



Agenda
Hearing Examiner Meeting
Thursday, June 25, 2015
City Hall Council Chamber | 505 Swift Boulevard

Hearing Examiner: Gary McLean

Liaisons: Staff Liaison Development Services Manager Simon

Public Hearing – 6:00 p.m.

Public Hearing Explanation:

New Business – Public Hearing:

1. SUP2015-101, Request to Construct University Student Housing
Applicant: Port of Benton
Location: NE Corner of University Drive and Richardson Rd, Richland
2. Z2015-105, Request for Zone Change an 18.7-acre Site from C-3 General Commercial to C-LB Limited Business
Applicant: Coastal Community Bank
Location: 2645 Kingsgate Way

Adjournment

The next Hearing Examiner Meeting is July 16, 2015

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

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HEARING EXAMINER AGENDA ITEM COVERSHEET

Meeting Date: 06/25/2015

Agenda Category: New Business – Public Hearing

Prepared By: Rick Simon, Development Services Manager

Subject:

SUP2015-101, Request to Construct University Student Housing

Applicant: Port of Benton

Location: NE Corner of University Drive and Richardson Rd, Richland

Department:

Community & Development Services

Recommended Motion:

Staff supports approval of the proposal subject to a list of recommended conditions.

Summary:

The Port of Benton has filed an application for a special use permit to authorize the construction of a student housing facility on property that is located approximately 1/3 mile north of the WSU Tri Cities campus. The facility would be located north of the Penford Foods starch plant and west of Waterfront Drive. Waterfront Drive is an existing unpaved road that extends northerly from the eastern terminus of University Drive. The facility would be a 54,000 square foot, 3-story structure that would be built in roughly an “L” shaped configuration that would be oriented to the east to take advantage of the existing views of the Columbia River. The facility would be designed to house 160 students and would include a 110 stall parking lot that would be located south of the proposed structure. Landscaped areas would be provided both east and west of the building and the space directly west of the building would include an outdoor basketball court and an unpaved access that would extend from the parking lot on the south around the building to Waterfront Drive on the north end of the building.

Attachments:

1. SUP2015-101 WSU Student Housing / Port of Benton

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

GENERAL INFORMATION:

PROPOSAL NAME: WSU Tri Cities Student Housing Project

LOCATION: East of Richardson Road, West of Waterfront Drive and
North of Penford Foods

APPLICANT: Port of Benton in Conjunction with SWU Tri-Cities Student
Housing Project

FILE NO.: SUP2015-101

DESCRIPTION: Request to construct a 54,000 square foot, three story facility
to house 160 students.

PROJECT TYPE: Type II Zoning Special Use Permit

HEARING DATE: June 25, 2015

REPORT BY: Rick Simon, Development Services Manager

RECOMMENDED
ACTION: Approval subject to completion of proposed conditions.

**Figure 1 - Vicinity Map**

(site highlighted in red)

DESCRIPTION OF PROPOSAL

The Port of Benton has filed an application for a special use permit to authorize the construction of a student housing facility on property that is located approximately 1/3 mile north of the WSU Tri Cities campus. The facility would be located north of the Penford Foods starch plant and west of Waterfront Drive. Waterfront Drive is an existing unpaved road that extends northerly from the eastern terminus of University Drive. The facility would be a 54,000 square foot, 3-story structure that would be built in roughly an "L" shaped configuration that would be oriented to the east to take advantage of the existing views of the Columbia River. The facility would be designed to house 160 students and would include a 110 stall parking lot that would be located south of the proposed structure. Landscaped areas would be provided both east and west of the building and the space directly west of the building would include an outdoor basketball court and an unpaved access that would extend from the parking lot on the south side of the site and extend northward around the building to Waterfront Drive on the north end of the project site.

COMPREHENSIVE PLAN

The comprehensive plan designates the site as suitable for Business Research Park land uses. Properties along the Columbia River frontage are designated as either Natural or Developed Open Space. The WSU campus to the south of the site is designated as Public Facility.

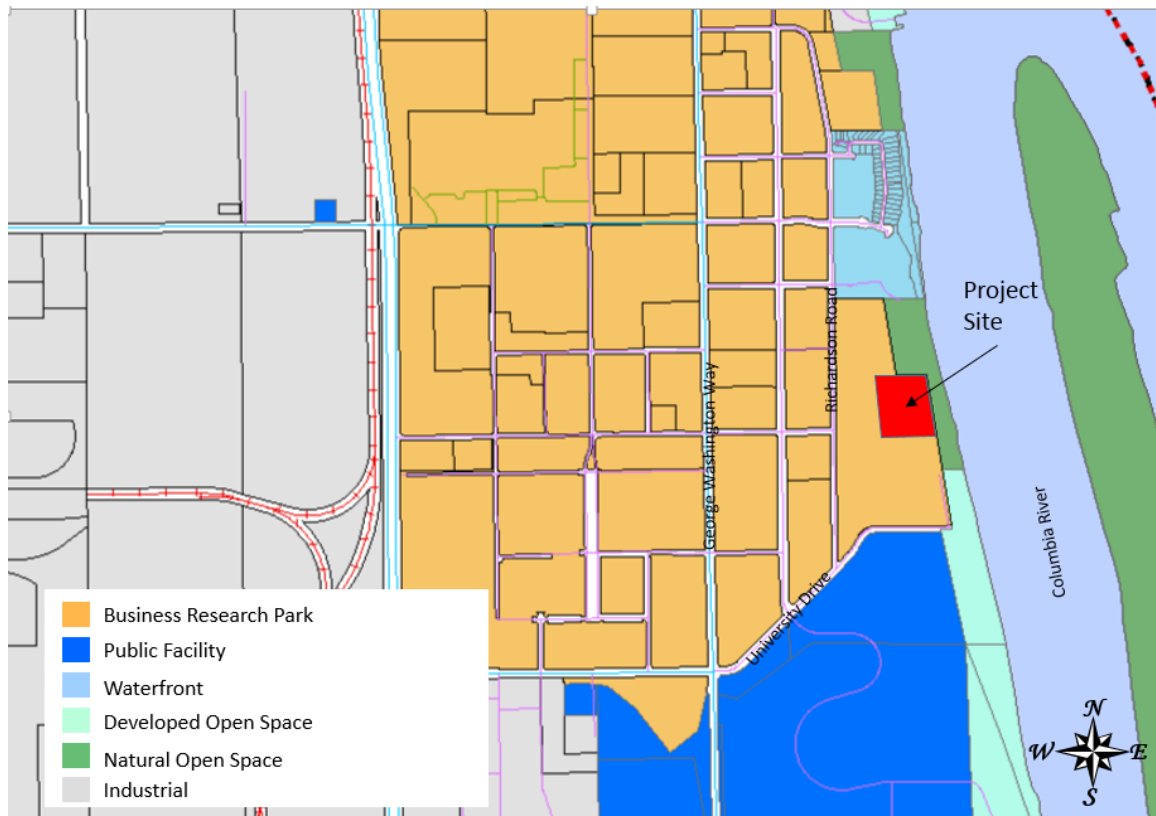


Figure 2 – Comprehensive Plan

SITE DESCRIPTION & ADJACENT LAND USES

The site consists of undeveloped land that has been previously graded into a bowl that measures approximately 10 vertical feet from the lowest point to the berms that run along the perimeter of the site. The site is covered in native grasses and presently contains no improvements. It is bordered on the east side by Waterfront Drive.

Existing uses in the vicinity include Penford Foods, a starch plant that is located adjacent to and south of the site. The common property boundary between the two sites contains a row of arborvitae. The developed portions of the Penford site

are located some 250 – 300 feet south of the arborvitae row. Adjacent properties to the north and west are vacant and unimproved. Properties on the west side of Richardson Road are developed with office and warehouse uses. Properties approximately 1,100 feet north of the site are developed with townhome project known as Willowpointe. Adjacent property to the east includes Waterfront Drive and a pedestrian riverfront trail and undeveloped land that borders the Columbia River.

EXISTING ZONING

The subject property and the adjacent properties to the south, west and north are zoned B-RP Business Research Park. Lands to the east, adjacent to the Columbia River are zoned NOS – Natural Open Space and property south of University Drive is zoned PPF – Parks and Public Facilities.

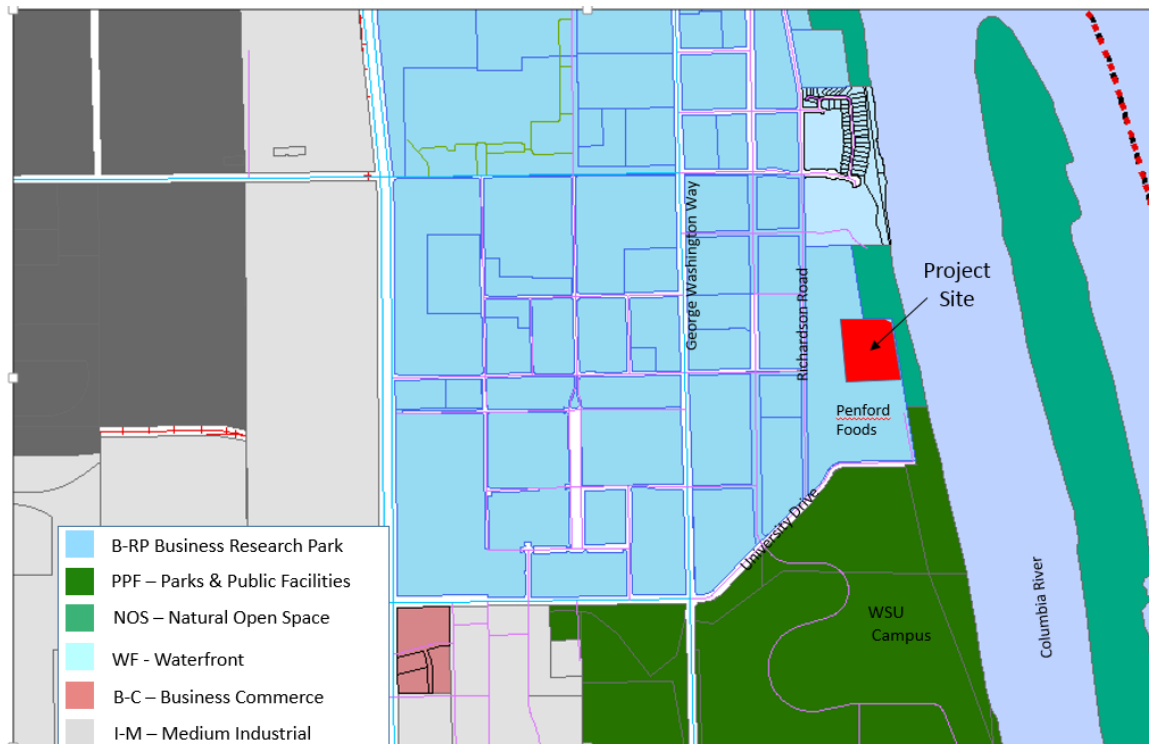


Figure 3 – Zoning Map

The Business Research Park district permits Dormitories, Fraternities, Sororities and multi-family dwellings through a special use permit application process. General criteria for development in the B-RP zone are established in RMC 23.28.020(A), while specific standards for residential development are set forth in RMC 23.28.020(B). Both sections are reprinted below:

A. B-RP Business Research. It is the intent of this section that:

1. Uses shall be conducted entirely within enclosed buildings;
2. On and off-site hazardous waste treatment and storage facilities shall be located a minimum of 300 feet from surface water, residential zones and public gathering places;
3. Public pedestrian access around and through a site is encouraged and should include clearly marked travel pathways from the public street, through parking areas, to primary building entries;
4. Development of a trail system through landscaped areas is encouraged and should, where possible, connect to trail systems on adjacent sites; and
5. No more than 15 percent of the total number of acres in the B-RP zone or within a specific business park shall be developed with commercial uses. The applicant proposing a commercial use shall identify the properties that he/she is relying on to comply with this requirement. In the event that the applicant is relying upon property(ies) that are not under the ownership of the applicant, then the applicant shall submit a written statement to the city signed by the affected property owners consenting to the application for a commercial use.

B. B-RP Residential, Day Care and Preschool Standards.

1. Residential development is permitted in the B-RP zone at an average density of eight dwellings per acre within a business park. Average density shall be determined by a calculation of the total land area (in acres) within a business park that are both developed and proposed for development with residential uses divided by the total number of dwelling units that are both developed and proposed for development. Any residential development approved through a special use permit must maintain a minimum density of six dwelling units per acre. Construction of residential units shall proceed as identified or conditioned in a special use permit approved by the Richland planning commission;
2. Detached single-family dwellings are prohibited unless:
 - a. Detached single-family dwellings are part of a residential development as approved through the special use permit process, in which no more than 25 percent of the total number of dwelling units approved through the special use permit are detached single-family dwellings; and
 - b. Detached single-family dwellings are a part of a common maintenance program, such as a homeowners' association, with attached conditions, covenants and restrictions to be approved by the city at the time of development and recorded by deed to run in perpetuity to the individual properties;

3. Dwelling units may be incorporated into a building occupied by a nonresidential use;

4. No more than 15 percent of the total number of acres in the B-RP zone or within a specific business park or master planned area shall be developed exclusively for residential uses. The applicant for a residential use project shall identify the properties that he/she is relying upon to comply with this requirement. In the event that the applicant is relying upon property(ies) that are not under the ownership of the applicant, then the applicant shall submit a written statement from the affected property owners consenting to the application for an exclusive residential use;

5. No site developed exclusively for residential uses shall exceed 10 acres in area;

6. No parcel or parcels of property developed exclusively for residential uses shall be contiguous to any other parcel or parcels of property developed exclusively for residential uses, if the combined total of all contiguous parcels developed exclusively for residential uses exceeds 10 acres in area;

7. Mixed use buildings that contain permitted uses (as identified in RMC [23.26.030](#)) on the main floor of the building and residential uses on the upper floors of the building are permitted without regard to subsections (B)(4) through (6) of this section. All other provisions regulating the placement of residential uses in the B-RP zone shall apply;

8. Day care and preschool uses are permitted without regard to subsections (B)(4) through (6) of this section. All other provisions regulating the placement of day care and preschool uses in the B-RP zone shall apply;

9. Residential projects in the B-RP zone shall include provisions to connect with permitted uses in the zone which have the effect of minimizing the need for automotive commutes. Such connections may include shared open space, pedestrian trails, computer and/or communication links between buildings, or other similar features. Residential projects should also be designed to be compatible with the architectural character of existing, adjacent business parks;

10. Parking for residential structures shall be required in addition to any requirement for other permitted uses on the site; and

11. The applicant shall ensure that an emergency response plan is prepared by Benton County emergency services and that such emergency response plan is implemented prior to or simultaneously with the issuance of a certificate of occupancy for a project.

- a. *Prior to the submittal of a special use permit, the applicant shall consult with Benton County emergency services to determine the following:*
 - i. *The specific hazards to residential, day care and/or preschool populations that exist in the vicinity of the project site resulting from existing industrial land uses in the general area. Such hazards shall be determined and assessed through the review of risk management hazard plans that are on file with Benton County emergency services;*
 - ii. *The parameters of the emergency services plan that are necessary to support the proposal. Such plan will at a minimum address the following:*
 - (A) *Provisions for emergency notification;*
 - (B) *Identification of evacuation routes;*
 - (C) *Identification of special populations that may reside or be located within the proposed project (small children, seniors, individuals with mobility restrictions, etc.) for identification of specific provisions to address the safety of these special populations;*
 - iii. *Identification of any plans for sheltering residential populations during an emergency event and any specific building or site design features to be incorporated into the project to mitigate potential hazards created by nearby industrial facilities; and*
 - iv. *Identification of plans to inform the future residents of the residential project of the specific emergency notification procedures and actions that would be taken during an emergency event.*
- b. *Following completion of the consultation process, the applicant shall obtain a written statement from Benton County emergency services that either:*
 - i. *Indicates that the proposed project site is located outside of any known hazard area which represents a threat to residential, day care or preschool populations as identified in the risk management plans on file with Benton County emergency services and that the requirement for a specific emergency response plan is waived; or*
 - ii. *Identifies the known hazards to residential, day care or preschool populations that are known to exist in or near the project site. Such report shall identify the specific mitigation measures that will be included in the emergency response plan. The applicant shall sign a statement acknowledging and agreeing to the mitigation measures included in the emergency response plan.*
 - iii. *The applicant is required to provide any information requested by Benton County emergency services for the preparation of an emergency response plan.*

C-1 Dimensional & Parking Standards

The following standards apply in the B-RP zone per RMC 23.28.040:

Front yard setback: 10 feet for residential uses

Side yard setback:	1 foot per 3 feet of building height (Proposed building is 41 feet in height, requiring a minimum 14 foot setback)
Rear yard setback:	10 feet for residential uses
Maximum building height:	55 feet
Off Street Parking:	RMC 23.54.020 requires parking stalls at a ratio of one stall per capacity for rooming houses, boarding houses and dormitories.
Landscaping:	RMC 23.28.060 requires at least 25% of the business park area shall be landscaped Landscaped areas may incorporate pedestrian amenities such as meandering pathways or trails, street furniture such as benches, public art features or similar features. Specific parcels of property within a business park do not have to meet the required percentage of landscaping; provided, that the overall business park maintains the minimum landscaping requirement of 25 percent for all developed parcels within the park; provided further, that parking lot landscaping as required in RMC 23.54.140 and landscaping within a required front yard shall be required in all cases.

