



Agenda

City Council Regular Meeting

Tuesday, May 4, 2021

Zoom - Public Telephone Access: (206) 337-9723 or (253) 215-8782

Meeting ID No. 505 625 7380

City of Richland Resolution No. 100-20 temporarily designates virtual locations for all municipal meetings. This meeting will be conducted remotely via Zoom and broadcast live on CityView Channel 192 and at ci.richland.wa.us. If you wish to provide comments for the Public Hearing and/or Public Comments portion of the meeting, please register [here](#) by 4:00 p.m. on the day of the meeting. Only those who register by the 4:00 p.m. deadline will be permitted to speak or have their comments read into the record during the meeting. Written comments that exceed two minutes when read aloud may not be read in their entirety, but will be available in the record for Council review.

City Council Regular Meeting - 6:00 p.m. via Zoom

Welcome and Roll Call

Pledge of Allegiance

Approval of Agenda: (Approved by Motion)

Presentations:

- I. Debrief of Yakima Delta Fire
 - Tom Huntington, Fire Chief

Public Hearing: Please limit public hearing comments to 3 minutes. Comments must speak only to the item for which the hearing is convened. Records intended for Council consideration must be given to the City Clerk by 4:00 p.m. the day of the meeting for distribution.

2. Proposed Amendment to Title 23 RMC: Zoning Regulations to Add Section 23.54.055 Compact Car Spaces, Ordinance No. 10-21 (Open Record)
 - Kerwin Jensen, Development Services Director
3. Accepting the Proposed Annexation of 3.63 Acres along Allenwhite Drive, Ordinance No. 11-21
 - Kerwin Jensen, Development Services Director
4. Accepting the Proposed Annexation of 76.54 Acres Located at 1106 N. Jurupa Road, Ordinance No. 12-21
 - Kerwin Jensen, Development Services Director

Public Comments: Please limit public comments to 2 minutes. The public comment period is not an opportunity for dialogue with councilmembers, or for posing questions with the expectation of an immediate answer. Many questions require an opportunity for information-gathering and deliberation. For this reason, Council will accept comments, but will not directly respond to comments, questions or concerns during public comment. Records intended for Council consideration must be given to the City Clerk by 4:00 p.m. the day of the meeting for distribution.

Consent Calendar: Approved by single vote; Councilmembers may transfer individual items to Items of Business for deliberation before voting.

Minutes:

5. Approval of the April 20, 2021 City Council Regular Meeting Minutes and April 27, 2021 City Council Workshop Meeting Minutes
 - Heather Kintzley, City Attorney

Ordinances - First Reading:

6. Ordinance No. 10-21, Amending Title 23 RMC: Zoning Regulations to add Section 23.54.055 Compact Car Spaces
 - Kerwin Jensen, Development Services Director
7. Ordinance No. 11-21, Annexing Approximately 3.63 Acres Located Along Allenwhite Drive into the City of Richland
 - Kerwin Jensen, Development Services Director
8. Ordinance No. 12-21, Annexing Approximately 76.54 Acres of Land Located at 1106 N. Jurupa Road into the City of Richland
 - Kerwin Jensen, Development Services Director

Ordinances - Second Reading & Passage:

Resolutions - Adoption:

9. Resolution No. 49-21, Authorizing Award of Bid to Intermountain Slurry Seal, Inc. for the 2021 Pavement Preservation - Microsurfacing Project
 - Pete Rogalsky, Public Works Director
10. Resolution No. 50-21, Authorizing a Second Amendment to the Consultant Agreement with RH2 Engineering, Inc. related to the Wastewater Treatment Plant Digester Facility Improvements Project
 - Pete Rogalsky, Public Works Director
11. Resolution No. 51-21, Approving 2021 Hotel/Motel Lodging Tax Funding Awards
 - Jon Amundson, Interim City Manager

Items - Approval:

Items of Business:

12. Parking Restrictions on Lee Boulevard in Howard Amon Park (Discussion Only)
 - Joe Schiessl, Parks & Public Facilities Director
13. Recommended Core Competencies for Interim City Manager Evaluation Process (Discussion Only)
 - Ryan Lukson, Mayor

Reports and Comments:

1. City Manager
2. City Council
3. Mayor

Adjournment

City Council meetings are broadcast live on CityView Channel 192 and online at ci.richland.wa.us

Richland City Hall is ADA accessible. Requests for sign interpreters, audio equipment, and/or other special services must be received 48 hours prior to the meeting by calling the City Clerk's Office at 942-7389.



COUNCIL AGENDA ITEM COVERSHEET

Council Date: 5/4/2021

Agenda Category: Presentations

Core Focus Area I - Promote Financial Stability & Operational Effectiveness

Subject:

Debrief of Yakima Delta Fire

Department:

Fire & Emergency Services

Ordinance/Resolution Number:

Document Type:

Presentation

Recommended Motion:

Summary:

Fiscal Impact:

Attachments:



COUNCIL AGENDA ITEM COVERSHEET

Council Date: 5/4/2021

Agenda Category: Public Hearing

Core Focus Area 3 - Increase Economic Vitality

Subject:

Proposed Amendment to Title 23 RMC: Zoning Regulations to Add Section 23.54.055 Compact Car Spaces, Ordinance No. 10-21 (Open Record)

Department:
Development Services

Ordinance/Resolution Number:

Document Type:
Public Hearing Item

Recommended Motion:

Summary:

The City of Richland Planning Division is proposing that a new Section 23.54.055 - Compact Car Spaces be added to the municipal code. The Planning Commission conducted a public hearing on March 24, 2021 and voted to recommend approval of the proposed code amendment that would offer reduced-sized spaces for compact car parking for commercial and multi-family residential developments. The proposed code amendment would allow any parking lot to have up to 25% of the required spaces marked for compact cars. Under the proposed ordinance, the compact car spaces for commercial development must be nine feet wide and 15 feet long, while multi-family development compact car spaces may be seven and one-half feet wide and 15 feet long. The difference in size is due to the fact that seven and one-half foot wide spaces are more compatible with multi-family residential developments than they are with commercial developments as it is much more difficult for commercial establishments to regulate the size of vehicles which park in the compact sized spaces than it is for multi-family developments, many of which offer parking passes or have on-site managers. Several comments in support of the proposed compact car parking standards were received from the general public.

Both the cities of Kennewick and Pasco have similar standards in place that accommodate compact car parking.

Council is required to hold an open-record public hearing on zoning code text amendments pursuant to RMC 19.20.010.

Fiscal Impact:

The proposed addition of Section 23.54.055 - Compact Car Spaces, will not have a direct impact to the City of Richland's fiscal budget.

Attachments:

- I. Full Staff Report - Compact Car Allowance

STAFF REPORT

TO: PLANNING COMMISSION
FILE NO.: CA2021-103

PREPARED BY: MIKE STEVENS
MEETING DATE: MARCH 24, 2021

GENERAL INFORMATION:

APPLICANT: CITY OF RICHLAND – PLANNING DIVISION
CA2021-103

REQUEST: TEXT AMENDMENT TO RMC SECTION 23.54 – ADDITION OF
NEW SECTION 23.54.055 – COMPACT CAR ALLOWANCE.

LOCATION: CITYWIDE

REASON FOR REQUEST

The City of Richland Planning Division is proposing that a new Section 23.54.055 – Compact Car Allowance be added to the municipal code. This proposal is based upon input from the City Manager's Office which has requested that the municipal code contain a regulatory standard for compact car parking spaces.

ANALYSIS

Off-street parking is necessary for commercial facilities as most of the people who frequent them choose to drive. Many other jurisdictions, including Kennewick and Pasco, allow for a size reduction for smaller/compact sized vehicles. Both Kennewick and Pasco allow for compact car spaces measuring 7 ½ feet wide by 15 feet in length. The current off-street parking size in the City of Richland is a minimum of 9 feet wide by 20 feet in length.

Staff conducted a workshop with the Planning Commission on March 10, 2021 to discuss the issue and receive the Planning Commission's input. The Planning Commission agreed that compact car parking spaces are a necessity for commercial and multi-family developments, but asked staff to craft a proposal that would differ in size requirements due to the fact that 7 ½ foot wide spaces are more compatible with multi-family residential developments than they are with commercial developments as it is much more difficult for commercial establishments to regulate the size of vehicles which park in the compact sized spaces than it is for multi-family developments, many of which offer parking passes or have on-site managers. The Planning Commission discussed the difficulty of parking in 7 ½ foot wide compact car spaces given that many of the vehicles that people choose to drive are typically too large to fit within a space only 7 ½ feet in width. As a result, staff offers the following:

23.54.055 Compact Car Spaces

Any parking lot of four or more spaces, may have 25% of the required spaces marked for compact cars. Compact car spaces for commercial developments must be nine feet wide and 15 feet long, while multi-family development compact car spaces may be seven and one-half feet wide and 15 feet long. All compact car spaces shall have adequate back-up space to efficiently and safely negotiate the parking area.

PUBLIC NOTICE/ COMMENTS

Notice of the proposed amendment was provided to local and state agencies. Notice was also published in the Tri-Cities Herald, posted at official posting places and on the city's official website. Notice was provided to the Washington State Dept. of Commerce and other state agencies as required by RCW 36.70A.

Two comments were received from the public and/or governmental entities as of the date the staff report was prepared.

SEPA

The City of Richland has utilized the Optional DNS Process as outlined in WAC 197-11-355. The end of the public comment period was Thursday, March 11, 2021. The SEPA DNS was issued for the proposed code amendment on Thursday, March 18, 2021.

FINDINGS OF FACT

1. Over time the need for new uses change within the City of Richland.
2. The City of Richland Planning Division is proposing that a new Section 23.54.055 – Compact Car Allowance be added to the municipal code.
3. The existing municipal code does not have any specific provisions for compact car parking.
4. The City Manager's Office has requested that the municipal code contain a regulatory standard for compact car parking spaces.
5. Notice of the proposed amendment was provided to local and state agencies. Notice was also published in the Tri-Cities Herald, posted at the official posting places and on the city's official website. Notice was provided to the Washington State Dept. of Commerce and other state agencies as required by RCW 36.70A.
6. Two comments regarding the proposed code amendment were received.
7. The Washington State Department of Commerce received the 60-day Notice of Intent to Adopt Amendment and granted expedited review.
8. The City issued a SEPA Threshold Determination of Non-Significance on March 18, 2021.
9. The City of Richland utilized the Optional DNS Process as outlined in WAC 197-11-355. The end of the public comment period was Thursday, March 11, 2021.

CONCLUSIONS OF LAW

1. The Planning Commission has jurisdiction to hold an open record public hearing and issue a recommendation on the proposed ordinance amendment to the City Council.
2. The proposed code amendment is consistent with the goals and policies of the City's Comprehensive Plan.

RECOMMENDATION

Staff recommends the Planning Commission concur with the findings and conclusions set forth in Staff Report (CA2021-103) and recommend to the City Council adoption of a proposed code amendment adding a new RMC Section 23.54.055 which would create regulations for compact car parking spaces.

ALTERNATIVES

1. Recommend approval of the amendment as proposed;
2. Recommend approval of the amendment, as modified by the Planning Commission.
3. Recommend denial of the amendment;

RECOMMENDED MOTION

I move that the Planning Commission recommend approval of the proposed amendment to RMC Section 23.42.210 (D) based upon the above listed Findings of Fact and Conclusions of Law.

EXHIBITS

1. Application Materials
2. Draft Code Amendments
3. SEPA DNS & SEPA Checklist
4. Department of Commerce Notice
5. Public Notice and Comments Received (If Any)



Code Amendment Application (Non-Zoning)

Note: A Pre-Application meeting is required prior to submittal of an application.

APPLICANT

☐ Contact Person

Company: City of Richland

UBI# n/a

Contact: Briana Ghbein, Planning Technician

Address: 625 Swift Blvd, Richland, WA

Phone: 509-942-7771

Email: bghbein@ci.richland.wa

DESCRIPTION OF PROPOSED AMENDMENT

The proposed amendment will add a new Section 23.54.055 allowing compact parking spaces within the City of Richland.

APPLICATION MUST INCLUDE:

1. Completed Application and Filing Fee
2. SEPA Checklist (if necessary)

ANSWER QUESTIONS AS COMPLETELY AS POSSIBLE

Section(s) of code proposed to be amended (include code citation):

Adding new Section 23.54.055 Compact Car Spaces

Any parking lot of four or more spaces, may have 25% of the required spaces marked for compact cars. Compact car spaces must be seven and one-half feet wide and 15 feet long with adequate back-up space to efficiently and safely negotiate the parking area.

Summary of requested code amendment(s):

The new language will allow new parking lots to utilize compact parking spaces within the City of Richland.

Reason(s) for code amendment(s):

The proposed code amendment will incentivize compact cars, which are more ecologically friendly, to be driven within the City of Richland as up to 25% of required parking spaces will be able to be reserved for compact cars.

Is the proposed amendment consistent with the applicable provisions of the Comprehensive Plan? Is a Comprehensive Plan amendment necessary to implement the proposed amendment?

Yes, the proposed amendment is consistent with the Comprehensive Plan.

No, a Comprehensive Plan amendment is not necessary.

Does the proposed amendment bear a substantial relation to the public health, safety, welfare and protection of the environment? Please explain:

Yes, incentivizing the use of compact cars is ecologically friendly to the environment as they use less fuel and produce fewer emissions than larger vehicles.

I hereby certify under penalty of perjury under the laws of the State of Washington that the following is true and correct:

1. I have read and examined this permit application. The information provided in this application contains no misstatement of fact.
2. I am an owner(s), authorized agent(s) of an owner(s), or I am currently a licensed contractor or specialty contractor under Chapter 18.27 RCW, or I am exempt from the requirements of the Chapter 18.27 RCW.

Note: This application will not be processed unless the above certification is endorsed by an authorized agent of the owner(s) of the property in question and/or the owner(s) themselves. If the City of Richland has reason to believe that erroneous information has been supplied by an authorized agent of the owner(s) of the property in question and/or by the owner(s) themselves, processing of the application may be suspended.

Applicant Printed Name: Briana Ghbein, Planning Technician

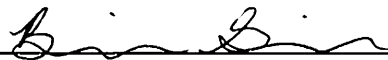
Applicant Signature:  Date 2-18-2021

Exhibit 2

Proposed code amendment to Title 23.54

23.54.055 Compact Car Spaces

Any parking lot of four or more spaces, may have 25% of the required spaces marked for compact cars. Compact car spaces must be seven and one-half feet wide and 15 feet long with adequate back-up space to efficiently and safely negotiate the parking area.



File No. EA2021-111

CITY OF RICHLAND
Determination of Non-Significance

Description of Proposal: The City of Richland is proposing a text amendment to RMC Chapter 23.54 by adding a new Section 23.54.055 – Compact Car Allowance. The proposed amendment would provide a regulatory standard within the municipal code for compact car parking spaces.

Proponent: City of Richland

Location of Proposal: City-Wide.

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.

() This DNS is issued under WAC 197-11-340(2); the lead agency will not act on this proposal for fourteen days from the date of issuance.

(X) 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: Mike Stevens

Position/Title: Planning Manager

Address: 625 Swift Blvd., MS #35, Richland, WA 99352

Date: March 18, 2021

Signature 

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: [\[help\]](#)

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:

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: [\[help\]](#)

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 [\[help\]](#)

1. Name of proposed project, if applicable: **CA2021-103 Compact Car Allowance Text Amendment (RMC 23.54.055)**
2. Name of applicant: **Briana Ghbein, Planning Technician**
3. Address and phone number of applicant and contact person: **625 Swift Blvd., MS-35, Richland, WA 99352 (509) 942-7771**
4. Date checklist prepared: **February 17, 2021**

5. Agency requesting checklist: **City of Richland Development Services Dept.**
6. Proposed timing or schedule (including phasing, if applicable): **RMC Code Amendment – March/April, 2021.**
7. Do you have any plans for future additions, expansion, or further activity related to or connected with this proposal? If yes, explain. **No, this is a stand-alone code amendment.**
8. List any environmental information you know about that has been prepared, or will be prepared, directly related to this proposal. **No additional environmental information is being prepared as a result of this proposed code amendment.**
9. Do you know whether applications are pending for governmental approvals of other proposals directly affecting the property covered by your proposal? If yes, explain. **No other governmental approvals are required.**
10. List any government approvals or permits that will be needed for your proposal, if known. **None.**
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.) **The proposal consists of a text amendment to RMC 23.54.055. A copy of the proposed text amendment included as an attachment.**
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 proposed code amendment would apply to all properties throughout the city that utilize off-street parking.**

B. ENVIRONMENTAL ELEMENTS [\[help\]](#)

1. Earth Not applicable. This is a non-project related code amendment. All future site specific development projects will be subject to SEPA analysis if not exempt per WAC 197-11-800.

- a. General description of the site: **Proposed text amendments would apply to all properties city-wide.**
(circle one): Flat, rolling, hilly, steep slopes, mountainous, other _____
- b. What is the steepest slope on the site (approximate percent slope)? **Proposed text amendments would apply to all properties city-wide.**
- 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. **Varies. Proposed text amendments would apply to all properties city-wide.**
- d. Are there surface indications or history of unstable soils in the immediate vicinity?
If so, describe. **Not applicable. Proposed text amendments would apply to all properties city-wide.**
- 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. **Not applicable.**
- f. Could erosion occur as a result of clearing, construction, or use? If so, generally describe. **Not applicable.**
- g. About what percent of the site will be covered with impervious surfaces after project construction (for example, asphalt or buildings)? **Not applicable.**
- h. Proposed measures to reduce or control erosion, or other impacts to the earth, if any: **Not applicable.**

2. Air Not applicable. This is a non-project related code amendment. All future site specific development projects will be subject to SEPA analysis if not exempt per WAC 197-11-800.

- 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. **Not applicable.**
- b. Are there any off-site sources of emissions or odor that may affect your proposal? If so, generally describe. **Not applicable.**
- c. Proposed measures to reduce or control emissions or other impacts to air, if any: **Not applicable.**

3. **Water** **Not applicable. This is a non-project related code amendment. All future site specific development projects will be subject to SEPA analysis if not exempt per WAC 197-11-800.**

a. **Surface Water: Not applicable. This is a non-project related code amendment. All future site specific development projects will be subject to SEPA analysis if not exempt per WAC 197-11-800.**

- 1) Is there any surface water body on or in the immediate vicinity of the site? **Not applicable.**
- 2) 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. **Not applicable.**
- 3) 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. **Not applicable.**
- 4) 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. **Not applicable.**
- 5) Will the proposal require surface water withdrawals or diversions? Give general description, purpose, and approximate quantities if known. **Not applicable.**
- 6) Does the proposal lie within a 100-year floodplain? If so, note location on the site plan. **Not applicable.**
- 7) Does the proposal involve any discharges of waste materials to surface waters? If so, describe the type of waste and anticipated volume of discharge. **Not applicable.**

b. **Ground Water: Not applicable. This is a non-project related code amendment. All future site specific development projects will be subject to SEPA analysis if not exempt per WAC 197-11-800.**

- 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. **Not applicable.**
- 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. **Not applicable.**

c. Water runoff (including stormwater): **Not applicable. This is a non-project related code amendment. All future site specific development projects will be subject to SEPA analysis if not exempt per WAC 197-11-800.**

- 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. **Not applicable.**
- 2) Could waste materials enter ground or surface waters? If so, generally describe. **Not applicable.**
- 3) Does the proposal alter or otherwise affect drainage patterns in the vicinity of the site? If so, describe. **Not applicable.**

d. Proposed measures to reduce or control surface, ground, and runoff water, and drainage pattern impacts, if any: **Not applicable. This is a non-project related code amendment. All future site specific development projects will be subject to SEPA analysis if not exempt per WAC 197-11-800.**

4. Plants **Not applicable. This is a non-project related code amendment. All future site specific development projects will be subject to SEPA analysis if not exempt per WAC 197-11-800.**

a. Check the types of vegetation found on the site: **Not applicable. City-wide text amendment.**

___deciduous tree: alder, maple, aspen, other

___evergreen tree: fir, cedar, pine, other

___shrubs

___grass

___pasture

___crop or grain

___ Orchards, vineyards or other permanent crops.

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

___water plants: water lily, eelgrass, milfoil, other

___other types of vegetation

b. What kind and amount of vegetation will be removed or altered? **Not applicable. This is a non-project related code amendment. All future site specific development projects will be subject to SEPA analysis if not exempt per WAC 197-11-800.**

c. List threatened and endangered species known to be on or near the site. **Not applicable. This is a non-project related code amendment. All future site specific development projects will be subject to SEPA analysis if not exempt per WAC 197-11-800.**

d. Proposed landscaping, use of native plants, or other measures to preserve or enhance vegetation on the site, if any: **Not applicable. This is a non-project related code amendment. All future site specific development projects will be subject to SEPA analysis if not exempt per WAC 197-11-800.**

e. List all noxious weeds and invasive species known to be on or near the site. **Not applicable. This is a non-project related code amendment. All future site specific development projects will be subject to SEPA analysis if not exempt per WAC 197-11-800.**

5. Animals **Not applicable. This is a non-project related code amendment. All future site specific development projects will be subject to SEPA analysis if not exempt per WAC 197-11-800.**

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: **Not applicable. This is a non-project related code amendment. All future site specific development projects will be subject to SEPA analysis if not exempt per WAC 197- 11-800.**

Birds: hawk, heron, eagle, songbirds, other: _____

Mammals: deer, bear, elk, beaver, other: _____

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

b. List any threatened and endangered species known to be on or near the site. **Not applicable. This is a non-project related code amendment. All future site specific development projects will be subject to SEPA analysis if not exempt per WAC 197- 11-800.**

c. Is the site part of a migration route? If so, explain.
Yes, Richland is within the Pacific Fly Way.

d. Proposed measures to preserve or enhance wildlife, if any: **Not applicable. This is a non-project related code amendment. All future site specific development projects will be subject to SEPA analysis if not exempt per WAC 197-11-800.**

e. List any invasive animal species known to be on or near the site. **Not applicable. This is a non-project related code amendment. All future site specific development projects will be subject to SEPA analysis if not exempt per WAC 197-11-800.**

6. Energy and natural resources **Not applicable. This is a non-project related code amendment. All future site specific development projects will be subject to SEPA analysis if not exempt per WAC 197-11-800.**

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. **Not applicable. This is a non-project related code amendment.**

All future site specific development projects will be subject to SEPA analysis if not exempt per WAC 197-11-800.

- b. Would your project affect the potential use of solar energy by adjacent properties?
If so, generally describe. **Not applicable. This is a non-project related code amendment. All future site specific development projects will be subject to SEPA analysis if not exempt per WAC 197-11-800.**
- 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: **Not applicable. This is a non-project related code amendment. All future site specific development projects will be subject to SEPA analysis if not exempt per WAC 197- 11-800.**

7. Environmental health Not applicable. This is a non-project related code amendment. All future site specific development projects will be subject to SEPA analysis if not exempt per WAC 197-11-800.

- 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. **Not applicable. This is a non-project related code amendment. All future site specific development projects will be subject to SEPA analysis if not exempt per WAC 197-11-800.**
- 1) Describe any known or possible contamination at the site from present or past uses. **Not applicable. This is a non-project related code amendment. All future site specific development projects will be subject to SEPA analysis if not exempt per WAC 197-11-800.**
- 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. **Not applicable. This is a non-project related code amendment. All future site specific development projects will be subject to SEPA analysis if not exempt per WAC 197-11-800.**
- 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. **Not applicable. This is a non-project related code amendment. All future site specific development projects will be subject to SEPA analysis if not exempt per WAC 197-11-800.**
- 4) Describe special emergency services that might be required. **Not applicable. This is a non-project related code amendment. All future site specific development projects will be subject to SEPA analysis if not exempt per WAC 197-11-800.**
- 5) Proposed measures to reduce or control environmental health hazards, if any: **Not applicable. This is a non-project related code amendment. All future site specific**

development projects will be subject to SEPA analysis if not exempt per WAC 197-11-800.

b. **Noise** **Not applicable. This is a non-project related code amendment. All future site specific development projects will be subject to SEPA analysis if not exempt per WAC 197-11-800.**

- 1) What types of noise exist in the area which may affect your project (for example: traffic, equipment, operation, other)? **_Not applicable. This is a non-project related code amendment. All future site specific development projects will be subject to SEPA analysis if not exempt per WAC 197-11-800.**
- 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. **Not applicable. This is a non-project related code amendment. All future site specific development projects will be subject to SEPA analysis if not exempt per WAC 197-11-800.**
- 3) Proposed measures to reduce or control noise impacts, if any: **Not applicable. This is a non-project related code amendment. All future site specific development projects will be subject to SEPA analysis if not exempt per WAC 197-11-800.**

8. **Land and shoreline use** **Not applicable. This is a non-project related code amendment. All future site specific development projects will be subject to SEPA analysis if not exempt per WAC 197-11-800.**

- 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. **Not applicable. This is a non-project related code amendment. All future site specific development projects will be subject to SEPA analysis if not exempt per WAC 197-11-800.**
- 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? **Not applicable. This is a non-project related code amendment. All future site specific development projects will be subject to SEPA analysis if not exempt per WAC 197-11-800.**
 - 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: **Not applicable. This is a non-project related code amendment. All future site specific development projects will be subject to SEPA analysis if not exempt per WAC 197- 11-800.**

- c. Describe any structures on the site. **Not applicable. This is a non-project related code amendment. All future site specific development projects will be subject to SEPA analysis if not exempt per WAC 197-11-800.**
- d. Will any structures be demolished? If so, what? **_Not applicable. This is a non-project related code amendment. All future site specific development projects will be subject to SEPA analysis if not exempt per WAC 197-11-800.**
- e. What is the current zoning classification of the site? **Not applicable. This is a non-project related code amendment. All future site specific development projects will be subject to SEPA analysis if not exempt per WAC 197-11-800.**
- f. What is the current comprehensive plan designation of the site? **Not applicable. This is a non-project related code amendment. All future site specific development projects will be subject to SEPA analysis if not exempt per WAC 197-11-800.**
- g. If applicable, what is the current shoreline master program designation of the site? **Not applicable. This is a non-project related code amendment. All future site specific development projects will be subject to SEPA analysis if not exempt per WAC 197- 11-800.**
- h. Has any part of the site been classified as a critical area by the city or county? If so, specify. **Not applicable. This is a non-project related code amendment. All future site specific development projects will be subject to SEPA analysis if not exempt per WAC 197- 11-800.**
- i. Approximately how many people would reside or work in the completed project? **Not applicable. This is a non-project related code amendment. All future site specific development projects will be subject to SEPA analysis if not exempt per WAC 197- 11-800.**
- j. Approximately how many people would the completed project displace? **Not applicable. This is a non-project related code amendment. All future site specific development projects will be subject to SEPA analysis if not exempt per WAC 197-11-800.**
- k. Proposed measures to avoid or reduce displacement impacts, if any: **Not applicable. This is a non-project related code amendment. All future site specific development projects will be subject to SEPA analysis if not exempt per WAC 197-11-800.**
- L. Proposed measures to ensure the proposal is compatible with existing and projected land uses and plans, if any: **Not applicable. This is a non-project related code amendment. All future site specific development projects will be subject to SEPA analysis if not exempt per WAC 197-11-800.**
- m. Proposed measures to ensure the proposal is compatible with nearby agricultural and forest lands of long-term commercial significance, if any: **Not applicable. This is a non-project related code**

amendment. All future site specific development projects will be subject to SEPA analysis if not exempt per WAC 197-11-800.

9. Housing **Not applicable. This is a non-project related code amendment. All future site specific development projects will be subject to SEPA analysis if not exempt per WAC 197-11-800.**

- a. Approximately how many units would be provided, if any? Indicate whether high, middle, or low-income housing. **Not applicable. This is a non-project related code amendment. All future site specific development projects will be subject to SEPA analysis if not exempt per WAC 197-11-800.**
- b. Approximately how many units, if any, would be eliminated? Indicate whether high, middle, or low-income housing. **Not applicable. This is a non-project related code amendment. All future site specific development projects will be subject to SEPA analysis if not exempt per WAC 197-11-800.**
- c. Proposed measures to reduce or control housing impacts, if any: **Not applicable. This is a non-project related code amendment. All future site specific development projects will be subject to SEPA analysis if not exempt per WAC 197-11-800.**

10. Aesthetics **Not applicable. This is a non-project related code amendment. All future site specific development projects will be subject to SEPA analysis if not exempt per WAC 197-11-800.**

- a. What is the tallest height of any proposed structure(s), not including antennas; what is the principal exterior building material(s) proposed? **Not applicable. This is a non-project related code amendment. All future site specific development projects will be subject to SEPA analysis if not exempt per WAC 197-11-800.**
- b. What views in the immediate vicinity would be altered or obstructed? **Not applicable. This is a non-project related code amendment. All future site specific development projects will be subject to SEPA analysis if not exempt per WAC 197-11-800.**
- c. Proposed measures to reduce or control aesthetic impacts, if any: [\[help\]](#)

11. Light and glare **Not applicable. This is a non-project related code amendment. All future site specific development projects will be subject to SEPA analysis if not exempt per WAC 197-11-800.**

- a. What type of light or glare will the proposal produce? What time of day would it mainly occur? **Not applicable. This is a non-project related code amendment. All future site specific development projects will be subject to SEPA analysis if not exempt per WAC 197- 11-800.**
- b. Could light or glare from the finished project be a safety hazard or interfere with views? **Not applicable. This is a non-project related code amendment. All future site specific**

development projects will be subject to SEPA analysis if not exempt per WAC 197- 11-800.

- c. What existing off-site sources of light or glare may affect your proposal? **Not applicable. This is a non-project related code amendment. All future site specific development projects will be subject to SEPA analysis if not exempt per WAC 197-11-800.**
- d. Proposed measures to reduce or control light and glare impacts, if any: **Not applicable. This is a non-project related code amendment. All future site specific development projects will be subject to SEPA analysis if not exempt per WAC 197-11-800.**

12. Recreation Not applicable. This is a non-project related code amendment. All future site specific development projects will be subject to SEPA analysis if not exempt per WAC 197- 11-800.

- a. What designated and informal recreational opportunities are in the immediate vicinity? **_Not applicable. This is a non-project related code amendment. All future site specific development projects will be subject to SEPA analysis if not exempt per WAC 197- 11-800.**
- b. Would the proposed project displace any existing recreational uses? If so, describe. **__Not applicable. This is a non-project related code amendment. All future site specific development projects will be subject to SEPA analysis if not exempt per WAC 197-11-800.**
- c. Proposed measures to reduce or control impacts on recreation, including recreation opportunities to be provided by the project or applicant, if any: **_Not applicable. This is a non-project related code amendment. All future site specific development projects will be subject to SEPA analysis if not exempt per WAC 197-11-800.**

13. Historic and cultural preservation Not applicable. This is a non-project related code amendment. All future site specific development projects will be subject to SEPA analysis if not exempt per WAC 197-11-800.

- 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. **Not applicable. This is a non-project related code amendment. All future site specific development projects will be subject to SEPA analysis if not exempt per WAC 197-11-800.**
- 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. **_Not applicable. This is a non-project related code amendment. All future site specific development projects will be subject to SEPA analysis if not exempt per WAC 197-11-800.**

- 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. **Not applicable. This is a non-project related code amendment. All future site specific development projects will be subject to SEPA analysis if not exempt per WAC 197- 11-800.**
- 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. **Not applicable. This is a non-project related code amendment. All future site specific development projects will be subject to SEPA analysis if not exempt per WAC 197- 11-800.**

14. Transportation **Not applicable. This is a non-project related code amendment. All future site specific development projects will be subject to SEPA analysis if not exempt per WAC 197-11-800.**

- 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. **Not applicable. This is a non-project related code amendment. All future site specific development projects will be subject to SEPA analysis if not exempt per WAC 197-11-800.**
- 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? **Not applicable. This is a non-project related code amendment. All future site specific development projects will be subject to SEPA analysis if not exempt per WAC 197-11-800.**
- c. How many additional parking spaces would the completed project or non-project proposal have? How many would the project or proposal eliminate? **_Not applicable. This is a non-project related code amendment. All future site specific development projects will be subject to SEPA analysis if not exempt per WAC 197-11-800.**
- 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). **Not applicable. This is a non-project related code amendment. All future site specific development projects will be subject to SEPA analysis if not exempt per WAC 197-11-800.**
- e. Will the project or proposal use (or occur in the immediate vicinity of) water, rail, or air transportation? If so, generally describe. **Not applicable. This is a non-project related code amendment. All future site specific development projects will be subject to SEPA analysis if not exempt per WAC 197-11-800.**
- 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? **_Not applicable. This is a non-project related code**

amendment. All future site specific development projects will be subject to SEPA analysis if not exempt per WAC 197-11-800.

- 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. **Not applicable. This is a non-project related code amendment. All future site specific development projects will be subject to SEPA analysis if not exempt per WAC 197-11-800.**
- h. Proposed measures to reduce or control transportation impacts, if any: **Not applicable. This is a non-project related code amendment. All future site specific development projects will be subject to SEPA analysis if not exempt per WAC 197-11-800.**

15. Public services **Not applicable. This is a non-project related code amendment. All future site specific development projects will be subject to SEPA analysis if not exempt per WAC 197-11-800.**

- 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. **Not applicable. This is a non-project related code amendment. All future site specific development projects will be subject to SEPA analysis if not exempt per WAC 197- 11-800.**
- b. Proposed measures to reduce or control direct impacts on public services, if any. **Not applicable. This is a non-project related code amendment. All future site specific development projects will be subject to SEPA analysis if not exempt per WAC 197- 11-800.**

16. Utilities **Not applicable. This is a non-project related code amendment. All future site specific development projects will be subject to SEPA analysis if not exempt per WAC 197- 11-800.**

- a. Circle utilities currently available at the site: [\[help\]](#) 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. **Not applicable. This is a non-project related code amendment. All future site specific development projects will be subject to SEPA analysis if not exempt per WAC 197- 11-800.**

C. Signature [\[help\]](#)

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: Briana Ghbein

Position and Agency/Organization Planning Permit Technician, City of Richland Development Services Dept.

Date Submitted: 2/17/2021

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? **It is not anticipated that development authorized by the proposed code amendment would result in any increase of discharge to water, emissions to air, production storage, the release of toxic or hazardous substances or production of noise.**

Proposed measures to avoid or reduce such increases are: **Development within the City of Richland must comply with all current land use and environmental permitting requirements.**

2. How would the proposal be likely to affect plants, animals, fish, or marine life? **The proposed text amendment will not result in any detrimental impacts to plants or animals.**

Proposed measures to protect or conserve plants, animals, fish, or marine life are: **None.**

3. How would the proposal be likely to deplete energy or natural resources? **The proposed text amendment will not result in additional depletion of energy or natural resources.**

Proposed measures to protect or conserve energy and natural resources are: **None.**

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? **The proposed text amendment will not change a development proposal's requirement to comply with all local, state and federal environmental regulations.**

5. Proposed measures to protect such resources or to avoid or reduce impacts are: **None.**

6. 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? **The intent of the proposed code amendment is to allow up to 25% of off-street parking to be set-aside for compact vehicles.** Proposed measures to avoid or reduce shoreline and land use impacts are: **Adoption of the proposed text amendment will not impact shorelines or land uses.**

7. How would the proposal be likely to increase demands on transportation or public services and utilities? **The proposed text amendment will not likely result in an increase in demands on transportation or public services and utilities.**

Proposed measures to reduce or respond to such demand(s) are: **No measures proposed.**

8. Identify, if possible, whether the proposal may conflict with local, state, or federal laws or requirements for the protection of the environment. **No such potential conflicts have been identified.**



Department of Commerce

Notice of Intent to Adopt Amendment / Notice of Adoption Cover Sheet

Pursuant to RCW 36.70A.106, the following jurisdiction provides the following required state agency notice.

1. Jurisdiction Name:	City of Richland – Development Services Dept.
2. Select Submittal Type: Select the Type of Submittal listed. (Select One Only)	☐ 60-Day Notice of Intent to Adopt Amendment. ☒ Request of Expedited Review / Notice of Intent to Adopt Amendment. ☐ Supplemental Submittal for existing Notice of Intent to Adopt Amendment. ☐ Notice of Final Adoption of Amendment.
3. Amendment Type: Select Type of Amendment listed. (Select One Only)	☐ Comprehensive Plan Amendment. ☒ Development Regulation Amendment. ☐ Critical Areas Ordinance Amendment. ☐ Combined Comprehensive and Development Regulation Amendments. ☐ Countywide Planning Policy .
4. Description Enter a brief description of the amendment. Begin your description with “Proposed” or “Adopted”, based on the type of Amendment you are submitting. Examples: <i>“Proposed comprehensive plan amendment for the GMA periodic update.”</i> or <i>“Adopted Ordinance 123, adoption amendment to the sign code.”</i> (Maximum 400 characters).	Proposed amendment to RMC Section 23.54, adding a new Section 23.54.055 allowing compact parking spaces within the City of Richland.



Department of Commerce

5. Is this action part of your 8-year periodic update required under RCW 36.70A.130 of the Growth Management Act (GMA)?	☐ Yes ☒ No
6. Proposed Dates: Enter the anticipated public hearing date(s) for your Planning Commission/Planning Board or for your Council/Commission.	Planning Commission: March 24, 2021 City Council: April 20, 2021 & May 4, 2021 Proposed / Date of Adoption: May 4, 2021
7. Contact Information:	
A. Prefix/Salutation: (Examples: "Mr.", "Ms.", or "The Honorable" (elected official))	Mr.
B. Name:	Mike Stevens
C. Title:	Planning Manager
D. Email:	mstevens@ci.richland.wa.us
E. Work Phone:	(509) 942-7596
F. Cell/Mobile Phone: (optional)	
Consultant Information:	
G. Is this person a consultant?	☐ Yes
H. Consulting Firm name?	
8. Would you like Commerce to contact you for Technical Assistance regarding this submitted amendment?	☐ Yes

REQUIRED: Attach or include a copy of the proposed amendment text or document(s). We do not accept a website hyperlink requiring us to retrieve external documents. Jurisdictions must submit the actual document(s) to Commerce. If you experience difficulty, please email the reviewteam@commerce.wa.gov

Questions? Call the review team at (509) 725-3066.



STATE OF WASHINGTON
DEPARTMENT OF COMMERCE
1011 Plum Street SE • PO Box 42525 • Olympia, Washington 98504-2525 • (360) 725-4000
www.commerce.wa.gov

02/18/2021

Mr. Mike Stevens
Planning Manager
City of Richland
505 Swift Boulevard
Post Office Box 190
Richland, WA 99352

Sent Via Electronic Mail

Re: City of Richland--2021-S-2360--Request for Expedited Review / Notice of Intent to Adopt Amendment

Dear Mr. Stevens:

Thank you for sending the Washington State Department of Commerce (Commerce) the Request for Expedited Review / Notice of Intent to Adopt Amendment as required under [RCW 36.70A.106](#). We received your submittal with the following description.

Proposed amendment to RMC Section 23.54, adding a new Section 23.54.055 allowing compact parking spaces within the City of Richland.

We received your submittal on 02/18/2021 and processed it with the Submittal ID 2021-S-2360. Please keep this letter as documentation that you have met this procedural requirement. Your 60-day notice period ends on 04/19/2021.

You requested expedited review under [RCW 36.70A.106\(3\)\(b\)](#). We have forwarded a copy of this notice to other state agencies for expedited review and comment. If one or more state agencies indicate that they will be commenting, then Commerce will deny expedited review and the standard 60-day review period (from date received) will apply. Commerce will notify you by e-mail regarding of approval or denial of your expedited review request. If approved for expedited review, then final adoption may occur no earlier than fifteen calendar days after the original date of receipt by Commerce.

If you have any questions, please contact Growth Management Services at reviewteam@commerce.wa.gov, or call William Simpson, (509) 280-3602.

Sincerely,

Review Team
Growth Management Services



CITY OF RICHLAND NOTICE OF APPLICATION, VIRTUAL PUBLIC HEARING AND OPTIONAL DNS (CA2021-103 & EA2021-111)

Notice is hereby given that the City of Richland is proposing a text amendment to RMC Chapter 23.54 by adding a new Section 23.54.055 – Compact Car Allowance. The proposed amendment would provide a regulatory standard within the municipal code for compact car parking spaces.

Pursuant to Richland Municipal Code (RMC) Section 19.20 the Richland Planning Commission will conduct a virtual public hearing and review of the application at 6:00 p.m., March 24, 2021. All interested parties are invited to attend and present testimony at the virtual public hearing. Those individuals wishing to speak at the public hearing will need to register by 4:00 p.m. on the date of the hearing by visiting the City of Richland's website www.ci.richland.wa.us.

Environmental Review: The proposal is subject to environmental review. The City of Richland is lead agency for the proposal under the State Environmental Policy Act (SEPA) and has reviewed the proposed project for probable adverse environmental impacts and expects to issue a determination of non-significance (DNS) for this project. The optional DNS process in WAC 197-11-355 is being used. This may be your only opportunity to comment on the environmental impacts of the proposed development. The environmental checklist and related file information are available to the public and can be viewed in the Development Services Division Office or City of Richland website www.ci.richland.wa.us.

Any person desiring to express his views or to be notified of any decisions pertaining to this application should notify Mike Stevens, Planning Manager, 625 Swift Blvd., MS-35, Richland, WA 99352. Comments may also be faxed to (509) 942-7764 or emailed to mstevens@ci.richland.wa.us. Written comments should be received no later than 5:00 p.m. on Thursday, March 11, 2021 to be incorporated into the staff report. Comments received after that date will be entered into the record at the hearing.

Copies of the staff report and recommendation will be available on the City of Richland website www.ci.richland.wa.us beginning Friday, March 19, 2021.



AFFIDAVIT OF PUBLICATION

Account #	Ad Number	Identification	PQ	Amount	Cols	Depth
450543	0004878853	PC PHN - CA2021-103, EA2021-111 (Richland M	00 4401 (Richland Account No. -	\$158.20	1	5.78 In

Attention: Jana Duncan (TC)

CITY OF RICHLAND/LEGALS
 625 SWIFT BLVD. MS-11
 RICHLAND, WA 99352

**CITY OF RICHLAND
 NOTICE OF APPLICATION, VIRTUAL
 PUBLIC HEARING, AND OPTIONAL
 DNS**

Notice is hereby given that the City of Richland is proposing a text amendment to RMC Chapter 23.54 by adding a new Section 23.54.055 - Compact Car Allowance. The proposed amendment would provide a regulatory standard within the municipal code for compact car parking spaces.

Pursuant to Richland Municipal Code (RMC) Section 19.20, the Richland Planning Commission will conduct a virtual public hearing and review of the application on **Wednesday, March 24, 2021 at 6:00 p.m.** All interested parties are invited to attend and present testimony at the virtual public hearing. Individuals wishing to speak at the public hearing will need to register by 4:00 p.m. on the date of the hearing by visiting the City of Richland's website at www.ci.richland.wa.us.

Environmental Review: The proposal is subject to environmental review. The City of Richland is lead agency for the proposal under the State Environmental Policy Act (SEPA) and has reviewed the proposed project for probable adverse environmental impacts and expects to issue a determination of non-significance (DNS) for this project. The optional DNS process in WAC 197-11-355 is being used. This may be your only opportunity to comment on the environmental impacts of the proposed development. The environmental checklist and related file information are available to the public and can be viewed on the City of Richland's website at www.ci.richland.wa.us.

Any person desiring to express their views or to be notified of any decisions pertaining to this application should notify Mike Stevens, Planning Manager, 625 Swift Blvd., MS-35, Richland, WA 99352. Comments may also be faxed to (509) 942-7764 or emailed to mstevens@ci.richland.wa.us. Written comments should be received no later than 5:00 p.m. on Thursday, March 11, 2021 to be incorporated into the staff report. Comments received after that date will be entered into the record at the hearing.

Copies of the staff report and recommendation will be available on the City of Richland website at www.ci.richland.wa.us beginning Friday, March 19, 2021.

Published: Sunday, February 28, 2021

RECEIVED

MAR 16 2021

BY: _____

COUNTY OF BENTON)

.SS

STATE OF WASHINGTON)

Victoria Rodela, being duly sworn, deposes and says, I am the Legals Clerk of The Tri-City Herald, a daily newspaper. That said newspaper is a local newspaper and has been approved as a legal newspaper by order of the superior court in the county in which it is published and it is now and has been for more than six months prior to the date of the publications hereinafter referred to, published continually as a daily newspaper in Benton County, Washington. That the attached is a true copy as it was printed in the regular and entire issue of the Tri-City Herald and not in a supplement thereof, ran 1 time(s) commencing on 02/28/2021, and ending on 02/28/2021, and that said newspaper was regularly distributed to its subscribers during all of this period.

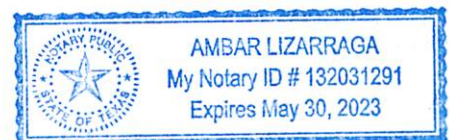
V Rodela

(Signature of Legals Clerk)

SUBSCRIBED AND SWORN BEFORE
 ME THIS 1st DAY OF March, 2021

Cmb

Notary Public in and for the State of Texas
 residing in Dallas County



Extra charge for lost or duplicate affidavits.
 Legal document please do not destroy!

Stevens, Mike

From: Deskins, John
Sent: Thursday, February 18, 2021 5:38 PM
To: Stevens, Mike
Cc: Rogalsky, Pete; Reathafor, Jason
Subject: RE: CA2021-103 Compact Car Allowance Referral Packet

Mike,

I had years of experience reviewing site plans in Kennewick where compact parking was always allowed. I feel it encourages developers to pack even more onto sites not suited for their planned use than they do already. The text says it is reserving space for compact cars, but it does not "reserve" that space unless it is enforced or enforceable. If all this available are compact spaces, then you see plenty of trucks and SUV's using them. I'll park my larger rig in there if necessary, and then if I'm forced to park my smaller car there instead I have to worry about door dings. Or not being able to get into my car at all because someone parked too close.

Sincerely,

John Deskins, PE
Traffic Engineer
City of Richland
(509) 942-7514

From: Stevens, Mike <mstevens@CI.RICHLAND.WA.US>
Sent: Thursday, February 18, 2021 3:48 PM
To: Anthony Muai <anthony.muai@ci.kennewick.wa.us>; Anthony Von Moos <anthony.vonmoos@co.benton.wa.us>; Ashley Morton <AshleyMorton@ctuir.org>; Badger Mountain Irrigation District <bmidmanager@badgermountainirrigation.com>; Benton County - Segregations <Segregations@co.benton.wa.us>; Benton PUD, Broadband <osp@noanet.net>; Benton PUD, Electrical <engservice@bentonpud.org>; Bill Barlow <bbarlow@bft.org>; Blaine Broberg, KID <bbroberg@kid.org>; Boring, Michael <MBoring@CI.RICHLAND.WA.US>; Boshart, Thomas <tboshart@CI.RICHLAND.WA.US>; Buechler, Ken <KBuechler@CI.RICHLAND.WA.US>; Carrie Thompson <carrie.thompson@bnsf.com>; Casey Barney, Yakama Nation <Casey_Barney@Yakama.com>; Catherine Dickson <catherinedickson@ctuir.org>; Clark Posey <clark.posey@co.benton.wa.us>; Corrine Camuso, Yakama Nation <Corrine_Camuso@Yakama.com>; Craig Hamilton <c.hamilton@bces.wa.gov>; DAHP SEPA Reviews <sepa@dahp.wa.gov>; Darrick Dietrich <darrick@basindisposal.com>; Deanna Davis <d.davis@bces.wa.gov>; Deborah Rodgers <dxrogers@bpa.gov>; Deskins, John <jdeskins@CI.RICHLAND.WA.US>; Eric Mendenhall <emendenhall@westrichland.org>; Florinda Coleman <florinda.coleman@co.benton.wa.us>; Ghbein, Briana <bghbein@ci.richland.wa.us>; Greg McCormick <gregory.mccormick@ci.kennewick.wa.us>; Greg Wendt <greg.wendt@co.benton.wa.us>; Gregory Goodwin, Ziply <gregory.goodwin@ziply.com>; Gwen Clear <gcle461@ecy.wa.gov>; Hill, Kelly <khill@CI.RICHLAND.WA.US>; USPS Ina N. Beutler <ina.n.beutler@usps.gov>; Jason McShane <jmcshane@kid.org>; Jennings, Tyler <tjennings@CI.RICHLAND.WA.US>; Jerrod Macpherson <Jerrod.Macpherson@co.benton.wa.us>; Jessica Lally, Yakama Nation <Jessica_Lally@Yakama.com>; Joseph Cichy, Ziply <joseph.cichy@ziply.com>; Joseph Cottrell <jecottrell@bpa.gov>; Junior Campos <junior.campos@charter.com>; Kelly Cooper <kelly.cooper@doh.wa.gov>; Kevin Knodel <kevin.knodel@rsd.edu>; Kevin Sliger <KSliger@bft.org>; KID Development <development@kid.org>; KID Webmaster <webmaster@kid.org>; Lopez, Brandin <blopez@CI.RICHLAND.WA.US>; M. Deklyne <mjdeklyne@bpa.gov>; Map BCES <map@bces.wa.gov>; Mattheus, Pamela <pmattheus@CI.RICHLAND.WA.US>; Noah Oliver, Yakama Nation <Noah_Oliver@Yakama.com>; Pasco99301 <99301PascoWA-Postmaster@usps.gov>; Paul Gonseth <gonsetp@wsdot.wa.gov>; Reathafor, Jason <JReathafor@CI.RICHLAND.WA.US>; Review Team <reviewteam@commerce.wa.gov>; Richard Krasner

<richard.krasner@rsd.edu>; USPS Richland Postmaster <99352RichlandWA-Postmaster@usps.gov>; Rick Dawson <rickd@bfhd.wa.gov>; Rob Rodger <rob.rodger@bentoncleanair.org>; Robin Priddy <robin.priddy@bentoncleanair.org>; Sarah Gates <s.gates@bces.wa.gov>; Schiessl, Joe <JSchiessl@CI.RICHLAND.WA.US>; SEPA Center <sepacenter@dnr.wa.gov>; SEPA Register <separegister@ecy.wa.gov>; SEPA Unit <sepaunit@ecy.wa.gov>; Seth DeFoe <SDefoe@kid.org>; South Central Region Planning <scplanning@wsdot.wa.gov>; T.S. "Max" Platts <PlattsT@wsdot.wa.gov>; WA Dept of Fish & Wildlife <lopezlal@dfw.wa.gov>; WA Dept of Fish & Wildlife <rittemwr@dfw.wa.gov>; West, Julie <jwest@ci.richland.wa.us>; Westphal, Nichole <nwestphal@ci.richland.wa.us>; William Simpson <william.simpson@commerce.wa.gov>

Subject: CA2021-103 Compact Car Allowance Referral Packet

Attention:

Attached to this email you will find the Public Notice, Dept. of Commerce Notice, application materials and SEPA Checklist for a proposed amendment to the City of Richland's Municipal Code. Specifically, the city is proposing to adopt a new Section 23.54.055 – Compact Car Allowance to its off-site parking standards.

The City is utilizing the Optional DNS method provided in WAC 197-11-355. As a result, this may be your only opportunity to provide comment on the proposal. If you have comments, please provide them to me by 5:00 p.m. Thursday, March 11, 2021.

Thank you,



Mike Stevens
Planning Manager
625 Swift Blvd., MS-35 | Richland, WA 99352
(509) 942-7596

Attn: 143

Disclaimer: Emails and attachments sent to or from the City of Richland are public records subject to release under the Washington Public Records Act, Chapter 42.56 RCW. Sender and Recipient have no expectation of privacy in emails transmitted to or from the City of Richland.

Stevens, Mike

From: Eric Mendenhall <tem.mendenhall@gmail.com>
Sent: Thursday, February 18, 2021 5:03 PM
To: Stevens, Mike
Subject: Proposed Zoning Change

Mike,

As a Richland resident I would like to submit my comment on the proposed compact car allowance code amendment. These stalls are not functional and should not be included in the code. Compact stalls are frequently used with medium (sedans) to large size vehicles which defeats the purpose of the stalls. Most sedans cannot fit into these stalls. Only Mini Coopers, Smart cars, and similar small vehicles fit into these stalls. A vast majority of the populous in the Tri-Cities drive regular sized vehicles. Parking to accommodate the minority already exists in the regular size parking stalls.

There is no enforcement, because they are on private property and the police have better things to do than enforce parking for mini coopers.

If the purpose is to reduce the parking lot size, maybe the city should consider increasing public access to public transportation and work with the transit authority to provide better, broader and more reliable service, thus reducing the need for cars to be used and the need for the stall.

How is the parking determined for the uses? Has there been a parking study to justify the parking demand for the uses as outlined in the code? Sorry if this adds more work, but would be justified. Most zoning codes borrow parking ratios from other cities and do not have qualitative analysis to justify the typical high parking requirements.

I am making some assumptions here due to the lack of information in the SEPA documents emailed out. Can you please send me a copy of the proposed draft language for the code? Also, can you please provide me with the genesis and need for the amendment?

Thank you!

Eric Mendenhall



COUNCIL AGENDA ITEM COVERSHEET

Council Date: 5/4/2021

Agenda Category: Public Hearing

Core Focus Area I - Promote Financial Stability & Operational Effectiveness

Subject:

Accepting the Proposed Annexation of 3.63 Acres along Allenwhite Drive, Ordinance No. 11-21

Department:
Development Services

Ordinance/Resolution Number:

Document Type:
Public Hearing Item

Recommended Motion:

Summary:

The proposed annexation consists of a "doughnut hole" approximately 3.66 acres in size located at 1063, 1049, 1065, 1061, and 1043 Allenwhite Drive. City Council authorized the annexation process to begin through the adoption of Resolution No. 110-20, which directed the Planning Commission to consider what zoning would be appropriate for the site. The Planning Commission conducted a public meeting on October 14, 2020, and determined that the R-1-12 zoning district (Low-Density Residential) would be most appropriate for the annexation area as all of the properties surrounding the site are zoned R-1-12. It should be noted that the staff report prepared for the Planning Commission meeting incorrectly indicated that the surrounding properties were zoned R-1-10; however, the discrepancy was clarified by staff during the public meeting.

The owners of 1043 Allenwhite Drive (Richard and Pamela Brouns) are the only property owners who did not sign the petition requesting annexation; however, Washington State law allows for annexation to occur when 60% of the ownership of the assessed value of an annexation area requests annexation. In this case, the remaining owners account for 84.54% of the assessed value of the proposed annexation area (doughnut hole), which exceeds the minimum 60% required by state law.

Fiscal Impact: n/a

Attachments:

1. Determination of Sufficiency
2. Fiscal Impact - Allenwhite
3. ANX2020-101 Full Staff Report - Planning Commission



January 5, 2021

Determination of Sufficiency
City of Richland Annexation – Allenwhite Drive Annexation

I, Bill Spencer, Benton County Assessor, do hereby certify that the petition for annexation provided by the City of Richland, for the unincorporated land located and described in attached Exhibit A is sufficient as far as the percentage of valuation required for the annexation as required by RCW 35.13.130.

This petition was received in my office December 22, 2020 and this determination was commenced on January 5, 2021.

The specific determination is as follows:

VALUE	SIGNATURES	PERCENTAGE
\$ 2,021,910	\$ 1,709,370	84.54%

Attest:

A blue ink signature of Bill Spencer, the Assessor of Benton County.

Bill Spencer
Benton County Assessor

cc: Benton County Commissioners

Certified mail: 7018 1130 0001 8765 0277

FISCAL IMPACT – PROPOSED ALLENWHITE ANNEXATION (1061, 1063, 1065, 1043 AND 1049 ALLENWHITE DRIVE)

INTRODUCTION

This fiscal analysis has been prepared by staff to identify the impacts of the proposed Allenwhite Drive annexation to the City. The following is a summary of the analysis that was completed and an explanation of the assumptions used in this analysis.

The analysis included in this report focuses on the potential impacts of the annexation to the City's General Fund. Enterprise funds such as medical services, electrical, water, sewer and storm drainage are, by their nature, self-sustaining and, as such, should have neither a significant positive or negative fiscal impact on the City.

REVENUES

The revenue that would be generated by the proposed annexation is largely dependent on the amount of development that occurs in the area over time. Given the lot sizes, locations of existing development and topography of the area it is possible, however unlikely, that any of the five (5) lots subject to this annexation request will subdivide and create additional building lots. Table I provides an estimate of the revenues that would be produced from the annexation area based on the existing level of development. Table II provides a revenue estimate at full build-out of the annexation area and is substantially the same as Table I given the reasons noted above.

