



Agenda
Planning Commission Meeting
Wednesday, October 13, 2021
Join the Zoom meeting [here](#)
Public Telephone Access: (206) 337-9723 or (253) 215-8782
Meeting ID No. 939 0409 3882

City of Richland Resolution No. 100-20 temporarily designates virtual locations for all municipal meetings. This meeting will be held remotely via Zoom and broadcast live on CityView Channel 192. If you would like to provide testimony for a Public Hearing Item(s) or provide comments for the Public Comments portion of the meeting, please submit testimony/comments by 4:00 p.m. on the day of the meeting. Members of the public may attend this meeting by selecting the Zoom link or by calling the phone numbers provided.

Commission Members: Chair Maier, Vice-Chair Townsend, and Commissioners Eadie, Mealer, Palmer, Ridley and Smith

Liaisons: Council Liaison Alvarez
Staff Liaison: Planning Manager Stevens

Regular Meeting - 6:00 p.m.

Welcome and Roll Call

Approval of Agenda: (Approved by Motion)

Approval of Minutes: (Approved by Motion)

July 28, 2021 Meeting Minutes

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

Public Hearing Explanation:

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 the Planning Commission's consideration must be submitted to the Planning Manager by 4:00 p.m. the day of the meeting for distribution.

New Business - Public Hearing:

1. ANX2021-101 Badger Mountain Estates - Zoning Determination
2. ANX2021-102 PNNL North Campus - Zoning Determination

Items of Business:

1. Rules of Procedure Update

Communications:

Adjournment

The next Planning Commission Workshop is October 27, 2021

The next Planning Commission Meeting is November 10, 2021

This meeting is broadcast live on CityView Channel 192 and online at ci.richland.wa.us

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.



PLANNING COMMISSION AGENDA ITEM COVERSHEET

Meeting Date: 10/13/2021

Agenda Category: Approval of Minutes

Prepared By: Mike Stevens, Planning Manager

Subject:

July 28, 2021 Meeting Minutes

Request:

Core Focus Area I - Promote Financial Stability & Operational Effectiveness

Recommended Motion:

Approve the minutes of the Planning Commission meeting held on July 28, 2021.

Summary:

July 28, 2021 meeting minutes for approval

Attachments:

1. 2021-07-28 Planning Commission Meeting Minutes DRAFT



**MINUTES
PLANNING COMMISSION MEETING
WEDNESDAY, JULY 28, 2021
VIA ZOOM MEETINGS
6:00 p.m.**

Call to Order:

Chairperson Maier called the meeting to order at 6:00 p.m. and welcomed attendees.

Attendance:

Present: Chairperson Maier, Vice-Chair Townsend, Commissioners Mealer, Smith, Palmer, and Ridley. Councilman Alvarez, Development Services Director Jensen, Planning Manager Stevens, and Permit Technician Ghbein were also present.

Approval of Agenda:

Chairperson Maier asked for a motion to approve the agenda.

VICE CHAIR TOWNSEND MOVED AND COMMISSIONER PALMER SECONDED THE MOTION TO APPROVE THE JULY 28, 2021 MEETING AGENDA AS WRITTEN. MOTION CARRIED 6-0.

Approval of Minutes:

Chairperson Maier presented the minutes from the May 26th meeting, the minutes from the June 9th special meeting, and the minutes from the July 14th workshop for approval.

COMMISSIONER RIDLEY MOTIONED AND COMMISSIONER MEALER SECONDED THE MOTION TO APPROVE THE MINUTES OF THE MAY 26, 2021 MEETING, THE MINUTES OF THE JUNE 9, 2021 SPECIAL MEETING, AND THE JULY 14, 2021 WORKSHOP AS WRITTEN. THE MOTION PASSED 6-0.

Public Comments:

Chairperson Maier opened the public comment period at 6:03 p.m. Having no one from the public present at the meeting, Chairperson Maier closed the public comment period at 6:04 p.m.

New Business – Pubic Hearing:

1. CA2021-107, Text Amendment to RMC Sections 23.06 and 23.54, Related to Minimum Parking Requirements for Specialized Athletic Facilities

Chairperson Maier introduced the item and asked Planning Manager Stevens if all notification requirements were met. Mr. Stevens confirmed they were. Chairperson Maier asked Mr. Stevens to give the staff report. Mr. Stevens presented his staff report on the proposed text amendment. He explained that he tried to compare this request to other local jurisdictions' similar regulations. He proposed that the Planning Commission recommend to City Council denial of the proposed amendment to RMC Section 23.06 and RMC Section 23.54.020 (F)(10) as proposed by the applicant, and instead, provide a recommendation of approval for a proposed amendment to RMC 23.54.020 (F)(8) modifying the parking standard therein to be one (1) space per 250 square feet of gross floor area. After presentation of the staff report, Chairperson Maier opened the public hearing at 6:14 p.m. Mike Corbin, Senior Architect at Wave Design Group, representing the applicant, spoke on behalf of their requested text amendment. Chairperson Maier closed the public hearing at 6:17 p.m. and opened the item for questions and discussion. Commissioners asked questions and discussed the merits of the proposal before making a motion. Commissioner Mealer asked for clarification on Mr. Stevens' recommended motion, specifically if he meant RMC Section 23.54.020 (F)(8) rather than RMC Section 23.54.020 (F)(9). Mr. Stevens confirmed that is what he meant.

VICE-CHAIR TOWNSEND MOVED AND COMMISSIONER PALMER SECONDED THE MOTION TO RECOMMEND TO COUNCIL THE DENIAL OF THE PROPOSED AMENDMENT TO RMC SECTION 23.06 AND RMC SECTION 23.54.020 (F)(10) AS PROPOSED BY THE APPLICANT, AND INSTEAD, PROVIDE A RECOMMENDATION OF APPROVAL FOR A PROPOSED AMENDMENT TO RMC SECTION 23.54.020 (F)(8) MODIFYING THE PARKING STANDARD THEREIN TO BE ONE (1) SPACE PER 250 SQUARE FEET OF GROSS FLOOR AREA.

Further discussion occurred, and an amended motion was presented.

CHAIRPERSON MAIER MOVED AND COMMISSIONER RIDLEY SECONDED THE MOTION TO AMEND THE MOTION TO CHANGE THE NUMBER FROM 250 TO 350. MOTION TO AMEND PASSED 5-1.

COMMISSIONER RIDLEY MOTIONED AND COMMISSIONER TOWNSEND SECONDED THE MOTION TO AMEND THE ORIGINAL MOTION TO ADD TO THE RECOMMENDATION TO COUNCIL TO DIRECT CITY STAFF TO WORK ON MODIFYING THE PARKING STANDARDS CONTAINED IN RMC SECTION 23.54 TO BETTER IMPEMENT THE COMPREHESIVE PLAN. MOTION FOR AMENDMENT PASSED 6-0

CHAIRPERSON MAIER RESTATED THE MOTION, AS AMENDED, FOR VOTE.

MOTION TO RECOMMEND TO CITY COUNCIL THE DENIAL OF THE PROPOSED AMENDMENT TO RMC SECTION 23.06 AND RMC SECTION 23.54.020 (F)(10) AS PROPOSED BY THE APPLICANT, AND INSTEAD, PROVIDE A RECOMMENDATION FOR APPROVAL OF A PROPOSED AMENDMENT TO RMC SECTION 23.54.020 (F)(8) MODIFYING THE PARKING STANDARD THEREIN TO BE ONE (1) SPACE PER 350 SQUARE FEET OF GROSS FLOOR AREA, WITH A FURTHER RECOMMENDATION TO COUNCIL TO DIRECT STAFF TO WORK ON MODIFYING THE PARKING STANDARDS CONTAINED WITHIN RMC SECTION 23.54 TO BETTER IMPLEMENT THE COMPREHENSIVE PLAN. MOTION PASSED 5-0. (COUNCILMEMBER MEALER NOT PRESENT FOR VOTE)

Communications:

Councilman Alvarez stated that he appreciated Mr. Stevens' professional experience and the Commissioners questions.

Chairperson Maier will be out of the country for two weeks due to a family emergency.

Adjournment:

Chairperson Maier adjourned the meeting at 7:11 p.m.

PREPARED BY:

Briana Ghbein, Permit Technician

REVIEWED BY:

Mike Stevens, Planning Manager

APPROVED BY:

Francesca Maier, Chairperson



PLANNING COMMISSION AGENDA ITEM COVERSHEET

Meeting Date: 10/13/2021

Agenda Category: New Business - Public Hearing

Prepared By: Mike Stevens, Planning Manager

Subject:

ANX2021-101 Badger Mountain Estates - Zoning Determination

Request:

Core Focus Area 1 - Promote Financial Stability & Operational Effectiveness

Core Focus Area 3 - Increase Economic Vitality

Recommended Motion:

The Planning Commission concurs with the findings and conclusions set forth in Staff Report (ANX2021-101) and recommends to the City Council assignment of SAG (Suburban Agriculture) zoning.

Summary:

The City is currently considering the annexation of approximately 12 acres located at 1560, 1570, 1600, 1620, 1640, 1650 and 1660 Brantingham Road. City Council authorized the annexation process to begin through the adoption of Resolution No. 84-21, which directed the Planning Commission to consider what zoning would be appropriate for this site.

Staff recommends that application of the SAG zoning represents the most appropriate zoning designation for the proposed annexation area as it would be consistent with the City's Comprehensive Plan and existing development pattern within the proposed annexation area.

Attachments:

1. Badger Mtn Estates Full Staff Report

STAFF REPORT

TO: PLANNING COMMISSION
FILE NO.: ANX2021-101

PREPARED BY: MIKE STEVENS
MEETING DATE: OCTOBER 13, 2021

GENERAL INFORMATION:

APPLICANT: JOSEPH & COLLEEN LANE, WAYNE & SUE FLATEN, MARK & BARBARA BUCKMASTER, ERIC VAN MASON, JONATHAN GUYMON, DUSTIN GILLESPIE AND DANIEL & CLAUDIA BECKER (ANX2021-101)

REQUEST: CONSIDERATION OF APPROPRIATE ZONING FOR A PROPOSED ANNEXATION.

LOCATION: LAND LOCATED AT 1560, 1570, 1600, 1620, 1640, 1650 and 1660 BRANTINGHAM ROAD

REASON FOR REQUEST:

The City is currently considering the annexation of approximately 12 acres located at 1560, 1570, 1600, 1620, 1640, 1650 and 1660 Brantingham Road. City Council authorized the annexation process to begin through the adoption of Resolution No. 84-21, which directed the Planning Commission to consider what zoning would be appropriate for this site.

BACKGROUND

The City is evaluating a proposal to annex seven (7) tax parcels of land totaling approximately 12 acres on Brantingham Road. Six of the seven sites each contain single-family residential development.

The City Council passed resolution No. 84-21 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 12 acres.

Ownership: The proposed annexation site is comprised of seven (7) tax parcels (8 lots) under separate ownership (Lane, Flaten, Buckmaster, Van Mason (2), Guymon, Gillespie and Becker).

Current Use: Six of the seven tax parcels have been developed with single-family residential dwellings and various types/sizes of accessory out-buildings.

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. In fact, the annexation is being requested in order to provide each of the homes with city water and sewer services as a result of the adjacent Marcello Estates subdivision.

Existing County Zoning: Urban Growth Area Residential.

SURROUNDING LAND USES

Properties surrounding the proposed annexation area are located within the City of Richland and are zoned R-1-10 (Low Density Residential) and PUD (Planned Unit Development).

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 each be consistent with the comprehensive plan designation of Low Density Residential. R-1-10 zoning surrounds most of the annexation area and, if the property were undeveloped, it is staff's opinion that R-1-10 would be the zoning district best suited for the proposed annexation area. However, since six of the seven tax parcels have been developed on tax parcels ranging in size from 1.5-acres to 3-acres and the existing development essentially precludes the parcels from being subdivided, it is staff's opinion that the site should be zoned SAG (Suburban Agriculture). Implementation of a different zoning district, while possible, would not represent the best zoning for the annexation area given the fact that a majority of the land has already been developed in a manner that encumbers a vast majority of six of the seven tax parcels.

SUMMARY

Application of the SAG zoning represents the most appropriate zoning designation for the proposed annexation area as it would be consistent with the City's Comprehensive Plan and existing development pattern within the proposed annexation area.

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 proposed annexation area as suitable for low density residential land uses;
3. Six of the seven tax parcels have been developed on tax parcels ranging in size from 1.5-acres to 3-acres and the existing development essentially precludes those parcels from being subdivided;
4. Six of the seven separate tax parcels contain an existing single-family residence;
5. Properties surrounding the proposed annexation area are all zoned R-1-10 or PUD by the City of Richland;
6. Application of SAG (Suburban Agriculture) zoning district is appropriate for an area 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 SAG (Suburban Agriculture) 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 (ANX2021-101) and recommend to the City Council assignment of SAG (Suburban Agriculture) zoning.

EXHIBITS

- A. Annexation Request Letter and Resolution No. 73-21
- B. Resolution No. 84-21
- 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



City of Richland
Development Services

625 Swift Blvd. MS-35
Richland, WA 99352
(509) 942-7794
(509) 942-7764

Application for Annexation

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

PROPERTY OWNER INFORMATION

☐ Contact Person

Owner: Badger Mountain Estates Association (BMEA), Owners specified in attachment and letter

Address: Brantingham RD

Phone: see letter

Email: see letter

APPLICANT INFORMATION (If different)

☒ Contact Person

Company:

UBI#

Contact: Eric Van Mason (BMEA Vice President)

Address: 1620 Brantingham RD

Phone: 509-713-0457

Email: eric.vanmason@gmail.com

DESCRIPTION OF REQUEST

Annexation request associated with agreement with RP Development and P&R construction regarding provision of City utilities to BMEA property owners per preliminary plat approval for Marcello Estates (City Counsel Resolution No. 39-19. See condition No. 32)

PROPERTY INFORMATION

Parcel #: multiple parcels, see attached descriptions

Legal Description: attached

Current Comp. Plan: LD residential

Requested Zoning: SAG

Size of Property: approx 1.5 acres each

Domestic Water Supply: ☐ City ☒ Private Well

Sewage Disposal: ☐ City ☒ Septic

Irrigation Source: ☐ City ☐ Private Well ☐ Columbia Irrig. District ☒ Kennewick Irrig. District ☐ BMID

APPLICATION MUST INCLUDE

1. Completed application and filing fee
2. A "Notice of Intent" form requesting annexation to the City of Richland
3. Full legal description of the proposed annexation area
4. A map showing all of the following: general vicinity of proposed annexation in relation to the City of Richland, the proposed boundaries of the annexation, and all public roads near the annexation area
5. Other information as determined by the Administrator

ANSWER QUESTIONS BELOW AS COMPLETELY AS POSSIBLE – USE ADDITIONAL SHEET(S) IF NECESSARY

Why are you requesting annexation into the City of Richland?