Criteria for Evaluation of Special Use Permit Applications

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

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

- A. *Any person may appear at the public hearing in person, or by agent or attorney.*
- B. *The hearing body shall make a finding that it is empowered under the section of this code described in the application to consider the application for the special use permit.*
- C. *The hearing body shall approve, approve with conditions or deny an application for a special use permit based on findings of fact with respect to the following criteria:*
 - 1. *The size and dimensions of the site provide adequate area for the proposed use;*

2. The physical conditions of the site, including size, shape, topography, and drainage, are suitable for the proposed development;
 3. All required public facilities necessary to serve the project have adequate capacity to serve the proposed project;
 4. The applicable requirements of this zoning regulation (RMC Title 23), the city comprehensive plan, the city sensitive area regulations (RMC Title 20), the city shoreline management regulations (RMC Title 26) and the city sign regulations (RMC Title 27) have been met; and
 5. Identified impacts on adjacent properties, surrounding uses and public facilities have been adequately mitigated.
- D. The hearing body may impose conditions on the approval of a special use permit in addition to or above and beyond those required elsewhere in this title, which are found necessary to ensure the use is compatible with the public interest. These conditions may include, but are not limited to, the following:
1. Limiting the hours, days, place and/or manner of operation;
 2. Requiring design features which minimize environmental impacts such as noise, vibration, air pollution, glare, odor and/or dust;
 3. Requiring additional setback areas, lot area and/or lot depth or width;
 4. Limiting the building height, size or lot coverage, and/or location on the site;
 5. Designating the size, number, location and/or design or vehicle access points;
 6. Requiring street right-of-way dedication and/or street improvement;
 7. Requiring additional landscaping, berms and/or screening of the proposed use and/or its parking or loading areas and designating the required size, height, type and/or location of fencing and landscaping materials;
 8. Limiting the number, size, location, height and/or lighting of signs.
- E. Violation of any conditions, requirements, and safeguards, when made a part of the terms under which the special use permit is granted, shall be deemed a violation of this code and punishable under RMC 23.70.270.
- F. The hearing body may prescribe a time limit within which the action for which the special use permit is required shall be begun and/or completed. Failure to begin and/or complete such action within the time limit set shall void the special use permit. The time limits may be extended by the hearing body for good cause shown. In the event that no specific time limit to begin or complete a special use permit is identified, then the special use permit shall remain valid for a period of two years from the date that the permit was issued. The hearing body may authorize issuance of a special use permit for a specified probationary period of time, at the termination of which the applicant must resubmit a new application in accordance with the provisions of RMC 23.46.020.

RMC Section 23.46.025(A)(2) designates the Hearing Examiner as the hearing body responsible for conducting the review of special use permit applications for residential uses in the B-RP zone.

PUBLIC NOTICE

Application Date:	May 27, 2015
Combined Notice of Application & Hearing Mailed:	June 5, 2015
Combined Notice of Application & Hearing Posted:	June 8, 2015
Combined Notice of Application & Hearing Published:	June 14, 2015
Public Hearing:	June 25, 2015

A combined notice of application, SEPA determination and notice of hearing was provided through posting of the property, mailing of notice to property owners within 300 feet of the site and publication in the *Tri-City Herald* newspaper. Copies of the notices and affidavits are included in Exhibit 5.

UTILITY AVAILABILITY

The City has both electrical power lines and domestic water lines at the intersection of University Drive and Waterfront Drive and also along Richardson Road. Sewer runs adjacent to the site on Waterfront Drive but the pump station that serves that line is nearing capacity and may need to be upgraded. Some engineering study will be needed to determine the specific upgrades that may be required.

TRANSPORTATION

The local street system, including Waterfront Drive, University Drive and Richardson Road are all maintained and operated by the Port of Benton.

SEPA

The project is subject to the provisions of the State Environmental Policy Act. The applicants filed an environmental checklist. (Exhibit 6.) along with a noise study evaluating the potential impacts that the existing Penford Foods plant may have on the proposed project (Exhibit 7). City staff reviewed the checklist, plans and application materials and entered a Determination of Non-Significance into the record on June 2, 2015 (Exhibit 8).

AGENCY COMMENTS

Jeremy Beck, the Emergency Manager at the Benton County Emergency Management agency reviewed the proposal and forwarded the following comments to the City:

In regards to the proposed WSU Tri-Cities Riverwalk Student Housing, we have reviewed that plans that were submitted and wanted to bring out the following hazards and concerns.

The area is within ten miles of the Columbia Generating Station (CGS), however, the site is not considered to be within the CGS Plume Emergency Planning Zone. Even though it is not currently within the CGS Plume Emergency Planning Zone does not mean that FEMA will never revisit the issue and place the area within the CGS Plume Emergency Planning Zone.

Pacific Northwest National Laboratories (PNNL) has a 2 mile Emergency Planning Zone, that includes the proposed site, because of the hazards at the 325 RPL building. PNNL conducts research in that facility. This 2 mile planning zone extends to University Avenue.

The area is probably within risk zones for anhydrous ammonia used at the cold storage facility that should be nearing completion and anhydrous ammonia used at the agriculture processing facilities off of SR240. There are also risks from AREVA and other manufactures in the Port of Benton.

In looking at the plans I didn't notice any office facility within the dormitory for use as a staffed 24/7 emergency notification point. Because of the risks that are in the area there needs to be a means of providing emergency alerting and emergency instruction for the building occupants 24/7/365.

Because of the know hazards in the vicinity I don't think that it is the ideal area for residential structures, however, my same concerns apply to the Willow Pointe development. As long as occupants are made aware of and understand the risks that impact the area, they are making a rational choice to live with those risks.

Comments from the Richland Civil and Utility Engineering Division are attached (see Exhibit 9).

PUBLIC COMMENTS

At the time this report was prepared, the City had not received any comments from the public.

ANALYSIS

The criteria for residential use in the B-RP zone are reprinted here, with a brief summary of how the application complies with the standard:

1. Residential development is permitted in the B-RP zone at an average density of eight dwellings per acre within a business park.

City code (RMC 23.06.320) defines a dwelling as a building or portion thereof that provides complete housekeeping facilities for one family. Here the proposal is to provide for student housing that would not offer complete housekeeping facilities. Individual units would not be provided with independent kitchen facilities and so do not meet the definition of a dwelling. Therefore, the average density standard does not apply to this project.

2. Detached single-family dwellings are prohibited unless...

The proposal does not involve single family dwellings so this criteria is not applicable to the project.

3. Dwelling units may be incorporated into a building occupied by a nonresidential use;

This criteria is not applicable to the proposal, as it does not involve nonresidential uses.

4. No more than 15 percent of the total number of acres in the B-RP zone or within a specific business park or master planned area shall be developed exclusively for residential uses. The applicant for a residential use project shall identify the properties that he/she is relying upon to comply with this requirement. In the event that the applicant is relying upon property(ies) that are not under the ownership of the applicant, then the applicant shall submit a written statement from the affected property owners consenting to the application for an exclusive residential use;

The Port of Benton is the property owner of this site and is a majority property owner within the Business Research Park. They own 95 acres within the Business Research Park. This site represents slightly less than 5% of Port ownership and would be the only residential use within Port property. The Port has provided a letter (Exhibit 3) that indicates their consent to this application for residential use.

5. No site developed exclusively for residential uses shall exceed 10 acres in area;

This site, at 4.5 acres complies with this standard.

6. No parcel or parcels of property developed exclusively for residential uses shall be contiguous to any other parcel or parcels of property developed exclusively for residential uses, if the combined total of all contiguous parcels developed exclusively for residential uses exceeds 10 acres in area;

The site is not adjacent to any other property that is used for residential purposes.

7. Mixed use buildings that contain permitted uses (as identified in RMC [23.26.030](#)) on the main floor of the building and residential uses on the upper floors of the building are permitted without regard to subsections (B)(4) through (6) of this section. All other provisions regulating the placement of residential uses in the B-RP zone shall apply;

The proposal is not a mixed use building.

8. Day care and preschool uses are permitted without regard to subsections (B)(4) through (6) of this section. All other provisions regulating the placement of day care and preschool uses in the B-RP zone shall apply;

The proposal does not include a daycare or preschool and so is not applicable.

9. Residential projects in the B-RP zone shall include provisions to connect with permitted uses in the zone which have the effect of minimizing the need for automotive commutes. Such connections may include shared open space, pedestrian trails, computer and/or communication links between buildings, or other similar features. Residential projects should also be designed to be compatible with the architectural character of existing, adjacent business parks;

The proposal which would provide housing for WSU Tri-Cities students is located approximately 1/3 of a mile from the campus. The housing project and the campus would be directly connected via an existing pedestrian trail.

10. Parking for residential structures shall be required in addition to any requirement for other permitted uses on the site; and

Since this is a single use building, the parking provided would only be for the building residents. Off street parking requirements (RMC Section 23.54.020) require one parking space for each building resident. The application proposes only 110 parking spaces for the 160 room facility.

11. The applicant shall ensure that an emergency response plan is prepared by Benton County emergency services and that such emergency response plan is

implemented prior to or simultaneously with the issuance of a certificate of occupancy for a project.

a. Prior to the submittal of a special use permit, the applicant shall consult with Benton County emergency services to determine the following:

- i. The specific hazards to residential, day care and/or preschool populations that exist in the vicinity of the project site resulting from existing industrial land uses in the general area. Such hazards shall be determined and assessed through the review of risk management hazard plans that are on file with Benton County emergency services;*
- ii. The parameters of the emergency services plan that are necessary to support the proposal. Such plan will at a minimum address the following:*
 - (A) Provisions for emergency notification;*
 - (B) Identification of evacuation routes;*
 - (C) Identification of special populations that may reside or be located within the proposed project (small children, seniors, individuals with mobility restrictions, etc.) for identification of specific provisions to address the safety of these special populations;*
- iii. Identification of any plans for sheltering residential populations during an emergency event and any specific building or site design features to be incorporated into the project to mitigate potential hazards created by nearby industrial facilities; and*
- iv. Identification of plans to inform the future residents of the residential project of the specific emergency notification procedures and actions that would be taken during an emergency event.*

b. Following completion of the consultation process, the applicant shall obtain a written statement from Benton County emergency services that either:

- i. Indicates that the proposed project site is located outside of any known hazard area which represents a threat to residential, day care or preschool populations as identified in the risk management plans on file with Benton County emergency services and that the requirement for a specific emergency response plan is waived; or*
- ii. Identifies the known hazards to residential, day care or preschool populations that are known to exist in or near the project site. Such report shall identify the specific mitigation measures that will be included in the emergency response plan. The applicant shall sign a statement acknowledging and agreeing to the mitigation measures included in the emergency response plan.*
- iii. The applicant is required to provide any information requested by Benton County emergency services for the preparation of an emergency response plan.*

Comments received from Benton County Emergency Management are included in the agency comments portion of this report. They note the presence of several facilities in and around North Richland which involve the processing and/or storage of hazardous materials. They note that Energy Northwest Columbia

Generating Station, a nuclear energy plant, is located within 10 miles of the project site but is not within the CGS Plume Emergency Planning Zone as identified by FEMA. There are residential properties within this planning zone in North Richland, most notably the Horn Rapids Golf Course Community. Energy Northwest must maintain capability to notify residents in the event of an emergency situation involving the release of a hazardous material into the atmosphere. Historically, this has been accomplished through the placement of tone alert radios in each residence within the planning zone. If FEMA were to modify the planning zone in the future to include the project site, then Energy Northwest would be obligated to establish and maintain emergency contact capability with the students residing in the project site.

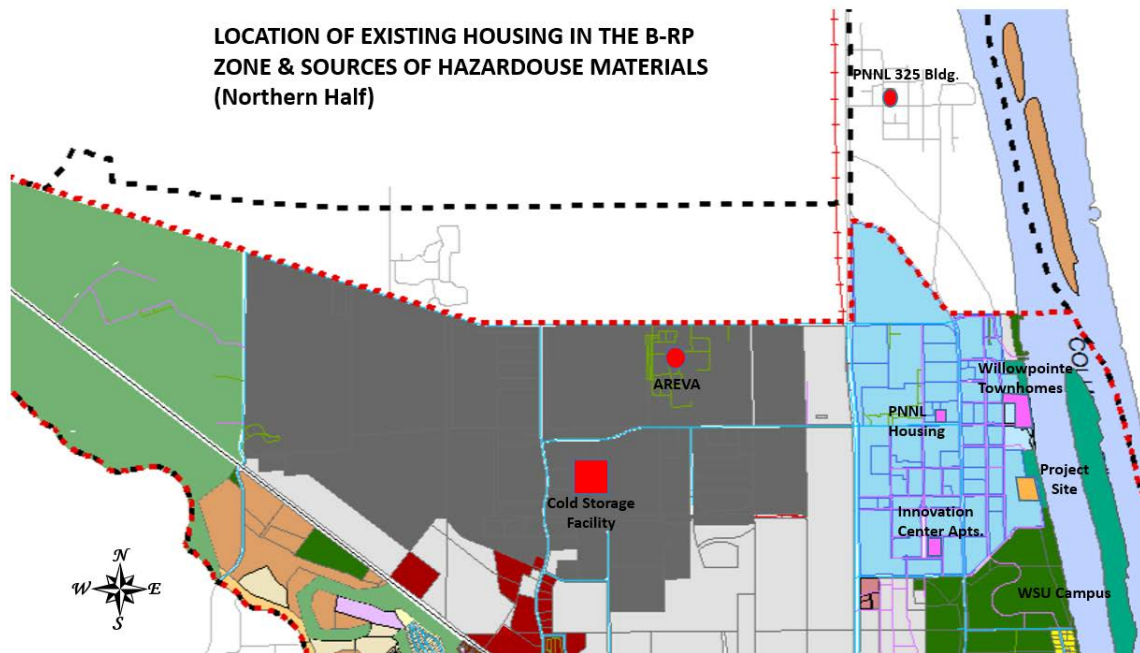


Figure 4A – Existing B-RP Housing Locations & Sources of Hazardous Materials (North Half)

Other locations that deal with hazardous materials include the PNNL 325 Building, Areva, the Chill Build Facility, a frozen food storage facility that has just finished construction, a Lamb Weston Potato Processing Plant and the Port of Benton Manufacturing Mall. Figure 4 shows the location of these facilities in relation to the project site. The exhibit also shows other residential projects within the B-RP zone that are located closer or at similar distances to these land uses that process and/or store hazardous materials.

The purpose statement of the B-RP zoning district (RMC 23.28.010(A)) indicates that the uses permitted within the district provide “opportunities for employment in modern, attractive buildings on well-landscaped sites, which may be close to residential areas, thereby resulting in a reduction of travel time to and from work.” In this case, the proximity of the WSU campus to the proposed student housing project would provide students easy access to the campus and would be consistent with the goal of reducing travel time. The requirements for review of each housing project by Benton County Emergency Services are intended to employ reasonable precautions to ensure the safety of future residents, given the nature of the hazardous materials that are used by some of the businesses within the B-RP zone and adjacent areas.

