



Agenda
Planning Commission Meeting
Wednesday, December 8, 2021
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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)

October 27, 2021 Meeting and November 10, 2021 Workshop 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 : 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.

Public Hearing Explanation:

New Business - Public Hearing:

- I. CA2021-109 - Code Amendment to RMC Section 23.28.030

Communications:

Adjournment

The next Planning Commission Workshop is January 12, 2022

The next Planning Commission Meeting is January 26, 2022

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 509-942-7389.



PLANNING COMMISSION AGENDA ITEM COVERSHEET

Meeting Date: 12/8/2021

Agenda Category: Approval of Minutes

Prepared By: Mike Stevens, Planning Manager

Subject:

October 27, 2021 Meeting and November 10, 2021 Workshop Minutes

Request:

Core Focus Area I - Promote Financial Stability & Operational Effectiveness

Recommended Motion:

Approve the minutes of the Planning Commission meeting held on October 27, 2021 and the Planning Commission workshop held on November 10, 2021.

Summary:

Meeting minutes from the October 27, 2021 meeting and the November 10, 2021 workshop.

Attachments:

1. 2021.10.27 Planning Commission Meeting Minutes DRAFT
2. 2021.11.10 Planning Commission Workshop Minutes DRAFT



**MINUTES
PLANNING COMMISSION MEETING
WEDNESDAY, OCTOBER 27, 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 Eadie, Mealer, Smith, Palmer, and Ridley. Councilman Alvarez, Development Services Director Jensen, Planning Manager Stevens, and Administrative Assistant II Follett were also present.

Approval of Agenda:

Chairperson Maier asked for a motion to approve the agenda.

COMMISSIONER PALMER MOVED AND COMMISSIONER MEALER SECONDED THE MOTION TO APPROVE THE OCTOBER 27, 2021 MEETING AGENDA AS WRITTEN. MOTION CARRIED 7-0.

Approval of Minutes:

Chairperson Maier presented the minutes from the May 12, 2021 workshop and the September 8, 2021 and October 13, 2021 meetings for approval.

COMMISSIONER EADIE MOTIONED AND COMMISSIONER PALMER SECONDED THE MOTION TO APPROVE THE MINUTES OF THE MAY 12, 2021 WORKSHOP, THE SEPTEMBER 8, 2021 AND OCTOBER 13, 2021 MEETINGS AS WRITTEN. MOTION PASSED 7-0.

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. 2021 Comprehensive Plan and Development Regulation Update

Chairperson Maier introduced the item and asked Planning Manager Stevens to give the staff report. Mr. Stevens presented his staff report on the proposed updates to the Comprehensive Plan. He outlined the overall annual process for updating the Comprehensive Plan and then presented each applicant's request. At the conclusion of his presentation, Chairperson Maier opened the public hearing at 6:35 p.m.

Chairperson Maier listed each of the applications and asked for comments from each applicant.

No one was present to offer testimony on the application from Richland Properties LLC (Greg Johnson), Sienna Hills.

Danielle Mullins, Engineer for the City of Richland, stated she had no other testimony to add to the staff report, but was available should the Commission have questions about the City's application.

Nicole Stickney, AHBL, representing NC Ventures LLC (C&M Nursery), testified about their application and pointed out how the requested change aligns with the Growth Management Act and clears up conflict in the current Comprehensive Plan.

Brian Thorson, representing Hayden Homes, thanked staff and testified about the current level of housing stock in the Tri-Cities and how that impacted the need for this change.

Rick Simon, representing New Heights Baptist Church (Tim Bush), spoke in support of the application and testified that the site offers a great opportunity for infill in the area.

At the conclusion of applicant testimony, Chairperson Maier recognized Rebecca Clapperton, resident in the Badger Mountain South community. Ms. Clapperton spoke against the application by Richland Properties LLC, stating she previously testified at the preliminary plat public hearing in front of the Hearing Examiner specifically about this commercial node location and the need to have commercial amenities in the neighborhood. She noted the location and zoning for this commercial node was part of the Hearing Examiner's recommendation and Council's ultimate approval of the preliminary plat.

Chairperson Maier closed the public hearing at 6:49 p.m. and opened the floor for Commission questions and discussion. Commissioners asked several questions of staff and applicants during their deliberations. Chairperson Maier clarified that two motions were needed, one for the Comprehensive Plan amendments and one for the associated zoning amendments.

VICE-CHAIR TOWNSEND MOVED AND COMMISSIONER PALMER SECONDED THE MOTION THAT THE PLANNING COMMISSION ADOPT THE FINDINGS, CONCLUSIONS AND RECOMMENDATIONS FOUND IN STAFF REPORT CPA2021-101 WITH THE EXCEPTION OF COMPREHENSIVE PLAN AMMENDMENT 2021-102, SIENNA HILLS DEVELOPMENT AND RECOMMEND CITY COUNCIL APPROVE SAME COMPREHENSIVE PLAN DOCKET MINUS CPA2021-102, SIENNA HILLS DEVELOPMENT. MOTION PASSED 7-0 ON A ROLL CALL VOTE.

Staff noted the approved motion was not sufficient and did not contain necessary changes to the findings and conclusions. After a brief discussion, staff agreed to modify the findings and conclusions for the ordinance to Council to match the Commission's intended recommendation.

CHAIR MAIER MOVED AND COMMISSION PALMER SECONDED A MOTION TO RECONSIDER THE PREVIOUS MOTION. MOTION PASSED UNANIMOUSLY.

CHAIRPERSON MAIER MOVED AND COMMISSIONER MEALER SECONDED THE MOTION THAT THE PLANNING COMMISSION RECOMMEND APPROVAL OF COMPREHENSIVE PLAN CPA2021-103, CPA2021-104, CPA2021-105 AND CPA2021-106 BASED UPON STAFF'S RECOMMENDED FINDINGS AND CONCLUSIONS. MOTION PASSED 7-0 ON A ROLL CALL VOTE.

CHAIRPERSON MAIER MOTIONED AND COMMISSIONER MEALER SECONDED THE MOTION THAT THE PLANNING COMMISSION RECOMMEND APPROVAL OF ZONING AMENDMENTS Z2021-103, Z2021-104, Z2021-105 AND Z2021-106 BASED UPON STAFF'S RECOMMENDED FINDINGS AND CONCLUSIONS. MOTION PASSED 7-0 ON A ROLL CALL VOTE.

Communications:

None

Adjournment:

Chairperson Maier adjourned the meeting at 7:48 p.m.

PREPARED BY:

Lynne Follett, Administrative Assistant II

REVIEWED BY:

Mike Stevens, Planning Manager

APPROVED BY:

Francesca Maier, Chairperson



**MINUTES
PLANNING COMMISSION WORKSHOP
VIA ZOOM
WEDNESDAY, NOVEMBER 10, 2021
6:00 P.M.**

Call to Order:

Chairwoman Maier called the meeting to order at 6:06 p.m.

Attendance:

Present: Chairwoman Maier, Vice Chair Townsend, Commissioners Eadie, Mealer, Palmer, and Ridley. Planning Manager Stevens was also present.

Agenda Item:

1. Proposed Amendment to RMC Section 23.28.030 to Add “Mini-Warehouse” to the List of Allowable Uses.

Mr. Stevens presented the proposed text amendment and some background information. Commissioners asked questions, discussed the proposal and provided feedback to staff.

2. Proposed Changes to the Badger Mountain South Land Use & Development Regulations (LUDR).

Mr. Stevens provided an overview of the latest proposed changes. Commissioners offered feedback and provided comments.

Adjournment:

Chairwoman Maier adjourned the meeting at 7:35 p.m.

PREPARED BY:

Briana Ghbein, Permit Technician

REVIEWED BY:

Mike Stevens, Planning Manager

APPROVED BY:

Francesca Maier, Chairwoman



PLANNING COMMISSION AGENDA ITEM COVERSHEET

Meeting Date: 12/8/2021

Agenda Category: New Business - Public Hearing

Prepared By: Mike Stevens, Planning Manager

Subject:

CA2021-109 - Code Amendment to RMC Section 23.28.030

Request:

Core Focus Area 3 - Increase Economic Vitality

Recommended Motion:

Staff recommends the Planning Commission concur with the findings and conclusions set forth in Staff Report CA2021-109, and recommend to the City Council adoption of a proposed code amendment to RMC Section 23.28.030.

Summary:

Steve Henry, SMI Group XV, LLC has filed an application for a text amendment to RMC Section 23.28.030 - Business Use Districts Permitted Land Uses. The proposed amendment would add "Mini-Warehouse" to the list of Business and Personal Service Uses that are permitted within the Business Research Park (B-RP) Zone.

Staff recommends that the Planning Commission recommend to the City Council adoption of a proposed code amendment to RMC Section 23.28.030.

Attachments:

1. Full Staff Report - CA2021-109 Mini Warehouses in B-RP Zone

STAFF REPORT

TO: PLANNING COMMISSION
FILE NO.: CA2021-109

PREPARED BY: MIKE STEVENS
MEETING DATE: DEC. 8, 2021

GENERAL INFORMATION:

APPLICANT: STEVE HENRY, SMI GROUP XV, LLC CA2021-109

REQUEST: TEXT AMENDMENT TO RMC SECTION 23.28.030 – BUSINESS
USE DISTRICTS PERMITTED LAND USES.

LOCATION: CITYWIDE

REASON FOR REQUEST

Steve Henry, SMI Group XV, LLC has filed an application for a text amendment to RMC Section 23.28.030 - Business Use Districts Permitted Land Uses. The proposed amendment would add “Mini-Warehouse” to the list of Business and Personal Service Uses that are permitted within the Business Research Park (B-RP) Zone.

ANALYSIS

Mini-warehouses, which are more commonly referred to as mini-storages have become a much sought-after form of development over the past 5 to 10 years. As the city has grown and become denser the need for places where individuals can store items has become increasingly popular. Currently, mini-warehouse facilities are only allowed within the following zoning districts; General Business (C-3), Medium Industrial (I-M) and Business and Commerce (B-C).

There are currently two (2) Business Research Park nodes within the city. Both areas are located in north Richland east of Stevens Drive. The smaller of the two nodes is located north of Spengler Street and extends north along Stevens Drive to just past Smartpark Street with the western boundary located approximately 1,000 – 1,400 feet west of George Washington Way. This node contains the Stevens Center facility and a number of residential units. The second area is much larger in size and extends north from University Drive and encompasses most of the land between Stevens Drive on the west and Columbia River to the east. This area contains the Port of Benton facilities, PNNL Campus as well as the Innovation Center apartments.

According to the applicant’s supporting narrative, “The B-RP zone is intended to promote areas where people can both live and work. There are both job centers and housing complexes present there that help to implement this goal. However, with higher density multi-family housing comes a need for mini warehouse facilities. Amending the

code to allow for mini warehouses in the B-RP zone would result in these types of facilities being in convenient proximity to housing centers, thereby providing a needed amenity to multi-family housing and working to support higher density housing and the needs of young professionals.”