In order to receive City utilities per agreement with RP Development and P&R construction (City Counsel Resolution No. 39-19. See condition No. 32)

What use, building or structure is intended for the property?
Residential and home based business use

What changes have occurred in the area that justify the requested annexation?
Proposed development of Marcello Estates adjacent to BMW EA parcels

Are there any other properties in your neighborhood that could be part of your annexation request? If so, have you spoken to the owners about joining your annexation request?
No.

I authorize employees and officials of the City of Richland the right to enter and remain on the property in question to determine whether a permit should be issued and whether special conditions should be placed on any issued permit. I have the legal authority to grant such access to the property in question.

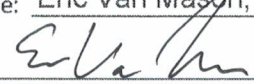
I also acknowledge that if a permit is issued for land development activities, no terms of the permit can be violated without further approval by the permitting entity. I understand that the granting of a permit does not authorize anyone to violate in any way any federal, state, or local law/regulation pertaining to development activities associated with a permit.

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 and have documented all applicable requirements on the submittals.
2. The information provided in this application contains no misstatement of fact.
3. I am the owner(s), the authorized agent(s) of the owner(s) of the above referenced property, 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.
4. I understand this permit is subject to all other local, state, and federal regulations.

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: Eric Van Mason, BMEA

Applicant Signature: 

Date 5/3/2021

Owner	Mark and Barbara Buckmaster
Address	1600 Brantingham Rd Richland, WA 99352
Phone	509-627-1321
Email	markbuckmaster@frontier.com
Parcel Number	126983020000003
Legal Description	BADGER MOUNTAIN ESTATES:LOT 3: CERT OF WATER RIGHT AUT#87-16324 10/15/87 COMMUNITY WELL AGREEMENT 1/8/87: VAC OF WEEL CONTROL AGREEMENT 1/8/87: PROTECTIVE COVENANTS 4/20/73

Owner	Wayne and Sue Flaten
Address	1570 Brantingham Rd Richland, WA 99352
Phone	509-627-4810
Email	Flatenwlsk345@gmail.com
Parcel Number	126983020000002
Legal Description	BADGER MOUNTAIN ESTATES:LOT 2: CERT OF WATER RIGHT AUD#16324 10/15/87 COMMUNITY WELL AGREEMENT 1/8/87: VAC OF WELL CONTROL AGR 1/8/87 PROTECTIVE COVENANTS 4/20/73

Owner	Joe and Colleen Lane
Address	1560 Brantingham Rd Richland, WA 99352
Phone	509-438-9344
Email	lanefamily7@gmail.com
Parcel Number	126983020000019
Legal Description	BADGER MOUNTAIN ESTATES:LOT 1: CERT OF WATER RIGHT AUD#87-16324 10/15/87 COMMUNITY WELL AGREEMENT 1/8/87: VAC OF WELL CONTROL ESMT 1/8/87 & PROTECTIVE COVENANTS 4/20/73

Owner	Eric Van Mason
Address	1620 Brantingham Rd Richland, WA 99352
Phone	509-374-4005
Email	Eric.vanmason@gmail.com
Parcel Number	126983020000023
Legal Description	SECTION 26, TOWNSHIP 9 NORTH, RANGE 28 EAST, QUARTER SW: BADGER MOUNTAIN ESTATES:LOT 4: CERT OF WATER RIGHT 10/15/87 COMMUNITY WELL AGREEMENT 1/8/87: VAC OF WELL CONTROL AGREEMENT 1/8/87 PROTECTIVE COVENANTS 4/20/73 TOGETHER WITH BADGER MOUNTAIN ESTATES:LOT 5: COMMUNITY WELL AGREEMENT 1/8/87: VAC OF WELL CONTROL AGR 1/8/87 PROTECTIVE COVENANTS 4/20/73 (TAX CONSOLIDATION PER CONSOLIDATION FORM, DATED 12/31/2014)

Owner	Jonathan Guymon
Address	1640 Brantingham Rd Richland, WA 99352
Phone	509-947-4794
Email	jwguymon@gmail.com
Parcel Number	126983020000006
Legal Description	BADGER MOUNTAIN ESTATES:LOT 6: CERT OF WATER RIGHT AUD#16324 10/15/87 COMMUNITY WELL AGREEMENT 1/8/87: VAC OF WELL CONTROL AGR 1/8/87 PROTECTIVE COVENANTS 4/20/73

Owner	Dustin Gillespie
Address	<i>Undetermined</i> Brantingham Road
Phone	509-440-2030
Email	dustin@gillespiehomesnw.com
Parcel Number	126983020000024
Legal Description	BADGER MOUNTAIN ESTATES:LOT 7: CERT OF WATER RIGHT AUD#16324 10/15/87 COMMUNITY WELL

	AGREEMENT 1/8/87: VAC OF WELL CONTROL AGR 1/8/87 PROTECTIVE COVENANTS 4/20/73 (SEGREGATIONS FOR TAX PURPOSES FORM DATED 6/8/2020)
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Owner	Daniel and Claudia Becker
Address	1660 Brantingham Rd Richland, WA 99352
Phone	509-627-2464
Email	dncbecker@frontier.com
Parcel Number	126983020000025
Legal Description	BADGER MOUNTAIN ESTATES:LOT 8: CERT OF WATER RIGHT AUD#16324 10/15/87 COMMUNITY WELL AGREEMENT 1/8/87: VAC OF WELL CONTROL AGR 1/8/87 PROTECTIVE COVENANTS 4/20/73 (SEGREGATIONS FOR TAX PURPOSES FORM DATED 6/8/2020)

Badger Mountain Estates Association (BMEA)

Brantingham Road, Richland, WA

Mr. Mike Stevens

625 Swift Blvd, MS-35

Richland, WA 99352

Mr. Stevens,

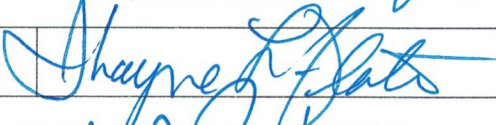
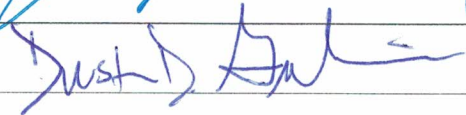
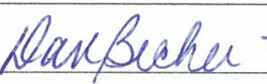
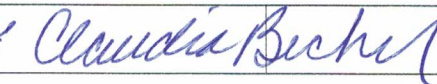
Pursuant to agreements between Badger Mountain Estates Association (BMEA) and RP Development, and the attached application, the below signed property owners request annexation into the City of Richland for all BMEA parcels.

BMEA expects that annexation will allow for provision of City of Richland utilities and services to the annexed properties with further development of the Marcello Estates project.

If you have any questions please contact Eric Van Mason at 713-0457 or Jon Guymon at 947-4794.

Sincerely,

BMEA parcel owners

Owner	Signature	Date
Joe and Coleen Lane		4/24/21
Wayne and Sue Flaten		4/25/21
Mark and Barbara Buckmaster		4/24/21
Eric and Gloria Van Mason		4/24/21
Jonathan and Natalie Guymon	 	4/24/21
Dustin Gillespie		4/30/21
Dan and Claudia Becker	 	4/24/21

RESOLUTION NO. 73-21

A RESOLUTION of the City of Richland setting a meeting date to review a proposed annexation of Lots 1–8 of Badger Mountain Estates consisting of approximately 12 acres and located at 1560 Brantingham Road, 1570 Brantingham Road, 1600 Brantingham Road, 1620 Brantingham Road, 1640 Brantingham Road, 1650 Brantingham Road and 1660 Brantingham Road in Section 26, 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 Joseph & Colleen Lane (1560 Brantingham Road), Wayne & Sue Flaten (1570 Brantingham Road), Mark & Barbara Buckmaster (1600 Brantingham Road), Eric Van Mason (1620 Brantingham Road), Jonathan Guymon (1640 Brantingham Road), Dustin Gillespie (1650 Brantingham Road) and Daniel & Claudia Becker (1660 Brantingham Road); and

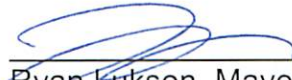
WHEREAS, Richland City Council was presented with the request at its regular meeting on June 15, 2021; and

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

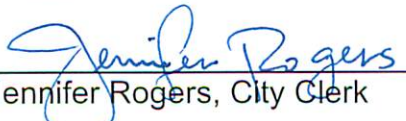
NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Richland that the regular meeting date of **July 6, 2021** is hereby established as the date on which the Richland City Council will meet with the annexation petitioners.

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 15th day of June, 2021.


Ryan Lukson, Mayor

Attest:


Jennifer Rogers, City Clerk

Approved as to form:

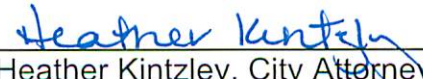

Heather Kintzley, City Attorney

Exhibit B

RESOLUTION NO. 84-21

A RESOLUTION of the City of Richland accepting a request for annexation of Lots 1-8 of Badger Mountain Estates consisting of approximately 12 acres and located at 1560 Brantingham Road, 1570 Brantingham Road, 1600 Brantingham Road, 1620 Brantingham Road, 1640 Brantingham Road, 1650 Brantingham Road and 1660 Brantingham Road in Section 26, Township 9 North, Range 28 East W.M., Benton County, Washington.

WHEREAS, the City received a written request for annexation of properties owned by Joseph & Colleen Lane (1560 Brantingham Road.), Wayne & Sue Flaten (1570 Brantingham Road), Mark & Barbara Buckmaster (1600 Brantingham Road), Eric Van Mason (1620 Brantingham Road), Jonathan Guymon (1640 Brantingham Road), Dustin Gillespie (1650 Brantingham Road) and Daniel & Claudia Becker (1660 Brantingham Road); and

WHEREAS, on June 15, 2021, Richland City Council was presented with the request for annexation and passed Resolution No. 73-21, establishing July 6, 2021 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 July 6, 2021 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.

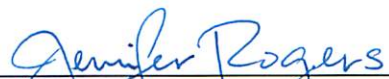
BE IT FURTHER RESOLVED that this Resolution shall take effect immediately.

ADOPTED by the City Council of the City of Richland, Washington, at a regular meeting on the 6th day of July, 2021.



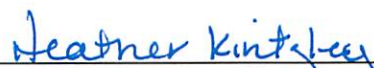
Ryan Lukson, Mayor

Attest:



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.

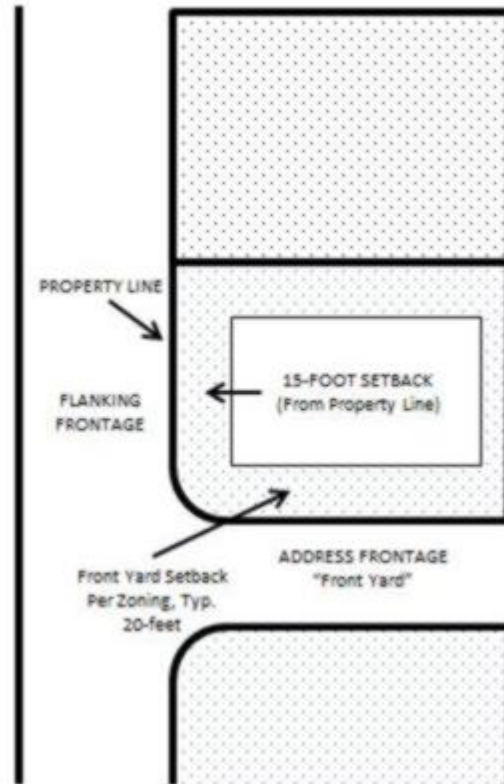
c. The flanking frontage or nonaddress front yard of a corner lot may reduce the front yard setback of said frontage to 15 feet; see diagram below.

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]



PLANNING COMMISSION AGENDA ITEM COVERSHEET

Meeting Date: 10/13/2021

Agenda Category: New Business - Public Hearing

Prepared By: Mike Stevens, Planning Manager

Subject:

ANX2021-102 PNNL North Campus - Zoning Determination

Request:

Core Focus Area 1 - Promote Financial Stability & Operational Effectiveness

Core Focus Area 3 - Increase Economic Vitality

Recommended Motion:

The Planning Commission concurs with the findings and conclusions set forth in Staff Report (ANX2021-102) and recommends to the City Council assignment of B-RP (Business Research Park) and NOS (Natural Open Space) zoning.

Summary:

The City is currently considering the annexation of approximately 300.1 acres of land owned by the US Dept. of Energy. City Council authorized the annexation process to begin through the adoption of Resolution No. 95-21, which directed the Planning Commission to consider what zoning would be appropriate for this site.

Application of the B-RP and NOS zoning represents the most appropriate zoning designations for the proposed annexation area as it would be consistent with the City's Comprehensive Plan and existing development pattern within the proposed annexation area.

Attachments:

1. DOE 300 Acres Annexation Full Staff Report

STAFF REPORT

TO: PLANNING COMMISSION
FILE NO.: ANX2021-102

PREPARED BY: MIKE STEVENS
MEETING DATE: OCTOBER 13, 2021

GENERAL INFORMATION:

APPLICANT: PACIFIC NORTHWEST NATIONAL LABORATORY (PNNL)
ON BEHALF OF THE UNITED STATES DEPARTMENT OF
ENERGY (DOE)(ANX2021-102).

REQUEST: CONSIDERATION OF APPROPRIATE ZONING FOR A
PROPOSED ANNEXATION.

LOCATION: THE PROPERTY IS DESCRIBED AS ASSESSOR'S TAX
PARCEL NOS. 111080000000000 AND 114081000001003
AND IS GENERALLY LOCATED NORTH OF THE
INTERSECTION OF HORN RAPIDS ROAD AND GEORGE
WASHINGTON WAY, EAST OF STEVENS DRIVE, WEST
OF THE COLUMBIA RIVER WITH THE NORTHERN
BOUNDARY BEING THE SOUTH FENCE LINE OF THE
"300 AREA" IN SECTIONS 10, 11, 14 & 15, TOWNSHIP 10
NORTH, RANGE 28 EAST W.M., BENTON COUNTY,
WASHINGTON.

REASON FOR REQUEST:

The City is currently considering the annexation of approximately 300.1 acres of land owned by the US Dept. of Energy. City Council authorized the annexation process to begin through the adoption of Resolution No. 95-21, which directed the Planning Commission to consider what zoning would be appropriate for this site.

BACKGROUND

The City is currently evaluating a proposal to annex approximately 300.1 acres of land owned by the US Dept. of Energy.

The City Council passed resolution No. 95-21 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 300.1 acres.

Ownership: The proposed annexation site is approximately 300.1 acres in size and is currently owned by the DOE.

Current Use: The proposed annexation site is currently undeveloped.

Comprehensive Plan: The site is within the City of Richland's adopted Urban Growth Area (UGA) boundary and is designated as Business Research Park and Natural Open Space based on the Richland Comprehensive Plan.

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

Existing County Zoning: Light Industrial and Park District.

SURROUNDING LAND USES

Properties located south of the proposed annexation area that are within the City of Richland are zoned B-RP (Business Research Park), Medium Industrial (I-M) and PPF (Parks and Public Facilities). Properties located to the west and to the north, which are located within unincorporated Benton County are currently zoned Light Industrial and Unclassified (Hanford Nuclear Reservation).