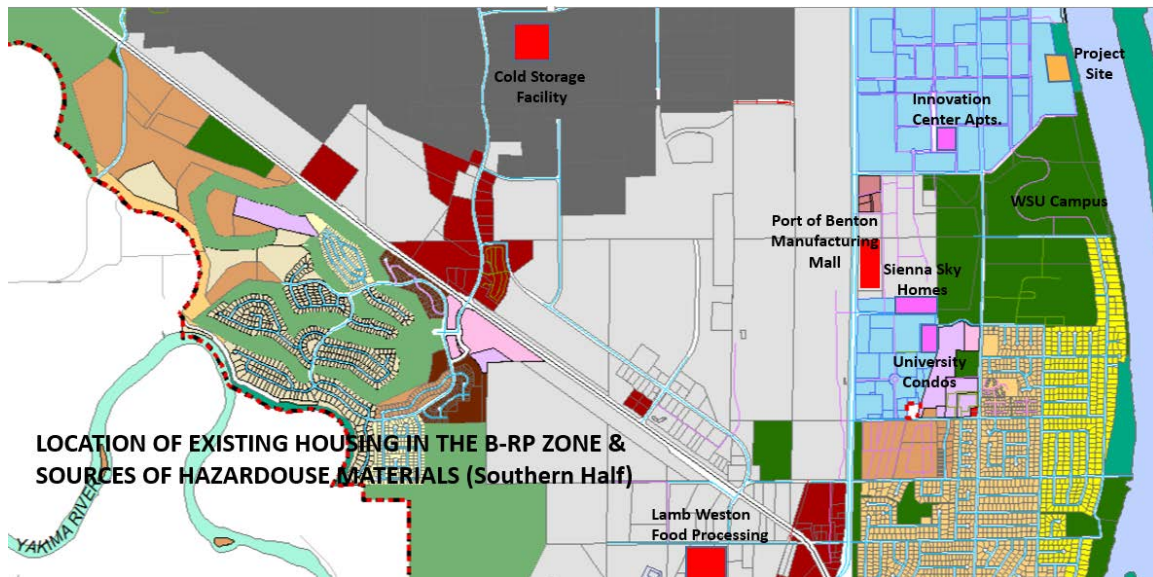


Figure 4B - Existing B-RP Housing Locations & Sources of Hazardous Materials (South Half)

The comments from Emergency Services recommend that a means of providing emergency notification to the residents of the proposed facility be established and that residents be appraised of the risks that are inherent in living in the project site.

The criteria for the evaluation of a special use permit (RMC 23.46.040(C)) require review of the following factors:

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

The size of the property is adequate to support the proposed uses, as evidenced by the project's generous setbacks from property lines. The proposed building lot coverage would be less than 10%.

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

The size and shape of the property along with its gentle grade do not pose any limitations for the development of the proposed project on the site.

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

Improvements to Waterfront Drive will be required in order to support the project and utility line extensions will also be needed. Existing utility systems and street systems have adequate capacity to serve the proposed project.

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

The site is not subject to the City's sensitive area regulations, as no wetlands, steep slopes, geologically hazardous areas or floodplains are known to exist on the site. The site is also more than 200 feet from the ordinary high water mark of the Columbia River and so is not regulated under the Shoreline Management Act. The site has been designated as suitable for Business Research Park land uses under the comprehensive plan. The plan was implemented through the adoption of Business Research Park zoning for the site and that zoning provides for residential uses subject to a list of specific criteria. The application did not address signing, but any proposed signs would have to meet sign code standards.

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

The site is large enough to easily accommodate the proposed use while still meeting all the requirements for setbacks, building height and landscaping. Additionally, the site is well removed from adjacent uses and is located in close proximity to the WSU campus. Existing utility systems and the street network have capacity to serve the project, but some utility line extensions and street improvements will be necessary.

There are no concerns with impacts on adjacent land uses, but the existing Penford Foods plant may impact the proposed housing facility. The plant creates both noise and odors. The design of the project with the parking lot located between the plant and the building and the setback of the plant from the northerly property line provide a separation between the proposed facility and the plant of approximately 700 feet. Additionally, the applicants conducted a noise study (refer to the SEPA checklist) that indicated noise generated by the plant would not be at a level that would detrimentally impact the residents of the proposed housing facility.

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

RECOMMENDED CONDITIONS OF APPROVAL

1. The project shall comply with all conditions identified in the Civil and Utility Engineering Memo June 18, 2015.
2. The project proceed in substantial conformance with the site plan included in the special use permit application.
3. A detailed landscape plan shall be submitted to Development Services for review and approval at the time that building permit application is made and shall be consistent with the requirements set forth in RMC Sections 23.54.140 and 23.28.060;
4. Parking for the facility shall be provided at the ratio as established in RMC 23.54.020 (one parking stall per resident) unless the applicant submits a parking study that demonstrates that a lessor amount of parking would be sufficient to meet the parking demands created by the project. Such study shall be submitted prior to concurrently with a building permit application;
5. The applicant shall work with Benton County Emergency Management to develop a plan that provides a means of emergency notification for the future residents of the facility. Such a plan shall be approved by Benton County Emergency Management at the time that a building permit application is made and shall be implemented at the time that building construction is completed;
6. The applicants shall develop a written statement summarizing the inherent risks of living on the project site, given the proximity of businesses that process and/or store hazardous materials on-site. Such statement shall be reviewed and approved by Benton County Emergency Management and shall be distributed to all persons considering residency within the student housing facility.

FINDINGS AND CONCLUSIONS

Staff has completed its review of the request for a special use permit (SUP2015-101) and recommends approval of the request subject to conformance to the conditions of approval identified above, based on the following findings:

1. The Comprehensive Plan designates the subject site as Business Research Park and the site is zoned Business Research Park (B-RP);
2. Development of the student housing project will provide for a use that is permitted with the B-RP zoning district subject to the issuance of a special use permit;
3. The Hearing Examiner is empowered to consider the request for special use permit pursuant to RMC Section 23.46.025(A)(2);
4. Public notice was provided via a legal advertisement in the Tri-City Herald, by mailing a notice to adjacent property owners and by posting a notice on-site. These provisions satisfy the requirements for public notification as set forth in RMC 23.46.030;
5. RMC Section 23.28.020(B) sets forth specific requirements for establishment of residential uses within the B-RP zoning district, including the following
 - a. The B-RP zoning requires an overall average density of 8 units per acre; however, that standard does not apply to this project, as student dormitory housing is not comprised of full housekeeping units and therefore does the dormitory units do not meet the definition of dwelling units;
 - b. The B-RP zoning limits the total number of acres used for residential purposes to no more than 15% of the total number of acres in the B-RP zone. The Port of Benton owns 95 acres of B-RP zoned land. The subject property represents only 5% of their ownership and so complies with this standard;
 - c. The B-RP zoning limits the size of a residential are to no more than 10 acres. The project site, at 4.5 acres in size, complies with this standard;
 - d. The B-RP zone limits contiguous parcels that have been developed with residential uses to no more than 10 acres. The project site is not adjacent to any other residential uses and so complies with this standard;
 - e. The B-RP zone requires provisions to connect with permitted uses in the zone which the effect of minimizing the need for automotive commutes. Here the student housing project would be built

- adjacent to a pedestrian trail that provides direct access to the WSU campus;
- f. The B-RP zone requires residential structures to provide for their own parking demand. Here the project would have a separate parking facility that would serve the student housing facility only;
 - g. The B-RP zone requires that an emergency response plan is prepared by Benton County Emergency Management. Here the agency has reviewed the proposal and provided comments. Those comments have been written into the recommended conditions of approval and therefore the proposed project complies with this requirement.
 - h. As conditioned the proposal demonstrates conformance with the applicable requirements of RMC Section 23.28.020(B) for establishment of residential uses in the B-RP zoning district;
6. RMC 23.46.040(C) sets forth criteria for the evaluation of a special use permit application, including the following:
- a. The criteria require that the size and dimensions of the site provide an adequate area for the proposed use. Here the proposed project would only cover 10% of the lot and includes significant setbacks from property lines;
 - b. The criteria require that the physical conditions of the site including size, shape, topography and drainage are suitable for the proposed development. Here the gentle grade of the site, the size and configuration of the lot are sufficient for the proposed use;
 - c. The criteria require that all public facilities necessary to serve the project have adequate capacity. Here the project would be served by City water, sewer and electrical power, all of which are in place near the project site and have capacity to serve the proposed project, with the possible exception of sewer service. The capacity of an existing pump station may need to be upgraded. The access road is owned and maintained by the Port of Benton and will need some improvement to serve the project;
 - d. The criteria require compliance with the City's comprehensive plan, zoning regulations, sensitive area regulations, shoreline management and sign regulations. The project is located in an area designated as suitable for business research park uses and the zoning of the property is also business research park. The zoning allows for the proposed use via special use permit and the proposal is consistent with the zoning regulations relating to building height, setback, landscaping and off-street parking standards as conditioned. The site is not subject to the City's sensitive area regulations as no wetland areas, frequently flooded areas, shorelines, or geologically hazardous areas are known to be

- present on-site. Finally, the project did not include any proposed signs.
- e. The criteria require the mitigation of impacts on adjacent properties, surrounding uses and public facilities. Here the proposal is well removed from other existing uses in the vicinity and is not anticipated to detrimentally impact existing public facilities, so no mitigation measures are necessary.
 - f. The proposed project meets the criteria established for the issuance of a special use permit as set forth in RMC 23.46.040(C);
7. The conditions of approval recommended for the project are necessary and desirable to ensure that the proposed project meets the applicable provisions of the RMC. Said recommended conditions of approval are authorized under RMC 23.46.040(D);
 8. As required by State law and City Code, the applicant has submitted a State Environmental Policy Act (SEPA) environmental checklist dated May 22, 2015;
 9. The City reviewed the submitted checklist and considered the proposal in light of the submitted information and other environmental information available to the City and determined that as conditioned approval of the request for the proposed development would not have significant adverse environmental impacts.
 10. On June 2, 2015, the City issued a Determination of Non-Significance for the proposal.
 11. Based on the above findings and conclusions, conditional approval of the request for a special use permit would be in the best interest of the community of Richland.

EXHIBIT LIST

1. Application
2. Site Plan
3. Correspondence from Port of Benton
4. Site Photos
5. Public Notices
6. Environmental Checklist
7. Noise Study
8. Determination of Non-Significance
9. Civil & Utility Engineering Memo

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

SPECIAL USE PERMIT INSTRUCTIONS AND APPLICATION

General Information

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

Requirements

Requirements for filing an application for Special Use Permit with the Physical Planning Commission or Board of Adjustment (see RMC, Chapter 23.70):

- ♦ **Filing Fee** The City of Richland's Municipal Code requires a filing fee be paid at the time of filing an application for the Special Use Permit. This fee is to assist in covering the expense to the City for advertising investigations, map work, and processing the application through its various stages.
- ♦ **Application Form** The attached application for Special Use Permit must be filled out completely with answers to each question. The application form must also contain the signatures of both the applicant(s) and the owner(s) of record of the property for which the Special Use Permit is being requested.
- ♦ **Required Attachments** The application shall be accompanied by a title insurance company report showing ownership of record of the property involved and a list of the names and addresses of all owners of record of property within a radius of 300-feet of the exterior boundaries of the subject property, or within the distance specified within the appropriate section of Chapter 23.70 relating to the special use being proposed. Specified distance _____ feet.

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

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

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

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

FOR OFFICE USE ONLY

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

Written assurances from local, state, or federal agencies:

Signature of Reviewer

Date Submitted

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

SPECIAL USE PERMIT APPLICATION

Applicant's Section			
Applicant Port of Benton in conjunction with WSU Tri Cities Student Housing Project			
Address 3250 Port of Benton Blvd		City Richland	State WA Zip 99354
Phone Number 509-375-3060	Fax Number 509-375-5287	Other dhoward@portofbenton.com	
Address and/or Location of Property Nka northeast corner of University Drive and Richardson Road, Richland			
Legal Description (including lot, block, and plat) See Attached Survey		Present Zoning B-RP	
Request to use the above-described property for the following purpose (use this space to identify the intended use involved). Also include the title and section of the Richland Municipal Code under which the special use is sought.			
University Student Housing. Special use under Chapter 23.46 of the Richland Municipal Code.			
The Port of Benton currently owns the parcel but is partnering with an LLC to purchase and develop as student housing for WSU Tri-Cities.			

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

What are the products resulting from the operations?

N/A

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

N/A

Finished products:

N/A

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

N/A

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

No hazardous materials stored.

How many people will be employed? 2 In the manufacture of the product? N/A

In the sale of the product? N/A In any other capacity? Building Maintenance

What do you estimate will be the greatest number of persons on the premises at any one time, excluding employees?
180

What type of volume of trucking is involved? N/A

What are the hours of peak loading and unloading? N/A

What other type and volume of traffic would be generated? Student's personal vehicles

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

Number of visitors daily? 20 Number of patrons daily? 159

Will this activity be carried on outside of daylight working hours? If so, what are the hours? N/A

What type of power would be employed? Electric ☒ Gas ☒ Oil ☐ Steam ☐
or Internal Combustion Engine ☐

What type and volume of noise results from operations on premises? N/A

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

N/A Noise study of the adjacent industrial facility is included.

What odors, fumes, smoke, or dust result from the operations?

N/A

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

Yes ☐ No ☒ What are they? _____

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

Electricity Space heating and cooling, lighting, elevator.

Water Bathroom uses and landscape irrigation.

Wastewater (Sewer) Disposal Bathroom uses and building maintenance.

Refuse Disposal Resident's trash generation.

Transportation (railroad and streets) Resident's personal vehicle trips.

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

The student's proximity to WSUTC and recreation along the river.

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

The residential use is consistent with adjacent existing residential housing. Exterior materials, windows and doors will be comparable to the appearance of adjacent housing. Landscaping will be provided and maintained that will match or exceed the quality of landscape within the adjacent residential neighborhood.

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

Signature of Applicant or Authorized Agent

Signature of Applicant or Authorized Agent

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

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

Sigma Financial Group, Inc.
Owner's Name

313 W Kennewick Avenue
Address

Kennewick
City

WA 99336
State Zip

Phone No. Other No.

Owner's Signature

Port of Benton (land owner)
Owner's Name

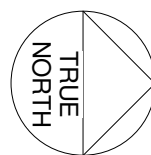
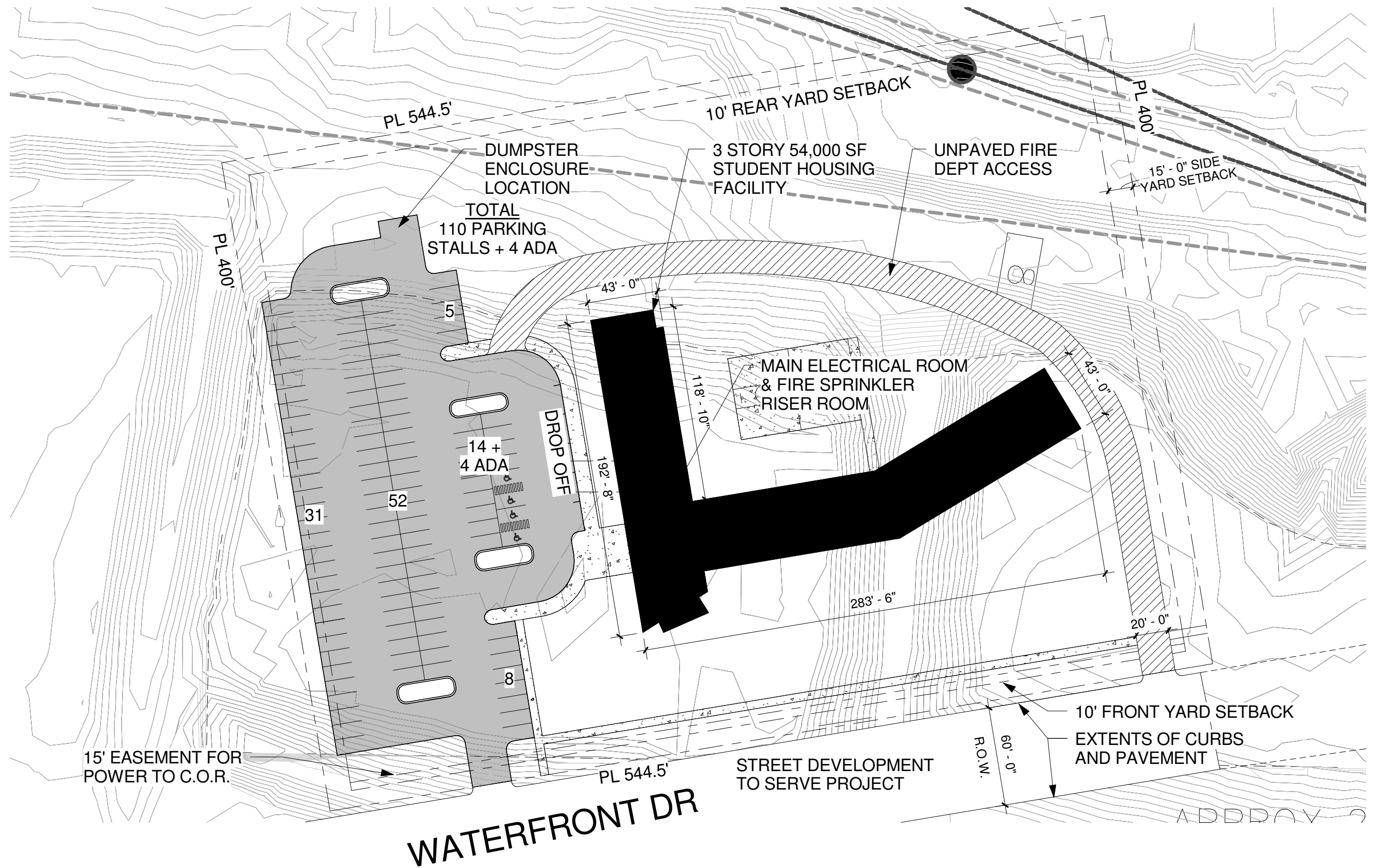
3250 Port of Benton Blvd
Address

Richland
City

99354
State Zip

509-375-3060
Phone No. Other No.