During the Planning Commission’s workshop for this item held on November 10, 2021 it appeared that a majority of the commission was in favor of allowing a small portion of the overall land devoted to Business Research Park uses to be developed into mini-warehouses. As proposed, no more than 5% of the total land area within the B-RP district could be devoted to mini-warehouse uses. Planning Commission members were also concerned with ensuring that any proposed facilities would be safe. Staff recommends that proposed footnote 16.d be modified to read:

d. Mini warehouses shall be enclosed on all sides with a solid concrete or masonry wall at least 8’ in height.

Staff recommends removing the requirement for a landscape hedge as Section 23.28.060 already contains provisions for landscaping. Furthermore, requiring an 8’ tall solid wall will provide additional protection for patrons as well as provide screening from adjacent properties and/or roadways.

PUBLIC NOTICE/ COMMENTS

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

Three (3) substantive comments were received from the public and/or governmental entities as of the date the staff report was prepared. Two (2) of the comments received are from the Richland Public Works Department and relate primarily to the proposal that is included with the application materials. While this information is good for the prospective developer to have, it does not pertain to the proposed code amendment and should not be considered while deliberating the proposed code amendment.

SEPA

The City of Richland issued a Determination of Non-Significance (DNS) on December 3, 2021 after utilizing the Optional DNS Process in WAC 197-11-355. No appeals of the DNS were received as of the date this staff report was prepared.

FINDINGS OF FACT

1. Over time the need for new uses changes within the City of Richland.
2. Steve Henry, SMI Group XV, LLC has filed an application for a text amendment to RMC Section 23.28.030 – Business Use Districts Permitted Land Uses. The proposed text amendment would add “Mini-Warehouse” to the list of Business and Personal Service Uses that are permitted within the Business research Park (B-RP) Zone.

3. Currently, mini-warehouse facilities are only allowed within the General Business (C-3), Medium Industrial (I-M) and Business and Commerce (B-C) zones.
4. There are currently two (2) Business Research Park nodes within the city.
5. The Business Research Park (B-RP) zone is intended to promote areas where people can both live and work.
6. Notice of the proposed amendment was provided to local and state agencies. Notice was also published in the Tri-Cities Herald, posted at the official posting places and on the city's official website. Notice was provided to the Washington State Dept. of Commerce and other state agencies as required by RCW 36.70A.
7. The Washington State Department of Commerce received the 60-day Notice of Intent to Adopt Amendment and granted expedited review.
8. The City issued a SEPA Threshold Determination of Non-Significance on December 3, 2021.
9. Three (3) substantive comments were received as of the date the staff report was prepared.

CONCLUSIONS OF LAW

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

OTHER

Staff recommends that the Planning Commission review the proposed code amendments as to how they pertain to the Business Research Park (B-RP) Zone and whether or not the proposed amendments should be recommended to City Council for adoption. ***The Planning Commission should ignore the information that pertains to the applicant's specific project as the merits of the potential project are not up for consideration or debate at this time.***

RECOMMENDATION

Staff recommends the Planning Commission concur with the findings and conclusions set forth in Staff Report (CA2021-109) and recommend to the City Council adoption of a proposed code amendment to RMC Section 23.28.030.

ALTERNATIVES

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

RECOMMENDED MOTION

I move that the Planning Commission recommend approval of the proposed amendment to RMC Section 23.28.03 as proposed by the applicant with a revision to

footnote 16.d to read: Mini warehouses shall be enclosed on all sides with a solid concrete or masonry wall at least 8' in height. This recommendation is based upon the above listed Findings of Fact and Conclusions of Law.

EXHIBITS

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



Code Amendment Application

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

APPLICANT

☐ Contact Person

Company: SMI Group XV, LLC

UBI#:

Contact: Steve. Henry

Address: 1030 Battelle Blvd., Suite 102, Richland, WA 99354

Phone: (509) 375-9002

Email: SJHenry@smigroup.org

DESCRIPTION OF PROPOSED AMENDMENT

The proposed code amendment would permit mini warehouses as a permitted use within the Business Research Park (B-RP) zone, subject to specific criteria.

APPLICATION MUST INCLUDE:

1. Completed application and filing fee
2. SEPA Checklist (if necessary)
3. Other information as determined by the Administrator

ANSWER THE FOLLOWING AS COMPLETELY AS POSSIBLE:

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

Section 23.28.030 of the Richland Municipal Code to be amended to add "Mini-Warehouse" to the list of Business and Personal Service Uses that are permitted within the Business Research Park (B-RP) Zone, subject to the provisions of RMC 23.42.185 and to a proposed footnote #16 (see attached).

Summary of requested code amendment(s):

See attached draft code language.

Reason(s) for code amendment(s):

For a detailed explanation please see attached document titled: "Rationale for B-RP Code Amendment"

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

Yes, please refer to the attached document titled, "Proposed B-RP Code Amendment - Consistency with Comprehensive Plan".

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

Yes, the proposed code amendment would provide for a use that is needed within the B-RP zone and that would be compatible with other B-RP uses. It would generate tax revenue for the City and would provide needed development potential for land B-RP land owners. The amendment would not result in development that is more adverse to the environment than many other uses already permitted in the B-RP zone. A more complete discussion can be found in the attached "Rationale for B-RP Code Amendment" .

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

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

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

Applicant Printed Name: Steven Henry

Applicant Signature:  Date 08/25/2021

Proposed B-RP Zoning Code Amendment – SMI Group XV, LLC

August 23, 2021

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

No comprehensive plan amendment is needed to implement the proposed zoning code amendment. There are several goal and policy statements that support the proposed action. The City's Economic Development Plan identifies the close monitoring of zoning and land use as a key opportunity. The plan states: *"To ensure zoning is responsive to market conditions, it should be monitored periodically to evaluate potential hindrances. Working to concentrate development in areas with existing infrastructure and near job centers will be instrumental to optimize the City's funding."*

As noted in the attached presentation, the current Business Research Park zoning severely limits development opportunities for some B-RP landowners and has become a hindrance. The proposed amendment provides some relief for this circumstance.

Economic Development Goal #6 states: **Encourage vibrant mixed-use areas in Tri-Cities as destinations to live, work, and visit.** Policies 6 thru 8 read as follows:

Policy 6: Expand the range of options for housing in areas planned for higher density development.

Policy 7: Support development of higher density housing.

Policy 8: Attract young professionals by promoting their preferred types of job, housing, and entertainment options.

The B-RP zone is intended to promote areas where people can both live and work. There are both job centers and housing complexes present there that help to implement this goal. However, with higher density multi-family housing comes a need for mini warehouse facilities. Amending the code to allow for mini warehouses in the B-RP zone would result in these types of facilities being in convenient proximity to housing centers, thereby providing a needed amenity to multi-family housing and working to support higher density housing and the needs of young professionals.

Finally, Land Use Goal #2 states: **"Establish land uses that are sustainable and create a livable and vibrant community."**

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

Mini warehouse facilities are a needed and desirable secondary or accessory use to higher density residential living. It is entirely appropriate to allow mini warehouse facilities near multi-family residential complexes. Doing so does make for a more livable community and takes advantage of the existing infrastructure network in a way that is consistent with this goal.

Proposed SMI Group XV LLC Code Amendment

August 23, 2021

Note: Proposed language changes shown in red, italicized, underlined type.

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
<u>Mini-Warehouse</u>	<u>p^{2,16}</u>	P ²

Land Use	B-RP	B-C
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

Land Use	B-RP	B-C
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

Land Use	B-RP	B-C
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

16. Building design of mini-warehouses within the B-RP district shall conform to the following requirements:

a. Exterior building colors should be subdued. Primary colors or other bright colors should generally be used only as accents to enliven the architecture.

b. Exterior building surfaces shall be comprised of a mixture of building materials. Exterior wall surfaces shall not be primarily comprised of metal siding.

c. No more than 5% of the total land area within the B-RP district shall be devoted to mini-warehouse uses.

d. Mini warehouses shall be enclosed on all sides with a wall, landscape hedge or combination thereof at least 6' in height.

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].

SMI GROUP XV, LLC - PROPOSED B-RP ZONING CODE AMENDMENT

Proposal

SMI Group XV, LLC ("SMI XV") is the owner of an 11.5-acre property located south of Smart Park and east of Garlick Boulevard within the Business Research Park (B-RP) zone. They are proposing to add mini-warehouses as a permitted use within the B-RP. This proposed amendment would also include a list of design criteria to ensure the aesthetics of any mini-warehouse project would remain compatible with adjacent B-RP uses. The proposed code amendment would give SMI XV a viable development project for their property, which they currently lack.

Slide 1: SMI GROUP XV, LLC - Property Vicinity Map



Purpose

RMC 23.28.010A identifies the purpose of the Business Research Park (B-RP) zone as follows:

- 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;
- It is also a purpose of this zoning classification to protect a portion of the existing industrial land base for research park facility development;
- Light manufacturing uses that complement the business park or research park uses 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;
- 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.

History

The creation of the B-RP zone began in the early 2000's when the zone was formed to encompass the Science and Technology Park, which was first identified in the City's 1998 comprehensive plan. The zone was formed to encourage office and research park facility uses. To that extent, it has been successful. The expansion of the Pacific Northwest National Laboratories ("PNNL") campus has been the most significant development since then. There has also been considerable construction of office buildings housing a variety of DOE contractors engaged in various aspects of the Hanford cleanup operations. Additionally, there have been several housing projects built within the B-RP zone. However, development activity in the recent past has slowed significantly, with almost half of the total acreage within the B-RP zone remaining undeveloped.

Existing Uses within the B-RP Zone

Table 1 below is based on Benton County Assessor's data. Acreage totals are based on the 73 parcels that comprise the Business Research Park (B-RP) district. Some larger parcels are partially developed, so the areas of vacant and developed acreage were estimated using the measuring tools available on the Assessor's mapping program.

Table 1. Land Uses & Acreage Within the B-RP Business Research Park Zone

Land Use	Acreage	Percent of Total
Undeveloped	344	47.4%
Office ¹	319	44.2%
Residential ²	24.5	3.3%
Parking ³	16	2.2%
Landscaping ⁴	11	1.5%
Industrial ⁵	6	0.8%
Commercial ⁶	4	0.6%
Total	724.5	100.0%

¹Office category includes both administrative office uses and research facilities.

²Residential uses include University Condominiums, Sienna Sky Village, The Commons and The Lofts apartment complexes, and The Guest House at PNNL.

³Parking is typically provided on the same parcel as the primary use; however, in a few instances, a parking lot is located on a separate parcel with an office building located on an adjacent parcel. The acreage reported here reflects only the acreage of parcels entirely devoted to parking.

⁴Zoning requirements mandate that 25% of land area in the B-RP zone be landscaped. Most commonly, this requirement is met on a parcel-by-parcel basis, but a few parcels have been entirely set aside to meet the landscaping requirement. Listed is the acreage devoted entirely to landscaping.

⁵Industrial uses consist only of the Ingredion facility.

⁶Commercial uses include a restaurant, a day care and a Montessori School.

