



Agenda
Planning Commission Meeting
Wednesday, October 25, 2017
City Hall Council Chamber | 505 Swift Boulevard

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 Meeting - 7:00 p.m. (City Hall Council Chamber)

Welcome and Roll Call

Approval of Agenda: (Approved by Motion)

Approval of Minutes: (Approved by Motion)

August 30, 2017 Meeting Minutes

September 27, 2017 Meeting Minutes

Approve Workshop Minutes, 7-12-17, 8-9-17, 10-4-17

Public Comments:

Public Hearing Explanation:

New Business :

- I. 2018 CDBG project recommendations
 -
2. Consideration of Zoning Text Amendments to Allow Vehicle Based Food Service in Commercial and Business Zones
3. Consideration of Zoning Map Corrections

Communications:

Adjournment

The next Planning Commission Workshop is November 8, 2017

The next Planning Commission Meeting is November 15, 2017

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

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PLANNING COMMISSION AGENDA ITEM COVERSHEET

Meeting Date: 10/25/2017

Agenda Category: Approval of Minutes

Prepared By: Rick Simon, Development Services Manager

Subject:

August 30, 2017 Meeting Minutes

Request:

Key I - Financial Stability & Operational Effectiveness

Recommended Motion:

Approve the minutes of the Planning Commission meeting held on August 30, 2017.

Summary:

Several changes and questions were brought forward at the last meeting. After research and amendment, the Commission needs to approve the minutes.

Attachments:

1. August 30 ,2017 Meeting Minutes



MINUTES
PLANNING COMMISSION MEETING
City Hall – 550 Swift Boulevard – Council Chamber
WEDNESDAY, August 30, 2017
7:00 PM

Call to Order:

Chair Wallner called the meeting to order at 7:02 p.m.

Attendance:

Present: Chair Wallner, Vice Chair Madsen, Commissioners, Mealer, Boring, Berkowitz, Wise and Palmer. Also present were Council Liaison Phil Lemley, Community Development Director Kerwin Jensen, and Development Services Manager Rick Simon.

Approval of Agenda:

Chair Wallner presented the meeting agenda for approval.

COMMISSIONER BORING MOVED AND COMMISSIONER WISE SECONDED THE MOTION TO APPROVE THE AUGUST 30, 2017 MEETING AGENDA AS PRESENTED. MOTION CARRIED UNANIMOUSLY.

Approval of Minutes:

Chair Wallner presented the meeting minutes of the July 26, 2017 Meeting for approval.

COMMISSIONER BORING MOVED AND VICE CHAIRMAN MADSEN SECONDED THE MOTION TO APPROVE THE MINUTES OF THE WEDNESDAY, JULY 26, 2017 MEETING AS WRITTEN. MOTION CARRIED UNANIMOUSLY.

Public Comment

Chairman Wallner asked the recorder to read the public comment procedures. After the procedure was read, **Chair Waller** opened the public comment period at 7:02 p.m.

Having no public come forward for comment, **Chairman Wallner** closed the public comment period at 7:02 p.m.

New Business – Public Hearing:

1. Ten Year Comprehensive Plan Update

Community Development Director Kerwin Jensen presented background and information related to the Comprehensive Plan update. During his presentation he reviewed the public outreach and comment opportunities as well as highlights of changes and alternatives. **Mr. Jensen** noted that part of this update included a proposed urban growth boundary adjustment and reviewed two areas of the city that would be moved from an Urban Reserve designation to several other land use categories that would allow for future development. A portion of **Mr. Jensen's** presentation included the current and proposed changes to Columbia Point South land use classifications. Ben Floyd of AnchorQEA also provided clarification on Columbia Point South alternatives.

Commissioner Berkowitz asked **Mr. Jensen** for clarification on whether or not the City Council Meeting on this item would include public comment. **Mr. Jensen** clarified that the City Council Meeting would not be a public hearing, however the public always has the opportunity to comment during the public comment period.

Chairman Wallner opened the Public Hearing at 7:30 p.m.

Maria Gutierrez, 109 Falley Street, provided comments as a representative from the Parks & Recreation Commission. She stated the Parks & Recreation Commission does not endorse a change in land use designation for the Columbia Point South area.

Ginger Wireman, 2435 Michael Avenue, asked about the comments received and considered. **Mr. Jensen** clarified that the Commission had a copy and the Council would also have the comments response document in their packet.

Laurie Ness, 2253 Davison Avenue, comments that she supports the Parks & Recreation Commission recommendation to leave the current designation in place. She also provided other comments related to Columbia Point South for Commission consideration.

Chairman Wallner closed the Public Hearing at 7:39 p.m. and opened Commission discussion.

Mr. Jensen suggested the Commission hold discussion and action on this item until the presentation and public hearing on item number 2 was done since the discussion would likely included both topics simultaneously. Commissioners agreed and discussion was tabled.

2. Urban Recreation Zone Text Amendment and Rezoning of Columbia Point South to Urban Recreation and Natural Open Space

Mr. Jensen presented the Urban Recreation Zoning District text amendment. He outlined the reason for this new designation. He stressed that this new designation would be the most restrictive designation in the zoning code.

Commissioner Wise pointed out that many of the same uses are permitted in both the Developed Open Space and Urban Recreation zones. **Mr. Jensen** clarified that many of the same uses are allowed but not all. **Mr. Simon** provided a page from the zoning code that showed the differences.

Chairman Wallner opened the public hearing at 7:49 p.m.

Maria Gutierrez, 109 Falley, representing the Parks & Recreation Commission provided comments about the Commission's thoughts and discussions regarding uses in the Columbia Point South area. She also commented that the lodge concept was not favored by the Parks & Recreation Commission.

Ginger Wireman, 2435 Michael Avenue, expressed her doubt and frustration with proposed uses in Columbia Point South. She pointed out that access is restrictive and would cause an issue in an emergency. Her comments also included concern about how development would have negative impacts on habitat and the natural environment.

Chairman Wallner closed the public hearing at 7:57 p.m. and opened the item for Commission discussion. At the conclusion of the discussion,

COMMISSIONER WISE MOTIONED TO TABLE THE URBAN RECREATION TEXT AMENDMENT AND GIVE IT TO THE PARKS COMMISSION TO STUDY FOR THE COMING YEAR. HAVING NO SECOND THE MOTION FAILED TO MOVE FORWARD.

COMMISSIONER BERKOWITZ MOVED AND COMMISSIONER WISE SECONDED A MOTION TO RECOMMEND TO THE CITY COUNCIL TO ADOPT THE COMPREHENSIVE PLAN UPDATE WITH REVISED ALTERNATIVE 3 FOR CITY VIEW, ALTERNATIVE 3 FOR HORN RAPIDS AND THE DESIGNATION OF DEVELOPED OPEN SPACE TO COLUMBIA POINT SOUTH WITH THE PROVISIO THAT IT GOES TO PARKS & RECREATION FOR FURTHER DISUCSSION TO MASTER PLAN THAT AREA WITH A LOT OF PUBLIC INPUT OVER THE NEXT YEAR.

Chairman Wallner opened Commission discussion on the Commissioner Berkowitz's motion.

COMMISSIONER BORING MOTIONED AND COMMISSIONER MADSEN SECONDED THE MOTION TO AMEND COMMISSIONER BERKOWITZ'S MOTION TO CHANGE COLUMBIA POINT SOUTH TO URBAN RECREATION INSTEAD OF DEVELOPED OPEN SPACE. ROLL CALL VOTE ON AMENDMENT PASSED 4-3 IN FAVOR OF THE AMENDMENT.

Commissioner Mealer asked for clarification if the portion of the original motion about the land use going back to the Parks & Recreation Commission was still included. **Chairman Wallner** confirmed that with the amendment to recommend Columbia Point South as Urban Recreation the proviso for Parks & Recreation review was no longer included. **Commissioner Berkowitz** agreed.

CHAIRMAN WALLNER CALLED FOR A ROLL CALL VOTE ON THE ORIGINAL MOTION TO RECOMMEND THE COMPREHENSIVE PLAN WITH AMENDMENTS. ROLL CALL VOTE ON ORIGINAL MOTION TO RECOMMEND THE COMPREHENSIVE PLAN PASSED 5-2

Chairman Wallner opened discussion on the Urban Recreation zoning and text amendment.