PROPOSED ZONING

There are only two zoning districts that can be applied to the property that would implement the Business Research Park and Natural Open Space comprehensive plan designations: The Business Research Park land use designation only allows for Business Research Park (B-RP) zoning, while the Natural Open Space land use designation only allows for Natural Open Space (NOS) zoning. As a result, the Planning Commission has no choice but to apply the B-RP and NOS zoning districts in a manner consistent with the underlying land use designations.

ANALYSIS

As indicated above, the Planning Commission has no choice but to recommend that the B-RP and NOS zoning districts be applied to the subject property as those are the only two zoning categories which are allowed to effectuate the intent of the Comprehensive Plan Land Use Map designations.

SUMMARY

Application of the B-RP and NOS zoning represents the most appropriate zoning designation for the proposed annexation area as it would be consistent with the City's Comprehensive Plan and existing development pattern within the proposed annexation area.

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 proposed annexation area as suitable for business research park and natural open space uses;
3. There are only two zoning districts that can be applied to the property that would implement the Business Research Park and Natural Open Space comprehensive plan designations;
4. The Business Research Park land use designation only allows for Business Research Park (B-RP) zoning, while the Natural Open Space land use designation only allows for Natural Open Space (NOS) zoning.
5. The approximately 300.1 acres of land subject to the proposed annexation request are currently undeveloped;
6. Properties located south of the proposed annexation area that are within the City of Richland are zoned B-RP (Business Research Park), Medium Industrial (I-M) and PPF (Parks and Public Facilities);
7. Properties located to the west and to the north, which are located within unincorporated Benton County are currently zoned Light Industrial and Unclassified (Hanford Nuclear Reservation).

CONCLUSIONS OF LAW:

1. Based on the above findings of fact, assignment of B-RP (Business Research Park) and NOS (Natural Open Space) 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 (ANX2021-102) and recommend to the City Council assignment of B-RP (Business Research Park) and NOS (Natural Open Space) zoning.

EXHIBITS

- A. Annexation Request Letter and Resolution No. 79-21
- B. Resolution No. 95-21
- C. Chapter 23.28 of the Richland Municipal Code – Business Zoning
- D. Chapter 23.30 of the Richland Municipal Code – Public Use Zoning
- E. Maps

**Pre-Application Conference Waiver**

PROPERTY OWNER INFORMATION		☐ Contact Person
Owner: United States Department of Energy, Pacific Northwest Site Office - Office of Science		
Address: P.O. Box 350, MS K9-42, Richland, WA 99352		
Phone: (509) 372-4005	Email:	

APPLICANT/CONTRACTOR INFORMATION (if different)		☒ Contact Person
Company:	UBI# N/A	
Contact: Ryan Kilbury, Business Division Director		
Address:		
Phone: (509) 375-4030	Email: Ryan.Kilbury@Science.doe.gov	

PROPERTY INFORMATION	
Parcel #: A) 111080000000000 B) 114081000001003	
Legal Description: See Record of Survey #'s 3673 & 4768 found in application	

TYPE II APPLICATIONS		TYPE III APPLICATION	
☐	Flood Plain Variance	☐	Non-residential Shoreline Substantial Development
☐	Critical Areas & Resource Lands Variance/Viable Use	☐	Residential Shoreline Substantial Development
☐	Binding Site Plan	☐	Shoreline Variance/Conditional Use
☐	Administrative Variance	☐	Conditional Use
☐		☐	Subdivision
☐		☐	Rezone (site specific)
☐		☐	Vacation/Alteration of a Subdivision
☐		☐	Variance
☒	Other: Type IV Annexation per RMC 19.20.010.E.5		

I understand the waiver of a pre-application conference increases the maximum time for review for technically complete status and increases the risk the application will be rejected or processing will be delayed.

Applicant Printed Name: Ryan Kilbury

Applicant Signature: Ryan M. Kilbury Date 5/20/2021



**Department of Energy
Office of Science**
Pacific Northwest Site Office
P.O. Box 350, K9-42
Richland, Washington 99352

JUN 2, 2021

21-PNSO-0158

Mr. Mike Stevens
Planning Manager
City of Richland, PNNL Annexation
625 Swift Boulevard, MS-35
Richland, WA 99352

Dear Mr. Stevens:

**U.S. DEPARTMENT OF ENERGY PACIFIC NORTHWEST SITE OFFICE (DOE-PNSO)
ACKNOWLEDGEMENT OF ANNEXATION REQUEST APPLICATION - PACIFIC
NORTHWEST NATIONAL LABORATORY (PNNL), NORTH CAMPUS**

In response to PNNL letter dated May 17, 2021 (OUT-0172-2021), this letter is to acknowledge that I, Ryan Kilbury, on behalf of the DOE-PNSO Office of Science, Richland, WA, hereby grants PNNL, its employees, and agents, and assigns the authority to submit an Annexation Request to the City of Richland on behalf of DOE-PNSO for the following parcel numbers and portions thereof totaling 300.1 acres:

1. 111080000000000 – 85.6 Acres (*portion of primary parcel per Record Survey 4768*)
2. 114081000001003 – 214.5 Acres (*per Record Survey 3673*)

The legal descriptions are found on the enclosed record of surveys from Rogers Surveying, Inc. If you have any questions or comments, please feel free to contact me at (509) 372-4030 or via email Ryan.Kilbury@Science.doe.gov.

Sincerely,

**Ryan M.
Kilbury**

Ryan M. Kilbury
Business Division Manager

Digitally signed by Ryan
M. Kilbury
Date: 2021.06.02 11:26:55
-07'00'

BUS:RMK

Enclosure

cc w/encl:
T. L. Doyle, PNNL
A. Lambert, PNNL
D. M. Storms, PNNL
P. Weaver, PNNL



902 Battelle Boulevard
P.O. Box 999, MSIN J2-33
Richland, WA 99352
(509) 372-4826
tracy.spooner@pnnl.gov
www.pnnl.gov

OUT-0172-2021

May 17, 2021

Mr. Mike Stevens
Planning Manager
City of Richland
625 Swift Boulevard, MS-35
Richland, WA 99352

Dear Mr. Stevens:

**CONTRACT NO. DE-AC05-76RL01830 – SUBMITTAL OF APPLICATION FOR
ANNEXATION FOR THE PACIFIC NORTHWEST NATIONAL LABORATORY NORTH
CAMPUS**

On behalf of the US Department of Energy (DOE) Office of Science, Pacific Northwest Site Office, please accept this letter as a formal request for the City of Richland to consider annexation of 300 acres of land owned by DOE. Please find the Application for Annexation and Exhibits attached.

The property is located north of the Pacific Northwest National Laboratory campus, is within the City of Richland's urban growth area, and consists of two parcels identified as follows:

- 1) 111080000000000 – 85.6 Acres (*portion of primary parcel per Record Survey 4768*)
- 2) 114081000001003 – 214.5 Acres (*per Record Survey 3673*)

The specific acreage and legal descriptions are found on the attached record of surveys from Rogers Surveying, Inc., exhibits 2A & 2B.

If you have any questions or comments, please contact me at (509) 372-4826 or Aaron Lambert, Facilities and Infrastructure Strategic Planner, at (509) 371-7038 or email aaron.lambert@pnnl.gov.

Sincerely,

Tracy Spooner Digitally signed by Tracy Spooner
Date: 2021.05.17 20:15:11 -07'00'

Tracy L. Spooner
Division Director
Campus Development



OUT-0172-2021

Mr. Mike Stevens

May 17, 2021

Page 2

TLS/ATL/tpr/ral

Attachment (s): as stated

cc: Ryan Kilbury, PNSO
Dana M. Storms, PNNL



Application for Annexation

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

PROPERTY OWNER INFORMATION

☐ Contact Person

Owner: United States Department of Energy, Pacific Northwest Site Office - Office of Science

Address: P.O. Box 350, MS K9-42, Richland, WA 99352

Phone: (509) 372-4005

Email:

APPLICANT INFORMATION (if different)

☒ Contact Person

Company:

UBI# N/A

Contact: Ryan Kilbury, Business Division Director

Address:

Phone: (509) 372-4030

Email: Ryan.Kilbury@Science.doe.gov

DESCRIPTION OF REQUEST

The Department of Energy is seeking to annex approximately 300.1 acres of land found within two parcels on the north end of the PNNL Richland Campus. The land is in unincorporated Benton County and the City of Richland Urban Growth Area. The location of the undeveloped land is generally north of the intersection of Horn Rapids Rd. and George Washington Way, east of Stevens Drive, west of the Columbia River with the northern boundary being the south fence line of the "300 Area".

PROPERTY INFORMATION

Parcel #: A) 111080000000000 B) 114081000001003

Legal Description: See attached Record of Survey #'s 3673 & 4768

Current Comp. Plan: BRP & NOS

Requested Zoning: BRP & NOS

Size of Property: 300.1 Acres

Domestic Water Supply: ☒ City ☐ Private Well

Sewage Disposal: ☒ City ☐ Septic

Irrigation Source: ☒ City ☐ Private Well ☐ Columbia Irrig. District ☐ Kennewick Irrig. District ☐ BMID

APPLICATION MUST INCLUDE

1. Completed application and filing fee
2. A "Notice of Intent" form requesting annexation to the City of Richland
3. Full legal description of the proposed annexation area
4. A map showing all of the following: general vicinity of proposed annexation in relation to the City of Richland, the proposed boundaries of the annexation, and all public roads near the annexation area
5. Other information as determined by the Administrator

ANSWER QUESTIONS BELOW AS COMPLETELY AS POSSIBLE – USE ADDITIONAL SHEET(S) IF NECESSARY

Why are you requesting annexation into the City of Richland?

The intent of the annexation is so that the entirety of the land managed by the Department of Energy, Office of Science is located under the same local jurisdiction. Future development in this area is dependent on city services such as water, sewer and electrical, which is already provided by the city of Richland under a previous agreement. Incorporation into the City is consistent with the level of services already provide and future services such as Fire and Emergency.

What use, building or structure is intended for the property?

The planned use of the property is to support the future expansion of the PNNL Richland Campus with laboratory and research buildings and supporting facilities. The development will be similar to the development on other parts of the PNNL Richland campus to the south. The future development will be incremental and likely occur from the south to the north with phased infrastructure extensions.

What changes have occurred in the area that justify the requested annexation?

PNNL has entered into an agreement with the City of Richland to provide fire protection for the buildings north of Horn Rapids and the adjacent 300 area to the north of the campus which includes the subject area. This increase in city services aligns with the City's comprehensive plan to expand jurisdictional boundaries to the north. The provision of city fire response is consistent with existing city services such as water and sewer.

Are there any other properties in your neighborhood that could be part of your annexation request? If so, have you spoken to the owners about joining your annexation request?

The remaining property in the 300 Area is managed by a different office of the Department of Energy, the Office of Environmental Management (EM) and has no plans for future development.

I authorize employees and officials of the City of Richland the right to enter and remain on the property in question to determine whether a permit should be issued and whether special conditions should be placed on any issued permit. I have the legal authority to grant such access to the property in question.

I also acknowledge that if a permit is issued for land development activities, no terms of the permit can be violated without further approval by the permitting entity. I understand that the granting of a permit does not authorize anyone to violate in any way any federal, state, or local law/regulation pertaining to development activities associated with a permit.

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 and have documented all applicable requirements on the submittals.
2. The information provided in this application contains no misstatement of fact.
3. I am the owner(s), the authorized agent(s) of the owner(s) of the above referenced property, 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.
4. I understand this permit is subject to all other local, state, and federal regulations.

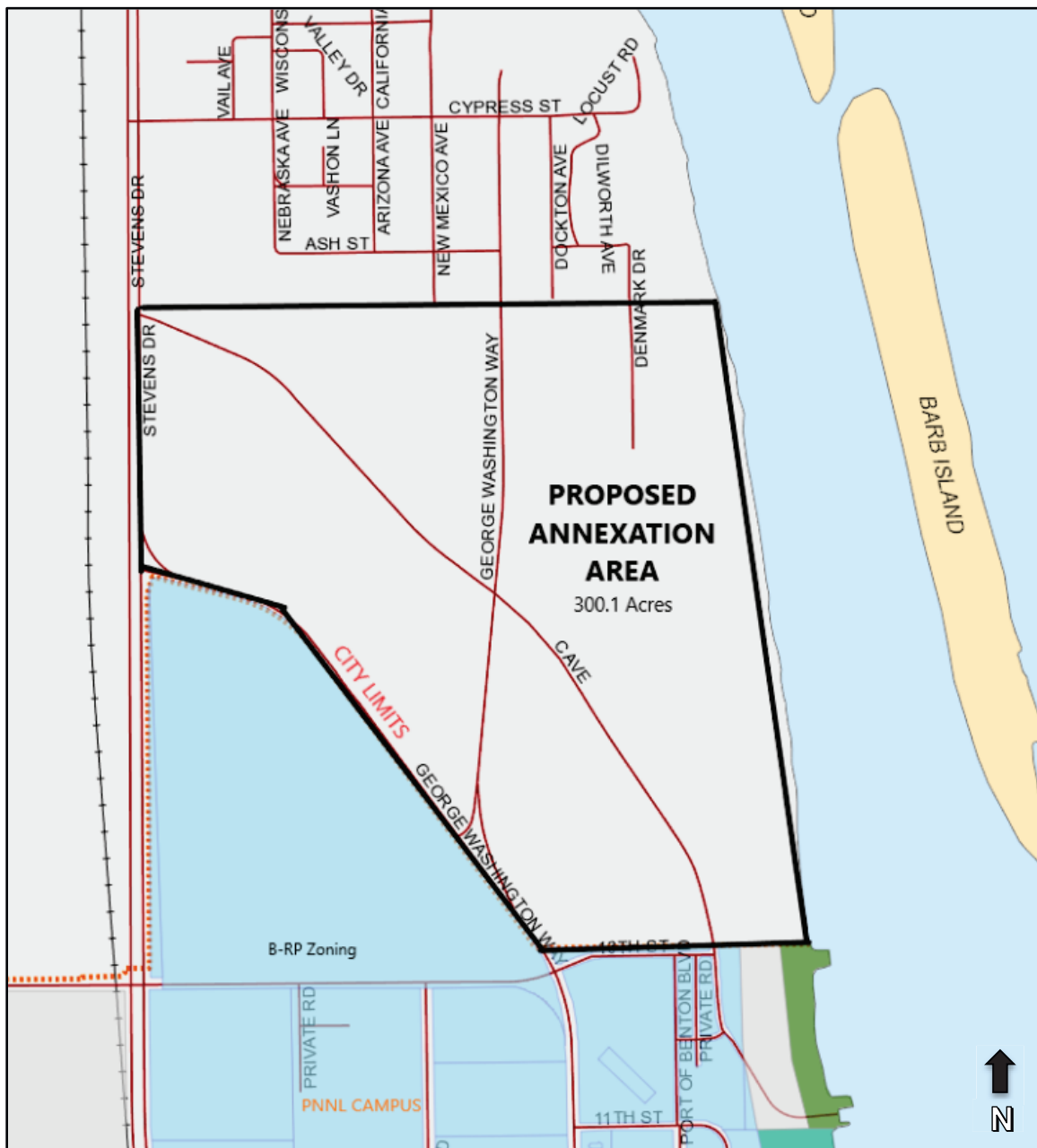
Note: This application will not be processed unless the above certification is endorsed by an authorized agent of the owner(s) of the property in question and/or the owner(s) themselves. If the City of Richland has reason to believe that erroneous information has been supplied by an authorized agent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