**TABLE I – Allenwhite Annexation Proposal
Projected Revenue – Year 2021**

<u>Revenue Source</u>	<u>Rate</u>	<u>Basis</u>	<u>Annual Amount</u>
Property Tax	\$12.2180888339 /assessed valuation	\$2,021,910 assessed value	\$24,122
Permit Fees ¹	\$43/person	8 persons	\$344
Utility Taxes ²	\$228/person	Water & sewer currently provided to 1061 & 1063 Allenwhite Drive (Both properties currently owned by Mr. & Mrs. Grimes)	\$456
Sales Taxes ³	\$256/person	8 persons	\$2,048
Total			\$26,970

Table I & II Notes:

¹ Permit fees are based on the total 2020 adopted budget figures for licenses and permits, (\$2,504,500) divided by the current population (58,550).

- ² Utility taxes based on adopted budget figures for total utility tax revenue (\$13,361,685) divided by estimated number of current population (58,550).
- ³ Sales tax determined by total sales and use tax revenue (\$14,978,749) divided by current population (58,550).

**TABLE II – Allenwhite Annexation Proposal
Projected Revenue – Full Build-Out**

<u>Revenue Source</u>	<u>Rate</u>	<u>Basis</u>	<u>Amount</u>
Property Tax	\$12.2180888339 /assessed valuation	\$20,021,910 total assessed value	\$24,122
Permit Fees ¹	\$43/person	13 persons	\$559
Utility Taxes ²	\$228/person	5 persons Water & sewer currently provided to 1061 & 1063 Allenwhite Drive	\$1140
Sales Taxes ³	\$256/person	13 persons	\$3,328
Total			\$29,149

Table II Assumptions:

- Assumes either 1061 Allenwhite Dr. or 1063 Allenwhite Dr. sells and are no longer both owned by Mr. and Mrs. Grimes.
- Average value of new construction for a single-family residence is \$316,374 according to 2020 year to date building permit activity records.
- Assumes 2.6 persons/household (2017 OFM Estimate).
- Assumes only 1061 & 1063 Allenwhite Drive will be served by City utilities (current scenario).

Each of the five (5) lots subject to the annexation contains an existing single-family residence. Each lot is approximately one-acre in size and because of the location of the existing development, the sizes of the lots and the topography in the area it is possible, however unlikely, that any new residential development (subdivision) will occur in this area. The two tables are offered as a comparison of revenues that would be generated from the area based on its existing and potential levels of development. The increases in Table II are attributed to staff using the 2017 OFM estimate of 2.6 persons/household, rather than the existing 2 persons/household that currently exists and the sale of either 1061 Allenwhite Drive or 1063 Allenwhite Drive, both of which are currently owned by the Grimes family.

PUBLIC ASSETS

Existing Infrastructure

Access to each parcel is via a private road which extends west from Allenwhite Drive. Currently both 1061 & 1063 Allenwhite Drive have existing public water and sanitary sewer connections. These connections were granted by the City via Short Plat 3110,

which was originally approved in 2008. An 8" sanitary sewer main is located north and east of the proposed annexation area within the Allenwhite Drive right-of-way. In addition, there is an 8" water main within the Allenwhite Drive right-of-way. In addition, City of Richland electrical services are located in the area and provide service to each of the five (5) lots subject to this annexation request.

DEMANDS FOR NEW/EXPANDED INFRASTRUCTURE

As development would occur within the area, water, sewer and electrical services would be extended to serve new development. New roadways would need to be constructed within the site and additional traffic created by new development would add to existing traffic volumes on City streets. New development would also trigger requirements for installation of storm drainage facilities and street lighting. Additional demands would be placed on the City's parks and open spaces. The developer would be responsible for the extension of City utilities, access roads, storm drainage facilities, street lighting, park dedication and/or payment of park fees.

The City's present system of development regulation/permitting ensures that, to a large degree, new residents are paying for the costs associated with the extension/expansion of City infrastructure. It also ensures that new development will not occur unless appropriate infrastructure improvements are put in place.

EXISTING SERVICES

Presently, the proposed annexation area is served by the following entities:

<u>Service</u>	<u>Service Provider</u>
Fire & Emergency Service	Benton County Fire District #1
Police Services	Benton County Sheriff's Department
Electrical Service	City of Richland
Water Service	Private Well/City Water (1061 & 1063 Allenwhite Dr.)
Sewer Service	On-Site Septic System/Sanitary Sewer (1061 & 1063 Allenwhite Dr.)
Solid Waste Disposal	Unknown

FUTURE DEMAND FOR SERVICES

In the unlikely event that future development of the proposed annexation area occurs, future demands would be placed on City services. Some of these services would not be greatly impacted. Emergency fire/medical protection would be provided from either South Richland Station #72 or #74. As population increases, there would be more calls for service within the area.

City utility services, specifically water, sewer and storm drainage could see increased usage; However, power and garbage will likely remain constant. Present capacity of the City systems could accommodate increased demand as growth was anticipated and planned for in the City Comprehensive Plan. The fees charged for the connection to City

utility services and the monthly user charges are designed to recover the costs associated with the provision of the various services. Consequently, development within the proposed annexation area should not have fiscal impacts on those services.

Other services, including parks and recreation and library services, would likely see some increase in use. Table III demonstrates the effects of annexation, both initially and at full build-out, given the assumption that service levels and cost of service per capita will remain constant.

**TABLE III – Allenwhite Annexation Proposal
Expense of Providing City Services**

Service	Annual Cost of Service	Level of Service ¹	Cost of Annexation ²	
			Initial	Full Build-Out
Fire & Emergency Service ³	\$170/person ³	5 minute emergency response time	\$1,360	\$2,210
Police ⁴	\$250/person ⁴	1.24 police/ 1,000 population	\$2,000	\$3,250
Parks ⁵	\$148/person ⁵	2.8 acres/1,000 population	\$1,184	\$1,924
Street ⁶ Maintenance	\$30/person	None established	\$240	\$390
Library ⁷	\$39/person	None established	\$312	\$507
Administrative Services ⁸	\$168/person	None established	\$1,344	\$2,184
Total	\$805		\$6,440	\$10,465

Notes for Table III:

¹Level of Service reported from City of Richland Comprehensive Plan

²Cost of Annexation – Initial Impacts are based on current estimate of 2 persons residing within the proposed annexation area. Full build-out figures are based on projected population of 62 persons in 24 residences.

³Represents total current expense '20 budget for fire and emergency services (\$9,933,763) divided by current city population (58,550).

⁴Represents total current expense '20 budget for police (\$14,651,400) divided by current city population (58,550).

⁵Represents total current expense '20 budget for parks and facilities and recreation (\$8,659,752) divided by current city population (58,550).

⁶Represents streets capital construction fund '21 budget (\$1,730,000) divided by current city population (58,550).

⁷Library costs were derived by dividing 2020 total library budget (\$2,295,242) by total number of persons in the City (58,550).

⁸Administrative service costs represents the total current expense budgets for City Manager, Assistant City Manager, City Clerk, City Attorney, Communications and Marketing, Cable Communications, Information Technology, and Hanford Communities (\$9,816,628) divided by current city population (58,550).

Service costs for Table III include those services that are directly provided to residents and also include estimates for costs associated with general administrative services.

Presumably, there would be some efficiencies accrued by the City in serving a larger population that would be located in a relatively small geographical area that is immediately adjacent to the City's existing service boundaries. So costs for actually providing services listed in Table III could be somewhat overstated. The per capita listing for fire and emergency services, police services and administrative services assumes that all expenses associated with providing services are directly related to residential uses. Clearly, there are costs associated with providing services to commercial and industrial lands as well. The estimated costs of park and library services may be slightly overstated also, as some service is provided to non-City residents, which, if accounted for, would slightly decrease the per capita costs reported here. Finally, Table IV provides some comparison of the costs and revenues associated with the proposed annexation.

**TABLE IV – Allenwhite Drive Annexation Proposal
Summary of General Fund Revenues and Expenses**

	Estimated Number of Households	Projected Revenues	Projected Expenses	Net Annual Benefit
Initial Annexation	5	\$26,970	\$6,440	\$20,530
Annexation at Max. Build-Out	5	\$29,149	\$10,465	\$18,684

CONCLUSION

Staff concludes that the proposed annexation would have an overall positive fiscal impact to the City both at the time of initial annexation and at the time that the area is fully developed. The City's enterprise funds would not be negatively impacted as expenses associated with providing power, water, sewer, storm drainage and solid waste disposal would necessarily equal the revenues associated with providing such services.

A general rule of thumb holds that the costs of providing services to residential neighborhoods generally exceed the revenues derived from those residential areas. This analysis presumes that additional sales tax would be generated from future development in the area at the same proportion as the rest of the City. However, to the extent that retailers performing market studies consider community growth, additional population may have the effect of stimulating new retail development. Ultimately this could increase the per capita sales tax revenue that the City receives.

There are other factors that are difficult to quantify. If the area is not annexed, and some level of development occurs, City services will still be directly impacted. The nearby street system will be forced to handle more traffic, and park and library use may increase, along with police and fire service calls. However, without annexation the City will not receive any revenues from those unincorporated developments. In total, the drain on City services is likely greater without annexation than with annexation.

Annexation also provides the City with some opportunity to control the development so that it conforms to City plans and standards. Street layout and design, the extension of street and utility corridors to adjacent parcels, the overall density of development, and the dedication of park and open spaces are all issues that the City would not control if annexation does not occur.

STAFF REPORT

TO: PLANNING COMMISSION
FILE NO.: ANX2020-101

PREPARED BY: MIKE STEVENS
MEETING DATE: OCTOBER 14, 2020

GENERAL INFORMATION:

APPLICANT: MICHAEL & JOLENE GRIMES, JAMES & LURAY
PLAISTED AND LENNY AND ANDREA PERKINS
(ANX2020-101)

REQUEST: CONSIDERATION OF APPROPRIATE ZONING FOR A
PROPOSED ANNEXATION.

LOCATION: LAND LOCATED AT 1063, 1049, 1065, 1061 AND 1043
ALLENWHITE DRIVE

REASON FOR REQUEST:

The City is currently considering the annexation of approximately 3.66 acres located at 1063, 1049, 1065, 1061 and 1043 Allenwhite Drive. City Council authorized the annexation process to begin through the adoption of Resolution No. 110-20, which directed the Planning Commission to consider what zoning would be appropriate for this site.

BACKGROUND

The City is evaluating a proposal to annex approximately five (5) parcels of land totaling approximately 3.66 acres on Allenwhite Drive. The sites each contain single-family residential development.

The City Council passed resolution No. 110-20 authorizing the annexation proceedings to begin. The next step includes the Planning Commission to consider what zoning designation(s) would be appropriate if the property were to be annexed.

SITE DATA

Size: Approximately 3.66 acres.

Ownership: The proposed annexation site is comprised of five (5) parcels under separate ownership (Grimes (x's 2), Plaisted, Perkins and Broun).

Current Use: Each parcel has been developed with single-family residential dwellings.

Comprehensive Plan: The site is within the City of Richland's adopted Urban Growth Area (UGA) boundary and is designated as suitable for low density residential development based on the Richland Comprehensive Plan.

Utilities: Both City water and sewer services are available in the vicinity to serve the proposed annexation area.

Existing County Zoning: Urban Growth Area Residential.

SURROUNDING LAND USES

Properties on all sides of the proposed annexation area are located within the City of Richland and are zoned R-1-10 (Low Density Residential).

PROPOSED ZONING

There are three single family zoning designations that could be applied to the property that would implement the low density residential comprehensive plan designation: The R-1-10 and R-1-12 zones and Suburban Agriculture (SAG). A copy of the residential and agriculture zoning codes are attached as well as a copy of the existing county zoning (Urban Growth Area Residential).

ANALYSIS

The R-1-10, R-1-12 and SAG zones would be consistent with the comprehensive plan designation of Low Density Residential. R-1-10 zoning surrounds the annexation area and as a result, R-1-10 appears to be the zoning district best suited for the proposed annexation area. Implementation of a different zoning district, while possible, would not represent the best zoning for the annexation area given the fact that all of the land surrounding the site are zoned R-1-10.

SUMMARY

Application of the R-1-10 zoning represents the most appropriate zoning designation for the proposed annexation area as it would be consistent with the surrounding zoning.

FINDINGS OF FACT

1. The site is within the City of Richland's Urban Growth Area boundary as those boundaries were established with the adoption of the Benton County Comprehensive Plan in 1998 and subsequent periodic updates;
2. The City's comprehensive plan designates the site as suitable for low density residential land uses;
3. Each separate site contains an existing single-family residence;
4. Properties surrounding the proposed annexation area are all zoned R-1-10 by the City of Richland;

5. Application of R-1-10 Single Family Residential zoning district is appropriate for a site that is designated as low density residential under the current comprehensive plan designation.

CONCLUSIONS OF LAW:

1. Based on the above findings of fact, assignment of R-1-10 Single Family Residential zoning would be in the best interest of the City of Richland.

RECOMMENDATION

Staff recommends the Planning Commission concur with the findings and conclusions set forth in Staff Report (ANX2020-101) and recommend to the City Council assignment of R-1-10 Single Family Residential zoning.

EXHIBITS

- A. Annexation Request Letter and Resolution No. 104-20
- B. Resolution No. 110-20
- C. Chapter 23.18 of the Richland Municipal Code – Residential Zones
- D. Chapter 23.14 of the Richland Municipal Code – Agriculture Zones
- E. Chapter 11.07 of the Benton County Zoning Code – Urban Growth Area Residential District (UGAR)
- F. Maps

Exhibit A

February 11, 2020

Mr. Mike Stevens, Planning Manager

City of Richland Development Services Dept.

RE: Annexation Request

Mr. Stevens,

Please accept this letter as our request for annexation by the City of Richland for the below listed Benton County properties.

1049 Allenwhite Dr. Owners: James and Luray Plaisted

1063 Allenwhite Dr. Owners: Michael and Jolene Grimes

1065 Allenwhite Dr. Owners: Lenny and Andrea Perkins

Per Telcom James Plaisted

James Plaisted

Luray Plaisted

Luray Plaisted

Michael Grimes

Michael Grimes

Jolene Grimes

Jolene Grimes

Lenny Perkins

Lenny Perkins

Andrea Perkins

Andrea Perkins

Please proceed with the process as expeditiously as possible.

RESOLUTION NO. 104-20

A RESOLUTION of the City of Richland setting a meeting date to review a proposed annexation of approximately 2.08 acres located at 1063 Allenwhite Drive, 1049 Allenwhite Drive and 1065 Allenwhite Drive in Section 23, Township 9 North, Range 28 East W.M., Benton County, Washington.

WHEREAS, the City received a written request for the annexation of properties owned by Michael & Jolene Grimes (1063 Allenwhite Drive), James & Luray Plaisted (1049 Allenwhite Drive) and Lenny & Andrea Perkins (1065 Allenwhite Drive); and

WHEREAS, Richland City Council was presented with the request at its regular meeting on July 21, 2020; and

WHEREAS, RCW 35.13.125 requires the legislative body to set a date for a meeting with the annexation petitioners.

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Richland that the regular meeting date of **August 4, 2020** is hereby established as the date on which Richland City Council will meet with the annexation petitioners.

BE IT FURTHER RESOLVED that this Resolution shall take effect immediately.

ADOPTED by the City Council of the City of Richland, Washington, at a regular meeting on the 21st day of July, 2020.


Ryan Lukson, Mayor

Attest:


Jennifer Rogers, City Clerk

Approved as to form:

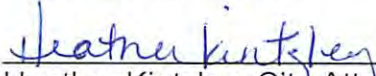

Heather Kintzley, City Attorney

Exhibit B

RESOLUTION NO. 110-20

A RESOLUTION of the City of Richland accepting a request for annexation of approximately 2.08 acres located at 1063 Allenwhite Drive, 1049 Allenwhite Drive and 1065 Allenwhite Drive in Section 23, Township 9 North, Range 28 East W.M., Benton County, Washington.

WHEREAS, on July 21, 2020, Richland City Council was presented with a request for annexation from Michael & Jolene Grimes (1063 Allenwhite Drive), James & Luray Plaisted (1049 Allenwhite Drive) and Lenny & Andrea Perkins (1065 Allenwhite Drive); and

WHEREAS, the annexation request consists of existing residential structures located in Benton County; and

WHEREAS, on July 21, 2020, Richland City Council was presented with the request for annexation and passed Resolution No. 104-20, establishing August 4, 2020 as the date for Council to meet with the proponents of the annexation; and

WHEREAS, as required by RCW 35.13.125, Richland City Council met with the annexation proponents on August 4, 2020 and reviewed the proposed annexation.

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

Section 1. The City of Richland hereby accepts the request for annexation subject to the following conditions:

1. That the following properties are included in the area to be annexed:
 - 1061 Allenwhite Drive (Parcel ID No. 123983013110001 – Michael & Jolene Grimes); and
 - 1043 Allenwhite Drive (Parcel ID No. 123983000003000 – Richard & Pamela Brouns).
2. That sufficient resources and infrastructure are available to adequately provide city services, including but not limited to water, sewer, streets, electricity, refuse, fire and police protection.
3. That simultaneous adoption of the City's Comprehensive Plan for the proposed annexation is required.
4. That the area to be annexed assumes an appropriate share of all existing City indebtedness.

Section 2. The Richland Planning Commission is hereby directed to review the proposal and forward a recommendation to City Council as to the most appropriate zoning designation(s) for the area proposed for annexation.

BE IT FURTHER RESOLVED that this Resolution shall take effect immediately.

ADOPTED by the City Council of the City of Richland, Washington, at a regular meeting on the 4th day of August, 2020.



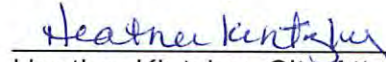
Ryan Lukson, Mayor

Attested by:



Jennifer Rogers, City Clerk

Approved as to form:



Heather Kintzley, City Attorney

Chapter 23.18

RESIDENTIAL ZONING DISTRICTS

Sections:

- 23.18.010 Purpose of residential use districts.
- 23.18.020 Residential performance standards and special requirements.
- 23.18.025 Single-family residential design standards.
- 23.18.030 Residential use districts permitted land uses.
- 23.18.040 Site requirements for residential use districts.
- 23.18.050 Parking standards for residential use districts.

23.18.010 Purpose of residential use districts.

Five residential zone classifications permit a variety of housing and population densities without conflict. Protection is provided against hazards, objectionable influences, traffic, building congestion and lack of light, air and privacy. Certain essential and compatible public service installations are permitted in residential use districts.

A. The single-family residential – 12,000 (R-1-12) is a residential zone classification requiring the lowest density of population within the city, providing protection against hazards, objectionable influences, building congestion and lack of light, air and privacy. Certain essential and compatible public service facilities and institutions are permitted in this district. This zoning classification is intended to be applied to some portions of the city that are designated low-density residential (zero to five dwellings per acre) under the city of Richland comprehensive plan.

B. The single-family residential – 10,000 (R-1-10) is a residential zone classification requiring a low density of population, providing protection against hazards, objectionable influences, building congestion, and lack of light, air, and privacy. Certain essential and compatible public service facilities and institutions are permitted in this district. This zoning classification is intended to be applied to some portions of the city that are designated low-density residential (zero to five dwellings per acre) under the city of Richland comprehensive plan.

C. The medium-density residential (R-2) is a residential zone classification permitting a higher density of population including the establishment of duplex dwellings and providing for these single-and two-family residences a high degree of protection from hazards, objectionable influences, building congestion and lack of light, air and privacy. Certain essential and compatible public service facilities and institutions are permitted in this district. This zoning classification is intended to be applied to some portions of the city that are designated medium-density residential (5.1 to 10 dwellings per acre) under the city of Richland comprehensive plan.

D. The medium-density residential small lot (R-2S) is a residential zone classification permitting a higher density of population, encouraging small lot development conducive to energy conservation and to other factors contributing to the production of affordable housing, and including the establishment of duplex dwellings and providing for these one- and two-family residences a high degree of protection from hazards, objectionable influences, building congestion and lack of light, air and privacy. Certain essential and compatible public service facilities and institutions are permitted in this district. This zoning classification is intended to be applied to some portions of the city that are designated medium-density residential (5.1 to 10 dwellings per acre) under the city of Richland comprehensive plan.

E. The multiple-family residential use district (R-3) is a residential zone classification allowing for the location of multiple-family dwellings, duplexes and attached and detached one-family dwellings and providing a high degree of protection for such uses and adjacent low-density residential development. This classification shall be designed to give protection from hazards, objectionable influences, building congestion, and lack of light, air, and privacy. Certain essential and compatible public service facilities and installations are permitted in this district. This zoning classification is intended to be applied to some portions of the city that are designated high-density residential (10.1 or more dwellings per acre) under the city of Richland comprehensive plan. [Ord. 28-05 § 1.02].

23.18.020 Residential performance standards and special requirements.

A. High-Density Residential Small Lot Special Requirements. In order to assure consistency with the purpose of the R-2S district, as stated in RMC 23.18.010(D), and further to avoid potential negative and undesirable effects that

may result from the higher density of development afforded in an R-2S zone, the following special requirements and provisions shall apply:

1. Any application for reclassification of land to R-2S shall be accompanied by an application for preliminary plat approval submitted in accordance with RMC 24.12.010. In addition, the following information shall be submitted with the application for preliminary plat:
 - a. A street landscaping plan showing the location and type of landscaping proposed;
 - b. Information showing the location, dimensions and character of recreational facilities and/or open space, including paths and trails; and
 - c. Utilization of curvilinear, cul-de-sac and/or loop streets or other appropriate design solutions to assist in modulating the interface of the residential buildings with the streets.
2. The planning commission and city council may, in keeping with the intent of this section, impose requirements and conditions on the approval of the preliminary plat or zoning reclassification as deemed appropriate. These conditions may include, but are not limited to, architectural design parameters, screening and buffering treatments, and supplemental open space and/or recreational facility requirements. Compliance with these conditions shall be demonstrated precedent to final plat and/or building permit approval as appropriate.
3. A combined front yard setback configuration and street-facing residential architectural elevation may be repeated continuously on no more than five lots before a different combination must be utilized. Regardless of the street facing architectural elevation, a front yard setback configuration may be repeated on no more than 10 lots before a different setback configuration must be utilized. The administrative official may approve variations to this requirement which, in his judgment, accomplish the intent of avoiding a monotonous interface of the residential buildings with the streets, or are necessary due to constraints or unique characteristics of the site. This requirement shall be satisfied at the time of building permit application.

B. Multiple-Family Residential Use District Special Requirements. In any multifamily residential (R-3) zoning district that directly abuts a single-family zoning district, the following buffer, setback and building height regulations shall apply to all multifamily residential structures:

1. 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, R-1-10 – single-family residential, 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.
2. Buildings that are within 50 feet of any property that is zoned for single-family residential use (as defined in subsection (B)(1) of this section) 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 multifamily zoning district.
3. 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. 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.
4. Recreational vehicle parks are permitted in the multifamily residential district (R-3) subject to the issuance of a special use permit meeting the requirements of RMC 23.42.220 and 23.42.240. Further, applicants must demonstrate that their proposed recreational vehicle parks are immediately adjacent to a state highway and that appropriate provisions are put in place to protect adjacent land uses. [Ord. 28-05 § 1.02].

23.18.025 Single-family residential design standards.

Any one-family attached dwelling, one-family detached dwelling or designated manufactured home shall meet the following minimum requirements:

A. All dwellings shall be placed on permanent foundations.

B. At the time of construction, all new single-family dwellings shall be new, not having been previously titled to a retail purchaser and not meeting the definition of a “used mobile home” as defined in RCW 82.45.032(2). [Ord. 28-05 § 1.02].

23.18.030 Residential 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	R-1-12	R-1-10	R-2	R-2S	R-3
Residential Uses					
Accessory Apartments	A ¹	A ¹	A ¹	A ¹	A ¹
Accessory Buildings ¹⁴	A	A	A	A	A
Adult Family Home	P	P	P	P	P
Apartment/Condominium (3 or More Units)					P
Assisted Living Facility					P
Bed and Breakfast	S ²	S ²	S ²	S ²	P
Day Care Center	S ³	S ³	S ³	S ³	P ³
Designated Manufactured Home	P ⁴	P ⁴	P ⁴	P ⁴	P ⁴
Dormitories, Fraternities and Sororities					P
Dwelling, One-Family Attached			P ⁴	P ⁴	P ⁴
Dwelling, One-Family Detached	P ⁴	P ⁴	P ⁴	P ⁴	P ⁴
Dwelling, Two-Family Detached			P	P	P
Home Occupations	A ⁵	A ⁵	A ⁵	A ⁵	A ⁵
Family Day Care Home	A ³	A ³	A ³	A ³	A ³
Manufactured Home Park			S ⁶	S ⁶	S ⁶

Land Use	R-1-12	R-1-10	R-2	R-2S	R-3
Playground Developed in Conjunction with School, Park or Community Clubhouse	P	P	P	P	P
Nursing or Rest Home					P
Rental of Rooms to Not More Than Four Persons Other Than the Family Occupying the Single-Family Dwelling	A	A	A	A	A
Private Swimming Pools	A ⁷	A ⁷	A ⁷	A ⁷	A ⁷
Recreational Club	P ⁸	P ⁸	P ⁸	P ⁸	P ⁸
Senior Housing					P
Public/Quasi-Public Uses					
Churches	P ⁹	P ⁹	P ⁹	P ⁹	P ⁹
Clubs or Fraternal Societies	P ⁹	P ⁹	P ⁹	P ⁹	P ⁹
Cultural Institutions	P ⁹	P ⁹	P ⁹	P ⁹	P ⁹
General Park Operations and Maintenance Activities	P	P	P	P	P
Golf Courses	P	P	P	P	P
Power Transmission and Irrigation Wasteway Easements and Utility Uses	P ¹⁰	P ¹⁰	P ¹⁰	P ¹⁰	P ¹⁰
Public Agency Buildings	P ¹⁰	P ¹⁰	P ¹⁰	P ¹⁰	P ¹⁰
Public Agency Facilities	P ¹⁰	P ¹⁰	P ¹⁰	P ¹⁰	P ¹⁰
Public Parks	P	P	P	P	P
Schools	P ¹¹	P ¹¹	P ¹¹	P ¹¹	P ¹¹
Special Events Including Concerts, Tournaments and Competitions, Fairs, Festivals and Similar Public Gatherings	P	P	P	P	P
Trail Head Facilities	P	P	P	P	P
Miscellaneous Uses					
Macro-Antennas	P	P	P	P	P
Parking Lots	P	P	P	P	P
Raising Crops, Trees, Vineyards	P	P	P	P	P
Recreational Vehicle Parks					S ^{12,13}

1. RMC 23.42.020
2. RMC 23.42.045
3. RMC 23.42.080
4. RMC 23.18.025
5. RMC 23.42.090
6. RMC 23.42.140
7. RMC 23.42.300
8. RMC 23.42.210
9. RMC 23.42.050
10. RMC 23.42.200
11. RMC 23.42.250
12. RMC 23.42.220
13. RMC 23.18.020(B)(4)
14. Accessory buildings and structures are subject to RMC 23.38.020 – 23.38.070 [Ord. 28-05 § 1.02; Ord. 04-09; Ord. 07-19 § 5].

23.18.040 Site requirements for residential use districts.

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

Standard	R-1-12	R-1-10	R-2	R-2S	R-3
Minimum Lot Area Requirement – One-Family Detached Dwelling	10,000 feet ¹	8,000 feet	6,000 feet	4,000 feet	4,000 feet
Minimum Lot Area Requirement – Two-Family Detached Dwelling	N/A	N/A	10,000 feet	7,000 feet	7,000 feet
Minimum Lot Area Requirement – One-Family Attached Dwellings	N/A	N/A	N/A	3,000 feet	3,000 feet
Maximum Density – Multifamily Dwellings (Units/Square Foot)	N/A	N/A	N/A	N/A	1:3,000
Minimum Lot Width – One-Family Detached Dwelling	90 feet	70 feet	50 feet	42 feet	42 feet
Minimum Lot Width – Two-Family Detached Dwelling	N/A	N/A	70 feet	64 feet	64 feet
Minimum Lot Width – One-Family Attached Dwellings	N/A	N/A	N/A	30 feet	30 feet
Average Lot Size Requirement ²	12,000	10,000	None	None	None
Minimum Front Yard Setback ³	20 feet	20 feet	20 feet	15 feet/18 feet ⁴	20 feet ^{6,10}
Minimum Side Yard Setback	10 feet	10 feet	6 feet	6 feet ⁵	^{6,10}
Minimum Alley/Private Access Easement Setback	6 feet	6 feet	6 feet	6 feet	6 feet
Minimum Rear Yard Setback	25 feet	25 feet	25 feet	20 feet/3 feet ⁷	25 feet ^{6,10}
Maximum Lot Coverage ⁸	40%	40%	40%	50%	33%/45% ^{9,10}
Maximum Building Height – Main Building	30 feet	30 feet	30 feet	30 feet	40 feet ¹⁰
Maximum Building Height – Detached Accessory Buildings ¹¹	16 feet	16 feet	16 feet	16 feet	16 feet

1. The minimum lot size in existing residential neighborhoods shall be based on the mean average lot size of existing platted R-1-12 lots within a radius of 500 feet of the property proposed for subdivision. However, in no case shall the minimum lot requirement exceed 12,000 square feet, nor be less than 10,000 square feet.

2. Minimum average lot area per subdivision, exclusive of the area of streets and lots designated for nonresidential uses. In calculating average lot size, at least 35 percent of all lots shall be larger than the average lot size requirement.

3. Front yard setbacks are required from all street rights-of-way adjoining a lot as shown in the table above, except as follows:

a. In single-family residence districts and in R-2 and R-3 districts where more than 50 percent of the normal or average-size lots in a block fronting on one side of the street are developed with existing buildings, other than accessory buildings, with front yard setbacks less than that required for the district, a new single-family or duplex dwelling shall adopt a minimum front yard setback dimension which is the average of the setbacks of the buildings on the two adjoining lots, existing prior to July 22, 1960, but in no case shall this dimension be less than 15 feet nor need it exceed 30 feet.

b. Residential Districts. In any R district, or any combination therewith, on any corner lot where there is provided a side yard along the interior side lot line at least equal in width to the minimum depth of the rear yard required for the district, the main building may encroach upon the required rear yard up to a line where the remaining rear yard is no less in depth than the minimum width of the side yard required for the district. No accessory buildings may be located in said side yard, except a patio shelter enclosed on no more than two sides by walls or other enclosures and in conformity with the other provisions of this title.

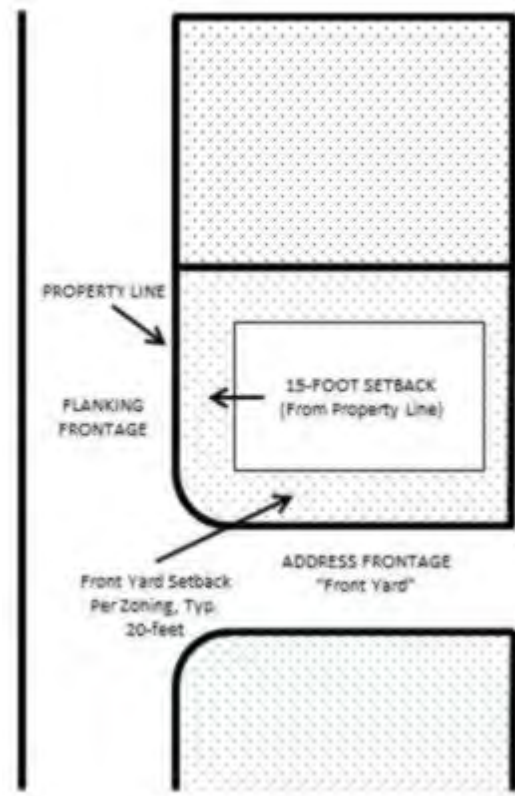
c. The flanking frontage or nonaddress front yard of a corner lot may reduce the front yard setback of said frontage to 15 feet; see diagram below.

4. Front yards shall not be less than 15 feet in front of living areas, up to a maximum of 55 percent of the front lot line, and not less than 18 feet in front of all other areas.

5. Detached one-family or detached two-family dwellings shall have two side yards with each side yard having a width of not less than six feet. A nonattached side of an attached one-family dwelling shall have a side yard having a width of not less than six feet.

6. For multiple-family dwellings and other allowable uses other than one-family attached and one-family and two-family detached dwellings, front yards shall be 20 feet, side yards shall be equal to one foot of side yard for each three feet or portion thereof of building height, and rear yards shall be 25 feet, except as required by RMC 23.18.020(B) when multifamily development is located adjacent to a single-family residential zoning district or development.

7. Rear yards shall be not less than 20 feet in back of living areas and three feet in back of garages or carports up to a maximum of 60 percent of the rear lot line for the garage or carport portion of the rear yard.
8. Lot coverage includes all buildings, including accessory buildings or structures on any lot in a residential district, exclusive of patios without roof coverings or patios with only open lattice or similar type roof construction.
9. Buildings in an R-3 district shall cover not more than 33 percent of the area of the lot except one-family attached dwellings, which may cover up to 45 percent of the area of the lot.
10. Setbacks, building heights, and lot coverage requirements for one-family attached, one-family detached and two-family detached dwellings in the R-3 zoning district shall be the same as those set forth for development in the R-2S zoning district.
11. Detached accessory structures built pursuant to the setback provisions of RMC 23.38.020 are limited to one story.



[Ord. 28-05 § 1.02; Ord. 04-09; Ord. 20-10 § 1.01; amended during 2011 recodification; Ord. 14-11 § 1.01; Ord. 32-11 § 3; Ord. 20-14 § 1.01].

23.18.050 Parking standards for residential use districts.

Off-street parking space shall be provided in all residential zones in compliance with the requirements of Chapter 23.54 RMC. [Ord. 28-05 § 1.02].

Chapter 23.14

AGRICULTURAL ZONING DISTRICTS

Sections:

- 23.14.010 Purpose of agricultural use districts.
- 23.14.020 Agricultural performance standards and special requirements.
- 23.14.030 Agricultural use districts permitted land uses.
- 23.14.040 Site requirements for agricultural use districts.
- 23.14.050 Parking standards for agriculture use districts.

23.14.010 Purpose of agricultural use districts.

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

B. The suburban agricultural use district (SAG) is a zone classification providing for residential areas, rural in nature, with sufficiently large lots to allow for the maintenance of certain animals and farm crops, while at the same time establishing and maintaining a living environment of high standards for residential uses. This zoning classification is intended to be applied to some portions of the city that are designated low-density residential (zero to five dwellings per acre) under the city of Richland comprehensive plan. [Ord. 28-05 § 1.02].

23.14.020 Agricultural performance standards and special requirements.

A. The following standards relate to the raising and keeping of livestock in an AG district:

1. A permitted structure, pen or building in which livestock is kept shall be located not less than 25 feet from any lot line and not less than 40 feet from any one-family dwelling;
2. A pasture, including perimeter fencing, shall be located not less than 15 feet from any one-family dwelling located on the same lot;
3. Uses, structures and buildings shall comply with the applicable yard and area requirements of RMC 23.38.010 through 23.38.090.

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

1. Limited agricultural uses such as orchards, vineyards, vegetable gardens, field crops and pastures;
2. Sale of products grown on the premises;
3. Limited raising or keeping of large livestock as follows:
 - a. Horses, ponies, mules, donkeys, burros, and similar animals;
 - b. Dairy cattle, beef cattle, buffalo and similar animals;
 - c. Sheep, goats, and similar animals;
 - d. A maximum of two animal units (one animal unit equals approximately 1,000 pounds of animal weight) may be kept per one acre gross pasture area. Gross pasture area is that portion of a lot which is fenced and used solely for the grazing and keeping of large livestock. The following are examples of animal unit usages:
 - i. One horse and one cow per gross pasture acre;

- ii. Two cows or two horses per gross pasture acre;
 - iii. Ten sheep or 10 goats per gross pasture acre;
 - iv. Eight sheep and two goats per gross pasture acre;
- e. If any additional animal(s) born on the premises causes the maximum allowable number of animals to be exceeded, adjustments must be made to bring the total number of animals into compliance with this chapter within the corresponding time limits specified below:
- i. Horses and similar animals: one year from date of birth;
 - ii. Cattle and similar animals: one year from date of birth;
 - iii. Sheep, goats, and similar animals: six months from date of birth;
- f. If any additional animal(s) are acquired by any means other than by birth, and cause the maximum allowable number of animals to be exceeded, adjustments must be made to bring the total number of animals into compliance with this chapter within 90 days after placement of the additional animal(s) on the premises. In addition, a fence must be constructed prior to the acquisition of any large livestock to ensure containment of the livestock on the premises;

4. Limited raising or keeping of small livestock as follows:

- a. Rabbits and similar animals;
- b. Chickens, ducks, geese, turkeys, and other similar fowl.

A maximum of 12 animals or fowl, as defined above, may be raised or kept per one acre gross lot area.

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

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

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

- i. Placement of manure in a fly-proof container with periodic removal of manure from the lot;
- ii. Adequate burying of the manure;
- iii. Removal of manure from the lot.

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

Any structures used for the keeping of livestock shall be set back a minimum of 50 feet from any property line. [Ord. 28-05 § 1.02].

23.14.030 Agricultural use districts permitted land uses.

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

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

B. If the symbol “S” appears in the box at the intersection of the column and row, the use is permitted subject to the special use permit provisions contained in Chapter 23.46 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	AG	SAG
Agriculture		
Agricultural Use	P	P
Business and Personal Services		
Animal Shelter	S ¹	
Commercial Kennel	S ¹	
Hospital Clinic – Large Animal	S ¹	
Hospital Clinic – Small Animal	S ¹	
Industrial Uses		
Excavating, Processing, Removal of Topsoils, Sand, Gravel, Rock or Similar Natural Deposits	S ²	
Public Uses		
Churches	p ³	p ³
Clubs or Fraternal Societies	p ³	p ³
Cultural Institutions	p ³	p ³
General Park Maintenance and Operations	P	P
Golf Courses	P	P
Passive Open Space Uses	P	P
Power Transmission and Irrigation Wasteway Easements and Utility Uses	p ⁴	p ⁴
Public Agency Buildings	p ⁴	p ⁴
Public Agency Facilities	p ⁴	p ⁴
Public Parks	P	P
Schools	p ⁵	p ⁵
Special Events Including Concerts, Tournaments, and Competitions, Fairs, Festivals and Similar Public Gatherings	P	P
Trail Head Facilities	P	P
Trail for Equestrian, Pedestrian or Nonmotorized Vehicle Use	P	P
Recreational Uses		
Commercial Recreation, Outdoor	S ⁶	
Recreational Vehicle Campgrounds	S ⁷	

Land Use	AG	SAG
Stable, Public	S ⁸	
Retail Uses		
Landscaping Material Sales	S ⁹	
Nursery, Plant	S ⁹	
Parking Lot	A	A
Residential Uses		
Accessory Apartments	A ¹⁰	A ¹⁰
Adult Family Home	P	P
Bed and Breakfast	S ¹¹	S ¹¹
Day Care Center	S ¹²	S ¹²
Designated Manufactured Home	p ¹³	p ¹³
Dwelling, One-Family Detached	p ¹³	p ¹³
Family Day Care Home	A ¹²	A ¹²
Home Occupations	A ¹⁴	A ¹⁴
Private Swimming Pools	A ¹⁵	A ¹⁵
Recreational Club	p ¹⁶	p ¹⁶
Rental of Rooms to Not More Than Four Persons Other Than the Family Occupying the Single-Family Dwelling	A	A
Miscellaneous Uses		
Cemetery	P	
Macro-Antennas	P	P
Raising Crops, Trees or Vineyards	P	P

1. RMC 23.42.040
2. RMC 23.42.070
3. RMC 23.42.050
4. RMC 23.42.200
5. RMC 23.42.250
6. RMC 23.42.175
7. RMC 23.42.230
8. RMC 23.42.190
9. RMC 23.42.105
10. RMC 23.42.020
11. RMC 23.42.045
12. RMC 23.42.080
13. RMC 23.18.025
14. RMC 23.42.090
15. RMC 23.42.300
16. RMC 23.42.210

[Ord. 28-05 § 1.02; amended during 2011 recodification; Ord. 07-19 § 4].

23.14.040 Site requirements for agricultural use districts.

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

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

¹. Main structures shall be set back a minimum of 25 feet and accessory structures shall meet the requirements of RMC 23.38.020 except that structures intended for the keeping of livestock shall meet the setback requirements of 50 feet as established in RMC 23.14.020(B)(4)(iii).

². Lot coverage includes all buildings, including accessory buildings or structures on any lot in a residential district, exclusive of patios without roof coverings or patios with only open lattice or similar type roof construction.
[Ord. 28-05 § 1.02; Ord. 04-09; amended during 2011 recodification].

23.14.050 Parking standards for agriculture use districts.

Off-street parking space shall be provided in all agricultural zones in compliance with the requirements of Chapter 23.54 RMC. [Ord. 28-05 § 1.02].

CHAPTER 11.07
URBAN GROWTH AREA RESIDENTIAL DISTRICT (UGAR)

SECTIONS:

11.07.010	Purpose
11.07.020	Applicability
11.07.030	Allowable Uses
11.07.040	Accessory Uses
11.07.050	Uses Subject to Planning Administrator Review and Approval
11.07.060	Uses Requiring a Conditional Use Permit
11.07.070	Uses Prohibited
11.07.080	Property Development Standards--General Standards
11.07.090	Property Development Standards--Setback Requirements
11.07.100	Severability
11.07.110	Effective Date

11.07.010 PURPOSE. The Urban Growth Area Residential District (UGAR) are lands within Urban Growth Areas (UGAs) that have been designated to accommodate the land use needs of a city's projected future population growth. The UGAR District allows higher densities and a variety of uses similar to those typically found in the adjacent cities. The densities, uses and development provisions allowed within this district assure that development prior to annexation by a city results in densities, land uses and development patterns that are consistent with that city's Comprehensive Plan.
[Ord. 611 (2018) § 21]

11.07.020 APPLICABILITY. Provided all applicable code provisions are satisfied, the provisions of this chapter shall apply to the areas designated as an Urban Growth Area Residential

District (UGAR) on the official zoning maps of Benton County and located within an Urban Growth Area of unincorporated Benton County.

[Ord. 611 (2018) § 22]

11.07.030 ALLOWABLE USES. Provided all applicable code provisions are satisfied, the following uses are allowed within the Urban Growth Area Residential District (UGAR) on a single parcel of record:

- (a) Single Family Dwelling (SFD).
- (b) Duplex, subject to the provisions of BCC 11.07.080(a).
- (c) On any tract of land having an area of one (1) acre or more, the keeping of one animal unit equivalent per one-half acre of ground, exclusive of suckling animals.
- (d) Church.
- (e) Adult Family Home.
- (f) Crisis residential center.

[Ord. 611 (2018) § 23]

11.07.040 ACCESSORY USES. Provided all applicable code provisions are satisfied, the following uses are allowed as an accessory/ancillary use within the Urban Growth Area Residential District (UGAR) on a single parcel of record:

- (a) One (1) or more accessory buildings and uses (commonly appurtenant to a single family dwelling).
- (b) Yard Sales occurring for no more than three (3) consecutive days on two (2) different occasions during a calendar year.
- (c) Kennel, Private.

(d) Solar Power Generator Facility, Minor

(e) Uses subject to Planning Administrator review and approval, specified in BCC 11.07.050(b)(c)(d).
[Ord. 611 (2018) § 24]

11.07.050 USES SUBJECT TO PLANNING ADMINISTRATOR REVIEW AND APPROVAL. The following uses may be allowed within the Urban Growth Area Residential District (UGAR) on a single parcel of record upon the review and approval of the Planning Administrator:

(a) Temporary Dwelling, subject to BCC 11.42.110.

(b) Home Occupation, subject to the provisions of Chapter 11.49 BCC, involving business activities not otherwise expressly allowed or requiring a permit under BCC 11.07.060.

(c) Child Day Care Facility, Type A, subject to the provisions of BCC 11.42.050.

(d) Accessory dwelling unit (within or attached to a single family home), subject to the provisions of BCC 11.42.020.
[Ord. 611 (2018) § 25]

11.07.060 USES REQUIRING A CONDITIONAL USE PERMIT. The following uses may be permitted on a single parcel of record within the Urban Growth Area Residential District (UGAR) if a conditional use permit is issued by the Hearings Examiner after notice and public hearing as provided in BCC 11.50.040.

(a) School, library, community clubhouse, grange hall, senior center and/or other non-profit organizational hall.

(b) Fire department facility, law enforcement facility, and/or medical facility.

(c) Child Day Care Facility, Type B, subject to the provisions of BCC 11.42.060.

- (d) Public transit center.
- (e) Bed and Breakfast Facility, subject to the provisions in BCC 11.42.030.
- (f) Home occupation involving the display and/or sale of products on the premises; provided, a home occupation permit is also required under Chapter 11.49 BCC.
- (g) Nursery.
- (h) A Park.
- (i) Hiking and non-motorized biking trails.
- (j) Utility substation facility.
[Ord. 611 (2018) § 26]

11.07.070 USES PROHIBITED. Any use not authorized or approved pursuant to BCC 11.07.030, BCC 11.07.040, BCC 11.07.050 or BCC 11.07.060 is prohibited within the Urban Growth Area Residential District (UGAR).
[Ord. 611 (2018) § 27]

11.07.080 PROPERTY DEVELOPMENT STANDARDS--GENERAL STANDARDS. All lands, structures and uses in the Urban Growth Area Residential District (UGAR) shall conform to the following general standards, and if applicable, to the standards set forth in Chapter 15.02 BCC, Chapter 15.04 BCC, Chapter 15.06 BCC, Chapter 15.08 BCC, Chapter 15.12 BCC, and Chapter 15.14 BCC.

(a) Minimum parcel size. Except as otherwise set forth herein, the minimum parcel size that may be created in the UGAR District is seven thousand five hundred (7,500) square feet; provided, the Benton-Franklin Health District may require a larger parcel size as necessary to meet on-site sanitary well and sewer provisions. Duplexes may only be located on parcels of at least fifteen thousand (15,000) square feet; provided, the Benton-Franklin

Health District may require a larger parcel size as necessary to meet on-site sanitary well and sewer provisions.

(b) Lot Width. Each parcel shall have an average lot width of no less than seventy (70) feet.

(c) Maximum Lot Coverage. Sixty (60) percent.
[Ord. 611 (2018) § 28]

11.07.090 PROPERTY DEVELOPMENT STANDARDS--SETBACK REQUIREMENTS. All lands, structures, and uses in the Urban Growth Area Residential (UGAR) shall meet the following setback requirements, and if applicable, the setback requirements set forth in Chapter 15.02 BCC, Chapter 15.04 BCC, Chapter 15.06 BCC, Chapter 15.08 BCC, Chapter 15.12 BCC, and Chapter 15.14 BCC.

(a) Setback Requirements. The following minimum setbacks shall apply:

(1) Each dwelling unit, accessory building, and accessory use on a parcel shall have a setback of twenty (20) feet from the property line bordering any public road right-of-way; and a setback of twenty (20) feet from the closest edge of any legally-established boundary line of a private access easement.

(2) Each dwelling unit shall have a setback of fifteen (15) feet from the rear parcel lines.

(3) Each accessory building and accessory use shall have a setback of ten (10) feet from all alleys and the rear parcel lines.

(4) Each dwelling unit, accessory building, and accessory use on a parcel shall have a setback of ten (10) feet from the side parcel lines.

(5) All shelters, coops, or other structures used for the

habitation of livestock shall have a setback of at least thirty (30) feet from every property line of the parcel on which it is located, unless a greater setback is otherwise required under the Benton County Code.

(6) All dwelling units and swimming pools shall have a setback of one hundred fifty feet (150) from any parcel located partially or wholly within the Growth Management Act Agricultural District (GMAAD) and from any adjacent orchard, hop yard, or vineyard (or combination thereof) of ten (10) acres or more on one parcel or on contiguous parcels under common ownership.

(7) Cornices, eaves, belt courses, sills, fireplace chimneys, and open, unenclosed stairways or balconies not covered by a roof or canopy may extend or project from a building three (3) feet into any required setback area. However, none of these architectural features may be located within any easements.

(8) Ground floor uncovered, unenclosed porches, platforms, or landings may extend or project from a building six (6) feet into the setback area but no closer than five (5) feet from any parcel line; provided, none of these architectural features may be located within any easements.

[Ord. 611 (2018) § 29]

11.07.100 SEVERABILITY. If any provision of this chapter is declared unconstitutional, or the applicability thereof to any person or circumstance is held invalid, the constitutionality of the remainder of the chapter and the applicability thereof to other persons and circumstances shall not be affected thereby.

[Ord. 611 (2018) § 249]

11.07.110 EFFECTIVE DATE. This chapter shall take effect and be in full force upon its passage and adoption.

[Ord. 611 (2018) § 250]

Vicinity Map

Item: Annexation
File #: ANX2020-101

Exhibit F



BENTON COUNTY

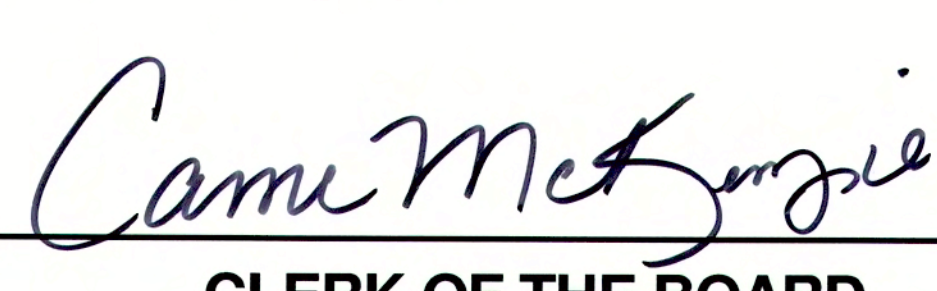
STATE OF WASHINGTON
OFFICIAL ZONING MAP A-4

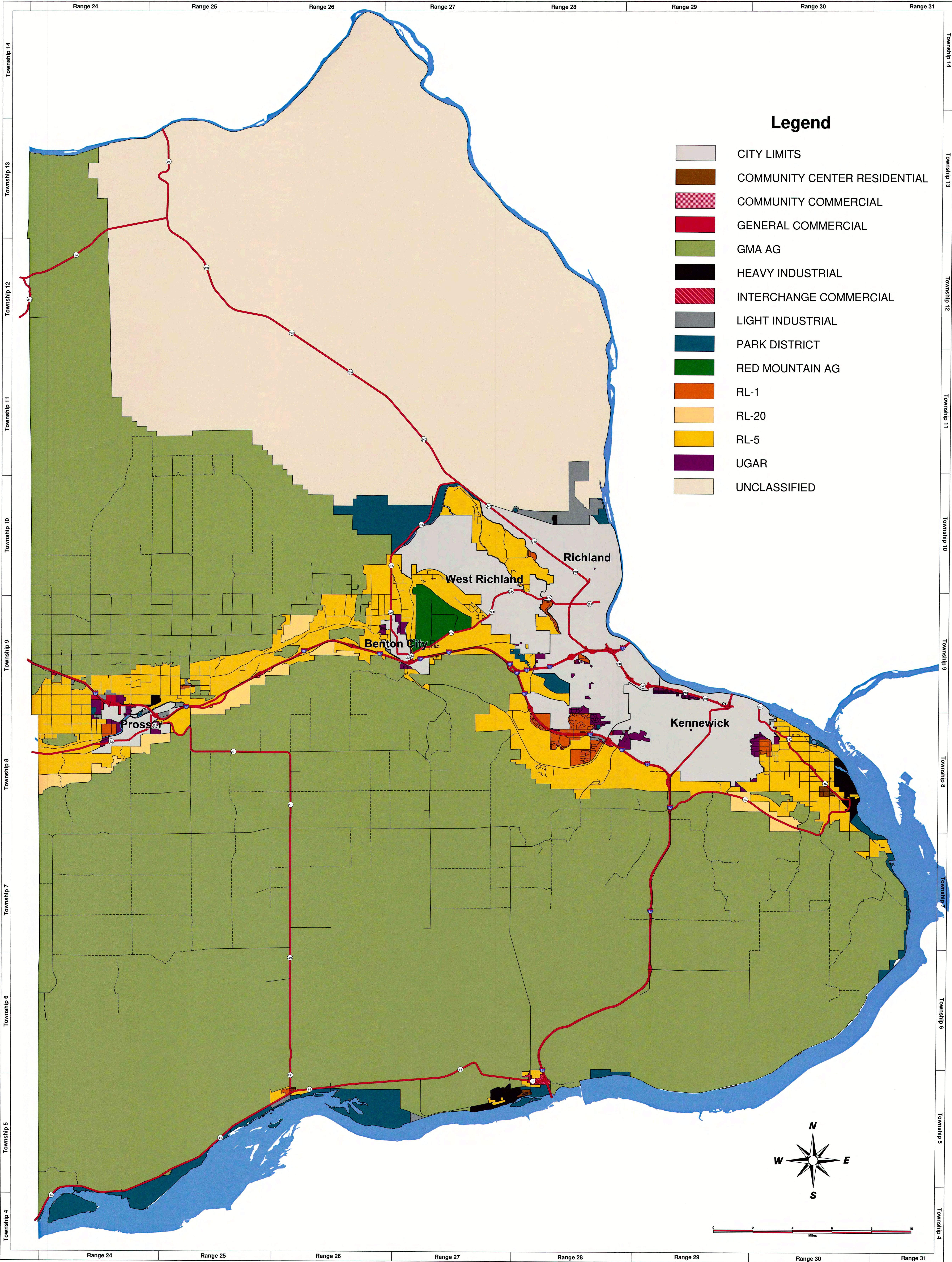
Effective 12-18-18

WE HEREBY CERTIFY THAT THIS MAP CONSTITUTES THE OFFICIAL ZONING MAP AS APPROVED BY ORDINANCE # 616 OF THE BOARD OF COUNTY COMMISSIONERS AND SIGNED BY ITS CHAIRMAN.

DATED THIS 18TH DAY OF DECEMBER 2018.

BY 
CHAIRMAN OF THE BOARD

ATTEST 
CLERK OF THE BOARD





COUNCIL AGENDA ITEM COVERSHEET

Council Date: 5/4/2021

Agenda Category: Public Hearing

Core Focus Area I - Promote Financial Stability & Operational Effectiveness

Subject:

Accepting the Proposed Annexation of 76.54 Acres Located at 1106 N. Jurupa Road, Ordinance No. 12-21

Department:

Development Services

Ordinance/Resolution Number:

Document Type:

Public Hearing Item

Recommended Motion:

Summary:

The proposed annexation consists of five (5) parcels totaling approximately 76.54 acres located at or near 1106 N. Jurupa Road. City Council authorized the annexation process to begin through the adoption of Resolution No. 111-20, which directed the Planning Commission to consider what zoning would be appropriate for this site. The Planning Commission held a public hearing on October 14, 2020, took public testimony, and voted to recommend to city council that the proposed annexation be zoned R-1-12 (Low-Density Residential) should the council decide to annex the land into its city limits.

The site is commonly referred to as the Badger Mountain Vineyards and the southern boundary of the annexation area abuts an unincorporated area of Benton County. During the public hearing held on October 14, 2020, the Planning Commission received considerable testimony, primarily from the citizens located within unincorporated Benton County, on their desire to keep the vineyard as is and within unincorporated Benton County. Many of those who provided comment were under the false impression that the proposed annexation was a "land grab" by the city and that the city initiated the proposed annexation proceedings. Staff and Planning Commission members attempted to clarify that the request for annexation was made by the owners of the subject property and was not initiated by the city. Comments received also dealt with things such as impacts from future residential development on the county road system as well as inconsistencies in lot sizes and density between what currently exists in the county and what would be allowed if annexed into the city. The R-1-10, R-1-12 and SAG zones would be consistent with the comprehensive plan designation of Low Density Residential. Areas of R-1-10 zoning are located immediately east and north of the site and represents the majority of zoning within the existing city limits. The areas which physically abut the site and are located within unincorporated Benton County are zoned Urban Growth Area Residential (UGAR). Given that the subject property is located adjacent to areas within the city that are zoned R-1-10, and the fact that the intent of the Washington State Growth Management Act is to prevent sprawl, staff recommended that the Planning Commission recommend R-1-12 for the site as it would help create a buffer between the smaller R-1-10 lots elsewhere in the city and the larger approximately 1-acre sized lots located within the county, while also meeting the sprawl reduction intent of the Growth Management Act.

City Council is required to hold an open-record public hearing before rendering a final decision on the annexation pursuant to RMC 19.20.010.

Fiscal Impact:

n/a

Attachments:

1. ANX2020-102 Complete Staff Report - Planning Commission
2. ANX2020-102_Assessor_Determination of Sufficiency
3. Petition for Annexation_12-29-2020
4. Fiscal Impact - Badger Mountain Vineyard
5. Comments Received after October 7, 2020

STAFF REPORT

TO: PLANNING COMMISSION
FILE NO.: ANX2020-102

PREPARED BY: MIKE STEVENS
MEETING DATE: OCTOBER 14, 2020

GENERAL INFORMATION:

APPLICANT: PBS ENGINEERING AND ENVIRONMENTAL, INC., ON BEHALF OF BADGER MOUNTAIN VINEYARDS, LLC (FRANK TIEGS, MANAGING MEMBER) (ANX2020-102)

REQUEST: CONSIDERATION OF APPROPRIATE ZONING FOR A PROPOSED ANNEXATION.