Owner's Signature
Scott D. Keller, Executive Director





1 3D View 1
SCALE: 1/16" = 1'-0"



2 3D View 2
SCALE: 1/16" = 1'-0"



3 OVERALL EAST ELEVATION
SCALE: 1/16" = 1'-0"



4 OVERALL NORTH ELEVATION
SCALE: 1/16" = 1'-0"



5 OVERALL WEST ELEVATION
SCALE: 1/16" = 1'-0"



6 OVERALL SOUTH ELEVATION
SCALE: 1/16" = 1'-0"



June 1, 2015

Mr. Rick Simon
Planning Manager
City of Richland
704 Northgate
Richland, WA 99352

Re: Special Use Permit, BRP Zoning –RJ Hoch
WSU Student Housing Project

Dear Rick,

The Port of Benton is one of five majority property owners in north Richland within the Tri-Cities Research District. The proposed project is located within the 290 acre Technology and Business Campus (TBC). The majority of existing users are office and light industrial. There is one area zoned Waterfront that is 20 acres in which the Willow Point project is located.

Therefore, the proposed student housing project would be the first residential project within the Business –Research Park Zoning within the TBC. It's five acre initial phase along with future phases up to 20 acres is well within the 15 percent standards that limits the amount of residential development per RMC 23.28.020(A)(4).

Please do not hesitate to contact us if you have any questions.

Sincerely,

A handwritten signature in black ink that reads "Diahann Howard".

Diahann Howard
Director of Economic Development







AFFIDAVIT OF MAILING
Notice of Application
Public Hearing Notice

STATE OF WASHINGTON)
) ss.
COUNTY OF BENTON)

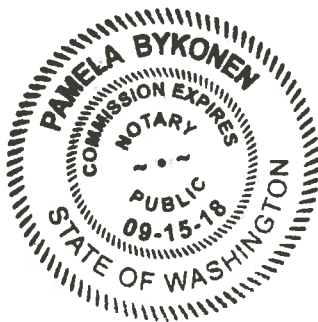
COMES NOW, Rick Simon, who, being first duly sworn upon oath deposes and says:

1. I am an employee in the Planning & Development Department for the City of Richland.
2. On the 5th day of June 2015, I mailed a copy of the attached NOTICE OF APPLICATION and NOTICE OF PUBLIC HEARING, File No. SUP2015-101 to the attached list of individuals via regular mail on the date indicated above.



Print Name: Rick Simon

SIGNED AND SWORN to before me this 5th day of June, 2015 by RICK SIMON.




Notary Public in and for the State of Washington,
Residing at Pasco, WA 99301
My appointment expires: 9-15-18

CITY OF RICHLAND
NOTICE OF APPLICATION
AND PUBLIC HEARING (SUP2015-101)

Notice is hereby given that the Port of Benton, on May 27, 2015 filed application for a Special Use Permit to allow for the construction of a 160 unit student housing facility in the Business Research Park zone. The proposed location for this facility is north of the Penford Foods plant, east of Richardson Road and west of Waterfront Drive.

Any person desiring to express his views or to be notified of any decisions pertaining to this application should notify Rick Simon, Development Services Manager, 840 Northgate Avenue, P.O. Box 190, Richland, WA 99352. Comments may also be faxed to (509) 942-7764 or e-mailed to rsimon@ci.richland.wa.us.

The Richland Hearing Examiner, on Thursday, June 25, 2015, will conduct a public hearing and review of the application at 6:00 p.m. in the Council Chamber at the Richland City Hall, 505 Swift Boulevard. All interested parties are invited to attend and give testimony at the public hearing.

Notice is further given that the applicant has filed an environmental checklist as required by the State Environmental Policy Act (SEPA). On June 2, 2015, the City issued a Determination of Non-Significance for the project having determined that the proposal does not have a probable significant adverse impact on the environment. An environmental impact statement (EIS) is not required under RCW 43.21C.030(2)(c). Copies of the special use permit application, the SEPA document and proposed development plans are available for review at the Richland Development Services Center at 840 Northgate Drive, Richland, Washington.

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



Port of Benton
3250 Port of Benton Blvd.
Richland, WA 99354

TRE, LLC
100 Battelle Blvd.
Richland, WA 99354

Energy Northwest
PO Box 968
Richland, WA 99352-0968

City of Richland
PO Box 190, MS-35
Richland, WA 99352

Washington State University
2940 George Washington Way, Ste. A
Richland, WA 99354

Published on June 14, 2015 in the *Tri-City Herald*

**City of Richland
Notice of Public Hearing**

File No: SUP 2015-101

Proponent: Port of Benton

Proposal: Special Use Permit to construct a 160 unit student housing facility in the Business Research Park zone.

Location: north of Penford Foods, east of Richardson Road and west of Waterfront Drive

Hearing: Before the Richland Hearing Examiner on Thursday, June 25, 2015 at 6:00 p.m. in the Council Chambers, Richland City Hall, 505 Swift Boulevard.

Contact: Rick Simon, Development Services Manager
PO Box 190, MS-35
Richland, WA 99352
rsimon@ci.richland.wa.us

SEPA Determination: The City of Richland determined that this project does not have a probable significant adverse impact on the environment. An environmental impact statement is not required. This decision was made after review of a completed environmental checklist and other information on file with the City, which is available for public review. Comments on this determination must be submitted to the City at the address listed above by June 17, 2015.

AFFIDAVIT OF POSTING

STATE OF WASHINGTON)
) ss.
COUNTY OF BENTON)

COMES NOW, **Rick Simon**, who, being first duly sworn upon oath deposes and says:

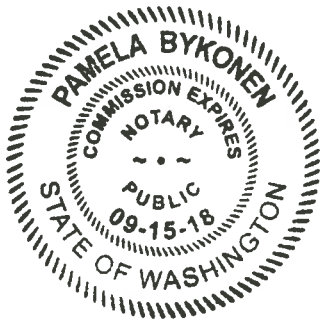
1. I am an employee in the Development Services Division for the City of Richland.

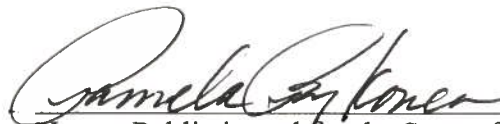
2. On the 8th day of June, 2015, I posted the attached NOTICE OF
APPLICATION & PUBLIC HEARING, File Number SUP2015-101 on
the property at:

Richardson Road


Rick Simon

SIGNED AND SWORN to before me this 18th day of June, 2015 by
RICK SIMON.




Notary Public in and for the State of Washington,
Residing at PASCO, WA 99301
My appointment expires: 9-15-18

SEPA ENVIRONMENTAL CHECKLIST

UPDATED 2014

Purpose of checklist:

Governmental agencies use this checklist to help determine whether the environmental impacts of your proposal are significant. This information is also helpful to determine if available avoidance, minimization or compensatory mitigation measures will address the probable significant impacts or if an environmental impact statement will be prepared to further analyze the proposal.

Instructions for applicants:

This environmental checklist asks you to describe some basic information about your proposal. Please answer each question accurately and carefully, to the best of your knowledge. You may need to consult with an agency specialist or private consultant for some questions. You may use "not applicable" or "does not apply" only when you can explain why it does not apply and not when the answer is unknown. You may also attach or incorporate by reference additional studies reports. Complete and accurate answers to these questions often avoid delays with the SEPA process as well as later in the decision-making process.

The checklist questions apply to all parts of your proposal, even if you plan to do them over a period of time or on different parcels of land. Attach any additional information that will help describe your proposal or its environmental effects. The agency to which you submit this checklist may ask you to explain your answers or provide additional information reasonably related to determining if there may be significant adverse impact.

Instructions for Lead Agencies:

Please adjust the format of this template as needed. Additional information may be necessary to evaluate the existing environment, all interrelated aspects of the proposal and an analysis of adverse impacts. The checklist is considered the first but not necessarily the only source of information needed to make an adequate threshold determination. Once a threshold determination is made, the lead agency is responsible for the completeness and accuracy of the checklist and other supporting documents.

Use of checklist for nonproject proposals:

For nonproject proposals (such as ordinances, regulations, plans and programs), complete the applicable parts of sections A and B plus the [SUPPLEMENTAL SHEET FOR NONPROJECT ACTIONS \(part D\)](#). Please completely answer all questions that apply and note that the words "project," "applicant," and "property or site" should be read as "proposal," "proponent," and "affected geographic area," respectively. The lead agency may exclude (for non-projects) questions in Part B - Environmental Elements –that do not contribute meaningfully to the analysis of the proposal.

A. background

1. Name of proposed project, if applicable:

WSUTC – Student Housing Project

2. Name of applicant:

Indy Dehal

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

**203 N Washington, Ste 400
Spokane, WA 99201
509-838-8568**

4. Date checklist prepared:

5. Agency requesting checklist:

City of Richland

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

The current project schedule has construction commencing summer 2015 and completing August 2016.

7. Do you have any plans for future additions, expansion, or further activity related to or connected with this proposal? If yes, explain.

Yes. Future housing buildings are being discussed but will only be constructed as the demand arises. It has been discussed to add 1,000 units to support WSU Tri Cities.

8. List any environmental information you know about that has been prepared, or will be prepared, directly related to this proposal.

An Environmental Site Assessment and Geotechnical Study will be performed concurrent to this checklist review. The Port of Benton has investigated the adjacent property and from their records there are no known environment concerns for the parcel. The Port as land seller will continue to be involved with development of the site and will ensure environmental investigation and compliance.

9. Do you know whether applications are pending for governmental approvals of other proposals directly affecting the property covered by your proposal? If yes, explain.

Yes. Special use permit will be reviewed concurrent to this application.

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

Special Use Permit, Grading Permit Building Permit. The land parcel will be created by the Port of Benton from a portion of their existing parcel through the boundary line adjustment process. Additionally, building permits will be required for the building that will eventually be constructed. Shoreline permitting would be required for anything within 200 feet of the river, however the west side of the existing roadway/pathway is beyond the 200 ft. point.

11. Give brief, complete description of your proposal, including the proposed uses and the size of the project and site. There are several questions later in this checklist that ask you to describe certain aspects of your proposal. You do not need to repeat those answers on this page. (Lead agencies may modify this form to include additional specific information on project description.) [\[help\]](#)

The proposed 54,000 square foot project is situated on 4.5 acres which is being sold by the Port of Benton to the applicant. The proposed 160 bed housing facility will be owned,

operated, managed by an LLC in the process of being formed by partners Richmond Hich, David Lippes, and John Crook. The housing will contain a mix of double occupancy rooms with and without bathrooms, single occupancy rooms with and without bathrooms, study lounges, a main lounge with kitchen, as well as laundry and storage facility for the occupants.

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

The project is physically located north of the Penford Food Plant, which is on the corner of University Drive and Waterfront Drive. The project is west of the Columbia River, more than 200 feet from the shoreline. Currently there is not a physical address. The site is situated in northern part of the City of Richland, 99354 and is in Benton County, Washington.

Parcel Number: 123081000001006 located within the NE quarter of Section 23, Township10 North, Range 28 East.

A copy of the Google Earth image and site plan is attached.

B. ENVIRONMENTAL ELEMENTS

1. Earth

a. General description of the site [\[help\]](#)

(circle one) Flat, rolling, hilly, steep slopes, mountainous,
other _____

The parcel generally rises as you go west from the existing pathway along the river and up to Richardon Road which is the west boundary. There are no steep slopes.

b. What is the steepest slope on the site (approximate percent slope)?

The site rises from ~365 up to ~400 on Richardson Road for an average slop of about 5%.

c. What general types of soils are found on the site (for example, clay, sand, gravel, peat, muck)? If you know the classification of agricultural soils, specify them and note any agricultural land of long-term commercial significance and whether the proposal results in removing any of these soils.

In general, the site appears to be loose to medium dense, silty sand and gravel. The adjacent sites have been developed and the gound is quite stable during and after development. As stated in A8, a Geotechnical Study has yet to be performed.

d. Are there surface indications or history of unstable soils in the immediate vicinity? If so, describe.

None known. Past development adjacent to the site have not had any issues with wind or water erosion or unstable slopes.

- e. Describe the purpose, type, total area, and approximate quantities and total affected area of any filling, excavation, and grading proposed. Indicate source of fill.

The proposed site will be graded. At this time a site survey and grading plan has not been prepared, however significant grading is anticipated due to the existing site topographical features. The intent is to balance the site with no fill or excavation anticipated. Final grades will not have steep unstable slopes and the final project will have building, parking, and managed landscape areas.

- f. Could erosion occur as a result of clearing, construction, or use? If so, generally describe.

Erosion is always possible during construction, especially on areas that have been cleared of natural vegetation. Permanent cut and fill slopes will be protected from both wind and water erosion. Similar projects adjacent to the site have been able to easily manage this with water fro dust and erosion control. There is irrigation water available to the site as well as a domestic water system for periods of development outside the irrigation season.

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

The whole site is 194,262 SF (4.46 acres). Impervious areas (building, roadway, paths, etc.) account for 76,624 SF (1.76 acres) equating to 39% of the site.

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

It is anticipated that disturbed areas will be reseeded to reestablish vegetative cover. Silt fence is also recommended around disturbed areas to control sediment runoff, and a rock construction entrance will be utilized to prevent offsite tracking of sediment by construction vehicles. A Temporary Erosion and Sediment Control plan is being provided to the Contractor by the Civil Engineer as part of the plan set, though the Contractor is ultimately responsible for implementing erosion and sediment control measures.

2. Air

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

Dust and equipment emissions during construction but can be controlled by watering/sprinklers.

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

The project is aware of the adjacent processing facility. However the Port of Benton continues to work with the facility and odor and noise emissions continue to be reduced. Currently there are no odor emissions that would affect the project.

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

Dust control by contractor during construction.

3. Water

a. Surface Water:

- 1) Is there any surface water body on or in the immediate vicinity of the site (including year-round and seasonal streams, saltwater, lakes, ponds, wetlands)? If yes, describe type and provide names. If appropriate, state what stream or river it flows into.

Yes. Columbia River is on the east side of the site at least 200 feet away.

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

Any work within the 200 feet of the shoreline would be by separate project. There is an existing roadway within 200 feet of the river that is currently gravel. This roadway would be paved access in the future.

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

None.

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

No.

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

No, FEMA maps indicate the site is within Zone C "areas of minimal flooding".

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

No.

b. Ground Water:

- 1) Will groundwater be withdrawn from a well for drinking water or other purposes? If so, give a general description of the well, proposed uses and approximate quantities withdrawn from the well. Will water be discharged to groundwater? Give general description, purpose, and approximate quantities if known.

No. Storm water runoff from developed areas will be directed to a bioinfiltration retention basin where it will be allowed to percolate through vegetation and ultimately infiltrate to ground water.

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

The site will utilize a public sewer main for waste water service, so no septic tanks or other waste disposal features are planned for the site.

c. Water runoff (including stormwater):

- 1) Describe the source of runoff (including storm water) and method of collection and disposal, if any (include quantities, if known). Where will this water flow? Will this water flow into other waters? If so, describe.

Source of runoff will be stormwater generated on the site. The runoff will be treated and infiltrated on site via a series of biofiltration treatment ponds throughout the state. This water will not flow into surface waters.

- 2) Could waste materials enter ground or surface waters? If so, generally describe. [\[help\]](#)
Storm water runoff will be treated in accordance with the Department of Ecology's Stormwater Management Manual for Eastern Washington. Storm water runoff is ultimately infiltrated to ground water, but not waste materials.

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

No.

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

Runoff is directed to a bioinfiltration retention basin, which provides treatment to any pollutants in the stormwater runoff, prior to infiltration to the ground water.

4. Plants

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

☐ deciduous tree: alder, maple, aspen, other

☐ evergreen tree: fir, cedar, pine, other

☒ shrubs

☒ grass (native)

☐ pasture

☐ crop or grain

☐ Orchards, vineyards or other permanent crops.

☐ wet soil plants: cattail, buttercup, bullrush, skunk cabbage, other

☐ water plants: water lily, eelgrass, milfoil, other

☒ other types of vegetation Plant material on site includes sage brush, native type grasses.

b. What kind and amount of vegetation will be removed or altered?