Applicant Signature: Ryan M. Kilbury Date 3/30/2021

2021 North Campus Annexation Request

EXHIBIT 1A – Overall Annexation Area



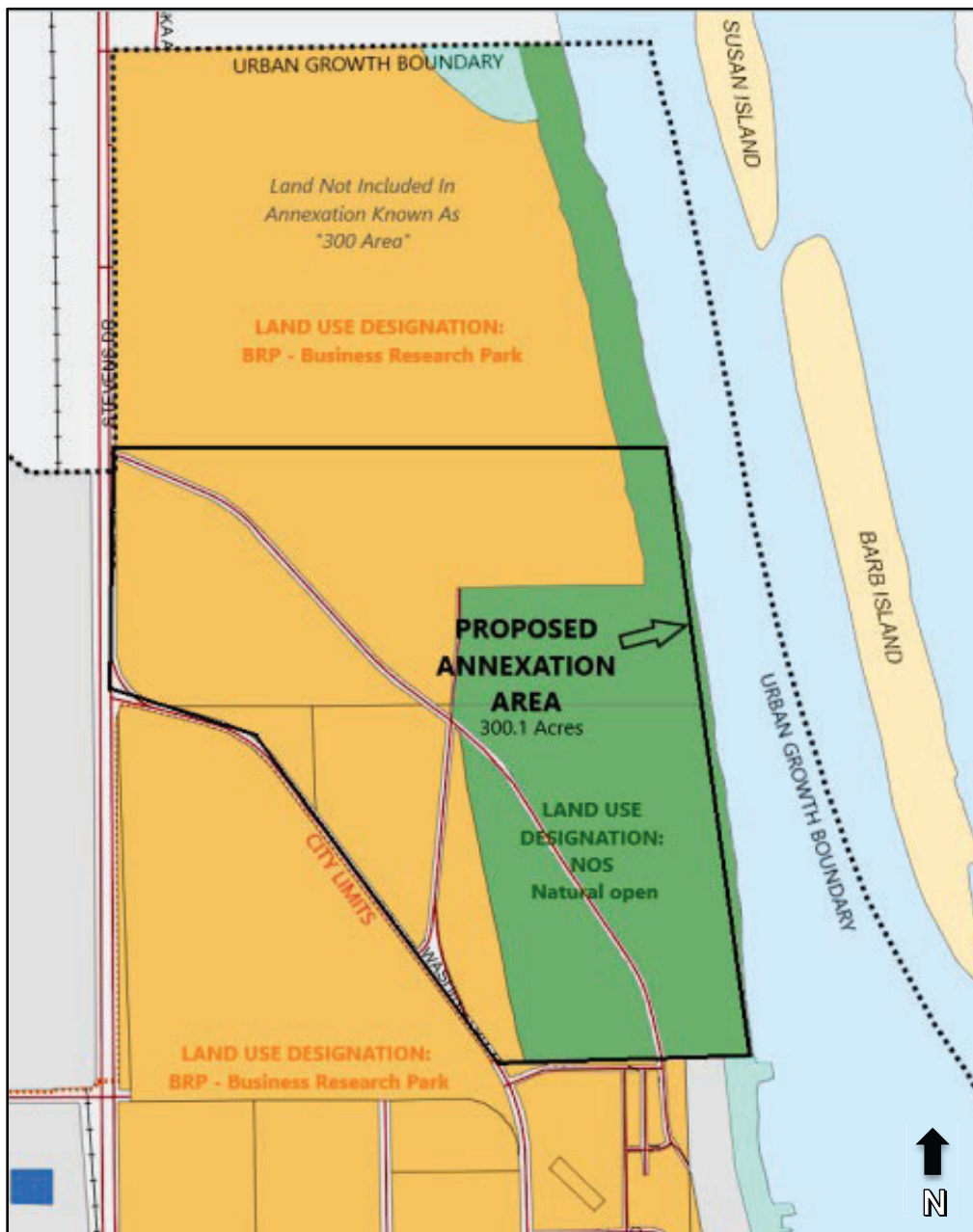
2021 North Campus Annexation Request

EXHIBIT 1B – Overall Annexation Area Aerial Photo



2021 North Campus Annexation Request

EXHIBIT 1C – Annexation Area Comprehensive Plan Designations

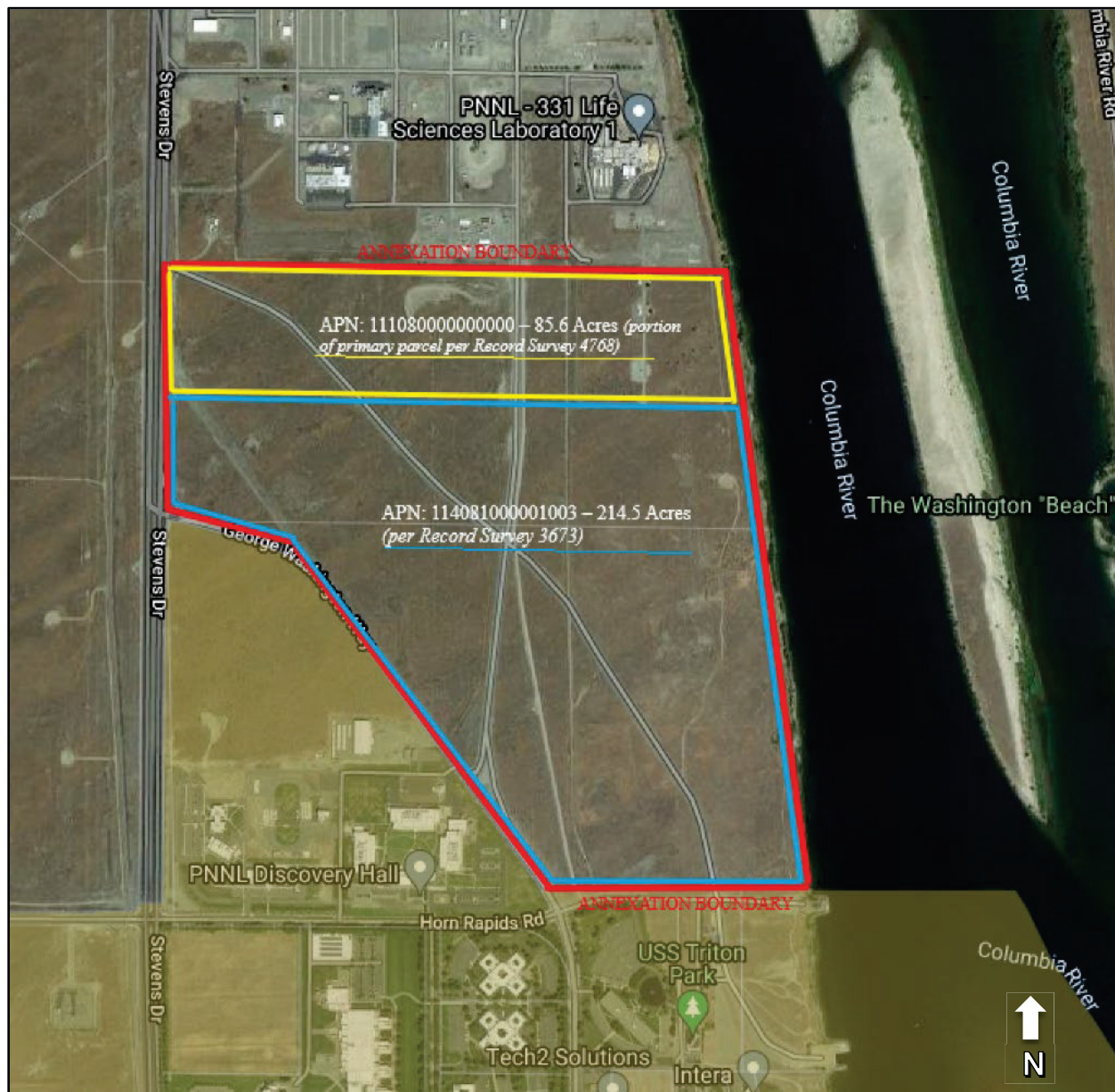




902 Battelle Boulevard
Richland, WA 99352

2021 North Campus Annexation Request

EXHIBIT 1D – Annexation Parcels, Aerial Photo



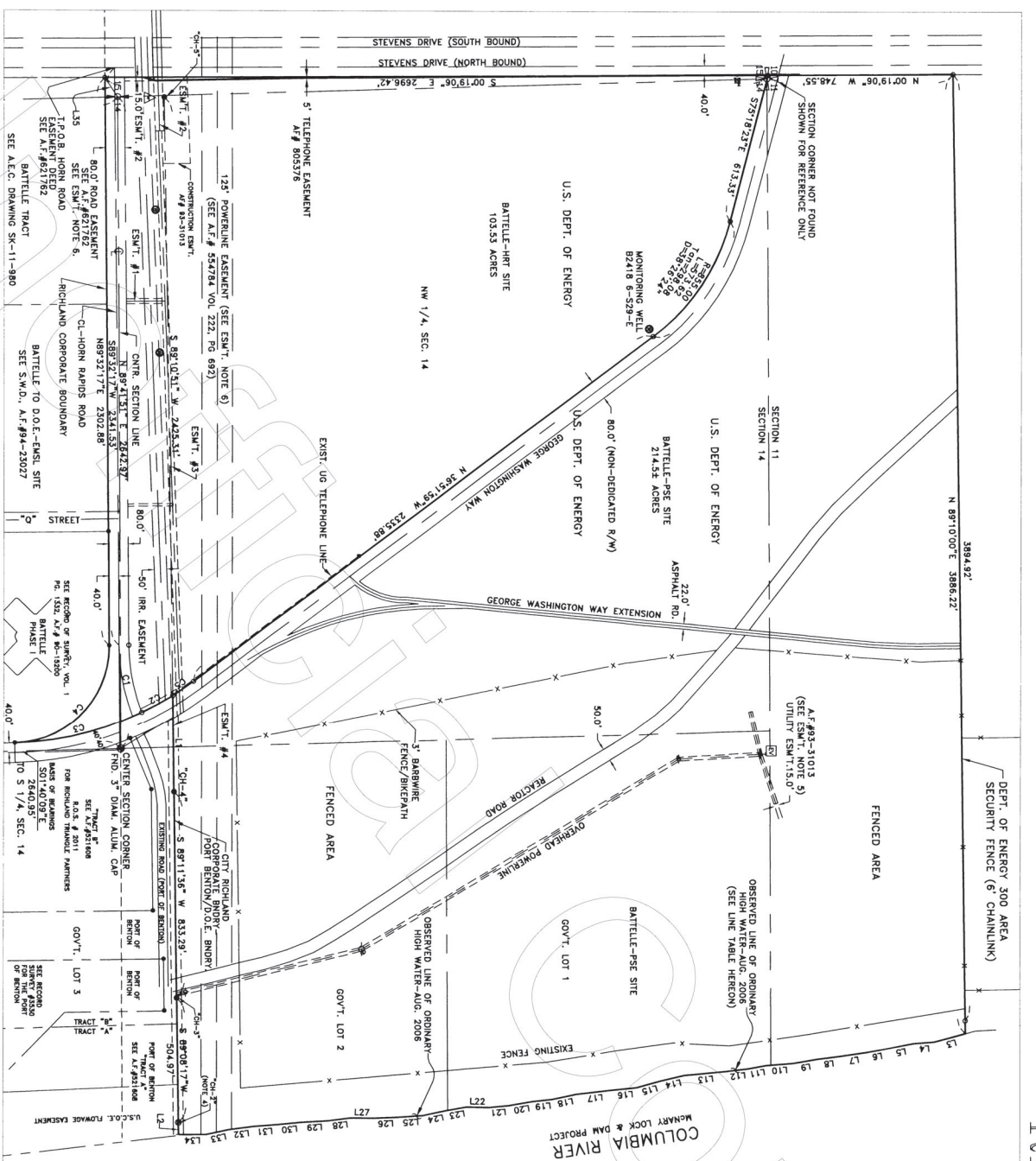
10.11, 14, 15-10-28

3673

12

RECORD SURVEY

FOR BATTELLE MEMORIAL INSTITUTE
PORTIONS OF SECTIONS 10, 11, 14 & 15
TOWNSHIP 10 NORTH, RANGE 28 EAST, W.M.
BENTON COUNTY, WASHINGTON



LINE TABLE

LINE	BEARING	DISTANCE
L1	N89°09'09\"	49.42
L2	N89°09'09\"	49.42
L3	N15°04'24\"	130.58
L4	N05°12'51\"	83.39
L5	N05°12'51\"	83.39
L6	N09°45'41\"	82.87
L7	N08°51'25\"	109.25
L8	N07°01'54\"	95.47
L9	N09°48'42\"	99.74
L10	N04°38'28\"	108.88
L11	N10°40'13\"	21.82
L12	N02°35'35\"	173.88
L13	N02°24'35\"	173.88
L14	N15°15'52\"	101.33
L15	N15°15'52\"	96.13
L16	N06°12'28\"	98.80
L17	N06°10'31\"	130.55
L18	N12°09'13\"	79.22
L19	N10°14'52\"	97.59
L20	N02°13'08\"	82.70
L21	N01°02'31\"	91.07
L22	N10°04'20\"	85.92
L23	N12°18'55\"	95.72
L24	N02°35'35\"	99.17
L25	N02°24'35\"	91.86
L26	N00°50'54\"	113.99
L27	N02°23'15\"	93.23
L28	N02°23'15\"	93.23
L29	N02°23'15\"	93.23
L30	N06°03'48\"	91.42
L31	N04°45'58\"	99.50
L32	N12°12'27\"	94.44
L33	N12°12'27\"	94.44
L34	N07°29'09\"	111.53
L35	S58°07'38\"	94.09

CURVE TABLE

CURVE	DELTA	RADIUS	LENGTH	DIRECTION	CHORD
C1	20°48'29\"	787.38	276.89	N79°08'03\"E	277.18
C2	6°24'00\"	1265.82	51.69	N87°03'43\"W	61.52
C3	24°08'40\"	529.82	152.82	N12°12'27\"W	152.82
C4	18°58'40\"	353.50	609.82	N12°12'27\"W	550.48
C5	4°56'12\"	1265.82	101.70	N43°53'49\"W	101.68

EASEMENT NOTES:

1. 20' WIDE UTILITY EASEMENT RECORDED UNDER A.F.#4 3888 TO THE CITY OF RICHLAND
2. 25' WIDE UTILITY EASEMENT RECORDED UNDER A.F.#3-3235 TO THE CITY OF RICHLAND
3. 25' WIDE UTILITY EASEMENT RECORDED UNDER A.F.#3-3235 TO THE CITY OF RICHLAND
4. 40' WIDE UTILITY EASEMENT RECORDED UNDER A.F.#3-3235 TO THE CITY OF RICHLAND
5. THE EASEMENT SHOWN HEREON IS BASED ON THE "AS-BUILT" LOCATION OF THE EXISTING POWERLINE. THE EASEMENT DESCRIPTION PER A.F.#3-31013 IS NOT CONSISTENT WITH THE AS-BUILT LOCATION.
6. EASEMENT DUTY CLAIM DED FROM THE ATOMIC ENERGY COMMISSION TO CITY OF RICHLAND FOR PUBLIC ROAD OR STREET RIGHT OF WAY RECORDED IN VOLUME 281, PAGE 102.