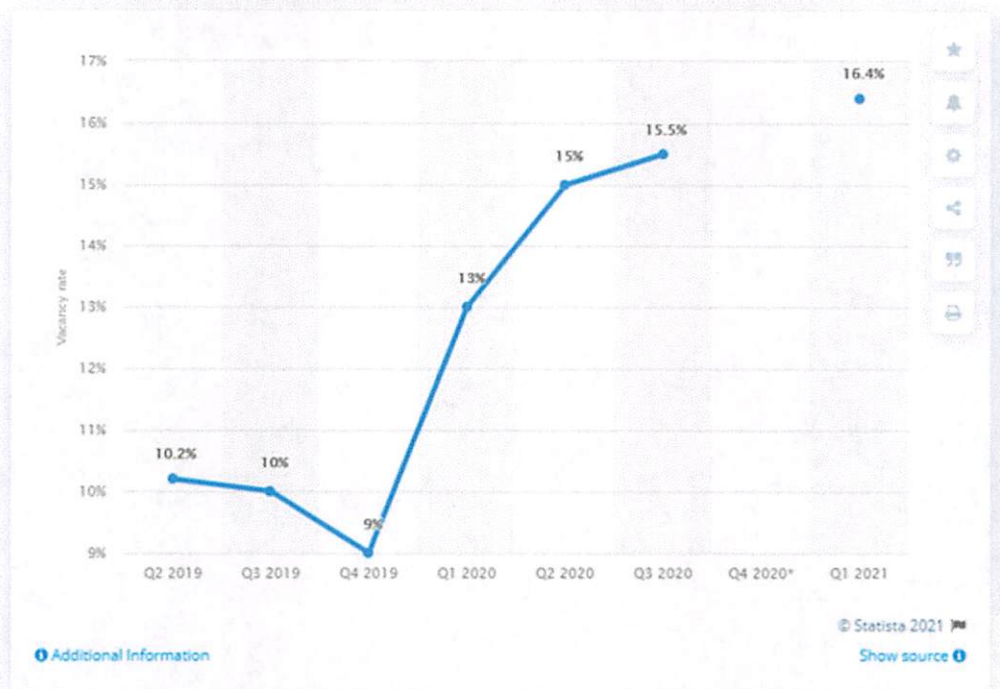
Potential for Future B-RP Land Uses

Although office uses are the predominant category within the B-RP zone, the potential for further office development is limited for the foreseeable future for the following reasons:

- A. The Department of Energy ("DOE"), whose contractors lease the great majority of office space within the B-RP zone, has determined that it will own its own office spaces in the future rather than lease them. This means that any new DOE office construction will take place on DOE property either inside or outside the B-RP zone. This has reduced new office construction, evidenced by there being no private office buildings constructed within the B-RP zone during the last six (6) years. Efforts are currently underway by the DOE to annex an additional 300 acres into the City of Richland, underlining their determination to build future facilities on their own land, rather than leasing.

- B. There are 212,558 square feet of office space currently available for lease in Richland and 213,184 square feet of office space for sale. There is overlap in these numbers because some properties are offered for both sale and lease. This large backlog of empty office properties will need to be filled prior to more office construction becoming feasible, which will take many years.
- C. The current economic circumstance reduces the potential for new office construction throughout the Tri-Cities. Nationally, the COVID pandemic has resulted in a huge increase in office vacancy rates illustrated on Slide 2.

Slide 2:
Office Vacancy Rates in the US from 2nd Quarter 2019 to 1st Quarter 2021



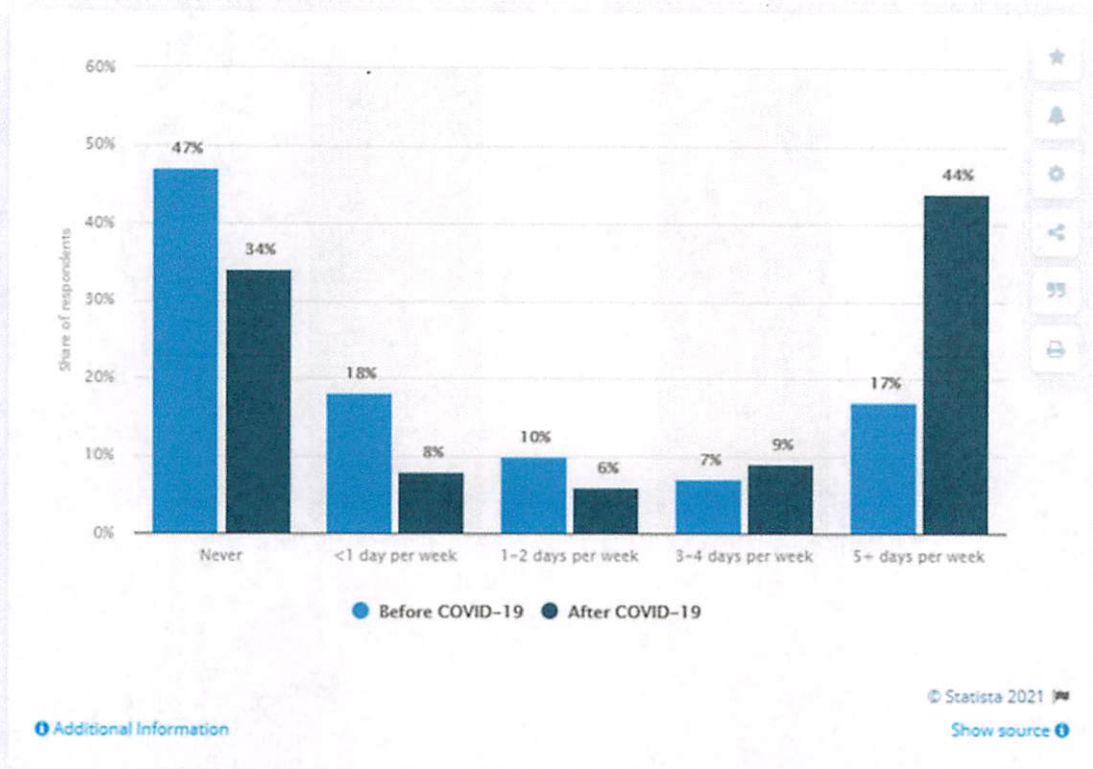
Source: Statista Research Department (5/31/21)

<https://www.statista.com/statistics/194054/us-office-vacancy-rate-forecasts-from-2010/>

Current office vacancy rates will take several years to recover before returning to pre-COVID conditions. Exacerbating this trend is the impact that COVID had on how work gets done in the office. Before the pandemic only 17% of U.S. employees worked from home full time, a share that increased to 44% during the pandemic.

- D. The long-term impact of the pandemic on the need for office space will not be known for some time, but both the current vacancy rates and number of employees who will continue to work from home in the future is trending toward a slowdown in demand for new office space as illustrated in Slide 3.

Slide 3:
Changes in Remote Work Trends due to COVID-19 in the U.S. in 2020



The decreased demand for new office space will be worse for properties within the B-RP zone since its relatively remote location in North Richland places it at a disadvantage to other more centrally located properties within the Tri-Cities market. The proximity of the B-RP zone to Department of Energy (DOE) operations makes the B-RP zone attractive to companies that support DOE functions, but since DOE has determined its new office spaces will be on DOE-owned lands, the likelihood that any new office uses would be built on privately owned B-RP zoned lands is slim.

A variety of other uses are allowed in the B-RP zone including residential, commercial and light industrial uses. Some residential projects have been constructed within the B-RP zone. Residential complexes within the zone are intended to provide housing opportunities for individuals who work within the B-RP zone or on the Hanford site, with the intent that commuter traffic volumes through Richland could be reduced. Residential use is intended to be accessory to and supportive of office park and business research park uses, limited to no more than 20% of the B-RP zoned land area or no more than 20% of a specific business park or master planned area per RMC 23.28.020(B)(4). Additionally, RMC 23.28.020(B)(5) limits the total amount of contiguous residential parcels to no more than 20 acres. Given SMI XV's ownership and the proximity of two residential projects

adjacent to their property, residential development is not an option under the current code.

Slide 4: Applicant SMI GROUP XV's Ownership



Some commercial use is allowed within the B-RP zone, generally limited to personal service uses, food services and gas station/mini marts. Restrictions listed in RMC 23.28.020(A)(5) limit commercial development to no more than 15% of the total current number of B-RP zoned acres. There has been little commercial development in this zone. Commercial uses located on separate parcels consist of a daycare, a restaurant and a Montessori School. Other commercial services have in the past been located within office complexes. While not located within the B-RP zone, a 5-acre commercial complex, known as University Square is located at the southeast corner of the intersection of Stevens Drive and University Drive and is immediately adjacent to B-RP zoned land. It has struggled to stay open, even before the pandemic began.

Given that these commercial buildings with good visibility and access from Stevens Drive struggle to attract enough business, other less visible properties within the B-RP zone would not be profitable as commercial uses. Further, the impact of office closures and employees working from home has reduced the number of potential customers that may otherwise choose to frequent commercial services located within the B-RP zone.

Light manufacturing is the also permitted in the B-RP zone but is not feasible due to the high cost of developing in the B-RP compared to other locations.

It is difficult to quantify comparative land values without the benefit of commercial land appraisals. However, the assessed values provided by the Benton County Assessor will give us an indication of the trends, keeping in mind that assessed valuation is generally lower than market value. Table 2 below shows that the average assessed values of several selected undeveloped properties within the B-RP zone exceeds \$130,000 per acre. Note that this table does not represent a comprehensive study of land values within the B-RP, but rather is a cross-sampling of small, medium and larger properties to demonstrate their relative values.

Table 2: Assessed Valuation of Selected Undeveloped Properties in the B-RP Zone

Owner	Acreage	Assessed value	Value/acre
Port of Benton Richardson Road	29.17	\$3,182,970	\$109,117
Port of Benton 2800 GW Way	9.86	1,322,870	134,165
Battelle Memorial Institute 524 3 rd Street	15.18	1,433,240	94,416
Croskrey Brothers 2910 George Washington Way	1.88	237,490	126,303
Croskrey Brothers 2930 George Washington Way	1.88	237,490	126,303
Sign Factice Care 411 Hills Street	1.68	350,540	208,654
Average Value/Acre			\$133,160

The Horn Rapids Business Park, located north of SR-240 and west of the B-RP lands, contains hundreds of acres owned by the City of Richland that are being offered for sale as part of its economic development efforts. The City had the area appraised in June 2021 so that it could set market value for these properties. Values of the land within the Horn Rapids Business Park vary depending upon the proximity of a specific site to major road frontage, access to rail, visibility from the highway and the presence of utilities. For properties less than 10 acres in size, valuation was set between \$65,000 and \$98,000 per acre. For sites larger than 10 acres, valuation was set between \$54,000 and \$65,000 per acre.

The absence of formal commercial land appraisals of B-RP parcels does not hinder us from concluding that even the highest per-acre property values within the Horn Rapids Business Park are significantly lower than the average per-acre assessed valuation of B-RP land. Therefore, land prices in the B-RP zone make development of light manufacturing uses unlikely.

Additionally, development standards imposed in the B-RP zone exceed those of the Medium Industrial (MI) zone within the Horn Rapids Business Park. The greatest negative impact is the requirement that a full quarter (25%) of the land area within a B-RP parcel must be devoted to landscaping (RMC 23.28.060(A)) contrasted with the landscaping requirements of the MI zone which are far less. The relatively higher land values in the B-RP zone, combined with stricter and

more costly aesthetic standards, will naturally steer light industrial development away from the B-RP zone.