Sage brush and native type grasses will be removed within the project limits. The Port of Benton several years ago investigated all of their areas along the rivershore and established areas to be developed (including this parcel) and established Natural Open Space parcels. This parcel is planned for development and removal of the existing vegetation.

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

None known.

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

A landscaping plan has not been developed yet, but seeded lawns, shrubs, deciduous and coniferous trees will be incorporated.

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

None known.

5. Animals

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

birds: hawk, heron, eagle, songbirds, other: **Seagulls, pheasants, ducks, sparrows.**

mammals: deer, bear, elk, beaver, other: **Rabbits, skunks, rodents.**

fish: bass, salmon, trout, herring, shellfish, other _____

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

None known on site. Known fish within the Columbia River but not affected by this site.

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

Yes. Most of Washington is part of the Pacific Flyway Migratory Route for birds.

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

None.

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

Unknown.

6. Energy and natural resources

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

Electricity and Natural Gas will be used for heating of the housing facility as well as normal power consumption of student housing.

- b. Would your project affect the potential use of solar energy by adjacent properties?

If so, generally describe.

None.

- c. What kinds of energy conservation features are included in the plans of this proposal?

List other proposed measures to reduce or control energy impacts, if any:

LED lighting is being considered to reduce power consumption and prolong lamp life.

7. Environmental health

- a. Are there any environmental health hazards, including exposure to toxic chemicals, risk of fire and explosion, spill, or hazardous waste, that could occur as a result of this proposal? If so, describe.

- 1) Describe any known or possible contamination at the site from present or past uses.

None known.

- 2) Describe existing hazardous chemicals/conditions that might affect project development and design. This includes underground hazardous liquid and gas transmission pipelines located within the project area and in the vicinity.

None known.

- 3) Describe any toxic or hazardous chemicals that might be stored, used, or produced during the project's development or construction, or at any time during the operating life of the project.

None known.

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

Nothing beyond those services typically offered by police, fire, ambulance and hospital personnel.

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

None known.

b. Noise

- 1) What types of noise exist in the area which may affect your project (for example: traffic, equipment, operation, other)?

Some Traffic Noise. The adjacent industrial facility does produce some noise, however the Port of Benton continues to work with the facility to reduce noise. Finally a noise study of the facility has been completed, see attached, and the noise levels do not appear to be detrimental to the project.

- 2) What types and levels of noise would be created by or associated with the project on a short-term or a long-term basis (for example: traffic, construction, operation, other)? Indicate what hours noise would come from the site.

Short term – construction noise, which will likely occur between 7:00 a.m. and 4:00 p.m.

Long term - traffic

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

None.

8. Land and shoreline use

- a. What is the current use of the site and adjacent properties? Will the proposal affect current land uses on nearby or adjacent properties? If so, describe.

Site is currently vacant, unused. The adjacent property to the south is an industrial facility. The adjacent properties to the west are office and manufacturing. The adjacent properties to the north are housing and future commercial.

- b. Has the project site been used as working farmlands or working forest lands? If so, describe. How much agricultural or forest land of long-term commercial significance will be converted to other uses as a result of the proposal, if any? If resource lands have not been designated, how many acres in farmland or forest land tax status will be converted to nonfarm or nonforest use?

No.

- 1) Will the proposal affect or be affected by surrounding working farm or forest land normal business operations, such as oversize equipment access, the application of pesticides, tilling, and harvesting? If so, how:

No.

- c. Describe any structures on the site.

There are no existing structures on the site.

- d. Will any structures be demolished? If so, what?

No.

- e. What is the current zoning classification of the site?

Current zoning is B-RP (Business Research Park).

- f. What is the current comprehensive plan designation of the site?

Business Research Park.

- g. If applicable, what is the current shoreline master program designation of the site?

Not applicable for this site.

- h. Has any part of the site been classified as a critical area by the city or county? If so, specify.

No.

- i. Approximately how many people would reside or work in the completed project?

Approximately 160 people would reside in the completed project. There will be a few staff to maintain and operate the facility.

- j. Approximately how many people would the completed project displace?

None.

- k. Proposed measures to avoid or reduce displacement impacts, if any:

N/A

- l. Proposed measures to ensure the proposal is compatible with existing and projected land uses and plans, if any:

The proposal will be compatible with surrounding land uses and with the Washington State University Master Plan.

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

None.

9. Housing

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

160 Beds – student housing.

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

Not applicable. Student housing.

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

None.

10. Aesthetics

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

Forty one feet.

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

Existing views from the west side of Richardson Road would be impacted, however these are office and manufacturing facilities.

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

Materials chosen have colors that compliments the surrounding arid context.

11. Light and glare

- a. What type of light or glare will the proposal produce? What time of day would it mainly occur?

Parking lot and street/driveway lights will produce light. Fixture cut-off angles will contain light within the site. It would mainly occur at night time.

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

No.

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

None known.

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

Exterior light fixture cut-off angles will contain light within the site.

12. Recreation

- a. What designated and informal recreational opportunities are in the immediate vicinity?

The Riverwalk Trail runs along the east side of the site, along the Columbia River.

- b. Would the proposed project displace any existing recreational uses? If so, describe.

No.

- c. Proposed measures to reduce or control impacts on recreation, including recreation opportunities to be provided by the project or applicant, if any:

None.

13. Historic and cultural preservation

- a. Are there any buildings, structures, or sites, located on or near the site that are over 45 years old listed in or eligible for listing in national, state, or local preservation registers located on or near the site? If so, specifically describe.

No. The Port of Benton has investigated adjacent sites and does not believe that this specific site has Historical or Cultural resources requiring preservation. However, the Port of Benton has a Cultural and Historical Resources Management Plan and this site will be investigate for Cultural and Historical resources in accordance with that approved Management Plan.

- b. Are there any landmarks, features, or other evidence of Indian or historic use or occupation? This may include human burials or old cemeteries. Are there any material evidence, artifacts, or areas of cultural importance on or near the site? Please list any professional studies conducted at the site to identify such resources.

There is an existing cultural resource area north of this project.

- c. Describe the methods used to assess the potential impacts to cultural and historic resources on or near the project site. Examples include consultation with tribes and the department of archeology and historic preservation, archaeological surveys, historic maps, GIS data, etc.

City and County website, Comprehensive Plan, and Critical Areas maps. The Port of Benton Cultural and Historical Resources Mangement P lan.

- d. Proposed measures to avoid, minimize, or compensate for loss, changes to, and disturbance to resources. Please include plans for the above and any permits that may be required.

If any historic or cultural importance items are discovered, appropriate local, county, tribal or federal agencies will be notified in accordance with the Port of Benton's cultural and Historical Resources management Plan.

14. Transportation

- a. Identify public streets and highways serving the site or affected geographic area and describe proposed access to the existing street system. Show on site plans, if any.

Site is served by Richardson Road on the west side of the site. An improvement of Waterfront Drive is also being planned.

- b. Is the site or affected geographic area currently served by public transit? If so, generally describe. If not, what is the approximate distance to the nearest transit stop?

No. There are two transit stops on Port of Benton Blvd within 1/3 mile to the NW and SW of the site. Ben Franklin transit Route 26.

- c. How many additional parking spaces would the completed project or non-project proposal have? How many would the project or proposal eliminate?

Upon completion there will be approximately 160 stalls and none eliminated.

- d. Will the proposal require any new or improvements to existing roads, streets, pedestrian, bicycle or state transportation facilities, not including driveways? If so, generally describe (indicate whether public or private).

Yes. An extension of Waterfront Drive is being planned by the Port of Benton (outside of our scope). This will include utility extensions to serve our site.

- e. Will the project or proposal use (or occur in the immediate vicinity of) water, rail, or air transportation? If so, generally describe.

No.

- f. How many vehicular trips per day would be generated by the completed project or proposal? If known, indicate when peak volumes would occur and what percentage of the volume would be trucks (such as commercial and nonpassenger vehicles). What data or transportation models were used to make these estimates?

Approximately 672 ADT and 56 peak hour trips will be generated per ITE Trip Generation Land Use Code 220 (Apartment).

- g. Will the proposal interfere with, affect or be affected by the movement of agricultural and forest products on roads or streets in the area? If so, generally describe.

No.

- h. Proposed measures to reduce or control transportation impacts, if any:

None.

15. Public services

- a. Would the project result in an increased need for public services (for example: fire protection, police protection, public transit, health care, schools, other)? If so, generally describe.

None more than the adjacent parcels.

- b. Proposed measures to reduce or control direct impacts on public services, if any.

None.

16. Utilities

a. Circle utilities currently available at the site:

electricity, natural gas, water, refuse service, telephone, sanitary sewer, septic system,
other _____

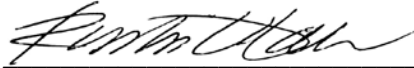
b. Describe the utilities that are proposed for the project, the utility providing the service, and the general construction activities on the site or in the immediate vicinity which might be needed.

- Electricity service is provided by Richland Energy Services, and will be extended onsite from an existing electrical vault adjacent to the site, at the intersection of Hill Street and Richardson Road.
- Sewer service is provided by the City of Richland, via an existing 12" sewer main that traverses east of the site, only short service lines are required to complete the connections from the building to the main.
- Water service is provided by a water main in Richardson Road, which will be extended onsite to serve the proposed fire hydrants, fire line, and water services.
- Natural gas is provided by Cascade Natural Gas, via an existing gas main in Richardson Road. A new service will be constructed from this main to serve the site.
- Telecommunications will be provided from an existing City of Richland Telecom Vault. Service will be extended onsite, in addition to a connection made to the west.
- Refuse service will be provided by the City of Richland. A new trash enclosure and dumpsters will be provided onsite.

C. Signature

The above answers are true and complete to the best of my knowledge. I understand that the lead agency is relying on them to make its decision.

Signature: _____



Name of signee: Rustin L. Hall

Position and Agency/Organization: President, ALSC Architects, P.S.

Date Submitted: May 22, 2015

D. supplemental sheet for nonproject actions

(IT IS NOT NECESSARY to use this sheet for project actions)

Because these questions are very general, it may be helpful to read them in conjunction with the list of the elements of the environment.

When answering these questions, be aware of the extent the proposal, or the types of activities likely to result from the proposal, would affect the item at a greater intensity or at a faster rate than if the proposal were not implemented. Respond briefly and in general terms.

1. How would the proposal be likely to increase discharge to water; emissions to air; production, storage, or release of toxic or hazardous substances; or production of noise?

N/A

Proposed measures to avoid or reduce such increases are:

N/A

2. How would the proposal be likely to affect plants, animals, fish, or marine life?

N/A

Proposed measures to protect or conserve plants, animals, fish, or marine life are: N/A

3. How would the proposal be likely to deplete energy or natural resources?

N/A

Proposed measures to protect or conserve energy and natural resources are:

N/A

4. How would the proposal be likely to use or affect environmentally sensitive areas or areas designated (or eligible or under study) for governmental protection; such as parks, wilderness, wild and scenic rivers, threatened or endangered species habitat, historic or cultural sites, wetlands, floodplains, or prime farmlands?

N/A

Proposed measures to protect such resources or to avoid or reduce impacts are:

N/A

5. How would the proposal be likely to affect land and shoreline use, including whether it would allow or encourage land or shoreline uses incompatible with existing plans?

N/A

Proposed measures to avoid or reduce shoreline and land use impacts are:

N/A

6. How would the proposal be likely to increase demands on transportation or public services and utilities?

N/A

Proposed measures to reduce or respond to such demand(s) are: N/A

7. Identify, if possible, whether the proposal may conflict with local, state, or federal laws or requirements for the protection of the environment.

N/A



December 24, 2014

Scott Tomren
Washington State University
Tricities Campus

Re: Limited Ambient Noise Survey
2939 Richardson Road, Richland, WA
PBS Project No. 63892

Dear Mr. Tomren:

On November 20 and December 15, 2014, PBS Engineering and Environmental (PBS) performed limited ambient noise monitoring at several locations surrounding the Penford Food Plant in Richland, Washington. The noise monitoring was conducted to determine ambient noise levels in various locations surrounding the food plant. This report describes the methodology, findings, and conclusions.

METHODOLOGY

PBS utilized Quest Technologies Noise Pro DLX Noise Dosimeters to perform ambient noise monitoring. The meters were set to measure A-weighted sound pressure level (noise or sound level) in units of decibels (dB). The A-weighted scale is a table relating sound level to length of exposure (dose). The monitoring range selected for each dosimeter was set between 70 dB - 140 dB for the 11/20 monitoring, and changed to a (non-industrial) range of 40 dB – 140 dB for the 12/15 monitoring. The remaining parameters were set as follows in accordance with the WAC and the CFR: Time Constant was set on Slow, and the Exchange Rate was set at 5 dB. The meter was last calibrated in May of 2014.

The meters were placed in locations around the food plant as indicated on the attached map. The sound meters ran continuously for approximately 20 hours (11/20) and 23 hours (11/24).

The meter was set at a sampling rate of 1 sample/second. Each of the readings are described below.

LAVG #1 (Average Reading) - During a one second time period the noise dosimeter takes 32 samples. The "L Average" is the average of the 32 noise samples collected during that one second interval. This is the value that is used for calculating the time-weighted average (TWA) that regulations reference. This value only takes into account noises that can be heard by the human ear (specific frequencies).

L MAX #1 (Maximum Reading) - Is the highest (1) noise sample of the 32 samples collected during the one second time interval. This value is part of the above "L Average" calculation. This value only takes into account noises that can be heard by the human ear (specific frequencies).

LPEAK #1 (Peak Reading) - This is a separate measurement and is calculated differently than the "L Average" and the "L Maximum". This value takes into account the highest of all noise frequencies (e.g. such as those high frequency levels that can be heard by animals) during the one second time interval. This value is used for comparison with the "Peak" levels that are defined by regulation.

FINDINGS

The following table represents the owner-designated monitoring areas and the corresponding "Maximum Level" ranges during testing events.

Sample Location/Monitoring Areas 11/20/14	Maximum Level Range Decibels (dB)
#39 SW of Penford Plant	78-80
#40 NW of Penford Plant	76-78
#38 NE of Penford Plant	71-73
Sample Location/Monitoring Areas 12/15/14	Maximum Level Range Decibels (dB)
#40 SW of Penford Plant	50-52
#39 W of Penford Plant	58-60
#33 NW of Penford Plant	LO-40
#38 NE of Penford Plant	71-73

SUMMARY

The above ambient noise level values are only representative of the specific areas monitored during each monitoring event and cannot be directly correlated to actual personal exposures. Testing was performed to provide WSU with representative ambient noise levels in specified areas.

PBS appreciates the opportunity to provide these services. If you have any questions concerning this report or require further information, please do not hesitate to contact me.

Sincerely,
PBS Engineering and Environmental Inc.



Steve Devine
Senior Project Manager

CITY OF RICHLAND
Determination of Non-Significance

Description of Proposal: Construction of a 54,000 square foot, three story student housing facility for 160 students on 4.5 acres.

Proponent: Port of Benton

Location of Proposal: North of the Penford Food Processing plant, east of Richardson Road and west of Waterfront Drive.

Lead Agency: City of Richland

The lead agency for this proposal has determined that it does not have a probable significant adverse impact on the environment. An environmental impact statement (EIS) is not required under RCW 43.21C.030(2)(c). This decision was made after review of a completed environmental checklist and other information on file with the lead agency. This information is available to the public on request.

- () There is no comment for the DNS.
- (X) This DNS is issued under WAC 197-11-340(2); the lead agency will not act on this proposal for 14 days from the date below. Comments must be submitted by June 17, 2015.
- () This DNS is issued after using the optional DNS process in WAC 197-11-355. There is no further comment period on the DNS.

Responsible Official: Rick Simon

Position/Title: Development Services Manager

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

Date: June 2, 2015.

Signature_____

**CITY OF RICHLAND
CIVIL AND UTILITY ENGINEERING
DEVELOPMENT COMMENTS**

DATE: June 18, 2015

TO: RICK SIMON, DEVELOPMENT SERVICES MANAGER

PLAN REVIEW BY: JASON REATHAFORD, ENGINEERING TECH 4

PROJECT NAME: STUDENT HOUSING FACILITY (SUP2015-101)

PROJECT LOCATION: WATERFRONT DRIVE

The Civil and Utility Engineering Division has reviewed the Special Use Permit received in this office on June 2, 2015, for the above referenced property and has the following conditions.