The Commission discussion included allowing the permitted use of parking lot. After further discussion about possible changes to be incorporated into any recommendation motion,

COMMISSIONER MADSEN MOTIONED AND COMMISSIONER PALMER SECONDED TO RECOMMEND TO THE CITY COUNCIL APPROVAL OF A NEW RECREATIONAL ZONING DISTRICT AND APPLICATION OF URBAN RECREATION ZONING TO PORTIONS OF COLUMBIA POINT SOUTH ALONG WITH NATURAL OPEN SPACE ZONING FOR THOSE PORTIONS OF COLUMBIA POINT SOUTH ADJOINING THE COLUMBIA RIVER

COMMISSIONER BERKOWITZ MOTIONED TO AMEND THE MOTION AND COMMISSIONER PALMER SECONDED THE AMENDMENT AS FOLLOWS:

SECTION 23.30.050 (a) CHANGE TO THE LANGUAGE “THAT COPIES OF ANY SUCH SURVEY SHALL BE DESTRIIBUTED TO THE CONFERDATED TRIBES OF THE UMATILLA” TO ADD “AND THE YAKAMAS, NEZ PERZ, AND WANAPUM.”

SECTION 23.30.050 (c) ADD THAT BUILDINGS SHALL BE DESIGNED USING BIRD FRIENDLY DESIGN FOR EXAMPLE IN THE AMERICAN BIRD CONSERVANCE PUBLICATION FOR BIRD FRIENDLY BUILDING DESIGN.

SECTION 23.30.050 (d) STANDARD SIMILAR TO DARK SKY STANDARDS THAT HAVE BEEN APPLIED IN THE NEIGHBORHOOD BUSINESS COMMERCIAL DISTRICT SHALL BE IN EFFECT FOR ALL USES IN THE URBAN RECREATION DISTRICT.

SECTION 23.30.050 (e) THE MAJORITY OF LANDSCAPING SHALL BE COMPRISED OF NATIVE SPECIES WITH THE PROVISION THAT LANDSCAPING SHALL NOT INCLUDE INVASIVE LANDSCAPING PLANTS/SPECIES.

SECTION 23.30.050 (f) THE VIEWSCAPE SHALL BE MAINTAINED THROUGH VEIWSCAPE OF THE RIVER AND AS MUCH OF THE NATURAL AREA AS POSSIBLE WILL BE MAINTAINED THROUGH THE DESIGN OF THE BUILDINGS.

ROLL CALL VOTE PASSED UNANIMOUSLY.

COMMISSIONER BORING MOTIONED AND COMMISSIONER BERKOWITZ SECONDED A MOTION TO AMEND THE MATRIX FOR THE URBAN RECREATION PERMITRED USES TO SPECIAL USES FOR OUTDOOR THEATER, RECREATIONAL VEHICLE CAMPGROUNDS, HEALTH SPAS, LODGES, RESTAURANT/SIT DOWN, RESTAURANT/LOUNGE, SPECIALTY RETAIL, AND SPORTING GOOD RENTALS AND DELETE PARKING LOT AS A USE AND CHANGE PORTABLE FOOD VENDORS TO A PERMITTED USE. ROLL CALL VOTE PASSED UNANIMOUSLY.

CHAIRMAN WALLNER CALLED FOR A ROLL CALL VOTE ON THE ORIGINAL MOTION WITH AMENDMENTS WHICH PASSED 5-1, COMMISSIONER WISE ABSTAINING.

3. Critical Areas Ordinance

Mr. Simon presented the draft Critical Areas Ordinance for consideration by the Commission. **Mr. Simon** also called the Commissions attention to the additional comments that were received after the meeting packet was published. He also reviewed the errata document provided.

Chairman Wallner opened the public hearing at 9:25 p.m.

Ginger Wireman, 2435 Michael Avenue, commented about well head protection area signs on Leslie. She also commented that exemptions for KID should not be allowed and accidental wetlands should be protected.

Dirk Peterson, 2107 Rainier Avenue, indicated his trouble with the general exemption to KID and suggested a few changes for Commission consideration.

Patrick Paulson, 2253 Davison Avenue spoke to the Commission and provided a written copy of his comments, included in the online agenda packet as additional information.

Laurie Ness, 2253 Davison, provided comments about fish and wildlife habitat conservation areas. She also provided her comments in written form which are included in the online meeting packet as additional information.

Karen Sours, 227 Sitka, on behalf of Tapteal Greenway reviewed the written comments that were provided earlier in the day to Mr. Simon. She stressed that Tapteal Greenway strongly objects to the inclusion of KID exemptions in the Critical Areas Ordinance.

Seth Defoe, KID, spoke to Commissioners about KIDs efforts to work with the City to provide activity based exemptions so that they could continue to keep the water flowing and maintain their water rights.

Chairman Wallner closed the Public Hearing closed at 9:46 p.m. and opened the item for Commission discussion. Having no discussion,

VICE CHAIRMAN MADSEN MOTIONED AND COMMISSIONER BORING SECONDED A MOTION THAT THE PLANNING COMMISSION CONCUR WITH THE FINDINGS AND CONCLUSIONS SET FORTH IN STAFF REPORT M2017-101 AND RECOMMEND TO CITY COUNCIL AOPTION OF THE PROPOSED AMENDMENTS TO RMC 22.10.

COMMISSIONER BERKOWITZ MOVED AND COMMISSIONER BORING SECONDED A MOTION TO ADD TO SECTION 22.10.190 "IT IS ALSO POSSIBLE THAT UNMAPPED AREAS MAY INCLUDE PRIORITY SPECIES. IF SUCH A SPECIES IS KNOWN TO EXIST WITHIN AN UNMAPPED AREA, THE TYPE EXTEND AND BOUNDARIES OF THIS AREA SHALL ALSO BE DETERMINED BY A QUALIFIED PROFESSIONAL." MOTION PASSED 6-1

COMMISSIONER BERKOWITZ MOVED AND COMMISSIONER WISE SECONDED AN AMENDMENT TO CHANGE THE WORDING ON PAGE 55,

SECTION 22.10.360 (I) THE OPERATION, MAINTENANCE OR RECONSTRUCTION OF EXISTING CANALS, WASTEWAYS, DRAINS, RESERVOIRS OR OTHER FACILITIES THAT LIE WITHIN THE BOUNDARIES OF AND ARE MAINTAINED BY AN IRRIGATION DISTRICT OR COMPANY PROVIDED THAT ANY NEW CONSTRUCTION OR ACTIVITY DOES NOT ENCROACH INTO A CRITICAL AREA OR ITS BUFFER. ROLL CALL VOTE FAILED 4-2, MEALER ADSTAINING.

CHAIRMAN WALLNER MOVED AND VICE CHAIRMAN MADSEN SECONDED AN AMENDMENT TO LEAVE THE WORDING IN SECTION 22.10.360 THE SAME WITH THE ADDITION OF “WASTEWAY” AMENDMENT PASSED 5-2

COMMISSIONER BERKOWITZ MOVED AND COMMISSIONER WISE SECONDED THE AMENDMENT TO ADD BACK IN THE EXEMPTIONS WITH THE FOLLOWING CHANGES: “THESE PROCEDURES SHALL BE TRIGGERED BY THE USE OF MACHINERY OR MOTORIZED VEHICLES OFFROAD WITHIN A CRITICAL AREA AND THEY SHALL NOT APPLY IN THE CASE OF AN EMERGENCY ACTIVITY AS DESCRIBED IN RMC 22.10.360 AND SHALL BE AVAILABLE TO THE PUBLIC ON CITY WEBSITE UNDER PERMITS.” AMENDMENT FAILED 4-3

HAVING CONCLUDED DISCUSSION AND HAVING NO OTHER MOTIONS FOR AMENDMENT, CHAIRMAN WALLNER CALLED FOR A ROLL CALL VOTE ON THE ORIGINAL MOTION AS AMENDED. MOTION PASSED UNANIMOUSLY.

4. Zoning Text Amendment – Permitting Nursing & Rest Homes in the Business Commerce District

Mr. Simon presented the information on a zoning text amendment permitting nursing & rest homes in the business commerce district.

Chairman Wallner opened the public hearing opened at 10:41 p.m. Having no public come forward, **Chairman Wallner** closed the public hearing at 10:41 p.m.