The conclusion is that SMI Group XV LLC has property that it cannot feasibly develop with the uses that are allowed under the current B-RP regulations.

Land Ownership Patterns

Most of the B-RP zoned land is owned by just a few entities, as displayed in Table 3 below.

Table 3: Land Ownership within the B-RP Zone

Property Owner	Total Acres	Number of Parcels	Developed Acres	Undeveloped Acres
Department of Energy	246	7	190	56
Battelle Memorial Institute	155	12	83	72
Port of Benton	80	11	35	45
Innovation Center	89	5	11	78
Others	154	38	61	111
Totals	724	73	380	344

This is significant from a couple of perspectives. First, as outlined above, the Department of Energy (DOE) will direct any new construction of facilities in the future onto their own land. Expansion of the Pacific Northwest National Laboratory (PNNL) will occur within Battelle-owned and/or DOE lands. Given that there are approximately 128 acres of undeveloped land within the ownership of these two entities, the desired purposes of the B-RP zone will continue to be met; namely, land will be left available for future office use and for research park facility development.

Lands owned by the Port of Benton within the B-RP zone are located east of George Washington Way where they are generally further removed from residential uses. Given the Port's focus on promotion of economic development, its properties are the most likely locations for future light industrial uses as well as research park facilities.

Lands owned by the Innovation Center remain largely undeveloped but do contain two apartment complexes. Given the size of their land holdings, the Innovation Center has opportunities for more residential development and with their frontage along Stevens Drive, more opportunities for commercial development as well.

Demand for Mini Warehouse Uses

As discussed above, the opportunities for the applicants to develop their properties with uses permitted in the B-RP zone are limited at best. However, there are other land uses that are both

compatible with other B-RP land uses and are feasible under current market conditions. Mini warehouse facilities are lacking in the North Richland area, despite a significant increase in the number of housing units within the area over the past several years, especially multi-family units.

Slide 5: North Richland Apartment Locations



Within approximately one and a half miles of the applicant's site, there are a total of nine housing complexes with 952 dwelling units, as seen on Slide 5. Additionally, there are more apartment units planned to be built on the Washington State University campus and at Willow Pointe.

As housing prices increase, the trend is for higher density residential development, including multi-family complexes, townhomes, and single-family homes on smaller lots. This trend leads to an increased demand for mini warehouses, as more and more residents lack sufficient storage space within their residences or yards.

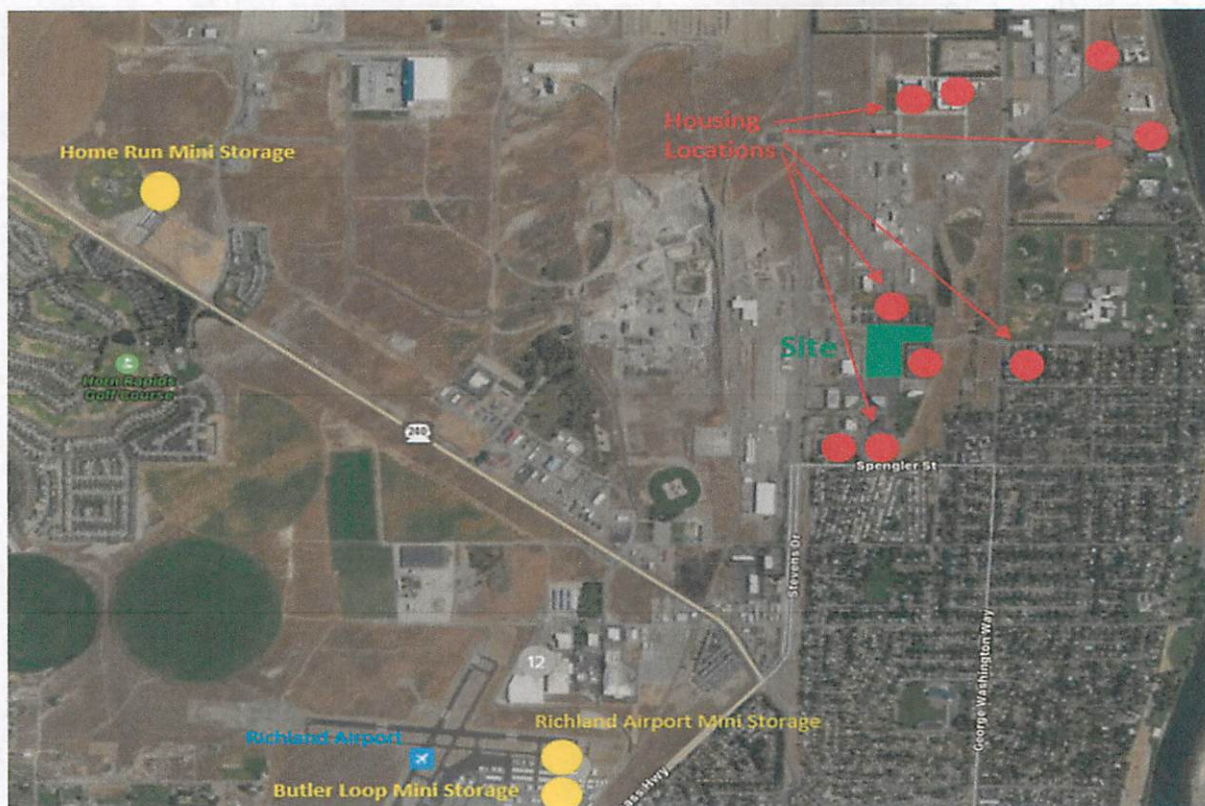
Within the B-RP zone, there is significant potential for additional residential development. B-RP zoning standards limit residential development to no more than 20% of the total acreage within the zone (760 total acres x 20% = 152). B-RP zoning standards also require an average density of 8 units/acre. If residential development were to be maximized within the B-RP zone, a total of 1,020 additional units could be constructed, significantly increasing the demand for mini warehouse uses.

Existing mini storage facilities, shown on Slide 6 below, are relatively far removed from the housing complexes in and adjacent to the B-RP zone. Two facilities are located within the Richland Airport and a third is located north of SR 240 and west of Queensgate Drive. Those three

facilities are the only operational mini storages located north of Van Giesen Street. The high demand for new mini storage is illustrated by the new Home Run Self Storage Complex located on Kingsgate Way, across SR 240 from the Horn Rapids residential community. That 156-unit facility currently has an occupancy rate of 100%.

Lands in the North Richland area that may accommodate mini storage facilities are the C-3 General Commercial and M-I Medium Industrial zones. While there is a huge inventory of vacant C-3 and M-I lands within the Horn Rapids Business Park, the great majority of this property is owned by the City of Richland. The City's goal is to sell the land for future uses that will create jobs. Mini warehouses do not fit this description and so the land will not be sold for that purpose. The result is that the potential for locating additional mini warehouses in North Richland is extremely limited.

Slide 6: Existing Mini Storage Facilities Serving the Business Research Park Area



Valuation of Mini Warehouse Uses

One possible concern regarding mini warehouse use is the amount of tax revenue that such facilities generate. Other more intensive uses of property, such as large office complexes within the B-RP zone can carry higher assessed valuations and consequently generate more tax revenue for the City. These facilities may result in improvement values over a \$1,000,000/acre. The table below shows the improvement value of existing mini storage facilities located in Richland. This list shows a variety of properties of differing ages and levels of quality. It includes some facilities that

are a mix of structures and open storage areas, while other facilities have only storage within enclosed structures. The table demonstrates that mini warehouses would generate values well in excess of \$560,000/acre.

Table 4: Assessed Valuation of Richland Mini Storages

Name	Zone	Acres	Land Value	Improvement Value	Total Value	Improvement Value/Acre
On Guard Mini Storage 55 Aaron Drive	C3	2.29	\$215,470	\$1,624,500	\$1,839,970	\$709,389
ABC Mini Storage 701 Aaron Drive	C3	2.79	252,790	2,010,000	2,262,790	720,430
Butler Loop Mini Storage 1985 Butler Loop	IM	2.7	219,050	793,890	1,012,940	294,033
Home Run Self Storage 2701 Kingsgate Way	IM	4.19	211,720	2,055,710	2,267,430	490,623
Queensgate Storage 2372 Jericho Road	C3	2.28	615,760	1,497,160	2,112,920	656,649
Tri Cities Self Storage 3869 Kennedy Road	BC	3.69	1,683,870	2,825,240	4,509,110	765,648
David & Sons Mini Storage 410 Wellhouse Loop	C3	2.06	263,520	991,670	1,255,190	481,393
Wellsian Way Mini Storage 104 Wellsian Way	C3	1.79	304,090	760,690	1,064,780	424,966
Average Improvement Value/Acre						\$567,891

The SMI Group's proposal to develop its 11.5-acre site with mini warehouses would result in an assessed improvement value of over \$6.5 million, based on valuation of existing facilities.

Tax revenue generated through a particular development is only part of the picture. The demand for city services generated by that development is also a critical piece. Mini warehouse uses create relatively low demands for services. For example, city water would be needed onsite for fire protection, but actual water use would be limited to landscape and a minor amount for the rental office. Sewer service would also be limited to rental office use. Electrical energy would be generally limited to lighting of the facility. Other B-RP uses such as office complexes and residences generate much higher demands for utility services and for emergency service protection. Other city services such as parks and recreational programs and the city library would not be impacted at all. The school district likewise would benefit from the increased tax base but would bear no new service costs generated from mini warehouses. Traffic generated by a mini warehouse would be much less than office complexes or residences and would not generally occur during peak commuter periods.

The conclusion is that mini warehouses would be beneficial to the City in terms of generating property taxes while resulting in relatively low service costs.

Mini Warehouse Compatibility with other B-RP Land Uses

Mini warehouses would be compatible with existing B-RP land uses in that mini warehouses:

- generate little noise and activity compared to other B-RP commercial, residential, office or light industrial uses;
- generate low traffic volumes and would not add traffic to the city street system during peak hours;
- located near residential uses would result in shorter trips and less vehicle miles of travel;
- are single story structures and so would have less visual impact than multi-story office or residential buildings that can extend up to 55 feet in height;
- would require fewer public services than many other B-RP uses. With no residents or employees on-site, emergency services such as police and ambulance calls would be less than for residential or office uses;
- would not place any demands on city park systems or public schools and only minimal demands on the city street system;
- are similar in nature in effect and appearance to other permitted B-RP uses such as outdoor storage and storage within an enclosed building; and
- would be available to serve adjacent and nearby residential communities, providing a conveniently located service.

Proposed Design Standards

As with all other B-RP uses, mini warehouses would need to meet standard setback requirements of a 25-foot front yard and 20-foot side and rear yards. Additionally, a minimum of 25% of a site would need to be landscaped. To ensure compatibility with adjacent land uses, the proposed code amendment would add the following criteria to ensure that appropriate aesthetics are maintained:

- Exterior building colors should be subdued. Primary colors or other bright colors should generally be used only as accents to enliven the architecture.
- Exterior building surfaces shall be comprised of a mixture of building materials. Exterior wall surfaces shall not be primarily comprised of metal siding.
- Mini warehouses shall be enclosed on all sides with a wall, landscape hedge or combination thereof at least 6 feet in height.