LOCATION: LAND LOCATED AT OR NEAR 1106 N. JURUPA ROAD

REASON FOR REQUEST:

The City is currently considering the annexation of approximately 76.54 acres located at or near 1106 N. Jurupa Road. City Council authorized the annexation process to begin through the adoption of Resolution No. 111-20, which directed the Planning Commission to consider what zoning would be appropriate for this site.

BACKGROUND

The City is evaluating a proposal to annex approximately 76.54 acres consisting of five (5) parcels located at or near 1106 N. Jurupa Road. The site contains the existing Badger Mountain Vineyards and the southern boundary of the annexation area abuts an unincorporated area of Benton County.

The City Council passed resolution No. 111-20 authorizing the annexation proceedings to begin. The next step includes the Planning Commission to consider what zoning designation(s) would be appropriate if the property were to be annexed.

SITE DATA

Size: Approximately 76.54 acres.

Ownership: The proposed annexation site is comprised of a five (5) parcels under the ownership of Badger Mountain Vineyards, LLC, (Frank Tiegs, Managing Member).

Current Use: The site contains the existing Badger Mountain Vineyards, which consists of a single-family residence, commercial winery/production facility and approximately 74 acres of planted vineyard.

Comprehensive Plan: The site is within the City of Richland's adopted Urban Growth Area (UGA) boundary and is designated as suitable for low density residential development based on the Badger Mountain South Subarea Plan and Richland Comprehensive Plan.

Utilities: Both City water and sewer services are available in the vicinity to serve the proposed annexation area. Utilities are located within Legacy Lane which services the plat of Westcliffe Heights, Phase 2, which adjoins the site to the north.

Existing County Zoning: Urban Growth Area Residential.

SURROUNDING LAND USES

North: Properties located to the north and northwest of the subject site are located within city limits, are primarily zoned R-1-10 and are in various stages of development (Plat of Westcliffe Heights, Phase 2 and Plat of Sienna Hills).

South: Single family residential development within unincorporated Benton County (Plat of El Rancho Reata 4). The majority of lots within the county appear to be one (1) acre or more in size.

East: Preliminary Plat of Westcliffe Heights, Phase 3 - 7 (Construction has begun on Phase 3).

West: Single family residential development within unincorporated Benton County (Plat of Hidden Hills, Phases 1, 2 & 3 and Plat of Badger Mountain Plateau). The majority of lots within this area appear to be 2/3 of an acre or more in size.

PROPOSED ZONING

There are three single family zoning designations that could be applied to the property that would implement the low density residential comprehensive plan designation: The R-1-10 and R-1-12 zones and Suburban Agriculture (SAG). A copy of the residential and agriculture zoning codes are attached as well as a copy of the existing county zoning (Urban Growth Area Residential).

ANALYSIS

The R-1-10, R-1-12 and SAG zones would be consistent with the comprehensive plan designation of Low Density Residential. Areas of R-1-10 zoning are located immediately east and north of the site and represents the majority of zoning within existing city limits. The areas which physically abut the site and are located within unincorporated Benton County are zoned Urban Growth Area Residential (UGAR). Given that the subject property is located adjacent to areas within the city that are zoned R-1-10 and the fact that the intent of the Washington State Growth Management Act is to prevent sprawl, staff recommends that the Planning Commission recommend R-1-12 be chosen for the site as it would help

create a buffer between the smaller R-1-10 lots elsewhere in the city and the larger approximately 1-acre sized lots located within the county, while also meeting the sprawl reduction intent of the Growth Management Act.

SUMMARY

Application of the R-1-12 zoning represents the most appropriate zoning designation for the proposed annexation area as it would help to create a buffer between the R-1-10 lots in the city and the larger 1+/- acre sized lots located within the county.

FINDINGS OF FACT

1. The site is within the City of Richland's Urban Growth Area boundary as those boundaries were established with the adoption of the Benton County Comprehensive Plan in 1998 and subsequent periodic updates;
2. The City's comprehensive plan and Badger Mountain South Subarea Plan designates the site as suitable for low density residential land uses;
3. The site contains a single-family residence and a commercial winery/production facility. The bulk of the property is currently planted as a vineyard;
4. Properties located to the north, northwest and east of the subject site are located within city limits, are zoned R-1-10 and are in various stages of development (Plat of Westcliffe Heights, Phase 2, Plat of Sienna Hills and the Preliminary Plat of Westcliffe Heights, Phases 3 – 7). Areas south and west of the subject site consist primarily of single-family residential development within unincorporated Benton County (Plat of El Rancho Reata 4, Plat of Hidden Hills, Phases 1, 2 & 3 and Plat of Badger Mountain Plateau);
5. Application of R-1-12 Single Family Residential zoning district is appropriate for a site that is designated as low density residential under the current comprehensive plan designation.

CONCLUSIONS OF LAW:

1. Based on the above findings of fact, assignment of R-1-12 Single Family Residential zoning would be in the best interest of the City of Richland.

RECOMMENDATION

Staff recommends the Planning Commission concur with the findings and conclusions set forth in Staff Report (ANX2020-102) and recommend to the City Council assignment of R-1-12 Single Family Residential zoning.

EXHIBITS

- A. Annexation Request Letter and Resolution No. 106-20

- B. Resolution No. 111-20
- C. Chapter 23.18 of the Richland Municipal Code – Residential Zones
- D. Chapter 23.14 of the Richland Municipal Code – Agriculture Zones
- E. Chapter 11.07 of the Benton County Zoning Code – Urban Growth Area
Residential District (UGAR)
- F. Maps
- G. Comments

Exhibit A



POWERS

February 14, 2020

Regarding: City of Richland Annexation Request for Badger Mountain Vineyards, LLC Property

Mr. Stevens:

This letter is to acknowledge that I, Frank Tiegs, managing member of Badger Mountain Vineyards, LLC, hereby grant to PBS Engineering and Environmental Inc., and its employees, agents, and assigns, the authority to submit an Annexation Request to the City of Richland on behalf of Badger Mountain Vineyards, LLC for the following parcel numbers:

- 134984011576001 – 16.53 Acres – Ownership: Badger Mountain Vineyards, LLC
- 134984000002002 – 40.01 Acres – Ownership: Badger Mountain Vineyards, LLC
- 134984012275002 – 17.97 Acres – Ownership: Badger Mountain Vineyards, LLC
- 134984012275001 – 1.03 Acres – Ownership: Badger Mountain Vineyards, LLC
- 134984011406001 – 1.00 Acres – Ownership: Badger Mountain Vineyards, LLC

A handwritten signature in black ink, appearing to read "Frank Tiegs".

Frank Tiegs
Managing Member
Badger Mountain Vineyards, LLC



February 14, 2020

City of Richland Development Services
c/o Mike Stevens, Planning Manager
625 Swift Blvd. MS#35
Richland, WA 99352

Via email: mstevens@ci.richland.wa.us

Regarding: Annexation Request
Badger Mountain Vineyards, LLC
1106 S. Jurupa Street, Kennewick, WA
PBS Project 66113.000

Dear Mr. Stevens:

On behalf of the ownership of Badger Mountain Vineyards, LLC ownership I am making a formal request for the City of Richland to consider annexation of the existing lands owned by Badger Mountain Vineyards, LLC located at or near 1106 S. Jurupa Road in Richland. The property currently lies entirely within the City of Richlands UGA and consists of 5 separate tax parcels identified as follows:

- 134984011576001 – 16.53 Acres – Ownership: Badger Mountain Vineyards, LLC
- 134984000002002 – 40.01 Acres – Ownership: Badger Mountain Vineyards, LLC
- 134984012275002 – 17.97 Acres – Ownership: Badger Mountain Vineyards, LLC
- 134984012275001 – 1.03 Acres – Ownership: Badger Mountain Vineyards, LLC
- 134984011406001 – 1.00 Acres – Ownership: Badger Mountain Vineyards, LLC

Total acreage being requested for annexation into the City is 76.54 acres as depicted on the Benton County Assessor mapping.

If you have any questions or comments, feel free to contact me at 509-942-1600 or email at Jason.mattox@pbsusa.com

Sincerely,

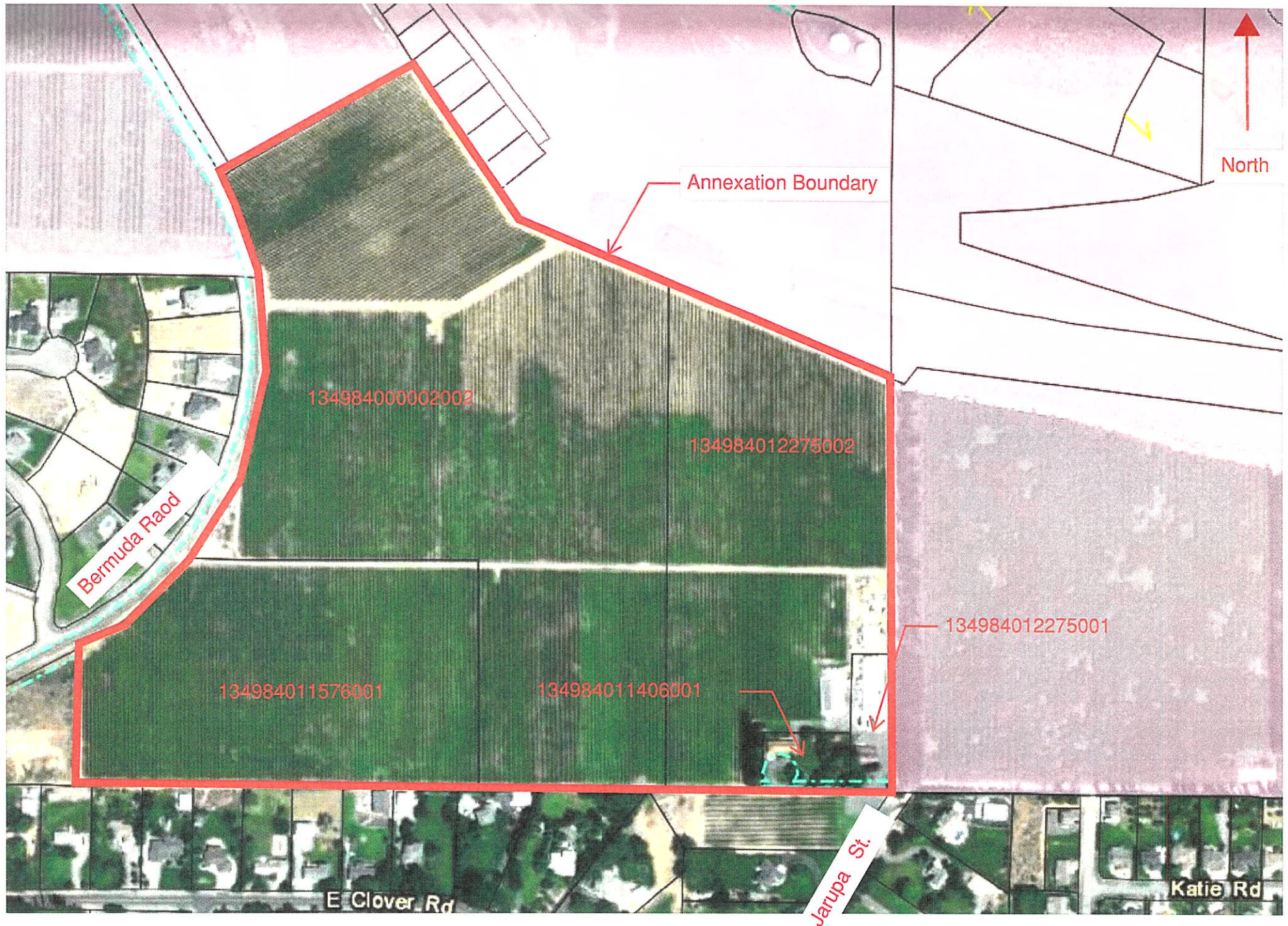
A handwritten signature in blue ink, appearing to read "Jason Mattox", with a large, stylized loop at the end.

Jason Mattox, PE
Senior Engineer/Operations Manager

cc: Shane O'Neill/City of Richland
Frank Tiegs/Badger Mountain Vineyards, LLC

Attachment(s): Map with Parcels, PBS Authorization by Badger Mountain Vineyards, LLC

Annexation Boundary Map



RESOLUTION NO. 106-20

A RESOLUTION of the City of Richland setting a meeting date to review a proposed annexation of approximately 76.54 acres located at or near 1106 S. Jurupa Road in Section 34, Township 9 North, Range 28 East W.M., Benton County, Washington.

WHEREAS, the City received a written request for the annexation of properties owned by Badger Mountain Vineyards, LLC (Parcel Nos. 1-3498-401-157-6001, 1-3498-400-000-2002, 1-3498-401-227-5002, 1-3498-401-227-5001 and 1-3498-401-140-6001); and

WHEREAS, Richland City Council was presented with the request at its regular meeting on July 21, 2020; and

WHEREAS, RCW 35.13.125 requires the legislative body to set a date for a meeting with the annexation petitioners.

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Richland that the regular meeting date of **August 4, 2020** is hereby established as the date on which Richland City Council will meet with the annexation petitioners.

BE IT FURTHER RESOLVED that this Resolution shall take effect immediately.

ADOPTED by the City Council of the City of Richland, Washington, at a regular meeting on the 21st day of July, 2020.



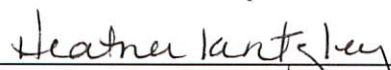
Ryan Lukson, Mayor

Attest:



Jennifer Rogers, City Clerk

Approved as to form:



Heather Kintzley, City Attorney

Exhibit B

RESOLUTION NO. 111-20

A RESOLUTION of the City of Richland accepting a request for annexation of approximately 76.54 acres located at or near 1106 S. Jurupa Road in Section 34, Township 9 North, Range 28 East W.M., Benton County, Washington.

WHEREAS, the City received a written request for the annexation of properties owned by Badger Mountain Vineyards, LLC (Parcel Nos. 1-3498-401-157-6001, 1-3498-400-000-2002, 1-3498-401-227-5002, 1-3498-401-227-5001 and 1-3498-401-140-6001); and

WHEREAS, on July 21, 2020, Richland City Council was presented with the request for annexation and passed Resolution No. 106-20, establishing August 4, 2020 as the date for Council to meet with the proponents of the annexation; and

WHEREAS, as required by RCW 35.13.125, Richland City Council met with the annexation proponents on August 4, 2020 and reviewed the proposed annexation.

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

Section 1. The City of Richland hereby accepts the request for annexation subject to the following conditions:

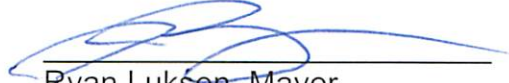
1. That the annexation be accepted as proposed.
2. That simultaneous adoption of the City's Comprehensive Plan for the proposed annexation is required.
3. That the City requires the assumption of an appropriate share of all existing City indebtedness by the area to be annexed.

Section 2. The Richland Planning Commission is hereby directed to review the proposal and forward a recommendation to City Council as to the most appropriate zoning designation(s) for the area proposed for annexation.

BE IT FURTHER RESOLVED that this Resolution shall take effect immediately.

This space intentionally left blank.

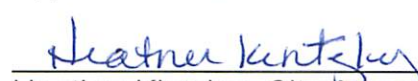
ADOPTED by the City Council of the City of Richland, Washington, at a regular meeting on the 4th day of August, 2020.


Ryan Lukson, Mayor

Attested by:


Jennifer Rogers, City Clerk

Approved as to form:


Heather Kintzley, City Attorney

Chapter 23.18

RESIDENTIAL ZONING DISTRICTS

Sections:

- 23.18.010 Purpose of residential use districts.
- 23.18.020 Residential performance standards and special requirements.
- 23.18.025 Single-family residential design standards.
- 23.18.030 Residential use districts permitted land uses.
- 23.18.040 Site requirements for residential use districts.
- 23.18.050 Parking standards for residential use districts.

23.18.010 Purpose of residential use districts.

Five residential zone classifications permit a variety of housing and population densities without conflict. Protection is provided against hazards, objectionable influences, traffic, building congestion and lack of light, air and privacy. Certain essential and compatible public service installations are permitted in residential use districts.

A. The single-family residential – 12,000 (R-1-12) is a residential zone classification requiring the lowest density of population within the city, providing protection against hazards, objectionable influences, building congestion and lack of light, air and privacy. Certain essential and compatible public service facilities and institutions are permitted in this district. This zoning classification is intended to be applied to some portions of the city that are designated low-density residential (zero to five dwellings per acre) under the city of Richland comprehensive plan.

B. The single-family residential – 10,000 (R-1-10) is a residential zone classification requiring a low density of population, providing protection against hazards, objectionable influences, building congestion, and lack of light, air, and privacy. Certain essential and compatible public service facilities and institutions are permitted in this district. This zoning classification is intended to be applied to some portions of the city that are designated low-density residential (zero to five dwellings per acre) under the city of Richland comprehensive plan.

C. The medium-density residential (R-2) is a residential zone classification permitting a higher density of population including the establishment of duplex dwellings and providing for these single-and two-family residences a high degree of protection from hazards, objectionable influences, building congestion and lack of light, air and privacy. Certain essential and compatible public service facilities and institutions are permitted in this district. This zoning classification is intended to be applied to some portions of the city that are designated medium-density residential (5.1 to 10 dwellings per acre) under the city of Richland comprehensive plan.

D. The medium-density residential small lot (R-2S) is a residential zone classification permitting a higher density of population, encouraging small lot development conducive to energy conservation and to other factors contributing to the production of affordable housing, and including the establishment of duplex dwellings and providing for these one- and two-family residences a high degree of protection from hazards, objectionable influences, building congestion and lack of light, air and privacy. Certain essential and compatible public service facilities and institutions are permitted in this district. This zoning classification is intended to be applied to some portions of the city that are designated medium-density residential (5.1 to 10 dwellings per acre) under the city of Richland comprehensive plan.

E. The multiple-family residential use district (R-3) is a residential zone classification allowing for the location of multiple-family dwellings, duplexes and attached and detached one-family dwellings and providing a high degree of protection for such uses and adjacent low-density residential development. This classification shall be designed to give protection from hazards, objectionable influences, building congestion, and lack of light, air, and privacy. Certain essential and compatible public service facilities and installations are permitted in this district. This zoning classification is intended to be applied to some portions of the city that are designated high-density residential (10.1 or more dwellings per acre) under the city of Richland comprehensive plan. [Ord. 28-05 § 1.02].

23.18.020 Residential performance standards and special requirements.

A. High-Density Residential Small Lot Special Requirements. In order to assure consistency with the purpose of the R-2S district, as stated in RMC 23.18.010(D), and further to avoid potential negative and undesirable effects that

may result from the higher density of development afforded in an R-2S zone, the following special requirements and provisions shall apply:

1. Any application for reclassification of land to R-2S shall be accompanied by an application for preliminary plat approval submitted in accordance with RMC 24.12.010. In addition, the following information shall be submitted with the application for preliminary plat:
 - a. A street landscaping plan showing the location and type of landscaping proposed;
 - b. Information showing the location, dimensions and character of recreational facilities and/or open space, including paths and trails; and
 - c. Utilization of curvilinear, cul-de-sac and/or loop streets or other appropriate design solutions to assist in modulating the interface of the residential buildings with the streets.
2. The planning commission and city council may, in keeping with the intent of this section, impose requirements and conditions on the approval of the preliminary plat or zoning reclassification as deemed appropriate. These conditions may include, but are not limited to, architectural design parameters, screening and buffering treatments, and supplemental open space and/or recreational facility requirements. Compliance with these conditions shall be demonstrated precedent to final plat and/or building permit approval as appropriate.
3. A combined front yard setback configuration and street-facing residential architectural elevation may be repeated continuously on no more than five lots before a different combination must be utilized. Regardless of the street facing architectural elevation, a front yard setback configuration may be repeated on no more than 10 lots before a different setback configuration must be utilized. The administrative official may approve variations to this requirement which, in his judgment, accomplish the intent of avoiding a monotonous interface of the residential buildings with the streets, or are necessary due to constraints or unique characteristics of the site. This requirement shall be satisfied at the time of building permit application.

B. Multiple-Family Residential Use District Special Requirements. In any multifamily residential (R-3) zoning district that directly abuts a single-family zoning district, the following buffer, setback and building height regulations shall apply to all multifamily residential structures:

1. 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, R-1-10 – single-family residential, 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.
2. Buildings that are within 50 feet of any property that is zoned for single-family residential use (as defined in subsection (B)(1) of this section) 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 multifamily zoning district.
3. 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. 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.
4. Recreational vehicle parks are permitted in the multifamily residential district (R-3) subject to the issuance of a special use permit meeting the requirements of RMC 23.42.220 and 23.42.240. Further, applicants must demonstrate that their proposed recreational vehicle parks are immediately adjacent to a state highway and that appropriate provisions are put in place to protect adjacent land uses. [Ord. 28-05 § 1.02].

23.18.025 Single-family residential design standards.

Any one-family attached dwelling, one-family detached dwelling or designated manufactured home shall meet the following minimum requirements:

A. All dwellings shall be placed on permanent foundations.

B. At the time of construction, all new single-family dwellings shall be new, not having been previously titled to a retail purchaser and not meeting the definition of a “used mobile home” as defined in RCW 82.45.032(2). [Ord. 28-05 § 1.02].

23.18.030 Residential 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	R-1-12	R-1-10	R-2	R-2S	R-3
Residential Uses					
Accessory Apartments	A ¹	A ¹	A ¹	A ¹	A ¹
Accessory Buildings ¹⁴	A	A	A	A	A
Adult Family Home	P	P	P	P	P
Apartment/Condominium (3 or More Units)					P
Assisted Living Facility					P
Bed and Breakfast	S ²	S ²	S ²	S ²	P
Day Care Center	S ³	S ³	S ³	S ³	P ³
Designated Manufactured Home	P ⁴	P ⁴	P ⁴	P ⁴	P ⁴
Dormitories, Fraternities and Sororities					P
Dwelling, One-Family Attached			P ⁴	P ⁴	P ⁴
Dwelling, One-Family Detached	P ⁴	P ⁴	P ⁴	P ⁴	P ⁴
Dwelling, Two-Family Detached			P	P	P
Home Occupations	A ⁵	A ⁵	A ⁵	A ⁵	A ⁵
Family Day Care Home	A ³	A ³	A ³	A ³	A ³
Manufactured Home Park			S ⁶	S ⁶	S ⁶

Land Use	R-1-12	R-1-10	R-2	R-2S	R-3
Playground Developed in Conjunction with School, Park or Community Clubhouse	P	P	P	P	P
Nursing or Rest Home					P
Rental of Rooms to Not More Than Four Persons Other Than the Family Occupying the Single-Family Dwelling	A	A	A	A	A
Private Swimming Pools	A ⁷	A ⁷	A ⁷	A ⁷	A ⁷
Recreational Club	P ⁸	P ⁸	P ⁸	P ⁸	P ⁸
Senior Housing					P
Public/Quasi-Public Uses					
Churches	P ⁹	P ⁹	P ⁹	P ⁹	P ⁹
Clubs or Fraternal Societies	P ⁹	P ⁹	P ⁹	P ⁹	P ⁹
Cultural Institutions	P ⁹	P ⁹	P ⁹	P ⁹	P ⁹
General Park Operations and Maintenance Activities	P	P	P	P	P
Golf Courses	P	P	P	P	P
Power Transmission and Irrigation Wasteway Easements and Utility Uses	P ¹⁰	P ¹⁰	P ¹⁰	P ¹⁰	P ¹⁰
Public Agency Buildings	P ¹⁰	P ¹⁰	P ¹⁰	P ¹⁰	P ¹⁰
Public Agency Facilities	P ¹⁰	P ¹⁰	P ¹⁰	P ¹⁰	P ¹⁰
Public Parks	P	P	P	P	P
Schools	P ¹¹	P ¹¹	P ¹¹	P ¹¹	P ¹¹
Special Events Including Concerts, Tournaments and Competitions, Fairs, Festivals and Similar Public Gatherings	P	P	P	P	P
Trail Head Facilities	P	P	P	P	P
Miscellaneous Uses					
Macro-Antennas	P	P	P	P	P
Parking Lots	P	P	P	P	P
Raising Crops, Trees, Vineyards	P	P	P	P	P
Recreational Vehicle Parks					S ^{12,13}

1. RMC 23.42.020
2. RMC 23.42.045
3. RMC 23.42.080
4. RMC 23.18.025
5. RMC 23.42.090
6. RMC 23.42.140
7. RMC 23.42.300
8. RMC 23.42.210
9. RMC 23.42.050
10. RMC 23.42.200
11. RMC 23.42.250
12. RMC 23.42.220
13. RMC 23.18.020(B)(4)
14. Accessory buildings and structures are subject to RMC 23.38.020 – 23.38.070 [Ord. 28-05 § 1.02; Ord. 04-09; Ord. 07-19 § 5].

23.18.040 Site requirements for residential use districts.

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

Standard	R-1-12	R-1-10	R-2	R-2S	R-3
Minimum Lot Area Requirement – One-Family Detached Dwelling	10,000 feet ¹	8,000 feet	6,000 feet	4,000 feet	4,000 feet
Minimum Lot Area Requirement – Two-Family Detached Dwelling	N/A	N/A	10,000 feet	7,000 feet	7,000 feet
Minimum Lot Area Requirement – One-Family Attached Dwellings	N/A	N/A	N/A	3,000 feet	3,000 feet
Maximum Density – Multifamily Dwellings (Units/Square Foot)	N/A	N/A	N/A	N/A	1:3,000
Minimum Lot Width – One-Family Detached Dwelling	90 feet	70 feet	50 feet	42 feet	42 feet
Minimum Lot Width – Two-Family Detached Dwelling	N/A	N/A	70 feet	64 feet	64 feet
Minimum Lot Width – One-Family Attached Dwellings	N/A	N/A	N/A	30 feet	30 feet
Average Lot Size Requirement ²	12,000	10,000	None	None	None
Minimum Front Yard Setback ³	20 feet	20 feet	20 feet	15 feet/18 feet ⁴	20 feet ^{6,10}
Minimum Side Yard Setback	10 feet	10 feet	6 feet	6 feet ⁵	^{6,10}
Minimum Alley/Private Access Easement Setback	6 feet	6 feet	6 feet	6 feet	6 feet
Minimum Rear Yard Setback	25 feet	25 feet	25 feet	20 feet/3 feet ⁷	25 feet ^{6,10}
Maximum Lot Coverage ⁸	40%	40%	40%	50%	33%/45% ^{9,10}
Maximum Building Height – Main Building	30 feet	30 feet	30 feet	30 feet	40 feet ¹⁰
Maximum Building Height – Detached Accessory Buildings ¹¹	16 feet	16 feet	16 feet	16 feet	16 feet

1. The minimum lot size in existing residential neighborhoods shall be based on the mean average lot size of existing platted R-1-12 lots within a radius of 500 feet of the property proposed for subdivision. However, in no case shall the minimum lot requirement exceed 12,000 square feet, nor be less than 10,000 square feet.

2. Minimum average lot area per subdivision, exclusive of the area of streets and lots designated for nonresidential uses. In calculating average lot size, at least 35 percent of all lots shall be larger than the average lot size requirement.

3. Front yard setbacks are required from all street rights-of-way adjoining a lot as shown in the table above, except as follows:

a. In single-family residence districts and in R-2 and R-3 districts where more than 50 percent of the normal or average-size lots in a block fronting on one side of the street are developed with existing buildings, other than accessory buildings, with front yard setbacks less than that required for the district, a new single-family or duplex dwelling shall adopt a minimum front yard setback dimension which is the average of the setbacks of the buildings on the two adjoining lots, existing prior to July 22, 1960, but in no case shall this dimension be less than 15 feet nor need it exceed 30 feet.

b. Residential Districts. In any R district, or any combination therewith, on any corner lot where there is provided a side yard along the interior side lot line at least equal in width to the minimum depth of the rear yard required for the district, the main building may encroach upon the required rear yard up to a line where the remaining rear yard is no less in depth than the minimum width of the side yard required for the district. No accessory buildings may be located in said side yard, except a patio shelter enclosed on no more than two sides by walls or other enclosures and in conformity with the other provisions of this title.

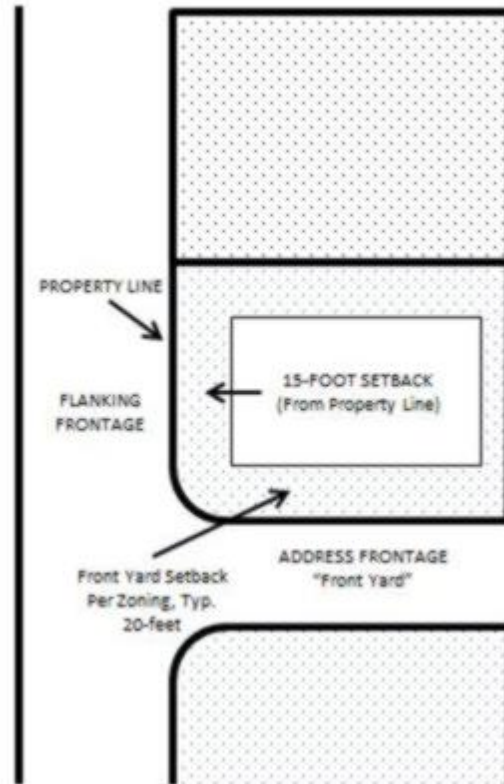
c. The flanking frontage or nonaddress front yard of a corner lot may reduce the front yard setback of said frontage to 15 feet; see diagram below.

4. Front yards shall not be less than 15 feet in front of living areas, up to a maximum of 55 percent of the front lot line, and not less than 18 feet in front of all other areas.

5. Detached one-family or detached two-family dwellings shall have two side yards with each side yard having a width of not less than six feet. A nonattached side of an attached one-family dwelling shall have a side yard having a width of not less than six feet.

6. For multiple-family dwellings and other allowable uses other than one-family attached and one-family and two-family detached dwellings, front yards shall be 20 feet, side yards shall be equal to one foot of side yard for each three feet or portion thereof of building height, and rear yards shall be 25 feet, except as required by RMC 23.18.020(B) when multifamily development is located adjacent to a single-family residential zoning district or development.

7. Rear yards shall be not less than 20 feet in back of living areas and three feet in back of garages or carports up to a maximum of 60 percent of the rear lot line for the garage or carport portion of the rear yard.
8. Lot coverage includes all buildings, including accessory buildings or structures on any lot in a residential district, exclusive of patios without roof coverings or patios with only open lattice or similar type roof construction.
9. Buildings in an R-3 district shall cover not more than 33 percent of the area of the lot except one-family attached dwellings, which may cover up to 45 percent of the area of the lot.
10. Setbacks, building heights, and lot coverage requirements for one-family attached, one-family detached and two-family detached dwellings in the R-3 zoning district shall be the same as those set forth for development in the R-2S zoning district.
11. Detached accessory structures built pursuant to the setback provisions of RMC 23.38.020 are limited to one story.



[Ord. 28-05 § 1.02; Ord. 04-09; Ord. 20-10 § 1.01; amended during 2011 recodification; Ord. 14-11 § 1.01; Ord. 32-11 § 3; Ord. 20-14 § 1.01].

23.18.050 Parking standards for residential use districts.

Off-street parking space shall be provided in all residential zones in compliance with the requirements of Chapter 23.54 RMC. [Ord. 28-05 § 1.02].

Chapter 23.14

AGRICULTURAL ZONING DISTRICTS

Sections:

- 23.14.010 Purpose of agricultural use districts.
- 23.14.020 Agricultural performance standards and special requirements.
- 23.14.030 Agricultural use districts permitted land uses.
- 23.14.040 Site requirements for agricultural use districts.
- 23.14.050 Parking standards for agriculture use districts.

23.14.010 Purpose of agricultural use districts.

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

B. The suburban agricultural use district (SAG) is a zone classification providing for residential areas, rural in nature, with sufficiently large lots to allow for the maintenance of certain animals and farm crops, while at the same time establishing and maintaining a living environment of high standards for residential uses. This zoning classification is intended to be applied to some portions of the city that are designated low-density residential (zero to five dwellings per acre) under the city of Richland comprehensive plan. [Ord. 28-05 § 1.02].

23.14.020 Agricultural performance standards and special requirements.

A. The following standards relate to the raising and keeping of livestock in an AG district:

1. A permitted structure, pen or building in which livestock is kept shall be located not less than 25 feet from any lot line and not less than 40 feet from any one-family dwelling;
2. A pasture, including perimeter fencing, shall be located not less than 15 feet from any one-family dwelling located on the same lot;
3. Uses, structures and buildings shall comply with the applicable yard and area requirements of RMC 23.38.010 through 23.38.090.

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

1. Limited agricultural uses such as orchards, vineyards, vegetable gardens, field crops and pastures;
2. Sale of products grown on the premises;
3. Limited raising or keeping of large livestock as follows:
 - a. Horses, ponies, mules, donkeys, burros, and similar animals;
 - b. Dairy cattle, beef cattle, buffalo and similar animals;
 - c. Sheep, goats, and similar animals;
 - d. A maximum of two animal units (one animal unit equals approximately 1,000 pounds of animal weight) may be kept per one acre gross pasture area. Gross pasture area is that portion of a lot which is fenced and used solely for the grazing and keeping of large livestock. The following are examples of animal unit usages:
 - i. One horse and one cow per gross pasture acre;

- ii. Two cows or two horses per gross pasture acre;
 - iii. Ten sheep or 10 goats per gross pasture acre;
 - iv. Eight sheep and two goats per gross pasture acre;
- e. If any additional animal(s) born on the premises causes the maximum allowable number of animals to be exceeded, adjustments must be made to bring the total number of animals into compliance with this chapter within the corresponding time limits specified below:
- i. Horses and similar animals: one year from date of birth;
 - ii. Cattle and similar animals: one year from date of birth;
 - iii. Sheep, goats, and similar animals: six months from date of birth;
- f. If any additional animal(s) are acquired by any means other than by birth, and cause the maximum allowable number of animals to be exceeded, adjustments must be made to bring the total number of animals into compliance with this chapter within 90 days after placement of the additional animal(s) on the premises. In addition, a fence must be constructed prior to the acquisition of any large livestock to ensure containment of the livestock on the premises;

4. Limited raising or keeping of small livestock as follows:

- a. Rabbits and similar animals;
- b. Chickens, ducks, geese, turkeys, and other similar fowl.

A maximum of 12 animals or fowl, as defined above, may be raised or kept per one acre gross lot area.

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

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

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

- i. Placement of manure in a fly-proof container with periodic removal of manure from the lot;
- ii. Adequate burying of the manure;
- iii. Removal of manure from the lot.

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

Any structures used for the keeping of livestock shall be set back a minimum of 50 feet from any property line. [Ord. 28-05 § 1.02].

23.14.030 Agricultural use districts permitted land uses.

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

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

B. If the symbol “S” appears in the box at the intersection of the column and row, the use is permitted subject to the special use permit provisions contained in Chapter 23.46 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	AG	SAG
Agriculture		
Agricultural Use	P	P
Business and Personal Services		
Animal Shelter	S ¹	
Commercial Kennel	S ¹	
Hospital Clinic – Large Animal	S ¹	
Hospital Clinic – Small Animal	S ¹	
Industrial Uses		
Excavating, Processing, Removal of Topsoils, Sand, Gravel, Rock or Similar Natural Deposits	S ²	
Public Uses		
Churches	p ³	p ³
Clubs or Fraternal Societies	p ³	p ³
Cultural Institutions	p ³	p ³
General Park Maintenance and Operations	P	P
Golf Courses	P	P
Passive Open Space Uses	P	P
Power Transmission and Irrigation Wasteway Easements and Utility Uses	p ⁴	p ⁴
Public Agency Buildings	p ⁴	p ⁴
Public Agency Facilities	p ⁴	p ⁴
Public Parks	P	P
Schools	p ⁵	p ⁵
Special Events Including Concerts, Tournaments, and Competitions, Fairs, Festivals and Similar Public Gatherings	P	P
Trail Head Facilities	P	P
Trail for Equestrian, Pedestrian or Nonmotorized Vehicle Use	P	P
Recreational Uses		
Commercial Recreation, Outdoor	S ⁶	
Recreational Vehicle Campgrounds	S ⁷	

Land Use	AG	SAG
Stable, Public	S ⁸	
Retail Uses		
Landscaping Material Sales	S ⁹	
Nursery, Plant	S ⁹	
Parking Lot	A	A
Residential Uses		
Accessory Apartments	A ¹⁰	A ¹⁰
Adult Family Home	P	P
Bed and Breakfast	S ¹¹	S ¹¹
Day Care Center	S ¹²	S ¹²
Designated Manufactured Home	p ¹³	p ¹³
Dwelling, One-Family Detached	p ¹³	p ¹³
Family Day Care Home	A ¹²	A ¹²
Home Occupations	A ¹⁴	A ¹⁴
Private Swimming Pools	A ¹⁵	A ¹⁵
Recreational Club	p ¹⁶	p ¹⁶
Rental of Rooms to Not More Than Four Persons Other Than the Family Occupying the Single-Family Dwelling	A	A
Miscellaneous Uses		
Cemetery	P	
Macro-Antennas	P	P
Raising Crops, Trees or Vineyards	P	P

1. RMC 23.42.040
2. RMC 23.42.070
3. RMC 23.42.050
4. RMC 23.42.200
5. RMC 23.42.250
6. RMC 23.42.175
7. RMC 23.42.230
8. RMC 23.42.190
9. RMC 23.42.105
10. RMC 23.42.020
11. RMC 23.42.045
12. RMC 23.42.080
13. RMC 23.18.025
14. RMC 23.42.090
15. RMC 23.42.300
16. RMC 23.42.210

[Ord. 28-05 § 1.02; amended during 2011 recodification; Ord. 07-19 § 4].

23.14.040 Site requirements for agricultural use districts.

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

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

¹. Main structures shall be set back a minimum of 25 feet and accessory structures shall meet the requirements of RMC 23.38.020 except that structures intended for the keeping of livestock shall meet the setback requirements of 50 feet as established in RMC 23.14.020(B)(4)(iii).

². Lot coverage includes all buildings, including accessory buildings or structures on any lot in a residential district, exclusive of patios without roof coverings or patios with only open lattice or similar type roof construction.
[Ord. 28-05 § 1.02; Ord. 04-09; amended during 2011 recodification].

23.14.050 Parking standards for agriculture use districts.

Off-street parking space shall be provided in all agricultural zones in compliance with the requirements of Chapter 23.54 RMC. [Ord. 28-05 § 1.02].

CHAPTER 11.07

URBAN GROWTH AREA RESIDENTIAL DISTRICT (UGAR)

SECTIONS:

11.07.010	Purpose
11.07.020	Applicability
11.07.030	Allowable Uses
11.07.040	Accessory Uses
11.07.050	Uses Subject to Planning Administrator Review and Approval
11.07.060	Uses Requiring a Conditional Use Permit
11.07.070	Uses Prohibited
11.07.080	Property Development Standards--General Standards
11.07.090	Property Development Standards--Setback Requirements
11.07.100	Severability
11.07.110	Effective Date

11.07.010 PURPOSE. The Urban Growth Area Residential District (UGAR) are lands within Urban Growth Areas (UGAs) that have been designated to accommodate the land use needs of a city's projected future population growth. The UGAR District allows higher densities and a variety of uses similar to those typically found in the adjacent cities. The densities, uses and development provisions allowed within this district assure that development prior to annexation by a city results in densities, land uses and development patterns that are consistent with that city's Comprehensive Plan.
[Ord. 611 (2018) § 21]

11.07.020 APPLICABILITY. Provided all applicable code provisions are satisfied, the provisions of this chapter shall apply to the areas designated as an Urban Growth Area Residential

District (UGAR) on the official zoning maps of Benton County and located within an Urban Growth Area of unincorporated Benton County.

[Ord. 611 (2018) § 22]

11.07.030 ALLOWABLE USES. Provided all applicable code provisions are satisfied, the following uses are allowed within the Urban Growth Area Residential District (UGAR) on a single parcel of record:

- (a) Single Family Dwelling (SFD).
- (b) Duplex, subject to the provisions of BCC 11.07.080(a).
- (c) On any tract of land having an area of one (1) acre or more, the keeping of one animal unit equivalent per one-half acre of ground, exclusive of suckling animals.
- (d) Church.
- (e) Adult Family Home.
- (f) Crisis residential center.

[Ord. 611 (2018) § 23]

11.07.040 ACCESSORY USES. Provided all applicable code provisions are satisfied, the following uses are allowed as an accessory/ancillary use within the Urban Growth Area Residential District (UGAR) on a single parcel of record:

- (a) One (1) or more accessory buildings and uses (commonly appurtenant to a single family dwelling).
- (b) Yard Sales occurring for no more than three (3) consecutive days on two (2) different occasions during a calendar year.
- (c) Kennel, Private.

(d) Solar Power Generator Facility, Minor

(e) Uses subject to Planning Administrator review and approval, specified in BCC 11.07.050(b) (c) (d) .
[Ord. 611 (2018) § 24]

11.07.050 USES SUBJECT TO PLANNING ADMINISTRATOR REVIEW AND APPROVAL. The following uses may be allowed within the Urban Growth Area Residential District (UGAR) on a single parcel of record upon the review and approval of the Planning Administrator:

(a) Temporary Dwelling, subject to BCC 11.42.110.

(b) Home Occupation, subject to the provisions of Chapter 11.49 BCC, involving business activities not otherwise expressly allowed or requiring a permit under BCC 11.07.060.

(c) Child Day Care Facility, Type A, subject to the provisions of BCC 11.42.050.

(d) Accessory dwelling unit (within or attached to a single family home), subject to the provisions of BCC 11.42.020.
[Ord. 611 (2018) § 25]

11.07.060 USES REQUIRING A CONDITIONAL USE PERMIT. The following uses may be permitted on a single parcel of record within the Urban Growth Area Residential District (UGAR) if a conditional use permit is issued by the Hearings Examiner after notice and public hearing as provided in BCC 11.50.040.

(a) School, library, community clubhouse, grange hall, senior center and/or other non-profit organizational hall.

(b) Fire department facility, law enforcement facility, and/or medical facility.

(c) Child Day Care Facility, Type B, subject to the provisions of BCC 11.42.060.

- (d) Public transit center.
- (e) Bed and Breakfast Facility, subject to the provisions in BCC 11.42.030.
- (f) Home occupation involving the display and/or sale of products on the premises; provided, a home occupation permit is also required under Chapter 11.49 BCC.
- (g) Nursery.
- (h) A Park.
- (i) Hiking and non-motorized biking trails.
- (j) Utility substation facility.
[Ord. 611 (2018) § 26]

11.07.070 USES PROHIBITED. Any use not authorized or approved pursuant to BCC 11.07.030, BCC 11.07.040, BCC 11.07.050 or BCC 11.07.060 is prohibited within the Urban Growth Area Residential District (UGAR).
[Ord. 611 (2018) § 27]

11.07.080 PROPERTY DEVELOPMENT STANDARDS--GENERAL STANDARDS. All lands, structures and uses in the Urban Growth Area Residential District (UGAR) shall conform to the following general standards, and if applicable, to the standards set forth in Chapter 15.02 BCC, Chapter 15.04 BCC, Chapter 15.06 BCC, Chapter 15.08 BCC, Chapter 15.12 BCC, and Chapter 15.14 BCC.

(a) Minimum parcel size. Except as otherwise set forth herein, the minimum parcel size that may be created in the UGAR District is seven thousand five hundred (7,500) square feet; provided, the Benton-Franklin Health District may require a larger parcel size as necessary to meet on-site sanitary well and sewer provisions. Duplexes may only be located on parcels of at least fifteen thousand (15,000) square feet; provided, the Benton-Franklin

Health District may require a larger parcel size as necessary to meet on-site sanitary well and sewer provisions.

(b) Lot Width. Each parcel shall have an average lot width of no less than seventy (70) feet.

(c) Maximum Lot Coverage. Sixty (60) percent.
[Ord. 611 (2018) § 28]

11.07.090 PROPERTY DEVELOPMENT STANDARDS--SETBACK REQUIREMENTS. All lands, structures, and uses in the Urban Growth Area Residential (UGAR) shall meet the following setback requirements, and if applicable, the setback requirements set forth in Chapter 15.02 BCC, Chapter 15.04 BCC, Chapter 15.06 BCC, Chapter 15.08 BCC, Chapter 15.12 BCC, and Chapter 15.14 BCC.

(a) Setback Requirements. The following minimum setbacks shall apply:

(1) Each dwelling unit, accessory building, and accessory use on a parcel shall have a setback of twenty (20) feet from the property line bordering any public road right-of-way; and a setback of twenty (20) feet from the closest edge of any legally-established boundary line of a private access easement.

(2) Each dwelling unit shall have a setback of fifteen (15) feet from the rear parcel lines.

(3) Each accessory building and accessory use shall have a setback of ten (10) feet from all alleys and the rear parcel lines.

(4) Each dwelling unit, accessory building, and accessory use on a parcel shall have a setback of ten (10) feet from the side parcel lines.

(5) All shelters, coops, or other structures used for the

habitation of livestock shall have a setback of at least thirty (30) feet from every property line of the parcel on which it is located, unless a greater setback is otherwise required under the Benton County Code.

(6) All dwelling units and swimming pools shall have a setback of one hundred fifty feet (150) from any parcel located partially or wholly within the Growth Management Act Agricultural District (GMAAD) and from any adjacent orchard, hop yard, or vineyard (or combination thereof) of ten (10) acres or more on one parcel or on contiguous parcels under common ownership.

(7) Cornices, eaves, belt courses, sills, fireplace chimneys, and open, unenclosed stairways or balconies not covered by a roof or canopy may extend or project from a building three (3) feet into any required setback area. However, none of these architectural features may be located within any easements.

(8) Ground floor uncovered, unenclosed porches, platforms, or landings may extend or project from a building six (6) feet into the setback area but no closer than five (5) feet from any parcel line; provided, none of these architectural features may be located within any easements.

[Ord. 611 (2018) § 29]

11.07.100 SEVERABILITY. If any provision of this chapter is declared unconstitutional, or the applicability thereof to any person or circumstance is held invalid, the constitutionality of the remainder of the chapter and the applicability thereof to other persons and circumstances shall not be affected thereby.

[Ord. 611 (2018) § 249]

11.07.110 EFFECTIVE DATE. This chapter shall take effect and be in full force upon its passage and adoption.

[Ord. 611 (2018) § 250]

Vicinity Map

Item: Annexation (76.3-Acres)
Applicant: Frank Tiegs
File #: ANX2020-102

Exhibit F



BENTON COUNTY

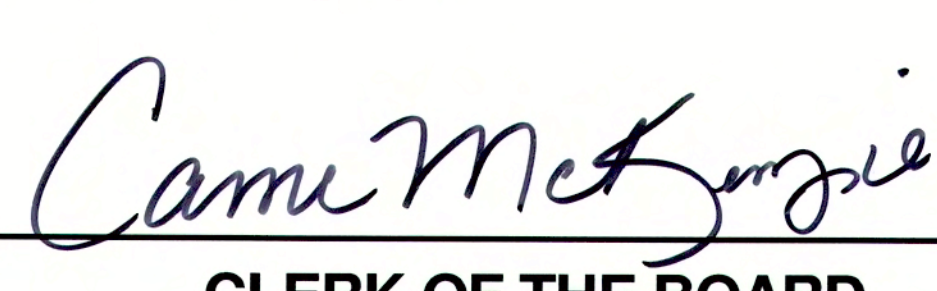
STATE OF WASHINGTON
OFFICIAL ZONING MAP A-4

Effective 12-18-18

WE HEREBY CERTIFY THAT THIS MAP CONSTITUTES THE OFFICIAL ZONING MAP AS APPROVED BY ORDINANCE # 616 OF THE BOARD OF COUNTY COMMISSIONERS AND SIGNED BY ITS CHAIRMAN.

DATED THIS 18TH DAY OF DECEMBER 2018.

BY 
CHAIRMAN OF THE BOARD

ATTEST 
CLERK OF THE BOARD

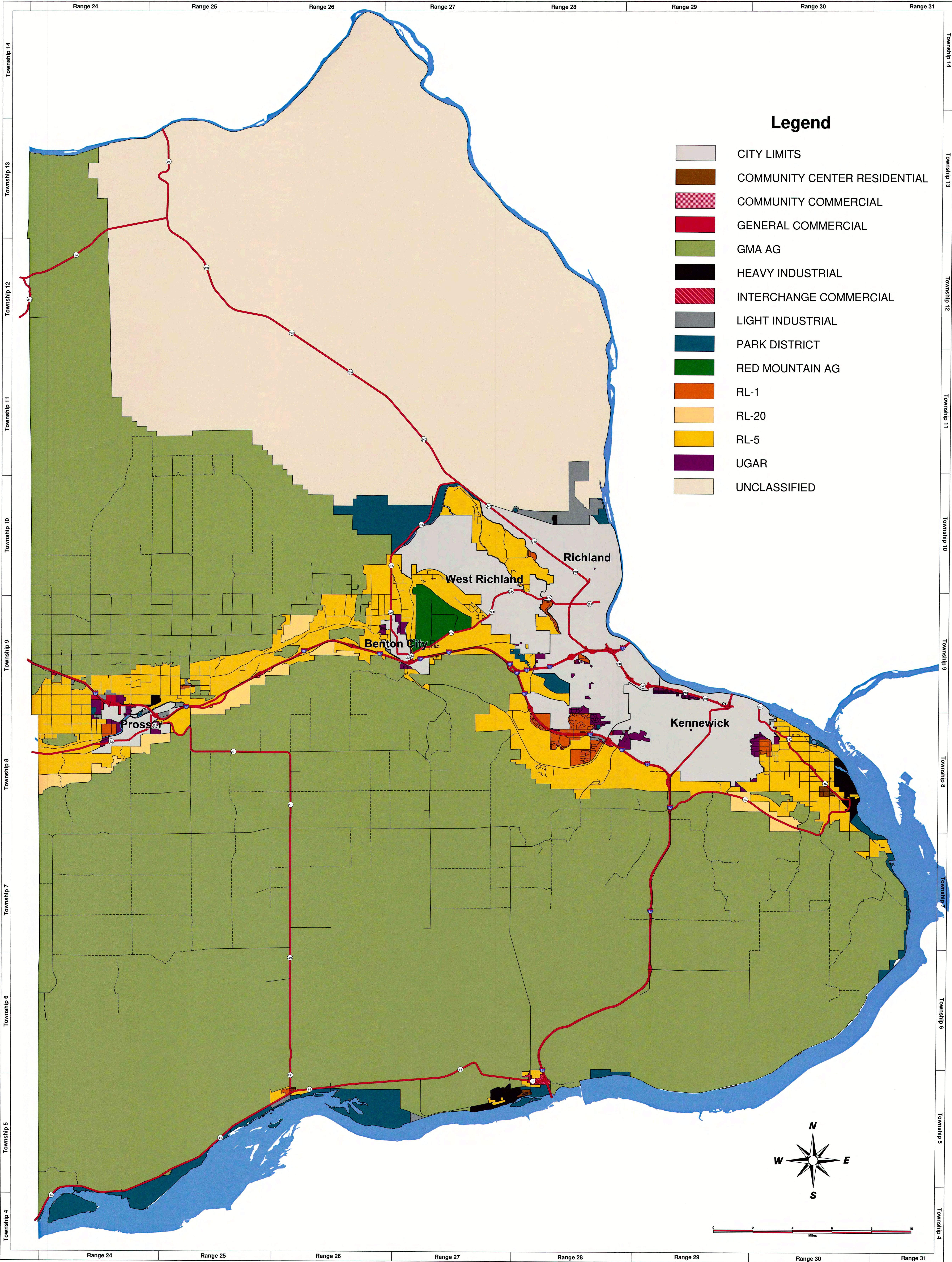


Exhibit G

From: [Reanette Ellmer](#)
To: [Stevens, Mike](#)
Subject: Annex near 1106 S. Jurpa Road
Date: Wednesday, October 7, 2020 5:00:39 PM

Eminent Domain

The power to take private property for public use by a state, municipality, or private person or corporation authorized to exercise functions of public character, following the payment of just compensation to the owner of that property.

To The Planning Commission: The government of Richland seems to be enforcing their power to take property from landowners, business owners and the community within it. When will the government realize that these tactics and liberal ways are not what the people want, especially in an area where people own a business. The vineyards are a part of the community, they bring a place for gathering and bring revenue to the city.

I understand the city will be better off in a financial situation with property taxes for several homeowners over what a vineyard may provide but it still does not make taking someone's land away from them okay, or even legal.

I ask that the commission reconsider their attempt to take land away from people and dramatically change the neighborhood in which I live in. I did not move to this house a year ago to see a vineyard removed, rather to enjoy the vineyard as part of the added beauty of the neighborhood. This will lower the property value of our homes, create additional traffic to a very quiet and peaceful area, and where are the essential services going that will be needed with additional homes. You are lowering the standards of the Rancho Reata area, which has been a very high quality and sought after neighborhood.

Save a part of Tri-City history, as well as leaving green open space. General plans are always open for change and do not need to be imposed in a time frame fitted for the city.

Reanette and Jason Etzler

2668 Katie Rd

From: [Craig Allen](#)
To: [Stevens, Mike](#)
Subject: Annexation and Zoning (76.3-Acres) File ANX2020-102
Date: Sunday, October 4, 2020 3:06:43 PM

Dear Mr. Stevens;

i have been working at the Hanford Site for the past 5+ years. For most of that, I have been commuting between Normandy Park and Richland. This past year I finally convinced my wife to move to Richland. She agreed for a number of reasons, but most important, was finding the right house. Last September, we found the ideal lot and home development. It is the Westcliffe Heights by Pahlisch Homes. In August of this year, we moved into our new home with this amazing VIEW. My wife agreed to the move partially based on the fact that the new home has a great view. We have been living with a partial view of Puget Sound for the past decade.

Comes this September, while we are still unloading boxes and moving in, we find that the beautiful vineyard below us is now threatened with a zoning change that will do away with it and our view.

I have read your Notice of Public Hearing. We and the other home owners on our street received this from someone other than the city of Richland. The notice says it was mailed to property owners who are located within 300' of the proposed annexation area. We have received no such notification. This is in spite of the fact that our homes are directly adjacent to the proposed annexation.

The notice says the annexation is not in question, only the zoning.

I noticed that the proposal states some nonconforming uses, lots or buildings will be legal nonconforming if they exist at the time of the annexation and zoning. No mention is made of such an allowance for the Winery. It is my understanding that the proposed zoning will allow moderate home lots. I see the applicants name is attached. I am sure this application is to maximize the number of building lots the applicant can design into the land. As a former city code enforcement official and present fire/life safety engineer, I am familiar with the possibilities that presents. I am also familiar with the problems that entails.

I noticed that the Zoning notice carefully does not mention the number of lots or open areas in the notice. That concerns me. As a former code enforcement official, I know the impact of densely populated developments on the contiguous properties associated with the change in nature. Most of the area below and next to the annexation are of a semi-rural nature. The proposal is definitely not such a development. The homeowners on our street have paid handsomely for the privilege of building here.

1. Loss of the beautifully kept vineyard will severely impact the view from the lots above. I have talked with several of my fellow property owners. We are of the opinion that this loss will negatively affect our property values.
2. The lot sizes and changes of the nature of the development below will greatly increase traffic and noise to the area.
3. Is the developer prepared to fairly compensate the Vineyard owner and the affected existing property owners for any losses due to the changes being made?
4. As this annexation is contiguous to the city boundaries, but not conveniently placed for services such as fire and police, what are the plans of the city to provide those services to this area?
5. We would like to see the actual plans being proposed before being asked to approve any zoning change. Or is it the intent to make the annexation and zoning change one complete package?

I am not in favor of this kind of sneaky-pete maneuver.

There are several items that are not clear and need to be part of this change of zoning.

1. How many actual home sites are being proposed?
2. How does the city plan on handling the traffic these new residents will create?
3. Is the city planning on improving the connection between Bermuda Drive and Queensgate?

4. Is the city planning on paving and improving the connection between Legacy Lane and Morency?
5. Queensgate will have to be extended directly to connect to Keene. Is the city proposing this change? Who pays for that work?
6. Is the city planning on roads to be run west of the proposed development?

The way it looks, traffic will be routed between Bermuda and Queensgate and then through the neighborhoods on Westcliffe.

I propose that the process be two fold. The first is for Richland to annex the property. The second to follow later is to more completely lay out the process and plans for the locals to see and understand. Then proper notice can be given and we can support or oppose the proffered changes with more knowledge and understanding. As it stands right now, it looks like this proposed zoning change is not supported by locals in either the Kennewick or Richland neighborhoods that are contiguous to the proposed change. We don't want the dense housing that will be obviously smaller and less expensive homes (sorry to sound snobbish here), but the changes are considerably different than the present land use and character of the neighborhoods.

