



Agenda
Planning Commission Workshop
Wednesday, August 14, 2019
City Hall Council Chambers | 625 Swift Boulevard

Commission Members: Chair Palmer, Vice-Chair Boring, and Commissioners Eadie, Keuhlen, Maier, Mealer, and Townsend

Liaisons: Council Liaison Alvarez and Alternate Council Liaison Lemley
Staff Liaison: Planning Manager Stevens

Regular Workshop - 7:00 p.m.

Call to Order / Attendance:

Agenda Items:

- I. RMC 22.10.400 - Critical Areas Density Transfer Code Amendment
 - Mike Stevens, Planning Manager

Adjournment

The next Planning Commission Workshop is September 11, 2019

The next Planning Commission Meeting is

Richland City Hall is ADA accessible. Requests for sign interpreters, audio equipment, and/or other special services must be received 48 hours prior to the meeting by calling the City Clerk's Office at 942-7388.



PLANNING COMMISSION AGENDA ITEM COVERSHEET

Meeting Date: 8/14/2019

Agenda Category: Agenda Items

Prepared By: Mike Stevens, Planning Manager

Subject:

RMC 22.10.400 - Critical Areas Density Transfer Code Amendment

Request:

Core Focus Area 1 - Promote Financial Stability & Operational Effectiveness

Core Focus Area 4 - Manage our Natural Resources

Recommended Motion:

Staff recommends that the Planning Commission review the proposed code amendments with staff.

Summary:

RMC 22.10.400 - Critical Areas Density Transfer Code Amendment

Staff is proposing to amend Sections 22.10.400 and 22.10.405 pertaining to density transfer regarding critical areas. The existing code allows for various interpretations which could ultimately result in a de-fact zone change, which is contrary to state law.

Attachments:

1. Draft RMC - Density Transfer

22.10.400 On-site density transfer for critical areas.

A. An owner of a residential site or property containing critical areas may be permitted to transfer the density attributable to the critical area and associated buffer area or setback to another nonsensitive portion of the same site or property, subject to the limitations of this section and other applicable regulations.

B. Density can be transferred from the critical portion and associated buffer area or setback to the nonsensitive portion of the residential site subject to the following conditions:

1. The basis for the density transfer will be an actual site plan for the site or property as if it did not have the critical area, subject to the provisions of the underlying zoning classification, applicable setbacks, and other standards of the city code or other land development regulations.
2. Based on the above site plan, a portion of the density that could be achieved on the critical portion and associated buffer or setback of the site can be transferred to the nonsensitive portion of the site. The following chart indicates the amount of density that can be transferred, based on the degree of sensitivity of the critical area:

Category of Critical Area	Percent of Density on Critical Area That May Be Transferred on Site
Category I and II Wetlands	25%
High and Very High Geologically Hazardous Area	25%
Seismic Hazard	25%
Category III and IV Wetlands	100%
Low and Medium Geologically Hazardous Area	100%

3. ~~In~~ **When** transferring the density from the critical portion of the site and its associated buffer or setback to the nonsensitive portion of the site, the **overall** density of the nonsensitive portion of the site may be increased **provided the additional density does not exceed what would be allowed by the next zoning classification up to the equivalent next density classification.** ~~However, in~~ In the case of the highest density multifamily zoning classifications, the density may not be increased beyond the current density.

4. The nonwetland portion of the site is not constrained by another environmentally critical or geologically hazardous area regulated by this code.

5. The nonwetland portion of the site is subject to the ~~density limitations of the new density zoning classification, and to applicable setbacks,~~ **lot size and setback requirements of the next zoning classification.** **Land uses** and other standards of the city code or other land development regulations **shall continue to apply as per the existing zoning classification.**

C. An on-site density transfer shall meet the requirements and follow the procedures of:

1. Planned unit development, RMC 23.50.010;
2. Plats and subdivisions, RMC Title 24.

D. The fact that development rights have been sold or received, and all related conditions, will be recorded, in a form acceptable to the city attorney, to become a part of the deed of the “sending” and “receiving” properties. [Ord. 48-93; Ord. 45-00; Ord. 23-01; Ord. 28-05 § 1.10; Ord. 40-17 § 1; Ord. 40-17A § 1. Formerly 22.10.340].

22.10.405 Density bonus for increased buffers.

A. An owner of a residential site or property containing critical areas who chooses to increase the buffers adjacent to a wetland or wildlife habitat area beyond the minimums required under this title shall be permitted to increase the

density on the portion of the site that lies outside of a critical area or its required buffer. The amount of density bonus shall be based on the amount of additional buffer lands provided, through a calculation of the area of the additional buffer and/or wildlife corridor proposed on site, expressed as a percentage of the total site area, exclusive of the total wetland, wetland buffer area and/or wildlife corridor as required under the provisions of this chapter. This percentage can then be doubled and applied to the total number of units located within the noncritical area portion of the site to determine the allowed density increase.

An example application of the density bonus provision is as follows: An applicant has a 15-acre site with an identified wetland area and buffer and proposes an additional three-quarter acre of buffer, which translates to five percent of the total site. This entitles the developer to a 10 percent increase in lot count. If the existing zoning permitted 40 lots, the density bonus would entitle the applicant to an additional four lots.

B. In order to qualify for a density bonus:

1. Any additional wetland buffer area must be adjacent to the required wetland buffer area;
2. Any additional habitat buffer area must be adjacent to the required habitat area;
3. A wildlife corridor not otherwise required by this title may qualify for a density bonus; provided, that the fish and wildlife habitat conservation area report prepared by a qualified professional identifies the location of said wildlife corridor as beneficial to priority, threatened or endangered species.

C. ~~In~~ **When** transferring the density from the critical portion of the site and its associated buffer or setback to the nonsensitive portion of the site, the **overall** density of the nonsensitive portion of the site may be increased **provided the additional density does not exceed what would be allowed by the next zoning classification up to the equivalent next density classification.** ~~However, if~~ In the case of the highest density multifamily zoning classifications, the density may not be increased beyond the current density.