AUDITOR'S CERTIFICATION

FILED FOR RECORD THIS 18 DAY OF Oct, 2006 A.D. AT 47 MINUTES PAST 10:00 A.M. AND RECORDED IN VOLUME 3673, AT THE REQUEST OF ROGERS SURVEYING.

Page 3673, AT THE REQUEST OF ROGERS SURVEYING.

Public Records by the name of Rogers Surveying

RECORD SURVEY NUMBER XX10281XX01



SURVEYOR'S CERTIFICATION

I, GARY B. WAGNER, A PROFESSIONAL LAND SURVEYOR IN THE STATE OF WASHINGTON, HEREBY CERTIFY THAT THIS MAP CORRECTLY REPRESENTS SURVEY RECOVERED DATA AND THAT THE SAME COMPLY WITH THE REQUIREMENTS OF THE SURVEY RECOVERING ACT, CHAPTER 50, LAWS OF 1973, FILED FOR RECORD AT THE REQUEST OF PNL (BATTELLE).

DATE 10/17/06

ROGERS SURVEYING INC., P.S.
1465 COLUMBIA PARK TRAIL
RICHLAND, WA 99352
PHONE (509) 785-8141
WWW.ROGERSSURVEYING.COM

CLIENT: BATTELLE PACIFIC NW DIVISION
PROJECT: RECORD SURVEY
NORTH RICHLAND, SECS 14 & 15 T.10N., R.28E.
DRAWN BY: TWG
SCALE: 1" = 300'
DATE: 8-11-06
APPROVED: GBW
FILE: 19706.DWG
SHEET: 1

FOR BATTELLE MEMORIAL INSTITUTE

BENTON COUNTY, WASHINGTON

PSE PARCELHRT PARCEL

THOSE PORTIONS OF SECTIONS 14 AND 15, TOWNSHIP 10 NORTH, RANGE 28 EAST, OF THE WILLAMETTE MERIDIAN, BENTON COUNTY, WASHINGTON, DESCRIBED AS FOLLOWS:

RESERVATIONS OF RECORD.

SURVEYOR'S CERTIFICATION

DATE 10-1-80

RECORD SURVEY NUMBER XX10281XX01

REV: 09/13/06

BATTELLE PACIFIC NW DIVISION
19706

PROJECT RECORD SURVEY

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NORTH RICHLAND, SECS 14 & 15 1.10N., R.26E

DRN. BY	TYG	SCALE 1" = 300'	F. B. NO.	NONE	SHEET 2
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APPROVED	DATE	19706	SHEET
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DATE	8-11-06	FILE:	19/06.DWG	OF	2
PROJECT	GBW				

NARRATIVE:
THIS SURVEY WAS PERFORMED IN AUGUST, 2006 AT THE REQUEST OF PACIFIC NORTHWEST LABORATORIES (PNWL). THE PURPOSE OF THIS SURVEY IS TO DEFINE A PARCEL OF LAND FOR THE FUTURE DEVELOPMENT THE PNWL RESEARCH CAMPUS AND TO AMEND RECORD SURVEY NO. 3393. RECORD SURVEY 3393 IS BEING AMENDED TO ADD A NEW SECTION 14, TO REMOVE SECTION 15, TO ADD A NEW PORTION OF SECTION 4, AND 1 LYING NORTHEASTERLY OF GEORGE WASHINGTON WAY EXTENSION AND WESTERLY OF THE COLUMBIA RIVER. IN ADDITION, THE SURVEY IS BEING AMENDED TO INCLUDE HORN RAPIDS ROAD BETWEEN STEVENS DRIVE AND GEORGE WASHINGTON WAY.

THE CENTURINE ALIGNMENT OF HORN RAPIDS ROAD WAS ESTABLISHED FROM RECORD DATA ACCORDING TO THE E.C. MAP OF THE "BATTLE TRACT" THAT IS REFERENCED ON SHEET 1. THE EASEMENT DEED FROM THE U.S.A. TO THE CITY OF RICHLAND REFERENCED ON SHEET 1, ONLY, AND NOT A DEDICATED RIGHT OF WAY. THEREFORE, THE SOUTHERLY BOUNDARY OF THIS SITE EXTENDS TO THE SOUTH LINE OF THE HORN RAPIDS ROAD EASEMENT. HORN RAPIDS ROAD IS LOCATED TO THE SOUTHWEST OF THE SOUTHERLY BOUNDARY OF THE PARCEL. THE SOUTHERLY BOUNDARY OF THE PARCEL IS THE SOUTHERLY EXTENSION OF THE STEVENS DRIVE RIGHT OF WAY AS SHOWN ON A.E.C. DRAWING SX-11-980. EXISTING RECORDS INDICATE THAT THE RIGHT OF WAY FOR STEVENS DRIVE DOES NOT EXTEND BEYOND THE SOUTH LINE OF THE HORN RAPIDS ROAD EASEMENT.

DURING THIS SURVEY, WE DISCOVERED THE WEST ONE-QUARTER CORNER BETWEEN SECTIONS 14 AND 15 (SECTION 15 IS NOT SURVEYED) TO BE ON THE BOUNDARY BETWEEN HORN RAPIDS ROAD AND RECORDS AND RE-SET AT THE PROPER LOCATION RELATIVE TO THE SECTION CONTROL EAST, SOUTH AND WEST.

SURVEY REFERENCES
A.E.C. MAP OF THE "BATTLE TRACT" DATED 10-8-84, DRAWING SX-11-980
STATUTORY WARRANTY DEED FROM THE CITY OF RICHLAND TO BATTLEILLE RECORDED IN AUDITOR'S FILE NO. 537208 (BATTLEILLE TRACT)
OUR CLAIM DEED FROM U.S.A. TO PORT OF BENTON RECORDED IN AUDITOR'S FILE NO. 621782 (HORN RAPIDS ROAD EASEMENT)
EASEMENT OUT CLAIM DEED FROM U.S.A. TO CITY OF RICHLAND RECORDED IN AUDITOR'S FILE NO. 621782 (HORN RAPIDS ROAD EASEMENT)
ATOMIC ENERGY COMMISSION SECTION MAPS OF SECTIONS 14 AND 15 (UNRECORDED)
STATUTORY WARRANTY DEED FROM BATTLEILLE TO U.S.A., RECORDED IN AUDITOR'S FILE NO. 94-2502.

NOTES:
1. BASIS OF BEARING FOR THIS SURVEY IS THE EAST LINE OF THE SOUTHWEST QUARTER OF SECTION 14, TOWNSHIP 28 NORTH RANGE 28 EAST W.M., BENTON COUNTY, WASHINGTON (S 01°40'09"E). ALL BEARINGS SHOWN HEREON ARE GRID BEARINGS. THE GRID BEARING OF THE BENTON COUNTY, WASHINGTON, SOUTH ZONE, NAD83/91, DATUM, ALL DISTANCES ARE TRUE GROUND MEASUREMENTS.

2. O = DENOTES SET 5/8"X24" REBAR WITH YELLOW PLASTIC CAP STAMPED "TSJ-08W 304040".

3. ● = DENOTES FOUND EXISTING PROPERTY CORNER AS NOTED.

4. @ = DENOTES FOUND U.S.C.O.E. "CHAIN HANGROB" (CH-) MONUMENTS AS REFERENCED IN EXISTING DEED RECORDS, UNRECORDED A.E.C. MAPS AND CITY OF RICHLAND MAPS. (SEE NARRATIVE ABOVE)

5. (M) = MEASURED (R) = RECORDED (C) = COMPUTED

6. (AEC) = RECORD BEARING & DISTANCE PER AEC PLAT OF SECTION 14.

7. THIS SURVEY WAS PERFORMED IN AUGUST, 2006 AND SUPERCEDES AND AMENDS RECORD SURVEY NO. 3393.

8. EQUIPMENT & PROCEDURES USED: THIS SURVEY WAS PERFORMED USING THE FOLLOWING EQUIPMENT AND PROCEDURES: SURVEYING TOTAL STATION SURVEYING AND A TOPCON GTS-225 ELECTRONIC TOTAL STATION.

② = INDICATES EXISTING U.S.C.&G.S. BENCH MARK B-334. (DO NOT DESTROY)

② = INDICATES EXISTING MONITORING WELL

SURVEY REFERENCES

A.E.C. MAP OF THE "BATTLE TRACT" DATED 10-6-64, DRAWING SR-1-1-980
 IN AUDITOR'S FILE NO. 3517268 (BATTLE TRACT)
 OUT CLAIM DEED FROM U.S.A. TO PORT OF BENTON RECORDED IN AUDITOR'S
 NO. 521608 (PORT OF BENTON PROPERTY)
 EASMENT OUT CLAIM DEED FROM U.S.A. TO CITY OF RICHLAND RECORDED IN
 AUDITOR'S NO. 502322 (RICHLAND PROPERTY)
 AUDITOR'S INDEX, PARAGRAPHS 14 AND 15 (UNRECORDED)
 STATUTORY WARRANTY DEED FROM BATTLE TO U.S.A., PARAGRAPHS 14 AND 15 (UNRECORDED)
 FILE NO. 94-230327.

NOTES

1. BASIS OF BOUND FOR THIS SURVEY IS THE EAST LINE OF THE SOUTHWEST CORNER OF SECTION 14, T4S, R10E, S14, NE 1/4, SECTION 14, COUNTY, WASHINGTON IS 01°10'00"E. ALL BEARINGS SHOWN HEREON ARE OLD BEARINGS, REFERENCED TO THE WASHINGTON STATE PLANE COORDINATE SYSTEM, ZONE, NAD83-11, DATUM, ALL DISTANCES ARE TRUE GROUND MEASUREMENTS.
2. ① - BENCHMARKS SET 5/8" 7/24" REBAR WITH YELLOW PLASTIC CAP STAMPED 1181-BW 50440.
3. ② - BENCHMARKS FOUND EXISTING PROPERTY CORNER AS NOTED.
4. ③ - BENCHMARKS FOUND U.S.C.O.E. "CLAMP HANCOCK" (CH-) MONUMENTS AS REFERENCED IN EXISTING DEED RECORDS, UNRECORDED. A.E.C. MAPS AND CITY OF RICHLAND MAPS. (SEE NARRATIVE ABOVE)
5. (M) = MEASURED (P) = RECORD (C) = COMPUTED
6. (AEC) = RECORD BEARING & DISTANCE PER AEC PLAN OF SECTION 14.
7. THIS SURVEY WAS PERFORMED IN AUGUST, 2008 AND SUPERSEDES AND AMENDS RECORD SURVEY NO. 3353
8. EQUIPMENT & PROCEDURES USED: THIS SURVEY WAS PERFORMED USING SURVEYING TOTAL STATION, SOKKIA, MODEL: 560, REFLECTOR, SOKKIA, MODEL: 1000C AND A TOPCON GTS-225S ELECTRONIC TOTAL STATION.
9. ④ - INDICATES EXISTING MONITORING WELL
10. ⑤ - INDICATES EXISTING U.S.C.A.G.S. BENCH MARK B-334. (DO NOT DESTROY)

SURVEYOR'S CERTIFICATION

DATE 10-1-80

RECORD SURVEY NUMBER XX10281XX01

REV: 09/13/06

BATTELLE PACIFIC NW DIVISION
19706

PROJECT RECORD SURVEY

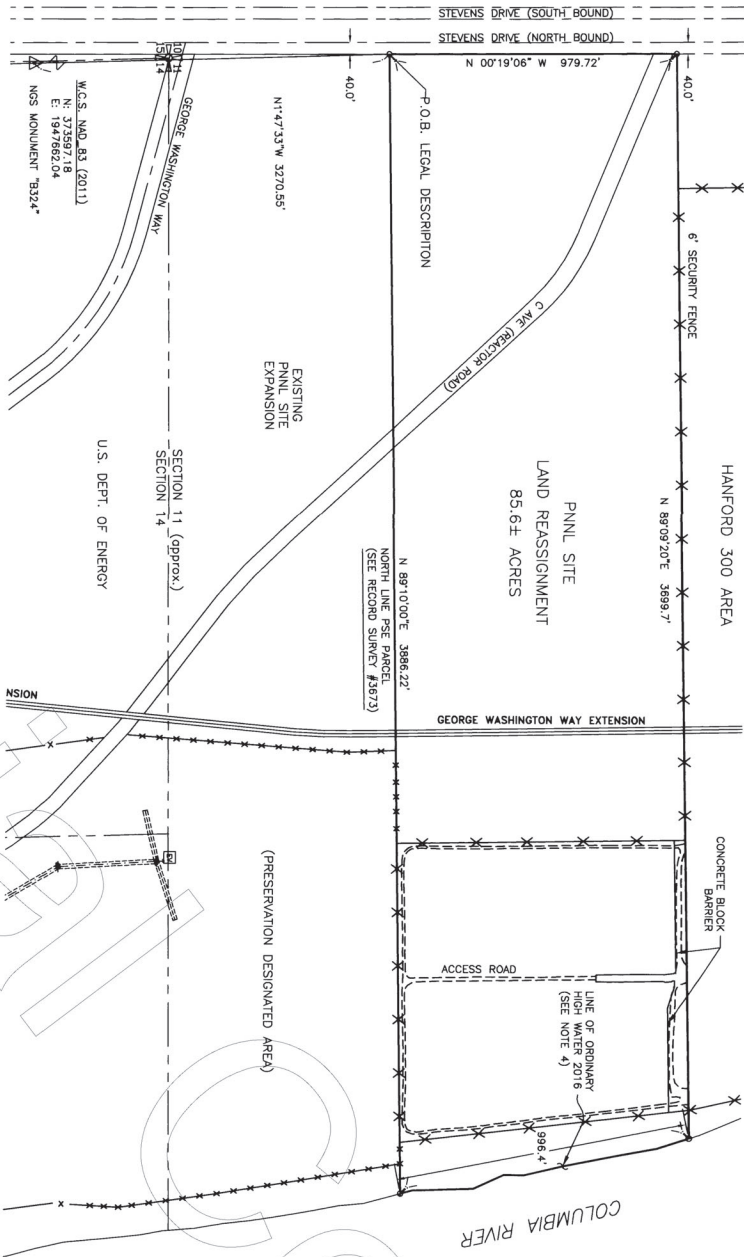
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NORTH RICHLAND, SECS 14 & 15 1.10N., R.26E

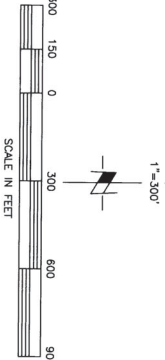
DRN. BY	TYG	SCALE 1" = 300'	F. B. NO.	NONE	SHEET 2
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APPROVED	DATE	19706	SHEET
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DATE	8-11-06	FILE:	19/06.DWG	OF	2
NAME	GBW				



- LEGEND:**
- *** 6" TALL CHAIN LINK SECURITY FENCE
 - 3" TALL BARB WIRE PERIMETER FENCE
- NOTES:**
1. BASIS OF BEARING: WASHINGTON COORDINATE SYSTEM (W.C.S.), SOUTH ZONE NAD 83 (2011).
 2. THE WESTERLY LIMITS OF THIS PARCEL IS THE EASTERLY EDGE OF PAVEMENT OF STEVENS DRIVE. STEVENS DRIVE IS NOT A DEDICATED RIGHT OF WAY.
 3. (N) = MEASURED PER THIS SURVEY
 4. THE ORDINARY HIGH WATER LINE OF THE COLUMBIA RIVER WAS DETERMINED FROM "ARCS" AERIAL IMAGERY OVERLAY AND IS SHOWN FOR REFERENCE ONLY.
 5. THIS SURVEY WAS PERFORMED IN MARCH 2016 USING A TRIMBLE R8-4 GPS SYSTEM.