We certainly can't support the destruction of a successful local business (the vineyards and winery) during a time when so many small local business are being closed by the pandemic. The number of homes that look like are being proposed will bring a need for new businesses that are allowed under the zoning proposed and totally not in character with the neighborhoods we have invested in. This looks like a land grab zoning change to benefit one developer at the cost of the locals and the city of Richland.

Thank you for your kind attention to this matter.

Sincerely,

Craig L. Allen, PE, FPE, CET, DFM
2377 Legacy Lane
Richland, WA 99352
Home (509) 396-7174
Cell (817) 946-8246

From: [DESTEESE Roland \(Framatome\)](#)
To: [Stevens, Mike](#)
Subject: Annexation of Badger Mountain Vineyard
Date: Monday, October 5, 2020 8:00:19 PM

I am disappointed that, yet again, the City of Richland is attempting to take away a natural regions in the area and pack it full with people and housing. Please leave the Badger Mountain / Powers Winery vineyard as is (a beautiful place to view, enjoy and hike around). This is a green and sustainable oasis among the housing areas already established. Frequently, we walk along Rachel Road, Clover Road and Juniper Street to enjoy the open areas, and walking to and around the vineyard.

I moved to this area specifically for open space and country living, to get away from the tightly packed housing and traffic areas. I do not like the fact that City of Richland 'is changing the rules' that compromise this lifestyle. I appears that this position is already being compromised now that the orchard at the end of Rachel Road / north of Katie Road has been removed and housing is going in.

With more people moving into the area in high density structures, and natural regions going away, the traffic on my street (Rachel Road) will become even more unbearable.

The city has plenty of other places to expand and gain further tax revenue (the orchards south and southwest side of Badger Mountain have been removed and remains burned up; seems like Richland already has a plan for those areas).

The City of Richland did one thing correctly recently. The Dallas Road – Ava Way high density (apartments) concept near the Country Merchantile worked as it was supposed to. The apartments were built away from any housing development. As the housing eventually envelops the already existing apartment complex, families can choose to move into neighborhoods around apartment complexes. City of Richland should continue that practice of building apartments away from existing neighborhoods instead of stuffing those complexes in already-establish neighborhoods.

Please do not rezone the Badger Mountain / Powers Winery vineyard. Leave it as is.

Roland

Roland DeSteeese
Rachel Road Resident

From: [Matthew Cooper](#)
To: [Stevens, Mike](#)
Subject: Anx2020-102
Date: Wednesday, October 7, 2020 5:08:06 PM

To whom it concerns,

We, the homeowners of 3506 N Bermuda Rd, are concerned about the ANX2020-102 Badger Mountain Vineyards, Annexation Request. We are worried about the impact on traffic to and from the area. Future traffic improvements will be necessary to provide safe traffic flow when entering Leslie from Reata or Rachel, the two main traffic corridors for the area. We feel the speed limit and traffic lights need to be addressed. Further, if the road through the orchard becomes a major thoroughfare then the bend just north of legacy will need improvements and no parking postings.

Thank you,

Matthew and Yichien Cooper

From: donar@gorge.net
To: [Stevens, Mike](#)
Cc: donar@gorge.net
Subject: Badger Mountain Vineyard development
Date: Sunday, October 4, 2020 8:55:23 AM

Dear City Leaders:

This letter is my expression of concerns relating to the latest Public Notice regarding Badger Mountain Certified Organic Vineyard.

I live on Bermuda Road directly across from the vineyard. It has been a fantastic place to live, with 100's of people walking, riding, and connecting with the green space this vineyard provides. The peaceful space is an escape from the ever-growing housing that presses on the reasons we all live here!! Here are a list of items to consider before moving ahead with plans to annex/destroy the vineyard.

1. Even without expanded housing, the traffic is becoming an issue, especially with dangers of construction trucks blasting up our roads ignoring the safety of our children and walking seniors.
2. There are already new developments coming to spoil the agriculture and green spaces we all hold dearly. Traffic and other pressures must be avoided to give these resident the peace they purchased years/decades ago.
3. The proposed zoning is too dense for the existing roads and community surface streets. The congestion will make it unsafe for the existing children, seniors, and all residents to safely walk and ride around their neighborhoods. Is safety an issue while you plan?
4. Any zoning for this area MUST be very large lots to help avoid these issues that stand to shift away from the unique feel and nature of our current neighborhoods. One acre lots should be the minimum if any development is finalized. High-density housing will fundamentally change the vision city/county leaders intended for this area!!
5. High-density housing will lower the value of existing housing with future owners. A new development should not steal value from another just in the name of progress.
6. Larger lots will help maintain the value and country feel this part of Richland/Kennewick gives to the community. Larger animals, gardens, and all the feelings this area provides will be lost to progress, higher taxes, and checking the box for more homes.

Please consider these concerns while planning for the future of our area. History will tell the story of true vision vs. urgency and poor decisions.

Donald and Katherine Arbon
2404 N. Bermuda Road
Kennewick, WA 99338
509.579.0468
donar@gorge.net

From: [Kasshia McPhee](#)
To: [Stevens, Mike](#)
Subject: Badger Mountain Vineyard Housing Development
Date: Saturday, October 3, 2020 11:35:37 AM

Hello,

My husband and I live at 95904 E Holly Rd, Kennewick, WA, with great views of Badger Mountain Vineyard. My parents also live nearby on Clover Road. We are saddened to hear the news of the possibility of a housing development. Since we moved to the area a year ago we have seen endless construction behind our house. The area is already becoming way too densely housed with the new construction homes on small lots. The Rancho Reata area has classically been open with larger lot sizes which I think contributes to the beauty of the area. We have loved having the vineyard nearby for beauty, greenery, wildlife, and walking trails. We have enjoyed a very quiet neighborhood and I fear with additional housing the traffic noise will greatly increase. We are also concerned about property values if homes continue to get packed in the neighborhood. We also frequently enjoy the Badger Mountain Winery and want to support this organic local business. We hope the City of Richland reconsiders this rezoning.

Thank you,
Kasshia McPhee

From: [Stephen McPhee](#)
To: [Stevens, Mike](#)
Subject: Badger Mountain Vineyard Zoning
Date: Saturday, October 3, 2020 6:15:11 PM

Hello,

I would like to express my concern, as I'm sure many others have, about the rezoning of the Badger Mountain vineyard into additional residential development. We live in the neighborhood right next to the vineyard. My wife and I are very concerned about this rezoning. A large part of why we bought our house here was because of the beauty of being next to this vineyard. I understand development is part of the deal in our area, and we've already seen several dozens of houses pop up in the last 18 months since moving here. Our neighborhood is quiet, peaceful, and scenic right now with the vineyard. Having this torn down completely detracts from why we moved to this neighborhood. I strongly urge you to reconsider tearing down such an integral part of our neighborhood.

Sincerely,

Steve McPhee

From: [Jenny Manatad](#)
To: [Stevens, Mike](#)
Subject: Badger Mountain Vineyard
Date: Wednesday, October 7, 2020 9:48:23 PM

My husband and I just moved into our new home on Legacy Lane in the Westcliffe Heights neighborhood of Richland. During our home inspection with the builder Pahlisch homes days before we closed we asked the builder if there were plans to build homes on the property behind our house, for which we were told there are no plans. One of the main reasons we choose this location for our new home was the surrounding fruit orchards, vineyard, and open land. Days after we moved in we find out from neighbors that there is in fact major plans to remove the vineyard behind and our house in order to build more homes. This is very upsetting to me and my husband as we were really looking forward to enjoying the views of the badger mountain vineyard and the trials located on that property. Instead we will now have to witness the destruction of this beautiful green vineyard in favor of more high density homes. We are also upset of what the building of more new homes will bring to the area such as more dust, debris, the added traffic, and noise. Another huge draw of moving to this neighborhood in Richland is it being way from high density of homes and quietness that brings of not having hear cars constantly driving around our home at all hours of the night. As of last week huge large trucks began clearing the land directly behind my home, bringing with huge amounts of dust all over my yard and home. Plus the added noises of these trucks starting at 7am is very disruptive. We haven't even had the time to really enjoy our new back yard before we are pretty much unable to use it due to the dust, dirt, and noise level. Not to mention the sinus and breathing problems all of this dust is causing. Our house is constantly dusty on the inside are home system filters have already needed changing, we moved in a little over two weeks ago. We were not informed that the land behind our house was going to be cleared and dug up for whatever purpose this work is being done for. As Richland residents being directly affected by the current land clearing, we are strongly oppose the destruction of the beautiful badger mountain vineyard in favor of more homes, which will prolong the dust and dirt for years to come. The city of Richland and the land developers/ community builders should be required to inform/warn potential buyers of known future plans for the land surrounding the property they want to buy the hazards they will deal with for several years. If we had been informed we may have changed our decision to move to this community.

Jenny Manatad

From: [Mark Morehouse](#)
To: [Stevens, Mike](#)
Subject: Badger Mountain Vineyard
Date: Thursday, September 24, 2020 1:51:27 PM

Mr. Stevens;

My name is Mark Morehouse and I am a 16 year resident of the Rancho Reata neighborhood. We moved here largely because it was a semi rural area, separated from the rest of the Tri Cities by a large geographic feature in Badger Mountain minor, and had plenty of open spaces. Neighbors seem to get along better because we are not crammed so close together in traditional housing developments. It's a very unique neighborhood, unrivaled by any other in the Tri Cities area.

It is with extreme displeasure that I read about plans to re-zone what is known as Badger Mountain Vineyard into a mixed density housing development. My fear is that it would change the character of our neighborhood, increase traffic on Rachel and Clover Roads that not designed as arterials, and lead to the eventual annexation of our neighborhood into the City of Richland.

Please reject any attempts to re-zone this area from its current status.

Regards,

Mark Morehouse
7 S. Agua Mansa Court
Kennewick, WA 99338
(509) 396-4060

Sent from [Mail](#) for Windows 10

From: [BILL ADDIS](#)
To: [Stevens, Mike](#)
Subject: Badger Mountain Vineyards
Date: Monday, October 5, 2020 3:40:29 PM

October 5, 2020

Richland Development Services
625 Swift Blvd.
MS #35
Richland, WA 99352

Dear Mr. Stevens,

We're writing in regards to the possible re-zoning of the land presently owned by Badger Mountain Vineyards. During the 24 years that we have lived near this vineyard we have enjoyed it as a an exceptional community resource. We hope the current owners decide to continue to operate the winery and vineyard as they have been. However, if they decide to sell, we urge the City of Richland to re-zone the land at the same low density of the surrounding Rancho Reata properties. We don't believe that the existing infrastructure can support any higher density than that.

Sincerely,

Bill and Judy Addis
97304 E. Alhambra Rd.
Kennewick, WA 99338
billa1961@aol.com

From: [Kristinkatjoyce](#)
To: [Stevens, Mike](#)
Subject: Badger mountain winery
Date: Wednesday, September 23, 2020 2:56:58 PM

Hello, we are residents of the ranch Reata area. We have sincere concerns about the rezoning applications by the city of Richland.

I understand that there are three options for zoning and we don't wish Badger Mountain Winery to be compromised by any city developments, especially the option that is high density rezoning for residential. As residents, we oppose this, and hope the city takes a better course of action.

Kristin van dyken
Sent from my iPhone

Richland and Nancy Weaver
96604 E. Clover Road
Kennewick, WA 99338

Oct. 7, 2020

Richland Developmental Services
Attn.; Mike Stevens, Planning Manager
625 Swift Blvd.
MS #35
Richland, WA 99352
mstevens@ci.richland.wa.us
Mr. Stevens,

This letter is in reference to the recently received "Notice of Public Hearing" from the Richland Planning Commission concerning the consideration of appropriate zoning designations for a proposed annexation area located near 1106 S. Jurupa Road (which should be stated **N. Jurupa**). Our home of 35 years, borders the southwest corner of Badger Mountain Winery organic vineyards. Please note that on your Vicinity Map, **our property**, on Clover Road, shows as UGA but **is in fact, Benton County**. Please correct this information in any future correspondence and maps!

Nancy personally visited the winery site this week. She spoke to staff who stated the partners who own the winery and vineyards have no intention of selling the business or land. Therefore, it seems premature and lacking in responsible behavior by the Richland Planning Commission to be discussing annexation and zoning at this time. The establishment of Badger Mountain Winery predates the build of most of the homes in this area, designated as part of Benton County, not Richland. The opportunity to live with certified organic agriculture bordering our property was a large factor in our selection to make our home here.

We have always had a mutually friendly and supportive relationship with Badger Mountain Winery, their owners, staff and workers. Without a clear intent to cease or relocate business by Badger Mountain Winery at their present location, Nancy and I consider discussion and planning for annexation and zoning of their property, as unwarranted!

Sincerely,
Richard and Nancy Weaver
rnweaver2.5@gmail.com



Planning Commission Meeting Comment Card

City of Richland

Submitted On:
October 1, 2020 7:59pm
America/Los_Angeles

October 14, 2020 Planning Commission Meeting Comment Card

I wish to comment using the	Online Form
I am commenting regarding	Public Hearing - Zoning District Determination - Badger Mountain Vineyards Annexation Request
Support/Oppose	I Oppose
Reading of Comments	I DO NOT want my comments read aloud
Comments	In the name of progress is NOT always in the status of a growing city/county. The study of progress is KEEPING some things intact to see their valuable impact on community and farming. In this case, Badger Mountain Vineyards is a dynamic source of knowledge to maintain a choice in organic agriculture. Not only was this the first vineyard to pioneer very key components in organic farming, it was the vision of intelligence to use to progress the field or organic. REMEMBER PROGRESS is not always a count in \$, streets, houses, people, buildings and schools. PROGRESS is the opportunity to improve an industry right where it needs to be. Badger Mountain Vineyards is positioned to continue its contribution to both our community & neighborhood AS WELL AS positioned to contribute to the growing industry of vineyard farming. I OPPOSE THE REZONING OF BADGER MOUNTAIN VINEYARDS.
Full Name	RENEE WILHELM
Full Address	102405 Vaca Rd. Kennewick WA 99338
Email	reneew110@gmail.com

From: seniorchip@gmail.com
To: [Stevens, Mike](#)
Subject: Comments for Public Hearing - Zoning Proposed Annexation Area Near 1106 S Jurupa Road
Date: Wednesday, October 7, 2020 2:37:32 PM

Re: Annexation File #: ANX2020-102

Richland Planning Commissioners,

I look out my front door and I see the marvelous Power's Winery vineyard. Bill Powers, a pioneer in viticulture, started this the first organic vineyard. It is operational to this day. It is historic. My position is the Power's Winery vineyard should stay as it is, an operational beacon of the first and best in organic wine grape growing in Washington state.

The three zoning designations described in the "Notice of Public Hearing – Revised" are not consistent with the surrounding rural areas. Of the three, SAG, by lot size, comes closest matching the surrounding areas. Zonings R1-10 and R1-12 are high density housing that are completely out of place with my community, Hidden Hills and the adjacent community of Horse Heaven Hills.

I strenuously object to R1-10 and R1-12 zonings. These zonings will permit and create inordinately high traffic volumes adversely impacting the rural road system. Traffic congestion, noise and atmospheric pollution, already problematic, will only get worse. High density housing will further strain our currently limited fire, health, law enforcement and similar public services. The risk of runoff and drainage damage increases. The potential for lowering local property values is great. I see only shortcomings to R1-10 and R1-12 zoning. I urge the Planning Commissioners to withdraw R1-10 and R1-12 from any consideration in this zoning proposed annexation.

Sincerely,

Chip Larson
3204 N Bermuda Rd
Kennewick, WA 99338
509-509-3476
SeniorChip@gmail.com

PS: As a reminder, although my address says Kennewick, I am in the City of Richland's Urban Growth Area.

From: [Jim Gilbertson](#)
To: [Stevens, Mike](#)
Subject: File #ANX2020-120
Date: Wednesday, October 7, 2020 4:27:42 PM

We are disappointed to see the City of Richland wants to annex land & change it from agriculture to high density housing. High density housing will create an impact on air quality, water, traffic and green space from the Badger Mountain/Powers winery. This is the first certified organic vineyard. A big piece of history will be lost forever. We enjoy going to the vineyard, sipping wine and enjoying the view of the vineyard that high density housing would destroy. Please DO NOT consider the winery as a part of the annexation and high density housing.

Thank You,

Jim & Phyllis Gilbertson
3709 S Sharron St
Kennewick, Wa 99337
509-586-2850

Sent from [Mail](#) for Windows 10

October 4, 2020

City of Richland, Washington
Mike Stevens Richland Development Services
625 Swift Blvd., MS #35
Richland, WA 99352

Subject: Proposed Annexation and associated Proposal for Zoning Designation of 76.3 Acres
Adjacent to Ranch Reata Development

Reference: Application by Frank Tiegs; File # ANX2020-120

Dear Planning Commissioners:

It is my understanding that the proposed Annexation and associated Zoning Designation envisions destruction of the iconic Badger Mountain/Powers Wineries and Vineyard site for developing it into a High-Density Housing development (Zoning designations R1-10 or R1-12). I am writing this letter to voice my strong objection to this proposal especially the proposed zoning change to R1-10 or R1-12 designations.

Regarding the Zoning change proposal, the R1-10 and the R1-12 designations are wholly incompatible with the suburban housing communities immediately adjacent to subject site. As you know, homes in the adjacent Rancho Reata community are situated on acre-plus size lots that provide for small farm animals as well as horses. Allowing for 4 home sites per acre would destroy the character of the surrounding community. Correspondingly, **the only zoning designation presented by the City in its Notice Letter that would provide harmony with the established communities adjacent to the subject site would be the Suburban Agricultural (SAG) designation** which, under Zoning Regulation 23.14.010 reads:

"B. The suburban agricultural use district (SAG) is a zone classification providing for residential areas, rural in nature, with sufficiently large lots to allow for the maintenance of certain animals and farm crops, while at the same time establishing and maintaining a living environment of high standards for residential uses..."

Furthermore, the road system (Rachel Rd, Clover Rd., Jurupa, etc.) of the adjacent communities are not equipped to handle the significantly increased traffic from the addition of approximate 750 homes not to mention the corresponding increase in noise pollution. Additionally, I am also very aware based on my long tenure on the KSD Facilities Planning Executive committee that the school districts do not have current capacity to provide for the number of school age children attendant to a High-Density Housing development in this area. It is true that Covid19 has eased the current pressure on our school districts for increasing facilities, but this is only a very temporary situation.

It seems unfathomable to me that a developer and/or the City would move to sacrifice the iconic Badger Mountain/Powers Wineries and Vineyard for the sole purpose of increasing profits and/or expanding the City's tax base without regard to the impacts to the surrounding communities. In this regard, the most appropriate zoning designation would be "AG" found under Zoning Regulation **"23.14.010: A. Agricultural Use District"** with the vineyard and wineries continued operations.

I do not condemn "progress" or a developers desire to maximize profits, but the "progress" we speak of should not be done to the extreme detriment to others for the benefit of a very few. I pray that you will not be complicit in the effort that will destroy forever a most valuable asset to our community.

In closing, I sat alongside Bill Powers when he established the vineyard and wineries and pioneered organic farming. Bill was a selfless person who devoted himself to proving that organic farming was feasible making great strides against substantial odds. I know he must be rolling over in his grave right now. Please do not contribute to the destruction of his legacy.

Sincerely,



Nick Castorina

100704 E. Clover Rd.
Kennewick, WA 99338
509/531-0955
nickc@cprgroupinc.com

October 7, 2020

City of Richland, Washington
Mike Stevens Richland Development Services
625 Swift Blvd., MS #35
Richland, WA 99352

Subject: Proposed Annexation and associated Proposal for Zoning Designation of
76.3 Acres Adjacent to Ranch Reata Development

Reference: Application by Frank Tiegs; File # ANX2020-120

Dear Richland Development Services:

Zoning designations stated in the Notice of Public Hearing (REVISED) R1-10 and R1-12 would destroy the historic first State of Washington Certified Organic Vineyard established by Bill Powers in 1982. This Tri-City treasure and the work to develop and pioneer organic and sustainable farming by Bill Powers needs to be saved and not discarded for high-density housing. In 2010 Bill Powers was inducted into the Legends of Washington Hall of Fame, part of the Walter Clore Wine & Culinary Center.

In the 1980's Bill Powers made a connection with Walter Clore, the man who's often referred to as the father of Washington wine. He assured Powers he was making a smart move in pursuing his organic vineyard dreams. "He said everybody was growing everything organically before 1949," Powers recalled. This was the beginning of a long friendship planted with those first organic vines at the Badger Mountain Vineyards.

In addition to destroying a part of the Tri-Cities history, pioneering efforts advancing organic and sustainable farming, tearing out the Legacy of Bill Powers and wiping Badger Mountain Vineyard off the face of the earth forever in exchange for rows of houses (Zoning designations R1-10 or R1-12) is not acceptable.

In addition, Zoning change proposal, the R1-10 and the R1-12 designations are incompatible with the urban housing communities immediately adjacent to subject site. Homes in the adjacent Rancho Reata community are situated on acre-plus size lots that provide for small farm animals as well as horses. The current open green space allows for riding trails, walking paths and with the Badger Mountain Organic Vineyard, habitat and food sources for our wildlife population including a variety of eagles, hawks including the Kestrel Falcon. The placement of a high-density housing development

directly adjacent to the rural Rancho Reata community where lots of 1 acre and up does not make sense for an established community that has been here for 40 plus years.

With that being said, we have several questions for the Planning Commission

- 1) Why did the City of Richland decide to zone 80% of the Badger Mountain Vineyard high density housing (R1-10 and R1-12) when this area could have been kept as a vineyard as designated SAG and still annexed?
- 2) When the Planning Commission realized they had made a significant error in the Public Notice that was initially sent out (Change from 40% SAG to 40% R1-10) why did the Planning Commission not provide the same period for review and comment as the original notice? No additional time was provided for comments or a date change to the virtual meeting when the Planning Commission realized this MAJOR oversight and amended the Notice of Public Hearing.
- 3) Land use signs are required by the Department of Planning and Development (DPD) when any site is modified from its current condition. The signs act as public notification of the changes and provide information on how to comment on the proposed land use activities. There are not any signs of change in land use posted anywhere at or near Badger Mountain Vineyard. Why not?
- 4) Does the re-zoning application of the Badger Mountain Vineyard to high density housing require the approval or at least the written agreement of ALL Badger Mountain Vineyard landowners? If not why not as the change impacts all land owners? Are ALL landowners in agreement to the zoning Badger Mountain Vineyard to high density housing? This information does not appear on any documents or information requested from the City of Richland.
- 5) Based on the potential number of homes that would be added at this location has a traffic study been completed? Our concern is the traffic that will now be funneled to an already unacceptable situation at the corner of Rachel and Leslie road. This should have been addressed and fixed years ago prior to allowing it to get to this point. Don't imply they are now going over to Queensgate as that will not be the case for local traffic.
- 6) In our meeting with homeowners within 300ft of Badger Mountain Vineyard DID NOT receive the Notice of Public Hearing. This was especially true with those new homes on Legacy Lane overlooking Badger Mountain Vineyard. These new homeowners had no idea of the re-zoning efforts. This also included realtors selling those houses. This would have been an appropriate place to have placed land change notice signs. Based on Google Earth some of these houses are within 200 feet of Badger Mountain Vineyard.
- 7) Have emergency services including fire been addressed? We know at this time additional facilities are being planned but do not know the status. Has input from those critical service providers been received?

We respectfully request the Richland Planning Commission to reconsider the high-density zoning designation for Badger Mountain Vineyards. If zoning is required as part of the annexation process please consider designating Badger Mountain Vineyards as AG or SAG until such time the City of Richland has provided the community ample time and notice of the major changes you are planning and allow all of your constituents to have a voice in the elimination of a piece of Tri-Cities history. Remember the Rancho Reata and surrounding area represents a sizable number of voters interested in school districts, fire, police, and other services critical to the success of our community and their voices need to be heard.

Thank you for your consideration
Michael and Paula Butterworth
97004 E Clover Road
Kennewick WA 99338



Planning Commission Meeting Comment Card

City of Richland

Submitted On:
October 1, 2020 7:59pm
America/Los_Angeles

October 14, 2020 Planning Commission Meeting Comment Card

I wish to comment using the	Online Form
I am commenting regarding	Public Hearing - Zoning District Determination - Badger Mountain Vineyards Annexation Request
Support/Oppose	I Oppose
Reading of Comments	I DO NOT want my comments read aloud
Comments	In the name of progress is NOT always in the status of a growing city/county. The study of progress is KEEPING some things intact to see their valuable impact on community and farming. In this case, Badger Mountain Vineyards is a dynamic source of knowledge to maintain a choice in organic agriculture. Not only was this the first vineyard to pioneer very key components in organic farming, it was the vision of intelligence to use to progress the field or organic. REMEMBER PROGRESS is not always a count in \$, streets, houses, people, buildings and schools. PROGRESS is the opportunity to improve an industry right where it needs to be. Badger Mountain Vineyards is positioned to continue its contribution to both our community & neighborhood AS WELL AS positioned to contribute to the growing industry of vineyard farming. I OPPOSE THE REZONING OF BADGER MOUNTAIN VINEYARDS.
Full Name	RENEE WILHELM
Full Address	102405 Vaca Rd. Kennewick WA 99338
Email	reneew110@gmail.com

October 7, 2020

RE: Badger Vineyard Annexation & Zoning Recommendation

Application file #: ANX2020-102 (76.3 acres near 1106 S. Jurupa Rd)

Dear Mr. Stevens;

My Wife, myself and our children ages 4 and 6 live adjacent to the proposed annexation on its south property line. I acquired the home as an investment to buy fix up and then sell. However, decided to keep it as our primary residence because of the location, larger lot sizes and open space. I do recognize that sometimes a new development may have a positive effect on adjoining neighborhoods. That is not the case here. Annexing and allowing a significant reduction in lot size will have no positive effect on our neighborhood. In fact, it will create many negative impacts on our El Rancho Reata neighborhood.

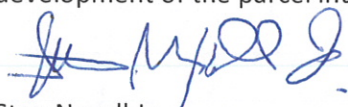
REDUCED MARKET VALUE;

If the city allows 10,000-12,000sf lots to be developed it will have a significant effect on our market values. Property values for those fronting the proposed annexation most certainly will decline as well as proximate tertiary lots. I am a Certified Appraiser and Designated Real Estate Broker with over 20 years of local experience. After completing the market research there is clear evidence that our land fronting the proposed annexation would suffer a reduction in value anywhere from \$75,000-\$120,000. These value losses are derived from the marketplace and are real losses to me and my neighbors. This is an easily justified locational difference that the city will be causing by allowing the smaller 10,000sf-12,000sf lots. If the city does annex the vineyard then the city does have control of the proposed lot sizes. Keeping with larger parcels (1+ acres) congruent with *existing* surrounding lots would help soften the negative impact on our neighborhood. The city has approved 10,000sf lots for the other plats recently approved in the area. This should not set precedence for this site. The city should consider in their decision the existing residences and the negative impact on our longstanding neighborhood.

SAFTEY;

A primary concern of any parent is safety. With increased density also comes increased traffic and crime. We currently have existing traffic issues, and this approval will compound the problem. I have personally contacted the Sheriff's office several times asking for them to get the "speeding through our neighborhood" under better control. If you look at the new road alignments, the city is pushing all the traffic down into our neighborhood from the back side of the hill already. Once the road connections are complete our neighborhood will become the primary access point for all the new homes the city is approving and most will choose to come to our side of the hill to avoid traveling through the maze of residential streets on the other side of the hill. Please do not compound our existing safety issues by allowing more high density in the immediate area.

As an adjacent landowner I am staunchly against the annexation of the vineyard and subsequent development of the parcel into lot sizes below one acre.

A handwritten signature in blue ink, appearing to read "Stan Nuxall Jr.", is written over the printed name.

Stan Nuxall Jr.

98504 E. Clover Road, Kennewick, WA 99336

From: [Chris Pumroy](#)
To: [Stevens, Mike](#)
Subject: Public Comment Application File ANX2020-102
Date: Wednesday, October 7, 2020 4:55:23 PM

To whom it may concern:

I am writing this letter to express my strong opposition in response to application file #: ANX2020-102 (76.3 acres near 1106 S. Jurupa Rd) for the following reasons:

- 1. My primary concern is safety. When populations become more concentrated it is inevitable that there will be more traffic congestion and accidents. There has already been a recent uptick in heavier traffic because of the new housing development next to the vineyard. Adding an additional high-density housing development will only make this situation worse. It is dangerous and there are not enough roadways for all the traffic to travel safely.**
- 2. The notice incorrectly states 40% of the new homes will be R1-10 at 43,560 square foot lot size. R1-10 is for 10,000 square foot lot sizes which is for high density housing. Rezoning a neighborhood from low density is inconsistent with surrounding uses and is incompatible with the existing semi-rural Rancho Reata area. The 20% suburban agricultural dimensional requirements state lots of 10,000 square foot is also incorrect based on the stated "keeping of livestock" allowances.**
- 3. Badger Mountain Vineyards was the first vineyard in Washington state to receive the USDA organic certification and provides a valuable resource for organic farming. This is important to our community and the wine industry.**
- 4. The rezoning of new housing developments has a high potential of lowering property values.**

As a neighbor to this property and property owner, I urge you to decline the proposed rezoning. Thank you for your time and consideration.

Regards,

Chris Pumroy

Chrisjpumroy@gmail.com

(760) 224-8110

98305 E Clover Rd

Kennewick WA, 99338

From: [Elizabeth Gillispie](#)
To: [Stevens, Mike](#)
Subject: Public Hearing - Annexation of Badger Mountain Vineyards
Date: Wednesday, October 7, 2020 11:43:56 AM
Attachments: [image001.png](#)
[image002.png](#)
[image003.png](#)

Good Morning Mr. Stevens,

My name is Dr. Liz Gillispie and I am the Viticulture and Cellar Scientist at Badger Mountain & Powers Winery. I have been a wine club member of Badger Mountain & Powers Winery since I moved to Washington but have just recently started working for their organization. I chose to contribute my knowledge and expertise to this company because of their advanced progress in sustainability, future regenerative agriculture practices, and their historical leadership in advancement of organic winemaking. Badger Mountain Vineyard is setting the road map for all organic wineries in Washington and, with the potential of new innovative practices, can advance the quality of organic wines as we know it.

My request to the commission is to consider the annexation in light of what the vineyard and winery contribute to the industry, the future of the city, as well as the existing and future adjacent neighborhoods. Approving the annexation request under current zoning options simply carves up more land for homes. Annexation with zoning appropriate for the on-going operation of the winery and vineyard will provide a long-term benefit to the industry, the city, and the neighborhood.

The Badger Mountain Vineyard & Powers Winery is nestled between a long-established neighborhood, and significant new residential development. The open land and plans for thousands of new homes in Badger South as well as the area adjacent to the winery provides ample residential capacity for growth in the foreseeable future. ***Setting an appropriate zone for the winery would ensure that there is a place for gathering, entertainment and dining within this huge area of new development.*** Although the zoning would be set apart from residential, the winery and vineyard are a good neighbor and the operation is not intrusive in the residential setting, as evidenced by the profound support offered by our neighbors.

Additionally, appropriate zoning would protect the innovative approach that Mr. Bill Powers began years ago, which continues to evolve and set the standard in organic wine-making across the industry. This unique position in the wine industry, coupled with the popularity of the venue and the product, provides the opportunity for a long-term agri-tourism partnership with the city that provides both an improved quality of life for residents of the city, and on-going tax revenue to support city services to the area.

My questions to the Planning Commission are:

Is there an any opportunity to reconsider the zoning options for this annexation request? Can the city's comprehensive plan be updated, or other zoning changes be made after, or as a condition of, annexation?

Is 75+- acres of additional residential development the best use of this property, given the huge areas of remaining undeveloped land in the area, when weighed against the option to maintain a local business that can use that property to maintain open space, contribute to the

tourism industry and enhance the quality of life for Richland residents?

Thank you for your consideration of my comments and questions today.

Liz Gillispie, Ph.D.

Viticulture and Cellar Technician

Badger Mountain Vineyard & Powers Winery

1106 N. Jurupa St.

Kennewick, WA 99338

Winery: 509-627-4986

signature_549607542



www.badgermntvineyard.com

www.powerswinery.com



From: [Marlisa Lochrie](#)
To: [Stevens, Mike](#)
Subject: Public Hearing Comments, File# ANX2020-102
Date: Wednesday, October 7, 2020 11:45:49 AM

Hello Mr. Stevens,

My name is Marlisa Lochrie and I am the Director of Marketing and Direct to Consumer Sales at Badger Mountain & Powers Winery. I have been with the company for 5 years. This winery and community has become an intrical part of my life, as the long history of this winery's efforts to produce pure wines and become a major industry leader in producing some of the most sought-after organic wines. Badger Mountain is one of the top certified organic wineries in the United States, and this success has also reached international markets. Along with producing organic wines, we are also leaders in sustainability efforts, and reducing our carbon foot-print. Such business practices have become a growing trend in the wine industry, and by marketing these efforts have helped create awareness of successful methods of sustainable practices both in the vineyard and winery.

In my 5 years, I have contributed successful growth to our local and regional Direct to Consumer business, by offering various Tasting Room events here at the winery, with the focus of creating a sense of community within our surrounding neighborhood, and attracting tourism from surrounding regions. In these 5 years, I have seen incredible growth and support within our community, and many neighbors have become introduced to one another and become great friends because of the sense of community our winery and vineyard setting provide. This is the achievement I am most proud of...to bring our community together.

Time and time again I hear from our guests how much they love that they can come to our winery and feel like they have escaped the city, yet having the city so conveniently close by.

The past couple of weeks I have been inundated with phone calls, emails, and endless messages from community members, Wine Club members and guests, expressing their deep concerns for what might happen to the vineyard. No one wants to see this vineyard disappear and be turned into more housing. The outpouring of support inspired me to reach out to the Planning Commission and share my deep concerns about the dramatic change of the area around the vineyard.

The vineyard provides a sense of connection to land and education to the local community of what successful certified organic farming is. But such land is quickly disappearing in this area, and being overtaken by more housing. What strikes me as deeply concerning is how the city is eagerly willing to rezone a vineyard that has so much historical impact to this area, and drives high tourism traffic.

Badger Mountain was first established in 1982 by Bill Powers. By 1990 Bill had converted the vineyard to certified organic, and was the first to do so in the state of Washington. He made the decision to become certified organic because he was concerned about the impact standard farming methods had on the health of the growing neighborhoods we now find ourselves surrounded by. Along with establishing the first certified organic vineyard in the state, in 2007, Bill received the Lifetime Achievement Award from the Washington Association of Grape Growers for his pioneering organic work here at Badger Mountain Vineyard. In 2010 Bill Powers was inducted into the Walter Clore Center "Legends of

Washington Wine" Hall of Fame. An award only given to 16 wine industry professionals in the entire state.

With that being said, my questions to the Planning Commission are:

1. Are you willing to ignore and erase such historical land significance, community pride, and tourism impact this vineyard has provided for 40 years, just to add more generic housing for the purpose of generating tax dollars for the city budget?
2. Where is the balance of Quality of Life when this community continues to have to commute further and further to find open space or places to gather together and celebrate the very agriculture and tourism that has become a major identity of this region?
3. Is the Planning Commission willing to address these concerns to city council to redefine zoning and land-use regulations to better serve the community and agricultural identity of this area?

Having observed how the surrounding area landscape has dramatically changed from agriculture to urban zoning has been heartbreaking to watch. So much of Eastern Washington prides itself on being an agricultural community, yet we are witnessing all of this disappear before our very eyes.

I sincerely hope the Planning Commission is willing to look beyond what the current zoning regulations are and address the issue of disruptive housing development and the effect this has on the community and identity of the Tri-Cities area.

Respectfully,

Marlisa Lochrie

From: [Richard Fowler](#)
To: [Stevens, Mike](#)
Subject: Public Hearing re: 1106 S Jurupa Rd
Date: Wednesday, October 7, 2020 11:39:55 PM

To the Richland Planning Commission,

I am writing this letter to express my strong opposition to your proposal to zone the Badger Mountain Vineyard for residential housing. By already allowing the advancement of housing developments on Little Badger Mountain you have shown a disregard for environmental protection and public safety, and you have introduced a significant and unacceptable amount of light and noise pollution to the community of Rancho Reata which was originally designed to preserve a certain level rural protections.

Replacing a rare and valuable organic vineyard that has a significant attraction not only would be a huge loss for this state and region, but would significantly decrease the quality of life of the residents of Rancho Reata by encroaching upon and decreasing the enjoyment the trail easements along its boundaries, and raising the risk of accidents with the children and adults who walk and bike in the neighborhood.

Please provide me with information on how to join the Richland Planning Commission hearing on October 14th.

Sincerely,
Richard Fowler
509-628-9186

From: [Kim Fowler](#)
To: [Stevens, Mike](#)
Subject: Public Hearing re: 1106 S Jurupa Rd
Date: Wednesday, October 7, 2020 8:34:15 PM

To the Richland Planning Commission,

As a lifetime Tri-Cities community member, it is distressing to see the Richland Planning Commission trying to destroy a community treasure by zoning it for residential housing. The Badger Mountain Vineyard is the first organic vineyard in the state. It is a unique tourist attraction and one of a very small number of organic vineyards in the region. I challenge you to perform an internet search with "organic vineyard Washington" and Badger Mountain Vineyard will not only come up first but multiple times. I am embarrassed for our community that you are even considering damaging our reputation and our wine industry by turning this historic vineyard into high density housing.

Assuming your reason for wanting to destroy this historic vineyard is to collect increased tax revenue, I believe you are acting in a very short-sited manner. By removing the Badger Mountain Vineyard you are decreasing the 'country' feel of the surrounding properties and you are creating a glut of high-density housing in difficult to get to locations which will decrease the housing/property values. We have seen many neighbors move away because of the increased traffic caused by the new Richland homes behind the vineyard.

Additionally, by adding more houses to this area, you are creating unsafe roads for drivers, pedestrians and pets. I walk around the Richland and Rancho Reata parts of this community every day and the number of vehicles traveling at high speeds has increased with the increase of homes in the Richland areas. It is not safe for children to walk or ride bikes in the neighborhood and I must be very cautious while walking because of the increased volume and speed of the traffic. Just yesterday I came upon someone's pet dog that was dying in a ditch in front of two Richland homes that had been hit by a vehicle. Based on the dog's condition and location it must have been hit with considerable force. It is irresponsible to add more homes to this area with limited access to these homes.

I do not support your proposal to zone this area for housing. Please provide me with information on how to join the Richland Planning Commission hearing on October 14th.

Kim Fowler

509-628-9186

From: [Ross Ramsey](#)
To: [Stevens, Mike](#)
Subject: Public Hearing: Badger Mountain
Date: Saturday, October 3, 2020 11:26:57 AM

Hello Mr. Stevens,

I was recently handed a pamphlet that states the city of Richland is proposing a plan to Annex Badger Mountain Vineyard and place high density housing there. I will be honest, I do not know all the full details of this situation and/or know how this is exactly possible. However, I decided I would at least quickly express my concern and disappointment in this proposal as a life long resident of the Rancho Reata area.

I grew up on Travis Ln and now live on Rachel. I have known forever how amazing this neighborhood and community is first hand. One of the things that makes it so special and unique to me, is the amount space we all have. It is not some small gated community or a place where all the houses are stacked on top of each other. We have trails and places to hike. We have natural beauty everywhere. And then in the center of all this we have a beautiful locally owned winery and vineyard. It helps add to the speciality of this area. Removing it to place high density housing would be a wrong. Bill Powers has worked very hard to make that vineyard special. Being the first organic vineyard in Washington State is an amazing achievement and shouldn't just be torn down to increase tax revenue. It fits perfectly into what this area is all about. Placing a bunch homes next to each other is only going to be an eyesore, increase traffic, and take away the peacefulness of the area.

I know this letter won't do much, but I do hope you consider it with the many others that I am sure you are receiving. Sometimes there is more to life then just making money. Leave the vineyard as it is.

A concerned resident,

Ross Ramsey

From: [Nadine Johnson](#)
To: [Stevens, Mike](#)
Cc: [Apple Inc.](#)
Subject: RE Annexation of 76.3 Acres File #: ANX2020-102
Date: Wednesday, October 7, 2020 9:33:38 AM

To whom it may concern:

I am writing this letter to express my strong opposition in response to application file #: ANX2020-102 (76.3 acres near 1106 S. Jurupa Rd) for the following reasons:

1. My primary concern is safety. When populations become more concentrated it is inevitable that there will be more traffic congestion and accidents. There has already been a recent uptick in heavier traffic because of the new housing development next to the vineyard. Adding an additional high-density housing development will only make this situation worse. It is dangerous and there are not enough roadways for all the traffic to travel safely.
2. The notice incorrectly states 40% of the new homes will be R1-10 at 43,560 square foot lot size. R1-10 is for 10,000 square foot lot sizes which is for high density housing. Rezoning a neighborhood from low density is inconsistent with surrounding uses and is incompatible with the existing semi-rural Rancho Reata area. The 20% suburban agricultural dimensional requirements state lots of 10,000 square foot is also incorrect based on the stated "keeping of livestock" allowances.
3. Badger Mountain Vineyards was the first vineyard in Washington state to receive the USDA organic certification and provides a valuable resource for organic farming. This is important to our community and the wine industry.
4. The rezoning of new housing developments has a high potential of lowering property values.

As a neighbor to this property and property owner, I urge you to decline the proposed rezoning. Thank you for your time and consideration.

Regards,

Nadine Johnson
Nadinejohnson1315@gmail.com
(509) 237-1315

From: [phill.dron](#)
To: [Stevens, Mike](#)
Subject: re zoning of land near Jurupa rd File #ANX2020-102
Date: Friday, September 25, 2020 3:24:14 PM

To: Richland Development Services

mstevens@ci.richland.wa.us

Re: hearing for rezoning near 1106 s Jurupa rd

File #ANX2020-102

Sept 25th 2020

To the planning/zoning commission,

I would like you to not consider rezoning the applicants request for residential housing. I live across the street from the vineyard on the corner of Bermuda and Holly street(2004 N Bermuda Rd). Bermuda road is frequented by many bicyclist and hikers who traverse to the top of West Cliffe Heights/Badger mountain and back. Adding more housing and the associated traffic in the area will potentially endanger those recreationalist. There would also be an overwhelming amount of increase in traffic through the would be arterial egresses of Jurupa, Rachel Rd, Clover and Bermuda which were originally placed as county roads of limited traffic. Furthermore, The city of Richland in an effort to obtain more property tax revenue by rezoning and then annexing surrounding agriculture land and turning it over to residential development has not made a strong commitment to provide common area/green spaces in this location. King County for example has had many concerns with its over rapid development of the county in removing prime agricultural land and not providing enough green spaces in its ever expanding urban sprawl. Powers winery and it decades long commitment to sustainable agriculture as an organic winery would be in jeopardy with the close proximity of housing if this land is rezoned.

We purchased property here in Hidden Hills due to the proximity to the agricultural land and the large open area lots.. The previous land owner was not forthright with our HOA about her intent to not take out the orchards on the end of Bermuda road and now there is high density residential housing going in which does not match with the lot sizes of Hidden Hills, Rancho Reata or surrounding sub divisions. The neighboring areas have minimum ½ acre size lots and most are 1+ acres. The zoning proposed would not match the abutting neighborhoods and possibly cause a reduction in the property value of existing homes.

Respectfully

Phill Dron

2004 N Bermuda Rd

Kennewick Wa 99338

5095213551

From: [Sabrina Bruinsma](#)
To: [Stevens, Mike](#)
Subject: Re: Re-Zoning of Badger Mountain Winery
Date: Tuesday, October 6, 2020 11:50:07 PM

Dear Mr. Stevens,

We are writing to urge you and the City of Richland Planning Commission not to re-zone Badger Mountain Vineyard's 76.3 acres into a housing development. High-density housing is incompatible with the existing semi-rural Rancho Reata area, and detracts from the beauty and openness of this area. One of the unique aspects of living in the Tri-Cities are the green spaces, and continuing to eliminate these areas undermines one of the best parts of living here.

Construction of housing developments in the former apple orchards and along the ridgeline adjacent to Badger Mountain Vineyard are already adding two high-density housing developments to this area, not including the houses along Badger Mountain South. How will multiple high-density developments in the same area impact traffic along residential roads like Reata, Jurupa, and Rachel, as well as main roads like Leslie that are already experiencing an increase in traffic? How will these developments impact easements in the Rancho Reata area? These residential roads do not have sidewalks, but are spaces where families walk together, children ride their bikes, and people run, as well as ride their horses. How will the safety of families like ours be impacted by a marked increase in traffic on our roads?

The impact on emergency services and property values in this area should also be considered. Part of the value of this area is the size of the lots, the trails, and the open green spaces.

Badger Mountain Vineyard was the first in the State of Washington to achieve USDA organic certification, and is a valuable pioneer in organic farming. It is a piece of wine-making history, not just in the Tri-Cities, but across the entire state. Vineyards and wineries are a valuable part of the agriculture and economy of the Tri-Cities. These are businesses that need to be supported by residents and the city, especially during a time where so many small businesses are struggling financially or have closed. We need these businesses for the health of our local economy and for the jobs they provide.

We have enjoyed attending events at Badger Mountain Winery with family and friends. It is a wonderful local winery that would be sorely missed by locals and tourists alike. Please reconsider re-zoning these acres and keep this important part of our community as it is.

Thank you for taking the time to read this email. I appreciate your consideration.

Regards,

Seth and Sabrina Bruinsma

From: mbutter104@charter.net
To: "Joseph Rastovich"; Stevens, Mike
Cc: "Terri Widergren"; debrueg@yahoo.com; "Paula Butterworth"
Subject: RE: Virtual Public Meeting October 14th at 6pm For Annexation Applicant Frank Tiegs
Date: Saturday, September 26, 2020 12:33:57 PM

Joseph

I did not see a link to the Virtual Public Meeting. Hopefully Mike Stevens can provide that link for us

Thank you
Michael

From: Joseph Rastovich <josephrastovich@gmail.com>
Sent: Saturday, September 26, 2020 11:35 AM
To: mstevens@ci.richland.wa.us
Cc: mbutter104@charter.net; Terri Widergren <twidgal@gmail.com>
Subject: Virtual Public Meeting October 14th at 6pm For Annexation Applicant Frank Tiegs

Hello Mike,

Could you please send me the link for the virtual meeting which will be held October 14th for the Annexation requested by Frank Tiegs?

Thank you!

Joseph

CONFIDENTIALITY NOTICE

This email and any files transmitted with it are confidential and intended solely for the use of the individual or entity to whom they are addressed. If you have received this email in error please notify the system manager. This message contains confidential information and is intended only for the individual named. If you are not the named addressee you should not disseminate, distribute or copy this e-mail. Please notify the sender immediately by e-mail if you have received this e-mail by mistake and delete this e-mail from your system. If you are not the intended recipient you are notified that disclosing, copying, distributing or taking any action in reliance on the contents of this information is strictly prohibited.

From: [Thomas Jefferson](#)
To: [Stevens, Mike](#)
Subject: Regarding the rezoning of Rancho reatta
Date: Tuesday, October 6, 2020 7:49:56 PM

1. Is the rezoning going to effect me boarding horses?
2. If so is the city of Richland going to reimburse me for revenue lost?
3. Where are the owls that live on my property going to feed/hunt if there is concrete and streets surrounding us?
There will be very little places close for them to hunt. This means that they will try and relocate.
4. Where will the hawks get their food/hunt if there is no natural landscapes?
Now they hunt the vineyard and the few natural landscapes that are left, we need to slow this growth.
It is pushing out all the natural wildlife and having a negative impact on the environment and is the cause to global warming.

5. Where will we ride our horses if we are surrounded by all these houses and concrete?

Rancho reatta was created and meant to be sub agricultural land and have ranches built on it, multiple acre lots, not high density living. Also lot sizes that are stated are wrong and not compatible with the existing neighborhood.

Nobody in the existing neighborhood wants to be next to high density living, that's why we all bought these lots outside of the city.

With all the people moving here the city limits keep getting pushed out. I understand that creates revenue for the city. But it's ruining our way of life. We don't want it!

You keep trying to push your way out and take county land. We don't want to be part of the city of Richland if we did we would've bought a place in city limits.

Please take this into consideration

Thank you.

From: [Ron Beardemphl](#)
To: [Stevens, Mike](#)
Subject: Rezoning Badger Mountain vineyard
Date: Monday, October 5, 2020 7:56:30 PM

Greetings Mike.

I am writing you to in response to a notification letter I received concerning a rezoning of the Badger Mountain/Powers vineyard. It appears the applicant wishes to replace the vines with 80% R10 and R12 lots. I don't think this density and the loss of open space the vineyard provides is good for Richland. As you know there is already residential development of this density surrounding three sides of this land. Urban sprawl?

This historic first Washington state organic vineyard provides breathing room for many of the residents of the area with its rolling sea of green, seasonal smells, and wildlife viewing while walking or horseback riding around the perimeter. City park?

Questions:

How will roads be upgraded for the extra load imposed by these developments? Do we have adequate emergency service personnel and equipment? Would the developers be assisting with the needed infrastructure and services upgrades? If developed is there a plan for dust control? Hours of operation to reduce noise?

I'm requesting a denial of the zoning in the density applied for and appreciate your consideration of my request. Thanks, Ron

Ron Beardemphl 97404 E. Clover Road

From: [Tom Lempert](#)
To: [Stevens, Mike](#)
Cc: [Tom Lempert](#)
Subject: Rezoning of Badger Mountain Vineyard
Date: Tuesday, October 6, 2020 3:02:40 PM

Mike Stevens and the Richland City Planning Commission,

I am writing to voice my concern and disappointment in learning that the Badger Mountain vineyard is being considered for rezoning to High Density housing. Your recent notice of Public Hearing incorrectly stated that 40% of the new homes will be R1-10 with a 43,560 sq/ft lot size. R1-10 is actually for 10,000 sq/ft lot sizes, thus equating to High Density housing. High Density housing is ill suited and unacceptable with the existing semi-rural Rancho Reata area.

Badger Mountain vineyards was the first in the State of Washington to achieve USDA organic certification. It has been an integral part of wine making history for over 40 years. The vineyards continuing efforts surrounding organic farming techniques and scientific research will benefit not only the Tri-Cities but also the State of Washington for generations to come.

Continued elimination of our green spaces focused on High Density housing is not acceptable. It will create additional traffic and overtax the local fire station and essential services teams. We are fast losing valuable green space. Once gone it can never be recreated. Is this a way to honor the legacy and achievements of Bill Powers?

The Planning Commission needs to look past short-term development and focus on the future of sustainable and organic farming which is key to continued growth on the ever increasing wine tourism in the Tri-Cities.

I trust that you and the Planning Commission will do the right thing and not approve this rezoning application. Let us cherish this beautiful property for generations to come.

Thank you for your consideration,

Tom Lempert

From: [Joleen Nakhla](#)
To: [Stevens, Mike](#)
Subject: Re-zoning of Badger Mountain vineyard
Date: Tuesday, September 29, 2020 10:24:46 AM

Hi Mike,

We have received some information about the possible rezoning of Badger Mountain Vineyard for R1-10 and R1-12 residential and are concerned. We own a home on Rachel Rd., which is already a busy road due to recent development in the area. We are very concerned about increased traffic that would result on Rachel Rd. as a result of the development of the vineyard. Also, we think the vineyard is an asset to the community and feel that it would be unfortunate to lose it.

Our understanding is that there is a virtual public hearing Wednesday, October 14 at 6 p.m., how would we participate in that? Is there a certain website we would have to go to?

Thank you,
Joleen Nakhla

[Sent from Yahoo Mail on Android](#)

From: [Robert Schmidt](#)
To: [Stevens, Mike](#)
Subject: Stop the destruction of Badger Mt Vineyard
Date: Thursday, October 1, 2020 1:50:35 PM

To Whom it may concern:

Even though my husband and I live in Kennewick, the Vineyard is practically in our back yard. We came over to the Tri Cities from Renton WA in 2016 to retire and get away from the traffic and the wet weather. We love it over here. Our home sits on a big lot and even though we aren't in the city limits, we are close to everything we need. Now that the cherry Orchard on the north end of Rachel road has been destroyed to put up new homes it's easy to imagine the heavy traffic and the need for traffic lights on Rachel Road, Now we might see the Vineyard disappear also. It's such a beautiful place and the neighborhood is fantastic and quiet. I can only imagine how much more traffic this would generate, much less the noise and the dust!!

Please reconsider and leave our beautiful Winery. After all, that's a big reason people come visit the Tri Cities!

Thank you,

Robert & Susan Schmidt

From: rjquesnell@gmail.com
To: [Stevens, Mike](#)
Subject: zoning
Date: Thursday, September 24, 2020 2:11:36 PM

To whom It may concern,

I will make this short , I am against any annexation of 1106 S. Jurupa Road, opening the door to some obscure , undefined rezoning . I purchased this property because of the location and rural environment .

This current vineyard was an organic , locally owned vineyard when I purchased here. I don't want any agribusiness developer or residential developer to change this.

I have lived through this type of rezoning power play before, where government greed and power overcomes the objections by the real people living here. it always destroys the neighborhood.

So of course , Im completely and totally against this .

Sincerely, Roger Quesnell , 96904 E. Clover RD.

Sent from [Mail](#) for Windows 10

From: [Judith Morrison](#)
To: [Stevens, Mike](#)
Subject: Zoning and annexation of Badger Mountain Vineyard
Date: Monday, September 28, 2020 8:11:55 PM

To the Richland City Planning Manager,

I am writing to express my deep concerns about the proposed annexation and rezoning of Badger Mountain Vineyard and Winery. I live very near to the Vineyard and feel that subdivision of this land would be a huge mistake and would change the area in negative ways. If this land is annexed to the City of Richland, it should be zoned Suburban Agriculture (SAG) so that it will match the surrounding Rancho Reata area. The residents in this area appreciate the open land and access to the winery and do not want to see this destroyed. Please send me information regarding the virtual hearing on this topic that is scheduled for October 14 at 6 pm. I would like to attend this meeting virtually to express my concerns with the annexation and rezoning planned for the vineyard.

Sincerely,

Judy Morrison

judy.morrison@charter.net



RECEIVED

JAN 26 2021

Planning &
Development Services

January 19, 2021

Determination of Sufficiency
City of Richland Annexation – Badger Mountain Vineyard Annexation

I, Bill Spencer, Benton County Assessor, do hereby certify that the petition for annexation provided by the City of Richland, for the unincorporated land located and described in attached Exhibit A is sufficient as far as the percentage of valuation required for the annexation as required by RCW 35.13.130.

This petition was received in my office January 06, 2021 and this determination was commenced on January 19, 2021.

The specific determination is as follows:

VALUE	SIGNATURES	PERCENTAGE
\$ 2,543,630	\$ 2,534,630	100.00%

Attest:

A handwritten signature in blue ink, appearing to be "Bill Spencer".

Bill Spencer
Benton County Assessor

cc: Benton County Commissioners

Certified mail: 7018 1130 0001 8764 9806

ANNEXATION - Badger Mountain Vineyard

Parcel ID	Owner 1	Owner 2	Address	Assessed Value	Value used to determine sufficiency	Sufficiency Notes
134984011576001	Badger Mountain Vineyards LLC		Undetermined	\$ 268,540	\$ 268,540	
134984000002002	Badger Mountain Vineyards LLC		Undetermined	\$ 690,520	\$ 690,520	
134984012275002	Badger Mountain Vineyards LLC		1106 N Jurupa St Kennewick WA 99338	\$ 641,090	\$ 641,090	
134984012285001	Badger Mountain Vineyards LLC		1106 N Jurupa St Kennewick WA 99338	\$ 504,680	\$ 504,680	
134984011406001	Badger Mountain Vineyards LLC		1110 N Jurupa St Kennewick, WA 99338	\$ 438,800	\$ 438,800	
			Total value of all parcels	\$ 2,543,630		
			Value of parcels to determine sufficiency		\$ 2,543,630	
			% of sufficiency	100.00%		

RECEIVED

DEC 29 2020

Planning &
Development Services

PETITION FOR ANNEXATION
TO CITY OF RICHLAND, WASHINGTON

Proposed Annexation Name: **Badger Mountain Vineyard**

The Honorable Mayor and City Council:

WE, the undersigned, who are the owners of not less than sixty percent (60%) in value, according to the assessed valuation for general taxation, of the real property geographically depicted on the map attached hereto as Attachment 1 and legally described in Attachment 2 attached hereto, lying contiguous to the City of Richland, Washington, do hereby petition that such territory be annexed to and made a part of the City of Richland under the provisions of RCW 35.13.130 et. seq. A list of all assessors' tax parcel numbers of the parcels within the proposed annexation area, the record owner of each parcel, and the assessed value of each parcel is set forth in Attachment 3.