Slides 7 through 9 below are architectural renderings and a conceptual site plan that demonstrate that mini warehouses can be attractive and are an appropriate use within the B-RP zone.

Finally, to ensure that mini warehouses do not become a land use that extends throughout the 760-acre B-RP zone, potentially displacing future office and research park uses, a limit on the amount of land developed with mini warehouses can be put into effect. Like residential uses,

which are capped at 20% of the B-RP land area and commercial uses which are limited to 15% of B-RP land area, mini warehouses could be limited to 5% or 38 acres of the B-RP land area.

Conclusion

Opportunities for development of SMI Group XV LLC properties in the B-RP zone are extremely limited. Mini warehouses in the B-RP zone would help to fill a backlog in demand in the North Richland area. The existing standards within the B-RP zone, together with the design standards proposed in the code amendment, will ensure that mini warehouses remain compatible with other B-RP land uses. Adding mini warehouses to the list of permitted uses would be beneficial to the property owners and residents of North Richland within the B-RP zone and would provide an economic benefit to the City that comes with increasing the tax base while producing only minimal impacts to City services.

Slides 7 & 8: Architectural Renderings



Slide 9: Conceptual Site Plan

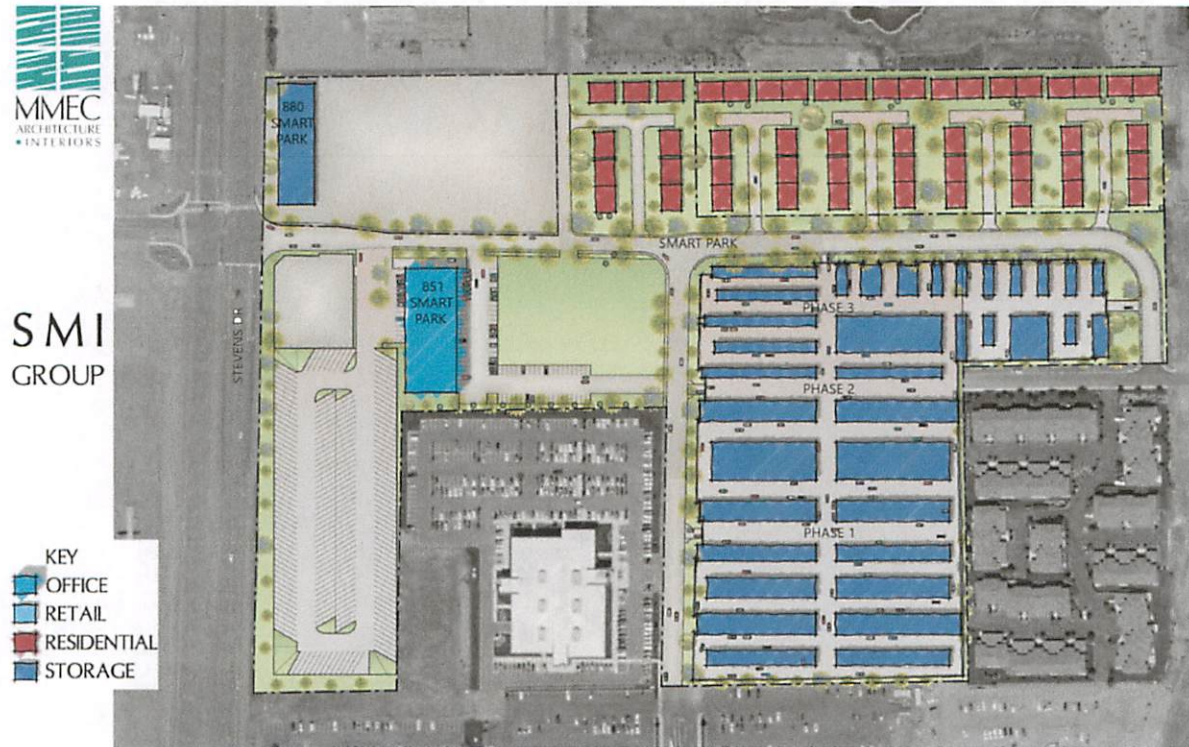


Exhibit 2

ORDINANCE NO. XXX-21

AN ORDINANCE of the City of Richland amending Richland Municipal Code Section 23.28.030 related to business use districts permitted land uses.

WHEREAS, the City has need, from time to time, to amend its development regulations to reflect allow new land uses; and

WHEREAS, mini-warehouses are not currently allowed within the Business Research Park (B-RP) district ; and

WHEREAS, on December 8, 2021, the Richland Planning Commission held a public hearing regarding a proposed amendment that would authorize mini-warehouses within the Business Research Park (B-RP) district; and

WHEREAS, the Richland Planning Commission recommends that the Richland City Council approve the proposed amendment by the applicant and adopt an amendment to the existing list of allowable land uses contained within RMC Section 23.28.030 – Business Use Districts Permitted Land Uses.

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

Section 1. Richland Municipal Code Chapter 23.28, entitled Business Use Districts Permitted Land Uses, as first enacted by Ordinance No. 28-05, and last amended by Ordinance No. 10-21, is hereby amended as follows:

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	<u>P^{2,16}</u>	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		

Land Use	B-RP	B-C
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

Land Use	B-RP	B-C
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

Land Use	B-RP	B-C
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].

16. Building design of mini-warehouses within the B-RP district shall conform to the following requirements:

- a. Exterior building colors should be subdued. Primary colors or other bright colors should generally be used only as accents to enliven the architecture.
- b. Exterior building surfaces shall be comprised of a mixture of building materials. Exterior wall surfaces shall not be primarily comprised of metal siding.
- c. No more than 5% of the total land area within the B-RP district shall be devoted to mini-warehouse uses.
- d. Mini-warehouses shall be enclosed on all sides with a wall, landscape hedge or combination thereof at least 6' in height.

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].

Section 2. This Ordinance shall take effect the day following its publication in the official newspaper of the City of Richland.

Section 3. Should any section or provision of this Ordinance be declared by a court of competent jurisdiction to be invalid, that decision shall not affect the validity of the Ordinance as a whole or any part thereof, other than the part so declared to be invalid.

Section 4. The City Clerk and the codifiers of this Ordinance are authorized to make necessary corrections to this Ordinance, including but not limited to the correction of scrivener's errors/clerical errors, section numbering, references, or similar mistakes of form.

PASSED by the City Council of the City of Richland, Washington, at a regular meeting on the ____ day of _____, 2022.

Ryan Lukson, Mayor

Attest:

Approved as to form:

Jennifer Rogers, City Clerk

Heather Kintzley, City Attorney

Date Published: _____

Exhibit 3



File No. EA2021-132

CITY OF RICHLAND **Determination of Non-Significance**

Description of Proposal: Text amendment to RMC Section 23.28.030 – Business Use Districts Permitted Land Uses. The proposed amendment to Section 23.28.030 would add “Mini-Warehouse” to the list of Business and Personal Service Uses that are permitted within the Business Research Park (B-RP) Zone.

Proponent: SMI Group XV, LLC.
Attn: Steve Henry
1030 Battelle Blvd., Suite 102
Richland, WA 99354

Location of Proposal: The proposed text amendment would apply to all properties zoned Business Research Park (B-RP) within the City of Richland.

Lead Agency: City of Richland

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

() There is no comment for the DNS.

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

(X) This DNS is issued after using the optional DNS process in WAC 197-11-355. There is no further comment period on the DNS.

Responsible Official: Mike Stevens

Position/Title: Planning Manager

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

Date: December 3, 2021

Signature 

SEPA ENVIRONMENTAL CHECKLIST

Purpose of checklist:

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

Instructions for applicants:

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

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

Instructions for Lead Agencies:

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

Use of checklist for nonproject proposals:

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

A. Background [\[HELP\]](#)

1. Name of proposed project, if applicable: Zoning Code Amendment - Permitting Mini Warehouses in the B-RP zone
2. Name of applicant: SMI Group XV, LLC
3. Address and phone number of applicant and contact person:
Steven Henry, 1030 Battelle Blvd, Suite 102, Richland, WA 99354; (509) 375-9002

4. Date checklist prepared: August 23, 2021

5. Agency requesting checklist: City of Richland Development Services

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

Review of application will require public hearing before Planning Commission and ordinance adoption by City Council. Process is estimated to take at least 3 months.

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

If successful, the applicants would construct a mini warehouse facility on their property.

8. List any environmental information you know about that has been prepared, or will be prepared, directly related to this proposal. None.

9. Do you know whether applications are pending for governmental approvals of other proposals directly affecting the property covered by your proposal? If yes, explain. No.

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

Approval from City of Richland for zoning code amendment.

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

Adding mini warehouse to the list of uses permitted in the Business Research Park zone, subject to a specific set of criteria. (See attached application.)

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

Lands that are presently located within the City's Business Research Park zone include properties that are generally located east of Stevens Drive, north of University Drive to the northern boundary of the City's corporate limits and some properties located east of Stevens Drive and north of Spengler.

B. Environmental Elements [\[HELP\]](#)

1. Earth [\[help\]](#)

a. General description of the site:

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

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

Not Applicable - Project Specific Question

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

Not Applicable - Project Specific Question

- d. Are there surface indications or history of unstable soils in the immediate vicinity? If so, describe.
Not Applicable - Project Specific Question
- e. Describe the purpose, type, total area, and approximate quantities and total affected area of any filling, excavation, and grading proposed. Indicate source of fill.
Not Applicable - Project Specific Question
- f. Could erosion occur as a result of clearing, construction, or use? If so, generally describe.
Not Applicable - Project Specific Question
- g. About what percent of the site will be covered with impervious surfaces after project construction (for example, asphalt or buildings)?
Not Applicable - Project Specific Question
- h. Proposed measures to reduce or control erosion, or other impacts to the earth, if any:

The proposed zoning code amendment is not be tied to a specific location. Future proposed mini warehouse projects would need additional SEPA review as a project action.

2. Air [\[help\]](#)

- a. What types of emissions to the air would result from the proposal during construction, operation, and maintenance when the project is completed? If any, generally describe and give approximate quantities if known.
Not Applicable - Project Specific Question
- b. Are there any off-site sources of emissions or odor that may affect your proposal? If so, generally describe.
Not Applicable - Project Specific Question
- c. Proposed measures to reduce or control emissions or other impacts to air, if any:

The proposed zoning code amendment is not be tied to a specific location. Future proposed mini warehouse projects would need additional SEPA review as a project action.

3. Water [\[help\]](#)

a. Surface Water: [\[help\]](#)

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

Not Applicable - Project Specific Question

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

Not Applicable - Project Specific Question

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

Not Applicable - Project Specific Question

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

Not Applicable - Project Specific Question

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

Not Applicable - Project Specific Question

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

The proposed zoning code amendment is not be tied to a specific location. Future proposed mini warehouse projects would need additional SEPA review as a project action.

b. Ground Water: [\[help\]](#)

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

Not Applicable - Project Specific Question

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

Not Applicable - Project Specific Question

c. Water runoff (including stormwater):

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

Not Applicable - Project Specific Question

2) Could waste materials enter ground or surface waters? If so, generally describe.