RECORD SURVEY FOR BATTTELLE MEMORIAL INSTITUTE PORTION OF SECTIONS 11 TOWNSHIP 10 NORTH, RANGE 28 EAST, W.M. BENTON COUNTY, WASHINGTON

LEGAL DESCRIPTION

ALL THAT PORTION OF THE SOUTH HALF OF SECTION 11, TOWNSHIP 10 NORTH, RANGE 28 EAST, WILLAMETTE MERIDIAN, BENTON COUNTY, WASHINGTON, LYING EASTERLY OF THE MOST EASTERLY CORNER OF THE LAND SHOWN AS THE PLACE OF BEGINNING OF THE ORDINARY LINE OF HIGH WATER OF THE COLUMBIA RIVER DESCRIBED AS FOLLOWS:

BEGINNING AT THE MOST NORTHWESTERLY CORNER OF THAT TRACT OF LAND SHOWN AS THE PLACE OF BEGINNING OF THE ORDINARY LINE OF HIGH WATER OF THE COLUMBIA RIVER DESCRIBED AS FOLLOWS: THE EAST LINE OF STEVENS DRIVE, THENCE N 0°19'06\"/>

NARRATIVE:

THE PURPOSE OF THIS SURVEY MAP IS TO DOCUMENT A LAND REASSIGNMENT BETWEEN THE U.S. DEPARTMENT OF ENERGY AND PNNL AS SHOWN HEREON. THIS SURVEY IS FOR ADMINISTRATIVE PURPOSES ONLY. THERE WERE NO SURVEY MONUMENTS SET.

SURVEYOR'S CERTIFICATION

I, GARY B. WAGNER, A PROFESSIONAL LAND SURVEYOR IN THE STATE OF WASHINGTON, REG. #20440, HEREBY CERTIFY THAT THIS MAP CORRECTLY REPRESENTS A SURVEY CONDUCTED UNDER MY DIRECT SUPERVISION IN AUGUST 2016.



DATE: 8/03/16

AUDITOR'S CERTIFICATION

FILED FOR RECORD THIS 8 DAY OF Aug 2016 A.D. AT 4 MINUTES PAST 9 A.M. AND RECORDED IN VOLUME 1 OF SURVEYS, PAGE 4768, AT THE REQUEST OF ROGERS SURVEYING.

BRENDA CHILTON by *Brenda Chilton*

BENTON COUNTY AUDITOR

RECORD SURVEY NUMBER 4768

2016-023157

RSI ROGERS

SURVEYING INC., P.S.

1455 COLUMBIA PARK TRAIL

RICHTON PARK, IL 60471

TEL: (815) 783-8844

FAX: (815) 783-8844

www.rogerssurveying.com

CLIENT	BATTELLE PACIFIC N.W. DIVISION	JOB	02316
PROJECT	PNNL SITE		
DRN. BY	GBW	SCALE	1"=300'
APPROVED	GBW	DATE	04/17/16
		F.B. NO.	TCG-2
		ACQD. YR.	-2015
		FILE	02316.DWG
		SHEET	1

RESOLUTION NO. 79-21

A RESOLUTION of the City of Richland setting a meeting date to review a proposed annexation of approximately 300.1 acres of land owned by the United States Department of Energy described as Tax Parcel Nos. 111080000000000 and 114081000001003 and generally located north of the intersection of Horn Rapids Road and George Washington Way, east of Stevens Drive, west of the Columbia River with the northern boundary being the south fence line of the "300 Area" in Sections 10, 11, 14 & 15, Township 10 North, Range 28 East W.M., Benton County, Washington.

WHEREAS, the City received a written request for the annexation of approximately 300.1 acres of property owned by the United States Department of Energy; and

WHEREAS, Richland City Council was presented with the request at its regular meeting on July 6, 2021; 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 **July 20, 2021** is hereby established as the date on which the 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 6th day of July, 2021.


Ryan Lukson, Mayor

Attest:


Jennifer Rogers, City Clerk

Approved as to form:

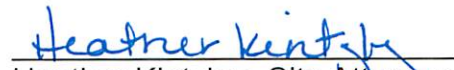

Heather Kintzley, City Attorney

Exhibit B

RESOLUTION NO. 95-21

A RESOLUTION of the City of Richland accepting a request for annexation of approximately 300.1 acres of land owned by the United States Department of Energy, described as Assessor's Tax Parcel Nos. 111080000000000 and 114081000001003 and generally located north of the intersection of Horn Rapids Road and George Washington Way, east of Stevens Drive, west of the Columbia River, with the northern boundary being the south fence line of the "300 Area" in Sections 10, 11, 14 and 15, Township 10 North, Range 28 East W.M., Benton County, Washington.

WHEREAS, the City received a written request for annexation of properties owned by the United States Department of Energy; and

WHEREAS, on July 6, 2021, Richland City Council was presented with the request for annexation and passed Resolution No. 79-21, establishing July 20, 2021 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 July 20, 2021 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.

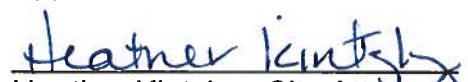
ADOPTED by the City Council of the City of Richland, Washington, at a regular meeting on the 20th day of July, 2021.


Ryan Lukson, Mayor

Attest:


for Jennifer Rogers, City Clerk

Approved as to form:


Heather Kintzley, City Attorney

Chapter 23.28 BUSINESS ZONING DISTRICTS

Sections:

[23.28.010 Purpose of business use districts.](#)

[23.28.020 Business performance standards and special requirements.](#)

[23.28.025 Enforcement of performance standards.](#)

[23.28.030 Business use districts permitted land uses.](#)

[23.28.040 Site requirements for business use districts.](#)

[23.28.050 Parking standards for business use districts.](#)

[23.28.060 Landscaping requirements.](#)

23.28.010 Purpose of business use districts.

A. The business research park use zoning classification (B-RP) is intended to provide locations for a range of business research and business park uses, including office and administrative uses, designed to be conducted wholly within enclosed buildings. It is also a purpose of this zoning classification to protect a portion of the existing industrial land base for research park facility development, which provides high-technology employment opportunities. Light manufacturing uses that complement the business park or research park use that are free from offense in the form of odor, dust, gas, fumes, smoke, soot, heat, glare, explosions, liquids, waste, noise, vibrations, and disturbances in this use district may be permitted if pertinent to the primary use. The business research park zoning classification provides opportunities for employment in modern, attractive buildings on well-landscaped sites which may be close to residential areas, thereby resulting in a reduction of travel time to and from work. Campus type developments that include several buildings with a mix of uses that are related to the primary businesses are encouraged. This zoning classification is intended to be applied to those portions of the city that are designated business research park under the city of Richland comprehensive plan.

B. The business and commerce use zoning classification (B-C) is intended to provide locations for a range of business and commerce uses, in a business park setting, where such uses are in close proximity to residential lands. It is also a purpose of this zoning classification to place appropriate use limitations and restrictions on business and commerce uses to ensure the protection of nearby residential uses. Areas of restriction include such items as increased building setbacks, stringent landscaping standards, restrictions on outdoor storage, architectural controls, outdoor lighting standards and access controls. The business and commerce zoning classification provides opportunities for employment in modern, attractive buildings on well-landscaped sites which may be close to residential areas, thereby resulting in a reduction of travel time to and from work.

Developments that include several businesses with integrated building architecture, landscaping, and infrastructure are encouraged. This zoning classification is intended to be applied to some portions of the city that are designated industrial under the city of Richland comprehensive plan. [Ord. 28-05 § 1.02].

23.28.020 Business performance standards and special requirements.

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

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

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

1. Residential development is permitted in the B-RP zone at an average density of eight dwellings per acre within a business park. Average density shall be determined by a calculation of the total land area (in acres) within a business park that are both developed and proposed for development with residential uses divided by the total number of dwelling units that are both developed and proposed for development. Any residential development approved through a special use permit must maintain a minimum density of six dwelling units per acre. Construction of residential units shall proceed as identified or conditioned in a special use permit approved by the Richland hearing examiner;
2. Detached single-family dwellings are prohibited unless:
 - a. Detached single-family dwellings are part of a residential development as approved through the special use permit process, in which no more than 25 percent of the total number of dwelling units approved through the special use permit are detached single-family dwellings; and

- b. Detached single-family dwellings are a part of a common maintenance program, such as a homeowners' association, with attached conditions, covenants and restrictions to be approved by the city at the time of development and recorded by deed to run in perpetuity to the individual properties;
3. Dwelling units may be incorporated into a building occupied by a nonresidential use;
4. No more than 20 percent of the total number of acres in the B-RP zone or within a specific business park or master planned area shall be developed exclusively for residential uses. The applicant for a residential use project shall identify the properties that he/she is relying upon to comply with this requirement. In the event that the applicant is relying upon property(ies) that are not under the ownership of the applicant, then the applicant shall submit a written statement from the affected property owners consenting to the application for an exclusive residential use;
5. No site developed exclusively for residential uses shall exceed 10 acres in area;
6. No parcel or parcels of property developed exclusively for residential uses shall be contiguous to any other parcel or parcels of property developed exclusively for residential uses, if the combined total of all contiguous parcels developed exclusively for residential uses exceeds 20 acres in area;
7. Mixed use buildings that contain permitted uses (as identified in RMC [23.28.030](#)) on the main floor of the building and residential uses on the upper floors of the building are permitted without regard to subsections (B)(4) through (6) of this section. All other provisions regulating the placement of residential uses in the B-RP zone shall apply;
8. Day care and preschool uses are permitted without regard to subsections (B)(4) through (6) of this section. All other provisions regulating the placement of day care and preschool uses in the B-RP zone shall apply;
9. Residential projects in the B-RP zone shall include provisions to connect with permitted uses in the zone which have the effect of minimizing the need for automotive commutes. Such connections may include shared open space, pedestrian trails, computer and/or communication links between buildings, or other similar features. Residential projects should also be designed to be compatible with the architectural character of existing, adjacent business parks;
10. Parking for residential structures shall be required in addition to any requirement for other permitted uses on the site; and
11. The applicant shall ensure that an emergency response plan is prepared by Benton County emergency services and that such emergency response plan is implemented prior to or simultaneously with the issuance of a certificate of occupancy for a project.

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

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

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

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

C. B-C Business Commerce. It is the intent of this section that:

1. Uses shall be conducted primarily within enclosed buildings.
2. On-site hazardous waste treatment and storage facilities shall be located a minimum of 300 feet from surface water, residential zones and public gathering places.
3. Development of a trail system through landscaped areas is encouraged and should, where possible, connect to adjoining trail systems and public sidewalks.
4. Uses shall not inflict upon the surrounding properties smoke, dirt, glare, vibrations, or noise beyond the maximum permissible levels hereby established:
 - a. Vibration. Every use shall be so operated that the ground vibration inherently and recurrently generated from equipment other than vehicles is not perceptible without instruments at any point on or beyond any lot line of the property on which the use is located.
 - b. Toxic and Noxious Gases. No emission which would be demonstrably injurious to human health, animals or plant life common to the region, on the ground at or beyond any lot line on which the use is located will be permitted. Where such emission could be produced as a result of accident or equipment malfunction, adequate safeguards standard for safe operation in the industry involved shall be taken. This shall not be construed to prohibit spraying of pesticides on public or private property in accordance with state regulations as set forth in WAC Title 173, as codified or as hereinafter amended.
 - c. Heat, Glare and Humidity (Steam). In the B-C district any activity producing humidity in the form of steam or moist air, or producing heat or glare shall be carried on in such a manner that the heat, glare or humidity is not perceptible at any lot line on which the use is located. Building materials with high light reflective qualities shall not be used in the construction of buildings in such a manner that reflected sunlight will throw intense glare on areas surrounding the B-C district. Artificial lighting shall be hooded or shaded so that direct light of high intensity lamps will not result in glare when viewed from areas surrounding the B-C district.
 - d. Fire and Explosive Hazards. The storage, manufacture, use, or processing of flammable liquids or materials which produce flammable or explosive vapors or gases shall be permitted in accordance with the regulations of the fire prevention code and the building code of the city of Richland as set forth in the International Building Code and International Fire Code as adopted by the city of Richland or as hereinafter amended.
5. Wherever the B-C zone is applied to any property or properties, there shall be site design standards put in place that shall regulate the appearance of buildings within the B-C district. This requirement for site

design standards shall be met in one of the following ways:

- a. The property or properties that are part of the B-C zone shall also be subject to the standards set forth in subsection (D) of this section; or
- b. The property or properties that are part of the B-C zone shall be subject to private conditions, covenants, and restrictions as proposed by applicants for a zone change proposal. Said conditions, covenants and restrictions shall include site design standards that are deemed appropriate for the intended character, appearance and physical characteristics of the property or properties that are a part of the B-C zone and the immediate vicinity. Such conditions, covenants, and restrictions shall be recorded at the time the zone change ordinance is approved and shall be binding on all new development that occurs on the property or properties that are a part of the B-C zone. Such conditions, covenants, and restrictions shall not be amended without the approval of the city of Richland.

D. B-C Site Design Standards. The following standards apply to the design of buildings within the B-C zone:

1. Building Design.

- a. Wall planes shall not run in one continuous direction for more than 60 feet without an offset or setback in the building face, unless the building face contains windows, alcoves, canopies, cornices, cupolas, or similar architectural features.
- b. At least 25 percent of the wall area fronting on a street should be occupied with windows, alcoves, canopies, cornices, cupolas, or similar architectural features.
- c. Large buildings should have height variations to give the appearance of distinct elements.
- d. Rooftop or outdoor mechanical equipment shall be fully screened from public view in a manner which is architecturally integrated with the structure. Screening shall be constructed to a finished standard using materials and finishes consistent with the rest of the building.
- e. Roof-mounted equipment should be painted a compatible color with the roof screen.
- f. Exterior building colors should be subdued. Primary colors or other bright colors should generally be used only as accents to enliven the architecture.
- g. Reflective glass is not permitted for glazing.
- h. Buildings whose exterior surfaces are more than 50 percent comprised of metal, excluding roof surfaces, are not permitted.

2. Loading and Service Areas.

- a. Truck docks and loading areas shall not be permitted on the side of the building that faces or abuts a public street.
- b. Refuse areas and service areas shall be screened from view of the public street.

3. Site Lighting.

- a. Lighting should be used to provide reasonable illumination for the security and safety of on-site areas such as parking, loading, shipping, and pathways.
- b. Lighting shall be designed to minimize glare or objectionable effects to adjacent properties.
- c. Site lighting poles shall not exceed 20 feet in height and shall direct the light downward.
- d. Lighting sources shall be shielded from adjacent properties.

4. On-Site Utilities.

- a. All site utilities shall be placed underground.
- b. Pad mounted equipment shall be appropriately located and screened in a manner consistent with required access and safety requirements.

5. Alternative Design. In the event that a proposed building and/or site does not meet the literal standards identified in this section, a property owner may apply to the Richland planning commission for a deviation from these site design standards. The Richland planning commission shall consider said deviation and may approve any deviation based on its review and a determination that the application meets the following findings:

- a. That the proposal would result in a development that offers equivalent or superior site design than conformance with the literal standards contained in this section;
- b. The proposal addresses all applicable design standards of this section in a manner which fulfills their basic purpose and intent; and
- c. The proposal is compatible with and responds to the existing or intended character, appearance, quality of development and physical characteristics of the subject property and immediate vicinity. [Ord. 28-05 § 1.02; Ord. 07-11 § 1.01; Ord. 55-15 § 2; Ord. 48-17 § 3].

23.28.025 Enforcement of performance standards.

It is the intent of this section that:

A. If in the opinion of the administrative officials a violation of the performance standards in RMC [23.28.020](#) has occurred, the administrative official shall send a written notice of the violation to the owners of the property and the manager of the operation involved by certified mail. The manager or responsible person shall have 30 days to correct the violation, unless in the opinion of the administrative official there is imminent peril to the life and property of persons adjacent to the alleged violation, in which case the violation shall be corrected immediately.

B. Where determinations of violation can be made by the administrative official using equipment normally available to the city or obtainable without extraordinary expense, such determination shall be so made before notice of violation is issued.

C. Where technical complexity or extraordinary expense make it unreasonable for the city to maintain the personnel or equipment necessary to make the determination of violation, then the city shall call in properly qualified experts to make the determination. If expert findings indicate a violation of the performance standards, the costs of the determination shall be assessed against the properties or persons responsible for the violation in addition to the other penalties prescribed by this title. If no violation is found, cost of the determination shall be paid entirely by the city. [Ord. 28-05 § 1.02].

23.28.030 Business use districts permitted land uses.

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

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

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

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

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

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

Land Use	B-RP	B-C
Automotive, Marine and Heavy Equipment Uses		

Automotive Repair – Major		P
Automotive Repair – Minor		P
Automotive Repair – Specialty Shop		P
Automobile Service Station	P	p ¹⁴
Bottling Plants	P	P
Car Wash – Automatic or Self-Service		p ¹
Fuel Station/Mini Mart	P	p ¹⁴
Business and Personal Services		
Automatic Teller Machines	P	P
General Service Businesses	P	P
Health/Fitness Facility	P	P
Health/Fitness Center	P	P
Laundry/Dry Cleaning, Retail	P	P
Mini-Warehouse		p ²
Mailing Service	P	P
Personal Loan Business	P	P
Personal Services Businesses	P	P
Photo Processing, Copying and Printing Services	P	P
Telemarketing Services	S	P
Video Rental Store	P	P
Food Service		
Cafeterias	A	A
Delicatessen	A	A
Drinking Establishments	P	P
Portable Food Vendors	p ³	p ³
Restaurants/Drive-Through	A ⁴	A ⁴
Restaurants/Lounge	P	P
Restaurants/Sit Down	P	P
Restaurants/Take Out	P	P

Restaurants with Entertainment/Dancing Facilities	P	P
Vehicle-Based Food Service	P ¹⁵	P ¹⁵
Industrial/Manufacturing Uses		
Light Manufacturing Uses	P	P
Research, Development and Testing Facilities	P	P
Warehousing, Storage and Distribution		A
Wholesale Facilities and Operations		P
Office Uses		
Financial Institutions	P	P
Medical, Dental and Other Clinics	P	P
Newspaper Offices and Printing Works		P
Office – Consulting Services	P	P
Office – Corporate	P	P
Office – General	P	P
Office – Research and Development	P	P
Radio and Television Studios		P
Schools, Commercial	P	P
Schools, Trade	P	P
Travel Agencies	P	P
Public/Quasi-Public Uses		
Alternative Schools		P ⁵
Churches		P ⁶
Clubs or Fraternal Societies		P ⁶
Cultural Institutions		P ⁶
General Park Operations and Maintenance Activities	P	P
Passive Open Space Use	P	P
Power Transmission and Irrigation Wasteway Easements and Utility Uses	P ⁷	P ⁷
Public Agency Buildings	P ⁷	P ⁷

Public Agency Facilities	P ⁷	P ⁷
Public Parks	P	P
Special Events Including Concerts, Tournaments and Competitions, Fairs, Festivals and Similar Public Gatherings	P	P
Trail Head Facilities	P	P
Trails for Equestrian, Pedestrian, or Nonmotorized Vehicle Use	P	P
Residential Uses		
Accessory Dwelling Unit	A	A
Apartment, Condominium (3 or More Units)	S ⁸	
Day Care Center	S ^{8,9}	A ⁹
Designated Manufactured Home	S ^{8,10, 11}	
Dormitories, Fraternities, and Sororities	S ⁸	
Dwelling, One-Family Attached	S ^{8,10,11}	
Dwelling, One-Family Detached	S ^{8,10,11}	
Dwelling, Duplex	S ⁶	
Dwelling Units for a Resident Watchman or Custodian	A	A
Hotels or Motels	S ⁸	P
Nursing or Rest Home		P
Temporary Residence	P ^{8,10}	P ¹⁰
Retail Uses		
Parking Lot or Structure	P	P
Department Stores		P
Specialty Retail Stores	P	P
Miscellaneous Uses		
Bus Terminal	P	P
Bus Transfer Station	P	P
Community Festivals and Street Fairs	P	P
Convention Center	P	P
Farming of Land	P	P

Macro-Antennas	P	P
Monopole	P ¹²	S ¹²
Outdoor Storage	P ¹³	P ¹³
Storage in an Enclosed Building	P	P

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

[Ord. 28-05 § 1.02; Ord. 28-07; Ord. 07-11 § 1.02; Ord. 23-11 § 1.01; Ord. 43-17 § 1; Ord. 48-17 § 4; Ord. 07-19 § 8].

23.28.040 Site requirements for business use districts.

In the following chart, development standards are listed on the vertical axis. Zoning districts are listed on the

horizontal axis. The number appearing in the box at the intersection of the column and row represents the dimensional standard that applies to that zoning district.

Standard	B-RP	B-C
Minimum Lot Area	None	None
Maximum Site Area (in acres)	Varies ¹	None
Minimum Density – Dwelling units/acre	6 units per acre	N/A
Average Density – Dwelling units/acre	8 units per acre	N/A
Minimum Front Yard Setback	Varies ²	Varies ³
Minimum Side Yard Setback	Varies ⁴	Varies ³
Minimum Rear Yard Setback	20 feet ⁵	Varies ³
Maximum Building Height – Main Building	55 feet ⁶	45 feet ⁷

1. Retail and service uses shall be clustered on sites no larger than five acres in size. Sites devoted exclusively to residential uses shall be located on sites no larger than 10 acres in size. Other permitted uses do not have a maximum site area.
2. The front yard setback area shall be landscaped. The front yard setback for all uses except residential uses shall be 25 feet. Residential uses shall maintain the following front yard setbacks:
 - a. Front yard to living area and/or side of garage: 10 feet.
 - b. Front yard to garage door: 20 feet.
 - c. Front yard to covered porch and/or deck: 10 feet.
3. The following minimum setbacks shall apply in the B-C zoning district:

- a. Wherever a B-C zoned property abuts any property or properties that are a part of any PPF, SAG, R-1-12, R-1-10, R-2, R-2S, R-3 or residential PUD, a minimum building setback of 50 feet shall be provided, except that whenever a B-C zoned property abuts any property that is designated as single-family residential overlay within the Island View subarea plan, setbacks as set forth in subsection (c) of this footnote shall apply.
 - b. Where property lines of a parcel in the B-C district are not adjacent to properties located in other zoning districts, or are adjacent to a public right-of-way or to M-2, I-M, B-RP, or C-3 zoned properties, the following minimum yard requirements shall apply:
 - i. Front yard – 20 feet.
 - ii. Side yard – zero feet.
 - iii. Rear yard – zero feet.
 - c. Wherever a B-C zoned property abuts any property or properties that are part of a C-1, C-2, C-LB, CBD, WF or AG zones or wherever a B-C zoned property abuts any property that is designated as single-family residential overlay within the Island View subarea plan, the following minimum yard requirements shall apply:
 - i. Front yard – 20 feet.
 - ii. Side yard – 10 feet.
 - iii. Rear yard – 10 feet.
4. The side yard setback for all uses except commercial and residential uses is 20 feet. The side yard setback for multiple-family dwelling units is one foot of side yard per three feet of building height. The side yard setbacks for single-family detached dwelling units and an unattached side of attached dwelling units shall be five feet. The side yard setback for commercial uses is 20 feet when the adjoining property is developed with noncommercial uses and zero feet when the adjoining property is developed with commercial uses or a parking lot.
5. The rear yard setback for all uses except residential uses shall be 20 feet, except when commercial uses adjoin property that is developed with other commercial uses or a parking lot, then the rear yard setback shall be zero feet. Residential uses shall have a minimum rear yard setback of 10 feet.
6. Maximum Building Height. No building in a B-RP district shall exceed 55 feet in height. The planning commission may authorize an increase in building height to a maximum height of 100 feet, based upon a review of the structure and a finding that the proposed building is aesthetically pleasing in relation to buildings and other features in the vicinity and that the building is located at sufficient distance from the Columbia River to avoid creating a visual barrier. Exception: Private communications facilities may exceed the height limitation.

7. No building in a B-C district shall exceed 45 feet in height. The planning commission may authorize an increase in building height to a maximum height of 55 feet, based upon a review of the structure and a finding that the proposed building is aesthetically pleasing in relation to buildings and other features in the vicinity and that the building would be situated in a fashion so as not to interfere with views from surrounding properties. Exception: Private communications facilities may exceed the height limitation.

[Ord. 28-05 § 1.02; Ord. 04-09; Ord. 20-09; amended during 2011 recodification].

23.28.050 Parking standards for business use districts.

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

23.28.060 Landscaping requirements.

A. In the B-RP zoning district, the following minimum landscaping requirement applies: At least 25 percent of a business park shall be landscaped. Landscaped areas may incorporate pedestrian amenities such as meandering pathways or trails, street furniture such as benches, public art features or similar features. Specific parcels of property within a business park do not have to meet the required percentage of landscaping; provided, that the overall business park maintains the minimum landscaping requirement of 25 percent for all developed parcels within the park; provided further, that parking lot landscaping as required in RMC 23.54.140 and landscaping within a required front yard shall be required in all cases.

B. The following landscaping standards apply to the development of property within the B-C district.

1. All off-street parking areas designed for employee and/or customer parking shall be paved and shall meet the landscape standards set forth in RMC 23.54.140. Parking/loading dock areas designed for truck maneuvering, parking and/or loading shall meet the requirements for perimeter landscaping only. No interior landscaping for truck parking/loading areas shall be required.

2. Wherever a B-C zoned property abuts any property or properties that are a part of any PPF, SAG, R-1-12, R-1-10, R-2, R-2S, R-3 or residential PUD zone, a landscape buffer strip a minimum of 25 feet in width shall be provided, except that B-C zoned property that abuts any property or properties that are designated as single-family residential overlay within the Island View subarea plan shall be exempt from this requirement. Perimeter landscape strips required for off-street parking areas, as set forth in RMC 23.54.140, may be included within the required landscape buffer. Evergreen and deciduous trees, of which no more than 40 percent of the trees may be deciduous, shall be planted within the required landscape buffer. A minimum of five trees per 1,000 square feet of buffer area shall be required. The landscape buffer is intended as a screen, and need not completely obscure the development.

3. A landscape buffer strip a minimum of 10 feet in width shall be provided adjacent to any public right-of-way. Perimeter landscape strips required for off-street parking areas, as set forth in RMC 23.54.140, may

be included within the required landscape buffer.

4. All areas not covered by buildings, paved parking areas or sidewalks or other pedestrian paths shall be landscaped.

5. All landscaped areas shall be served by an underground irrigation system or shall be provided with a readily available water supply with at least one outlet located within 150 feet of all plant material requiring irrigation.

6. All delivery truck and maintenance vehicle parking areas, all truck dock and loading areas, all refuse and service areas and all outdoor storage areas shall be screened by means of a sight-obscuring fence or sight-obscuring landscaping materials or a combination of landscaping and fencing materials that together create a six-foot-tall sight-obscuring screen. Outdoor storage shall not extend above the height of the sight-obscuring screen.

7. Landscaped areas may incorporate pedestrian amenities such as meandering pathways or trails, street furniture such as benches, public art features or similar features.

8. Wherever trees are required in landscape buffer strips, the following minimum standards shall apply: Evergreen trees shall be a minimum height of five feet at the time of planting. Deciduous trees shall be a minimum height of 10 feet at the time of planting. [Ord. 28-05 § 1.02; Ord. 20-09].

Chapter 23.30 PUBLIC USE ZONING DISTRICTS

Sections:

[23.30.010 Purpose of public use districts.](#)

[23.30.020 Public use districts permitted land uses.](#)

[23.30.030 Site requirements for public use districts.](#)

[23.30.040 Parking standards for public use districts.](#)

23.30.010 Purpose of public use districts.

A. The parks and public facilities district (PPF) is a special use classification intended to provide areas for the retention of public lands necessary for open spaces, parks, playgrounds, trails and structures designed for public recreation and to provide areas for the location of buildings and structures for public education, recreation and other public and semi-public uses. This zoning classification is intended to be applied to those portions of the city that are designated as developed open space and public facility under the city of Richland comprehensive plan.

B. The natural open space use district (NOS) is a special use classification intended to provide area for the retention of publicly owned, natural open spaces that, due to their proximity to wetlands, shorelines, floodplains or critical habitat areas, are too sensitive for intensive use or development. This zoning classification is intended to be applied to those portions of the city that are designated as natural open space under the city of Richland comprehensive plan. [Ord. 28-05 § 1.02; Ord. 04-09; Ord. 08-20 § 2].