General Conditions:

1. All final plans for public improvements shall be submitted on a 24" x 36" format. Addendums are not allowed, all information shall be supplied in 24 x 36 format. When construction of the infrastructure has been substantially completed, the applicant shall provide paper, mylar and electronic record drawings in accordance with the City's "Record Drawing Requirements". The electronic as-built record drawings shall be submitted in a AutoCAD format compatible with the City's standard CAD software. Electronic copies of the construction plans are required prior to the pre-con meeting, along with the multiple sets of paper drawings. The record drawings shall be submitted and approved by the City before the final punchlist inspection will be performed. All final punchlist items shall be completed or financially guaranteed prior to acceptance of the project.
2. Any and all necessary permits that may be required by jurisdictional entities outside of the City of Richland shall be the responsibility of the developer to obtain.
3. A copy of the construction drawings shall be submitted for review to the appropriate jurisdictions by the developer and his engineer. All required comments / conditions from all appropriate reviewing jurisdictions (e.g.: Benton County, any appropriate irrigation districts, other utilities, etc.) shall be incorporated into one comprehensive set of drawings and resubmitted (if necessary) for final permit review and issuance.
4. Any work within the public right-of-way or easements or involving public infrastructure will require the applicant to obtain a right-of-way permit prior to construction. A plan review and inspection fee in the amount equal to 5% of the construction costs of the work within the right-of-way or easement will be collected at the time the permit is issued. A stamped, itemized Engineers estimate (Opinion of probable cost) and a copy of the material submittals shall be submitted along with the final plan submittal.
5. When the construction is substantially complete a paper set of "record drawings" shall be prepared by a licensed surveyor and include all changes and deviations. Please reference the Public Works document "RECORD DRAWING REQUIREMENTS & PROCEDURES" for a complete description of the record drawing process. After approval by the City of the paper copy, a mylar copy of the record drawings shall be submitted along with a CAD copy of them. The electronic as-built record drawings shall be submitted in a AutoCAD format compatible with the City's standard CAD software. All final punchlist items shall be completed or financially guaranteed prior to recording of the final plat.

6. Public utility infrastructure located on private property will require recording of a City standard form easement prior to acceptance of the infrastructure and release of a certificate of occupancy. The City requires preparation of the easement legal description by the developer two weeks prior to the scheduled date of occupancy. Once received, the City will prepare the easement document and provide it to the developer. The developer shall record the easement at the Benton County Assessor and return a recorded original document to the City prior to application for occupancy.
7. A pre-construction conference will be required prior to the start of any work within the public right-of-way or easement. Contact the Civil and Environmental Engineering Division at 942-7500 to schedule a pre-construction conference.
8. Site plan drawings which involve the construction of public infrastructure shall be drawn on a standard 24" x 36" drawing format to a scale which shall not be less than 1"= 40'.
9. All plan sheets involving construction of public infrastructure shall have the stamp of a current Washington State licensed professional engineer.
10. All construction plan sheets shall include the note "CALL TWO WORKING DAYS BEFORE YOU DIG 1-800-424-5555 (or "811")." Or: <http://www.call811.com/> Any and all necessary permits that may be required by jurisdictional entities outside of the City of Richland shall be the responsibility of the developer to obtain.
11. A copy of the construction drawings shall be submitted for review to the appropriate jurisdictions by the developer and his engineer. All required comments / conditions shall be incorporated into one set of drawings and resubmitted (if necessary) for final permit review and issuance.

Design Standards:

12. Public improvement design shall follow the following general format:
 - A. 10-foot horizontal spacing shall be maintained between domestic water and sanitary sewer mainlines and service lines.
 - B. Watermains larger than 8-inches in diameter shall be ductile iron.
 - C. Watermains installed outside of the City Right of Way or in very rocky native material, shall be ductile iron and may need restrained joints.
 - D. All watermains outside areas zoned R1 shall be ductile iron.
 - E. Fire hydrant location shall be reviewed and approved by the City Fire Marshal.
 - F. Water valves and manholes installed on private property shall be placed so as to avoid parked cars whenever feasible.
 - G. Trash compactors (high capacity dumpsters) shall be plumbed to the sanitary sewer system.
 - H. Any filling of low areas that may be required within the public Right of Way shall be compacted to City standards.
 - I. A overall, composite utility plan shall be included in the submitted plan set if the project is phased. This comprehensive utility plan benefits all departments and maintenance groups involved in the review and inspection of the project.
 - J. A detailed grading plan shall be included in the submitted plan set.
 - K. For public utilities not located within public street rights-of-way the applicant shall provide maintenance access acceptable to the City and the applicant shall provide an exclusive 10-foot wide public utility easement (minimum) to be conveyed to the City of Richland.
 - L. Final design of the public improvements shall be approved at the time of the City's issuance of a Right-of-way Construction Permit for the proposed construction.
 - M. All public improvements shall comply with the State of Washington and City of Richland requirements, standards and codes.
 - N. All intersections with public streets shall meet horizontal, vertical and intersectional design requirements for sight distance (A.K.A. the Vision Clearance Triangle).

- O. All driveways for commercial projects shall construct City standard commercial driveways. Radius-style driveways are not allowed.
- P. The final engineered construction plans shall identify locations for irrigation system, street lighting, gas service, power lines, telephone lines, cable television lines, street trees and mail boxes. All electrical appurtenances such as transformers, vaults, conduit routes, and street lights (including their circuit) need to be shown in the plan view.
- Q. Construction plans shall provide or reference all standard drawings or special details that will be necessary to construct all public improvements which will be owned, operated, maintained by the City or used by the general public (Commercial Driveway, Curb, Gutter, Sidewalk, Water, Sewer, Storm, Street and Street lighting etc.).
- R. The contractor shall be responsible for any and all public infrastructure construction deficiencies for a period of one year from the date of the letter of acceptance by the City of Richland.

Traffic & Streets:

- 13. The final landscaping and signage plan shall provide for sight-distance and not block any of the vision-clearance triangle, in accordance with City of Richland Municipal Code.
- 14. Sidewalks shall be installed along all city public Right of Way frontages at the time of project construction.
- 15. The project shall be constructed to provide for adequate fire truck & solid waste collection truck access & turnaround movements. This shall be reviewed at the time of construction plan submittal.

Domestic Water:

- 16. The fire hydrant layout shall be approved by the City Fire Marshal.
- 17. The closest City domestic watermain is located in University Drive to the south and Waterfront Drive to the southeast. It shall be the responsibility of the developer to extend a watermain to this property to serve domestic water at the time of plat construction.
- 18. Domestic water shall be extended to the adjoining properties adjacent to the project.
- 19. In accordance with RMC Chapter 18.13 and WAC 246-290 regarding Cross Connections, premise isolation backflow assemblies are required to be installed on the domestic water services of all new commercial/industrial buildings, and also of all buildings undergoing a tenant improvement, remodel, addition, etc., immediately downstream of the City's water meter. This will be a requirement on the construction plans. Please note this on the plans, and indicate where the backflow device is to be installed. Yearly test reports shall be provided to the City's Water Quality Inspector. The backflow device shall be on the state approved list, available through the Washington State Dept. of Health.
- 20. The developer will be required to demonstrate that all phases are capable of delivering adequate fire flows prior to construction plans being accepted for review. This may require looping of the watermain from off-site locations, or oversizing of the main where needed.

Sanitary Sewer:

- 21. The existing sanitary sewer system adjacent to the project site drains to a sanitary sewer lift station that is at or near capacity. The project proponent shall demonstrate that the lift station has enough capacity, or propose and provide an upgrade to the sewer lift station that meets City standards.

22. This project may be required to install a grease interceptor (grease trap) during construction. The size, location and type of interceptor must be noted on the plans for review by the City of Richland Engineering Department prior to issuance of a building permit. If an existing grease trap is not present, or if the existing trap is not adequate, one of sufficient size and design will be required to be installed. In accordance with UPC, bathrooms cannot be plumbed through grease interceptors.

Storm Water:

23. This project may require coverage under the Washington State General NPDES Permit for Construction projects. The Developer shall be responsible for compliance with the permit conditions. The City has adopted revised standards affecting the construction of new stormwater facilities in order to comply with conditions of its NPDES General Stormwater Permit program. This project, and each phase thereof, shall comply with the requirements of the City's stormwater program in place at the time each phase is engineered. The project will require detailed erosion control plans.
24. The proposed storm drainage and grading of all areas within the proposed development shall be shown on the plans (most grading and drainage plans must be prepared by a licensed civil engineer). If site contains at least 1,000 s.f. of new asphalt, and/or contains 30% or more impervious surfaces, storm drainage calculations from a licensed civil engineer are required. Stormwater shall be kept on-site (on the developing property that generated it). Stormwater shall not be flowed onto adjacent properties, or to the public Right-of-Way, without first obtaining written permission.
25. The private on-site storm drainage system shall be designed following the core elements defined in the latest edition of the Stormwater Management Manual for Eastern Washington. The Hydrologic Analysis and Design shall be completed based on the following criteria: Washington, Region 2, Benton County; SCS Type 1A – 24 Hour storm for storm volume. Calculations shall be stamped by a registered professional Civil Engineer. Prior to discharging any storm drainage waters from paved surfaces into drainage ditches, groundwater or a public system, an oil/water separator must be installed. The applicant's design shall provide runoff protection to downstream property owners.
26. All construction projects that don't meet the exemption requirements outlined in Richland Municipal Code, Section 16.06 shall comply with the requirements of the Washington State Department of Ecology issued Eastern Washington NPDES Phase II Municipal Stormwater Permit. All construction activities subject to this title shall be required to comply with the standards and requirements set forth in the Stormwater Management Manual for Eastern Washington (SWMMEW) and prepare a Stormwater Site Plan. In addition a Stormwater Pollution Prevention Plan (SWPPP) or submission of a completed erosivity waiver certification is required at the time of plan submittal.

Solid Waste:

27. Any solid waste enclosures installed as part of this project shall be constructed to City standard details.
28. The solid waste enclosure as submitted on the site plan under review may not be accessible as designed. The enclosure may have to be relocated in order to be accessible by City solid waste collection vehicles.

Final Project Acceptance Requirements:

29. When the construction is substantially complete a paper set of “record drawings” shall be prepared by a licensed surveyor and include all changes and deviations. Please reference the Public Works document “RECORD DRAWING REQUIREMENTS & PROCEDURES” for a complete description of the record drawing process. After approval by the City of the paper copy, a mylar copy of the record drawings shall be submitted along with a CAD copy of them. The electronic as-built record drawings shall be submitted in a AutoCAD format compatible with the City’s standard CAD software. All final punchlist items shall be completed or financially guaranteed prior to recording of the final plat.
30. Public utility infrastructure located on private property will require recording of a City standard form easement prior to acceptance of the infrastructure and release of a certificate of occupancy. The City requires preparation of the easement legal description by the developer two weeks prior to the scheduled date of occupancy. Once received, the City will prepare the easement document and provide it to the developer. The developer shall record the easement at the Benton County Assessor and return a recorded original document to the City prior to application for final occupancy.
31. All landscaped areas that a part of this project that are within the public Right of Way shall be the responsibility of the property owners to maintain.
32. Property with an unpaid L.I.D. assessment towards it must be paid in full or segregated per Richland Municipal Code 3.12.095.



HEARING EXAMINER AGENDA ITEM COVERSHEET

Meeting Date: 06/25/2015

Agenda Category: New Business – Public Hearing

Prepared By: Rick Simon, Development Services Manager

Subject:

Z2015-105, Request for Zone Change an 18.7-acre Site from C-3 General Commercial to C-LB Limited Business

Applicant: Coastal Community Bank

Location: 2645 Kingsgate Way

Department:

Community & Development Services

Recommended Motion:

Staff supports approval of the proposal subject to a list of recommended conditions.

Summary:

The applicant, Coastal Community Bank, owns the subject property, and has filed a rezone request to change the zoning on an 18.7 acre site from C-3 General Commercial to C-LB Commercial Limited Business. The applicants have not provided plans identifying their proposed use of the property but have indicated their intent is to pursue a multi-family housing project on the site.

Attachments:

1. Z2015-105, C-3 to C-LB / Coastal Community Bank

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

GENERAL INFORMATION:

PROPOSAL NAME: Coastal Community Bank Rezone

LOCATION: Kingsgate Avenue and SR 240

APPLICANT: Coastal Community Bank

FILE NO.: Z2015-105

DESCRIPTION: Request to change zoning on 18.7 acres from C-3 General Business to C-LB Commercial Limited Business

PROJECT TYPE: Type 3 Site-specific rezone

HEARING DATE: June 25, 2015

REPORT BY: Rick Simon, Development Services Manager

RECOMMENDED
ACTION: Approval



Figure 1 - Vicinity Map

(site outlined in red)

DESCRIPTION OF PROPOSAL

The applicant, Coastal Community Bank, owns the subject property, and has filed a rezone request to change the zoning on an 18.7 acre site from C-3 General Commercial to C-LB Commercial Limited Business. The applicants have not provided plans identifying their proposed use of the property but have indicated their intent is to pursue a multi-family housing project on the site.

SITE DESCRIPTION & ADJACENT LAND USES

The site is undeveloped. As with much of the surrounding area, the natural topography is gently sloping. However, much of the property has been re-graded and is generally level. During the grading process, the native vegetation was largely removed and ground cover consisting of native grasses and weeds has partially been reestablished.

The adjacent property to the west has been developed as a baseball park and includes four baseball diamonds called Hanford Legacy Park. Property to the

east across Kingsgate Way has been developed with the Horn Rapids RV Park. Three existing commercial properties that generally lie east of and south of the subject site are vacant, as are properties to the north. Property to the south across SR 240 is developed with the Horn Rapids Golf Course Community.

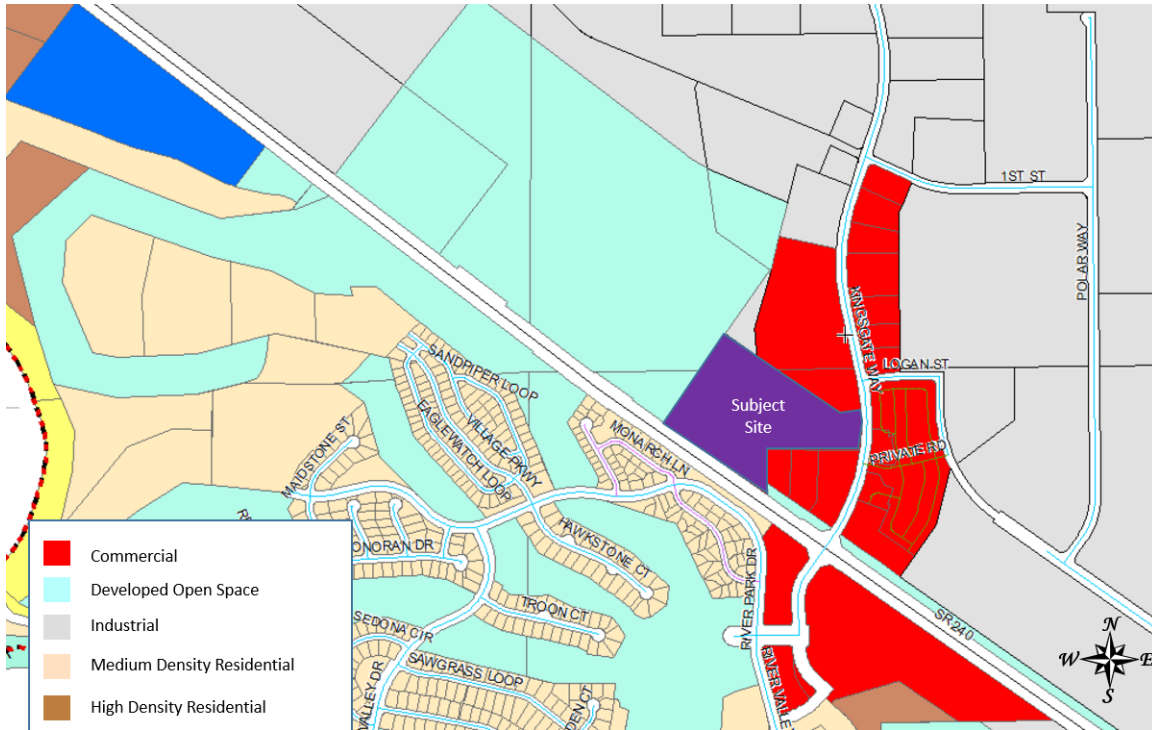


Figure 2 – Comprehensive Plan Map

COMPREHENSIVE PLAN

The City's comprehensive plan designates the site as suitable for commercial land uses. Generally properties north of State Route 240 are designated for industrial purposes except that the corridor along Kingsgate Way has been identified as suitable for future commercial development. The subject parcel is a part of this corridor. The land use goals and policies contained within the comprehensive plan generally speak to the promotion of commercial growth and revitalization but do not address any preferences for the specific types of commercial development that should be encouraged within specific locations.

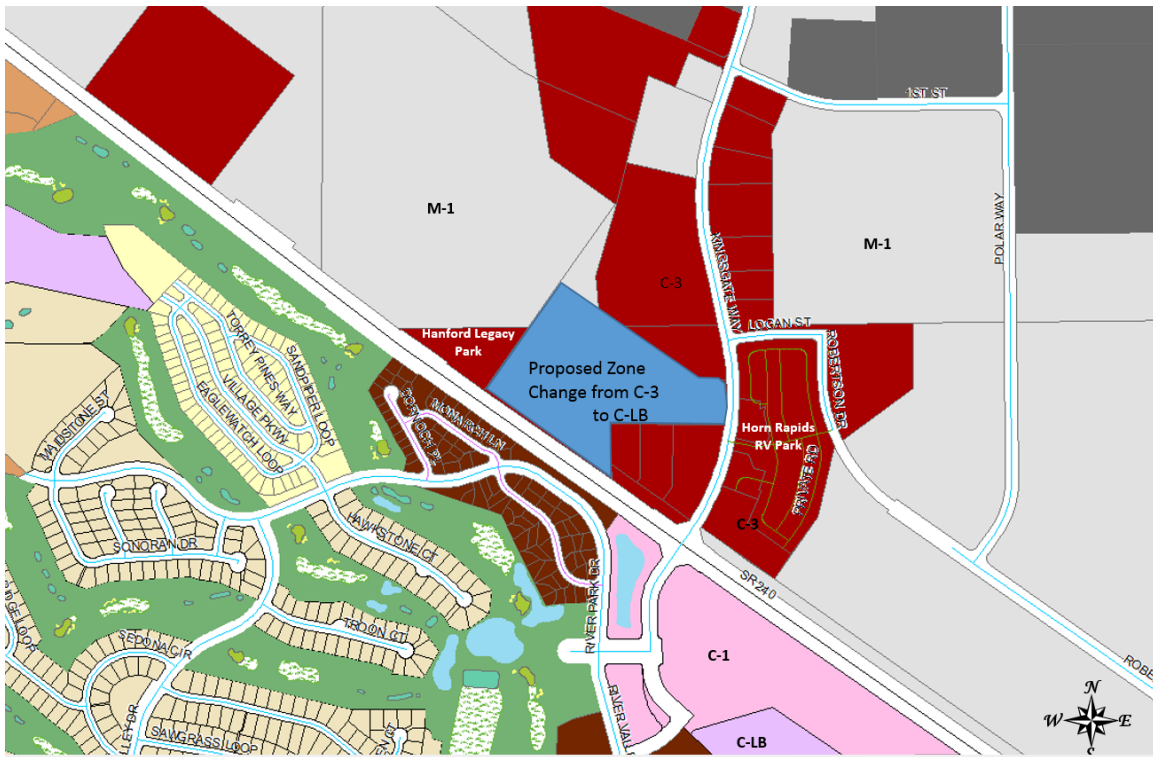


Figure 3 – Zoning Map

EXISTING ZONING

Properties in the vicinity of the project site are zoned for a variety of land uses. Lands immediately south, east and north of the site and are zoned C-3 General Business. Properties to the northwest are zoned M-1 Medium Industrial.

The stated purposes of the C-3 and C-LB zones (as set forth in RMC 23.22.010) are as follows:

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

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

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

Zoning	Proposed C-LB	Existing C-3
STANDARD	REQUIRED/ALLOWED	REQUIRED/ALLOWED
Min. Lot Area	None	None
Max. Lot Coverage	None	None
Building Setbacks		
Front	20 ft.	0 ft.
Side(s)	0 ft.*	0 ft.
Rear	0 ft.*	0 ft.
Building Height	55 ft.	80 ft.

*No setbacks required unless adjacent to residential zone

Table 1 – Comparison of R-2 & C-3 Dimensional Standards

Specific uses permitted in the C-3 and C-LB zones are identified in Exhibit 2. The fundamental difference between the two zoning districts is that the C-3 zone permits a wide variety of retail and even light industrial land uses but does not permit multi-family housing, while the C-LB zone permits multi-family housing and office uses and only very limited retail uses.

PUBLIC NOTICE

Application Date:	April 17, 2015
Notice of Application & Hearing Mailed:	June 5, 2015
Notice of Application & Hearing Published:	May 31, 2015

Notice of Application & Hearing Posted: June 8, 2015
Public Hearing: June 25, 2015

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

UTILITY AVAILABILITY

Sewer and water mains are located adjacent to the site along Kingsgate Way. An 8 inch water main is also located in the access road that borders the site on the north. Electrical power lines are also located along the Kingsgate Way right-of-way and along the southerly boundary of the site adjacent to SR 240.

TRANSPORTATION

Kingsgate Way is classified as a minor arterial in the City's Transportation Plan and would provide access to the site. State Route 240, which borders the site along its southerly boundary is a state highway. Direct access onto the highway would not be permitted by the state. An access road which extends along the northern boundary of the site from Kingsgate Way to the Hanford Legacy Park could also serve as access to the site.

The City's transportation plan calls for the signalization of the Kingsgate Way/SR 240 intersection. The City has already secured funding for this improvement, but is awaiting approval from the Washington State Department of Transportation until warrants are met to justify the signalization of the intersection.

Adequate capacity exists in the local street network to accommodate development of the subject property as well as the adjacent vacant properties. Specific

SEPA

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

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

(i) The project is in an urban growth area in a city or county planning under RCW 36.70A.040;

- (ii) The proposed rezone is consistent with and does not require an amendment to the comprehensive plan; and*
- (iii) The applicable comprehensive plan was previously subjected to environmental review and analysis through an EIS under the requirements of this chapter prior to adoption; and the EIS adequately addressed the environmental impacts of the rezone.*

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

ANALYSIS

The subject site is designated as commercial under the comprehensive plan. The City zoning code includes several commercial zones which would be consistent with a commercial comprehensive plan designation including both the existing C-3 zone and the proposed C-LB zone. The owner desires to develop the property and believes that the current market would better support multi-family development, rather than retail development.

In fact, in the immediate vicinity, there are approximately 32 acres of undeveloped C-3 zoned properties that front along Kingsgate Way and an additional 24 acres of C-3 property that would take access from but do not have direct frontage onto Kingsgate Way. There are no C-LB zoned properties along the Kingsgate Way corridor; although there are approximately 21 acres of undeveloped C-LB zoned property located south of SR 240 within the Horn Rapid Golf Course Community.

The majority of properties that are close to the subject property are currently undeveloped. The Hanford Legacy Park is the existing use that is closest to the site and would be generally compatible with multi-family development. The other existing use in the general vicinity is the Horn Rapids RV Park, which also could be compatible with multi-family development. Other vacant lands that are adjacent to the subject property are zoned either C-3 or M-I Medium Industrial. Future uses on those properties may not be as compatible with multi-family development.

As the applicants would be introducing multi-family development into the area where only commercial and light industrial uses are presently allowed, the responsibility for providing a suitable buffer between the residential development and the adjoining future commercial or light industrial developments should rest

with the residential developer. The City requires a site plan approval process for any multi-family development (RMC 23.48) of 20 or more units within the C-LB zone, so the City can ensure that appropriate buffers are provided between future residential and non-residential developments.

City water and sewer mains are located adjacent to the site and have adequate capacity to serve future development. Likewise, the local street system has capacity to accommodate additional traffic that would be generated from future development.

FINDINGS AND CONCLUSIONS

Staff has completed its review of the request for a change in zoning (Z2015-105) and recommends approval of the request based on the following:

1. The City of Richland Comprehensive Plan designates the subject site as suitable for commercial land uses;
2. The site is immediately adjacent to Kingsgate Way, a minor arterial street and is also adjacent to State Route 240 along its southerly border;
3. Commercial development of the site, whether zoned C-3 General Commercial or C-LB Limited Business is consistent with the intent of the comprehensive plan;
4. City water and sewer mains are in close proximity to the site and have adequate capacity to serve future development of the site;
5. The local street system that serves the project site has capacity to support the future development of the site;
6. The subject property is immediately adjacent to Hanford Legacy Park and to the Horn Rapids RV park, two land uses that could be compatible with multi-family residential development;
7. The rezone would slightly decrease the supply of C-3 zoned land in the vicinity but even with the rezone, there would still be approximately 56 acres of undeveloped C-3 zoned land along the Kingsgate Way corridor;
8. The proposed rezone could result in the first development of multi-family residential development in an area that is presently zoned for retail and light industrial land uses;

9. If the rezone request is approved, specific development plans for any multi-family development proposal of 20 or more dwellings would be reviewed through a public site plan review process;
10. The site plan process would provide the City with the opportunity to ensure that adequate buffers would be provided between future residential and commercial development;
11. The project is exempt from the provisions of the State Environmental Policy Act, as identified in WAC 197-11-800(6) (c); and
12. Based on the above findings and conclusions, approval of the zone change request would be in the best interest of the community of Richland.

EXHIBIT LIST

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

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

Petition for Change of Zoning District Classification

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

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

SECTION I – APPLICANT INFORMATION		
Applicant's Name: Coastal Community Bank		
Address: 10520 19th Avenue SE		
City: Everett	State: WA	Zip: 98208
Phone: 509-582-7829	Fax: 866-746-4884	Other and/or e-mail address: ScottLybbert@gmail.com
Please check under what capacity you are filing:		
☒ Recorded owner of the property as of 02-03-2011		☐ Purchasing under contract as of
☐ The lessee as of		☐ The authorized agent of any of the foregoing, duly authorized in writing (written authorization must be attached to application).
SECTION II – PROPERTY LOCATION AND GENERAL DESCRIPTION		
Street address(es) of property for which the zone change is requested, if applicable:		
Parcel No. 128082000007000 Kingsgate Way 2145 Kingsgate		
Relationship to adjacent streets (i.e., west of Main Street between 1 st Avenue and 2 nd Avenue):		
see attached map		
General description of development status (i.e., vacant, agricultural, buildings, or miscellaneous improvement): vacant property		
Size of petition area	acres and 18.79 acres	square feet 818,492 sq ft
SECTION III - CHANGE OF ZONE REQUEST		
A change of zone from C-3 To C-LB		
is requested for the property described in Section II of this application.		
SECTION IV – JUSTIFICATION		
State the reason(s) for the requested change of zone:		
Seek to develop the property for multi-family housing.		

Continued

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

DATED THIS 16th DAY OF April, 2015.

Coastal Community Bank
[Signature]

Applicant's Signature

Applicant's Signature

5415 Evergreen Way
Address

Address

Everett WA 98206
City, State, Zip

City, State, Zip

425-357-3688
Phone

Phone

FOR OFFICE USE ONLY

Date accepted for filing _____

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

City Official's Signature

Chapter 23.22

COMMERCIAL ZONING DISTRICTS

Sections:

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

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

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

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

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

23.22.010 Purpose of commercial use districts.

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

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

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

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

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

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

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

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

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

23.22.020 Performance standards and special requirements.

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

1. Minimum Yard Requirements.

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

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

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

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

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

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

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

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

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

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

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

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

2. Building facades facing streets shall include:

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

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

- i. Awnings;

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

23.22.030 Commercial use districts permitted land uses.

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

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

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

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

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

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

Land Use	C-LB	C-1	C-2	C-3	CBD	WF	CR	CW
Agricultural Uses								
Raising Crops, Trees, Vineyards								P
Automotive, Marine and Heavy Equipment								
Automotive Repair – Major				P				
Automotive Repair – Minor		P	P	P	S			
Automotive Repair – Specialty Shop		S	P	P	S			
Automobile Service Station		p ¹	p ¹	p ¹	S ¹			
Auto Part Sales		P	P	P	S			
Boat Building				P				
Bottling Plants				P				p ²⁸
Car Wash – Automatic or Self-Service		p ²	p ²	p ²	S ²			
Equipment Rentals			P	P				
Farm Equipment and Supplies Sales				P				
Fuel Station/Mini Mart	S	P	P	P	P			

Land Use	C-LB	C-1	C-2	C-3	CBD	WF	CR	CW
Heavy Equipment Sales and Repair				P				
Manufactured Home Sales Lot				P				
Marinas						P	P	
Marine Equipment Rentals				P		P	P	
Marine Gas Sales						A	A	
Marine Repair				P		P	P	
Towing, Vehicle Impound Lots				S ³				
Truck Rentals			P	P				
Truck Stop – Diesel Fuel Sales			S	P				
Truck Terminal				P				
Vehicle Leasing/Renting			P ⁴	P	S ⁴			
Vehicle Sales			P ⁴	P	S ⁴			
Warehousing, Wholesale Use				P				
Business and Personal Services								
Animal Shelter				S ⁵				
Automatic Teller Machines	P	P	P	P	P	P		P
Commercial Kennel				P ⁵				
Contractors' Offices		P	P	P	P			
Funeral Establishments			P	P				
General Service Businesses	A	P	P	P	P	P		
Health/Fitness Facility	A	P	P	P	P	A	P	

Land Use	C-LB	C-1	C-2	C-3	CBD	WF	CR	CW
Health/Fitness Center			P	P	P		P	
Health Spa		P	P	P	P	P		P
Hospital/Clinic – Large Animal				S ⁵				
Hospital/Clinic – Small Animal			S ⁵	P ⁵	P			
Laundry/Dry Cleaning, Com.				P	P ²⁹			
Laundry/Dry Cleaning, Neighborhood		P	P	P	P			
Laundry/Dry Cleaning, Retail	P	P	P	P	P	P		
Laundry – Self-Service		P	P	P	P			
Mini-Warehouse				P ⁶				
Mailing Service	P	P	P	P	P	P		
Personal Loan Business	P	P	P	P	P			
Personal Services Businesses	A	P	P	P	P	P		
Photo Processing, Copying and Printing Services	P	P	P	P	P	P		
Telemarketing Services	P		P	P	P			
Video Rental Store		P	P	P	P	P		P
Food Service								
Cafeterias	A		A	A	A	A	A	
Delicatessen	P	P	P	P	P	P	P	P
Drinking Establishments		P ⁷	P	P	P	P	P	P
Micro-Brewery			P	P	P	P	P	P
Portable Food Vendors ²⁶	A ²⁷	A ²⁷	A ²⁷	A ²⁷	A ²⁷	A ²⁷	A ²⁷	A ²⁸

Land Use	C-LB	C-1	C-2	C-3	CBD	WF	CR	CW
Restaurants/Drive-Through		S ⁸	P ⁸	P ⁸	S ^{8, 9}	S ^{8, 9}		
Restaurants/Lounge		P ⁷	P	P	P	P	P	P
Restaurants/Sit Down	A	P	P	P	P	P	P	P
Restaurants/Take Out		P	P	P	P	P		P
Restaurants with Entertainment/Dancing Facilities		P ⁷	P	P	P	P	P	P
Wineries – Tasting Room		P ⁷	P	P	P	P	P	P
Industrial/Manufacturing Uses								
Laundry and Cleaning Plants				P				P ²⁸
Light Manufacturing Uses				P				P ²⁸
Warehousing and Distribution Facilities				P				P ²⁸
Wholesale Facilities and Operations				P				P ²⁸
Wineries – Production				P				P
Office Uses								
Financial Institutions	P	P/S ²²	P	P	P/S ²²	P		
Medical, Dental and Other Clinics	P	P	P	P	P	P		
Newspaper Offices and Printing Works			P	P	P			
Office – Consulting Services	P	P	P	P	P	P		P ²⁸
Office – Corporate	P		P	P	P	P		P ²⁸
Office – General	P	P	P	P	P	P		P ²⁸
Office – Research and Development	P		P	P	P			P ²⁸
Radio and Television Studios			P	P	P			

Land Use	C-LB	C-1	C-2	C-3	CBD	WF	CR	CW
Schools, Commercial	P		P	P	P	P		
Schools, Trade			P	P	P			p ²⁸
Travel Agencies	P	P	P	P	P	P		
Public/Quasi-Public Uses								
Churches	p ¹⁰	p ¹⁰	p ¹⁰	p ¹⁰	P	p ¹⁰		
Clubs or Fraternal Societies	p ¹⁰	p ¹⁰	p ¹⁰	p ¹⁰	p ¹⁰	p ¹⁰		
Cultural Institutions	p ¹⁰	p ¹⁰	p ¹⁰		p ¹⁰	p ¹⁰		p ¹⁰
General Park O&M Activities	P	P	P	P	P	P	P	P
Hospitals	P		P	P	P			
Homeless Shelter				P				
Passive Open Space Use	P	P	P	P	P	P	P	P
Power Transmission and Irrigation Wasteway Easements and Utility Uses	p ¹¹	p ¹¹	p ¹¹	p ¹¹	p ¹¹	p ¹¹	p ¹¹	p ¹¹
Public Agency Buildings	P	P	P	P	P	P	P	
Public Agency Facilities	p ¹¹	p ¹¹	p ¹¹	p ¹¹	p ¹¹	p ¹¹	p ¹¹	p ¹¹
Public Campgrounds				S			S	
Public Parks	P	P	P	P	P		P	P
Schools	p ¹²	p ¹²	p ¹²	p ¹²	p ¹²	p ¹²		
Schools, Alternative	p ¹³	p ¹³	p ¹³	p ¹³	p ¹³			
Special Events Including Concerts, Tournaments and Competitions, Fairs, Festivals and Similar Public Gatherings	P	P	P	P	P	P	P	P
Trail Head Facilities	P	P	P	P	P	P	P	P