Prior to the circulation of this petition, a meeting was held on the fourth day of August, 2020, between the initiating parties of this annexation and the Council of the City of Richland, at which time the Council passed Resolution No. 111-20, accepting the notice of intention to commence annexation proceedings for the real property geographically depicted on the map attached hereto as Attachment 1 and legally described in Attachment 2 attached hereto. Resolution No. 111-20 also (1) required that the annexation be accepted as proposed; (2) required the simultaneous adoption of the City's Comprehensive Plan to serve as the Comprehensive Plan for the proposed annexation area; (3) required the assumption of an appropriate share of all existing indebtedness of the City by the area to be annexed upon annexation authorized; and (4) directed the planning commission to propose and forward a recommendation to the city council as to the most appropriate zoning designation for the area proposed to be annexed.

On October 14, 2020, the Richland Planning Commission conducted a public meeting and recommended that R-1-12 Single Family Residential zoning was the most appropriate zoning designation for the proposed annexation area. On November 17, 2020, the Council passed a resolution authorizing the circulation of an annexation petition for annexation of the real property geographically depicted on the map attached hereto as Attachment 1 and legally described in Attachment 2 attached hereto.

WHEREFORE, petitioners pray that the City Council of the City of Richland, Washington entertain this petition, fix a date for a public hearing hereon, and cause notice of the hearing to be published in one or more issues of a newspaper of general circulation in the City, and to post the notice in three public places within the area proposed for annexation specifying the time and place of the hearing and inviting all interested persons to appear and voice approval or disapproval of the annexation.

INSTRUCTIONS FOR SIGNING PETITION

The following conditions should be noted for those signing the petition as owners of property:

1. Each signature shall be executed in ink or indelible pencil and shall be followed by the name of the signer, the date of signing, and the property description of the property within the proposed annexation owned by the signor.
2. The signature of a record owner, as determined by the records of the county auditor, shall be sufficient without the signature of his or her spouse;
3. In the case of mortgaged property, the signature of the mortgagor shall be sufficient, without the signature of his or her spouse;
4. In the case of property purchased on contract, the signature of the contract purchaser, as shown by the records of the county auditor, shall be deemed sufficient, without the signature of his or her spouse;
5. Any officer of a corporation owning land within the area involved, who is duly authorized to execute deeds or encumbrances on behalf of the corporation, may sign under oath on behalf of such corporation, and shall attach to the petition a certified excerpt from the bylaws of such corporation showing such authority.
6. When property stands in the name of a deceased person or any person for whom a guardian has been appointed, the signature of the executor, administrator, or guardian, as the equivalent to the signature of the owner of the property; and
7. When a parcel of property is owned by multiple owners, the signature of an owner designated by the multiple owners is sufficient.

WARNING

Every person who signs this petition with any other than his or her true name, or who knowingly signs more than one of these petitions, or signs a petition seeking an election when he or she is not a legal voter, or signs a petition when he or she is otherwise not qualified to sign, or who makes herein any false statement, shall be guilty of a misdemeanor. *See RCW 35.21.005.*

Assessor's Parcel Numbers: 134984011576001, 134984000002002, 134984012275002,
134984012275001 AND 134984011406001

Property Owners:.....BADGER MOUNTAIN VINEYARDS LLC

Site Address:.....1106 N. JURUPA ROAD.

Signature: By:  Date: 12-18-20

Name of Person Signing: Frank Tiegs

Signature: By: _____ Date: _____

Name of Person Signing: _____

Assessor's Parcel Numbers: 134984011576001, 134984000002002, 134984012275002,
134984012275001 AND 134984011406001

Property Owners:.....BADGER MOUNTAIN VINEYARDS LLC

Site Address:.....1106 N. JURUPA ROAD.

Signature: By: Timothy H. DeCook MD Date: 18 Dec 2020

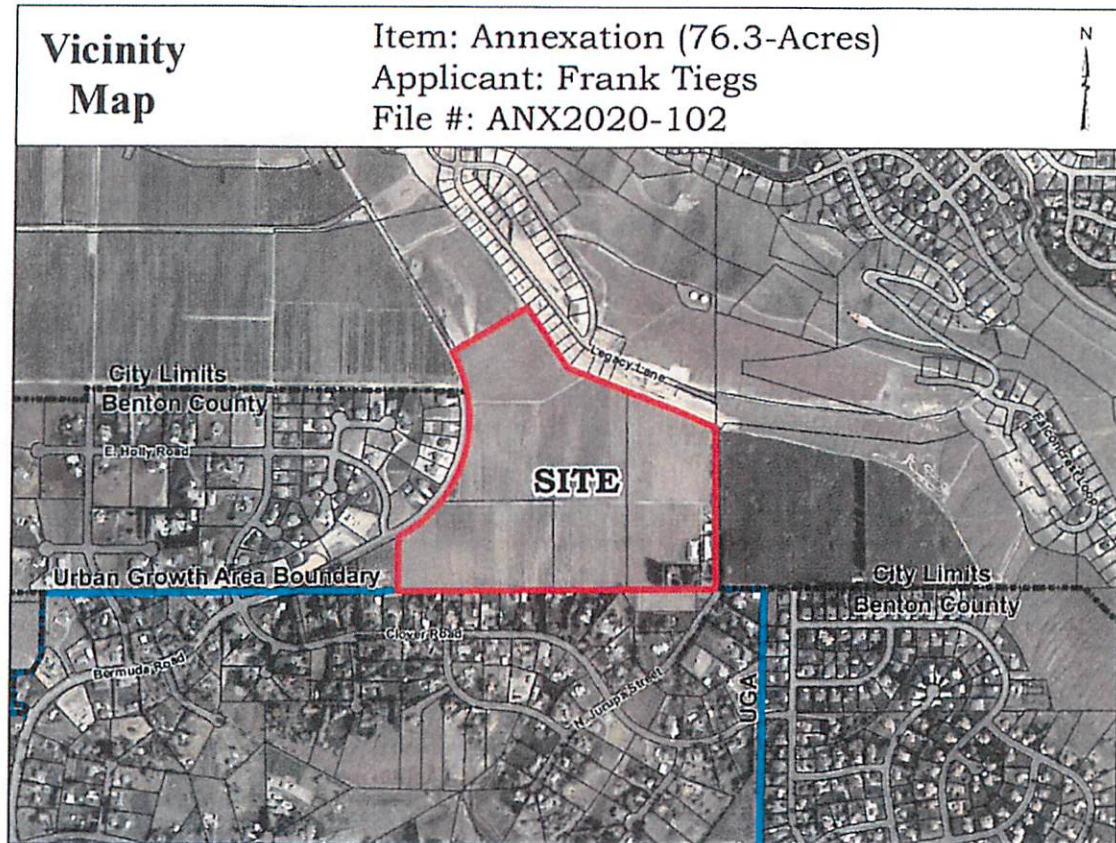
Name of Person Signing: Timothy H. DeCook, MD

Signature: By: _____ Date: _____

Name of Person Signing: _____

RECEIVED
DEC 28 2020
BY:

Attachment 1
Proposed Badger Mountain Vineyard Annexation



Attachment 2
Legal Description for Proposed Badger Mountain Vineyard Annexation

The Badger Mountain Vineyard annexation consists of the following:

SHORT PLAT NO. 1576, LOT 1

SHORT PLAT NO. 2275, LOTS 1 & 2. SUBJECT TO EASEMENTS AND RESTRICTIONS OF RECORD.

SHORT PLAT NO. 1406, LOT 1.

A PORTION OF SECTION 34, TOWNSHIP 9 NORTH, RANGE 28 EAST, W.M., BENTON COUNTY, WASHINGTON, MORE PARTICULARLY DESCRIBED AS FOLLOWS: BEGINNING AT THE SOUTHWEST CORNER OF SAID SECTION 34. THENCE NORTH 89° 31' 37" EAST ALONG THE SOUTH LINE OF SAID SECTION 34 A DISTANCE OF 2453.68 FEET TO THE TRUE POINT OF BEGINNING. THENCE NORTH 61° 58' 01" EAST A DISTANCE OF 646.32 FEET TO A POINT OF CURVE. THENCE NORTH-EASTERLY ALONG THE ARC OF A CURVE TO THE LEFT, SAID CURVE HAVING A CENTRAL ANGLE OF 93° 57' 20", A RADIUS OF 1099.33 FEET, AN ARC DISTANCE OF 1802.73 FEET TO A POINT OF TANGENT. THENCE NORTH 31° 59' 19" WEST A DISTANCE OF 1096.53 FEET. THENCE NORTH 58° 00' 41" EAST A DISTANCE OF 122.50 FEET. THENCE NORTH 53° 33' 55" EAST A DISTANCE OF 90.27 FEET. THENCE SOUTH 79° 34' 06" EAST A DISTANCE OF 131.71 FEET. THENCE NORTH 10° 25' 54" EAST A DISTANCE OF 9.16 FEET. THENCE SOUTH 79° 34' 06" EAST A DISTANCE OF 120.00 FEET. THENCE SOUTH 10° 25' 54" WEST A DISTANCE OF 31.13 FEET. THENCE SOUTH 64° 22' 01" EAST A DISTANCE OF 196.70 FEET TO A POINT ON CURVE. THENCE SOUTHWESTERLY ALONG THE ARC OF A CURVE TO THE LEFT, SAID CURVE HAVING A CENTRAL ANGLE OF 10° 20' 47", A RADIUS OF 280.00 FEET, A CHORD BEARING SOUTH 20° 27' 35" WEST, AN ARC DISTANCE OF 50.56 FEET TO A POINT OF TANGENT. THENCE SOUTH 74° 42' 48" EAST, RADIAL TO SAID CURVE, A DISTANCE OF 120.00 FEET. THENCE SOUTH 02° 03' 01" EAST A DISTANCE OF 91.96 FEET. THENCE SOUTH 39° 48' 15" EAST A DISTANCE OF 237.31 FEET. THENCE SOUTH 34° 25' 29" EAST A DISTANCE OF 897.72 FEET. THENCE SOUTH 68° 51' 04" EAST A DISTANCE OF 907.79 FEET. THENCE SOUTH 65° 59' 57" EAST A DISTANCE OF 265.85 FEET TO A POINT ON THE EAST LINE OF SAID SECTION 34. THENCE SOUTH 00° 33' 17" EAST ALONG SAID EAST LINE A DISTANCE OF 1199.83 FEET TO THE SOUTHEAST CORNER OF SAID SECTION 34. THENCE SOUTH 89° 31' 37" WEST ALONG THE SOUTH LINE OF SAID SECTION 34 A DISTANCE OF 2864.83 FEET TO THE TRUE POINT OF BEGINNING. CONTAINING 85.62 ACRES. SEGREGATED PER REQUEST OF OWNER SURVEY #464-A. TOGETHER WITH PORTION DEFINED AS FOLLOWS: A PARCEL OF LAND SITUATED IN SECTION 34, TOWNSHIP 9 NORTH, RANGE 28 EAST, W.M., BENTON COUNTY, WASHINGTON, SAID STRIP OF LAND MORE PARTICULARLY DESCRIBED AS FOLLOWS: BEGINNING AT THE SOUTHWEST CORNER OF SAID SECTION 34: THENCE NORTH 89° 31' 37" EAST ALONG THE SOUTH LINE OF SAID SECTION 34 A DISTANCE OF 1717.64 FEET TO THE TRUE POINT OF BEGINNING: THENCE NORTH 73° 58' 01" EAST A DISTANCE OF 424.43 FEET TO A POINT OF CURVE: THENCE NORTHEASTERLY ALONG THE ARC OF A CURVE TO THE LEFT HAVING A CENTRAL ANGLE OF 12° 00' 00", A RADIUS OF 883.50 FEET, AND AN ARC DISTANCE OF 185.03 FEET: THENCE NORTH 61° 58' 01" E A DISTANCE OF 700.00 FEET TO A POINT OF CURVE: THENCE NORTHEASTERLY ALONG THE ARC OF A CURVE TO THE LEFT HAVING A CENTRAL ANGLE OF 93° 57' 20", A

RADIUS OF 866.33 FEET AN ARC DISTANCE OF 1420.65 FEET: THENCE NORTH 31° 59' 19" WEST A DISTANCE OF 1229.03 FEET: THENCE NORTH 58° 00' 41" EAST A DISTANCE OF 156.50 FEET: THENCE SOUTH 31° 59' 19" EAST A DISTANCE 156.50 FT (S/B 132.50 FT ?): THENCE NORTH 58° 00' 41" EAST, A DISTANCE 76.50 FEET: THENCE SOUTH 31° 59' 19" EAST A DISTANCE OF 1096.53 FT TO A PT OF CURVE: THENCE SOUTHWESTERLY ALONG THE ARC OF A CURVE TO THE RIGHT HAVING A CENTRAL ANGLE OF 93° 57' 20" A RADIUS OF 1099.33 FEET, AN ARC DISTANCE OF 1802.73 FEET: THENCE SOUTH 61° 58' 08" WEST A DISTANCE OF 646.32 FEET TO A POINT ON THE SOUTH LINE OF SAID SECTION: THENCE SOUTH 89° 31' 37" WEST ALONG SAID SOUTH LINE A DISTANCE OF 736.04 FEET TO THE TRUE POINT OF BEGINNING. LESS ANY PORTION LYING WITHIN THE FOLLOWING DESCRIBED PARCEL: BEGINNING AT THE SOUTHWEST CORNER OF SECTION 34: THENCE NORTH 89° 31' 37" EAST ALONG THE SOUTH LINE THEROF A DISTANCE OF 1717.64 FEET TO THE TRUE POINT OF BEGINNING: THENCE NORTH 73° 58' 01" EAST A DISTANCE OF 424.43 FEET TO A POINT OF CURVE: THENCE NORTHEASTERLY ALONG A CURVE TO THE LEFT HAVING A CENTRAL ANGLE OF 12° 00' 00" AND A RADIUS OF 883.50 FEET AN ARC DISTANCE OF 185.03 FEET: THENCE NORTH 61° 58' 01" EAST A DISTANCE 700.00 FEET TO A POINT OF CURVE: THENCE NORTHEASTERLY ALONG A CURVE TO THE LEFT HAVING A CENTRAL ANGLE OF 93° 57' 20" AND A RADIUS OF 866.33 FEET, AN ARC DISTANCE OF 1420.65 FEET: THENCE NORTH 31° 59' 19" WEST A DISTANCE OF 1229.03 FEET: THENCE NORTH 58° 00' 41" EAST A DISTANCE OF 156.50 FEET: THENCE SOUTH 31° 59' 19" EAST A DISTANCE OF 132.50 FEET: THENCE NORTH 58° 00' 41" EAST A DISTANCE OF 76.50 FEET: THENCE SOUTH 31° 59' 19" EAST A DISTANCE OF 1096.53 FEET TO A POINT OF CURVE: THENCE SOUTHWESTERLY ALONG A CURVE TO THE RIGHT HAVING A CENTRAL ANGLE OF 01° 23' 43" AND A RADIUS OF 1099.33 FEET, AN ARC DISTANCE OF 26.77 FEET: THENCE SOUTH 59° 24' 24" WEST RADIAL TO SAID CURVE A DISTANCE OF 116.50 FEET TO A POINT OF CURVE: THENCE SOUTHWESTERLY ALONG A CURVE TO THE RIGHT HAVING A CENTRAL ANGLE OF 92° 33' 37" A RADIUS OF 982.83 AND A CHORD BEARING SOUTH 15° 41' 13" WEST, AN ARC DISTANCE OF 1587.75 FEET: THENCE SOUTH 61° 58' 01" WEST A DISTANCE OF 700.00 FEET TO A POINT OF CURVE: THENCE SOUTHWESTERLY ALONG SAID CURVE TO THE RIGHT HAVING A CENTRAL ANGLE OF 12° 00' 00", AND A RADIUS OF 1000.00 FEET, AN ARC DISTANCE OF 209.44 FEET: THENCE SOUTH 73° 58' 01" WEST A DISTANCE OF 6.05 FEET TO THE SOUTH LINE OF SECTION 34: THENCE SOUTH 89° 31' 37" WEST ALONG SAID SOUTH LINE A DISTANCE OF 43.31 FEET TO THE TRUE POINT OF BEGINNING. (DEED DATED 5/14/82) LESS ANY PORTION LYING WITHIN FOLLOWING DESCRIBED PARCEL (ALSO AKA SHORT PLAT #1576) THAT PORTION OF SECTION 34, TOWNSHIP 9 NORTH, RANGE 28 EAST, W.M., BENTON COUNTY WASHINGTON DESCRIBED AS FOLLOWS: BEGINNING AT THE SOUTHWEST CORNER OF SECTION 34: THENCE NORTH 89° 31' 37" EAST ALONG THE SOUTH LINE THEREOF A DISTANCE OF 2151.94 FEET TO THE TRUE POINT OF BEGINNING: THENCE NORTH 73° 58' 01" EAST A DISTANCE OF 6.05 FEET TO A POINT OF CURVE: THENCE NORTHEASTERLY ALONG A CURVE TO THE LEFT HAVING A CENTRAL ANGLE OF 12° 00' 00" A RADIUS OF 1000.00 FEET AN ARC DISTANCE OF 209.44 FEET : THENCE NORTH 61° 58' 01" EAST A DISTANCE OF 700.00 FEET TO A POINT OF CURVE: THENCE NORTHEASTLY ALONG A CURVE TO THE LEFT HAVING A CENTRAL ANGLE OF 23° 48' 21" AND A RADIUS OF 982.83 FEET AN ARC DISTANCE OF 408.36 FEET: THENCE NORTH 89° 31' 37" EAST A DISTANCE OF 839.64 FEET: THENCE SOUTH 00° 33' 17" EAST A DISTANCE OF 660.00 FEET TO A POINT ON THE SOUTH LINE OF SAID SECTION 34: THENCE SOUTH 89° 31' 37" WEST ALONG SAID SOUTH LINE A DISTANCE OF 1974.41 FEET TO THE TRUE POINT OF BEGINNING. (AKA SHORT PLAT #1576) ALSO LESS ANY PORTION LYING WITHIN FOLLOWING DESCRIBED PARCEL. (AKA SHORT PLAT #1406) THAT PORTION OF SECTION 34, TOWNSHIP 9 NORTH, RANGE 28 EAST, W.M., BENTON

COUNTY, WASHINGTON, DESCRIBED AS FOLLOWS: THE TRUE POINT OF BEGINNING BEING THE SOUTHEAST CORNER OF SECTION 34: THENCE SOUTH 89° 31' 37" WEST ALONG THE SOUTH LINE THEREOF A DISTANCE OF 650.00 FEET. THENCE NORTH 00° 33' 17" WEST A DISTANCE OF 1471.85 FEET: THENCE SOUTH 68° 51' 04" EAST A DISTANCE OF 439.33 FEET: THENCE SOUTH 65° 59' 57" EAST A DISTANCE OF 265.85 FEET TO THE EAST LINE OF SECTION 34: THENCE SOUTH 00° 33' 17" EAST ALONG SAID EAST LINE A DISTANCE OF 1199.83 FEET TO THE TRUE POINT OF BEGINNING. (AKA SHORT PLAT #1406) SUBJECT TO EASEMENTS AND RESTRICTIONS OF RECORD. LESS ANY PORTION OF THE FOLLOWING PARCEL #134984000001002. DESCRIBED AS FOLLOWS: THE PORTION OF SECTION 34, TOWNSHIP 9, RANGE 28 EAST, W.M. DEFINED AS FOLLOWS: BEGINNING AT THE NORTHWEST CORNER OF SECTION 34, THENCE SOUTH 00° 45' 08" WEST ALONG THE WEST LINE THEREOF A DISTANCE OF 2669.38 FEET, THENCE SOUTH 89° 51' 32" EAST, PARALLEL WITH THE SOUTH LINE OF THE NORTH 1/2 OF SAID SECTION A DISTANCE OF 2160 FEET TO A POINT OF CURVE: THENCE ALONG A CURVE TO THE LEFT HAVING A CENTRAL ANGLE OF 32° 07' 47" AND A RADIUS OF 570 FEET, AN ARC DISTANCE OF 319.64 FEET: THENCE NORTH 58° 00' 41" EAST A DISTANCE OF 227.40 FEET TO THE TRUE POINT OF BEGINNING: THENCE SOUTH 31° 59' 19" EAST A DISTANCE OF 1289.03 FEET TO A POINT OF CURVE: THENCE ALONG A CURVE TO THE RIGHT HAVING A CENTRAL ANGLE OF 01° 23' 43" AND A RADIUS OF 1022.84 FEET, AN ARC DISTANCE OF 24.91 FEET: THENCE NORTH 59° 24' 24" EAST RADIAL TO SAID CURVE A DISTANCE OF 608.78 FEET: THENCE NORTH 34° 25' 29" WEST A DISTANCE OF 357.72 FEET: THENCE NORTH 39° 48' 15" WEST A DISTANCE OF 237.31 FEET: THENCE NORTH 02° 03' 01" WEST A DISTANCE OF 91.96 FEET: THENCE NORTH 74° 42' 48" WEST A DISTANCE OF 120 FEET TO A POINT ON A CURVE: THENCE NORTHEASTERLY ALONG A CURVE TO THE RIGHT HAVING A CENTRAL ANGLE OF 10° 20' 47" A RADIUS OF 280 FEET AND A CHORD BEARING NORTH 20° 27' 35" EAST AN ARC DISTANCE OF 50.56 FEET: THENCE NORTH 64° 22' 01" WEST A DISTANCE OF 196.70 FEET: THENCE NORTH 10° 25' 54" EAST A DISTANCE OF 31.13 FEET: THENCE NORTH 79° 34' 06" WEST A DISTANCE OF 120 FEET: THENCE SOUTH 10° 25' 54" WEST A DISTANCE OF 9.16 FEET: THENCE NORTH 79° 34' 06" WEST A DISTANCE OF 131.71 FEET: THENCE SOUTH 53° 33' 55" WEST A DISTANCE OF 90.27 FEET: THENCE SOUTH 58° 00' 41" WEST A DISTANCE OF 199 FEET TO A LINE EXTENDED SOUTH 31° 59' 19" EAST: THENCE NORTHERLY ALONG SAID LINE TO THE TRUE POINT OF BEGINNING.

This description includes the following **County Parcel Identification Numbers**:

134984011576001
134984000002002
134984012275002
134984012275001
134984011406001

Attachment 3
Proposed Badger Mountain Vineyard Annexation

Parcel #	Owner	Parcel Address	Lot Size (ft²)	Assessed Value
134984011576001	Badger Mountain Vineyards LLC	1106 N. Jurupa Rd.	720,046.80	92,820
134984000002002	Badger Mountain Vineyards LLC	1106 N. Jurupa Rd.	1,742,835.60	265,210
134984012275002	Badger Mountain Vineyards LLC	1106 N. Jurupa Rd.	782,773.20	460,690
134984012275001	Badger Mountain Vineyards LLC	1106 N. Jurupa Rd.	44,866	504,680
134984011406001	Badger Mountain Vineyards LLC	1106 N. Jurupa Rd.	43,560	438,800

FISCAL IMPACT – PROPOSED BADGER MOUNTAIN WINERY (1106 N. JURUPA ROAD) ANNEXATION

INTRODUCTION

This fiscal analysis has been prepared by staff to identify the impacts of the proposed Badger Mountain Winery annexation to the City. The following is a summary of the analysis that was completed and an explanation of the assumptions used in this analysis.

The analysis included in this report focuses on the potential impacts of the annexation to the City's General Fund. Enterprise funds such as medical services, electrical, water, sewer and storm drainage are, by their nature, self-sustaining and, as such, should have neither a significant positive or negative fiscal impact on the City.

REVENUES

The revenue that would be generated by the proposed annexation is largely dependent on the amount of development that occurs in the area over time. Table I provides an estimate of the revenues that would be produced from the annexation area based only on the existing level of development. Table II provides a revenue estimate at full build-out of the annexation area. This full build-out scenario is based on the site being zoned R-1-12 as recommended by the Planning Commission and from preliminary data obtained from the owner's consulting firm.

**TABLE I – Badger Mountain Winery Annexation Proposal
Projected Revenue – Year 2020**

<u>Revenue Source</u>	<u>Rate</u>	<u>Basis</u>	<u>Annual Amount</u>
Property Tax	\$12.2180888339 assessed valuation	\$2,534,630 assessed value	\$21,709
Permit Fees ¹	\$43/person	2 persons	\$86
Utility Taxes ²	\$228/person	No present utility connections	0
Sales Taxes ³	\$256/person	2 persons	\$512
Total			\$22,307

Table I & II Notes:

- ¹ Permit fees are based on the total 2020 adopted budget figures for licenses and permits, (\$2,504,500) divided by the current population (58,550).
- ² Utility taxes based on adopted budget figures for total utility tax revenue (\$13,361,685) divided by estimated number of current population (58,550).
- ³ Sales tax determined by total sales and use tax revenue (\$14,978,749) divided by current population (58,550).

**TABLE II – Badger Mountain Winery Annexation Proposal
Projected Revenue – Full Build-Out**

<u>Revenue Source</u>	<u>Rate</u>	<u>Basis</u>	<u>Amount</u>
Property Tax	\$12.2180888339 assessed valuation	\$69,602,280 total assessed value	\$850,406
Permit Fees ¹	\$43/person	572 persons	\$24,596
Utility Taxes ²	\$228/person	572 persons	\$130,406
Sales Taxes ³	\$256/person	572 persons	\$146,432
Total			\$1,151,840

Table II Assumptions:

- Assumes site would be developed at the R-1-12 density (220 units total).
- Average value of new construction for a single-family residence is \$316,374 according to 2020 year to date building permit activity records.
- Assumes 2.6 persons/household (2017 OFM Estimate).
- Assumes all new development will be served by City utilities.

No estimate has been provided on the length of time it would take to achieve full build-out of the proposed annexation area; however, based on current housing construction activities in the area it is anticipated that full build-out will occur by the end of 2026. This would be dependent upon any number of factors, including the desires of the property owner and market conditions. The two tables are offered as a comparison of revenues that would be generated from the area based on its existing and maximum potential levels of development.

PUBLIC ASSETS

Existing Infrastructure

N. Jurupa Road provides access to the southeast corner of the annexation area (existing winery and single-family residence) while N. Bermuda Road skirts the site's western boundary. Both N. Jurupa Road and N. Bermuda Road are county roads that are not subject to City of Richland standards.

New water and sewer mains are being installed on the property to the east which is currently being subdivided as Phases 3 – 7 of the Westcliffe Heights preliminary plat. As no final plats for Phases 3 – 7 have been completed to date currently no public infrastructure exists; however once the area receives final plat approval, the infrastructure which is installed will belong to the city.

DEMANDS FOR NEW/EXPANDED INFRASTRUCTURE

As development occurs within the area, water, sewer and electrical services will be extended to serve new development. New roadways would need to be constructed within the site and additional traffic created by new development would add to existing traffic volumes on City streets and neighboring County roads. New development would also trigger requirements for installation of storm drainage facilities and street lighting. Additional demands would be placed on the City's parks and open spaces. The developer would be responsible for the extension of City utilities, access roads, storm drainage facilities, street lighting, park dedication and/or payment of park fees.

The City's present system of development regulation/permitting ensures that, to a large degree, new residents are paying for the costs associated with the extension/expansion of City infrastructure. It also ensures that new development will not occur unless appropriate infrastructure improvements are put in place.

EXISTING SERVICES

Presently, the proposed annexation area is served by the following entities:

<u>Service</u>	<u>Service Provider</u>
Fire & Emergency Service	Benton County Fire District #1
Police Services	Benton County Sheriff's Department
Electrical Service	City of Richland
Water Service	Private Well
Sewer Service	On-Site Septic System
Solid Waste Disposal	Ed's Disposal (Basin Disposal)

FUTURE DEMAND FOR SERVICES

As development of the proposed annexation area occurs, future demands would be placed on City services. Some of these services would not be greatly impacted. Emergency fire/medical protection would be provided from either South Richland Station #72 or #74 or from Benton County Fire District #1 Station 140 (volunteer station). As population increases, there would be more calls for service within the area.

City utility services, including power, water, sewer, and storm drainage would see increased usage. Present capacity of the City systems could accommodate this increased demand as the growth was anticipated and planned for in the City Comprehensive Plan. The fees charged for the connection to City utility services and the monthly user charges are designed to recover the costs associated with the provision of those services. Consequently, development within the proposed annexation area should not have fiscal impacts on those services.

Other services, including parks and recreation and library services, would likely see an increase in use. Table III demonstrates the effects of annexation, both initially and at full

build-out, given the assumption that service levels and cost of service per capita will remain constant.

**TABLE III – Badger Mountain Winery Annexation Proposal
Expense of Providing City Services**

Service	Annual Cost of Service	Level of Service ¹	Cost of Annexation ²	
			Initial	Full Build-Out
Fire & Emergency Service ³	\$170/person ³	5 minute emergency response time	\$340	\$97,240
Police ⁴	\$250/person ⁴	1.24 police/1,000 population	\$500	\$143,000
Parks ⁵	\$148/person ⁵	2.8 acres/1,000 population	\$296	\$84,656
Street ⁶ Maintenance	\$30/person	None established	\$60	\$17,160
Library ⁷	\$39/person	None established	\$78	\$22,308
Administrative Services ⁸	\$168/person	None established	\$335	\$96,096
Total	\$805		\$1,610⁹	\$460,460

Notes for Table III:

¹Level of Service reported from City of Richland Comprehensive Plan

²Cost of Annexation – Initial Impacts are based on current estimate of 2 persons residing within the proposed annexation area. Full build-out figures are based on projected population of 572 persons in 220 residences.

³Represents total current expense '20 budget for fire and emergency services (\$9,933,763) divided by current city population (58,550).

⁴Represents total current expense '20 budget for police (\$14,651,400) divided by current city population (58,550).

⁵Represents total current expense '20 budget for parks and facilities and recreation (\$8,659,752) divided by current city population (58,550).

⁶Represents streets capital construction fund '21 budget (\$1,730,000) divided by current city population (58,550).

⁷Library costs were derived by dividing 2020 total library budget (\$2,295,242) by total number of persons in the City (58,550).

⁸Administrative service costs represents the total current expense budgets for City Manager, Assistant City Manager, City Clerk, City Attorney, Communications and Marketing, Cable Communications, Information Technology, and Hanford Communities (\$9,816,628) divided by current city population (58,550).

⁹Costs for police and fire services would not likely be zero for existing levels of development, but are difficult to accurately quantify and would vary greatly based on the number of times that emergency calls for service were made.

Service costs for Table III include those services that are directly provided to residents and also include estimates for costs associated with general administrative services. Presumably, there would be some efficiencies accrued by the City in serving a larger population that would be located in a relatively small geographical area that is immediately adjacent to the City's existing service boundaries. So costs for actually providing services listed in Table III could be somewhat overstated. The per capita

listing for fire and emergency services, police services and administrative services assumes that all expenses associated with providing services are directly related to residential uses. Clearly, there are costs associated with providing services to commercial and industrial lands as well. The estimated costs of park and library services may be slightly overstated also, as some service is provided to non-City residents, which, if accounted for, would slightly decrease the per capita costs reported here. Finally, Table IV provides some comparison of the costs and revenues associated with the proposed annexation.

**TABLE IV – Badger Mountain Winery Annexation Proposal
Summary of General Fund Revenues and Expenses**

	Estimated Number of Households	Projected Revenues	Projected Expenses	Net Annual Benefit
Initial Annexation	1	\$22,307	\$1,610	\$20,697
Annexation at Max. Build-Out	220	\$1,151,840	\$460,460	\$691,380

CONCLUSION

Staff concludes that the proposed annexation would have a positive fiscal impact to the City both at the time of initial annexation and at the time that the area is fully developed. The City's enterprise funds would not be negatively impacted as expenses associated with providing power, water, sewer, storm drainage and solid waste disposal would likely equal the revenues associated with providing such services.

There are other factors that are difficult to quantify. If the area is not annexed, and some level of development occurs within the county, City services will still be directly impacted. The street system will be forced to handle more traffic, and park and library use may increase, along with police and fire service calls. However, without annexation the City will not receive any revenues from those unincorporated developments. In total, the drain on City services would likely be greater without annexation than with annexation.

Annexation also provides the City with some opportunity to control the development so that it conforms to City plans and standards. Street layout and design, the extension of street and utility corridors to adjacent parcels, the overall density of development, and the dedication of park and open spaces are all issues that the City would not control if annexation does not occur.

From: [Jule Wetzler](#)
To: [Stevens, Mike](#)
Subject: Public Hearing re: 1106 S Jurupa Rd
Date: Tuesday, October 13, 2020 5:29:47 PM

Sent from my iPhone

Richland Planning Commission,

It has come to my attention that the Richland Planning Commission is determining whether to zone the Badger Mountain Vineyard from 'agricultural' to 'residential'. As a native Tri-Citizen and Richland city resident, I should not be surprised that the shortsightedness of money outweighs the quality of life aspects of our community. Years ago I worked at the tasting room – people came from all over the state and world because of the unique nature of this winery. The question that the Commission needs to ask itself - Do we really need more suburban sprawl with yet another subdivision in Richland at the price of eliminating a tourist destination as one of the only organic vineyards in the United States?

I oppose this measure of rezoning the Badger Mountain Vineyard from 'agricultural' to 'residential'. Please provide me with information on how to join the Richland Planning Commission hearing on October 14th. Thank you.

Julie L. Wetzler
(509) 619-5274

From: [Kim Fowler](#)
To: [Stevens, Mike](#)
Subject: Public Hearing re: 1106 S Jurupa Rd
Date: Wednesday, October 14, 2020 12:11:38 PM

Richland Planning Commission,

I received a call from Mike Stevens stating that I needed to change my previously provided comments to solely focus on the zoning options provided in the letter. I believe those options are false choices, as taking prime, organic agriculture land and zoning it as residential is waste of a unique resource in this community.

On the phone, Mike Stevens claimed the reason for these choices was to "reduce sprawl" in compliance with the Washington Growth Management Act. Three goals of the Act that I will highlight here are to

- (1) encourage development in **urban** areas where **adequate public facilities and services** exist or can be provided in an efficient manner,
- (2) reduce the **inappropriate conversion of undeveloped land** into sprawling, low-density development, and
- (8) **maintain and enhance** natural resource-based industries, including productive timber, **agriculture**, and fisheries industries; **encourage the conservation of** productive forestlands and **productive agricultural lands, and discourage incompatible uses.**

Goal 1. The City of Richland is transforming these rural areas into 'urban development' and is not providing "adequate public services." The roads in this community are now dangerous because of the added traffic and because these new Richland residents must travel, in many cases, more than a mile on roads with 25 or 35 mph speed limit zones to get to their homes, and they are not traveling at those speeds. Richland hasn't done anything to provide safe routes to these homes from the historical parts of the City of Richland.

Goal 2. If the intent, per Mike Stevens, is truly to reduce sprawl, adding low density housing in an area with no easy access is in direct opposition to the Act's goal to reduce sprawl.

Goal 8. Based on this goal, the City of Richland should be looking to keep the Badger Mt Vineyard zoned as agriculture. This is an historic vineyard, being the first organic vineyard in the state. Destroying it for more houses is irresponsible and in conflict with the Act.

If the only way my input will be considered, as Mike Stevens stated on the phone, is to choose between the three zoning options, I would choose SAG - Suburban Agriculture. The City of Richland has irresponsibly built residential housing on small lots around the Badger Mountain Vineyard, other farms and the Rancho Reata community – decreasing the quality of life of existing residents and pushing out existing agriculture. The Rancho Reata community borders this property and has standards of a minimum of 1 acre per house, thus the SAG option would put any additional housing closer to that existing standard.

Kim Fowler



Planning Commission Meeting Comment Card

City of Richland

Submitted On:
October 14, 2020 3:17pm
America/Los_Angeles

October 14, 2020 Planning Commission Meeting Comment Card

I wish to comment using the	Call-in Option - I will call one of the numbers published on the agenda
I am commenting regarding	Public Hearing - Zoning District Determination - Badger Mountain Vineyards Annexation Request
Support/Oppose	I Oppose
Full Name	PAULA BUTTERWORTH
Full Address	97004 E CLOVER RD KENNEWICK WA 99338
Phone Number (Must be the phone number you plan to call-in from)	5096271945
Email	



Planning Commission Meeting Comment Card

City of Richland

Submitted On:
October 7, 2020 12:06pm
America/Los_Angeles

October 14, 2020 Planning Commission Meeting Comment Card

I wish to comment using the	Online Form
I am commenting regarding	Public Hearing - Zoning District Determination - Badger Mountain Vineyards Annexation Request
Support/Oppose	I Oppose
Reading of Comments	I DO NOT want my comments read aloud
Comments	I have lived in the El Rancho Reata area for 28 years and was a City of Richland employee for nearly 27 years. (Police department). I do not drink wine but I have enjoyed many hours at Powers Winery, inside and out, enjoying the beauty of the winery and vineyards while my wife, kids and neighbors joyed the wines produced there. I am currently the President of the El Rancho Reata Community Alliance and was notified when this annexation and zoning issue was made public. Our organization tries to stay neutral on issues in our community but do take the position that we should inform the people in our community of issues that arise. It sounds like the annexation is wanted by the winery and inevitable as the city grows. Personally, I would like the zoning to remain agricultural. This is a unique opportunity for Richland to keep a historic organic vineyard and green belt right in Richland with a winery attached that is within walking distance to many homes. I suspect that one day this area will be homes but it would be a shame to take out the vineyard while it is still producing excellent wine, according to my wife, kids and neighbor's, just to put I more homes when there are hundreds of other acres of land available to the city to expand on. Thank you, Brian
Full Name	Brian Ruegsegger
Full Address	94702 E. Granada CT Kennewick WA 99338
Email	brianrueg@charter.net



Planning Commission Meeting Comment Card

City of Richland

Submitted On:
October 14, 2020 4:03pm
America/Los_Angeles

October 14, 2020 Planning Commission Meeting Comment Card

I wish to comment using the	Online Form
I am commenting regarding	Public Hearing - Zoning District Determination - Badger Mountain Vineyards Annexation Request
Support/Oppose	I Oppose
Reading of Comments	I DO NOT want my comments read aloud
Comments	More density housing will be detrimental to this area. I find it very concerning how the city of Richland is willing to tear out farmland, especially a historic vineyard for yet more housing. Why not focus on undeveloped land? This seems to be a growing issue, having watched Badger south go from agriculture to urban housing.
Full Name	Marlisa Lochrie
Full Address	1705 South Jurupa st. Kennewick WA 99338
Email	marlisalochrie@gmail.com



Planning Commission Meeting Comment Card

City of Richland

Submitted On:
October 14, 2020 12:50pm
America/Los_Angeles

October 14, 2020 Planning Commission Meeting Comment Card

I wish to comment using the	Call-in Option - I will call one of the numbers published on the agenda
I am commenting regarding	Public Hearing - Zoning District Determination - Badger Mountain Vineyards Annexation Request
Support/Oppose	I Oppose
Full Name	Joseph Rastovich
Full Address	404 S Agua Mansa Ct Kennewick WA 99338
Phone Number (Must be the phone number you plan to call-in from)	5093087647
Email	josephrastovich@gmail.com



Planning Commission Meeting Comment Card

City of Richland

Submitted On:
October 12, 2020 8:40pm
America/Los_Angeles

October 14, 2020 Planning Commission Meeting Comment Card

I wish to comment using the	Online Form
I am commenting regarding	Public Hearing - Zoning District Determination - Badger Mountain Vineyards Annexation Request
Support/Oppose	I Oppose
Reading of Comments	I WOULD like my comments read aloud
Comments	While I would prefer that Badger Mountain Wnery remain as is, I realize that the land is privately owned and they have an opportunity to make a lot of money developing the land. I do hope that the city of Richland will require larger lots to maintain the country feel that brought us to the area. South Richland is overloaded with high density neighborhoods, this neighborhood should be different. I would also hope that there will be a plan to keep traffic on Bermuda at a reasonable speed. Perhaps traffic circles and a 25 mph speed limit.
Full Name	DAVID SHELBOURN
Full Address	3806 N Bermuda Rd Kennewick WA 99338
Email	dshelbourn@yahoo.com



COUNCIL AGENDA ITEM COVERSHEET

Council Date: 5/4/2021

Agenda Category: Minutes

Core Focus Area I - Promote Financial Stability & Operational Effectiveness

Subject:

Approval of the April 20, 2021 City Council Regular Meeting Minutes and April 27, 2021 City Council Workshop Meeting Minutes

Department:
City Attorney

Ordinance/Resolution Number:

Document Type:
Minutes

Recommended Motion:

Approve the minutes from the April 20, 2021 City Council Regular Meeting and April 27, 2021 City Council Workshop Meeting.

Summary:

Draft minutes from the April 20, 2021 City Council Regular Meeting and April 27, 2021 City Council Workshop Meeting are presented for Council's consideration and approval.

Fiscal Impact: None.

Attachments:

1. DRAFT 2021.04.20 City Council Meeting Minutes
2. Draft April 27, 2021 City Council Regular Workshop Meeting Minutes



MINUTES

RICHLAND CITY COUNCIL REGULAR MEETING

Tuesday, April 20, 2021

Zoom - Public Telephone Access: (206) 337-9723 or (253) 215-8782

Meeting ID No. 505 625 7380

City Council Regular Meeting - 6:00 p.m. via Zoom

Mayor Lukson called the remote Council meeting to order at 6:00 p.m.

Welcome and Roll Call

Mayor Lukson welcomed those attending the remote meeting.

Attendance: Mayor Lukson, Mayor Pro Tem Kent and Councilmembers Alvarez, Boring, Christensen, Lemley and Thompson were present.

Also remotely present were Interim City Manager Amundson, City Attorney Kintzley, Chief of Police Bruce, Fire Chief Huntington, Public Works Director Rogalsky, Energy Services Director Whitney, Administrative Services Director Koch, Parks & Public Facilities Director Schiessl, Planning Manager Stevens and City Clerk Rogers.

Pledge of Allegiance

Mayor Lukson led the Council and audience in the recitation of the Pledge of Allegiance.

Approval of Agenda

COUNCILMEMBER CHRISTENSEN MOVED AND COUNCILMEMBER THOMPSON SECONDED THE MOTION TO APPROVE THE AGENDA AS PUBLISHED. THE MOTION CARRIED 7-0.

Presentations

- 1 Proclamation Declaring April 18-24, 2021 to be National Infertility Awareness Week

Mayor Lukson read aloud the National Infertility Awareness Week proclamation.

Public Hearings

None.

Public Comments

The following individual submitted comments to be read aloud by the City Clerk:

Francesca Maier - 2146 Hudson Ave. Richland, WA: Ms. Maier stated concerns regarding the reported prohibition of e-bikes on soft-surface trails in the City of Richland. Ms. Maier

then suggested that Parks & Public Facilities Director Schiessl consult with subject matter experts to assist with creating a policy that supports the safe use of e-bikes in the community.

The following individual registered to provide comments via telephone:

Max Faulkner - 624 Wellsian Way, Richland, WA: Mr. Faulkner voiced concerns regarding the lack of fresh air alternatives for card rooms, specifically referencing Atomic Bowl and Jokers. Mr. Faulkner requested City Council consider making provisions in the Richland Municipal Code to accommodate businesses which support this type of environment.

Mark Laun - 31 Galaxy Lane, Richland, WA: Mr. Laun stated he is still waiting to receive responses from most councilmembers regarding an inquiry he previously made via email regarding the purpose of government.

Randy Slovic - 74 Newcomer St. Richland, WA: Ms. Slovic shared her opposition to vacating undeveloped Davenport Street right-of-way based on her belief that it serves as a pedestrian path for students. Ms. Slovic also stated concerns regarding relocation of an existing stormwater pipe and the ramifications of not having a stormwater pipe in the vicinity.

Consent Calendar

City Clerk Rogers read the Consent Calendar.

COUNCILMEMBER THOMPSON PULLED ITEM NO. 3, ORDINANCE NO. 07-21, AMENDING RICHLAND MUNICIPAL CODE SECTION 9.04.085 RELATED TO CYBERSTALKING. ITEM NO. 3 WAS MOVED TO ITEM NO. 1 UNDER ITEMS OF BUSINESS.

COUNCILMEMBER BORING PULLED ITEM NO. 7, RESOLUTION NO. 47-21, AUTHORIZING AN INFRASTRUCTURE AND VACATION AGREEMENT WITH ABC WELLSIAN WAY, LLC RELATED TO THE PROPERTY DEVELOPMENT OF 302 WELLSIAN WAY. ITEM NO. 7 WAS MOVED TO ITEM NO. 2 UNDER ITEMS OF BUSINESS.

COUNCILMEMBER THOMPSON MOVED AND COUNCILMEMBER BORING SECONDED THE MOTION TO APPROVE THE CONSENT AGENDA AS AMENDED. THOSE IN FAVOR: MAYOR LUKSON, MAYOR PRO TEM KENT, AND COUNCILMEMBERS ALVAREZ, BORING, CHRISTENSEN, LEMLEY AND THOMPSON. THOSE OPPOSED: NONE. THE MOTION CARRIED 7-0.

Minutes

2 Approval of the April 6, 2021 Regular Council Meeting Minutes.

Ordinances - First Reading

None.

Ordinances - Second Reading & Passage

3. Ordinance No. 07-21, Amending Richland Municipal Code Section 9.04.085 related to Cyberstalking **(PULLED AND RELOCATED TO ITEMS OF BUSINESS AS ITEM NO. 1)**
4. Ordinance No. 08-21, Amending Richland Municipal Code Sections 9.10.020, 9.10.025, 9.11.020, and 9.24.070 to add a knowledge element consistent with *State of Washington v. Blake*
5. Ordinance No. 09-21, Amending the 2021 Budget in the General Fund, Public Works Administration & Engineering Fund, Streets Capital Construction Fund, and Solid Waste Fund

Resolutions – Adoption

6. Resolution No. 36-21, Authorizing an Interlocal Agreement with the Washington State Department of Health for COVID-19 Community Vaccination Site Support and Staffing
7. Resolution No. 47-21, Authorizing an Infrastructure and Vacation Agreement with ABC Wellsian Way, LLC related to the Property Development of 302 Wellsian Way **(PULLED AND RELOCATED TO ITEMS OF BUSINESS AS ITEM NO. 2)**
8. Resolution No. 48-21, Authorizing a Consultant Agreement with Marsha Fraser d/b/a Solutions At Work for Performance and Evaluation Planning for the Interim City Manager

Items - Approval

None.

Expenditures – Approval

9. Expenditures from March 1, 2021 to March 31, 2021 for \$32,283,276.70 including Travel Check Nos. 19975-19983, Accounts Payable Check Nos. 287947-288753, Accounts Payable Wire Nos. 8487-8522, Payroll Wires & ACH Nos. 11979-12027, Payroll Direct Deposit & Check Nos. 176026-177088 and Pension Check Nos. 5774-5803

Items of Business

1. Ordinance No. 07-21, Amending Richland Municipal Code Section 9.04.085 related to Cyberstalking

Councilmember Thompson called on City Attorney Kintzley to speak to the cyberstalking ordinance distinguishes, if at all, between verbal statements and written comments posted in a social media context. Concurrently, Councilmember Thompson offered personal observations regarding potential liability issues associated with laws that regulate speech.

City Attorney Kintzley responded to Councilmember Thompson's inquiry and reiterated that the statute is already codified in the Richland Municipal Code, and was before Council on this occasion for amendment to align with a recent court of appeals decision. City Attorney Kintzley also pointed out that RMC 9.04.085 was adopted by Council in 2020. City Attorney Kintzley engaged in a question and answer session with City Council. Mayor Pro Tem Kent acknowledged the limited scope of the action presented to Council by Ordinance 07-21, which was to remove the term "embarrass" from the code to ensure its constitutionality.

Mayor Lukson requested City Attorney Kintzley to provide Council with a summary of the cyberstalking statute's limitations.

MAYOR PRO TEM KENT MOVED AND COUNCILMEMBER CHRISTENSEN SECONDED THE MOTION TO ADOPT ORDINANCE NO. 07-21. THOSE IN FAVOR: MAYOR LUKSON, MAYOR PRO TEM KENT, AND COUNCILMEMBERS ALVAREZ, BORING, CHRISTENSEN AND LEMLEY. THOSE OPPOSED: COUNCILMEMBER THOMPSON. THE MOTION CARRIED 6-1.

2. Resolution No. 47-21, Authorizing an Infrastructure and Vacation Agreement with ABC Wellsian Way, LLC related to the Property Development of 302 Wellsian Way

Public Works Director Rogalsky provided a detailed overview and staff analysis of the proposed property development and right-of-way vacation agreement negotiated between staff, developer, and counsel for 302 Wellsian Way. Public Works Director Rogalsky engaged in a question and answer session with Council throughout the presentation.

COUNCILMEMBER CHRISTENSEN MOVED AND COUNCILMEMBER THOMPSON SECONDED THE MOTION TO ADOPT RESOLUTION NO. 47-21. THE MOTION CARRIED 7-0.

Reports and Comments

City Manager

Interim City Manager Amundson announced that Energy Services received its first smart

meter for the Automatic Metering Infrastructure (AMI) project. System testing is underway and full deployment will be complete by July 2022.

Interim City Manager Amundson then provided an overview of recently passed and upcoming City-sponsored events. Lastly, Interim City Manager Amundson provided an overview of agenda items listed on the next City Council workshop meeting agenda.

City Council

Councilmember Christensen requested Interim City Manager Amundson to provide information regarding open space alternatives implemented for specific businesses, such as card rooms, while businesses are operating at limited capacity during the pandemic.

Councilmember Christensen then offered comments relating to the Washington State Supreme Court decision in *State of Washington v. Blake*. Mayor Lukson added that City Attorney Kintzley will report on the City's next steps in the wake of the *Blake* decision at the April 27, 2021 City Council workshop meeting.

Councilmember Boring thanked Public Works Director Rogalsky for addressing her questions in his overview of the ABC Wellsian Way, LLC development and vacation agreement.

Councilmember Thompson commended fellow councilmembers for their ability to address issues and work together to produce solutions for the benefit of the community.

Councilmember Alvarez thanked city staff for providing uninterrupted services during the pandemic.

Mayor Pro Tem Kent encouraged residents to visit the Parks & Public Facilities and Public Library website to view programs and events offered by the departments.

Mayor

Mayor Lukson announced that all individuals age 16 and over are eligible for the COVID-19 vaccine. Mayor Lukson then shared that a staff member from Governor Inslee Office confirmed that California's reopening plan will not influence Washington's reopening evaluation process and timeline.

Lastly, Mayor Lukson encouraged residents to follow the safety guidance released by the Benton-Franklin Health District.

Adjournment

Mayor Lukson adjourned the meeting at 7:11 p.m.

APPROVED:

Ryan Lukson, Mayor

ATTEST:

Jennifer Rogers, City Clerk

DATE APPROVED:

DATE PUBLISHED:

Draft



MINUTES

RICHLAND CITY COUNCIL REGULAR WORKSHOP MEETING

Tuesday, April 27, 2021

Zoom - Public Telephone Access: (206) 337-9723 or (253) 215-8782

Meeting ID No. 505 625 7380

City Council Regular Workshop - 6:00 p.m. via Zoom

Mayor Lukson called the City Council workshop meeting to order at 6:00 p.m.

Attendance: Mayor Lukson, Mayor Pro Tem Kent, and Councilmembers Alvarez, Boring, Christensen and Lemley. Councilmember Thompson was absent.

Also attending remotely were Interim City Manager Amundson, Fire Chief Huntington, City Attorney Kintzley, Administrative Services Director Koch, Parks & Public Facilities Director Schiessl, Energy Services Director Whitney, Development Services Director Jensen, Finance Director Allen, Planning Manager Stevens, Fire Captain Van Beek and City Clerk Rogers.

Agenda Items

1. City's Next Steps in the Wake of *State of Washington v. Blake*

City Attorney Kintzley gave an in-depth presentation on Washington's Uniform Controlled Substance Act, the facts and judicial reasoning behind the Washington State Supreme Court's February 2021 decision in *State of Washington v. Blake*, the local impacts of the Court's decision, and the legislative fix offered by the Washington State Legislature with passage of ESB 5476. City Attorney Kintzley also provided insight into the regional approach to this issue and possible next steps for the City of Richland. City Attorney Kintzley entertained questions from Council throughout the presentation. Council discussed at length the local impacts ESB 5476.

2. Review Comprehensive Annual Financial Report

Administrative Services Director Koch provided a general overview of the 2020 Comprehensive Annual Financial Report which included revenue loss associated with the COVID-19 pandemic. Administrative Services Director Koch turned the floor over to Finance Director Allen to present more details.

Finance Director Allen presented comparisons of projected revenue and expenditures versus actual outcomes on the following: sales tax activity; general fund tax sources; property taxes; 2021 property tax levy rate and assessed value; business and construction activity; general fund expenditures, utilities and golf course; water utility revenue; and wastewater utility.

Finance Director Allen further shared that the State Auditor's Office must first complete its audit of the City's financial statements and render an opinion before the 2020

Comprehensive Annual Financial Report can be finalized. Council and staff engaged in a question and answer session throughout the presentation.

3. 2021 Comprehensive Plan and Development Regulation Updates

Planning Manager Stevens stated that the Planning Department received five (5) applications for amendments to the City's Comprehensive Plan Land Use Map with associated rezones.

The following proposed Comprehensive Plan Land Use Amendment applications were discussed:

- Sienna Hills Development, LLC is proposing to amend the existing land use designation of Badger Mountain Subarea Commercial (BMC) to Badger Mountain Subarea Medium Density Residential (BMMDR) with a concurrent associated rezone of Commercial Limited Business (C-LB) to Medium Density Residential (R-2) for 1.82-acre portion of a 98-acre unaddressed parcel in the Badger Mountain subarea.
- City of Richland Economic Development on behalf of Pahlisch Homes is proposing to amend existing land use designation from Public Facility (PF) to High Density Residential with a concurrent associated rezone to change Parks & Public Facilities (PPF) to Multiple Family Residential (R-3) on two (2) vacant parcels on Village Parkway.
- AHBL on behalf of NC Ventures is proposing to amend the existing land use designation from Commercial (COM) & Agriculture (AG) to COM with an associated rezone to change AG & General Business (C-3) to C-3 for property located at 2517 Van Giesen Street.
- Clearwater Creek - Hayden Homes is proposing to amend the existing land use designation from Commercial to Medium Density Residential (MDR) with a concurrent rezone associated of Neighborhood Retail Business (C-1) to Medium Density Residential Small (R-25) for property located at 2725 Steptoe Street (Center Parkway intersection).
- Tim Bush on behalf of New Heights Baptist Church (owner) is proposing to amend the existing land use designation from Low Density Residential (LDR) to High Density Residential (HDR) with a concurrent associated rezone of Single-Family Residential -12,000 (R-1-12 to Multiple-Family Residential (R-3) for property located at 390 Thayer Drive.

Planning Manager Stevens provided an overview of options available for Council consideration when the applications are presented for action in a future meeting.

4. Heart Safe Richland Community AED Program Update

Fire Captain/EMS Program Officer Van Beek provided Council with an update on how Richland Fire & Emergency Services (RFD) is optimizing cardiac arrest survival, and how AEDs are essential to the overall vision of the continuum of care. Captain Van Beek shared RFD's initiative to heavily invest in cardiac arrest survivability by strategically placing AEDs in public locations throughout the City.

Captain Van Beek then provided cardiac arrest statistics from 2018-2020 and announced that Richland was the first city to become Heart Safe in the United States. Significant improvements in cardiac arrest outcomes were achieved by making targeted investments in cardiac care equipment, cardiac arrest protocols and expanded education programs.

Title 20 RMC specifies that certain new construction occupancies and large gatherings on city property are required to have an AED available for use. RFD is implementing a program to allow facility users to meet this new requirement. RFD is also exploring the possibility of equipping off-duty RFD employees with AEDs for use when cardiac arrest alerts are received via Pulse Point.

Council engaged in a question and answer session with Captain Van Beek during the presentation.

Adjournment

Mayor Lukson adjourned the meeting at 8:11 p.m.

APPROVED:

ATTEST:

Ryan Lukson, Mayor

Jennifer Rogers, City Clerk

DATE APPROVED:

DATE PUBLISHED:



COUNCIL AGENDA ITEM COVERSHEET

Council Date: 5/4/2021

Agenda Category: Ordinances - First Reading

Core Focus Area I - Promote Financial Stability & Operational Effectiveness

Subject:

Ordinance No. 10-21, Amending Title 23 RMC: Zoning Regulations to add Section 23.54.055 Compact Car Spaces

Department:

Development Services

Ordinance/Resolution Number:

10-21

Document Type:

Ordinance

Recommended Motion:

Give first reading, by title only, to Ordinance No. 10-21, amending Title 23 of the Richland Municipal Code by adding Section 23.54.055 Compact Car Spaces.