23.30.020 Public 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	PPF	NOS
Public/Quasi-Public Uses		
Alternative School	P ¹	
Churches	P ²	
Clinics, School-Based	S	
Clubs or Fraternal Societies	P ²	
Cultural Institutions	P ²	
General Park Maintenance and Operations	P	P
Golf Courses	P	
Passive Open Space Uses	P	P
Power Transmission and Irrigation Wasteway Easements and Utility Uses	P ³	P ³
Public Agency Buildings	P ³	P ³
Public Agency Facilities	P ³	P ³
Public Campgrounds	P	
Public Parks	P	P
Schools	P ⁴	
Special Events Including Concerts, Tournaments, and Competitions, Fairs, Festivals and Similar Public Gatherings	P	
Trail Head Facilities	P	P
Trail for Equestrian, Pedestrian or Nonmotorized Vehicle Use	P	P
Recreational Uses		
Art Galleries	P	
Boat Mooring Facilities	P	
Retail Uses		
Concessionaire	P ⁶	P ⁶
Parking Lot	P	S ⁵

Miscellaneous Uses		
Macro-Antennas	P	
On-Site Hazardous Waste Treatment and Storage	A	A
Cemetery	P	

1. RMC 23.42.260
2. RMC 23.42.050
3. RMC 23.42.200
4. RMC 23.42.250
5. RMC 23.42.183

[Ord. 28-05 § 1.02; Ord. 13-08; Ord. 04-09; Ord. 07-19 § 9; Ord. 08-20 § 2].

23.30.030 Site requirements for public use districts.

A. A lot in a parks and public facilities district shall have at least an area sufficient to satisfy the requirements for minimum yard and off-street parking as required by this title.

B. The minimum yard requirements in the parks and public facilities district shall be the same as those in the adjacent zone district. Where there is more than one zone district adjacent to the parks and public facilities zone district, the yard requirement in the parks and public facilities district shall be the same as the one in the adjacent zone having the most compatible setback requirement.

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

Standard	PPF	NOS
Maximum Building Height – Main Building	55 feet	0 feet ¹

1. Permanent structures designed for human occupancy are not permitted in the NOS district.

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

23.30.040 Parking standards for public use districts.

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



PLANNING COMMISSION AGENDA ITEM COVERSHEET

Meeting Date: 10/13/2021

Agenda Category: Items of Business

Prepared By: Mike Stevens, Planning Manager

Subject:

Rules of Procedure Update

Request:

Core Focus Area I - Promote Financial Stability & Operational Effectiveness

Recommended Motion:

Motion to adopt the Rules of Procedure as written.

Summary:

The Commission last updated its Rules of Procedure in December 2009. Since that time, changes to business practices and updates to the Richland Municipal Code have created inconsistencies between the Rules of Procedure and the current function of the Commission. This draft update brings the Rules of Procedure up to date with current practices and RMC codes.

Attachments:

1. RICHLAND PLANNING COMMISSION - RULES OF PROCEEDURE UPDATE 2021

RICHLAND PLANNING COMMISSION
RULES OF PROCEDURE – UPDATED 2021

WE, THE MEMBERS OF THE PLANNING COMMISSION of the CITY OF RICHLAND, State of Washington, created pursuant to Chapter 35.63 of the Revised Code of Washington and Chapter 2.16 of the Richland Municipal Code, do hereby adopt, publish and declare the following Rules of Procedure.

ARTICLE 1 - NAME

The official name of this Commission shall be the Richland Planning Commission. The word "Commission" shall be deemed to mean the Planning Commission whenever used in this text of rules.

ARTICLE 2 - JURISDICTION

The purpose and intent of the Commission is to promote orderly physical development; prepare and recommend regulations, amendments, extensions, or additions to regulations or plans for physical development; and review and make recommendations, hold public hearings, and establish regulations and standards regarding plats, plans for subdivisions, or dedications of land situated within the boundaries of the City or proposed for annexation to the City.

ARTICLE 3 - RELATION TO CITY STAFF

The administrative staff of the City, as assigned by the City Manager, shall provide staff assistance and serve as Liaison between the Planning Commission and other City boards and commissions, and shall also serve to facilitate communication by the Planning Commission to the City Council.

ARTICLE 4 - FUNCTIONS AND DUTIES

The Commission shall have the functions as identified in Richland Municipal Code, Section 2.16.050.

ARTICLE 5 - MEMBERSHIP

The Commission shall be composed of ~~nine (9)~~ seven (7) members as identified in Richland Municipal Code 2.16.010.

ARTICLE 6-ABSENCES. REMOVAL AND VACANCIES

Vacancies occurring as a result of expiration-of-term, resignation or otherwise shall be filled in the manner identified in Richland Municipal Code ~~2.16.010 and 2.16.020.~~ 2.04.110 and 2.04.120.

ARTICLE 7 - MEETINGS

1. Regular meetings are held the fourth Wednesday of the month for the purpose of conducting business and taking formal action. During the months of November and December, regular meetings will be held on the third Wednesday on the month, to avoid conflicts with the holidays. Agendas are issued and the proceedings of the meeting are recorded and published in the form of adopted meeting minutes.
2. Special meetings may be called by the ~~Chairman~~ Chairperson as needed and formal action may be taken. Agendas are issued and the proceedings of the meeting are recorded and published in the form of adopted meeting minutes. Notice of any special meeting shall be issued as required by state law.
3. Workshop meetings are held the second Wednesday of each month, as needed, for the purpose of providing work sessions for the development, review and discussion of draft documents, studies and reports. Agendas are issued; however, the proceedings are not recorded ~~or published~~, and no formal action may be taken.
4. Regular meetings shall be held in the Council Chamber, Richland City Hall (~~505 Swift Boulevard~~), at ~~7:00~~ 6:00 p.m., unless otherwise directed by the ~~Chairman~~ Chairperson. Workshop meetings shall be held in the ~~City Manager's Conference Room in the Administration Building at 7:00 p.m.~~ Council Chamber, Richland City Hall at 6:00 p.m., unless otherwise directed by the ~~Chairman~~ Chairperson.
5. All meetings shall be open public meetings as required by state law, provided, however, that when appropriate and allowable by state law, executive sessions may

be declared for the purpose of considering those items which are recognized by state law as appropriate subject matter for closed executive sessions.

6. The Commission shall hold at least one regular meeting in each month of the year, unless cancelled by the ~~Chairman~~ Chairperson as a result of having no business to conduct or for other good cause; however, not less than nine (9) meetings per year in accordance with RCW 35.63.040.
7. Proceedings of regular and/or special meetings of the Commission shall be electronically recorded and ~~tapes~~ retained by the Richland City Clerk in accordance with established retention requirements.

ARTICLE 8 - OFFICERS

1. The officers of the Commission shall consist of a ~~Chairman~~ Chairperson and a Vice ~~Chairman~~ Chairperson, elected from the appointed at-large members of the Commission. In lieu of a secretary, members of the City staff shall be designated for the position and purpose.
2. The election of officers shall take place the first regular meeting of January of each year. In the event a regular January meeting is not held, election of officers will occur at the next regular/special meeting.
3. The term of office for each officer shall run until the next subsequent election; provided, however, that any officer may be removed at any time by a vote of the majority of the Commission.

ARTICLE 9 - DUTIES OF OFFICERS

- ~~1. Chairman~~ Chairperson: The ~~Chairman~~ Chairperson shall preside over the meetings of the Commission and may exercise all the powers usually incident to the office, retaining as a member of the Commission, the full right to have a vote recorded in all deliberations of the Commission. ~~The Chairman shall serve as Liaison to the City Council.~~
2. Vice-~~Chairman~~ Chairperson: The ~~Chairman~~ Chairperson being absent, the Vice-~~Chairman~~ Chairperson shall preside as acting ~~Chairman~~ Chairperson for the meeting. If both ~~Chairman~~ Chairperson and Vice- ~~Chairman~~ Chairperson are absent a member

of the Commission shall be designated as acting ~~Chairman~~ Chairperson for the meeting.

3. Secretary: The Secretary, a ~~designated~~ City staff member designated by the City Manager or his/her designee, shall keep a record of all meetings of the Commission and these records shall remain the property of the Commission. Such records will be retained ~~at such office as the commission may direct. The Secretary shall also perform such other ministerial functions relating to the position of Secretary as directed, including to facilitate communication to the City Council.~~ by the City as required by law.

ARTICLE 10 - QUORUM

Determination of a quorum shall be as identified in Richland Municipal Code Section 2.16.030.

ARTICLE 11 - ACTIONS OF THE COMMISSION

Pursuant to Richland Municipal Code, Section 23.70.210, a recommendation by the Planning Commission to City Council of any reclassification or amendment thereto shall be by the affirmative vote of not less than a majority of the total members of the Commission (~~5~~ 4 members).

Except as provided in Section 23.70.210, any other action taken by a majority of those present at any regular or special meeting, as long as a quorum of the Commission is present at the start of the meeting. (Article 10), shall be deemed as the action of the Commission.

ARTICLE 12 - CONFLICT OF INTEREST/APPEARANCE OF FAIRNESS FOR QUASI-JUDICIAL MATTERS

1. A member of the Commission who has an interest, or a potential conflict of interest, related to any matter before the Commission shall disclose such at the beginning of the public meeting. If there is objection to the Commissioner's participation, from any person present, the Commissioner shall either step down, abstain from all proceedings and deliberations, and leave the hearing room or the Commissioner shall

challenge the objection. In such case, the Commissioner shall offer a rebuttal to the objection. The remaining Commissioners shall then vote to determine whether the Commissioner in question should be recused or should participate in the public hearing. A majority vote of those Commissioners present, excluding the Commissioner whose participation has been challenged, shall determine the issue. In the event that a particular application comes before the Commission at more than one public meeting, a Commissioner with an interest or a potential conflict of interest shall disclose such at the beginning of each meeting.

2. Except at a public hearing, no member of the Commission shall discuss with any citizen any matter which will be coming to the commission for action. If a Commissioner receives such communication, the member should immediately inform the citizen that they may not discuss the matter while the matter is pending before the Commission and terminate the conversation. If the member does have such conversation, the member should, in accordance with State Law, disqualify from further participation therein.
3. If a Commissioner receives an e-mail or written correspondence pertaining to a public hearing item outside of the public hearing, the Commissioner shall refrain from reading such correspondence to the extent possible. The Commissioner shall forward such correspondence to staff. Staff shall first determine if the public comment portion of the hearing is open. If so, staff shall make such correspondence available to all Commission members, so that such correspondence becomes part of the public record. If the public comment portion of the hearing process is closed, such correspondence shall not be forwarded to other Commission members and it shall not become part of the public record. In such a case, the Commission member receiving the correspondence should disclose receipt of the correspondence at the public hearing, and note the substance of the correspondence if the Commission member read the correspondence.
4. If a Commissioner has been lobbied by a particular group, the member may continue to participate in the matter so long as the Commission member completely discloses the extent and nature of the ex parte communication and is of the opinion that the member's objectivity has not been influenced. If there is objection from any person

present, the process identified in Item #1 shall be followed to determine the Commissioner's participation.

5. A Commissioner shall disclose involvement in action as a member of other represented boards or commissions or community organizations.

ARTICLE 13 - PROCEDURE FOR PUBLIC HEARINGS & OTHER BUSINESS

The following procedure shall be utilized for all public hearings, and any other agenda item, as determined by the ~~Chairman~~ Chairperson:

1. Public hearing is opened and applicant, proponent and opponent testimony accepted. Rebuttal opportunity is at the discretion of the ~~Chairman~~ Chairperson. ~~A time limit may be imposed.~~ Testimony, after the applicant's presentation, will be limited to 3 minutes, or as determined by the Chairperson. The public hearing is closed by the ~~Chairman~~ Chairperson without Commission or Staff participation.
2. General discussion is held providing an opportunity for Staff and Commission response/clarification to concerns/opinions/inquiries expressed during the public hearing. Length of discussion is at the discretion of the ~~Chairman~~ Chairperson.
3. Motion and second.
4. Discussion of motion.
5. Roll call vote is taken on those matters on the agenda subject to public hearing; with voice vote taken on non-public hearing agenda items at the discretion of either the Commission or Staff.

ARTICLE 14 - EXHIBITS SUBMITTED TO THE COMMISSION

All petitions, letters, data, photographs, sketches, drawings, documents, study reports or results, architectural and engineering renderings and any item submitted by any persons, companies, agencies, and City officials or staff prior to and/or during public hearings in order to qualify for consideration by the Commission, shall become exhibits for the related matter and shall be acknowledged upon receipt by the secretary or recorder. Further, in accordance with RCW 17.020, all such exhibits and items shall become part of the record

for said matter and be retained on file and kept available for public inspection ~~by the Development Services Division of the Community Development Department.~~[as required by law.](#)

ARTICLE 15 – EXPENDITURES & BUDGET

~~The expenditures of the Commission shall be as identified in Richland Municipal Code 2.16.040.~~

ARTICLE ~~16~~ 15 -AGENDA

The regular order of business shall be as follows:

1. Call to Order
2. Roll Call
3. Approval of ~~Minutes~~ [Agenda](#)
4. Approval of ~~Agenda~~ [Minutes](#)
5. [Public Comments \(Limited to 3 Minutes\)](#)
6. Old Business
7. Explanation of Public Hearing Procedures
8. New Business - Public Hearings
9. New Business - Non-Public Hearings
10. Communications
11. ~~Commission Comments~~
12. ~~City Council Liaison Comments~~
13. ~~Staff Comments~~
- [11.](#) Adjournment
- [12.](#) The order of the Agenda may be changed at the discretion of the ~~Chairman~~ [Chairperson](#) with the concurrence of the Commission.

ARTICLE ~~17~~ 16 - RULES OF ORDER

Parliamentary procedures in Commission meetings, both regular and special, shall be conducted under the current edition of Roberts Rules of Order, unless specifically provided otherwise in these Rules, in other Commission Resolutions, in the Richland Municipal Code, or in the State of Washington Planning Enabling Act (RCW 35.63)

ARTICLE ~~18~~ 17 - APPOINTMENT OF PLANNING COMMISSIONERS

Appointment of Richland citizens to the Planning Commission is the responsibility of the City Council. Generally, the Council seeks recommendation from the Planning Commission regarding which applicants for an open seat on the Planning Commission should be appointed to the position. Unless otherwise directed by the City Council, the Planning Commission process for providing a recommendation of appointment to the City Council shall be as follows:

A committee comprised of the Commission ~~Chairman~~ Chairperson, Vice-~~Chairman~~ Chairperson and Council Liaison shall meet to review the applications filed with the City Clerk to determine which applicants shall be further considered through an interview process. The committee shall be chaired by the Commission ~~Chairman~~ Chairperson, shall conduct interviews with the chosen applicants and shall forward their recommendations to the City Council. The committee shall prepare a list of questions to be asked of each applicant during the interview process. Staff shall provide assistance as necessary including but not limited to such items as scheduling interviews, notifying applicants, and otherwise completing the appointment process.

ADOPTED by the Planning Commission of the City of Richland at a regular meeting on the 13th day of October, 2021.

Francesca Maier, Chairwoman

APPROVED AS TO FORM:

Heather Kintzley, City Attorney