Not Applicable - Project Specific Question

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

Not Applicable - Project Specific Question

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

The proposed zoning code amendment is not be tied to a specific location. Future proposed mini warehouse projects would need additional SEPA review as a project action.

4. **Plants** [\[help\]](#)

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

- ☐ deciduous tree: alder, maple, aspen, other
- ☐ evergreen tree: fir, cedar, pine, other
- ☐ shrubs
- ☐ grass
- ☐ pasture
- ☐ crop or grain
- ☐ Orchards, vineyards or other permanent crops.
- ☐ wet soil plants: cattail, buttercup, bullrush, skunk cabbage, other
- ☐ water plants: water lily, eelgrass, milfoil, other
- ☐ other types of vegetation

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

Not Applicable - Project Specific Question

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

Not Applicable - Project Specific Question

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

Not Applicable - Project Specific Question

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

The proposed zoning code amendment is not be tied to a specific location. Future proposed mini warehouse projects would need additional SEPA review as a project action.

5. **Animals** [\[help\]](#)

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

Not Applicable - Project Specific Question

Examples include:

birds: hawk, heron, eagle, songbirds, other:

mammals: deer, bear, elk, beaver, other:

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

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

Not Applicable - Project Specific Question

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

Not Applicable - Project Specific Question

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

Not Applicable - Project Specific Question

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

The proposed zoning code amendment is not be tied to a specific location. Future proposed mini warehouse projects would need additional SEPA review as a project action.

6. Energy and Natural Resources [\[help\]](#)

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

Not Applicable - Project Specific Question

- b. Would your project affect the potential use of solar energy by adjacent properties? If so, generally describe.

Not Applicable - Project Specific Question

- c. What kinds of energy conservation features are included in the plans of this proposal? List other proposed measures to reduce or control energy impacts, if any:

The proposed zoning code amendment is not be tied to a specific location. Future proposed mini warehouse projects would need additional SEPA review as a project action.

7. Environmental Health [\[help\]](#)

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

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

Not Applicable - Project Specific Question

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

Not Applicable - Project Specific Question

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

Not Applicable - Project Specific Question

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

Not Applicable - Project Specific Question

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

The proposed zoning code amendment is not be tied to a specific location. Future proposed mini warehouse projects would need additional SEPA review as a project action.

b. Noise

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

Not Applicable - Project Specific Question

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

Not Applicable - Project Specific Question

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

The proposed zoning code amendment is not be tied to a specific location. Future proposed mini warehouse projects would need additional SEPA review as a project action.

8. **Land and Shoreline Use** [\[help\]](#)

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

Not Applicable - Project Specific Question

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

Not Applicable - Project Specific Question

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

Not Applicable - Project Specific Question

- c. Describe any structures on the site.

Not Applicable - Project Specific Question

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

Not Applicable - Project Specific Question

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

Business Research Park

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

Business Research Park

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

Not Applicable - Project Specific Question

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

Not Applicable - Project Specific Question

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

Not Applicable - Project Specific Question

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

Not Applicable - Project Specific Question

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

Not Applicable - Project Specific Question

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

Criteria included in the proposed zoning code amendment does include provisions to ensure that mini warehouses would remain compatible with adjacent uses.

- m. Proposed measures to reduce or control impacts to agricultural and forest lands of long-term commercial significance, if any:

The proposed zoning code amendment is not be tied to a specific location. Future proposed mini warehouse projects would need additional SEPA review as a project action.

9. Housing [\[help\]](#)

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

Not Applicable - Project Specific Question

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

Not Applicable - Project Specific Question

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

The proposed zoning code amendment is not be tied to a specific location. Future proposed mini warehouse projects would need additional SEPA review as a project action.

10. Aesthetics [\[help\]](#)

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

Not Applicable - Project Specific Question

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

Not Applicable - Project Specific Question

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

The proposed zoning code amendment is not be tied to a specific location. Future proposed mini warehouse projects would need additional SEPA review as a project action.

11. Light and Glare [\[help\]](#)

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

Not Applicable - Project Specific Question

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

Not Applicable - Project Specific Question

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

Not Applicable - Project Specific Question

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

The proposed zoning code amendment is not be tied to a specific location. Future proposed mini warehouse projects would need additional SEPA review as a project action.

12. Recreation [\[help\]](#)

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

Not Applicable - Project Specific Question

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

Not Applicable - Project Specific Question

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

The proposed zoning code amendment is not be tied to a specific location. Future proposed mini warehouse projects would need additional SEPA review as a project action.

13. Historic and cultural preservation [\[help\]](#)

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

Not Applicable - Project Specific Question

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

Not Applicable - Project Specific Question

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

Not Applicable - Project Specific Question

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

The proposed zoning code amendment is not be tied to a specific location. Future proposed mini warehouse projects would need additional SEPA review as a project action.

14. Transportation [\[help\]](#)

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

Not Applicable - Project Specific Question

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

Not Applicable - Project Specific Question

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

Not Applicable - Project Specific Question

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

Not Applicable - Project Specific Question

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

Not Applicable - Project Specific Question

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

Not Applicable - Project Specific Question

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

Not Applicable - Project Specific Question

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

The proposed zoning code amendment is not be tied to a specific location. Future proposed mini warehouse projects would need additional SEPA review as a project action.

15. Public Services [\[help\]](#)

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

Not Applicable - Project Specific Question

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

The proposed zoning code amendment is not be tied to a specific location. Future proposed mini warehouse projects would need additional SEPA review as a project action.

16. Utilities [\[help\]](#)

- a. Circle utilities currently available at the site:
electricity, natural gas, water, refuse service, telephone, sanitary sewer, septic system,
other _____

Not Applicable - Project Specific Question

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

The proposed zoning code amendment is not be tied to a specific location. Future proposed mini warehouse projects would need additional SEPA review as a project action.

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

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

Signature: 
Name of signee Steven J. Henry
Position and Agency/Organization SMI Group XV, LLC
Date Submitted: Aug. 25, 2021

D. Supplemental sheet for nonproject actions [\[HELP\]](#)

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

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

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

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

Mini warehouse use would not increase discharges to water, emissions to air, release of toxic substances or production of noise when compared to other uses permitted within the B-RP zone.

Proposed measures to avoid or reduce such increases are:

Development of mini warehouses would need to comply with existing storm water, air quality and noise regulations.

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

Impacts created by the construction of a mini warehouse on plants, animals and fish would not be different than other uses already permitted in the B-RP zone.

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

Specific proposals for mini warehouse use will need to be evaluated as a project action under SEPA.

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

Construction of mini warehouses would consume natural resources and require continuing energy use; however, the type and quantity of natural resources used would be less than other permitted uses within the B-RP zone.

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

New construction would be built in accordance with the provisions of the Washington State Energy Code.

4. How would the proposal be likely to use or affect environmentally sensitive areas or areas designated (or eligible or under study) for governmental protection; such as parks,

wilderness, wild and scenic rivers, threatened or endangered species habitat, historic or cultural sites, wetlands, floodplains, or prime farmlands?

No, the proposal impacts lands that are located within the B-RP zone. These properties generally exclude environmentally sensitive areas, parks and prime farmlands.

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

Specific proposals to construct mini warehouses would be subject to further SEPA review as a project action.

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

The proposal would add to the list of uses permitted within the B-RP zone but the nature of mini warehouse use would remain compatible with other B-RP uses.

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

The proposal includes criteria to ensure land use impacts are mitigated, including landscaping and fencing standards and a limitation on the total number of acres within the B-RP zone that could be developed with mini warehouses.

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

In comparison to other uses permitted in the B-RP zone, mini warehouses would generate very low traffic volumes and would utilize lesser amounts of utilities and public services.

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

None are needed.

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

No known conflicts exist.



Department of Commerce

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

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

1. Jurisdiction Name:	City of Richland – Development Services Dept.
2. Select Submittal Type: Select the Type of Submittal listed. (Select One Only)	☐ 60-Day Notice of Intent to Adopt Amendment. ☒ Request of Expedited Review / Notice of Intent to Adopt Amendment. ☐ Supplemental Submittal for existing Notice of Intent to Adopt Amendment. ☐ Notice of Final Adoption of Amendment.
3. Amendment Type: Select Type of Amendment listed. (Select One Only)	☐ Comprehensive Plan Amendment. ☒ Development Regulation Amendment. ☐ Critical Areas Ordinance Amendment. ☐ Combined Comprehensive and Development Regulation Amendments. ☐ Countywide Planning Policy .



Department of Commerce

4. Description Enter a brief description of the amendment. Begin your description with "Proposed" or "Adopted", based on the type of Amendment you are submitting. Examples: "Proposed comprehensive plan amendment for the GMA periodic update." or "Adopted Ordinance 123, adoption amendment to the sign code." (Maximum 400 characters).	Proposed amendment to RMC Section 23.28.030 to add "Mini-Warehouse" to the list of Business and Personal Service Uses that are permitted within the Business Research Park (B-RP) Zone, subject to the provisions of RMC 23.42.185 and to a proposed footnote #16, which reads as follows: <i>16. Building design of mini-warehouses within the B-RP district shall conform to the following requirements:</i> <i>a. Exterior building colors should be subdued. Primary colors or other bright colors should generally be used only as accents to enliven the architecture.</i> <i>b. Exterior building surfaces shall be comprised of a mixture of building materials. Exterior wall surfaces shall not be primarily comprised of metal siding.</i> <i>c. No more than 5% of the total land area within the B-RP district shall be devoted to mini-warehouse uses.</i> <i>d. Mini-warehouses shall be enclosed on all sides with a wall, landscape hedge or combination thereof at least 6' in height.</i>
5. Is this action part of your 8-year periodic update required under RCW 36.70A.130 of the Growth Management Act (GMA)?	☐ Yes ☒ No
6. Proposed Dates: Enter the anticipated public hearing date(s) for your Planning Commission/Planning Board or for your Council/Commission.	Planning Commission: December 8, 2021 City Council: January 4, 2022 Proposed / Date of Adoption: January 18, 2022
7. Contact Information:	
A. Prefix/Salutation: (Examples: "Mr.", "Ms.", or "The Honorable" (elected official))	Mr.
B. Name:	Mike Stevens
C. Title:	Planning Manager
D. Email:	mstevens@ci.richland.wa.us
E. Work Phone:	(509)942-7596



Department of Commerce

F. Cell/Mobile Phone: <i>(optional)</i>	
Consultant Information:	
G. Is this person a consultant?	☐ Yes
H. Consulting Firm name?	
8. Would you like Commerce to contact you for Technical Assistance regarding this submitted amendment?	☐ Yes

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

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



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

11/23/2021

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

Sent Via Electronic Mail

Re: City of Richland--2021-S-3410--Request for Expedited Review / Notice of Intent to Adopt Amendment

Dear Mr. Stevens:

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

Steve Henry, SMI Group XV, LLC. has filed an application for a text amendment to RMC Section 23.28.030 – Business Use Districts Permitted Land Uses. The proposed amendment to Section 23.28.030 would add “Mini-Warehouse” to the list of Business and Personal Service Uses that are permitted within the Business Research Park (B-RP) Zone.