Summary:

The City of Richland Planning Division is proposing that a new Section 23.54.055 - Compact Car Spaces be added to the municipal code. The Planning Commission conducted a public hearing on March 24, 2021, and voted to recommend approval of the proposed code amendment that would offer reduced-sized spaces for compact car parking for commercial and multi-family residential developments. The proposed code amendment would allow any parking lot to have up to 25% of the required spaces marked for compact cars. The compact car spaces for commercial development must be nine feet wide and fifteen feet long, while multi-family development compact car spaces may be seven and one-half feet wide and fifteen feet long. The difference in size is due to the fact that seven and one-half foot wide spaces are more compatible with multi-family residential developments than they are with commercial developments as it is much more difficult for commercial establishments to regulate the size of vehicles that park in the compact-sized spaces than it is for multi-family developments, many of which offer parking passes or have on-site managers. Several comments in support of the proposed compact car parking standards were received from the general public.

Both the cities of Kennewick and Pasco have similar regulations that accommodate compact car parking.

Staff recommends approval of Ordinance No. 10-21 for first reading, by title only.

Fiscal Impact:

None.

Attachments:

1. Ordinance No. 10-21
2. Full Staff Report - Compact Car Allowance

ORDINANCE NO. 10-21

AN ORDINANCE of the City of Richland amending
Title 23: Zoning Regulations of the Richland Municipal Code
by adding a new Section 23.54.055 Compact Car Spaces.

WHEREAS, the City has need, from time to time, to amend its development regulations to reflect current development standards; and

WHEREAS, Title 23 of the Richland Municipal Code (RMC) is silent on off-street parking standards for compact-sized cars; and

WHEREAS, standards for off-street parking for compact-sized cars are desirable; and

WHEREAS, on March 24, 2021, the Richland Planning Commission held a public hearing regarding the establishment of off-street parking standards for compact-sized cars; and

WHEREAS, the Richland Planning Commission recommends that Richland City Council adopt a new section of code related to compact car spaces.

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

Section 1. Richland Municipal Code Chapter 23.54, entitled Off-Street Parking and Landscaping, as first enacted by Ordinance No. 28-05, and last amended by Ordinance No. 55-15, is hereby amended as follows:

Chapter 23.54 Off-Street Parking and Landscaping

Sections:

- 23.54.010 Off-street parking required.**
- 23.54.020 Standards and requirements.**
- 23.54.030 Unspecified uses.**
- 23.54.040 Motorcycles.**
- 23.54.050 Bicycles.**
- 23.54.055 Compact car spaces.**
- 23.54.060 Mixed occupancies.**
- 23.54.070 Joint use of parking facilities – Continuance assured.**
- 23.54.080 Joint use of parking facilities – Spaces required.**
- 23.54.090 Location of parking spaces.**
- 23.54.100 Spaces lost for access.**
- 23.54.110 Improvement of parking spaces.**
- 23.54.120 Layout plan.**
- 23.54.130 Loading and unloading.**

- 23.54.140 Landscaping of parking facilities.**
23.54.150 Adjustments of landscaping standards.
23.54.160 Perimeter landscaping of industrial facilities.

23.54.010 Off-street parking required.

In all use districts space for the off-street parking of vehicles shall be provided and improved for use in accordance with the following:

A. For all new construction and development, off-street parking shall be provided in accordance with the requirements set forth in this chapter.

B. When any existing building or use is enlarged, expanded or altered to effect an arrangement of space or use which increases the required number of spaces by more than 10 percent over the number required by the building or use prior to the change or alteration, off-street parking shall be provided in accordance with the requirements set forth in this chapter; provided, that if the number of additional required parking spaces from any such enlargement, expansion or alteration is four or less, no additional off-street parking need be provided or improved.

23.54.020 Standards and requirements.

The minimum required parking spaces for the respective uses shall be as follows:

A.	Residential Uses	Number of Parking Stalls Required
1.	Single-family attached and detached dwellings, manufactured homes, condominiums and duplexes	2 spaces per dwelling unit.
2.	Multiple-family complexes Apartments, studio	1.5 spaces per dwelling unit. 1 space per dwelling unit.
3.	Housing for the elderly	1 space per 2 dwelling units.
4.	Rooming houses, boardinghouses and dormitories	1 space per person capacity.
5.	Hotels and motels	1 space/room, plus required space for any restaurant (1 space per 100 square feet of GFA*), plus 50% of required spaces for other associated uses.
B.	Institutional Uses	Number of Parking Stalls Required
1.	Elementary and middle schools	2 spaces for each classroom.
2.	High schools	8 spaces for each classroom.
3.	Colleges, universities and instructional facilities – adult	1 space per every 3 seats in classrooms.
4.	Day care centers	2 spaces per staff person with a minimum of 4 spaces.

5.	Churches, mortuaries and funeral homes	1 space per 4 seats in the chapel or nave.
6.	Rest homes, nursing homes and convalescent centers	1 space per staff doctor plus 1 space for every 3 other staff plus 1 space per every 5 beds.
7.	Hospitals	1 space per staff doctor, plus 1 space for every 3 other staff members, plus 1 space for every 3 beds.
8.	Medical and dental clinics	1 space per 250 square feet of GFA.
C.	Office Uses	Number of Parking Stalls Required
1.	Banks, businesses or professional offices	1 space per 350 square feet of GFA less 3 spaces for each drive-through window up to a maximum reduction of 33% of the required spaces.
2.	Drive-through windows – banks	6 spaces per drive-through window (8' wide x 18' long) plus 1 service space and 1 exit space per window.
3.	Drive-through windows – nonbank and nonfood	1 service space per window plus 1 stacking space per window (8' wide x 18' long) plus 1 parking space per maximum number of on-duty employees.
D.	Commercial and Industrial Uses	Number of Parking Stalls Required
1.	Food stores, markets, drugstores, liquor stores, and designed shopping centers less than 3,000 square feet GFA (exclusive of basement areas)	1 space per 400 square feet of GFA.
2.	Food stores, markets, drugstores, liquor stores, and designed shopping centers more than 3,000 square feet GFA (exclusive of basement areas)	1 space per 300 square feet of GFA.
3.	Small appliance, personal service, hardware, household equipment, clothing and other retail stores	1 space per 400 square feet of GFA.
4.	Large appliance and furniture stores	1 space per 800 square feet of GFA.
5.	Wholesale stores, warehouses, storage buildings, motor vehicle or machinery sales	1 space per employee, with a minimum of 4 spaces.
6.	Service stations	1 space per employee, plus 1 space per service bay (bay not counted as a space), with a minimum of 4 spaces.

7.	Automobile laundries and car washes	2 spaces at the ingress and 2 spaces at the egress of each lane or washing bay.
8.	Self-service laundromat	1 space per 2 washing machines.
9.	Manufacturing	1 space per each 2 employees on the largest shift.
E.	Restaurant and Tavern Uses	Number of Parking Stalls Required
1.	Seated customers	1 space per 100 square feet of GFA.
2.	Take out service	1 space per 100 square feet of GFA.
3.	Drive-in only	1 space per 50 square feet of GFA.
4.	Drive-in as fixed type of facility	1 space per 100 square feet of GFA.
5.	Drive-through	5 spaces per window with a minimum of 8 spaces.
F.	Places of Assembly and Recreational Facilities	Number of Parking Stalls Required
1.	Places of assembly, dance halls, skating rinks and exhibition halls without fixed seats	1 space per 150 square feet of GFA.
2.	Places of assembly, stadiums, sports arenas, auditoriums with fixed seats	1 space per 3 seats.
3.	Bowling alleys	5 spaces per each lane.
4.	Tennis, squash, handball, etc.	2 spaces per court.
5.	Swimming pools	1 space per 50 square feet of surface water area.
6.	Basketball and volleyball	6 spaces per court.
7.	Golf	7 spaces per green.
8.	Indoor not previously mentioned	1 space per 150 square feet of GFA.
9.	Outdoor not previously mentioned	1 space per 2,500 square feet of land area.

* GFA = Gross Floor Area.

23.54.030 Unspecified uses.

In those instances where this title does not specify a parking requirement for a specific use, the administrative official shall establish the minimum requirement on a case-by-case basis. The applicant may be required to provide sufficient information to demonstrate that the parking demand for a specific use will be satisfied, based upon existing uses similar to the proposed use and other relevant factors including but not

limited to required parking for the proposed use as determined by other comparable jurisdictions and based on available planning and technical studies. The administrative official may require the applicant to have a parking study for the proposed use prepared by a professional consultant with expertise in preparing traffic and parking demand analyses.

23.54.040 Motorcycles.

Parking spaces for motorcycles shall be provided as follows:

- A. All multiple-family developments and nonresidential uses listed in RMC 23.54.020 shall provide one motorcycle space for every 25 required automobile spaces, with a minimum of one space.
- B. Each motorcycle space shall be easily accessible and have adequate space for a standard size motorcycle.
- C. Spaces shall be surfaced in accordance with RMC 23.54.110.
- D. The normal automobile parking requirement may be reduced by one space for every three motorcycle spaces provided, up to a maximum reduction of five percent of the required spaces.
- E. Motorcycle parking areas shall be clearly identified with appropriate striping.

23.54.050 Bicycles.

Parking spaces for bicycles shall be provided as follows:

- A. All commercial (office, retail, wholesale, warehousing), industrial, institutional, and recreational uses, except businesses whose main purpose is servicing automobiles, shall provide a minimum of five bicycle spaces, with an additional bicycle space for each 30 required parking stalls. Schools shall provide five spaces per elementary and junior high classroom, and two spaces per high school classroom.
- B. Devices shall be provided to which bicycles can be securely locked.
- C. Spaces shall be easily accessible, large enough to park a full sized 10-speed bicycle when other bicycles are present, have a durable and dust-free surface, graded and drained, and be maintained in a trash-free manner.
- D. Spaces shall be adequately illuminated during normal hours of operation.

23.54.055 Compact Car Spaces

Any parking lot of four (4) or more spaces may have 25% of the required spaces marked for compact cars. Compact car spaces for commercial developments must be no less than nine (9) feet wide and fifteen (15) feet long. Multi-family development compact car spaces must be no less than be seven and one-half (7.5) feet wide and fifteen (15) feet

long. In addition to the dimension standards of this section, all compact car spaces must have adequate back-up space to efficiently and safely negotiate the parking area.

23.54.060 Mixed occupancies.

In the case of mixed uses, the total requirements for off-street parking facilities shall be the sum of the requirements for the various uses computed separately. Off-street parking facilities for one use shall not be considered as providing required facilities for any other use except as hereinafter specified for a joint use.

23.54.070 Joint use of parking facilities – Continuance assured.

Two or more properties may jointly use a common parking facility, provided said facility is jointly owned or otherwise secured by easement or other sufficient legal document that assures continuance of the joint use of said facility.

23.54.080 Joint use of parking facilities – Spaces required.

For joint use of parking facilities, the total number of required spaces may be reduced by 10 percent. The number may be reduced by a total of 25 percent with the approval of the board of adjustment. Under the following circumstances, further reduction may be made:

A. No more than 50 percent of the parking spaces required for a theater, church, bowling alley, dance hall, bar, restaurant, or other enterprise which is primarily a nighttime or Sunday use may be supplied by the off-street parking spaces allocable to certain other types of uses specified under RMC 23.54.020.

B. No more than 50 percent of the parking spaces required for a bank, business office, retail store, personal service shop, household equipment or furniture shop, or other enterprise which is primarily a daytime and non-Sunday use may be supplied by the off-street parking spaces allocable to certain nighttime or Sunday uses.

Application to the board of adjustment for more than 10 percent reduction shall be by letter, stating the reasons for the request.

23.54.090 Location of parking spaces.

Required off-street parking spaces shall be located as follows:

A. For any type of dwelling: on the same lot with the building to be served.

B. For any other use except one served by an approved joint-use parking facility: on the same lot with, or not more than 300 feet from, the building or use to be served.

C. For a use served by an approved joint-use parking facility: on the same lot with, or not more than 800 feet from, the building or use to be served.

D. For a planned shopping center: in the location or locations contemplated by the general over-all layout scheme for said center at ultimate development (e.g., peripheral parking).

23.54.100 Spaces lost for access.

In situations where parking spaces attributed to one use become the official means of access to another use, the latter use shall, as a condition of site or building plan approval, provide a number of spaces equal to the number rendered unusable. Such spaces shall be in addition to the number required for the new use, and the allocation shall be documented in a manner satisfactory to the administrative official.

23.54.110 Improvement of parking spaces.

Any parking facility for four or more vehicles shall be improved in accordance with the following requirements:

A. Off-street parking facilities shall be surfaced with a durable and dust-free surface; shall be graded and drained so as to dispose of surface water to the satisfaction of the city engineer; and shall be maintained in good condition free of weeds, dust, trash, and debris. Nonemployee parking areas shall be paved and all such spaces shall be delineated by striping as shown in attached Plate 3 which is set forth at the end of this section.

B. Any lighting used to illuminate any off-street parking facility shall be so arranged as to reflect light away from any residential adjoining premises.

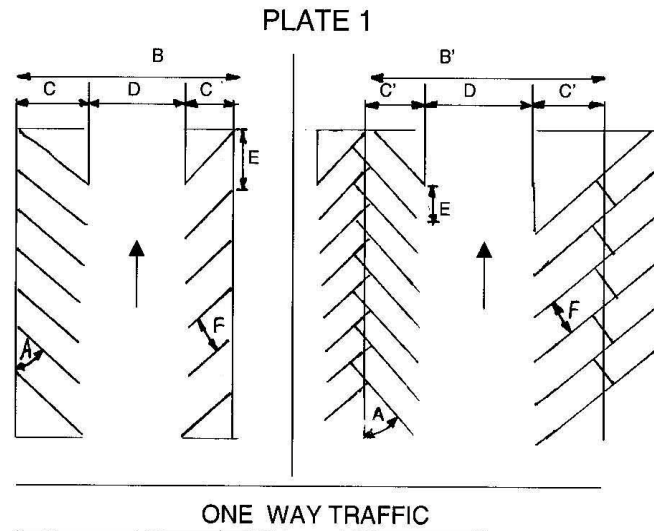
C. No more than two feet six inches of overhang beyond a wheel stop may be counted as part of a parking space. Said overhang shall not interfere with landscaping or decrease the clear width of a sidewalk to less than four feet by its encroachment.

D. Off-street parking area layout and dimensions shall be not less than as shown by Plates 1, 2 and 3, which are set forth at the end of this section. Exits and entrances shall be approved by the administrative official.

E. Except for parking spaces or other vehicle use areas under, on, or within buildings, and areas serving single-family and two-family uses, off-street parking facilities shall be landscaped in accordance with RMC 23.54.140.

This space intentionally left blank.

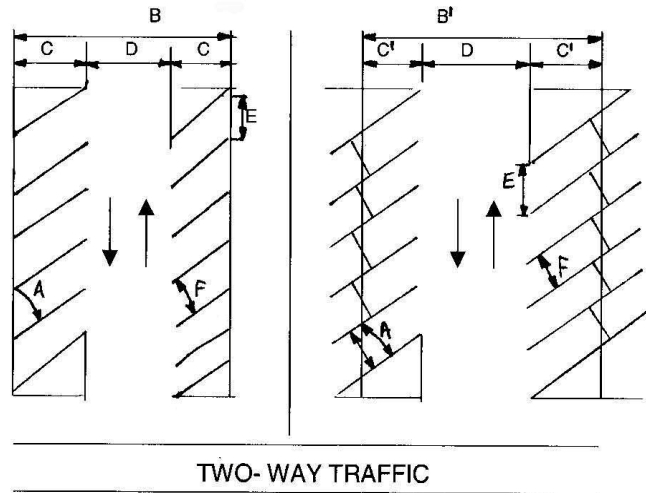
PLATE 1 - 23.54.110



A Parking Angle (Degrees)	B Parking Section Width	C Parking Bank Width	D Traffic Aisle Width	E Curb Length Per Car	F Car Stall Width	B1 Parking Section Width	C1 Parking Bank Width
0	30'	9'	12'	20'	9'	30'	9'
35	49.6'	18.8'	12'	15.8'	9'	42.4'	15.2'
40	51.2'	19.6'	12'	14.1'	9'	44.6'	16.3'
45	53.2'	20.6'	12'	12.7'	9'	46.6'	17.3'
50	54.6'	21.3'	12'	11.7'	9'	48.4'	18.2'
55	56.2'	21.6'	13'	10.9'	9'	51'	19.0'
60	58.8'	21.9'	15'	10.4'	9'	54.2'	19.6'
65	61.0'	22'	17'	9.9'	9'	57'	20.0'
70	62.8'	21.9'	19'	9.6'	9'	59.6'	20.3'
90	64.0'	20.0	24'	9.0'	9'	--	--

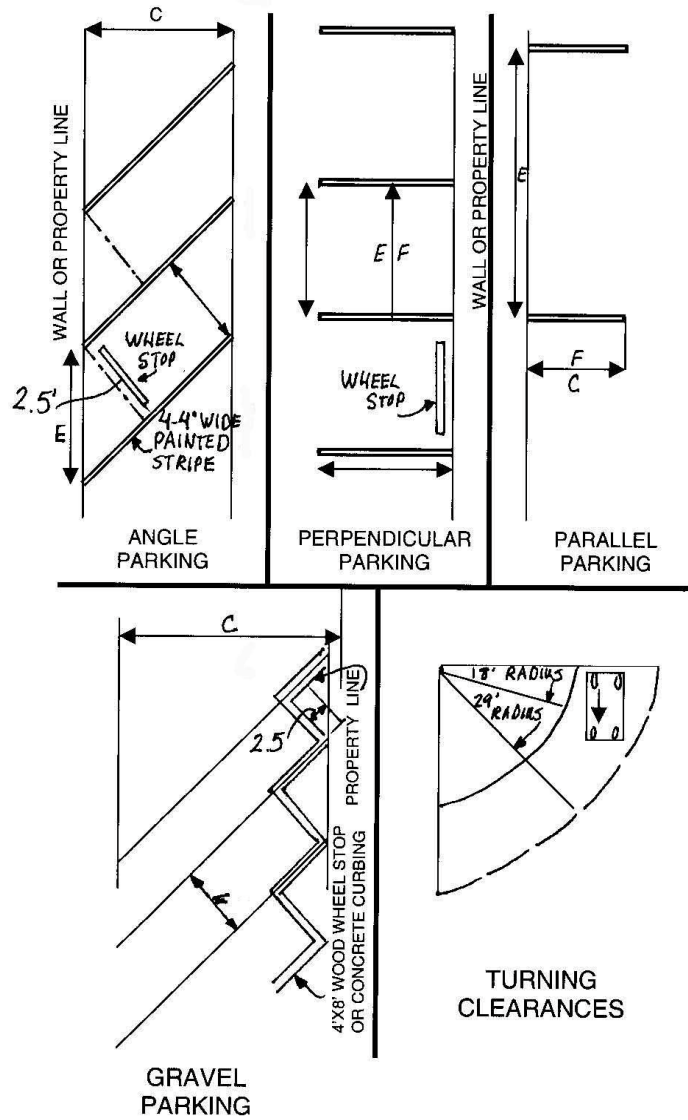
PLATE 2 - 23.54.110

PLATE 2



A	B	C	D	E	F	B1	C1
0	38'	9'	20'	20'	9'	38'	9'
35	57.6'	18.8'	20'	15.8'	9'	50.4'	15.2'
40	59.2'	19.6'	20'	14.1'	9'	52.6'	16.3'
45	61.2'	20.6'	20'	12.7'	9'	54.6'	17.3'
50	62.6'	21.3'	20'	11.7'	9'	56.4'	18.2'
55	63.2'	21.6'	20'	10.9'	9'	58'	19.0'
60	63.8'	21.9'	20'	10.4'	9'	59.2'	19.6'
65	64.0'	22'	20'	9.9'	9'	60'	20.0'
70	63.8'	21.9'	20'	9.6'	9'	60.6'	20.3'
90	64.0'	20.0	24'	9.0'	9'	--	--

PLATE 3



23.54.120 Layout plan.

Prior to the issuance of a permit for any commercial, multiple-family, industrial, public or semi-public building or use, a plan showing the proposed and existing building or buildings; the layout, dimension and number of parking spaces; and any required landscaping of the lot area, including that required for an off-street parking facility; shall be submitted to and approved by the administrative official.

Any landscape plan submitted pursuant to this section shall be in conformance with the requirements of RMC 23.54.140. Said plans shall be drawn to scale, including dimensions and distances, and shall clearly delineate the existing and proposed parking spaces, other vehicle use areas, access aisles, driveways, irrigation systems (sprinklers or water outlet locations), and the name of each plant species (both specific and common name), the location, size and description (including the height and spread of crown at maturity of trees and shrubs) of all landscape materials to be installed or, if existing, to be maintained in accordance with the requirements of RMC 23.54.140.

23.54.130 Loading and unloading.

On every lot in a commercial or industrial district, and on every lot in any district on which is conducted any hotel, public or semi-public use, there shall be provided space, either inside or outside a building, for the loading and unloading of goods and materials. Such space shall be not less than 10 feet in width, 25 feet in length, nor less than 15 feet in height when covered. Such space shall be provided with access to an alley or a street.

23.54.140 Landscaping of parking facilities.

The purpose of landscaping requirements for parking facilities is to protect and promote the public health, safety, and general welfare by reducing wind and air turbulence, heat and noise, and the glare of automobile lights; to act as a natural drainage system and ameliorate stormwater drainage problems; to reduce the level of carbon dioxide and return pure oxygen to the atmosphere; to prevent soil erosion; to provide shade; to conserve and stabilize property values and to otherwise facilitate the creation of a convenient, attractive and harmonious community; to relieve the blighted appearance of parking facilities; and to generally preserve and promote a healthful and pleasant environment.

A. Design Criteria. Landscape areas shall be located in such a manner as to divide and break up the large expanses of pavement; divide and define driveways, parking stalls and corridors; limit cross-taxiing; delineate and separate pedestrian and vehicular traffic and screen parking facilities from abutting properties. Planting areas and landscaping shall be reasonably dispersed throughout the parking lot with the interior dimensions of such areas being sufficient to protect the landscaping materials planted therein and to ensure proper growth. The primary landscaping materials used shall be trees, which provide shade or are capable of providing shade at maturity. Shrubbery, hedges and other planting materials shall be used to complement the tree landscaping, but shall not be the sole contribution to the landscaping. Effective use of earth berms and existing topography is encouraged as a component of the landscape plan.

B. Interior Coverage. A minimum of five percent of the interior of a parking facility shall be landscaped. Landscaping which is required for screening along the perimeter of any lot and border plantings adjacent to buildings upon which a parking lot abuts shall not be considered as part of the interior coverage requirements. Parking spaces abutting a perimeter for which landscaping is required by other requirements of this section shall not be considered as a part of the interior of the parking facility.

1. For off-street parking facilities providing 10 or fewer parking stalls as required by RMC 23.54.020, and in areas zoned for industrial use, the interior coverage requirements stated herein shall not apply.

2. Any interior landscape area shall contain a minimum of 50 square feet, shall have a minimum dimension of at least five feet, and shall include at least one tree with the remaining area adequately landscaped with shrubs, ground cover or other approved landscaping materials not to exceed three feet in height.

3. Trees shall number not less than one for each 100 square feet of required interior coverage.

C. Perimeter Coverage Adjacent to Abutting Properties. A minimum landscape strip of five feet in width shall be required along any side of a parking facility that abuts adjoining property that is not a public right-of-way when such facilities will not be entirely screened visually by an intervening building or structure; provided, that when such parking facility abuts and is designed in coordination with a parking facility on the adjoining property such landscape strip shall not be required abutting such adjoining parking facility; and provided further, that in areas zoned for industrial use, the perimeter coverage requirements stated herein shall not apply.

1. Perimeter landscape strip shall be planted or installed with a wall, hedge, or other durable landscape barrier to form a continuous screen between the parking facility and abutting property. The height of any such barrier shall be not less than three feet and no more than six feet.

2. Trees shall also be planted for each 40 linear feet and shall have at least 25 square feet of planting area.

3. Where a proposed parking facility abuts an existing hedge, wall or other durable landscape barrier on an abutting property, said existing barrier may be used to satisfy the landscape barrier requirements of this subsection; provided, that said existing barrier meets all applicable standards of this section.

D. Perimeter Coverage Adjacent to Public Right-of-Way. A minimum landscape strip of 10 feet in width shall be required along any side of a parking facility that abuts a public right-of-way, excluding dedicated alleys; provided, that in areas zoned for industrial use, the perimeter coverage requirements stated herein shall not apply.

1. Perimeter landscape strip shall be planted or installed with a wall, hedge, or other durable landscape barrier of at least three feet in height which shall be placed along the parking facility side of such landscape strip.

2. If such a durable barrier is of nonliving material, one shrub for each 10 linear feet shall be planted along the street side of such barrier; provided, that if the shrubs are of sufficient height at the time of planting to be readily visible over the top of such barrier, they may be planted along the parking facility side of such barrier. The remainder of the landscape strip shall be landscaped with ground cover or other approved landscape treatment excluding pavement.

3. At least one shrub for each 50 square feet shall be provided.

4. Trees shall also be planted for each 30 linear feet or portion thereof and shall have at least 50 square feet of planting area.

5. No tree, as measured from its center, shall be located within 10 feet of a street light standard, or within five feet of a fire hydrant, a vehicular driveway, or a public sidewalk.

E. Landscaping Material. Landscaping materials used to achieve the design criteria in conformance with provisions of this section shall conform to the following standards:

1. Trees shall be species having an average mature spread of crown of greater than 15 feet and shall be a minimum of six to eight feet in height and have a diameter at breast height (dbh) caliper of at least one and one-half inches at planting. Diameter at breast height is measured at four and one-half feet from average grade within six feet of the tree trunk so as not to include mounding at the tree base. Trees having an average mature spread of crown less than 15 feet may be substituted by grouping the same so as to create the equivalent of a 15-foot crown spread. Tree species whose roots are known to cause damage to public roadways or other public works shall not be planted closer than 12 feet to such public works, unless the tree root system is completely contained within a barrier being a minimum of five feet deep and five feet wide.

2. Shrubs shall be a minimum of two feet in height when measured immediately after planting.

3. Hedges shall be planted and maintained so as to form a continuous, unbroken, solid, and visual screen within a maximum of two years after time of planting.

4. Vines shall be a minimum of 30 inches in height immediately after planting and may be used in conjunction with fences, screens or walls to meet physical barrier requirements as specified in this section.

5. Lawn grass shall be planted in species normally grown as permanent lawn in Benton County. Grass areas may be sodded, plugged, sprigged or seeded, except

that solid sod shall be used in swales or other areas subject to erosion; and provided, that in areas where other than solid sod or grass seed is used, nurse grass seed shall be sown for immediate effect and protection until coverage is otherwise achieved.

6. Ground covers used in lieu of grass shall be planted or installed in such a manner as to present a finished appearance, and if of living material, shall complete coverage within 12 months after planting.

F. Coverage Transfer to Public Right-of-Way. For sites where landscaping coverage of a public right-of-way would comply with the general intent and standards of this section, the transfer of the area requirements, or a portion thereof, from within the property line to the public right-of-way may be approved by the city; provided, that the area measurement shall not be less than that required by, and shall comply with all other design standards and requirements of this section; and further provided, that a ~~revokable~~ revocable permit for use of the right-of-way shall be secured from the city by the owner of the site by stipulating full financial responsibility for costs of movement, replacement and relocation should such permit be revoked by the city.

G. Driveway and Street Intersections. To ensure that landscape materials do not constitute a safety hazard, a vision clearance triangle (VCT) shall be provided at all intersections of public rights-of-way and driveways. Within this VCT area unobstructed cross-visibility at a level between three feet and 10 feet shall be provided. However, trees having limbs or foliage trimmed, except during early growth stages, so as to not extend into the VCT area shall be allowed. Landscaping material shall not be located closer than four feet from the edge or top of the curb line or driveway apron, except for required ground cover. The VCT for said intersections shall be as follows:

1. At intersections of public rights-of-way the VCT shall be formed by measuring 20 feet along each property line from the intersection and connecting the end point of such lines formed by such measurement.
2. At intersections of driveways with public rights-of-way the VCT shall be formed by measuring 10 feet along the property line and the driveway apron or top of the curb lines and connecting the end point of such lines formed by such measurement.

H. Curbing. In order to protect the landscaping materials planted and to ensure proper growth, all planter areas shall be separated from contiguous property, including parking stalls, by curb stops. Such curb stops shall be of Portland cement or shall otherwise conform to Standard Specifications for Municipal Public Works Construction (APWA Standards), or shall be approved by the city engineer.

I. Installation. All landscaping shall be installed in a workmanlike manner and according to accepted good planting procedures. All elements of landscaping, exclusive of plant material other than hedges, shall be installed so as to meet all other applicable ordinances and code requirements.

J. Maintenance. The owner, tenant or duly authorized agent, if any, shall be responsible for the maintenance of all landscaping required pursuant to this section. Such landscaping shall be maintained in good condition so as to present a neat and orderly appearance; shall be kept free from refuse and debris; and living landscape material shall be kept alive and in a healthy condition. If an underground irrigation system is not provided, all landscaped areas shall be provided with a readily available water supply with at least one outlet located within 150 feet of all plant material to be maintained.

1. The administrative official shall inspect all landscaping and no certificates of occupancy or similar authorization will be issued unless the landscaping meets the requirements herein provided.

2. In those cases where landscaping cannot be safely installed due to the time of year without jeopardizing living landscape material, or for other good cause, a temporary certificate of occupancy may be issued for a period of six months; provided, that the property owner, lessee, or duly authorized agent shall furnish satisfactory assurances guaranteeing installation of the approved landscaping.

K. Landscaping of Existing Lots. Any reconstruction of a building or structure or lot area, including off-street parking facility, consisting of increases of 50 percent or greater of the existing building lot area or parking facility shall be subject to the standards specified herein. In such cases, the existing parking facility, as well as any new facility, shall be improved in accordance with the standards stated herein; provided, that:

1. A sufficient period of time, but no longer than three years, shall be allowed to bring existing development into compliance with the standards stated herein.

2. In instances where existing parking spaces are used to achieve compliance, the parking facility shall be considered to comply with the parking standards and requirements of RMC 23.54.020; provided, however, that no more than 10 percent of the total number of required spaces may be removed for purposes of providing landscape areas.

3. No alteration of existing building nor acquisition of additional land to increase the lot area shall be required in order to bring the property into compliance with the landscaping requirements herein.

23.54.150 Adjustments of landscaping standards.

Where literal interpretation of the provisions of RMC 23.54.140 or special conditions or circumstances exist which would create a hardship in the development and/or maintenance of the landscaping, or where easements, pedestrian ways, trail systems, existing vegetation, continuity of design concepts within a zoning district, parking design, emergency vehicle access, or other matters of public design, safety or welfare would be promoted, the administrative official may adjust the provisions of RMC 23.54.140, provided it is determined that such an adjustment will not be contrary to the public interest and will be in keeping with and preserve the intent of RMC 23.54.140.

A. An application for adjustment of landscaping requirements shall be filed on forms prescribed by the city, executed and sworn to by the owner or tenant of the property concerned or by duly authorized agents. Such application shall clearly and in detail state what adjustment of requirements are being requested and the reasons such adjustments are warranted, and shall be accompanied with such supplementary data, such as sketches, surveys and statistical information as is deemed necessary to substantiate the adjustment.

B. Any decision of the administrative official, under this section, may be appealed by the applicant to the board of adjustment. Such an appeal shall be heard by the board of adjustment in accordance with RMC 23.70.070.

23.54.160 Perimeter landscaping of industrial facilities.

Plans for construction and development of new uses on parcels of land zoned industrial (I-M, and M-2) pursuant to the city's zoning ordinance shall include, along with other required plans, a landscaping plan that at a minimum set forth landscape treatment adjacent to all public rights-of-way.

A. Landscape Plan Requirements. A landscaping plan, drawn to scale, shall include the following information:

1. Property boundaries;
2. Location of existing and proposed buildings and uses;
3. Driveway intersections with streets;
4. Location of plantings;
5. Common and scientific names of plantings;
6. Size and description of plantings, height and caliper at planting, and spread of crown at maturity for trees; and
7. Location of underground sprinklers.

B. Minimum Design Criteria. A landscape strip shall be located adjacent to all public rights-of-way in that portion of the parcel on which construction or development is proposed and shall meet the following minimum criteria:

1. The landscape strip shall be a minimum of 10 feet in width.
2. One tree is required for each 40 linear feet or portion thereof of the required landscape strip, and each tree shall have at least 50 square feet of planting area. Trees shall be planted in a balanced manner throughout the required landscape strip but are not required to be planted on 40-foot centers.

3. No tree, as measured from its center, shall be located within 10 feet of a street light standard, or within five feet of a fire hydrant, a vehicular driveway, or a public sidewalk.

4. In addition to the required trees, the entire landscape strip shall, at a minimum, include landscape cover of decorative rock, bark, or similar treatment. Vegetative cover of lawn, low-lying shrubs, or flowers are encouraged.

5. Landscape areas shall be provided with an underground irrigation system capable of sustaining the required trees and other planted vegetation. Low water consumptive landscape techniques are encouraged.

C. Landscaping Material. Landscaping materials used to achieve the design criteria set forth in this section shall conform to the following standards:

1. Trees shall be species having an average mature spread of crown of greater than 15 feet and shall be a minimum of eight feet overall height and a one-and-one-half-inch caliper immediately after planting. Trees having an average mature spread of crown less than 15 feet may be substituted by grouping the same so as to create the equivalent of a 15-foot crown spread. Tree species whose roots are known to cause damage to public roadways or other public works shall not be planted closer than 12 feet to such public works, unless the tree root system is installed within an approved root barrier.

2. Lawn grass shall be planted in species normally grown as permanent lawn in Benton County. Grass areas may be sodded, sprigged, or seeded, except that solid sod shall be used in swales or other areas subject to erosion.

D. Installation. All landscaping shall be installed in a workmanlike manner and according to accepted good planting procedures. Trees shall be staked on planting to avoid disturbance by wind and shall remain staked for a minimum of one year after planting.

E. Coverage Transfer to Public Right-of-Way. For sites where landscaping coverage of a public right-of-way would comply with the general intent and standards of this section, the transfer of the area requirements, or a portion thereof, from within the property line to the public right-of-way may be approved by the city; provided, that the area measurement shall not be less than that required by, and shall comply with all other design standards and requirements of this section; and further provided, that a ~~revokable~~ revocable permit for use of the right-of-way shall be secured from the city by the owner of the site by stipulating full financial responsibility for costs of movement, replacement, and relocation should such permit be revoked by the city.

F. Driveway and Street Intersections. To ensure that landscape materials do not constitute a safety hazard, a vision clearance triangle (VCT) shall be provided at all intersections of public rights-of-way and driveways. Said VCT shall comply with all provisions of Chapter 12.11 RMC, Intersection Sight Distance.

G. Maintenance. The owner, tenant, or duly authorized agent, if any, shall be responsible for the maintenance of all landscaping required pursuant to this section. Such landscaping shall be maintained in good condition so as to present a neat and orderly appearance; shall be kept free from refuse and debris; and living landscape material shall be kept alive and in a healthy condition. Landscaping shall at all times be maintained in a manner consistent with the vehicular sight distance requirements of subsection (F) of this section.

1. The administrative official shall inspect all landscaping and no certificates of occupancy or similar authorization will be issued unless the landscaping meets the requirements herein provided.

2. In those cases where landscaping cannot be installed due to the time of year without jeopardizing living landscape material, or for other good cause, a temporary certificate of occupancy may be issued for a period of six months; provided, that the property owner, lessee, or duly authorized agent shall furnish satisfactory assurances guaranteeing installation of the approved landscaping.

H. Adjustment of Landscaping Standards. Adjustments from the specific requirements of this section shall be reviewed and approved in accordance with the provisions of RMC 23.54.150.

I. Landscaping of Developed Industrial-Zoned Property. On developed industrially zoned properties whenever any structure(s) is altered, expanded or reconstructed in a manner which increases the total gross floor area of structure(s) located on the lot by 50 percent or more over what existed on March 21, 1994, or whenever a change of use occurs to an existing structure or facility which increases the required number of parking stalls by 50 percent or more over what was required of the prior use, landscaping of the lot shall be provided in accordance with the provisions of this subsection.

1. The square footage of landscaped area provided pursuant to this subsection shall be the same as would be required if a new facility were constructed on the parcel.

2. Landscaping shall be located on the property in accordance with provisions for new industrial facilities. In those instances where existing structures and/or pavement preclude the location of the required landscaping adjacent to the street right-of-way as set forth for new facilities, landscaping shall be located on the lot in a manner that most closely meets the objectives of the landscaping requirements by providing an aesthetically appealing streetscape and providing for uniformity of appearance in the industrially zoned areas of the city.

3. No alteration of existing structures, acquisition of additional land, or removal of existing asphalt/concrete walks, drives or parking areas shall be required in order to bring the property into compliance with landscaping requirements herein.

J. A temporary exemption may be granted upon the filing and acceptance by the city of an application by any start-up business for a delay in installing required landscaping. This

exemption may be granted up to, but shall not exceed, four years. The following information must be provided by the applicant to the administrative official, to demonstrate:

1. The business has no more than three years of business history;
2. No more than one corporation may be an investor in the start-up business and that corporation cannot own more than 10 percent of the start-up business; and
3. The landscape ordinance imposes a financial burden on the start-up business such that deferral of the required landscaping would increase the likelihood of the new business's success. Criteria to establish this hardship must be provided to the above designated personnel and approval of the exemption shall not be unreasonably withheld. The determination of city staff shall be final.

Section 2. This Ordinance shall take effect the day following its publication in the official newspaper of the City of Richland.

Section 3. Should any section or provision of this Ordinance be declared by a court of competent jurisdiction to be invalid, that decision shall not affect the validity of the Ordinance as a whole or any part thereof, other than the part so declared to be invalid.

Section 4. The City Clerk and the codifiers of this Ordinance are authorized to make necessary corrections to this Ordinance, including but not limited to the correction of scrivener's errors/clerical errors, section numbering, references, or similar mistakes of form.

PASSED by the City Council of the City of Richland, Washington, at a regular meeting on the ____ day of _____, 2021.

Ryan Lukson, Mayor

Attest:

Approved as to form:

Jennifer Rogers, City Clerk

Heather Kintzley, City Attorney

Date Published: _____

STAFF REPORT

TO: PLANNING COMMISSION
FILE NO.: CA2021-103

PREPARED BY: MIKE STEVENS
MEETING DATE: MARCH 24, 2021

GENERAL INFORMATION:

APPLICANT: CITY OF RICHLAND – PLANNING DIVISION
CA2021-103

REQUEST: TEXT AMENDMENT TO RMC SECTION 23.54 – ADDITION OF
NEW SECTION 23.54.055 – COMPACT CAR ALLOWANCE.

LOCATION: CITYWIDE

REASON FOR REQUEST

The City of Richland Planning Division is proposing that a new Section 23.54.055 – Compact Car Allowance be added to the municipal code. This proposal is based upon input from the City Manager's Office which has requested that the municipal code contain a regulatory standard for compact car parking spaces.

ANALYSIS

Off-street parking is necessary for commercial facilities as most of the people who frequent them choose to drive. Many other jurisdictions, including Kennewick and Pasco, allow for a size reduction for smaller/compact sized vehicles. Both Kennewick and Pasco allow for compact car spaces measuring 7 ½ feet wide by 15 feet in length. The current off-street parking size in the City of Richland is a minimum of 9 feet wide by 20 feet in length.

Staff conducted a workshop with the Planning Commission on March 10, 2021 to discuss the issue and receive the Planning Commission's input. The Planning Commission agreed that compact car parking spaces are a necessity for commercial and multi-family developments, but asked staff to craft a proposal that would differ in size requirements due to the fact that 7 ½ foot wide spaces are more compatible with multi-family residential developments than they are with commercial developments as it is much more difficult for commercial establishments to regulate the size of vehicles which park in the compact sized spaces than it is for multi-family developments, many of which offer parking passes or have on-site managers. The Planning Commission discussed the difficulty of parking in 7 ½ foot wide compact car spaces given that many of the vehicles that people choose to drive are typically too large to fit within a space only 7 ½ feet in width. As a result, staff offers the following:

23.54.055 Compact Car Spaces

Any parking lot of four or more spaces, may have 25% of the required spaces marked for compact cars. Compact car spaces for commercial developments must be nine feet wide and 15 feet long, while multi-family development compact car spaces may be seven and one-half feet wide and 15 feet long. All compact car spaces shall have adequate back-up space to efficiently and safely negotiate the parking area.

PUBLIC NOTICE/ COMMENTS

Notice of the proposed amendment was provided to local and state agencies. Notice was also published in the Tri-Cities Herald, posted at official posting places and on the city's official website. Notice was provided to the Washington State Dept. of Commerce and other state agencies as required by RCW 36.70A.

Two comments were received from the public and/or governmental entities as of the date the staff report was prepared.

SEPA

The City of Richland has utilized the Optional DNS Process as outlined in WAC 197-11-355. The end of the public comment period was Thursday, March 11, 2021. The SEPA DNS was issued for the proposed code amendment on Thursday, March 18, 2021.

FINDINGS OF FACT

1. Over time the need for new uses change within the City of Richland.
2. The City of Richland Planning Division is proposing that a new Section 23.54.055 – Compact Car Allowance be added to the municipal code.
3. The existing municipal code does not have any specific provisions for compact car parking.
4. The City Manager's Office has requested that the municipal code contain a regulatory standard for compact car parking spaces.
5. Notice of the proposed amendment was provided to local and state agencies. Notice was also published in the Tri-Cities Herald, posted at the official posting places and on the city's official website. Notice was provided to the Washington State Dept. of Commerce and other state agencies as required by RCW 36.70A.
6. Two comments regarding the proposed code amendment were received.
7. The Washington State Department of Commerce received the 60-day Notice of Intent to Adopt Amendment and granted expedited review.
8. The City issued a SEPA Threshold Determination of Non-Significance on March 18, 2021.
9. The City of Richland utilized the Optional DNS Process as outlined in WAC 197-11-355. The end of the public comment period was Thursday, March 11, 2021.

CONCLUSIONS OF LAW

1. The Planning Commission has jurisdiction to hold an open record public hearing and issue a recommendation on the proposed ordinance amendment to the City Council.
2. The proposed code amendment is consistent with the goals and policies of the City's Comprehensive Plan.

RECOMMENDATION

Staff recommends the Planning Commission concur with the findings and conclusions set forth in Staff Report (CA2021-103) and recommend to the City Council adoption of a proposed code amendment adding a new RMC Section 23.54.055 which would create regulations for compact car parking spaces.

ALTERNATIVES

1. Recommend approval of the amendment as proposed;
2. Recommend approval of the amendment, as modified by the Planning Commission.
3. Recommend denial of the amendment;

RECOMMENDED MOTION

I move that the Planning Commission recommend approval of the proposed amendment to RMC Section 23.42.210 (D) based upon the above listed Findings of Fact and Conclusions of Law.

EXHIBITS

1. Application Materials
2. Draft Code Amendments
3. SEPA DNS & SEPA Checklist
4. Department of Commerce Notice
5. Public Notice and Comments Received (If Any)



Code Amendment Application (Non-Zoning)

Note: A Pre-Application meeting is required prior to submittal of an application.

APPLICANT

☐ Contact Person

Company: City of Richland

UBI# n/a

Contact: Briana Ghbein, Planning Technician

Address: 625 Swift Blvd, Richland, WA

Phone: 509-942-7771

Email: bghbein@ci.richland.wa

DESCRIPTION OF PROPOSED AMENDMENT

The proposed amendment will add a new Section 23.54.055 allowing compact parking spaces within the City of Richland.

APPLICATION MUST INCLUDE:

1. Completed Application and Filing Fee
2. SEPA Checklist (if necessary)

ANSWER QUESTIONS AS COMPLETELY AS POSSIBLE

Section(s) of code proposed to be amended (include code citation):

Adding new Section 23.54.055 Compact Car Spaces

Any parking lot of four or more spaces, may have 25% of the required spaces marked for compact cars. Compact car spaces must be seven and one-half feet wide and 15 feet long with adequate back-up space to efficiently and safely negotiate the parking area.

Summary of requested code amendment(s):

The new language will allow new parking lots to utilize compact parking spaces within the City of Richland.

Reason(s) for code amendment(s):

The proposed code amendment will incentivize compact cars, which are more ecologically friendly, to be driven within the City of Richland as up to 25% of required parking spaces will be able to be reserved for compact cars.

Is the proposed amendment consistent with the applicable provisions of the Comprehensive Plan? Is a Comprehensive Plan amendment necessary to implement the proposed amendment?

Yes, the proposed amendment is consistent with the Comprehensive Plan.

No, a Comprehensive Plan amendment is not necessary.

Does the proposed amendment bear a substantial relation to the public health, safety, welfare and protection of the environment? Please explain:

Yes, incentivizing the use of compact cars is ecologically friendly to the environment as they use less fuel and produce fewer emissions than larger vehicles.

I hereby certify under penalty of perjury under the laws of the State of Washington that the following is true and correct:

1. I have read and examined this permit application. The information provided in this application contains no misstatement of fact.
2. I am an owner(s), authorized agent(s) of an owner(s), or I am currently a licensed contractor or specialty contractor under Chapter 18.27 RCW, or I am exempt from the requirements of the Chapter 18.27 RCW.

Note: This application will not be processed unless the above certification is endorsed by an authorized agent of the owner(s) of the property in question and/or the owner(s) themselves. If the City of Richland has reason to believe that erroneous information has been supplied by an authorized agent of the owner(s) of the property in question and/or by the owner(s) themselves, processing of the application may be suspended.

Applicant Printed Name: Briana Ghbein, Planning Technician

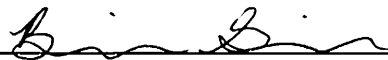
Applicant Signature:  Date 2-18-2021

Exhibit 2

Proposed code amendment to Title 23.54

23.54.055 Compact Car Spaces

Any parking lot of four or more spaces, may have 25% of the required spaces marked for compact cars. Compact car spaces must be seven and one-half feet wide and 15 feet long with adequate back-up space to efficiently and safely negotiate the parking area.



File No. EA2021-111

CITY OF RICHLAND
Determination of Non-Significance

Description of Proposal: The City of Richland is proposing a text amendment to RMC Chapter 23.54 by adding a new Section 23.54.055 – Compact Car Allowance. The proposed amendment would provide a regulatory standard within the municipal code for compact car parking spaces.

Proponent: City of Richland

Location of Proposal: City-Wide.

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.

() This DNS is issued under WAC 197-11-340(2); the lead agency will not act on this proposal for fourteen days from the date of issuance.

(X) 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: Mike Stevens

Position/Title: Planning Manager

Address: 625 Swift Blvd., MS #35, Richland, WA 99352

Date: March 18, 2021

Signature 

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: [\[help\]](#)

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:

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: [\[help\]](#)

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 [\[help\]](#)

1. Name of proposed project, if applicable: **CA2021-103 Compact Car Allowance Text Amendment (RMC 23.54.055)**
2. Name of applicant: **Briana Ghbein, Planning Technician**
3. Address and phone number of applicant and contact person: **625 Swift Blvd., MS-35, Richland, WA 99352 (509) 942-7771**
4. Date checklist prepared: **February 17, 2021**

5. Agency requesting checklist: **City of Richland Development Services Dept.**
6. Proposed timing or schedule (including phasing, if applicable): **RMC Code Amendment – March/April, 2021.**
7. Do you have any plans for future additions, expansion, or further activity related to or connected with this proposal? If yes, explain. **No, this is a stand-alone code amendment.**
8. List any environmental information you know about that has been prepared, or will be prepared, directly related to this proposal. **No additional environmental information is being prepared as a result of this proposed code amendment.**
9. Do you know whether applications are pending for governmental approvals of other proposals directly affecting the property covered by your proposal? If yes, explain. **No other governmental approvals are required.**
10. List any government approvals or permits that will be needed for your proposal, if known. **None.**
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.) **The proposal consists of a text amendment to RMC 23.54.055. A copy of the proposed text amendment included as an attachment.**
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 proposed code amendment would apply to all properties throughout the city that utilize off-street parking.**

B. ENVIRONMENTAL ELEMENTS [\[help\]](#)

1. Earth Not applicable. This is a non-project related code amendment. All future site specific development projects will be subject to SEPA analysis if not exempt per WAC 197-11-800.

- a. General description of the site: **Proposed text amendments would apply to all properties city-wide.**
(circle one): Flat, rolling, hilly, steep slopes, mountainous, other _____
- b. What is the steepest slope on the site (approximate percent slope)? **Proposed text amendments would apply to all properties city-wide.**
- 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. **Varies. Proposed text amendments would apply to all properties city-wide.**
- d. Are there surface indications or history of unstable soils in the immediate vicinity?
If so, describe. **Not applicable. Proposed text amendments would apply to all properties city-wide.**
- 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. **Not applicable.**
- f. Could erosion occur as a result of clearing, construction, or use? If so, generally describe. **Not applicable.**
- g. About what percent of the site will be covered with impervious surfaces after project construction (for example, asphalt or buildings)? **Not applicable.**
- h. Proposed measures to reduce or control erosion, or other impacts to the earth, if any: **Not applicable.**

2. Air Not applicable. This is a non-project related code amendment. All future site specific development projects will be subject to SEPA analysis if not exempt per WAC 197-11-800.

- 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. **Not applicable.**
- b. Are there any off-site sources of emissions or odor that may affect your proposal? If so, generally describe. **Not applicable.**
- c. Proposed measures to reduce or control emissions or other impacts to air, if any: **Not applicable.**

3. **Water** **Not applicable. This is a non-project related code amendment. All future site specific development projects will be subject to SEPA analysis if not exempt per WAC 197-11-800.**

a. **Surface Water: Not applicable. This is a non-project related code amendment. All future site specific development projects will be subject to SEPA analysis if not exempt per WAC 197-11-800.**

- 1) Is there any surface water body on or in the immediate vicinity of the site? **Not applicable.**
- 2) 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. **Not applicable.**
- 3) 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. **Not applicable.**
- 4) 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. **Not applicable.**
- 5) Will the proposal require surface water withdrawals or diversions? Give general description, purpose, and approximate quantities if known. **Not applicable.**
- 6) Does the proposal lie within a 100-year floodplain? If so, note location on the site plan. **Not applicable.**
- 7) Does the proposal involve any discharges of waste materials to surface waters? If so, describe the type of waste and anticipated volume of discharge. **Not applicable.**

b. **Ground Water: Not applicable. This is a non-project related code amendment. All future site specific development projects will be subject to SEPA analysis if not exempt per WAC 197-11-800.**

- 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. **Not applicable.**
- 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. **Not applicable.**

c. Water runoff (including stormwater): **Not applicable. This is a non-project related code amendment. All future site specific development projects will be subject to SEPA analysis if not exempt per WAC 197-11-800.**

- 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. **Not applicable.**
- 2) Could waste materials enter ground or surface waters? If so, generally describe. **Not applicable.**
- 3) Does the proposal alter or otherwise affect drainage patterns in the vicinity of the site? If so, describe. **Not applicable.**

d. Proposed measures to reduce or control surface, ground, and runoff water, and drainage pattern impacts, if any: **Not applicable. This is a non-project related code amendment. All future site specific development projects will be subject to SEPA analysis if not exempt per WAC 197-11-800.**

4. Plants **Not applicable. This is a non-project related code amendment. All future site specific development projects will be subject to SEPA analysis if not exempt per WAC 197-11-800.**

a. Check the types of vegetation found on the site: **Not applicable. City-wide text amendment.**

___deciduous tree: alder, maple, aspen, other

___evergreen tree: fir, cedar, pine, other

___shrubs

___grass

___pasture

___crop or grain

___ Orchards, vineyards or other permanent crops.

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

___water plants: water lily, eelgrass, milfoil, other

___other types of vegetation

b. What kind and amount of vegetation will be removed or altered? **Not applicable. This is a non-project related code amendment. All future site specific development projects will be subject to SEPA analysis if not exempt per WAC 197-11-800.**

c. List threatened and endangered species known to be on or near the site. **Not applicable. This is a non-project related code amendment. All future site specific development projects will be subject to SEPA analysis if not exempt per WAC 197-11-800.**

d. Proposed landscaping, use of native plants, or other measures to preserve or enhance vegetation on the site, if any: **Not applicable. This is a non-project related code amendment. All future site specific development projects will be subject to SEPA analysis if not exempt per WAC 197-11-800.**

e. List all noxious weeds and invasive species known to be on or near the site. **Not applicable. This is a non-project related code amendment. All future site specific development projects will be subject to SEPA analysis if not exempt per WAC 197-11-800.**

5. Animals **Not applicable. This is a non-project related code amendment. All future site specific development projects will be subject to SEPA analysis if not exempt per WAC 197-11-800.**

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: **Not applicable. This is a non-project related code amendment. All future site specific development projects will be subject to SEPA analysis if not exempt per WAC 197- 11-800.**

Birds: hawk, heron, eagle, songbirds, other: _____

Mammals: deer, bear, elk, beaver, other: _____

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

b. List any threatened and endangered species known to be on or near the site. **Not applicable. This is a non-project related code amendment. All future site specific development projects will be subject to SEPA analysis if not exempt per WAC 197- 11-800.**

c. Is the site part of a migration route? If so, explain.
Yes, Richland is within the Pacific Fly Way.

d. Proposed measures to preserve or enhance wildlife, if any: **Not applicable. This is a non-project related code amendment. All future site specific development projects will be subject to SEPA analysis if not exempt per WAC 197-11-800.**

e. List any invasive animal species known to be on or near the site. **Not applicable. This is a non-project related code amendment. All future site specific development projects will be subject to SEPA analysis if not exempt per WAC 197-11-800.**

6. Energy and natural resources **Not applicable. This is a non-project related code amendment. All future site specific development projects will be subject to SEPA analysis if not exempt per WAC 197-11-800.**

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. **Not applicable. This is a non-project related code amendment.**

All future site specific development projects will be subject to SEPA analysis if not exempt per WAC 197-11-800.

- b. Would your project affect the potential use of solar energy by adjacent properties?
If so, generally describe. **Not applicable. This is a non-project related code amendment. All future site specific development projects will be subject to SEPA analysis if not exempt per WAC 197-11-800.**
- 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: **Not applicable. This is a non-project related code amendment. All future site specific development projects will be subject to SEPA analysis if not exempt per WAC 197-11-800.**

7. Environmental health Not applicable. This is a non-project related code amendment. All future site specific development projects will be subject to SEPA analysis if not exempt per WAC 197-11-800.

- 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. **Not applicable. This is a non-project related code amendment. All future site specific development projects will be subject to SEPA analysis if not exempt per WAC 197-11-800.**
- 1) Describe any known or possible contamination at the site from present or past uses. **Not applicable. This is a non-project related code amendment. All future site specific development projects will be subject to SEPA analysis if not exempt per WAC 197-11-800.**
 - 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. **Not applicable. This is a non-project related code amendment. All future site specific development projects will be subject to SEPA analysis if not exempt per WAC 197-11-800.**
 - 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. **Not applicable. This is a non-project related code amendment. All future site specific development projects will be subject to SEPA analysis if not exempt per WAC 197-11-800.**
 - 4) Describe special emergency services that might be required. **Not applicable. This is a non-project related code amendment. All future site specific development projects will be subject to SEPA analysis if not exempt per WAC 197-11-800.**
 - 5) Proposed measures to reduce or control environmental health hazards, if any: **Not applicable. This is a non-project related code amendment. All future site specific**

development projects will be subject to SEPA analysis if not exempt per WAC 197-11-800.

b. **Noise** **Not applicable. This is a non-project related code amendment. All future site specific development projects will be subject to SEPA analysis if not exempt per WAC 197-11-800.**

- 1) What types of noise exist in the area which may affect your project (for example: traffic, equipment, operation, other)? **_Not applicable. This is a non-project related code amendment. All future site specific development projects will be subject to SEPA analysis if not exempt per WAC 197-11-800.**
- 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. **Not applicable. This is a non-project related code amendment. All future site specific development projects will be subject to SEPA analysis if not exempt per WAC 197-11-800.**
- 3) Proposed measures to reduce or control noise impacts, if any: **Not applicable. This is a non-project related code amendment. All future site specific development projects will be subject to SEPA analysis if not exempt per WAC 197-11-800.**

8. **Land and shoreline use** **Not applicable. This is a non-project related code amendment. All future site specific development projects will be subject to SEPA analysis if not exempt per WAC 197-11-800.**

- 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. **Not applicable. This is a non-project related code amendment. All future site specific development projects will be subject to SEPA analysis if not exempt per WAC 197-11-800.**
- 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? **Not applicable. This is a non-project related code amendment. All future site specific development projects will be subject to SEPA analysis if not exempt per WAC 197-11-800.**
 - 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: **Not applicable. This is a non-project related code amendment. All future site specific development projects will be subject to SEPA analysis if not exempt per WAC 197- 11-800.**

- c. Describe any structures on the site. **Not applicable. This is a non-project related code amendment. All future site specific development projects will be subject to SEPA analysis if not exempt per WAC 197-11-800.**
- d. Will any structures be demolished? If so, what? **_Not applicable. This is a non-project related code amendment. All future site specific development projects will be subject to SEPA analysis if not exempt per WAC 197-11-800.**
- e. What is the current zoning classification of the site? **Not applicable. This is a non-project related code amendment. All future site specific development projects will be subject to SEPA analysis if not exempt per WAC 197-11-800.**
- f. What is the current comprehensive plan designation of the site? **Not applicable. This is a non-project related code amendment. All future site specific development projects will be subject to SEPA analysis if not exempt per WAC 197-11-800.**
- g. If applicable, what is the current shoreline master program designation of the site? **Not applicable. This is a non-project related code amendment. All future site specific development projects will be subject to SEPA analysis if not exempt per WAC 197- 11-800.**
- h. Has any part of the site been classified as a critical area by the city or county? If so, specify. **Not applicable. This is a non-project related code amendment. All future site specific development projects will be subject to SEPA analysis if not exempt per WAC 197- 11-800.**
- i. Approximately how many people would reside or work in the completed project? **Not applicable. This is a non-project related code amendment. All future site specific development projects will be subject to SEPA analysis if not exempt per WAC 197- 11-800.**
- j. Approximately how many people would the completed project displace? **Not applicable. This is a non-project related code amendment. All future site specific development projects will be subject to SEPA analysis if not exempt per WAC 197-11-800.**
- k. Proposed measures to avoid or reduce displacement impacts, if any: **Not applicable. This is a non-project related code amendment. All future site specific development projects will be subject to SEPA analysis if not exempt per WAC 197-11-800.**
- L. Proposed measures to ensure the proposal is compatible with existing and projected land uses and plans, if any: **Not applicable. This is a non-project related code amendment. All future site specific development projects will be subject to SEPA analysis if not exempt per WAC 197-11-800.**
- m. Proposed measures to ensure the proposal is compatible with nearby agricultural and forest lands of long-term commercial significance, if any: **Not applicable. This is a non-project related code**

amendment. All future site specific development projects will be subject to SEPA analysis if not exempt per WAC 197-11-800.