COMMISSIONER MADSEN MOVED AND COMMISSIONER BERKOWITZ SECONDED THE MOTION FOR THE PLANNING COMMISSION TO RECOMMEND APPROVAL TO THE CITY COUNCIL THE TEXT AMENDMENT TO THE BUSINESS/COMMERCIAL (BC) DISTRICT ALLOWING NURSING AND REST HOMES. MOTION PASSED UNANIMOUSLY.

Communications:

Mr. Simon noted that next month would include the Community Block Grant applications and a Public Works item on Complete Streets.

Commissioner Wise expressed his appreciation to his colleagues for their diligent work at tonight’s meeting. Several other commissioners offered thanks and appreciation for the work on the Comprehensive Plan and Critical Areas Ordinance.

Adjournment:

Chairman Wallner adjourned the meeting at 10:47 p.m.

PREPARED BY: Lynne Follett, Executive Assistant

REVIEWED BY: Rick Simon, Secretary Richland Planning Commission

DRAFT



PLANNING COMMISSION AGENDA ITEM COVERSHEET

Meeting Date: 10/25/2017

Agenda Category: Approval of Minutes

Prepared By: Rick Simon, Development Services Manager

Subject:

September 27, 2017 Meeting Minutes

Request:

Key I - Financial Stability & Operational Effectiveness

Recommended Motion:

Approve the minutes of the Planning Commission meeting held on September 27, 2017.

Summary:

Attachments:

1. September 27, 2017 Meeting Minutes



MINUTES
PLANNING COMMISSION MEETING
City Hall – 550 Swift Boulevard – Council Chamber
WEDNESDAY, SEPTEMBER 27, 2017
7:00 PM

Call to Order:

Chair Wallner called the meeting to order at 7:02 p.m.

Attendance:

Present: Chair Wallner, Vice Chair Madsen, Commissioners, Mealer, and Berkowitz, Wise and Palmer. Also present were Council Liaison Phil Lemley, Community Development Director Kerwin Jensen, and Development Services Manager Rick Simon.

Approval of Agenda:

Chair Wallner presented the meeting agenda for approval.

COMMISSIONER MADSEN MOVED AND COMMISSIONER PALMER SECONDED THE MOTION TO APPROVE THE SEPTEMBER 27, 2017 MEETING AGENDA AS PRESENTED. MOTION CARRIED UNANIMOUSLY.

Approval of Minutes:

Chair Wallner presented the meeting minutes of the August 30, 2017 Meeting for approval.

COMMISSIONER MADSEN MOVED AND BERKOWITZ SECONDED THE MOTION TO APPROVE THE MINUTES OF THE WEDNESDAY, AUGUST 30, 2017 MEETING BUT WANTED TO NOTE SOME CHANGES.

CHAIR WALLNER opened the discussion on the motion. **Commissioner Berkowitz** proposed the following changes:

- The vote on the urban recreation motion, including approved amendments should read “CHAIRMAN WALLNER CALLED FOR A ROLL CALL VOTE ON THE ORIGINAL MOTION WITH AMENDMENTS WHICH PASSES 5-1, WITH COMMISSIONER WISE ABSTAINING.
- Remove the current comment from Dirk Peterson and insert a corrected comment that reflects his suggestions to change wording contained in the exemption for KID.
- Check the recording for the actual wording for Commissioner Berkowitz’s motion to amend section 23.10.360 regarding exemptions (page 6, paragraph 4)

CHAIR WALLNER MOTIONED AND COMMISSIONER BERKOWITZ SECONDED THE MOTION TO ACCEPT THE CHANGES AS PRESENTED ONCE VERIFIED BY MRS. FOLLETT. MOTION PASSED UNANIMOUSLY.

Chair Wallner presented the meeting minutes of the September 13, 2017 Workshop for approval.

COMMISSIONER MADSEN MOVED AND COMMISSIONER PALMER SECONDED THE MOTION TO APPROVE THE MINUTES OF THE WEDNESDAY, SEPTEMBER 13, 2017 WORKSHOP AS WRITTEN. MOTION CARRIED UNANIMOUSLY.

Public Comment

Chairman Wallner asked the recorder to read the public comment procedures. After the procedure was read, **Chair Waller** opened the public comment period at 7:12 p.m.

Having no public come forward for comment, **Chairman Wallner** closed the public comment period at 7:12 p.m.

Presentations:

1. 2018 Community Development Block Grant Applicant Presentations

Community Block Grant Coordinator Michelle Burden introduced the presentations.

Ryan Washburn, president of Elijah Family Homes, spoke to the Commission about the services Elijah Family Homes provides. Cindy Hanna, Executive Director of Elijah Family Homes, thanked the Commission for their previous support and added comments to those of Mr. Washburn. Commissioner Wise commented on the work done by Elijah Family Homes.

Marci Woffinden, Director of the local Meals on Wheels program, spoke to the Commission about the Meals on Wheels program. Ms. Woffinden included statistics on the program from the previous year.

Donna Tracy, Acting Director for the Arc of Tri Cities, spoke to commissioners about the mission of the Arc and how the funding is spent. Ms. Tracy also highlighted the volunteer hours that support their program.

Phil Pinnard presented the parks public project request to update Goethals Park. He highlighted needed ADA upgrades. Commissioners asked a few questions and provided comments related to funding from Complete Streets to Mr. Pinnard.

Jeff Peters, Public Works, talked to Commissioners about the focus areas for 2018 to make ADA ramp improvements. Mr. Peters provided a map of areas that would be upgraded, including a request from a resident for sidewalk on Swift. Commissioner Madsen inquired about the cost of the additional sidewalk request for Swift.

Chairman Wallner closed the presentations portion of the meeting and asked Mr. O'Neill to give the staff report for the first item of business.

New Business – Public Hearing:

1. M2017-101 – Request for Deviation from Central Business District Design Standards

Chairman Wallner introduced the item and asked staff to present the staff report. Senior Planner Shane O'Neill presented details on the application for deviation.

Joe Scheisl, Parks and Public Facilities Director, spoke to the Commission about the reasons for the deviation request. He also provided an update on the City Hall project.

The Commission held a brief discussion and commented on the design and request.

COMMISSIONER MADSEN MOTIONED AND COMMISSIONER WISE SECONDED THE MOTION TO CONCUR WITH THE FINDING AND CONCLUSIONS SET FORTH IN STAFF REPORT M2017-101 AND RECOMMEND TO APPROVE THE REQUEST FOR DEVIATION FROM THE CDB DESIGN STANDARDS AS SUBMITTED SUBJECT TO THE CONDITIONS OUTLINED IN ITEM NUMBER 1 AND EXHIBITS 1 THROUGH 5. MOTION CARRIED UNANIMOUSLY.

2. Complete Streets Ordinance

Transportation Manager Jeff Peters presented the staff report for the proposal to add a Complete Streets ordinance to the Richland Municipal Code. Mr. Peters highlighted funding sources that the city would be eligible to apply for one the city has a Complete Streets ordinance in place.

Chairman Wallner opened the public hearing at 8:28 p.m. Having no one come forward, Chairman Wallner closed the public hearing at 8:29 p.m. and opened commission discussion. Commissioners discussed the merits of the proposed ordinance and asked some clarifying questions of staff.

COMMISSIONER MADSEN MOTIONED AND COMMISSIONER WISE SECONDED THE MOTION TO RECOMMEND COUNCIL ADOPT THE COMPLETE STREETS ORDINANCE WITH THE PROPOSED ADDITION OF A NEW SECTION, 12.06 – COMPLETE STREETS POLICY, TO THE RICHLAND MUNICIPAL CODE.

Chari Wallner opened the floor for commission discussion.

Commissioner Wise suggested and the commission discussed making the following amendments:

- 12.06.010 on the last sentence, where it says “operation shall be identified”, add the words “and implemented”.

- 12.06.050 under the best practice criteria, add references to the American Disabilities Act (ADA), Complete Streets Coalitions, WSDOT and Highway Capacity Manual of the Transportation Research Board, Manual on Uniform Traffic Control Devices (MUTCD)

COMMISSIONER MADSEN MOVED AND COMMISSIONER WISE SECONDED THE MOTION TO INCORPORATE THE CHANGES THAT COMMISSIONER WISE PROPOSED. MOTION PASSED UNANIMOUSLY

The Commission and staff engaged in further discussion on additional suggested changes.

COMMISSIONER MADSEN ASKED CHAIR WALLNER TO CALL THE ORIGINAL QUESTION, TO INCLUDE THE PREVIOUSLY PASSED AMENDMENTS AS WELL AS AN AMENDMENT TO SECTION 12.06.020, PART C, TO REMOVE THE ACTIVITY OF RESURFACING FROM THE LIST OF EXCEPTIONS. COMMISSIONER PALMER SECONDED. CHAIR WALLNER ASKED FOR A ROLL CALL VOTE. MOTION PASSED UNANIMOUSLY

Communications:

Discussion of November and December Meeting Dates

Mr. Simon brought up the possibility of moving meeting dates in November and December due to holidays.

The commission agreed to move the November meetings to November 8th (Workshop) and November 15th (regular meeting). The December meetings will be on December 13th (workshop) and December 20th (regular meeting).

Chair Wallner and Commissioner Madsen both stated they would not be available on November 11th. The Commission agreed to move the October workshop from the 11th to the 4th.

Adjournment:

Chairman Wallner adjourned the meeting at 9:12 p.m.

PREPARED BY: Lynne Follett, Executive Assistant

REVIEWED BY: Rick Simon, Secretary Richland Planning Commission



PLANNING COMMISSION AGENDA ITEM COVERSHEET

Meeting Date: 10/25/2017

Agenda Category: Approval of Minutes

Prepared By: Rick Simon, Development Services Manager

Subject:

Approve Workshop Minutes, 7-12-17, 8-9-17, 10-4-17

Request:

Key I - Financial Stability & Operational Effectiveness

Recommended Motion:

Approve the minutes of the Planning Commission workshops held on July 12th, August 9th and October 4th, 2017.

Summary:

Attachments:

1. July 12, 2017 Workshop Minutes
2. August 9, 2017 Workshop Minutes
3. October 4, 2017 Workshop Minutes



**MINUTES
PLANNING COMMISSION WORKSHOP**

City Manager Conference Room, 975 George Washington Way

WEDNESDAY, July 12, 2017

7:00 PM

Call to Order:

Chair Wallner called the meeting to order at 7:00 p.m.

Attendance:

Present: Chair Wallner, Vice-Chair Madsen, Commissioners, Mealer, Boring, Palmer, Berkowitz, and Wise. Also present were Council Liaison Dori Luzzo-Gilmour, and Community Development Director Kerwin Jensen.

Business:

Discussion of proposed new Urban Recreation Zone

Commission members discussed the proposed zoning language and uses.

Commissioners also offered suggestions to improve the language.

Discussion of Comprehensive Plan map updates

Commissioners reviewed the updated maps and provided staff with comments to pass along to the consultant and other staff working on the update. Commissioners commented on the pros and cons of the Natural Open Space designations like the DNR proposal.

Information regarding Critical Areas Ordinance Update

After reviewing the Critical Areas Ordinance, Commissioners had several questions for Development Services Manager Rick Simon who was not in attendance. It was decided to table the discussion until the next meeting when Mr. Simon would be available

Adjournment:

Chairman Wallner adjourned the meeting at 8:50 p.m.

PREPARED BY: Lynne Follett, Executive Assistant

REVIEWED BY: _____
Rick Simon, Secretary
Richland Planning Commission



MINUTES
PLANNING COMMISSION WORKSHOP
City Manager Conference Room, 975 George Washington Way
WEDNESDAY, August 9, 2017
7:00 PM

Call to Order:

Chair Wallner called the meeting to order at 7:00 p.m.

Attendance:

Present: Chair Wallner, Vice-Chair Madsen, Commissioners, Mealer, Boring, Palmer, Berkowitz, and Wise. Also present were Council Liaison Dori Luzzo-Gilmour, and Community Development Director Kerwin Jensen.

Business:

Discussion of Critical Areas Ordinance

Commission members discussed the proposed amendments to the Critical Areas Ordinance. Commissioners also offered suggestions to improve the language.

Discussion of Urban Recreation Zone

Commissioners reviewed information on the proposed new Urban Recreation zone provided by staff .

Adjournment:

Chairman Wallner adjourned the meeting at 8:50 p.m.

PREPARED BY: Lynne Follett, Executive Assistant

REVIEWED BY: _____

Rick Simon, Secretary
Richland Planning Commission



MINUTES
PLANNING COMMISSION WORKSHOP
City Manager Conference Room, 975 George Washington Way
WEDNESDAY, OCTOBER 4, 2017
7:00 PM

Call to Order:

Chair Wallner called the meeting to order at 7:00 p.m.

Attendance:

Present: Chair Wallner, Vice-Chair Madsen, Commissioners, Mealer, Boring, Palmer, Berkowitz, and Wise. Also present were Development Services Manager Rick Simon and Community Development Director Kerwin Jensen.

Business:

Discussion of Portable Food Vendor Regulations

Mr. Simon reviewed a memo from the Business and Redevelopment Office related to portable food vendors and suggested amendments. The committee held a discussion related to changing the current ordinance.

Discussion of Zoning Map Corrections

Mr. Simon reviewed errors found in the City's zoning map. The commission discussed these changes in preparation for formal consideration at a future public hearing.

Discussion of Subdivision Code Amendments

Commissioners discussed a number of minor changes that staff is proposing that will update RMC Chapter 24.12.

Adjournment:

Chairman Wallner adjourned the meeting at 8:00 p.m.

PREPARED BY: Lynne Follett, Executive Assistant

REVIEWED BY: _____
Rick Simon, Secretary
Richland Planning Commission



PLANNING COMMISSION AGENDA ITEM COVERSHEET

Meeting Date: 10/25/2017

Agenda Category: New Business

Prepared By: Rick Simon, Development Services Manager

Subject:

Consideration of Zoning Text Amendments to Allow Vehicle Based Food Service in Commercial and Business Zones

Request:

Key 3 - Economic Vitality; Key 6 - Community Amenities

Recommended Motion:

Recommend approval of Z2017-106, amending the City's zoning code to allow vehicle based food services within commercial and business zoning districts.

Summary:

Staff is proposing an amendment to the zoning code that would provide for vehicle based food services within a variety of commercial and business zoning districts, subject to a set of operating standards. The amendments to the code would provide for economic development opportunities for start up businesses and could add vitality and activity to the commercial centers within the City. A more detailed description of the proposal can be found on the attached staff report and proposed ordinance amendments.

Attachments:

1. Staff Report
2. Draft Amendments

STAFF REPORT

TO: PLANNING COMMISSION
FILE NO.: Z2017-106

PREPARED BY: RICK SIMON
MEETING DATE: OCTOBER 25, 2017

GENERAL INFORMATION:

APPLICANT: CITY OF RICHLAND

REQUEST: TEXT AMENDMENTS TO ZONING CODE – ALLOWING VEHICLE
BASED FOOD SERVICE IN COMMERCIAL AND BUSINESS
ZONES

LOCATION: CITYWIDE

REASON FOR REQUEST:

Staff has brought forward a code amendment that would allow vehicle based food service in a variety of commercial and business zoning districts.

FINDINGS AND CONCLUSIONS

Staff has completed its review of the proposed zoning text amendments to allow vehicle based food services and submits that:

1. Under the City's existing zoning regulations, vehicle based food services are allowed only in the C-3 zoning district as an activity classified as "outdoor sales"; and in the Parks and Public Facilities district, as concessionaires licensed by the Parks and Facilities Department;
2. Vehicle based food services has become an economic development tool in many communities and has become a common use throughout the Tri-Cities;
3. Adding vehicle based food services to commercial areas and particularly to the Central Business District has the potential to add activity and vitality to a given location;
4. Providing for vehicle based food services within commercial areas would be in keeping with the City comprehensive plan goals that promote land uses that provide for a livable and vibrant community;
5. The proposed amendment would be consistent with the goal in the City's comprehensive plan that encourages economic development;

6. The proposed amendment would be consistent with the City's comprehensive plan goal of developing an attractive and vibrant Central Business District that displays the unique character of Richland.
7. The City's Economic Development Advisory Committee has initiated this code amendment, recognizing that the vehicle based food service provides an opportunity for startup enterprises in a highly competitive market at a low cost of entry;
8. The proposed standards governing the operation of vehicle based food services are adequate to ensure that the uses will operate in a fashion that is not detrimental to adjoining businesses and other land uses;
9. Based upon the above findings and conclusions, the adoption of the proposed amendments for vehicle based food service into the Richland Municipal Code is in the best interest of the community of Richland.

RECOMMENDATION

Staff recommends the Planning Commission concur with the findings and conclusions set forth in Staff Report (Z2017-106) and recommend to the City Council adoption of the proposed zoning code amendment providing for vehicle based food service uses in a number of commercial and business zoning districts.

ATTACHMENTS

- A. Supplemental Information
- B. Draft Code

SUPPLEMENTAL INFORMATION

EXISTING CODE

The current City code restricts food trucks to the C-3 General Business zone, where the use is allowed under the definition of outdoor sales and in public parks, where the use is allowed as a concessionaire, when permitted and licensed by the Parks and Recreation Department.

PROPOSED CODE AMENDMENTS

The proposal would amend four sections of the zoning code, including:

- A definition of vehicle based food service;
- A listing of vehicle based food service as a permitted use in the following commercial zones: C-1 Neighborhood Retail, C-2 Retail Business, C-3 General Business, CBD – Central Business District, and WF – Waterfront zones;
- A listing of vehicle based food service as a permitted use in the following business zones: B-C Business Commerce and B-RP Business Research Park zones;
- A new RMC Section 23.42.325 setting forth standards for the operation of vehicle based food service.

COMPREHENSIVE PLAN

The newly adopted Comprehensive Plan includes the following goal and policy statements that are applicable to this proposed code change:

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

Policy 1: Maintain a variety of land use designations to accommodate appropriate residential, commercial industrial, healthcare, educational, recreational, and open space uses that will take advantage of the existing infrastructure network.

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

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

Land Use Goal 6: Develop an attractive and vibrant Central Business District that displays the unique character of Richland.

- Policy 1:** Revitalize declining commercial areas by promoting clean, safe and pedestrian and bicycle-friendly environments.
- Policy 3:** Encourage infill development and redevelopment in the Central Business District.

BACKGROUND

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. If the City were to receive complaints, existing business would be subject to enforcement action.

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. 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.

The City's Business and Economic Development Staff brought this amendment forward to the City's Economic Development 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 address this growing business sector; reducing permitting and enforcement complexity while retaining standards to protect and enhance adjacent commercial activities.

SUMMARY

The proposed amendment to the City's zoning regulations would allow for food trucks to locate in a variety of commercial zones with appropriate operating standards in place to ensure that the use would be beneficial to the City.

VEHICLE BASED FOOD SALES PROPOSED CODE AMENDMENTS OCTOBER 25, 2017

The proposed code amendments would amend four separate sections of the zoning code: First, they would allow vehicle based food sales as permitted uses in the Commercial use districts (Section 23.22.030) and in the Business use districts (Section 23.28.020); they would add a new Section 23.42.325 identifying operating standards that would apply to this use and finally, they would add a definition of vehicle based food sales in Section 23.06.937. Only the portions of text that are being amended are reprinted here. New language is shown in blue underlined text.

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
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	P ³⁰		
Wineries – Tasting Room		P ⁷	P	P	P	P	P	P

Comment [TM1]: Addition

³⁰ RMC 23.42.325

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
Food Service		
Cafeterias	A	A

Land Use	B-RP	B-C
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

Comment [TM2]: Addition

¹⁵ RMC 23.42.325

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.
- B. Condition of vehicle. Any vehicle utilized for vehicle-based food service shall be in full operational condition. The vehicle shall be licensed to operate or ride on the roadways of this State, and must be capable of leaving a site at any time under its own power or that of an available towing vehicle.
- C. Location and use. Vehicle based-food service vendors shall operate only as an accessory, off-street use to a permanent land use. Prior to operation, vehicle-based food service vendors must obtain written consent from the property owner and business(es) located on-site.
- D. 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.
- E. Restroom facilities. Vehicle-based food vendors must ensure on-site restroom facility access for employees from a primary on-site business. Such facilities shall supply running hot and cold water. Vehicle-based food service vendors are not authorized to locate at any site where such facilities are unavailable.
- F. Equipment and outdoor seating. Outdoor seating and equipment is permitted; provided that the placement of any outdoor seating or equipment shall not be placed in a manner so as to reduce the amount of available off-street parking below the minimum off-street parking required for the site in accordance with RMC 23.54.

- G. City owned and operated facilities. Vehicle-based food service vendors may, with City's permission, operate as a concessionary on publically owned and operated facilities per RMC 23.42.051.
- H. Cleanliness and waste disposal. Vehicle-based food service vendors shall maintain the area in and around the vehicle, keep the area free from litter and waste, and shall supply a suitable container for litter collection. Vehicle-based food service vendors are responsible for the proper collection and disposal of on-site litter and waste.
- I. Traffic. Vehicle-based food vendors must ensure free passage of pedestrians and vehicles, and shall not create congestion on public streets or pathways. Vehicles shall not be located within 25 feet of a driveway or intersection.
- J. When permitted in a C-1 neighborhood retail district, vehicle-based food service vendors shall not operate between 9:00 p.m. and 7:00 a.m.

23.06.937 Vehicle based food service.

"Vehicle based food service" means the vending of food and/or beverages from a large vehicle that is equipped to both cook and sell food, and that is capable of being moved from place to place as provided in RMC 23.42.325.



PLANNING COMMISSION AGENDA ITEM COVERSHEET

Meeting Date: 10/25/2017

Agenda Category: New Business

Prepared By: Rick Simon, Development Services Manager

Subject:

Consideration of Zoning Map Corrections

Request:

Key I - Financial Stability & Operational Effectiveness

Recommended Motion:

Recommend approval of the proposed zoning map corrections included in File No. Z2017-104.

Summary:

Staff has identified four corrections to the City's zoning map, described as follows:

- A 2 acre site in the Richland Airport that is currently zoned R1-12 Single Family Residential. Proposed zoning is I-M Medium Industrial;
- A 3.4 acre site located within Vintner's Square that is currently zoned AG - Agricultural. Proposed zoning is C-3 General Business;
- A .6 acre site that is part of a commercial apple orchard that is currently zoned R1-10 Single Family Residential. Proposed zoning is AG - Agricultural.
- A .55 acre site located between Keene and Kennedy Roads that is currently zoned R1-10 Single Family Residential. Proposed zoning is B-C Business Commerce.

Please see the attached staff report for the details of this zoning map amendment.

Attachments:

1. Staff Report

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

GENERAL INFORMATION:

PROPOSAL NAME: Zoning Map Clean-up

LOCATION: Various locations:
a. Richland Airport, adjacent to Butler Loop;
b. Vintner Square, adjacent to Duportail and Kennedy Roads;
c. Kennedy Road, west of Truman Avenue;
d. Keene Road, east of Kennedy Road.

APPLICANT: City of Richland

FILE NO.: Z2017-104

DESCRIPTION: Request to change zoning on 4 sites:
a. Two acre site at Richland Airport changing from R1-12 Single Family Residential to I-M Medium Industrial;
b. Three acre site in Vintner Square, changing from AG – Agricultural zone to C-3 General Business;
c. A .6 acre site on Kennedy Road changing from R1-10 Single Family Residential to AG – Agricultural;
d. A .5 acre site on Keene Road changing from AG – Agricultural to BC – Business Commerce.

PROJECT TYPE: Type 4 Zoning district amendments

HEARING DATE: October 25, 2017

REPORT BY: Rick Simon, Development Services Manager

RECOMMENDED ACTION: Approval.

DESCRIPTION OF PROPOSAL

City staff have initiated this action to correct discrepancies in the City zoning map, having identified four properties that require correction. The four properties are located within the Richland Airport, Vintner's Square, Kennedy Road and Keene Road. Descriptions for each of the four sites follows:

1. Richland Airport Property

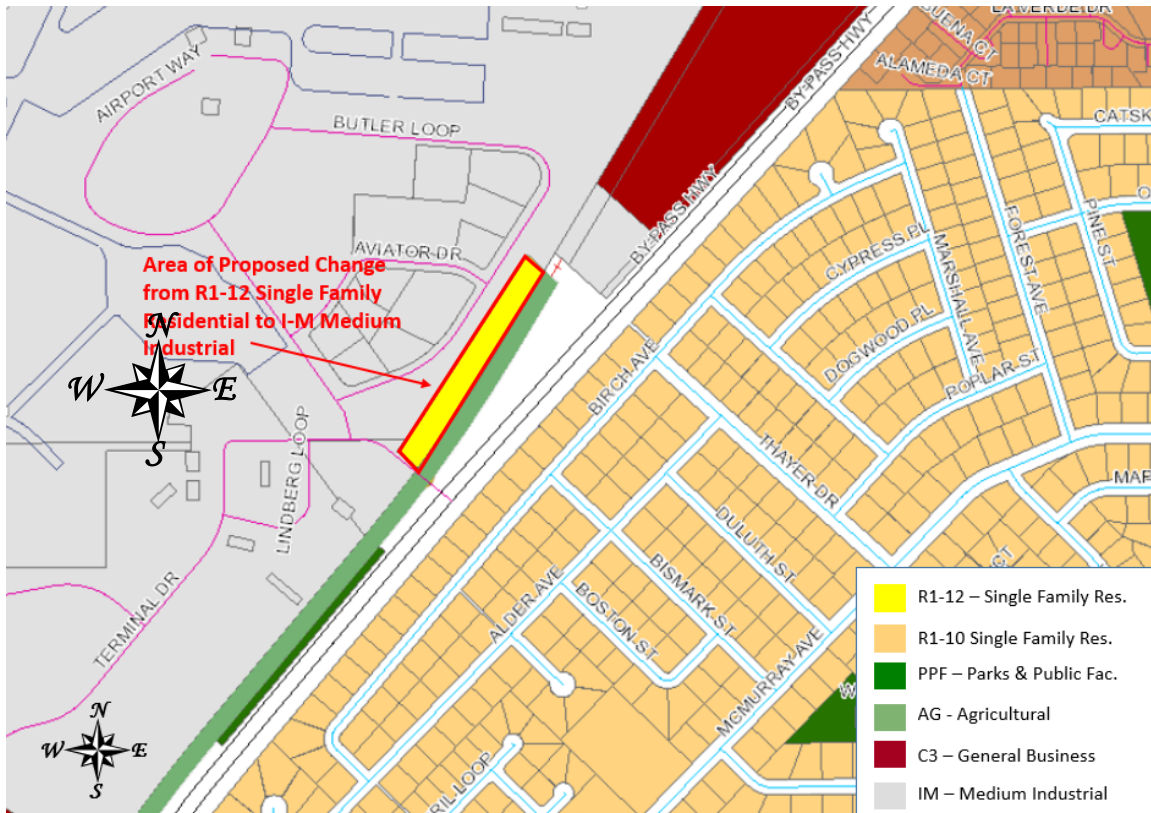


Figure 1A – Existing Zoning

SITE DESCRIPTION & ADJACENT LAND USES

This 2 acre site fronts along the eastern edge of Butler Loop, within the Richland Airport for approximately 900 linear feet and measures about 100 feet in depth. This strip of property has been developed with a total of six buildings that house a variety of uses including storage, office, assembly and manufacturing uses and a mini-storage facility. The Existing zoning of the site is R1-12 Single Family Residential. Zoning on the adjacent properties within the Richland Airport site is I-M Medium Industrial. On the adjacent property to the east, the railroad property is zoned AG – Agricultural.

Existing land uses are summarized as follows:

- North – Storage buildings
- East – The Tri-City Railroad lies immediately east and parallels State Route 240. East of the state highway there is an existing single family residential neighborhood.
- South
- & West – A variety of industrial buildings.