Land Use	C-LB	C-1	C-2	C-3	CBD	WF	CR	CW
Trails for Equestrian, Pedestrian, or Nonmotorized Vehicle Use	P	P	P	P	P	P	P	P
Recreational Uses								
Art Galleries			P	P	P	P	P	P
Arcades		P	P	P	P	P	P	
Boat Mooring Facilities						P	P	
Cinema, Indoor			P	P	P	P	P	
Cinema, Drive-In			P	P				
Commercial Recreation, Indoor		S ⁷	P	P	P	P	P	
Commercial Recreation, Outdoor			P	P		P	P	
House Banked Card Rooms				P ¹⁴	P ¹⁴	P ¹⁴	P ¹⁴	
Recreational Vehicle Campgrounds				S ¹⁵			S ¹⁵	
Recreational Vehicle Parks				S ¹⁶			S ¹⁶	
Stable, Public				S ¹⁷				
Theater		P ⁷	P	P	P	P	P	P
Residential Uses								
Accessory Dwelling Unit		A	A	A	A	A		A
Apartment, Condominium (3 or more units)	P		P ¹⁸		P	P		
Assisted Living Facility	P		P		P ¹⁸	P		
Bed and Breakfast	P	P	P	P	P	P	P	P
Day Care Center	P ¹⁹	P ¹⁹	P ¹⁹	P ¹⁹	P ¹⁹	P ¹⁹		
Dormitories, Fraternities, and Sororities	P				P	P		

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

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

Land Use	C-LB	C-1	C-2	C-3	CBD	WF	CR	CW
On-Site Hazardous Waste Treatment and Storage	A	A	A	A	A	A	A	A
Outdoor Storage		A ²⁴	A ²⁴	P ²⁴				
Storage in an Enclosed Building	A	A	A	A	A	A	A	A ²⁸

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

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

23.22.040 Site requirements and development standards for commercial use districts.

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

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

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

2. No setback required if street right-of-way is at least 80 feet in width. Otherwise, a minimum setback of 40 feet from street centerline is required.
3. Unless a greater setback is required by Chapter [12.11](#) RMC, Intersection Sight Distance.
4. Front and Side Street. No building shall be closer than 40 feet to the centerline of a public right-of-way. The setback area shall incorporate pedestrian amenities such as increased sidewalk width, street furniture, landscaped area, public art features, or similar features.
5. In the case of attached one-family dwelling units, setback requirements shall be as established for attached dwelling units in the medium-density residential small lot (R-2S) zoning district. Refer to RMC [23.18.040](#).
6. In any commercial limited business (C-LB), central business (CBD) or in any commercial winery (CW) zoning district that directly abuts a single-family zoning district, the following buffer, setback and building height regulations shall apply to all structures:
 - a. Within the commercial limited business (C-LB), the central business district (CBD) and the commercial winery (CW) districts, buildings shall maintain at least a 35-foot setback from any property that is zoned for single-family residential use. Single-family residential zones include R-1-12 – single-family residential 12,000, R-1-10 – single-family residential 10,000, R-2 – medium-density residential, R-2S – medium-density residential small lot, or any residential planned unit development that is comprised of single-family detached dwellings.
 - b. Buildings that are within 50 feet of any property that is zoned for single-family residential use in commercial limited business (C-LB) and the commercial winery (CW) districts and buildings that are within 50 feet of any property that is zoned for and currently developed with a single-family residential use in the central business district (CBD) (as defined in footnote (6)(a)) shall not exceed 30 feet in height. Beyond the area 50 feet from any property that is zoned for single-family residential use, building height may be increased at the rate of one foot in building height for each additional one foot of setback from property that is zoned for single-family residential use to the maximum building height allowed in the C-LB, CW and CBD zoning districts, respectively.
 - c. A six-foot-high fence that provides a visual screen shall be constructed adjacent to any property line that adjoins property that is zoned for single-family residential use, or currently zoned for and developed with a single-family residential use in the CBD district. Additionally, a 10-foot landscape strip shall be provided adjacent to the fence. This landscape strip may be used to satisfy the landscaping requirements established for the landscaping of parking facilities as identified in RMC [23.54.140](#).
 - d. In the C-LB and CW districts, a 20-foot setback shall be provided for any side yard that adjoins a street.
7. Side yard and rear yard setbacks are not required except for lots adjoining a residential development, residential district, or a street. Lots adjoining either a residential development or residential district shall maintain a minimum 15-foot setback. Lots adjoining a street shall maintain a minimum 20-foot setback. Required side or rear yards shall be landscaped or covered with a hard surface, or a combination of both. No accessory buildings or structures shall be located in such yards unless otherwise permitted by this title.

8. No minimum required, except parking shall be set back a minimum of five feet to accommodate required landscape screening as required under RMC [23.54.140](#).
9. Side Yard. No minimum, except parking shall be set back a minimum of five feet, and buildings used exclusively for residences shall maintain at least one foot of side yard for each three feet or portion thereof of building height. Side yards adjoining a residential district shall maintain setbacks equivalent to the adjacent residential district.
10. No minimum, except parking shall be set back a minimum of five feet. Rear yards adjoining a residential district shall maintain setbacks equivalent to the adjacent residential district.
11. Commercial developments such as community shopping centers or retail centers over 40,000 square feet in size and typically focused around a major tenant, such as a supermarket grocery, department store or discount store, and supported with smaller “ancillary” retail shops and services located in multiple building configurations, are permitted front and street side maximum setback flexibility for the largest building. Maximum setback standards on any other new buildings may be adjusted by the planning commission as part of the alternative design review as set forth in the performance standards and special requirements of RMC [23.22.020\(E\)\(9\)](#).
12. All buildings that are located in both the waterfront (WF) district and that fall within the jurisdictional limits of the Shoreline Management Act shall comply with the height limitations established in the Richland shoreline master program (RMC Title [26](#)). Buildings in the WF district that are not subject to the Richland shoreline master program shall not exceed a height of 35 feet; unless the planning commission authorizes an increase in building height to a maximum height of 55 feet, based upon a review of the structure and a finding that the proposed building is aesthetically pleasing in relation to buildings and other features in the vicinity and that the building is located a sufficient distance from the Columbia River to avoid creating a visual barrier.
13. Physical additions to existing nonconforming structures are not subject to the maximum front yard setback requirements.
14. The medical, uptown and parkway districts of the CBD zoning district are established as shown by Plates 23.22.040(1), (2) and (3).

PLATE NO. 1 - 23.22.040

PLATE 1



CBD - MEDICAL DISTRICT

PLATE NO. 2 - 23.22.040

PLATE 2



CBD - UPTOWN DISTRICT

PLATE NO. 3 - 23.22.040

PLATE 3



CBD - THE PARKWAY DISTRICT

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

23.22.050 Parking standards for commercial use districts.

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

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

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

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

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

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





Not to Scale
Source: Google Street View

From State Route 240 Looking West

AFFIDAVIT OF MAILING
Notice of Application
Public Hearing Notice

STATE OF WASHINGTON)
) ss.
COUNTY OF BENTON)

COMES NOW, Rick Simon, who, being first duly sworn upon oath deposes and says:

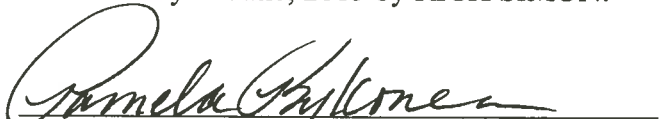
1. I am an employee in the Planning & Development Department for the City of Richland.
2. On the 5th day of June 2015, I mailed a copy of the attached NOTICE OF APPLICATION and NOTICE OF PUBLIC HEARING, File No. Z2015-105 to the attached list of individuals via regular mail on the date indicated above.



Print Name: Rick Simon

SIGNED AND SWORN to before me this 5th day of June, 2015 by RICK SIMON.




Notary Public in and for the State of Washington,
Residing at Pasco, WA 99301
My appointment expires: 9-15-18

CITY OF RICHLAND

NOTICE OF APPLICATION

AND PUBLIC HEARING (Z2015-105)

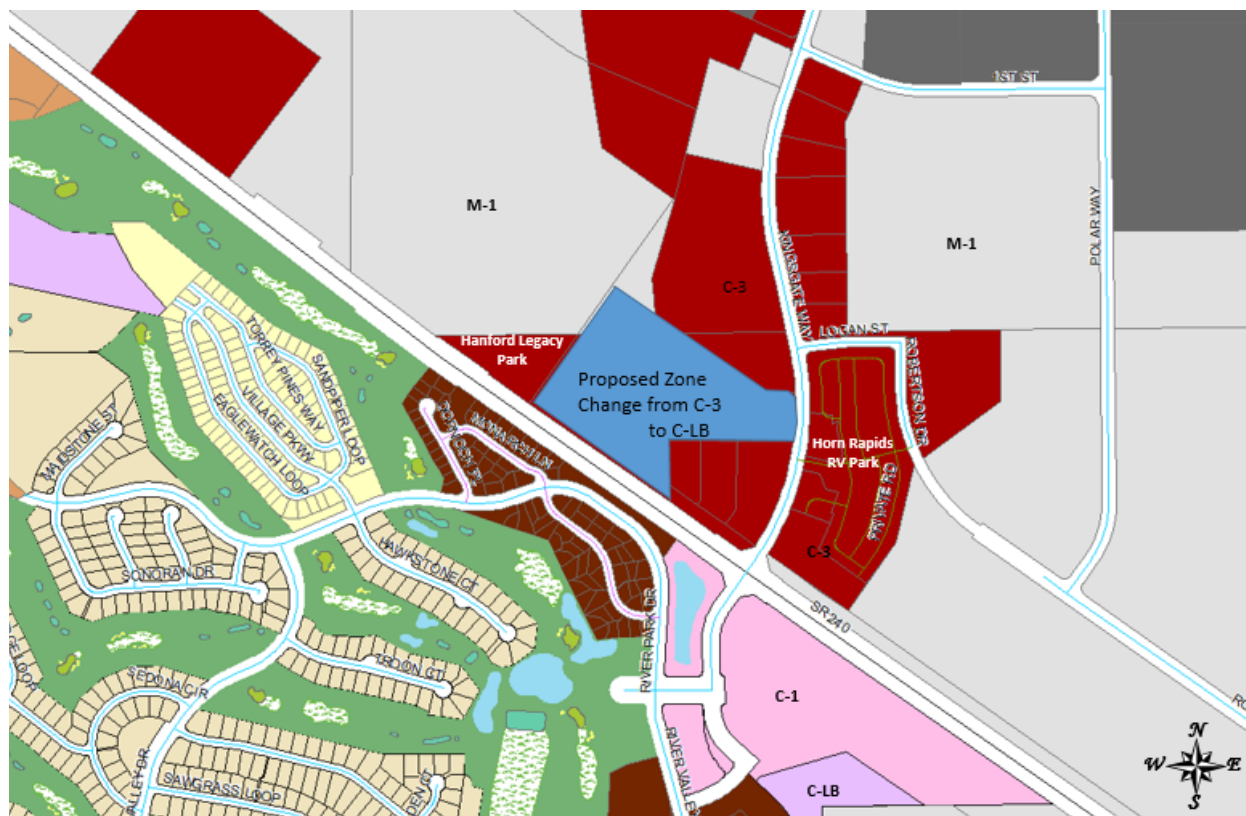
Notice is hereby given that Coastal Community, on April 17, 2015 filed application to change zoning on an 18.7 acre property from C-3 General Commercial to C-LB Limited Business on property located north of SR 240, west of Kingsgate Way and east of the Hanford Legacy Park.

Any person desiring to express his views or to be notified of any decisions pertaining to this application should notify Rick Simon, Development Services Manager, 840 Northgate Avenue, P.O. Box 190, Richland, WA 99352. Comments may also be faxed to (509) 942-7764 or e-mailed to rsimon@ci.richland.wa.us.

The Richland Hearing Examiner, on Thursday, June 25, 2015, will conduct a public hearing and review of the application at 6:00 p.m. in the Council Chamber at the Richland City Hall, 505 Swift Boulevard. All interested parties are invited to attend and give testimony at the public hearing.

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

Rick Simon,
Development Services Manager



Parcel No.	Name	Address	City	State	Zip
128081000002004	City of Richland	PO Box 190	Richland	WA	99352
128082000010000			Richland		
121083000004000			Richland		
128081000007004	Richland RV Park, LLC	10602 NE 38th Pl, Ste. 100	Kirkland	WA	98033
128081000007002			Kirkland		
128081000007003			Kirkland		
128082000004000	Coastal Community Bank	10520 19th Ave. SE	Everett	WA	98208
128082000005000			Everett	WA	99352
128082000006000			Everett	WA	99352
128082020000011	Gordon E Drane	2572 Prestwick Dr.	Richland	WA	99354
128082020000012	Mary A Horn	2574 Prestwick Dr.	Richland	WA	99354
128082020000015	Sybil M Mosley, Trustee	2584 Prestwick Dr.	Richland	WA	99354
128082020000016	Loydene A Rambo	2586 Prestwick Dr.	Richland	WA	99354
128082020000018	Patrick J Brausen, Trustee	2594 Prestwick Dr.	Richland	WA	99354
128082020000019	Jeffrey L Hill	2600 Prestwick Dr.	Richland	WA	99354
128082030000001	Long Duc Pham	2824 Monarch Ln.	Richland	WA	99354
128082030000002	Steven H Wisness	2683 Maidstone St.	Richland	WA	99354
128082030000003	Kenneth Kary	2830 Monarch Ln.	Richland	WA	99354
128082030000004	William M Miles	2828 Monarch Ln.	Richland	WA	99354
128082030000005	Christine R Taylor	393 N River Dr.	Menominee	MN	49858
128082030000006	Erath Properties, LLC	2023 Sky Meadow Ave.	Richland	WA	99352
128082030000008	Linda T Marsh	2838 Monarch Ln.	Richland	WA	99354
128082030000007	Heather R Carpenter	515 S Buntin St.	Kennewick	WA	99336
128082030000010	Kevin Swisher	2842 Monarch Ln.	Richland	WA	99354
128082030000009	Frances E Podratz	5043 Swallow Ct.	West Richland	WA	99353
128082030000012	Michael Morgan	2846 Monarch Ln.	Richland	WA	99354
128082030000011	Cory Wright	523 Fence Post Ln.	Matthews	NC	28105
128082030000014	Leland Jackson	2850 Monarch Ln.	Richland	WA	99354
128082030000013	Kevin Favrow, Jr.	2848 Monarch Ln.	Richland	WA	99354
	Horn Rapids Master				
128082030000050	Homeowners	2600 Clubhouse Ln.	Richland	WA	99354

Published in the *Tri-City Herald* on May 31, 2015

**City of Richland
Notice of Public Hearing**

File No: Z2015-105

Proponent: Coastal Community Bank

Proposal: Change in zoning on 18.7 acres from C-3 General Business to C-LB Limited Business.

Location: north of SR 240, west of Kingsgate Way and east of the Hanford Legacy Park.

Hearing: Before the Richland Hearing Examiner on Thursday, June 25, 2015 at 6:00 p.m. in the Council Chambers, Richland City Hall, 505 Swift Boulevard.

Contact: Rick Simon, Development Services Manager
PO Box 190, MS-35
Richland, WA 99352
rsimon@ci.richland.wa.us

AFFIDAVIT OF POSTING

STATE OF WASHINGTON)
) ss.
COUNTY OF BENTON)

COMES NOW, **Rick Simon**, who, being first duly sworn upon oath deposes and says:

1. I am an employee in the Development Services Division for the City of Richland.

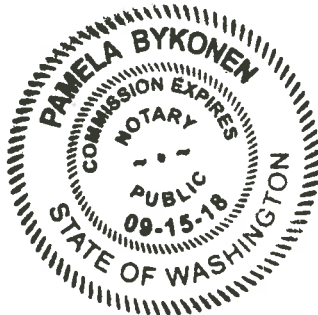
2. On the 8th day of June, 2015, I posted the attached NOTICE OF
APPLICATION & PUBLIC HEARING, File Number Z2015-105 on the
property at:

Kingsgate Way



Rick Simon

SIGNED AND SWORN to before me this 18th day of June, 2015 by
RICK SIMON.



Notary Public in and for the State of Washington,
Residing at Pasco, WA 99301
My appointment expires: 9-15-18