9. Housing **Not applicable. This is a non-project related code amendment. All future site specific development projects will be subject to SEPA analysis if not exempt per WAC 197-11-800.**

- a. Approximately how many units would be provided, if any? Indicate whether high, middle, or low-income housing. **Not applicable. This is a non-project related code amendment. All future site specific development projects will be subject to SEPA analysis if not exempt per WAC 197-11-800.**
- b. Approximately how many units, if any, would be eliminated? Indicate whether high, middle, or low-income housing. **Not applicable. This is a non-project related code amendment. All future site specific development projects will be subject to SEPA analysis if not exempt per WAC 197-11-800.**
- c. Proposed measures to reduce or control housing impacts, if any: **Not applicable. This is a non-project related code amendment. All future site specific development projects will be subject to SEPA analysis if not exempt per WAC 197-11-800.**

10. Aesthetics **Not applicable. This is a non-project related code amendment. All future site specific development projects will be subject to SEPA analysis if not exempt per WAC 197-11-800.**

- a. What is the tallest height of any proposed structure(s), not including antennas; what is the principal exterior building material(s) proposed? **Not applicable. This is a non-project related code amendment. All future site specific development projects will be subject to SEPA analysis if not exempt per WAC 197-11-800.**
- b. What views in the immediate vicinity would be altered or obstructed? **Not applicable. This is a non-project related code amendment. All future site specific development projects will be subject to SEPA analysis if not exempt per WAC 197-11-800.**
- c. Proposed measures to reduce or control aesthetic impacts, if any: [\[help\]](#)

11. Light and glare **Not applicable. This is a non-project related code amendment. All future site specific development projects will be subject to SEPA analysis if not exempt per WAC 197-11-800.**

- a. What type of light or glare will the proposal produce? What time of day would it mainly occur? **Not applicable. This is a non-project related code amendment. All future site specific development projects will be subject to SEPA analysis if not exempt per WAC 197- 11-800.**
- b. Could light or glare from the finished project be a safety hazard or interfere with views? **Not applicable. This is a non-project related code amendment. All future site specific**

development projects will be subject to SEPA analysis if not exempt per WAC 197- 11-800.

- c. What existing off-site sources of light or glare may affect your proposal? **Not applicable. This is a non-project related code amendment. All future site specific development projects will be subject to SEPA analysis if not exempt per WAC 197-11-800.**
- d. Proposed measures to reduce or control light and glare impacts, if any: **Not applicable. This is a non-project related code amendment. All future site specific development projects will be subject to SEPA analysis if not exempt per WAC 197-11-800.**

12. Recreation Not applicable. This is a non-project related code amendment. All future site specific development projects will be subject to SEPA analysis if not exempt per WAC 197- 11-800.

- a. What designated and informal recreational opportunities are in the immediate vicinity? **_Not applicable. This is a non-project related code amendment. All future site specific development projects will be subject to SEPA analysis if not exempt per WAC 197- 11-800.**
- b. Would the proposed project displace any existing recreational uses? If so, describe. **__Not applicable. This is a non-project related code amendment. All future site specific development projects will be subject to SEPA analysis if not exempt per WAC 197-11-800.**
- c. Proposed measures to reduce or control impacts on recreation, including recreation opportunities to be provided by the project or applicant, if any: **_Not applicable. This is a non-project related code amendment. All future site specific development projects will be subject to SEPA analysis if not exempt per WAC 197-11-800.**

13. Historic and cultural preservation Not applicable. This is a non-project related code amendment. All future site specific development projects will be subject to SEPA analysis if not exempt per WAC 197-11-800.

- 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. **Not applicable. This is a non-project related code amendment. All future site specific development projects will be subject to SEPA analysis if not exempt per WAC 197-11-800.**
- 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. **_Not applicable. This is a non-project related code amendment. All future site specific development projects will be subject to SEPA analysis if not exempt per WAC 197-11-800.**

- 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. **Not applicable. This is a non-project related code amendment. All future site specific development projects will be subject to SEPA analysis if not exempt per WAC 197- 11-800.**
- 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. **Not applicable. This is a non-project related code amendment. All future site specific development projects will be subject to SEPA analysis if not exempt per WAC 197- 11-800.**

14. Transportation **Not applicable. This is a non-project related code amendment. All future site specific development projects will be subject to SEPA analysis if not exempt per WAC 197-11-800.**

- 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. **Not applicable. This is a non-project related code amendment. All future site specific development projects will be subject to SEPA analysis if not exempt per WAC 197-11-800.**
- 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? **Not applicable. This is a non-project related code amendment. All future site specific development projects will be subject to SEPA analysis if not exempt per WAC 197-11-800.**
- c. How many additional parking spaces would the completed project or non-project proposal have? How many would the project or proposal eliminate? **_Not applicable. This is a non-project related code amendment. All future site specific development projects will be subject to SEPA analysis if not exempt per WAC 197-11-800.**
- 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). **Not applicable. This is a non-project related code amendment. All future site specific development projects will be subject to SEPA analysis if not exempt per WAC 197-11-800.**
- e. Will the project or proposal use (or occur in the immediate vicinity of) water, rail, or air transportation? If so, generally describe. **Not applicable. This is a non-project related code amendment. All future site specific development projects will be subject to SEPA analysis if not exempt per WAC 197-11-800.**
- 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? **_Not applicable. This is a non-project related code**

amendment. All future site specific development projects will be subject to SEPA analysis if not exempt per WAC 197-11-800.

- 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. **Not applicable. This is a non-project related code amendment. All future site specific development projects will be subject to SEPA analysis if not exempt per WAC 197-11-800.**
- h. Proposed measures to reduce or control transportation impacts, if any: **Not applicable. This is a non-project related code amendment. All future site specific development projects will be subject to SEPA analysis if not exempt per WAC 197-11-800.**

15. Public services **Not applicable. This is a non-project related code amendment. All future site specific development projects will be subject to SEPA analysis if not exempt per WAC 197-11-800.**

- 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. **Not applicable. This is a non-project related code amendment. All future site specific development projects will be subject to SEPA analysis if not exempt per WAC 197- 11-800.**
- b. Proposed measures to reduce or control direct impacts on public services, if any. **Not applicable. This is a non-project related code amendment. All future site specific development projects will be subject to SEPA analysis if not exempt per WAC 197- 11-800.**

16. Utilities **Not applicable. This is a non-project related code amendment. All future site specific development projects will be subject to SEPA analysis if not exempt per WAC 197- 11-800.**

- a. Circle utilities currently available at the site: [\[help\]](#) 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. **Not applicable. This is a non-project related code amendment. All future site specific development projects will be subject to SEPA analysis if not exempt per WAC 197- 11-800.**

C. Signature [\[help\]](#)

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: Briana Ghbein

Position and Agency/Organization Planning Permit Technician, City of Richland Development Services Dept.

Date Submitted: 2/17/2021

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? **It is not anticipated that development authorized by the proposed code amendment would result in any increase of discharge to water, emissions to air, production storage, the release of toxic or hazardous substances or production of noise.**

Proposed measures to avoid or reduce such increases are: **Development within the City of Richland must comply with all current land use and environmental permitting requirements.**

2. How would the proposal be likely to affect plants, animals, fish, or marine life? **The proposed text amendment will not result in any detrimental impacts to plants or animals.**

Proposed measures to protect or conserve plants, animals, fish, or marine life are: **None.**

3. How would the proposal be likely to deplete energy or natural resources? **The proposed text amendment will not result in additional depletion of energy or natural resources.**

Proposed measures to protect or conserve energy and natural resources are: **None.**

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? **The proposed text amendment will not change a development proposal's requirement to comply with all local, state and federal environmental regulations.**

5. Proposed measures to protect such resources or to avoid or reduce impacts are: **None.**

6. 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? **The intent of the proposed code amendment is to allow up to 25% of off-street parking to be set-aside for compact vehicles.** Proposed measures to avoid or reduce shoreline and land use impacts are: **Adoption of the proposed text amendment will not impact shorelines or land uses.**
7. How would the proposal be likely to increase demands on transportation or public services and utilities? **The proposed text amendment will not likely result in an increase in demands on transportation or public services and utilities.**

Proposed measures to reduce or respond to such demand(s) are: **No measures proposed.**

8. Identify, if possible, whether the proposal may conflict with local, state, or federal laws or requirements for the protection of the environment. **No such potential conflicts have been identified.**



Department of Commerce

Notice of Intent to Adopt Amendment / Notice of Adoption Cover Sheet

Pursuant to RCW 36.70A.106, the following jurisdiction provides the following required state agency notice.

1. Jurisdiction Name:	City of Richland – Development Services Dept.
2. Select Submittal Type: Select the Type of Submittal listed. (Select One Only)	☐ 60-Day Notice of Intent to Adopt Amendment. ☒ Request of Expedited Review / Notice of Intent to Adopt Amendment. ☐ Supplemental Submittal for existing Notice of Intent to Adopt Amendment. ☐ Notice of Final Adoption of Amendment.
3. Amendment Type: Select Type of Amendment listed. (Select One Only)	☐ Comprehensive Plan Amendment. ☒ Development Regulation Amendment. ☐ Critical Areas Ordinance Amendment. ☐ Combined Comprehensive and Development Regulation Amendments. ☐ Countywide Planning Policy .
4. Description Enter a brief description of the amendment. Begin your description with “Proposed” or “Adopted”, based on the type of Amendment you are submitting. Examples: <i>“Proposed comprehensive plan amendment for the GMA periodic update.”</i> or <i>“Adopted Ordinance 123, adoption amendment to the sign code.”</i> (Maximum 400 characters).	Proposed amendment to RMC Section 23.54, adding a new Section 23.54.055 allowing compact parking spaces within the City of Richland.



Department of Commerce

5. Is this action part of your 8-year periodic update required under RCW 36.70A.130 of the Growth Management Act (GMA)?	☐ Yes ☒ No
6. Proposed Dates: Enter the anticipated public hearing date(s) for your Planning Commission/Planning Board or for your Council/Commission.	Planning Commission: March 24, 2021 City Council: April 20, 2021 & May 4, 2021 Proposed / Date of Adoption: May 4, 2021
7. Contact Information:	
A. Prefix/Salutation: (Examples: "Mr.", "Ms.", or "The Honorable" (elected official))	Mr.
B. Name:	Mike Stevens
C. Title:	Planning Manager
D. Email:	mstevens@ci.richland.wa.us
E. Work Phone:	(509) 942-7596
F. Cell/Mobile Phone: (optional)	
Consultant Information:	
G. Is this person a consultant?	☐ Yes
H. Consulting Firm name?	
8. Would you like Commerce to contact you for Technical Assistance regarding this submitted amendment?	☐ Yes

REQUIRED: Attach or include a copy of the proposed amendment text or document(s). We do not accept a website hyperlink requiring us to retrieve external documents. Jurisdictions must submit the actual document(s) to Commerce. If you experience difficulty, please email the reviewteam@commerce.wa.gov

Questions? Call the review team at (509) 725-3066.



STATE OF WASHINGTON
DEPARTMENT OF COMMERCE
1011 Plum Street SE • PO Box 42525 • Olympia, Washington 98504-2525 • (360) 725-4000
www.commerce.wa.gov

02/18/2021

Mr. Mike Stevens
Planning Manager
City of Richland
505 Swift Boulevard
Post Office Box 190
Richland, WA 99352

Sent Via Electronic Mail

Re: City of Richland--2021-S-2360--Request for Expedited Review / Notice of Intent to Adopt Amendment

Dear Mr. Stevens:

Thank you for sending the Washington State Department of Commerce (Commerce) the Request for Expedited Review / Notice of Intent to Adopt Amendment as required under [RCW 36.70A.106](#). We received your submittal with the following description.

Proposed amendment to RMC Section 23.54, adding a new Section 23.54.055 allowing compact parking spaces within the City of Richland.

We received your submittal on 02/18/2021 and processed it with the Submittal ID 2021-S-2360. Please keep this letter as documentation that you have met this procedural requirement. Your 60-day notice period ends on 04/19/2021.

You requested expedited review under [RCW 36.70A.106\(3\)\(b\)](#). We have forwarded a copy of this notice to other state agencies for expedited review and comment. If one or more state agencies indicate that they will be commenting, then Commerce will deny expedited review and the standard 60-day review period (from date received) will apply. Commerce will notify you by e-mail regarding of approval or denial of your expedited review request. If approved for expedited review, then final adoption may occur no earlier than fifteen calendar days after the original date of receipt by Commerce.

If you have any questions, please contact Growth Management Services at reviewteam@commerce.wa.gov, or call William Simpson, (509) 280-3602.

Sincerely,

Review Team
Growth Management Services



CITY OF RICHLAND NOTICE OF APPLICATION, VIRTUAL PUBLIC HEARING AND OPTIONAL DNS (CA2021-103 & EA2021-111)

Notice is hereby given that the City of Richland is proposing a text amendment to RMC Chapter 23.54 by adding a new Section 23.54.055 – Compact Car Allowance. The proposed amendment would provide a regulatory standard within the municipal code for compact car parking spaces.

Pursuant to Richland Municipal Code (RMC) Section 19.20 the Richland Planning Commission will conduct a virtual public hearing and review of the application at 6:00 p.m., March 24, 2021. All interested parties are invited to attend and present testimony at the virtual public hearing. Those individuals wishing to speak at the public hearing will need to register by 4:00 p.m. on the date of the hearing by visiting the City of Richland's website www.ci.richland.wa.us.

Environmental Review: The proposal is subject to environmental review. The City of Richland is lead agency for the proposal under the State Environmental Policy Act (SEPA) and has reviewed the proposed project for probable adverse environmental impacts and expects to issue a determination of non-significance (DNS) for this project. The optional DNS process in WAC 197-11-355 is being used. This may be your only opportunity to comment on the environmental impacts of the proposed development. The environmental checklist and related file information are available to the public and can be viewed in the Development Services Division Office or City of Richland website www.ci.richland.wa.us.

Any person desiring to express his views or to be notified of any decisions pertaining to this application should notify Mike Stevens, Planning Manager, 625 Swift Blvd., MS-35, Richland, WA 99352. Comments may also be faxed to (509) 942-7764 or emailed to mstevens@ci.richland.wa.us. Written comments should be received no later than 5:00 p.m. on Thursday, March 11, 2021 to be incorporated into the staff report. Comments received after that date will be entered into the record at the hearing.

Copies of the staff report and recommendation will be available on the City of Richland website www.ci.richland.wa.us beginning Friday, March 19, 2021.



AFFIDAVIT OF PUBLICATION

Account #	Ad Number	Identification	PQ	Amount	Cols	Depth
450543	0004878853	PC PHN - CA2021-103, EA2021-111 (Richland M	00 4401 (Richland Account No. -	\$158.20	1	5.78 In

Attention: Jana Duncan (TC)

CITY OF RICHLAND/LEGALS
 625 SWIFT BLVD. MS-11
 RICHLAND, WA 99352

**CITY OF RICHLAND
 NOTICE OF APPLICATION, VIRTUAL
 PUBLIC HEARING, AND OPTIONAL
 DNS**

Notice is hereby given that the City of Richland is proposing a text amendment to RMC Chapter 23.54 by adding a new Section 23.54.055 - Compact Car Allowance. The proposed amendment would provide a regulatory standard within the municipal code for compact car parking spaces.

Pursuant to Richland Municipal Code (RMC) Section 19.20, the Richland Planning Commission will conduct a virtual public hearing and review of the application on **Wednesday, March 24, 2021 at 6:00 p.m.** All interested parties are invited to attend and present testimony at the virtual public hearing. Individuals wishing to speak at the public hearing will need to register by 4:00 p.m. on the date of the hearing by visiting the City of Richland's website at www.ci.richland.wa.us.

Environmental Review: The proposal is subject to environmental review. The City of Richland is lead agency for the proposal under the State Environmental Policy Act (SEPA) and has reviewed the proposed project for probable adverse environmental impacts and expects to issue a determination of non-significance (DNS) for this project. The optional DNS process in WAC 197-11-355 is being used. This may be your only opportunity to comment on the environmental impacts of the proposed development. The environmental checklist and related file information are available to the public and can be viewed on the City of Richland's website at www.ci.richland.wa.us.

Any person desiring to express their views or to be notified of any decisions pertaining to this application should notify Mike Stevens, Planning Manager, 625 Swift Blvd., MS-35, Richland, WA 99352. Comments may also be faxed to (509) 942-7764 or emailed to mstevens@ci.richland.wa.us. Written comments should be received no later than 5:00 p.m. on Thursday, March 11, 2021 to be incorporated into the staff report. Comments received after that date will be entered into the record at the hearing.

Copies of the staff report and recommendation will be available on the City of Richland website at www.ci.richland.wa.us beginning Friday, March 19, 2021.

Published: Sunday, February 28, 2021

COUNTY OF BENTON)

.SS

STATE OF WASHINGTON)

Victoria Rodela, being duly sworn, deposes and says, I am the Legals Clerk of The Tri-City Herald, a daily newspaper. That said newspaper is a local newspaper and has been approved as a legal newspaper by order of the superior court in the county in which it is published and it is now and has been for more than six months prior to the date of the publications hereinafter referred to, published continually as a daily newspaper in Benton County, Washington. That the attached is a true copy as it was printed in the regular and entire issue of the Tri-City Herald and not in a supplement thereof, ran 1 time(s) commencing on 02/28/2021, and ending on 02/28/2021, and that said newspaper was regularly distributed to its subscribers during all of this period.

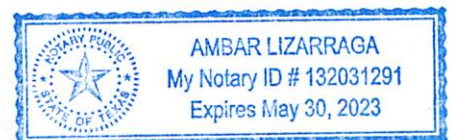
V Rodela

(Signature of Legals Clerk)

SUBSCRIBED AND SWORN BEFORE
 ME THIS 1st DAY OF March, 2021

Cmb

Notary Public in and for the State of Texas
 residing in Dallas County



Extra charge for lost or duplicate affidavits.
 Legal document please do not destroy!

RECEIVED

MAR 16 2021

BY: *[Signature]*

Stevens, Mike

From: Deskins, John
Sent: Thursday, February 18, 2021 5:38 PM
To: Stevens, Mike
Cc: Rogalsky, Pete; Reathafor, Jason
Subject: RE: CA2021-103 Compact Car Allowance Referral Packet

Mike,

I had years of experience reviewing site plans in Kennewick where compact parking was always allowed. I feel it encourages developers to pack even more onto sites not suited for their planned use than they do already. The text says it is reserving space for compact cars, but it does not "reserve" that space unless it is enforced or enforceable. If all this available are compact spaces, then you see plenty of trucks and SUV's using them. I'll park my larger rig in there if necessary, and then if I'm forced to park my smaller car there instead I have to worry about door dings. Or not being able to get into my car at all because someone parked too close.

Sincerely,

John Deskins, PE
Traffic Engineer
City of Richland
(509) 942-7514

From: Stevens, Mike <mstevens@CI.RICHLAND.WA.US>
Sent: Thursday, February 18, 2021 3:48 PM
To: Anthony Muai <anthony.muai@ci.kennewick.wa.us>; Anthony Von Moos <anthony.vonmoos@co.benton.wa.us>; Ashley Morton <AshleyMorton@ctuir.org>; Badger Mountain Irrigation District <bmidmanager@badgermountainirrigation.com>; Benton County - Segregations <Segregations@co.benton.wa.us>; Benton PUD, Broadband <osp@noanet.net>; Benton PUD, Electrical <engservice@bentonpud.org>; Bill Barlow <bbarlow@bft.org>; Blaine Broberg, KID <bbroberg@kid.org>; Boring, Michael <MBoring@CI.RICHLAND.WA.US>; Boshart, Thomas <tboshart@CI.RICHLAND.WA.US>; Buechler, Ken <KBuechler@CI.RICHLAND.WA.US>; Carrie Thompson <carrie.thompson@bnsf.com>; Casey Barney, Yakama Nation <Casey_Barney@Yakama.com>; Catherine Dickson <catherinedickson@ctuir.org>; Clark Posey <clark.posey@co.benton.wa.us>; Corrine Camuso, Yakama Nation <Corrine_Camuso@Yakama.com>; Craig Hamilton <c.hamilton@bces.wa.gov>; DAHP SEPA Reviews <sepa@dahp.wa.gov>; Darrick Dietrich <darrick@basindisposal.com>; Deanna Davis <d.davis@bces.wa.gov>; Deborah Rodgers <dxrogers@bpa.gov>; Deskins, John <jdeskins@CI.RICHLAND.WA.US>; Eric Mendenhall <emendenhall@westrichland.org>; Florinda Coleman <florinda.coleman@co.benton.wa.us>; Ghbein, Briana <bghbein@ci.richland.wa.us>; Greg McCormick <gregory.mccormick@ci.kennewick.wa.us>; Greg Wendt <greg.wendt@co.benton.wa.us>; Gregory Goodwin, Ziply <gregory.goodwin@ziply.com>; Gwen Clear <gcle461@ecy.wa.gov>; Hill, Kelly <khill@CI.RICHLAND.WA.US>; USPS Ina N. Beutler <ina.n.beutler@usps.gov>; Jason McShane <jmcshane@kid.org>; Jennings, Tyler <tjennings@CI.RICHLAND.WA.US>; Jerrod Macpherson <Jerrod.Macpherson@co.benton.wa.us>; Jessica Lally, Yakama Nation <Jessica_Lally@Yakama.com>; Joseph Cichy, Ziply <joseph.cichy@ziply.com>; Joseph Cottrell <jecottrell@bpa.gov>; Junior Campos <junior.campos@charter.com>; Kelly Cooper <kelly.cooper@doh.wa.gov>; Kevin Knodel <kevin.knodel@rsd.edu>; Kevin Sliger <KSliger@bft.org>; KID Development <development@kid.org>; KID Webmaster <webmaster@kid.org>; Lopez, Brandin <blopez@CI.RICHLAND.WA.US>; M. Deklyne <mjdeklyne@bpa.gov>; Map BCES <map@bces.wa.gov>; Mattheus, Pamela <pmattheus@CI.RICHLAND.WA.US>; Noah Oliver, Yakama Nation <Noah_Oliver@Yakama.com>; Pasco99301 <99301PascoWA-Postmaster@usps.gov>; Paul Gonseth <gonsetp@wsdot.wa.gov>; Reathafor, Jason <JReathafor@CI.RICHLAND.WA.US>; Review Team <reviewteam@commerce.wa.gov>; Richard Krasner

<richard.krasner@rsd.edu>; USPS Richland Postmaster <99352RichlandWA-Postmaster@usps.gov>; Rick Dawson <rickd@bfhd.wa.gov>; Rob Rodger <rob.rodger@bentoncleanair.org>; Robin Priddy <robin.priddy@bentoncleanair.org>; Sarah Gates <s.gates@bces.wa.gov>; Schiessl, Joe <JSchiessl@CI.RICHLAND.WA.US>; SEPA Center <sepacenter@dnr.wa.gov>; SEPA Register <separegister@ecy.wa.gov>; SEPA Unit <sepaunit@ecy.wa.gov>; Seth DeFoe <SDefoe@kid.org>; South Central Region Planning <scplanning@wsdot.wa.gov>; T.S. "Max" Platts <PlattsT@wsdot.wa.gov>; WA Dept of Fish & Wildlife <lopezlal@dfw.wa.gov>; WA Dept of Fish & Wildlife <rittemwr@dfw.wa.gov>; West, Julie <jwest@ci.richland.wa.us>; Westphal, Nichole <nwestphal@ci.richland.wa.us>; William Simpson <william.simpson@commerce.wa.gov>

Subject: CA2021-103 Compact Car Allowance Referral Packet

Attention:

Attached to this email you will find the Public Notice, Dept. of Commerce Notice, application materials and SEPA Checklist for a proposed amendment to the City of Richland's Municipal Code. Specifically, the city is proposing to adopt a new Section 23.54.055 – Compact Car Allowance to its off-site parking standards.

The City is utilizing the Optional DNS method provided in WAC 197-11-355. As a result, this may be your only opportunity to provide comment on the proposal. If you have comments, please provide them to me by 5:00 p.m. Thursday, March 11, 2021.

Thank you,



Mike Stevens
Planning Manager
625 Swift Blvd., MS-35 | Richland, WA 99352
(509) 942-7596

Attn: 143

Disclaimer: Emails and attachments sent to or from the City of Richland are public records subject to release under the Washington Public Records Act, Chapter 42.56 RCW. Sender and Recipient have no expectation of privacy in emails transmitted to or from the City of Richland.

Stevens, Mike

From: Eric Mendenhall <tem.mendenhall@gmail.com>
Sent: Thursday, February 18, 2021 5:03 PM
To: Stevens, Mike
Subject: Proposed Zoning Change

Mike,

As a Richland resident I would like to submit my comment on the proposed compact car allowance code amendment. These stalls are not functional and should not be included in the code. Compact stalls are frequently used with medium (sedans) to large size vehicles which defeats the purpose of the stalls. Most sedans cannot fit into these stalls. Only Mini Coopers, Smart cars, and similar small vehicles fit into these stalls. A vast majority of the populous in the Tri-Cities drive regular sized vehicles. Parking to accommodate the minority already exists in the regular size parking stalls.

There is no enforcement, because they are on private property and the police have better things to do than enforce parking for mini coopers.

If the purpose is to reduce the parking lot size, maybe the city should consider increasing public access to public transportation and work with the transit authority to provide better, broader and more reliable service, thus reducing the need for cars to be used and the need for the stall.

How is the parking determined for the uses? Has there been a parking study to justify the parking demand for the uses as outlined in the code? Sorry if this adds more work, but would be justified. Most zoning codes borrow parking ratios from other cities and do not have qualitative analysis to justify the typical high parking requirements.

I am making some assumptions here due to the lack of information in the SEPA documents emailed out. Can you please send me a copy of the proposed draft language for the code? Also, can you please provide me with the genesis and need for the amendment?

Thank you!

Eric Mendenhall



COUNCIL AGENDA ITEM COVERSHEET

Council Date: 5/4/2021

Agenda Category: Ordinances - First Reading

Core Focus Area 3 - Increase Economic Vitality

Subject:

Ordinance No. 11-21, Annexing Approximately 3.63 Acres Located Along Allenwhite Drive into the City of Richland

Department:
Development Services

Ordinance/Resolution Number:
11-21

Document Type:
Ordinance

Recommended Motion:

Give first reading, by title only, to Ordinance No. 11-21, annexing approximately 3.63 acres of land located at 1061, 1063, 1065, 1049, and 1049 Allenwhite Drive into the City of Richland.

Summary:

The proposed annexation consists of a "doughnut hole" approximately 3.66 acres in size located at 1063, 1049, 1065, 1061, and 1043 Allenwhite Drive. City Council authorized the annexation process to begin through the adoption of Resolution No. 110-20, which directed the Planning Commission to consider what zoning would be appropriate for the site. The Planning Commission conducted a public meeting on October 14, 2020, and determined that the R-1-12 zoning district (Low-Density Residential) would be most appropriate for the annexation area since all of the properties surrounding the site are zoned R-1-12. Please note that the staff report prepared for the Planning Commission meeting incorrectly indicated that the surrounding properties were zoned R-1-10. This discrepancy was clarified by staff during the public meeting.

The owners of 1043 Allenwhite Drive (Richard and Pamela Brouns) are the only property owners who did not sign the petition requesting annexation. Washington State law allows for annexation to occur when 60% of the ownership of the assessed value of an annexation area requests annexation. In this case, the remaining owners account for 84.54% of the assessed value of the proposed annexation area (doughnut hole), which exceeds the minimum 60% required by state law.

The Richland Municipal Code requires City Council to hold a public hearing before rendering a final decision on annexation. That hearing is scheduled on tonight's agenda. One of the original petitioners, Michael Grimes, attempted to withdraw his petition on April 23, 2021. Under state law, Mr. Grimes' notice of withdrawal is untimely, and the annexation process continues.

Staff recommends approval of Ordinance No. 11-21 for first reading, by title only.

Fiscal Impact: The addition of the 5 existing homes will increase revenues for the city and will also increase demand on city services.

Attachments:

1. Ordinance No. 11-21

WHEN RECORDED RETURN TO:

Richland City Clerk's Office
625 Swift Boulevard, MS-05
Richland, WA 99352

ORDINANCE NO. 11-21

AN ORDINANCE of the City of Richland, Benton County Washington, annexing approximately 3.63 acres of land located at 1061, 1063, 1065, 1043 and 1049 Allenwhite Drive, in Section 23, Township 9 North, Range 28 East, W.M., providing for assumption of existing City indebtedness, and amending the Official Zoning Map.

WHEREAS, the City received a notice of intent to annex from the owners representing 84.54% of valuation for the proposed annexation area and so qualified to commence annexation proceedings for annexation into the City of Richland; and

WHEREAS, on August 4, 2020, a meeting was held between the initiating parties of this annexation and the Richland City Council, at which time the Council adopted Resolution No. 110-20, accepting the notice of intention to commence annexation proceedings for the real property legally described in **Exhibit A** attached hereto, subject to simultaneous adoption of the Comprehensive Plan for the proposed annexation area, and the assumption of the appropriate share of all existing City indebtedness; and

WHEREAS, Resolution No. 110-20 further authorized and directed the Richland Planning Commission to develop and forward a recommendation to the Richland City Council as to the most appropriate zoning designation for the area proposed to be annexed; and

WHEREAS, the Richland Planning Commission held a public hearing on October 14, 2020 to consider an appropriate zoning designation for the proposed annexation area, and recommended adoption of Single-Family Residential R-1-12 zoning for the property; and

WHEREAS, on November 17, 2020, Richland City Council adopted Resolution No. 163-20, authorizing the circulation of an annexation petition for annexation of the real property legally described in **Exhibit A** attached hereto; and

WHEREAS, a petition was circulated and signed by property owners representing 84.54% of the assessed value of the proposed annexation area, thereby exceeding the state requirement that owners representing at least sixty percent (60%) of the value of the proposed annexation area petition the City for annexation, with such value determined according to the assessed valuation for general taxation; and

WHEREAS, Richland City Council held a public hearing to consider the annexation on May 4, 2021, which hearing was duly noticed by the City Clerk through publication in a newspaper of general circulation and through the mailing of notice to all property owners within the annexation area, specifying the time and place of the hearing and inviting interested persons to appear and voice approval or disapproval of the annexation; and

WHEREAS, the matter was duly considered by the Richland City Council, and the Council has determined that the annexation would be of general benefit to the residents of the City of Richland.

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

Section 1. The real property legally described in **Exhibit A** attached hereto is hereby annexed to the City of Richland and is hereby declared to be within the corporate limits of the City of Richland, Benton County, Washington (the “Annexed Area”).

Section 2. The Richland Comprehensive Plan, adopted October 3, 2017 by passage of Ordinance No. 45-17 and as amended, shall serve as the comprehensive plan for the Annexed Area. All properties within the annexation shall be designated as “low density residential” under the land use map that is part of the Richland Comprehensive Plan.

Section 3. The property within the Annexed Area shall be assessed and taxed at the same rate and on the same basis as other property within the City, including assessments or taxes in payment for all or of any portion of the outstanding indebtedness of the City, approved by the voters, contracted, or incurred prior to, or existing at the date of annexation.

Section 4. Title 23 of the Richland Municipal Code (RMC) and the Official Zoning Map of the City of Richland as adopted by Section 23.08.040 of said title are hereby amended by amending Sectional Map Nos. 15 and 16, which are two of a series of maps constituting said Official Zoning Map, as shown on the attached **Exhibit B** bearing the number 15 and **Exhibit C** bearing the number 16 together with the number and date of

passage of this Ordinance, and by this reference made a part of this Ordinance and of the Official Zoning Map of the City.

Section 5. It is hereby found, as an exercise of the City's police power, that the best zoning for the properties included in the Annexed Area shall be R-1-12 Single Family Residential, as depicted on **Exhibit B** and **Exhibit C**, attached hereto, when consideration is given to the interest of the general public.

Section 6. The City Clerk is directed to file a copy of this annexation with the Board of Commissioners of Benton County and the State of Washington in the manner required by law. The City Clerk is also directed to file with the Auditor of Benton County, Washington, a copy of this Ordinance and shall attach the amended sectional maps, as necessary, and an amended Annexation map, duly certified by the City Clerk as a true copy.

Section 7. As authorized and required by RCW 35.13.280, the City shall negotiate a new franchise with the solid waste collection service provider currently serving the Annexed Area on terms that are acceptable to the City and that comply with the City's Solid Waste Management Plan.

Section 8. This Ordinance shall take effect on the day following its publication in the official newspaper of the City of Richland.

PASSED by the City Council of the City of Richland, Washington, at a regular meeting held on the ____ day of _____, 2021.

Ryan Lukson, Mayor

Attest:

Approved as to form:

Jennifer Rogers, City Clerk

Heather Kintzley, City Attorney

Date Published: _____

EXHIBIT A
Allenwhite Annexation Legal Description

SECTION 23 TOWNSHIP 9 RANGE 28 QUARTER SW; SHORT PLAT #3110, LOT 1, RECORDED 5/29/2008, UNDER AUDITOR'S FILE NO. 2008-015499. RECORDED IN VOLUME 1 OF SHORT PLATS, PAGE 3110, RECORDS OF BENTON COUNTY, WASHINGTON.

SECTION 23 TOWNSHIP 9 RANGE 28 QUARTER SW; SHORT PLAT #3110, LOT 2, RECORDED 5/29/2008, UNDER AUDITOR'S FILE NO. 2008-015499. RECORDED IN VOLUME 1 OF SHORT PLATS, PAGE 3110, RECORDS OF BENTON COUNTY, WASHINGTON.

PORTION DEFINED AS FOLLOWS: THAT PORTION OF THE WEST HALF OF THE SOUTHWEST DESCRIBED AS FOLLOWS: BEGINNING AT THE SOUTHWEST CORNER OF SAID SUBDIVISION, THENCE SOUTH 89° 33' 42" EAST ALONG SOUTH LINE THEREOF A DISTANCE OF 895.03 FEET, THENCE NORTH 01° 14' 30" EAST A DISTANCE OF 1734.09 FEET, THENCE NORTH 49° 9' 30" WEST A DISTANCE OF 185 FEET, THENCE SOUTH 40° 50' 30" WEST 187 FEET TO TRUE POINT OF BEGINNING, THENCE NORTH 40° 50' 30" EAST 187 FEET THENCE NORTH 49° 9' 30" WEST 128 FEET, SOUTH 40° 50' 30" WEST 187 FEET, THENCE SOUTHEASTERLY AT RIGHT ANGLES TO POINT OF BEGINNING. TOGETHER WITH EASEMENTS 11-5-75.

PORTION OF THE WEST HALF OF THE SOUTHWEST DEFINED AS FOLLOWS: BEGINNING AT A POINT ON THE WEST LINE OF SAID SECTION, 500 FEET SOUTH OF THE SOUTH RIGHT OF WAY LINE OF STATE HIGHWAY NUMBER 3, THENCE SOUTH 73° 43' EAST 265.50 FEET, THENCE NORTH 26° 28' EAST 250 FEET, THENCE SOUTH 55° 00' 09" EAST 202.24 FEET TO THE TRUE POINT OF BEGINNING, THENCE CONTINUING SOUTH 55° 00' 09" EAST 200 FEET, THENCE SOUTH 26° 28' WEST 208.13 FEET TO A POINT, THENCE NORTH 59° 51' 30" WEST 47.97 FEET TO A POINT THENCE NORTH 68° 03' 30" WEST 100 FEET TO A POINT, THENCE NORTH 38° 11' 18" WEST 55.62 FEET TO A POINT, THENCE NORTH 26° 28' EAST 220 FEET TO THE TRUE POINT OF BEGINNING.

THAT PORTION OF NORTHWEST SOUTHWEST, DEFINED AS FOLLOWS: BEGINNING AT A POINT OF WEST LINE OF SAID SECTION, 500 FEET SOUTH OF SOUTH RIGHT OF WAY LINE OF STATE HIGHWAY #3, THENCE SOUTH 73° 43' EAST 265.5 FEET, THENCE NORTH 26° 28' EAST 250 FEET TO TRUE POINT OF BEGINNING, THENCE SOUTH 26° 28' WEST 250 FEET, THENCE SOUTH 63° 32' EAST 200 FEET, THENCE NORTH 26° 28' EAST 220 FEET, THENCE NORTHWESTERLY IN A STRAIGHT LINE TO TRUE POINT OF BEGINNING. SUBJECT TO AND TOGETHER WITH EASEMENT FOR INGRESS AND EGRESS OVER EXISTING 15' ROADWAY OVER NORTHWEST SOUTHWEST. SUBJECT TO EASEMENT AND RESTRICTION OF RECORD.

ADDITIONALLY, THE PORTION OF THE PRIVATE ROAD THAT LIES WITHIN THE PROPOSED ANNEXATION AREA AND/OR ADJACENT TO THE PROPOSED ANNEXATION AREA IS INCLUDED IN THIS ANNEXATION INCLUDING: ALLENWHITE DRIVE.

This description includes the following County Parcel Identification Numbers:

123983013110001

123983013110002

123983000006000

123983000004000

123983000003000

Exhibit B

Ordinance No. 11-21 Passed 5/ /2021

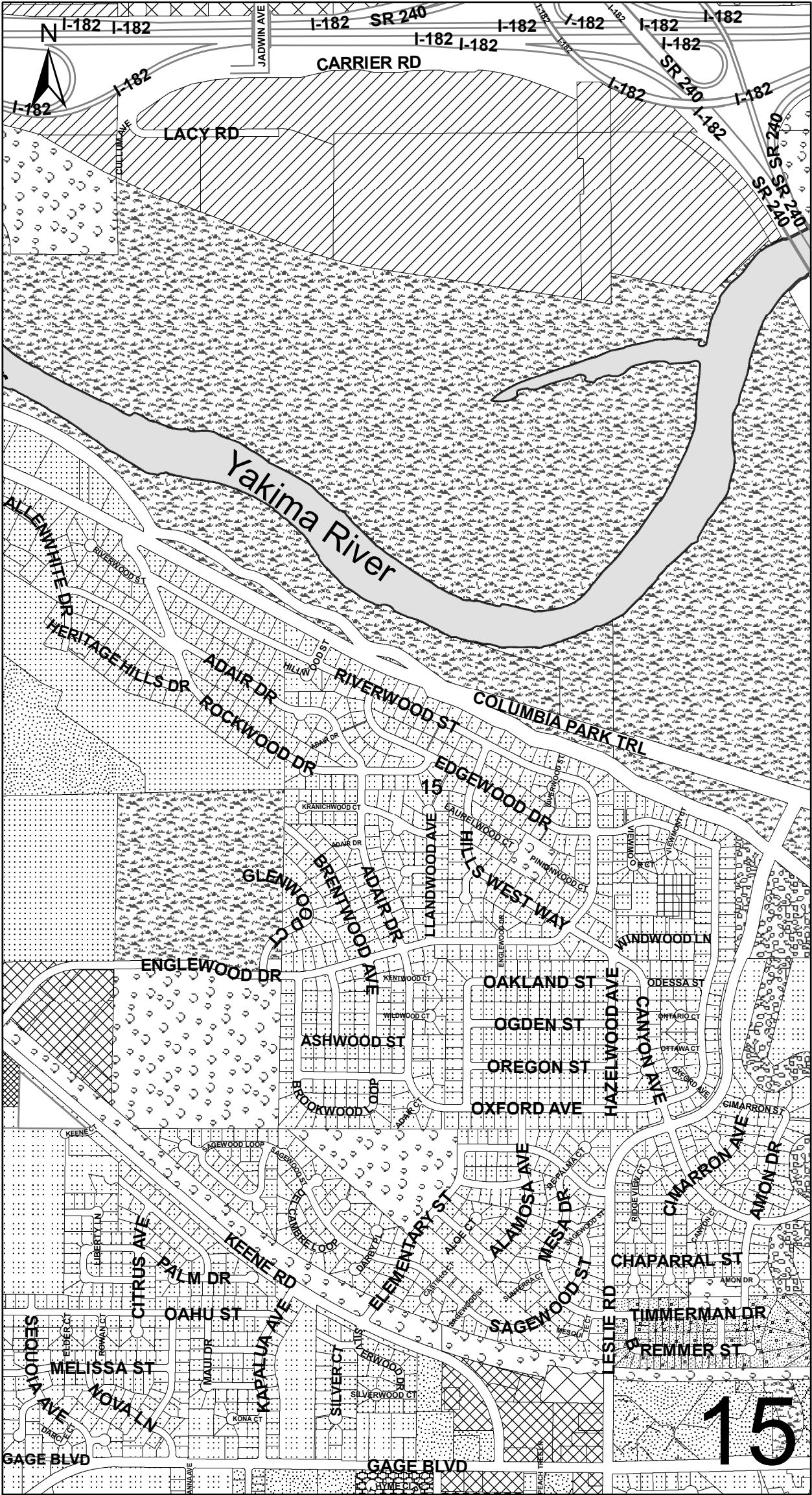
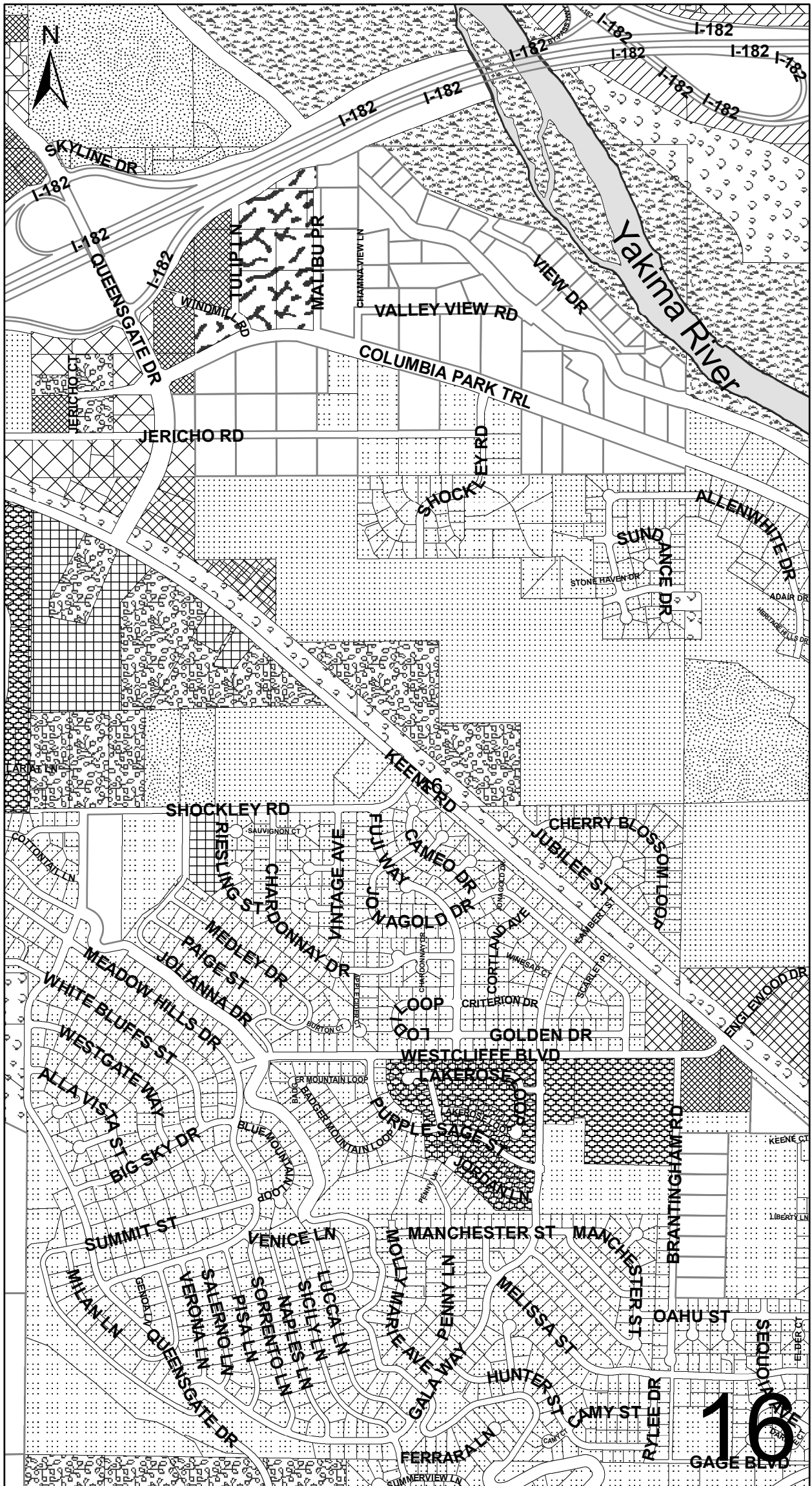


Exhibit C

Ordinance No. 11-21 Passed 5/ /2021





COUNCIL AGENDA ITEM COVERSHEET

Council Date: 5/4/2021

Agenda Category: Ordinances - First Reading

Core Focus Area 3 - Increase Economic Vitality

Subject:

Ordinance No. 12-21, Annexing Approximately 76.54 Acres of Land Located at 1106 N. Jurupa Road into the City of Richland

Department:

Development Services

Ordinance/Resolution Number:

12-21

Document Type:

Ordinance

Recommended Motion:

Give first reading, by title only, to Ordinance No. 12-21, annexing approximately 76.54 acres of land located at 1106 N. Jurupa Road (Badger Mountain Winery) into the City of Richland.

Summary:

The proposed annexation consists of five (5) parcels totaling approximately 76.54 acres located at or near 1106 N. Jurupa Road. City Council authorized the annexation process to begin through the adoption of Resolution No. 111-20, which directed the Planning Commission to consider what zoning would be appropriate for this site. The Planning Commission held a public hearing on October 14, 2020, took public testimony, and voted to recommend to City Council that the proposed annexation be zoned R-1-12 (Low-Density Residential).

The site is commonly referred to as the Badger Mountain Vineyards, and the southern boundary of the annexation area abuts an unincorporated area of Benton County. During the public hearing held on October 14, 2020, the Planning Commission received considerable testimony, primarily from citizens located within unincorporated Benton County, on their desire to keep the vineyard as-is and within unincorporated Benton County. Many of those who provided comments were under the false impression that the proposed annexation was a "land grab" by the City, and that the City initiated the proposed annexation proceedings. Staff and Planning Commission members attempted to clarify that the request for annexation was made by the owners of the subject property. Comments received also spoke to impacts from future residential development on the county road system as well as inconsistencies in lot sizes and density between what currently exists in the county and what would be allowed if annexed into the city. The R-1-10, R-1-12, and SAG zones would be consistent with the comprehensive plan designation of Low-Density Residential. Areas of R-1-10 zoning are located immediately east and north of the site, and represents the majority of zoning within existing city limits. The areas which physically abut the site and are located within unincorporated Benton County are zoned Urban Growth Area Residential (UGAR). Given that the subject property is located adjacent to areas within the city that are zoned R-1-10, and the fact that the intent of the Washington State Growth Management Act is to prevent sprawl, staff recommended R-1-12 to the Planning Commission to help create a buffer between the smaller R-1-10 lots elsewhere in the city and the larger approximately 1-acre sized lots located in the county, while also meeting the sprawl reduction intent of the Growth Management Act.

The Richland Municipal Code requires that Council hold a public hearing before rendering a final decision on annexation. That hearing is scheduled on tonight's agenda. Staff recommends approval of Ordinance No. 12-21 for first reading, by title only.

Fiscal Impact:

The future build-out of this area will increase revenues for the city and create additional demand for city services.

Attachments:

1. Ordinance No. 12-21

WHEN RECORDED RETURN TO:

Richland City Clerk's Office
625 Swift Boulevard, MS-05
Richland, WA 99352

ORDINANCE NO. 12-21

AN ORDINANCE of the City of Richland, Benton County Washington, annexing approximately 76.54 acres of land located at or near 1106 N. Jurupa Road, in Section 34, Township 9 North, Range 28 East, W.M., providing for assumption of existing City indebtedness, and amending the Official Zoning Map.

WHEREAS, the City received a notice of intent to annex from Frank Tiegs and Timothy H. DeCook, owners of real property located at or near 1106 N. Jurupa Road, the value of which constituted 100% of the proposed annexation area and so qualified to commence annexation proceedings for annexation into the City of Richland; and

WHEREAS, on August 4, 2020, a meeting was held between the initiating party of this annexation and the Richland City Council, at which time the Council adopted Resolution No. 111-20, accepting the notice of intention to commence annexation proceedings for the real property legally described in **Exhibit A** attached hereto, subject to simultaneous adoption of the Comprehensive Plan for the proposed annexation area, and the assumption of the appropriate share of all existing City indebtedness; and

WHEREAS, Resolution No. 111-20 further authorized and directed the Richland Planning Commission to develop and forward a recommendation to the Richland City Council as to the most appropriate zoning designation for the area proposed to be annexed; and

WHEREAS, the Richland Planning Commission held a public hearing on October 14, 2020 to consider an appropriate zoning designation for the proposed annexation area, and recommended adoption of Single-Family Residential R-1-12 zoning for the property; and

WHEREAS, on November 17, 2020, Richland City Council adopted Resolution No. 156-20, authorizing the circulation of an annexation petition for annexation of the real property legally described in **Exhibit A** attached hereto; and

WHEREAS, a petition was circulated and signed by the property owners representing 100% of the assessed value of the proposed annexation area, thereby exceeding the state requirement that owners representing at least sixty percent (60%) of the value of the proposed annexation area petition the City for annexation, with such value determined according to the assessed valuation for general taxation; and

WHEREAS, Richland City Council held a public hearing to consider the annexation on May 4, 2021, which hearing was duly noticed by the City Clerk through publication in a newspaper of general circulation and through the mailing of notice to all property owners within the annexation area, specifying the time and place of the hearing and inviting interested persons to appear and voice approval or disapproval of the annexation; and

WHEREAS, the matter was duly considered by the Richland City Council, and the Council has determined that the annexation would be of general benefit to the residents of the City of Richland.

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

Section 1. The real property legally described in **Exhibit A** attached hereto is hereby annexed to the City of Richland and is hereby declared to be within the corporate limits of the City of Richland, Benton County, Washington (the "Annexed Area").

Section 2. The Richland Comprehensive Plan, adopted October 3, 2017 by passage of Ordinance No. 45-17 and as amended, shall serve as the comprehensive plan for the Annexed Area. All properties within the annexation shall be designated as "low density residential" under the land use map that is part of the Richland Comprehensive Plan.

Section 3. The property within the Annexed Area shall be assessed and taxed at the same rate and on the same basis as other property within the City, including assessments or taxes in payment for all or of any portion of the outstanding indebtedness of the City, approved by the voters, contracted, or incurred prior to, or existing at the date of annexation.

Section 4. Title 23 of the City of Richland Municipal Code (RMC) and the Official Zoning Map of the City as adopted by Section 23.08.040 of said title are hereby amended by amending Sectional Map No. 22, which is one of a series of maps constituting said Official Zoning Map, as shown on the attached **Exhibit B** bearing the number 22 together with the number and date of passage of this Ordinance, and by this reference made a

part of this Ordinance and of the Official Zoning Map of the City.

Section 5. It is hereby found, as an exercise of the City's police power, that the best zoning for the properties included in the Annexed Area shall be R-1-12 Single Family Residential, as depicted on **Exhibit B**, attached hereto, when consideration is given to the interest of the general public.

Section 6. The City Clerk is directed to file a copy of this annexation with the Board of Commissioners of Benton County and the State of Washington in the manner required by law. The City Clerk is also directed to file with the Auditor of Benton County, Washington, a copy of this Ordinance, and shall attach the amended sectional map, as necessary, and an amended Annexation map, duly certified by the City Clerk as a true copy.

Section 7. As authorized and required by RCW 35.13.280, the City shall negotiate a new franchise with the solid waste collection service provider currently serving the Annexed Area on terms that are acceptable to the City and that comply with the City's Solid Waste Management Plan.

Section 8. This Ordinance shall take effect on the day following its publication in the official newspaper of the City of Richland.

PASSED by the City Council of the City of Richland, Washington, at a regular meeting held on the ____ day of _____, 2021.

Ryan Lukson, Mayor

Attest:

Approved as to form:

Jennifer Rogers, City Clerk

Heather Kintzley, City Attorney

Date Published: _____

EXHIBIT A
Badger Mountain Winery Annexation Legal Description

The Badger Mountain Vineyard annexation consists of the following:

SHORT PLAT NO. 1576, LOT 1

SHORT PLAT NO. 2275, LOTS 1 & 2. SUBJECT TO EASEMENTS AND RESTRICTIONS OF RECORD.

SHORT PLAT NO. 1406, LOT 1.