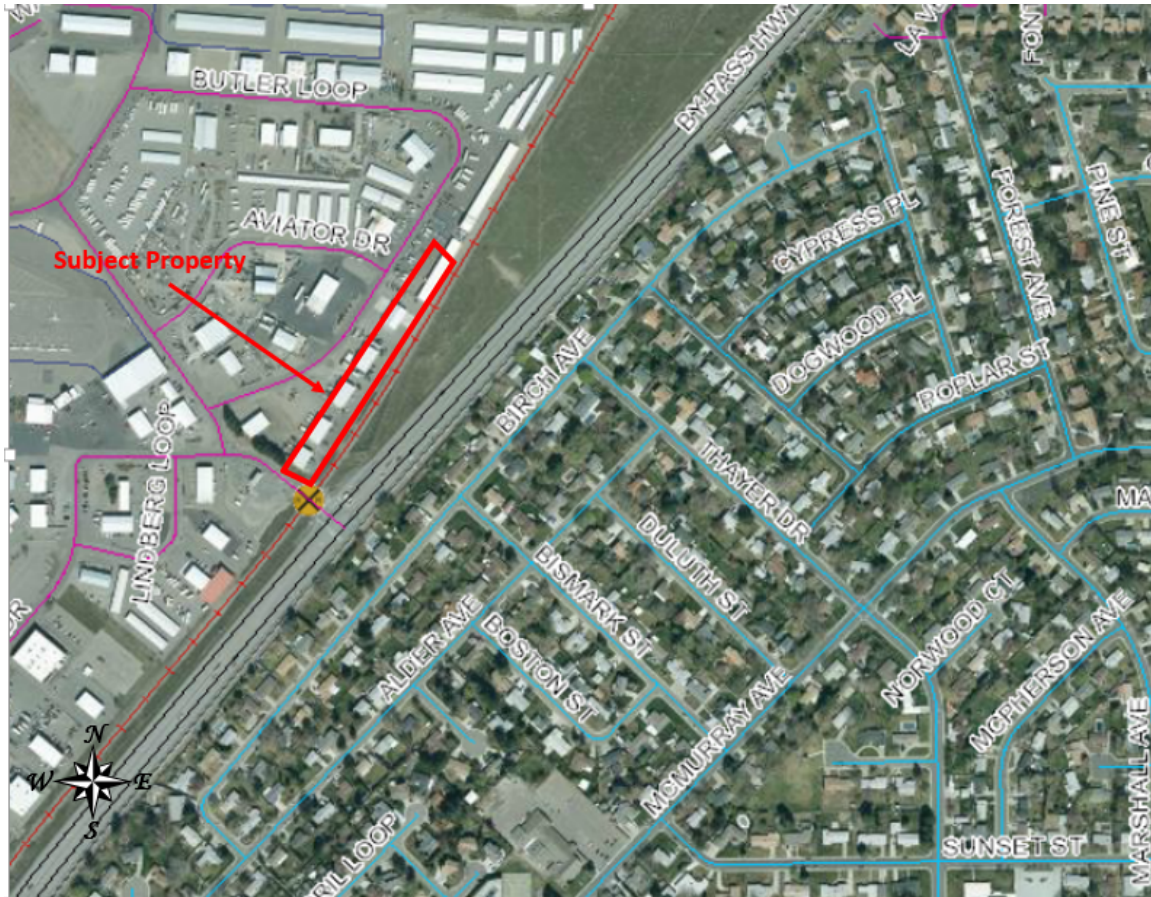


Figure 2A – Existing Land Uses

2. Vintner's Square Property

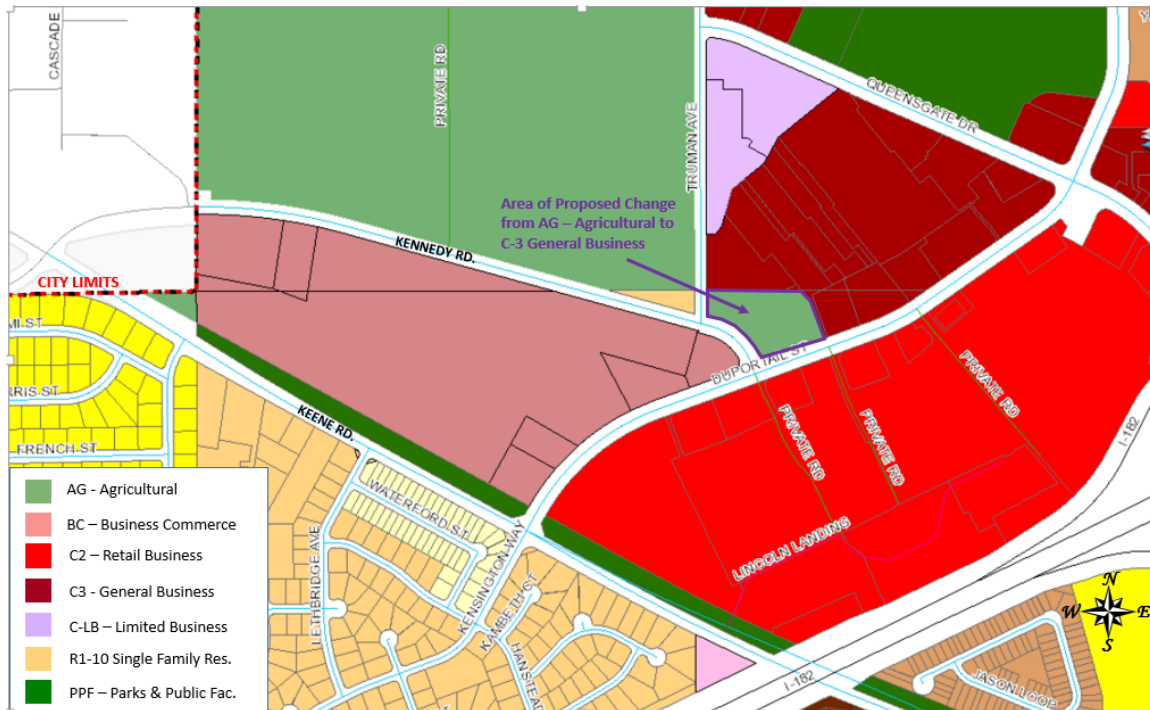


Figure 2A – Existing Zoning

SITE DESCRIPTION & ADJACENT LAND USES

This 3.4 acre site is located north of the intersection of Duportail Street and Kennedy Road, lying east of Truman Avenue. This property is partially developed with the Les Schwab Tire Store, also containing a portion of the common parking area that serves the Vintner's Square development and is partially undeveloped. The Existing zoning of the site is Ag – Agriculture. Zoning on the adjacent properties located within the Vintner's Square development is C-3 General Business. Zoning on property to the south across Duportail Street is C-2 Retail Business, property to the southwest across Kennedy Road is zoned BC – Business Commerce and property to the west of Truman is generally zoned AG – Agricultural.

Existing land uses are summarized as follows:

- North – Vintner's Square commercial uses, including Target and 32 other commercial enterprises.
- South – Across Duportail Street, commercial uses including Gold's Gym, GESA Credit Union, Costa Vida, and Stick and Stone Pizza.
- Southwest – Across Kennedy Road, the HAPO Credit Union and undeveloped properties

West – Across Truman Avenue, commercial orchard.



Figure 2B – Existing Land Uses

3. Kennedy Road Property

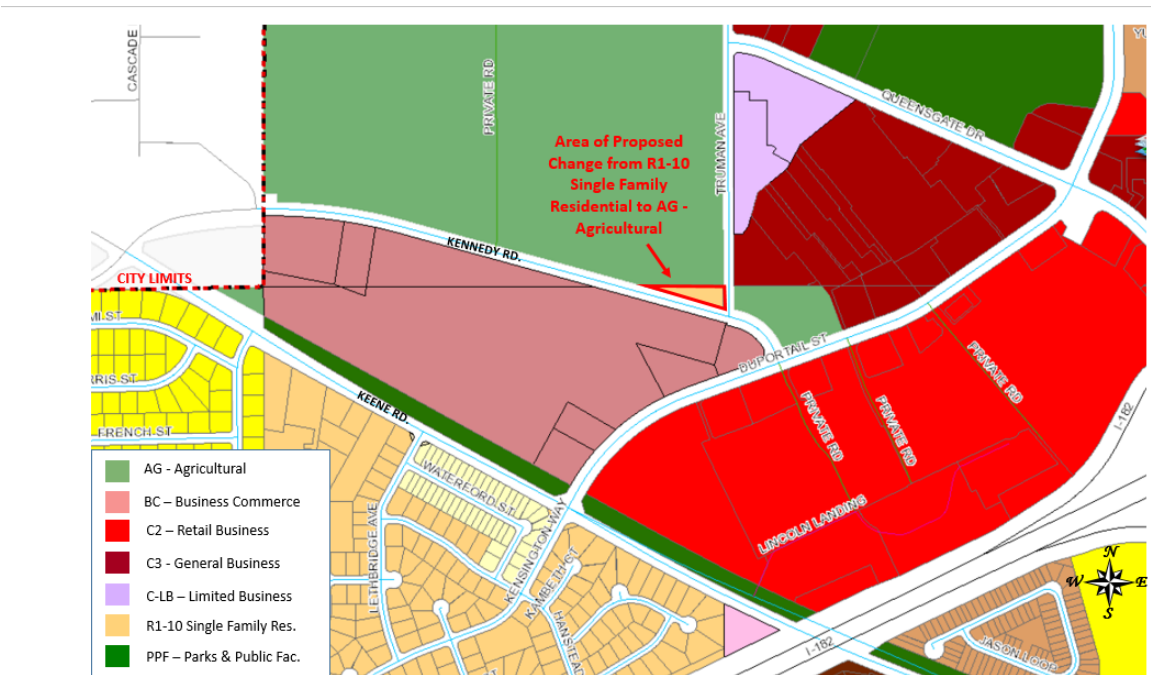


Figure 3A – Existing Zoning

SITE DESCRIPTION & ADJACENT LAND USES

This .6 acre site is located north of Kennedy Road and west of Truman Avenue. This property is developed as a commercial apple orchard. The existing zoning of the site is R1-10 Single Family Residential. Zoning on the adjacent properties located within the Vintner's Square development to the east is primarily C-3 General Business. Zoning on property to the south across Kennedy Road is BC – Business Commerce and property to the north is generally zoned AG – Agricultural.

Existing land uses are summarized as follows:

North &	
West –	Commercial apple orchard.
South –	Across Kennedy Road, the HAPO Credit Union and undeveloped properties.
East -	Across Truman Avenue, the Vintner's Square commercial development.



Figure 3B – Existing Land Uses

4. Keene Road Property

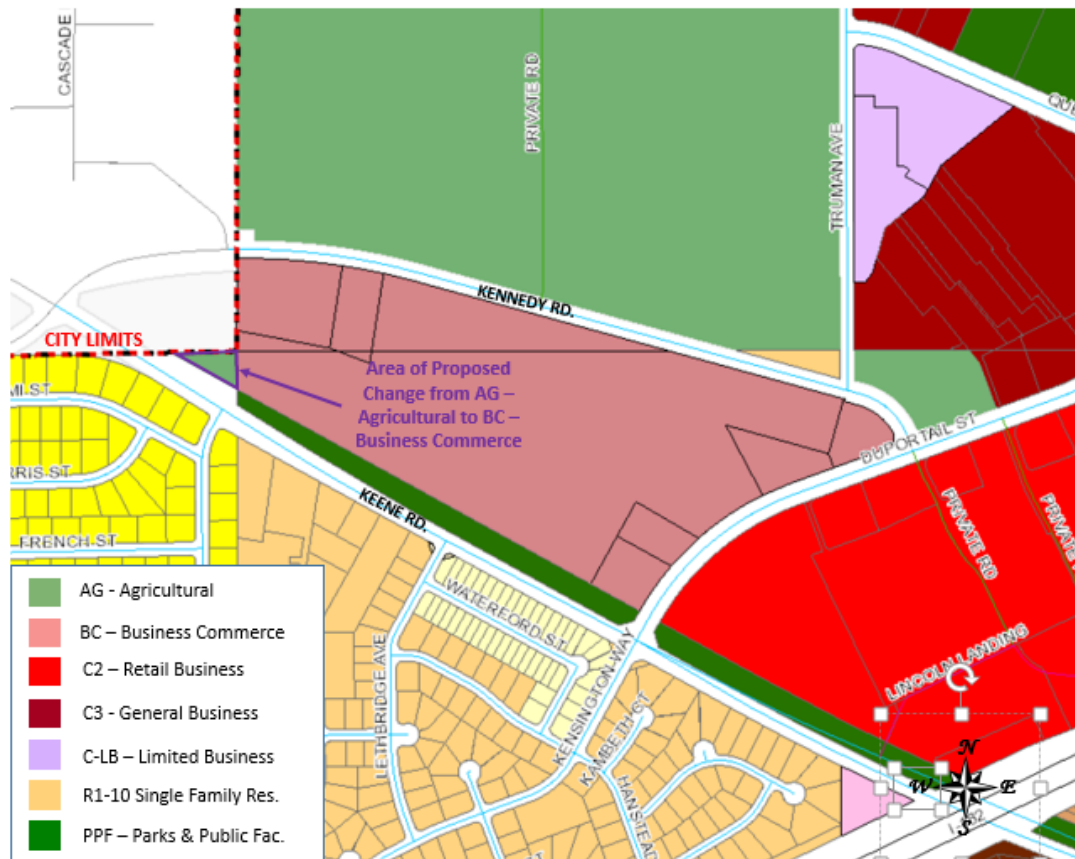


Figure 4A – Existing Zoning

SITE DESCRIPTION & ADJACENT LAND USES

This .55 acre site is located north of Keene Road and east of the intersection of Keene and Kennedy Roads. This property is undeveloped. The existing zoning of the site is AG - Agricultural. Zoning on the adjacent properties located to the east is BC – Business Commerce. Zoning on property to the south across Keene Road is R1-10 and R1-12 Single Family Residential and property to the north is located within the City of West Richland and is zoned General Commercial. The adjacent Keene Road trail is zoned PPF – Parks and Public Facilities.

Existing land uses are summarized as follows:

North -	Storage Building and mini storage facility
East -	Vacant properties
West &	
South –	Across Keene Road, single family residential neighborhoods.



SEPA

Pursuant to WAC 197-11-800(6) (c) the zoning map amendments qualify as a categorically exempt action by meeting 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, all of the proposed project sites are located within 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 EIS in 2017.

ANALYSIS

It is not evident why these four sites contain the zoning designations that are currently in place. Historically, the City has used the agricultural zoning district as a holding zone for properties that are annexed into the City. When property owners brought forward a plan for development, the site would then be rezoned. So that may explain why two of these site are currently zoned agriculture.

In fact, in the Richland Airport, the industrial buildings that have been constructed are not permitted in the residential zoning that is currently applied to the site. The same is true for the Vintner Square property development where the Les Schwab store would not normally be permitted within an Agricultural zoning district. Clearly in these two cases, the City has administered the zoning regulations based on the larger setting of the properties inclusion in the Richland Airport and the Vintner's Square commercial complex. Now, that the City is aware of the situation, it is both desirable and necessary to correct these apparent zoning map errors.

The underlying comprehensive plan supports the proposed zoning for the Richland Airport property, which is designated as Industrial. The Vintner's Square property is designated as Commercial which does support the proposed C-3 General Business zoning.

In the case of the DNR owned property on Kennedy Road, the newly adopted comprehensive plan identified a future development plan that included a mixture of commercial, residential, public facility and natural open space land uses. The particular location of this .6 acre site is designated as commercial; however; the entire DNR ownership is currently zoned Agricultural. This zone designation is used as a holding zone until such time as the current agricultural lease runs out and DNR determines to market the property for development. At that time, DNR would need to initiate a zone change proposal that would be reviewed by the City for consistency with the comprehensive plan. For this interim period, it is logical for the entire DNR property to be under the same Agricultural zoning designation.

For the property on Keene Road, the underlying comprehensive plan designation is Low Density Residential. However, as this site is an isolated .5 acre parcel located adjacent to Business Commerce zoning to the east, commercial zoning to the north (in West Richland) and is separated from any residential properties on the south from both Keene Road and the Keene Road trail, it is evident that the site is not well suited for residential development. Under the provisions of the Growth Management Act (RCW 36.70A.040) the City is obligated to adopt development regulations that are consistent with and implement the comprehensive plan; however; the act does not clearly define what the exact relationship between the plan and the development regulations should be. While an exact correlation between the plan and the zoning regulations on a parcel by

parcel basis is ideal, state law does not specify that this level of consistency is required. In this case, the plan clearly calls for the establishment of a 50 acre business center, known as Stoneridge, located between Keene and Kennedy Roads. The plan also matches that of our neighboring jurisdiction, West Richland, which identifies the adjacent land situated between Keene and Kennedy Roads as suitable for commercial development. The plan fails to identify an isolated, ½ acre parcel as Business Commerce. Logically, this parcel should be included in commercial development pattern that both cities have identified for the lands lying between Keene and Kennedy Roads. Zoning of this parcel should follow the commercial land use patterns that are established both in the plan and in the City's zoning regulations. To be sure, the City should take future action to amend the plan in a future update. Because this issue did not become apparent until very recently, this change could not be included in the 2017 plan update. As state law only allows for one opportunity for plan amendments annually, this potential plan amendment will have to wait until next year. Moving the zoning forward at this point provides general compliance with the comprehensive plan and allows the property owner the opportunity to develop the site without a one year delay.

The portion of Keene Road that abuts the site was West Richland right-of-way. The cities recently completed an action that transferred this small section of right-of-way to Richland. This action enables the City to grant access to the site from Keene Road. Up to this point, the site has been unusable because no access was available. Now that the access issue has been resolved, the zoning issue should be resolved.

FINDINGS AND CONCLUSIONS

Staff has completed its review of the request for a change in zoning (Z2017-104) and recommends approval of the request based on the following:

Findings – Richland Airport Property:

1. The subject site is a strip of 2 acres located east of Butler Loop and west of State Route 240 and the railroad;
2. The subject site is currently zoned R1-12 Single Family Residential;
3. The site has been developed with a number of commercial and industrial buildings;
4. The comprehensive plan designates the site as suitable for industrial development;
5. All adjacent lands within the Richland Airport are zoned I-M Medium Industrial;

Conclusion – Richland Airport Property:

6. I-M Medium Industrial zoning would be the best zoning for the site given that the zoning would be consistent with the comprehensive plan; is compatible with adjacent zoning patterns and existing land uses.

Findings – Vintner’s Square Property:

7. The subject site consists of 3.4 acres within the Vintner’s Square Commercial Center, located west of Duportail Street, north of Kennedy Road and east of Truman Avenue;
8. The subject site is currently zoned AG – Agricultural;
9. The site has been developed with a Les Schwab Tire Center and a common parking lot that serves the Vintner Square tenants and is partially undeveloped;
10. The comprehensive plan designates the site as suitable for commercial development;
11. The adjacent lands within the Vintner’s Square Commercial Center are zoned C-3 General Business;

Conclusion: Vintner’s Square Property:

12. C-3 General Business zoning would be the best zoning for the site given that the zoning would be consistent with the comprehensive plan; is compatible with adjacent zoning patterns and existing land uses.

Findings: Kennedy Road Property:

13. The subject site is a parcel of .6 acres located north of Kennedy Road, West of Truman Avenue and is contiguous to and part of a large acreage owned by of the Washington State Department of Natural Resources;
14. The subject site is currently zoned R1-10 Single Family Residential;
15. The site has been developed as and is a part of a large commercial orchard;
16. The comprehensive plan designates the site as suitable for commercial development;
17. All adjacent lands under the ownership of the Department of Natural Resources are zoned AG – Agricultural;
18. The agricultural zoning is in place on the Department of Natural Resources property has been used as a holding zone until such time as the current agricultural lease of the property expires and the owner determines to develop the property with urban uses in the future;

Conclusion – Kennedy Road Property:

19. AG - agricultural zoning would be the best zoning for the site given that it is consistent with the existing use of the property; is the zoning in place on the remainder of the Department of Natural Resource land and serves as an effective holding zone for the land until it is to be redeveloped with more urban uses as called for the in comprehensive plan.

Findings: Keene Road Property:

20. The subject site is a parcel of .55 acres located north of Keene Road, and south of Kennedy Road;
21. The subject site is currently zoned AG - Agricultural;
22. The site is undeveloped and adjacent properties are either developed with commercial uses or are undeveloped;
23. The comprehensive plan designates the area lying between Kennedy and Keene Roads as suitable for business commerce land uses;
24. The City of West Richland, which abuts the subject property along its western boundary also designates the adjacent property as suitable for commercial uses;
25. Single family residential zoning or agricultural zoning are not well suited for the subject property given the existing land use patterns in the vicinity;

Conclusion – Keene Road Property:

26. B-C Business Commerce zoning would be the best zoning for the site given that it is consistent with the adjoining uses in the immediate vicinity and is generally consistent with the comprehensive plan.

General Findings:

27. The proposal to implement these corrections to the City zoning map is exempt from the provisions of the State Environmental Policy Act, as identified in WAC 197-11-800(6)(c);
28. The action needed to complete these corrections to the City zoning map qualified as a Type IV legislative action as identified in Chapter 19.20 of the RMC;
29. Public notice of the zoning map corrections has been provided as required by the Richland Municipal Code;

General Conclusion:

30. Based on the above findings and conclusions, approval of the recommended zoning map corrections would be in the best interest of the community of Richland.