Brewery			P	P	P	P	P	P
Portable Food Vendors ²⁶	A ²⁷	A ²⁷	A ²⁷	A ²⁷	A ²⁷	A ²⁷	A ²⁷	A ²⁸
Restaurants/Drive-Through		S ⁸	P ⁸	P ⁸	S ^{8, 9}	S ^{8, 9}		
Restaurants/Lounge		P ⁷	P	P	P	P	P	P
Restaurants/Sit Down	A	P	P	P	P	P	P	P
Restaurants/Take Out		P	P	P	P	P		P
Restaurants with Entertainment/Dancing Facilities		P ⁷	P	P	P	P	P	P
Vehicle based food service		P ³⁰	P ³⁰	P ³⁰	P ³⁰			
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

Comment [TM1]: Addition

FINAL DRAFT FOR PLANNING COMMISSION

Land Use	C-LB	C-1	C-2	C-3	CBD	WF	CR	CW
Wholesale Facilities and Operations				P				p ²⁸
Wineries – Production				P				P
Office Uses								
Financial Institutions	P	P/S ²²	P	P	P/S ²²	P		
Medical, Dental and Other Clinics	P	P	P	P	P	P		
Newspaper Offices and Printing Works			P	P	P			
Office – Consulting Services	P	P	P	P	P	P		p ²⁸
Office – Corporate	P		P	P	P	P		p ²⁸
Office – General	P	P	P	P	P	P		p ²⁸
Office – Research and Development	P		P	P	P			p ²⁸
Radio and Television Studios			P	P	P			
Schools, Commercial	P		P	P	P	P		
Schools, Trade			P	P	P			p ²⁸
Travel Agencies	P	P	P	P	P	P		
Public/Quasi-Public Uses								
Churches	p ¹⁰	p ¹⁰	p ¹⁰	p ¹⁰	P	p ¹⁰		
Clubs or Fraternal Societies	p ¹⁰	p ¹⁰	p ¹⁰	p ¹⁰	p ¹⁰	p ¹⁰		
Cultural Institutions	p ¹⁰	p ¹⁰	p ¹⁰		p ¹⁰	p ¹⁰		p ¹⁰
General Park O&M Activities	P	P	P	P	P	P	P	P
Hospitals	P		P	P	P			
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
Trails for Equestrian, Pedestrian, or Nonmotorized Vehicle Use	P	P	P	P	P	P	P	P

FINAL DRAFT FOR PLANNING COMMISSION

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

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

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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.
30. RMC 23.42.325

Comment [TM2]: Addition

Section 2. Section 23.28.030 of the Richland Municipal Code, and the same hereby is, amended to add the following Business use districts permitted land use:

23.28.030 Business 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	B-RP	B-C
Automotive, Marine and Heavy Equipment Uses		
Automotive Repair – Major		P
Automotive Repair – Minor		P

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Land Use	B-RP	B-C
Automotive Repair – Specialty Shop		P
Automobile Service Station	P	P ¹⁴
Bottling Plants	P	P
Car Wash – Automatic or Self-Service		P ¹
Fuel Station/Mini Mart	P	P ¹⁴
Business and Personal Services		
Automatic Teller Machines	P	P
General Service Businesses	P	P
Health/Fitness Facility	P	P
Health/Fitness Center	P	P
Laundry/Dry Cleaning, Retail	P	P
Mini-Warehouse		P ²
Mailing Service	P	P
Personal Loan Business	P	P
Personal Services Businesses	P	P
Photo Processing, Copying and Printing Services	P	P
Telemarketing Services	S	P
Video Rental Store	P	P
Food Service		
Cafeterias	A	A
Delicatessen	A	A
Drinking Establishments	P	P
Portable Food Vendors	P ³	P ³
Restaurants/Drive-Through	A ⁴	A ⁴
Restaurants/Lounge	P	P
Restaurants/Sit Down	P	P
Restaurants/Take Out	P	P
Restaurants with Entertainment/Dancing Facilities	P	P
Vehicle based food service	P ¹⁵	P ¹⁵
Industrial/Manufacturing Uses		
Light Manufacturing Uses	P	P
Research, Development and Testing Facilities	P	P
Warehousing, Storage and Distribution		A

Comment [TM3]: Addition

FINAL DRAFT FOR PLANNING COMMISSION

Land Use	B-RP	B-C
Wholesale Facilities and Operations		P
Office Uses		
Financial Institutions	P	P
Medical, Dental and Other Clinics	P	P
Newspaper Offices and Printing Works		P
Office – Consulting Services	P	P
Office – Corporate	P	P
Office – General	P	P
Office – Research and Development	P	P
Radio and Television Studios		P
Schools, Commercial	P	P
Schools, Trade	P	P
Travel Agencies	P	P
Public/Quasi-Public Uses		
Alternative Schools		p ⁵
Churches		p ⁶
Clubs or Fraternal Societies		p ⁶
Cultural Institutions		p ⁶
General Park Operations and Maintenance Activities	P	P
Passive Open Space Use	P	P
Power Transmission and Irrigation Wasteway Easements and Utility Uses	p ⁷	p ⁷
Public Agency Buildings	p ⁷	p ⁷
Public Agency Facilities	p ⁷	p ⁷
Public Parks	P	P
Special Events Including Concerts, Tournaments and Competitions, Fairs, Festivals and Similar Public Gatherings	P	P
Trail Head Facilities	P	P
Trails for Equestrian, Pedestrian, or Nonmotorized Vehicle Use	P	P
Residential Uses		
Accessory Dwelling Unit	A	A
Apartment, Condominium (3 or More Units)	S ⁸	
Day Care Center	S ^{8,9}	A ⁹
Designated Manufactured Home	S ^{8,10, 11}	
Dormitories, Fraternities, and Sororities	S ⁸	

FINAL DRAFT FOR PLANNING COMMISSION

Land Use	B-RP	B-C
Dwelling, One-Family Attached	S ^{8,10,11}	
Dwelling, One-Family Detached	S ^{8,10,11}	
Dwelling, Duplex	S ⁶	
Dwelling Units for a Resident Watchman or Custodian	A	A
Hotels or Motels	S ⁸	P
Temporary Residence	p ^{8,10}	p ¹⁰
Retail Uses		
Parking Lot or Structure	P	P
Department Stores		P
Specialty Retail Stores	P	P
Miscellaneous Uses		
Bus Terminal	P	P
Bus Transfer Station	P	P
Community Festivals and Street Fairs	P	P
Convention Center	P	P
Farming of Land	P	P
Micro- and Macro-Antennas	P	P
Monopole	p ¹²	S ¹²
Outdoor Storage	p ¹³	p ¹³
Storage in an Enclosed Building	P	P

1. RMC 23.42.270
2. RMC 23.42.170
3. RMC 23.42.185
4. RMC 23.42.047
5. RMC 23.42.260
6. RMC 23.42.050
7. RMC 23.42.200
8. RMC 23.28.020(B)
9. RMC 23.42.080
10. RMC 23.42.110
11. RMC 23.18.025
12. Chapter 23.62 RMC
13. RMC 23.42.180
14. Permitted when located adjacent to a principal or minor arterial street as identified in Chapter 12.02 RMC, Street Functional Classification Plan.
15. RMC 23.42.325

Comment [TM4]: Addition

Section 3. A new section is added to Richland Municipal Code Chapter 23.42: General provisions and special conditions, which shall read as follows:

FINAL DRAFT FOR PLANNING COMMISSION

23.42.325 Vehicle based food service.

- A. Licensing. The vehicle based food vendor must obtain a City Business License per RMC Chapter 5.04, and complete a City of Richland Vehicle Based Food Vendor permit form.
- B. Condition of business conveyance. Any vehicle or trailer utilized for vehicle based food service shall be in complete operational condition. The vehicle shall be licensed and able to leave the site at any time under its own power or that of an available towing vehicle.
- C. Location and use. The vehicle based food service shall operate only as an accessory, off-street, use to an operational primary permanent land use, and must obtain the express written consent of the property owner and business(es) on-site.
 - a. Exception. In order to induce economic development and primary use occupation; a vehicle based food service may operate as an accessory use to a non-operational primary permanent land use in the Central Business District for a period not to exceed 90 days. This period may be extended for an unlimited number of 45 day periods, by the recommendation of the City's Economic Development Manager.
 - b. Right-of-way. The vehicle based food service shall not operate within any public right-of-way, except as specifically provided in RMC 23.42.051.
- D. Restroom facilities. The vendor must ensure on-site restroom facility access for employees from a primary on-site business; such facilities shall supply running hot and cold water.
- E. Equipment and outdoor seating. Ancillary or accessory equipment and outdoor seating is permitted to be used outside the business conveyance. Equipment shall be located and secured in such a manner that it does not conflict with any provision of RMC 23.54 – Off-Street Parking and Landscaping. The vehicle based food vendor may provide one set of seating, defined as (1) table and (4) chairs, for every parking stall provided above the primary permanent land use's required minimum parking; not to exceed five sets of tables and chairs. No equipment or outdoor seating may be placed so as to reduce the required number of parking spaces necessary.
- F. City owned and operated facilities. The business may operate as a concessionary on any publically owned and operated facility per RMC 23.42.051.
- G. Cleanliness and waste disposal. The business shall maintain the area around the vehicle based food service, keep the area free from litter, and shall supply a suitable container for litter collection. The business is responsible for the proper collection and disposal of the container provided for on-site litter collection.
- H. Traffic. The business must ensure the free and safe passage of pedestrians and vehicles, and shall not create congestion on public streets or pathways. Further, the vehicle shall not be located within 25 feet of a driveway or right-of-way intersection.
- I. Neighborhood retail district. When permitted in a C-1 neighborhood retail district, the business shall not operate between 10:00 p.m. and 7:00 a.m.

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

PASSED by the City Council of the City of Richland, at a regular meeting on the _____ day of _____ 2017.

ROBERT J. THOMPSON
Mayor

ATTEST:

APPROVED AS TO FORM:

FINAL DRAFT FOR PLANNING COMMISSION

MARCIA HOPKINS
City Clerk

HEATHER KINTZLEY
City Attorney

Date Published: _____

DRAFT



PLANNING COMMISSION AGENDA ITEM COVERSHEET

Meeting Date: 10/04/2017

Agenda Category: Agenda Items

Prepared By: Rick Simon, Development Services Manager

Subject:

Discussion of Zoning Map Corrections

Request:

Key I - Financial Stability & Operational Effectiveness

Recommended Motion:

Summary:

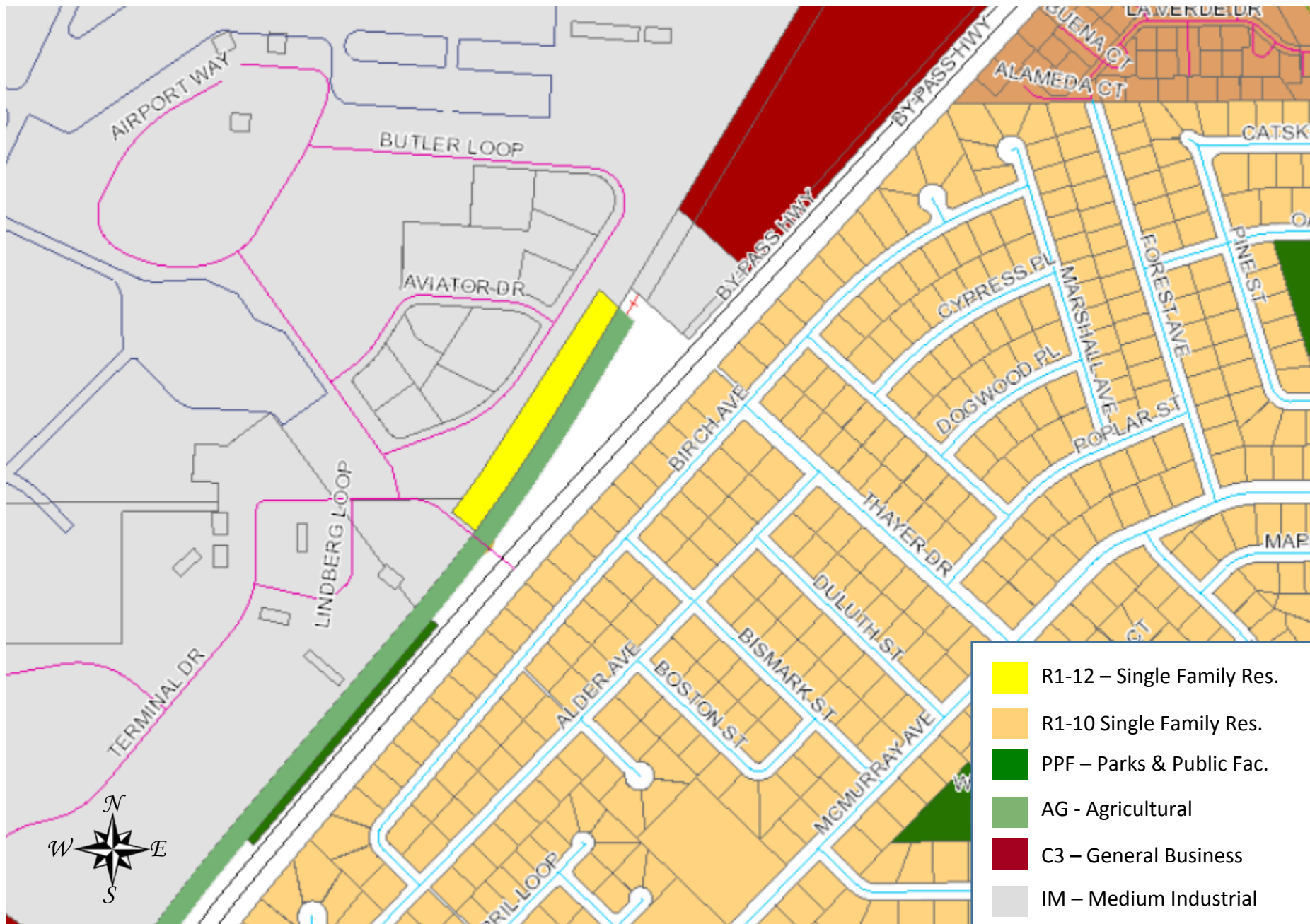
Staff has discovered a number of minor errors in the City's zoning map that require some cleanup work to be completed. The proposed changes are described as follows:

- A 2.4 acre site located north of Duportail and east of Truman Avenue that is a part of Vintner's Square that is zoned AG - Agricultural rather than commercial;
- A .6 acre site located north of Kennedy Road that is a part of the DNR leased land that is zoned R1-10 Single Family Residential rather than agricultural;
- A .55 acre site located north of Kennedy Road and adjacent to the West Richland City limits that is zoned R1-10 Single Family Residential rather than Business Commerce;
- A 2 acre site located adjacent to SR 240 and a part of the Richland Airport that is zoned R1-12 Single Family Residential rather than IM- Medium Industrial.

The attached maps depict the existing zoning in these areas as well as aerial photos that show the existing conditions. Staff will bring these items forward for the Commission's formal consideration at a future public hearing.

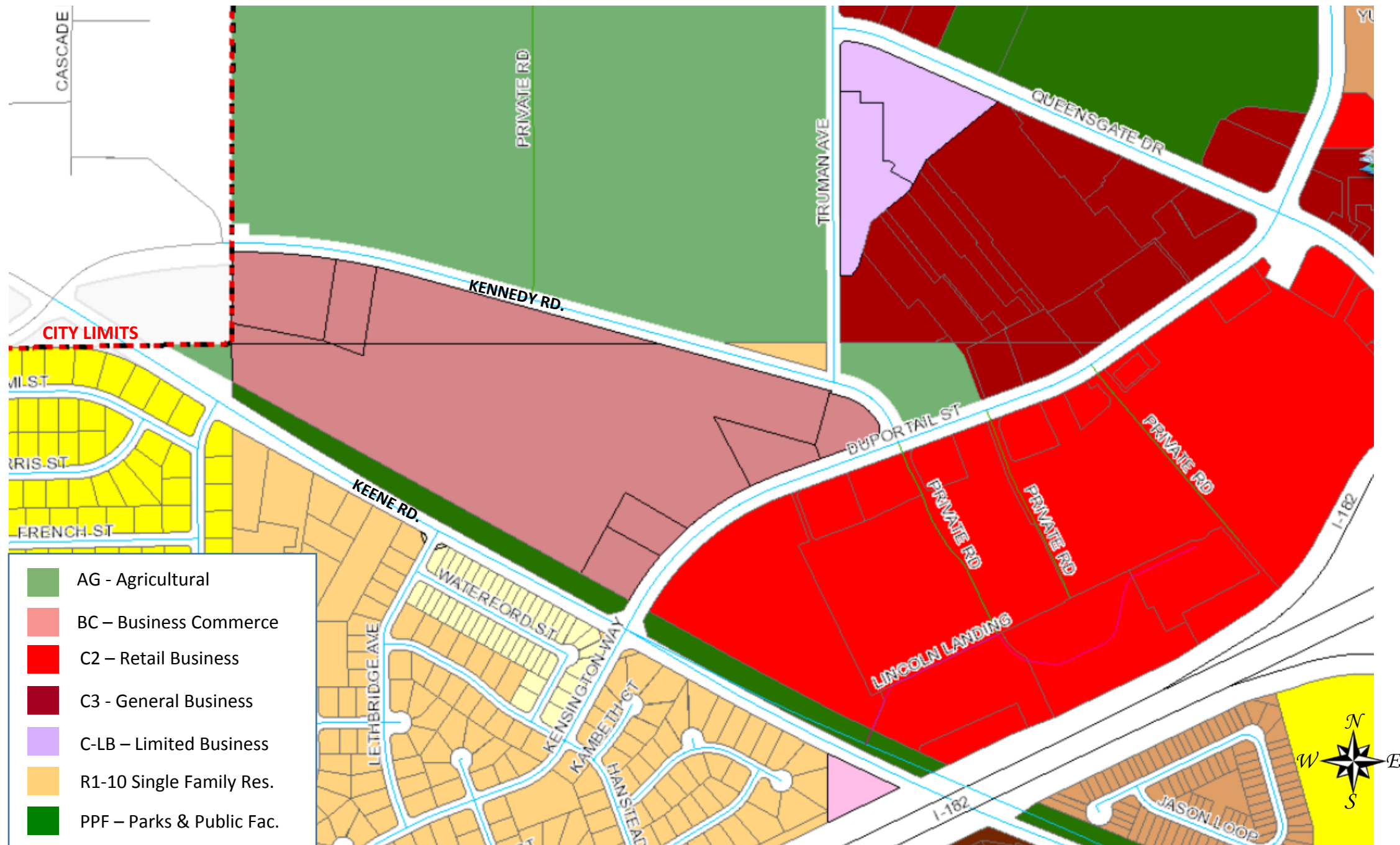
Attachments:

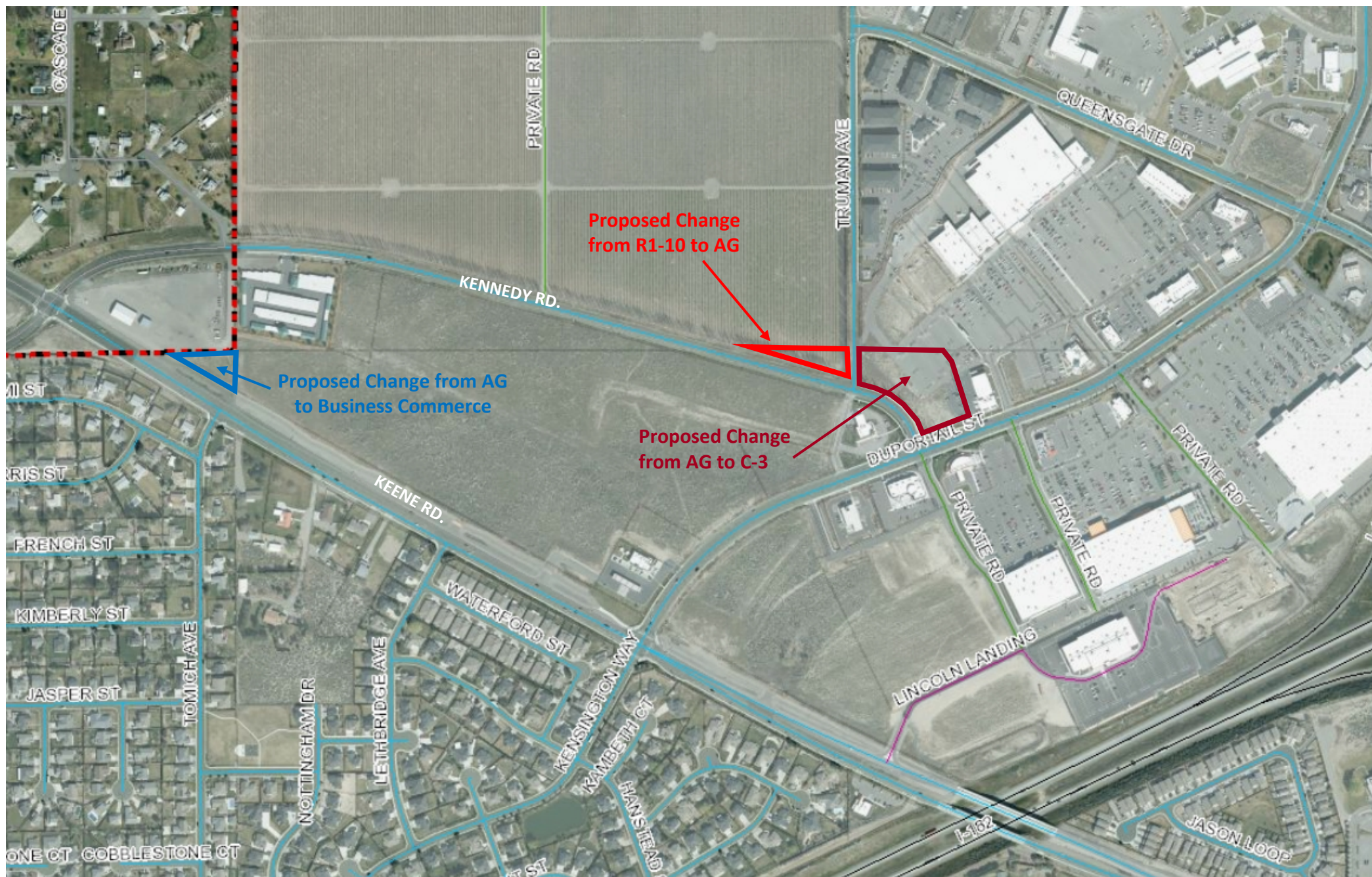
1. Maps



Area of Proposed
Change from R1-
12 to IM Medium
Industrial









PLANNING COMMISSION AGENDA ITEM COVERSHEET

Meeting Date: 10/04/2017

Agenda Category: Agenda Items

Prepared By: Rick Simon, Development Services Manager

Subject:

Discussion of Subdivision Code Amendments

Request:

Recommended Motion:

None

Summary:

Staff is proposing a number of minor updates to RMC Chapter 24.12 (Subdivision Procedures). The attached draft ordinance identifies proposed changes with strikeouts and underlines. The most significant change is that the Planning Commission Chair would no longer be required to sign the final plat mylars. This provision in code made sense when the Planning Commission reviewed preliminary plats. Since that is no longer the case, the requirement for the Commission's review of a final plat can be eliminated.

Attachments:

1. Draft Amendments to RMC 24.12

Chapter 24.12

PROCEDURE

Sections:

- 24.12.010 Preliminary plat – Application for approval.
- 24.12.020 Preliminary plat – General requirements.
- 24.12.030 Preliminary plat – Specific requirements.
- 24.12.040 Preliminary plat – Vicinity sketch – Street grades – Utilities – Drainage facilities.
- 24.12.045 Preliminary plat – Public hearing.
- 24.12.050 Preliminary plat – Public hearing, hearing examiner consideration and recommendation to city council.
- 24.12.053 Preliminary plat – Required findings.
- 24.12.055 Preliminary plat – City council consideration and action.
- 24.12.060 Final plat – Submission.
- 24.12.070 Final plat – Required information.
- 24.12.080 Final plat – Required certificates and statements.
- 24.12.090 Final plat – Approval of city engineer.
- 24.12.110 Final plat – Approval.
- 24.12.120 Final plat – Time for determination.
- 24.12.130 Final plat – Filing.

24.12.010 Preliminary plat – Application for approval.

For the purpose of expediting the preliminary approval of any subdivision, every subdivider shall file with the subdivision administrator a preliminary plat application on such forms as may be provided by the city. Each application shall include electronic and hard copies of the map(s) as specified on the preliminary plat application form, a report from a title insurance company showing ownership of the property involved, an accurate legal description of the property involved, and a list of names and addresses of all owners of property within 300 feet of the exterior boundaries of the proposed subdivision. In addition, the report shall include an accurate key map showing the property involved and delineating the property within 300 feet of the proposed subdivision. Each parcel falling wholly or partly within the 300-foot distance shall be numbered to correspond with the ownership report. The preliminary plat application shall be accompanied by an application for threshold determination (environmental assessment checklist) in accordance with the State Environmental Policy Act (SEPA) and RMC Title 22 (Environment). Every subdivider at the time of filing a preliminary plat shall pay to the city such fees as are prescribed in RMC 19.80.020.

The time of filing a preliminary plat shall be fixed as the date when all maps and information required by this chapter and RMC Title 19 have been filed, checked and accepted as completed by the subdivision administrator and the required fees paid.

24.12.020 Preliminary plat – General requirements.

The preliminary plat shall include the following:

- A. The proposed name of the subdivision. Names shall not too closely resemble those of existing subdivisions, nor shall given names or initials be used with surnames in a plat name;
- B. The location of boundary lines in relation to section, quarter-section, and quarter-quarter-section lines and any adjacent corporate boundaries of the city which are part of the legal description of the property;
- C. The names and addresses of the subdivider and the engineer, surveyor, landscape architect, or other person making the plat;
- D. The scale of the plat, which shall not be less than 50 feet to the inch nor more than 100 feet to the inch;
- E. The date of submission and the north point.

24.12.030 Preliminary plat – Specific requirements.

The preliminary plat shall specifically include the following:

- A. The location, width, and name, if any, of each existing or platted street, other rights-of-way, parks, playgrounds, and other open spaces, schools and permanent buildings within the proposed subdivision;
- B. The names of adjacent subdivisions and the location and names of all adjacent streets;
- C. The topography at an appropriate contour interval (unless specifically waived by the city planner), the location of all natural watercourses, and other physical features pertinent to the subdivision;
- D. The layout, number and approximate dimensions of lots and the number of blocks;
- E. The indication of any lots on which a use other than residential is proposed by the subdivider;
- F. The indication of any portion or portions of the plat for which successive or separate final plats are to be filed.

24.12.040 Preliminary plat – Vicinity sketch – Street grades – Utilities – Drainage facilities.

The vicinity sketch shall be at a legible scale and shall show the relationship of the proposed plat to existing schools, parks, shopping centers, and other like facilities.

The city engineer may require the submission of two copies of the proposed street grades where in his opinion conditions so warrant.

The city engineer may require the submission of two copies of the proposed general layout and dimensions of water, sanitary sewer, drainage, lighting and fire protection facilities and easements.

24.12.045 Preliminary plat – Public hearing.

The subdivision administrator shall schedule a hearing for the preliminary plat and prepare a notice of public hearing consistent with the requirements of Chapter 19.40 RMC. Notice of public hearing on the preliminary plat shall be given in the following manner:

- A. Mailing a written notice not less than 10 days prior to the date of such hearing to the owners of all properties within 300 feet of the exterior boundaries of the proposed subdivision pursuant to the title insurance company report required by RMC 24.12.010;
- B. Posting public notices in ~~three~~ conspicuous places on or adjacent to the land proposed to be subdivided at least 15 days prior to the date of a public hearing;
- C. Notice of public hearing shall be published in the official newspaper of the city not less than 10 days prior to the date of such hearing.

24.12.050 Preliminary plat – Public hearing, hearing examiner consideration and recommendation to city council.

A. The hearing examiner shall consider any preliminary plat application and shall conduct an open record public hearing in accordance with Chapter 19.60 RMC. After public hearing and review the hearing examiner shall determine whether the preliminary plat is in accordance with the comprehensive plan and other applicable code requirements and shall either make a recommendation for approval or disapproval to the city council.

Recommendation for approval of the preliminary plat shall not be given by the hearing examiner without the prior review and approval of the city manager or his designee with respect to the engineering elements of said plat including the following:

- 1. Adequacy of proposed street, alley, right-of-way, easement, lighting, fire protection, drainage, and utility provisions;
 - 2. Adequacy and accuracy of land survey data;
 - 3. The submittal by the applicant of a plan for the construction of a system of street lights within the area proposed for platting, including a timetable for installation; provided, that in no event shall such a plan be approved that provides for the dedication of such a system of lighting to the city later than the occupancy of any of the dwellings within the subdivision.
- B. The hearing examiner recommendation shall be forwarded to the city clerk for scheduling for city council consideration.

24.12.053 Preliminary plat – Required findings.

The hearing examiner shall not recommend approval of any preliminary plat application, unless the approval is accompanied by written findings that:

- A. The preliminary plat conforms to the requirements of this title;

B. Appropriate provisions are made for the public health, safety and general welfare and for such open spaces, drainage ways, streets or roads, alleys, other public ways, transit stops, potable water supplies, sanitary wastes, parks and recreation, playgrounds, schools and school grounds and all other relevant facts, including sidewalks and other planning features that assure safe walking conditions for students who only walk to and from school;

C. The public use and interest will be served by the platting of such subdivision and dedication; and

D. The application is consistent with the requirements of RMC 19.60.095.

24.12.055 Preliminary plat – City council consideration and action.

A. The city council shall consider the recommendation of the hearing examiner together with other recommendations, maps and documents and matters of record and render a decision on the preliminary plat consistent with the requirements of RMC Title 19 for Type III permit application.

B. The application for preliminary plat approval shall be approved, disapproved or returned to the applicant for modification or correction within 90 days of the date of acceptance.

C. City council approval of a preliminary plat shall not guarantee final approval of the plat or subdivision and shall not constitute an acceptance of the subdivision, but shall authorize the subdivider to proceed with the preparation of the final plat along the lines indicated in the preliminary plat.

D. Approval of the preliminary plat shall be operative for five years from the date of approval by the city council during which time a final plat or plats may be submitted.

E. The subdivision administrator may extend the approval period or may require that the preliminary plat must be resubmitted after the expiration of the approval period.

24.12.060 Final plat – Submission.

Within the approval period prescribed in RMC 24.12.055, the subdivider may submit to the subdivision administrator a final plat ~~which shall be drawn in ink on good quality four mil mylar drafting film and shall~~ containing the information, certificates and statements required by this title. The plat scale shall neither be less than 50 feet to the inch nor more than 100 feet to the inch unless otherwise specifically authorized by the subdivision administrator. All plats shall be drawn on a standard sheet, 24 inches by 30 inches, and with a two-inch margin on the left edge and a one-inch margin on all other edges. If more than one sheet is required, the sheets shall be numbered and indexed, and each sheet shall bear all certificates, approvals, descriptions and statements required.

24.12.070 Final plat – Required information.

The final plat shall contain or be accompanied by the following information:

- A. The primary control point approved by the city engineer and descriptions and ties to such control points to which all angles, bearings, dimensions, and similar data on the plat shall be referred.
- B. A complete set of field and computation notes showing original or reestablished corners with descriptions of them; actual traverses showing error of closures and method of balances; and a sketch showing all distances, angles, and calculations required to determine distances and corners of the plat. The allowable error of closure shall not exceed one foot in 5,000 feet for residential areas, and one foot in 10,000 feet for commercial and industrial areas.
- C. All tract boundary lines, right-of-way lines of streets, easements, and other rights-of-way, and property lines of lots and other sites, with accurate bearings, dimensions, deflection angles, complete curb data for street centerlines and property lines, and other information necessary to reproduce the plat on the ground. Dimensions shall be shown from all angle points and points of curve to lot lines.
- D. The name and right-of-way width of each street and other rights-of-way shall be shown.
- E. The location, dimensions, and purposes of each easement shall be shown.
- F. The purpose for which sites, other than residential lots, are dedicated or reserved shall be shown.
- G. Numbers to identify each parcel, lot and block shall be shown.
- H. The location and description of all monuments shall be shown.
- I. References to recorded plats of adjoining land by record name, date and number shall be shown.
- J. [A completed final plat application form and accompanying application fee as prescribed in RMC 19.80.020.](#)

24.12.080 Final plat – Required certificates and statements.

Each sheet of the plat shall contain the following certificates:

- A. The following land surveyor's certificate to be shown on each sheet of the plat:

I, _____ registered land surveyor, hereby certify that the plat of _____ as shown hereon is based upon actual field survey of the land described and that all angles, distances, and courses are correctly shown and that the monuments have been set and the lot corners staked as shown on the plat.

Signed _____ (Seal)

B. A certification from the proper officer in charge of tax collections that all taxes and delinquent assessments have been paid, satisfied or discharged.

C. Each plat shall be accompanied by a certificate of title showing all persons and parties having an interest in the land platted. The commission may require additional certificates, affidavits, or endorsements, as they may become necessary for the reasonable enforcement of these regulations.

D. Each sheet of the plat shall contain a statement by the owner of the land dedicating all streets, rights-of-way, and other appropriate sites and easements for the public use. A certificate that the subdivision has been made with the free consent and in accordance with the desires of the owner or owners. If the plat or short plat is subject to a dedication, the certificate or a separate written instrument shall contain the dedication of all streets and other areas to the public, and individual or individuals, religious society or societies or to any corporation, public or private as shown on the plat and a waiver of all claims for damages against any governmental authority which may be occasioned to the adjacent land by the established construction, drainage and maintenance of said road. Said certificate or instrument of dedication shall be signed and acknowledged before a notary public by all parties having any ownership interest in the lands subdivided and recorded as part of the final plat.

E. Each plat shall be accompanied by a copy of all restrictive covenants and other deed restrictions that are to be placed upon any of the lots in the subdivision.

24.12.090 Final plat – Approval of city engineer.

Upon the receipt of the final plat, the subdivision administrator shall deliver the plat to the city engineer for his approval. The city engineer shall determine whether the plat is accurate and correct in all details and whether minimum improvements have been provided as described in this title and whether it and the subdivision comply with applicable law. If conditions so warrant, the city engineer may cause a field inspection to be made. The costs of such inspection at prevailing rates shall be charged the applicant and shall be paid before approval of the plat is given by the city engineer. If the city engineer approves the plat, he shall so certify on the plat. If he does not approve the plat, he shall state in writing the specific reasons therefor. After approval or disapproval, the city engineer shall return the plat to the subdivision administrator. If the city engineer has not approved the plat, the plat shall be returned to the subdivider for the corrections or changes necessary to comply with the city engineer's objections. Thereafter, the subdivider may resubmit the final plat.

24.12.110 Final plat – Approval.

Upon receipt by the subdivision administrator, the final map and other data shall be reviewed. If the subdivision administrator determines that the final plat is in full conformance with the approved preliminary plat and other necessary ordinances, and that the city engineer and other city departments have reviewed and approved the final plat application, then the subdivision administrator shall cause a letter of approval to be written to the subdivider, advising that the final plat has been recommended for approval and ~~—he shall so advise the chairman of the planning commission. The chairman of the planning commission may then recommend approval, without further~~

~~action by the planning commission. If the final plat is referred to the chairman of the planning commission without submission to the commission, the chairman may elect to submit the plat to the commission for further action.~~

~~After planning commission review and recommendation, the plat~~ shall be referred to the city council for final action. Once approved by Council, the subdivider may submit a final plat, drawn in ink on good quality four mil mylar drafting film for City signatures.

24.12.120 Final plat – Time for determination.

The final plat, subdivision, or dedication shall be approved, disapproved, or returned to the subdivider for modification or correction within 30 days from the date of filing or refiling thereof unless the subdivider in the meantime shall have filed written consent for a longer period in which the city council may act thereon.

24.12.130 Final plat – Filing.

After approval by the city council, the final plat may be filed with the county auditor and thereafter shall be known as an authorized plat, subdivision, or dedication of land. In addition to filing the original copy with the county auditor, the subdivider shall also file two copies with the county assessor and one copy ~~each~~ with the city engineer ~~and the city planning commission.~~