We received your submittal on 11/19/2021 and processed it with the Submittal ID 2021-S-3410. Please keep this letter as documentation that you have met this procedural requirement. Your 60-day notice period ends on 01/18/2022.

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

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

Sincerely,

Review Team

Exhibit 5



CITY OF RICHLAND NOTICE OF APPLICATION, VIRTUAL PUBLIC HEARING AND OPTIONAL DNS (CA2021-109 & EA2021-132)

Notice is hereby given that Steve Henry, SMI Group XV, LLC. has filed an application for a text amendment to RMC Section 23.28.030 – Business Use Districts Permitted Land Uses. The proposed amendment to Section 23.28.030 would add “Mini-Warehouse” to the list of Business and Personal Service Uses that are permitted within the Business Research Park (B-RP) Zone.

Pursuant to Richland Municipal Code (RMC) Section 19.20 the Richland Planning Commission will conduct a virtual public hearing and review of the application at 6:00 p.m., December 8, 2021. All interested parties are invited to attend and present testimony at the virtual public hearing. Those individuals wishing to speak at the public hearing will need to register by 4:00 p.m. on the date of the hearing by visiting the City of Richland’s website www.ci.richland.wa.us.

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

Any person desiring to express his views or to be notified of any decisions pertaining to this application should notify Mike Stevens, Planning Manager, 625 Swift Blvd., MS-35, Richland, WA 99352. Comments may also be faxed to (509) 942-7764 or emailed to mstevens@ci.richland.wa.us. Written comments should be received no later than 5:00 p.m. on Thursday, December 2, 2021 to be incorporated into the staff report. Comments received after that date will be entered into the record at the hearing.

Copies of the staff report and recommendation will be available on the City of Richland website www.ci.richland.wa.us beginning Friday, December 3, 2021.

THANK YOU for your legal submission!

Your legal has been submitted for publication. Below is a confirmation of your legal placement. You will also receive an email confirmation.

ORDER DETAILS**Order Number:**

IPL0050686

Order Status:

Submitted

Classification:

Legals & Public Notices

Package:

TRI - Legal Ads

Final Cost:

182.59

Payment Type:

Account Billed

User ID:

IPL0024915

ACCOUNT INFORMATION

CITY OF RICHLAND/LEGALS IP

625 SWIFT BLVD. MS-11

RICHLAND, WA 99352

509-942-7547

AccountsPayable@ci.richland.wa.us

CITY OF RICHLAND/LEGALS

TRANSACTION REPORT**Date**

November 22, 2021 7:20:32 PM EST

Amount:

182.59

SCHEDULE FOR AD NUMBER IPL00506860

November 28, 2021

Tri-City Herald

PREVIEW FOR AD NUMBER IPL00506860

**CITY OF RICHLAND
NOTICE OF APPLICATION, VIR-
TUAL PUBLIC HEARING, AND
OPTIONAL DNS**

Notice is hereby given that Steve Henry, SMI Group XV, LLC has filed an application for a text amendment to Richland Municipal Code (RMC) Section 23.28.030 – Business Use Districts Permitted Land Uses. The proposed amendment to Section 23.28.030 would add “Mini-Warehouse” to the list of Business and Personal Service Uses that are permitted within the Business Research Park (B-RP) Zoning District.

Pursuant to Richland Municipal Code (RMC) Section 19.20, the Richland Planning Commission will conduct a virtual public hearing and review of the application on **Wednesday, December 8, 2021 at 6:00 p.m.** All interested parties are invited to attend and present testimony at the virtual public hearing. Those individuals wishing to speak at the public hearing will need to register by 4:00 p.m. on the date of the hearing by visiting the City of Richland's website at www.ci.richland.wa.us.

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Published: Sunday, November 28, 2021

W00000000

Publication Dates

[<< Click here to print a printer friendly version >>](#)

Stevens, Mike

From: Bill Barlow <BBarlow@bft.org>
Sent: Monday, November 22, 2021 8:26 AM
To: Stevens, Mike
Subject: RE: City of Richland Code Amendment CA2021-109 & EA2021-132

Any such amendment should include a ten year term limit. Mini-storage is urban blight and does not usually atone to the highest and best use principles of Business Use District.

Regards, Bill Barlow

Bill Barlow

Planning and Service Development
Ben Franklin Transit
1000 Columbia Park Trail | Richland, WA 99352
O: 509.734.5104

Email to and from this address may be subject to public disclosure under the Washington State Public Records Act (RCW 42.56)

From: Stevens, Mike <mstevens@CI.RICHLAND.WA.US>
Sent: Friday, November 19, 2021 11:46 AM
To: Anthony Muai <anthony.muai@ci.kennewick.wa.us>; Anthony Von Moos <anthony.vonmoos@co.benton.wa.us>; Ashley Morton <AshleyMorton@ctuir.org>; Badger Mountain Irrigation District <bmidmanager@badgermountainirrigation.com>; Benton County - Segregations <Segregations@co.benton.wa.us>; Benton PUD, Broadband <osp@noanet.net>; Benton PUD, Electrical <engservice@bentonpud.org>; Bill Barlow <BBarlow@bft.org>; Blaine Broberg, KID <bbroberg@kid.org>; Boring, Michael <MBoring@CI.RICHLAND.WA.US>; Boshart, Thomas <tboshart@CI.RICHLAND.WA.US>; Buechler, Ken <KBuechler@CI.RICHLAND.WA.US>; Carrie Thompson <carrie.thompson@bnsf.com>; Casey Barney, Yakama Nation <Casey_Barney@Yakama.com>; Catherine Dickson <catherinedickson@ctuir.org>; Clark Posey <clark.posey@co.benton.wa.us>; Corrine Camuso, Yakama Nation <Corrine_Camuso@Yakama.com>; Hamilton, Craig <C.Hamilton@bces.wa.gov>; DAHP SEPA Reviews <sepa@dahp.wa.gov>; DAlessandro, Carlo <cdalessandro@CI.RICHLAND.WA.US>; Darrick Dietrich <darrick@basindisposal.com>; Davis, Deanna <d.davis@bces.wa.gov>; Deborah Rodgers <dxrodders@bpa.gov>; Deskins, John <jdeskins@CI.RICHLAND.WA.US>; Eric Mendenhall <emendenhall@westrichland.org>; Florinda Coleman <florinda.coleman@co.benton.wa.us>; FormerOrchards@ecy.wa.gov; Ghbein, Briana <bghbein@ci.richland.wa.us>; Greg McCormick <gregory.mccormick@ci.kennewick.wa.us>; Greg Wendt <greg.wendt@co.benton.wa.us>; Gwen Clear <gcle461@ecy.wa.gov>; Hill, Kelly <khill@CI.RICHLAND.WA.US>; USPS Ina N. Beutler <ina.n.beutler@usps.gov>; Jason McShane <jmcsbane@kid.org>; Jennings, Tyler <tjennings@CI.RICHLAND.WA.US>; Jerrod Macpherson <Jerrod.Macpherson@co.benton.wa.us>; Jessica Lally, Yakama Nation <Jessica_Lally@Yakama.com>; Joseph Cichy, Ziply <joseph.cichy@ziply.com>; Joseph Cottrell <jecottrell@bpa.gov>; Junior Campos <junior.campos@charter.com>; Kelly Cooper <kelly.cooper@doh.wa.gov>; Kevin Knodel <kevin.knodel@rsd.edu>; Kevin Sliger <KSliger@bft.org>; KID Development <development@kid.org>; KID Webmaster <webmaster@kid.org>; M. Deklyne <mjddeklyne@bpa.gov>; Map BCES <map@bces.wa.gov>; Mattheus, Pamela <pmattheus@CI.RICHLAND.WA.US>; Noah Oliver, Yakama Nation <Noah_Oliver@Yakama.com>; Pasco99301 <99301PascoWA-Postmaster@usps.gov>; Paul Gonseth <gonsetp@wsdot.wa.gov>; ReathaFord, Jason <JReathaFord@CI.RICHLAND.WA.US>; Review Team <reviewteam@commerce.wa.gov>; Richard Krasner <richard.krasner@rsd.edu>; USPS Richland Postmaster <99352RichlandWA-Postmaster@usps.gov>; Rick Dawson <rickd@bfhd.wa.gov>; Rob Rodger <rob.rodger@bentoncleanair.org>; Robin Priddy <robin.priddy@bentoncleanair.org>; Sarah Gates <s.gates@bces.wa.gov>; Schiessl, Joe <JSchiessl@CI.RICHLAND.WA.US>; SEPA Center <sepacenter@dnr.wa.gov>; Seth DeFoe <SDeFoe@kid.org>; South Central Region Planning <scplanning@wsdot.wa.gov>; T.S. "Max" Platts <PlattsT@wsdot.wa.gov>; WA Dept of Fish & Wildlife <lopezlal@dfw.wa.gov>; WA Dept of Fish & Wildlife

<rittemwr@dfw.wa.gov>; Westphal, Nichole <nwestphal@ci.richland.wa.us>; William Simpson
<william.simpson@commerce.wa.gov>

Subject: City of Richland Code Amendment CA2021-109 & EA2021-132

EXTERNAL: This email originated from outside of Ben Franklin Transit. Do not click links or open attachments unless you recognize the sender and know the content is safe.

Attached to this email is information related to a proposed code amendment within the City of Richland. Please review and submit comments back no later than 5:00 PM, Wednesday, December 8, 2021. The City of Richland is utilizing the Optional DNS Process outlined in WAC-11-355 and expects to issue a DNS for this code amendment. This may be your only opportunity to comment on the environmental impacts of the proposed development.

Proposal: Steve Henry, SMI Group XV, LLC. has filed an application for a text amendment to RMC Section 23.28.030 – Business Use Districts Permitted Land Uses. The proposed amendment to Section 23.28.030 would add “Mini-Warehouse” to the list of Business and Personal Service Uses that are permitted within the Business Research Park (B-RP) Zone.

Thank you,



Mike Stevens

Planning Manager

625 Swift Blvd., MS-35 | Richland, WA 99352

(509) 942-7596

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

Stevens, Mike

From: Reathaford, Jason
Sent: Monday, November 22, 2021 8:23 AM
To: Stevens, Mike
Subject: RE: City of Richland Code Amendment CA2021-109 & EA2021-132

Hanford Street is a city street that currently dead-ends at the east side of this property. Development of this property will trigger the extension of Hanford Street. It will either have to be extended through to connect to another public roadway, or ended with a city standard cul-de-sac.

Thank you, Jason

From: Stevens, Mike <mstevens@CI.RICHLAND.WA.US>
Sent: Friday, November 19, 2021 11:46 AM
To: Anthony Muai <anthony.muai@ci.kennewick.wa.us>; Anthony Von Moos <anthony.vonmoos@co.benton.wa.us>; Ashley Morton <AshleyMorton@ctuir.org>; Badger Mountain Irrigation District <bmidmanager@badgermountainirrigation.com>; Benton County - Segregations <Segregations@co.benton.wa.us>; Benton PUD, Broadband <osp@noanet.net>; Benton PUD, Electrical <engservice@bentonpud.org>; Bill Barlow <bbarlow@bft.org>; Blaine Broberg, KID <bbroberg@kid.org>; Boring, Michael <MBoring@CI.RICHLAND.WA.US>; Boshart, Thomas <tboshart@CI.RICHLAND.WA.US>; Buechler, Ken <KBuechler@CI.RICHLAND.WA.US>; Carrie Thompson <carrie.thompson@bnsf.com>; Casey Barney, Yakama Nation <Casey_Barney@Yakama.com>; Catherine Dickson <catherinedickson@ctuir.org>; Clark Posey <clark.posey@co.benton.wa.us>; Corrine Camuso, Yakama Nation <Corrine_Camuso@Yakama.com>; Hamilton, Craig <C.Hamilton@bces.wa.gov>; DAHP SEPA Reviews <sepa@dahp.wa.gov>; DAlessandro, Carlo <cdalessandro@CI.RICHLAND.WA.US>; Darrick Dietrich <darrick@basindisposal.com>; Davis, Deanna <d.davis@bces.wa.gov>; Deborah Rodgers <dxrogers@bpa.gov>; Deskins, John <jdeskins@CI.RICHLAND.WA.US>; Eric Mendenhall <emendenhall@westrichland.org>; Florinda Coleman <florinda.coleman@co.benton.wa.us>; FormerOrchards@ecy.wa.gov; Ghbein, Briana <bghbein@ci.richland.wa.us>; Greg McCormick <gregory.mccormick@ci.kennewick.wa.us>; Greg Wendt <greg.wendt@co.benton.wa.us>; Gwen Clear <gcle461@ecy.wa.gov>; Hill, Kelly <khill@CI.RICHLAND.WA.US>; USPS Ina N. Beutler <ina.n.beutler@usps.gov>; Jason McShane <jmcsbane@kid.org>; Jennings, Tyler <tjennings@CI.RICHLAND.WA.US>; Jerrod Macpherson <Jerrod.Macpherson@co.benton.wa.us>; Jessica Lally, Yakama Nation <Jessica_Lally@Yakama.com>; Joseph Cichy, Ziply <joseph.cichy@ziply.com>; Joseph Cottrell <jecottrell@bpa.gov>; Junior Campos <junior.campos@charter.com>; Kelly Cooper <kelly.cooper@doh.wa.gov>; Kevin Knodel <kevin.knodel@rsd.edu>; Kevin Sliger <KSliger@bft.org>; KID Development <development@kid.org>; KID Webmaster <webmaster@kid.org>; M. Deklyne <mjddeklyne@bpa.gov>; Map BCES <map@bces.wa.gov>; Mattheus, Pamela <pmattheus@CI.RICHLAND.WA.US>; Noah Oliver, Yakama Nation <Noah_Oliver@Yakama.com>; Pasco99301 <99301PascoWA-Postmaster@usps.gov>; Paul Gonseth <gonsetp@wsdot.wa.gov>; Reathaford, Jason <JReathaford@CI.RICHLAND.WA.US>; Review Team <reviewteam@commerce.wa.gov>; Richard Krasner <richard.krasner@rsd.edu>; USPS Richland Postmaster <99352RichlandWA-Postmaster@usps.gov>; Rick Dawson <rickd@bfhd.wa.gov>; Rob Rodger <rob.rodger@bentoncleanair.org>; Robin Priddy <robin.priddy@bentoncleanair.org>; Sarah Gates <s.gates@bces.wa.gov>; Schiessl, Joe <JSchiessl@CI.RICHLAND.WA.US>; SEPA Center <sepacenter@dnr.wa.gov>; Seth DeFoe <SDeFoe@kid.org>; South Central Region Planning <scplanning@wsdot.wa.gov>; T.S. "Max" Platts <PlattsT@wsdot.wa.gov>; WA Dept of Fish & Wildlife <lopezlal@dfw.wa.gov>; WA Dept of Fish & Wildlife <rittemwr@dfw.wa.gov>; Westphal, Nichole <nwestphal@ci.richland.wa.us>; William Simpson <william.simpson@commerce.wa.gov>
Subject: City of Richland Code Amendment CA2021-109 & EA2021-132

Attached to this email is information related to a proposed code amendment within the City of Richland. Please review and submit comments back no later than 5:00 PM, Wednesday, December

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Thank you,



Mike Stevens

Planning Manager

625 Swift Blvd., MS-35 | Richland, WA 99352

(509) 942-7596

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Stevens, Mike

From: Deskins, John
Sent: Monday, November 22, 2021 9:36 AM
To: Stevens, Mike
Cc: DAlessandro, Carlo; Reathafor, Jason
Subject: RE: City of Richland Code Amendment CA2021-109 & EA2021-132

Mike,

It appears that Hanford Street was intended to run through to serve the future development. I think that it should be incorporated into any such development, say by creating a cul-de-sac and using it as one of the entrance points. We don't really want a dead with no way to sweep or turn around. This would be my preference.

Otherwise, I suggest that if they do not wish to do this that they reconfigure the intersection of SmartPark & Hanford so that it is a "Turn" rather than having a stop sign on the Smartpark approach. This would be a minimum. In a perfect world, they'd modify to our minimum radius and adjust the curbs accordingly having eastbound Hanford stop controlled in the middle of the curve.



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

From: Stevens, Mike <mstevens@CI.RICHLAND.WA.US>
Sent: Friday, November 19, 2021 11:46 AM
To: Anthony Muai <anthony.muai@ci.kennewick.wa.us>; Anthony Von Moos <anthony.vonmoos@co.benton.wa.us>; Ashley Morton <AshleyMorton@ctuir.org>; Badger Mountain Irrigation District <bmidmanager@badgermountainirrigation.com>; Benton County - Segregations <Segregations@co.benton.wa.us>; Benton PUD, Broadband <osp@noanet.net>; Benton PUD, Electrical <engservice@bentonpud.org>; Bill Barlow <bbarlow@bft.org>; Blaine Broberg, KID <bbroberg@kid.org>; Boring, Michael <MBoring@CI.RICHLAND.WA.US>; Boshart, Thomas <tboshart@CI.RICHLAND.WA.US>; Buechler, Ken <KBuechler@CI.RICHLAND.WA.US>; Carrie Thompson <carrie.thompson@bnsf.com>; Casey Barney, Yakama Nation <Casey_Barney@Yakama.com>; Catherine Dickson <catherinedickson@ctuir.org>; Clark Posey <clark.posey@co.benton.wa.us>; Corrine Camuso, Yakama Nation

<Corrine_Camuso@Yakama.com>; Hamilton, Craig <C.Hamilton@bces.wa.gov>; DAHP SEPA Reviews <sepa@dahp.wa.gov>; DAlessandro, Carlo <cdalessandro@CI.RICHLAND.WA.US>; Darrick Dietrich <darrick@basindisposal.com>; Davis, Deanna <d.davis@bces.wa.gov>; Deborah Rodgers <dxrogers@bpa.gov>; Deskins, John <jdeskins@CI.RICHLAND.WA.US>; Eric Mendenhall <emendenhall@westrichland.org>; Florinda Coleman <florinda.coleman@co.benton.wa.us>; FormerOrchards@ecy.wa.gov; Ghbein, Briana <bghbein@ci.richland.wa.us>; Greg McCormick <gregory.mccormick@ci.kennewick.wa.us>; Greg Wendt <greg.wendt@co.benton.wa.us>; Gwen Clear <gcle461@ecy.wa.gov>; Hill, Kelly <khill@CI.RICHLAND.WA.US>; USPS Ina N. Beutler <ina.n.beutler@usps.gov>; Jason McShane <jmcshane@kid.org>; Jennings, Tyler <tjennings@CI.RICHLAND.WA.US>; Jerrod Macpherson <Jerrod.Macpherson@co.benton.wa.us>; Jessica Lally, Yakama Nation <Jessica_Lally@Yakama.com>; Joseph Cichy, Ziply <joseph.cichy@ziply.com>; Joseph Cottrell <jecottrell@bpa.gov>; Junior Campos <junior.campos@charter.com>; Kelly Cooper <kelly.cooper@doh.wa.gov>; Kevin Knodel <kevin.knodel@rsd.edu>; Kevin Sliger <KSliger@bft.org>; KID Development <development@kid.org>; KID Webmaster <webmaster@kid.org>; M. Deklyne <mjdeklyne@bpa.gov>; Map BCES <map@bces.wa.gov>; Mattheus, Pamela <pmattheus@CI.RICHLAND.WA.US>; Noah Oliver, Yakama Nation <Noah_Oliver@Yakama.com>; Pasco99301 <99301PascoWA-Postmaster@usps.gov>; Paul Gonseth <gonsetp@wsdot.wa.gov>; Reathafor, Jason <JReathafor@CI.RICHLAND.WA.US>; Review Team <reviewteam@commerce.wa.gov>; Richard Krasner <richard.krasner@rsd.edu>; USPS Richland Postmaster <99352RichlandWA-Postmaster@usps.gov>; Rick Dawson <rickd@bfhd.wa.gov>; Rob Rodger <rob.rodger@bentoncleanair.org>; Robin Priddy <robin.priddy@bentoncleanair.org>; Sarah Gates <s.gates@bces.wa.gov>; Schiessl, Joe <JSchiessl@CI.RICHLAND.WA.US>; SEPA Center <sepacenter@dnr.wa.gov>; Seth DeFoe <SDeFoe@kid.org>; South Central Region Planning <scplanning@wsdot.wa.gov>; T.S. "Max" Platts <PlattsT@wsdot.wa.gov>; WA Dept of Fish & Wildlife <lopezlal@dfw.wa.gov>; WA Dept of Fish & Wildlife <rittemwr@dfw.wa.gov>; Westphal, Nichole <nwestphal@ci.richland.wa.us>; William Simpson <william.simpson@commerce.wa.gov>

Subject: City of Richland Code Amendment CA2021-109 & EA2021-132

Attached to this email is information related to a proposed code amendment within the City of Richland. Please review and submit comments back no later than 5:00 PM, Wednesday, December 8, 2021. The City of Richland is utilizing the Optional DNS Process outlined in WAC-11-355 and expects to issue a DNS for this code amendment. This may be your only opportunity to comment on the environmental impacts of the proposed development.

Proposal: Steve Henry, SMI Group XV, LLC. has filed an application for a text amendment to RMC Section 23.28.030 – Business Use Districts Permitted Land Uses. The proposed amendment to Section 23.28.030 would add “Mini-Warehouse” to the list of Business and Personal Service Uses that are permitted within the Business Research Park (B-RP) Zone.

Thank you,



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

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Stevens, Mike

From: Chris Sittman <CSittman@kid.org>
Sent: Thursday, December 2, 2021 2:06 PM
To: Stevens, Mike
Subject: RE: City of Richland Code Amendment CA2021-109 & EA2021-132

KID has no comments regarding this proposal!

Sincerely,

Chris D. Sittman
Engineering Dept./CAD Specialist
Kennewick Irrigation District
2015 S. Ely St.
Kennewick, WA 99337
Desk: 509-460-5435
Cell: 509-873-1123

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