A PORTION OF SECTION 34, TOWNSHIP 9 NORTH, RANGE 28 EAST, W.M., BENTON COUNTY, WASHINGTON, MORE PARTICULARLY DESCRIBED AS FOLLOWS: BEGINNING AT THE SOUTHWEST CORNER OF SAID SECTION 34. THENCE NORTH 89° 31' 37" EAST ALONG THE SOUTH LINE OF SAID SECTION 34 A DISTANCE OF 2453.68 FEET TO THE TRUE POINT OF BEGINNING. THENCE NORTH 61° 58' 01" EAST A DISTANCE OF 646.32 FEET TO A POINT OF CURVE. THENCE NORTH- EASTERLY ALONG THE ARC OF A CURVE TO THE LEFT, SAID CURVE HAVING A CENTRAL ANGLE OF 93° 57' 20", A RADIUS OF 1099.33 FEET, AN ARC DISTANCE OF 1802.73 FEET TO A POINT OF TANGENT. THENCE NORTH 31° 59' 19" WEST A DISTANCE OF 1096.53 FEET. THENCE NORTH 58° 00' 41" EAST A DISTANCE OF 122.50 FEET. THENCE NORTH 53° 33' 55" EAST A DISTANCE OF 90.27 FEET. THENCE SOUTH 79° 34' 06" EAST A DISTANCE OF 131.71 FEET. THENCE NORTH 10° 25' 54" EAST A DISTANCE OF 9.16 FEET. THENCE SOUTH 79° 34' 06" EAST A DISTANCE OF 120.00 FEET. THENCE SOUTH 10° 25' 54" WEST A DISTANCE OF 31.13 FEET. THENCE SOUTH 64° 22' 01" EAST A DISTANCE OF 196.70 FEET TO A POINT ON CURVE. THENCE SOUTHWESTERLY ALONG THE ARC OF A CURVE TO THE LEFT, SAID CURVE HAVING A CENTRAL ANGLE OF 10° 20' 47", A RADIUS OF 280.00 FEET, A CHORD BEARING SOUTH 20° 27' 35" WEST, AN ARC DISTANCE OF 50.56 FEET TO A POINT OF TANGENT. THENCE SOUTH 74° 42' 48" EAST, RADIAL TO SAID CURVE, A DISTANCE OF 120.00 FEET. THENCE SOUTH 02° 03' 01" EAST A DISTANCE OF 91.96 FEET. THENCE SOUTH 39° 48' 15" EAST A DISTANCE OF 237.31 FEET. THENCE SOUTH 34° 25' 29" EAST A DISTANCE OF 897.72 FEET. THENCE SOUTH 68° 51' 04" EAST A DISTANCE OF 907.79 FEET. THENCE SOUTH 65° 59' 57" EAST A DISTANCE OF 265.85 FEET TO A POINT ON THE EAST LINE OF SAID SECTION 34. THENCE SOUTH 00° 33' 17" EAST ALONG SAID EAST LINE A DISTANCE OF 1199.83 FEET TO THE SOUTHEAST CORNER OF SAID SECTION 34. THENCE SOUTH 89° 31' 37" WEST ALONG THE SOUTH LINE OF SAID SECTION 34 A DISTANCE OF 2864.83 FEET TO THE TRUE POINT OF BEGINNING. CONTAINING 85.62 ACRES. SEGREGATED PER REQUEST OF OWNER SURVEY #464-A. TOGETHER WITH PORTION DEFINED AS FOLLOWS: A PARCEL OF LAND SITUATED IN SECTION 34, TOWNSHIP 9 NORTH, RANGE 28 EAST, W.M., BENTON COUNTY, WASHINGTON, SAID STRIP OF LAND MORE PARTICULARLY DESCRIBED AS FOLLOWS: BEGINNING AT THE SOUTHWEST CORNER OF SAID SECTION 34: THENCE NORTH 89° 31' 37" EAST ALONG THE SOUTH LINE OF SAID SECTION A DISTANCE OF 1717.64 FEET TO THE TRUE POINT OF BEGINNING: THENCE NORTH 73° 58' 01" EAST A DISTANCE OF 424.43 FEET TO A POINT OF CURVE: THENCE NORTHEASTERLY ALONG THE ARC OF A CURVE TO THE LEFT HAVING A CENTRAL ANGLE OF 12° 00' 00", A RADIUS OF 883.50 FEET, AND AN ARC DISTANCE OF 185.03 FEET: THENCE NORTH 61° 58' 01" E A DISTANCE OF 700.00 FEET TO A POINT OF CURVE: THENCE NORTHEASTERLY ALONG THE ARC OF A CURVE TO THE LEFT HAVING A CENTRAL ANGLE OF 93°

57' 20', A RADIUS OF 866.33 FEET AN ARC DISTANCE OF 1420.65 FEET: THENCE NORTH 31° 59' 19" WEST A DISTANCE OF 1229.03 FEET: THENCE NORTH 58° 00' 41" EAST A DISTANCE OF 156.50 FEET: THENCE SOUTH 31° 59' 19" EAST A DISTANCE 156.50 FT (S/B 132.50 FT ?): THENCE NORTH 58° 00' 41" EAST, A DISTANCE 76.50 FEET: THENCE SOUTH 31° 59' 19" EAST A DISTANCE OF 1096.53 FT TO A PT OF CURVE: THENCE SOUTHWESTERLY ALONG THE ARC OF A CURVE TO THE RIGHT HAVING A CENTRAL ANGLE OF 93° 57' 20" A RADIUS OF 1099.33 FEET, AN ARC DISTANCE OF 1802.73 FEET: THENCE SOUTH 61° 58' 08" WEST A DISTANCE OF 646.32 FEET TO A POINT ON THE SOUTH LINE OF SAID SECTION: THENCE SOUTH 89° 31' 37" WEST ALONG SAID SOUTH LINE A DISTANCE OF 736.04 FEET TO THE TRUE POINT OF BEGINNING. LESS ANY PORTION LYING WITHIN THE FOLLOWING DESCRIBED PARCEL: BEGINNING AT THE SOUTHWEST CORNER OF SECTION 34: THENCE NORTH 89° 31' 37" EAST ALONG THE SOUTH LINE THEROF A DISTANCE OF 1717.64 FEET TO THE TRUE POINT OF BEGINNING: THENCE NORTH 73° 58' 01" EAST A DISTANCE OF 424.43 FEET TO A POINT OF CURVE: THENCE NORTHEASTERLY ALONG A CURVE TO THE LEFT HAVING A CENTRAL ANGLE OF 12° 00' 00" AND A RADIUS OF 883.50 FEET AN ARC DISTANCE OF 185.03 FEET: THENCE NORTH 61° 58' 01" EAST A DISTANCE 700.00 FEET TO A POINT OF CURVE: THENCE NORTHEASTERLY ALONG A CURVE TO THE LEFT HAVING A CENTRAL ANGLE OF 93° 57' 20" AND A RADIUS OF 866.33 FEET, AN ARC DISTANCE OF 1420.65 FEET: THENCE NORTH 31° 59' 19" WEST A DISTANCE OF 1229.03 FEET: THENCE NORTH 58° 00' 41" EAST A DISTANCE OF 156.50 FEET: THENCE SOUTH 31° 59' 19" EAST A DISTANCE OF 132.50 FEET: THENCE NORTH 58° 00' 41" EAST A DISTANCE OF 76.50 FEET: THENCE SOUTH 31° 59' 19" EAST A DISTANCE OF 1096.53 FEET TO A POINT OF CURVE: THENCE SOUTHWESTERLY ALONG A CURVE TO THE RIGHT HAVING A CENTRAL ANGLE OF 01° 23' 43" AND A RADIUS OF 1099.33 FEET, AN ARC DISTANCE OF 26.77 FEET: THENCE SOUTH 59° 24' 24" WEST RADIAL TO SAID CURVE A DISTANCE OF 116.50 FEET TO A POINT OF CURVE: THENCE SOUTHWESTERLY ALONG A CURVE TO THE RIGHT HAVING A CENTRAL ANGLE OF 92° 33' 37" A RADIUS OF 982.83 AND A CHORD BEARING SOUTH 15° 41' 13" WEST, AN ARC DISTANCE OF 1587.75 FEET: THENCE SOUTH 61° 58' 01" WEST A DISTANCE OF 700.00 FEET TO A POINT OF CURVE: THENCE SOUTHWESTERLY ALONG SAID CURVE TO THE RIGHT HAVING A CENTRAL ANGLE OF 12° 00' 00", AND A RADIUS OF 1000.00 FEET, AN ARC DISTANCE OF 209.44 FEET: THENCE SOUTH 73° 58' 01" WEST A DISTANCE OF 6.05 FEET TO THE SOUTH LINE OF SECTION 34: THENCE SOUTH 89° 31' 37" WEST ALONG SAID SOUTH LINE A DISTANCE OF 43.31 FEET TO THE TRUE POINT OF BEGINNING.(DEED DATED 5/14/82) LESS ANY PORTION LYING WITHIN FOLLOWING DESCRIBED PARCEL (ALSO AKA SHORT PLAT #1576) THAT PORTION OF SECTION 34, TOWNSHIP 9 NORTH, RANGE 28 EAST, W.M., BENTON COUNTY WASHINGTON DESCRIBED AS FOLLOWS: BEGINNING AT THE SOUTHWEST CORNER OF SECTION 34: THENCE NORTH 89° 31' 37" EAST ALONG THE SOUTH LINE THEREOF A DISTANCE OF 2151.94 FEET TO THE TRUE POINT OF BEGINNING: THENCE NORTH 73° 58' 01" EAST A DISTANCE OF 6.05 FEET TO A POINT OF CURVE: THENCE NORTHEASTERLY ALONG A CURVE TO THE LEFT HAVING A CENTRAL ANGLE OF 12° 00' 00" A RADIUS OF 1000.00 FEET AN ARC DISTANCE OF 209.44 FEET : THENCE NORTH 61° 58' 01" EAST A DISTANCE OF 700.00 FEET TO A POINT OF CURVE: THENCE NORTHEASTLY ALONG A CURVE TO THE LEFT HAVING A CENTRAL ANGLE OF 23° 48' 21" AND A RADIUS OF 982.83 FEET AN ARC DISTANCE OF 408.36 FEET: THENCE NORTH 89° 31' 37" EAST A DISTANCE OF 839.64 FEET: THENCE SOUTH 00° 33' 17" EAST A DISTANCE OF 660.00 FEET TO A POINT ON THE SOUTH LINE OF SAID SECTION 34: THENCE SOUTH 89° 31' 37" WEST ALONG SAID SOUTH LINE A DISTANCE OF 1974.41 FEET TO THE TRUE POINT OF BEGINNING. (AKA SHORT PLAT

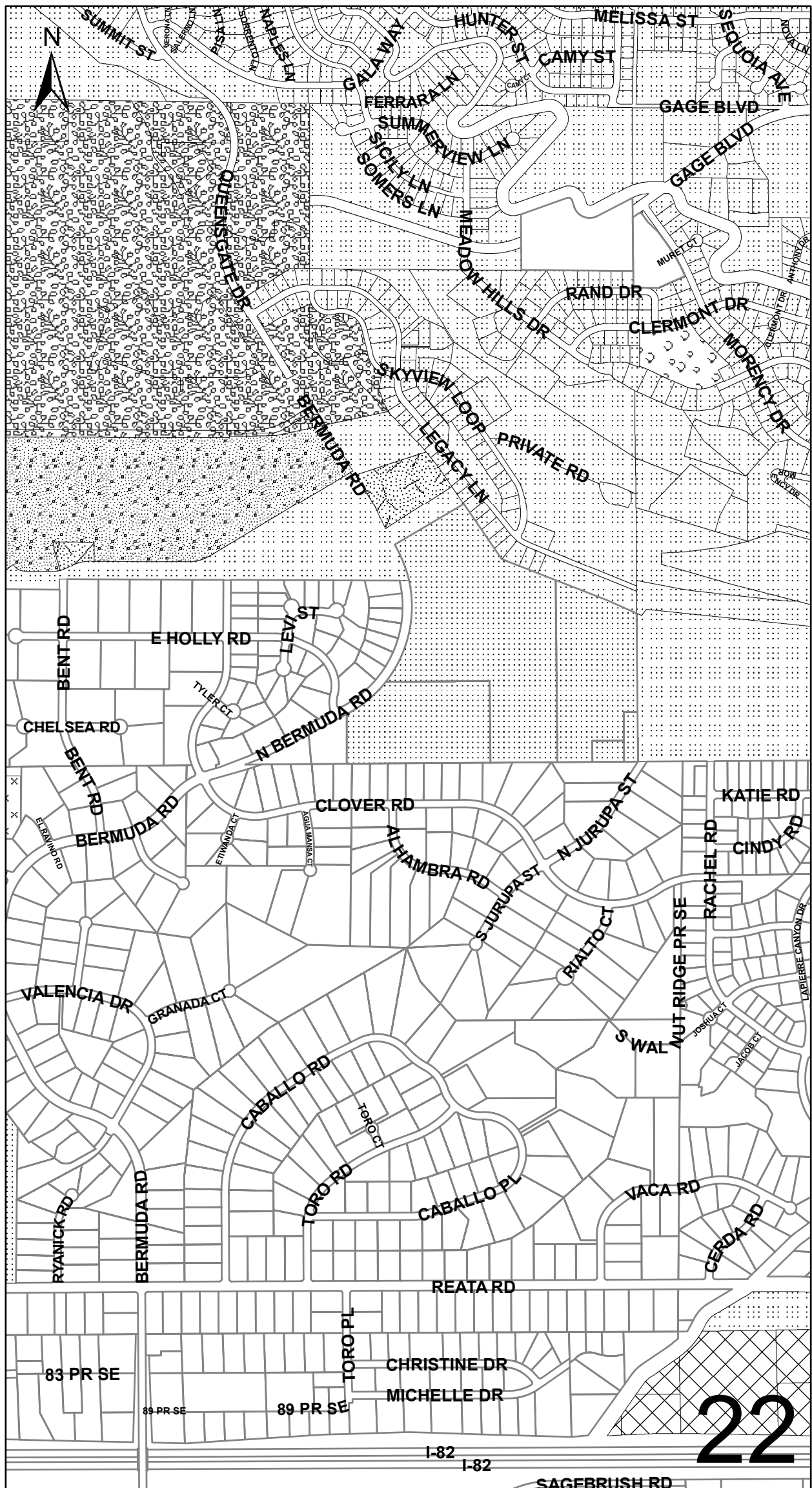
#1576) ALSO LESS ANY PORTION LYING WITHIN FOLLOWING DESCRIBED PARCEL. (AKA SHORT PLAT #1406) THAT PORTION OF SECTION 34, TOWNSHIP 9 NORTH, RANGE 28 EAST, W.M., BENTON COUNTY, WASHINGTON, DESCRIBED AS FOLLOWS: THE TRUE POINT OF BEGINNING BEING THE SOUTHEAST CORNER OF SECTION 34: THENCE SOUTH 89° 31' 37" WEST ALONG THE SOUTH LINE THEREOF A DISTANCE OF 650.00 FEET. THENCE NORTH 00° 33' 17" WEST A DISTANCE OF 1471.85 FEET: THENCE SOUTH 68° 51' 04" EAST A DISTANCE OF 439.33 FEET: THENCE SOUTH 65° 59' 57" EAST A DISTANCE OF 265.85 FEET TO THE EAST LINE OF SECTION 34: THENCE SOUTH 00° 33' 17" EAST ALONG SAID EAST LINE A DISTANCE OF 1199.83 FEET TO THE TRUE POINT OF BEGINNING. (AKA SHORT PLAT #1406) SUBJECT TO EASEMENTS AND RESTRICTIONS OF RECORD. LESS ANY PORTION OF THE FOLLOWING PARCEL #134984000001002. DESCRIBED AS FOLLOWS: THE PORTION OF SECTION 34, TOWNSHIP 9, RANGE 28 EAST, W.M. DEFINED AS FOLLOWS: BEGINNING AT THE NORTHWEST CORNER OF SECTION 34, THENCE SOUTH 00° 45' 08" WEST ALONG THE WEST LINE THEREOF A DISTANCE OF 2669.38 FEET, THENCE SOUTH 89° 51' 32" EAST, PARALLEL WITH THE SOUTH LINE OF THE NORTH 1/2 OF SAID SECTION A DISTANCE OF 2160 FEET TO A POINT OF CURVE: THENCE ALONG A CURVE TO THE LEFT HAVING A CENTRAL ANGLE OF 32° 07' 47" AND A RADIUS OF 570 FEET, AN ARC DISTANCE OF 319.64 FEET: THENCE NORTH 58° 00' 41" EAST A DISTANCE OF 227.40 FEET TO THE TRUE POINT OF BEGINNING: THENCE SOUTH 31° 59' 19" EAST A DISTANCE OF 1289.03 FEET TO A POINT OF CURVE: THENCE ALONG A CURVE TO THE RIGHT HAVING A CENTRAL ANGLE OF 01° 23' 43" AND A RADIUS OF 1022.84 FEET, AN ARC DISTANCE OF 24.91 FEET: THENCE NORTH 59° 24' 24" EAST RADIAL TO SAID CURVE A DISTANCE OF 608.78 FEET: THENCE NORTH 34° 25' 29" WEST A DISTANCE OF 357.72 FEET: THENCE NORTH 39° 48' 15" WEST A DISTANCE OF 237.31 FEET: THENCE NORTH 02° 03' 01" WEST A DISTANCE OF 91.96 FEET: THENCE NORTH 74° 42' 48" WEST A DISTANCE OF 120 FEET TO A POINT ON A CURVE: THENCE NORTHEASTERLY ALONG A CURVE TO THE RIGHT HAVING A CENTRAL ANGLE OF 10° 20' 47" A RADIUS OF 280 FEET AND A CHORD BEARING NORTH 20° 27' 35" EAST AN ARC DISTANCE OF 50.56 FEET: THENCE NORTH 64° 22' 01" WEST A DISTANCE OF 196.70 FEET: THENCE NORTH 10° 25' 54" EAST A DISTANCE OF 31.13 FEET: THENCE NORTH 79° 34' 06" WEST A DISTANCE OF 120 FEET: THENCE SOUTH 10° 25' 54" WEST A DISTANCE OF 9.16 FEET: THENCE NORTH 79° 34' 06" WEST A DISTANCE OF 131.71 FEET: THENCE SOUTH 53° 33' 55" WEST A DISTANCE OF 90.27 FEET: THENCE SOUTH 58° 00' 41" WEST A DISTANCE OF 199 FEET TO A LINE EXTENDED SOUTH 31° 59' 19" EAST: THENCE NORTHERLY ALONG SAID LINE TO THE TRUE POINT OF BEGINNING.

This description includes the following County Parcel Identification Numbers:

134984011576001
134984000002002
134984012275002
134984012275001
134984011406001

Ordinance No. 12-21 Passed 5/__/2021

Ordinance No. 12-21 Passed 5/__/2021





COUNCIL AGENDA ITEM COVERSHEET

Council Date: 5/4/2021

Agenda Category: Resolutions - Adoption

Core Focus Area 2 - Manage & Maintain Infrastructure & Facilities

Subject:

Resolution No. 49-21, Authorizing Award of Bid to Intermountain Slurry Seal, Inc. for the 2021 Pavement Preservation - Microsurfacing Project

Department:
Public Works

Ordinance/Resolution Number:
49-21

Document Type:
Resolution

Recommended Motion:

Adopt Resolution No. 49-21, authorizing the City Manager to sign and execute a construction contract with Intermountain Slurry Seal, Inc. for the 2021 Microsurfacing project.

Summary:

The 2021-2026 Capital Improvement Plan includes the Pavement Preservation Program, which is implemented each year using a variety of resurfacing technologies selected to most cost-effectively preserve the City's street surfaces. The Program is generally implemented on a three-year rotation through three geographic zones: north, central and south. This year's Program is focused primarily on the central zone, with one exception being completion of the Keene Road resurfacing that was partially completed last year. Since the 2020 Program was reduced by suspension of Transportation Benefit District car tab revenue, last year's Keene Road resurfacing was shortened by the limited available funds. With car tab revenue restored, this year's Program includes completion of the Keene Road resurfacing originally planned for last year.

As has become typical with this Program, the striping of many streets will be revised to activate Chapter 12.06 RMC, the City's Complete Streets policy.

All project development and design work required to advance this year's Microsurfacing project to construction is complete, and bids were solicited in accordance with the City's purchasing policies. Two bids were received and opened in response to the solicitation, with Intermountain Slurry Seal, Inc. submitting the lowest responsible bid. The Pavement Preservation Program budget is adequate to complete the project using the lowest responsible bid.

Staff recommends adoption of Resolution No. 49-21.

Fiscal Impact:

This project is budgeted in the 2021 Capital Improvement Plan Pavement Preservation Program. Approximately \$1,410,000 is available for this work after other previously awarded contracts are accounted for. Program funding will be extended when Port of Benton reimburses the City approximately \$150,000 for work on the slurry seal project. With the Port funds, the available budget for the project is \$1,560,000. The 2021 Microsurfacing project is estimated to cost \$1,300,000 which includes design and construction inspection performed by City staff, and construction and construction contingency performed through the awarded contract.

Attachments:

1. RES 49-21 2021 Microsurfacing Award
2. ITB 21-0021 - 2021 Microsurfacing - Bid Tab
3. ITB 21-0021 - 2021 Microsurfacing - Vmap

RESOLUTION NO. 49-21

A RESOLUTION of the City of Richland authorizing a construction contract with Intermountain Slurry Seal, Inc. for the 2021 Microsurfacing project.

WHEREAS, the 2021-2026 Capital Improvement Plan includes the Pavement Preservation Program (the "Program"); and

WHEREAS, the Program is implemented each year using a variety of resurfacing technologies selected to most cost-effectively preserve the City's street surfaces; and

WHEREAS, all project development and design work required to advance this year's Microsurfacing project to construction has been completed; and

WHEREAS, bids were solicited in accordance with the City's purchasing policies, with two (2) bids received and opened on April 12, 2021; and

WHEREAS, Intermountain Slurry Seal, Inc. submitted the lowest responsible bid of the two (2) received; and

WHEREAS, the Pavement Preservation Program budget is adequate to complete the project using the lowest responsible bid; and

WHEREAS, the City's best interests are served by completing the project in accordance with the Capital Improvement Plan, project design and lowest responsible bid.

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Richland that the City Manager is authorized to sign and execute a construction contract with Intermountain Slurry Seal, Inc. in the amount of \$1,158,158.00, and to execute change orders in an aggregate amount not to exceed \$100,000 as needed to fulfill the 2021 Microsurfacing project's design intent.

BE IT FURTHER RESOLVED that this Resolution shall take effect immediately.

This space intentionally left blank.

ADOPTED by the City Council of the City of Richland, Washington, at a regular meeting on the 4th day of May, 2021.

Ryan Lukson, Mayor

Attest:

Approved as to form:

Jennifer Rogers, City Clerk

Heather Kintzley, City Attorney

City of Richland

DATE BIDS OPENED: April 12, 2021	ITB # 21-0022
2021 MICROSURFACING	

				ENGINEER'S ESTIMATE		INTERMOUNTAIN SLURRY SEAL, INC RENO, NV		VSS INTERNATIONAL, INC WEST SACRAMENTO, CA	
Item	Description	Qty	Unit	Unit Price	Total Price	Unit Price	Total Price	Unit Price	Total Price
SCHEDULE A: Microsurfacing Base Bid & Misc. Striping Changes									
A-1	Mobilization (all schedules).	1	LS	\$50,000.00	50,000.00	100,000.00	100,000.00	55,210.00	55,210.00
A-2	SPCC plan (all schedules).	1	LS	1,000.00	1,000.00	1,500.00	1,500.00	15,500.00	15,500.00
A-3	Project temporary traffic control (this schedule only).	1	LS	25,000.00	25,000.00	83,354.30	83,354.30	184,949.25	184,949.25
A-4	Portable changeable message sign (all schedules).	700	HR	15.00	10,500.00	5.00	3,500.00	5.35	3,745.00
A-5	Tree trimming.	1	LS	5,000.00	5,000.00	5,000.00	5,000.00	3,745.00	3,745.00
A-6	Micro-surfacing, Type III.	159,122	SY	4.25	676,268.50	3.64	579,204.08	3.35	533,058.70
A-7	Temporary pavement markings-short duration.	303,443	LF	0.30	91,032.90	0.15	45,516.45	0.16	48,550.88
A-8	Roadway surveying (this schedule only).	1	LS	10,000.00	10,000.00	15,000.00	15,000.00	18,725.00	18,725.00
A-9	Plastic line.	104,599	LF	1.05	109,828.95	0.70	73,219.30	0.75	78,449.25
A-10	Plastic wide lane line.	46,235	LF	1.35	62,417.25	0.95	43,923.25	1.02	47,159.70
A-11	Plastic stop line (preformed).	888	LF	12.00	10,656.00	8.75	7,770.00	9.36	8,311.68
A-12	Plastic crosswalk line (preformed).	5,120	SF	7.50	38,400.00	5.50	28,160.00	5.89	30,156.80
A-13	Plastic traffic arrow (preformed).	68	EA	110.00	7,480.00	85.00	5,780.00	90.95	6,184.60
A-14	Plastic bicycle symbol (preformed).	85	EA	175.00	14,875.00	170.00	14,450.00	181.90	15,461.50
A-15	Removing plastic line.	124,112	LF	0.40	49,644.80	0.25	31,028.00	0.27	33,510.24
A-16	Removing crosswalk & stop bar.	5,579	SF	7.00	39,053.00	1.25	6,973.75	1.34	7,475.86
A-17	Removing plastic traffic markings.	24	EA	75.00	1,800.00	55.00	1,320.00	58.85	1,412.40
A-18	Sharrow.	3	EA	350.00	1,050.00	185.00	555.00	197.95	593.85
A-19	Painted bicycle symbol.	2	EA	50.00	100.00	65.00	130.00	69.55	139.10
SCHEDULE A SUBTOTAL					\$1,204,106.40		\$1,046,384.13		\$1,092,338.81
0% SALES TAX					-		-		-
SCHEDULE A TOTAL					\$1,204,106.40		\$1,046,384.13		\$1,092,338.81

SCHEDULE B: Striping at Clubhouse Lane									
Item	Description	Qty	Unit	Unit Price	Total Price	Unit Price	Total Price	Unit Price	Total Price
B-1	Project temporary traffic control (this schedule only).	1	LS	\$5,000.00	5,000.00	5,320.00	5,320.00	5,692.40	5,692.40
B-2	Plastic line.	4,496	LF	1.05	4,720.80	1.00	4,496.00	1.07	4,810.72
B-3	Plastic wide lane line.	3,920	LF	1.35	5,292.00	1.18	4,625.60	1.26	4,939.20
B-4	Plastic crosswalk line (preformed).	408	SF	7.50	3,060.00	6.50	2,652.00	6.96	2,839.68

				ENGINEER'S ESTIMATE		INTERMOUNTAIN SLURRY SEAL, INC RENO, NV		VSS INTERNATIONAL, INC WEST SACRAMENTO, CA	
Item	Description	Qty	Unit	Unit Price	Total Price	Unit Price	Total Price	Unit Price	Total Price
B-5	Plastic traffic arrow (preformed).	10	EA	110.00	1,100.00	225.00	2,250.00	240.75	2,407.50
B-6	Plastic bicycle symbol (preformed).	4	EA	175.00	700.00	185.00	740.00	197.95	791.80
SCHEDULE B SUBTOTAL					\$19,872.80	\$20,083.60		\$21,481.30	
0% SALES TAX					-	-		-	
SCHEDULE B TOTAL					\$19,872.80	\$20,083.60		\$21,481.30	

**ADDITIONAL ALTERNATIVE 1: Microsurfacing
William, Bradley, Amon Drive**

C-1	Project temporary traffic control (this schedule only).	1	LS	\$5,000.00	5,000.00	15,000.00	15,000.00	20,294.10	20,294.10
C-2	Micro-surfacing, Type III.	13,774	SY	4.25	58,539.50	3.64	50,137.36	3.35	46,142.90
C-3	Temporary pavement markings-short duration.	20,389	LF	0.30	6,116.70	0.25	5,097.25	0.27	5,505.03
C-4	Roadway surveying (this schedule only).	1	LS	3,500.00	3,500.00	1,000.00	1,000.00	2,675.00	2,675.00
C-5	Plastic line.	6,567	LF	1.05	6,895.35	0.90	5,910.30	0.96	6,304.32
C-6	Plastic wide lane line.	3,527	LF	1.35	4,761.45	1.18	4,161.86	1.26	4,444.02
C-7	Plastic stop line (preformed).	101	LF	12.00	1,212.00	8.00	808.00	8.56	864.56
C-8	Plastic crosswalk line (preformed).	480	SF	7.50	3,600.00	6.50	3,120.00	6.96	3,340.80
C-9	Plastic traffic arrow (preformed).	10	EA	110.00	1,100.00	85.00	850.00	90.95	909.50
C-10	Plastic bicycle symbol (preformed).	10	EA	\$175.00	1,750.00	175.00	1,750.00	187.25	1,872.50
C-11	Removing plastic line.	10,232	LF	0.40	4,092.80	0.25	2,558.00	0.27	2,762.64
C-12	Removing crosswalk & stop bar.	478	SF	7.00	3,346.00	1.25	597.50	1.34	640.52
C-13	Removing plastic traffic markings.	6	EA	75.00	450.00	55.00	330.00	58.85	353.10
C-14	Sharrow.	2	EA	350.00	700.00	185.00	370.00	197.95	395.90

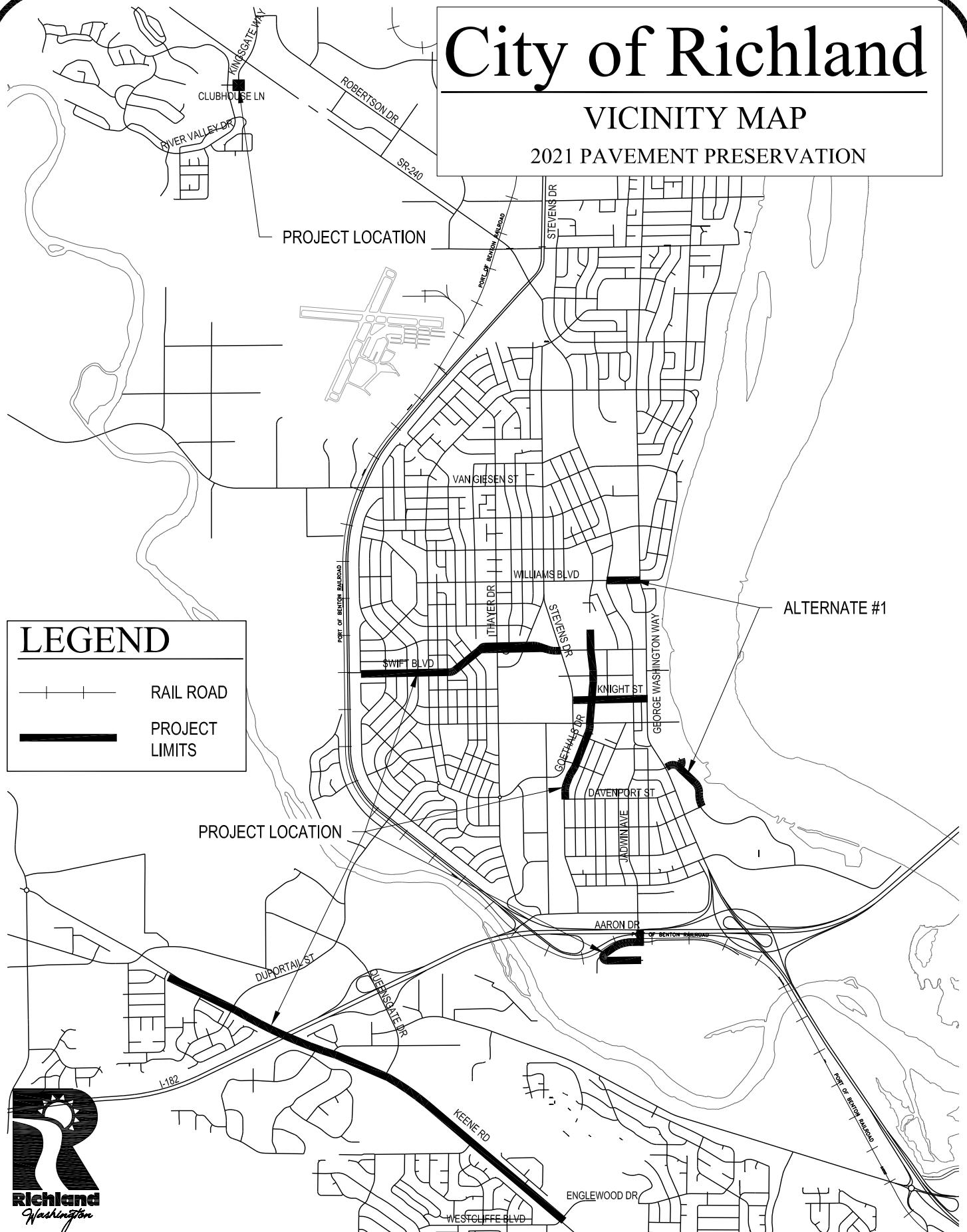
ADDITIONAL ALTERNATIVE 1 SUBTOTAL	\$101,063.80	\$91,690.27	\$96,504.89
0% SALES TAX	-	-	-
ADDITIONAL ALTERNATIVE 1 TOTAL	\$101,063.80	\$91,690.27	\$96,504.89

SCHEDULE A	\$1,204,106.40	\$1,046,384.13	\$1,092,338.81
SCHEDULE B	19,872.80	20,083.60	21,481.30
ADDITIONAL ALTERNATIVE 1	101,063.80	91,690.27	96,504.89
GRAND TOTAL	\$1,325,043.00	\$1,158,158.00	\$1,210,325.00

City of Richland

VICINITY MAP

2021 PAVEMENT PRESERVATION



DATE: 03-26-2021
DRAWN BY: ey
SCALE: NONE
CAD DWG:



COUNCIL AGENDA ITEM COVERSHEET

Council Date: 5/4/2021

Agenda Category: Resolutions - Adoption

Core Focus Area 2 - Manage & Maintain Infrastructure & Facilities

Subject:

Resolution No. 50-21, Authorizing a Second Amendment to the Consultant Agreement with RH2 Engineering, Inc. related to the Wastewater Treatment Plant Digester Facility Improvements Project

Department:
Public Works

Ordinance/Resolution Number:
50-21

Document Type:
Resolution

Recommended Motion:

Adopt Resolution No. 50-21, authorizing the City Manager to sign and execute an amendment to the City's consultant agreement with RH2 Engineering, Inc. related to the Wastewater Treatment Plant Digester Facility Improvements project.

Summary:

The City's Wastewater Treatment Plant is subject to state and federal regulations to protect the environment from pollutants carried by municipal wastewater. The Plant's anaerobic digestion main electrical power supply requires replacement to be brought up to current compliance standards.

In September 2019, Council authorized a consultant agreement with RH2 Engineering, Inc. to assist in the required analysis and design of the electrical control system as well as preparation of contract bidding documents. In December of that year, an amendment was issued to extend the contract period through December 2021.

On April 6, 2021, City Council awarded the construction contract for this project. A second amendment to the consultant agreement is now needed to include construction management services once project construction commences in the coming weeks. The negotiated scope and fee of this second amendment fulfills the City's need for construction management professional services on terms that represent a good value to the City.

Staff recommends adoption of Resolution No. 50-21.

Fiscal Impact: This project was budgeted in the 2020 Capital Improvement Plan Wastewater Treatment Facility Renewal & Replacement program, which had a beginning budget of \$4,806,657 after prior year carryovers. Three major projects are funded from this budget. There is currently \$1,619,252 available to fund the value of this amendment. The total cost estimate for the services included in the amendment is \$80,000.

Attachments:

1. Resolution No. 50-21
2. Proposed Second Amendment - RH2 - WWTP Digester Facility Improvements

RESOLUTION NO. 50-21

A RESOLUTION of the City of Richland authorizing an amendment to the consultant agreement with RH2 Engineering, Inc. for the Wastewater Treatment Plant Digester Facility Improvements project.

WHEREAS, the City's Wastewater Treatment Plant is subject to state and federal regulations to protect the environment from pollutants carried by municipal wastewater; and

WHEREAS, the anaerobic digestion main electrical power supply requires replacement to be brought up to current code compliance standards; and

WHEREAS, on September 17, 2019, through Resolution No. 114-19, Richland City Council authorized a consultant agreement with RH2 Engineering, Inc. to assist in the required analysis and design of the electrical control system, as well as preparation of contract bidding documents (Contract No. 343-19); and

WHEREAS, on December 2, 2020, an amendment was executed to extend the contract period through December 2021; and

WHEREAS, a second amendment is needed to include construction management services once project construction commences; and

WHEREAS, the negotiated second amendment with RH2 Engineering, Inc. fulfills the City's need for construction management professional services on terms that represent a good value to the City; and

WHEREAS, the City's best interests are served by amending the agreement with RH2 Engineering, Inc. to add the additional scope and compensation, and to extend the contract period through February 2022.

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Richland that the City Manager is authorized to sign and execute a second amendment to the consultant agreement with RH2 Engineering, Inc. related to the Wastewater Treatment Plant Digester Facility Improvements project.

BE IT FURTHER RESOLVED that this Resolution shall take effect immediately.

This space intentionally left blank.

ADOPTED by the City Council of the City of Richland, Washington, at a regular meeting on the 4th day of May, 2021.

Ryan Lukson, Mayor

Attest:

Approved as to form:

Jennifer Rogers, City Clerk

Heather Kintzley, City Attorney



**CITY OF RICHLAND
AGREEMENT WITH RH2 ENGINEERING, INC
CONTRACT NO. 343-19**

AMENDMENT NO. 2

I. RECITALS

There is now in full force and effect between the Parties a Professional Services Agreement, Contract No. 343-19, related to **WWTF Digester Facility Improvements**. The Agreement was fully executed on **9/24/2019**. The expiration date of the Agreement is **12/31/2021**. The Parties desire to amend the Agreement as provided in Section II below.

II. AGREEMENT

In exchange for good and valuable consideration, the receipt and sufficiency of which is hereby acknowledged, the Parties agree to amend Contract No. 343-19 as follows:

1. The Consultant shall provide services described in the attached **Exhibit A - Scope of Work**, which is hereby incorporated into Contract No. 343-19.
2. Fees.
 - a. ☐ The contract value remains unchanged.
 - b. ☒ Compensation for the additional services rendered pursuant to this Amendment shall be \$79,634.00. The new contract value is now \$179,311.
3. The contract period shall: ☐ remain unchanged; ☒ extend to **2/28/2022**.
4. It is understood and agreed that all other terms and conditions of the Agreement shall be and remain the same. This Amendment may be executed electronically.

III. SIGNATURES

City:

RH2 Engineering, Inc

By: _____
Jon Amundson, ICMA-CM
Interim City Manager

By: _____

Name: _____

Date: _____

Title: _____

Date: _____

Approved as to form:

Heather Kintzley, City Attorney

EXHIBIT A
Scope of Work
Amendment No. 2
City of Richland
Wastewater Treatment Plant Digester Facility Improvements
Services During Construction
April 2021

Background

The City of Richland (City) maintains and operates a sewer system and wastewater treatment plant (WWTP) that was constructed in 1985. The WWTP is a 12 million gallons per day (MGD) complete-mix-active sludge plant with anaerobic digesters. The existing motor control centers (MCCs) located inside the digester building are aging and in need of replacement. The corrosive gases present in the digester building have caused components within the digester MCCs to fail, including bussing, terminal blocks, contactors, and conductors. The age of the MCCs makes it difficult to locate replacement parts, as many of the components are obsolete.

RH2 Engineering, Inc., (RH2) is currently under contract with the City to perform engineering services for design of the WWTP digester facility improvements, provide assistance with project bidding, and update the City's Operation and Maintenance (O&M) and process control manuals. The City has requested an amendment to this contract to add engineering services during construction (SDC). The following Scope of Work details the approach RH2 will use to assist the City during the construction of the WWTP digester facility improvements.

Task 7 – WWTP Digester Facility Improvements SDC

Task 7.1 – Pre-Construction Conference

Objective: Prepare for and attend a pre-construction conference, which will include the contractor and City.

Approach:

7.1.1 Attend Pre-Construction Conference: Attend the pre-construction conference and introduce the project team members from the contractor, City, and RH2. Key sections of the construction contract and contract requirements will be discussed to make sure they have been brought to the contractor's attention. *Any documents required by the contractor will be submitted at the conference for review and comments.*

Provided by City:

- Conference room and attendance at the pre-construction conference.
- Pre-construction meeting agenda, notice to contractor, and meeting minutes.

RH2 Deliverables:

- Conduct and attend the pre-construction meeting.

Task 7.2 – Document Review and Construction Phase Coordination

Objective: Review documentation associated with construction, including shop drawings, catalog submittals, Requests for Information (RFIs), and change orders. Provide coordination with the City on costs, construction phasing, and constructability issues.

Approach:

- 7.2.1 Review Shop Drawings and Catalog Submittals: Review shop drawings and catalog submittals of those items requested in the Technical Specifications. Provide a written response to the contractor and the City accepting or rejecting each shop drawing and catalog submittal reviewed.
- 7.2.2 Review RFIs and Change Orders: Review written RFIs and change order proposals and provide written responses to the City.
- 7.2.3 Provide Construction Coordination: Coordinate with the City on construction costs, scheduling, and constructability issues.

RH2 Deliverables:

- Written responses for shop drawings and submittals, RFIs, and change orders in electronic format (PDF).

Task 7.3 – On-Site Construction Observation

Objective: Observe construction activities onsite to monitor the quality and compliance of the work with the construction contract plans and specifications to the extent possible by the level of observation. Alert the City where deficiencies in the quality of the construction and non-compliance with the construction contract documents are observed.

Approach:

- 7.3.1 Provide Construction Observation and Records: Provide part-time construction observation services. The intent of the on-site observation is to observe the quality and compliance of the work with the construction contract plans and specifications. *The Fee Estimate reflects a total of ten (10) hours per month of on-site observations by an RH2 representative for the duration of the construction period (assumed to be eight (8) months).* Notify the contractor and the City of any work that has been observed to not have been completed in accordance with the plans and specifications and discuss rectification. Prepare construction observation reports for each site visit.

Assumptions:

- *RH2 is not responsible for site safety, nor for determining means and methods or directing the contractor in their work.*

Provided by City:

- Attendance at the construction progress meetings.
- Processing of pay requests.

RH2 Deliverables:

- Part-time on-site construction observation, including construction observation reports in electronic format (PDF).

Task 7.4 – Startup and Testing Observation

Objective: Observe the testing of systems and overall startup of the WWTP digester facility improvements.

Approach:

- 7.4.1 Coordinate and Review Testing Procedures: Coordinate with the contractor, the City, and the qualified manufacturer's representative for the scheduled testing and startup activities. This will include the review and supplementation of the testing protocols developed by the contractor and manufacturer's representative, and verification of the tests and appropriate corrections.
- 7.4.2 Attend Control System Factory Testing: Attend factory testing at Townsend Controls and Electric's shop to confirm that the MCCs and control systems are functional prior to startup. Notify the contractor and the City of any work that has not been completed and discuss rectification.
- 7.4.3 Observe Startup and Testing: During startup, document the pertinent activities and coordinate with the contractor to ensure that systems comply with the plans and specifications. Notify the contractor and the City of any work that has not been completed and discuss rectification.
- 7.4.4 Provide Project Closeout: Perform a final project walkthrough in conjunction with City staff. Prepare a punch list and letter of recommendation for project acceptance.

Provided by City:

- Final completion and closeout of the contract with the general contractor.

RH2 Deliverables:

- Attendance at control system factory testing and startup.
- Attendance at WWTP facility startup.
- Punch list and letter of recommendation for project acceptance in electronic format (PDF).

Task 7.5 – Record Drawings

Objective: Coordinate with the contractor and City and develop a set of record drawings.

Approach:

- 7.5.1 Coordinate with Contractor and City: Coordinate with the contractor and City in obtaining field records. Review the contractor-provided Operations and Maintenance (O&M) Manuals.
- 7.5.2 Prepare Record Drawings: Review field records and revise construction contract drawings to prepare record drawings. Provide construction record drawings to the City at the end of the project.

RH2 Deliverables:

- Written responses to contractor-provided O&M Manuals in electronic format (PDF).
- Construction record drawings in electronic format (PDF).

Task 8 – Project Management

Objective: Manage RH2's project team and maintain frequent client communications. Provide monthly invoices and budget status summaries.

Approach:

- 8.1 Provide Project Oversight: Provide direction, coordination, and oversight to the RH2 project team.
- 8.2 Retain Information: Document and retain information generated during the execution of the project.
- 8.3 Prepare Monthly Invoices: Prepare monthly invoices and budget status summaries.

RH2 Deliverables:

- Monthly statements and invoices in electronic format (PDF).

EXHIBIT B

Fee Estimate

Amendment No. 2

City of Richland

Wastewater Treatment Plant Digester Facility Improvements

Services During Construction

Apr-21

Description		Total Hours	Total Labor	Total Expense	Total Cost
Task 7 - WWTP Digester Facility Improvements SDC					
Task 7.1	Pre-Construction Conference	10	\$ 2,070	\$ 186	\$ 2,256
7.1.1	Attend Pre-Construction Conference	10	\$ 2,070	\$ 186	\$ 2,256
Task 7.2	Document Review and Construction Phase Coordination	132	\$ 25,908	\$ 1,137	\$ 27,045
7.2.1	Review Shop Drawings and Catalog Submittals	64	\$ 12,324	\$ 708	\$ 13,032
7.2.2	Review RFIs and Change Orders	48	\$ 9,204	\$ 317	\$ 9,521
7.2.3	Provide Construction Coordination	20	\$ 4,380	\$ 111	\$ 4,491
Task 7.3	On-Site Construction Observation	80	\$ 15,210	\$ 1,710	\$ 16,920
7.3.1	Provide Construction Observation and Records	80	\$ 15,210	\$ 1,710	\$ 16,920
Task 7.4	Startup and Testing Observation	114	\$ 21,438	\$ 2,157	\$ 23,595
7.4.1	Coordinate and Review Testing Procedures	12	\$ 2,316	\$ 85	\$ 2,401
7.4.2	Attend Control System Factory Testing	18	\$ 3,246	\$ 389	\$ 3,635
7.4.3	Observe Startup and Testing	64	\$ 12,108	\$ 1,533	\$ 13,641
7.4.4	Provide Project Closeout	20	\$ 3,768	\$ 149	\$ 3,917
Task 7.5	Record Drawings	34	\$ 6,318	\$ 440	\$ 6,758
7.5.1	Coordinate with Contractor and City	11	\$ 2,085	\$ 80	\$ 2,165
7.5.2	Prepare Record Drawings	23	\$ 4,233	\$ 361	\$ 4,594
Task 8	Project Management	16	\$ 2,984	\$ 75	\$ 3,059
8.1	Provide Project Oversight	6	\$ 1,406	\$ 35	\$ 1,441
8.2	Retain Information	4	\$ 484	\$ 12	\$ 496
8.3	Prepare Monthly Invoices	6	\$ 1,094	\$ 27	\$ 1,121
PROJECT TOTAL		386	\$ 73,928	\$ 5,706	\$ 79,634

EXHIBIT C
RH2 ENGINEERING, INC.
2021 SCHEDULE OF RATES AND CHARGES

RATE LIST	RATE	UNIT
Professional I	\$146	\$/hr
Professional II	\$159	\$/hr
Professional III	\$174	\$/hr
Professional IV	\$189	\$/hr
Professional V	\$201	\$/hr
Professional VI	\$217	\$/hr
Professional VII	\$231	\$/hr
Professional VIII	\$241	\$/hr
Professional IX	\$241	\$/hr
Control Specialist I	\$132	\$/hr
Control Specialist II	\$143	\$/hr
Control Specialist III	\$157	\$/hr
Control Specialist IV	\$172	\$/hr
Control Specialist V	\$182	\$/hr
Control Specialist VI	\$196	\$/hr
Control Specialist VII	\$209	\$/hr
Control Specialist VIII	\$219	\$/hr
Technician I	\$109	\$/hr
Technician II	\$121	\$/hr
Technician III	\$138	\$/hr
Technician IV	\$148	\$/hr
Technician V	\$161	\$/hr
Technician VI	\$176	\$/hr
Technician VII	\$191	\$/hr
Technician VIII	\$200	\$/hr
Administrative I	\$73	\$/hr
Administrative II	\$85	\$/hr
Administrative III	\$100	\$/hr
Administrative IV	\$121	\$/hr
Administrative V	\$141	\$/hr
CAD/GIS System	\$27.50	\$/hr
CAD Plots - Half Size	\$2.50	price per plot
CAD Plots - Full Size	\$10.00	price per plot
CAD Plots - Large	\$25.00	price per plot
Copies (bw) 8.5" X 11"	\$0.09	price per copy
Copies (bw) 8.5" X 14"	\$0.14	price per copy
Copies (bw) 11" X 17"	\$0.20	price per copy
Copies (color) 8.5" X 11"	\$0.90	price per copy
Copies (color) 8.5" X 14"	\$1.20	price per copy
Copies (color) 11" X 17"	\$2.00	price per copy
Technology Charge	2.50%	% of Direct Labor
Mileage	\$0.560	price per mile (or Current IRS Rate)
Subconsultants	15%	Cost +
Outside Services	at cost	

Rates listed are adjusted annually.



COUNCIL AGENDA ITEM COVERSHEET

Council Date: 5/4/2021

Agenda Category: Resolutions - Adoption

Core Focus Area 3 - Increase Economic Vitality

Subject:

Resolution No. 51-21, Approving 2021 Hotel/Motel Lodging Tax Funding Awards

Department:
Assistant City Manager

Ordinance/Resolution Number:
51-21

Document Type:
Resolution

Recommended Motion:

Adopt Resolution No. 51-21, approving the 2021 Hotel/Motel Lodging Tax Fund Awards and authorizing the City Manager to sign and execute the necessary agreements.

Summary:

The Lodging Tax Advisory Committee (LTAC) met on April 1, 2021 to review applications received for 2021 Hotel/Motel funding awards. After review and discussion, final recommendations to Council are outlined below. Additional information can be found in Exhibit A of Resolution No. 51-21.

First Two Percent (Marketing)

Allied Arts Association Art in the Park - \$5,000
City of Richland 2021 Geocoin Challenge - \$ 6,500
Northwest Power Boat Association Richland Regatta - \$17,500
Richland Public Facilities District (REACH Museum) Marketing for Cultural Tourism - \$7,500
Stephens Media Group Live@5 - \$5,000
The Rude Mechanicals Shakespeare in the Park - \$2,500
Three Rivers Folklife Society 2021 Tumbleweed Music Festival - \$4,000
Tri-Cities Sunrise Rotary See3Slam - \$10,000
Tri-Cities Water Follies Columbia Cup - \$15,000
West Richland Chamber of Commerce Cool Desert Nights - \$18,800
Wild West Bass Trail 2021 Pro-Am Circuit Event - \$15,000
Time of Remembrance 2021 Time of Remembrance - \$15,000

Second Two Percent (Capital)

City of Richland RPD Range and Training Facility Upgrades - \$20,000
Friends of Badger Mountain Ice Age Floods Interpretive Trail - \$110,000
Horn Rapids Motor Sports Stadium and Track Lighting - \$300,000
Tri-City Kart Club (TCKC) Track Expansion - \$350,000

Fiscal Impact:

Staff estimates that \$35,140 from the first two percent and \$1,292,207 from the second two percent of funds are available. The LTAC recommended transferring \$300,000 from the second two percent to the first two percent to allow for funding projects totaling \$121,800 from the first two percent and \$780,000 from the second two percent for a total of \$901,800.

Attachments:

I. Resolution No. 51-21

RESOLUTION NO. 51-21

A RESOLUTION of the City of Richland awarding the distribution of 2021 Hotel/Motel Tax Funds.

WHEREAS, pursuant to RCW 67.28.1817, Richland City Council established a reserve, funded through a tax on lodging, to be used to promote or increase tourism; and

WHEREAS, an estimated \$35,140 from the first two percent (2%) of funds (marketing projects) and \$1,292,207 from the second two percent (2%) of funds (capital projects) are available for award at the end of the 2021 funding cycle, for a total fund balance of \$1,327,347; and

WHEREAS, the City received applications for projects to be considered by the Lodging Tax Advisory Committee (LTAC) and City Council for funding; and

WHEREAS, at its April 1, 2021 meeting, the Lodging Tax Advisory Committee provided a recommendation to reallocate a total of \$300,000 from the second two percent (2%) toward the first two percent (2%), as further described in the 2021 Hotel/Motel Funding Cycle worksheet, attached hereto as **Exhibit A** and incorporated by reference; and

WHEREAS, at its April 19, 2021 meeting, the Lodging Tax Advisory Committee provided a positive recommendation to allocate a total of \$901,800 toward projects that have been determined eligible as described in **Exhibit A**.

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Richland that the City Manager is authorized to sign and execute funding agreements with applicants as detailed in **Exhibit A**.

BE IT FURTHER RESOLVED that this Resolution shall take effect immediately.

ADOPTED by the City Council of the City of Richland, Washington, at a regular meeting on the 4th day of May, 2021.

Ryan Lukson, Mayor

Attest:

Approved as to form:

Jennifer Rogers, City Clerk

Heather Kintzley, City Attorney

2021 HOTEL/MOTEL FUND APPLICATIONS

Exhibit A

ORGANIZATION	PROPOSED USE OF MONEY	2020 ALLOCATION	2021 REQUEST	2021 FUNDING RECOMMENDATION
ALLIED ARTS ASSOCIATION	ART IN THE PARK	\$5,000	\$5,000	\$5,000
CITY OF RICHLAND	2021 GEOCOIN CHALLENGE	\$7,500	\$6,500	\$6,500
NORTHWEST POWER BOAT ASSOCIATION	RICHLAND REGATTA	\$16,000	\$17,500	\$17,500
RICHLAND PUBLIC FACILITIES DISTRICT	MARKETING FOR CULTURAL TOURISM	\$15,000	\$7,500	\$7,500
STEPHENS MEDIA GROUP	LIVE@5	\$5,000	\$10,000	\$5,000
THE RUDE MECHANICALS	SHAKESPEARE IN THE PARK	\$0	\$10,000	\$2,500
THREE RIVERS FOLKLIFE SOCIETY	TUMBLEWEED MUSIC FESTIVAL	\$4,000	\$4,000	\$4,000
TIME OF REMEMBRANCE	TIME OF REMEMBRANCE	\$10,000	\$15,000	\$15,000
TRI-CITIES SUNRISE ROTARY CHARITY CLUB	SEE3SLAM	\$10,000	\$10,000	\$10,000
TRI-CITY WATER FOLLIES	COLUMBIA CUP	\$15,000	\$15,000	\$15,000
WEST RICHLAND CHAMBER OF COMMERCE	COOL DESERT NIGHTS	\$18,800	\$18,800	\$18,800
WILD WEST BASS TRAIL	WILD WEST BASS PRO-AM CIRCUIT	\$15,000	\$15,000	\$15,000
		\$121,300	\$134,300	\$121,800

Beginning Balance	-\$364,860
Transfer of 300,000 to First 2%	\$300,000
Remaining Balance	-\$64,860
Budgeted Earnings in 2021	\$400,000
Estimated Remaining Balance y/e 2021	\$213,340

ORGANIZATION	PROPOSED USE OF MONEY	2020 ALLOCATION	2021 REQUEST	2021 FUNDING RECOMMENDATION
CITY OF RICHLAND	RPD RANGE/TRAINING FACILITY UPGRADES	\$0	\$20,000	\$20,000
FRIENDS OF BADGER MOUNTAIN	ICE AGE FLOODS INTERPRETIVE TRAIL	\$165,000	\$110,000	\$110,000
RICHLAND BABE RUTH BASEBALL ASSOCIATION	INSTALLING TURF ON 4 INFIELDS	\$0	\$719,000	\$0
HORN RAPIDS MOTOR SPORTS	HORN RAPIDS MOTORCROSS LIGHTING	\$0	\$300,000	\$300,000
TRI-CITY KART CLUB (TCKC)	TCKC TRACK EXPANSION	\$84,750	\$350,000	\$350,000
		\$249,750	\$1,499,000	\$780,000

Beginning Balance	\$892,207
Transfer \$300,000 from Second 2%	-\$300,000
Remaining Balance	\$592,207
Estimated Earnings in 2021	\$400,000
Estimated Remaining Balance y/e 2021	\$212,207



COUNCIL AGENDA ITEM COVERSHEET

Council Date: 5/4/2021

Agenda Category: Items of Business

Core Focus Area I - Promote Financial Stability & Operational Effectiveness

Subject:

Parking Restrictions on Lee Boulevard in Howard Amon Park (Discussion Only)

Department:

Parks & Public Facilities

Ordinance/Resolution Number:

Document Type:

General Business Item

Recommended Motion:

None.

Summary:

Howard Amon Park is Richland's most beloved park and is home to many attractions, including the Richland Community Center, Sturgeon Cove Playground, and the Lee Boulevard Dock. The Lee Boulevard Dock is used by commercial river cruise vessels to bring thousands of tourists to our community from April through October each year. Most commercial cruise docks are located within a designated facility or in industrial areas elsewhere along the Columbia and Snake River systems. Richland's Lee Boulevard Dock is uniquely different from these other locations because river cruise boats dock in the heart of an established municipal park adjacent to downtown amenities. Tour operators rave about the dock location and setting, but cite lack of dedicated, adjacent tour bus parking as a drawback to their operations.

In March 2018, Richland City Council held a workshop discussion at the request of tour operators to consider prohibiting parking in the Lee Boulevard turnaround. Council discussion was varied at the time, and the consensus opinion was that a year-round parking restriction was unnecessary. Staff's opinion is that a seasonal parking restriction April through October would strike an appropriate balance between accommodating the operational needs of tour companies and allowing park patron parking during the off-season. Approximately eight (8) parallel curbside parking spaces would be affected by a seasonal parking restriction.

If direction is given at the end of tonight's discussion to proceed with a seasonal parking restriction, an ordinance implementing Council's direction will be presented at a future regular meeting.

Governor Inslee has issued COVID-19 guidance to the cruise industry, and expects to decide on May 15, 2021 whether operations may resume in Washington.

Fiscal Impact:

None.

Attachments:

- I. Aerial Image of Lee Boulevard in Howard Amon Park

Lee Boulevard in Howard Amon Park





COUNCIL AGENDA ITEM COVERSHEET

Council Date: 5/4/2021

Agenda Category: Items of Business

Core Focus Area I - Promote Financial Stability & Operational Effectiveness

Subject:

Recommended Core Competencies for Interim City Manager Evaluation Process (Discussion Only)

Department:
City Council

Ordinance/Resolution Number:

Document Type:
General Business Item

Recommended Motion:

Summary:

Fiscal Impact:

Attachments: