



Agenda

City Council Regular Meeting

Tuesday, January 4, 2022

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

Meeting ID No. 505 625 7380

City of Richland Resolution No. 100-20 temporarily designates virtual locations for all municipal meetings. This meeting will be conducted remotely via Zoom and broadcast live on CityView Channel 192, on the City's website, and on the City's YouTube Channel. If you wish to provide testimony for a Public Hearing item(s) or provide comments for the Public Comments portion of the Council meeting, please register [here](#) by 4:00 p.m. on the day of the meeting. Only those who register by the deadline will be permitted to speak during the meeting.

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

Welcome and Roll Call

Pledge of Allegiance

Approval of Agenda: (Approved by Motion)

Presentations:

- I. Swearing-In of Councilmembers:
Jhoanna Jones, Position No. 1 (Elected) 2-Year Term
Theresa Richardson, Position No. 2 (Elected) Remainder of Unexpired Term
Sandra Kent, Position No. 3 (Re-Elected) 4-Year Term
Ryan Lukson, Position No. 4 (Re-Elected) 4-Year Term
Michael Alvarez, Position No. 7 (Re-Elected) 4-Year Term
- Jon Amundson, City Manager
2. Selection of Mayor for 2022-2023
- City Councilmembers
3. Selection of Mayor Pro Tem for 2022-2023
- City Councilmembers
4. New Hires & Retirements
- Lacey Paulsen, Human Resources Director

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

5. Approving the 2022-2024 Collective Bargaining Agreement with the International Union of Operating Engineers, Local No. 280, Resolution No. 2022-04
- Lacey Paulsen, Human Resources Director

Public Comments: Please limit public comments to 2 minutes. The public comment period is not an opportunity for dialogue with councilmembers, or for posing questions with the expectation of an immediate answer. Many questions require an opportunity for information-gathering and deliberation. For this reason, Council will accept comments, but will not directly respond to comments, questions or concerns during public

comment. Records intended for Council consideration must be given to the City Clerk by 4:00 p.m. the day of the meeting for distribution.

Consent Calendar: Items on the Consent Calendar have been distributed to the City Council in advance for reading and study, are considered to be routine, and will be enacted by one motion of the Council with no discussion. Councilmembers may transfer individual items to Items of Business for deliberation before voting.

Minutes:

6. Approval of the December 21, 2021 City Council Regular Meeting Minutes
 - Heather Kintzley, City Attorney

Ordinances - First Reading:

7. Ordinance No. 2022-01, Amending Richland Municipal Code Section 23.28.030 related to Business Use Districts Permitted Land Uses
 - Kerwin Jensen, Development Services Director
8. Ordinance No. 2022-02, Amending Chapter 2.04 of the Richland Municipal Code related to the City of Richland's Administrative Code
 - Jon Amundson, City Manager

Ordinances - Second Reading & Passage:

9. Ordinance No. 41-21, Approving the 2021 Comprehensive Plan Amendments
 - Kerwin Jensen, Development Services Director
10. Ordinance No. 42-21, Approving Amendments to RMC Title 23 and the Official Zoning Map of the City of Richland
 - Kerwin Jensen, Development Services Director
11. Ordinance No. 43-21, Amending Chapter 12.03 of the Richland Municipal Code related to Road Impact Fees
 - Pete Rogalsky, Public Works Director
12. Ordinance No. 45-21, Revising the Corporate Boundary of the City of Richland to include a Portion of Reata Road
 - Pete Rogalsky, Public Works Director

Resolutions - Adoption:

13. Resolution No. 2022-01, Authorizing a 2022-2026 Interlocal Agreement for the Hanford Communities
 - Jon Amundson, City Manager
14. Resolution No. 2022-02, Authorizing a Consultant Agreement with Berry, Dunn, McNeil & Parker, LLC for Utility Billing Analysis and Enterprise Asset Management Services
 - Drew Florence, Assistant City Manager
15. Resolution No. 2022-03, Authorizing Award of Bid to Magnum Power for the Reata Road - Leslie Substation Feeder 141 Extension
 - Clint Whitney, Energy Services Director

16. Resolution No. 2022-04, Approving the 2022-2024 Collective Bargaining Agreement with the International Union of Operating Engineers, Local No. 280
 - Lacey Paulsen, Human Resources Director
17. Resolution No. 2022-05, Authorizing a Purchase Order Contract with Boyd's Tree Service, LLC for Tree Pruning and Vegetation Management
 - Clint Whitney, Energy Services Director
18. Resolution No. 2022-06, Authorizing an Interlocal Agreement with the Port of Benton related to the 2022 Rail Repair Project
 - Pete Rogalsky, Public Works Director
19. Resolution No. 2022-07, Authorizing an Interlocal Agreement with Benton County and the cities of Benton City, Kennewick, Richland, Prosser and West Richland regarding Solid Waste Management
 - Pete Rogalsky, Public Works Director

Items - Approval:

Items of Business:

20. Selection Process for City Council Liaison Assignments to Various Boards, Commissions and Committees (Discussion Only)
 - Jon Amundson, City Manager

Reports and Comments:

1. City Manager
2. City Council
3. Mayor

Adjournment

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

Richland City Hall is ADA accessible. Requests for sign interpreters, audio equipment, and/or other special services must be received 48 hours prior to the meeting by calling the City Clerk's Office at 509-942-7389.



COUNCIL AGENDA ITEM COVERSHEET

Council Date: 1/4/2022

Agenda Category: Presentations

Core Focus Area I - Promote Financial Stability & Operational Effectiveness

Subject:

Swearing-In of Councilmembers:

Jhoanna Jones, Position No. 1 (Elected) 2-Year Term

Theresa Richardson, Position No. 2 (Elected) Remainder of Unexpired Term

Sandra Kent, Position No. 3 (Re-Elected) 4-Year Term

Ryan Lukson, Position No. 4 (Re-Elected) 4-Year Term

Michael Alvarez, Position No. 7 (Re-Elected) 4-Year Term

Department:
City Manager

Ordinance/Resolution Number:

Document Type:
Presentation

Recommended Motion:

None.

Summary:

Effective August 18, 2020, Councilmember Brad Anderson resigned from the Richland City Council. On October 6, 2020, Council voted unanimously to appoint Marianne Boring to serve as interim councilmember to Position No. 2 until a duly elected successor was determined by the 2021 General Election. On November 23, 2021, Theresa Richardson was declared the winner in the 2021 General Election for Position No. 2. The unexpired term for Position No. 2 is December 31, 2023.

Other Council offices on the November 2, 2021 General Election included Position Nos. 1, 3, 4 and 7. Article II, Section 2.01 states that the three (3) candidates receiving the highest number of votes shall serve a four-year term, and the one receiving the fourth highest number of votes shall serve a two-year term. Michael Alvarez, Sandra Kent and Ryan Lukson have been elected to four-year terms. Jhoanna Jones has been elected to a two-year term.

Consistent with the Richland City Charter, the elected councilmembers will be sworn-in by the City Clerk to their respective terms of office.

Fiscal Impact: None.

Attachments:



COUNCIL AGENDA ITEM COVERSHEET

Council Date: 1/4/2022

Agenda Category: Presentations

Core Focus Area I - Promote Financial Stability & Operational Effectiveness

Subject:

Selection of Mayor for 2022-2023

Department:
City Council

Ordinance/Resolution Number:

Document Type:
Presentation

Recommended Motion:

None.

Summary:

Consistent with the Richland City Charter, the Council will elect from its membership one councilmember to serve as Mayor for the years 2022 and 2023.

Fiscal Impact:

None.

Attachments:



COUNCIL AGENDA ITEM COVERSHEET

Council Date: 1/4/2022

Agenda Category: Presentations

Core Focus Area I - Promote Financial Stability & Operational Effectiveness

Subject:

Selection of Mayor Pro Tem for 2022-2023

Department:
City Council

Ordinance/Resolution Number:

Document Type:
Presentation

Recommended Motion:

None.

Summary:

Consistent with the Richland City Charter, the Council will elect from its membership one councilmember to serve as Mayor Pro Tem for the years 2022 and 2023.

Fiscal Impact:

None.

Attachments:



COUNCIL AGENDA ITEM COVERSHEET

Council Date: 1/4/2022

Agenda Category: Presentations

Core Focus Area I - Promote Financial Stability & Operational Effectiveness

Subject:

New Hires & Retirements

Department:

Administrative Services

Ordinance/Resolution Number:

Document Type:

Presentation

Recommended Motion:

None.

Summary:

A video featuring the December 2021 new hires and retirements will be played.

Fiscal Impact:

None.

Attachments:



COUNCIL AGENDA ITEM COVERSHEET

Council Date: 1/4/2022

Agenda Category: Public Hearing

Key I - Financial Stability & Operational Effectiveness

Subject:

Approving the 2022-2024 Collective Bargaining Agreement with the International Union of Operating Engineers, Local No. 280, Resolution No. 2022-04

Department:

Human Resources

Ordinance/Resolution Number:

Document Type:

Public Hearing Item

Recommended Motion:

None.

Summary:

Article VI, Section 6.03 of the Richland City Charter requires a public hearing to be held before Council amends, repeals or adds to the City's personnel rules, including salary/wage plans for all City positions. This public hearing, which will take testimony on the proposed 2022-2024 Collective Bargaining Agreement with the International Union of Operating Engineers, will satisfy the requirements of the Richland City Charter.

Resolution No. 2022-04 is being presented for Council consideration and approval on the agenda. Please see the staff report accompanying Resolution No. 2022-04 for more information.

Fiscal Impact:

See the staff report accompanying Resolution No. 2022-04 for more information.

Attachments:



COUNCIL AGENDA ITEM COVERSHEET

Council Date: 1/4/2022

Agenda Category: Minutes

Core Focus Area I - Promote Financial Stability & Operational Effectiveness

Subject:

Approval of the December 21, 2021 City Council Regular Meeting Minutes

Department:
City Attorney

Ordinance/Resolution Number:

Document Type:
Minutes

Recommended Motion:

Approve the meeting minutes from the regular City Council meeting held on December 21, 2021.

Summary:

Draft minutes from the December 21, 2021 City Council Regular Meeting are presented for Council's consideration and approval.

Fiscal Impact:

None.

Attachments:

- I. Draft December 21, 2021 City Council Regular Meeting Minutes



MINUTES

RICHLAND CITY COUNCIL REGULAR MEETING

Tuesday, December 21, 2021

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

Meeting ID No. 505 625 7380

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

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

Welcome and Roll Call

Mayor Lukson welcomed those in the audience and expressed appreciation for their attendance.

Attendance: Mayor Lukson, Mayor Pro Tem Kent, and Councilmembers Alvarez, Boring, Christensen, Lemley and Thompson were present.

Also present were City Manager Amundson, Assistant City Manager Florence, City Attorney Kintzley, Fire Chief Huntington, Chief of Police Bruce, Development Services Director Jensen, Public Works Director Rogalsky, Energy Services Director Whitney, Planning Manager Stevens and City Clerk Rogers.

Pledge of Allegiance

Councilmember Thompson led the Council and audience in the recitation of the Pledge of Allegiance.

Approval of Agenda

COUNCILMEMBER CHRISTENSEN MOVED AND COUNCILMEMBER THOMPSON SECONDED THE MOTION TO APPROVE THE AGENDA AS PUBLISHED. MOTION CARRIED 7-0.

Presentations

1. Proclamation of Appreciation with Plaque for Councilmember Marianne Boring

Mayor Lukson read aloud a proclamation of appreciation outlining Councilmember Boring's years of service to the Planning Commission, Board of Adjustment, and Richland City Council.

Councilmember Boring stated that it has been a humbling and rewarding experience to serve the residents of Richland for such an extended amount of time. Councilmember Boring then encouraged citizens to volunteer to serve on a City board, commission or committee.

Mayor Lukson thanked Councilmember Boring for the planning experience and skillset she contributed to the City of Richland City Council.

2. Proclamation of Appreciation with Plaque for Councilmember Robert J. Thompson

Mayor Lukson read aloud a proclamation outlining Councilmember Thompson's twenty-seven (27) years of service on the Richland City Council.

Councilmember Thompson reflected on the accomplishments achieved by the City of Richland during his tenure on the City Council. Councilmember Thompson encouraged councilmembers to continue to promote public engagement regarding the City's goals, policies and projects.

Councilmember Thompson thanked Councilmember Boring for her perspectives and contributions as a fellow councilmember.

Mayor Lukson spoke positively of Councilmember Thompson's candid and direct discussion during council deliberations.

Fellow councilmembers thanked Councilmembers Boring and Thompson for their contributions to Richland City Council, wished them well in their future endeavors, and added that they will be missed.

Public Hearings

None.

Public Comments

City Clerk Rogers read the Public Comments procedures.

The following individual provided public comment as follows:

Wesley Brown - 4704 Vineyard Estate Lane, Richland, WA: Mr. Brown advocated for the creation of a dog park in the Badger Mountain South area. Mr. Brown thanked Parks & Recreation staff for organizing a community outreach and survey on the topic.

Consent Calendar

City Clerk Rogers read the Consent Calendar.

COUNCILMEMBER BORING MOVED AND COUNCILMEMBER CHRISTENSEN SECONDED THE MOTION TO APPROVE THE CONSENT AGENDA AS PUBLISHED. MOTION CARRIED 7-0.

Minutes

3. Approval of the December 7, 2021 City Council Regular Meeting Minutes

Ordinances - First Reading

4. Ordinance No. 43-21, Amending Chapter 12.03 of the Richland Municipal Code related to Road Impact Fees
5. Ordinance No. 45-21, Revising the Corporate Boundary of the City of Richland to include a Portion of Reata Road

Ordinances - Second Reading & Passage

6. Ordinance No. 44-21, Vacating a Portion of Keene Court Right-of-Way
7. Ordinance No. 46-21, Approving the 2025 Council Compensation Plan

Resolutions – Adoption

8. Resolution No. 151-21, Authorizing a Purchase and Sale Agreement with McCoy Family Investments, LLC related to the Center Parkway North Extension Project
9. Resolution No. 155-21, Approving an Interlocal Agreement with Benton County for Shared Equipment and/or Services
10. Resolution No. 156-21, Approving 2022 Hotel/Motel Lodging Tax Funding Awards
11. Resolution No. 158-21, Authorizing a Consultant Agreement with David Evans & Associates, Inc. for the Center Parkway North Project
12. Resolution No. 159-21, Authorizing Assignment and Assumption of the Parking Lot Lease with Charles Frenzel

Items - Approval

None.

Expenditures - Approval

13. Expenditures from November 1, 2021 to November 30, 2021 for \$33,923,587.04 including Travel Check Nos. 20048-20058, Accounts Payable Check Nos. 294996-295911, Accounts Payable Wire Nos. 8799-8837, Payroll Wires & ACH Nos. 12406-12455, Payroll Direct Deposit & Check Nos. 186029- 187120 and Pension Check Nos. 5996-6022

Items of Business

14. Ordinance No. 41-21, Approving the 2021 Comprehensive Plan Amendments (First Reading)

Planning Manager Stevens provided a brief overview of the proposed comprehensive plan amendments, and highlighted the changes made in response to Council deliberations during the December 21, 2021 City Council meeting.

COUNCILMEMBER CHRISTENSEN MOVED AND COUNCILMEMBER BORING SECONDED THE MOTION TO APPROVE ORDINANCE NO. 41-21, APPROVING THE 2021 COMPREHENSIVE PLAN AMENDMENTS, FOR FIRST READING BY TITLE ONLY. THOSE IN FAVOR: MAYOR LUKSON, MAYOR PRO TEM KENT, AND COUNCILMEMBERS ALVAREZ, BORING, CHRISTENSEN, LEMLEY AND THOMPSON. THOSE OPPOSED: NONE. MOTION CARRIED 7-0.

15. Ordinance No. 42-21, Approving Amendments to RMC Title 23 and the Official Zoning Map of the City of Richland (First Reading)

COUNCILMEMBER BORING MOVED AND COUNCILMEMBER CHRISTENSEN SECONDED THE MOTION TO APPROVE ORDINANCE NO. 42-21, APPROVING AMENDMENTS TO RICHLAND MUNICIPAL CODE TITLE 23 AND THE OFFICIAL ZONING MAP OF THE CITY OF RICHLAND, FOR FIRST READING BY TITLE ONLY. THOSE IN FAVOR: MAYOR LUKSON, MAYOR PRO TEM KENT, AND COUNCILMEMBERS ALVAREZ, BORING, CHRISTENSEN, LEMLEY AND THOMPSON. THOSE OPPOSED: NONE. MOTION CARRIED 7-0.

Reports and Comments

City Manager

City Manager Amundson announced that City Hall and other city facilities will be closed December 23-24, 2021 for the holidays, and thanked police, fire and public works staff for continuing with their duties while others enjoy time off. Next, City Manager Amundson thanked Councilmembers Boring and Thompson on behalf of staff for their service on the Richland City Council. Lastly, City Manager Amundson wished everyone a safe and happy holiday season.

City Council

Councilmember Lemley stated that the diverse viewpoints expressed by Councilmembers Boring and Thompson will be missed, and acknowledged the loss of institutional knowledge the City Council will realize with the departure of both councilmembers. Councilmember Lemley wished Councilmembers Boring and Thompson well in their future endeavors.

Councilmember Christensen thanked Councilmember Boring for her years of service to the Board of Adjustment and Richland Planning Commission. Councilmember Christensen also thanked Councilmember Thompson for his many years of providing insight and direction, and added that he will be missed.

Councilmember Alvarez congratulated City Manager Amundson on his new role as City Manager, and thanked Councilmembers Boring and Thompson for their years of service. Councilmember Alvarez then announced that implementation of the Washington State Cares Fund Program has been delayed. Councilmember Alvarez also thanked Kadlec Regional Medical Center staff for their exceptional medical care and service.

Councilmember Thompson provided statements supporting City Manager Amundson in his new role as City Manager. Councilmember Thompson then expressed gratitude toward staff, fellow councilmembers, and city residents in appreciation for the opportunity he was given to represent the City of Richland for such an extensive amount of time.

Councilmember Boring stated that she has enjoyed working with city staff as a board member, a commission member and a councilmember.

Mayor Pro Tem Kent thanked Councilmembers Boring and Thompson for their years of service, stated that she looks forward to their continued involvement in the community, and added that they will be missed. Mayor Pro Tem Kent also thanked Councilmember Alvarez for providing an update on the Washington State Cares Fund Program, and encouraged citizens to educate themselves on the details of the program. Lastly, Mayor Pro Tem Kent thanked staff who will be working during the holidays.

Council collectively wished everyone a safe and happy holiday.

Mayor

Mayor Lukson expressed appreciation to Councilmembers Boring and Thompson for their years of service, and encouraged both to continue their public service in some capacity in the future.

Executive Session

16. Executive Session Per RCW 42.30.110(1)(i): Discuss Current or Potential Litigation with Legal Counsel (30 minutes)

AT 6:40 P.M. COUNCIL MOVED INTO EXECUTIVE SESSION FOR 30 MINUTES TO DISCUSS CURRENT OR POTENTIAL LITIGATION WITH LEGAL COUNCIL.

Virtually present for the executive session included Mayor Lukson, Mayor Pro Tem Kent, and Councilmembers Alvarez, Boring, Christensen, Lemley and Thompson. Staff present included City Manager Amundson, Assistant City Manager Florence, Fire Chief Huntington, and City Attorney Kintzley.

COUNCIL EXITED EXECUTIVE SESSION AT 7:05 P.M.

Adjournment

Mayor Lukson adjourned the meeting at 7:05 p.m.

APPROVED:

ATTEST:

Ryan Lukson, Mayor

Jennifer Rogers, City Clerk

Date Approved:

Date Published:

DRAFT



COUNCIL AGENDA ITEM COVERSHEET

Council Date: 1/4/2022

Agenda Category: Ordinances - First Reading

Core Focus Area 3 - Increase Economic Vitality

Subject:

Ordinance No. 2022-01, Amending Richland Municipal Code Section 23.28.030 related to Business Use Districts Permitted Land Uses

Department:

Development Services

Ordinance/Resolution Number:

2022-01

Document Type:

Ordinance

Recommended Motion:

Give first reading, by title only, to Ordinance No. 2022-01, amending Richland Municipal Code Section 23.28.030 related to business use districts permitted land uses.

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.

During its December 8, 2021 meeting the Planning Commission voted to recommend approval of Ordinance No. 2022-01 (attached). Staff supports the Planning Commission's recommendation and recommends that the City Council vote to approve the adoption of Ordinance No. 2022-01.

Fiscal Impact:

None.

Attachments:

1. Ordinance No. 2022-01
2. Full Staff Report - CA2021-109 Mini Warehouses in B-RP Zone

ORDINANCE NO. 2022-01

**AN ORDINANCE OF THE CITY OF RICHLAND, WASHINGTON,
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 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 to the existing list of allowable land uses contained in 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 Section 23.28.030, 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:

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		
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

Land Use	B-RP	B-C
Industrial/Manufacturing Uses		
Light Manufacturing Uses	P	P
Research, Development and Testing Facilities	P	P
Warehousing, Storage and Distribution		A
Wholesale Facilities and Operations		P
Office Uses		
Financial Institutions	P	P
Medical, Dental and Other Clinics	P	P
Newspaper Offices and Printing Works		P
Office – Consulting Services	P	P
Office – Corporate	P	P
Office – General	P	P
Office – Research and Development	P	P
Radio and Television Studios		P
Schools, Commercial	P	P
Schools, Trade	P	P
Travel Agencies	P	P
Public/Quasi-Public Uses		
Alternative Schools		p ⁵
Churches		p ⁶
Clubs or Fraternal Societies		p ⁶
Cultural Institutions		p ⁶
General Park Operations and Maintenance Activities	P	P
Passive Open Space Use	P	P
Power Transmission and Irrigation Wasteway Easements and Utility Uses	p ⁷	p ⁷
Public Agency Buildings	p ⁷	p ⁷
Public Agency Facilities	p ⁷	p ⁷
Public Parks	P	P
Special Events Including Concerts, Tournaments and Competitions, Fairs, Festivals and Similar Public Gatherings	P	P
Trail Head Facilities	P	P
Trails for Equestrian, Pedestrian, or Nonmotorized Vehicle Use	P	P

Land Use	B-RP	B-C
Residential Uses		
Accessory Dwelling Unit	A	A
Apartment, Condominium (3 or More Units)	S ⁸	
Day Care Center	S ^{8,9}	A ⁹
Designated Manufactured Home	S ^{8,10, 11}	
Dormitories, Fraternities, and Sororities	S ⁸	
Dwelling, One-Family Attached	S ^{8,10,11}	
Dwelling, One-Family Detached	S ^{8,10,11}	
Dwelling, Duplex	S ⁶	
Dwelling Units for a Resident Watchman or Custodian	A	A
Hotels or Motels	S ⁸	P
Nursing or Rest Home		P
Temporary Residence	P ^{8,10}	P ¹⁰
Retail Uses		
Parking Lot or Structure	P	P
Department Stores		P
Specialty Retail Stores	P	P
Miscellaneous Uses		
Bus Terminal	P	P
Bus Transfer Station	P	P
Community Festivals and Street Fairs	P	P
Convention Center	P	P
Farming of Land	P	P
Macro-Antennas	P	P
Monopole	P ¹²	S ¹²
Outdoor Storage	P ¹³	P ¹³
Storage in an Enclosed Building	P	P

1. RMC 23.42.270
2. RMC 23.42.170
3. RMC 23.42.185
4. RMC 23.42.047
5. RMC 23.42.260
6. RMC 23.42.050
7. RMC 23.42.200

8. RMC 23.28.020(B)
9. RMC 23.42.080
10. RMC 23.42.110
11. RMC 23.18.025
12. Chapter 23.62 RMC
13. RMC 23.42.180
14. Permitted when located adjacent to a principal or minor arterial street as identified in Chapter 12.02 RMC, Street Functional Classification Plan.
15. RMC 23.42.325
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 five percent (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 solid concrete or masonry wall at least eight (8) feet in height.

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

First Reading: _____

Second Reading: _____

Date Published: _____

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.

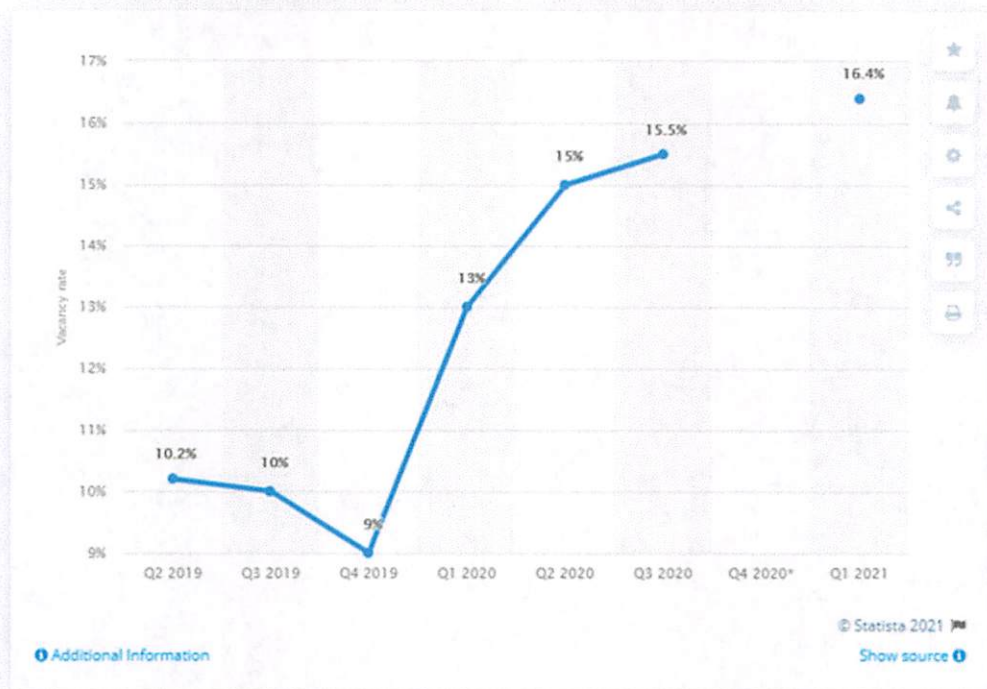
Potential for Future B-RP Land Uses

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



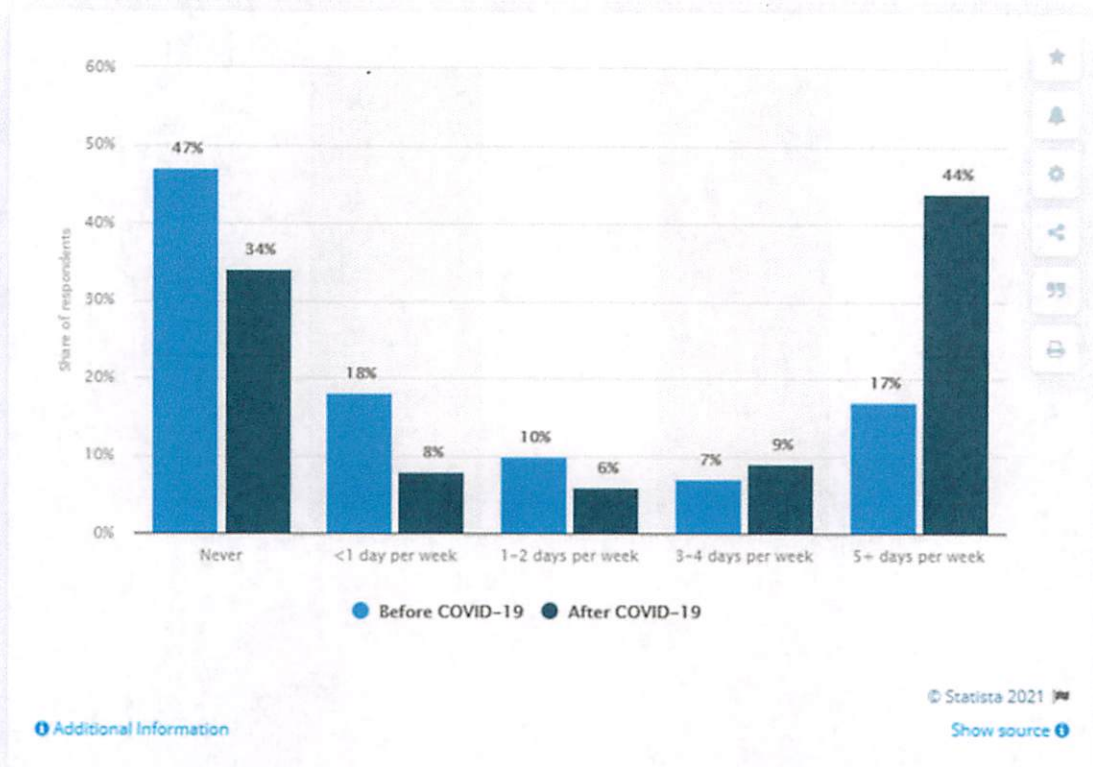
Source: Statista Research Department (5/31/21)

<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.

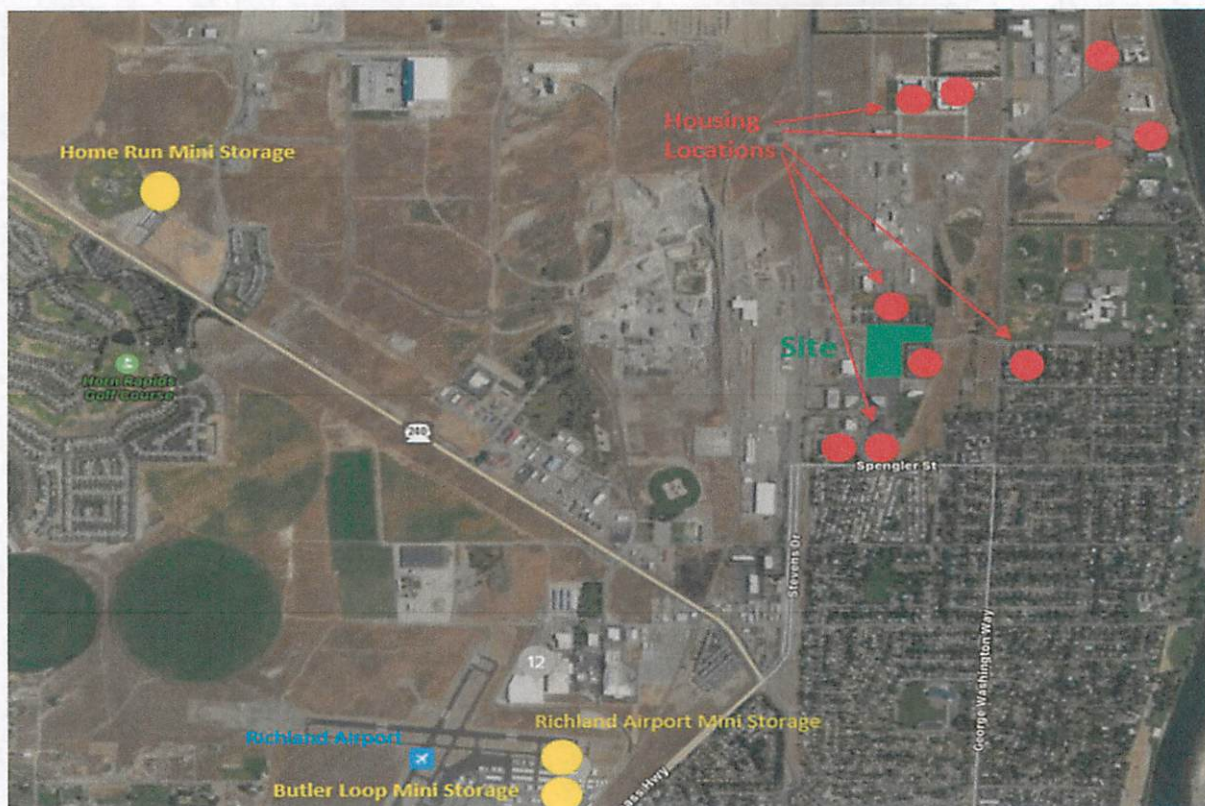
Within the B-RP zone, there is significant potential for additional residential development. B-RP zoning standards limit residential development to no more than 20% of the total acreage within the zone (760 total acres x 20% = 152). B-RP zoning standards also require an average density of 8 units/acre. 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

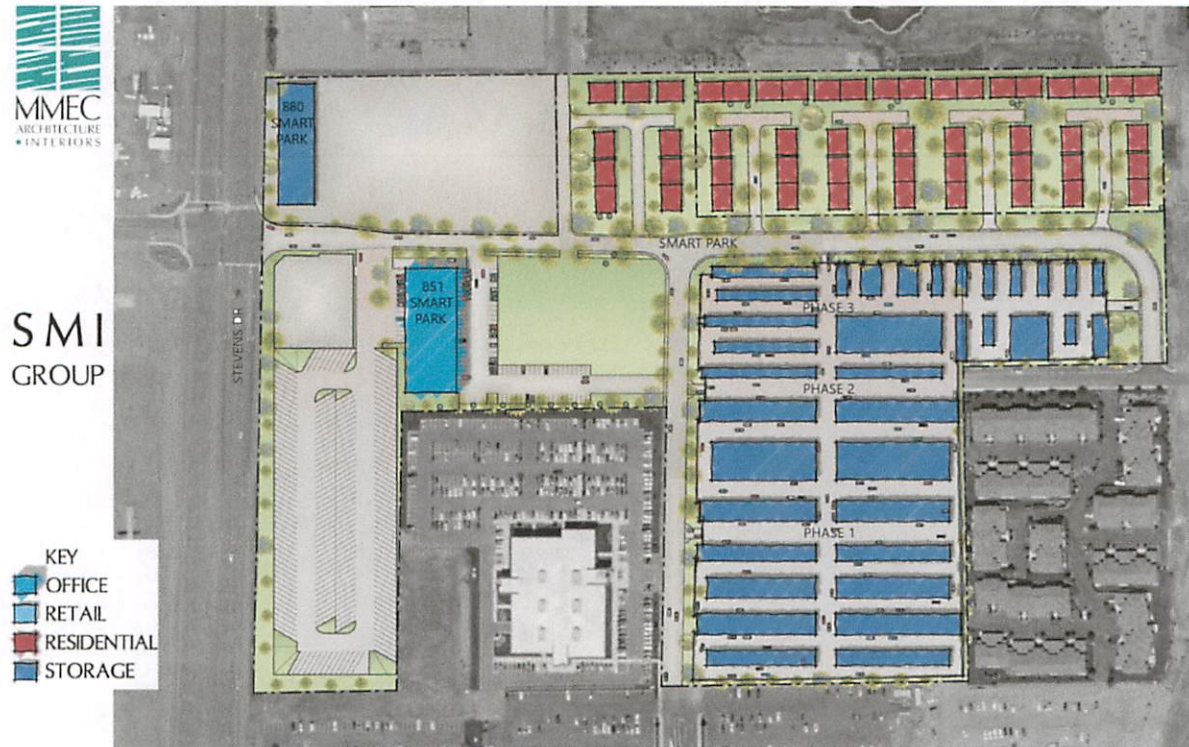


Exhibit 2

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**

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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.

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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: 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

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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

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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: 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

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 <bbrberg@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 <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>; Development <development@kid.org>; Matthew Berglund <MBerglund@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

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

CAUTION: This email originated from outside of the organization. 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

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COUNCIL AGENDA ITEM COVERSHEET

Council Date: 1/4/2022

Agenda Category: Ordinances - First Reading

Core Focus Area I - Promote Financial Stability & Operational Effectiveness

Subject:

Ordinance No. 2022-02, Amending Chapter 2.04 of the Richland Municipal Code related to the City of Richland's Administrative Code

Department:
City Manager

Ordinance/Resolution Number:
2022-02

Document Type:
Ordinance

Recommended Motion:

Give first reading, by title only, to Ordinance No. 2022-02, amending Chapter 2.04 of the Richland Municipal Code related to the City of Richland's Administrative Code.

Summary:

The City has need, from time to time, to update the Richland Municipal Code to bring it into alignment with municipal practices and to eliminate ambiguities. The edits proposed in Ordinance No. 2022-02 reflect changes in organization structure introduced by a change in city leadership. Primarily, the edits establish the position of deputy city manager to provide general administrative oversight to four city departments (public works, energy services, parks & public facilities, and development services) in order to reduce the city manager's span of control to allow greater focus on planning efforts and big-picture issues affecting the City. The edits also eliminate the administrative services director, transfer responsibility for the administrative services group to the assistant city manager, and establish human resources as a separate department under the direction of a human resources director.

Additional housekeeping efforts include creating a section of code that defines "officer of the city" to eliminate ambiguity surrounding Article VIII, Section 8.05 of the Richland City Charter related to oaths of office, and expanding the residency requirement for youth members of the Arts Commission and the Parks & Recreation Commission to include those who reside within the boundaries of the Kennewick School District and within Richland city limits. The city and school district boundaries do not align, and several Richland residents attend Kennewick schools. Further, the future will see a Kennewick School District high school located in the City of Richland.

Staff recommends approval of Ordinance No. 2022-02 for first reading, by title only.

Fiscal Impact: None.

Attachments:

- I. Ordinance No. 2022-02

ORDINANCE NO. 2022-02

AN ORDINANCE OF THE CITY OF RICHLAND, WASHINGTON, AMENDING CHAPTER 2.04 OF THE RICHLAND MUNICIPAL CODE RELATED TO THE ADMINISTRATIVE CODE.

WHEREAS, the City has need, from time to time, to update the Richland Municipal Code to eliminate ambiguities and align with current practices; and

WHEREAS, due to changes in staffing and organizational structure, updates to Title 2.04 RMC are necessary to bring the Richland Municipal Code into alignment with municipal operations.

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

Section 1. Chapter 2.04 of the Richland Municipal Code, entitled Administrative Code, as first enacted by Ordinance No. 125, and last amended by Ordinance No. 47-20, is hereby amended as follows:

Chapter 2.04 ADMINISTRATIVE CODE

Sections:

- 2.04.010 Purpose.**
- 2.04.020 Charter defined.**
- 2.04.030 City manager – Responsibilities.**
- 2.04.040 City manager – Duties.**
- 2.04.050 City manager – Administrative supervision.**
- 2.04.060 City manager – Administrative rules.**
- 2.04.070 City manager – Staff.**
- 2.04.080 City manager – Reports to the council.**
- 2.04.090 City manager – Absence or disability.**
- 2.04.100 Groups, departments, and officers established.**
- 2.04.105 Oaths of office.**
- 2.04.110 Boards, commissions and committees.**
- 2.04.115 Ad hoc citizens committees.**
- 2.04.120 Procedure for filling vacancies on boards, commissions, and committees.**
- 2.04.125 Selection process for council appointments and all other appointments not covered by RMC 2.04.120.**
- 2.04.126 Deputy city manager.**
- 2.04.127 *Repealed.***
- 2.04.128 Assistant city manager.**
- 2.04.130 City clerk.**
- 2.04.140 City attorney.**
- 2.04.150 *Repealed.***
- 2.04.155 Administrative services department.**

2.04.156 Human resources department.

2.04.160 Development services department.

2.04.161 Parks and public facilities department.

2.04.165 *Repealed.*

2.04.170 Public works department.

2.04.180 Energy services department.

2.04.200 *Repealed.*

2.04.205 Fire and emergency services department.

2.04.210 Police department.

2.04.220 *Repealed.*

2.04.260 Severability.

2.04.270 Interpretation.

2.04.010 Purpose.

This chapter is adopted pursuant to Article II, Section 2.07(K) of the Richland City Charter authorizing council to adopt an administrative code to govern the administration of the city, to create or eliminate departments, offices, and positions of employment not created by the Charter, and to determine the powers and duties of any department and office.

2.04.020 Charter defined.

“Charter” when used in this chapter means the Richland City Charter.

2.04.030 City manager – Responsibilities.

The city manager shall be the chief administrative officer of the general city government and shall supervise and be responsible for the effective management of the administrative and financial affairs of the city, and shall supervise all city departments and offices, except as otherwise provided by the Charter, general laws or ordinances. The city manager is responsible for the proper execution of the policies set by the city council and the enforcement of all laws and ordinances. The city manager is responsible to the city council for the efficient operation of all city departments and offices under the manager’s jurisdiction, and shall likewise be responsible to the city council for the economical conduct and operation of all city departments and offices under the manager’s jurisdiction.

2.04.040 City manager – Duties.

The city manager shall:

- A. Keep the council informed of the conditions and needs of the city;
- B. Make such reports and recommendations as the manager deems desirable or as may be requested by the council;
- C. Prepare and submit to the council the proposed annual budget for the city;
- D. Prepare and submit annually to the council a five-year capital expense budget;
- E. Control city expenditures so that actual expenditures do not exceed amounts available for expenditures;

F. Supervise the purchase, lease, rental, use, maintenance and assignment of city property required by the city;

G. Appoint, remove, suspend or discipline all officers and employees of the city under the city manager's jurisdiction, subject to the Charter, ordinances or general laws; provided, that this authority may be delegated by the city manager, in the city manager's discretion, to a department head or department director;

H. Fix and establish the number of employees in the various city departments and offices under the manager's jurisdiction and determine their duties and compensation, subject to the compensation plan and appropriations adopted by the city council;

I. Exercise all powers conferred by law upon the city but not specifically conferred upon any official or the city council;

J. Negotiate and sign, on behalf of the city, contracts duly authorized by the council or by ordinance and administer the provisions of such contracts;

K. Take or cause to be taken or recommend to the city council in the proper case all and every action necessary to protect the best interests and promote the welfare of the city;

L. Represent the city at meetings with other governmental units, agencies, commissions, and associations as deemed necessary or as directed by the city council;

M. Perform such other duties and have and exercise such other powers as may be prescribed by law.

2.04.050 City manager – Administrative supervision.

The city manager, in exercising general control over the administrative affairs of the general government of the city, shall deal insofar as it is possible through the administrative officers of the general government designated by this code, and except as otherwise provided by Charter or general law, all such officers shall be directly and exclusively responsible to the city manager, and to no other person or body, for the efficient or economical conduct of their respective departments and offices.

2.04.060 City manager – Administrative rules.

The city manager is authorized to issue rules or administrative regulations not inconsistent with general law, the Charter or ordinances of the city, outlining the general procedures for the administration of city activities under the city manager's jurisdiction, and may provide for a system of administrative regulations to be issued by the heads of the various departments and offices of the city's general government.

2.04.070 City manager – Staff.

The city manager may, within the limits of the annual budget adopted by the city council, appoint administrative assistants or designate employees of the city as such whose duties shall be to assist the city manager in such a manner as the city manager may designate and to conduct studies and research into the most advantageous administrative practices and other matters affecting the city, its government and its administration, the application of which will improve the administration of the city government. The city manager may, within the limits of the annual budget adopted by the

city council, determine appropriate staffing levels for the city manager's office and for the other departments and divisions of the city.

2.04.080 City manager – Reports to the council.

The city manager shall prepare and submit to the city council annually, at the close of each fiscal year, a complete report of the city's administrative activities and finances for the preceding year, which report shall be made available for public distribution. The city manager shall prepare and present such other reports as the city council may require or as the manager deems advisable. The city manager, as part of the adoption of the annual budget, shall provide to city council a current organizational chart.

2.04.090 City manager – Absence or disability.

In the event of an absence, suspension, or disability of the manager exceeding 60 calendar days, or if a vacancy should occur in the office, the council may designate a qualified administrative officer of the city to perform the duties of the office until the manager shall return to duty or until the appointment of a successor.

2.04.100 Groups, departments, and officers established.

Administrative services of the city shall be organized into departments and officers whose titles are created and established as follows:

Department/Office	Administrative Officer
City Manager's Office	City Manager
City Clerk's Office	City Clerk
City Attorney's Office	City Attorney
Administrative Services Department	<u>Assistant City Manager</u> Administrative Services Director
<u>Human Resources Department</u>	<u>Human Resources Director</u>
Development Services Department	Development Services Director
Parks & Public Facilities Department	Parks & Public Facilities Director
Public Works Department	Public Works Director
Energy Services Department	Energy Services Director
Fire and Emergency Services Department	Fire Chief
Police Department	Chief of Police

2.04.105 Oaths of office.

For purposes of Article VIII, Section 8.05 of the Richland City Charter, an "officer of the city" means all elected officials, the city manager, any assistant and/or deputy city manager(s), all administrative officials established in RMC 2.04.100, and all general authority Washington peace officers in the Richland Police Department.

2.04.110 Boards, commissions and committees.

A. Boards, Commissions and Committees Created. There shall be boards, commissions and

committees as defined in this title and such other boards, commissions and committees as have been or are hereafter established by ordinance or by general laws. Each board, commission or committee shall be so organized and shall have such powers as are conferred and such duties as are required by general laws, the Charter and ordinances.

B. Applicability. This section shall apply to all boards, commissions and committees except the firemen's pension board and the police relief and pension board.

C. Officers, Liaisons, Staff Assistance.

1. Officers. The board, commission or committee shall elect its own chairperson and vice chairperson and create and fill such other offices as it may determine it requires.

2. Council Liaisons. Except as otherwise provided in this title, all boards, commissions and committees shall have a liaison appointed from the council who shall serve consistent with RMC 2.04.125(A).

3. Staff Liaisons. The administrative officer of the department or offices most closely connected with the activity of a board, commission or committee shall serve as a staff liaison to that board, commission or committee. To the extent such communication is warranted, the staff liaison is responsible for facilitating communication between the assigned board, commission or committee and city employees, consultants, contractors, customers, applicants, city manager, city council, and members of the public.

4. Liaisons shall not be members of the board, commission or committee to which they are appointed and shall fulfill the role of facilitation and transfer of information between the respective board, committee and commission.

D. Membership.

1. Appointment. All board, commission and committee members shall be appointed by the council. The appointment procedure referenced in RMC 2.04.120 shall be used to recruit and evaluate candidates for appointment.

2. Compensation and Political Affiliation. All board, commission and committee members shall serve without compensation and without regard to political affiliation.

3. Membership Limitations. Excepting the personnel committee, a board, commission or committee member is limited to membership on two boards, commissions or committees, including ad hoc or temporary committees in existence for a period exceeding six months. See RMC 2.28.125 for limitations on members of the personnel committee.

E. Residency Qualification. Except as provided herein, all board, commission and committee members shall reside within Richland city limits, both at the time of appointment and for the duration of the member's term. Youth members of the arts commission and the parks and recreation commission must reside within the boundaries of the Richland School District [or the Kennewick School District within Richland city limits.](#) Members of the lodging tax advisory committee and economic development committee must be corporate citizens of Richland. Three

members of the Americans with disabilities citizens review committee may reside outside Richland city limits.

F. Term Limits. Except for the library board and personnel committee, all board, commission and committee members shall serve no more than 12 consecutive years on the same commission or committee. See RCW 27.12.190 for library board terms and RMC 2.28.125 for personnel committee terms. With the exception of the library board of trustees, the council may waive this limitation for any member of any board, commission or committee by majority vote. All board, commission and committee members shall continue to serve until their successors are appointed by the council.

G. Removal.

1. A board, commission or committee may, by majority vote, recommend to the council that an appointed member be removed upon such grounds as may be deemed appropriate by the board, commission or committee. The council shall take action to approve or deny the recommendation.

2. The council may, on its own motion and by majority vote, remove any appointed member of a board, commission or committee upon such grounds as it may deem appropriate and declare the position vacant.

3. A commission or committee member shall be removed upon absences from three consecutive regular meetings or four regular meetings within a 12-month period. For purposes of this subsection, workshops are excluded from the definition of “regular meeting.”

H. Vacancies.

1. Vacancies occurring other than by expiration of a term shall be filled for any unexpired term in the manner used for regular appointments. For purposes of determining the number of terms served by a member, service in excess of one year shall qualify as a full term.

2. If a member’s residence status changes during his or her term such that the member no longer complies with the residency qualification, the member must immediately vacate his or her position on the board, commission or committee.

3. Vacancies shall be filled using the appointment procedure referenced in RMC 2.04.120.

I. Training. Each new board, commission and committee member shall take the state-required open government training within 90 days of appointment. Board, commission and committee members are required to repeat this training every four years. This training shall be coordinated and monitored for compliance by the city clerk’s office.

J. Expenditures. Any approved expenses incurred by a board, commission or committee shall be paid from the affiliated department’s annual budget.

K. Open Meetings – Executive Session. All meetings shall comply with Chapter 42.30 RCW, the Open Public Meetings Act.

L. Parliamentary Procedure. Boards, commissions and committees shall follow Robert’s Rules of Order when conducting meetings and making decisions.

M. Quorum – Voting – Tie.

1. Quorum. Except for the lodging tax advisory committee, a majority of any members of a board, commission or committee present at a meeting shall constitute a quorum allowing for the transaction of business. Quorum for the lodging tax advisory committee shall be as provided in RMC 2.15.030(B).

2. In the event of a vacancy or vacancies, the majority of any of the remaining members shall constitute a quorum for the transaction of business; provided, however, that at least three members must be present to constitute a quorum of the planning commission, library board and the Americans with disabilities citizens review committee.

3. A majority vote of the quorum shall be sufficient to accomplish an action; provided, however, that board of adjustment, library board and code enforcement board action requires at least three affirmative votes of those present.

4. Members not present for a hearing held by the board, commission or committee shall not participate in the decision unless the member first reads and reviews the full record made at the hearing.

5. All members present participate in a vote, including youth members and the chair, unless a member has recused himself or herself due to a real or apparent conflict of interest or has been disqualified based on an appearance of fairness concern. In the case of a tie vote, the action fails. Members must be present at the meeting to participate in a vote.

N. Records. All boards, commissions, committees and ad hoc committees shall prepare, for each meeting, special meeting or workshop, an agenda and agenda packet for publication on the city's website. Meeting minutes shall be prepared for each meeting and, once approved, shall be published on the city's website. All agendas, agenda packets and meeting minutes shall be prepared pursuant to the procedures adopted by the city. Such records shall be maintained according to the state-mandated retention schedule and the city's established retention policies. All records shall be open to public inspection.

2.04.115 Ad hoc citizens committees.

An ad hoc citizens committee may be constituted upon the motion of the city council.

A. At the time of passing the motion establishing the committee, the following shall be made a part of the motion:

1. A written statement of purpose for the committee.
2. A written description of recommendations which the council expects from the committee.
3. The specific due date of material and recommendation back to the council.
4. An estimated date of completion of the committee assignment.
5. The number of members that shall be on the committee and a statement of qualifications required of committee members.

6. If special circumstances warrant the inclusion of one or more councilmembers as voting members of the committee, the motion shall provide justification for so doing.

B. Other Applicable Rules.

1. The council, through the city manager, will provide oral or written statements to nominated members of the ad hoc committee relating the purpose of the committee, a description and due date of recommendations back to the council and the anticipated date of completion of the committee assignment.

2. Ad hoc committee members shall normally be nominated by members of the city council. Appointment of ad hoc committee members shall be by majority vote of the city council.

3. The ad hoc committee shall appoint a chairperson, vice-chairperson and other officers as they see fit from the membership of the committee. Council may choose to assign a council liaison consistent with the process identified in RMC 2.04.125.

4. *Repealed by Ord. 03-20.*

5. City staff shall provide assistance to the committee as appropriate.

6. A quorum of the ad hoc committee must be present to conduct business. A quorum shall consist of the lowest number of members of the committee that exceeds one-half the stated number of members of the committee.

7. Unless otherwise directed by city council, formal minutes need not be kept except for formal motions.

8. Written reports issued by the ad hoc committee activities shall be approved by majority vote of the committee and signed or initialed by the ad hoc committee chairperson.

2.04.120 Procedure for filling vacancies on boards, commissions, and committees.

The procedure for filling vacancies on boards, commissions and committees shall be kept on file with the city clerk's office and made available for public inspection upon request and by posting on the city's website.

2.04.125 Selection process for council appointments and all other appointments not covered by RMC 2.04.120.

Biennially, generally at the first workshop after newly elected councilmembers take office, the council shall choose from among its members those who will serve as council liaisons to the various boards, commissions, committees and outside agencies, council appointees to ad hoc committees, and all other council and non-council appointments not covered by RMC 2.04.120. The recommendations generated during the workshop will be presented by resolution to the full city council for approval. Each assignment to a board, commission, committee, or outside agency shall be assigned a category which shall be defined as follows:

A. Liaison Assignment to City of Richland Boards, Commissions and Committees. A councilmember shall not be a voting member of the board, commission or committee and shall participate only to a limited degree. The councilmember's purpose is primarily to communicate council policy to the board, commission or committee and to take back to the council

recommendations and questions. The councilmember shall also gather information about the boards, commissions or committees and communicate it to the council when appropriate. In particular, councilmembers shall not direct any activities as a leader of boards, commissions or committees to which they are assigned.

B. Liaison Assignment to Non-City Organization – Nonparticipant. Councilmembers shall not be voting members of non-city organizations in these kinds of assignments. The councilmember's purpose is primarily to communicate council policy to the organization and to take back to the council recommendations and questions. The councilmember shall also gather information about the organization and communicate it to the council when appropriate. In particular, councilmembers shall not direct any activities as a leader of organizations to which they are assigned.

C. Assignment to Non-City Organization – Board Member. Councilmembers may be voting members of non-city organizations in these kinds of assignments. However, councilmembers shall not participate as officers of the assignee organizations in these kinds of assignments. The councilmember's purpose is not only to communicate council policy to the organization and bring recommendations and questions back to council; the councilmember shall also encourage implementation of city objectives. The councilmember shall also gather information about the organization and communicate that information to the council when appropriate.

D. Assignment to Non-City Organization – Board Member/Officer. Councilmembers may be voting members and participate as officers of non-city organizations in these kinds of assignments. The councilmember's purpose is not only to communicate council policy to the organization and bring recommendations and questions back to the council; the councilmember shall also encourage implementation of city objectives. The councilmember shall also gather information about the organization and communicate to the council when appropriate.

E. Assignment to Local, Regional, State, National or International Boards/Commissions and Committees Relating to City or Council Business – Member/Officer. Councilmembers who seek membership, election or reelection for office in local, regional, state, national or international boards/commissions and committees relating to city or council business must, prior to the workshop, submit a request for consideration during the council assignments discussion. Where circumstances require travel outside the local area at city expense, the councilmember shall adhere to RMC 1.01.040.

F. The category of each assignment signals the level of participation required of the councilmember as to each organization or board to which the councilmember is assigned. A roster reflecting the category of each assignment will be kept on file in the city clerk's office.

2.04.126 Deputy city manager.

The deputy city manager, under the direction of the city manager and subject to the provisions of the Charter and general laws, shall provide general administrative oversight of the development services department, parks & public facilities department, public works department, and energy services department, and perform other duties as assigned not inconsistent with the position of deputy city manager.

2.04.127 Deputy city manager for community and development services.

Repealed by Ord. 47-20.

2.04.128 Assistant city manager.

An assistant city manager may be appointed by the city manager and shall have such duties as shall be assigned to him or her by the city manager. The office of assistant city manager may, at the direction of the city manager, be combined with the office of any city official described in the city code.

2.04.130 City clerk.

The city clerk, subject to the provisions of the Charter, general laws and ordinances, shall be responsible for the publication, filing, indexing and safekeeping of all the records of all the proceedings of the council; record and certify all ordinances and resolutions; serve as custodian of the city seal and official city records; prescribe and furnish sample forms for all petitions provided for by Charter and ordinances; serve as registrar of voters for the city, and keep and maintain all election records and have custody of all property in connection with elections and perform such other duties in relation to registration of voters and elections as required by Charter and general law; publish all legal notices unless otherwise provided by general law or ordinance; and perform other duties as may be required by the Charter, the general laws, ordinances, the city council, or the city manager. The city clerk shall attend all meetings of the council and keep a permanent journal of its proceedings.

2.04.140 City attorney.

The city attorney, subject to the provisions of the Charter and general laws, shall advise and assist in the preparation of, and prepare in final form and review for legal correctness, all ordinances, resolutions and regulations; prepare and review for legal correctness all contracts, bonds, franchises and other instruments to which the city is a party; attend all regular and special council sessions unless excused by the city manager; advise the council, the city manager, all department heads and other administrative officials and all boards, commissions and committees as to the legality of any proposed action; be responsible for all prosecutions for violations of ordinances, unless the manager, with the approval of the council, otherwise provides; represent the city in all legal proceedings in which the city is a party or has an interest, before any court or judicial, administrative or other tribunal, unless the manager, with the approval of the council, otherwise provides; settle or compromise, with the approval of the council, claims or suits at law or in equity to which the city may be a party; and preserve in the office of the city attorney copies of all legal opinions rendered.

2.04.150 Administrative services group.

Repealed by Ord. 47-20.

2.04.155 Administrative services department.

The administrative services department, under the direction of the [assistant city manager](#), ~~administrative services director~~, shall be responsible for internal city services such as purchasing, warehousing, equipment maintenance, fleet management, ~~human resources~~, licensing and taxation, and all finance functions including financial and utility reporting, budget, and cash and investment management including debt financing.

2.04.156 Human resources department.

The human resources department, under the direction of the human resources director, shall direct and administer the City's personnel program in accordance with the Charter, state and federal laws, and established best practices; maintain proper records of examinations, appointments, removals, leaves of absence, and other significant events in the service of all employees in the classified service and provide administrative support to the City's Personnel Committee; recruit personnel; and perform other duties as may be required by the Charter, the general laws, ordinances, or the city manager. The term "human resources director" has the same meaning as the term "personnel officer" in the Charter.

2.04.160 Development services department.

The development services department, under the direction of the development services director, shall be responsible for land use planning, development, permits, building inspections, redevelopment and neighborhood improvement, and business and economic development.

2.04.161 Parks & public facilities department.

The parks & public facilities department, under the direction of the parks and public facilities director, shall be responsible for construction and maintenance of certain city facilities, implementation of recreation and enrichment programs for citizens of all ages, physical park planning, maintenance of park areas and related facilities, library, municipal golf, and such other duties as may be assigned.

2.04.165 Utility and public works group.

Repealed by Ord. 47-20.

2.04.170 Public works department.

The public works department, under the direction of the public works director, shall be responsible for engineering and utility operations of water, sewer, stormwater, and solid waste, transportation planning, and road maintenance.

2.04.180 Energy services department.

The energy services department, under the direction of the energy services director, shall be responsible for the provision of energy services.

2.04.200 Public safety group.

Repealed by Ord. 47-20.

2.04.205 Fire and emergency services department.

The fire and emergency services department, under the direction of the fire chief, shall be responsible for emergency medical services, fire prevention, fire operations and fire training.

2.04.210 Police department.

The police department, under the direction of the chief of police, shall be responsible for patrol, investigations, code enforcement and community relations.

2.04.220 Benton County emergency services department.

Repealed by Ord. 47-20.

2.04.260 Severability.

The invalidity of any chapter, section, subsection, provision, clause or portion thereof, or the invalidity of the application thereof to any person or circumstance, shall not affect the validity of the remainder of the ordinance codified herein or the validity of its application to other persons or circumstances.

2.04.270 Interpretation.

A. Conflicts. In any case where the change of department or position title causes a question or conflict in the responsibility or function to be administered, the city manager shall review the matter and clarify the assignment of responsibility among the departments and officials established by this chapter.

B. Salaries. In cases of reassignment of duties or establishment of positions, the city manager shall review the responsibilities and recommend appropriate salary ranges or adjustments as a part of the annual budget process. Where individuals are assigned temporary acting responsibilities significantly different from their present responsibilities, the city manager, within existing budgetary appropriations, may make interim compensation adjustments as allowed under the personnel rules.

C. Benefits. Notwithstanding the current compensation plan for unaffiliated employees, the city manager, within existing budgetary appropriations, is authorized to approve provision of benefits as provided herein to limited term employees when such employees are hired for the specific purpose of supporting a recognized project-based initiative. Access to medical, dental, vision, deferred compensation, paid time off/sick leave and all other benefits for a limited term employee shall be on the same terms and conditions as they are made available to unaffiliated city employees. The city manager shall determine when a city project qualifies as a recognized “project-based initiative” such that this section applies. Nothing herein shall be construed so as to require the city manager to approve provision of such benefits to any limited term employee. In the event of a conflict between this section and any other section in this title, this section shall prevail.

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.

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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

First Reading: _____

Second Reading: _____

Date Published: _____



COUNCIL AGENDA ITEM COVERSHEET

Council Date: 1/4/2022

Agenda Category: Ordinances - Second Reading & Passage

Core Focus Area I - Promote Financial Stability & Operational Effectiveness

Subject:

Ordinance No. 41-21, Approving the 2021 Comprehensive Plan Amendments

Department:

Development Services

Ordinance/Resolution Number:

41-21

Document Type:

Ordinance

Recommended Motion:

Give second reading and pass Ordinance No. 41-21, approving the 2021 Comprehensive Plan Amendments.

Summary:

The City of Richland received five (5) applications for amendments to its Comprehensive Plan Land Use Map and its Official Zoning Map on or before March 1, 2021, which was the deadline for application submittals. On April 27, 2021, the City Council conducted a workshop to review the 2021 Comprehensive Plan Amendment Docket, and on June 1, 2021, Council approved the docket via Resolution No. 62-21 and forwarded it to the Planning Commission for processing.

On October 27, 2021, the Richland Planning Commission conducted a public hearing in which public testimony was received regarding the five (5) Comprehensive Plan Land Use Map and Official Zoning Map amendments. After receiving public input, the Planning Commission voted to recommend approval of four (4) of the five (5) 2021 Comprehensive Plan Land Use Map and Official Zoning Map amendments. The Planning Commission did not recommend CPA2021-102 (Sienna Hills) for approval as it determined that the small commercial node was necessary for the Sienna Hills residential area and should not be removed.

At its December 7, 2021 meeting, Council deliberated without decision on the five (5) proposed amendments, and indicated support for the proposed Sienna Hills amendment, and a lack of support for the proposed Clearwater Creek amendment. Ordinance No. 41-21 has been modified to reflect Council's deliberations. The updated ordinance was approved for first reading on December 21, 2021.

Additional information pertaining to each application can be found in the staff report attached to this item.

Fiscal Impact:

None.

Attachments:

1. Ordinance No. 41-21
2. 2021 Planning Commission - Comprehensive Plan Staff Report
3. October 27, 2021 Planning Commission Meeting Minutes

WHEN RECORDED RETURN TO:
Richland City Clerk's Office
625 Swift Boulevard, MS-05
Richland, WA 99352

ORDINANCE NO. 41-21

AN ORDINANCE of the City of Richland adopting the 2021 Comprehensive Plan Amendments into the existing 2017 Comprehensive Plan and adopting the resulting document.

WHEREAS, through Ordinance No. 42-17, the City adopted the Comprehensive Plan of the City of Richland (the "Comprehensive Plan") on October 3, 2017; and

WHEREAS, through Ordinance No. 38-19, the City updated its Comprehensive Plan on October 1, 2019; and

WHEREAS, through Ordinance No. 51-20, the City updated its Comprehensive Plan on January 19, 2021; and

WHEREAS, pursuant to RCW 36.70A.470(2), each city and county planning under RCW 36.70A.040 must include in its development regulations a procedure for any interested person, including applicants, citizens, hearings examiners, and staff of other agencies, to suggest plan or development regulation amendments; and

WHEREAS, the suggested amendments shall be docketed and considered on at least an annual basis, consistent with the provision of RCW 36.70A.130; and

WHEREAS, Chapter 19.90 of the Richland Municipal Code, titled Comprehensive Plan and Development Regulation Amendments, establishes the procedures as required by RCW 36.70A.470(2); and

WHEREAS, the City of Richland accepted applications suggesting comprehensive plan or development regulation amendments between March 2, 2020 and March 1, 2021; and

WHEREAS, five (5) proposed amendments were received; and

WHEREAS, on April 27, 2021, Richland City Council held a workshop to review the proposed 2021 Comprehensive Plan Policies, Maps and Zoning Code Amendments Docket; and

WHEREAS, on June 1, 2021, Richland City Council passed Resolution No. 62-21 authorizing the 2021 Comprehensive Plan Policies, Maps and Zoning Code Amendments Docket; and

WHEREAS, the Richland Planning Commission held a duly advertised public hearing on October 13, 2021 to accept testimony from anyone wishing to speak for or against the proposed changes; and

WHEREAS, on October 13, 2021, the Richland Planning Commission voted to recommend four (4) of the five (5) proposed amendments as evidenced in the Planning Commission's meeting minutes; and

WHEREAS, the Richland Planning Commission did not recommend approval of CPA2021-102 – Sienna Hills; and

WHEREAS, on December 7, 2021, Richland City Council held a public hearing to consider the proposed amendments and the recommendation of the Planning Commission. All testimony from anyone wishing to speak for or against the changes was accepted, after which Council deliberated on the proposed changes; and

WHEREAS, after the December 7, 2021 public hearing, Council deliberated without decision on the Planning Commission's recommendation for denial of CPA2021-102 & Z2021-101, which consists of an application to change the land use designation and zoning districts on approximately 1.82 acres from Badger Mountain Subarea Plan – Commercial (BMC) to Badger Mountain Subarea Plan – Medium Density Residential (BMMDR); and

WHEREAS, after the December 7, 2021 public hearing, Council deliberated without decision on the Planning Commission's recommendation for approval of CPA2021-105 & Z2021-105, which consists of an application from Hayden Homes to change the comprehensive plan designation on approximately 10.43 acres from Commercial to Medium Density Residential, and to change the zoning district from Retail Business (C-1) to Medium Density Residential (R-2S); and

WHEREAS, based on the deliberation occurring on December 7, 2021, Council directed the City Manager to bring forward updated Ordinance Nos. 41-21 and 42-21 with findings and conclusions consistent with Council's deliberations; and

WHEREAS, the Richland City Council finds it prudent to adopt the updated 2021 Comprehensive Plan of the City of Richland by ordinance.

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

Section 1. The recitals set forth above are hereby incorporated by reference.

Section 2. Richland City Council acknowledges that the Planning Commission conducted appropriate investigation and study and held a public hearing on the proposed amendments to the Comprehensive Plan. Council hereby approves four (4) of the five (5) proposed amendments to the Comprehensive Plan map as follows: CPA2021-102; CPA2021-103; CPA2021-104; and CPA2021-106. The following Comprehensive Plan map amendment is not approved: CPA2021-105 Hayden Homes. Council has read and considered the Planning Commission's findings, and hereby makes the following findings for the record:

1. Chapter 19.90 RMC provides that City Council will consider each comprehensive plan amendment and forward those selected to the Planning Commission for processing. Plan amendment applications may be submitted via private application and/or proposed by staff or Council.
2. The deadline for submittal of private party applications for consideration as part of the 2021 Comprehensive Plan Policies, Maps and Code Amendments Docket was March 1, 2021.
3. Five (5) applications were received and deemed complete and are identified herein as numbers 13-17 in this Ordinance.
4. City Council conducted a workshop on April 27, 2021 to review the proposed 2021 Comprehensive Plan Policies, Maps and Zoning Code Amendments Docket.
5. City Council, after holding a public hearing on June 1, 2021, established the 2021 Comprehensive Plan Policies, Maps and Zoning Code Amendments Docket.
6. On September 1, 2021, the City of Richland Community Development Department issued a SEPA Threshold Determination of Non-Significance for the proposed 2021 Comprehensive Plan Policies, Maps and Zoning Code Amendments Docket.
7. On September 24, 2021, the City of Richland provided, as required by RCW 36.70A.106, the required sixty (60) day notification to the State of Washington of the City's proposed 2021 Comprehensive Plan Policies, Maps and Zoning Code Amendments Docket and intent to adopt.
8. On September 28, 2021, the City of Richland provided notice of a public hearing to be held on October 27, 2021 to affected parcels and neighboring properties within a 300-foot radius of parcels under consideration.

9. On September 28, 2021, a Notice of Public Hearing was published in the Tri-City Herald.
10. On September 28, 2021, a Notice of Public Hearing was posted at Richland City Hall and on the City of Richland website.
11. By October 6, 2021, public hearing notice signs were posted on, or near, the five (5) properties which had submitted applications for consideration.
12. All public notification requirements for the public workshops and public hearings were met.
13. CPA2021-102 & Z2021-101 consists of an application to change the land use designation and zoning districts on approximately 1.82 acres from Badger Mountain Subarea Plan – Commercial (BMC) to Badger Mountain Subarea Plan – Medium Density Residential (BMMDR).
14. CPA2021-103 & Z2021-103 consists of an application filed by the City of Richland's Division of Economic Development to change the land use designation on approximately 21 acres from Public Facility to High Density Residential and change the zoning district from Parks & Public Facilities (PPF) to Multiple Family Residential (R-3).
15. CPA2021-104 & Z2021-104 consists of an application from AHBL on behalf of NC Ventures, LLC to change the comprehensive plan designation on 6.9 acres to be all Commercial and change the zoning district to be all General Business (C-3).
16. CPA2021-105 & Z2021-105 consists of an application from Hayden Homes to change the comprehensive plan designation on approximately 10.43 acres from Commercial to Medium Density Residential and to change the zoning district from Retail Business (C-1) to Medium Density Residential (R-2S).
17. CPA2021-106 & Z2021-106 consists of an application from New Heights Baptist Church and Tim Bush to change the comprehensive plan designation on approximately 0.44 acres from Low Density Residential to High Density Residential and to change the zoning district from Low Density Residential – 12,000 (R-1-12) to Multiple Family Residential (R-3).
18. The Planning Commission voted against approval of CPA2021-102 & Z2021-101 based on the need for commercial development to occur within and/or near residential neighborhoods. The Planning Commission also determined that the proposed amendment was not consistent with the goals, policies and objectives of the Badger Mountain South Subarea Plan.

19. City Council finds that CPA2021-102 & Z2021-101 should be approved as the need for commercial development can occur within nearby commercial areas, and the current zoning of C-LB will not result in a commercial node that will provide opportunities for restaurants, coffee shops or other commercial amenities that directly benefit the residential neighborhood. Further, success of the proposed commercial area is unlikely due to lack of traffic past the site.
20. City Council finds that CPA2021-105 & Z2021-105 should be denied because the property is located near a major intersection (Steptoe Street and Center Parkway), rendering it desirable for placement of commercial development. Further, commercial development at this particular location is advantageous for nearby residential neighborhoods as it would provide commercial opportunities within walking distance of several residential neighborhoods.
21. Based upon the application materials submitted, and upon presentation by the applicants, the four (4) amendments approved by the City Council as detailed herein will not adversely impact the City's ability to provide sewer and water, and will not adversely impact adopted levels of service standards for other public facilities and services such as parks, police, fire, emergency medical services and governmental services.
22. Adequate infrastructure, facilities and services are available to serve the proposed or potential development expected as a result of the four (4) recommended amendments.
23. The four (4) amendments approved by City Council as detailed herein are consistent with the goals, policies and objectives of the Comprehensive Plan.
24. The four (4) amendments approved by Council as detailed herein will not result in probable significant adverse impacts to the transportation network, capital facilities, utilities, parks, and environmental features.
25. The subject parcels being re-designated are physically suitable for the allowed land uses in the designation being requested.
26. The four (4) amendments approved by City Council as detailed herein are consistent with the Washington State Growth Management Act, the Benton County planning policies, and other applicable local and state policies, agreements, and laws.
27. The four (4) amendments approved by City Council as detailed herein will not have a cumulative adverse effect on the planning area.
28. The State of Washington's Growth Management Act (RCW 36.70A) requires that comprehensive plans be effectuated by various development regulations such as subdivision regulations, critical areas and zoning.

29. The proposed area-wide rezoning of the properties in question is dependent upon a change in the land-use designation of the Comprehensive Plan.
30. The Planning Commission has recommended that City Council authorize the associated rezones in order to bring the zoning into compliance with the change of land-use designations authorized by final approval of the amendments.

Section 3. The 2021 amendments to the 2017 Richland Comprehensive Plan as identified in **Exhibit A** and depicted in **Exhibit B** are hereby adopted and incorporated into the Comprehensive Plan of the City of Richland, which is adopted by this Ordinance No. 41-21.

Section 4. Pursuant to RCW 36.70A.106(2), this Ordinance shall be transmitted to the Washington State Department of Commerce within ten (10) days of adoption.

Section 5. This Ordinance shall take effect the day following its publication in the official newspaper of the City of Richland.

Section 6. 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 7. 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 4th day of January, 2022.

Ryan Lukson, Mayor

Attest:

Approved as to Form:

Jennifer Rogers, City Clerk

Heather Kintzley, City Attorney

First Reading: December 21, 2021
Second Reading: January 4, 2022
Date Published: January 9, 2022

2021 COMPREHENSIVE PLAN AMENDMENTS

File Number: CPA2021-102 & Z2021-101

Applicant: Sienna Hills Development, LLC – Sienna Hills

Sienna Hills Development, LLC is proposing to amend the Land Use Map for approximately 1.82 acres from Badger Mountain Subarea Plan – Commercial (BMC) to Badger Mountain Subarea Plan –Medium Density Residential (BMMDR) and underlying zoning district from Commercial Limited Business (C-LB) to Medium-Density Residential (R-2). (Parcel Number 134983000001005).

File Number: CPA2021-103 & Z2021-103

Applicant: City of Richland & Pahlsh Homes – Horn Rapids/Village Parkway

The City of Richland Economic Development Department in cooperation with Pahlsh Homes is proposing to amend the Land Use Map to change the current land use designation for approximately 21 acres of land within the Horn Rapids residential development from Public Facility to High Density Residential, and the underlying zoning district from Parks & Public Facilities (PPF) to Multiple Family Residential (R-3). (Portion of Parcel Numbers 120083000009013 & 120083020005000).

File Number: CPA2021-104 & Z2021-104

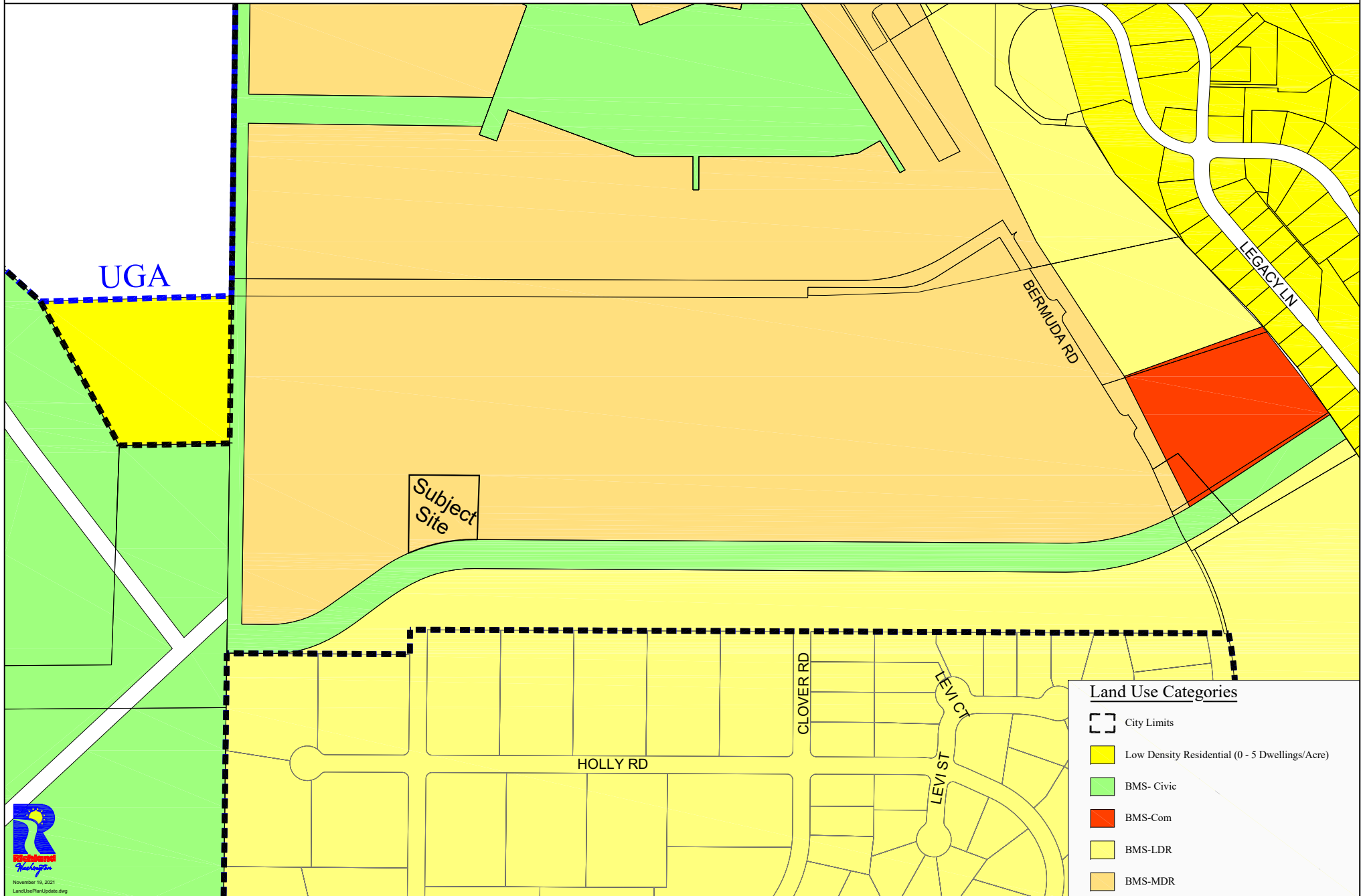
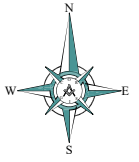
Applicant: AHBL – C&M Nursery

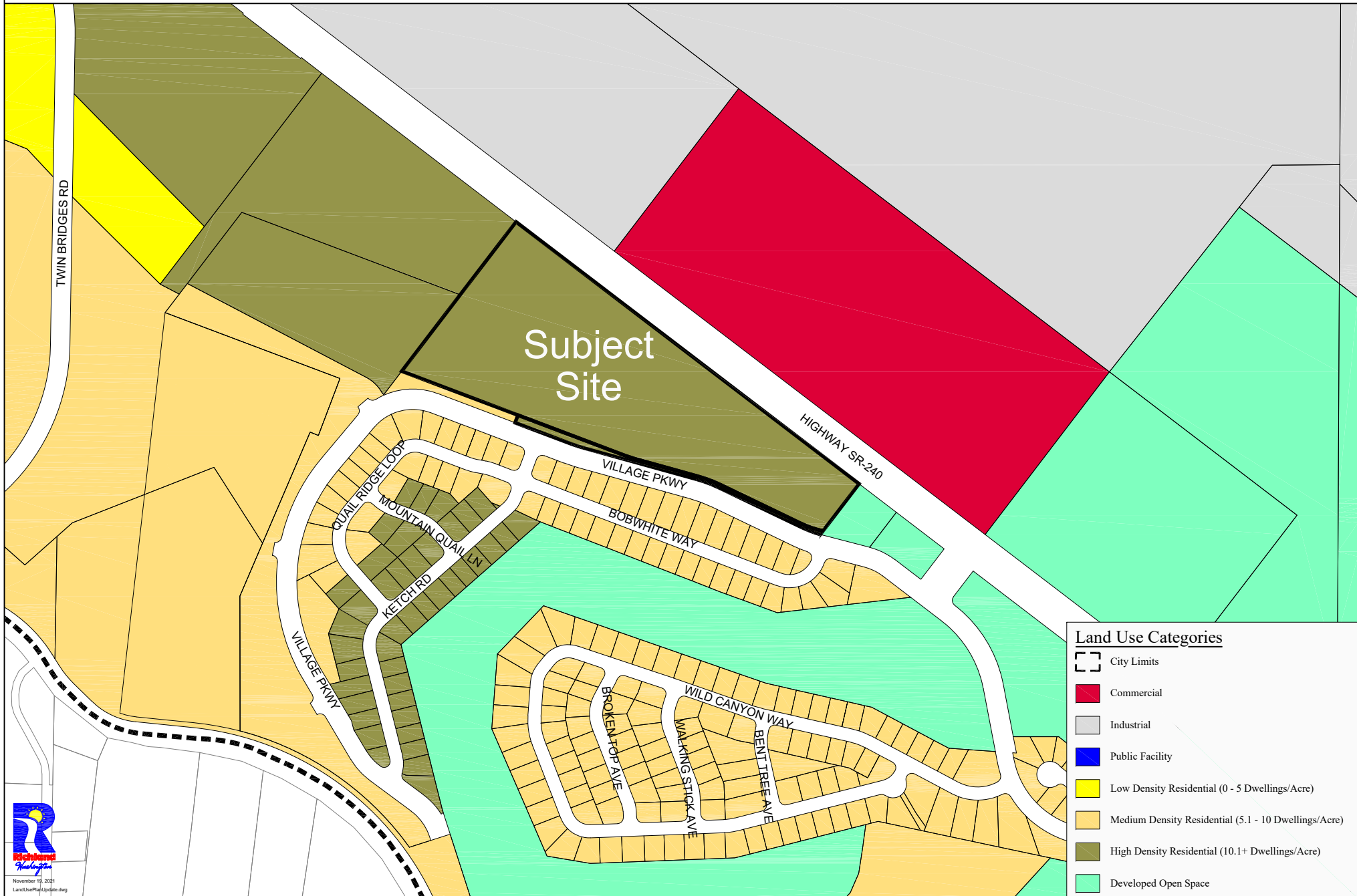
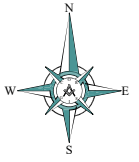
AHBL, on behalf of NC Ventures, LLC (owner) is proposing to amend the Land Use Map for Parcel Number 104984000001000 to be all Commercial and to rezone the parcel to be all General Business (C-3). The parcel is approximately 6.9 acres in size and the southern portion of the subject property is currently designed Agriculture while the majority of the site is zoned Agriculture (AG) with a small portion zoned General Business (C-3). (Parcel Number 104984000001000).

File Number: CPA2021-106 & Z2021-106

Applicant: New Heights Baptist Church – Tim Bush 400 Thayer Drive

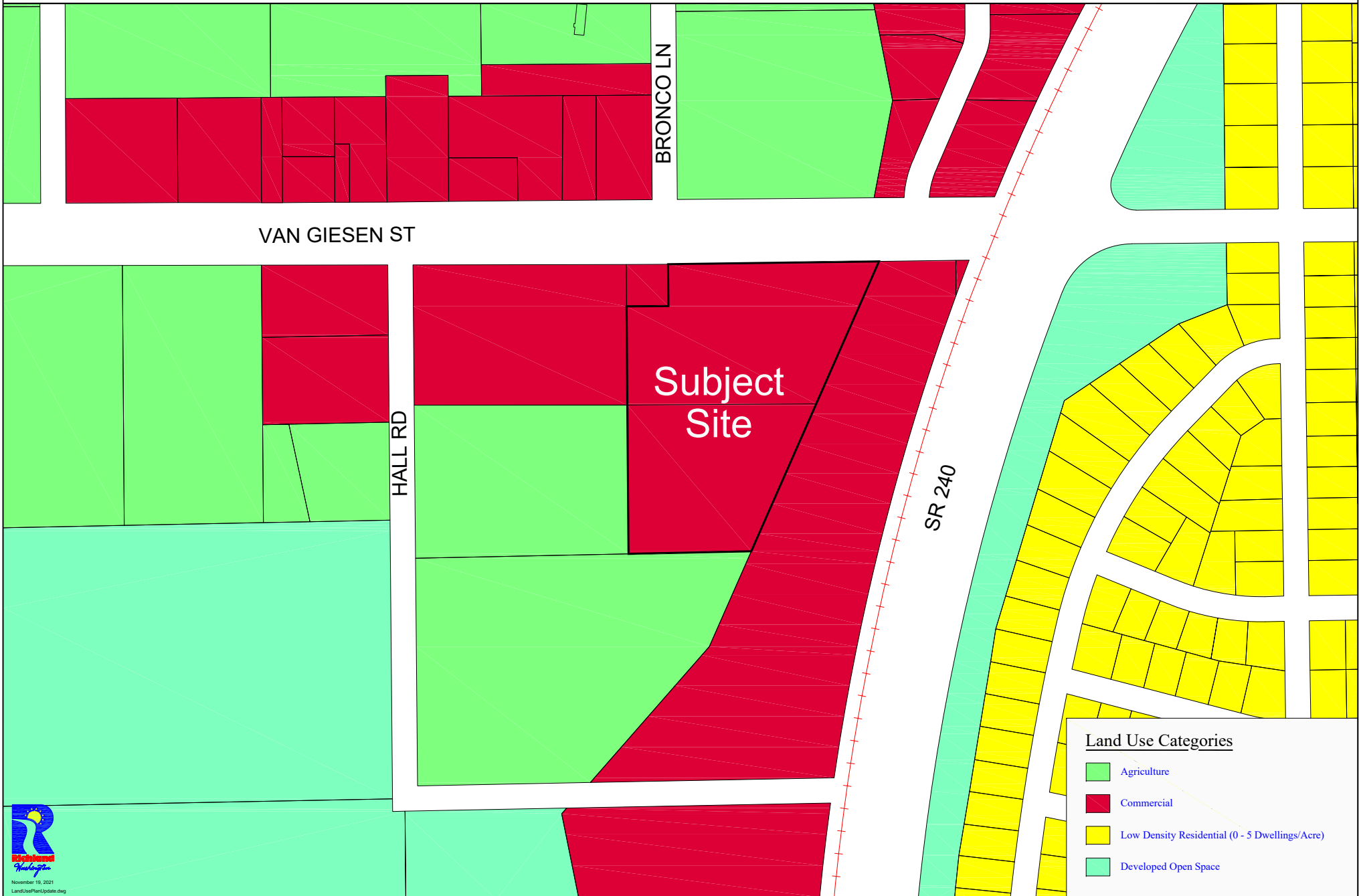
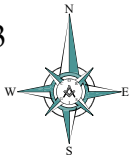
Tim Bush, on behalf of New Heights Baptist Church (owner) is proposing to amend the Land Use Map for approximately .44 acres of land from Low Density Residential to High Density Residential and rezone the site from Single-family Residential -12,000 (R-1-12) to Multiple-Family Residential (R-3). (Portion of Parcel Number 115981020400007).





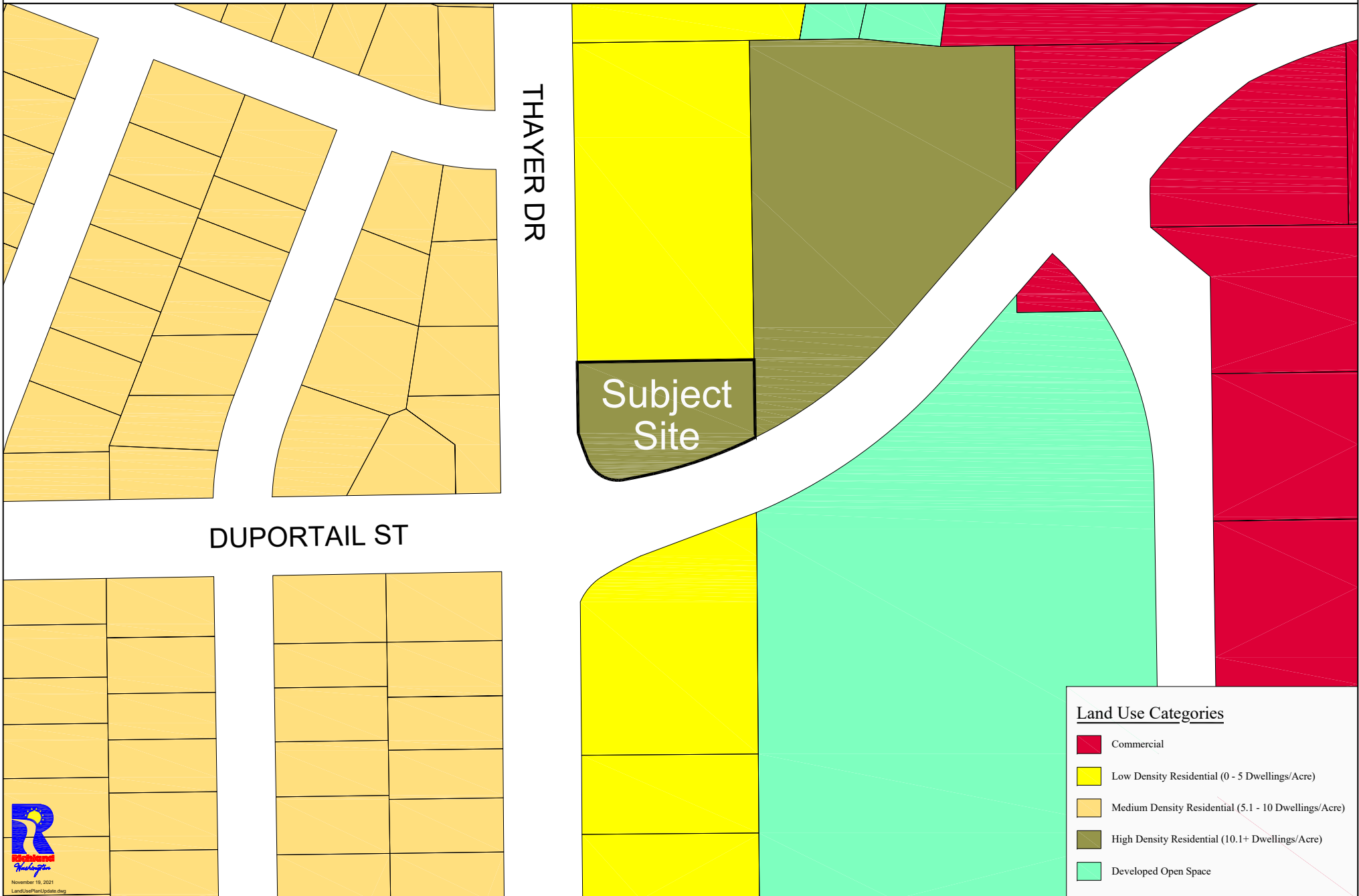
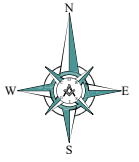
NC Ventures LLC - C&M Nursery

Agriculture to Commercial



Bush/Church

Low Density Residential to High Density Residential



STAFF REPORT

TO: PLANNING COMMISSION
FILE NO.: CPA2021-101

PREPARED BY: MIKE STEVENS
HEARING DATE: OCTOBER 27, 2021

This report includes detailed analyses and the attachments are lengthy. Here is a general outline of how this report is organized:

- Background
- Processing Timeline *and* Notes on Next Steps for Processing
- Overview of Proposed Comprehensive Plan Amendments
- Analysis of the Sienna Hills Development Application (CPA2021-102 & Z2021-101)
- Analysis of the City of Richland/Pahlich Homes Application (CPA2021-103 & Z2021-103)
- Analysis of the NC Ventures Application (CPA2021-104 & Z2021-104)
- Analysis of the Hayden Homes Application (CPA2021-105 & Z2021-105)
- Analysis of the New Heights Baptist Church (Tim Bush) Application (CPA2021-106 & Z2021-106)
- Analysis of the Associated Rezones
- Staff Recommendation
- Suggested Conclusions of Law and Suggested Findings of Fact
- Recommended Motion
- List of Attachments

BACKGROUND

In accordance with RMC 19.90.060; the City Council shall consider each comprehensive plan amendment and forward those selected to the Planning Commission for processing. Plan amendment applications may be submitted via private application and/or proposed by City Staff and the Council.

The Comprehensive Plan serves as a policy document which sets forth guiding principles to ensure smart growth and desirable development occurs. The document conveys policy and plans to accommodate 20 years of growth and development, looking to provide strategic plans to provide needed services and amenities far into the future. The City's Comprehensive Plan is intended to be an all-inclusive document that should bring together various planning documents such as the City's Economic Development Strategic Plan, Park Plan, Transportation, Capital Facilities and financial/budgetary plans.

The City's Comprehensive Plan should be well understood by City Council, Boards and Commissions, and City Staff; and most importantly should bring together Council's vision and various plans into an integrated and effective planning tool. In doing so, city leaders ensure lasting health and vitality for the current citizenry. The Comprehensive Plan serves as a living document to guide land-use decisions well into the future.

Council has also directed staff to ensure a public process that is open and transparent to the public, creating a more vital and competitive community, developing quality neighborhoods and business centers, and ensuring smart growth planning principles are used.

PROCESSING COMPLETED UNTIL NOW

The following key dates and milestones describe action and processing taken by staff, the Planning Commission, and Council to date on the 2020 Docket.

- March 1, 2021: Deadline for Private Party Application submission
 - Five (5) private party applications were received and deemed complete
- April 27, 2021: City Council Workshop to review the 2021 Comprehensive Plan Amendment Docket
- June 1, 2021: City Council Public Hearing Establishing the 2021 Comprehensive Plan Amendment Docket and forwarding the docket to the Planning Commission for processing

- September 1, 2021: SEPA Threshold Determination of Non-Significance issued by the City's Development Services Department
- September 24, 2021: Notice of Intent to Adopt Amendment 60 Days Prior to Adoption sent to the Department of Commerce by the City's Community Development Department
- September 28, 2020: Notice of Public Hearing
 - Notice of the October 27 Planning Commission, 2021 Public Hearing was mailed to affected parcels and those neighboring properties within 300-feet of parcels under consideration.
 - A notice of public hearing was published in the newspaper and posted at City Hall and the City's website.
- Pending Land Use Action signs were posted at the properties on October 6, 2021.

NEXT STEPS REQUIRED FOR PROCESSING

Once Planning Commission holds one (or more, if they so choose) public hearing(s), they may vote to consider to recommend the docket as proposed or with changes to the City Council and thereby forward the docket to the council for consideration.

Next, the City Council shall consider the Planning Commission's recommendations and decide to either adopt or deny the amendments during a regular council meeting. If the Council makes any changes to the Planning Commission's recommendation, the Council is required to hold a public hearing (per RCW 36.70A.035(2)). Comprehensive plan amendments that are approved are to be adopted by ordinance and any amendments that are rejected are addressed in a resolution.

Following Council action, the Planning Division will then transmit a copy of the amendments and adopted ordinances to the State Department of Commerce who will review the submission for compliance with the State's Growth Management Act.

OVERVIEW

The 2021 Comprehensive Plan Docket includes the following changes; *staff evaluation including findings and conclusions for the proposed amendments are provided later in this report:*

2021 Applications	
<u>APPLICANT: Sienna Hills Development, LLC</u> <u>Change the Comprehensive Plan Map:</u> Change the comprehensive plan designation on approximately 1.82 acres from Badger Mountain Subarea Plan – Commercial (BMC) to Badger Mountain Subarea Plan – Medium Density Residential (BMMDR).	The applicant would like the comprehensive plan designation changed from Badger Mountain Subarea Plan – Commercial (BMC) to Badger Mountain Subarea Plan - Medium Density Residential and (BMMDR). The site is currently undeveloped. Staff recommends an associated rezone to change the zoning for the site from Commercial Limited Business (C-LB) to Medium Density Residential (R-2).
<u>APPLICANT: City of Richland (Economic Development Dept) and Pahlisch Homes.</u> <u>Change the Comprehensive Plan Map:</u> Change the comprehensive plan designation on approximately 21 acres from Public Facility to High Density Residential.	The City of Richland Economic Development Dept. in cooperation with Pahlisch Homes is requesting to change the comprehensive plan designation on approximately 21 acres from Public Facility to High Density Residential. Staff recommends an associated rezone to change the zoning for the site from Parks & Public Facilities (PPF) to Multiple Family Residential (R-3).

<u>APPLICANT: AHBL on behalf of NC Ventures, LLC</u> <u>Change the Comprehensive Plan Map:</u> Change the comprehensive plan designation to be all Commercial. The parcel is approximately 6.9 acres in size and the northern portion of the property is designated Commercial, while the southern portion of the property is currently designated Agriculture.	The applicant would like the comprehensive plan designation changed to result in the entire property being designated Commercial (currently half of the site is designated Agriculture). Staff recommends an associated rezone to make the entire site zoned General Business (C-3). Currently, the majority of the property is zoned Agriculture.
<u>APPLICANT: Hayden Homes, LLC (Clearwater Creek)</u> <u>Change the Comprehensive Plan Map:</u> Change the comprehensive plan designation on approximately 10.43 acres from Commercial to Medium Density Residential.	The applicant is requesting to change the comprehensive plan designation on approximately 10.43 acres from Commercial to Medium Density Residential Small (R-2S). Staff recommends an associated rezone to change the zoning for the site from Neighborhood Retail Business (C-1) to Medium Density Residential (R-2S).
<u>APPLICANT: New Heights Baptist Church (Tim Bush)</u> <u>Change the Comprehensive Plan Map:</u> Change the comprehensive plan designation on approximately 0.44 acres from Low Density Residential to High Density Residential.	The applicant would like the comprehensive plan designation changed from Low Density Residential to High Density Residential. Staff recommends an associated rezone to change the zoning for the site from Low Density Residential – 12,000 (R-1-12) to Multiple-Family Residential (R-3).

ANALYSIS: SIENNA HILLS DEVELOPMENT, LLC – SIENNA HILLS (CPA2021-102).

DESCRIPTION OF PROPOSAL

Sienna Hills Development, LLC is the owner of the subject property and is requesting to change the comprehensive plan land use designation on the site from its current Badger Mountain Subarea Plan – Commercial (BMC) designation to Badger Mountain Subarea Plan - Medium Density Residential (BMMDR).

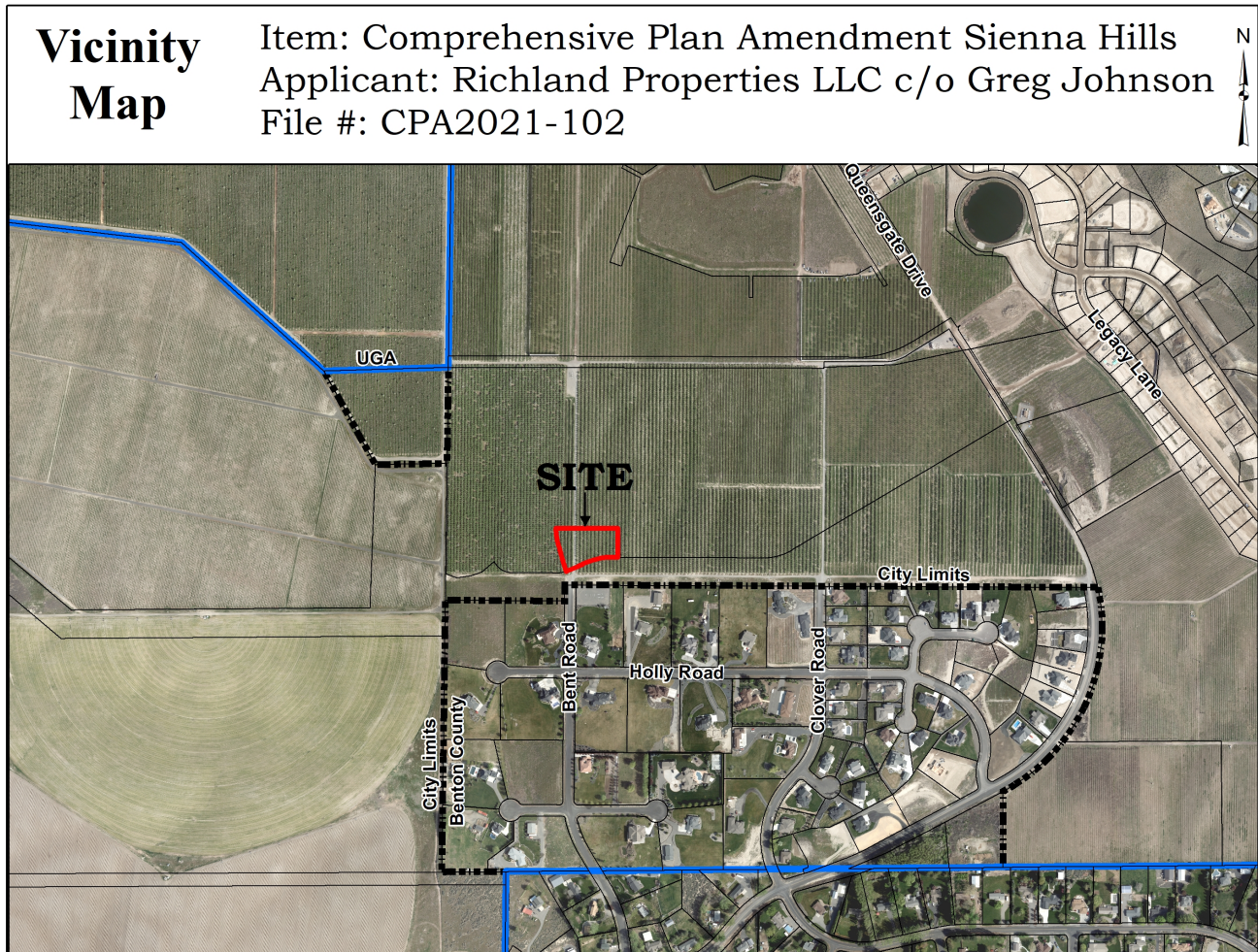


Figure 1 – Vicinity Map *(site highlighted in red)*

SITE DESCRIPTION & ADJACENT LAND USES

The subject site is approximately 1.82 acres and is included within the preliminary plat of Sienna Hills (approved in March 2020, File S2019-101), a 285-lot subdivision. The preliminary plat design assumed the approval of this application; therefore, no re-configuration of the approved preliminary plat is necessary. The assumption was included in the staff report as presented to the Hearing Examiner.

The developer desires to build 6 single-family homes in the 1.82 acre portion, which would be consistent with what is allowed in the other areas of the preliminary plat. The developer does not wish to develop the 1.82 acre area as commercial and desires to forgo their entitled development rights to provide commercial development opportunities at this location. This desire to change the land use designation may indicate that the current market conditions induce a higher demand for housing over providing retail, service, or other commercial offerings at the site. The proposal, if approved, would change the allowed land uses from a more-intensive to a less-intensive type and would reduce the overall traffic that currently permitted development would allow.

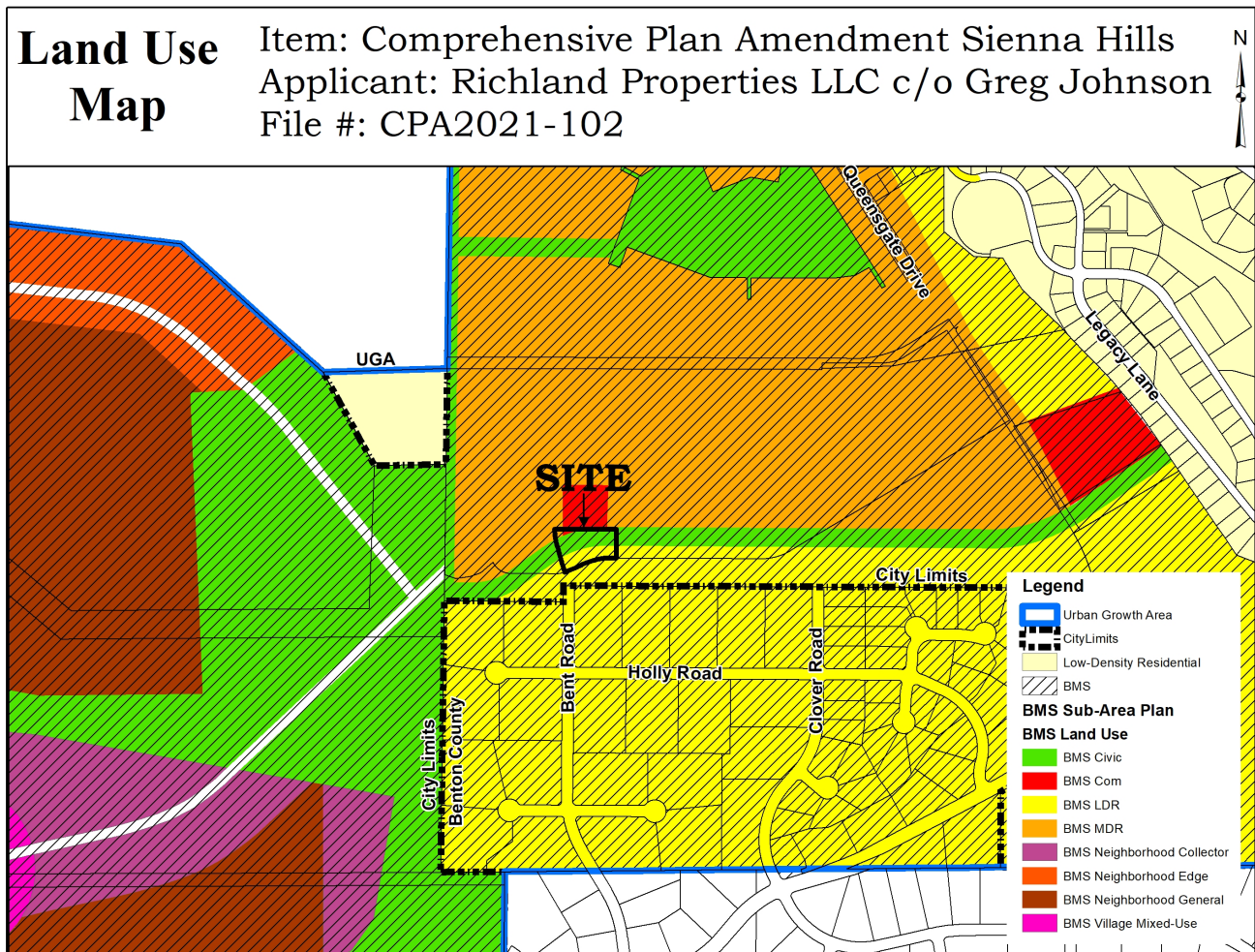


Figure 2 – Comprehensive Plan

COMPREHENSIVE PLAN

The site is designated as Badger Mountain Subarea Plan – Commercial (BMC) under the City’s current comprehensive plan. The proposal is consistent with the adjacent area. The requested designation and zoning are located on three of the four boundaries of the project area. The adjacent properties are designated as follows:

- North: Undeveloped Phase 4 of Sienna Hills preliminary plat designated as BMMDR and zoned R-2 (the requested designation and zone)
- East: Undeveloped Phase 4 of Sienna Hills preliminary plat designated as BMMDR and zoned R-2 (the requested designation and zone)
- South: Undeveloped Phase 4 of Sienna Hills preliminary plat designated as low density residential and zoned single-family residential – 10,000 (R-1-10)
- West: Undeveloped Phase 4 of Sienna Hills preliminary plat designated as BMMDR and zoned R-2 (the requested designation and zone)

The Badger Mountain Subarea Plan's vision includes commercial activity to support local convenience needs. This may be met with the other commercial areas in Badger Mountain South. According to the Badger Mountain Subarea Plan, 11% of the total Land Use in the Subarea Plan (225 acres) is intended for commercial/office/retail/destination retail. This amount is a high percentage of commercial and the loss of approximately 1.82 acres will not greatly impact the overall amount of commercial, especially when there are other existing commercial areas located approximately 0.5 miles to the east and to the north.

The existing commercial land use designation was established where it is now located because that is where the main east/west roadway for the Sienna Hills development (Cortona Way) was to intersect with the future Gage Road alignment (north/south). However, when the property was preliminarily platted, the location of the future Gage Road was shifted west along the western boundary of the subject property, thus resulting in the commercial designation being located within an area of the proposed subdivision that would not have the traffic volume that was originally anticipated.

The Badger Mountain Subarea Plan identifies the following goals and policies that pertain to this amendment request:

BMLU Policy 1.1 – Phase development within the Badger Mountain Subarea over a 20-year planning period so that it can capitalize on existing and planned infrastructure improvements and develop those uses with the best revenue generation potential first in order to support the required initial infrastructure investments.

BMHE Policy 3.1 – Support the development of residential neighborhoods that provide a variety of housing types, styles and densities to serve a broad spectrum of incomes, ages, and life stages.

BMUD Policy 1.3 – Support the development of the Badger Mountain South area by encouraging a development pattern that resembles traditional neighborhood design.

ZONING

The site of the proposed comprehensive plan and zoning amendments is currently zoned C-LB (Commercial Limited Business). All of the property located to the east, west and north of the amendment site is designated as Badger Mountain Subarea Plan Medium Density Residential (BMMDR) and is zoned R-2 (Medium Density Residential). The property located south of the amendment site is designated as Badger Mountain Subarea Plan Low Density Residential (BMLDR) and is zoned R-1-10 (Low Density Residential, 10,000 s.f.). Should the Planning Commission determine that a change of land use designation is appropriate for the site, then staff recommends that the zoning classification be changed to R-2 as the R-2 zoning classification matches those areas located to the east, west and north of the amendment site and north of Cortona Way.

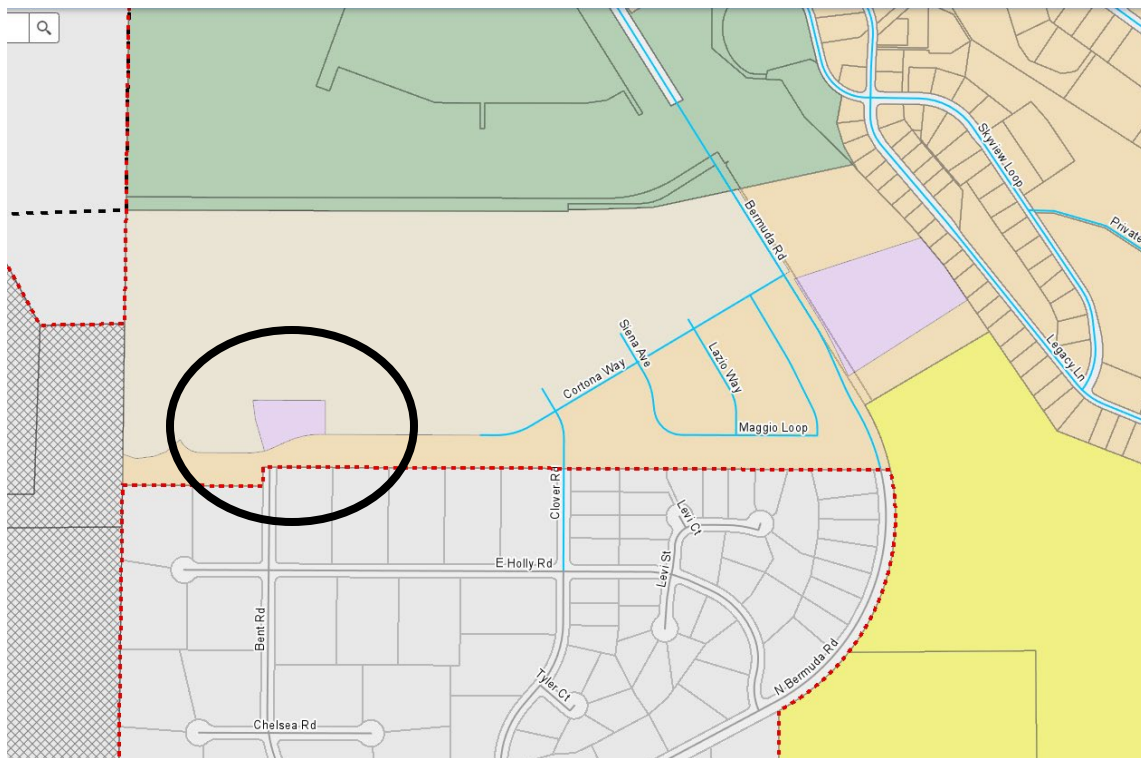


Figure 3 – Existing Zoning

UTILITY AVAILABILITY

Utilities do not currently exist at the site of the proposed amendment. However, as the Sienna Hills subdivision gets constructed then all required and necessary infrastructure, including utilities, will be provided. Currently, the first phase of Sienna Hills, which is approximately 800 feet east of the proposed amendment site, has been completed.

TRANSPORTATION

The proposed amendment site is located along the alignment of Cortona Way, which is the main east/west roadway that extends across the plat of Sienna Hills. Once completed, Cortona Way will extend from Bermuda Road (east) to Gage Blvd. (west). Until the development is fully constructed the city is unsure of how Benton-Franklin Transit's bus routing will be provided to this area.

ENVIRONMENTAL REVIEW

The applicants have submitted an environmental checklist. Planning staff reviewed the documents and issued a Determination of Non-Significance for the entire 2021 Comprehensive Plan Docket on September 2, 2021. The end of the comment period was September 17, 2021. No appeals or challenges to the city's Determination of Non-Significance were received. A copy of the checklist and determination of non-significance is attached.

ANALYSIS

The applicants have preliminarily platted the amendment site as part of a larger subdivision commonly referred to as Sienna Hills. The preliminary platting of the site has resulted in the relocation of the future Gage Blvd and east/west roadway (Cortona Way) intersection. As a result, the small commercial node that was provided for at that intersection by the Badger Mountain Subarea Plan no longer exists. This has resulted in the applicants desiring to develop the previous commercial node location into residential properties.

APPROVAL CRITERIA

1. Have circumstances related to the proposed amendment and/or the area in which it is located substantially changed since the adoption of the comprehensive plan?

Circumstances regarding the location of the planned east/west and north/south intersection for major roadway corridors has changed since the adoption of the Badger Mountain Subarea Plan. When the property was platted for development the location of the major roadway intersection was moved further to the north and to the west and became a 3-way intersection, rather than a 4-way intersection. As a result, the amount of traffic that was originally planned for this location has been changed and the site has been platted in anticipation of future residential development since the need for commercial development at this location no longer exists.

2. Are the assumptions upon which the comprehensive plan is based no longer valid, or is new information available which was not considered during the initial comprehensive plan adoption process or during previous annual amendments?

As indicated above, the current Badger Mountain Subarea plan assumes that the subject property will be a commercial node due to its location at the major east/west and north/south roadway intersection for that area. However, as was also indicated previously, the location of said intersection was relocated further north and west as a result of the Sienna Hills preliminary plat. As a result, the amount of traffic anticipated at this location will be considerably less than what was originally contemplated.

SUMMARY

Approval of the proposed comprehensive plan amendment would provide the applicants an opportunity to develop the site in a way that would provide additional housing and be consistent with the intent of the Sienna Hills preliminary plat. The loss of approximately 1.82 acres of commercially designated land is minimal when over 223 acres of commercially designated land will still exist within the Badger Mountain Subarea.

ANALYSIS OF CITY OF RICHLAND ECONOMIC DEVELOPMENT/PAHLISCH HOMES APPLICATION (CPA2021-103).

DESCRIPTION OF PROPOSAL

The City of Richland, in cooperation with Pahlisch Homes, is proposing to change the land use designation on approximately 21 acres of land located in the Horn Rapids area from Public Facilities (PF) to High Density Residential (HDR) and to subsequently change the underlying zoning from Parks & Public Facilities (PPF) to Multiple Family Residential (R-3).

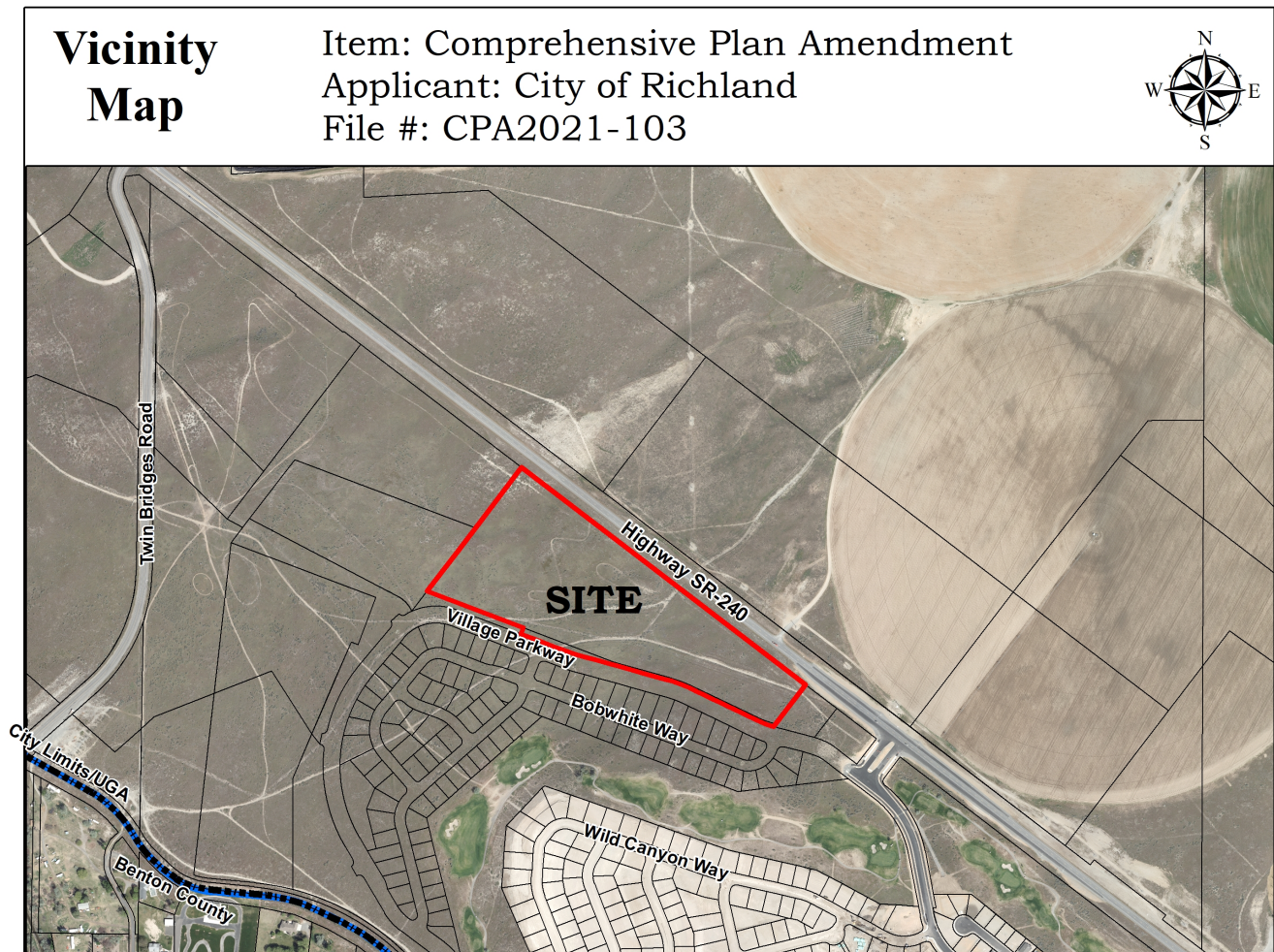


Figure 1 – Vicinity Map (site highlighted in red)

SITE DESCRIPTION & ADJACENT LAND USES

The site is approximately 21 acres in size and is located between State Route 240 and Village Parkway within the Horn Rapids residential development. The subject site is relatively flat and the property currently designated as Public Facility (PF) was planned as a future elementary school site by the Richland School District. However, the district is no longer planning to purchase the site and thus the land use designation is outdated and does not reflect the current and projected needs of the community. The City has determined that a portion of the site would be appropriate for a Fire Station and the new land use designation and zoning districts would allow for said use, while the remaining property would be available for sale and the construction of additional residences.

The proposed amendment is consistent with the adjacent area. The project site is adjacent to the requested land use

designation to the west, and adjacent to the requested zoning to the west, south, and east. The plan is a continuation of the existing residential development pattern in the area.

Surrounding Area:

- North: State Route 240. Across SR 240 is land designated for commercial use and zoned General Business (C-3) and Medium Industrial (I-M). The large parcel is currently owned by the City and is a mix of active farmland, City use, and vacant land.
- East: Vacant lot currently owned by Pahlisch Homes. Tract D of Quail Ridge Ph. 1&2. The land is designated as Developed Open Space (DOS) and is zoned Multiple Family Residential (R-3).
- South: new single-family residential development – Quail Ridge Ph 1&2, platted in 2020. The land is designated as Medium Density Residential and is zoned R-3.
- West: Undeveloped parcels currently owned by the City and Pahlisch Homes. The land is designated as High Density Residential and zoned R-3.

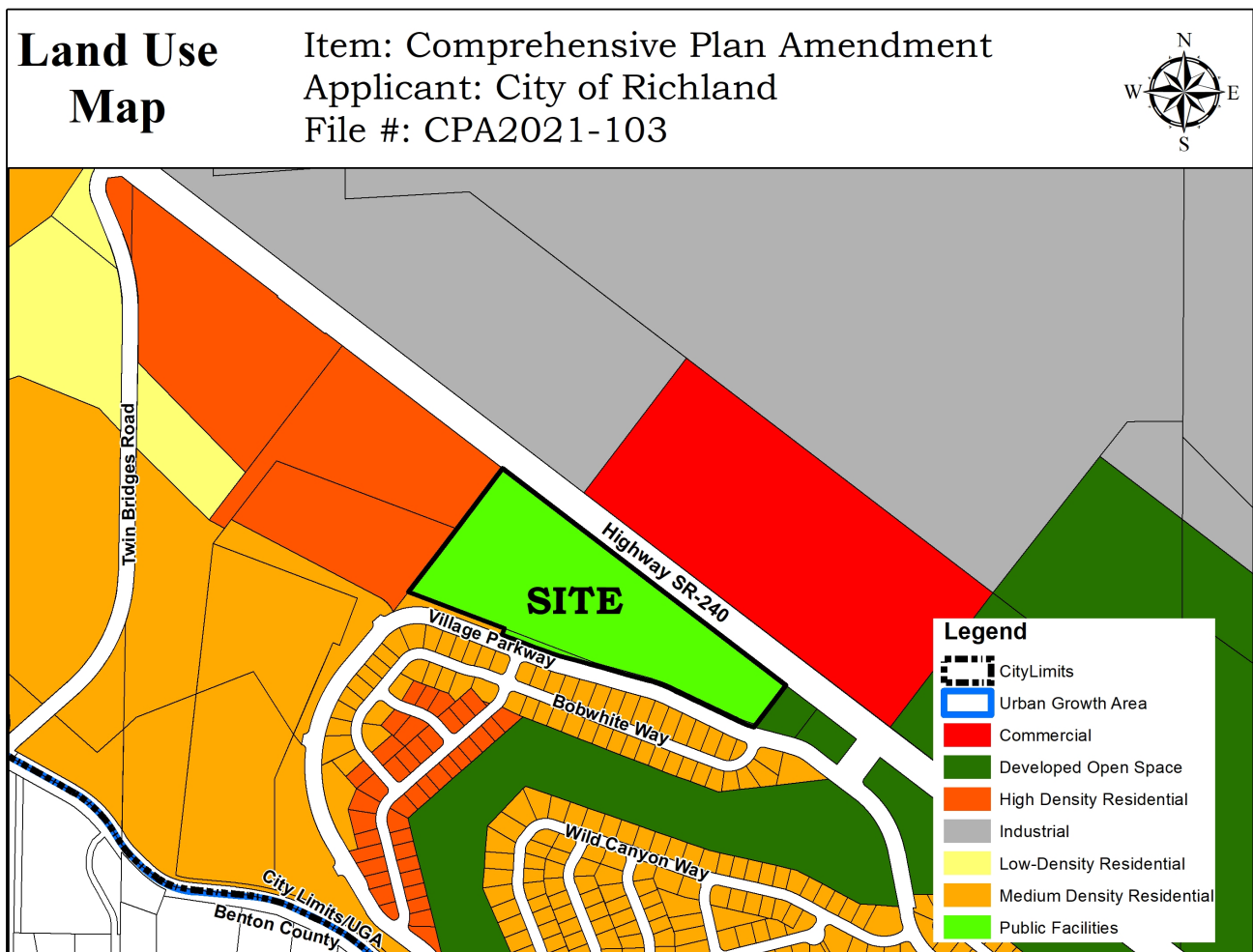


Figure 2 – Comprehensive Plan

COMPREHENSIVE PLAN

The site is designated as Public Facility (PF) under the City's current comprehensive plan. The site was previously planned to be an elementary school site by the Richland School District. However, the school district has decided not to purchase the property and develop a school in this location. As a result, the land would be better used for residential development. It should be noted that the City of Richland Fire Department is proposing to construct a fire station upon a portion of this site; however, the Public Facility (PF) land use designation and subsequent Parks & Public Facilities (PPF) zoning district is not necessary for the station as municipal service facilities, such as fire stations are also allowed within the Multiple Family (R-3) zoning district.

The plan defines Public Facility lands as follows:

This category includes a variety of public and institutional uses including facilities operated by federal, state, county, municipal, or other government agencies; public educational institutions; public libraries, hospitals; cemeteries and some developed parks.

The High Density Residential land use category is described as follows:

The HDR category includes multifamily residential uses with an average density of 15 dwelling units per acre. In transitional areas between more intensive commercial uses and lower density residential uses, limited office/institutional uses may also be located within the HDR designated areas.

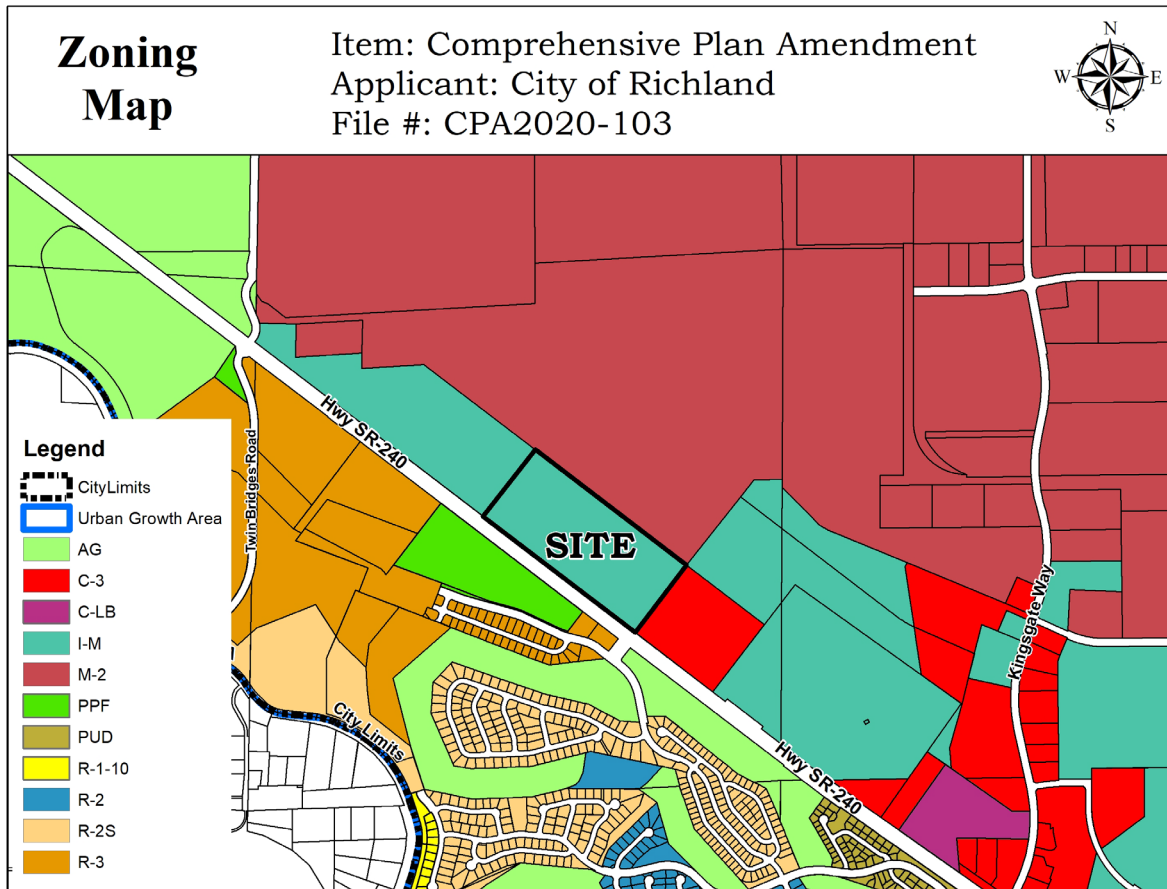
The comprehensive plan identifies the following goals and policies that pertain to this amendment request:

HE Goal 1: Provide a range of housing densities, sizes, and types for all income and age groups of the Richland community.

Policy 6 – *Plan for an adequate supply of land in appropriate land use designations and zoning categories to accommodate projected household growth, while accommodating other commercial, industrial, and open space needs of the City.*

ZONING

Property to the north across State Route (SR) 240 is zoned General Business (C-3) and Medium Industrial (I-M). Land to the east is vacant and currently owned by Pahlisch Homes. The land is zoned Multiple Family Residential (R-3). To the south exists new single-family residential development (Quail Ridge Phases 1 & 2, platted in 2020) that is zoned Multiple Family Residential (R-3). Finally, both the City and Pahlisch Homes own land located to the west of the site that is designated as High Density Residential and Zoned Multiple Family Residential (R-3).



UTILITY AVAILABILITY

Public water, sewer and electric are all available to the project site and adequate capacity exists for future development.

TRANSPORTATION

Access to the site is via Village Parkway which is a new street that was constructed as part of Quail Ridge Phases 1 & 2 in 2020. While the site also contains frontage on SR 240 (north), the Washington State Department of Transportation (WSDOT) has placed limitations on the number and locations of access points onto SR 240.

ENVIRONMENTAL REVIEW

The applicants have submitted an environmental checklist. Planning staff reviewed the documents and issued a Determination of Non-Significance for the entire 2021 Comprehensive Plan Docket on September 17, 2021. No appeals or challenges to the city's Determination of Non-Significance were received. A copy of the checklist and determination of non-significance is attached.

ANALYSIS

The requested comprehensive plan change and subsequent change of zoning to Multiple Family Residential (R-3) appears to be consistent with the development patterns occurring within the Horn Rapids area. The City plans to sell the majority of the 21-acre site to Pahlisch Homes in order for them to continue to development residential housing within the Horn Rapids community. The City will retain a small portion of the land for the construction of a new fire

station that will help reduce response times to the Horn Rapids area. While the current zoning allows for the construction of a fire station (PPF) so too does the proposed zoning designation of Multiple Family Residential (R-3). Rather than have one small parcel of land devoted primarily to a public service facility by its zoning, the City would rather have the entire site rezoned to R-3 so that the dimensions of the fire station parcel can be determined at a later date. The proposed change is consistent with the Economic Development Department's plans for the area and are consistent with the overall Horn Rapids Master Plan.

APPROVAL CRITERIA

1. Have circumstances related to the proposed amendment and/or the area in which it is located substantially changed since the adoption of the comprehensive plan?

The Horn Rapids Residential area continues to be one of the most rapidly expanding housing developments within the City. The City of Richland issued a record 386 single-family residential building permits in 2020 and are on pace to exceed that number in 2021 with a large portion of those homes permitted for the Horn Rapids residential area.

It should also be noted that the Richland School District no longer has plans to purchase land within the Horn Rapids area for the development of an elementary school site. This was the primary reason behind the 21-acre site being classified as Public Facility (PF) by the City's comprehensive plan. Since the school district no longer intends on purchasing this site, it doesn't make sense to keep it designated for public facilities, such as schools, when there is a strong need for residential housing.

2. Are the assumptions upon which the comprehensive plan is based no longer valid, or is new information available which was not considered during the initial comprehensive plan adoption process or during previous annual amendments?

The assumptions on which the current comprehensive plan is based took into consideration the establishment of an elementary school at this site. However, as has been previously indicated, the RDS no longer desires to purchase this property from the City and therefore, it is no longer needed to be designated as Public Facility (PF) nor zoned Parks & Public Facilities (PPF).

SUMMARY

Approval of the proposed comprehensive plan amendment would provide additional areas for much needed residential development within the rapidly expanding Horn Rapids residential community.

ANALYSIS OF NC VENTURES, LLC APPLICATION (CPA2021-104).

DESCRIPTION OF PROPOSAL

AHBL, on behalf of NC Ventures, LLC, is proposing to amend the Land Use Map for Parcel Number 104984000001000 to be all Commercial and to rezone the parcel to be all General Business (C-3). The parcel is approximately 6.9 acres in size and the southern portion of the subject property is currently designated Agriculture while the majority of the site is zoned Agriculture (AG) with a small portion zoned General Business (C-3). (Parcel Number 104984000001000).

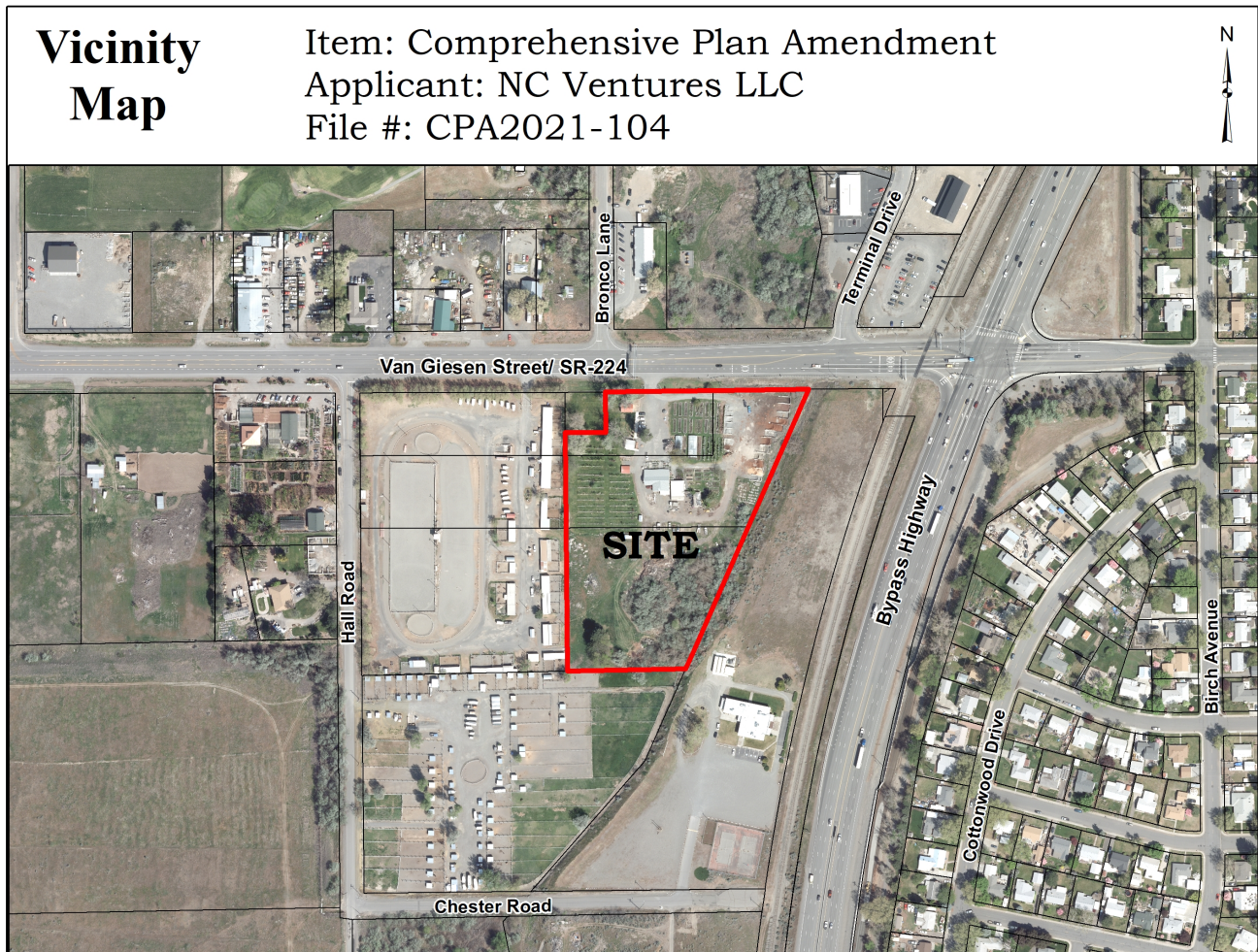


Figure 1 – Vicinity Map *(site highlighted in red)*

SITE DESCRIPTION & ADJACENT LAND USES

The site is approximately 6.9 acres in size and is located south of Van Giesen Street and several hundred feet west of the Bypass Highway (SR 240). The subject site is relatively flat and the property currently contains the C&M Landscaping Nursery.

Surrounding Area:

- North: Van Giesen Street. Across Van Giesen Street is land designated for agriculture and commercial use and zoned General Business (C-3) and Agriculture (AG).

- East: Vacant lot currently owned by Knights of Columbia. The land is designated as Commercial (C) and is zoned Agriculture (AG).
- South: The land to the south is currently developed as a horse riding and stabling facility and is designated as Agriculture by the comprehensive plan and is zoned Agriculture (AG).
- West: Land to the west of the site is commonly referred to as the Richland Rider's Club. The land has a split land use designation of Commercial (northern half) and Agriculture (southern half). The zoning of the site is both Agriculture and General Business (C-3), although the zoning boundary does not match the comprehensive plan land use boundary.

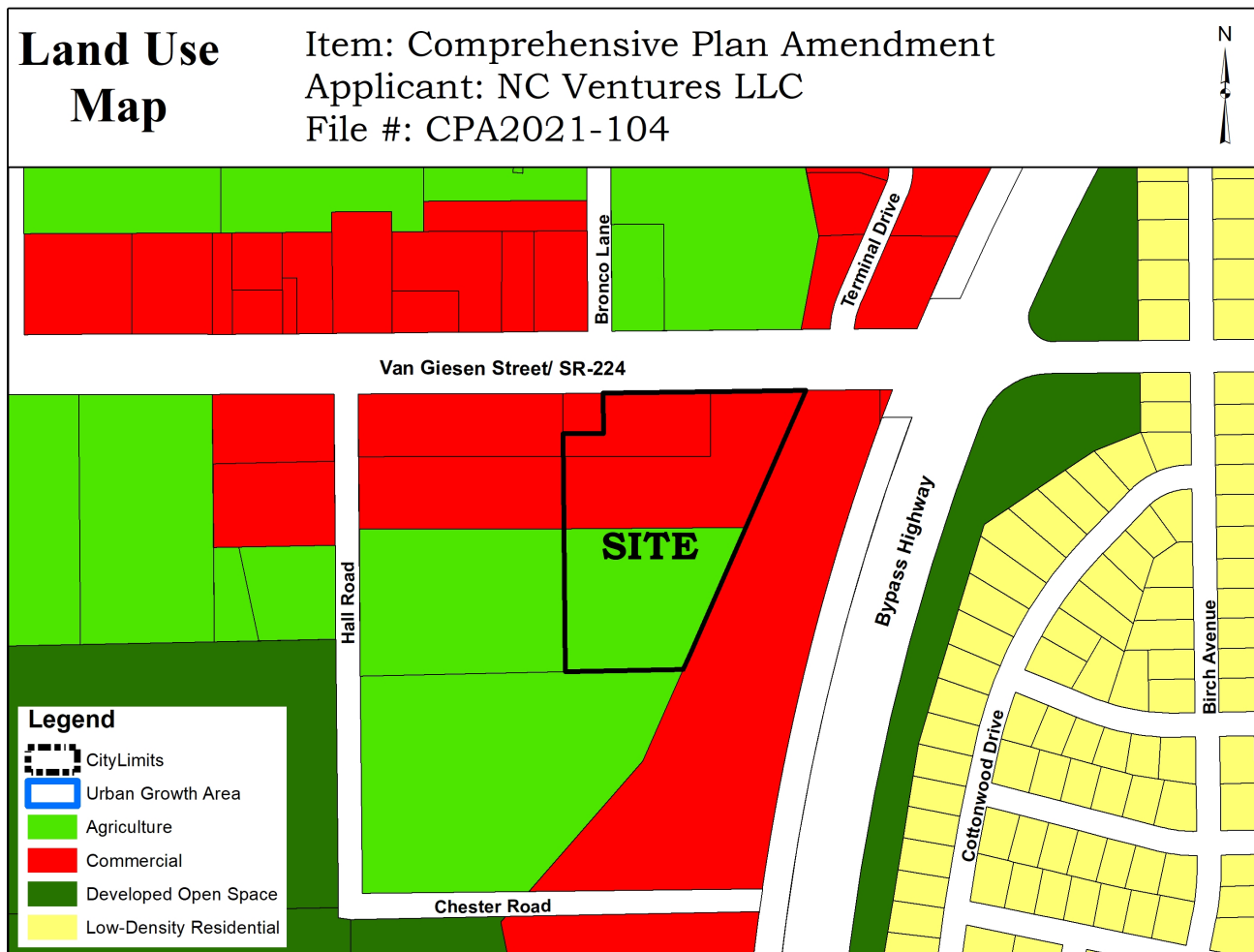


Figure 2 – Comprehensive Plan

COMPREHENSIVE PLAN

The site is designated as both Commercial (C) and Agriculture (AG) by the City's current comprehensive plan. It is fairly obvious that the intent of the split land use designation was to reserve the northern portion of the site, which abuts Van Giesen Street, and contains the existing commercial nursery to be utilized for commercial purposes; However, the southern half of the site was to be utilized for agricultural purposes, such as those occurring to the south and west of the site. For some reason, the location of the implementing zoning district(s) does not match the

comprehensive plan and, as a result, only a small portion of the site located in the upper northwest corner has been zoned for commercial use. The current owner of the site would like to expand the commercial potential for the site given its location adjacent to Van Giesen Street. The current land use boundaries do not afford the applicant of the ability to rezone the entire site to General Business (C-3) without first having a comprehensive plan land use map amendment making the site all of the commercial designation.

The plan defines Agriculture (AG) lands as follows:

This category includes uses devoted primarily to the tilling of soil, the raising of crops, horticulture, livestock, poultry, feed lots, and related commercial and industrial activities. It allows residential densities up to one dwelling unit per five acres.

The Commercial (COM) land use category is described as follows:

The commercial land use category includes a variety of retail, wholesale, and office uses. Within this category are professional business offices, hotels, motels, and related uses. It also includes a variety of retail and service uses oriented to serving residential neighborhoods, such as grocery stores, hardware supply, and garden supply. Other commercial uses include automobile-related uses and uses that normally require outdoor storage and display of goods. In transitional areas between more intensive uses and lower density residential uses, high-density residential development may also be located within the Commercial designated areas.

The comprehensive plan identifies the following goals and policies that pertain to this amendment request:

ED Goal 1: Build the diversity, resiliency, and equity of the City's economy to ensure opportunities for growth and shared prosperity.

Policy 4 – Recognize that infrastructure, including transportation and utility planning are vital to economic development and attracting businesses.

ED Goal 3: Support businesses of all sizes.

ZONING

As indicated above, the site is currently zoned General Business (C-3) and Agriculture (AG); however, the boundaries of the C-3 zone do not match the boundaries of the commercial land use designation. As a result, the majority of the site is currently zoned Agriculture (AG). The proponents would like to remove the agricultural designations/districts from the site and have the entire site designate commercial and zoned General Business (C-3). Doing so would allow the existing nursery to continue to stay in operation; however, it would also give the owners flexibility should they desire to change business direction in the future.

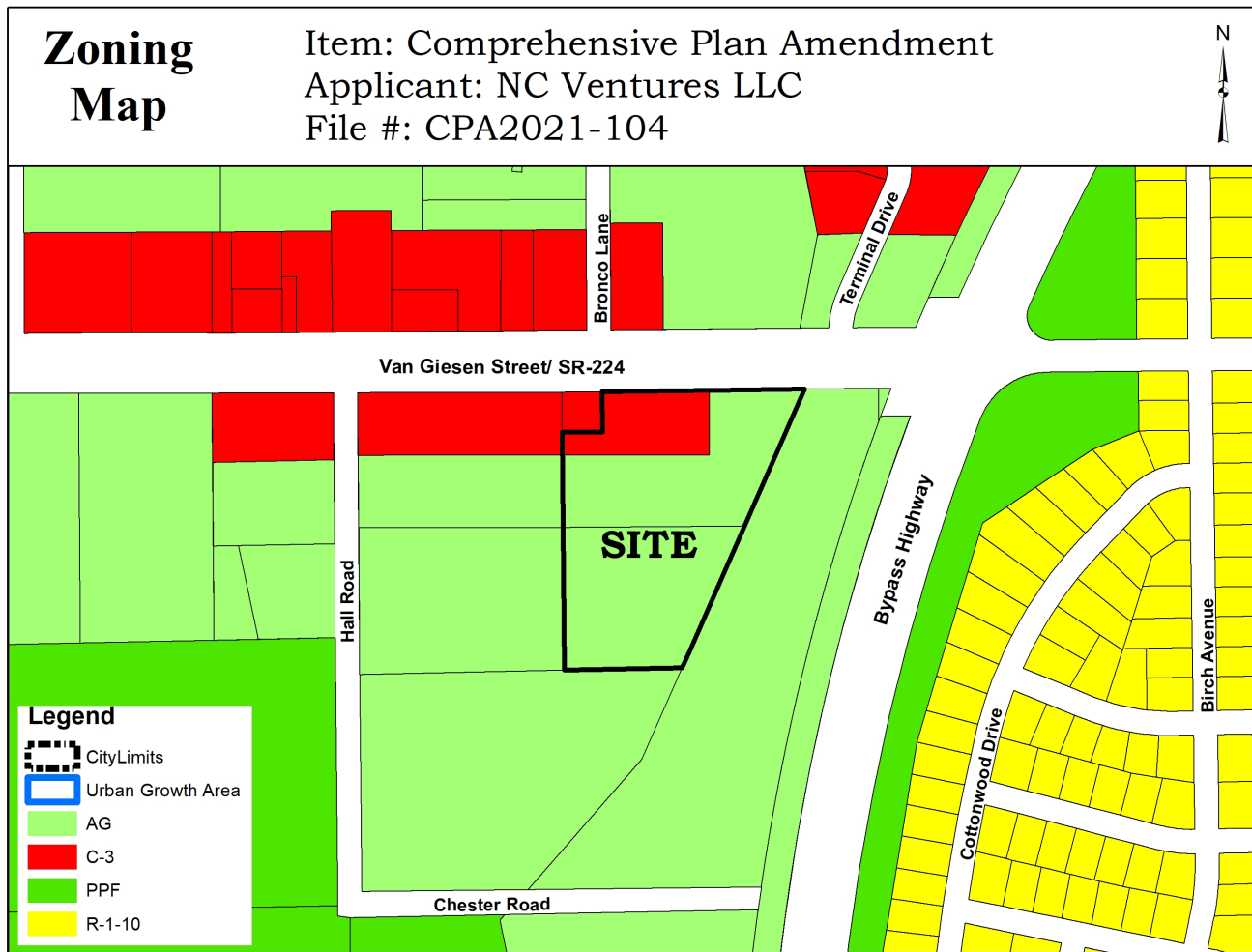


Figure 3 – Existing Zoning

UTILITY AVAILABILITY

The site currently has access to public water and electrical from the City of Richland. Public sewer is located several hundred feet northeast of the site within Terminal Drive on the north side of Van Giesen Street. The proponents have discussed the steps necessary to bring public sewer to the site with the City's Public Works Department and appear willing to extend public sewer to the site should the comprehensive plan and subsequent rezone amendments be approved.

TRANSPORTATION

Access to the site is via Van Giesen Street, which connects Richland to West Richland and other designations further west. Van Giesen Street is technically a state highway, but access control is dictated by the City's Public Works Department. The site has an existing driveway approach onto Van Giesen Street and the proponents have explored the idea of moving the driveway access further west to match the alignment of Bronco Lane, which extends north of Van Giesen Street.

ENVIRONMENTAL REVIEW

The applicants have submitted an environmental checklist. Planning staff reviewed the documents and issued a Determination of Non-Significance for the entire 2021 Comprehensive Plan Docket on September 17, 2021. No appeals or challenges to the city's Determination of Non-Significance were received. A copy of the checklist and

determination of non-significance is attached.

ANALYSIS

The requested comprehensive plan change and subsequent change of zoning to General Business (C-3) appears to be consistent with the development patterns occurring along this portion of Van Giesen Street. Based upon the current land use designation boundaries it is evident that the City has intended that the frontage of this and other adjacent properties be developed as commercial. The applicants current desire is to expand the commercial potential from solely the northern half of the property to the entire boundaries of the property. From a land use/zoning standpoint, it is advantageous to have properties designated and zoned consistently and to not be split by two or more land use designations and/or zoning districts.

APPROVAL CRITERIA

1. Have circumstances related to the proposed amendment and/or the area in which it is located substantially changed since the adoption of the comprehensive plan?

The ownership of the property has recently changed hands and while the new owners have continued to improve and operate the commercial nursery, they also have plans to potentially increase the size of the operation and/or change their business model to one which would be more financially consistent. Having several hundred feet of frontage along Van Giesen Street provides the property with excellent commercial opportunities and limiting most of the site to agriculture use does not fit in with the owner's overall plans for the site.

2. Are the assumptions upon which the comprehensive plan is based no longer valid, or is new information available which was not considered during the initial comprehensive plan adoption process or during previous annual amendments?

As indicated above, the ownership of the site has recently changed. The previous owners of the property owned the property for several decades and the site has always been developed as a commercial plant nursery. The new owners would like the flexibility to expand the commercial potential of the site and although they are currently continuing the use of the site as a nursery, their long-term vision includes other potential commercial endeavours, which may prove to be more lucrative for them and for the city.

SUMMARY

Approval of the proposed comprehensive plan amendment would provide additional commercial area along a major transportation corridor and would likely provide additional tax revenue for the city.

ANALYSIS OF CITY OF HAYDEN HOMES APPLICATION – CLEARWATER CREEK (CPA2021-105).

DESCRIPTION OF PROPOSAL

Hayden Homes, is proposing to change the land use designation on approximately 10.43 acres of land located at the intersection of Steptoe Street and Center Parkway from Commercial (C) to Medium Density Residential (MDR). They are also requesting an associated rezone in which the property would be rezoned from Neighborhood Retail Business (C-1) to Medium Density Residential Small (R-2S) in order to continue to develop single-family residential homes in a similar manner as those they have already constructed to the west of the proposed amendment site.

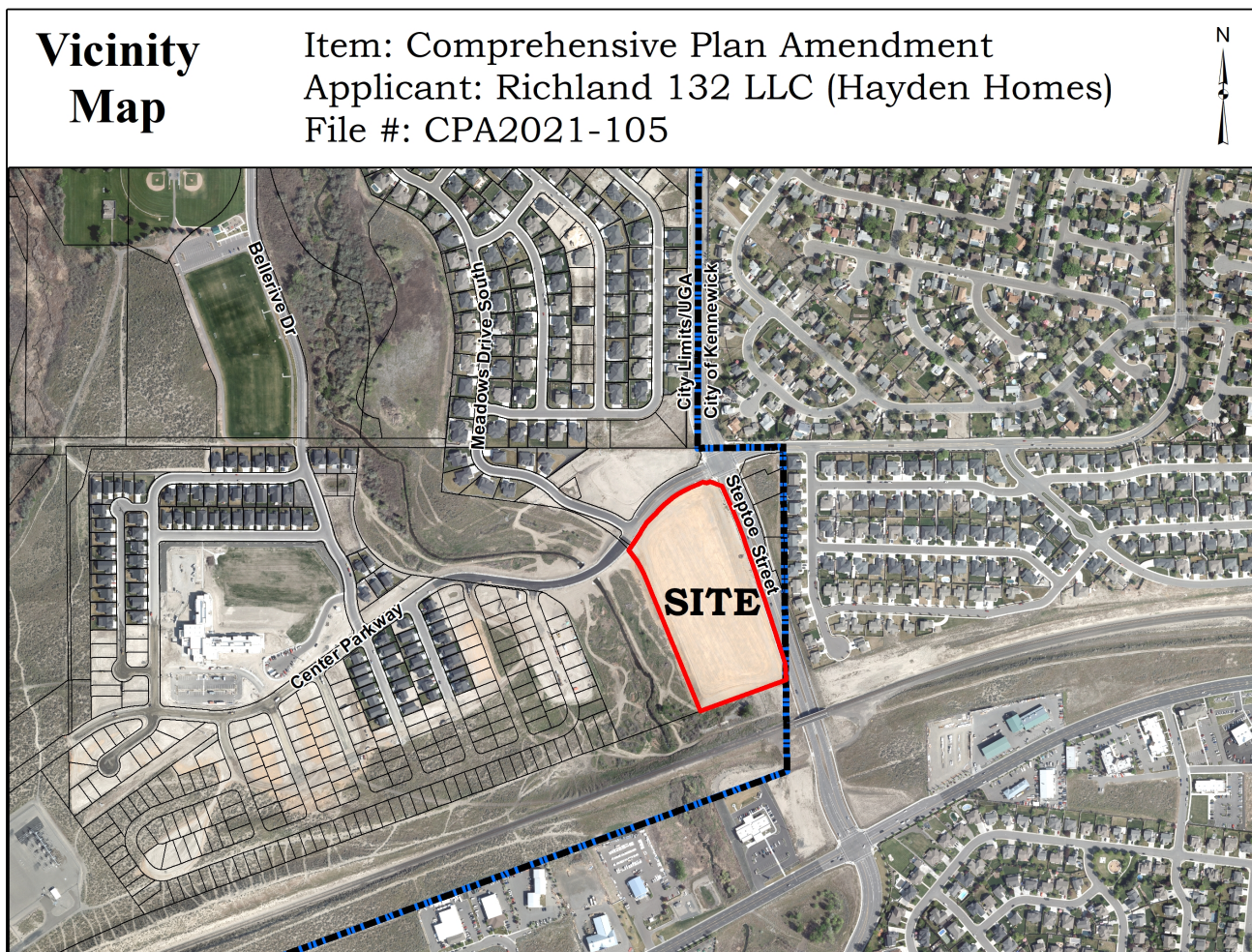


Figure 1 – Vicinity Map *(site highlighted in red)*

SITE DESCRIPTION & ADJACENT LAND USES

The site is approximately 10.43 acres in size and is located at the southwest corner of the intersection of Steptoe Street and Center Parkway within the southwest corner of the city. The subject site is relatively flat and the property is known as Lot 9 of Clearwater Creek Phase 3.

Surrounding Area:

- North: A 3.12-acre vacant lot in the Clearwater Creek Ph. 3 plat, designated as Commercial and zoned C-1, the same designation and zone as the subject parcel.

- East: A coffee drive-through and vacant lots in the City of Richland, and single-family homes in the City of Kennewick. The Richland parcels are designated Commercial (COM) and zoned Neighborhood Retail Business (C-1). The Kennewick parcels are zoned as Residential Low Density (RL). Kennewick's RL district has a minimum lot size of 7, 500 s.f.
- South: BNSF Railway
- West: The 200' Amon Wasteway zoned and designated as Natural Open Space (NOS); beyond that is residential development designated as Low Density Residential (LDR) and zoned Medium Density Residential Small Lot (R-2S)

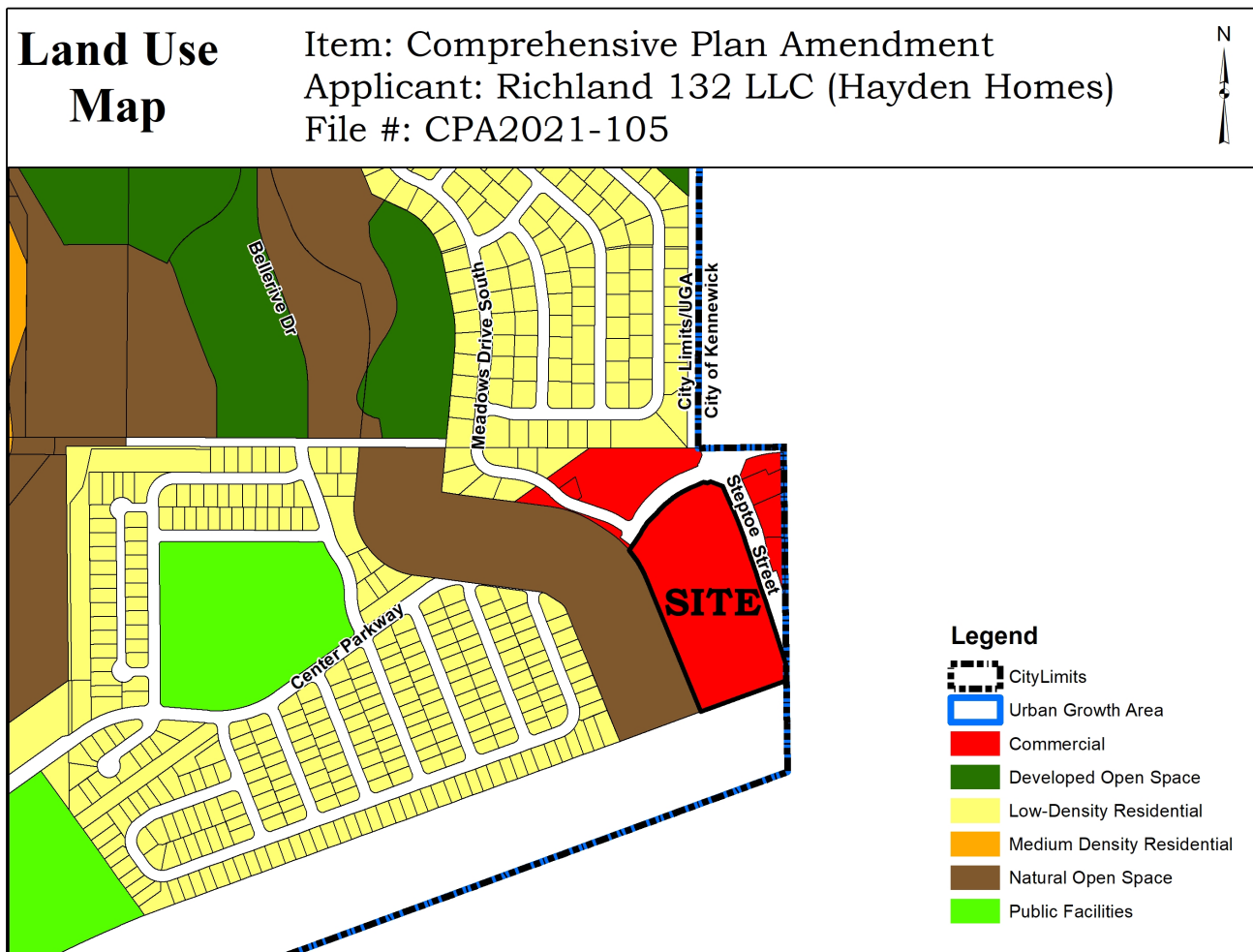


Figure 2 – Comprehensive Plan

COMPREHENSIVE PLAN

The site is currently designated as Commercial (COM) under the City's current comprehensive plan. The site was originally planned to be residential at the time of Clearwater Creek Development and designated as Medium Density Residential (MDR at the time. In 2013 the applicant then requested a land use redesignation to Commercial (COM) which was granted by the City. This application is to change the designation back to Medium Density Residential (MDR) as the applicant reports that there has been no commercial interest in the property since it began to be marketed as commercial in 2016. The developer desires to forgo their entitled development rights to provide

commercial development opportunities in favor of providing housing at the site; this may indicate that the current market conditions induce a higher demand for housing construction over providing retail, service, or other commercial offerings at the site. Since the start of the Covid Pandemic in 2020, the City of Richland has seen a decline in new commercial construction starts as it appears that adequate supply is available for new commercial businesses to be developed within existing buildings (i.e., tenant improvements). While it is difficult to ascertain how long this trend may continue, it is anticipated that the strong housing market will continue within the region for the foreseeable future.

It should be noted that the City of Kennewick has designated land nearby as General Commercial, which may provide the commercial needs of Richland's Clearwater creek residential neighborhood. Alternatively, the northwest corner of Steptoe Street and Center Parkway has recently been rezoned to Neighborhood Commercial Business (C-1) and would also likely meet the future commercial needs for the area as it continues to develop.

The plan defines Commercial (COM) lands as follows:

The commercial land use category includes a variety of retail, wholesale, and office uses. Within this category are professional business offices, hotels, motels, and related uses. It also includes a variety of retail and service uses oriented to serving residential neighborhoods, such as grocery stores, hardware supply, and garden supply. Other commercial uses include automobile-related uses and uses that normally require outdoor storage and display of goods. In transitional areas between more intensive uses and lower density residential uses, high-density residential development may also be located within the Commercial designated areas.

The Medium Density Residential land use category is described as follows:

The MDR category includes single-family residential uses with an average density of eight dwelling units per acre.

The comprehensive plan identifies the following goals and policies that pertain to this amendment request:

HE Goal 1: Provide a range of housing densities, sizes, and types for all income and age groups of the Richland community.

Policy 6 – Plan for an adequate supply of land in appropriate land use designations and zoning categories to accommodate projected household growth, while accommodating other commercial, industrial, and open space needs of the City.

ZONING

Property to the north across Center Parkway is zoned Neighborhood Commercial Business (C-1) as is property located to the east across Steptoe Street. Currently, three out of four corners of the intersection are designated as Commercial (COM) and zoned C-1. If approved, the designation change and the associated rezone would leave two diagonal commercial lots at the Steptoe Street/Center Parkway intersection.

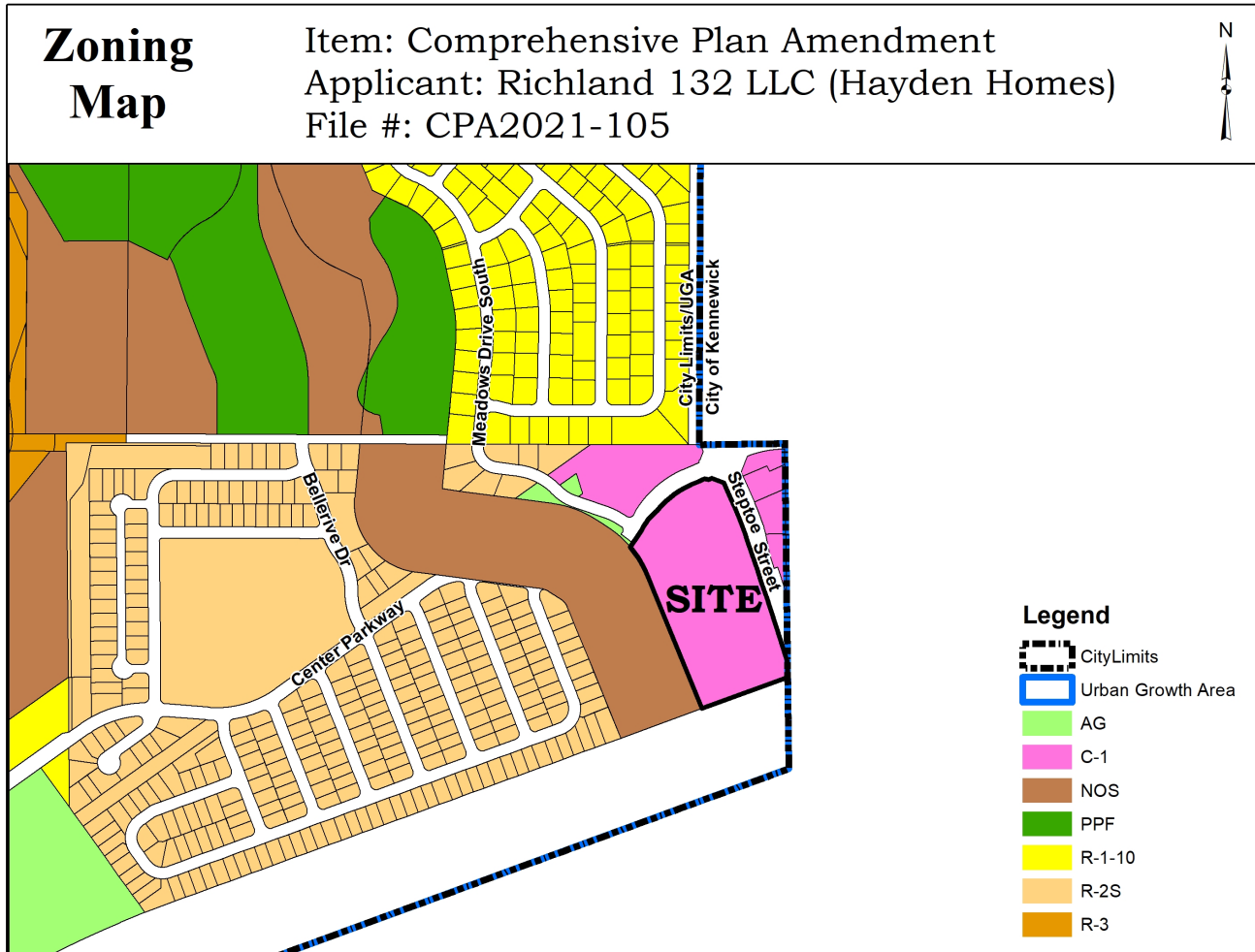


Figure 3 – Existing Zoning

UTILITY AVAILABILITY

Public water, sewer and electric are all available to the project site and adequate capacity exists for future development.

TRANSPORTATION

Access to the site is via Center Parkway which is a new street that was constructed as part of Clearwater Creek development. While the site also contains frontage on Steptoe Street, the City of Richland's Public Works Department will require that access to/from the site be off of Center Parkway. It should be noted that the proposal, if approved, would change the allowed land uses from a more-intensive to a less-intensive type and would reduce the overall traffic at that intersection.

ENVIRONMENTAL REVIEW

The applicants have submitted an environmental checklist. Planning staff reviewed the documents and issued a Determination of Non-Significance for the entire 2021 Comprehensive Plan Docket on September 17, 2021. No appeals or challenges to the city's Determination of Non-Significance were received. A copy of the checklist and determination of non-significance is attached.

ANALYSIS

The requested comprehensive plan change and subsequent change of zoning to Medium Density Residential Small (R-2S) appears to be consistent with the development patterns occurring in the area. While typically it is desired to place commercial development at the intersections of major roadways, or along major roadways, this site, for whatever reason, has failed to develop into any form of commercial development (Steptoe St. is designated as a principal arterial and Center Parkway is designated as a major collector). Given the amount of available commercially zoned land in the area (both Richland and Kennewick), it appears that adequate land is available to meet the commercial needs of the area should this site be redesignated and rezoned residential. It should be noted that the Amon Wasteway is located to the west of the site, but that adequate environmental protections are in place to prevent degradation of this resource.

APPROVAL CRITERIA

1. Have circumstances related to the proposed amendment and/or the area in which it is located substantially changed since the adoption of the comprehensive plan?

The subject site was the subject of a comprehensive plan map amendment in approximately 2013 when it was redesignated from Medium Density Residential (MDR) to Commercial (COM). Since the property began being marketed for commercial development in 2016 the site has failed to produce any commercial development proposals that have come to fruition. While it is typically considered desirable to place commercial development at busy intersections the applicants desire to change the comprehensive plan designation from commercial to residential likely indicates that there is adequate commercial land elsewhere in the area. This could be a result of zoning and development activities within the City of Kennewick or elsewhere in Richland that are within close enough proximity to persuade developers to develop elsewhere, rather than on bare/undeveloped ground.

2. Are the assumptions upon which the comprehensive plan is based no longer valid, or is new information available which was not considered during the initial comprehensive plan adoption process or during previous annual amendments?

The assumptions on which the current comprehensive plan is based were likely based on the fact that commercial developments typically occur at busy intersections, such as at the intersection of Steptoe Street and Center Parkway. However, for whatever reason, the three (3) commercial properties in this area have only resulted in the construction of a Roaster's Coffee Drive-thru (SE corner of the intersection). Other plans for the area have included the construction of a car wash facility and a small strip mall; however, as of the date of this report none of those commercial developments have occurred.

SUMMARY

Approval of the proposed comprehensive plan amendment would provide additional areas for much needed residential development within the city.

ANALYSIS OF NEW HEIGHTS BAPTIST CHURCH/TIM BUSH APPLICATION (CPA2021-106).

DESCRIPTION OF PROPOSAL

Tim Bush, in cooperation with New Heights Baptist Church, is proposing to change the land use designation on approximately .44 acres of land located at 390 Thayer Drive from Low Density Residential (LDR) to High Density Residential (HDR) and to subsequently change the underlying zoning from Low Density Residential 12,000 SF (R-1-12) to Multiple Family Residential (R-3).

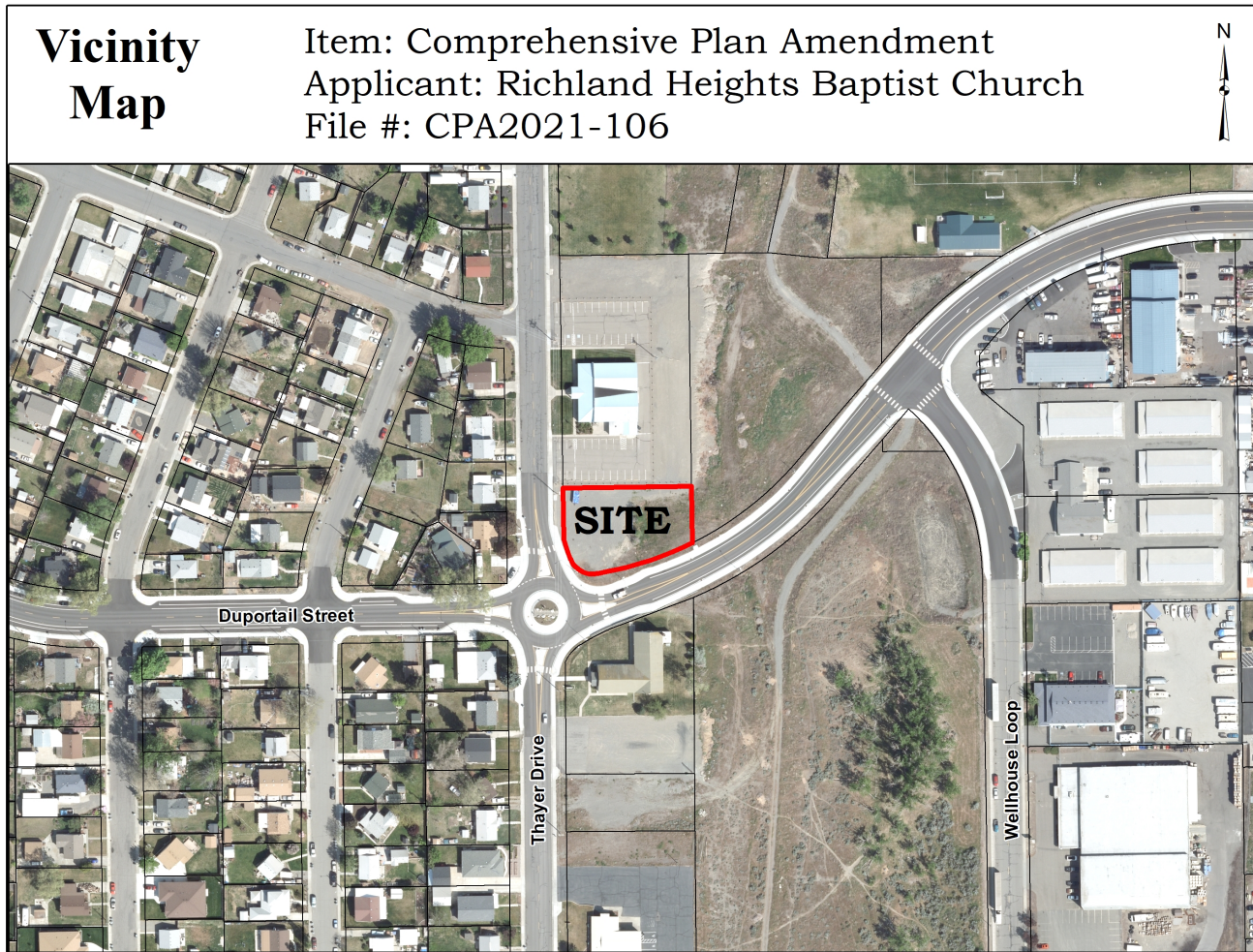


Figure 1 – Vicinity Map (site highlighted in red)

SITE DESCRIPTION & ADJACENT LAND USES

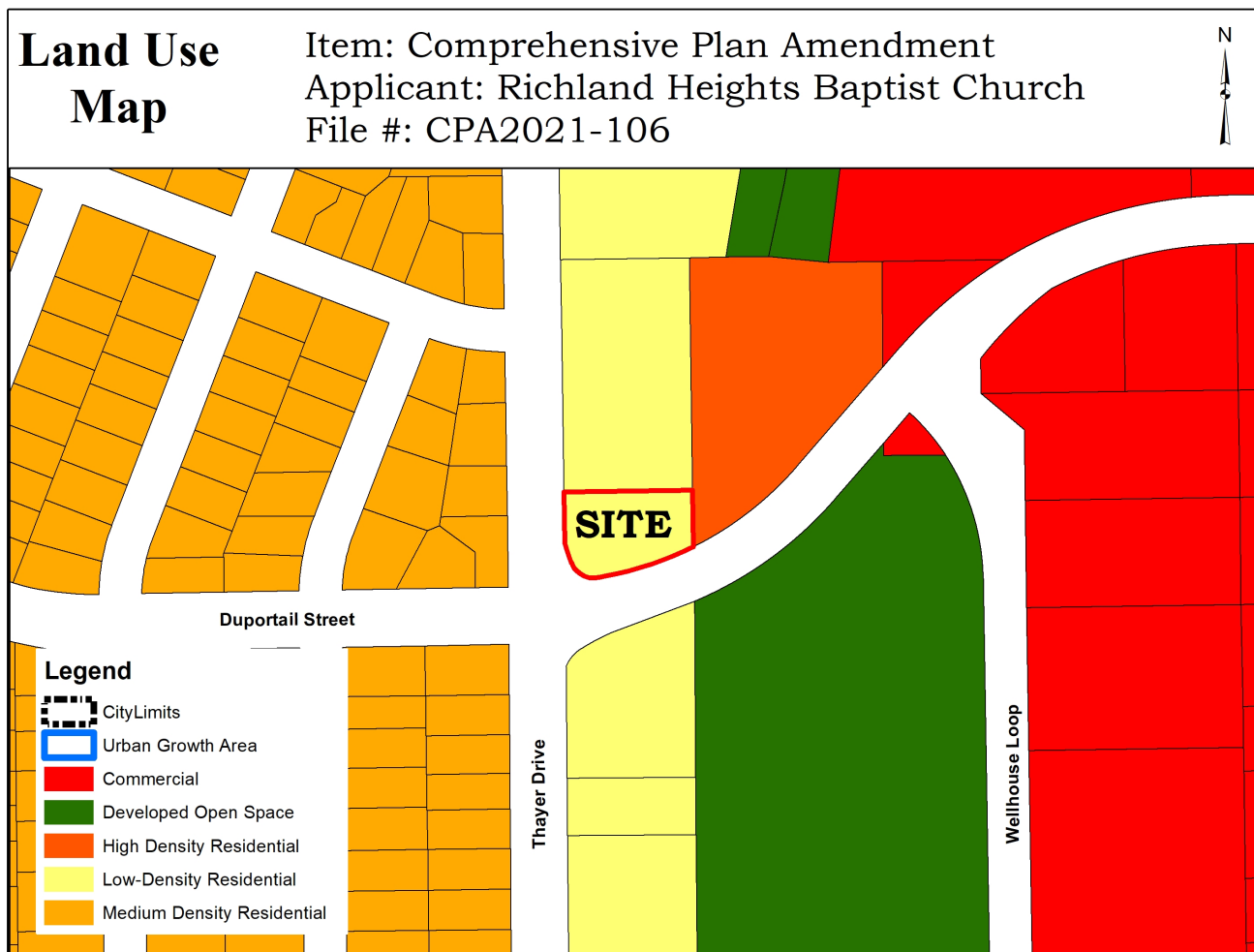
The site is approximately .44 acres in size and is located at the northwest corner of the Duportail Street and Thayer Drive round-about. The subject site is relatively flat and is currently a gravel lot and tapers off towards the east end of the subject property. Mr. Bush intends to purchase the site from the church and develop multi-family housing at the site with the proposed ingress/egress being off of Thayer Drive (west).

The proposed amendment appears to be consistent with the adjacent area as the proposed land use designation is a natural progression from the Medium-Density (zoned R-2) historic residential area west of Thayer Dr. to the commercial corridor east of Wellhouse Loop (zoned C-3), from lower intensity uses to progressively higher intensity uses. The project site is adjacent to the requested land use designation and zoning to the west. The plan is a

continuation of the existing residential development pattern in the area.

Surrounding Area:

- North – Developed as the Masonic Lodge with an associated parking lot, designated as Low Density Residential (LDR) and zoned R-1-12 (the existing designation and zone of the subject parcel)
- East – A lot designated as HDR and zoned R-3 (the requested designation and zone) that is in the permitting process to construct townhomes.
- South – The south portion of the parcel (split by the Duportail St. ROW) is developed as a church
- West – Across of Thayer Dr. is single-family residences designated as Medium Density Residential (MDR) and zoned as Medium Density Residential (R-2)



COMPREHENSIVE PLAN

The site is designated as Low Density Residential (LDR) under the City's current comprehensive plan. The site has been vacant for quite some time and used to be connected to the New Heights Baptist Church prior to the extension of Duportail Street and recent short plat (SP2021-101).

The plan defines Low Density Residential lands as follows:

The LDR category includes single-family residential uses with an average density of 3.5 dwelling units per acre.

The High Density Residential land use category is described as follows:

The HDR category includes multifamily residential uses with an average density of 15 dwelling units per acre. In transitional areas between more intensive commercial uses and lower density residential uses, limited office/institutional uses may also be located within the HDR designated areas.

The comprehensive plan identifies the following goals and policies that pertain to this amendment request:

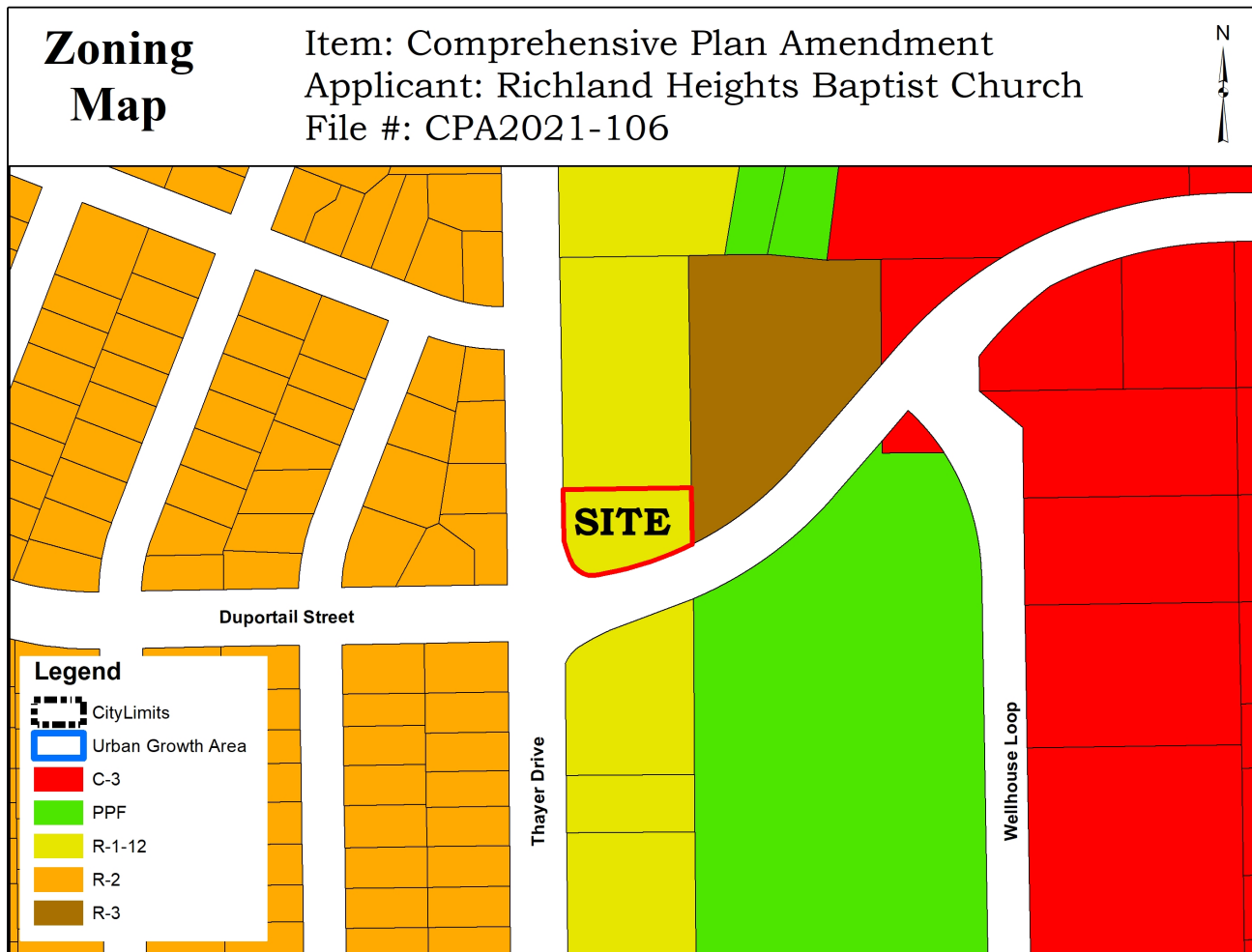
HE Goal 1: Provide a range of housing densities, sizes, and types for all income and age groups of the Richland community.

Policy 6 – *Plan for an adequate supply of land in appropriate land use designations and zoning categories to accommodate projected household growth, while accommodating other commercial, industrial, and open space needs of the City.*

ZONING

Property to the west across Thayer Dr. is zoned Medium Density Residential (R-2), while lands located north and south of the subject property (south of Duportail St.) are zoned Low Density Residential 12,000 S.F. (R-1-12). The land abutting the site to the east is zoned Multiple Family Residential (R-3) and recently received preliminary plat approval for Wellhouse Heights, which divides 1.81 acres into 18 single-family residential lots designed for attached townhome construction.

It should be noted that the proposed changes would increase the maximum number of lots from 1 to 6 on the .44-acre site and will also result in an increase of traffic to the area. Duportail Street is classified as a minor arterial and Thayer Drive is designated as a major collector. With the recent construction of the Duportail Street bridge, the area is now well connected to major shopping areas.



UTILITY AVAILABILITY

Public water, sewer and electric are all available to the project site and adequate capacity exists for future development.

TRANSPORTATION

Access to the site is via Thayer Drive. Thayer Drive is designated as a major collector.

ENVIRONMENTAL REVIEW

The applicants have submitted an environmental checklist. Planning staff reviewed the documents and issued a Determination of Non-Significance for the entire 2021 Comprehensive Plan Docket on September 17, 2021. No appeals or challenges to the city's Determination of Non-Significance were received. A copy of the checklist and determination of non-significance is attached.

ANALYSIS

The requested comprehensive plan change and subsequent change of zoning to Multiple Family Residential (R-3) appears to be consistent with the development patterns occurring within the area as the 1.81 acre site located immediately to the east of the subject property was redesignated and rezoned for multi-family development as part of the 2018-2019 comprehensive plan and development regulations annual update process.

APPROVAL CRITERIA

1. Have circumstances related to the proposed amendment and/or the area in which it is located substantially changed since the adoption of the comprehensive plan?

The major change that has occurred in the area is primarily the purchase and soon-to-occur development of the property located immediately adjacent to the east of this site.

2. Are the assumptions upon which the comprehensive plan is based no longer valid, or is new information available which was not considered during the initial comprehensive plan adoption process or during previous annual amendments?

The assumptions on which the current comprehensive plan is based were likely that the properties located east of Thayer Drive and at the top of the hill were planned to be developed primarily with single-family residential homes on “view” properties. This assumption is based off of the existing development pattern along the top of the hill and east of Thayer Drive and the fact that the homes which are located east of Thayer Drive have been in existence for a long time and date back to the early days of Richland.

SUMMARY

Approval of the proposed comprehensive plan amendment would provide additional areas for much needed residential development within the community.

ASSOCIATED REZONE ANALYSIS

The State of Washington's Growth Management Act (RCW 36.70A) requires that comprehensive plans be effectuated by various development regulations such as subdivision regulations, critical areas and zoning. As a result, any time land use designations are changed the underlying zoning district must be brought into conformance with the comprehensive plan. The city is requesting that the Planning Commission authorize an area-wide rezone in order to bring the zoning into compliance with the change of land-use designation authorized by the passage of the five (5) above listed comprehensive plan amendment applications.

The associated rezones must be a separate action by the Planning Commission and must result in the re-zoning of lands so that the underlying zoning regulations are consistent with the intent and goals of the City's comprehensive plan. Failure to have the zoning designations match the underlying comprehensive plan designation usually results in "spot-zoning", which is not allowed in the State of Washington.

In determining whether an area shall be rezoned, the planning commission and city council should consider how the proposed area-wide rezone implements the comprehensive plan, growth management act and benefits the community.

1. The manner in which the proposed rezone conforms to patterns in adjacent zones;

The proposed rezones would not result in any non-conformities as it would just effectuate the intent of the already approved comprehensive plan changes. Denial of the rezoning would result in a situation in which the zoning districts are out of compliance with, and do not effectuate, the comprehensive plan.

2. The benefits or detriments accruing to the city which would result from the approval of the associated rezones;

Benefits to the city as a result of the granting of the associated rezones come primarily in the form of additional tax revenue due to the creation of additional housing and additional commercial development.

3. Impacts on the environment and public safety.

Both the change in land-use designation and subsequent area-wide rezoning have been reviewed by the City of Richland and other local and state agencies for compliance with the State of Washington's Growth Management Act and State Environmental Policy Act (SEPA).

SEPA THRESHOLD DETERMINATION:

The City of Richland issued a Determination of Non-Significance (DNS) for the proposed comprehensive plan amendment and associated rezoning on September 17, 2021. No challenges or appeals to the SEPA Determination of Non-Significance (DNS) were filed.

RECOMMENDATION:

1. Staff recommends that all text and map amendments included in the 2021 Comprehensive Plan Docket be incorporated into the City's official Comprehensive Plan Document.
2. Staff recommends that the associated rezoning be approved, on condition of approval of the Comprehensive Plan amendment.

Alternatives:

- a. Recommend approval of the amendments and subsequent associated rezones as proposed.
- b. Hold additional public hearings

- c. Modify the proposed changes before forwarding the document to council.

SUGGESTED CONCLUSIONS OF LAW

1. The Planning Commission has a legal obligation to hold an open record public hearing and issue a recommendation to the City Council that meets the requirements of Chapter 36.70A RCW.
2. The City staff, Planning Commission and City Council have involved the public in this planning exercise.
3. The docket is deemed complete and ready for action by the Planning Commission.
4. For areas that are incorporated into the associated rezoning: future development of any property will be reviewed for consistence and compliance with applicable development regulations in effect at the time of future development. Approval of these zoning map amendments do not vest or imply approval of subsequent developments.
5. The 2017 City of Richland Comprehensive Plan (as amended in 2018-2019 and again in 2020) and the associated environmental review comply with the goals and requirements of Chapter 36.70A RCW, Chapter 365-195 WAC, Chapter 43.21C RCW, Chapter 197-11 WAC, and City of Richland Municipal Code Chapter 22.09.
6. The Washington State Growth Management Act (GMA), Chapter 36.70A RCW, mandates that Counties and Cities required or choosing to plan under the authority of the Growth Management Act must adopt development regulations consistent with the jurisdictional Comprehensive Plan and state law.
7. The 2021 Comprehensive Plan amendment (docket) will produce no probable significant adverse environmental impacts. A determination of non-significance (DNS) under the State Environmental Policy Act (SEPA) is appropriate for this Comprehensive Plan amendment and Zoning Ordinance Map changes.

SUGGESTED FINDINGS OF FACT

1. RMC 19.90 indicates that the City Council shall consider each comprehensive plan amendment and forward those selected to the Planning Commission for processing. Plan amendment applications may be submitted via private application and/or proposed by City Staff and the Council.
2. The deadline for the submittal of Private Party Applications for the consideration as part of the 2021 Comprehensive Plan Docket Policy and Map, and Code Amendments docket was March 1, 2021.
3. Five (5) applications were received and deemed complete.
4. The City Council conducted a Workshop on April 27, 2021 to review the 2021 Comprehensive Plan Policy and Map, and Code Amendment Docket.
5. The City Council conducted a Public Hearing on June 1, 2021 establishing the 2021 Comprehensive Plan Policy and Map, and Code Amendment Docket.
6. Public Notice was sent to property owners within 300 feet of each of the proposed Comprehensive Plan Map and Zoning Map changes on September 28, 2021.
7. The City of Richland Community Development Department issued a SEPA Threshold Determination of Non-Significance on September 17, 2021 for the proposed 2021 Comprehensive Plan Policy and Map, and Code Amendment Docket.

8. On September 24, 2021 the City of Richland provided the required sixty (60) day notification under RCW 36.70a.106 to the State of Washington of the City's proposed Comprehensive Plan Policy and Map, and Code Amendment docket and intent to adopt.
9. On September 28, 2021 the City of Richland provided Notice of Public Hearing to be held on October 27, 2021 to affected parcels and neighboring properties within a 300-foot radius of parcels under consideration.
10. Public Hearing Notice signs were posted on, or near, the five (5) properties which had submitted applications for consideration by October 6, 2021.
11. All public notification requirements for the public workshops and public hearings were met.
12. CPA 2021-102 & Z2021-101 consists of an application to amend the Land Use Map for approximately 1.82 acres from Badger Mountain Subarea Plan – Commercial (BMC) to Badger Mountain Subarea Plan – Medium Density Residential (BMMDR) and underlying zoning district from Commercial Limited Business (C-LB) to Medium-Density Residential (R-2). (Parcel Number 134983000001005).
13. CPA2020-103 & Z2020-103 consists of an application filed by the City of Richland Economic Development Department in cooperation with Pahlisch Homes to change the current land use designation for approximately 21 acres of land within the Horn Rapids residential development from Public Facility to High Density Residential, and the underlying zoning district from Parks & Public Facilities (PPF) to Multiple Family Residential (R-3). (Portion of Parcel Numbers 120083000009013 & 120083020005000).
14. CPA2021-104 & Z2021-104 consists of an application filed by AHBL, on behalf of NC Ventures, LLC (owner) to amend the Land Use Map for Parcel Number 104984000001000 to be all Commercial and to rezone the parcel to be all General Business (C-3). The parcel is approximately 6.9 acres in size and the southern portion of the subject property is currently designed Agriculture while the majority of the site is zoned Agriculture (AG) with a small portion zoned General Business (C-3). (Parcel Number 104984000001000).
15. CPA2021-105 & Z2021-105 consists of an application filed by Hayden Homes, LLC to amend the Land Use Map for approximately 10.43 acres from Commercial to Medium-Density Residential and rezone the site from Neighborhood Retail Business (C-1) to Medium Density Residential Small (R-2S). (Parcel Number 101881030000009).
16. CPA2021-106 & Z2021-106 consists of an application filed by Tim Bush, on behalf of New Heights Baptist Church (owner) to amend the Land Use Map for approximately .44 acres of land from Low Density Residential to High Density Residential and rezone the site from Single-family Residential -12,000 (R-1-12) to Multiple-Family Residential (R-3). (Portion of Parcel Number 115981020400007).
17. Based upon the application materials submitted and upon presentation by the applicants, the proposed amendments will not adversely impact the city's ability to provide sewer and water, and will not adversely affect adopted levels of service standards for other public facilities and services such as parks, police, fire, emergency medical services and governmental services.
18. Adequate infrastructure, facilities and services are available to serve the proposed or potential development expected as a result of these amendments.
19. The proposed amendments are consistent with the goals, policies and objectives of the comprehensive plan.
20. The proposed comprehensive plan amendments will not result in probable significant adverse impacts to

the transportation network, capital facilities, utilities, parks, and environmental features.

21. The subject parcels being re-designated are physically suitable for the allowed land uses in the designation being requested.
22. The proposed amendments are consistent with the Washington State Growth Management Act, the Benton County planning policies and other applicable local and state policies, agreements, and laws.
23. The proposed amendments will not have a cumulative adverse effect on the planning area.
24. The State of Washington's Growth Management Act (RCW 36.70A) requires that comprehensive plans be effectuated by various development regulations such as subdivision regulations, critical areas and zoning.
25. The proposed area-wide rezoning of the properties in question is dependent upon a change in the land-use designation of the comprehensive plan.
26. The city is requesting that the Planning Commission authorize the associated rezones in order to bring the zoning into compliance with the change of land-use designations authorized by the passage of the five (5) applications.

RECOMMENDED MOTION:

1. I move that the Planning Commission adopt the findings, conclusions, and recommendation found in the staff report and recommend City Council approve the 2021 Comprehensive Plan Policy and Map, and Code Amendment Docket.
2. I move that the Planning Commission adopt the findings, conclusions and recommendation found in the staff report and recommend City Council approval of the associated rezones.

ATTACHMENTS:

1. Notice of Intent to Adopt Amendment (60-Days Prior to Adoption)
2. Public Notice
3. SEPA Determination of Non-Significance
4. 2021 Docket
 - File No. 2021-102 (Sienna Hills Development, LLC – Sienna Hills)
 - File No. 2021-103 (City of Richland – Economic Development Dept. & Pahlisch Homes – Horn Rapids/Village Parkway)
 - File No. 2021-104 (AHBL, on behalf of NC Ventures, LLC – C&M Nursery)
 - File No. 2021-105 (Hayden Homes, LLC – Clearwater Creek)
 - File No. 2021-106 (Tim Bush, on behalf of New Heights Baptist Church – 390 Thayer Dr.)
5. Agency/Public Remarks and Comments

Attachment 1



Department of Commerce

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

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

1. Jurisdiction Name:	City of Richland – Development Services Dept.
2. Select Submittal Type: Select the Type of Submittal listed. (Select One Only)	☒ 60-Day Notice of Intent to Adopt Amendment. ☐ Request of Expedited Review / Notice of Intent to Adopt Amendment. ☐ Supplemental Submittal for existing Notice of Intent to Adopt Amendment. ☐ Notice of Final Adoption of Amendment.
3. Amendment Type: Select Type of Amendment listed. (Select One Only)	☐ Comprehensive Plan Amendment. ☐ Development Regulation Amendment. ☐ Critical Areas Ordinance Amendment. ☒ Combined Comprehensive and Development Regulation Amendments. ☐ Countywide Planning Policy .
4. Description Enter a brief description of the amendment. Begin your description with "Proposed" or "Adopted", based on the type of Amendment you are submitting. Examples: <i>"Proposed comprehensive plan amendment for the GMA periodic update."</i> or <i>"Adopted Ordinance 123, adoption amendment to the sign code."</i> (Maximum 400 characters).	Proposed 2021 Comprehensive Plan Annual Amendment and associated Rezones.



Department of Commerce

5. Is this action part of your 8-year periodic update required under RCW 36.70A.130 of the Growth Management Act (GMA)?	☐ Yes ☒ No
6. Proposed Dates: Enter the anticipated public hearing date(s) for your Planning Commission/Planning Board or for your Council/Commission.	Planning Commission: October 27, 2021 City Council: November 16, 2021 Proposed / Date of Adoption: November 16, 2021
7. Contact Information:	
A. Prefix/Salutation: (Examples: "Mr.", "Ms.", or "The Honorable" (elected official))	Mr.
B. Name:	Mike Stevens
C. Title:	Planning Manager
D. Email:	mstevens@ci.richland.wa.us
E. Work Phone:	(509) 942-7596
F. Cell/Mobile Phone: (optional)	
Consultant Information:	
G. Is this person a consultant?	☐ Yes
H. Consulting Firm name?	
8. Would you like Commerce to contact you for Technical Assistance regarding this submitted amendment?	☐ Yes

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



Department of Commerce

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

09/27/2021

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-3177--60-day Notice of Intent to Adopt Amendment

Dear Mr. Stevens:

Thank you for sending the Washington State Department of Commerce (Commerce) the 60-day Notice of Intent to Adopt Amendment as required under [RCW 36.70A.106](#). We received your submittal with the following description.

City of Richland 2021 Annual Comprehensive Plan and Development Regulations Update

We received your submittal on 09/24/2021 and processed it with the Submittal ID 2021-S-3177. Please keep this letter as documentation that you have met this procedural requirement. Your 60-day notice period ends on 11/23/2021.

We have forwarded a copy of this notice to other state agencies for comment.

Please remember to submit the final adopted amendment to Commerce within ten days of adoption.

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

Sincerely,

Review Team
Growth Management Services

Attachment 2



CITY OF RICHLAND NOTICE OF PUBLIC HEARING FOR THE 2021 CITY OF RICHLAND ANNUAL COMPREHENSIVE PLAN AND DEVELOPMENT REGULATIONS UPDATE

Notice is hereby given that the Richland Planning Commission will conduct a virtual public hearing on Wednesday, October 27, 2021 at 6:00 p.m. to consider proposed amendments to the City's adopted comprehensive plan and zoning ordinance. You are receiving this notice because you own property located within 300 feet of one of the proposed amendment locations. The proposed amendments are as follows:

- **CPA2021-102 & Z2021-101:** Sienna Hills Development, LLC is proposing to amend the Land Use Map for approximately 1.82 acres from Badger Mountain Subarea Plan – Commercial (BMC) to Badger Mountain Subarea Plan – Medium Density Residential (BMMDR) and underlying zoning district from Commercial Limited Business (C-LB) to Medium-Density Residential (R-2). (Parcel Number 134983000001005).
- **CPA2021-103 & Z2021-103:** The City of Richland Economic Development Department in cooperation with Pahlisch Homes is proposing to amend the Land Use Map to change the current land use designation for approximately 21 acres of land within the Horn Rapids residential development from Public Facility to High Density Residential, and the underlying zoning district from Parks & Public Facilities (PPF) to Multiple Family Residential (R-3). (Portion of Parcel Numbers 120083000009013 & 120083020005000).
- **CPA2021-104 & Z2021-104:** AHBL, on behalf of NC Ventures, LLC (owner) is proposing to amend the Land Use Map for Parcel Number 104984000001000 to be all Commercial and to rezone the parcel to be all General Business (C-3). The parcel is approximately 6.9 acres in size and the southern portion of the subject property is currently designed Agriculture while the majority of the site is zoned Agriculture (AG) with a small portion zoned General Business (C-3). (Parcel Number 104984000001000).
- **CPA2021-105 & Z2021-105:** Hayden Homes, LLC is proposing to amend the Land Use Map for approximately 10.43 acres from Commercial to Medium-Density Residential and rezone the site from Neighborhood Retail Business (C-1) to Medium Density Residential Small (R-2S). (Parcel Number 101881030000009).
- **CPA2021-106 & Z2021-106:** Tim Bush, on behalf of New Heights Baptist Church (owner) is proposing to amend the Land Use Map for approximately .44 acres of land from Low Density Residential to High Density Residential and rezone the site from Single-family Residential -12,000 (R-1-12) to Multiple-Family Residential (R-3). (Portion of Parcel Number 115981020400007).

Environmental Review: The proposals are subject to environmental review. As lead agency, the City of Richland reviewed the project(s) for probable adverse environmental impacts and issued a determination of non-significance (DNS) for these amendments on September 2, 2021. The end of the SEPA comment period was September 17, 2021.

Any person desiring to express their views or to be notified of any decisions pertaining to any of these amendment requests should notify Mike Stevens, Planning Manager, 625 Swift Boulevard, Richland, WA 99352. Comments may also be emailed to mstevens@ci.richland.wa.us. Written comments should be received no later than 5:00 p.m. on Wednesday, October 20, 2021 to be incorporated into the staff report. Comments received after that date will be entered into the record at the hearing. The requested amendment materials are available to the public and can be viewed at www.ci.richland.wa.us. The staff report and recommendation will be available on the city's website beginning Friday, October 22, 2021. All interested persons are invited to attend the virtual meeting and provide testimony. Directions on how to call-in to attend the virtual meeting are provided on the City's website (www.ci.richland.wa.us).

Attachment 3



File No. EA2021-129

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

Description of Proposal: City of Richland 2021 Comprehensive Plan Amendment Docket and Associated Rezones. The City received five private-party applications and SEPA Checklists for map amendments. The items have been consolidated into the 2021 Docket of Comprehensive Plan Policies, Maps and Zone Code Amendments (as established by City Council on June 1, 2021) and is file number CPA2021-101. Staff has prepared a SEPA Checklist to consolidate environmental review and consider the cumulative effects of the docketed proposals.

File Number: CPA2021-102 & Z2021-101
Applicant: Sienna Hills Development, LLC – Sienna Hills

Sienna Hills Development, LLC is proposing to amend the Land Use Map for approximately 1.82 acres from Badger Mountain Subarea Plan – Commercial (BMC) to Badger Mountain Subarea Plan – Medium Density Residential (BMMDR) and underlying zoning district from Commercial Limited Business (C-LB) to Medium-Density Residential (R-2). (Parcel Number 134983000001005).

File Number: CPA2021-103 & Z2021-103
Applicant: City of Richland & Pahlisch Homes – Horn Rapids/Village Parkway

The City of Richland Economic Development Department in cooperation with Pahlisch Homes is proposing to amend the Land Use Map to change the current land use designation for approximately 21 acres of land within the Horn Rapids residential development from Public Facility to High Density Residential, and the underlying zoning district from Parks & Public Facilities (PPF) to Multiple Family Residential (R-3). (Portion of Parcel Numbers 120083000009013 & 120083020005000).

File Number: CPA2021-104 & Z2021-104
Applicant: AHBL, Inc. on behalf of NC Ventures, LLC – C&M Nursery

AHBL, on behalf of NC Ventures, LLC (owner) is proposing to amend the Land Use Map for Parcel Number 104984000001000 to be all Commercial and to rezone the parcel to be all General Business (C-3). The parcel is approximately 6.9 acres in size and the southern portion of the subject property is currently designed Agriculture while the majority of the site is zoned Agriculture (AG) with a small portion zoned General Business (C-3). (Parcel Number 104984000001000).

File Number: CPA2021-105 & Z2021-105
Applicant: Hayden Homes, LLC – Clearwater Creek

Hayden Homes, LLC is proposing to amend the Land Use Map for approximately 10.43 acres from Commercial to Medium-Density Residential and rezone the site from Neighborhood Retail Business (C-1) to Medium Density Residential Small (R-2S). (Parcel Number 101881030000009).

File Number: CPA2021-106 & Z2021-106
Applicant: Tim Bush on behalf of New Heights Baptist Church - 400 Thayer Drive

Tim Bush, on behalf of New Heights Baptist Church (owner) is proposing to amend the Land Use Map for approximately .44 acres of land from Low Density Residential to High Density Residential and rezone the site from Single-family Residential -12,000 (R-1-12) to Multiple-Family Residential (R-3). (Portion of Parcel Number 115981020400007).

Lead Agency: City of Richland

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

() There is no comment for the DNS.

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

() 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: September 1, 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:

2021 Docket of Comprehensive Plan Policies, Maps and Zoning Code Amendments (CPA2021-101), consisting of five map amendment applications.

2. Name of applicant:

City of Richland, Development Services Department

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

City of Richland

Attn: Shane O'Neill, Senior Planner

625 Swift Blvd.

Richland, WA 99352

(509) 942-7587

4. Date checklist prepared:

July 27, 2021

5. Agency requesting checklist:

City of Richland, Development Services Dept.

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

Summer/Fall 2021

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

The city is allowed to amend its Comprehensive Plan and associated development regulations once per year. The landowners who have submitted private-party applications may have future plans to develop their properties.

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

City of Richland Comprehensive Plan Integrated Non-project Final Environmental Impact Statement, September 12, 2017.

Individual SEPA Checklists and related information prepared by applicants and submitted for File Numbers CPA2021-102 & Z2021-101, Sienna Hills Development, LLC (Sienna Hills), File Numbers CPA2021-103 & Z2021-103, City of Richland & Pahlisch Homes (Horn Rapids/Village Parkway), File Numbers CPA2021-104 & Z2021-104, AHBL, Inc. on behalf of NC Ventures, LLC (C&M Nursery), File Numbers CPA2021-105 & Z2021-105, Hayden Homes, LLC (Clearwater Creek), and File Numbers CPA2021-106 & Z2021-106, Tim Bush on behalf of New Heights Baptist Church (400 Thayer Drive).

This checklist is intended to consolidate the private-party applications for the purposes of streamlined environmental review.

No additional environmental information is expected as part of this current proposal. It is likely that some of the properties will require further environmental review when development is proposed.

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.

The rezone applications will be acted upon subsequent to the Comprehensive Plan Amendments.

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

SEPA review, City of Richland

Comprehensive Plan Amendment, City of Richland

Rezone, City of Richland

Future development will need additional permitting based upon the Richland Municipal Code

The City Council is expected to take action on adopting, modifying, or denying the proposed Comprehensive Plan Amendments and associated rezones via ordinance after receiving a recommendation from the Planning Commission conducts open record public hearing(s).

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

The proposal consists of five map amendments (Comprehensive Plan & Zoning).

Map Amendment Affected Parcels

Site	Parcel #	Size (Acres)	Current Land Use Designation	Requested Land Use Designation	Current Zoning	Requested Zoning
Sienna Hills	134983000001005	1.82	Badger Mtn. Subarea Plan (Commercial)	Badger Mtn. Subarea Plan (Medium Density Residential)	Commercial Limited Business (C- LB)	Medium- Density Residential (R-2)
Horn Rapids/Village Parkway	120083000009013 & 120083020005000	21	Public Facility	High Density Residential	Parks & Public Facilities (PPF)	Multiple Family Residential (R-3)

C&M Nursery	104984000001000	6.9	Agriculture	Commercial	Agriculture (AG) & General Business (C-3)	General Business (C-3)
Clearwater Creek	101881030000009	10.43	Commercial	Medium Density Residential	Neighborhood Retail Business (C-1)	Medium Density Residential Small (R-2S)
400 Thayer Drive	Portion of 115981020400007	.44	Low Density Residential	High Density Residential	Single Family Residential – 12,000 (R-1-12)	Multiple Family Residential (R-3)

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.

See attached maps.

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

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

a. General description of the site:

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

N/A. Non-project Action.

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

N/A. Non-project Action.

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.

Much of the city contains soils typically classified as sandy loam.

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

None known.

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.

N/A. Non-project action. Future development proposals may include filling, excavation or grading, and will be subject to applicable environmental project review at the time.

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

N/A. Non-project action. Future projects may result in erosion, but will be subject to applicable environmental project review at the time.

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

N/A. Non-project action. Future projects will likely result in impervious coverage. Specific projects will be reviewed for compliance with all local, state and/or federal regulations as applicable at time of development.

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

N/A. Non-project action. Future projects will be subject to applicable environmental review.

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.

N/A. Non-project action. Future development of each specific site could result in an increase of emissions. To be reviewed at project time.

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

N/A. Non-project action.

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

N/A. Non-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.

N/A. Non-project action.

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.

No. N/A. Non-project action.

- 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.

N/A. Non-project action.

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

N/A. Non-project action.

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

None of the proposed map amendment sites are located within the 100-year floodplain.

- 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.

N/A. Non-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.

No. Future development will have access to city water.

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

N/A. Non-project action. Future development is unknown at this time.

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.

N/A. Non-project action. Future development may need stormwater management.

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

N/A. Non-project action. Future development proposals are unknown at this time.

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

N/A. Non-project action. Future site-specific development proposals are unknown at this time.

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

N/A. Non-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?

N/A. Non-project action.

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

N/A. Non-project action.

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

N/A. Non-project action.

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

N/A. Non-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.

Examples include:

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

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

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

Birds and animals in the general area of each specific site include species that are commonly found in developed environments, such as squirrels, raccoons, small rodents, etc.

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

N/A. Non-project action. Future development proposals will be required to comply with the City of Richland's Critical Areas regulations pertaining to threatened and endangered species (Fish & Wildlife Habitat Conservation Areas).

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

Yes, all of Richland is within the Columbia Flyway.

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

NONE PROPOSED.

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

N/A. Non-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.

N/A. Non-project action.

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

N/A. Non-project action.

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:

N/A. Non-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.

N/A. Non-project action.

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

N/A. Non-project action.

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.

N/A. Non-project action.

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.

N/A. Non-project action.

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

N/A. Non-project action.

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

None.

b. Noise

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

N/A. Non-project action.

- 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.

N/A. Non-project action.

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

N/A. Non-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.

N/A. Non-project action.

- 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?

N/A. Non-project action. However, none of the specific map amendment sites are known to have been used as working farmlands.

- 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:

N/A. Non-project action.

- c. Describe any structures on the site.

N/A. Non-project action. See site-specific files for further details.

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

N/A. Non-project action.

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

See #11 above.

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

See #11 above.

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

None of the specific sites are located within shoreline jurisdiction.

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

N/A. Non-project action.

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

N/A. Non-project action.

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

N/A. Non-project action.

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

N/A. Non-project action.

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

N/A. Non-project action.

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

N/A. Non-project action.

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

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

N/A. Non-project action. See site-specific files for further details.

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

N/A. Non-project action.

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

N/A. Non-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?

N/A. Non-project action.

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

N/A. Non-project action.

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

N/A. Non-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?

N/A. Non-project action.

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

N/A. Non-project action.

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

N/A. Non-project action.

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

N/A. Non-project action.

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

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

Golf courses, city parks, movie theaters, Columbia River, Rattlesnake Mountain, Yakima River are all within/near the City of Richland.

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

N/A. Non-project action.

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

N/A. Non-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.

N/A. Non-project action. Future projects will be required to comply with all applicable regulations.

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.

N/A. Non-project action.

- 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.

N/A. Non-project action.

- 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.

N/A. Non-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.

N/A. Non-project action. See site specific files for additional information.

- 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?

N/A. Non-project action.

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

N/A. Non-project action.

- 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).

N/A. Non-project action. Future development of the various sites may require traffic improvements. See site specific files for additional information regarding traffic.

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

N/A. Non-project action.

- 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?

N/A. Non-project action. See site specific files for additional information regarding traffic.

- 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.

N/A. Non-project action.

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

N/A. Non-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.

N/A. Non-project action. Future development may result in the need for increased public services. Each site specific development will be reviewed for impacts to public services at time of application.

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

N/A. Non-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 _____

All typical municipal utilities are located within the City of Richland.

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.

N/A. Non-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 Shane O'Neill

Position and Agency/Organization Senior Planner

Date Submitted: July 28, 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?

The proposed amendments to the Comprehensive Plan and Zoning Code will not likely have any significant impacts to the items specified above.

Proposed measures to avoid or reduce such increases are:

None.

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

The proposed amendments will not likely have any impacts to plants, animals, fish or marine life.

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

None.

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

The proposed mapping amendments will not result in a depletion of energy or natural resources.

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

None.

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

The proposed mapping amendments will not affect environmentally sensitive areas or areas under governmental protection. The proposed amendments are a non-project action.

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

None.

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 proposed amendments will not affect shoreline uses and will only result in changes to land uses that are deemed acceptable by the city (if approved).

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

None.

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

The proposed mapping amendments will not result in an increase to demands on transportation or public services and utilities. Future development proposals for each site will be reviewed for their specific impacts at time of project development.

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

None.

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

The proposed mapping amendments will not result in any conflicts with other local, state or federal laws related to protection of the environment.

Attachment 4



Sienna Hills

CPA2021-102

Z2021-101

Vicinity Map

Item: Comprehensive Plan Amendment Sienna Hills
Applicant: Richland Properties LLC c/o Greg Johnson
File #: CPA2021-102





Comprehensive Plan Amendment Application

☒ Comprehensive Plan Land Use Map

☐ Text of Comprehensive Plan

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

PROPERTY OWNER INFORMATION

☐ Contact Person

Owner: Richland Properties LLC c/o Greg Johnson

Address: 2463 E Gala Street, Suite 120, Meridian, ID 83642

Phone: 208-888-9946

Email: greg@westparkco.com

APPLICANT/CONTRACTOR INFORMATION (if different)

☒ Contact Person

Company: Sienna Hills Development, LLC

UBI#:

Contact: Taylor Merrill

Address: 2463 E Gala Street, Suite 120, Meridian, ID 83642

Phone: 208-870-3432

Email: taylor@westparkco.com

PROPERTY INFORMATION

Legal Description:

See attached title report

Parcel Number: 134983000001005

Current Zoning: C-LB

Current Land Use Designation: Commercial

APPLICATION REQUIREMENTS – Submit as required or attach written statements explaining the following:

1. Completed application and filing fee;
2. The purpose of the proposed amendment;
3. Describe how the amendment is consistent with Washington State Growth Management Act-RCW 36.70A (the goals of the Act are listed in 36.70A.020);
4. How the amendment is consistent with the adopted countywide planning policies;
5. How the amendment furthers the purpose of the City's comprehensive plan;
6. How the amendment is internally consistent with the City's comprehensive plan, as well as other adopted City plans and codes;
7. If applicable, how the project will meet concurrency requirements for transportation;
8. As necessary, supplemental environmental review and/or critical areas review, as determined by the Administrator;
9. **Comprehensive Plan TEXT AMENDMENT applications must also include:**
 - a. The proposed element, chapter, section and page number of the comp. plan to be amended;
 - b. The proposed text change, with new text underlined and deleted text crossed out;
10. **Comprehensive Plan MAP AMENDMENT applications must also include:**
 - a. The current land use map designation for the subject parcel(s);
 - b. The land use map designation requested;
 - c. A complete legal description describing the combined area of the subject parcel(s);
 - d. A vicinity map showing:
 - i. All land use designations within 300 feet of the subject parcel(s);
 - ii. All parcels within 300 feet of the subject parcel and all existing uses of those parcels;
 - iii. All roads abutting and/or providing access to the subject parcel(s) including information on road classification (arterial, collector, access) and improvements to such roads;
 - iv. Location of shorelines and critical areas on or within 300 feet of the site, if applicable;

- v. The location of existing utilities serving the subject parcels, including electrical, water, and sewer;
- vi. The location and uses of existing structures located on the subject parcel(s);
- e. Topographical map of the subject parcels and abutting properties at a minimum scale of one inch represents 200 feet (1:200);
- f. The current official zoning map designation for the subject parcel(s);
- g. A detailed plan which indicates any proposed improvements to:
 - i. Paved streets;
 - ii. Storm drainage control and detention facilities;
 - iii. Public water supply;
 - iv. Public sanitary sewers;
 - v. Circulation and traffic patterns for the development and the surrounding neighborhoods;
- h. A corresponding zoning map amendment application, where necessary, to maintain consistency between the land use and zoning maps. The rezone application will be processed separately from, and after, the comprehensive plan amendment;
- i. A description of any associated development proposals. Development proposals shall not be processed concurrently with comprehensive plan amendments, but the development proposals may be submitted for consideration of the comprehensive plan amendments to limit consideration of all proposed uses and densities of the property under the City's SEPA, zoning and comprehensive land use plan. If no proposed development description is provided, the City will assume that the applicant intends to develop the property with the most intense development allowed under the proposed land use designation. The City shall assume the maximum impact, unless the applicant submits with the comprehensive plan amendment a development agreement to ameliorate the adverse impact(s) of the proposed development.

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

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

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

1. I have read and examined this permit application and have documented all applicable requirements on the site plan.
2. The information provided in this application contains no misstatement of fact.
3. I am the owner(s), the authorized agent(s) of the owner(s) of the above referenced property, or I am currently a licensed contractor or specialty contractor under Chapter 18.27 RCW or I am exempt from the requirements of Chapter 18.27 RCW.
4. I understand this permit is subject to all other local, state, and federal regulations.

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

Applicant Printed Name:

Larry Squires for Siena Hills Development, LLC

Applicant Signature:

[Signature]

Manager

Date

1/4/2021

Narrative for Comprehensive Plan Land Use Map Amendment

Bent Road and C Street
Richland, Washington

Prepared for:
Sienna Hills Development LLC
2463 E Gala Street, Suite 120
Meridian, Idaho 83642

December 22, 2020
PBS Project 66150.000



400 BRADLEY BOULEVARD, SUITE 106
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PBSUSA.COM

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Supporting Data

FIGURES

Figure 1. Site Plan and Overall Utility Plan

Figure 2. Vicinity Map

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APPENDICES

Appendix A: Traffic Impact Analysis

Appendix B: SEPA, Geotechnical Engineering Report, and Soil Sampling Investigation Report

Appendix C: Legal Description and Exhibit

PROJECT SUMMARY

Introduction

This narrative accompanies the comprehensive plan land use map amendment application for Sienna Hills LLC (applicant), who is seeking approval for a comprehensive plan land use map amendment. The application package will be submitted to the City of Richland (City) in accordance with Titles 19 and 23 of the Richland Municipal Code (RMC). An application for a zoning map amendment is being submitted simultaneously with the request for the comprehensive plan land use map amendment. The applicant acknowledges and understands that the zoning map amendment application will be processed separately from, and after, the comprehensive plan land use map amendment.

Site Information

The project property (site) is an approximately 1.82-acre odd-shaped portion of the larger approximately 98-acre parcel. Neither the site nor the larger parcel has an address, but the larger parcel is identified by the Benton County Assessor as Parcel No. 134983000001005, located in Section 34, Township 9 North, Range 28 East, of the Willamette Meridian, City of Richland, Benton County, Washington. Generally, the site is located approximately 2,000 feet west of Bermuda Boulevard, with Bent Road as its western boundary, C Street as its southern boundary, and E Street as its eastern boundary. The site has a comprehensive map classification of Badger Mountain Subarea Commercial and a zone of Commercial Limited Business (C-LB).

The site is a part of the Sienna Hills preliminary plat. The preliminary plat for Sienna Hills was approved in March 2020 as File S2019-101. The approved Sienna Hills will divide approximately 98 acres of land, of which the site is a part, into 285 residential lots. Included in the approved 285 residential lots are the site's future six residential lots for construction of detached one-family dwellings pending approval of the comprehensive plan land use and zoning map amendments.

Surrounding Uses and Zones

The uses and zones surrounding the site are noted as follows:

Table 1. Surrounding Uses and Zone Designations

Direction	Uses	City or County	Zone
North	Undeveloped Phase 4 Sienna Hills	City	R-2
South	Undeveloped Phase 4 Sienna Hills	City	R-1-10
East	Undeveloped Phase 4 Sienna Hills	City	R-2
West	Undeveloped Phase 4 Sienna Hills	City	R-2

Project Description

The applicant wishes to make the site available for the future construction of six detached single-family dwellings. The layout of the six lots and number (six lots) have already been approved through the City's File S2019-101. This request, then, will not change the 285 approved lots, only what will be constructed on six of the 285 approved lots. To allow for construction of detached one-family dwellings on these specific six approved lots in Phase 4, the applicant requests an amendment from the site's current Badger Mountain Subarea Commercial (BMC) land use designation to a designation of Badger Mountain Subarea Medium Density Residential (BMMDR), which if approved allows for the subsequent zone change request from the current Commercial Limited Business (C-LB) to the proposed Medium Density Residential (R-2). The R-2 zone allows detached one-family dwellings, which are not allowed in the C-LB zone.

Approval of this request, then, will ultimately allow for construction of six detached one-family dwellings on individual lots having a land use designation of BMMDR and a zone of R-2, consistent with the land use designation, zone, and use to the north, east, and west and consistent with the residential zone and use to the south.

CHAPTER 19.90 COMPREHENSIVE PLAN AND DEVELOPMENT REGULATION AMENDMENTS

19.90.020 Type of action

A comprehensive plan, subarea plan or development regulation amendment is a Type IV (legislative) action and shall be considered in accordance with the procedures for such actions as set forth in this chapter and elsewhere in this title.

Response: The request is for an amendment of the land use map of the Badger Mountain Subarea Plan (BMS Plan) to change a 1.82-acre portion from BMC to BMMDR. Accordingly, this is a Type IV action.

19.90.030 Suggesting amendment

Amendments to the comprehensive plan, a subarea plan, or development regulations may be suggested by any person, including applicants, citizens, commissioners and staff of other agencies by providing the following written information on a form approved by the director to meet the docketing requirements of this chapter:

- A. Name, address and telephone number of the person, business agency or other organization suggesting the amendment;*

Response: As noted on the completed application form, the name, address, and telephone number of the organization suggesting the amendment to the BMS Plan is Richland Properties LLC, care of Greg Johnson, 2463 E Gala Street, Suite 120, Meridian, ID 83642; 208-888-9946. This is the property owner. The applicant is Sienna Hills Development LLC, care of Taylor Merrill, 2463 E Gala Street, Suite 120, Meridian, ID 83642; 208-870-3432.

- B. Citation of the specific text, map or other illustration suggested to be amended;*

Response: "Figure 1: Badger Mountain Subarea – Land Use Plan" on page 19 of the BMS Plan shows the site's BMC land use designation. It is this that is suggested to be amended.

- C. The suggested amendment;*

Response: The 1.82-acre site is part of the Badger Mountain Subarea with a current land use designation of BMC. This application proposes an amendment of the 1.82-acre site to the BMMDR land use designation.

- D. If a suggested amendment is to a plan or to both a plan and a development regulation, a statement of how the amendment:*

- 1. Promotes the public health, safety and welfare;*

Response: A traffic impact analysis letter is included with this application package, identified as Appendix A. The developer will be responsible for constructing all identified streets and frontage improvements as part of the site's development. Specific to the site, there is a new local street called Bent Road running along the site's western boundary, a new C Street along the southern boundary, and a new E Street along the eastern

boundary. The developer will construct streets and accompanying street improvements, including sidewalks and bike lanes, in accordance with city standards and specifications.

The developer of the site will complete public improvements, including streets, city water extension, city sewer extension, creation of an irrigation system, installation of fire hydrants, installation of required stormwater systems, and parks/opens/trail improvements for the benefit of the site, which is included in the previous-approved Sienna Hills. The completion of the aforementioned-public improvements will take place with or without this proposed amendment to accommodate the adopted Badger Mountain Subarea and the approved Sienna Hills. The site itself does not contain any known environmental features.

The site presently has or will have access to city sewer and water via the extension of lines through the existing and proposed street system and the installation of service connections at each lot. The number of lots have been approved through preliminary plat approval of Sienna Hills. The requested amendment does not change the number of lots, nor does it change the existing sewer and water services, or their extension thereof, which will occur regardless of this amendment.

The large BMC land use designation to the east of Bermuda Boulevard will remain. This proposed amendment, by eliminating a very small island of commercial amongst residential, will provide cohesiveness between the residential use of the site's adjacent properties and the proposed residential use of the site. By retaining the existing BMC land use designation to the east of Bermuda Boulevard, the site's residents as well as the surrounding neighbors are still afforded the opportunity of availing themselves of nearby commercial services. In other words, amending the site to residential rather than commercial does not eliminate opportunities for residents to be in close proximity to commercial services due to the large BMC land use designation that is remaining; therefore, residents in the area can enjoy living in a completely detached single-family dwelling neighborhood, without the intrusiveness of a small commercial presence stuck in the middle, while still enjoying the availability of close-by commercial services to the east, within walking distance.

2. *Is consistent with or in conflict with other portions of the comprehensive plan or subarea plan; and complies with Chapter 36.70A RCW, also known as the Growth Management Act, and the Benton County countywide planning policies;*

Response: The project is consistent with the following portions of the Comprehensive Plan:

Community Goal 1: Ensure and enhance the continuing sense of a livable and sustainable community in Richland.

Response: Elimination of an island of commercial in a sea of residential will ensure the livability of the site and its surrounding area as a residential neighborhood without the intrusion of commercial use and traffic associated with such commercial use. It is noted commercial services are part of a livable community. That is why the approved Sienna Hills preliminary plat is retaining a large portion of Commercial-designated land to the east of Bermuda Boulevard, which is within walking and biking distance of the site and the surrounding residences. It is further noted that the alignment of Gage Road has shifted farther west, and Bent Road is now the street adjacent to the western border of the site. Bent Road is a local street, rather than an arterial or collector, making it less conducive and desirable for commercial-related traffic.

LU Goal 1: Plan for growth within the urban growth area and promote compatible land use.

Response: The site, with its current BMC land use designation, is surrounded by land designated with a residential land use. While not necessarily incompatible, it is certainly more compatible and consistent (and eliminates spot zoning) to amend the site to a residential rather than a commercial designation.

LU Goal 2: Policy 2: Ensure that adequate public services are provided in a reasonable time frame for new developments.

Response: Public services are either currently provided or will be provided as part of the approved Sienna Hills preliminary plat, of which the site is a part.

LU Goal 10: Follow controlling law and constitutional requirements, both state and federal, to ensure the appropriate protection of private property rights.

Policy 2: Process comprehensive plan amendments and development regulations using a fair and open hearing process, with adequate public notice and opportunities to participate to ensure the protection of all due process rights.

Policy 3: Process timely, fair, and predictable processing and review of land use permit applications in conformance with applicable federal and state legal and regulatory requirements.

Response: The City has established a public notification and hearing process for comprehensive plan land use map amendment applications and zone change applications. The request will be processed in accordance with the City's adopted process, thus complying with the Comprehensive Plan.

HE Goal 1: Policy 6: Plan for an adequate supply of land in appropriate land use designations and zoning categories to accommodate project household growth, while accommodating other commercial, industrial, and open space needs of the City.

Response: The BMS Plan, on Page 31, states the following: "Benton County apportions its allocated projected population to each jurisdiction in the county. The City of Richland was assigned 28 percent of the total expected population growth in the county. The Benton County Comprehensive Plan, using OFM's high projection allocation, identifies that Richland's population by 2030 will be 69,540 persons, or 22,530 more people than included in the city's 2009 OFM population estimate. During the expected 20 year planning period, the Badger Mountain Subarea will capture a major portion of Richland's expected population growth and will reflect the age demographics of the city as a whole." The change of the 1.82-acre site from commercial to residential will serve to accommodate a portion of the expected population growth, while still accommodating the commercial needs of the Sienna Hills area by developing the Commercial-designated land on the east side of Bermuda Boulevard as commercial use.

TE Goal 1: Policy 1: Plan new street segments and consider modifying existing streets to provide comfortable and safe elements for bicyclists, pedestrians, and transit users in addition to vehicles.

Response: The site is part of the approved Sienna Hills preliminary plat. Part of that approval included showing a network of streets and multimodal transportation routes that will be constructed as part of the plat.

UE Goal 2: Policy 3: Promote the efficient use of land and minimize environmental disturbance by requiring that the facilities of various utilities be located together in the City right-of-way whenever possible.

Response: The site is part of the Sienna Hills preliminary plat. Utilities will be provided to the site in dedicated City right-of-way as part of the construction of Sienna Hills.

CF Goal 1: Policy 1: The City will work with other purveyors of public services to provide facilities and services concurrent with development.

Response: The site is part of the approved Sienna Hills preliminary plat. Public services and facilities will be provided to the site as part of the construction of Sienna Hills.

Badger Mountain Subarea

The site is part of the Badger Mountain Subarea. On page 11 of the BMS Plan, it states in part that the Badger Mountain Subarea is “intended to be developed to protect existing residential land uses” and this amendment is consistent with that intention. The existing residential land use adjacent to the site, as well future residential land use adjacent to the site, is detached one-family dwellings. Amending the site to a residential land use designation, rather than a commercial land use designation, allows the site to be zoned and developed for one-family dwellings which protects the livability and quality of life of the residents of the adjacent existing and planned one-family dwellings. Page 12 of the BMS Plan states that residential neighborhoods are the “foundation of the Richland community and the residents provide strong support for local business growth and expansion.”

Table 3, on page 17 of the BMS Plan shows that 225 acres, or 11%, of the overall Badger Mountain Subarea is designated as Commercial/Office/Retail/Destination Retail. The site is part of that 11% with its Badger Mountain Commercial (BMC) designation. However, since the site is small, at 1.82 acres, it represents less than 1%, or 0.8%, of the overall 11%. Table 5 on Page 27 of the BMS Plan breaks down the overall commercial into the specific designations of Commercial, Commercial Mixed-Use, Specialty Retail, and Destination Retail. The site is Commercial (BMC), and Table 5 shows a total area of 25 acres, or 11%, of BMC in the Badger Mountain Subarea. Even still, the site equates to just 7% of the of the Commercial classification. Changing the site’s classification to BMMDR will not have a noticeable impact on the BMC land use designation since there are 23.2 remaining acres out of the total 25 that are still designated as BMC. It is noted, too, that the approved Sienna Hills project already contains a large portion of the remaining 23.2 acres of BCM-designated land, located to the east of Bermuda Boulevard, and this will remain and be developed to provide the neighborhood with nearby commercial services.

Note that Figure 1 on Page 19 of the BMS Plan shows the site with Gage running along its western boundary. The Gage alignment has shifted farther to the west, and the street now along the western boundary is a local street, rather than a collector or arterial; therefore, it makes more sense for the site to be developed for detached dwellings rather than commercial given this shift in road classifications abutting the site.

The requested land use classification of BMMDR is compatible and consistent with the area, given the purpose of the BMMDR classification. Page 25 of the BMS Plan states that the BMMDR “classification supports the idea that housing choice and homeownership should come in a mix of price ranges within the new neighborhoods of the Subarea.” The request supports this idea by providing the opportunity for homeownership of detached dwellings in this new Sienna Hills neighborhood to accommodate the population growth and demand for housing. On page 55 of the BMS Plan, it states that the BMS Plan “provides the flexibility needed to respond to market conditions.” Approving this request flexes with the demand for housing in the area.

Note that the purpose of the current BMC designation is to allow retail business and services uses “found in future commercial nodes in areas outside of Badger Mountain South.” Changing the site’s designation from

BMC to BMMDR is in keeping with this purpose since Sienna Hills has a large BMC node to the east of Bermuda Boulevard and this request will not change that large BMC node. Rather, by removing this small, disjointed island of BMC surrounded by BMMDR, it will serve as further encouragement to the neighborhood to utilize the concentrated area of retail business and service uses in the large BMC node since it is within walking and biking distance of future dwellings.

The request is consistent with the following Badger Mountain policies:

BMLU Policy 1.1 – Phase development within the Badger Mountain Subarea over a 20-year planning period so that it can capitalize on existing and planned infrastructure improvements and develop those uses with the best revenue generation potential first in order to support the required initial infrastructure investments.

Response: The approved Sienna Hills plat will be developed in phases over the next several years. The development of the plat will include construction of new infrastructure improvements to the site as well as extension of and connection to existing infrastructure.

BMED Policy 6.7 – Capture emerging housing and commercial market growth by providing the necessary infrastructure.

Response: The request will provide the opportunity for home ownership for six families in the City, and the construction of the approved Sienna Hills plat will provide the necessary infrastructure to accommodate the six residential lots.

BMHE Policy 3.2 – Promote walkable neighborhoods by encouraging a mix of land uses, nodes of higher land use intensity and access to sidewalks and a connected trail and parks system.

Response: The entire Sienna Hills development is walkable. Sidewalks will be constructed, and a path along C Street will also be installed. The development will have a higher land use intensity of commercial uses in the commercial node on the east side of Bermuda Road. The commercial node is within walking distance of the residential uses on the west side of Bermuda Road. The site abuts C Street, so the six new dwellings will be adjacent to the new path and easily able to access the commercial node to the east.

Washington State Growth Management Act

The Washington State Growth Management Act (GMA) identifies 13 planning goals in RCW 36.70A.020 and a 14th planning goal in RCW 36.70A.480. The table below lists each goal and explains how the proposed land use map amendment is consistent with each goal.

Table 2. Consistency with GMA Planning Goals

GMA Planning Goal	Project Consistency
<i>Urban growth. Encourage development in urban areas where adequate public facilities and services exist or can be provided in an efficient manner.</i>	The site is located within both the City limits and its urban growth boundary. The site is or will be served by public facilities (including streets, water, and sanitary sewer and stormwater systems) and services (including schools, fire protection, emergency, and police services). The site is already designated as being appropriate for urban growth simply due to its inclusion in the urban growth area and its comprehensive plan land use map classification. Changing the classification from the existing BMC to the proposed BMMDR

GMA Planning Goal	Project Consistency
	does not alter the facts stated above regarding existing and proposed public facilities and services or the site's location in the urban growth area. Accordingly, the proposed request is consistent with this goal.
<i>Reduce sprawl. Reduce the inappropriate conversion of undeveloped land into sprawling, low-density development.</i>	The site is designated in the current comprehensive plan as part of the Badger Mountain Subarea in city limits and in the urban growth area. It is adjacent to properties that have been approved for development and currently in the active phase of working to complete the development approval. Accordingly, it is a natural extension of the in-process and future adjacent residential development. Additionally, as part of developing the Badger Mountain Subarea, the site is contained within the approved preliminary plat for Sienna Hills, which has been approved largely for residential use. The land use classification being sought through this application is not a low-density classification; rather, the medium-density classification is being requested just like the surrounding properties. Accordingly, the proposed request is consistent with this goal.
<i>Transportation. Encourage efficient multimodal transportation systems that are based on regional priorities and coordinated with county and city comprehensive plans.</i>	The site will be served by Bent Road to the west, C Street to the south, and E Street to the east, all of which will be constructed as part of Sienna Hills. None of the new streets will be contrary to transportation system priorities shown in either of the county or city comprehensive plans. Public transit is available to the site via the Knight Transit Center of Ben Franklin Transit, approximately 16 miles northeast of the site. Accordingly, the proposed request is consistent with this goal.
<i>Housing. Encourage the availability of affordable housing to all economic segments of the population of this state, promote a variety of residential densities and housing types, and encourage preservation of existing housing stock.</i>	The request will allow for the future construction of detached one-family dwellings, which will provide more opportunities for individuals and families to own their own residences by increasing the amount of stock available for purchase. The site does not contain existing housing stock. Accordingly, the proposed request is consistent with this planning goal.
<i>Economic development. Encourage economic development throughout the state that is consistent with adopted comprehensive plans, promote economic opportunity for all citizens of this state, especially for unemployed and for disadvantaged persons, promote the retention and expansion of existing businesses and recruitment of new businesses, recognize regional differences impacting economic development opportunities, and encourage growth</i>	The site is currently designated with a BMC land use designation and the request is to amend that to BMMDR. While this seems contrary to the goal of economic development, it is noted that the site represents less than 1% of the Commercial-designated land in the Badger Mountain Subarea. It is also noted that the large portion of Commercial-designated land in Sienna Hills to the east of Bermuda Boulevard will remain. The elimination of this less-than-1% area of Commercial-designated land surrounded by residential use, will serve to encourage the neighborhood's use of the remaining large area of Commercial-designated land to the east of Bermuda Boulevard.

GMA Planning Goal	Project Consistency
<i>in areas experiencing insufficient economic growth, all within the capacities of the state's natural resources, public services, and public facilities.</i>	
<i>Property rights. Private property shall not be taken for public use without just compensation having been made. The property rights of landowners shall be protected from arbitrary and discriminatory actions.</i>	The site is owned by a private party, Sienna Hills Development LLC. The proposed request is being submitted to the City for due and fair consideration through the appropriate process prescribed by City and state law. The prescribed process protects the property rights of landowners from arbitrary and discriminatory actions. Accordingly, the request is consistent with this goal.
<i>Permits. Applications for both state and local government permits should be processed in a timely and fair manner to ensure predictability.</i>	This request for a comprehensive plan land use map amendment does not involve an application for a state permit. The application to the City will be considered during the annual review period. This application is being submitted prior to the last working day of January 2021 for review during the current annual review period. Accordingly, the request is consistent with this goal.
<i>Natural resource industries. Maintain and enhance natural resource-based industries, including productive timber, agricultural, and fisheries industries. Encourage the conservation of productive forestlands and productive agricultural lands, and discourage incompatible uses.</i>	The site does not contain, nor is it adjacent to or surrounding, any natural resource-based industries, including productive timber, agricultural, or fisheries industries. No productive forest or agricultural lands will be removed because the site is currently bare ground and part of the approved Sienna Hills development. The surrounding uses are or will be residential, so there will be no impact to a surrounding or adjacent incompatible natural resource industrial use since there are none. Additionally, the site is not designated in the comprehensive plan for natural resource industry uses. Accordingly, the request is consistent with this goal.
<i>Open space and recreation. Retain open space, enhance recreational opportunities, conserve fish and wildlife habitat, increase access to natural resource lands and water, and develop parks and recreation facilities.</i>	The site does not contain, nor is it adjacent to or surrounding, any open space, recreational area, or fish and wildlife habitat. No open space, recreational area, or fish and wildlife habitat will be removed because of this request, since the site is currently bare ground, currently zoned for commercial use, and part of the approved Sienna Hills development. The surrounding uses are or will be residential, and none of the adjacent properties contain fish and wildlife habitat or are natural resource lands. Sidewalks will be installed on both sides of the streets for walking or jogging. As part of the Sienna Hills development, there will be open spaces, walking paths, and a clubhouse with recreational opportunities. Accordingly, the request is consistent with this goal.
<i>Environment. Protect the environment and enhance the state's high quality of life, including air and water quality, and the availability of water.</i>	Any development of, on, or to the site must comply with all state and federal environmental regulations. Water is available to the site and domestic water will be provided via the extension of water main and service lines and connections. There is an irrigation pond operated by Badger Mountain Irrigation District located north and east of Sienna Hills. The site is not part of a critical aquifer area,

GMA Planning Goal	Project Consistency
	wetland, frequently flooded area, fish and wildlife habitat conservation area, or a geologically hazardous area. Accordingly, the proposed request is consistent with this goal.
<i>Citizen participation and coordination. Encourage the involvement of citizens in the planning process and ensure coordination between communities and jurisdictions to reconcile conflicts.</i>	The City's adopted comprehensive plan notes that the City updated its Public Participation Plan in 2016. In 2016 and 2017, the City conducted multiple opportunities for public involvement, established a webpage to disseminate information, contacted stakeholders, and held workshops and public hearings. The Plan's goals and policies directly reflect the input received from the public. Additionally, RMC 23.70.180 requires a public hearing prior to any amendment to the code. RMC 19.90 requires public notification for suggested amendments. The proposed comprehensive plan land use map amendment will be processed according to RMC Titles 19 and 23 and the comprehensive plan. Accordingly, citizens will have an opportunity to participate in this action, and the proposed request is consistent with this goal.
<i>Public facilities and services. Ensure that those public facilities and services necessary to support development shall be adequate to serve the development at the time the development is available for occupancy and use without decreasing current service levels below locally established minimum standards.</i>	The site is or will be served by public facilities and services that are either currently existing, or under or proposed for construction. Utilities, including water, sanitary sewer, stormwater, and power are/will be extended to the site as part of the construction and development of Sienna Hills. The site is already served by fire protection, emergency services, and police and those services will remain. Accordingly, the request is consistent with this goal.
<i>Historic preservation. Identify and encourage the preservation of lands, sites, and structures, that have historical or archaeological significance.</i>	There are no known historical or archaeological resources on the site. This request does not entail any ground disturbance. At such time that ground disturbance does occur, all excavating, grading, and any other activity associated with developing the site will have to comply with state rules and regulations that are in place to protect historical or archaeological resources. Accordingly, the proposed request is consistent with this goal.
<i>Shoreline management. Comply with the goals and policies of the Shoreline Management Act as set forth in RCW 90.58.020.</i>	This planning goal is not applicable since the site is not within a shoreline management area.

As noted in the above table, the proposed comprehensive plan land use map amendment is consistent with the 14 planning goals identified in the GMA.

Benton County Comprehensive Plan

The following is stated on page 2 of the City's comprehensive plan: "The Benton County Board of Commissioners adopted the "Benton Countywide Planning Policies" in 2016 (Appendix B). This document establishes policies that the City's Comprehensive Plan follows in addressing everything from transportation

to the provision of municipal services to economic development to fiscal considerations.” This narrative shows consistency with the City’s comprehensive plan, thereby also showing consistency with the county-wide planning policies since the City’s adopted comprehensive plan follows the county’s plan. Accordingly, the request is generally consistent with the county-wide planning policies.

E. If a suggested amendment is only to the development regulations, a statement as to how the amendment complies with the comprehensive plan.

Response: No development regulations are being amended as part of this application.

Figures

(attached separately)

Appendix A

Traffic Impact Analysis

(attached separately)

Appendix B

**SEPA, Geotechnical Engineering Report, and Soil Sampling Investigation
Report**

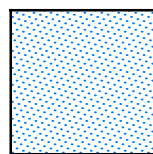
(attached separately)

Appendix C

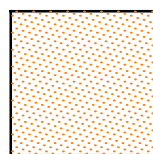
Legal Description and Exhibit
(attached separately)

ZONING BOUNDARY LEGEND

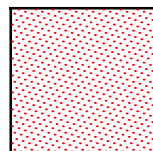
--- ZONING BOUNDARY LINE



R-2 RESIDENTIAL ZONING



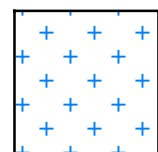
R-1-10 RESIDENTIAL ZONING



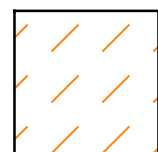
C-LB LIMITED BUSINESS ZONING

DATA SHOWN BASED ON CITY OF RICHLAND COMPREHENSIVE PLAN AND SIENNA HILLS DEVELOPMENT PROPOSED LOT LAYOUT.

LAND USE LEGEND



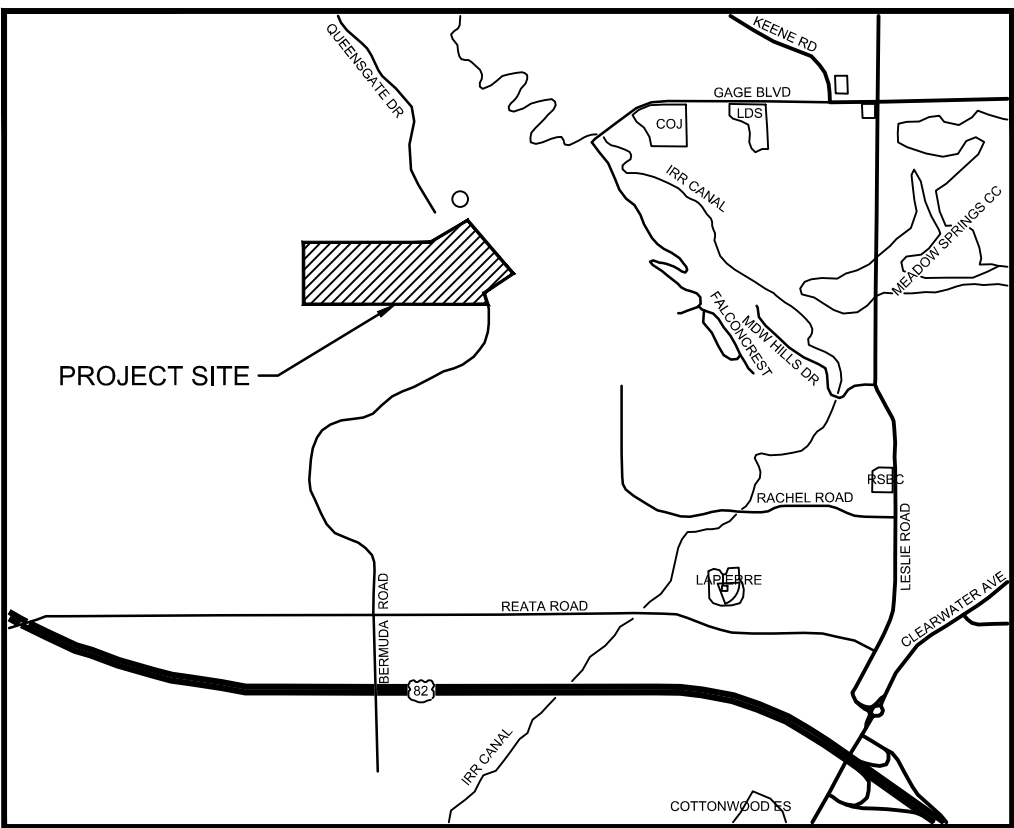
EXISTING RESIDENTIAL LAND USE



EXISTING AGRICULTURAL LAND USE

ABUTTING / ACCESS ROAD CLASSIFICATIONS

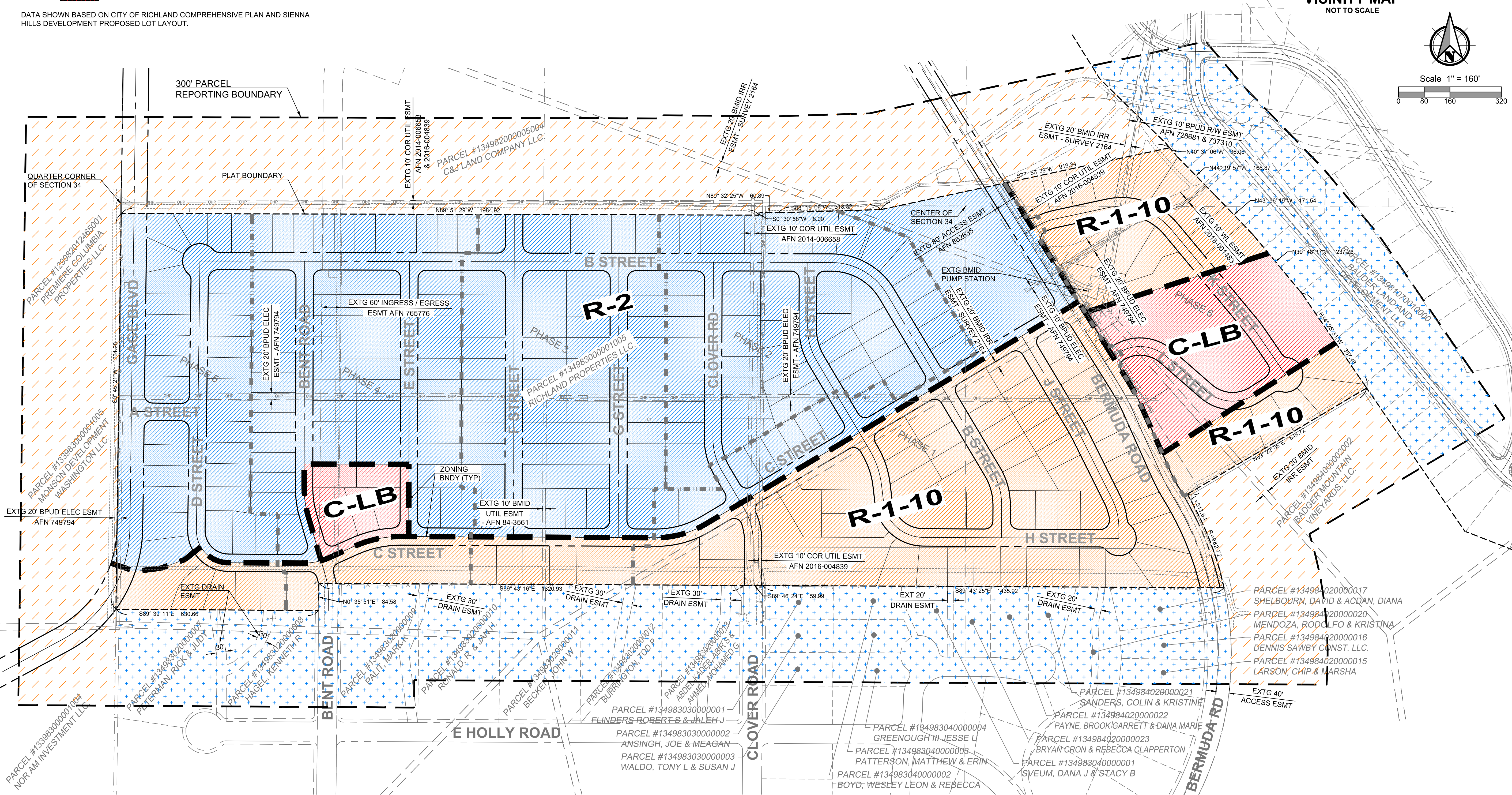
BERMUDA ROAD -- LOCAL ACCESS STREET
CLOVER ROAD -- LOCAL ACCESS ROAD
BENT ROAD -- LOCAL ACCESS ROAD



VICINITY MAP
NOT TO SCALE



Scale 1" = 160'
0 80 160 320



LAND USE DESIGNATIONS FOR:

SIENNA HILLS DEVELOPMENT

A RESIDENTIAL SUBDIVISION IN THE CITY OF RICHLAND, WA.



DESIGNED:
MER

CHECKED:
JLM

JAN 2021
66150.000

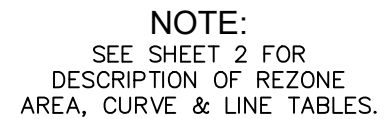
SHEET ID

SHEET - OF -

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Full Size Sheet Format Is 22x34; If Printed Size Is Not 22x34, Then This Sheet Format Has Been Modified & Indicated Drawing Scale Is Not Accurate.

LOCATED IN THE NORTHWEST 1/4 OF THE SOUTHWEST 1/4 OF SECTION 34 OF TOWNSHIP 9 NORTH IN RANGE 28 EAST OF THE WILLAMETTE MERIDIAN, CITY OF RICHLAND, BENTON COUNTY, WASHINGTON.



12/08/2020



**PBS Engineering
and
Environmental Inc.**
pbsusa.com

DRAWN BY: DWW

SCALE: 1" = 150'

DATE: 12/08/2020

CHECKED BY: ADM

PROJECT NO.: 66150

SHEET 1 OF 2

**EXHIBIT A
C-LB REZONE**

LOCATED IN THE NORTHWEST 1/4 OF THE SOUTHWEST 1/4 OF SECTION 34 OF TOWNSHIP 9 NORTH IN RANGE
28 EAST OF THE WILLAMETTE MERIDIAN, CITY OF RICHLAND, BENTON COUNTY, WASHINGTON.

LEGAL DESCRIPTION

A PARCEL OF LAND LOCATED IN THE NORTHWEST QUARTER OF THE SOUTHWEST QUARTER OF SECTION 34, TOWNSHIP 9 NORTH, RANGE 28 EAST OF THE WILLAMETTE MERIDIAN, IN THE CITY OF RICHLAND, COUNTY OF BENTON, STATE OF WASHINGTON FURTHER DESCRIBED AS FOLLOWS:

COMMENCING AT THE SOUTHWEST CORNER OF SAID SECTION 34 BEING A FOUND STONE WITH "X"; THENCE NORTH 00°45'21" EAST ALONG THE WEST BOUNDARY OF SAID SECTION 34 A DISTANCE OF 2698.12 FEET TO THE WEST QUARTER CORNER OF SAID SECTION 34 BEING A FOUND 1/2" REBAR; THENCE SOUTH 89°51'29" EAST ALONG THE NORTH LINE OF THE SOUTHWEST QUARTER OF SAID SECTION 34 A DISTANCE OF 571.18 FEET; THENCE SOUTH 00°08'31" WEST A DISTANCE OF 808.11 FEET TO THE TRUE POINT OF BEGINNING; THENCE CONTINUING SOUTH 00°08'31" WEST A DISTANCE OF 74.67 FEET TO A POINT OF CURVATURE WITH A TANGENT CURVE TURNING TO THE LEFT, HAVING A RADIUS OF 300.03 FEET; THENCE ALONG SAID CURVE, HAVING AN ARC LENGTH OF 85.13 FEET, WITH A DELTA ANGLE OF 16°15'23", A CHORD BEARING OF SOUTH 07°59'10" EAST, AND A CHORD LENGTH OF 84.84 FEET; THENCE SOUTH 16°06'52" EAST A DISTANCE OF 147.57 FEET TO A POINT ON THE ARC OF A NON TANGENT CURVE TURNING TO THE LEFT, HAVING A RADIUS OF 200.02 FEET; THE RADIUS POINT OF WHICH BEARS NORTH 16°06'52" WEST; THENCE ALONG SAID CURVE, HAVING AN ARC LENGTH OF 28.93 FEET, WITH A DELTA ANGLE OF 08°17'17", A CHORD BEARING OF NORTH 69°44'30" EAST, AND A CHORD LENGTH OF 28.91 FEET; THENCE NORTH 65°35'51" EAST A DISTANCE OF 82.12 FEET TO A POINT OF CURVATURE WITH A TANGENT CURVE TURNING TO THE RIGHT, HAVING A RADIUS OF 350.04 FEET; THENCE ALONG SAID CURVE, HAVING AN ARC LENGTH OF 150.77 FEET, WITH A DELTA ANGLE OF 24°40'44", A CHORD BEARING OF NORTH 77°56'13" EAST, AND A CHORD LENGTH OF 149.61 FEET; THENCE SOUTH 89°43'25" EAST A DISTANCE OF 24.71 FEET; THENCE NORTH 00°08'31" EAST A DISTANCE OF 224.57 FEET; THENCE NORTH 89°51'29" WEST A DISTANCE OF 326.04 FEET TO THE TRUE POINT OF BEGINNING,

HAVING AN AREA OF 79,351 SQUARE FEET, 1.82 ACRES.
SUBJECT TO EXISTING EASEMENTS & RESTRICTIONS OF RECORD.



12/08/2020

LINE TABLE		
LINE	BEARING	DISTANCE
L1	S00°08'31"W	74.67'
L2	S16°06'52"E	147.57'
L3	N65°35'51"E	82.12'
L4	S89°43'25"E	24.71'

CURVE TABLE					
CURVE	RADIUS	ARC LENGTH	CHORD LENGTH	CHORD BEARING	DELTA ANGLE
C1	300.03'	85.13'	84.84'	S07°59'10"E	16°15'23"
C2	200.02'	28.93'	28.91'	S69°44'30"W	8°17'17"
C3	350.04'	150.77'	149.61'	N77°56'13"E	24°40'44"



**PBS Engineering
and
Environmental Inc.**
pbsusa.com

DRAWN BY: DWW

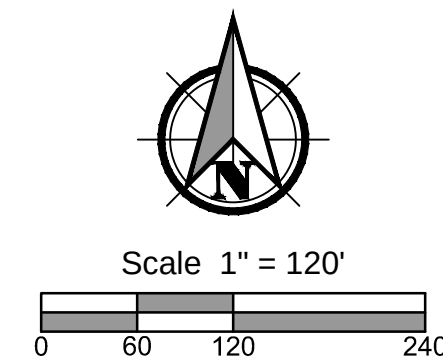
SCALE: N.T.S.

DATE: 12/08/2020

CHECKED BY: ADM

PROJECT NO.: 66150

SHEET 2 OF 2



OVERVIEW MAP
FOR TAX PARCEL #1-3498-300-0001-005
(SWD 2019-001554)
LOCATED IN A PORTION OF SECTION 34,
TOWNSHIP 9 NORTH, RANGE 28 EAST OF THE WILLAMETTE MERIDIAN,
CITY OF RICHLAND, BENTON COUNTY, WASHINGTON



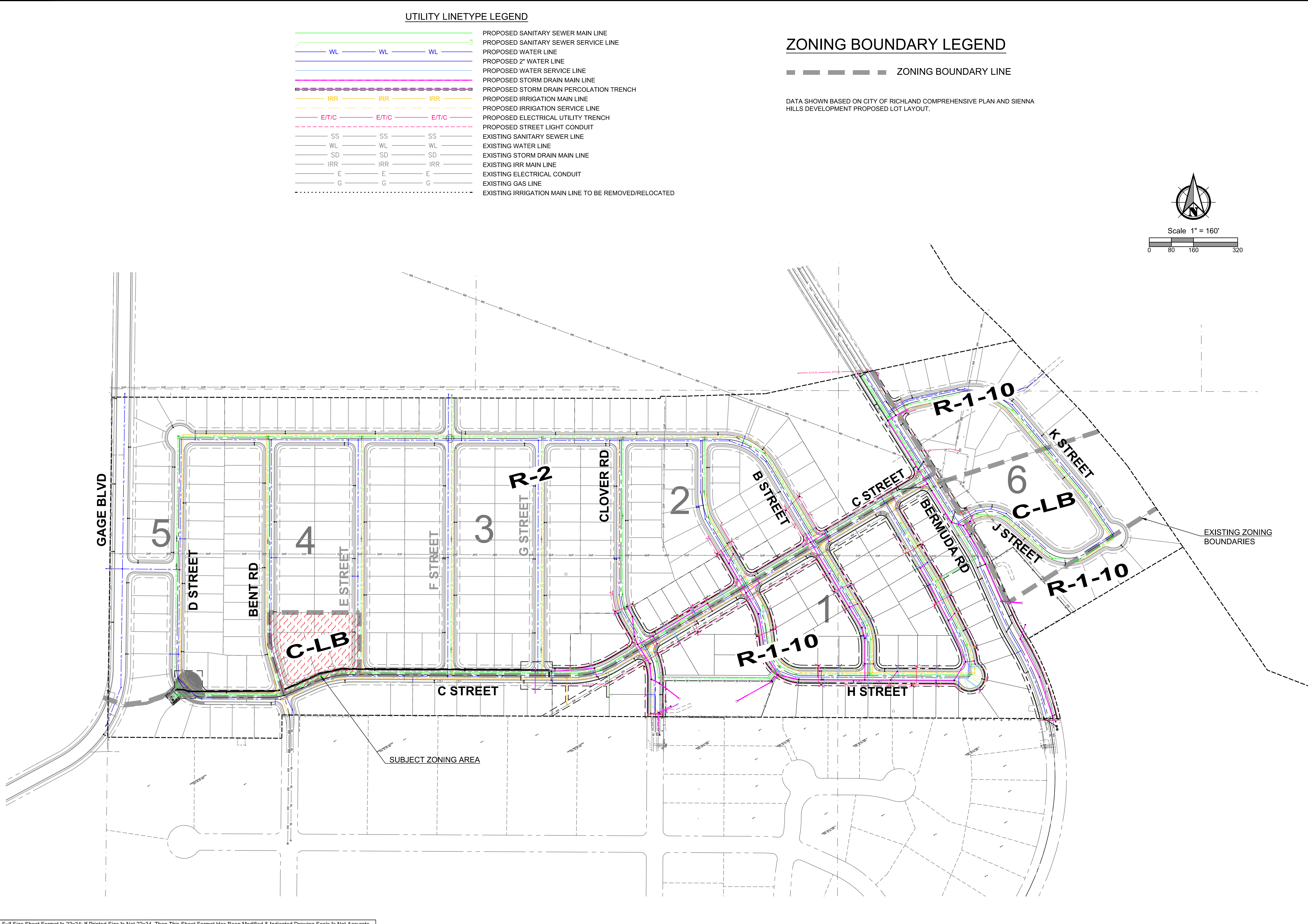
NOTE
BACKGROUND AERIAL IMAGE IS SHOWN FOR REFERENCE ONLY AND IS NOT ORTHO-RECTIFIED AND SHOULD NOT BE RELIED UPON SUCH.



PBS Engineering and Environmental Inc.
400 Bradley Blvd, Ste 106
Richland, WA 99352
509.942.1600
pbsusa.com

CLIENT: SIENNA HILLS DEVELOPMENT, LLC.		PROJECT NO.: 66150
SURVEYOR: ALEXANDER D. MATARAZZO		DATE: 05/15/2019
CALC BY: ROP	DRAWN BY: ROP	SCALE: 1" = 120'
SECTION: 34	TOWNSHIP: 9 NORTH	RANGE: 28 EAST
CITY: RICHLAND	COUNTY: BENTON	SHEET 1 OF 1

Filename: L:\Projects\66000\66150\66150-001\Civil\CAD\Working\Exhibits\66150001_CompAmendZoneChp-Exh1.dwg Layout:Tab: EXH-1 User: Mark E. Reisdman CAD Plot Date/Time: 12/30/2020 6:36:01 AM



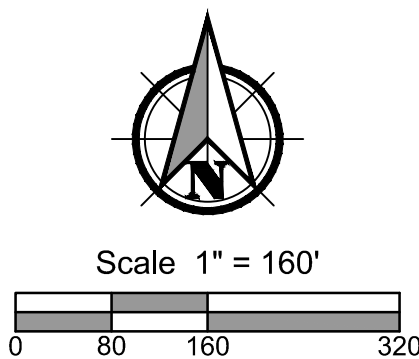
UTILITY LINETYPE LEGEND

	PROPOSED SANITARY SEWER MAIN LINE
	PROPOSED SANITARY SEWER SERVICE LINE
	PROPOSED WATER LINE
	PROPOSED 2" WATER LINE
	PROPOSED WATER SERVICE LINE
	PROPOSED STORM DRAIN MAIN LINE
	PROPOSED STORM DRAIN PERCOLATION TRENCH
	PROPOSED IRRIGATION MAIN LINE
	PROPOSED IRRIGATION SERVICE LINE
	PROPOSED ELECTRICAL UTILITY TRENCH
	PROPOSED STREET LIGHT CONDUIT
	EXISTING SANITARY SEWER LINE
	EXISTING WATER LINE
	EXISTING STORM DRAIN MAIN LINE
	EXISTING IRR MAIN LINE
	EXISTING ELECTRICAL CONDUIT
	EXISTING GAS LINE
	EXISTING IRRIGATION MAIN LINE TO BE REMOVED/RELOCATED

ZONING BOUNDARY LEGEND

ZONING BOUNDARY LINE

DATA SHOWN BASED ON CITY OF RICHLAND COMPREHENSIVE PLAN AND SIENNA HILLS DEVELOPMENT PROPOSED LOT LAYOUT.

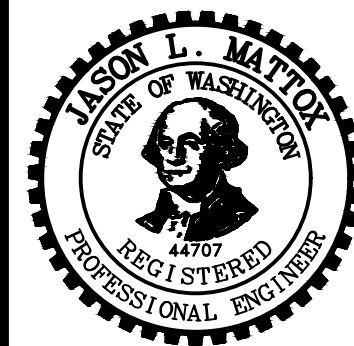


OVERALL UTILITY PLAN FOR:

SIENNA HILLS DEVELOPMENT
A RESIDENTIAL SUBDIVISION IN THE CITY OF RICHLAND, WA.



Know what's below.
Call before you dig.



DESIGNED:
MER

CHECKED:
JLM

JAN 2021
66150.000

SHEET ID

SHEET - OF -

PBS Engineering and
Environmental Inc.
106
Richland, WA 99352
509.942.1600
pbsusa.com



SUBDIVISION

Issued By:



CHICAGO TITLE INSURANCE COMPANY

Guarantee/Certificate Number:

62241902202

CHICAGO TITLE INSURANCE COMPANY

a corporation, herein called the Company

GUARANTEES

Richland Properties LLC, an Idaho limited liability company

herein called the Assured, against actual loss not exceeding the liability amount stated in Schedule A which the Assured shall sustain by reason of any incorrectness in the assurances set forth in Schedule A.

LIABILITY EXCLUSIONS AND LIMITATIONS

1. No guarantee is given nor liability assumed with respect to the identity of any party named or referred to in Schedule A or with respect to the validity, legal effect or priority of any matter shown therein.
2. The Company's liability hereunder shall be limited to the amount of actual loss sustained by the Assured because of reliance upon the assurance herein set forth, but in no event shall the Company's liability exceed the liability amount set forth in Schedule A.

Please note carefully the liability exclusions and limitations and the specific assurances afforded by this guarantee. If you wish additional liability, or assurances other than as contained herein, please contact the Company for further information as to the availability and cost.

Chicago Title Company of Washington
6416 W. Okanogan Avenue
Kennewick, WA 99336

Countersigned By:

Authorized Officer or Agent



Chicago Title Insurance Company

By:

President

Attest:

Secretary

ISSUING OFFICE:

Title Officer: Christopher Hull
Chicago Title Company of Washington
6416 W. Okanogan Avenue
Kennewick, WA 99336
Phone: (509)735-1575 Fax: (509)735-0707
Main Phone: (509)783-7833
Email: Christopher.Hull@ctt.com

SCHEDULE A

Liability	Premium	Tax
\$1,000.00	\$350.00	\$30.10

Effective Date: December 22, 2020 at 08:00 AM

The assurances referred to on the face page are:

That, according to those public records which, under the recording laws, impart constructive notice of matter relative to the following described property:

SEE EXHIBIT "A" ATTACHED HERETO AND MADE A PART HEREOF

Title to said real property is vested in:

Richland Properties LLC, an Idaho limited liability company

subject to the matters shown below under Exceptions, which Exceptions are not necessarily shown in the order of their priority.

END OF SCHEDULE A

EXHIBIT "A"
Legal Description

For APN/Parcel ID(s): 134983000001005 and 134983000001006

That portion of Section 34, Township 9 North, Range 28 East Willamette Meridian, Benton County, Washington, described as follows:

Beginning at the West Quarter corner of said Section 34; thence South 0°45'17" West 29.94 feet along the West line of said Section 34 to the North line of that parcel described as Parcel #1349883000001004 in Quit Claim Deed recorded in Auditor's File Number 2012-016993, records of Benton County and the True Point of Beginning; thence South 89°51'27" East 1985.27 feet along said North line; thence North 00°31'00" East 8.00 feet along said North line; thence leaving said North line South 89°32'23" East 60.90 feet; thence North 88°15'10" East 318.36 feet; thence North 77°55'41" East 919.16 feet to the East line of that parcel described in Quit Claim Deed recorded under Auditor's File No. 2017-023127, records of Benton County; thence South 40°37'06" East 36.56 feet along said East line; thence South 44°19'57" East 166.89 feet along said East line; thence South 43°56'19" East 171.56 feet along said East line; thence South 39°48'17" East 237.31 feet along said East line; thence South 34°28'56" East 357.52 feet along said East line; thence South 59°24'00" West 648.57 feet along said East line to the beginning of a non-tangent curve concave to the Southwest having a radius of 982.83 feet, thence Southeasterly 313.74 feet along the arc of said curve and along said East line through a central angle of 18°17'25" (The long chord of said curve bears South 21°21'36" East 312.41 feet) thence North 89°43'46" West, 73.91 feet to the Northeast corner of Lot 17 of the plat of Hidden Hills Phase 3, according to the plat thereof recorded in Volume 15 of Plats, Page 537, records of Benton County; thence the following 18 courses along the North line of said plat, and along the North lines of the Plat of Hidden Hills Phase 2 and the Plat of Hidden Hills Phase 1 and the Plat of Badger Mountain Plateau, recorded in Volume 15 of Plats, Pages 477, 402 and 196 respectively; thence North 89°43'18" West 281.61 feet; thence North 89°44'41" West 103.66 feet; thence North 89°44'00" West 148.45 feet; thence North 89°38'40" West 118.16 feet; thence North 89°44'19" West 114.71 feet; thence North 89°43'36" West 163.52 feet; thence North 89°42'15" West 212.10 feet; thence North 89°43'45" West 219.93 feet; thence North 89°55'56" West 60.07 feet; thence North 89°42'23" West 251.19 feet; thence North 89°42'18" West 252.59 feet; thence North 89°44'16" West 252.40 feet; thence North 89°42'49" West 60.00 feet; thence South 00°43'02" West 84.49 feet; thence North 89°40'06" West 315.56 feet; thence North 89°38'49" West 315.08 feet to the West line of said Section 34; thence North 00°45'17" East 1231.43 feet along said West line to the True Point of Beginning.

(ALSO KNOWN as New Parcel 1 of Record Survey 5031 recorded June 26, 2018 under Auditor's File No. 2018-018513)

SCHEDULE B

1. General and special taxes and charges, payable February 15, delinquent if first half unpaid on May 1, second half delinquent if unpaid on November 1 of the tax year (amounts do not include interest and penalties):

Year: 2020
Tax Account No.: 134983000001005
Levy Code: R6
Assessed Value-Land: \$1,472,690.00
Assessed Value-Improvements: \$13,210.00

General and Special Taxes:

Billed: \$8,881.20
Paid: \$8,881.20

2. General and special taxes and charges, payable February 15, delinquent if first half unpaid on May 1, second half delinquent if unpaid on November 1 of the tax year (amounts do not include interest and penalties):

Year: 2020
Tax Account No.: 134983000001006
Levy Code: R6
Assessed Value-Land: \$90,590.00
Assessed Value-Improvements: \$0.00

General and Special Taxes:

Billed: \$1,121.07
Paid: \$1,121.07

3. Terms, covenants and conditions contained in application for Current Use Classification, entered into pursuant to RCW 84.34 (including potential liability for future applicable taxes, special benefit assessments levied by local governments, penalties and interest upon breach of, or withdrawal from, said classification); notice of approval being recorded, under Auditor's File No. 815369:

Classification: Farm and agricultural

4. Rights-of-way for pipelines, ditches, canals, flumes, if any cross said premises, together with the right to enter thereon for the purpose of repair and maintenance thereof.

5. Easement and the terms and conditions thereof:

Grantee: Badger Mountain Irrigation District, a public corporation
Purpose: to construct, repair, replace, operate and maintain pipelines and appurtenant structures
Area Affected: portion of said premises and other property
Recorded: 01/13/1977
Recording Number: 718936

6. Easement affecting a portion of said premises and for the purposes stated therein:

In favor of: Public Utility District No. 1 of Benton County, Washington, a municipal corporation
Purpose: Electric transmission and distribution line and appurtenances thereto
Recorded: 05/26/1977
Recording Number: 728681
Affects: portion of said premises and other property

SCHEDULE B

(continued)

7. Easement affecting a portion of said premises and for the purposes stated therein:
In favor of: Public Utility District No. 1 of Benton County, Washington, a municipal corporation
Purpose: Electric transmission and distribution line and appurtenances thereto
Recorded: 09/15/1977
Recording Number: 737310
Affects: portion of said premises and other property

The effect of Quit Claim Deed recorded 10/23/2002 under Recording No. 2002-041154.

8. Easement affecting a portion of said premises and for the purposes stated therein:
In favor of: Public Utility District No. 1 of Benton County, Washington, a municipal corporation
Purpose: Electric transmission and distribution line and appurtenances thereto
Recorded: 09/15/1977
Recording Number: 737311
Affects: portion of said premises and other property

The effect of Quit Claim Deed recorded 10/23/2002 under Recording No. 2002-041156.

9. Easement affecting a portion of said premises and for the purposes stated therein:
In favor of: Public Utility District No. 1 of Benton County, Washington, a municipal corporation
Purpose: Electric transmission and distribution line and appurtenances thereto
Recorded: 02/08/1978
Recording Number: 749794
Affects: Portion of said premises and other property

10. Easement and the terms and conditions thereof:
Purpose: Ingress and egress
Area Affected: 60 foot strip over portion of said premises and other property
Recorded: 07/28/1978
Recording Number: 765776

11. Easement and the terms and conditions thereof:
Purpose: Access
Area Affected: portion of said premises and other property
Recorded: 06/15/1982
Recording Number: 862635

12. Easement and the terms and conditions thereof:
Purpose: Ingress-egress, utility and irrigation
Area Affected: 60 foot strip over a portion of said premises and other property
Recorded: 07/17/1984
Recording Number: 898901

SCHEDULE B

(continued)

13. Easement(s) for the purpose(s) shown below and rights incidental thereto, as granted in a document:
- Granted to: Badger Mountain Irrigation District
Purpose: Utility Easement
Recording Date: October 9, 1984
Recording No.: 84-3561
14. Easement and the terms and conditions thereof:
Grantee: Milo Bauder and Donna L. Bauder, husband and wife
Purpose: Ingress and egress
Area Affected: portion of said premises and other property
Recorded: 10/08/1987
Recording Number: 87-16073
15. Easement(s) for the purpose(s) shown below and rights incidental thereto, as granted in a document:
- Granted to: Public Utility District No. 1 of Benton County
Purpose: Electric Distribution Lines
Recording Date: October 13, 1988
Recording No.: 88-12284
16. Amended and restated interlocal agreement between Benton County and the City of Richland recorded December 12, 2006 under Auditor's File No. 2006-040708.
17. Terms and Conditions of Ordinance No. 41-10 recorded January 5, 2011 under Auditor's File No. 2011-000610.
18. Easement(s) for the purpose(s) shown below and rights incidental thereto, as granted in a document:
- Granted to: City of Richland
Purpose: Utility Easement
Recording Date: March 24, 2014
Recording No.: 2014-006658
19. Easement(s) for the purpose(s) shown below and rights incidental thereto, as granted in a document:
- Granted to: City of Richland
Purpose: Utility Easement
Recording Date: February 23, 2016
Recording No.: 2016-4839
20. Easement(s) for the purpose(s) shown below and rights incidental thereto, as granted in a document:
- Granted to: City of Richland
Purpose: Waterline Easement
Recording Date: January 17, 2018
Recording No.: 2018-1483
21. Sewer Latecomers Ageement and the Terms and Conditions thereof between the City of Richland and Pahlisch Homes at Westcliffe Heights LLC recorded September 5, 2018 under Auditor's File No. 2018-26345 and First Amendment recorded June 3, 2019 under Auditor's File No. 2019-014443.

SCHEDULE B

(continued)

22. A Mortgage to secure an indebtedness in the amount shown below,

Amount: \$2,600,000.00
Dated: January, 2019
Mortgagor: Richland Properties, LLC, an Idaho limited liability company
Mortgagee: John Roeder
Recording Date: January 18, 2019
Recording No: 2019-001555

23. A financing statement as follows:

Debtor: Richland Properties, LLC
Secured Party: John Roeder
Recording Date: January 18, 2019
Recording No.: 2019-001556

24. Ordinance No. 19-20 by the City of Richland regarding zoning recorded August 6, 2020 under Auditor's File No. 2020-029199.

END OF SCHEDULE B



May 1, 2020

Greg Johnson
Sienna Hills Development LLC
PO Box 344
Meridian, Idaho 83642

Via email: greg@westparkco.com

Regarding: Traffic Engineering Services to Provide Traffic Impact Analysis Letter
Sienna Hills Development
1276 N Bermuda Road
Richland, Washington
PBS Project 66150.000, Phase 0002

Dear Mr. Johnson:

This letter presents a traffic impact analysis (TIA) letter as requested by Benton County staff that has requested analysis of intersections outside the City of Richland.

PROJECT DESCRIPTION

The site is in Section 34, Township 9 North, Range 28 East Willamette Meridian in Richland, Washington. Figure 1 presents a vicinity map. The project proposes 285 lots of single-family homes on 99.15 acres. The development proposes building out the site in 6 phases. This assumes approximately one phase per year. Figure 2 presents a site map.

The project will partially complete the Bermuda Road-Queensgate Drive corridor from E Reata Road to Shockley Road. The Roadway connection through the platted project will complete full street improvements, curb to curb. Phase 1 of the project will complete the entire Queensgate/Bermuda connection, allowing trips to be distributed either north or south.

Scope of Study

This study documents the existing and proposed conditions. The following intersections were identified for analysis:

1. S Bermuda Road / E Reata Road
2. N Clover Road / S Bermuda Road

This TIA includes analysis of future background conditions growth based on an assumed 2.0% annually compounded growth rate and the addition of traffic from one in-process project (The Vista – Queensgate Drive Extension).

This TIA is prepared for submission to the county of Benton. The traffic-related issues addressed in this report include:

- Existing traffic conditions

- Proposed site-generated traffic volumes and their distribution
- Build-out year (2030) conditions without and with the project
- Capacity analysis of the existing and future conditions for weekday PM peak hours
- Safety analysis of the existing and future conditions
- Recommendations for mitigation of traffic impacts and conclusions

TRAFFIC VOLUMES

PBS contracted with All Traffic Data to collect PM peak hour traffic counts for the adjacent streets at N Clover Road/S Bermuda Road and E Reata Road/S Bermuda Road. The traffic data were collected on March 4, 2020. The data was collected prior to the transportation impacts associated with the COVID-19 pandemic. Detailed traffic volume reports are provided in Appendix A

TRIP GENERATION AND DISTRIBUTION

The following section rely on data provided in the ITE Trip Generation Manual. Detailed trip generation calculations are provided in Appendix B. The total trip generation estimates for the Sienna Hills Development were calculated using either the ITE weighted average trip rates, following ITE guidelines. Table 1 summarizes the total project-generated trips and 2030 primary trips. Detailed calculations are provided in Appendix B. The conceptual site plan on Figure 2 provides location references.

Table 1. Trip Generation Estimates for Sienna Hills Development

Land Use (ITE Code)	Single-Family Detached Housing (210)	
Dwelling Units	285	
Total Average Weekday Trips (ADT)	2690	
Peak Hour	AM	PM
Total	211	282
Entering	53	178
Exiting	158	104
2030 Primary Trips	211	282

Findings: The proposed Sienna Hills Development will generate 2690 net new trips on an average weekday, 211 net new trips in the AM peak hour of the adjacent streets, and 282 net new trips in the PM peak hour of the adjacent streets

Proposed Trip Distribution

The proposed distribution of new trips is based on a review of the land uses within the study area, consultation with Benton County staff, and on engineering judgment. The overall distribution pattern is proposed as follows:

- 5% to and from on S Bermuda Road from the south of Reata Road
- 10% to and from on E Reata Road from the west of Bermuda Road
- 15% to and from on E Reata Road from the east of Bermuda Road
- 15% to and from on N Clover Road from the south of Bermuda road
- 55% to and from on S Bermuda from the north of the site

The distribution pattern above represents an external distribution of the new trips entering and exiting the study area. The distribution and assignment of the project's net new trips are shown on Figure 6

INTERSECTION OPERATIONS AND ROADWAY CAPACITY ANALYSES

Operation Standards

The *County of Benton Comprehensive Plan* cites a minimum level of service (LOS) C. When a roadway meets LOS "C" standard, that means the traffic flow is uninterrupted, even at peak hours and delays that are related to the traffic volumes and roads configuration.

Analysis Methodology

The LOS was estimated to determine the extent of change in traffic conditions caused by future development. In order to make this determination, the following assumptions were employed:

- The analysis is based on the individual PM peak hour volumes of the adjacent streets and were analyzed for 2020 existing year and 2030 without and with project conditions.
- A 2.0% of annually compounded background growth rate was assumed.
- The Vista-Queensgate Property was the only in-process project contributing to the background condition with the background growth.
- The peak hour factor (PHF) for the overall intersection, as calculated from the count data, was applied for each analysis scenario.
- The heavy vehicle percentage (HV%) for each movement, as calculated from the count data, was applied for all analysis scenarios. A minimum value of 2.0% was assumed for each movement in the future conditions (2030).
- As noted previously, trip generation, distribution, and assignment estimate for the project were prepared for the weekday PM peak hour on the surrounding street system.
- Cumulative traffic impacts of the proposed project were determined by superimposing the project-generated traffic onto the baseline volumes for the weekday PM peak hour at studied intersections. This sum is termed the 2030 With Project conditions.
- TWSC intersection results report the critical movement LOS, delay, and v/c ratio.
- Trafficware's Synchro software, Version 10, was used for the analysis based on *Highway Capacity Manual* (HCM) 6th Edition (2016) methodologies.

Level of Service Analyses

2020 Existing Conditions

Table 2 presents the LOS analysis for the studied intersection for 2020 existing conditions during the PM peak hour. Detailed LOS calculation reports are provided in Appendix C.

Table 2. Estimated 2020 Level of Service for Existing Conditions for Study Area Intersections

INTERSECTION (critical lane group)	PM Peak Hour		
	LOS	Delay (sec/veh)	v/c
N Clover Road / S Bermuda Road (SB)	A	9.2	0.007
S Bermuda Road / E Reata Road (SB)	B	11.6	0.078

As shown in Table 2, all studied intersections currently operate at an acceptable LOS during the weekday PM peak hour

Finding: All studied intersections operate at an acceptable LOS during the weekday PM peak hour for existing conditions.

2030 Without Project Future Conditions

Table 3 presents the LOS analysis for the studied intersection for 2030 without the project conditions during the PM peak hour. Detailed LOS calculation reports are provided in Appendix C.

Table 3. Estimated Level of Service at Study Area Intersection for 2030 Without Project Conditions

INTERSECTION (critical lane group)	PM Peak Hour		
	LOS	Delay (sec/veh)	v/c
N Clover Road / S Bermuda Road (NB)	B	11.9	0.034
S Bermuda Road / E Reata Road (SB)	C	18.4	0.354

As shown in Table 3, all studied intersections currently operate at an acceptable LOS during the weekday PM peak hour

Finding: All studied intersections operate at an acceptable LOS during the weekday PM peak hour for 2030 without project conditions.

2030 With Project Future Conditions

Table 4 presents the LOS analysis for the studied intersection for 2030 with the project conditions during the PM peak hour. Detailed LOS calculation reports are provided in Appendix C.

Table 4. Estimated Level of Service at Study Area Intersection for 2030 With Project Conditions

INTERSECTION (critical lane group)	PM Peak Hour		
	LOS	Delay (sec/veh)	v/c
N Clover Road / S Bermuda Road (NB)	B	14.9	0.144
S Bermuda Road / E Reata Road (SB)	C	22.8	0.476

As shown in Table 4, all studied intersections currently operate at an acceptable LOS during the weekday PM peak hour

Finding: All studied intersections operate at an acceptable LOS during the weekday PM peak hour for 2030 with project conditions.

SAFETY EVALUATION

Collision Analysis

Collision data from the study area was obtained from WSDOT for the five-year period spanning from January 2015 through December 2019. This analysis assumes that a collision rate less than the critical collision rate for the intersection is typically considered to be within acceptable parameters. A collision rate above the critical rate is worthy of further examination. The detailed collision data can be found in Appendix D. Table 5 presents the results of the collision analysis.

Table 5. Collision Analysis for study Area Intersections (January 2015 through December 2019)

Intersection	Angle	Total Collisions	Critical Rate	Collision Rate
N Clover Road / S Bermuda Road	0	0	1.36	0
S Bermuda Road / E Reata Road	10	10	1.01	1.44

To calculate the collision rate, the PM peak hour total entering volumes from the existing turning movement counts were multiplied by 10 to provide an approximation of the ADT. Detailed calculations of critical rates and collision rates are provided in Appendix D.

As shown in Table 5, the calculated collision rate is higher than the critical rate for S Bermuda Road / E Reata Road and vice versa for N Clover Road / S Bermuda Road, therefore, further examination was done at S Bermuda Road / E Reata Road. The methodology for further examination is as follows:

1. Determining a Pattern of Collision
 - 6 out of 10 right angle collisions
 - 4 out of 10 were mainly caused by disregarding the flashing red stop sign.
 - 3 out of 10, involved vehicle one was going straight through southbound and vehicle two was going straight through westbound.
 - 2 out of 10, involved vehicle one was going straight through southbound and vehicle two was going straight through eastbound.
 - 2 out of 10 reports noted inattention as a contributing circumstance, one accident was going straight ahead, and the other accident was making a left turn.
 - 4 out of 10, listed the severity of the collision as possible injury, they were all going straight ahead through the intersection.
 - No collisions were listed with serious injury
 - The intersection averaged 2 collisions per year between January 2015 to December 2019
2. Intersection Sight Distance Evaluation
 - The minimum intersection sight distance for a passenger car making a left turn from Bermuda Road onto Reata Road is 445 feet.¹
 - The minimum intersection sight distance for a passenger car making a right turn from Bermuda Road onto Reata Road is 385 feet.²
 - Intersection sight distance evaluation was checked graphically, and no sight distance restrictions were found.
3. Crash Experience Signal Warrant
 - The number of crashes and vehicular volume did not meet the standard that warrants a traffic control signal based on "Section 4C.08 Warrant 7, Crash Experience" of the Manual of Uniform Traffic Control Devices (MUTCD)
4. Multi-way Stop Control
 - The number of crashes and vehicular volume did not meet the guidance for a multi-way stop based on "Section 2B.07 Multi-Way Stop Applications" of the MUTCD.

Findings: The 2014–2019 collision history at the study intersections was reviewed; S Bermuda Road / E Reata Road has a collision rate that is higher than the critical rate.

Findings: No fatalities or suspected serious injuries were reported at S Bermuda Road / E Reata Road.

Findings: A patterns of right-angle collisions were found at S Bermuda Road / E Reata Road.

Findings: No sight distance restrictions were found at S Bermuda Road / E Reata Road.

¹ Table 9-6, Chapter 9, pg. 9-38, A Policy on Geometric Design of Highways and Streets, American Association of State Highway and Transportation Officials (AASHTO), 2011, 6th Edition.

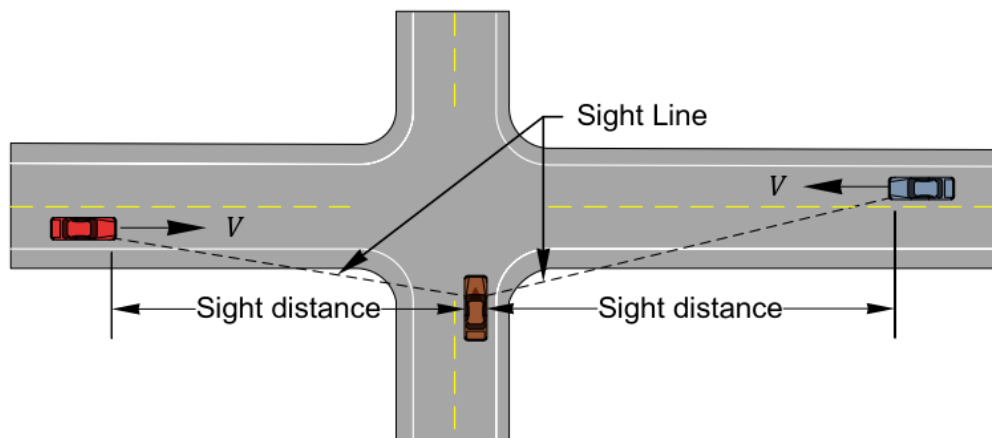
² Table 9-8, Chapter 9, pg. 9-41, A Policy on Geometric Design of Highways and Streets, American Association of State Highway and Transportation Officials (AASHTO), 2011, 6th Edition.

Findings: S Bermuda Road / E Reata Road did not meet MUTCD guidance and standards for a traffic signal or multi-way stop control.

Recommendation: PBS recommends that the County monitors collisions at S Bermuda Road / E Reata Road.

Site Access Sight Distance

Design the proposed intersections in accordance with CCC Table 40.350.030-8 guidelines for intersection sight distance. Install no objects within the sight distance triangles that would block exiting drivers' view of approaching traffic.



Findings: The proposed Sienna Hills Development site accesses do not currently exist, so sight distance measurements are not presently possible.

Recommendation: Design the proposed access points and intersections consistent with Chapter 9.5.3 of the AASHTO Geometric Design guide for intersection sight distance. Install no objects within the sight distance triangles that would block exiting drivers' view at the access points.

FINDINGS

The TIA findings are summarized below:

- The proposed Sienna Hills Development will generate 2690 net new trips on an average weekday, 211 net new trips in the AM peak hour of the adjacent streets, and 285 net new trips in the PM peak hour of the adjacent streets
- All studied intersections operate at an acceptable LOS during the weekday PM peak hour for existing conditions.
- All studied intersections operate at an acceptable LOS during the weekday PM peak hour for 2030 without project conditions.
- All studied intersections operate at an acceptable LOS during the weekday PM peak hour for 2030 with project conditions.

- The 2014–2019 collision history at the study intersections was reviewed; S Bermuda Road / E Reata Road has a collision rate that is higher than the critical rate.
- No fatalities or suspected serious injuries were reported at S Bermuda Road / E Reata Road.
- A pattern of right-angle collisions were found at S Bermuda Road / E Reata Road.
- No sight distance restrictions were found at S Bermuda Road / E Reata Road.
- S Bermuda Road / E Reata Road did not meet MUTCD guidance and standards for a traffic signal or multi-way stop control.

RECOMMENDATIONS

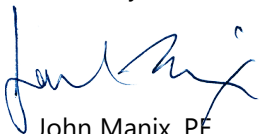
The TIA recommendations are summarized below:

- PBS recommends that the County monitors collisions at S Bermuda Road / E Reata Road.
- Design the proposed access points and intersections consistent with Chapter 9.5.3 of the AASHTO Geometric Design guide for intersection sight distance. Install no objects within the sight distance triangles that would block exiting drivers' view at the access points.

CLOSING

Please feel free to contact me at 360.567.2117 or John.Manix@pbsusa.com with any questions or comments.

Sincerely,



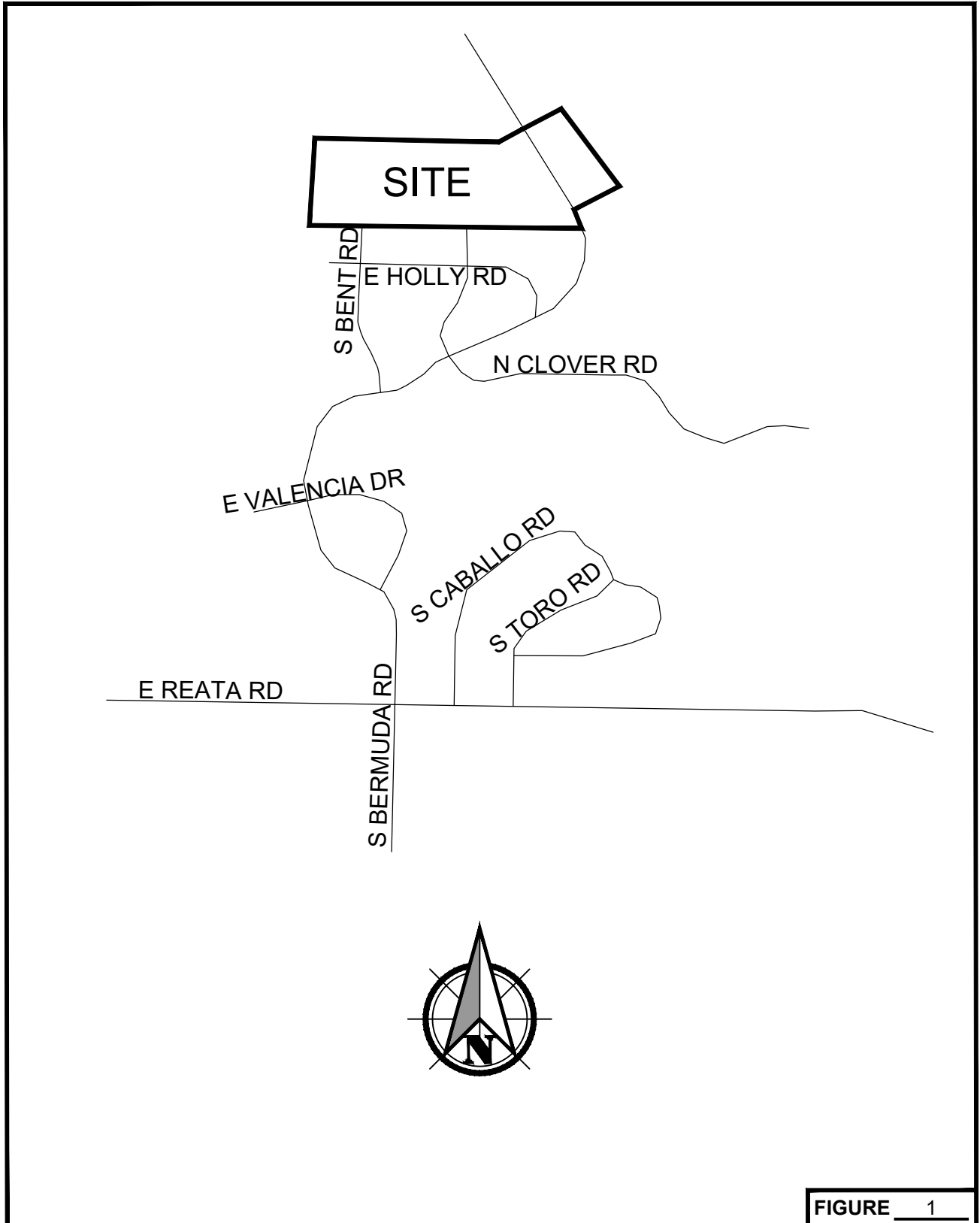
John Manix, PE
Senior Traffic Engineer



Attachments:

- Figure 1. Vicinity Map
- Figure 2. Site Plan
- Figure 3. Existing Lane Configurations
- Figure 4. 2020 Existing Volumes
- Figure 5. 2030 Without Project Traffic Volumes
- Figure 6. Trip Distribution and Assignment
- Figure 7. 2030 With Project Traffic Volumes
- Appendix A. Traffic Counts
- Appendix B. Trip Generation Calculations
- Appendix C. Level of Service Calculations
- Appendix D. Crash History

AR,BJ:JAM



Vicinity Map

Sienna Hills Development

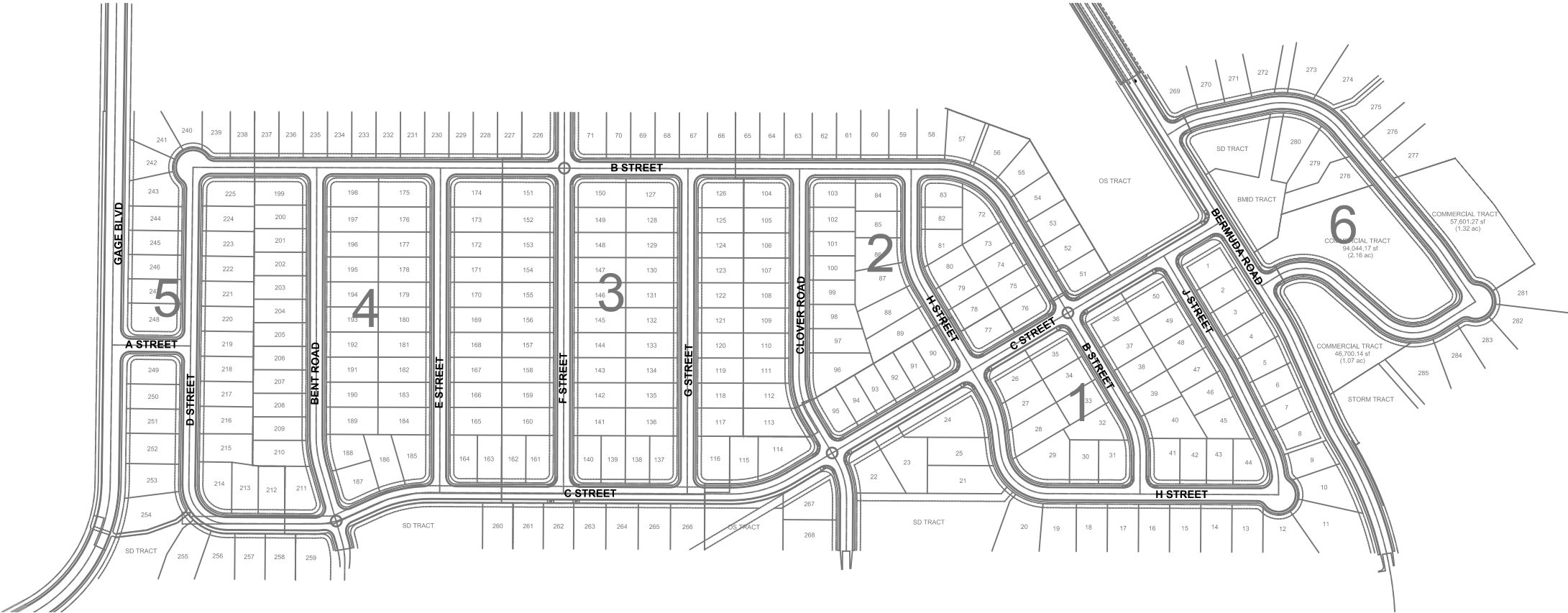


FIGURE 2

Site Plan

Sienna Hills Development

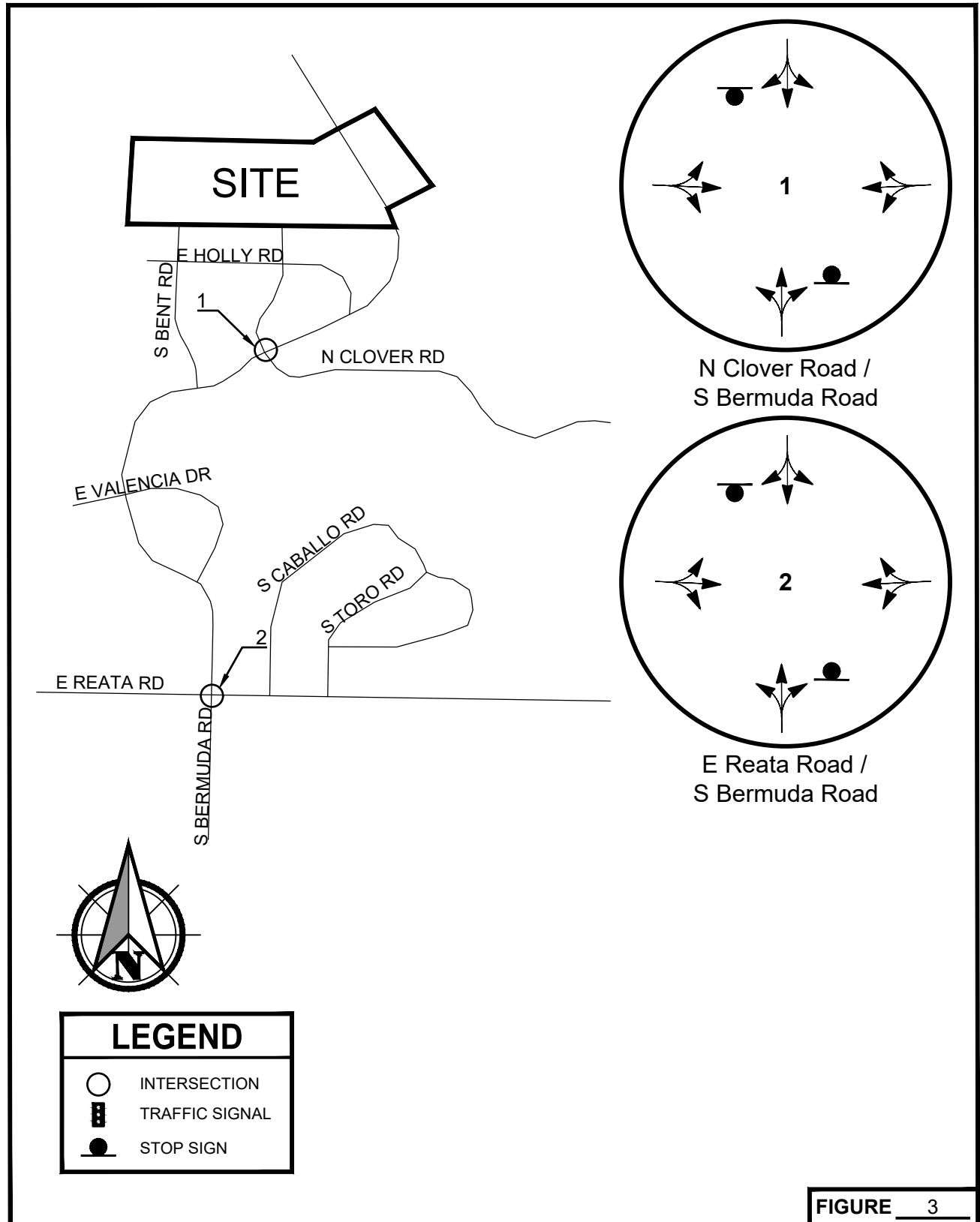
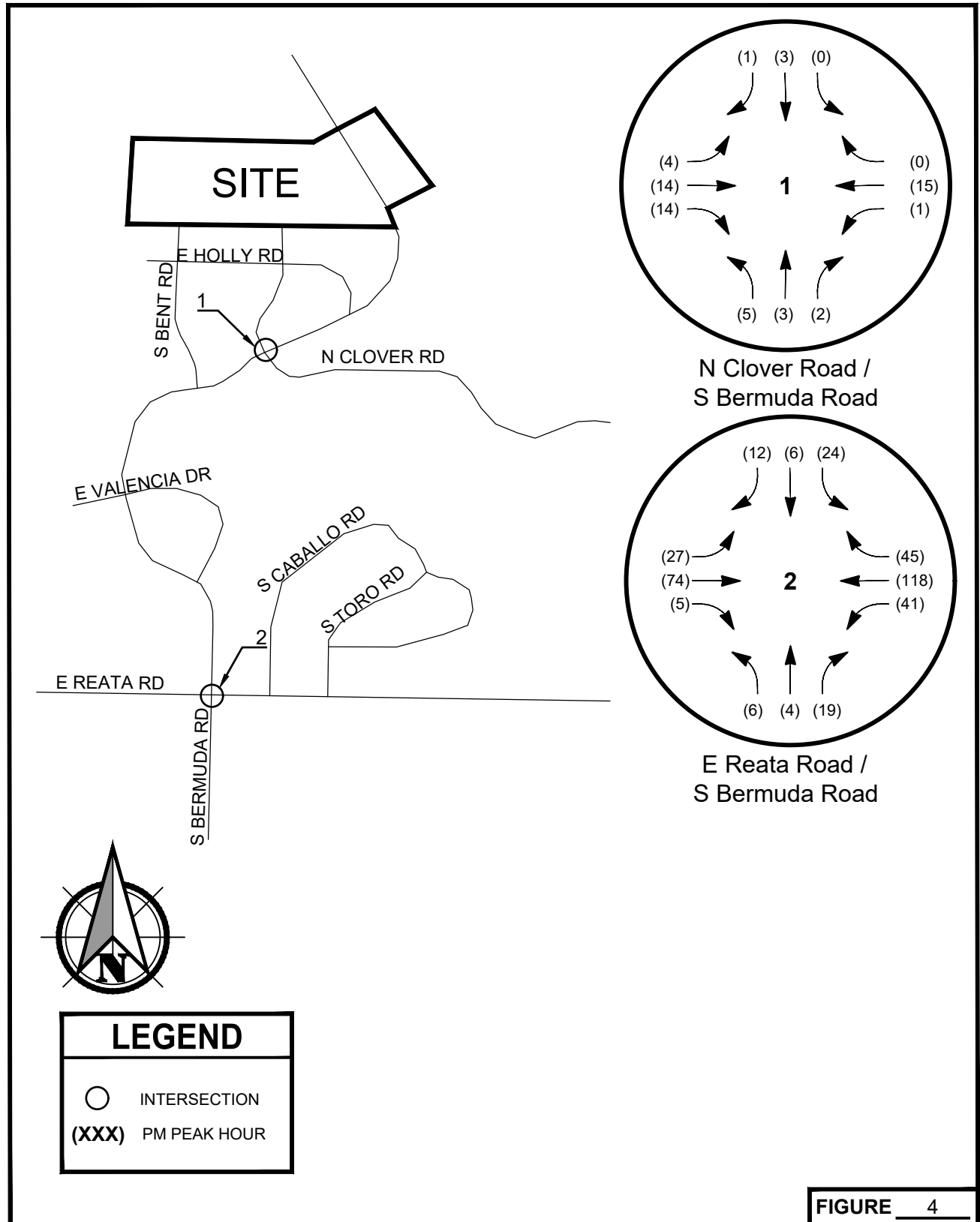


FIGURE 3

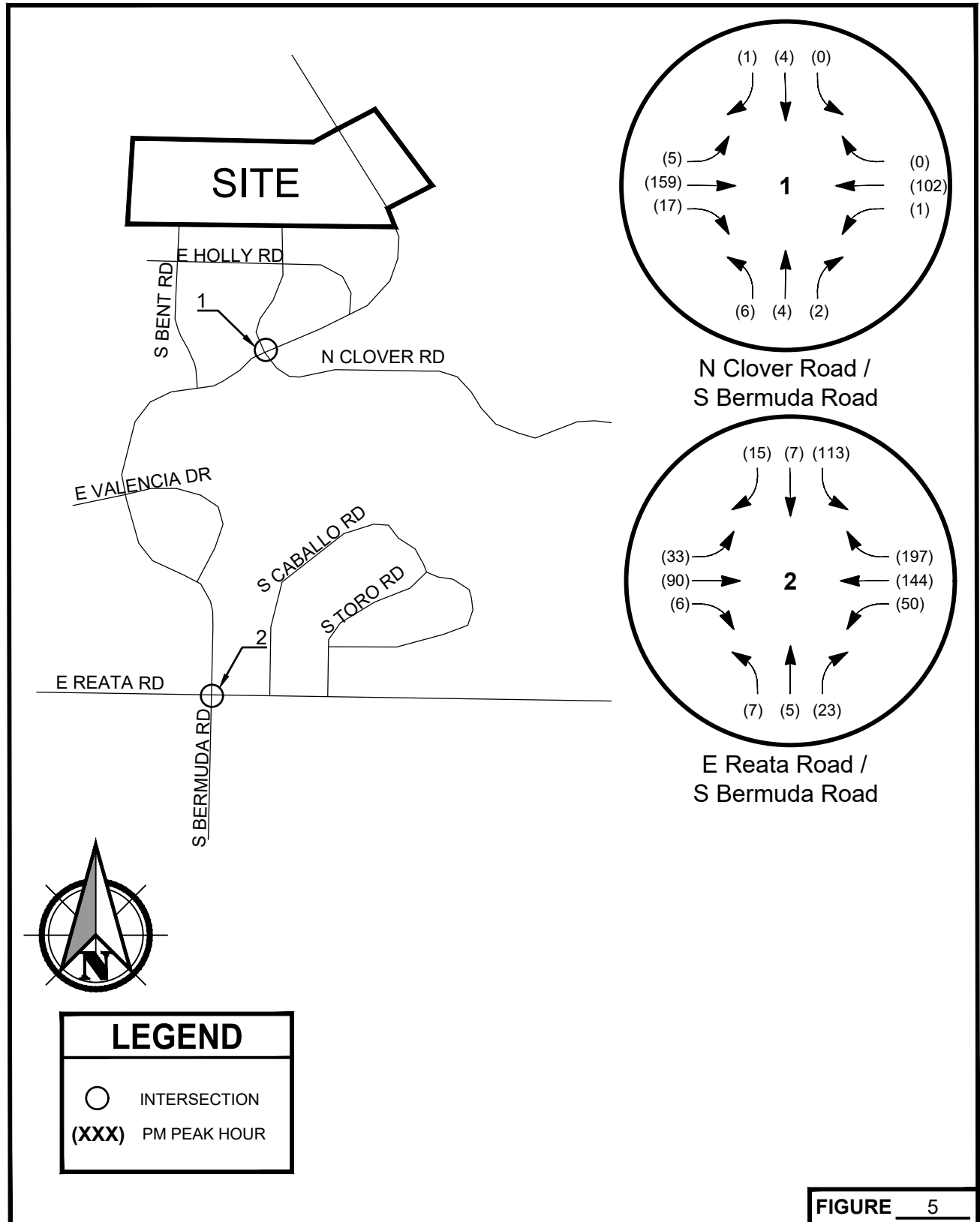
Existing Lane Configurations

Sienna Hills Development



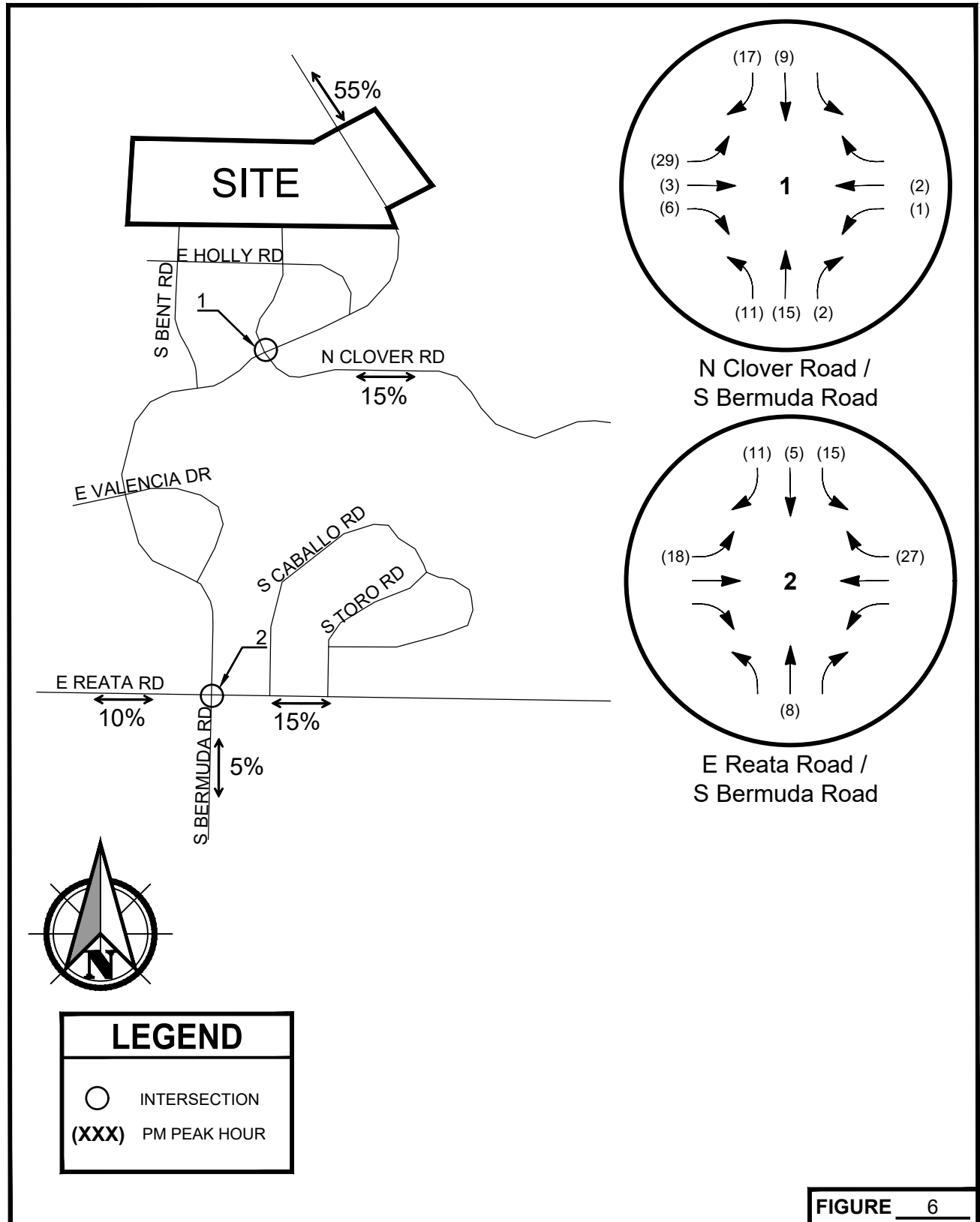
2020 Existing Volumes

Sienna Hills Development



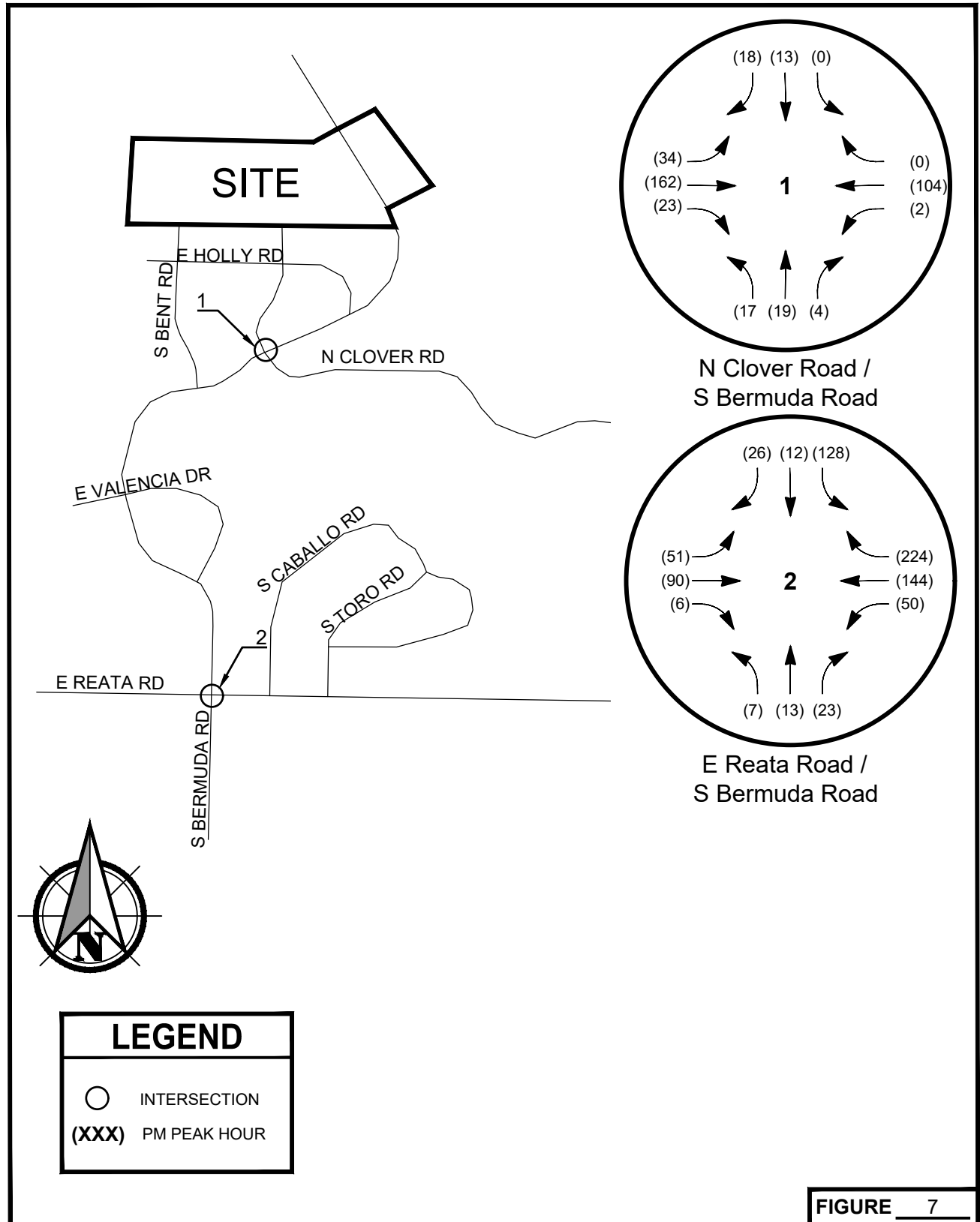
2030 Without Project Traffic Volumes

Sienna Hills Development



Trip Distribution & Assignment

Sienna Hills Development

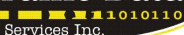


2030 With Project Traffic Volumes

Sienna Hills Development

Appendix A

Traffic Counts



www.alltrafficdata.net

Peak 15-Minutes: 04:40 PM - 04:55 PM

Interval Start Time	Bermuda Rd Eastbound				Bermuda Rd Westbound				Clover Rd Northbound				Clover Rd Southbound				Total	Rolling Hour	
	U-Turn	Left	Thru	Right	U-Turn	Left	Thru	Right	U-Turn	Left	Thru	Right	U-Turn	Left	Thru	Right			
4:00 PM	0	0	2	1	0	0	2	0	0	0	2	0	0	0	0	0	1	8	60
4:05 PM	0	0	0	1	0	0	1	0	0	0	0	0	0	1	0	0	0	3	61
4:10 PM	0	0	0	0	0	0	0	0	0	0	0	1	0	0	0	0	1	2	61
4:15 PM	0	0	1	0	0	0	0	0	0	1	0	0	0	0	0	0	1	3	61
4:20 PM	0	0	0	3	0	0	2	0	0	0	0	0	0	0	0	0	0	5	62
4:25 PM	0	0	2	2	0	0	0	0	0	0	0	0	0	0	0	0	0	4	60
4:30 PM	0	0	1	3	0	0	2	0	0	0	1	0	0	0	0	0	0	7	58
4:35 PM	0	1	0	0	0	0	1	0	0	0	0	0	0	0	0	0	0	2	57
4:40 PM	0	0	2	1	0	0	1	0	0	0	1	0	0	0	0	0	0	5	59
4:45 PM	0	2	1	3	0	0	2	0	0	2	0	1	0	0	0	0	1	12	57
4:50 PM	0	1	1	0	0	0	1	0	0	1	0	1	0	0	0	2	0	7	59
4:55 PM	0	0	0	0	0	0	1	0	0	0	1	0	0	0	0	0	0	2	55
5:00 PM	0	0	5	1	0	0	3	0	0	0	0	0	0	0	0	0	0	9	56
5:05 PM	0	0	0	1	0	1	0	0	0	1	0	0	0	0	0	0	0	3	
5:10 PM	0	0	0	0	0	0	1	0	0	1	0	0	0	0	0	0	0	2	
5:15 PM	0	0	2	0	0	0	1	0	0	0	0	0	0	0	0	1	0	4	
5:20 PM	0	0	2	0	0	0	0	0	0	0	0	1	0	0	0	0	0	3	
5:25 PM	0	0	1	0	0	0	1	0	0	0	0	0	0	0	0	0	0	2	
5:30 PM	0	0	3	1	0	0	1	0	0	0	1	0	0	0	0	0	0	6	
5:35 PM	0	1	1	0	0	0	0	0	0	0	1	0	0	0	1	0	0	4	
5:40 PM	0	0	1	0	0	1	0	0	0	0	1	0	0	0	0	0	0	3	
5:45 PM	0	0	4	4	0	0	1	0	0	3	0	0	0	0	1	1	0	14	
5:50 PM	0	1	0	0	0	0	1	0	0	0	1	0	0	0	0	0	0	3	
5:55 PM	0	0	0	1	0	0	0	0	0	1	1	0	0	0	0	0	0	3	
Count Total	0	6	29	22	0	2	22	0	0	10	10	4	0	1	5	5	0	116	
Peak Hour	0	4	14	14	0	1	15	0	0	5	3	2	0	0	3	1	0	62	

Traffic Counts - Heavy Vehicles, Bicycles on Road, and Pedestrians/Bicycles on Crosswalk

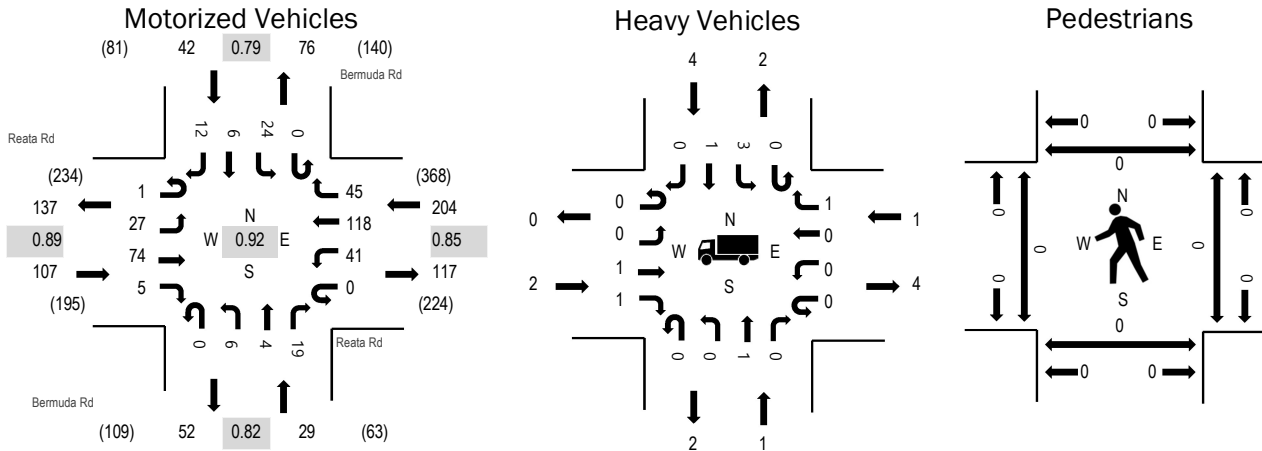
Interval Start Time	Heavy Vehicles					Interval Start Time	Bicycles on Roadway					Interval Start Time	Pedestrians/Bicycles on Crosswalk				
	EB	NB	WB	SB	Total		EB	NB	WB	SB	Total		EB	NB	WB	SB	Total
4:00 PM	1	0	0	1	2	4:00 PM	0	0	0	0	0	4:00 PM	0	0	0	0	0
4:05 PM	0	0	0	0	0	4:05 PM	0	0	0	0	0	4:05 PM	0	0	0	0	0
4:10 PM	0	0	0	0	0	4:10 PM	0	0	0	0	0	4:10 PM	0	2	0	0	2
4:15 PM	0	0	0	0	0	4:15 PM	0	0	0	0	0	4:15 PM	0	0	0	0	0
4:20 PM	0	0	0	0	0	4:20 PM	0	0	0	0	0	4:20 PM	0	0	0	0	0
4:25 PM	0	0	0	0	0	4:25 PM	0	0	0	0	0	4:25 PM	0	0	0	0	0
4:30 PM	0	0	0	0	0	4:30 PM	0	0	0	0	0	4:30 PM	0	0	0	0	0
4:35 PM	0	0	0	0	0	4:35 PM	0	0	0	0	0	4:35 PM	0	0	0	0	0
4:40 PM	0	0	0	0	0	4:40 PM	0	0	0	0	0	4:40 PM	0	0	0	0	0
4:45 PM	1	0	0	0	1	4:45 PM	0	0	0	0	0	4:45 PM	0	0	0	0	0
4:50 PM	0	1	0	0	1	4:50 PM	0	0	0	0	0	4:50 PM	0	0	0	0	0
4:55 PM	0	0	1	0	1	4:55 PM	0	0	0	0	0	4:55 PM	0	0	0	0	0
5:00 PM	0	0	0	0	0	5:00 PM	0	0	0	0	0	5:00 PM	0	0	0	0	0
5:05 PM	0	0	0	0	0	5:05 PM	0	0	0	0	0	5:05 PM	0	0	0	0	0
5:10 PM	0	0	0	0	0	5:10 PM	0	0	0	0	0	5:10 PM	0	0	0	0	0
5:15 PM	0	0	0	0	0	5:15 PM	0	0	0	0	0	5:15 PM	0	0	0	0	0
5:20 PM	0	0	0	0	0	5:20 PM	0	0	0	0	0	5:20 PM	0	0	0	0	0
5:25 PM	0	0	0	0	0	5:25 PM	0	0	0	0	0	5:25 PM	0	0	0	0	0
5:30 PM	0	0	0	0	0	5:30 PM	0	0	0	0	0	5:30 PM	0	0	0	0	0
5:35 PM	0	0	0	0	0	5:35 PM	0	0	0	0	0	5:35 PM	0	0	0	0	0
5:40 PM	0	0	0	0	0	5:40 PM	0	0	0	0	0	5:40 PM	0	0	0	0	0
5:45 PM	1	1	0	0	2	5:45 PM	0	0	0	0	0	5:45 PM	0	0	0	0	0
5:50 PM	0	0	0	0	0	5:50 PM	0	0	0	0	0	5:50 PM	0	0	0	0	0
5:55 PM	0	0	0	0	0	5:55 PM	0	0	0	0	0	5:55 PM	0	0	0	0	0
Count Total	3	2	1	1	7	Count Total	0	0	0	0	0	Count Total	0	2	0	0	2
Peak Hour	1	1	1	0	3	Peak Hour	0	0	0	0	0	Peak Hour	0	0	0	0	0



(303) 216-2439
www.alltrafficdata.net

Location: Bermuda Rd & Reata Rd PM
Date: Wednesday, March 4, 2020
Peak Hour: 04:45 PM - 05:45 PM
Peak 15-Minutes: 05:05 PM - 05:20 PM

Peak Hour



	HV%	PHF
EB	1.9%	0.89
WB	0.5%	0.85
NB	3.4%	0.82
SB	9.5%	0.79
All	2.1%	0.92

Traffic Counts - Motorized Vehicles

Interval Start Time	Reata Rd Eastbound				Reata Rd Westbound				Bermuda Rd Northbound				Bermuda Rd Southbound				Total	Rolling Hour
	U-Turn	Left	Thru	Right	U-Turn	Left	Thru	Right	U-Turn	Left	Thru	Right	U-Turn	Left	Thru	Right		
4:00 PM	0	1	4	0	0	4	3	1	0	1	1	3	0	2	1	2	23	348
4:05 PM	0	1	5	1	0	4	5	1	0	0	0	0	0	0	1	2	20	350
4:10 PM	0	0	8	0	0	3	8	8	0	1	0	1	0	2	1	2	34	361
4:15 PM	0	3	6	0	0	0	9	6	0	1	0	3	0	3	0	2	33	362
4:20 PM	0	1	7	0	0	5	9	4	0	0	3	2	0	2	1	0	34	367
4:25 PM	0	0	6	4	0	2	8	2	0	0	2	0	0	1	0	1	26	364
4:30 PM	0	1	5	1	0	5	7	4	0	0	0	3	0	2	0	1	29	373
4:35 PM	0	1	5	1	0	4	7	4	0	1	0	2	0	2	1	0	28	380
4:40 PM	0	2	5	0	0	3	5	4	0	0	0	1	0	0	0	1	21	380
4:45 PM	0	3	11	0	0	5	10	2	0	0	1	3	0	3	2	2	42	382
4:50 PM	0	2	7	0	0	3	10	4	0	1	0	0	0	0	1	2	30	365
4:55 PM	0	2	5	0	0	5	5	3	0	2	1	3	0	1	1	0	28	357
5:00 PM	0	3	5	1	0	3	7	1	0	0	1	0	0	4	0	0	25	359
5:05 PM	0	1	5	0	0	1	10	6	0	0	0	2	0	3	0	3	31	
5:10 PM	0	2	3	0	0	4	16	4	0	0	1	1	0	1	1	2	35	
5:15 PM	0	1	11	1	0	5	9	6	0	0	0	2	0	2	0	1	38	
5:20 PM	0	3	6	1	0	1	10	6	0	2	0	2	0	0	0	0	31	
5:25 PM	1	2	2	0	0	4	16	4	0	1	0	2	0	3	0	0	35	
5:30 PM	0	4	7	0	0	5	10	5	0	0	0	2	0	2	0	1	36	
5:35 PM	0	3	5	2	0	5	6	2	0	0	0	1	0	4	0	0	28	
5:40 PM	0	1	7	0	0	0	9	2	0	0	0	1	0	1	1	1	23	
5:45 PM	0	2	2	0	0	6	6	3	0	0	1	2	0	0	1	2	25	
5:50 PM	0	1	5	0	0	5	5	2	0	0	0	3	0	1	0	0	22	
5:55 PM	0	1	9	0	0	2	7	3	0	0	1	2	0	3	1	1	30	
Count Total	1	41	141	12	0	84	197	87	0	10	12	41	0	42	13	26	707	
Peak Hour	1	27	74	5	0	41	118	45	0	6	4	19	0	24	6	12	382	

Traffic Counts - Heavy Vehicles, Bicycles on Road, and Pedestrians/Bicycles on Crosswalk

Interval Start Time	Heavy Vehicles					Interval Start Time	Bicycles on Roadway					Interval Start Time	Pedestrians/Bicycles on Crosswalk				
	EB	NB	WB	SB	Total		EB	NB	WB	SB	Total		EB	NB	WB	SB	Total
4:00 PM	0	1	1	0	2	4:00 PM	0	0	0	0	0	4:00 PM	0	0	0	0	0
4:05 PM	0	0	0	1	1	4:05 PM	0	0	0	0	0	4:05 PM	0	0	0	0	0
4:10 PM	1	1	0	0	2	4:10 PM	0	0	0	0	0	4:10 PM	0	0	0	0	0
4:15 PM	0	0	0	0	0	4:15 PM	0	0	0	0	0	4:15 PM	0	0	0	0	0
4:20 PM	0	0	0	0	0	4:20 PM	0	0	0	0	0	4:20 PM	0	0	0	0	0
4:25 PM	0	0	0	0	0	4:25 PM	0	0	0	0	0	4:25 PM	0	0	0	0	0
4:30 PM	0	0	0	0	0	4:30 PM	0	0	0	0	0	4:30 PM	0	0	0	0	0
4:35 PM	0	0	0	0	0	4:35 PM	0	0	0	0	0	4:35 PM	0	0	0	0	0
4:40 PM	1	0	0	0	1	4:40 PM	0	0	0	0	0	4:40 PM	0	0	0	0	0
4:45 PM	0	0	0	2	2	4:45 PM	0	0	0	0	0	4:45 PM	0	0	0	0	0
4:50 PM	0	0	0	0	0	4:50 PM	0	0	0	0	0	4:50 PM	0	0	0	0	0
4:55 PM	1	1	0	2	4	4:55 PM	0	0	0	0	0	4:55 PM	0	0	0	0	0
5:00 PM	0	0	0	0	0	5:00 PM	0	0	0	0	0	5:00 PM	0	0	0	0	0
5:05 PM	0	0	1	0	1	5:05 PM	0	0	0	0	0	5:05 PM	0	0	0	0	0
5:10 PM	0	0	0	0	0	5:10 PM	0	0	0	0	0	5:10 PM	0	0	0	0	0
5:15 PM	0	0	0	0	0	5:15 PM	0	0	0	0	0	5:15 PM	0	0	0	0	0
5:20 PM	0	0	0	0	0	5:20 PM	0	0	0	0	0	5:20 PM	0	0	0	0	0
5:25 PM	0	0	0	0	0	5:25 PM	0	0	0	0	0	5:25 PM	0	0	0	0	0
5:30 PM	0	0	0	0	0	5:30 PM	0	0	0	0	0	5:30 PM	0	0	0	0	0
5:35 PM	1	0	0	0	1	5:35 PM	0	0	0	0	0	5:35 PM	0	0	0	0	0
5:40 PM	0	0	0	0	0	5:40 PM	0	0	0	0	0	5:40 PM	0	0	0	0	0
5:45 PM	0	0	0	0	0	5:45 PM	0	0	0	0	0	5:45 PM	0	0	0	0	0
5:50 PM	0	0	1	0	1	5:50 PM	0	0	0	0	0	5:50 PM	0	0	0	0	0
5:55 PM	0	0	0	0	0	5:55 PM	0	0	0	0	0	5:55 PM	0	0	0	0	0
Count Total	4	3	3	5	15	Count Total	0	0	0	0	0	Count Total	0	0	0	0	0
Peak Hour	2	1	1	4	8	Peak Hour	0	0	0	0	0	Peak Hour	0	0	0	0	0

Appendix B

Trip Generation Calculations

Trip Generation Summary

Alternative: Alternative 1

Phase:

Open Date: 4/13/2020

Project: Sienna Hills Development

Analysis Date: 4/13/2020

ITE	Land Use	Weekday Average Daily Trips				Weekday AM Peak Hour of Adjacent Street Traffic				Weekday PM Peak Hour of Adjacent Street Traffic			
		*	Enter	Exit	Total	*	Enter	Exit	Total	*	Enter	Exit	Total
210	SFHOUSE 1		1345	1345	2690		53	158	211		178	104	282
	285 Dwelling Units												
Unadjusted Volume			1345	1345	2690		53	158	211		178	104	282
Internal Capture Trips			0	0	0		0	0	0		0	0	0
Pass-By Trips			0	0	0		0	0	0		0	0	0
Volume Added to Adjacent Streets			1345	1345	2690		53	158	211		178	104	282

Total Weekday Average Daily Trips Internal Capture = 0 Percent

Total Weekday AM Peak Hour of Adjacent Street Traffic Internal Capture = 0 Percent

Total Weekday PM Peak Hour of Adjacent Street Traffic Internal Capture = 0 Percent

* - Custom rate used for selected time period.

Source: Institute of Transportation Engineers, Trip Generation Manual 10th Edition

TRIP GENERATION 10, TRAFFICWARE, LLC

P. 1

Appendix C

Level of Service Calculations

HCM 6th TWSC
1: N Clover Road & S Bermuda Road

04/13/2020

Intersection												
Int Delay, s/veh	2.7											
Movement	EBL	EBT	EBR	WBL	WBT	WBR	NBL	NBT	NBR	SBL	SBT	SBR
Lane Configurations												
Traffic Vol, veh/h	4	14	14	1	15	0	5	3	2	0	3	1
Future Vol, veh/h	4	14	14	1	15	0	5	3	2	0	3	1
Conflicting Peds, #/hr	0	0	0	0	0	0	0	0	0	0	0	0
Sign Control	Free	Free	Free	Free	Free	Free	Stop	Stop	Stop	Stop	Stop	Stop
RT Channelized	-	-	None	-	-	None	-	-	None	-	-	None
Storage Length	-	-	-	-	-	-	-	-	-	-	-	-
Veh in Median Storage, #	-	0	-	-	0	-	-	0	-	-	0	-
Grade, %	-	0	-	-	0	-	-	0	-	-	0	-
Peak Hour Factor	65	65	65	65	65	65	65	65	65	65	65	65
Heavy Vehicles, %	0	0	3	0	6	0	10	0	0	0	0	0
Mvmt Flow	6	22	22	2	23	0	8	5	3	0	5	2
Major/Minor	Major1			Major2			Minor1			Minor2		
Conflicting Flow All	23	0	0	44	0	0	76	72	33	76	83	23
Stage 1	-	-	-	-	-	-	45	45	-	27	27	-
Stage 2	-	-	-	-	-	-	31	27	-	49	56	-
Critical Hdwy	4.1	-	-	4.1	-	-	7.2	6.5	6.2	7.1	6.5	6.2
Critical Hdwy Stg 1	-	-	-	-	-	-	6.2	5.5	-	6.1	5.5	-
Critical Hdwy Stg 2	-	-	-	-	-	-	6.2	5.5	-	6.1	5.5	-
Follow-up Hdwy	2.2	-	-	2.2	-	-	3.59	4	3.3	3.5	4	3.3
Pot Cap-1 Maneuver	1605	-	-	1577	-	-	894	822	1046	919	811	1060
Stage 1	-	-	-	-	-	-	949	861	-	996	877	-
Stage 2	-	-	-	-	-	-	965	877	-	969	852	-
Platoon blocked, %		-	-		-	-						
Mov Cap-1 Maneuver	1605	-	-	1577	-	-	885	818	1046	909	807	1060
Mov Cap-2 Maneuver	-	-	-	-	-	-	885	818	-	909	807	-
Stage 1	-	-	-	-	-	-	945	858	-	992	876	-
Stage 2	-	-	-	-	-	-	958	876	-	957	849	-
Approach	EB			WB			NB			SB		
HCM Control Delay, s	0.9			0.5			9.1			9.2		
HCM LOS							A			A		
Minor Lane/Major Mvmt	NBLn1	EBL	EBT	EBR	WBL	WBT	WBR	SBLn1				
Capacity (veh/h)	891	1605	-	-	1577	-	-	858				
HCM Lane V/C Ratio	0.017	0.004	-	-	0.001	-	-	0.007				
HCM Control Delay (s)	9.1	7.3	0	-	7.3	0	-	9.2				
HCM Lane LOS	A	A	A	-	A	A	-	A				
HCM 95th %tile Q(veh)	0.1	0	-	-	0	-	-	0				

HCM 6th TWSC
2: S Bermuda Road & E Reata Road

04/13/2020

Intersection												
Int Delay, s/veh	3.4											
Movement	EBL	EBT	EBR	WBL	WBT	WBR	NBL	NBT	NBR	SBL	SBT	SBR
Lane Configurations												
Traffic Vol, veh/h	27	74	5	41	118	45	6	4	19	24	6	12
Future Vol, veh/h	27	74	5	41	118	45	6	4	19	24	6	12
Conflicting Peds, #/hr	0	0	0	0	0	0	0	0	0	0	0	0
Sign Control	Free	Free	Free	Free	Free	Free	Stop	Stop	Stop	Stop	Stop	Stop
RT Channelized	-	-	None	-	-	None	-	-	None	-	-	None
Storage Length	-	-	-	-	-	-	-	-	-	-	-	-
Veh in Median Storage, #	-	0	-	-	0	-	-	0	-	-	0	-
Grade, %	-	0	-	-	0	-	-	0	-	-	0	-
Peak Hour Factor	92	92	92	92	92	92	92	92	92	92	92	92
Heavy Vehicles, %	0	1	1	0	0	0	0	3	0	7	2	0
Mvmt Flow	29	80	5	45	128	49	7	4	21	26	7	13
Major/Minor	Major1			Major2			Minor1			Minor2		
Conflicting Flow All	177	0	0	85	0	0	394	408	83	396	386	153
Stage 1	-	-	-	-	-	-	141	141	-	243	243	-
Stage 2	-	-	-	-	-	-	253	267	-	153	143	-
Critical Hdwy	4.1	-	-	4.1	-	-	7.1	6.53	6.2	7.17	6.52	6.2
Critical Hdwy Stg 1	-	-	-	-	-	-	6.1	5.53	-	6.17	5.52	-
Critical Hdwy Stg 2	-	-	-	-	-	-	6.1	5.53	-	6.17	5.52	-
Follow-up Hdwy	2.2	-	-	2.2	-	-	3.5	4.027	3.3	3.563	4.018	3.3
Pot Cap-1 Maneuver	1411	-	-	1524	-	-	569	531	982	555	548	898
Stage 1	-	-	-	-	-	-	867	778	-	750	705	-
Stage 2	-	-	-	-	-	-	756	686	-	838	779	-
Platoon blocked, %		-	-		-	-						
Mov Cap-1 Maneuver	1411	-	-	1524	-	-	533	502	982	517	518	898
Mov Cap-2 Maneuver	-	-	-	-	-	-	533	502	-	517	518	-
Stage 1	-	-	-	-	-	-	848	761	-	734	682	-
Stage 2	-	-	-	-	-	-	714	663	-	798	762	-
Approach	EB			WB			NB			SB		
HCM Control Delay, s	1.9			1.5			10			11.6		
HCM LOS							B			B		
Minor Lane/Major Mvmt	NBLn1	EBL	EBT	EBR	WBL	WBT	WBR	SBLn1				
Capacity (veh/h)	752	1411	-	-	1524	-	-	589				
HCM Lane V/C Ratio	0.042	0.021	-	-	0.029	-	-	0.078				
HCM Control Delay (s)	10	7.6	0	-	7.4	0	-	11.6				
HCM Lane LOS	B	A	A	-	A	A	-	B				
HCM 95th %tile Q(veh)	0.1	0.1	-	-	0.1	-	-	0.3				

HCM 6th TWSC
1: N Clover Road & S Bermuda Road

04/13/2020

Intersection												
Int Delay, s/veh	0.8											
Movement	EBL	EBT	EBR	WBL	WBT	WBR	NBL	NBT	NBR	SBL	SBT	SBR
Lane Configurations		↕			↕			↕			↕	
Traffic Vol, veh/h	5	159	17	1	102	0	6	4	2	0	4	1
Future Vol, veh/h	5	159	17	1	102	0	6	4	2	0	4	1
Conflicting Peds, #/hr	0	0	0	0	0	0	0	0	0	0	0	0
Sign Control	Free	Free	Free	Free	Free	Free	Stop	Stop	Stop	Stop	Stop	Stop
RT Channelized	-	-	None	-	-	None	-	-	None	-	-	None
Storage Length	-	-	-	-	-	-	-	-	-	-	-	-
Veh in Median Storage, #	-	0	-	-	0	-	-	0	-	-	0	-
Grade, %	-	0	-	-	0	-	-	0	-	-	0	-
Peak Hour Factor	65	65	65	65	65	65	65	65	65	65	65	65
Heavy Vehicles, %	2	2	3	2	6	2	10	2	2	2	2	2
Mvmt Flow	8	245	26	2	157	0	9	6	3	0	6	2
Major/Minor	Major1			Major2			Minor1			Minor2		
Conflicting Flow All	157	0	0	271	0	0	439	435	258	440	448	157
Stage 1	-	-	-	-	-	-	274	274	-	161	161	-
Stage 2	-	-	-	-	-	-	165	161	-	279	287	-
Critical Hdwy	4.12	-	-	4.12	-	-	7.2	6.52	6.22	7.12	6.52	6.22
Critical Hdwy Stg 1	-	-	-	-	-	-	6.2	5.52	-	6.12	5.52	-
Critical Hdwy Stg 2	-	-	-	-	-	-	6.2	5.52	-	6.12	5.52	-
Follow-up Hdwy	2.218	-	-	2.218	-	-	3.59	4.018	3.318	3.518	4.018	3.318
Pot Cap-1 Maneuver	1423	-	-	1292	-	-	515	514	781	527	506	889
Stage 1	-	-	-	-	-	-	715	683	-	841	765	-
Stage 2	-	-	-	-	-	-	819	765	-	728	674	-
Platoon blocked, %		-	-		-	-						
Mov Cap-1 Maneuver	1423	-	-	1292	-	-	506	509	781	516	501	889
Mov Cap-2 Maneuver	-	-	-	-	-	-	506	509	-	516	501	-
Stage 1	-	-	-	-	-	-	710	678	-	835	763	-
Stage 2	-	-	-	-	-	-	809	763	-	714	669	-
Approach	EB			WB			NB			SB		
HCM Control Delay, s	0.2			0.1			11.9			11.7		
HCM LOS							B			B		
Minor Lane/Major Mvmt	NBLn1	EBL	EBT	EBR	WBL	WBT	WBR	SBLn1				
Capacity (veh/h)	539	1423	-	-	1292	-	-	549				
HCM Lane V/C Ratio	0.034	0.005	-	-	0.001	-	-	0.014				
HCM Control Delay (s)	11.9	7.5	0	-	7.8	0	-	11.7				
HCM Lane LOS	B	A	A	-	A	A	-	B				
HCM 95th %tile Q(veh)	0.1	0	-	-	0	-	-	0				

HCM 6th TWSC
2: S Bermuda Road & E Reata Road

04/13/2020

Intersection												
Int Delay, s/veh	5.1											
Movement	EBL	EBT	EBR	WBL	WBT	WBR	NBL	NBT	NBR	SBL	SBT	SBR
Lane Configurations		↕			↕			↕			↕	
Traffic Vol, veh/h	33	90	6	50	144	197	7	5	23	113	7	15
Future Vol, veh/h	33	90	6	50	144	197	7	5	23	113	7	15
Conflicting Peds, #/hr	0	0	0	0	0	0	0	0	0	0	0	0
Sign Control	Free	Free	Free	Free	Free	Free	Stop	Stop	Stop	Stop	Stop	Stop
RT Channelized	-	-	None	-	-	None	-	-	None	-	-	None
Storage Length	-	-	-	-	-	-	-	-	-	-	-	-
Veh in Median Storage, #	-	0	-	-	0	-	-	0	-	-	0	-
Grade, %	-	0	-	-	0	-	-	0	-	-	0	-
Peak Hour Factor	92	92	92	92	92	92	92	92	92	92	92	92
Heavy Vehicles, %	2	2	2	2	2	2	2	3	2	7	2	2
Mvmt Flow	36	98	7	54	157	214	8	5	25	123	8	16
Major/Minor	Major1			Major2			Minor1			Minor2		
Conflicting Flow All	371	0	0	105	0	0	558	653	102	561	549	264
Stage 1	-	-	-	-	-	-	174	174	-	372	372	-
Stage 2	-	-	-	-	-	-	384	479	-	189	177	-
Critical Hdwy	4.12	-	-	4.12	-	-	7.12	6.53	6.22	7.17	6.52	6.22
Critical Hdwy Stg 1	-	-	-	-	-	-	6.12	5.53	-	6.17	5.52	-
Critical Hdwy Stg 2	-	-	-	-	-	-	6.12	5.53	-	6.17	5.52	-
Follow-up Hdwy	2.218	-	-	2.218	-	-	3.518	4.027	3.318	3.563	4.018	3.318
Pot Cap-1 Maneuver	1188	-	-	1486	-	-	440	385	953	431	443	775
Stage 1	-	-	-	-	-	-	828	753	-	638	619	-
Stage 2	-	-	-	-	-	-	639	553	-	801	753	-
Platoon blocked, %		-	-		-	-						
Mov Cap-1 Maneuver	1188	-	-	1486	-	-	400	355	953	390	409	775
Mov Cap-2 Maneuver	-	-	-	-	-	-	400	355	-	390	409	-
Stage 1	-	-	-	-	-	-	802	729	-	618	590	-
Stage 2	-	-	-	-	-	-	588	527	-	749	729	-
Approach	EB			WB			NB			SB		
HCM Control Delay, s	2.1			1			11.1			18.4		
HCM LOS							B			C		
Minor Lane/Major Mvmt	NBLn1	EBL	EBT	EBR	WBL	WBT	WBR	SBLn1				
Capacity (veh/h)	628	1188	-	-	1486	-	-	414				
HCM Lane V/C Ratio	0.061	0.03	-	-	0.037	-	-	0.354				
HCM Control Delay (s)	11.1	8.1	0	-	7.5	0	-	18.4				
HCM Lane LOS	B	A	A	-	A	A	-	C				
HCM 95th %tile Q(veh)	0.2	0.1	-	-	0.1	-	-	1.6				

HCM 6th TWSC
1: N Clover Road & S Bermuda Road

04/14/2020

Intersection												
Int Delay, s/veh	3.1											
Movement	EBL	EBT	EBR	WBL	WBT	WBR	NBL	NBT	NBR	SBL	SBT	SBR
Lane Configurations		↕			↕			↕			↕	
Traffic Vol, veh/h	34	162	23	2	104	0	17	19	4	0	13	18
Future Vol, veh/h	34	162	23	2	104	0	17	19	4	0	13	18
Conflicting Peds, #/hr	0	0	0	0	0	0	0	0	0	0	0	0
Sign Control	Free	Free	Free	Free	Free	Free	Stop	Stop	Stop	Stop	Stop	Stop
RT Channelized	-	-	None	-	-	None	-	-	None	-	-	None
Storage Length	-	-	-	-	-	-	-	-	-	-	-	-
Veh in Median Storage, #	-	0	-	-	0	-	-	0	-	-	0	-
Grade, %	-	0	-	-	0	-	-	0	-	-	0	-
Peak Hour Factor	65	65	65	65	65	65	65	65	65	65	65	65
Heavy Vehicles, %	2	2	3	2	6	2	10	2	2	2	2	2
Mvmt Flow	52	249	35	3	160	0	26	29	6	0	20	28
Major/Minor	Major1			Major2			Minor1			Minor2		
Conflicting Flow All	160	0	0	284	0	0	561	537	267	554	554	160
Stage 1	-	-	-	-	-	-	371	371	-	166	166	-
Stage 2	-	-	-	-	-	-	190	166	-	388	388	-
Critical Hdwy	4.12	-	-	4.12	-	-	7.2	6.52	6.22	7.12	6.52	6.22
Critical Hdwy Stg 1	-	-	-	-	-	-	6.2	5.52	-	6.12	5.52	-
Critical Hdwy Stg 2	-	-	-	-	-	-	6.2	5.52	-	6.12	5.52	-
Follow-up Hdwy	2.218	-	-	2.218	-	-	3.59	4.018	3.318	3.518	4.018	3.318
Pot Cap-1 Maneuver	1419	-	-	1278	-	-	426	450	772	443	440	885
Stage 1	-	-	-	-	-	-	633	620	-	836	761	-
Stage 2	-	-	-	-	-	-	794	761	-	636	609	-
Platoon blocked, %	-	-	-	-	-	-	-	-	-	-	-	-
Mov Cap-1 Maneuver	1419	-	-	1278	-	-	383	429	772	402	419	885
Mov Cap-2 Maneuver	-	-	-	-	-	-	383	429	-	402	419	-
Stage 1	-	-	-	-	-	-	605	593	-	799	759	-
Stage 2	-	-	-	-	-	-	747	759	-	573	582	-
Approach	EB			WB			NB			SB		
HCM Control Delay, s	1.2			0.1			14.9			11.5		
HCM LOS							B			B		
Minor Lane/Major Mvmt	NBLn1	EBL	EBT	EBR	WBL	WBT	WBR	SBLn1				
Capacity (veh/h)	426	1419	-	-	1278	-	-	604				
HCM Lane V/C Ratio	0.144	0.037	-	-	0.002	-	-	0.079				
HCM Control Delay (s)	14.9	7.6	0	-	7.8	0	-	11.5				
HCM Lane LOS	B	A	A	-	A	A	-	B				
HCM 95th %tile Q(veh)	0.5	0.1	-	-	0	-	-	0.3				

HCM 6th TWSC
2: S Bermuda Road & E Reata Road

04/14/2020

Intersection												
Int Delay, s/veh	6.6											
Movement	EBL	EBT	EBR	WBL	WBT	WBR	NBL	NBT	NBR	SBL	SBT	SBR
Lane Configurations		↕			↕			↕			↕	
Traffic Vol, veh/h	51	90	6	50	144	224	7	13	23	128	12	26
Future Vol, veh/h	51	90	6	50	144	224	7	13	23	128	12	26
Conflicting Peds, #/hr	0	0	0	0	0	0	0	0	0	0	0	0
Sign Control	Free	Free	Free	Free	Free	Free	Stop	Stop	Stop	Stop	Stop	Stop
RT Channelized	-	-	None	-	-	None	-	-	None	-	-	None
Storage Length	-	-	-	-	-	-	-	-	-	-	-	-
Veh in Median Storage, #	-	0	-	-	0	-	-	0	-	-	0	-
Grade, %	-	0	-	-	0	-	-	0	-	-	0	-
Peak Hour Factor	92	92	92	92	92	92	92	92	92	92	92	92
Heavy Vehicles, %	2	2	2	2	2	2	2	3	2	7	2	2
Mvmt Flow	55	98	7	54	157	243	8	14	25	139	13	28
Major/Minor	Major1			Major2			Minor1			Minor2		
Conflicting Flow All	400	0	0	105	0	0	619	720	102	618	602	279
Stage 1	-	-	-	-	-	-	212	212	-	387	387	-
Stage 2	-	-	-	-	-	-	407	508	-	231	215	-
Critical Hdwy	4.12	-	-	4.12	-	-	7.12	6.53	6.22	7.17	6.52	6.22
Critical Hdwy Stg 1	-	-	-	-	-	-	6.12	5.53	-	6.17	5.52	-
Critical Hdwy Stg 2	-	-	-	-	-	-	6.12	5.53	-	6.17	5.52	-
Follow-up Hdwy	2.218	-	-	2.218	-	-	3.518	4.027	3.318	3.563	4.018	3.318
Pot Cap-1 Maneuver	1159	-	-	1486	-	-	401	353	953	394	414	760
Stage 1	-	-	-	-	-	-	790	725	-	627	610	-
Stage 2	-	-	-	-	-	-	621	537	-	761	725	-
Platoon blocked, %		-	-		-	-						
Mov Cap-1 Maneuver	1159	-	-	1486	-	-	348	319	953	344	374	760
Mov Cap-2 Maneuver	-	-	-	-	-	-	348	319	-	344	374	-
Stage 1	-	-	-	-	-	-	751	689	-	596	581	-
Stage 2	-	-	-	-	-	-	556	511	-	690	689	-
Approach	EB			WB			NB			SB		
HCM Control Delay, s	2.9			0.9			12.8			22.8		
HCM LOS							B			C		
Minor Lane/Major Mvmt	NBLn1	EBL	EBT	EBR	WBL	WBT	WBR	SBLn1				
Capacity (veh/h)	506	1159	-	-	1486	-	-	379				
HCM Lane V/C Ratio	0.092	0.048	-	-	0.037	-	-	0.476				
HCM Control Delay (s)	12.8	8.3	0	-	7.5	0	-	22.8				
HCM Lane LOS	B	A	A	-	A	A	-	C				
HCM 95th %tile Q(veh)	0.3	0.2	-	-	0.1	-	-	2.5				

Appendix D

Crash History

OFFICER REPORTED CRASHES THAT OCCURRED ON ALL ROADS IN BENTON COUNTY
01/01/2015 - 12/31/2019
Under 23 U.S. Code § 148 and 23 U.S. Code § 409, safety data, reports, surveys, schedules, lists compiled or collected for the purpose of identifying, evaluating, or planning the safety enhancement of potential crash sites, hazardous roadway conditions, or railway-highway crossings are not subject to discovery or admitted into evidence in a Federal or State court proceeding or considered for other purposes in any action for damages arising from any occurrence at a location mentioned or addressed in such reports, surveys, schedules, lists, or data.

JURISDICTION	COUNTY	PRIMARY TRAFFICWAY	MILEPOST	INTERSECTING TRAFFICWAY	SR ONLY HISTORY / SUSPENSE IND	REPORT NUMBER	DATE	TIME	MOST SEVERE INJURY TYPE	# INJ	# VEH	VEHICLE 1 TYPE	VEHICLE 2 TYPE	JUNCTION RELATIONSHIP	WEATHER	ROADWAY SURFACE CONDITION	LIGHTING CONDITION	FIRST COLLISION TYPE / OBJECT STRUCK	VEHICLE 1 ACTION	VEHICLE 2 ACTION	VEHICLE 1 COMPASS DIRECTION FROM	VEHICLE 1 COMPASS DIRECTION TO	VEHICLE 2 COMPASS DIRECTION FROM	VEHICLE 2 COMPASS DIRECTION TO	MV DRIVER CONTRIBUTING CIRCUMSTANCE 1 (UNIT 1)	MV DRIVER CONTRIBUTING CIRCUMSTANCE 2 (UNIT 1)	MV DRIVER CONTRIBUTING CIRCUMSTANCE 1 (UNIT 2)	FIRST IMPACT LOCATION (City, County & Misc Trafficways - 2010 forward)	WA STATE PLANE SOUTH - X 2010 - FORWARD	WA STATE PLANE SOUTH - Y 2010 - FORWARD	
County Road	Benton	50010 - S Bermuda Road	0.548	50180 - E Reata Road	No	E580073	#####	15:07	Possible Injury	1	2	Passenger Car	Motorcycle	At Intersection and Related	Clear or Partly Cloudy	Dry	Daylight	Entering at angle	Going Straight Ahead	Making Right Turn	North	South	West	South	Inattention		None	Lane of Primary Trafficway	#####	318920.16	
County Road	Benton	50010 - S Bermuda Road	0.550	50180 - E Reata Road	No	E788848	#####	12:26	No Apparent Injury	0	2	Pickup,Panel Truck or Vanette under 10,000 lb	Passenger Car	At Intersection and Related	Clear or Partly Cloudy	Dry	Daylight	Entering at angle	Making Left Turn	Starting in Traffic Lane	West	North	North	South	Improper Turn/Merge		Did Not Grant RW to Vehicle	Lane of Primary Trafficway	#####	318920.17	
County Road	Benton	50010 - S Bermuda Road	0.550	50180 - E Reata Road	No	E852227	#####	15:35	No Apparent Injury	0	2	Pickup,Panel Truck or Vanette under 10,000 lb	Pickup,Panel Truck or Vanette under 10,000 lb	At Intersection and Related	Clear or Partly Cloudy	Dry	Daylight	Entering at angle	Making Left Turn	Making Left Turn	South	West	East	South	Inattention		None	Lane of Primary Trafficway	#####	318920.17	
County Road	Benton	50180 - E Reata Road	2.850	50010 - S Bermuda Road	No	E921952	#####	21:28	Possible Injury	2	2	Passenger Car	Pickup,Panel Truck or Vanette under 10,000 lb	At Intersection and Related	Clear or Partly Cloudy	Dry	Dark-No Street Lights	Entering at angle	Going Straight Ahead	Going Straight Ahead	South	South	West	East	Under Influence of Alcohol	Did Not Grant RW to Vehicle	None	Lane of Primary Trafficway	#####	318920.17	
County Road	Benton	50180 - E Reata Road	2.850	50010 - S Bermuda Road	No	E996782	#####	16:25	Possible Injury	1	3	Pickup,Panel Truck or Vanette under 10,000 lb	Pickup,Panel Truck or Vanette under 10,000 lb	At Intersection and Related	Clear or Partly Cloudy	Dry	Dusk	Entering at angle	Starting in Traffic Lane	Going Straight Ahead	North	South	East	West	Did Not Grant RW to Vehicle		None	Lane of Primary Trafficway	#####	318920.18	
County Road	Benton	50180 - E Reata Road	2.855	50010 - S Bermuda Road	No	E406095	#####	17:46	Possible Injury	2	2	Pickup,Panel Truck or Vanette under 10,000 lb	Pickup,Panel Truck or Vanette under 10,000 lb	At Intersection and Related	Clear or Partly Cloudy	Dry	Dark-No Street Lights	Entering at angle	Going Straight Ahead	Going Straight Ahead	North	South	West	East	Disregard Stop Sign - Flashing Red		None	Lane of Primary Trafficway	#####	318942.00	
County Road	Benton	50180 - E Reata Road	2.855	50010 - S Bermuda Road	No	E459771	#####	08:07	Suspected Minor Injury	3	2	Passenger Car	Pickup,Panel Truck or Vanette under 10,000 lb	At Intersection and Related	Clear or Partly Cloudy	Dry	Daylight	Entering at angle	Going Straight Ahead	Going Straight Ahead	North	South	East	West	Disregard Stop Sign - Flashing Red		None	Lane of Primary Trafficway	#####	318920.18	
County Road	Benton	50180 - E Reata Road	2.855	50010 - S Bermuda Road	No	E563438	#####	16:01	No Apparent Injury	0	2	Pickup,Panel Truck or Vanette under 10,000 lb	Pickup,Panel Truck or Vanette under 10,000 lb	At Intersection and Related	Clear or Partly Cloudy	Dry	Daylight	Entering at angle	Going Straight Ahead	Going Straight Ahead	North	South	East	West	Disregard Stop Sign - Flashing Red		None	Lane of Primary Trafficway	#####	318920.18	
County Road	Benton	50180 - E Reata Road	2.860	50010 - S Bermuda Road	No	E676614	#####	07:22	Suspected Minor Injury	1	2	Pickup,Panel Truck or Vanette under 10,000 lb	Passenger Car	At Intersection and Related	Clear or Partly Cloudy	Dry	Daylight	Entering at angle	Going Straight Ahead	Going Straight Ahead	North	South	West	East	Disregard Stop Sign - Flashing Red		None	Lane of Primary Trafficway	#####	318920.17	
County Road	Benton	50180 - E Reata Road	2.860	50010 - S Bermuda Road	No	E736445	#####	07:38	No Apparent Injury	0	2	Pickup,Panel Truck or Vanette under 10,000 lb	Passenger Car	At Intersection and Related	Clear or Partly Cloudy	Dry	Daylight	Entering at angle	Going Straight Ahead	Making Left Turn	East	West	North	East	None	Did Not Grant RW to Vehicle		None	Lane of Primary Trafficway	#####	318920.17

Collision Rate Calculations at
N Clover Rd / S Bermuda Rd

Intersection: Date

Ra = System Wide Average accident rate =

K = Statistical Constant =

Average Daily cars passing Through intersection
ADT

M= Millions of Vehicles for a five year period =

Rc= Critical Accident Rate =

Accident Rate

Number of accidents =

Number of years =

Accident Rate =

$$R_c = R_a + (K \cdot R_a / M)^{.5} - 1 / (2 \cdot M)$$

ADT = 2020 PM Count X 10

PM Peak Hour= Approx. 10% ADT

Collision Rate Calculations at S Bermuda Rd / E Reata Rd

Intersection: S Bermuda Rd / E Reata Rd Date 4/24/2020

Ra = System Wide Average accident rate = 0.6

K = Statistical Constant = 1.645

Average Daily cars passing Through intersection
ADT 420

2040

290

1060

M= Millions of Vehicles for a five year period = 6.95325

Rc= Critical Accident Rate = 1.01

Accident Rate

Number of accidents = 10

Number of years = 5

Accident Rate = 1.44

$$R_c = R_a + (K \cdot R_a / M)^{.5} - 1 / (2 \cdot M)$$

ADT = 2020 PM Count X 10

PM Peak Hour= Approx. 10% ADT



February 4, 2019

Greg Johnson
Siena Hills Development, LLC
PO Box 344
Meridian, Idaho 83642

Via email: greg@westparkco.com

Regarding: Limited Soil Investigation Results
Richland Orchard Parcels
Benton County Tax Lot 134983000001005
South Bermuda Road
Kennewick, Washington 99336
PBS Project No. 66150.000

Dear Mr. Johnson:

PBS Engineering and Environmental Inc. (PBS) is pleased to submit this letter report that provides the findings of limited soil sampling and laboratory analysis completed for the above-referenced property. This work was done as part of site redevelopment plans.

PROJECT BACKGROUND

The subject property is a 98-acre tax lot in Benton County, Washington. It is currently active as an orchard, except for the easternmost portion of the subject property, which appears not to be in use. There are no permanent structures on the subject property. Aerial photographs indicate that the majority of the property was used as an orchard from the late 1970s or early 1980s until the present. Based on the aerial photography, the eastern side of the property across Bermuda Road was not used as an orchard until the mid-1980s or early 1990s, and this portion of the property was out of use as an orchard sometime between 2013 and 2017.

The use of regulated agricultural chemicals such as pesticides, herbicides, and fertilizers is considered an acceptable practice. However, spillage, mixing, or handling of these chemicals in bulk quantities or intense usage can result in hazardous soil conditions requiring remedial action in accordance with state or federal agencies. PBS did not encounter information indicating that these conditions existed on the subject property; however, based on the timeframe of active orchard use at the site, and the proposed development of the site for residential use, the former agricultural use posed a high concern for the presence of pesticide residues.

General Background on Pesticides

Organochlorines contain carbon, hydrogen, and chlorine. They were developed in the mid-1940s through the 1950s and tend to persist in the environment for decades. Key organochlorines include Dichloro-Diphenyl-Trichloroethane (DDT), chlordanes, toxaphene, aldrin, dieldrin, and endrin, all of which were banned for sale in the United States by the late 1980s.

Historically, orchard pesticides contained heavy metals such as arsenic and lead, as well as DDT. Lead arsenate (LA) was the most extensively used of the arsenical insecticides and its use was effectively terminated in 1948 when DDT became widely available to the public (Benson et al., 1968). All insecticidal uses of lead arsenate in the United

States were officially banned on August 1, 1988 (USEPA, 1988). Organochlorine pesticides have been found to persist in soil at levels that may present health risks, despite subsequent redevelopment of the property.

SITE INVESTIGATION

PBS' scope, as presented in the Proposal for Limited Soil Investigation (dated November 28, 2018) was to perform limited soil sampling to provide a screening-level assessment for the presence of residual organochlorine pesticides, lead and arsenic in shallow soil within the active orchard. This scope consisted of collecting samples on an approximate grid, set using a handheld GPS in the field, within the orchard area. PBS planned to collect samples at any visible indication of soil discoloration, but no staining or other indications were observed.

PBS conducted the sampling at the site on December 12 and 13, 2018. At the time of the field work the majority of the site was in use as an orchard. The eastern portion of the site was undeveloped and covered with sparse vegetation. Twenty samples were collected in an approximate grid pattern and sample locations were recorded by a handheld GPS unit. The sample locations are shown on Figure 2.

The soil samples were collected using hand tools from the surface to a depth of 6-inches. Soil throughout the area of sampling consisted of a dry light brown silt. Each sample was individually labeled and placed into laboratory-provided containers by PBS field personnel wearing new disposable nitrile gloves at each location. Hand tools were decontaminated between sampling sites.

The samples were placed on ice in a cooler until transported to the lab under chain of custody documentation. Samples were submitted to a Washington-accredited laboratory and analyzed for Pesticides by EPA Method 8081 and Total Lead and Arsenic by EPA Method 6010C.

REGULATORY CRITERIA

The Model Toxics Control Act (MTCA) Cleanup Regulation, chapter 173-340 WAC, sets forth the requirements and procedures for establishing cleanup levels that are protective of human health and the environment. To determine the appropriate screening criteria for concentrations of hazardous substances in soil under MTCA, the site use and pathways of potential concern should consider the potential for direct contact; exposure to wildlife and plants; and potential for leaching of contaminants into the groundwater.

Given that the project site is planned for development and the existing surface soils will be removed or capped during redevelopment, the direct contact is the likely pathway of concern.

1. Under the MTCA regulation the direct contact pathway is evaluated using MTCA Method A or B screening levels. The MTCA Method A soil cleanup standards (Table 740-1) are protective of human health and the environment and can be used for unrestricted land use application. Subsequent hazardous substances not included in the Method A list can be found in the CLARC Table for Method B and C screening criteria. Based on proposed site development, the Method A soil criteria is appropriate for this project.
2. Under the MTCA regulation, a terrestrial ecological evaluation (TEE) may be necessary if hazardous substances are released into the soils at a Site (WAC 173-340-7490 through 7494). The purpose of a TEE is to protect land-based plants and animals from exposure to contaminated soil. If necessary, the soil screening levels unrestricted land use for a TEE evaluation would be compared to concentrations presented in MTCA Table 749-2. Because this Site is planned for redevelopment, the site will have very little habitat or little opportunity for plants and animals to be exposed to the contamination and would be exempt from conducting further evaluation.

3. Under the MTCA regulation, when selecting a cleanup level for a chemical contaminate in soil, one criterion is to consider the potential for the contaminant to leach from soil into groundwater. Specifically, the concentrations of a hazardous substance in soil should not cause contamination of groundwater that exceeds cleanup levels established under WAC 173-340-720. This pathway is considered in addition to the direct-contact criterion that is based on ingestion of soil (and dermal absorption for modified Method B and C evaluations).

The results of the soil analyses were compared to the MTCA Method A soil cleanup levels for unrestricted land use (Table 740-1). The MTCA Method A cleanup levels are presented in Washington Administrative Code (WAC) 173-340, which includes common contaminants of concern. The only organochlorine pesticide listed in MTCA Method A is DDT. The soil sample data and relevant MTCA Method A cleanup levels for lead, arsenic, and DDT are presented in Table 1 in the attachments.

FINDINGS

No organochloride pesticides were detected above the laboratory reporting limits any of the twenty samples. Arsenic was detected above the lab reporting limit in three samples, but concentrations in these samples are consistent with local background levels. Lead was detected above the laboratory reporting limit in each sample, but concentrations are consistent with local background levels (Table 1).

Of the detected compounds, the concentrations are below the MTCA Method A cleanup levels of 20 mg/kg for arsenic and 250 mg/kg for lead. The analytical results are presented in Table 1. Laboratory analytical results are included as an attachment.

CONCLUSIONS

The site observations and laboratory results indicate that no organochloride pesticides were detected in the soil above laboratory detection limits. Arsenic and lead levels in soil are present at concentrations consistent with natural background levels and are below MTCA Method A cleanup levels.

RECOMMENDATIONS

PBS has the following recommendations:

- There is no indication of soil impacts at this Site that would prohibit unrestricted land use.
- PBS recommends that if soil staining or other evidence of contamination is uncovered during redevelopment activities, sampling and analysis of this suspect material should be completed prior to further construction activities.
- PBS recommends that Siena Hills Development keep this report as a permanent record of the site investigation that took place at the site

LIMITATIONS OF SCOPE

PBS has prepared this report for use by Siena Hills Development and is not intended for use by others without the written consent of PBS. The site as a whole may have other contamination that was not characterized by this study. The findings and conclusions of this work are not scientific certainties, but probabilities based on professional judgment concerning the significance of the data gathered during the course of this investigation.

PBS is not able to represent that the site or adjoining land contains no hazardous waste, oil, or other latent conditions beyond that detected or observed by PBS.

Please feel free to contact me at 509.942.1600 or angela.mcguire@pbsusa.com with any questions or comments.

Sincerely,

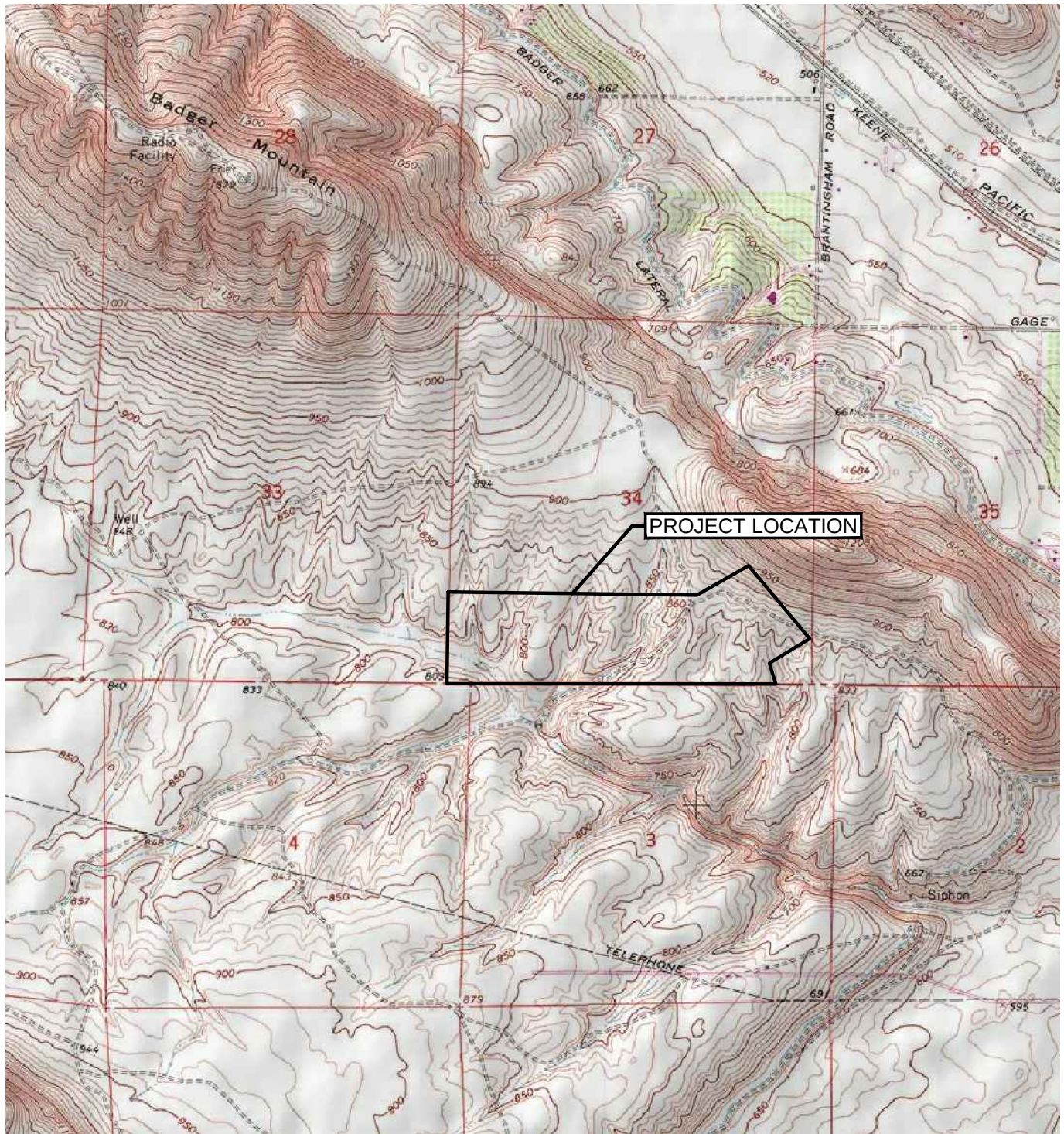
Angela McGuire, LG
Project Geologist

Thomas Mergy, LHG
PBS Senior Hydrogeologist

Attachments: Figure 1. Vicinity Map
 Figure 2. Site and Soil Sample Location Map

 Table 1. Summary of Soil Analytical Results

 Historical Aerial Photographs
 Pace Laboratory Analytical Report



SOURCE: USGS BADGER MOUNTAIN, WA QUADRANGLE 1970,
PHOTO REVISED 1978.



SCALE 1" = 2000'
0' 1,000' 2,000' 4,000'

PREPARED FOR: SIENA HILLS DEVELOPMENT, LLC

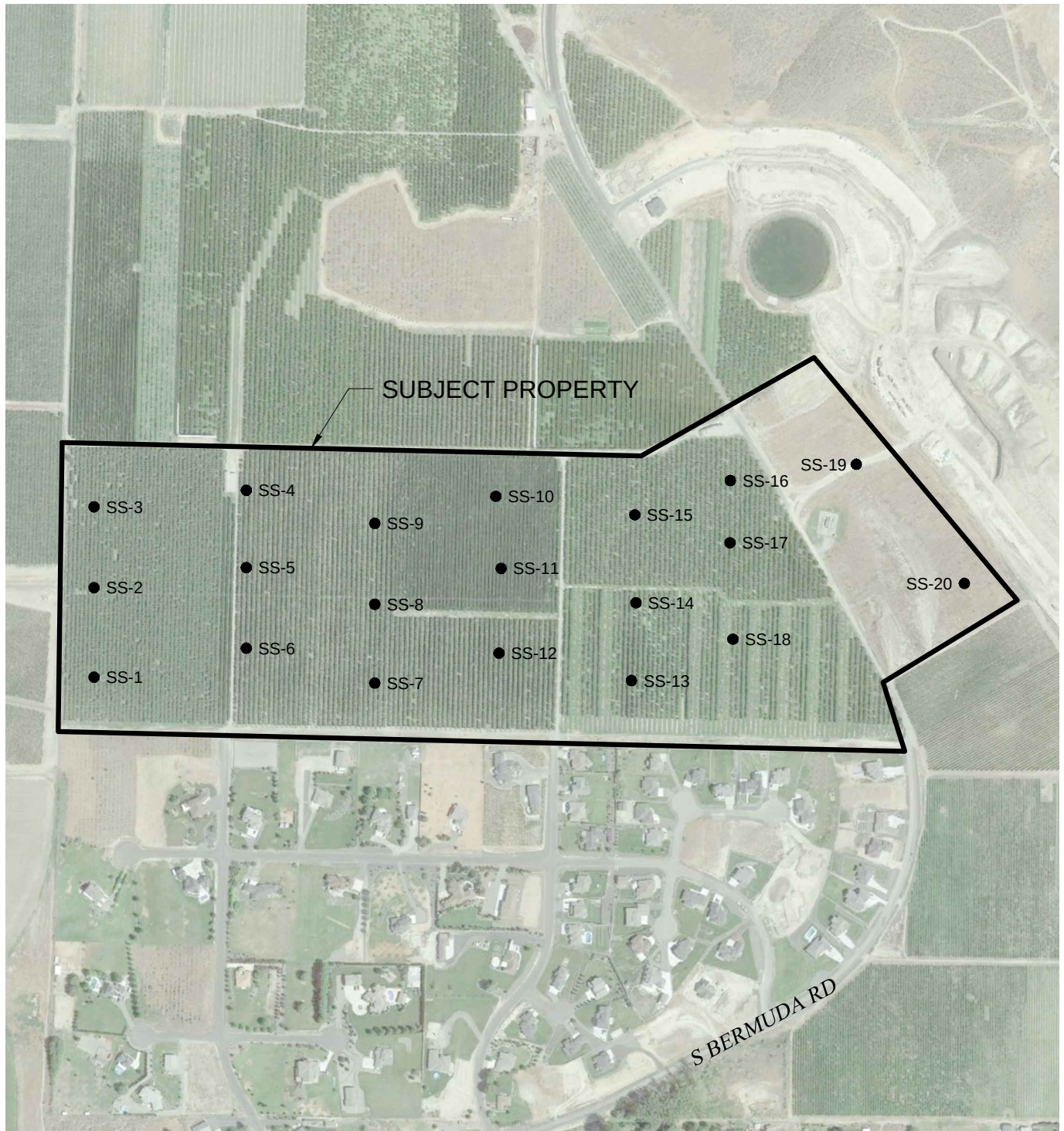


VICINITY MAP
BENTON COUNTY ORCHARD PARCELS
SOUTH BERMUDA ROAD
KENNEWICK, WASHINGTON

JAN 2019
66150.000

FIGURE

1



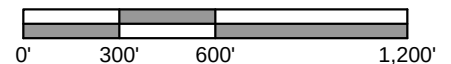
SOURCE: © 2018 GOOGLE EARTH PRO

LEGEND

- SS-1 SOIL SAMPLE NUMBER AND LOCATION



SCALE 1" = 600'



PREPARED FOR: SIENA HILLS DEVELOPMENT, LLC



SOIL ASSESSMENT SITE PLAN

BENTON COUNTY ORCHARD PARCELS
SOUTH BERMUDA ROAD
KENNEWICK, WASHINGTON

JAN 2019
66150.000

FIGURE

2

Summary of Soil Analytical Results
Benton County Tax Lot 134983000001005
Kennewick, Washington

Sample ID	Sample Date	Metals		Pesticides ^A (mg/kg)
		Arsenic (mg/kg)	Lead (mg/kg)	
SS-1-6	12/12/2018	ND	7.77	ND
SS-2-6	12/12/2018	2.98	8.92	ND
SS-3-6	12/12/2018	ND	7.85	ND
SS-4-6	12/12/2018	ND	9.29	ND
SS-5-6	12/12/2018	ND	9.16	ND
SS-6-6	12/12/2018	2.75	11.2	ND
SS-7-6	12/12/2018	3.40	9.52	ND
SS-8-6	12/12/2018	ND	9.86	ND
SS-9-6	12/12/2018	ND	9.04	ND
SS-10-6	12/12/2018	ND	9.21	ND
SS-11-6	12/12/2018	ND	9.24	ND
SS-12-6	12/12/2018	2.85	9.13	ND
SS-13-6	12/12/2018	ND	10.8	ND
SS-14-6	12/12/2018	ND	9.91	ND
SS-15-6	12/12/2018	ND	9.72	ND
SS-16-6	12/12/2018	ND	9.41	ND
SS-17-6	12/12/2018	ND	9.45	ND
SS-18-6	12/12/2018	ND	9.49	ND
SS-19-6	12/13/2018	ND	9.88	ND
SS-20-6	12/13/2018	ND	8.41	ND
MTCA Method A Soil Cleanup Levels		20	250	3 ^B
Regional Median Background Metals Concentrations ^C		2.95	7.82	NA

Samples taken in a grid pattern at depths of 0-6 in.

ND = Compound not detected above laboratory reporting limit.

NA = Not applicable.

^ASee laboratory report for full list of pesticides.

^BMethod A Cleanup Level for DDT only.

^CWashington Department of Ecology, Natural Background Soil Metals Concentrations in Washington State, Eastern Washington, October 1994.

Richland Orchards

South Bermuda Road

Kennewick, WA 99338

Inquiry Number: 5489381.1

November 21, 2018

The EDR Aerial Photo Decade Package



6 Armstrong Road, 4th floor
Shelton, CT 06484
Toll Free: 800.352.0050
www.edrnet.com

EDR Aerial Photo Decade Package

11/21/18

Site Name:

Richland Orchards
South Bermuda Road
Kennewick, WA 99338
EDR Inquiry # 5489381.1

Client Name:

PBS Engineering & Env.
400 Bradley Boulevard , Suite 300
Richland, WA 99352
Contact: Angela Mcguire



Environmental Data Resources, Inc. (EDR) Aerial Photo Decade Package is a screening tool designed to assist environmental professionals in evaluating potential liability on a target property resulting from past activities. EDR's professional researchers provide digitally reproduced historical aerial photographs, and when available, provide one photo per decade.

Search Results:

<u>Year</u>	<u>Scale</u>	<u>Details</u>	<u>Source</u>
2017	1"=625'	Flight Year: 2017	USDA/NAIP
2013	1"=625'	Flight Year: 2013	USDA/NAIP
2009	1"=625'	Flight Year: 2009	USDA/NAIP
2006	1"=625'	Flight Year: 2006	USDA/NAIP
1996	1"=625'	Acquisition Date: July 08, 1996	USGS/DOQQ
1991	1"=625'	Flight Date: July 02, 1991	USGS
1982	1"=625'	Flight Date: August 01, 1982	USDA
1976	1"=625'	Flight Date: July 01, 1976	USGS
1963	1"=625'	Flight Date: September 09, 1963	USGS
1952	1"=625'	Flight Date: October 17, 1952	USGS
1948	1"=625'	Flight Date: June 02, 1948	USGS

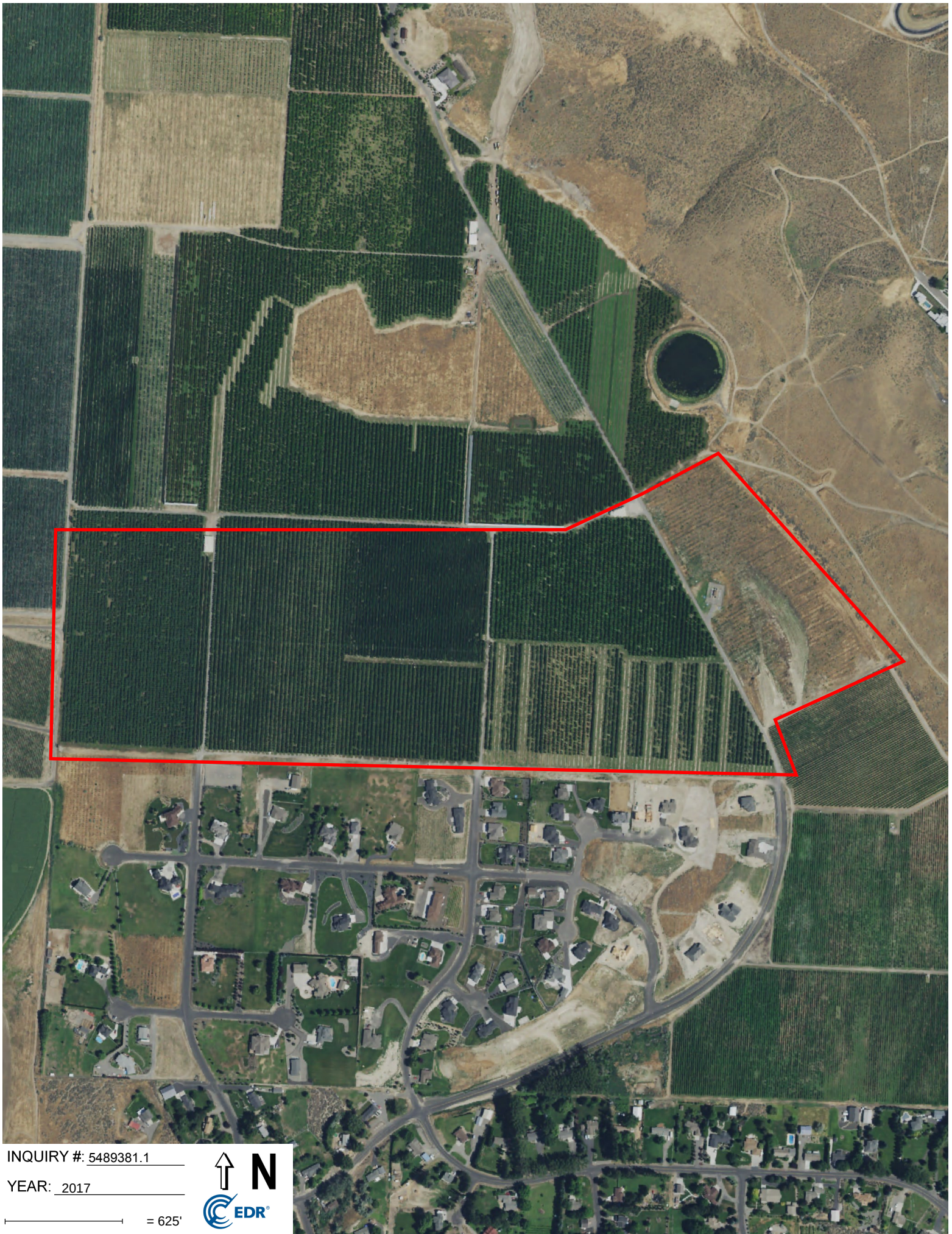
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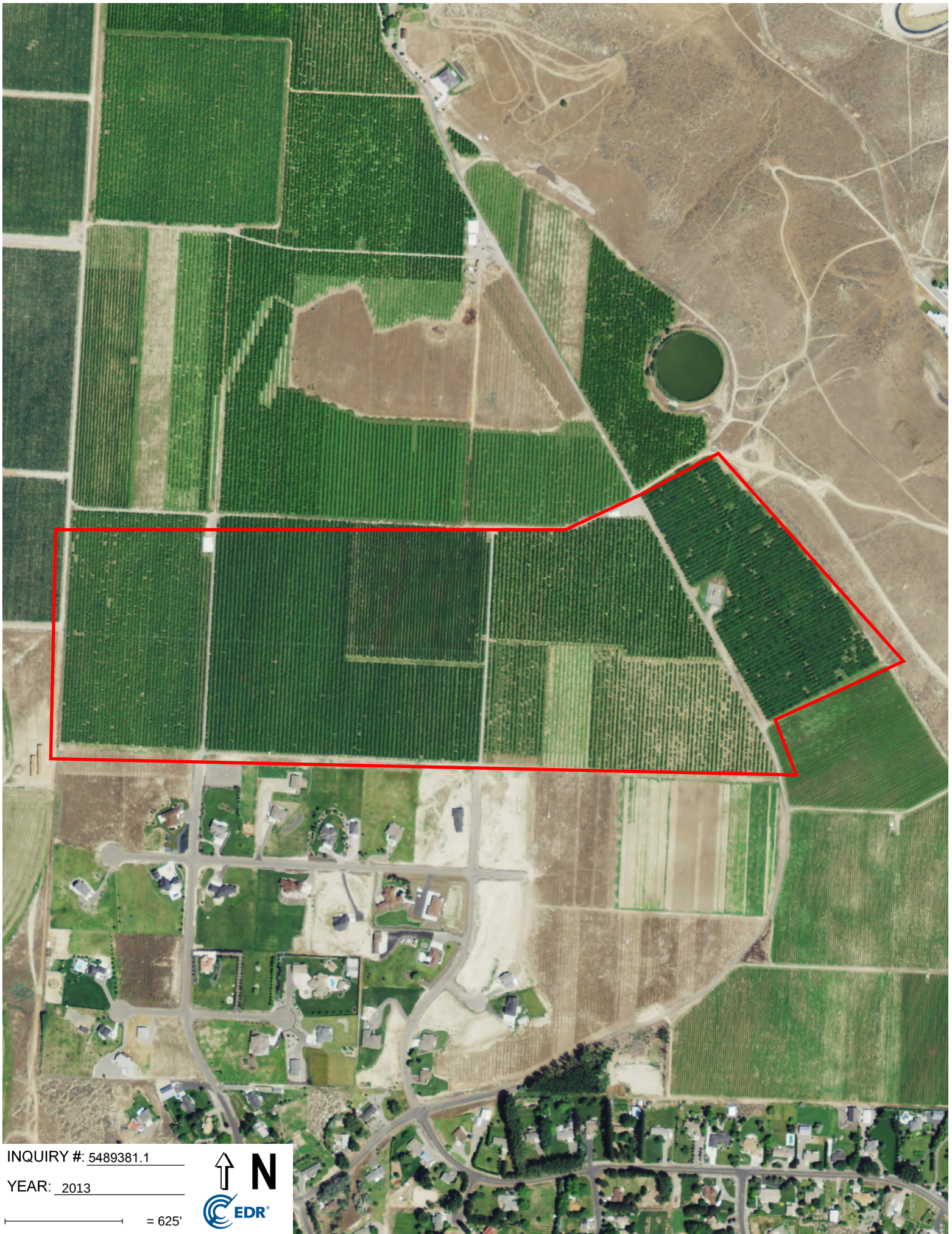


INQUIRY #: 5489381.1

YEAR: 2017

— = 625'



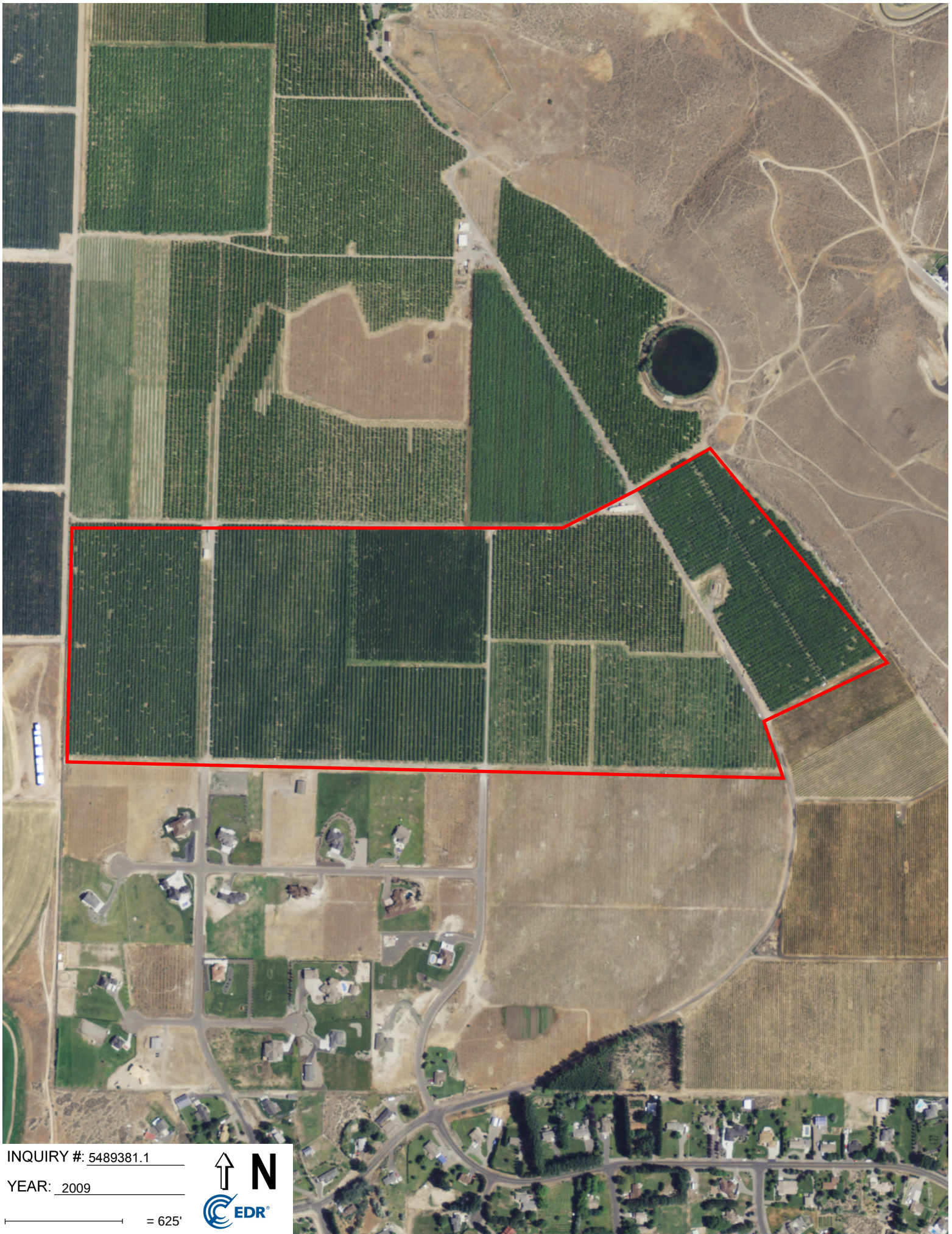


INQUIRY #: 5489381.1

YEAR: 2013

1" = 625'





INQUIRY #: 5489381.1

YEAR: 2009

1" = 625'





INQUIRY #: 5489381.1

YEAR: 2006

— = 625'





INQUIRY #: 5489381.1

YEAR: 1996

— = 625'



Subject boundary not shown because it exceeds image extent or image is not georeferenced.



INQUIRY #: 5489381.1

YEAR: 1991

— = 625'





INQUIRY #: 5489381.1

YEAR: 1982

— = 625'



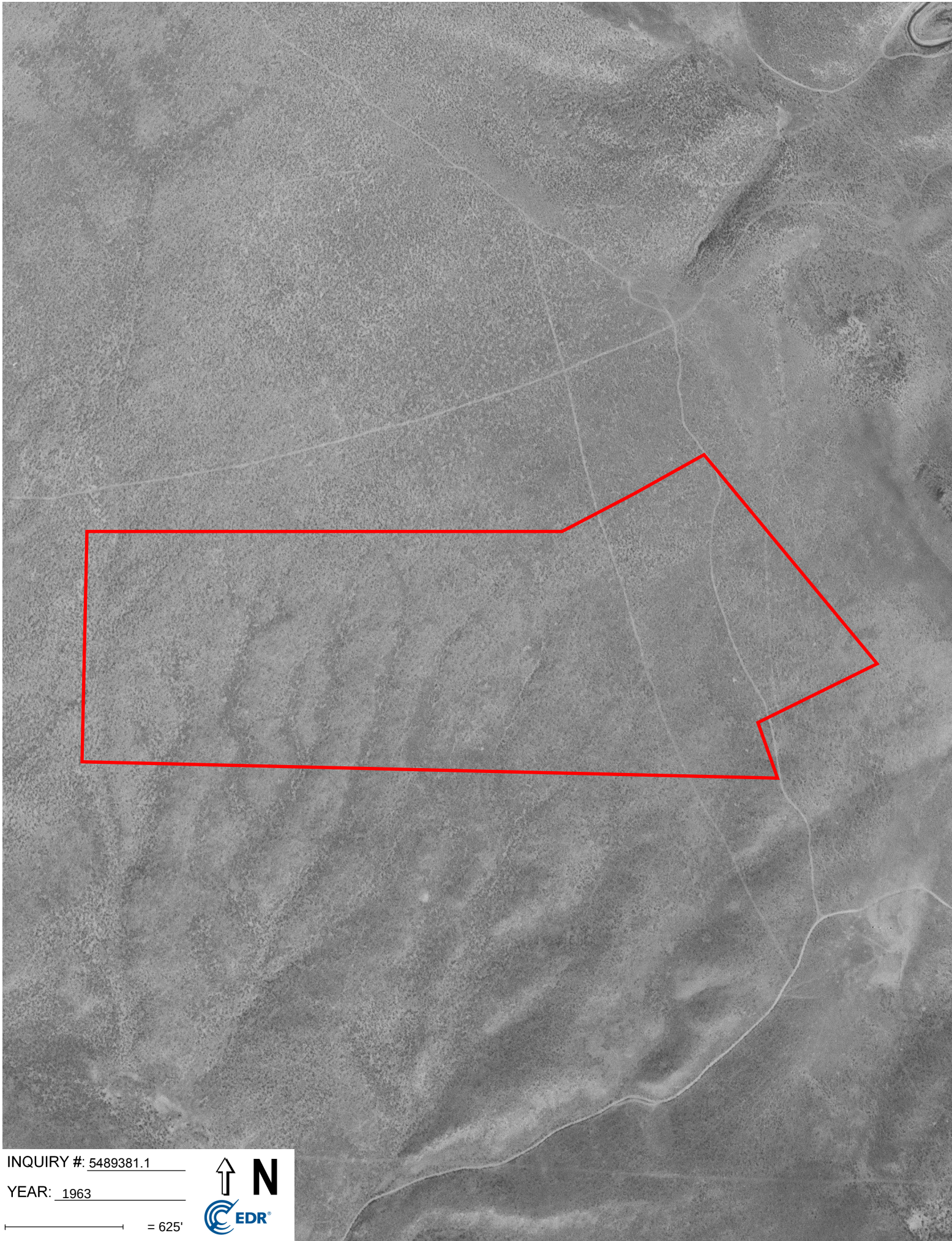


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YEAR: 1976

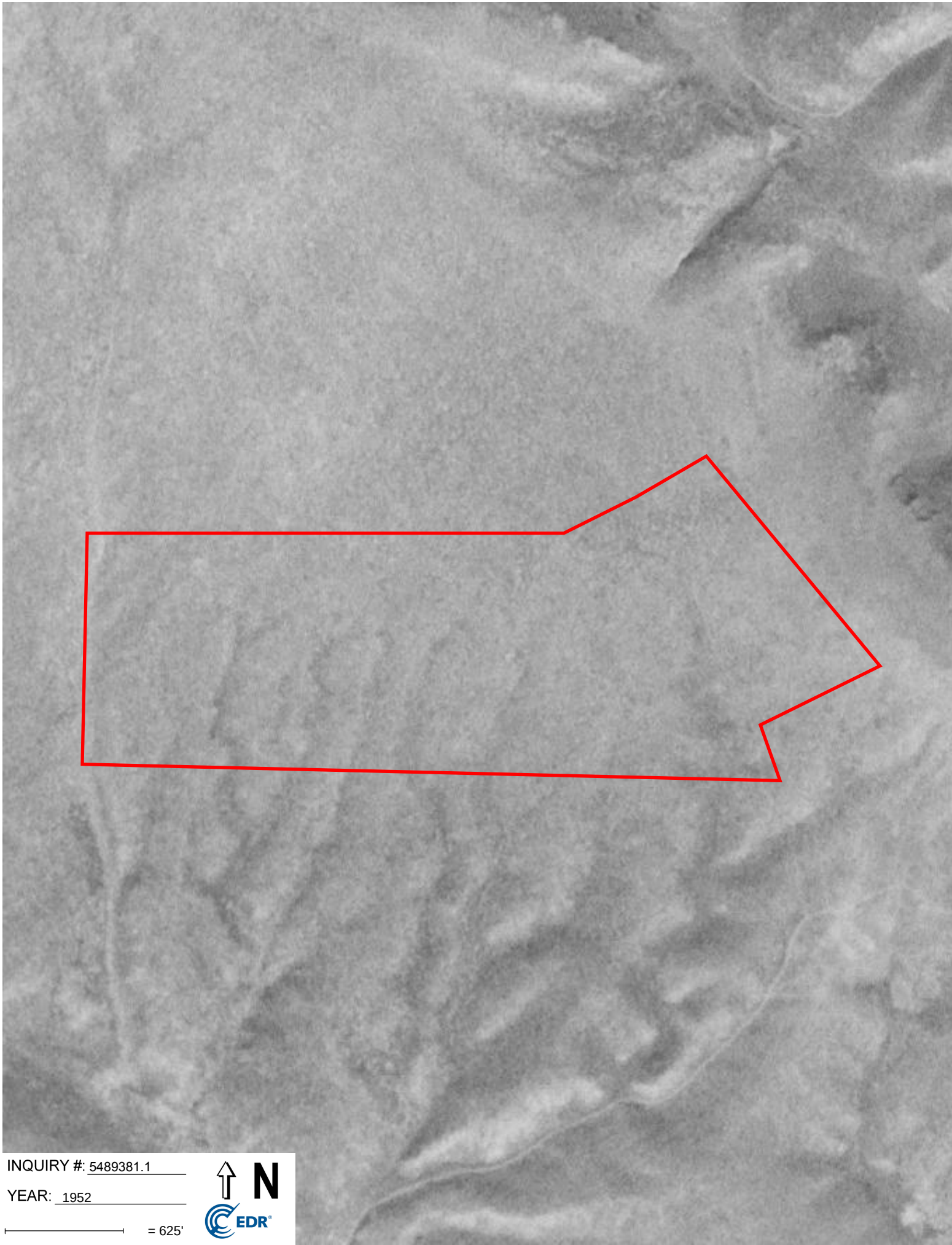
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YEAR: 1963



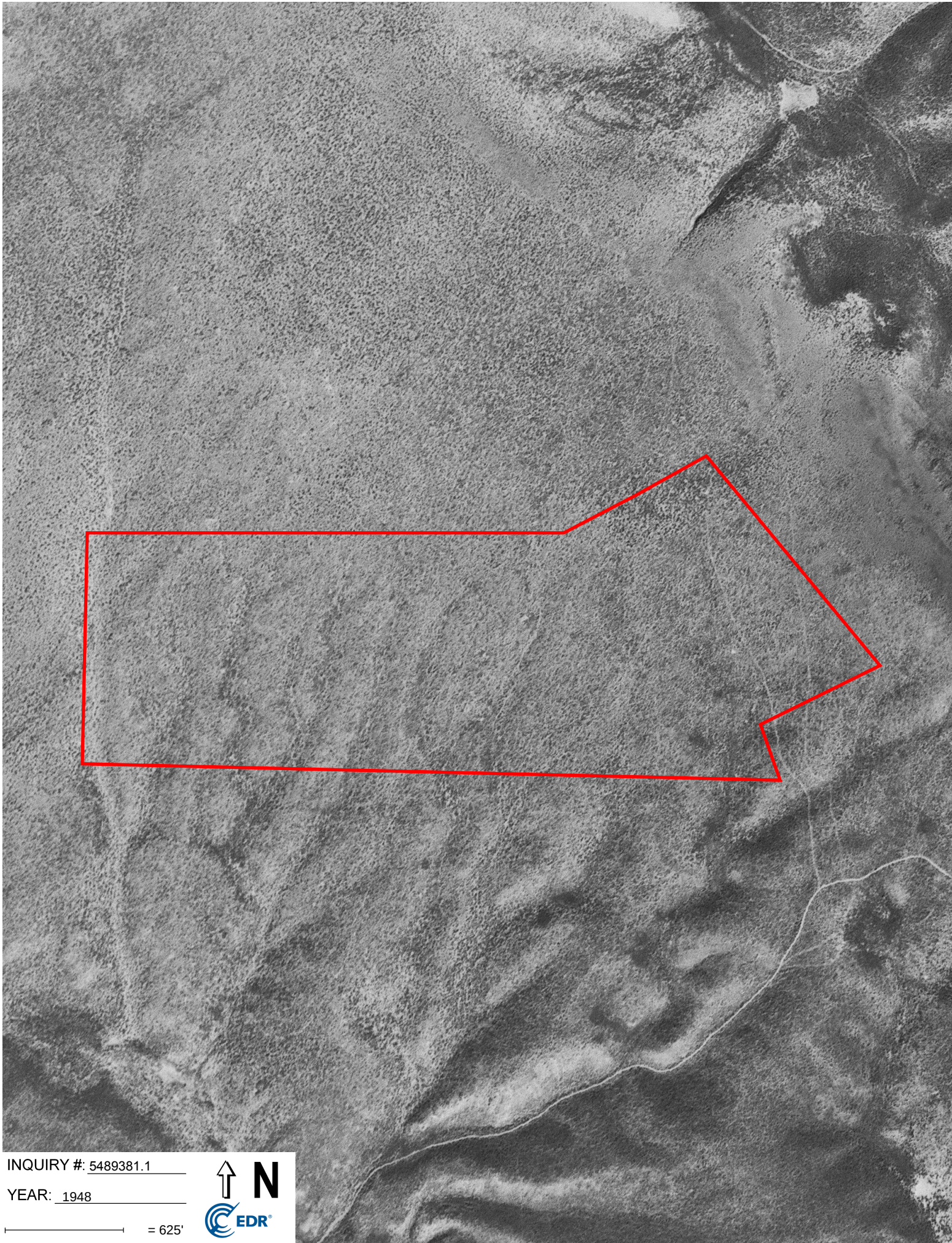


INQUIRY #: 5489381.1

YEAR: 1952

_____ = 625'





INQUIRY #: 5489381.1

YEAR: 1948

— = 625'



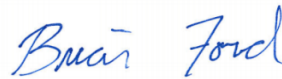
December 24, 2018

PBS Engineering & Env.- WA

Sample Delivery Group: L1053387
Samples Received: 12/14/2018
Project Number: 66150
Description: Richland Orchards

Report To: Angela McGuire
400 Bradley Blvd
Suite 106
Richland, WA 99352

Entire Report Reviewed By:



Brian Ford
Project Manager

Results relate only to the items tested or calibrated and are reported as rounded values. This test report shall not be reproduced, except in full, without written approval of the laboratory. Where applicable, sampling conducted by Pace National is performed per guidance provided in laboratory standard operating procedures: 060302, 060303, and 060304.



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¹ Cp

² Tc

³ Ss

⁴ Cn

⁵ Sr

⁶ Qc

⁷ Gl

⁸ Al

⁹ Sc



SS-1-6 L1053387-01 Solid

Collected by
Angela McGuire

Collected date/time
12/12/18 10:11

Received date/time
12/14/18 08:30

Method	Batch	Dilution	Preparation date/time	Analysis date/time	Analyst
Total Solids by Method 2540 G-2011	WG1211423	1	12/17/18 13:55	12/17/18 14:04	JD
Metals (ICP) by Method 6010D	WG1211653	1	12/16/18 08:01	12/17/18 17:09	ST
Pesticides (GC) by Method 8081B	WG1211736	1	12/17/18 09:05	12/17/18 18:38	VKS

¹ Cp² Tc³ Ss⁴ Cn⁵ Sr⁶ Qc⁷ Gl⁸ Al⁹ Sc

SS-2-6 L1053387-02 Solid

Collected by
Angela McGuire

Collected date/time
12/12/18 10:44

Received date/time
12/14/18 08:30

Method	Batch	Dilution	Preparation date/time	Analysis date/time	Analyst
Total Solids by Method 2540 G-2011	WG1211423	1	12/17/18 13:55	12/17/18 14:04	JD
Metals (ICP) by Method 6010D	WG1211653	1	12/16/18 08:01	12/17/18 17:12	ST
Pesticides (GC) by Method 8081B	WG1211736	1	12/17/18 09:05	12/17/18 18:53	VKS

SS-3-6 L1053387-03 Solid

Collected by
Angela McGuire

Collected date/time
12/12/18 11:10

Received date/time
12/14/18 08:30

Method	Batch	Dilution	Preparation date/time	Analysis date/time	Analyst
Total Solids by Method 2540 G-2011	WG1211423	1	12/17/18 13:55	12/17/18 14:04	JD
Metals (ICP) by Method 6010D	WG1211653	1	12/16/18 08:01	12/17/18 17:19	ST
Pesticides (GC) by Method 8081B	WG1211736	1	12/17/18 09:05	12/17/18 19:08	VKS

SS-4-6 L1053387-04 Solid

Collected by
Angela McGuire

Collected date/time
12/12/18 11:25

Received date/time
12/14/18 08:30

Method	Batch	Dilution	Preparation date/time	Analysis date/time	Analyst
Total Solids by Method 2540 G-2011	WG1211423	1	12/17/18 13:55	12/17/18 14:04	JD
Metals (ICP) by Method 6010D	WG1211653	1	12/16/18 08:01	12/17/18 17:22	ST
Pesticides (GC) by Method 8081B	WG1211736	1	12/17/18 09:05	12/17/18 19:23	VKS

SS-5-6 L1053387-05 Solid

Collected by
Angela McGuire

Collected date/time
12/12/18 11:37

Received date/time
12/14/18 08:30

Method	Batch	Dilution	Preparation date/time	Analysis date/time	Analyst
Total Solids by Method 2540 G-2011	WG1211424	1	12/17/18 13:44	12/17/18 13:52	JD
Metals (ICP) by Method 6010D	WG1211653	1	12/16/18 08:01	12/17/18 17:24	ST
Pesticides (GC) by Method 8081B	WG1211736	1	12/17/18 09:05	12/17/18 19:37	VKS

SS-6-6 L1053387-06 Solid

Collected by
Angela McGuire

Collected date/time
12/12/18 11:48

Received date/time
12/14/18 08:30

Method	Batch	Dilution	Preparation date/time	Analysis date/time	Analyst
Total Solids by Method 2540 G-2011	WG1211424	1	12/17/18 13:44	12/17/18 13:52	JD
Metals (ICP) by Method 6010D	WG1211653	1	12/16/18 08:01	12/17/18 17:27	ST
Pesticides (GC) by Method 8081B	WG1211736	1	12/17/18 09:05	12/17/18 19:52	VKS



SS-7-6 L1053387-07 Solid

			Collected by	Collected date/time	Received date/time
			Angela McGuire	12/12/18 12:43	12/14/18 08:30
Method	Batch	Dilution	Preparation date/time	Analysis date/time	Analyst
Total Solids by Method 2540 G-2011	WG1211424	1	12/17/18 13:44	12/17/18 13:52	JD
Metals (ICP) by Method 6010D	WG1211653	1	12/16/18 08:01	12/17/18 17:29	ST
Pesticides (GC) by Method 8081B	WG1211736	1	12/17/18 09:05	12/17/18 20:07	VKS

¹ Cp² Tc³ Ss

SS-8-6 L1053387-08 Solid

			Collected by	Collected date/time	Received date/time
			Angela McGuire	12/12/18 12:51	12/14/18 08:30
Method	Batch	Dilution	Preparation date/time	Analysis date/time	Analyst
Total Solids by Method 2540 G-2011	WG1211424	1	12/17/18 13:44	12/17/18 13:52	JD
Metals (ICP) by Method 6010D	WG1211653	1	12/16/18 08:01	12/17/18 17:32	ST
Pesticides (GC) by Method 8081B	WG1211736	1	12/17/18 09:05	12/17/18 20:51	VKS

⁴ Cn⁵ Sr⁶ Qc

SS-9-6 L1053387-09 Solid

			Collected by	Collected date/time	Received date/time
			Angela McGuire	12/12/18 13:03	12/14/18 08:30
Method	Batch	Dilution	Preparation date/time	Analysis date/time	Analyst
Total Solids by Method 2540 G-2011	WG1211424	1	12/17/18 13:44	12/17/18 13:52	JD
Metals (ICP) by Method 6010D	WG1211653	1	12/16/18 08:01	12/17/18 17:34	ST
Pesticides (GC) by Method 8081B	WG1211736	1	12/17/18 09:05	12/17/18 21:06	VKS

⁷ Gl⁸ Al⁹ Sc

SS-10-6 L1053387-10 Solid

			Collected by	Collected date/time	Received date/time
			Angela McGuire	12/12/18 13:17	12/14/18 08:30
Method	Batch	Dilution	Preparation date/time	Analysis date/time	Analyst
Total Solids by Method 2540 G-2011	WG1211424	1	12/17/18 13:44	12/17/18 13:52	JD
Metals (ICP) by Method 6010D	WG1211653	1	12/16/18 08:01	12/17/18 17:37	ST
Pesticides (GC) by Method 8081B	WG1211736	1	12/17/18 09:05	12/17/18 21:21	VKS

SS-11-6 L1053387-11 Solid

			Collected by	Collected date/time	Received date/time
			Angela McGuire	12/12/18 13:27	12/14/18 08:30
Method	Batch	Dilution	Preparation date/time	Analysis date/time	Analyst
Total Solids by Method 2540 G-2011	WG1211424	1	12/17/18 13:44	12/17/18 13:52	JD
Metals (ICP) by Method 6010D	WG1211653	1	12/16/18 08:01	12/17/18 16:57	ST
Pesticides (GC) by Method 8081B	WG1211736	1	12/17/18 09:05	12/17/18 21:35	VKS

SS-12-6 L1053387-12 Solid

			Collected by	Collected date/time	Received date/time
			Angela McGuire	12/12/18 13:38	12/14/18 08:30
Method	Batch	Dilution	Preparation date/time	Analysis date/time	Analyst
Total Solids by Method 2540 G-2011	WG1211424	1	12/17/18 13:44	12/17/18 13:52	JD
Metals (ICP) by Method 6010D	WG1211653	1	12/16/18 08:01	12/17/18 17:39	ST
Pesticides (GC) by Method 8081B	WG1213431	1	12/20/18 06:58	12/21/18 00:15	TD



SS-13-6 L1053387-13 Solid

			Collected by	Collected date/time	Received date/time
			Angela McGuire	12/12/18 14:18	12/14/18 08:30
Method	Batch	Dilution	Preparation date/time	Analysis date/time	Analyst
Total Solids by Method 2540 G-2011	WG1211424	1	12/17/18 13:44	12/17/18 13:52	JD
Metals (ICP) by Method 6010D	WG1211653	1	12/16/18 08:01	12/17/18 17:42	ST
Pesticides (GC) by Method 8081B	WG1212395	1	12/18/18 09:39	12/19/18 12:44	RP

¹ Cp² Tc³ Ss

SS-14-6 L1053387-14 Solid

			Collected by	Collected date/time	Received date/time
			Angela McGuire	12/12/18 14:28	12/14/18 08:30
Method	Batch	Dilution	Preparation date/time	Analysis date/time	Analyst
Total Solids by Method 2540 G-2011	WG1211424	1	12/17/18 13:44	12/17/18 13:52	JD
Metals (ICP) by Method 6010D	WG1211653	1	12/16/18 08:01	12/17/18 17:50	ST
Pesticides (GC) by Method 8081B	WG1212395	1	12/18/18 09:39	12/19/18 12:56	RP

⁴ Cn⁵ Sr⁶ Qc

SS-15-6 L1053387-15 Solid

			Collected by	Collected date/time	Received date/time
			Angela McGuire	12/12/18 14:38	12/14/18 08:30
Method	Batch	Dilution	Preparation date/time	Analysis date/time	Analyst
Total Solids by Method 2540 G-2011	WG1211857	1	12/17/18 10:21	12/17/18 10:31	JD
Metals (ICP) by Method 6010D	WG1211653	1	12/16/18 08:01	12/17/18 17:52	ST
Pesticides (GC) by Method 8081B	WG1212395	1	12/18/18 09:39	12/19/18 13:09	RP

⁷ Gl⁸ Al⁹ Sc

SS-16-6 L1053387-16 Solid

			Collected by	Collected date/time	Received date/time
			Angela McGuire	12/12/18 14:50	12/14/18 08:30
Method	Batch	Dilution	Preparation date/time	Analysis date/time	Analyst
Total Solids by Method 2540 G-2011	WG1211857	1	12/17/18 10:21	12/17/18 10:31	JD
Metals (ICP) by Method 6010D	WG1211653	1	12/16/18 08:01	12/17/18 17:55	ST
Pesticides (GC) by Method 8081B	WG1212395	1	12/18/18 09:39	12/19/18 13:21	RP

SS-17-6 L1053387-17 Solid

			Collected by	Collected date/time	Received date/time
			Angela McGuire	12/12/18 15:01	12/14/18 08:30
Method	Batch	Dilution	Preparation date/time	Analysis date/time	Analyst
Total Solids by Method 2540 G-2011	WG1211857	1	12/17/18 10:21	12/17/18 10:31	JD
Metals (ICP) by Method 6010D	WG1211653	1	12/16/18 08:01	12/17/18 17:57	ST
Pesticides (GC) by Method 8081B	WG1212395	1	12/18/18 09:39	12/19/18 13:34	RP

SS-18-6 L1053387-18 Solid

			Collected by	Collected date/time	Received date/time
			Angela McGuire	12/12/18 15:08	12/14/18 08:30
Method	Batch	Dilution	Preparation date/time	Analysis date/time	Analyst
Total Solids by Method 2540 G-2011	WG1211857	1	12/17/18 10:21	12/17/18 10:31	JD
Metals (ICP) by Method 6010D	WG1211653	1	12/16/18 08:01	12/17/18 18:00	ST
Pesticides (GC) by Method 8081B	WG1212395	1	12/18/18 09:39	12/19/18 14:11	RP



SS-19-6 L1053387-19 Solid

Collected by
Angela McGuireCollected date/time
12/13/18 10:23Received date/time
12/14/18 08:30

Method	Batch	Dilution	Preparation date/time	Analysis date/time	Analyst
Total Solids by Method 2540 G-2011	WG1211857	1	12/17/18 10:21	12/17/18 10:31	JD
Metals (ICP) by Method 6010D	WG1211653	1	12/16/18 08:01	12/17/18 18:02	ST
Pesticides (GC) by Method 8081B	WG1212395	1	12/18/18 09:39	12/19/18 14:24	RP

¹Cp²Tc³Ss⁴Cn⁵Sr⁶Qc⁷Gl⁸Al⁹Sc

SS-20-6 L1053387-20 Solid

Collected by
Angela McGuireCollected date/time
12/13/18 10:46Received date/time
12/14/18 08:30

Method	Batch	Dilution	Preparation date/time	Analysis date/time	Analyst
Total Solids by Method 2540 G-2011	WG1211907	1	12/17/18 12:43	12/17/18 12:55	JD
Metals (ICP) by Method 6010D	WG1211653	1	12/16/18 08:01	12/17/18 18:05	ST
Pesticides (GC) by Method 8081B	WG1212395	1	12/18/18 09:39	12/19/18 14:36	RP



All sample aliquots were received at the correct temperature, in the proper containers, with the appropriate preservatives, and within method specified holding times, unless qualified or notated within the report. Where applicable, all MDL (LOD) and RDL (LOQ) values reported for environmental samples have been corrected for the dilution factor used in the analysis. All Method and Batch Quality Control are within established criteria except where addressed in this case narrative, a non-conformance form or properly qualified within the sample results. By my digital signature below, I affirm to the best of my knowledge, all problems/anomalies observed by the laboratory as having the potential to affect the quality of the data have been identified by the laboratory, and no information or data have been knowingly withheld that would affect the quality of the data.

Brian Ford
Project Manager

¹ Cp

² Tc

³ Ss

⁴ Cn

⁵ Sr

⁶ Qc

⁷ Gl

⁸ Al

⁹ Sc



Total Solids by Method 2540 G-2011

Analyte	Result	Qualifier	Dilution	Analysis	Batch
	%			date / time	
Total Solids	73.7		1	12/17/2018 14:04	WG1211423

Metals (ICP) by Method 6010D

Analyte	Result (dry)	Qualifier	RDL (dry)	Dilution	Analysis	Batch
	mg/kg		mg/kg		date / time	
Arsenic	ND		2.72	1	12/17/2018 17:09	WG1211653
Lead	7.77		0.679	1	12/17/2018 17:09	WG1211653

Pesticides (GC) by Method 8081B

Analyte	Result (dry)	Qualifier	RDL (dry)	Dilution	Analysis	Batch
	mg/kg		mg/kg		date / time	
Aldrin	ND		0.0272	1	12/17/2018 18:38	WG1211736
Alpha BHC	ND		0.0272	1	12/17/2018 18:38	WG1211736
Beta BHC	ND		0.0272	1	12/17/2018 18:38	WG1211736
Delta BHC	ND		0.0272	1	12/17/2018 18:38	WG1211736
Gamma BHC	ND		0.0272	1	12/17/2018 18:38	WG1211736
Chlordane	ND		0.272	1	12/17/2018 18:38	WG1211736
4,4-DDD	ND		0.0272	1	12/17/2018 18:38	WG1211736
4,4-DDE	ND		0.0272	1	12/17/2018 18:38	WG1211736
4,4-DDT	ND		0.0272	1	12/17/2018 18:38	WG1211736
Dieldrin	ND		0.0272	1	12/17/2018 18:38	WG1211736
Endosulfan I	ND		0.0272	1	12/17/2018 18:38	WG1211736
Endosulfan II	ND		0.0272	1	12/17/2018 18:38	WG1211736
Endosulfan sulfate	ND		0.0272	1	12/17/2018 18:38	WG1211736
Endrin	ND		0.0272	1	12/17/2018 18:38	WG1211736
Endrin aldehyde	ND		0.0272	1	12/17/2018 18:38	WG1211736
Endrin ketone	ND		0.0272	1	12/17/2018 18:38	WG1211736
Hexachlorobenzene	ND		0.0272	1	12/17/2018 18:38	WG1211736
Heptachlor	ND		0.0272	1	12/17/2018 18:38	WG1211736
Heptachlor epoxide	ND		0.0272	1	12/17/2018 18:38	WG1211736
Methoxychlor	ND		0.0272	1	12/17/2018 18:38	WG1211736
Toxaphene	ND		0.543	1	12/17/2018 18:38	WG1211736
(S) Decachlorobiphenyl	107		10.0-135		12/17/2018 18:38	WG1211736
(S) Tetrachloro-m-xylene	103		10.0-139		12/17/2018 18:38	WG1211736

1 Cp

2 Tc

3 Ss

4 Cn

5 Sr

6 Qc

7 Gl

8 Al

9 Sc



Total Solids by Method 2540 G-2011

Analyte	Result	Qualifier	Dilution	Analysis date / time	Batch
Total Solids	84.4		1	12/17/2018 14:04	WG1211423

Metals (ICP) by Method 6010D

Analyte	Result (dry)	Qualifier	RDL (dry)	Dilution	Analysis date / time	Batch
Arsenic	2.98		2.37	1	12/17/2018 17:12	WG1211653
Lead	8.92		0.593	1	12/17/2018 17:12	WG1211653

Pesticides (GC) by Method 8081B

Analyte	Result (dry)	Qualifier	RDL (dry)	Dilution	Analysis date / time	Batch
Aldrin	ND		0.0237	1	12/17/2018 18:53	WG1211736
Alpha BHC	ND		0.0237	1	12/17/2018 18:53	WG1211736
Beta BHC	ND		0.0237	1	12/17/2018 18:53	WG1211736
Delta BHC	ND		0.0237	1	12/17/2018 18:53	WG1211736
Gamma BHC	ND		0.0237	1	12/17/2018 18:53	WG1211736
Chlordane	ND		0.237	1	12/17/2018 18:53	WG1211736
4,4-DDD	ND		0.0237	1	12/17/2018 18:53	WG1211736
4,4-DDE	ND		0.0237	1	12/17/2018 18:53	WG1211736
4,4-DDT	ND		0.0237	1	12/17/2018 18:53	WG1211736
Dieldrin	ND		0.0237	1	12/17/2018 18:53	WG1211736
Endosulfan I	ND		0.0237	1	12/17/2018 18:53	WG1211736
Endosulfan II	ND		0.0237	1	12/17/2018 18:53	WG1211736
Endosulfan sulfate	ND		0.0237	1	12/17/2018 18:53	WG1211736
Endrin	ND		0.0237	1	12/17/2018 18:53	WG1211736
Endrin aldehyde	ND		0.0237	1	12/17/2018 18:53	WG1211736
Endrin ketone	ND		0.0237	1	12/17/2018 18:53	WG1211736
Hexachlorobenzene	ND		0.0237	1	12/17/2018 18:53	WG1211736
Heptachlor	ND		0.0237	1	12/17/2018 18:53	WG1211736
Heptachlor epoxide	ND		0.0237	1	12/17/2018 18:53	WG1211736
Methoxychlor	ND		0.0237	1	12/17/2018 18:53	WG1211736
Toxaphene	ND		0.474	1	12/17/2018 18:53	WG1211736
(S) Decachlorobiphenyl	79.5		10.0-135		12/17/2018 18:53	WG1211736
(S) Tetrachloro-m-xylene	77.4		10.0-139		12/17/2018 18:53	WG1211736

1 Cp

2 Tc

3 Ss

4 Cn

5 Sr

6 Qc

7 Gl

8 Al

9 Sc



Total Solids by Method 2540 G-2011

Analyte	Result	Qualifier	Dilution	Analysis	Batch
	%			date / time	
Total Solids	82.9		1	12/17/2018 14:04	WG1211423

Metals (ICP) by Method 6010D

Analyte	Result (dry)	Qualifier	RDL (dry)	Dilution	Analysis	Batch
	mg/kg		mg/kg		date / time	
Arsenic	ND		2.41	1	12/17/2018 17:19	WG1211653
Lead	7.85		0.603	1	12/17/2018 17:19	WG1211653

Pesticides (GC) by Method 8081B

Analyte	Result (dry)	Qualifier	RDL (dry)	Dilution	Analysis	Batch
	mg/kg		mg/kg		date / time	
Aldrin	ND		0.0241	1	12/17/2018 19:08	WG1211736
Alpha BHC	ND		0.0241	1	12/17/2018 19:08	WG1211736
Beta BHC	ND		0.0241	1	12/17/2018 19:08	WG1211736
Delta BHC	ND		0.0241	1	12/17/2018 19:08	WG1211736
Gamma BHC	ND		0.0241	1	12/17/2018 19:08	WG1211736
Chlordane	ND		0.241	1	12/17/2018 19:08	WG1211736
4,4-DDD	ND		0.0241	1	12/17/2018 19:08	WG1211736
4,4-DDE	ND		0.0241	1	12/17/2018 19:08	WG1211736
4,4-DDT	ND		0.0241	1	12/17/2018 19:08	WG1211736
Dieldrin	ND		0.0241	1	12/17/2018 19:08	WG1211736
Endosulfan I	ND		0.0241	1	12/17/2018 19:08	WG1211736
Endosulfan II	ND		0.0241	1	12/17/2018 19:08	WG1211736
Endosulfan sulfate	ND		0.0241	1	12/17/2018 19:08	WG1211736
Endrin	ND		0.0241	1	12/17/2018 19:08	WG1211736
Endrin aldehyde	ND		0.0241	1	12/17/2018 19:08	WG1211736
Endrin ketone	ND		0.0241	1	12/17/2018 19:08	WG1211736
Hexachlorobenzene	ND		0.0241	1	12/17/2018 19:08	WG1211736
Heptachlor	ND		0.0241	1	12/17/2018 19:08	WG1211736
Heptachlor epoxide	ND		0.0241	1	12/17/2018 19:08	WG1211736
Methoxychlor	ND		0.0241	1	12/17/2018 19:08	WG1211736
Toxaphene	ND		0.483	1	12/17/2018 19:08	WG1211736
(S) Decachlorobiphenyl	85.7		10.0-135		12/17/2018 19:08	WG1211736
(S) Tetrachloro-m-xylene	80.7		10.0-139		12/17/2018 19:08	WG1211736

1 Cp

2 Tc

3 Ss

4 Cn

5 Sr

6 Qc

7 Gl

8 Al

9 Sc



Total Solids by Method 2540 G-2011

Analyte	Result	Qualifier	Dilution	Analysis	Batch
	%			date / time	
Total Solids	82.5		1	12/17/2018 14:04	WG1211423

Metals (ICP) by Method 6010D

Analyte	Result (dry)	Qualifier	RDL (dry)	Dilution	Analysis	Batch
	mg/kg		mg/kg		date / time	
Arsenic	ND		2.42	1	12/17/2018 17:22	WG1211653
Lead	9.29		0.606	1	12/17/2018 17:22	WG1211653

Pesticides (GC) by Method 8081B

Analyte	Result (dry)	Qualifier	RDL (dry)	Dilution	Analysis	Batch
	mg/kg		mg/kg		date / time	
Aldrin	ND		0.0242	1	12/17/2018 19:23	WG1211736
Alpha BHC	ND		0.0242	1	12/17/2018 19:23	WG1211736
Beta BHC	ND		0.0242	1	12/17/2018 19:23	WG1211736
Delta BHC	ND		0.0242	1	12/17/2018 19:23	WG1211736
Gamma BHC	ND		0.0242	1	12/17/2018 19:23	WG1211736
Chlordane	ND		0.242	1	12/17/2018 19:23	WG1211736
4,4-DDD	ND		0.0242	1	12/17/2018 19:23	WG1211736
4,4-DDE	ND		0.0242	1	12/17/2018 19:23	WG1211736
4,4-DDT	ND		0.0242	1	12/17/2018 19:23	WG1211736
Dieldrin	ND		0.0242	1	12/17/2018 19:23	WG1211736
Endosulfan I	ND		0.0242	1	12/17/2018 19:23	WG1211736
Endosulfan II	ND		0.0242	1	12/17/2018 19:23	WG1211736
Endosulfan sulfate	ND		0.0242	1	12/17/2018 19:23	WG1211736
Endrin	ND		0.0242	1	12/17/2018 19:23	WG1211736
Endrin aldehyde	ND		0.0242	1	12/17/2018 19:23	WG1211736
Endrin ketone	ND		0.0242	1	12/17/2018 19:23	WG1211736
Hexachlorobenzene	ND		0.0242	1	12/17/2018 19:23	WG1211736
Heptachlor	ND		0.0242	1	12/17/2018 19:23	WG1211736
Heptachlor epoxide	ND		0.0242	1	12/17/2018 19:23	WG1211736
Methoxychlor	ND		0.0242	1	12/17/2018 19:23	WG1211736
Toxaphene	ND		0.485	1	12/17/2018 19:23	WG1211736
(S) Decachlorobiphenyl	91.4		10.0-135		12/17/2018 19:23	WG1211736
(S) Tetrachloro-m-xylene	91.9		10.0-139		12/17/2018 19:23	WG1211736

1 Cp

2 Tc

3 Ss

4 Cn

5 Sr

6 Qc

7 Gl

8 Al

9 Sc



Total Solids by Method 2540 G-2011

Analyte	Result	Qualifier	Dilution	Analysis date / time	Batch
Total Solids	77.9		1	12/17/2018 13:52	WG1211424

Metals (ICP) by Method 6010D

Analyte	Result (dry)	Qualifier	RDL (dry)	Dilution	Analysis date / time	Batch
Arsenic	ND		2.57	1	12/17/2018 17:24	WG1211653
Lead	9.16		0.642	1	12/17/2018 17:24	WG1211653

Pesticides (GC) by Method 8081B

Analyte	Result (dry)	Qualifier	RDL (dry)	Dilution	Analysis date / time	Batch
Aldrin	ND		0.0257	1	12/17/2018 19:37	WG1211736
Alpha BHC	ND		0.0257	1	12/17/2018 19:37	WG1211736
Beta BHC	ND		0.0257	1	12/17/2018 19:37	WG1211736
Delta BHC	ND		0.0257	1	12/17/2018 19:37	WG1211736
Gamma BHC	ND		0.0257	1	12/17/2018 19:37	WG1211736
Chlordane	ND		0.257	1	12/17/2018 19:37	WG1211736
4,4-DDD	ND		0.0257	1	12/17/2018 19:37	WG1211736
4,4-DDE	ND		0.0257	1	12/17/2018 19:37	WG1211736
4,4-DDT	ND		0.0257	1	12/17/2018 19:37	WG1211736
Dieldrin	ND		0.0257	1	12/17/2018 19:37	WG1211736
Endosulfan I	ND		0.0257	1	12/17/2018 19:37	WG1211736
Endosulfan II	ND		0.0257	1	12/17/2018 19:37	WG1211736
Endosulfan sulfate	ND		0.0257	1	12/17/2018 19:37	WG1211736
Endrin	ND		0.0257	1	12/17/2018 19:37	WG1211736
Endrin aldehyde	ND		0.0257	1	12/17/2018 19:37	WG1211736
Endrin ketone	ND		0.0257	1	12/17/2018 19:37	WG1211736
Hexachlorobenzene	ND		0.0257	1	12/17/2018 19:37	WG1211736
Heptachlor	ND		0.0257	1	12/17/2018 19:37	WG1211736
Heptachlor epoxide	ND		0.0257	1	12/17/2018 19:37	WG1211736
Methoxychlor	ND		0.0257	1	12/17/2018 19:37	WG1211736
Toxaphene	ND		0.514	1	12/17/2018 19:37	WG1211736
(S) Decachlorobiphenyl	98.5		10.0-135		12/17/2018 19:37	WG1211736
(S) Tetrachloro-m-xylene	92.7		10.0-139		12/17/2018 19:37	WG1211736

1 Cp

2 Tc

3 Ss

4 Cn

5 Sr

6 Qc

7 Gl

8 Al

9 Sc



Total Solids by Method 2540 G-2011

Analyte	Result	Qualifier	Dilution	Analysis date / time	Batch
Total Solids	79.7		1	12/17/2018 13:52	WG1211424

Metals (ICP) by Method 6010D

Analyte	Result (dry)	Qualifier	RDL (dry)	Dilution	Analysis date / time	Batch
Arsenic	2.75		2.51	1	12/17/2018 17:27	WG1211653
Lead	11.2		0.627	1	12/17/2018 17:27	WG1211653

Pesticides (GC) by Method 8081B

Analyte	Result (dry)	Qualifier	RDL (dry)	Dilution	Analysis date / time	Batch
Aldrin	ND		0.0251	1	12/17/2018 19:52	WG1211736
Alpha BHC	ND		0.0251	1	12/17/2018 19:52	WG1211736
Beta BHC	ND		0.0251	1	12/17/2018 19:52	WG1211736
Delta BHC	ND		0.0251	1	12/17/2018 19:52	WG1211736
Gamma BHC	ND		0.0251	1	12/17/2018 19:52	WG1211736
Chlordane	ND		0.251	1	12/17/2018 19:52	WG1211736
4,4-DDD	ND		0.0251	1	12/17/2018 19:52	WG1211736
4,4-DDE	ND		0.0251	1	12/17/2018 19:52	WG1211736
4,4-DDT	ND		0.0251	1	12/17/2018 19:52	WG1211736
Dieldrin	ND		0.0251	1	12/17/2018 19:52	WG1211736
Endosulfan I	ND		0.0251	1	12/17/2018 19:52	WG1211736
Endosulfan II	ND		0.0251	1	12/17/2018 19:52	WG1211736
Endosulfan sulfate	ND		0.0251	1	12/17/2018 19:52	WG1211736
Endrin	ND		0.0251	1	12/17/2018 19:52	WG1211736
Endrin aldehyde	ND		0.0251	1	12/17/2018 19:52	WG1211736
Endrin ketone	ND		0.0251	1	12/17/2018 19:52	WG1211736
Hexachlorobenzene	ND		0.0251	1	12/17/2018 19:52	WG1211736
Heptachlor	ND		0.0251	1	12/17/2018 19:52	WG1211736
Heptachlor epoxide	ND		0.0251	1	12/17/2018 19:52	WG1211736
Methoxychlor	ND		0.0251	1	12/17/2018 19:52	WG1211736
Toxaphene	ND		0.502	1	12/17/2018 19:52	WG1211736
(S) Decachlorobiphenyl	93.9		10.0-135		12/17/2018 19:52	WG1211736
(S) Tetrachloro-m-xylene	89.9		10.0-139		12/17/2018 19:52	WG1211736

1 Cp

2 Tc

3 Ss

4 Cn

5 Sr

6 Qc

7 Gl

8 Al

9 Sc



Total Solids by Method 2540 G-2011

Analyte	Result	Qualifier	Dilution	Analysis	Batch
	%			date / time	
Total Solids	85.0		1	12/17/2018 13:52	WG1211424

Metals (ICP) by Method 6010D

Analyte	Result (dry)	Qualifier	RDL (dry)	Dilution	Analysis	Batch
	mg/kg		mg/kg		date / time	
Arsenic	3.40		2.35	1	12/17/2018 17:29	WG1211653
Lead	9.52		0.588	1	12/17/2018 17:29	WG1211653

Pesticides (GC) by Method 8081B

Analyte	Result (dry)	Qualifier	RDL (dry)	Dilution	Analysis	Batch
	mg/kg		mg/kg		date / time	
Aldrin	ND		0.0235	1	12/17/2018 20:07	WG1211736
Alpha BHC	ND		0.0235	1	12/17/2018 20:07	WG1211736
Beta BHC	ND		0.0235	1	12/17/2018 20:07	WG1211736
Delta BHC	ND		0.0235	1	12/17/2018 20:07	WG1211736
Gamma BHC	ND		0.0235	1	12/17/2018 20:07	WG1211736
Chlordane	ND		0.235	1	12/17/2018 20:07	WG1211736
4,4-DDD	ND		0.0235	1	12/17/2018 20:07	WG1211736
4,4-DDE	ND		0.0235	1	12/17/2018 20:07	WG1211736
4,4-DDT	ND		0.0235	1	12/17/2018 20:07	WG1211736
Dieldrin	ND		0.0235	1	12/17/2018 20:07	WG1211736
Endosulfan I	ND		0.0235	1	12/17/2018 20:07	WG1211736
Endosulfan II	ND		0.0235	1	12/17/2018 20:07	WG1211736
Endosulfan sulfate	ND		0.0235	1	12/17/2018 20:07	WG1211736
Endrin	ND		0.0235	1	12/17/2018 20:07	WG1211736
Endrin aldehyde	ND		0.0235	1	12/17/2018 20:07	WG1211736
Endrin ketone	ND		0.0235	1	12/17/2018 20:07	WG1211736
Hexachlorobenzene	ND		0.0235	1	12/17/2018 20:07	WG1211736
Heptachlor	ND		0.0235	1	12/17/2018 20:07	WG1211736
Heptachlor epoxide	ND		0.0235	1	12/17/2018 20:07	WG1211736
Methoxychlor	ND		0.0235	1	12/17/2018 20:07	WG1211736
Toxaphene	ND		0.470	1	12/17/2018 20:07	WG1211736
(S) Decachlorobiphenyl	81.7		10.0-135		12/17/2018 20:07	WG1211736
(S) Tetrachloro-m-xylene	78.7		10.0-139		12/17/2018 20:07	WG1211736

1 Cp

2 Tc

3 Ss

4 Cn

5 Sr

6 Qc

7 Gl

8 Al

9 Sc



Total Solids by Method 2540 G-2011

Analyte	Result	Qualifier	Dilution	Analysis	Batch
	%			date / time	
Total Solids	77.7		1	12/17/2018 13:52	WG1211424

Metals (ICP) by Method 6010D

Analyte	Result (dry)	Qualifier	RDL (dry)	Dilution	Analysis	Batch
	mg/kg		mg/kg		date / time	
Arsenic	ND		2.57	1	12/17/2018 17:32	WG1211653
Lead	9.86		0.644	1	12/17/2018 17:32	WG1211653

Pesticides (GC) by Method 8081B

Analyte	Result (dry)	Qualifier	RDL (dry)	Dilution	Analysis	Batch
	mg/kg		mg/kg		date / time	
Aldrin	ND		0.0257	1	12/17/2018 20:51	WG1211736
Alpha BHC	ND		0.0257	1	12/17/2018 20:51	WG1211736
Beta BHC	ND		0.0257	1	12/17/2018 20:51	WG1211736
Delta BHC	ND		0.0257	1	12/17/2018 20:51	WG1211736
Gamma BHC	ND		0.0257	1	12/17/2018 20:51	WG1211736
Chlordane	ND		0.257	1	12/17/2018 20:51	WG1211736
4,4-DDD	ND		0.0257	1	12/17/2018 20:51	WG1211736
4,4-DDE	ND		0.0257	1	12/17/2018 20:51	WG1211736
4,4-DDT	ND		0.0257	1	12/17/2018 20:51	WG1211736
Dieldrin	ND		0.0257	1	12/17/2018 20:51	WG1211736
Endosulfan I	ND		0.0257	1	12/17/2018 20:51	WG1211736
Endosulfan II	ND		0.0257	1	12/17/2018 20:51	WG1211736
Endosulfan sulfate	ND		0.0257	1	12/17/2018 20:51	WG1211736
Endrin	ND		0.0257	1	12/17/2018 20:51	WG1211736
Endrin aldehyde	ND		0.0257	1	12/17/2018 20:51	WG1211736
Endrin ketone	ND		0.0257	1	12/17/2018 20:51	WG1211736
Hexachlorobenzene	ND		0.0257	1	12/17/2018 20:51	WG1211736
Heptachlor	ND		0.0257	1	12/17/2018 20:51	WG1211736
Heptachlor epoxide	ND		0.0257	1	12/17/2018 20:51	WG1211736
Methoxychlor	ND		0.0257	1	12/17/2018 20:51	WG1211736
Toxaphene	ND		0.515	1	12/17/2018 20:51	WG1211736
(S) Decachlorobiphenyl	121		10.0-135		12/17/2018 20:51	WG1211736
(S) Tetrachloro-m-xylene	109		10.0-139		12/17/2018 20:51	WG1211736

1 Cp

2 Tc

3 Ss

4 Cn

5 Sr

6 Qc

7 Gl

8 Al

9 Sc



Total Solids by Method 2540 G-2011

Analyte	Result	Qualifier	Dilution	Analysis date / time	Batch
Total Solids	78.8		1	12/17/2018 13:52	WG1211424

Metals (ICP) by Method 6010D

Analyte	Result (dry) mg/kg	Qualifier	RDL (dry) mg/kg	Dilution	Analysis date / time	Batch
Arsenic	ND		2.54	1	12/17/2018 17:34	WG1211653
Lead	9.04		0.634	1	12/17/2018 17:34	WG1211653

Pesticides (GC) by Method 8081B

Analyte	Result (dry) mg/kg	Qualifier	RDL (dry) mg/kg	Dilution	Analysis date / time	Batch
Aldrin	ND		0.0254	1	12/17/2018 21:06	WG1211736
Alpha BHC	ND		0.0254	1	12/17/2018 21:06	WG1211736
Beta BHC	ND		0.0254	1	12/17/2018 21:06	WG1211736
Delta BHC	ND		0.0254	1	12/17/2018 21:06	WG1211736
Gamma BHC	ND		0.0254	1	12/17/2018 21:06	WG1211736
Chlordane	ND		0.254	1	12/17/2018 21:06	WG1211736
4,4-DDD	ND		0.0254	1	12/17/2018 21:06	WG1211736
4,4-DDE	ND		0.0254	1	12/17/2018 21:06	WG1211736
4,4-DDT	ND		0.0254	1	12/17/2018 21:06	WG1211736
Dieldrin	ND		0.0254	1	12/17/2018 21:06	WG1211736
Endosulfan I	ND		0.0254	1	12/17/2018 21:06	WG1211736
Endosulfan II	ND		0.0254	1	12/17/2018 21:06	WG1211736
Endosulfan sulfate	ND		0.0254	1	12/17/2018 21:06	WG1211736
Endrin	ND		0.0254	1	12/17/2018 21:06	WG1211736
Endrin aldehyde	ND		0.0254	1	12/17/2018 21:06	WG1211736
Endrin ketone	ND		0.0254	1	12/17/2018 21:06	WG1211736
Hexachlorobenzene	ND		0.0254	1	12/17/2018 21:06	WG1211736
Heptachlor	ND		0.0254	1	12/17/2018 21:06	WG1211736
Heptachlor epoxide	ND		0.0254	1	12/17/2018 21:06	WG1211736
Methoxychlor	ND		0.0254	1	12/17/2018 21:06	WG1211736
Toxaphene	ND		0.508	1	12/17/2018 21:06	WG1211736
(S) Decachlorobiphenyl	89.8		10.0-135		12/17/2018 21:06	WG1211736
(S) Tetrachloro-m-xylene	81.1		10.0-139		12/17/2018 21:06	WG1211736

1 Cp

2 Tc

3 Ss

4 Cn

5 Sr

6 Qc

7 Gl

8 Al

9 Sc



Total Solids by Method 2540 G-2011

Analyte	Result	Qualifier	Dilution	Analysis	Batch
	%			date / time	
Total Solids	83.3		1	12/17/2018 13:52	WG1211424

Metals (ICP) by Method 6010D

Analyte	Result (dry)	Qualifier	RDL (dry)	Dilution	Analysis	Batch
	mg/kg		mg/kg		date / time	
Arsenic	ND		2.40	1	12/17/2018 17:37	WG1211653
Lead	9.21		0.600	1	12/17/2018 17:37	WG1211653

Pesticides (GC) by Method 8081B

Analyte	Result (dry)	Qualifier	RDL (dry)	Dilution	Analysis	Batch
	mg/kg		mg/kg		date / time	
Aldrin	ND		0.0240	1	12/17/2018 21:21	WG1211736
Alpha BHC	ND		0.0240	1	12/17/2018 21:21	WG1211736
Beta BHC	ND		0.0240	1	12/17/2018 21:21	WG1211736
Delta BHC	ND		0.0240	1	12/17/2018 21:21	WG1211736
Gamma BHC	ND		0.0240	1	12/17/2018 21:21	WG1211736
Chlordane	ND		0.240	1	12/17/2018 21:21	WG1211736
4,4-DDD	ND		0.0240	1	12/17/2018 21:21	WG1211736
4,4-DDE	ND		0.0240	1	12/17/2018 21:21	WG1211736
4,4-DDT	ND		0.0240	1	12/17/2018 21:21	WG1211736
Dieldrin	ND		0.0240	1	12/17/2018 21:21	WG1211736
Endosulfan I	ND		0.0240	1	12/17/2018 21:21	WG1211736
Endosulfan II	ND		0.0240	1	12/17/2018 21:21	WG1211736
Endosulfan sulfate	ND		0.0240	1	12/17/2018 21:21	WG1211736
Endrin	ND		0.0240	1	12/17/2018 21:21	WG1211736
Endrin aldehyde	ND		0.0240	1	12/17/2018 21:21	WG1211736
Endrin ketone	ND		0.0240	1	12/17/2018 21:21	WG1211736
Hexachlorobenzene	ND		0.0240	1	12/17/2018 21:21	WG1211736
Heptachlor	ND		0.0240	1	12/17/2018 21:21	WG1211736
Heptachlor epoxide	ND		0.0240	1	12/17/2018 21:21	WG1211736
Methoxychlor	ND		0.0240	1	12/17/2018 21:21	WG1211736
Toxaphene	ND		0.480	1	12/17/2018 21:21	WG1211736
(S) Decachlorobiphenyl	118		10.0-135		12/17/2018 21:21	WG1211736
(S) Tetrachloro-m-xylene	103		10.0-139		12/17/2018 21:21	WG1211736

¹ Cp² Tc³ Ss⁴ Cn⁵ Sr⁶ Qc⁷ Gl⁸ Al⁹ Sc



Total Solids by Method 2540 G-2011

Analyte	Result	Qualifier	Dilution	Analysis	Batch
	%			date / time	
Total Solids	81.7		1	12/17/2018 13:52	WG1211424

Metals (ICP) by Method 6010D

Analyte	Result (dry)	Qualifier	RDL (dry)	Dilution	Analysis	Batch
	mg/kg		mg/kg		date / time	
Arsenic	ND		2.45	1	12/17/2018 16:57	WG1211653
Lead	9.24		0.612	1	12/17/2018 16:57	WG1211653

Pesticides (GC) by Method 8081B

Analyte	Result (dry)	Qualifier	RDL (dry)	Dilution	Analysis	Batch
	mg/kg		mg/kg		date / time	
Aldrin	ND		0.0245	1	12/17/2018 21:35	WG1211736
Alpha BHC	ND		0.0245	1	12/17/2018 21:35	WG1211736
Beta BHC	ND		0.0245	1	12/17/2018 21:35	WG1211736
Delta BHC	ND		0.0245	1	12/17/2018 21:35	WG1211736
Gamma BHC	ND		0.0245	1	12/17/2018 21:35	WG1211736
Chlordane	ND		0.245	1	12/17/2018 21:35	WG1211736
4,4-DDD	ND		0.0245	1	12/17/2018 21:35	WG1211736
4,4-DDE	ND		0.0245	1	12/17/2018 21:35	WG1211736
4,4-DDT	ND		0.0245	1	12/17/2018 21:35	WG1211736
Dieldrin	ND		0.0245	1	12/17/2018 21:35	WG1211736
Endosulfan I	ND		0.0245	1	12/17/2018 21:35	WG1211736
Endosulfan II	ND		0.0245	1	12/17/2018 21:35	WG1211736
Endosulfan sulfate	ND		0.0245	1	12/17/2018 21:35	WG1211736
Endrin	ND		0.0245	1	12/17/2018 21:35	WG1211736
Endrin aldehyde	ND		0.0245	1	12/17/2018 21:35	WG1211736
Endrin ketone	ND		0.0245	1	12/17/2018 21:35	WG1211736
Hexachlorobenzene	ND		0.0245	1	12/17/2018 21:35	WG1211736
Heptachlor	ND		0.0245	1	12/17/2018 21:35	WG1211736
Heptachlor epoxide	ND		0.0245	1	12/17/2018 21:35	WG1211736
Methoxychlor	ND		0.0245	1	12/17/2018 21:35	WG1211736
Toxaphene	ND		0.490	1	12/17/2018 21:35	WG1211736
(S) Decachlorobiphenyl	118		10.0-135		12/17/2018 21:35	WG1211736
(S) Tetrachloro-m-xylene	106		10.0-139		12/17/2018 21:35	WG1211736

1 Cp

2 Tc

3 Ss

4 Cn

5 Sr

6 Qc

7 Gl

8 Al

9 Sc



Total Solids by Method 2540 G-2011

Analyte	Result	Qualifier	Dilution	Analysis date / time	Batch
Total Solids	80.4		1	12/17/2018 13:52	WG1211424

Metals (ICP) by Method 6010D

Analyte	Result (dry)	Qualifier	RDL (dry)	Dilution	Analysis date / time	Batch
Arsenic	2.85		2.49	1	12/17/2018 17:39	WG1211653
Lead	9.13		0.622	1	12/17/2018 17:39	WG1211653

Pesticides (GC) by Method 8081B

Analyte	Result (dry)	Qualifier	RDL (dry)	Dilution	Analysis date / time	Batch
Aldrin	ND		0.0249	1	12/21/2018 00:15	WG1213431
Alpha BHC	ND		0.0249	1	12/21/2018 00:15	WG1213431
Beta BHC	ND		0.0249	1	12/21/2018 00:15	WG1213431
Delta BHC	ND		0.0249	1	12/21/2018 00:15	WG1213431
Gamma BHC	ND		0.0249	1	12/21/2018 00:15	WG1213431
Chlordane	ND		0.249	1	12/21/2018 00:15	WG1213431
4,4-DDD	ND		0.0249	1	12/21/2018 00:15	WG1213431
4,4-DDE	ND		0.0249	1	12/21/2018 00:15	WG1213431
4,4-DDT	ND		0.0249	1	12/21/2018 00:15	WG1213431
Dieldrin	ND		0.0249	1	12/21/2018 00:15	WG1213431
Endosulfan I	ND		0.0249	1	12/21/2018 00:15	WG1213431
Endosulfan II	ND		0.0249	1	12/21/2018 00:15	WG1213431
Endosulfan sulfate	ND		0.0249	1	12/21/2018 00:15	WG1213431
Endrin	ND		0.0249	1	12/21/2018 00:15	WG1213431
Endrin aldehyde	ND		0.0249	1	12/21/2018 00:15	WG1213431
Endrin ketone	ND		0.0249	1	12/21/2018 00:15	WG1213431
Hexachlorobenzene	ND		0.0249	1	12/21/2018 00:15	WG1213431
Heptachlor	ND		0.0249	1	12/21/2018 00:15	WG1213431
Heptachlor epoxide	ND		0.0249	1	12/21/2018 00:15	WG1213431
Methoxychlor	ND		0.0249	1	12/21/2018 00:15	WG1213431
Toxaphene	ND		0.498	1	12/21/2018 00:15	WG1213431
(S) Decachlorobiphenyl	69.8		10.0-135		12/21/2018 00:15	WG1213431
(S) Tetrachloro-m-xylene	74.0		10.0-139		12/21/2018 00:15	WG1213431

¹ Cp² Tc³ Ss⁴ Cn⁵ Sr⁶ Qc⁷ Gl⁸ Al⁹ Sc



Total Solids by Method 2540 G-2011

Analyte	Result	Qualifier	Dilution	Analysis	Batch
	%			date / time	
Total Solids	75.7		1	12/17/2018 13:52	WG1211424

Metals (ICP) by Method 6010D

Analyte	Result (dry)	Qualifier	RDL (dry)	Dilution	Analysis	Batch
	mg/kg		mg/kg		date / time	
Arsenic	ND		2.64	1	12/17/2018 17:42	WG1211653
Lead	10.8		0.661	1	12/17/2018 17:42	WG1211653

Pesticides (GC) by Method 8081B

Analyte	Result (dry)	Qualifier	RDL (dry)	Dilution	Analysis	Batch
	mg/kg		mg/kg		date / time	
Aldrin	ND		0.0264	1	12/19/2018 12:44	WG1212395
Alpha BHC	ND		0.0264	1	12/19/2018 12:44	WG1212395
Beta BHC	ND		0.0264	1	12/19/2018 12:44	WG1212395
Delta BHC	ND		0.0264	1	12/19/2018 12:44	WG1212395
Gamma BHC	ND		0.0264	1	12/19/2018 12:44	WG1212395
Chlordane	ND		0.264	1	12/19/2018 12:44	WG1212395
4,4-DDD	ND		0.0264	1	12/19/2018 12:44	WG1212395
4,4-DDE	ND		0.0264	1	12/19/2018 12:44	WG1212395
4,4-DDT	ND		0.0264	1	12/19/2018 12:44	WG1212395
Dieldrin	ND		0.0264	1	12/19/2018 12:44	WG1212395
Endosulfan I	ND		0.0264	1	12/19/2018 12:44	WG1212395
Endosulfan II	ND		0.0264	1	12/19/2018 12:44	WG1212395
Endosulfan sulfate	ND		0.0264	1	12/19/2018 12:44	WG1212395
Endrin	ND		0.0264	1	12/19/2018 12:44	WG1212395
Endrin aldehyde	ND		0.0264	1	12/19/2018 12:44	WG1212395
Endrin ketone	ND		0.0264	1	12/19/2018 12:44	WG1212395
Hexachlorobenzene	ND		0.0264	1	12/19/2018 12:44	WG1212395
Heptachlor	ND		0.0264	1	12/19/2018 12:44	WG1212395
Heptachlor epoxide	ND		0.0264	1	12/19/2018 12:44	WG1212395
Methoxychlor	ND		0.0264	1	12/19/2018 12:44	WG1212395
Toxaphene	ND		0.529	1	12/19/2018 12:44	WG1212395
(S) Decachlorobiphenyl	60.8		10.0-135		12/19/2018 12:44	WG1212395
(S) Tetrachloro-m-xylene	68.6		10.0-139		12/19/2018 12:44	WG1212395

1 Cp

2 Tc

3 Ss

4 Cn

5 Sr

6 Qc

7 Gl

8 Al

9 Sc



Total Solids by Method 2540 G-2011

Analyte	Result	Qualifier	Dilution	Analysis date / time	Batch
Total Solids	82.8		1	12/17/2018 13:52	WG1211424

Metals (ICP) by Method 6010D

Analyte	Result (dry) mg/kg	Qualifier	RDL (dry) mg/kg	Dilution	Analysis date / time	Batch
Arsenic	ND		2.41	1	12/17/2018 17:50	WG1211653
Lead	9.91		0.604	1	12/17/2018 17:50	WG1211653

Pesticides (GC) by Method 8081B

Analyte	Result (dry) mg/kg	Qualifier	RDL (dry) mg/kg	Dilution	Analysis date / time	Batch
Aldrin	ND		0.0241	1	12/19/2018 12:56	WG1212395
Alpha BHC	ND		0.0241	1	12/19/2018 12:56	WG1212395
Beta BHC	ND		0.0241	1	12/19/2018 12:56	WG1212395
Delta BHC	ND		0.0241	1	12/19/2018 12:56	WG1212395
Gamma BHC	ND		0.0241	1	12/19/2018 12:56	WG1212395
Chlordane	ND		0.241	1	12/19/2018 12:56	WG1212395
4,4-DDD	ND		0.0241	1	12/19/2018 12:56	WG1212395
4,4-DDE	ND		0.0241	1	12/19/2018 12:56	WG1212395
4,4-DDT	ND		0.0241	1	12/19/2018 12:56	WG1212395
Dieldrin	ND		0.0241	1	12/19/2018 12:56	WG1212395
Endosulfan I	ND		0.0241	1	12/19/2018 12:56	WG1212395
Endosulfan II	ND		0.0241	1	12/19/2018 12:56	WG1212395
Endosulfan sulfate	ND		0.0241	1	12/19/2018 12:56	WG1212395
Endrin	ND		0.0241	1	12/19/2018 12:56	WG1212395
Endrin aldehyde	ND		0.0241	1	12/19/2018 12:56	WG1212395
Endrin ketone	ND		0.0241	1	12/19/2018 12:56	WG1212395
Hexachlorobenzene	ND		0.0241	1	12/19/2018 12:56	WG1212395
Heptachlor	ND		0.0241	1	12/19/2018 12:56	WG1212395
Heptachlor epoxide	ND		0.0241	1	12/19/2018 12:56	WG1212395
Methoxychlor	ND		0.0241	1	12/19/2018 12:56	WG1212395
Toxaphene	ND		0.483	1	12/19/2018 12:56	WG1212395
(S) Decachlorobiphenyl	58.6		10.0-135		12/19/2018 12:56	WG1212395
(S) Tetrachloro-m-xylene	72.4		10.0-139		12/19/2018 12:56	WG1212395

1 Cp

2 Tc

3 Ss

4 Cn

5 Sr

6 Qc

7 Gl

8 Al

9 Sc



Total Solids by Method 2540 G-2011

Analyte	Result	Qualifier	Dilution	Analysis date / time	Batch
Total Solids	81.9		1	12/17/2018 10:31	WG1211857

Metals (ICP) by Method 6010D

Analyte	Result (dry) mg/kg	Qualifier	RDL (dry) mg/kg	Dilution	Analysis date / time	Batch
Arsenic	ND		2.44	1	12/17/2018 17:52	WG1211653
Lead	9.72		0.610	1	12/17/2018 17:52	WG1211653

Pesticides (GC) by Method 8081B

Analyte	Result (dry) mg/kg	Qualifier	RDL (dry) mg/kg	Dilution	Analysis date / time	Batch
Aldrin	ND		0.0244	1	12/19/2018 13:09	WG1212395
Alpha BHC	ND		0.0244	1	12/19/2018 13:09	WG1212395
Beta BHC	ND		0.0244	1	12/19/2018 13:09	WG1212395
Delta BHC	ND		0.0244	1	12/19/2018 13:09	WG1212395
Gamma BHC	ND		0.0244	1	12/19/2018 13:09	WG1212395
Chlordane	ND		0.244	1	12/19/2018 13:09	WG1212395
4,4-DDD	ND		0.0244	1	12/19/2018 13:09	WG1212395
4,4-DDE	ND		0.0244	1	12/19/2018 13:09	WG1212395
4,4-DDT	ND		0.0244	1	12/19/2018 13:09	WG1212395
Dieldrin	ND		0.0244	1	12/19/2018 13:09	WG1212395
Endosulfan I	ND		0.0244	1	12/19/2018 13:09	WG1212395
Endosulfan II	ND		0.0244	1	12/19/2018 13:09	WG1212395
Endosulfan sulfate	ND		0.0244	1	12/19/2018 13:09	WG1212395
Endrin	ND		0.0244	1	12/19/2018 13:09	WG1212395
Endrin aldehyde	ND		0.0244	1	12/19/2018 13:09	WG1212395
Endrin ketone	ND		0.0244	1	12/19/2018 13:09	WG1212395
Hexachlorobenzene	ND		0.0244	1	12/19/2018 13:09	WG1212395
Heptachlor	ND		0.0244	1	12/19/2018 13:09	WG1212395
Heptachlor epoxide	ND		0.0244	1	12/19/2018 13:09	WG1212395
Methoxychlor	ND		0.0244	1	12/19/2018 13:09	WG1212395
Toxaphene	ND		0.488	1	12/19/2018 13:09	WG1212395
(S) Decachlorobiphenyl	66.4		10.0-135		12/19/2018 13:09	WG1212395
(S) Tetrachloro-m-xylene	75.0		10.0-139		12/19/2018 13:09	WG1212395

1 Cp

2 Tc

3 Ss

4 Cn

5 Sr

6 Qc

7 Gl

8 Al

9 Sc



Total Solids by Method 2540 G-2011

Analyte	Result	Qualifier	Dilution	Analysis	Batch
	%			date / time	
Total Solids	84.3		1	12/17/2018 10:31	WG1211857

Metals (ICP) by Method 6010D

Analyte	Result (dry)	Qualifier	RDL (dry)	Dilution	Analysis	Batch
	mg/kg		mg/kg		date / time	
Arsenic	ND		2.37	1	12/17/2018 17:55	WG1211653
Lead	9.41		0.593	1	12/17/2018 17:55	WG1211653

Pesticides (GC) by Method 8081B

Analyte	Result (dry)	Qualifier	RDL (dry)	Dilution	Analysis	Batch
	mg/kg		mg/kg		date / time	
Aldrin	ND		0.0237	1	12/19/2018 13:21	WG1212395
Alpha BHC	ND		0.0237	1	12/19/2018 13:21	WG1212395
Beta BHC	ND		0.0237	1	12/19/2018 13:21	WG1212395
Delta BHC	ND		0.0237	1	12/19/2018 13:21	WG1212395
Gamma BHC	ND		0.0237	1	12/19/2018 13:21	WG1212395
Chlordane	ND		0.237	1	12/19/2018 13:21	WG1212395
4,4-DDD	ND		0.0237	1	12/19/2018 13:21	WG1212395
4,4-DDE	ND		0.0237	1	12/19/2018 13:21	WG1212395
4,4-DDT	ND		0.0237	1	12/19/2018 13:21	WG1212395
Dieldrin	ND		0.0237	1	12/19/2018 13:21	WG1212395
Endosulfan I	ND		0.0237	1	12/19/2018 13:21	WG1212395
Endosulfan II	ND		0.0237	1	12/19/2018 13:21	WG1212395
Endosulfan sulfate	ND		0.0237	1	12/19/2018 13:21	WG1212395
Endrin	ND		0.0237	1	12/19/2018 13:21	WG1212395
Endrin aldehyde	ND		0.0237	1	12/19/2018 13:21	WG1212395
Endrin ketone	ND		0.0237	1	12/19/2018 13:21	WG1212395
Hexachlorobenzene	ND		0.0237	1	12/19/2018 13:21	WG1212395
Heptachlor	ND		0.0237	1	12/19/2018 13:21	WG1212395
Heptachlor epoxide	ND		0.0237	1	12/19/2018 13:21	WG1212395
Methoxychlor	ND		0.0237	1	12/19/2018 13:21	WG1212395
Toxaphene	ND		0.475	1	12/19/2018 13:21	WG1212395
(S) Decachlorobiphenyl	61.3		10.0-135		12/19/2018 13:21	WG1212395
(S) Tetrachloro-m-xylene	70.1		10.0-139		12/19/2018 13:21	WG1212395

1 Cp

2 Tc

3 Ss

4 Cn

5 Sr

6 Qc

7 Gl

8 Al

9 Sc



Total Solids by Method 2540 G-2011

Analyte	Result	Qualifier	Dilution	Analysis date / time	Batch
Total Solids	85.2		1	12/17/2018 10:31	WG1211857

Metals (ICP) by Method 6010D

Analyte	Result (dry) mg/kg	Qualifier	RDL (dry) mg/kg	Dilution	Analysis date / time	Batch
Arsenic	ND		2.35	1	12/17/2018 17:57	WG1211653
Lead	9.45		0.587	1	12/17/2018 17:57	WG1211653

Pesticides (GC) by Method 8081B

Analyte	Result (dry) mg/kg	Qualifier	RDL (dry) mg/kg	Dilution	Analysis date / time	Batch
Aldrin	ND		0.0235	1	12/19/2018 13:34	WG1212395
Alpha BHC	ND		0.0235	1	12/19/2018 13:34	WG1212395
Beta BHC	ND		0.0235	1	12/19/2018 13:34	WG1212395
Delta BHC	ND		0.0235	1	12/19/2018 13:34	WG1212395
Gamma BHC	ND		0.0235	1	12/19/2018 13:34	WG1212395
Chlordane	ND		0.235	1	12/19/2018 13:34	WG1212395
4,4-DDD	ND		0.0235	1	12/19/2018 13:34	WG1212395
4,4-DDE	ND		0.0235	1	12/19/2018 13:34	WG1212395
4,4-DDT	ND		0.0235	1	12/19/2018 13:34	WG1212395
Dieldrin	ND		0.0235	1	12/19/2018 13:34	WG1212395
Endosulfan I	ND		0.0235	1	12/19/2018 13:34	WG1212395
Endosulfan II	ND		0.0235	1	12/19/2018 13:34	WG1212395
Endosulfan sulfate	ND		0.0235	1	12/19/2018 13:34	WG1212395
Endrin	ND		0.0235	1	12/19/2018 13:34	WG1212395
Endrin aldehyde	ND		0.0235	1	12/19/2018 13:34	WG1212395
Endrin ketone	ND		0.0235	1	12/19/2018 13:34	WG1212395
Hexachlorobenzene	ND		0.0235	1	12/19/2018 13:34	WG1212395
Heptachlor	ND		0.0235	1	12/19/2018 13:34	WG1212395
Heptachlor epoxide	ND		0.0235	1	12/19/2018 13:34	WG1212395
Methoxychlor	ND		0.0235	1	12/19/2018 13:34	WG1212395
Toxaphene	ND		0.469	1	12/19/2018 13:34	WG1212395
(S) Decachlorobiphenyl	61.5		10.0-135		12/19/2018 13:34	WG1212395
(S) Tetrachloro-m-xylene	71.1		10.0-139		12/19/2018 13:34	WG1212395

1 Cp

2 Tc

3 Ss

4 Cn

5 Sr

6 Qc

7 Gl

8 Al

9 Sc



Total Solids by Method 2540 G-2011

Analyte	Result	Qualifier	Dilution	Analysis	Batch
	%			date / time	
Total Solids	81.4		1	12/17/2018 10:31	WG1211857

Metals (ICP) by Method 6010D

Analyte	Result (dry)	Qualifier	RDL (dry)	Dilution	Analysis	Batch
	mg/kg		mg/kg		date / time	
Arsenic	ND		2.46	1	12/17/2018 18:00	WG1211653
Lead	9.49		0.614	1	12/17/2018 18:00	WG1211653

Pesticides (GC) by Method 8081B

Analyte	Result (dry)	Qualifier	RDL (dry)	Dilution	Analysis	Batch
	mg/kg		mg/kg		date / time	
Aldrin	ND		0.0246	1	12/19/2018 14:11	WG1212395
Alpha BHC	ND		0.0246	1	12/19/2018 14:11	WG1212395
Beta BHC	ND		0.0246	1	12/19/2018 14:11	WG1212395
Delta BHC	ND		0.0246	1	12/19/2018 14:11	WG1212395
Gamma BHC	ND		0.0246	1	12/19/2018 14:11	WG1212395
Chlordane	ND		0.246	1	12/19/2018 14:11	WG1212395
4,4-DDD	ND		0.0246	1	12/19/2018 14:11	WG1212395
4,4-DDE	ND		0.0246	1	12/19/2018 14:11	WG1212395
4,4-DDT	ND		0.0246	1	12/19/2018 14:11	WG1212395
Dieldrin	ND		0.0246	1	12/19/2018 14:11	WG1212395
Endosulfan I	ND		0.0246	1	12/19/2018 14:11	WG1212395
Endosulfan II	ND		0.0246	1	12/19/2018 14:11	WG1212395
Endosulfan sulfate	ND		0.0246	1	12/19/2018 14:11	WG1212395
Endrin	ND		0.0246	1	12/19/2018 14:11	WG1212395
Endrin aldehyde	ND		0.0246	1	12/19/2018 14:11	WG1212395
Endrin ketone	ND		0.0246	1	12/19/2018 14:11	WG1212395
Hexachlorobenzene	ND		0.0246	1	12/19/2018 14:11	WG1212395
Heptachlor	ND		0.0246	1	12/19/2018 14:11	WG1212395
Heptachlor epoxide	ND		0.0246	1	12/19/2018 14:11	WG1212395
Methoxychlor	ND		0.0246	1	12/19/2018 14:11	WG1212395
Toxaphene	ND		0.491	1	12/19/2018 14:11	WG1212395
(S) Decachlorobiphenyl	65.5		10.0-135		12/19/2018 14:11	WG1212395
(S) Tetrachloro-m-xylene	73.5		10.0-139		12/19/2018 14:11	WG1212395

1 Cp

2 Tc

3 Ss

4 Cn

5 Sr

6 Qc

7 Gl

8 Al

9 Sc



Total Solids by Method 2540 G-2011

Analyte	Result	Qualifier	Dilution	Analysis	Batch
	%			date / time	
Total Solids	84.4		1	12/17/2018 10:31	WG1211857

Metals (ICP) by Method 6010D

Analyte	Result (dry)	Qualifier	RDL (dry)	Dilution	Analysis	Batch
	mg/kg		mg/kg		date / time	
Arsenic	ND		2.37	1	12/17/2018 18:02	WG1211653
Lead	9.88		0.592	1	12/17/2018 18:02	WG1211653

Pesticides (GC) by Method 8081B

Analyte	Result (dry)	Qualifier	RDL (dry)	Dilution	Analysis	Batch
	mg/kg		mg/kg		date / time	
Aldrin	ND		0.0237	1	12/19/2018 14:24	WG1212395
Alpha BHC	ND		0.0237	1	12/19/2018 14:24	WG1212395
Beta BHC	ND		0.0237	1	12/19/2018 14:24	WG1212395
Delta BHC	ND		0.0237	1	12/19/2018 14:24	WG1212395
Gamma BHC	ND		0.0237	1	12/19/2018 14:24	WG1212395
Chlordane	ND		0.237	1	12/19/2018 14:24	WG1212395
4,4-DDD	ND		0.0237	1	12/19/2018 14:24	WG1212395
4,4-DDE	ND		0.0237	1	12/19/2018 14:24	WG1212395
4,4-DDT	ND		0.0237	1	12/19/2018 14:24	WG1212395
Dieldrin	ND		0.0237	1	12/19/2018 14:24	WG1212395
Endosulfan I	ND		0.0237	1	12/19/2018 14:24	WG1212395
Endosulfan II	ND		0.0237	1	12/19/2018 14:24	WG1212395
Endosulfan sulfate	ND		0.0237	1	12/19/2018 14:24	WG1212395
Endrin	ND		0.0237	1	12/19/2018 14:24	WG1212395
Endrin aldehyde	ND		0.0237	1	12/19/2018 14:24	WG1212395
Endrin ketone	ND		0.0237	1	12/19/2018 14:24	WG1212395
Hexachlorobenzene	ND		0.0237	1	12/19/2018 14:24	WG1212395
Heptachlor	ND		0.0237	1	12/19/2018 14:24	WG1212395
Heptachlor epoxide	ND		0.0237	1	12/19/2018 14:24	WG1212395
Methoxychlor	ND		0.0237	1	12/19/2018 14:24	WG1212395
Toxaphene	ND		0.474	1	12/19/2018 14:24	WG1212395
(S) Decachlorobiphenyl	64.4		10.0-135		12/19/2018 14:24	WG1212395
(S) Tetrachloro-m-xylene	71.4		10.0-139		12/19/2018 14:24	WG1212395

1 Cp

2 Tc

3 Ss

4 Cn

5 Sr

6 Qc

7 Gl

8 Al

9 Sc



Total Solids by Method 2540 G-2011

Analyte	Result	Qualifier	Dilution	Analysis date / time	Batch
Total Solids	86.2		1	12/17/2018 12:55	WG1211907

Metals (ICP) by Method 6010D

Analyte	Result (dry) mg/kg	Qualifier	RDL (dry) mg/kg	Dilution	Analysis date / time	Batch
Arsenic	ND		2.32	1	12/17/2018 18:05	WG1211653
Lead	8.41		0.580	1	12/17/2018 18:05	WG1211653

Pesticides (GC) by Method 8081B

Analyte	Result (dry) mg/kg	Qualifier	RDL (dry) mg/kg	Dilution	Analysis date / time	Batch
Aldrin	ND		0.0232	1	12/19/2018 14:36	WG1212395
Alpha BHC	ND		0.0232	1	12/19/2018 14:36	WG1212395
Beta BHC	ND		0.0232	1	12/19/2018 14:36	WG1212395
Delta BHC	ND		0.0232	1	12/19/2018 14:36	WG1212395
Gamma BHC	ND		0.0232	1	12/19/2018 14:36	WG1212395
Chlordane	ND		0.232	1	12/19/2018 14:36	WG1212395
4,4-DDD	ND		0.0232	1	12/19/2018 14:36	WG1212395
4,4-DDE	ND		0.0232	1	12/19/2018 14:36	WG1212395
4,4-DDT	ND		0.0232	1	12/19/2018 14:36	WG1212395
Dieldrin	ND		0.0232	1	12/19/2018 14:36	WG1212395
Endosulfan I	ND		0.0232	1	12/19/2018 14:36	WG1212395
Endosulfan II	ND		0.0232	1	12/19/2018 14:36	WG1212395
Endosulfan sulfate	ND		0.0232	1	12/19/2018 14:36	WG1212395
Endrin	ND		0.0232	1	12/19/2018 14:36	WG1212395
Endrin aldehyde	ND		0.0232	1	12/19/2018 14:36	WG1212395
Endrin ketone	ND		0.0232	1	12/19/2018 14:36	WG1212395
Hexachlorobenzene	ND		0.0232	1	12/19/2018 14:36	WG1212395
Heptachlor	ND		0.0232	1	12/19/2018 14:36	WG1212395
Heptachlor epoxide	ND		0.0232	1	12/19/2018 14:36	WG1212395
Methoxychlor	ND		0.0232	1	12/19/2018 14:36	WG1212395
Toxaphene	ND		0.464	1	12/19/2018 14:36	WG1212395
(S) Decachlorobiphenyl	65.6		10.0-135		12/19/2018 14:36	WG1212395
(S) Tetrachloro-m-xylene	72.8		10.0-139		12/19/2018 14:36	WG1212395

1 Cp

2 Tc

3 Ss

4 Cn

5 Sr

6 Qc

7 Gl

8 Al

9 Sc



Method Blank (MB)

(MB) R3369039-1 12/17/18 14:04

	MB Result	MB Qualifier	MB MDL	MB RDL
Analyte	%		%	%
Total Solids	0.00100			

¹Cp

²Tc

³Ss

⁴Cn

⁵Sr

⁶Qc

L1053373-01 Original Sample (OS) • Duplicate (DUP)

(OS) L1053373-01 12/17/18 14:04 • (DUP) R3369039-3 12/17/18 14:04

	Original Result	DUP Result	Dilution	DUP RPD	DUP Qualifier	DUP RPD Limits
Analyte	%	%		%		%
Total Solids	75.0	74.5	1	0.691		10

⁷Gl

⁸Al

Laboratory Control Sample (LCS)

(LCS) R3369039-2 12/17/18 14:04

	Spike Amount	LCS Result	LCS Rec.	Rec. Limits	LCS Qualifier
Analyte	%	%	%	%	
Total Solids	50.0	50.0	100	85.0-115	

⁹Sc

Method Blank (MB)

(MB) R3369037-1 12/17/18 13:52

	MB Result	<u>MB Qualifier</u>	MB MDL	MB RDL
Analyte	%		%	%
Total Solids	0.00100			

1

Cp

2

Tc

3

Ss

4

Cn

5

Sr

6

Qc

7

Gl

8

Al

9

Sc

L1053387-11 Original Sample (OS) • Duplicate (DUP)

(OS) L1053387-11 12/17/18 13:52 • (DUP) R3369037-3 12/17/18 13:52

	Original Result	DUP Result	Dilution	DUP RPD	<u>DUP Qualifier</u>	DUP RPD Limits
Analyte	%	%		%		%
Total Solids	81.7	81.7	1	0.00122		10

Laboratory Control Sample (LCS)

(LCS) R3369037-2 12/17/18 13:52

	Spike Amount	LCS Result	LCS Rec.	Rec. Limits	<u>LCS Qualifier</u>
Analyte	%	%	%	%	
Total Solids	50.0	50.0	100	85.0-115	

Method Blank (MB)

(MB) R3369026-1 12/17/18 10:31

	MB Result	<u>MB Qualifier</u>	MB MDL	MB RDL
Analyte	%		%	%
Total Solids	0.00100			

1

Cp

2

Tc

3

Ss

4

Cn

5

Sr

6

Qc

7

Gl

8

Al

9

Sc

L1053594-02 Original Sample (OS) • Duplicate (DUP)

(OS) L1053594-02 12/17/18 10:31 • (DUP) R3369026-3 12/17/18 10:31

	Original Result	DUP Result	Dilution	DUP RPD	<u>DUP Qualifier</u>	DUP RPD Limits
Analyte	%	%		%		%
Total Solids	83.5	83.6	1	0.0917		10

Laboratory Control Sample (LCS)

(LCS) R3369026-2 12/17/18 10:31

	Spike Amount	LCS Result	LCS Rec.	Rec. Limits	<u>LCS Qualifier</u>
Analyte	%	%	%	%	
Total Solids	50.0	50.0	100	85.0-115	

Total Solids by Method 2540 G-2011

[L1053387-20](#)

Method Blank (MB)

(MB) R3369031-1 12/17/18 12:55

	MB Result	<u>MB Qualifier</u>	MB MDL	MB RDL
Analyte	%		%	%
Total Solids	0.00100			

L1053388-01 Original Sample (OS) • Duplicate (DUP)

(OS) L1053388-01 12/17/18 12:55 • (DUP) R3369031-3 12/17/18 12:55

	Original Result	DUP Result	Dilution	DUP RPD	<u>DUP Qualifier</u>	DUP RPD Limits
Analyte	%	%		%		%
Total Solids	78.3	77.9	1	0.454		10

Laboratory Control Sample (LCS)

(LCS) R3369031-2 12/17/18 12:55

	Spike Amount	LCS Result	LCS Rec.	Rec. Limits	<u>LCS Qualifier</u>
Analyte	%	%	%	%	
Total Solids	50.0	50.0	100	85.0-115	

1Cp

2Tc

3Ss

4Cn

5Sr

6Qc

7Gl

8Al

9Sc



Method Blank (MB)

(MB) R3368991-1 12/17/18 16:50

	MB Result	MB Qualifier	MB MDL	MB RDL
Analyte	mg/kg		mg/kg	mg/kg
Arsenic	U		0.460	2.00
Lead	0.233	J	0.190	0.500

1Cp

2Tc

3Ss

4Cn

5Sr

6Qc

7Gl

8Al

9Sc

Laboratory Control Sample (LCS) • Laboratory Control Sample Duplicate (LCSD)

(LCS) R3368991-2 12/17/18 16:52 • (LCSD) R3368991-3 12/17/18 16:54

	Spike Amount	LCS Result	LCSD Result	LCS Rec.	LCSD Rec.	Rec. Limits	LCS Qualifier	LCSD Qualifier	RPD	RPD Limits
Analyte	mg/kg	mg/kg	mg/kg	%	%	%			%	%
Arsenic	100	107	105	107	105	80.0-120			2.48	20
Lead	100	108	105	108	105	80.0-120			2.86	20

L1053387-11 Original Sample (OS) • Matrix Spike (MS) • Matrix Spike Duplicate (MSD)

(OS) L1053387-11 12/17/18 16:57 • (MS) R3368991-6 12/17/18 17:04 • (MSD) R3368991-7 12/17/18 17:07

	Spike Amount (dry)	Original Result (dry)	MS Result (dry)	MSD Result (dry)	MS Rec.	MSD Rec.	Dilution	Rec. Limits	MS Qualifier	MSD Qualifier	RPD	RPD Limits
Analyte	mg/kg	mg/kg	mg/kg	mg/kg	%	%		%			%	%
Arsenic	122	ND	117	116	94.7	93.9	1	75.0-125			0.832	20
Lead	122	9.24	130	129	98.7	97.4	1	75.0-125			1.24	20

Method Blank (MB)

(MB) R3369232-3 12/17/18 16:11

Analyte	MB Result mg/kg	MB Qualifier	MB MDL mg/kg	MB RDL mg/kg
Aldrin	U		0.00135	0.0200
Alpha BHC	U		0.00136	0.0200
Beta BHC	U		0.00160	0.0200
Delta BHC	U		0.00143	0.0200
Gamma BHC	U		0.00145	0.0200
4,4-DDD	U		0.00156	0.0200
4,4-DDE	U		0.00154	0.0200
4,4-DDT	U		0.00200	0.0200
Dieldrin	U		0.00152	0.0200
Endosulfan I	U		0.00149	0.0200
Endosulfan II	U		0.00160	0.0200
Endosulfan sulfate	U		0.00151	0.0200
Endrin	U		0.00157	0.0200
Endrin aldehyde	U		0.00129	0.0200
Endrin ketone	U		0.00165	0.0200
Heptachlor	U		0.00154	0.0200
Heptachlor epoxide	U		0.00161	0.0200
Hexachlorobenzene	U		0.00124	0.0200
Methoxychlor	U		0.00178	0.0200
Chlordane	U		0.0390	0.200
Toxaphene	U		0.0360	0.400
(S) Decachlorobiphenyl	100			10.0-135
(S) Tetrachloro-m-xylene	92.5			10.0-139

¹Cp

²Tc

³Ss

⁴Cn

⁵Sr

⁶Qc

⁷Gl

⁸Al

⁹Sc

Laboratory Control Sample (LCS) • Laboratory Control Sample Duplicate (LCSD)

(LCS) R3369232-1 12/17/18 15:41 • (LCSD) R3369232-2 12/17/18 15:56

Analyte	Spike Amount mg/kg	LCS Result mg/kg	LCSD Result mg/kg	LCS Rec. %	LCSD Rec. %	Rec. Limits %	LCS Qualifier	LCSD Qualifier	RPD %	RPD Limits %
Aldrin	0.0666	0.0651	0.0568	97.7	85.3	34.0-136			13.6	38
Alpha BHC	0.0666	0.0672	0.0587	101	88.1	34.0-139			13.5	38
Beta BHC	0.0666	0.0621	0.0547	93.2	82.1	34.0-133			12.7	37
Delta BHC	0.0666	0.0660	0.0580	99.1	87.1	34.0-135			12.9	38
Gamma BHC	0.0666	0.0651	0.0570	97.7	85.6	34.0-136			13.3	38
4,4-DDD	0.0666	0.0654	0.0570	98.2	85.6	33.0-141			13.7	39
4,4-DDE	0.0666	0.0655	0.0571	98.3	85.7	34.0-134			13.7	38
4,4-DDT	0.0666	0.0572	0.0495	85.9	74.3	30.0-143			14.4	40
Dieldrin	0.0666	0.0655	0.0573	98.3	86.0	35.0-137			13.4	37
Endosulfan I	0.0666	0.0633	0.0554	95.0	83.2	34.0-134			13.3	37



L1053387-01,02,03,04,05,06,07,08,09,10,11

Laboratory Control Sample (LCS) • Laboratory Control Sample Duplicate (LCSD)

(LCS) R3369232-1 12/17/18 15:41 • (LCSD) R3369232-2 12/17/18 15:56

Analyte	Spike Amount mg/kg	LCS Result mg/kg	LCSD Result mg/kg	LCS Rec. %	LCSD Rec. %	Rec. Limits %	<u>LCS Qualifier</u>	<u>LCSD Qualifier</u>	RPD %	RPD Limits %
Endosulfan II	0.0666	0.0599	0.0523	89.9	78.5	35.0-132			13.5	38
Endosulfan sulfate	0.0666	0.0656	0.0581	98.5	87.2	35.0-132			12.1	37
Endrin	0.0666	0.0611	0.0532	91.7	79.9	34.0-137			13.8	37
Endrin aldehyde	0.0666	0.0534	0.0484	80.2	72.7	23.0-121			9.82	39
Endrin ketone	0.0666	0.0628	0.0554	94.3	83.2	35.0-144			12.5	37
Heptachlor	0.0666	0.0609	0.0535	91.4	80.3	36.0-141			12.9	37
Heptachlor epoxide	0.0666	0.0644	0.0566	96.7	85.0	36.0-134			12.9	37
Hexachlorobenzene	0.0666	0.0607	0.0534	91.1	80.2	33.0-129			12.8	37
Methoxychlor	0.0666	0.0594	0.0520	89.2	78.1	28.0-150			13.3	38
(S) Decachlorobiphenyl				97.3	89.9	10.0-135				
(S) Tetrachloro-m-xylene				90.5	82.7	10.0-139				

L1053387-07 Original Sample (OS) • Matrix Spike (MS) • Matrix Spike Duplicate (MSD)

(OS) L1053387-07 12/17/18 20:07 • (MS) R3369232-4 12/17/18 20:22 • (MSD) R3369232-5 12/17/18 20:36

Analyte	Spike Amount (dry) mg/kg	Original Result (dry) mg/kg	MS Result (dry) mg/kg	MSD Result (dry) mg/kg	MS Rec. %	MSD Rec. %	Dilution	Rec. Limits %	<u>MS Qualifier</u>	<u>MSD Qualifier</u>	RPD %	RPD Limits %
Aldrin	0.0783	ND	0.0702	0.0821	89.6	105	1	20.0-135			15.6	37
Alpha BHC	0.0783	ND	0.0860	0.100	110	128	1	27.0-140			15.1	35
Beta BHC	0.0783	ND	0.0797	0.0928	102	118	1	23.0-141			15.1	37
Delta BHC	0.0783	ND	0.0845	0.0991	108	127	1	21.0-138			15.9	35
Gamma BHC	0.0783	ND	0.0831	0.0972	106	124	1	27.0-137			15.6	36
4,4-DDD	0.0783	ND	0.0795	0.0927	102	118	1	15.0-152			15.3	39
4,4-DDE	0.0783	ND	0.0702	0.0828	89.6	106	1	10.0-152			16.4	40
4,4-DDT	0.0783	ND	0.0561	0.0686	71.6	87.5	1	10.0-151			20.0	40
Dieldrin	0.0783	ND	0.0794	0.0929	101	119	1	17.0-145			15.7	37
Endosulfan I	0.0783	ND	0.0764	0.0889	97.6	114	1	20.0-137			15.1	36
Endosulfan II	0.0783	ND	0.0738	0.0861	94.3	110	1	15.0-141			15.3	37
Endosulfan sulfate	0.0783	ND	0.0814	0.0947	104	121	1	15.0-143			15.1	38
Endrin	0.0783	ND	0.0862	0.107	110	136	1	19.0-143			21.1	37
Endrin aldehyde	0.0783	ND	0.0664	0.0780	84.8	99.5	1	10.0-139			16.0	40
Endrin ketone	0.0783	ND	0.0758	0.0895	96.8	114	1	17.0-149			16.5	38
Heptachlor	0.0783	ND	0.0697	0.0847	89.0	108	1	22.0-138			19.3	37
Heptachlor epoxide	0.0783	ND	0.0788	0.0922	101	118	1	22.0-138			15.7	36
Hexachlorobenzene	0.0783	ND	0.0767	0.0908	97.9	116	1	25.0-126			16.9	35
Methoxychlor	0.0783	ND	0.0683	0.0825	87.2	105	1	10.0-159			18.9	40
(S) Decachlorobiphenyl					92.6	105		10.0-135				
(S) Tetrachloro-m-xylene					94.6	110		10.0-139				

1Cp

2Tc

3Ss

4Cn

5Sr

6Qc

7Gl

8Al

9Sc

Method Blank (MB)

(MB) R3369588-3 12/19/18 10:51

Analyte	MB Result mg/kg	MB Qualifier	MB MDL mg/kg	MB RDL mg/kg
Aldrin	U		0.00135	0.0200
Alpha BHC	U		0.00136	0.0200
Beta BHC	U		0.00160	0.0200
Delta BHC	U		0.00143	0.0200
Gamma BHC	U		0.00145	0.0200
4,4-DDD	U		0.00156	0.0200
4,4-DDE	U		0.00154	0.0200
4,4-DDT	U		0.00200	0.0200
Dieldrin	U		0.00152	0.0200
Endosulfan I	U		0.00149	0.0200
Endosulfan II	U		0.00160	0.0200
Endosulfan sulfate	U		0.00151	0.0200
Endrin	U		0.00157	0.0200
Endrin aldehyde	U		0.00129	0.0200
Endrin ketone	U		0.00165	0.0200
Heptachlor	U		0.00154	0.0200
Heptachlor epoxide	U		0.00161	0.0200
Hexachlorobenzene	U		0.00124	0.0200
Methoxychlor	U		0.00178	0.0200
Chlordane	U		0.0390	0.200
Toxaphene	U		0.0360	0.400
(S) Decachlorobiphenyl	70.1			10.0-135
(S) Tetrachloro-m-xylene	74.0			10.0-139

1Cp

2Tc

3Ss

4Cn

5Sr

6Qc

7Gl

8Al

9Sc

Laboratory Control Sample (LCS) • Laboratory Control Sample Duplicate (LCSD)

(LCS) R3369588-1 12/19/18 10:26 • (LCSD) R3369588-2 12/19/18 10:39

Analyte	Spike Amount mg/kg	LCS Result mg/kg	LCSD Result mg/kg	LCS Rec. %	LCSD Rec. %	Rec. Limits %	LCS Qualifier	LCSD Qualifier	RPD %	RPD Limits %
Aldrin	0.0666	0.0570	0.0613	85.6	92.0	34.0-136			7.27	38
Alpha BHC	0.0666	0.0514	0.0562	77.2	84.4	34.0-139			8.92	38
Beta BHC	0.0666	0.0562	0.0617	84.4	92.6	34.0-133			9.33	37
Delta BHC	0.0666	0.0497	0.0547	74.6	82.1	34.0-135			9.58	38
Gamma BHC	0.0666	0.0491	0.0540	73.7	81.1	34.0-136			9.51	38
4,4-DDD	0.0666	0.0544	0.0586	81.7	88.0	33.0-141			7.43	39
4,4-DDE	0.0666	0.0481	0.0518	72.2	77.8	34.0-134			7.41	38
4,4-DDT	0.0666	0.0493	0.0535	74.0	80.3	30.0-143			8.17	40
Dieldrin	0.0666	0.0589	0.0632	88.4	94.9	35.0-137			7.04	37
Endosulfan I	0.0666	0.0569	0.0609	85.4	91.4	34.0-134			6.79	37



Laboratory Control Sample (LCS) • Laboratory Control Sample Duplicate (LCSD)

(LCS) R3369588-1 12/19/18 10:26 • (LCSD) R3369588-2 12/19/18 10:39

Analyte	Spike Amount mg/kg	LCS Result mg/kg	LCSD Result mg/kg	LCS Rec. %	LCSD Rec. %	Rec. Limits %	LCS Qualifier	LCSD Qualifier	RPD %	RPD Limits %
Endosulfan II	0.0666	0.0522	0.0564	78.4	84.7	35.0-132			7.73	38
Endosulfan sulfate	0.0666	0.0574	0.0623	86.2	93.5	35.0-132			8.19	37
Endrin	0.0666	0.0582	0.0624	87.4	93.7	34.0-137			6.97	37
Endrin aldehyde	0.0666	0.0503	0.0548	75.5	82.3	23.0-121			8.56	39
Endrin ketone	0.0666	0.0574	0.0613	86.2	92.0	35.0-144			6.57	37
Heptachlor	0.0666	0.0552	0.0606	82.9	91.0	36.0-141			9.33	37
Heptachlor epoxide	0.0666	0.0588	0.0632	88.3	94.9	36.0-134			7.21	37
Hexachlorobenzene	0.0666	0.0500	0.0543	75.1	81.5	33.0-129			8.25	37
Methoxychlor	0.0666	0.0544	0.0608	81.7	91.3	28.0-150			11.1	38
(S) Decachlorobiphenyl				76.9	78.8	10.0-135				
(S) Tetrachloro-m-xylene				76.9	80.8	10.0-139				

L1053387-17 Original Sample (OS) • Matrix Spike (MS) • Matrix Spike Duplicate (MSD)

(OS) L1053387-17 12/19/18 13:34 • (MS) R3369588-4 12/19/18 13:46 • (MSD) R3369588-5 12/19/18 13:59

Analyte	Spike Amount (dry) mg/kg	Original Result (dry) mg/kg	MS Result (dry) mg/kg	MSD Result (dry) mg/kg	MS Rec. %	MSD Rec. %	Dilution	Rec. Limits %	MS Qualifier	MSD Qualifier	RPD %	RPD Limits %
Aldrin	0.0782	ND	0.0625	0.0629	80.0	80.5	1	20.0-135			0.561	37
Alpha BHC	0.0782	ND	0.0604	0.0611	77.3	78.2	1	27.0-140			1.16	35
Beta BHC	0.0782	ND	0.0663	0.0668	84.8	85.4	1	23.0-141			0.705	37
Delta BHC	0.0782	ND	0.0554	0.0562	70.9	71.9	1	21.0-138			1.47	35
Gamma BHC	0.0782	ND	0.0573	0.0581	73.3	74.3	1	27.0-137			1.42	36
4,4-DDD	0.0782	ND	0.0637	0.0641	81.5	82.0	1	15.0-152			0.551	39
4,4-DDE	0.0782	ND	0.0536	0.0536	68.6	68.6	1	10.0-152			0.000	40
4,4-DDT	0.0782	ND	0.0447	0.0444	57.2	56.8	1	10.0-151			0.791	40
Dieldrin	0.0782	ND	0.0660	0.0661	84.4	84.5	1	17.0-145			0.178	37
Endosulfan I	0.0782	ND	0.0629	0.0635	80.5	81.2	1	20.0-137			0.929	36
Endosulfan II	0.0782	ND	0.0581	0.0586	74.3	74.9	1	15.0-141			0.805	37
Endosulfan sulfate	0.0782	ND	0.0662	0.0671	84.7	85.9	1	15.0-143			1.41	38
Endrin	0.0782	ND	0.0647	0.0654	82.7	83.6	1	19.0-143			1.08	37
Endrin aldehyde	0.0782	ND	0.0601	0.0602	76.9	77.0	1	10.0-139			0.195	40
Endrin ketone	0.0782	ND	0.0608	0.0617	77.8	79.0	1	17.0-149			1.53	38
Heptachlor	0.0782	ND	0.0609	0.0610	77.9	78.1	1	22.0-138			0.192	37
Heptachlor epoxide	0.0782	ND	0.0660	0.0662	84.4	84.7	1	22.0-138			0.355	36
Hexachlorobenzene	0.0782	ND	0.0567	0.0572	72.5	73.1	1	25.0-126			0.825	35
Methoxychlor	0.0782	ND	0.0555	0.0555	71.0	71.0	1	10.0-159			0.000	40
(S) Decachlorobiphenyl					65.6	67.6		10.0-135				
(S) Tetrachloro-m-xylene					72.4	73.4		10.0-139				

1 Cp

2 Tc

3 Ss

4 Cn

5 Sr

6 Qc

7 Gl

8 Al

9 Sc



Method Blank (MB)

(MB) R3370599-3 12/21/18 00:00

Analyte	MB Result mg/kg	MB Qualifier	MB MDL mg/kg	MB RDL mg/kg
Aldrin	U		0.00135	0.0200
Alpha BHC	U		0.00136	0.0200
Beta BHC	U		0.00160	0.0200
Delta BHC	U		0.00143	0.0200
Gamma BHC	U		0.00145	0.0200
4,4-DDD	U		0.00156	0.0200
4,4-DDE	U		0.00154	0.0200
4,4-DDT	U		0.00200	0.0200
Dieldrin	U		0.00152	0.0200
Endosulfan I	U		0.00149	0.0200
Endosulfan II	U		0.00160	0.0200
Endosulfan sulfate	U		0.00151	0.0200
Endrin	U		0.00157	0.0200
Endrin aldehyde	U		0.00129	0.0200
Endrin ketone	U		0.00165	0.0200
Heptachlor	U		0.00154	0.0200
Heptachlor epoxide	U		0.00161	0.0200
Hexachlorobenzene	U		0.00124	0.0200
Methoxychlor	U		0.00178	0.0200
Chlordane	U		0.0390	0.200
Toxaphene	U		0.0360	0.400
(S) Decachlorobiphenyl	63.2			10.0-135
(S) Tetrachloro-m-xylene	64.7			10.0-139

¹Cp

²Tc

³Ss

⁴Cn

⁵Sr

⁶Qc

⁷Gl

⁸Al

⁹Sc

Laboratory Control Sample (LCS) • Laboratory Control Sample Duplicate (LCSD)

(LCS) R3370599-1 12/20/18 23:30 • (LCSD) R3370599-2 12/20/18 23:45

Analyte	Spike Amount mg/kg	LCS Result mg/kg	LCSD Result mg/kg	LCS Rec. %	LCSD Rec. %	Rec. Limits %	LCS Qualifier	LCSD Qualifier	RPD %	RPD Limits %
Aldrin	0.0666	0.0471	0.0428	70.7	64.3	34.0-136			9.57	38
Alpha BHC	0.0666	0.0516	0.0471	77.5	70.7	34.0-139			9.12	38
Beta BHC	0.0666	0.0470	0.0437	70.6	65.6	34.0-133			7.28	37
Delta BHC	0.0666	0.0489	0.0445	73.4	66.8	34.0-135			9.42	38
Gamma BHC	0.0666	0.0507	0.0465	76.1	69.8	34.0-136			8.64	38
4,4-DDD	0.0666	0.0458	0.0415	68.8	62.3	33.0-141			9.85	39
4,4-DDE	0.0666	0.0461	0.0421	69.2	63.2	34.0-134			9.07	38
4,4-DDT	0.0666	0.0501	0.0454	75.2	68.2	30.0-143			9.84	40
Dieldrin	0.0666	0.0473	0.0430	71.0	64.6	35.0-137			9.52	37
Endosulfan I	0.0666	0.0444	0.0409	66.7	61.4	34.0-134			8.21	37



Laboratory Control Sample (LCS) • Laboratory Control Sample Duplicate (LCSD)

(LCS) R3370599-1 12/20/18 23:30 • (LCSD) R3370599-2 12/20/18 23:45

Analyte	Spike Amount mg/kg	LCS Result mg/kg	LCSD Result mg/kg	LCS Rec. %	LCSD Rec. %	Rec. Limits %	<u>LCS Qualifier</u>	<u>LCSD Qualifier</u>	RPD %	RPD Limits %
Endosulfan II	0.0666	0.0421	0.0383	63.2	57.5	35.0-132			9.45	38
Endosulfan sulfate	0.0666	0.0464	0.0423	69.7	63.5	35.0-132			9.24	37
Endrin	0.0666	0.0503	0.0455	75.5	68.3	34.0-137			10.0	37
Endrin aldehyde	0.0666	0.0427	0.0392	64.1	58.9	23.0-121			8.55	39
Endrin ketone	0.0666	0.0445	0.0407	66.8	61.1	35.0-144			8.92	37
Heptachlor	0.0666	0.0532	0.0479	79.9	71.9	36.0-141			10.5	37
Heptachlor epoxide	0.0666	0.0464	0.0428	69.7	64.3	36.0-134			8.07	37
Hexachlorobenzene	0.0666	0.0480	0.0456	72.1	68.5	33.0-129			5.13	37
Methoxychlor	0.0666	0.0484	0.0439	72.7	65.9	28.0-150			9.75	38
(S) Decachlorobiphenyl				69.5	66.5	10.0-135				
(S) Tetrachloro-m-xylene				71.6	68.2	10.0-139				

L1053387-12 Original Sample (OS) • Matrix Spike (MS) • Matrix Spike Duplicate (MSD)

(OS) L1053387-12 12/21/18 00:15 • (MS) R3370599-4 12/21/18 00:30 • (MSD) R3370599-5 12/21/18 00:45

Analyte	Spike Amount (dry) mg/kg	Original Result (dry) mg/kg	MS Result (dry) mg/kg	MSD Result (dry) mg/kg	MS Rec. %	MSD Rec. %	Dilution	Rec. Limits %	<u>MS Qualifier</u>	<u>MSD Qualifier</u>	RPD %	RPD Limits %
Aldrin	0.0829	ND	0.0572	0.0600	69.1	72.4	1	20.0-135			4.67	37
Alpha BHC	0.0829	ND	0.0621	0.0655	74.9	79.0	1	27.0-140			5.27	35
Beta BHC	0.0829	ND	0.0556	0.0590	67.1	71.2	1	23.0-141			5.86	37
Delta BHC	0.0829	ND	0.0559	0.0584	67.4	70.4	1	21.0-138			4.36	35
Gamma BHC	0.0829	ND	0.0591	0.0633	71.3	76.4	1	27.0-137			6.91	36
4,4-DDD	0.0829	ND	0.0565	0.0589	68.2	71.0	1	15.0-152			4.10	39
4,4-DDE	0.0829	ND	0.0563	0.0590	67.9	71.2	1	10.0-152			4.75	40
4,4-DDT	0.0829	ND	0.0612	0.0632	73.9	76.3	1	10.0-151			3.20	40
Dieldrin	0.0829	ND	0.0591	0.0614	71.3	74.0	1	17.0-145			3.72	37
Endosulfan I	0.0829	ND	0.0548	0.0572	66.1	69.1	1	20.0-137			4.44	36
Endosulfan II	0.0829	ND	0.0512	0.0524	61.7	63.2	1	15.0-141			2.40	37
Endosulfan sulfate	0.0829	ND	0.0559	0.0566	67.4	68.3	1	15.0-143			1.33	38
Endrin	0.0829	ND	0.0635	0.0656	76.6	79.1	1	19.0-143			3.28	37
Endrin aldehyde	0.0829	ND	0.0509	0.0514	61.4	62.0	1	10.0-139			0.973	40
Endrin ketone	0.0829	ND	0.0539	0.0551	65.0	66.5	1	17.0-149			2.28	38
Heptachlor	0.0829	ND	0.0660	0.0680	79.6	82.0	1	22.0-138			2.97	37
Heptachlor epoxide	0.0829	ND	0.0596	0.0621	71.9	74.9	1	22.0-138			4.09	36
Hexachlorobenzene	0.0829	ND	0.0584	0.0616	70.4	74.3	1	25.0-126			5.39	35
Methoxychlor	0.0829	ND	0.0622	0.0625	75.1	75.4	1	10.0-159			0.399	40
(S) Decachlorobiphenyl					61.0	64.1		10.0-135				
(S) Tetrachloro-m-xylene					65.6	69.1		10.0-139				

¹Cp

²Tc

³Ss

⁴Cn

⁵Sr

⁶Qc

⁷Gl

⁸Al

⁹Sc



Guide to Reading and Understanding Your Laboratory Report

The information below is designed to better explain the various terms used in your report of analytical results from the Laboratory. This is not intended as a comprehensive explanation, and if you have additional questions please contact your project representative.

Abbreviations and Definitions

(dry)	Results are reported based on the dry weight of the sample. [this will only be present on a dry report basis for soils].
MDL	Method Detection Limit.
ND	Not detected at the Reporting Limit (or MDL where applicable).
RDL	Reported Detection Limit.
RDL (dry)	Reported Detection Limit.
Rec.	Recovery.
RPD	Relative Percent Difference.
SDG	Sample Delivery Group.
(S)	Surrogate (Surrogate Standard) - Analytes added to every blank, sample, Laboratory Control Sample/Duplicate and Matrix Spike/Duplicate; used to evaluate analytical efficiency by measuring recovery. Surrogates are not expected to be detected in all environmental media.
U	Not detected at the Reporting Limit (or MDL where applicable).
Analyte	The name of the particular compound or analysis performed. Some Analyses and Methods will have multiple analytes reported.
Dilution	If the sample matrix contains an interfering material, the sample preparation volume or weight values differ from the standard, or if concentrations of analytes in the sample are higher than the highest limit of concentration that the laboratory can accurately report, the sample may be diluted for analysis. If a value different than 1 is used in this field, the result reported has already been corrected for this factor.
Limits	These are the target % recovery ranges or % difference value that the laboratory has historically determined as normal for the method and analyte being reported. Successful QC Sample analysis will target all analytes recovered or duplicated within these ranges.
Original Sample	The non-spiked sample in the prep batch used to determine the Relative Percent Difference (RPD) from a quality control sample. The Original Sample may not be included within the reported SDG.
Qualifier	This column provides a letter and/or number designation that corresponds to additional information concerning the result reported. If a Qualifier is present, a definition per Qualifier is provided within the Glossary and Definitions page and potentially a discussion of possible implications of the Qualifier in the Case Narrative if applicable.
Result	The actual analytical final result (corrected for any sample specific characteristics) reported for your sample. If there was no measurable result returned for a specific analyte, the result in this column may state "ND" (Not Detected) or "BDL" (Below Detectable Levels). The information in the results column should always be accompanied by either an MDL (Method Detection Limit) or RDL (Reporting Detection Limit) that defines the lowest value that the laboratory could detect or report for this analyte.
Uncertainty (Radiochemistry)	Confidence level of 2 sigma.
Case Narrative (Cn)	A brief discussion about the included sample results, including a discussion of any non-conformances to protocol observed either at sample receipt by the laboratory from the field or during the analytical process. If present, there will be a section in the Case Narrative to discuss the meaning of any data qualifiers used in the report.
Quality Control Summary (Qc)	This section of the report includes the results of the laboratory quality control analyses required by procedure or analytical methods to assist in evaluating the validity of the results reported for your samples. These analyses are not being performed on your samples typically, but on laboratory generated material.
Sample Chain of Custody (Sc)	This is the document created in the field when your samples were initially collected. This is used to verify the time and date of collection, the person collecting the samples, and the analyses that the laboratory is requested to perform. This chain of custody also documents all persons (excluding commercial shippers) that have had control or possession of the samples from the time of collection until delivery to the laboratory for analysis.
Sample Results (Sr)	This section of your report will provide the results of all testing performed on your samples. These results are provided by sample ID and are separated by the analyses performed on each sample. The header line of each analysis section for each sample will provide the name and method number for the analysis reported.
Sample Summary (Ss)	This section of the Analytical Report defines the specific analyses performed for each sample ID, including the dates and times of preparation and/or analysis.

Qualifier Description

J	The identification of the analyte is acceptable; the reported value is an estimate.
---	---

¹ Cp

² Tc

³ Ss

⁴ Cn

⁵ Sr

⁶ Qc

⁷ Gl

⁸ Al

⁹ Sc



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* Accreditation is only applicable to the test methods specified on each scope of accreditation held by Pace National.

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Alabama	40660	Nebraska	NE-OS-15-05
Alaska	17-026	Nevada	TN-03-2002-34
Arizona	AZ0612	New Hampshire	2975
Arkansas	88-0469	New Jersey–NELAP	TN002
California	2932	New Mexico ¹	n/a
Colorado	TN00003	New York	11742
Connecticut	PH-0197	North Carolina	Env375
Florida	E87487	North Carolina ¹	DW21704
Georgia	NELAP	North Carolina ³	41
Georgia ¹	923	North Dakota	R-140
Idaho	TN00003	Ohio–VAP	CL0069
Illinois	200008	Oklahoma	9915
Indiana	C-TN-01	Oregon	TN200002
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Kansas	E-10277	Rhode Island	LA000356
Kentucky ^{1 6}	90010	South Carolina	84004
Kentucky ²	16	South Dakota	n/a
Louisiana	AI30792	Tennessee ^{1 4}	2006
Louisiana ¹	LA180010	Texas	T 104704245-17-14
Maine	TN0002	Texas ⁵	LAB0152
Maryland	324	Utah	TN00003
Massachusetts	M-TN003	Vermont	VT2006
Michigan	9958	Virginia	460132
Minnesota	047-999-395	Washington	C847
Mississippi	TN00003	West Virginia	233
Missouri	340	Wisconsin	9980939910
Montana	CERT0086	Wyoming	A2LA

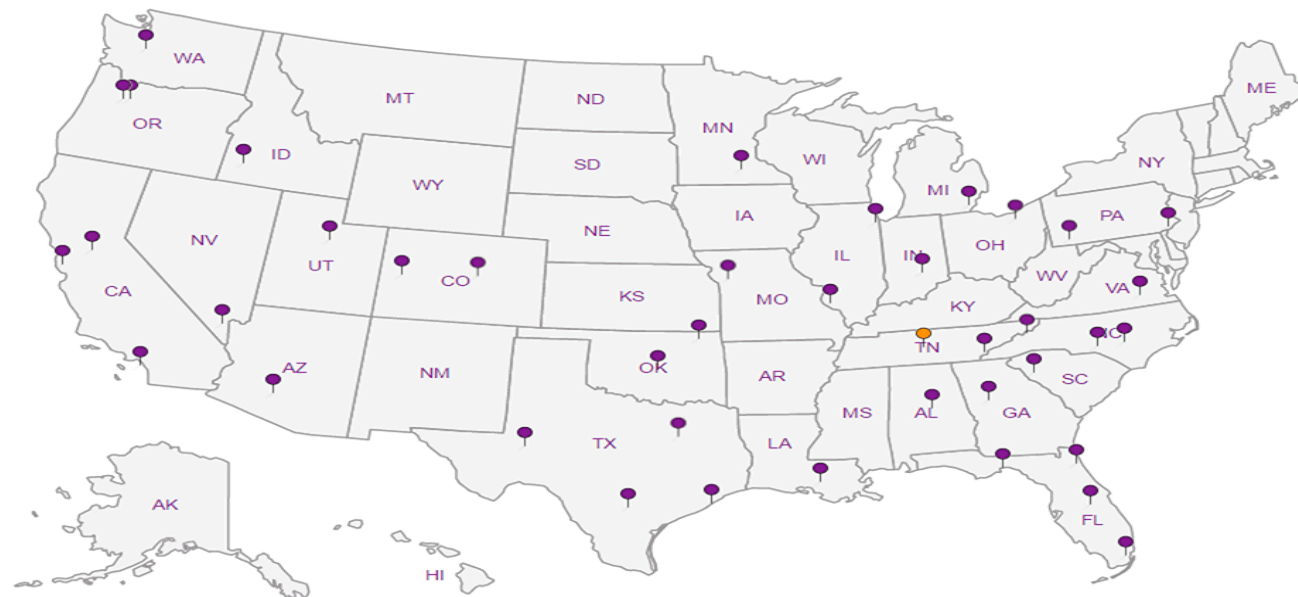
Third Party Federal Accreditations

A2LA – ISO 17025	1461.01	AIHA-LAP, LLC EMLAP	100789
A2LA – ISO 17025 ⁵	1461.02	DOD	1461.01
Canada	1461.01	USDA	P330-15-00234
EPA–Crypto	TN00003		

¹ Drinking Water ² Underground Storage Tanks ³ Aquatic Toxicity ⁴ Chemical/Microbiological ⁵ Mold ⁶ Wastewater n/a Accreditation not applicable

Our Locations

Pace National has sixty-four client support centers that provide sample pickup and/or the delivery of sampling supplies. If you would like assistance from one of our support offices, please contact our main office. Pace National performs all testing at our central laboratory.



400 Bradley Blvd
Suite 106
Richland WA 99352

Report to:
Angela McGuire

Project	
Description:	Richland Orchards

Phone: 509-942-1600
Fax:

Collected by (print):
Angela McGuire

Collected by {signature}:

Immediately
Packed on ice N ☐ Y ☒

Sample ID

Billing Information:

Accounts Payable- Stephanie Price
400 Bradley Blvd., Ste. 300
Richland, WA 99352

Email To: angela.mcguire@pbsusa.com

Pres
Cnk

Analysis / Container / Preservative

Chain of Custody	Page	of
------------------	------	----



12065 Lebanon Rd
Mount Juliet, TN 37122
Phone: 615-758-5858
Phone: 800-767-5859
Fax: 615-758-5859



L# 4053387

D101

Account: **PBSENGRWA**

Template:T143625

Prelogin: P683272

TSR: 110 - Brian Ford

PB:

Shipped Via:

Remarks	Sample # (lab only)
---------	---------------------

SS-1-6	Grab	SS	0.5'	12/12/18	10:11	2
SS-2-6		SS			10:44	
SS-3-6		SS			11:10	
SS-4-6		SS			11:25	
SS-5-6		SS			11:37	
SS-6-6		SS			11:48	
SS-7-6		SS			12:43	
SS-8-6		SS			12:51	
SS-9-6		SS			13:03	
SS-10-6		SS			13:17	

* Matrix:
SS - Soil AIR - Air F - Filter
GW - Groundwater B - Bioassay
WW - WasteWater
DW - Drinking Water
OT - Other

Remarks:

Samples returned via:

☐ UPS ☐ FedEx ☐ Courier

Tracking #

pH Temp

Flow _____ Other _____

Sample Receipt Checklist

COC Seal Present/Intact:	NP	Y	N
COC Signed/Accurate:		Y	N
Bottles arrive intact:		Y	N
Correct bottles used:		Y	N
Sufficient volume sent:		Y	N

If Applicable

VOA Zero Headspace:	Y	N
Preservation Correct/Checked:	Y	N

RAD SCREEN: <0.5 mR/hr

If preservation required by Login: Date/Time

Hold:	Condition NCF
-------	------------------

Relinquished by : (Signature)
Angela McQuinn PBS

Date:	Time:
12/13/18	15:00

Received by: (Signature)
FedEx 4/10/86 604703047

Trip Blank Received: Yes / No
HCL / MeOH
TBR

Temp: +0.3°C	Bottles Received
1.41.7 ²	40 402
Date: 12/14/16	Time: 0830

Hold:	Condition NCF
-------	------------------

400 Bradley Blvd
Suite 106
Richland WA 99352

Accounts Payable- Stephanie Price
400 Bradley Blvd., Ste. 300
Richland, WA 99352

Email To: angela.mcguire@pbsusa.com

Project:
Description: **Richland Orchards**

City/State: Richland WA

Phone: 509-942-1600
Fax:

Client Project #
66150

Lab Project #
PBSENGRWA-66150

Collected by (print):
Angela McBuire

Site/Facility ID #	
--------------------	--

P.O. #

Collected by (signature):

Rush? (Lab MUST Be Notified)

Quote #

Immediately
Packed on Ice N ☐ Y ☐

☐ Same Day ☐ Five Day
☐ Next Day ☐ 5 Day (Rad Only)
☐ Two Day ☐ 10 Day (Rad Only)
☐ Three Day ☒ Standard

Date Results Needed

No. of Cntr	Year	Value
1	1990	100
2	1991	100
3	1992	100
4	1993	100
5	1994	100
6	1995	100
7	1996	100
8	1997	100
9	1998	100
10	1999	100
11	2000	100
12	2001	100
13	2002	100
14	2003	100
15	2004	100
16	2005	100
17	2006	100
18	2007	100
19	2008	100
20	2009	100
21	2010	100
22	2011	100
23	2012	100
24	2013	100
25	2014	100
26	2015	100
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33	2022	100
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57	2046	100
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105	2094	100
106	2095	100
107	2096	100
108	2097	100
109	2098	100
110	2099	100
111	2100	100
112	2101	100
113	2102	100
114	2103	100
115	2104	100
116	2105	100
117	2106	100
118	2107	100
119	2108	

Sample ID	Comp/Grab	Matrix *	Depth	Date	Time	Cntrs	As	Pb	OCps	Shipped Via:	
										Remarks	Sample # (lab only)
SS-11-6	Grab	SS	0.5'	12/12/18	1327	2	X	X			-11
SS-12-6		SS		12/12/18	1338	1	X	X			-12
SS-13-6		SS		12/12/18	1418		X	X			-13
SS-14-6		SS		12/12/18	1428		X	X			-14
SS-15-6		SS		12/12/18	1438		X	X			-15
SS-16-6		SS		12/12/18	1450		X	X			-16
SS-17-6		SS		12/12/18	1501		X	X			-17
SS-18-6		SS		12/12/18	1508		X	X			-18
SS-19-6		SS		12/13/18	1023		X	X			-19
SS-20-6		SS		12/13/18	1046		X	X			-20

* Matrix:
SS - Soil AIR - Air F - Filter
GW - Groundwater B - Bioassay
WW - WasteWater
PW - Drinking Water
OT - Other

Remarks:

Samples returned via:

☐ UPS ☐ FedEx ☐ Courier

Tracking #

pH _____ Temp _____

Flow	Other
1	2
3	4
5	6
7	8
9	10
11	12
13	14
15	16
17	18
19	20
21	22
23	24
25	26
27	28
29	30
31	32
33	34
35	36
37	38
39	40
41	42
43	44
45	46
47	48
49	50
51	52
53	54
55	56
57	58
59	60
61	62
63	64
65	66
67	68
69	70
71	72
73	74
75	76
77	78
79	80
81	82
83	84
85	86
87	88
89	90
91	92
93	94
95	96
97	98
99	100

Sample Receipt Checklist

COC Seal Present/Intact:	NP	Y	
COC Signed/Accurate:		Y	
Bottles arrive intact:		Y	
Correct bottles used:		Y	
Sufficient volume sent:		Y	

If Applicable

VOA Zero Headspace: ☐ Y ☐ N
Preservation Correct/Checked: ☒ Y ☐ N

RAD SCREEN: <0.5 mR/hr

If preservation required by Login: Date/Time

Hold:	Condition:
	NCF - GH

Relinquished by : (Signature)

Date: _____

Time:

Received by: (Signature)

Trip Blank Received: Yes / NO
HCL / MeOH
TBB

Temp: 10.3 °C Bottles Received

Hold

Condition:

Relinquished by : (Signature)

Date:

Time:

Received by: (Signature)

Date: 12/19/16 Time: 0830

Hold

Condition:

Geotechnical Engineering Report

Sienna Hills

Benton County Tax Parcel 134983000001005

Richland, Washington

Prepared for:

Sienna Hills Development, LLC

June 10, 2019

PBS Project 66150.000



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PORTLAND, OR 97239

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PBSUSA.COM



Geotechnical Engineering Report

**Sienna Hills
Benton County Tax Parcel 134983000001005
Richland, Washington**

Prepared for:
Sienna Hills Development, LLC

June 10, 2019
PBS Project 66150.000

Prepared by:

Clint Nealey, EIT
Geotechnical Engineering Staff III

Reviewed by:



6/10/2019

Ryan White, PE, GE
Geotechnical Engineering Group Manager

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Table 1. Infiltration Test Results

Table 2. 2015 IBC Seismic Design Parameters

Table 3. Minimum AC Pavement Sections

FIGURES

Figure 1. Vicinity Map

Figure 2. Site Plan

APPENDICES

Appendix A: Field Explorations

Table A-1. Terminology Used to Describe Soil

Table A-2. Key to Test Pit and Boring Log Symbols

Figures A1–A30. Logs for Test Pits TP-1 through TP-30

Appendix B: Laboratory Testing

Figure B1 Summary of Laboratory Data

1 INTRODUCTION

1.1 General

This report presents results of PBS Engineering and Environmental Inc. (PBS) geotechnical engineering services for the proposed development located at Benton County Tax Parcel 134983000001005 in Richland, Washington (site). The general site location is shown on the Vicinity Map, Figure 1. The locations of PBS' explorations in relation to existing site features are shown on the Site Plan, Figure 2.

1.2 Purpose and Scope

The purpose of PBS' services was to develop geotechnical design and construction recommendations in support of the planned new development. This was accomplished by performing the following scope of services.

1.2.1 Literature and Records Review

PBS reviewed various published geologic maps of the area for information regarding geologic conditions and hazards at or near the site. PBS also reviewed previously completed reports for the project site and vicinity.

1.2.2 Subsurface Explorations

PBS excavated 30 test pits within the proposed 99-acre development to depths of up to 10 feet below the existing ground surface (bgs). The test pits were logged and representative soil samples collected by a member of the PBS geotechnical engineering staff. Interpreted test pit logs are included as Figures A1 through A30 in Appendix A, Field Explorations.

1.2.3 Field Infiltration Testing

Three open-pit, falling-head field infiltration tests were completed in test pits TP-2, TP- 5, and TP-7 within the proposed development at a depths of 4.5 to 5 feet bgs. Infiltration testing was monitored by PBS geotechnical engineering staff.

1.2.4 Soils Testing

Soil samples were returned to our laboratory and classified in general accordance with the Unified Soil Classification System (ASTM D2487) and/or the Visual-Manual Procedure (ASTM D2488). Laboratory tests included natural moisture contents and grain-size analyses. Laboratory test results are included in the exploration logs in Appendix A, Field Explorations; and in Appendix B, Laboratory Testing.

1.2.5 Geotechnical Engineering Analysis

Data collected during the subsurface exploration, literature research, and testing were used to develop site-specific geotechnical design parameters and construction recommendations.

1.2.6 Report Preparation

This Geotechnical Engineering Report summarizes the results of our explorations, testing, and analyses, including information relating to the following:

- Field exploration logs and site plan showing approximate exploration locations
- Laboratory test results
- Infiltration test results
- Groundwater levels and considerations
- Earthwork and grading, cut, and fill recommendations:
 - Structural fill materials and preparation

- Utility trench excavation and backfill requirements
- Slab and pavement subgrade preparation
- Wet weather considerations
- Seismic design criteria in accordance with the 2015 International Building Code (IBC) with state of Washington amendments
- Pavement subgrade preparation recommendations
- Asphalt concrete (AC) pavement section recommendations

1.3 Project Understanding

Development plans are currently in the conceptual stages; however, development of the parcel will likely be a combination of single- and multi-family residential structures.

2 SITE CONDITIONS

2.1 Surface Description

The site is roughly rectangular with the exception of the eastern edge and northeastern corner. This area includes an additional rectangular region protruding northeast. The site is bordered to the north, east, and west by agricultural fields and to the south by existing residential development. Bermuda Road separates the western, rectangular site from the northeastern portion. Based on available topographic data, the site slopes slightly down to the south and southwest, with ground surface elevations ranging from a maximum of about 925 feet above mean sea level (amsl) at the eastern edge to 831 feet amsl at the southwest corner.

2.2 Regional Geologic Setting

The site is located within the eastern extent of the Yakima fold and thrust belt, a structural-tectonic sub-province within the western Columbia Basin geologic province. The Columbia Basin province is separated from the Deschutes-Columbia Plateau and Blue Mountains Provinces of Oregon by the Oregon border. The province is composed primarily of volcanic basement rocks of the Columbia River Basalt Group (CRBG) subdivided into smaller recognizable flows and members that are overlain by Quaternary deposits (Derkey et al., 2006). The older basalt flows were generated by volcanic eruptions in eastern Oregon, eastern Washington, and western Idaho between 16.7 million years ago (Ma) and 5.5 Ma (Reidel, 2004).

The Yakima fold and thrust belt is an actively deforming series of faults and folds that is accommodating clockwise rotation through crustal shortening within the western Columbia Province (McCaffrey et al., 2016). Quaternary and Holocene active faults are found throughout the sub-province. Northwest-southeast trending anticlinal ridges and wide synclinal valleys dominate much of the Yakima fold and thrust belt, with pervasive reverse faults along the flanks of the anticlines (Gomberg et al., 2012). The eastern-most extent of the Yakima fold and thrust belt is bounded by the Horse Heaven Anticline (locally referred to as the Horse Heaven Hills) and the Wallula fault system.

The Horse Heaven Anticline forms the local topographic high point along the southern margin of the Columbia Basin, and has been continuously incised by the ancestral and historic Columbia River resulting in a narrow water gap (Reidel and Focht, 1994; Schuster, 1994). Throughout the Late Pleistocene, cataclysmic outburst flood waters from upstream Glacial Lake Missoula resulted in rapid sedimentation that was ponded behind the Horse Heaven Anticline. Slowing flood waters backfilled the basin and blanketed it with slackwater flood deposits over much of the low-lying areas, as well as extensive gravel bars.

2.3 Local Geology and Hazards

The site is underlain by catastrophic flood sediments of silt and sand deposited by the Late Pleistocene Missoula Floods (Reidel and Fecht, 1994). These sediments are described as rhythmically bedded lacustrine silt and fine to coarse sand of predominately quartz and feldspar grains, with basalt in coarser sands.

The site is mapped within a zone of low to moderate liquefaction hazard (Palmer et al., 2004) and in relatively close proximity (less than 5 miles) from mapped active faults and seismogenic features (WADNR, 2019). These faults include the Rattlesnake Hills fault and structures (USGS ID 565) and Horse Heaven Hills fault and structures (USGS ID 567), both of which are the northern continuation of the Wallula fault system that bounds Horse Heaven Hills, Badger Mountain, Goose Hill, and Red Mountain (USGS, 2019).

2.4 Subsurface Conditions

The site was explored by excavating 30 test pits, designated TP-1 through TP-30, to depths of 8 to 10.5 feet bgs. Test pit TP-28 was terminated at a depth of 4 feet due to the possible presence of a water line. The excavations were performed by Braden and Nelson Construction of Walla Walla, Washington, using a CAT 304C excavator equipped with a 24-inch-wide bucket.

PBS has summarized the subsurface units as follows:

SANDY SILT (ML) to SILT with SAND (ML):	Brown sandy silt to silt with sand was encountered in all excavations. These soils were non-plastic to low plasticity, brown, and had occasional calcite stringers that had low to vigorous reactions to hydrochloric acid. Sand grains were typically fine grained. Occasional subrounded gravels and cobbles were encountered at depth.
SAND with SILT, GRAVEL, AND COBBLES (SP/SW-SM):	Brown sand that varied from well-graded to poorly graded was encountered beneath the sandy silt and silt with sand in some test pits near the bottom of the excavations. The sands were fine- to coarse-grained, with fine to coarse, subrounded to subangular gravels.

The findings from our field investigation are consistent with geologic mapping by Reidel and Fecht, 1994.

2.5 Groundwater

Static groundwater was not encountered during our explorations. Based on a review of regional groundwater logs available from the Washington State Department of Ecology, we anticipate that the static groundwater level is present at a depth greater than 100 feet bgs. Please note that groundwater levels can fluctuate during the year depending on climate, irrigation season, extended periods of precipitation, drought, and other factors.

2.6 Infiltration Testing

PBS completed open-pit, falling-head infiltration testing in test pits TP-2, TP-5, and TP-7. The infiltration tests were conducted in general accordance with the Stormwater Management Manual for Eastern Washington procedures. After a period of saturation, the height of the water in the excavation was then measured initially and at regular, timed intervals. Results of our field infiltration testing are presented in Table 1.

Table 1. Infiltration Test Results

Test Location	Depth (feet bgs)	Field Measured Infiltration Rate (in/hr)	Soil Classification	Recommended Hydrologic Soil Group*
TP-2	5	1.2	Sandy Silt (ML)	C
TP-5	4.5	1.08	Sandy Silt (ML)	C
TP-7	5	0.86	Sandy Silt (ML)	C

*The recommended hydrologic soil group classification is based upon infiltration rates observed in the field and lab results

The infiltration rates above are not permeabilities/hydraulic conductivities, but field-measured rates and do not include correction factors related to long-term infiltration rates. We recommend the designer include correction factors to account for the expected level of maintenance, type of system, and sediment control. Field-measured infiltration rates are typically reduced by a minimum factor of 2 to 4 for use in design.

Soil types can vary significantly over relatively short distances. The infiltration rates noted above are representative of one discrete location and depth. Installation of infiltration systems within the layer the field rate was measured is considered critical to proper performance of the systems.

3 CONCLUSIONS AND RECOMMENDATIONS

3.1 Geotechnical Design Considerations

The subsurface conditions at the site consist of silt and fine-grained sand with varying amounts of gravel and cobbles. Based on our observations and analyses, conventional foundation support on shallow spread footings is feasible for the proposed development. Excavation with conventional equipment is feasible at the site.

The grading and final development plans for the project had not been completed when this report was prepared. Once completed, PBS should be engaged to review the project plans and update our recommendations as necessary.

3.2 Seismic Design Considerations

3.2.1 Code-Based Seismic Design Parameters

According to the Site Class Map of Benton County, Washington (Palmer, 2004), the site is located within an area classified as Site Class D, characterizing the profile as stiff soil. Based on subsurface conditions encountered in our explorations, Site Class D is appropriate for use in design. The seismic design criteria, in accordance with the 2015 International Building Code IBC with state of Washington amendments, are summarized in Table 2.

Table 2. 2015 IBC Seismic Design Parameters

Parameter	Short Period	1 Second
Maximum Credible Earthquake Spectral Acceleration	$S_s = 0.43 g$	$S_1 = 0.16 g$
Site Class	D	
Site Coefficient	$F_a = 1.46$	$F_v = 2.14$
Adjusted Spectral Acceleration	$S_{MS} = 0.62 g$	$S_{M1} = 0.35 g$
Design Spectral Response Acceleration Parameters	$S_{DS} = 0.42 g$	$S_{D1} = 0.24 g$

g= Acceleration due to gravity

3.2.2 Liquefaction Potential

Liquefaction is defined as a decrease in the shear resistance of loose, saturated, cohesionless soil (e.g., sand) or low plasticity silt soils, due to the buildup of excess pore pressures generated during an earthquake. This results in a temporary transformation of the soil deposit into a viscous fluid. Liquefaction can result in ground settlement, foundation bearing capacity failure, and lateral spreading of ground.

Based on a review of the *Washington Division of Geology and Earth Resources*, the site is shown as having a low to moderate liquefaction hazard; however, based on the soil types and relative density of site soils encountered during our exploration, our opinion is that the risk of structurally damaging liquefaction settlement at the site is low. Subsequently, the risk of structurally damaging lateral spreading is also low.

3.3 Ground Moisture

3.3.1 General

The perimeter ground surface and hardscape should be sloped to drain away from all structures and away from adjacent slopes. Gutters should be tight-lined to a suitable discharge and maintained as free-flowing. All crawl spaces should be adequately ventilated and sloped to drain to a suitable, exterior discharge.

3.4 Pavement Design

The provided pavement recommendations were developed using the American Association of State Highway and Transportation Officials (AASHTO) design methods and references the associated Washington Department of Transportation (WSDOT) specifications for construction. Our evaluation considered a maximum of two trucks per day for a 20-year design life.

The minimum recommended pavement section thicknesses are provided in Table 3. Depending on weather conditions at the time of construction, a thicker aggregate base course section could be required to support construction traffic during preparation and placement of the pavement section.

Table 3. Minimum AC Pavement Sections

Traffic Loading	AC (inches)	Base Course (inches)	Subgrade
Drive Lanes and Access Roads	3	9	Stiff subgrade as verified by PBS personnel*

* Subgrade must pass proofroll

The asphalt cement binder should be selected following WSDOT SS 9-02.1(4) – Performance Graded Asphalt Binder. The AC should consist of ½-inch hot mix asphalt (HMA) with a maximum lift thickness of 3 inches. The AC should conform to WSDOT SS 5-04.3(7)A – Mix Design, WSDOT SS 9-03.8(2) – HMA Test Requirements, and WSDOT SS 9-03.8(6) – HMA Proportions of Materials. The AC should be compacted to 91 percent of the maximum theoretical density (Rice value) of the mix, as determined in accordance with ASTM D2041, following the guidelines set in WSDOT SS 5-04.3(10) – Compaction.

Heavy construction traffic on new pavements or partial pavement sections (such as base course over the prepared subgrade) will likely exceed the design loads and could potentially damage or shorten the pavement life; therefore, we recommend construction traffic not be allowed on new pavements, or that the contractor take appropriate precautions to protect the subgrade and pavement during construction.

If construction traffic is to be allowed on newly constructed road sections, an allowance for this additional traffic will need to be made in the design pavement section.

4 CONSTRUCTION RECOMMENDATIONS

4.1 Site Preparation

Construction of the proposed development will involve clearing and grubbing of the existing vegetation or demolition of possible existing structures. Demolition should include removal of existing pavement, utilities, etc., throughout the proposed new development. Underground utility lines or other abandoned structural elements should also be removed. The voids resulting from removal of foundations or loose soil in utility lines should be backfilled with compacted structural fill. The base of these excavations should be excavated to firm native subgrade before filling, with sides sloped at a minimum of 1H:1V to allow for uniform compaction. Materials generated during demolition should be transported off site or stockpiled in areas designated by the owner's representative.

4.1.1 Proofrolling/Subgrade Verification

Following site preparation and prior to placing aggregate base over shallow foundation, floor slab, and pavement subgrades, the exposed subgrade should be evaluated either by proofrolling or another method of subgrade verification. The subgrade should be proofrolled with a fully loaded dump truck or similar heavy, rubber-tire construction equipment to identify unsuitable areas. If evaluation of the subgrades occurs during wet conditions, or if proofrolling the subgrades will result in disturbance, they should be evaluated by PBS using a steel foundation probe. We recommend that PBS be retained to observe the proofrolling and perform the subgrade verifications. Unsuitable areas identified during the field evaluation should be compacted to a firm condition or be excavated and replaced with structural fill.

4.1.2 Wet/Freezing Weather and Wet Soil Conditions

Due to the presence of fine-grained silt and sands in the near-surface materials at the site, construction equipment may have difficulty operating on the near-surface soils when the moisture content of the surface soil is more than a few percentage points above the optimum moisture required for compaction. Soils disturbed during site preparation activities, or unsuitable areas identified during proofrolling or probing, should be removed and replaced with compacted structural fill.

Site earthwork and subgrade preparation should not be completed during freezing conditions, except for mass excavation to the subgrade design elevations. We recommend the earthwork construction at the site be performed during the dry season.

Protection of the subgrade is the responsibility of the contractor. Construction of granular haul roads to the project site entrance may help reduce further damage to the pavement and disturbance of site soils. The actual thickness of haul roads and staging areas should be based on the contractors' approach to site development, and the amount and type of construction traffic. The imported granular material should be placed in one lift over the prepared undisturbed subgrade and compacted using a smooth-drum, non-vibratory roller. A geotextile fabric should be used to separate the subgrade from the imported granular material in areas of repeated construction traffic. Depending on site conditions, the geotextile should meet Washington State Department of Transportation (WSDOT) SS 9-33.2 – Geosynthetic Properties for soil separation or stabilization. The geotextile should be installed in conformance with WSDOT SS 2-12.3 – Construction Geosynthetic (Construction Requirements) and, as applicable, WSDOT SS 2-12.3(2) – Separation or WSDOT SS 2-12.3(3) – Stabilization.

4.2 Excavation

The near-surface soils at the site can be excavated with conventional earthwork equipment. Sloughing and caving should be anticipated. All excavations should be made in accordance with applicable Occupational Safety and Health Administration (OSHA) and state regulations. The contractor is solely responsible for

adherence to the OSHA requirements. Trench cuts should stand relatively vertical to a depth of approximately 4 feet bgs, provided no groundwater seepage is present in the trench walls. Open excavation techniques may be used provided the excavation is configured in accordance with the OSHA requirements, groundwater seepage is not present, and with the understanding that some sloughing may occur. Trenches/excavations should be flattened if sloughing occurs or seepage is present. Use of a trench shield or other approved temporary shoring is recommended if vertical walls are desired for cuts deeper than 4 feet bgs. If dewatering is used, we recommend that the type and design of the dewatering system be the responsibility of the contractor, who is in the best position to choose systems that fit the overall plan of operation.

4.3 Structural Fill

The extent of site grading is currently unknown; however, PBS estimates that cuts and fills will be on the order of about 5 feet. Structural fill should be placed over subgrade that has been prepared in conformance with the Site Preparation and Wet/Freezing Weather and Wet Soil Conditions sections of this report. Structural fill material should consist of relatively well-graded soil, or an approved rock product that is free of organic material and debris, and contains particles not greater than 3 inches nominal dimension.

The suitability of soil for use as compacted structural fill will depend on the gradation and moisture content of the soil when it is placed. As the amount of fines (material finer than the US Standard No. 200 Sieve) increases, soil becomes increasingly sensitive to small changes in moisture content and compaction becomes more difficult to achieve. Soils containing more than about 5 percent fines cannot consistently be compacted to a dense, non-yielding condition when the water content is significantly greater (or significantly less) than optimum.

If fill and excavated material will be placed on slopes steeper than 5H:1V (horizontal), these must be keyed/benched into the existing slopes and installed in horizontal lifts. Vertical steps between benches should be approximately 2 feet.

4.3.1 On-Site Soil

On-site soils encountered in our explorations are generally suitable for placement as structural fill during dry weather when moisture content can be maintained by air drying and/or addition of water. The fine-grained fraction of the site soils are moisture sensitive, and during wet weather, may become unworkable because of excess moisture content. In order to reduce moisture content, some aerating and drying of fine-grained soils may be required. The material should be placed in lifts with a maximum uncompacted thickness of approximately 8 inches and compacted to at least 92 percent of the maximum dry density, as determined by ASTM D1557 (modified proctor).

4.3.2 Imported Granular Materials

Imported granular material used during periods of wet weather or for haul roads, building pad subgrades, staging areas, etc., should be pit or quarry run rock, crushed rock, or crushed gravel and sand, and should meet the specifications provided in WSDOT SS 9-03.14(2) – Select Borrow. In addition, the imported granular material should be fairly well graded between coarse and fine, and of the fraction passing the US Standard No. 4 Sieve, less than 5 percent by dry weight should pass the US Standard No. 200 Sieve.

Imported granular material should be placed in lifts with a maximum uncompacted thickness of 9 inches and be compacted to not less than 95 percent of the maximum dry density, as determined by ASTM D1557.

4.3.3 Base Aggregate

Base aggregate for floor slabs and beneath pavements should be clean crushed rock or crushed gravel. The base aggregate should contain no deleterious materials, meet specifications provided in WSDOT SS 9-03.9(3) – Crushed Surfacing Base Course, and have less than 5 percent (by dry weight) passing the US Standard No. 200 Sieve. The imported granular material should be placed in one lift and compacted to at least 95 percent of the maximum dry density, as determined by ASTM D1557.

4.3.4 Foundation Base Aggregate

Imported granular material placed at the base of excavations for spread footings, slabs-on-grade, and other below-grade structures should be clean, crushed rock or crushed gravel, and sand that is fairly well graded between coarse and fine. The granular materials should contain no deleterious materials, have a maximum particle size of 1½ inch, and meet WSDOT SS 9-03.12(1)A – Gravel Backfill for Foundations (Class A). The imported granular material should be placed in one lift and compacted to not less than 95 percent of the maximum dry density, as determined by ASTM D1557.

4.3.5 Trench Backfill

Trench backfill placed beneath, adjacent to, and for at least 2 feet above utility lines (i.e., the pipe zone) should consist of well-graded granular material with a maximum particle size of 1 inch and less than 10 percent by dry weight passing the US Standard No. 200 Sieve, and should meet the standards prescribed by WSDOT SS 9-03.12(3) – Gravel Backfill for Pipe Zone Bedding. The pipe zone backfill should be compacted to at least 90 percent of the maximum dry density as determined by ASTM D1557, or as required by the pipe manufacturer or local building department.

Within pavement areas or beneath building pads, the remainder of the trench backfill should consist of well-graded granular material with a maximum particle size of 1½ inches, less than 10 percent by dry weight passing the US Standard No. 200 Sieve, and should meet standards prescribed by WSDOT SS 9-03.19 – Bank Run Gravel for Trench Backfill. This material should be compacted to at least 92 percent of the maximum dry density, as determined by ASTM D1557, or as required by the pipe manufacturer or local building department. The upper 2 feet of the trench backfill should be compacted to at least 95 percent of the maximum dry density, as determined by ASTM D1557.

Outside of structural improvement areas (e.g., roadway alignments or building pads), trench backfill placed above the pipe zone should consist of excavated material free of wood waste, debris, clods, or rocks greater than 6 inches in diameter and meet WSDOT SS 9-03.14 – Borrow and WSDOT SS 9-03.15 – Native Material for Trench Backfill. This general trench backfill should be compacted to at least 90 percent of the maximum dry density, as determined by ASTM D1557, or as required by the pipe manufacturer or local building department.

4.3.6 Stabilization Material

Stabilization rock should consist of pit or quarry run rock that is well-graded, angular, crushed rock consisting of 4- or 6-inch-minus material with less than 5 percent passing the US Standard No. 4 Sieve. The material should be free of organic matter and other deleterious material. WSDOT SS 9-13.1(5) – Quarry Spalls can be used as a general specification for this material with the stipulation of limiting the maximum size to 6 inches.

5 ADDITIONAL SERVICES AND CONSTRUCTION OBSERVATIONS

In most cases, other services beyond completion of a final geotechnical engineering report are necessary or desirable to complete the project. Occasionally, conditions or circumstances arise that require additional work that was not anticipated when the geotechnical report was written. PBS offers a range of environmental, geological, geotechnical, and construction services to suit the varying needs of our clients.

PBS should be retained to review the plans and specifications for this project before they are finalized. Such a review allows us to verify that our recommendations and concerns have been adequately addressed in the design.

Satisfactory earthwork performance depends on the quality of construction. Sufficient observation of the contractor's activities is a key part of determining that the work is completed in accordance with the construction drawings and specifications. We recommend that PBS be retained to observe general excavation, stripping, fill placement, footing subgrades, and/or pile installation. Subsurface conditions observed during construction should be compared with those encountered during the subsurface explorations. Recognition of changed conditions requires experience; therefore, qualified personnel should visit the site with sufficient frequency to detect whether subsurface conditions change significantly from those anticipated.

6 LIMITATIONS

This report has been prepared for the exclusive use of the addressee, and their architects and engineers, for aiding in the design and construction of the proposed development and is not to be relied upon by other parties. It is not to be photographed, photocopied, or similarly reproduced, in total or in part, without express written consent of the client and PBS. It is the addressee's responsibility to provide this report to the appropriate design professionals, building officials, and contractors to ensure correct implementation of the recommendations.

The opinions, comments, and conclusions presented in this report are based upon information derived from our literature review, field explorations, laboratory testing, and engineering analyses. It is possible that soil, rock, or groundwater conditions could vary between or beyond the points explored. If soil, rock, or groundwater conditions are encountered during construction that differ from those described herein, the client is responsible for ensuring that PBS is notified immediately so that we may reevaluate the recommendations of this report.

Unanticipated fill, soil and rock conditions, and seasonal soil moisture and groundwater variations are commonly encountered and cannot be fully determined by merely taking soil samples or completing explorations such as test pits. Such variations may result in changes to our recommendations and may require additional funds for expenses to attain a properly constructed project; therefore, we recommend a contingency fund to accommodate such potential extra costs.

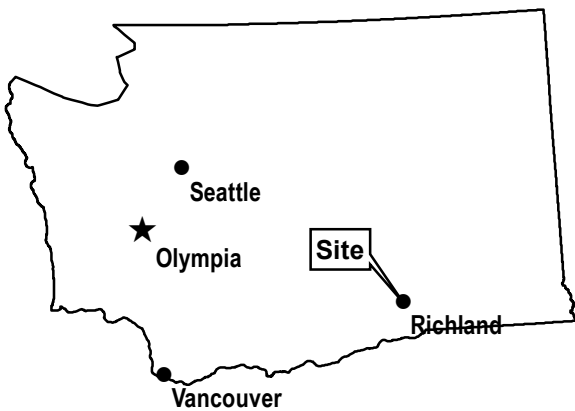
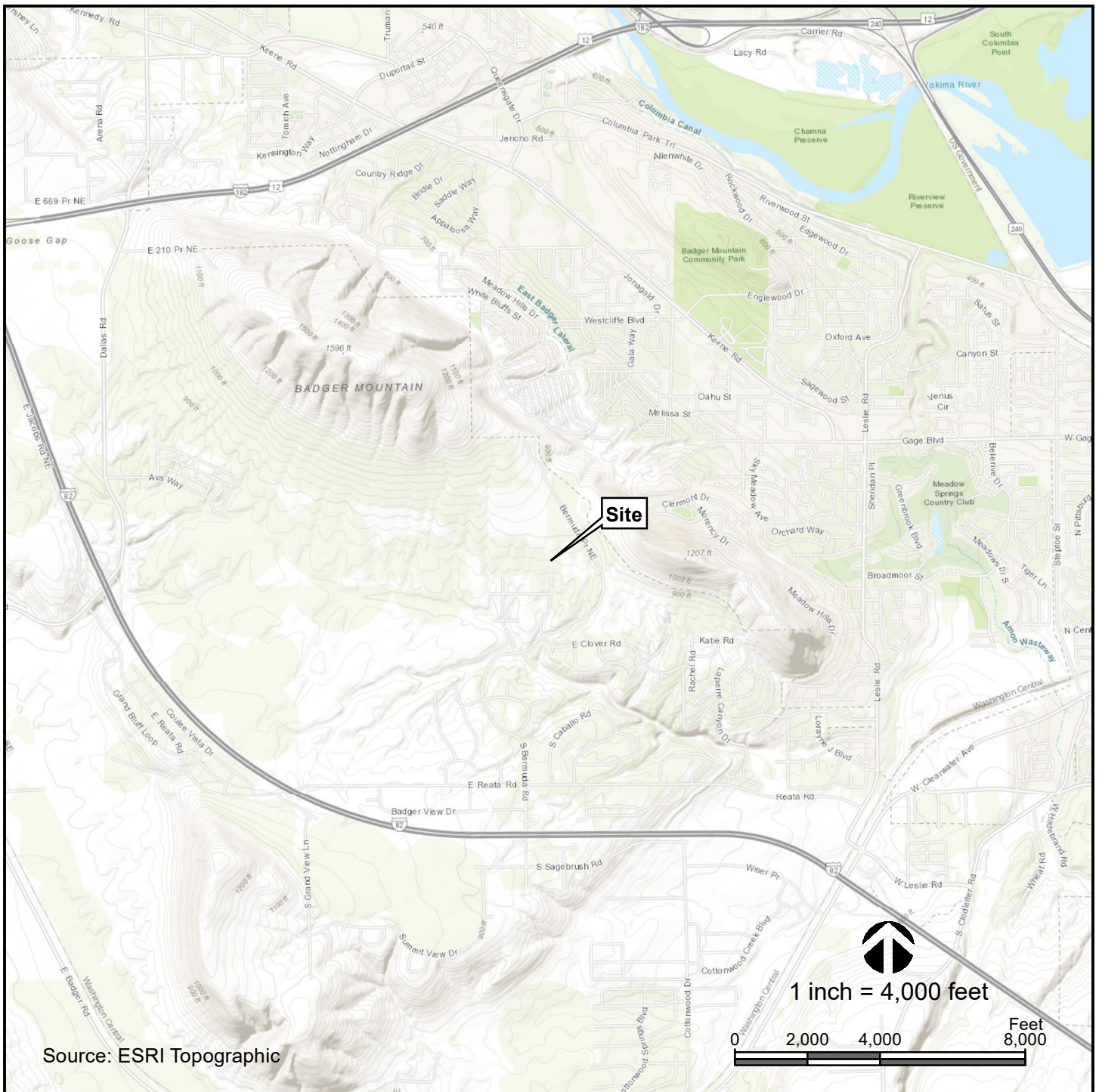
The scope of work for this subsurface exploration and geotechnical report did not include environmental assessments or evaluations regarding the presence or absence of wetlands or hazardous substances in the soil, surface water, or groundwater at this site.

If there is a substantial lapse of time between the submission of this report and the start of work at the site, if conditions have changed due to natural causes or construction operations at or adjacent to the site, or if the basic project scheme is significantly modified from that assumed, this report should be reviewed to determine the applicability of the conclusions and recommendations presented herein. Land use, site conditions (both on and off site), or other factors may change over time and could materially affect our findings; therefore, this report should not be relied upon after three years from its issue, or in the event that the site conditions change.

7 REFERENCES

- Derkey, R. E., Stradling, D. F., Lindsey, K. A., and Tolan, T. L. (2006). Geologic map of the College Place and Walla Walla 7.5-minute quadrangle, Walla Walla County, Washington, and Umatilla County, Oregon: Washington Division of Geology and Earth Resources, Geologic Map GM-62, scale 1:24,000.
- Gomberg, J., Sherrod, B., Trautman, M., Burns, E., and Snyder, D. (2012). Contemporary seismicity in and around the Yakima fold-and-thrust belt in eastern Washington. *Bulletin of the Seismological Society of America*, Vol. 12, No., 1, pp. 309-320.
- IBC. (2015). International Building Code. Country Club Hills, IL: International Code Council, Inc. Washington State Amendments to the International Building Code 2009 Edition, Effective July 1, 2010.
- Palmer, S. P., Magsino, S. L., Bilderback, E. L., Poelstra, J. L., Folger, D. S., and Niggemann, R. A. (2004). Liquefaction Susceptibility Map of Benton County, Washington. Washington Division of Geology and Earth Resources, open file report 2004-20, scale 1:125,000.
- McCaffrey, R., King, R. W., Wells, R. E., Lancaster, R., and Miller, M. M. (2016). Contemporary deformation in the Yakima fold and thrust belt estimated with GPS.
- Riedel, Stephen P., Fecht, Karl R. (1994). Geologic Map the Richland 1:100,000 Quadrangle, Washington State Division of Geology and Earth Resources.
- Reidel, S. P. (2004). The Geologic Development of the Pasco Basin, South-Central Washington. Northwest Geological Society. Society Field Trips in Pacific Northwest Geology.
- Schuster, J. E. (1994). Geologic map of the Walla Walla 1:100,000 quadrangle, Washington: Washington Division of Geology and Earth Resources, Open File Report 94-3, scale 1:100,000.
- USGS. (2019). Quaternary faults and fold database. U.S. Geological Survey, USGS website: <http://earthquake.usgs.gov/hazards/qfaults/>, accessed June 4, 2019.
- Washington State Department of Ecology (2004). Stormwater Management Manual for Eastern Washington, publication number 04-10-076.
- WADNR. (2019). Washington Geologic Information Portal. Washington Department of Natural Resources, Washington Division of Geology and Earth Resources, WADNR website: <https://www.dnr.wa.gov/geologyportal>, accessed June 4, 2019.
- Washington State Department of Transportation (WSDOT SS). (2018). Standard Specifications for Road, Bridge, and Municipal Construction, M 41-10, Olympia, Washington.
- Yeats, R. S., Graven, E. P., Werner, K. S., Goldfinger, Chris, and Popowski, T. A. (1996). Tectonics of the Willamette Valley, Oregon, in Rogers, A. M., Walsh, T. J., Kockelman, W. J., and Priest, G. R., eds., *Assessing earthquake hazards and reducing risk in the Pacific Northwest: US Geological Survey Professional Paper 1650*, v. 1, p. 183-222.

Figures



VICINITY MAP

SIENNA HILLS RICHLAND, WASHINGTON

DATE: JUN 2019 · PROJECT: 66150.000



FIGURE

1

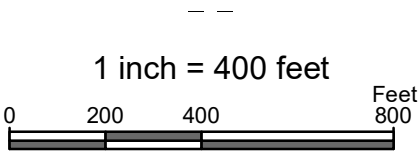
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EXPLANATION

-  TP-1 - Test pit name and approximate location
-  TP-2 - Test pit name and approximate location with infiltration test
-  Approximate site boundary

SOURCES: ESRI World Imagery



SITE PLAN
SIENNA HILLS
RICHLAND, WASHINGTON

DATE: JUN 2019 · PROJECT: 66150.000



FIGURE

2

Appendix A

Field Explorations

Appendix A: Field Explorations

A1 GENERAL

PBS explored subsurface conditions at the project site by excavating 30 test pits up to approximately 10 feet bgs between April 30 and May 2, 2019. The approximate locations of the explorations are shown on Figure 2, Site Plan. The procedures used to advance the test pits, collect samples, and other field techniques are described in detail in the following paragraphs. Unless otherwise noted, all soil sampling and classification procedures followed engineering practices in general accordance with relevant ASTM procedures. "General accordance" means that certain local drilling/excavation and descriptive practices and methodologies have been followed.

A2 TEST PITS

A2.1 Excavation

Test pits were excavated using a CAT 304C equipped with a 24-inch-wide bucket by Braden and Nelson Construction of Walla Walla, Washington. The test pits were observed by a member of the PBS geotechnical staff, who maintained a detailed log of the subsurface conditions and materials encountered during the course of the work.

A2.2 Sampling

Representative disturbed samples were taken at selected depths in the test pits. The disturbed soil samples were examined by a member of the PBS geotechnical staff and sealed in plastic bags for further examination.

A2.3 Test Pit Logs

The test pit logs show the various types of materials that were encountered in the excavations and the depths where the materials and/or characteristics of these materials changed, although the changes may be gradual. Where material types and descriptions changed between samples, the contacts were interpreted. The types of samples taken during excavation, along with their sample identification number, are shown to the right of the classification of materials. The natural water (moisture) contents are shown farther to the right. Measured seepage levels, if observed, are noted in the column to the right.

A3 MATERIAL DESCRIPTION

Initially, samples were classified visually in the field. Consistency, color, relative moisture, degree of plasticity, and other distinguishing characteristics of the soil samples were noted. Afterward, the samples were reexamined in the PBS laboratory, various standard classification tests were conducted, and the field classifications were modified where necessary. The terminology used in the soil classifications and other modifiers are defined in Table A-1, Terminology Used to Describe Soil.

Soil Descriptions

Soils exist in mixtures with varying proportions of components. The predominant soil, i.e., greater than 50 percent based on total dry weight, is the primary soil type and is capitalized in our log descriptions (SAND, GRAVEL, SILT, or CLAY). Smaller percentages of other constituents in the soil mixture are indicated by use of modifier words in general accordance with the ASTM D2488-06 Visual-Manual Procedure. "General Accordance" means that certain local and common descriptive practices may have been followed. In accordance with ASTM D2488-06, group symbols (such as GP or CH) are applied on the portion of soil passing the 3-inch (75mm) sieve based on visual examination. The following describes the use of soil names and modifying terms used to describe fine- and coarse-grained soils.

Fine-Grained Soils (50% or greater fines passing 0.075 mm, No. 200 sieve)

The primary soil type, i.e., SILT or CLAY is designated through visual-manual procedures to evaluate soil toughness, dilatency, dry strength, and plasticity. The following outlines the terminology used to describe fine-grained soils, and varies from ASTM D2488 terminology in the use of some common terms.

Primary soil NAME, Symbols, and Adjectives			Plasticity Description	Plasticity Index (PI)
SILT (ML & MH)	CLAY (CL & CH)	ORGANIC SOIL (OL & OH)		
SILT		Organic SILT	Non-plastic	0 – 3
SILT		Organic SILT	Low plasticity	4 – 10
SILT/Elastic SILT	Lean CLAY	Organic SILT/ Organic CLAY	Medium Plasticity	10 – 20
Elastic SILT	Lean/Fat CLAY	Organic CLAY	High Plasticity	20 – 40
Elastic SILT	Fat CLAY	Organic CLAY	Very Plastic	>40

Modifying terms describing secondary constituents, estimated to 5 percent increments, are applied as follows:

Description	% Composition	
With Sand	% Sand $\geq$ % Gravel	15% to 25% plus No. 200
With Gravel	% Sand < % Gravel	
Sandy	% Sand $\geq$ % Gravel	$\leq$ 30% to 50% plus No. 200
Gravelly	% Sand < % Gravel	

Borderline Symbols, for example CH/MH, are used when soils are not distinctly in one category or when variable soil units contain more than one soil type. **Dual Symbols**, for example CL-ML, are used when two symbols are required in accordance with ASTM D2488.

Soil Consistency terms are applied to fine-grained, plastic soils (i.e., $PI \geq 7$). Descriptive terms are based on direct measure or correlation to the Standard Penetration Test N-value as determined by ASTM D1586-84, as follows. SILT soils with low to non-plastic behavior (i.e., $PI < 7$) may be classified using relative density.

Consistency Term	SPT N-value	Unconfined Compressive Strength	
		tsf	kPa
Very soft	Less than 2	Less than 0.25	Less than 24
Soft	2 – 4	0.25 – 0.5	24 – 48
Medium stiff	5 – 8	0.5 – 1.0	48 – 96
Stiff	9 – 15	1.0 – 2.0	96 – 192
Very stiff	16 – 30	2.0 – 4.0	192 – 383
Hard	Over 30	Over 4.0	Over 383

Soil Descriptions

Coarse - Grained Soils (less than 50% fines)

Coarse-grained soil descriptions, i.e., SAND or GRAVEL, are based on the portion of materials passing a 3-inch (75mm) sieve. Coarse-grained soil group symbols are applied in accordance with ASTM D2488-06 based on the degree of grading, or distribution of grain sizes of the soil. For example, well-graded sand containing a wide range of grain sizes is designated SW; poorly graded gravel, GP, contains high percentages of only certain grain sizes. Terms applied to grain sizes follow.

Material NAME	Particle Diameter	
	Inches	Millimeters
SAND (SW or SP)	0.003 – 0.19	0.075 – 4.8
GRAVEL (GW or GP)	0.19 – 3	4.8 – 75
Additional Constituents:		
Cobble	3 – 12	75 – 300
Boulder	12 – 120	300 – 3050

The primary soil type is capitalized, and the fines content in the soil are described as indicated by the following examples. Percentages are based on estimating amounts of fines, sand, and gravel to the nearest 5 percent. Other soil mixtures will have similar descriptive names.

Example: Coarse-Grained Soil Descriptions with Fines

>5% to < 15% fines (Dual Symbols)	≥15% to < 50% fines
Well graded GRAVEL with silt: GW-GM	Silty GRAVEL: GM
Poorly graded SAND with clay: SP-SC	Silty SAND: SM

Additional descriptive terminology applied to coarse-grained soils follow.

Example: Coarse-Grained Soil Descriptions with Other Coarse-Grained Constituents

Coarse-Grained Soil Containing Secondary Constituents	
With sand or with gravel	≥ 15% sand or gravel
With cobbles; with boulders	Any amount of cobbles or boulders.

Cobble and boulder deposits may include a description of the matrix soils, as defined above.

Relative Density terms are applied to granular, non-plastic soils based on direct measure or correlation to the Standard Penetration Test N-value as determined by ASTM D1586-84.

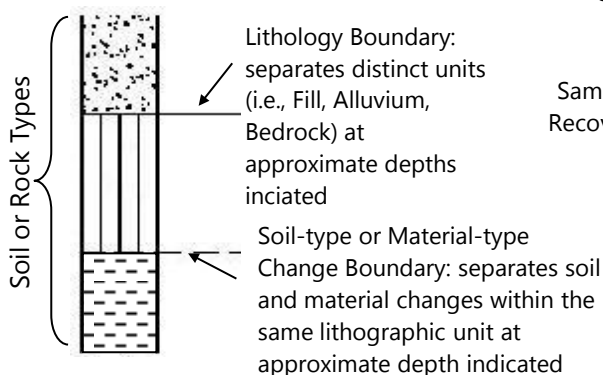
Relative Density Term	SPT N-value
Very loose	0 – 4
Loose	5 – 10
Medium dense	11 – 30
Dense	31 – 50
Very dense	> 50

SAMPLING DESCRIPTIONS

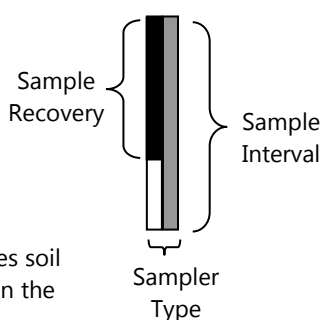
SPT Drive Sampler Standard Penetration Test ASTM D 1586	Shelby Tube Push Sampler ASTM D 1587	Specialized Drive Samplers (Details Noted on Logs)	Specialized Drill or Push Sampler (Details Noted on Logs)	Grab Sample	Rock Coring Interval	Screen (Water or Air Sampling)	Water Level During Drilling/Excavation	Water Level After Drilling/Excavation
								

LOG GRAPHICS

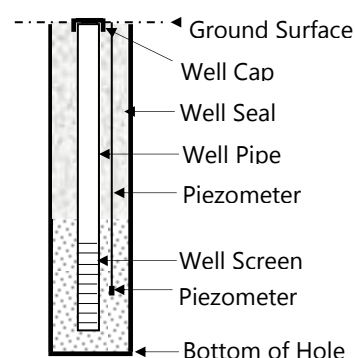
Soil and Rock



Sampling Symbols



Instrumentation Detail



Geotechnical Testing Acronym Explanations

PP	Pocket Penetrometer	HYD	Hydrometer Gradation
TOR	Torvane	SIEV	Sieve Gradation
DCP	Dynamic Cone Penetrometer	DS	Direct Shear
ATT	Atterberg Limits	DD	Dry Density
PL	Plasticity Limit	CBR	California Bearing Ratio
LL	Liquid Limit	RES	Resilient Modulus
PI	Plasticity Index	VS	Vane Shear
P200	Percent Passing US Standard No. 200 Sieve	bgs	Below ground surface
OC	Organic Content	MSL	Mean Sea Level
CON	Consolidation	HCL	Hydrochloric Acid
UC	Unconfined Compressive Strength		



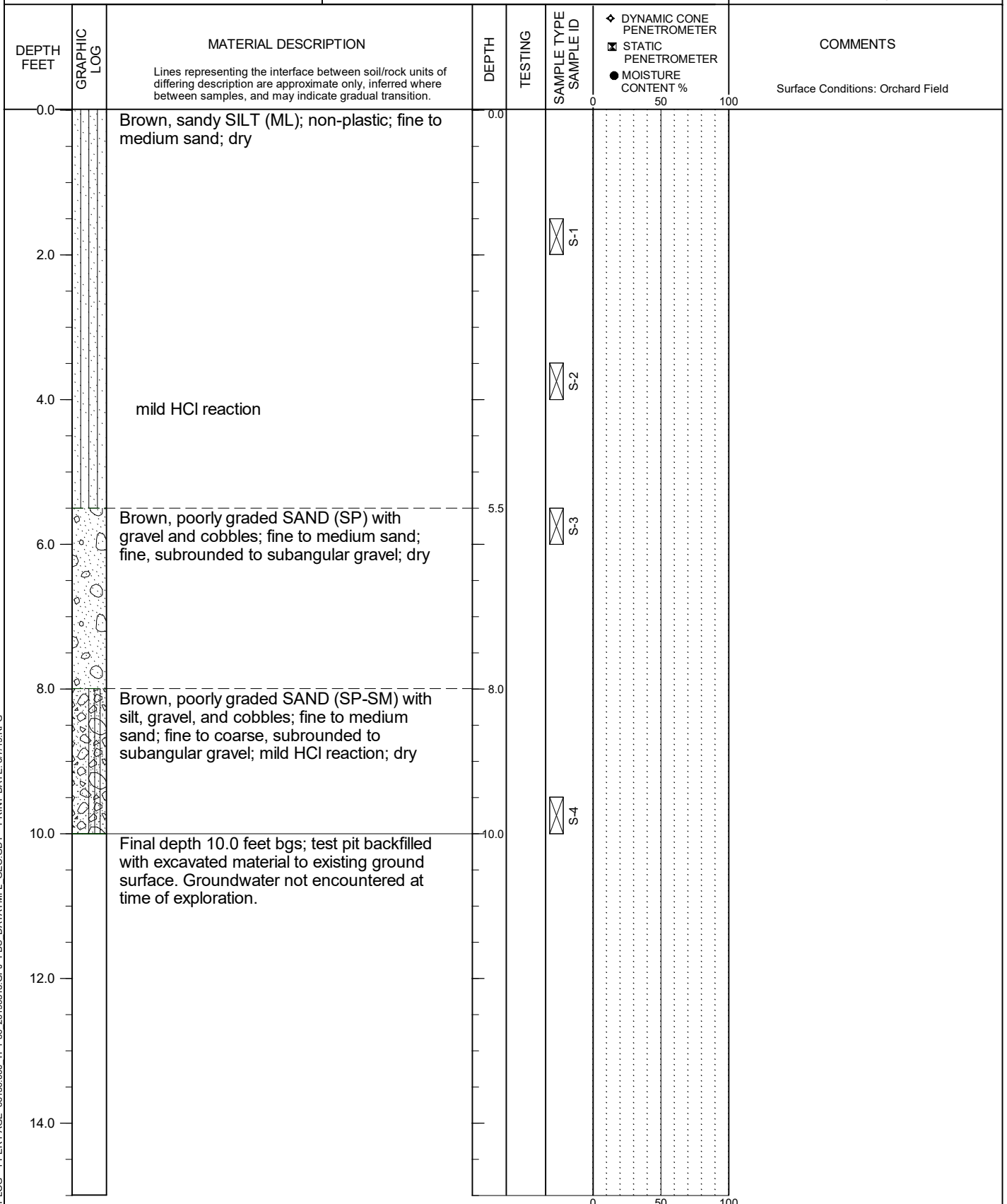
SIENNA HILLS
RICHLAND, WASHINGTON

TEST PIT TP-1

PBS PROJECT NUMBER:
66150.000

APPROX. TEST PIT TP-1 LOCATION:
(See Site Plan)

Lat: 46.21768 Long: -119.306136



TEST PIT LOG - 1 PER PAGE 66150.000 TP1-30 20190513.GPJ PBS DATATMPL GEO.GDT PRINT DATE: 6/7/19.RPG

LOGGED BY: C. Grant
COMPLETED: 4/30/19

EXCAVATED BY: Braden and Nelson, Inc.
EXCAVATION METHOD: CAT 304 C

FIGURE A1
Page 1 of 1



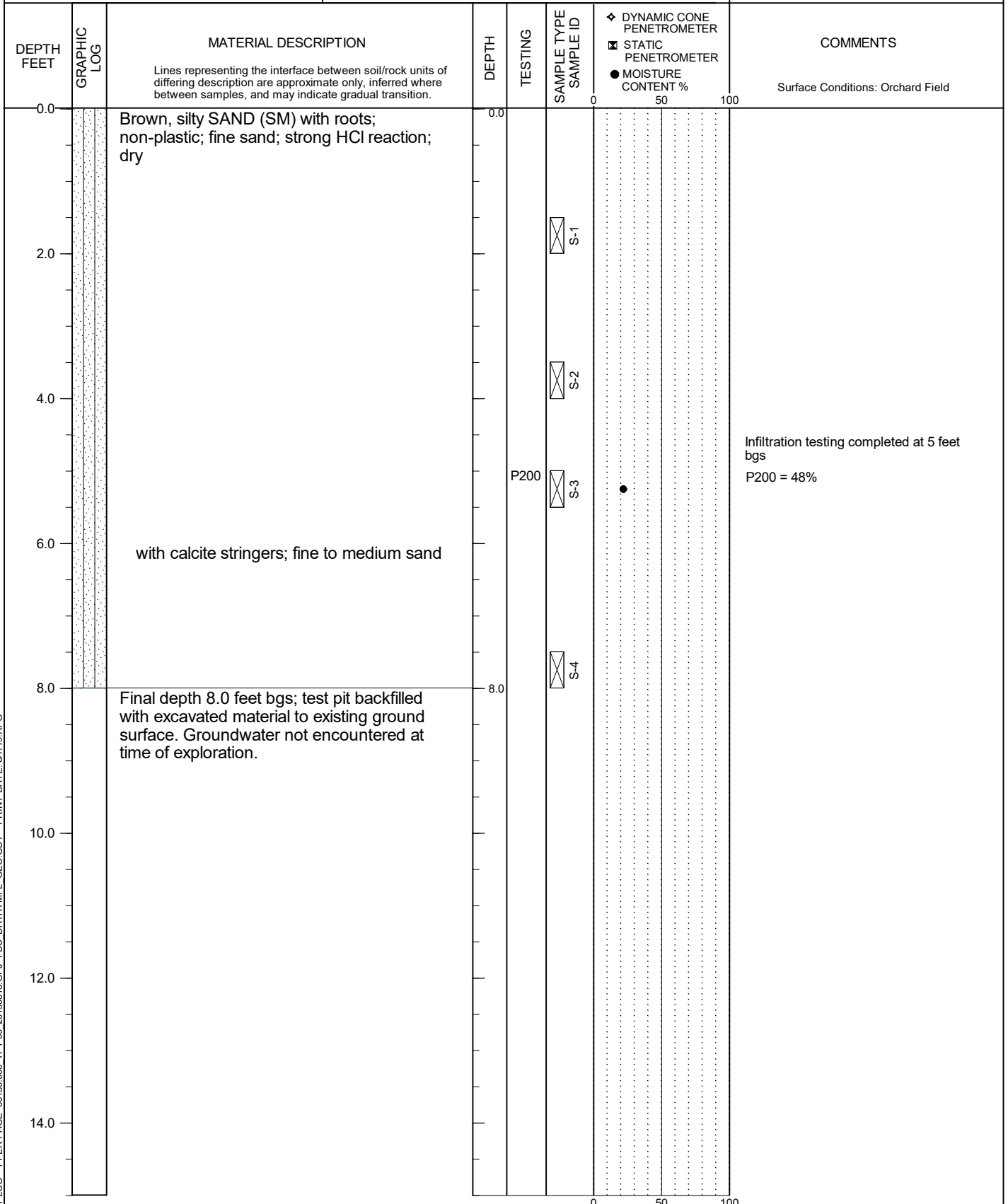
SIENNA HILLS
RICHLAND, WASHINGTON

TEST PIT TP-2

PBS PROJECT NUMBER:
66150.000

APPROX. TEST PIT TP-2 LOCATION:
(See Site Plan)

Lat: 46.217659 Long: -119.30423



TEST PIT LOG - 1 PER PAGE 66150.000 TP1-30 20190513.GPJ PBS DATATMPL GEO.GDT PRINT DATE: 6/7/19.RPG

LOGGED BY: C. Grant
COMPLETED: 4/30/19

EXCAVATED BY: Braden and Nelson, Inc.
EXCAVATION METHOD: CAT 304 C

FIGURE A2
Page 1 of 1



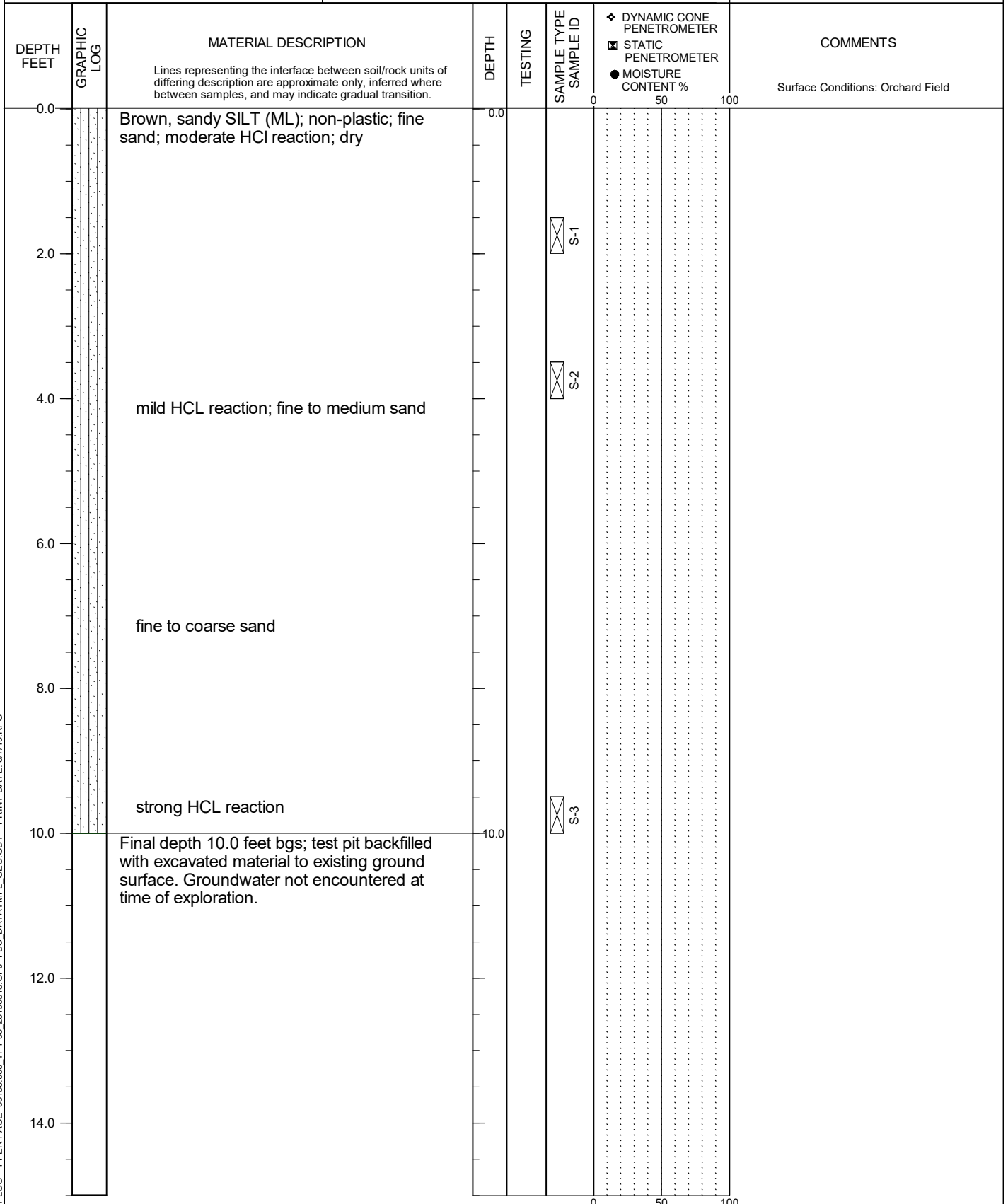
SIENNA HILLS
RICHLAND, WASHINGTON

TEST PIT TP-3

PBS PROJECT NUMBER:
66150.000

APPROX. TEST PIT TP-3 LOCATION:
(See Site Plan)

Lat: 46.217637 Long: -119.302325



TEST PIT LOG - 1 PER PAGE 66150.000 TP1-30 20190513.GPJ PBS DATATMPL GEO.GDT PRINT DATE: 6/7/19.RPG

LOGGED BY: C. Grant
COMPLETED: 5/02/19

EXCAVATED BY: Braden and Nelson, Inc.
EXCAVATION METHOD: CAT 304 C

FIGURE A3
Page 1 of 1



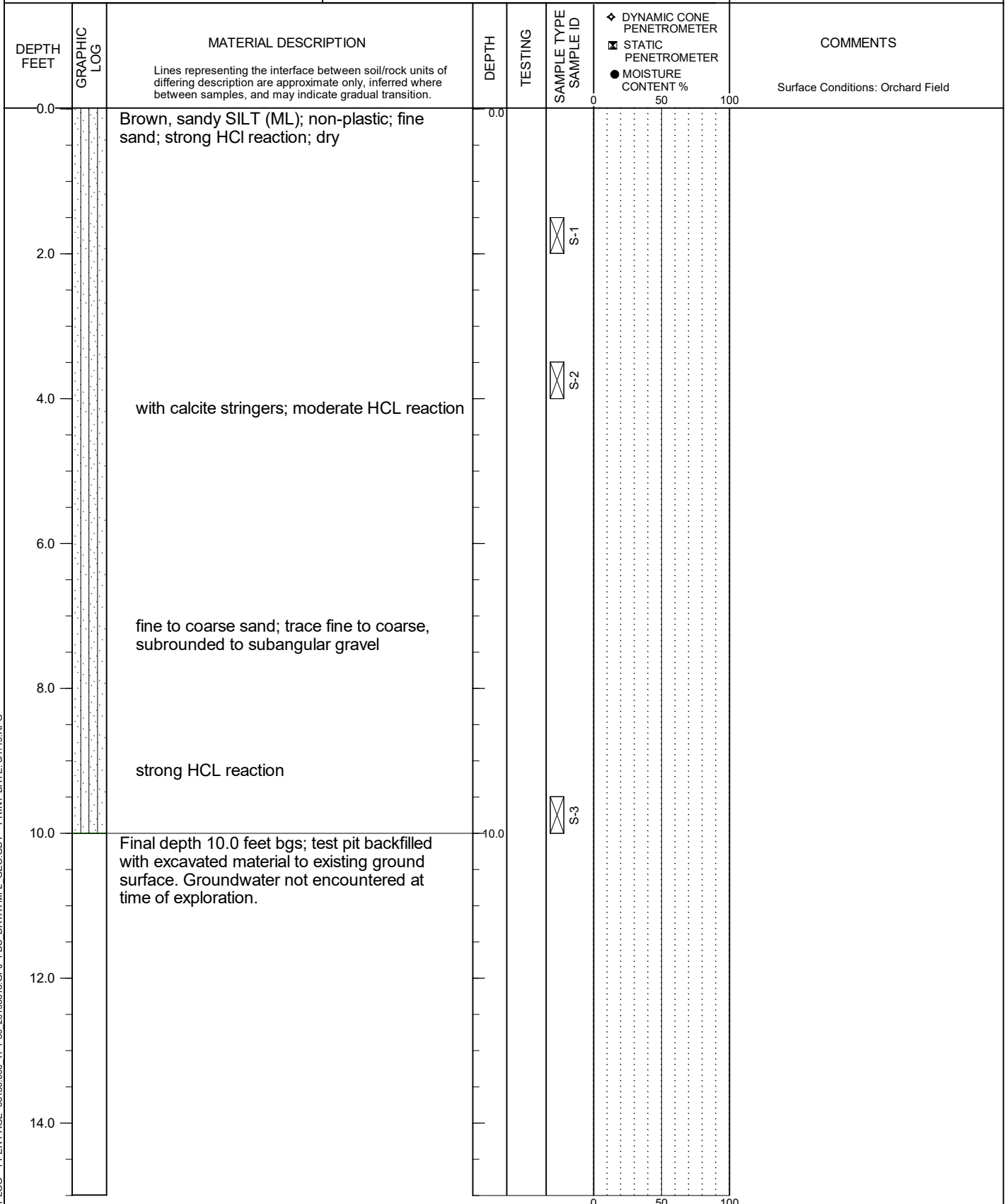
SIENNA HILLS
RICHLAND, WASHINGTON

TEST PIT TP-4

PBS PROJECT NUMBER:
66150.000

APPROX. TEST PIT TP-4 LOCATION:
(See Site Plan)

Lat: 46.217616 Long: -119.300419



TEST PIT LOG - 1 PER PAGE 66150.000 TP1-30 20190513.GPJ PBS DATATMPL GEO.GDT PRINT DATE: 6/7/19.RPG

LOGGED BY: C. Grant
COMPLETED: 5/02/19

EXCAVATED BY: Braden and Nelson, Inc.
EXCAVATION METHOD: CAT 304 C

FIGURE A4
Page 1 of 1



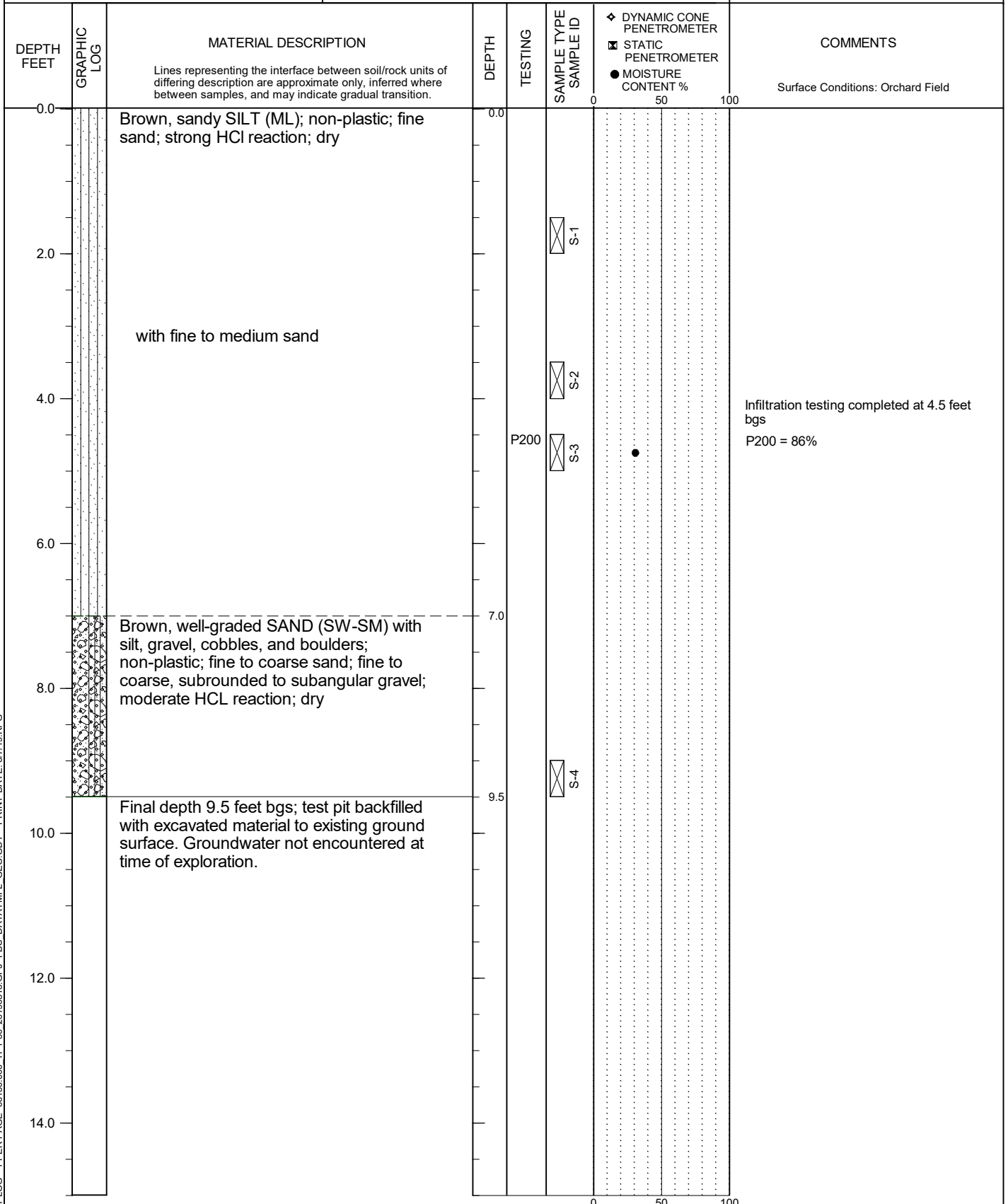
SIENNA HILLS
RICHLAND, WASHINGTON

TEST PIT TP-5

PBS PROJECT NUMBER:
66150.000

APPROX. TEST PIT TP-5 LOCATION:
(See Site Plan)

Lat: 46.217595 Long: -119.298513



TEST PIT LOG - 1 PER PAGE 66150.000 TP1-30 20190513.GPJ PBS DATATMPL GEO.GDT PRINT DATE: 6/7/19.RPG

LOGGED BY: C. Grant
COMPLETED: 5/01/19

EXCAVATED BY: Braden and Nelson, Inc.
EXCAVATION METHOD: CAT 304 C

FIGURE A5
Page 1 of 1



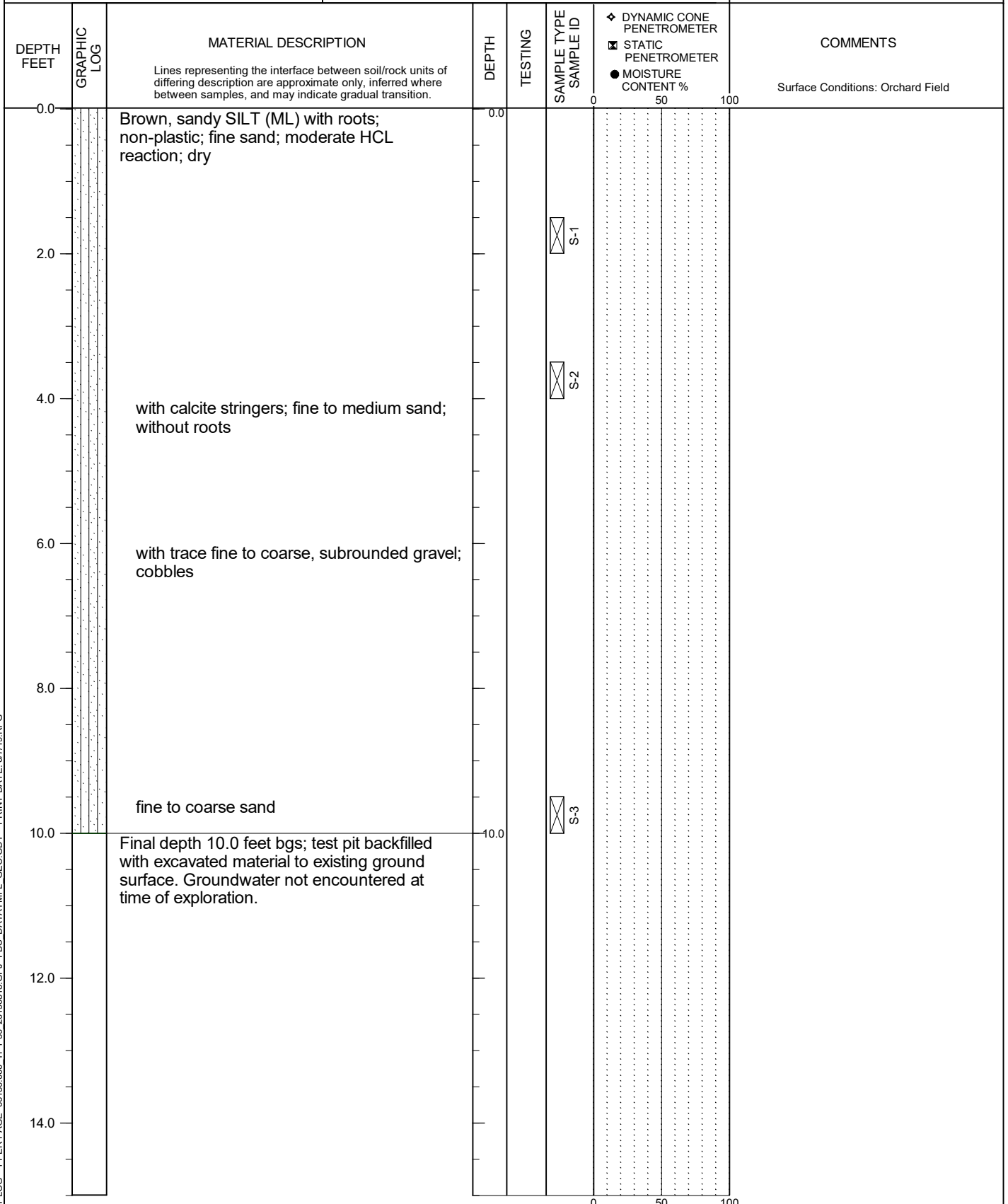
SIENNA HILLS
RICHLAND, WASHINGTON

TEST PIT TP-6

PBS PROJECT NUMBER:
66150.000

APPROX. TEST PIT TP-6 LOCATION:
(See Site Plan)

Lat: 46.217573 Long: -119.296608



TEST PIT LOG - 1 PER PAGE 66150.000 TP1-30 20190513.GPJ PBS DATATMPL GEO.GDT PRINT DATE: 6/7/19.RPG

LOGGED BY: C. Grant
COMPLETED: 5/02/19

EXCAVATED BY: Braden and Nelson, Inc.
EXCAVATION METHOD: CAT 304 C

FIGURE A6
Page 1 of 1



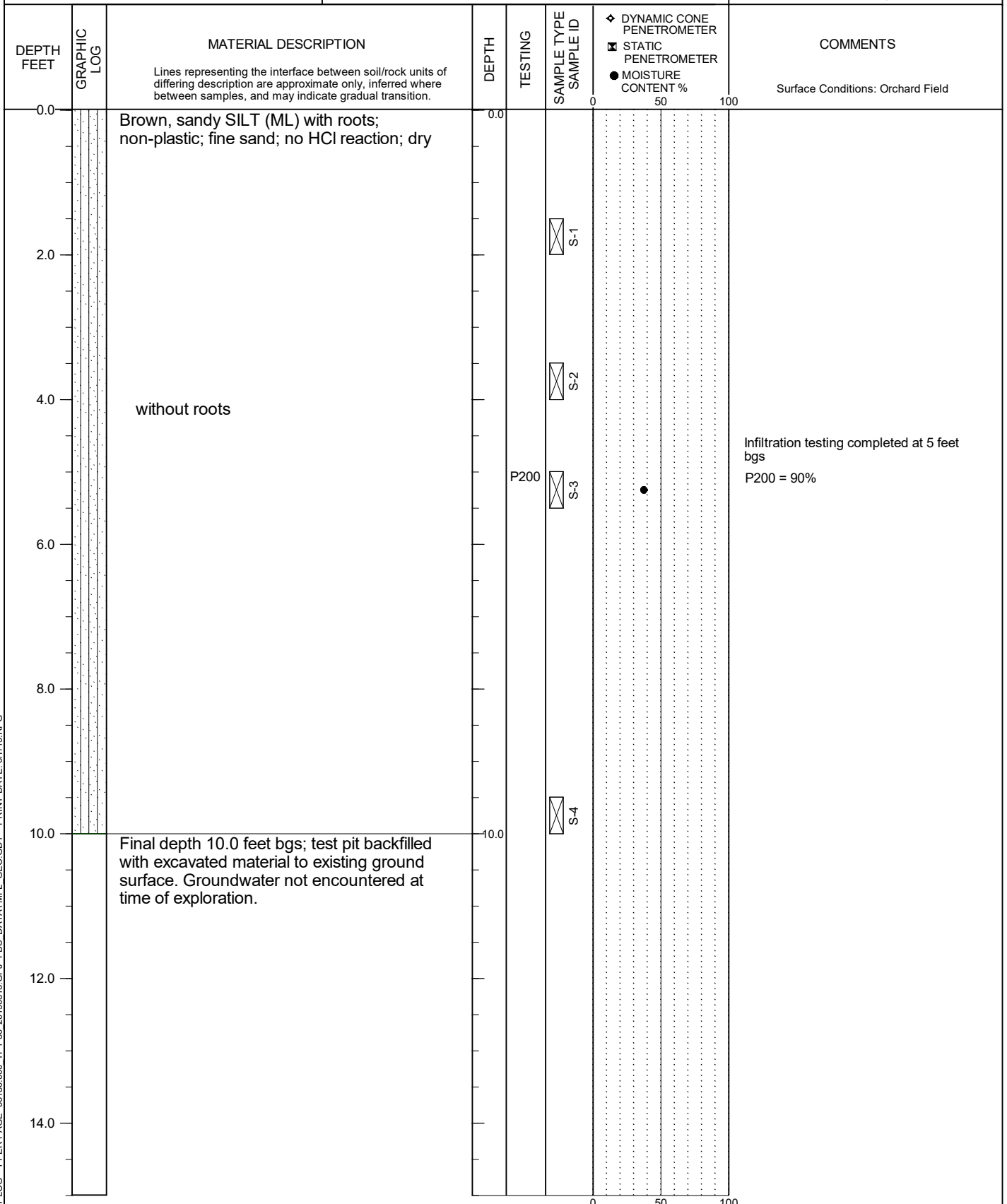
SIENNA HILLS
RICHLAND, WASHINGTON

TEST PIT TP-7

PBS PROJECT NUMBER:
66150.000

APPROX. TEST PIT TP-7 LOCATION:
(See Site Plan)

Lat: 46.217552 Long: -119.294702



TEST PIT LOG - 1 PER PAGE 66150.000 TP1-30 20190513.GPJ PBS DATATMPL GEO.GDT PRINT DATE: 6/7/19.RPG

LOGGED BY: C. Grant
COMPLETED: 5/01/19

EXCAVATED BY: Braden and Nelson, Inc.
EXCAVATION METHOD: CAT 304 C

FIGURE A7
Page 1 of 1



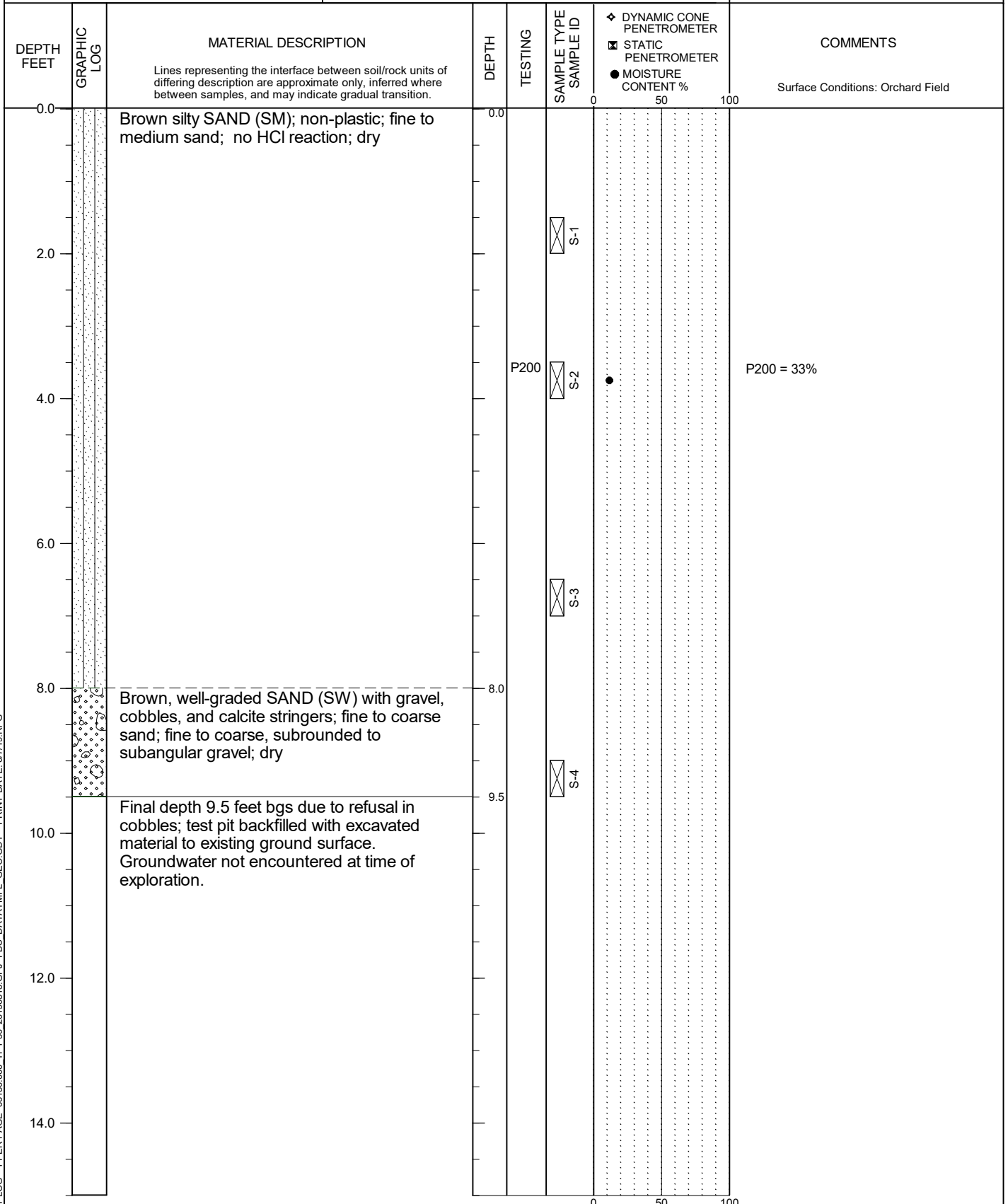
SIENNA HILLS
RICHLAND, WASHINGTON

TEST PIT TP-8

PBS PROJECT NUMBER:
66150.000

APPROX. TEST PIT TP-8 LOCATION:
(See Site Plan)

Lat: 46.218531 Long: -119.306116



TEST PIT LOG - 1 PER PAGE 66150.000 TP1-30 20190513.GPJ PBS DATATMPL GEO.GDT PRINT DATE: 6/7/19.RPG

LOGGED BY: C. Grant
COMPLETED: 4/30/19

EXCAVATED BY: Braden and Nelson, Inc.
EXCAVATION METHOD: CAT 304 C

FIGURE A8
Page 1 of 1



SIENNA HILLS
RICHLAND, WASHINGTON

TEST PIT TP-9

PBS PROJECT NUMBER:
66150.000

APPROX. TEST PIT TP-9 LOCATION:
(See Site Plan)

Lat: 46.21851 Long: -119.30421

DEPTH FEET	GRAPHIC LOG	MATERIAL DESCRIPTION Lines representing the interface between soil/rock units of differing description are approximate only, inferred where between samples, and may indicate gradual transition.	DEPTH	TESTING	SAMPLE TYPE SAMPLE ID	◆ DYNAMIC CONE PENETROMETER ▣ STATIC PENETROMETER ● MOISTURE CONTENT %	COMMENTS Surface Conditions: Orchard Field
0.0		Brown, sandy SILT (ML) with roots; non-plastic; fine sand; moderate HCL reaction; dry	0.0			0 50 100	
2.0					S-1		
4.0		with calcite stringers; basalt cobbles; without roots			S-2		
6.0		mild HCl reaction					
8.0		strong HCl reaction; strong cementation					
10.0		Final depth 10.0 feet bgs; test pit backfilled with excavated material to existing ground surface. Groundwater not encountered at time of exploration.	10.0		S-3		
12.0							
14.0							
						0 50 100	

TEST PIT LOG - 1 PER PAGE 66150.000 TP1-30 20190513.GPJ PBS DATATMPL GEO.GDT PRINT DATE: 6/7/19.RPG

LOGGED BY: C. Grant
COMPLETED: 4/30/19

EXCAVATED BY: Braden and Nelson, Inc.
EXCAVATION METHOD: CAT 304 C

FIGURE A9
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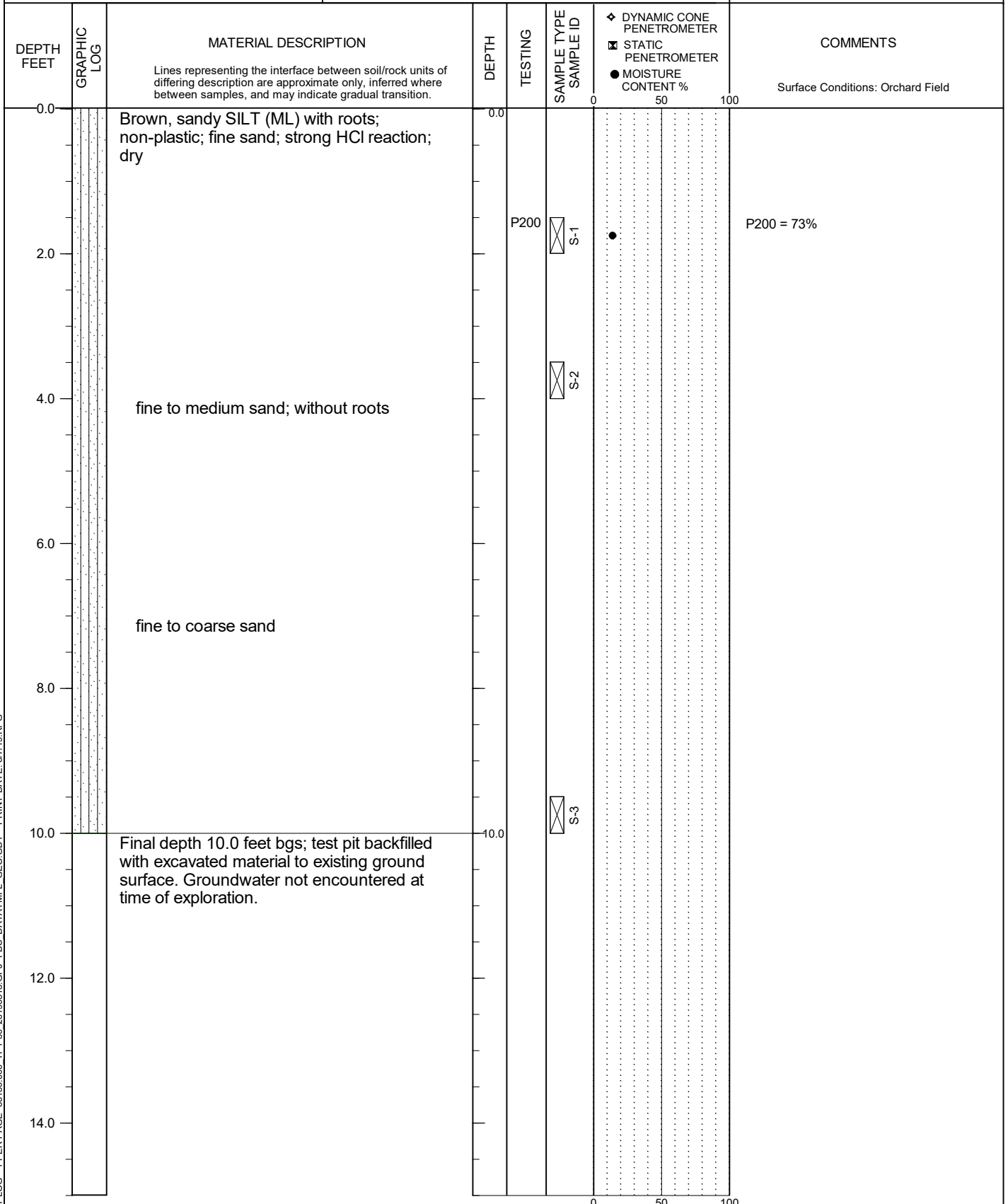
SIENNA HILLS
RICHLAND, WASHINGTON

TEST PIT TP-10

PBS PROJECT NUMBER:
66150.000

APPROX. TEST PIT TP-10 LOCATION:
(See Site Plan)

Lat: 46.218488 Long: -119.302305



TEST PIT LOG - 1 PER PAGE 66150.000 TP1-30 20190513.GPJ PBS DATATMPL GEO.GDT PRINT DATE: 6/7/19.RPG

LOGGED BY: C. Grant
COMPLETED: 5/02/19

EXCAVATED BY: Braden and Nelson, Inc.
EXCAVATION METHOD: CAT 304 C

FIGURE A10
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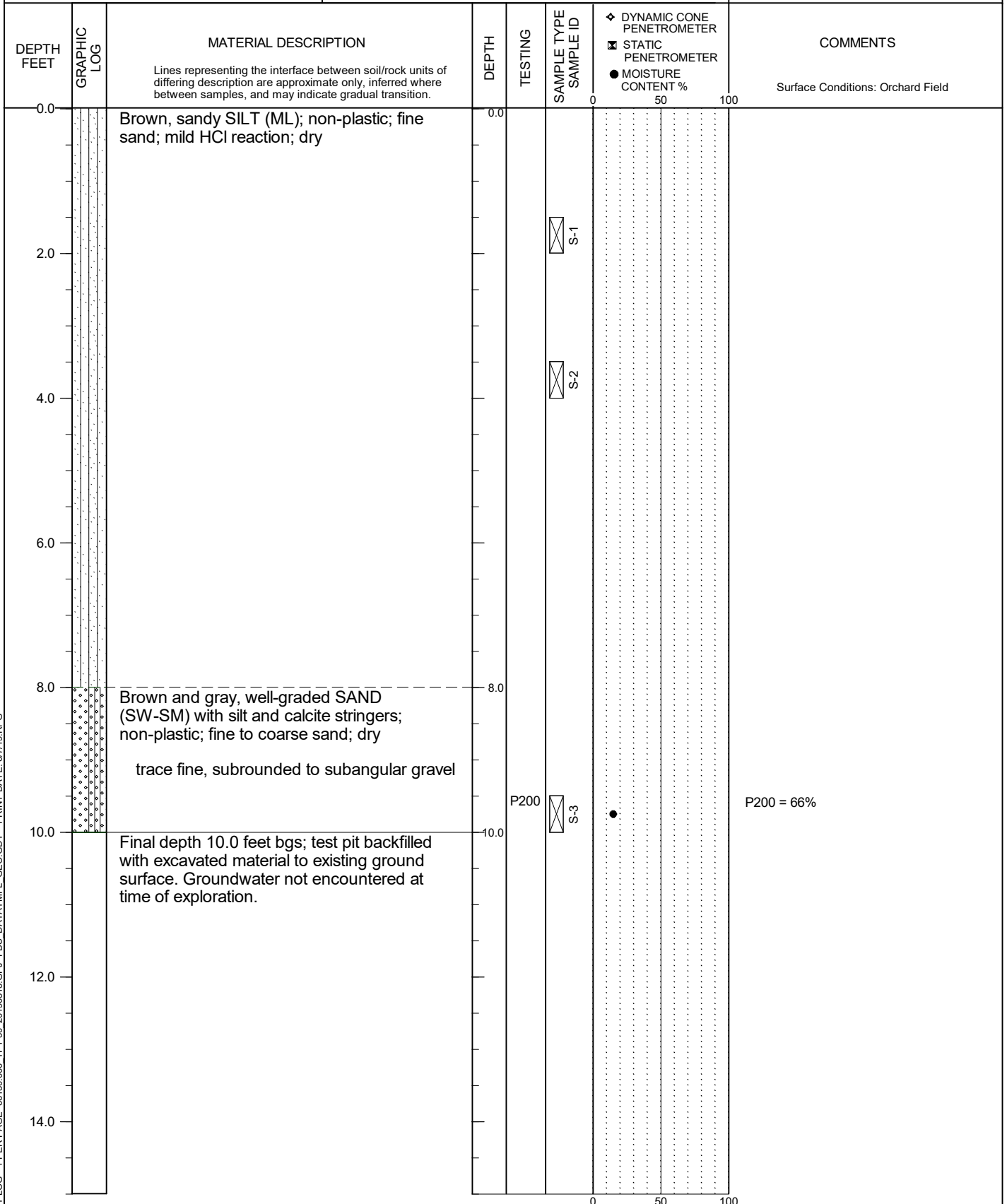
SIENNA HILLS
RICHLAND, WASHINGTON

TEST PIT TP-11

PBS PROJECT NUMBER:
66150.000

APPROX. TEST PIT TP-11 LOCATION:
(See Site Plan)

Lat: 46.218467 Long: -119.300399



TEST PIT LOG - 1 PER PAGE 66150.000 TP1-30 20190513.GPJ PBS DATATMPL GEO.GDT PRINT DATE: 6/7/19.RPG

LOGGED BY: C. Grant
COMPLETED: 5/02/19

EXCAVATED BY: Braden and Nelson, Inc.
EXCAVATION METHOD: CAT 304 C

FIGURE A11
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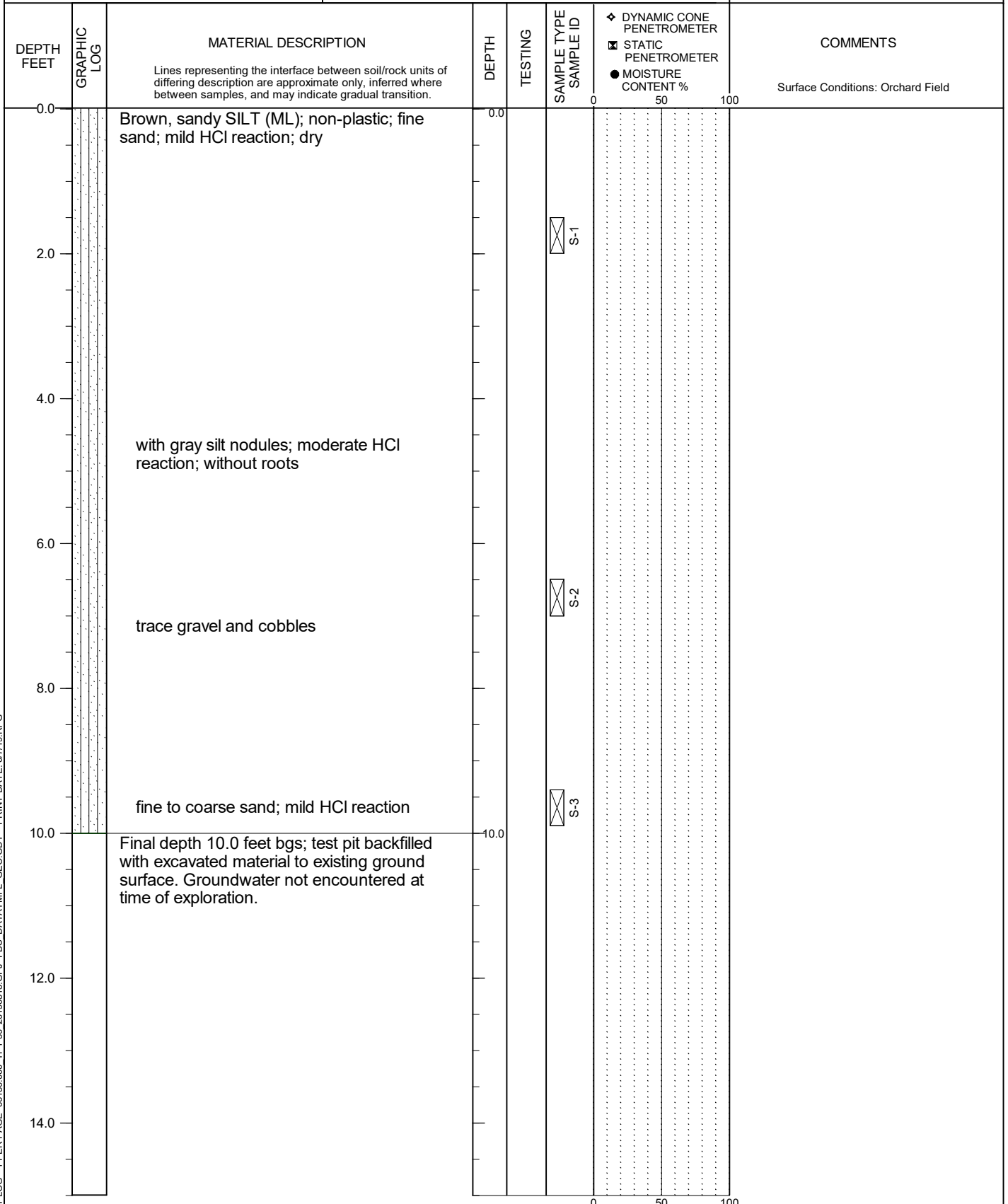
SIENNA HILLS
RICHLAND, WASHINGTON

TEST PIT TP-12

PBS PROJECT NUMBER:
66150.000

APPROX. TEST PIT TP-12 LOCATION:
(See Site Plan)

Lat: 46.218445 Long: -119.298493



TEST PIT LOG - 1 PER PAGE 66150.000 TP1-30 20190513.GPJ PBS DATATMPL GEO.GDT PRINT DATE: 6/7/19.RPG

LOGGED BY: C. Grant
COMPLETED: 5/01/19

EXCAVATED BY: Braden and Nelson, Inc.
EXCAVATION METHOD: CAT 304 C

FIGURE A12
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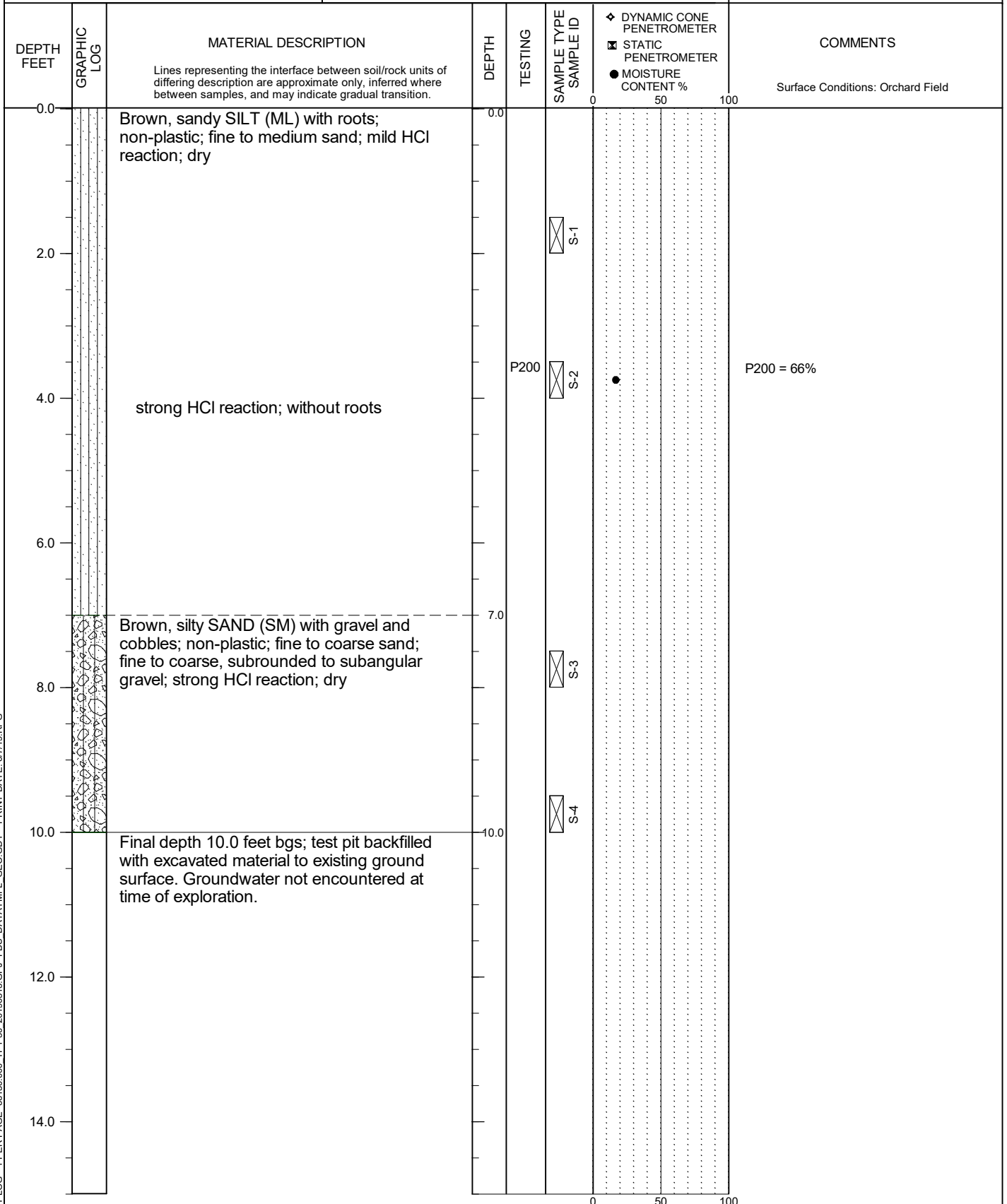
SIENNA HILLS
RICHLAND, WASHINGTON

TEST PIT TP-13

PBS PROJECT NUMBER:
66150.000

APPROX. TEST PIT TP-13 LOCATION:
(See Site Plan)

Lat: 46.218424 Long: -119.296588



TEST PIT LOG - 1 PER PAGE 66150.000 TP1-30 20190513.GPJ PBS DATATMPL GEO.GDT PRINT DATE: 6/7/19.RPG

LOGGED BY: C. Grant
COMPLETED: 5/02/19

EXCAVATED BY: Braden and Nelson, Inc.
EXCAVATION METHOD: CAT 304 C

FIGURE A13
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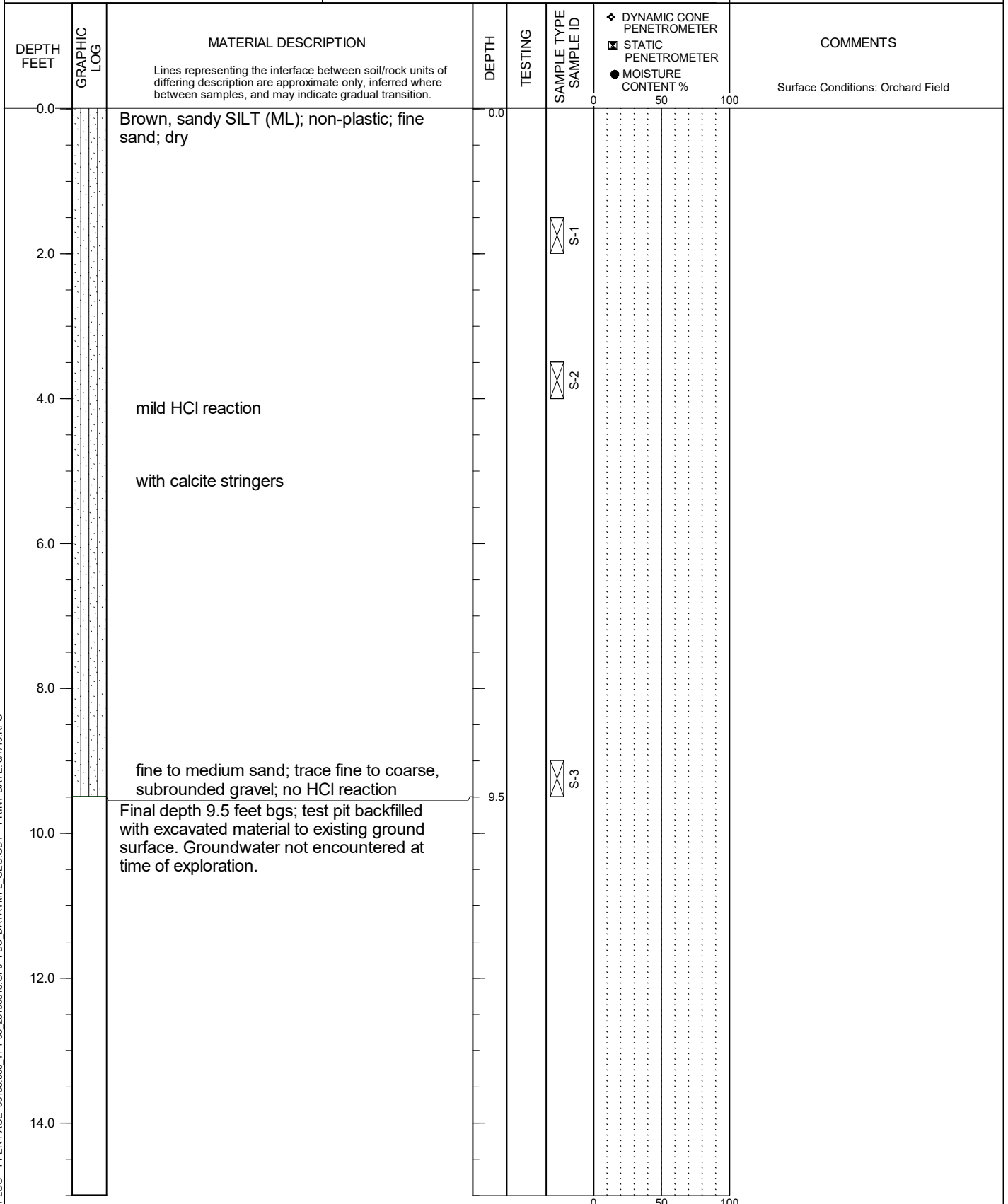
SIENNA HILLS
RICHLAND, WASHINGTON

TEST PIT TP-14

PBS PROJECT NUMBER:
66150.000

APPROX. TEST PIT TP-14 LOCATION:
(See Site Plan)

Lat: 46.218403 Long: -119.294682



TEST PIT LOG - 1 PER PAGE 66150.000 TP1-30 20190513.GPJ PBS DATATMPL GEO.GDT PRINT DATE: 6/7/19.RPG

LOGGED BY: C. Grant
COMPLETED: 5/01/19

EXCAVATED BY: Braden and Nelson, Inc.
EXCAVATION METHOD: CAT 304 C

FIGURE A14
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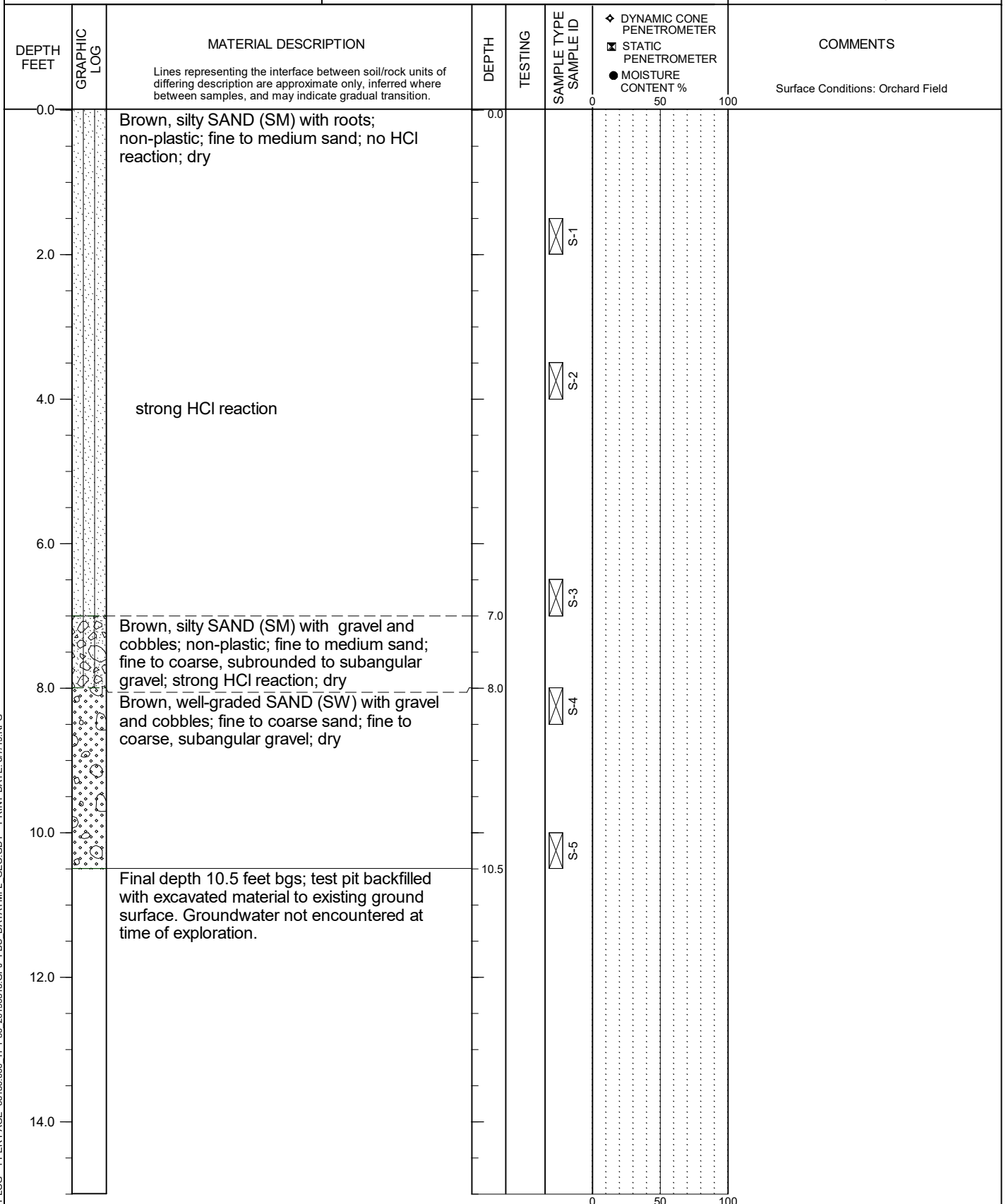
SIENNA HILLS
RICHLAND, WASHINGTON

TEST PIT TP-15

PBS PROJECT NUMBER:
66150.000

APPROX. TEST PIT TP-15 LOCATION:
(See Site Plan)

Lat: 46.219382 Long: -119.306096



TEST PIT LOG - 1 PER PAGE 66150.000 TP1-30 20190513.GPJ PBS DATATMPL GEO.GDT PRINT DATE: 6/7/19.RPG

LOGGED BY: C. Grant
COMPLETED: 4/30/19

EXCAVATED BY: Braden and Nelson, Inc.
EXCAVATION METHOD: CAT 304 C

FIGURE A15
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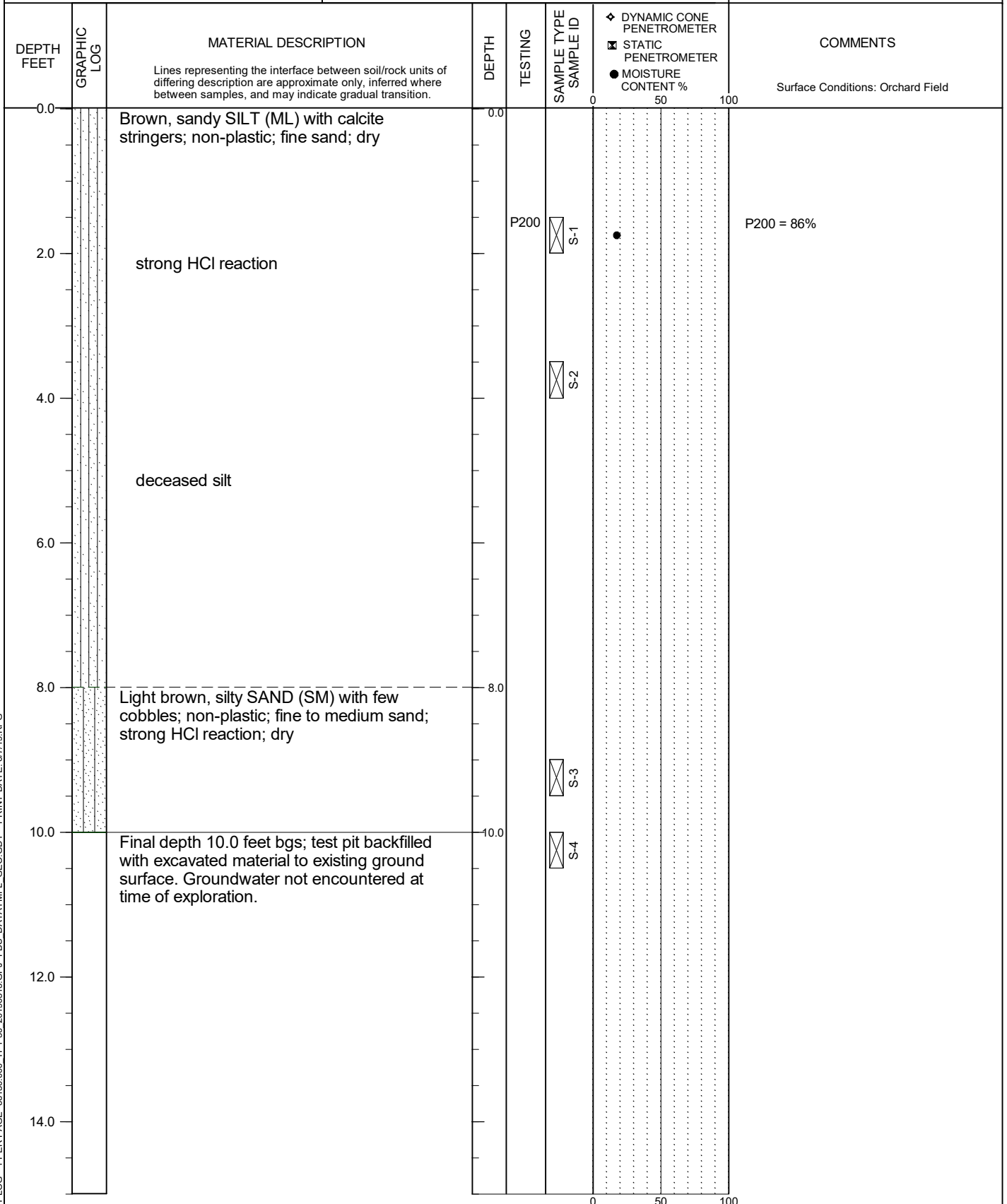
SIENNA HILLS
RICHLAND, WASHINGTON

TEST PIT TP-16

PBS PROJECT NUMBER:
66150.000

APPROX. TEST PIT TP-16 LOCATION:
(See Site Plan)

Lat: 46.21936 Long: -119.30419



TEST PIT LOG - 1 PER PAGE 66150.000 TP1-30 20190513.GPJ PBS DATATMPL GEO.GDT PRINT DATE: 6/7/19.RPG

LOGGED BY: C. Grant
COMPLETED: 4/30/19

EXCAVATED BY: Braden and Nelson, Inc.
EXCAVATION METHOD: CAT 304 C

FIGURE A16
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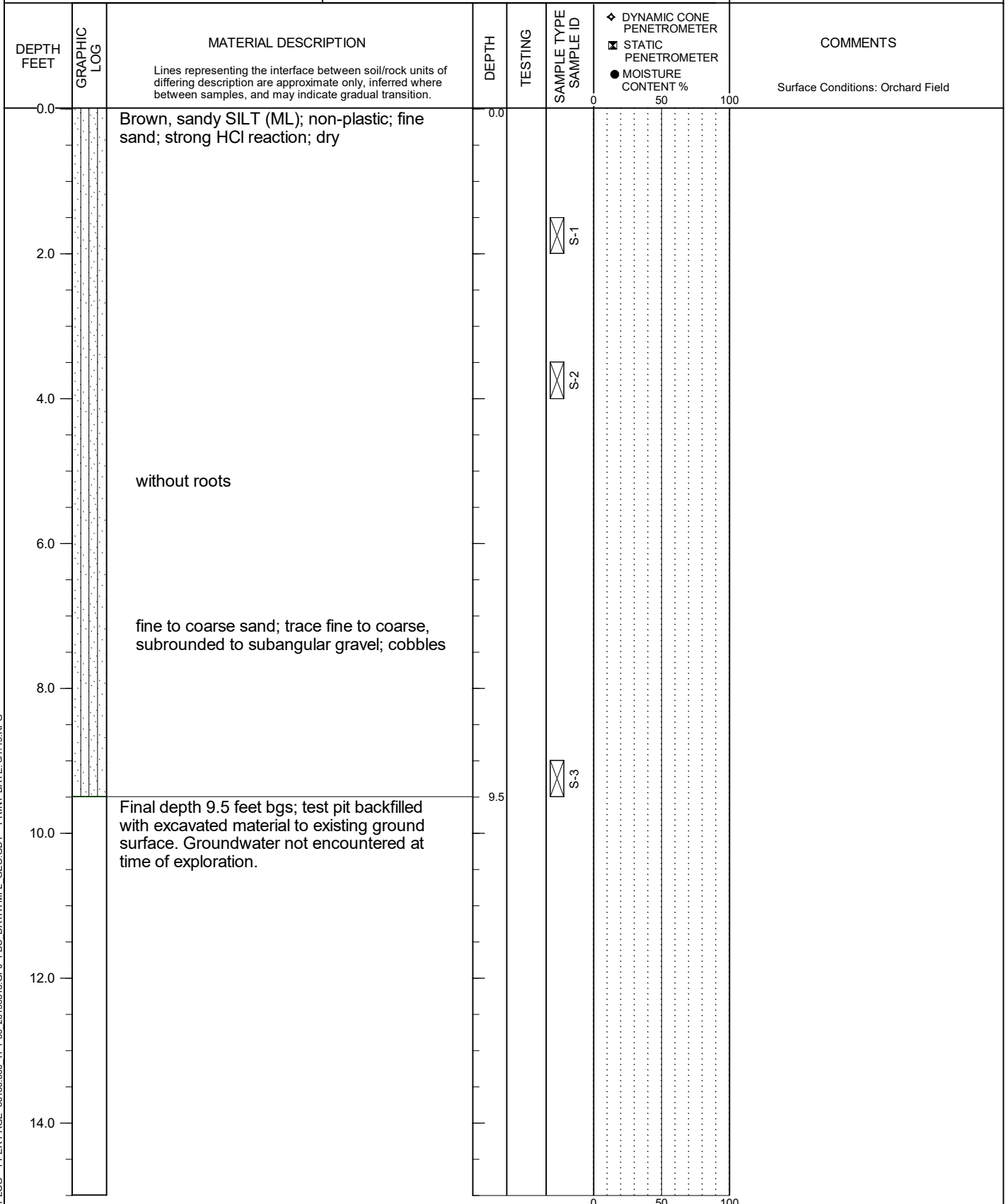
SIENNA HILLS
RICHLAND, WASHINGTON

TEST PIT TP-17

PBS PROJECT NUMBER:
66150.000

APPROX. TEST PIT TP-17 LOCATION:
(See Site Plan)

Lat: 46.219339 Long: -119.302285



TEST PIT LOG - 1 PER PAGE 66150.000 TP1-30 20190513.GPJ PBS DATATMPL GEO.GDT PRINT DATE: 6/7/19.RPG

LOGGED BY: C. Grant
COMPLETED: 5/02/19

EXCAVATED BY: Braden and Nelson, Inc.
EXCAVATION METHOD: CAT 304 C

FIGURE A17
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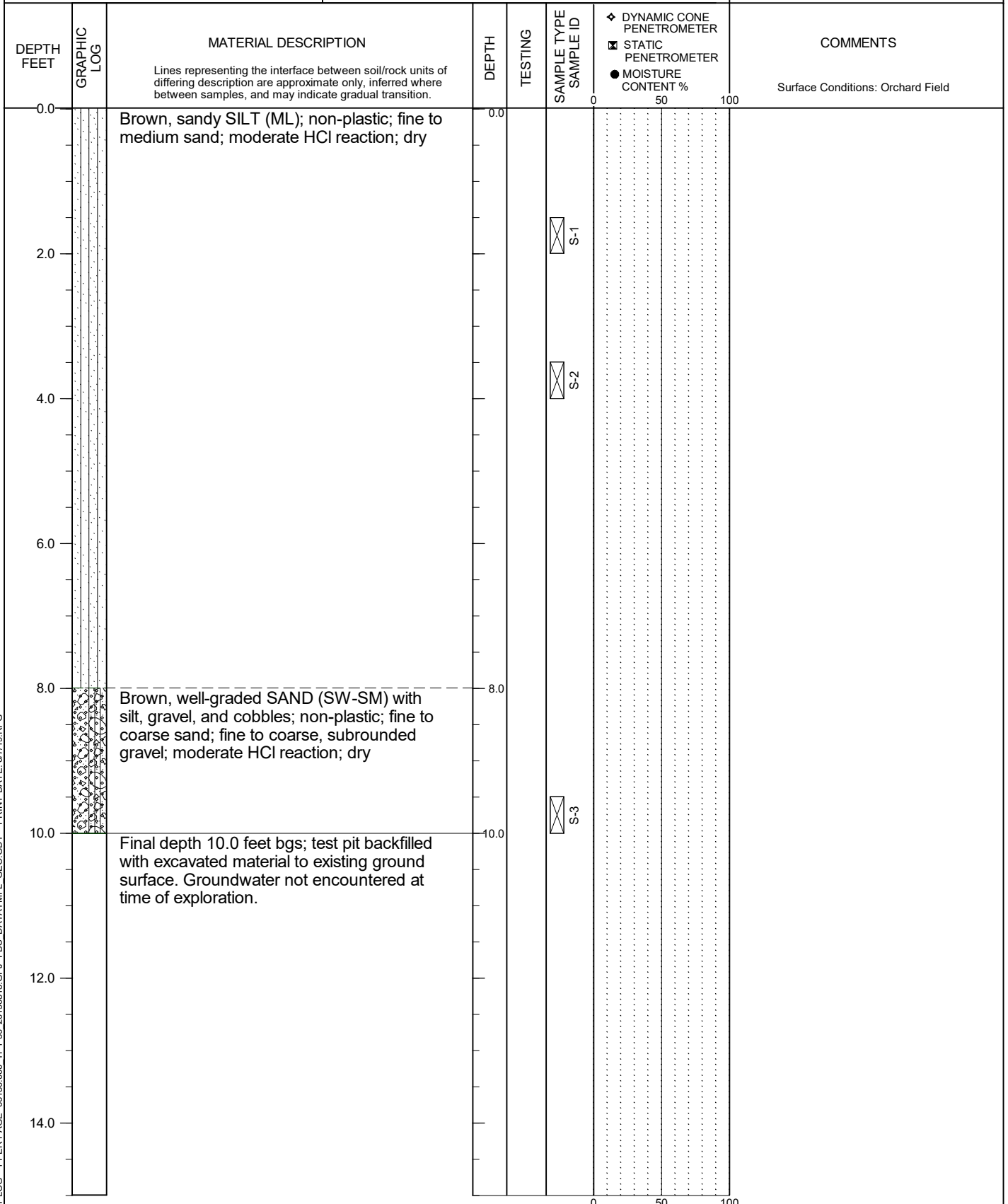
SIENNA HILLS
RICHLAND, WASHINGTON

TEST PIT TP-18

PBS PROJECT NUMBER:
66150.000

APPROX. TEST PIT TP-18 LOCATION:
(See Site Plan)

Lat: 46.219318 Long: -119.300379



TEST PIT LOG - 1 PER PAGE 66150.000 TP1-30 20190513.GPJ PBS DATATMPL GEO.GDT PRINT DATE: 6/7/19.RPG

LOGGED BY: C. Grant
COMPLETED: 5/02/19

EXCAVATED BY: Braden and Nelson, Inc.
EXCAVATION METHOD: CAT 304 C

FIGURE A18
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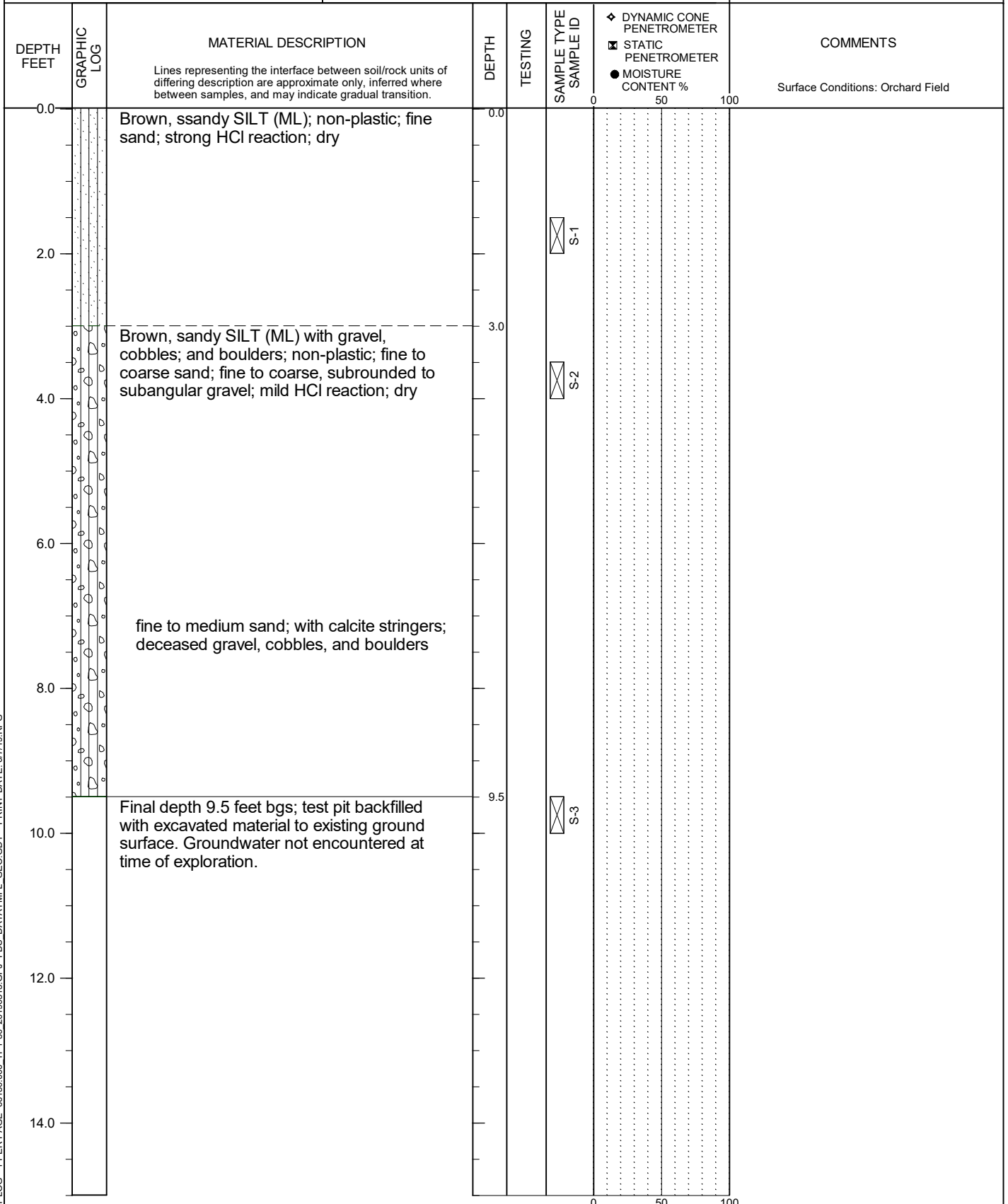
SIENNA HILLS
RICHLAND, WASHINGTON

TEST PIT TP-19

PBS PROJECT NUMBER:
66150.000

APPROX. TEST PIT TP-19 LOCATION:
(See Site Plan)

Lat: 46.219296 Long: -119.298473



TEST PIT LOG - 1 PER PAGE 66150.000 TP1-30 20190513.GPJ PBS DATATMPL GEO.GDT PRINT DATE: 6/7/19.RPG

LOGGED BY: C. Grant
COMPLETED: 5/01/19

EXCAVATED BY: Braden and Nelson, Inc.
EXCAVATION METHOD: CAT 304 C

FIGURE A19
Page 1 of 1



SIENNA HILLS
RICHLAND, WASHINGTON

TEST PIT TP-20

PBS PROJECT NUMBER:
66150.000

APPROX. TEST PIT TP-20 LOCATION:
(See Site Plan)

Lat: 46.219275 Long: -119.296568

DEPTH FEET	GRAPHIC LOG	MATERIAL DESCRIPTION Lines representing the interface between soil/rock units of differing description are approximate only, inferred where between samples, and may indicate gradual transition.	DEPTH	TESTING	SAMPLE TYPE SAMPLE ID	◆ DYNAMIC CONE PENETROMETER ▣ STATIC PENETROMETER ● MOISTURE CONTENT %	COMMENTS Surface Conditions: Orchard Field
0.0		Brown, sandy SILT (ML); non-plastic; fine to medium sand; strong HCl reaction; dry	0.0			0 50 100	
2.0					S-1		
4.0		with calcite stringers			S-2		
6.0							
8.0							
10.0		fine to coarse sand; with trace fine, subrounded to subangular gravel; cobbles			S-3		
10.0		Final depth 10.0 feet bgs; test pit backfilled with excavated material to existing ground surface. Groundwater not encountered at time of exploration.	10.0				
12.0							
14.0							
						0 50 100	

TEST PIT LOG - 1 PER PAGE 66150.000 TP1-30 20190513.GPJ PBS DATATMPL GEO.GDT PRINT DATE: 6/7/19.RPG

LOGGED BY: C. Grant
COMPLETED: 5/02/19

EXCAVATED BY: Braden and Nelson, Inc.
EXCAVATION METHOD: CAT 304 C

FIGURE A20
Page 1 of 1



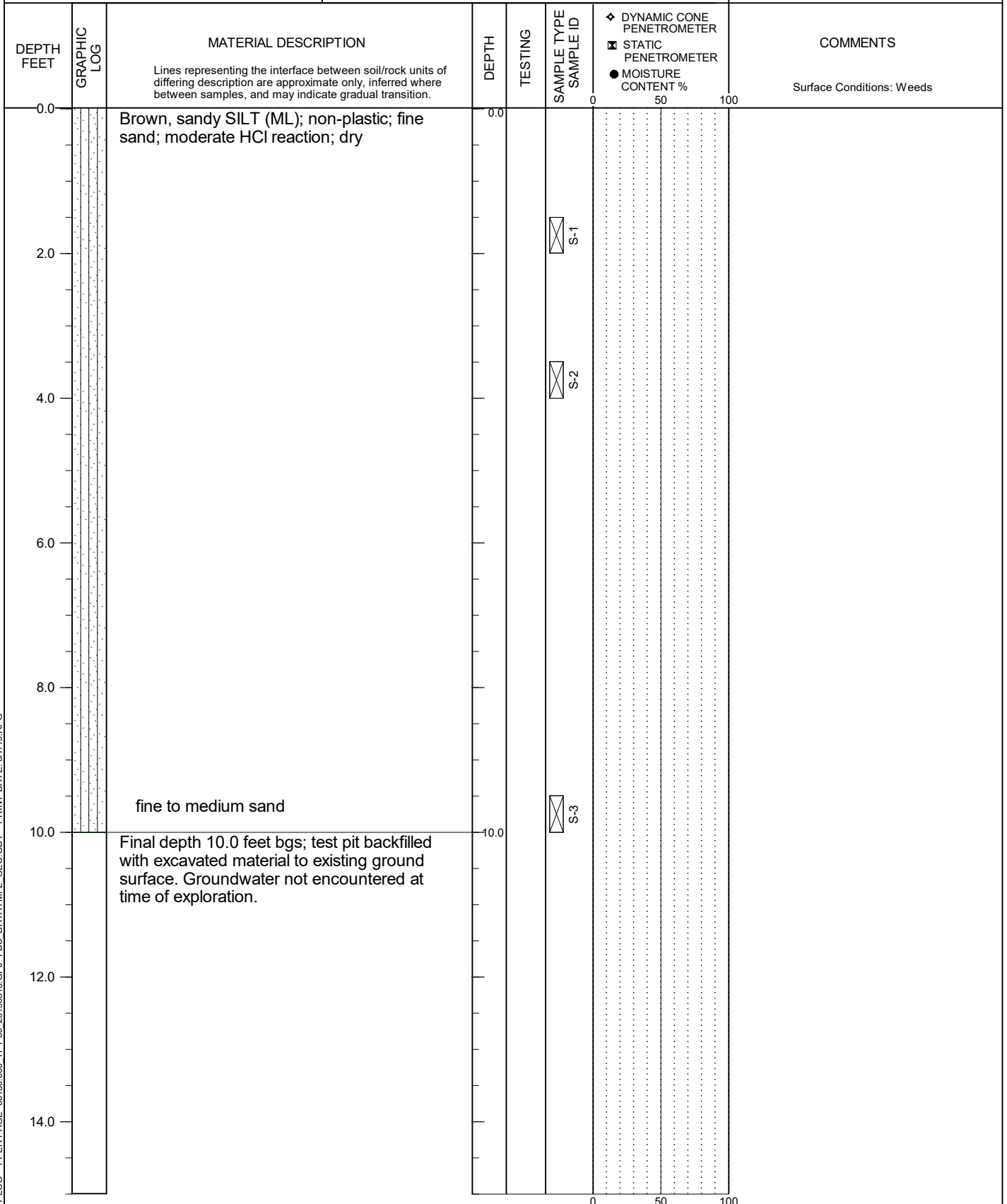
SIENNA HILLS
RICHLAND, WASHINGTON

TEST PIT TP-21

PBS PROJECT NUMBER:
66150.000

APPROX. TEST PIT TP-21 LOCATION:
(See Site Plan)

Lat: 46.219253 Long: -119.294662



TEST PIT LOG - 1 PER PAGE 66150.000 TP1-30 20190513.GPJ PBS DATATMPL GEO.GDT PRINT DATE: 6/7/19.RPG

LOGGED BY: C. Grant
COMPLETED: 5/01/19

EXCAVATED BY: Braden and Nelson, Inc.
EXCAVATION METHOD: CAT 304 C

FIGURE A21
Page 1 of 1



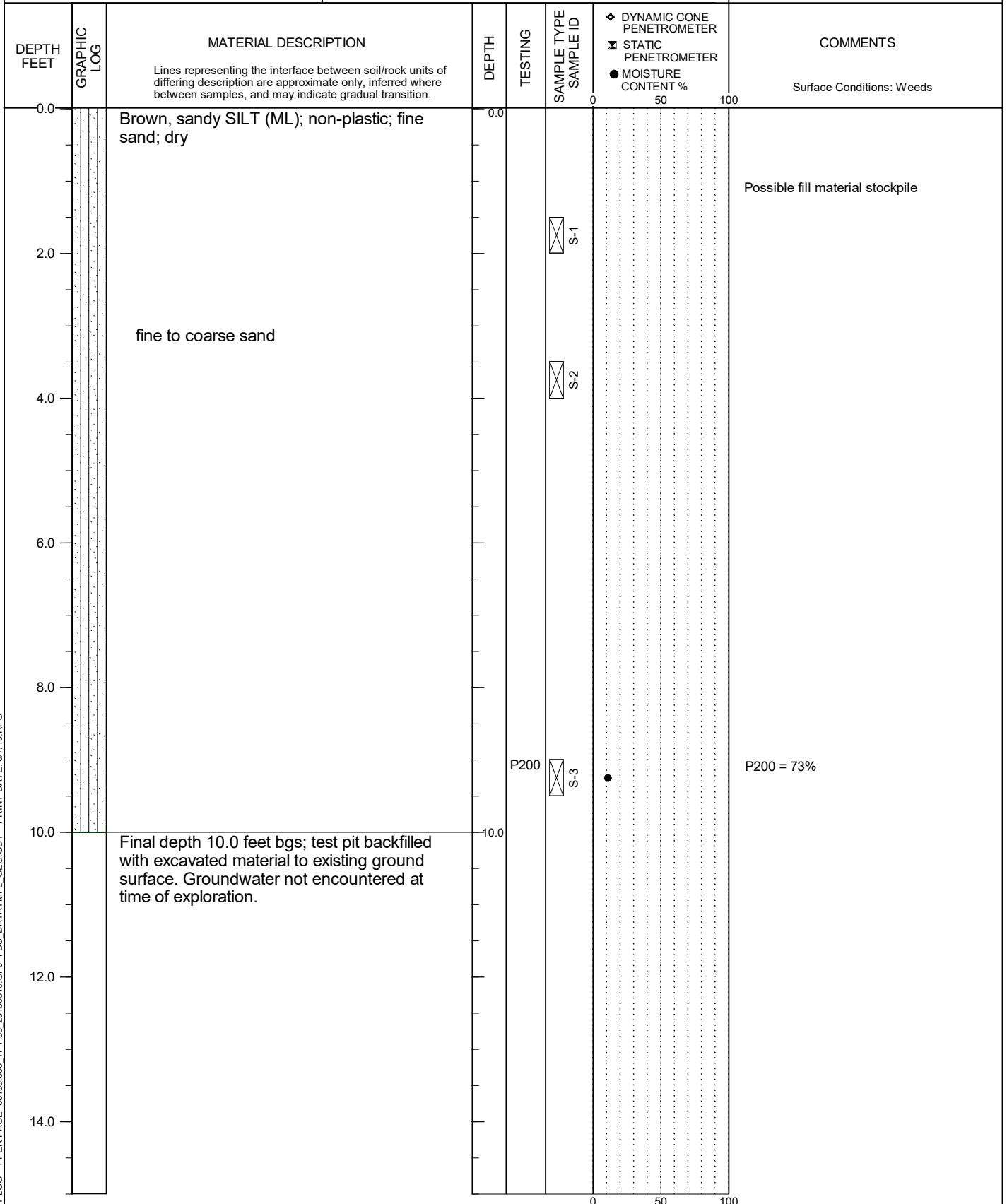
SIENNA HILLS
RICHLAND, WASHINGTON

TEST PIT TP-22

PBS PROJECT NUMBER:
66150.000

APPROX. TEST PIT TP-22 LOCATION:
(See Site Plan)

Lat: 46.218936 Long: -119.292777



TEST PIT LOG - 1 PER PAGE 66150.000 TP1-30 20190513.GPJ PBS DATATMPL GEO.GDT PRINT DATE: 6/7/19.RPG

LOGGED BY: C. Grant
COMPLETED: 5/01/19

EXCAVATED BY: Braden and Nelson, Inc.
EXCAVATION METHOD: CAT 304 C

FIGURE A22
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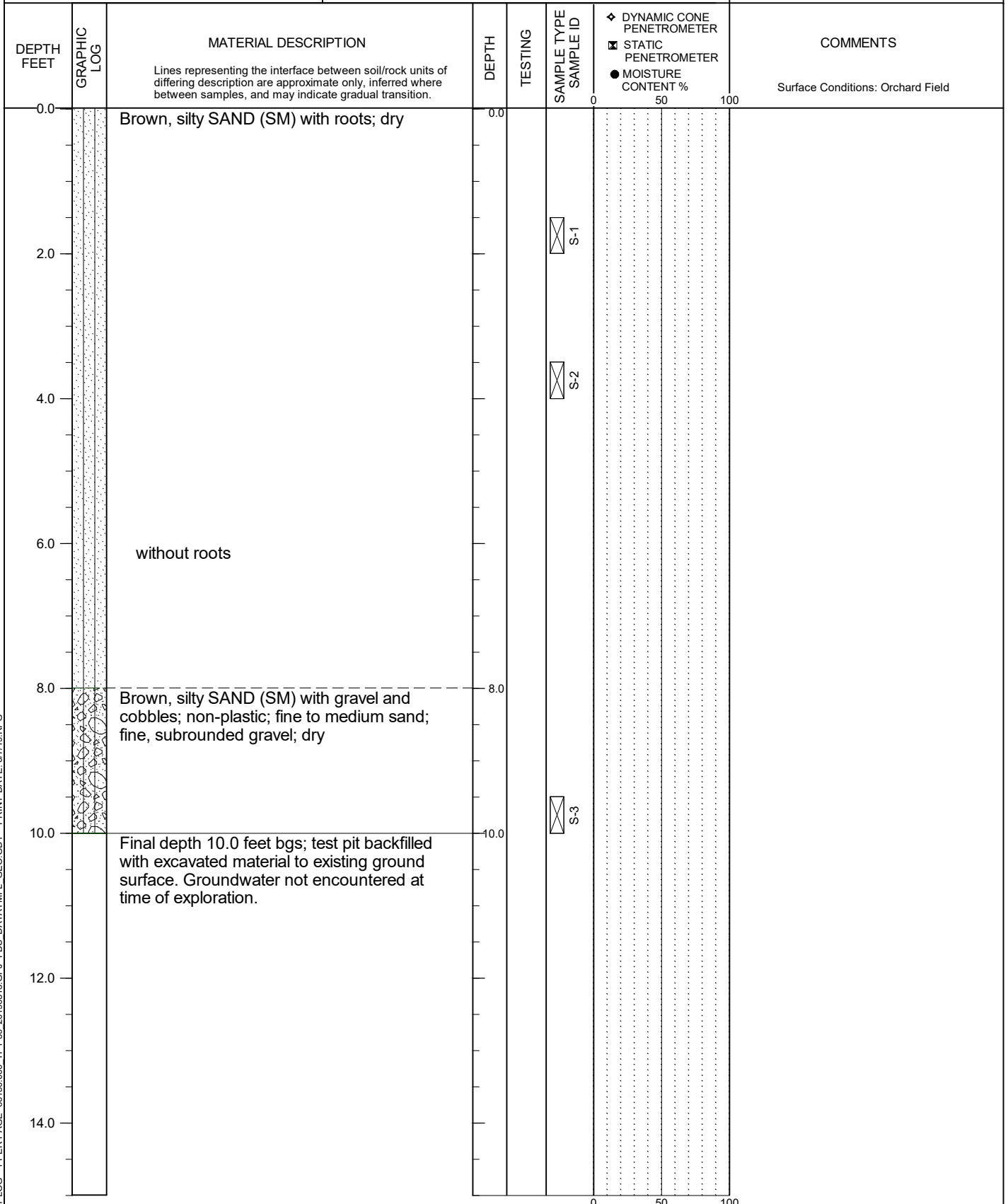
SIENNA HILLS
RICHLAND, WASHINGTON

TEST PIT TP-23

PBS PROJECT NUMBER:
66150.000

APPROX. TEST PIT TP-23 LOCATION:
(See Site Plan)

Lat: 46.220233 Long: -119.306076



TEST PIT LOG - 1 PER PAGE 66150.000 TP1-30 20190513.GPJ PBS DATATMPL GEO.GDT PRINT DATE: 6/7/19.RPG

LOGGED BY: C. Grant
COMPLETED: 4/30/19

EXCAVATED BY: Braden and Nelson, Inc.
EXCAVATION METHOD: CAT 304 C

FIGURE A23
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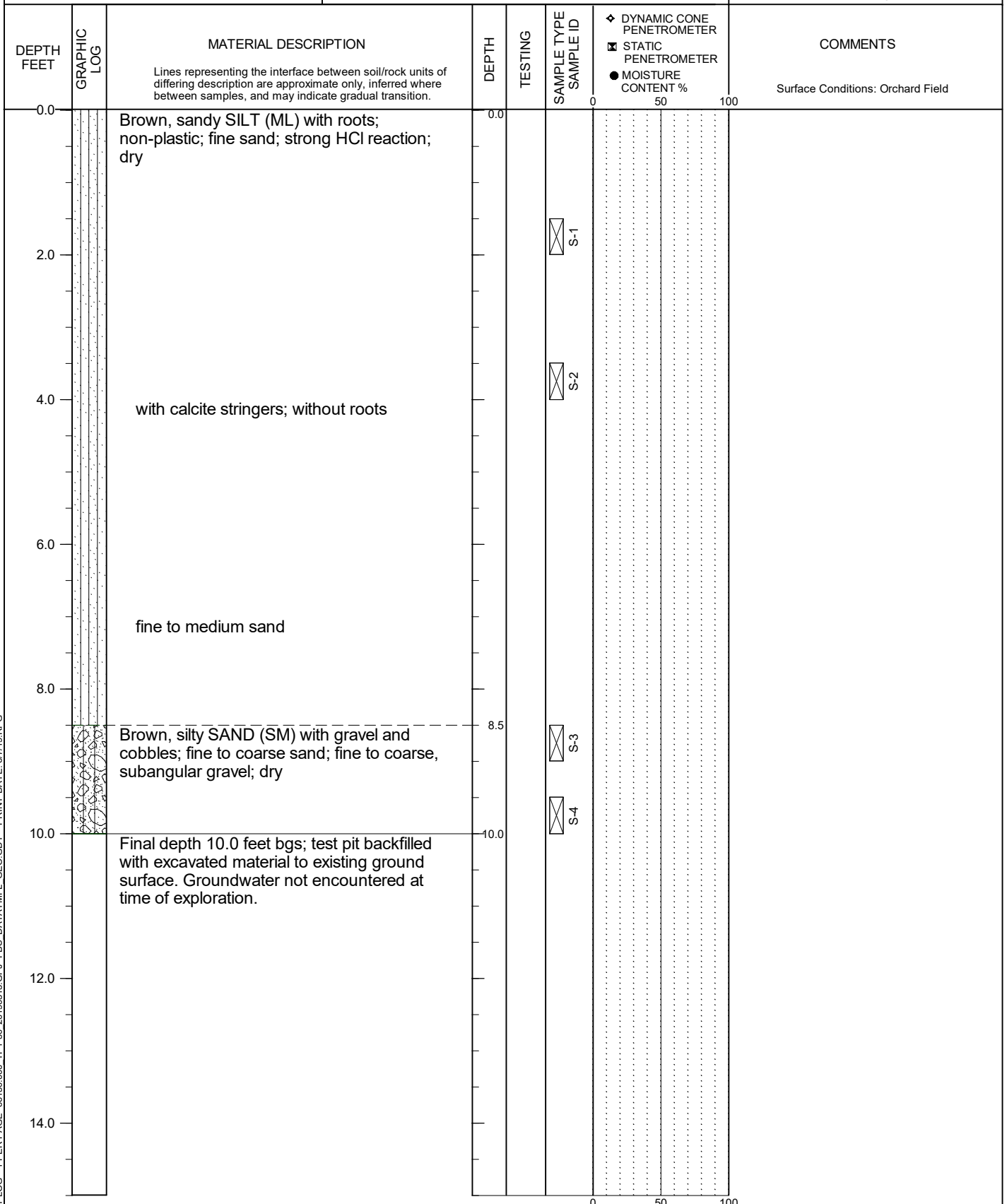
SIENNA HILLS
RICHLAND, WASHINGTON

TEST PIT TP-24

PBS PROJECT NUMBER:
66150.000

APPROX. TEST PIT TP-24 LOCATION:
(See Site Plan)

Lat: 46.220211 Long: -119.30417



TEST PIT LOG - 1 PER PAGE 66150.000 TP1-30 20190513.GPJ PBS DATATMPL GEO.GDT PRINT DATE: 6/7/19.RPG

LOGGED BY: C. Grant
COMPLETED: 4/30/19

EXCAVATED BY: Braden and Nelson, Inc.
EXCAVATION METHOD: CAT 304 C

FIGURE A24
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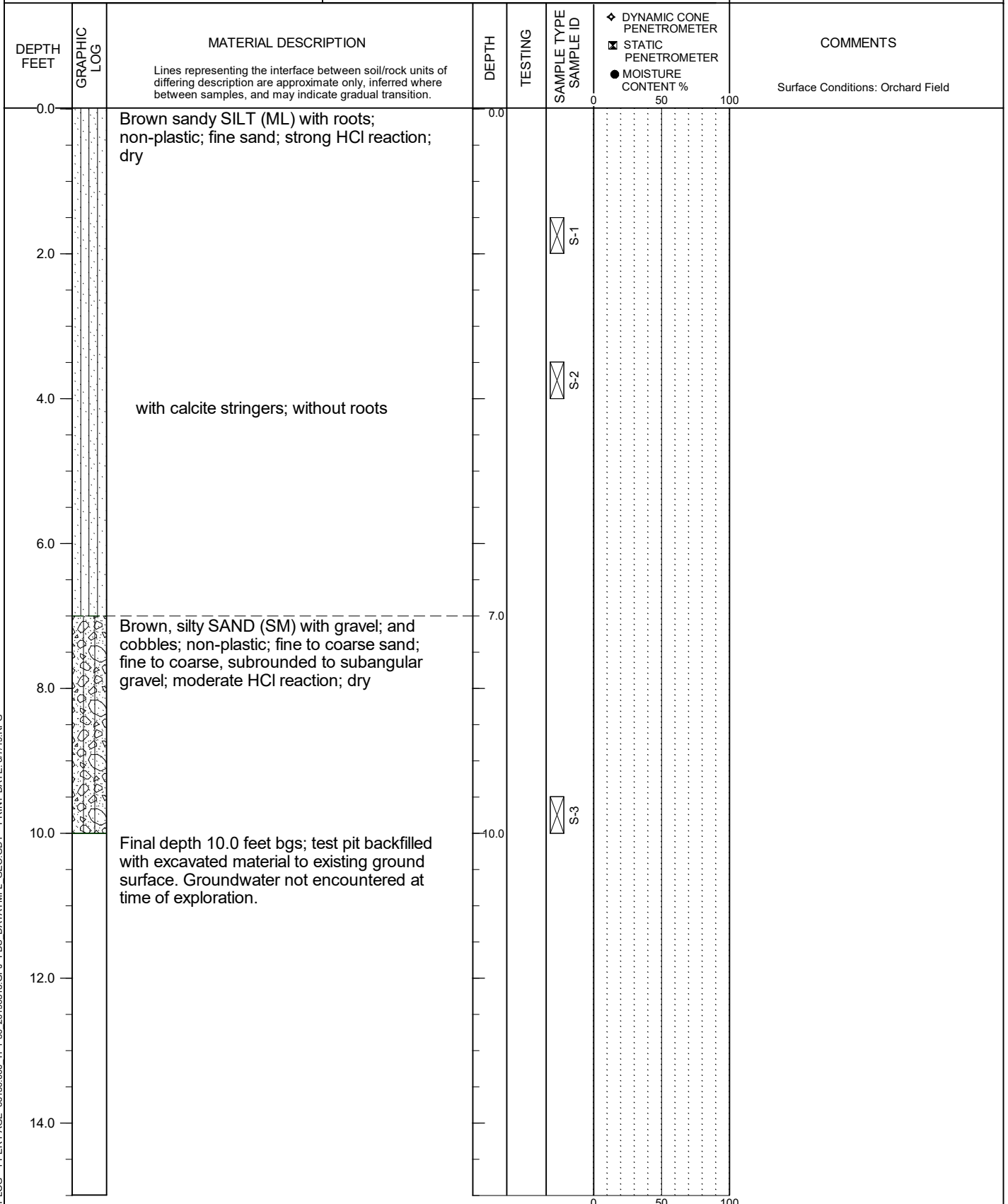
SIENNA HILLS
RICHLAND, WASHINGTON

TEST PIT TP-25

PBS PROJECT NUMBER:
66150.000

APPROX. TEST PIT TP-25 LOCATION:
(See Site Plan)

Lat: 46.22019 Long: -119.302265



TEST PIT LOG - 1 PER PAGE 66150.000 TP1-30 20190513.GPJ PBS DATATMPL GEO.GDT PRINT DATE: 6/7/19.RPG

LOGGED BY: C. Grant
COMPLETED: 5/02/19

EXCAVATED BY: Braden and Nelson, Inc.
EXCAVATION METHOD: CAT 304 C

FIGURE A25
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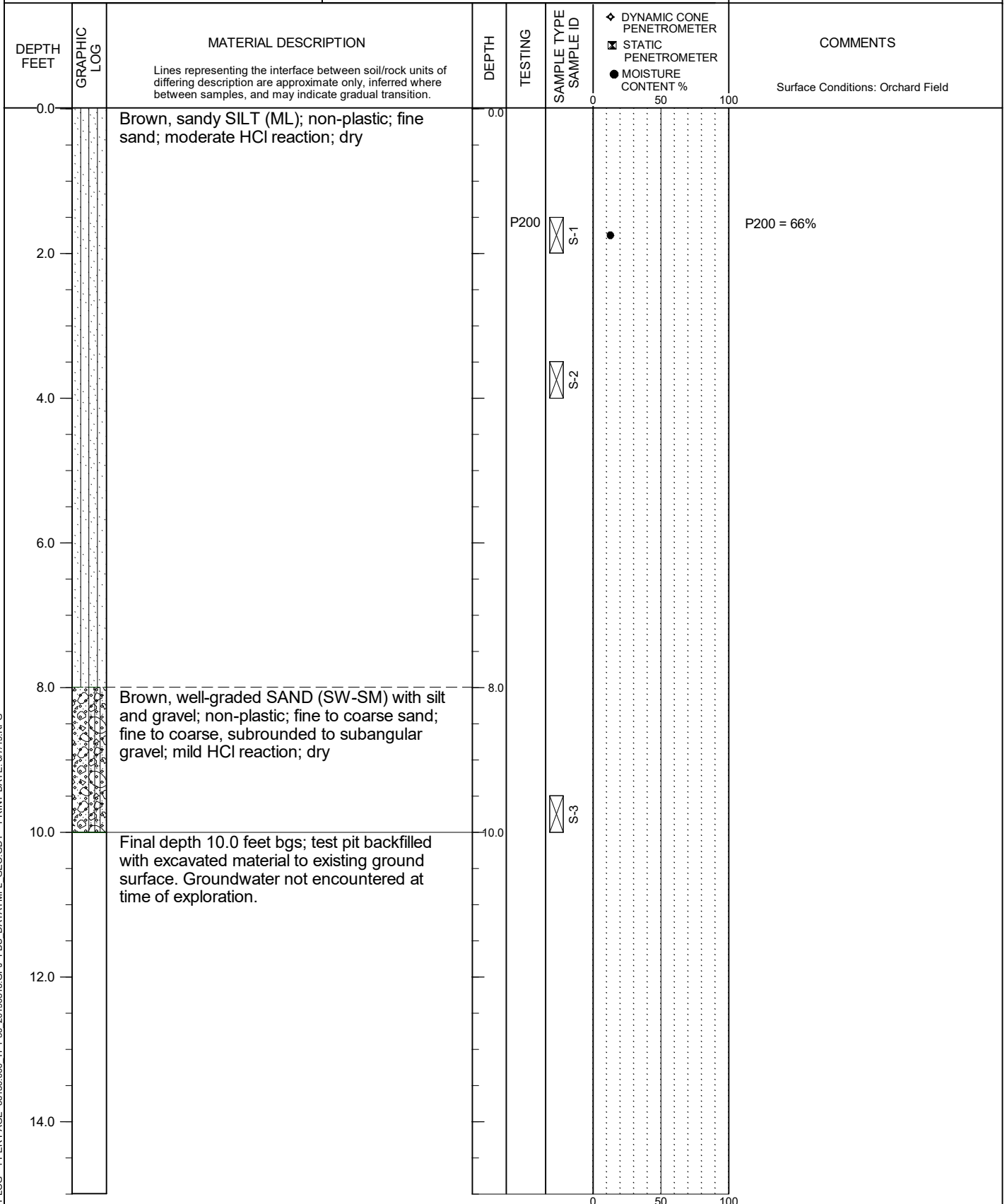
SIENNA HILLS
RICHLAND, WASHINGTON

TEST PIT TP-26

PBS PROJECT NUMBER:
66150.000

APPROX. TEST PIT TP-26 LOCATION:
(See Site Plan)

Lat: 46.220168 Long: -119.300359



TEST PIT LOG - 1 PER PAGE 66150.000 TP1-30 20190513.GPJ PBS DATATMPL GEO.GDT PRINT DATE: 6/7/19.RPG

LOGGED BY: C. Grant
COMPLETED: 5/02/19

EXCAVATED BY: Braden and Nelson, Inc.
EXCAVATION METHOD: CAT 304 C

FIGURE A26
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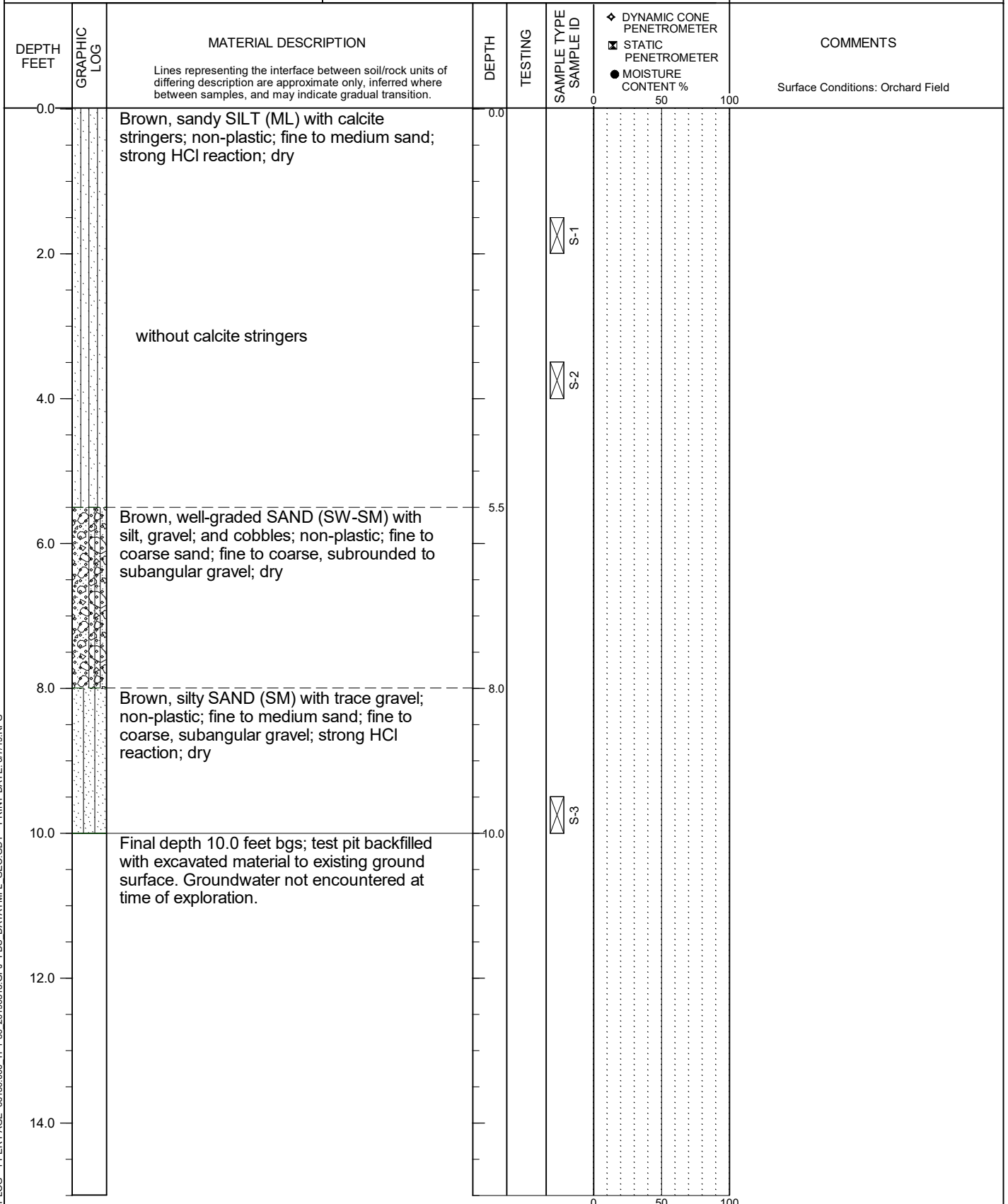
SIENNA HILLS
RICHLAND, WASHINGTON

TEST PIT TP-27

PBS PROJECT NUMBER:
66150.000

APPROX. TEST PIT TP-27 LOCATION:
(See Site Plan)

Lat: 46.220147 Long: -119.298453



TEST PIT LOG - 1 PER PAGE 66150.000 TP1-30 20190513.GPJ PBS DATATMPL GEO.GDT PRINT DATE: 6/7/19.RPG

LOGGED BY: C. Grant
COMPLETED: 5/01/19

EXCAVATED BY: Braden and Nelson, Inc.
EXCAVATION METHOD: CAT 304 C

FIGURE A27
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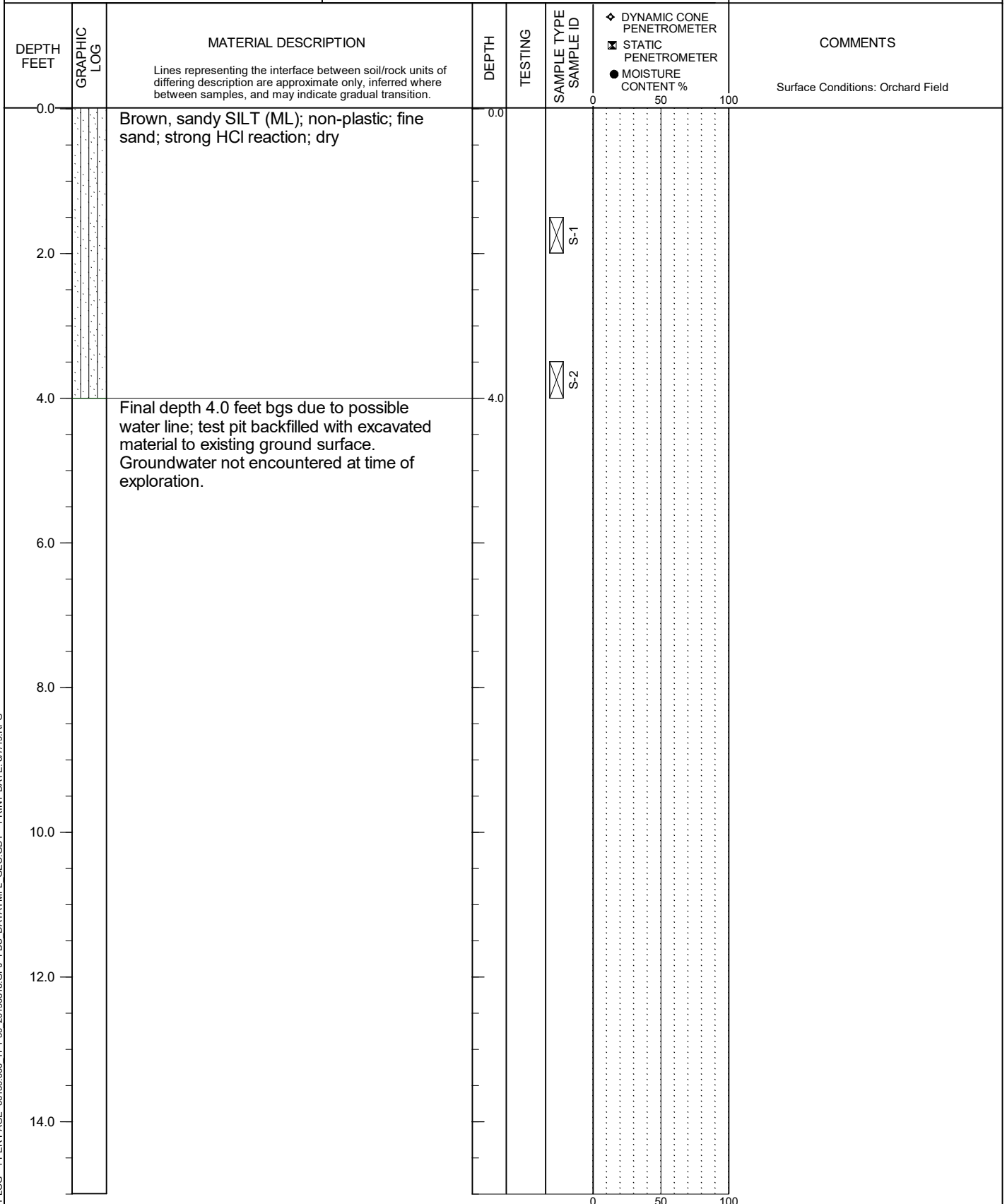
SIENNA HILLS
RICHLAND, WASHINGTON

TEST PIT TP-28

PBS PROJECT NUMBER:
66150.000

APPROX. TEST PIT TP-28 LOCATION:
(See Site Plan)

Lat: 46.220126 Long: -119.296548



TEST PIT LOG - 1 PER PAGE 66150.000 TP1-30 20190513.GPJ PBS DATATMPL GEO.GDT PRINT DATE: 6/7/19.RPG

LOGGED BY: C. Grant
COMPLETED: 5/01/19

EXCAVATED BY: Braden and Nelson, Inc.
EXCAVATION METHOD: CAT 304 C

FIGURE A28
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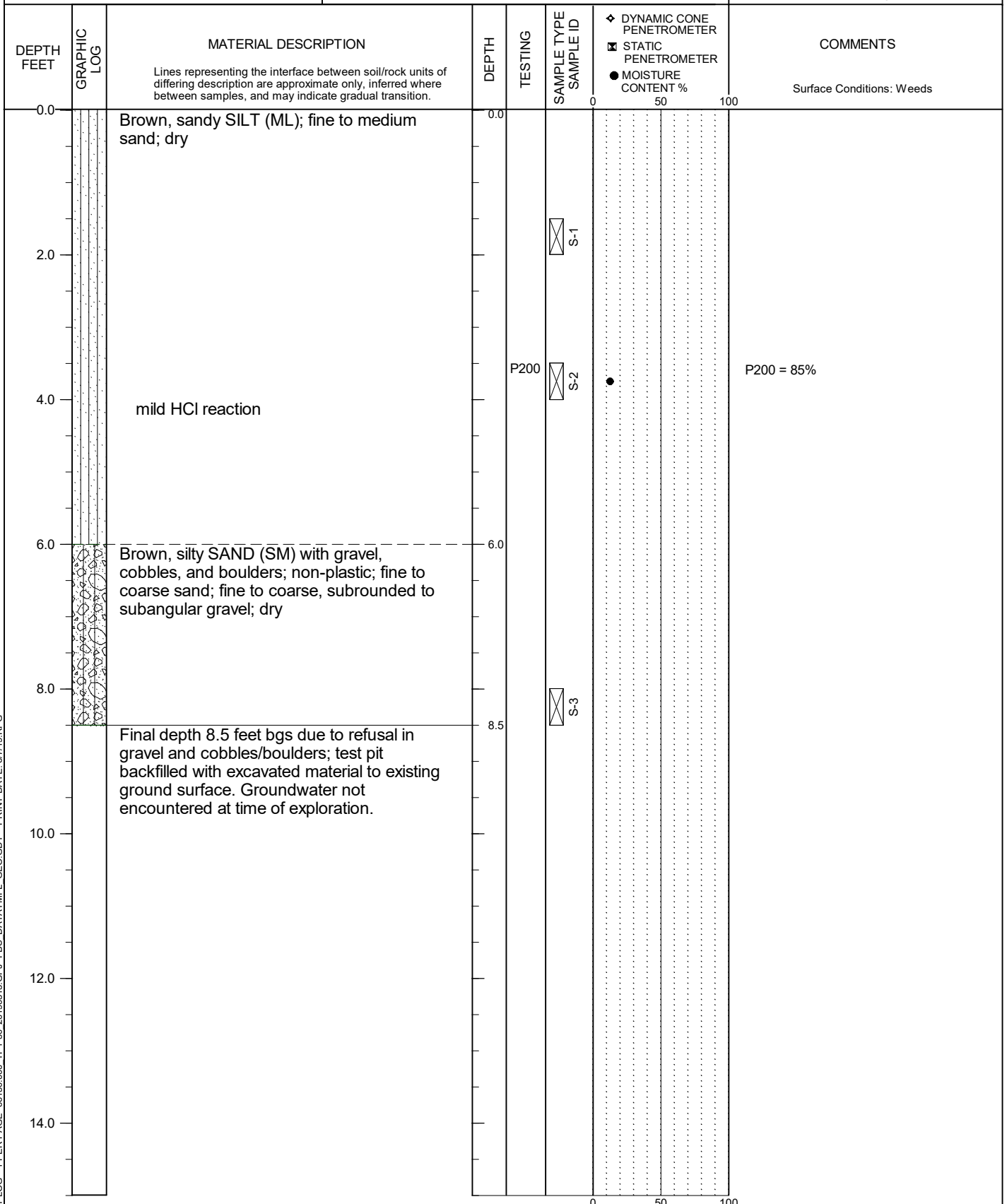
SIENNA HILLS
RICHLAND, WASHINGTON

TEST PIT TP-29

PBS PROJECT NUMBER:
66150.000

APPROX. TEST PIT TP-29 LOCATION:
(See Site Plan)

Lat: 46.220104 Long: -119.294642



TEST PIT LOG - 1 PER PAGE 66150.000 TP1-30 20190513.GPJ PBS DATATMPL GEO.GDT PRINT DATE: 6/7/19.RPG

LOGGED BY: C. Grant
COMPLETED: 5/01/19

EXCAVATED BY: Braden and Nelson, Inc.
EXCAVATION METHOD: CAT 304 C

FIGURE A29
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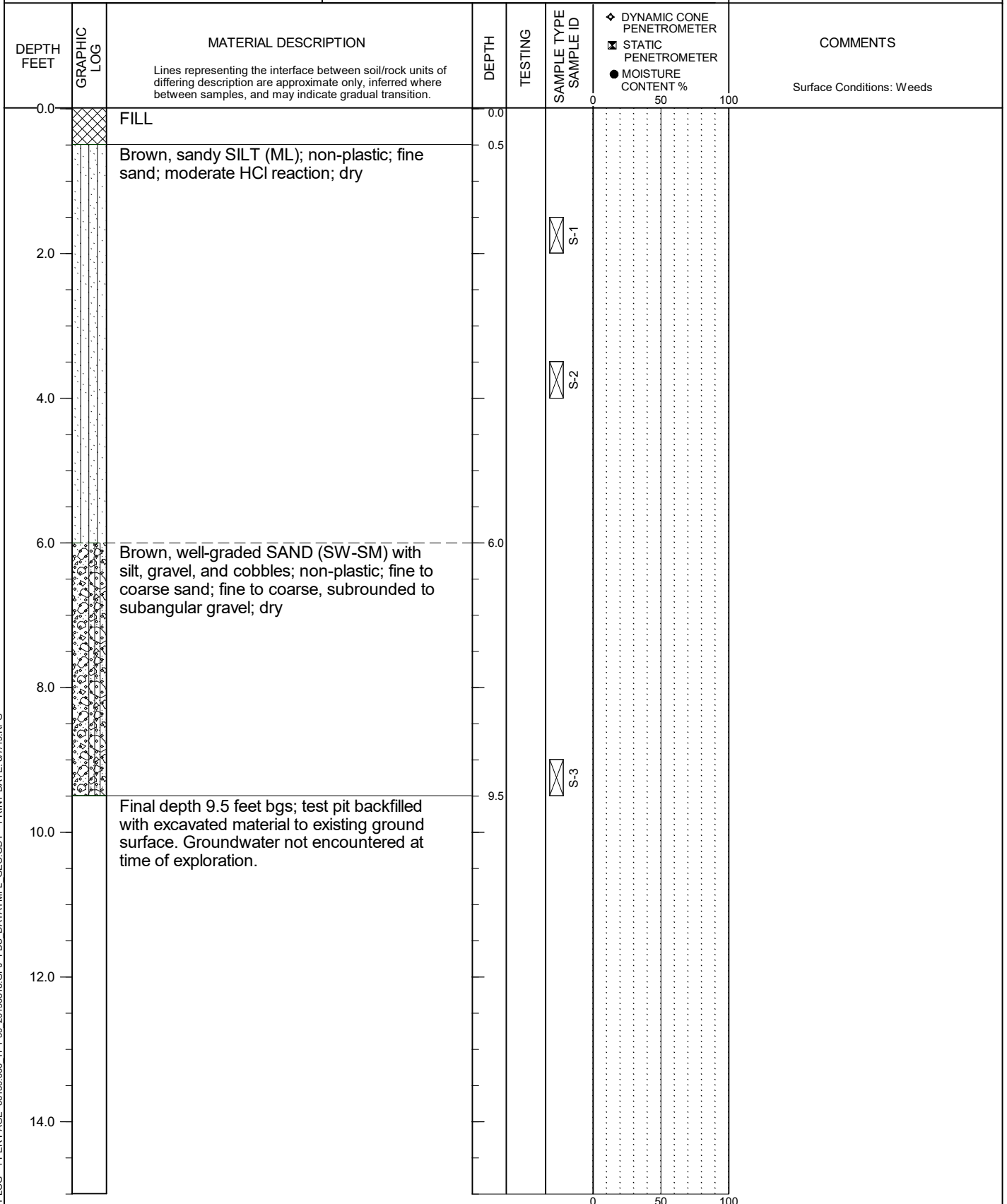
SIENNA HILLS
RICHLAND, WASHINGTON

TEST PIT TP-30

PBS PROJECT NUMBER:
66150.000

APPROX. TEST PIT TP-30 LOCATION:
(See Site Plan)

Lat: 46.22101 Long: -119.295257



TEST PIT LOG - 1 PER PAGE 66150.000 TP1-30 20190513.GPJ PBS DATATMPL GEO.GDT PRINT DATE: 6/7/19.RPG

LOGGED BY: C. Grant
COMPLETED: 5/01/19

EXCAVATED BY: Braden and Nelson, Inc.
EXCAVATION METHOD: CAT 304 Mini Excavator

FIGURE A30
Page 1 of 1

Appendix B

Laboratory Testing

Appendix B: Laboratory Testing

B1 GENERAL

Samples obtained during the field explorations were examined in the PBS laboratory. The physical characteristics of the samples were noted and field classifications were modified where necessary. During the course of examination, representative samples were selected for further testing. The testing program for the soil samples included standard classification tests, which yield certain index properties of the soils important to an evaluation of soil behavior. The testing procedures are described in the following paragraphs. Unless noted otherwise, all test procedures are in general accordance with applicable ASTM standards. "General accordance" means that certain local and common descriptive practices and methodologies have been followed.

B2 CLASSIFICATION TESTS

B2.1 Visual Classification

The soils were classified in accordance with the Unified Soil Classification System with certain other terminology, such as the relative density or consistency of the soil deposits, in general accordance with engineering practice. In determining the soil type (that is, gravel, sand, silt, or clay) the term that best described the major portion of the sample is used. Modifying terminology to further describe the samples is defined in Table A-1, Terminology Used to Describe Soil, in Appendix A.

B2.2 Moisture (Water) Contents

Natural moisture content determinations were made on samples of the fine-grained soils (that is, silts, clays, and silty sands). The natural moisture content is defined as the ratio of the weight of water to dry weight of soil, expressed as a percentage. The results of the moisture content determinations are presented on the exploration logs in Appendix A and on Figure B2, Summary of Laboratory Data, in Appendix B.

B2.3 Grain-Size Analyses (P200 Wash)

Washed sieve analyses (P200) were completed on samples to determine the portion of soil samples passing the No. 200 Sieve (i.e., silt and clay). The results of the P200 test results are presented on the exploration logs in Appendix A and on Figure B2, Summary of Laboratory Data, in Appendix B.



SUMMARY OF LABORATORY DATA

SIENNA HILLS
RICHLAND, WASHINGTON

PBS PROJECT NUMBER:
66150.000

SAMPLE INFORMATION

MOISTURE
CONTENT
(PERCENT)

DRY
DENSITY
(PCF)

SIEVE

ATTERBERG LIMITS

EXPLORATION
NUMBER

SAMPLE
NUMBER

SAMPLE
DEPTH
(FEET)

ELEVATION
(FEET)

GRAVEL
(PERCENT)

SAND
(PERCENT)

P200
(PERCENT)

LIQUID
LIMIT
(PERCENT)

PLASTIC
LIMIT
(PERCENT)

PLASTICITY
INDEX
(PERCENT)

TP-2

S-3

5

21.7

48

TP-5

S-3

4.5

30.6

86

TP-7

S-3

5

37.3

90

TP-8

S-2

3.5

11.5

33

TP-10

S-1

1.5

13.8

73

TP-11

S-3

9.5

14.7

66

TP-13

S-2

3.5

16.6

66

TP-16

S-1

1.5

17.3

86

TP-22

S-3

9

10.7

73

TP-26

S-1

1.5

12.6

66

TP-29

S-2

3.5

12.4

85



Zoning Map Amendment Application

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

PROPERTY OWNER INFORMATION

☐ Contact Person

Owner: Richland Properties LLC c/o Greg Johnson

Address: 2463 E Gala Street, Suite 120, Meridian, ID 83642

Phone: 208-888-9946

Email: greg@westparkco.com

APPLICANT/CONTRACTOR INFORMATION (if different)

☒ Contact Person

Company: Sienna Hills Development, LLC

UBI#:

Contact: Taylor Merrill

Address: 2463 E Gala Street, Suite 120, Meridian, ID 83642

Phone: 208-870-3432

Email: taylor@westparkco.com

DESCRIPTION OF WORK

Applicant is requesting that a portion of Parcel #134983000001005 be rezoned from C-LB to R-2 to be consistent with the accompanying comprehensive plan map amendment request designation of Badger Mountain South Medium Density Residential.

PROPERTY INFORMATION

Parcel #: 134983000001005

Legal Description: See attached title report

Current Zoning: C-LB

Current Comp Plan: Commercial

Requested Zoning: R-2

Current Use: Undeveloped

Proposed Use: Residential

Area of Property:

APPLICATION MUST INCLUDE

1. Completed application and filing fee
2. Title Report showing ownership, easements, restrictions, and accurate legal description of the property involved
3. Other information as determined by the Administrator

ANSWER THE FOLLOWING AS COMPLETELY AS POSSIBLE

The unique characteristics, if any, of the property or circumstances of the owner:
See narrative accompanying this application.

Any hardship that may result in the event the rezone is not granted:
See narrative accompanying this application.

The manner in which the proposed rezone conforms to patterns in adjacent zones:

See narrative accompanying this application.

Any beneficial or adverse effects the granting or denial of the rezone would have on adjacent or surrounding zones:

See narrative accompanying this application.

Any beneficial or adverse effects the granting or denial of the rezone would have in relation to the overall purpose and intent of the comprehensive plan and this title:

See narrative accompanying this application.

The benefits or detriments accruing to the City which would result from the granting or denial of this special permit:

See narrative accompanying this application.

Whether the proposed rezone represents a better use of the land from the standpoint of the comprehensive plan than the original zone:

See narrative accompanying this application.

Whether the proposed rezone represents spot zoning and whether a larger area should be considered:

See narrative accompanying this application.

Identify impacts on the environment and public safety:

See narrative accompanying this application.

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

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

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

1. I have read and examined this permit application and have documented all applicable requirements on the site plan.
2. The information provided in this application contains no misstatement of fact.
3. I am the owner(s), the authorized agent(s) of the owner(s) of the above referenced property, or I am currently a licensed contractor or specialty contractor under Chapter 18.27 RCW or I am exempt from the requirements of Chapter 18.27 RCW.
4. I understand this permit is subject to all other local, state, and federal regulations.

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

Applicant Printed Name: _____

Larry Squires for Sienna Hills Development, LLC

Applicant Signature: _____

[Signature], Manager

Date _____

1/4/2021

Narrative for Zoning Map Amendment

East of Bent Road, West of Bermuda Boulevard
Richland, Washington

Prepared for:

Sienna Hills Development LLC
2463 E Gala Street, Suite 120
Meridian, Idaho 83642

December 22, 2020
PBS Project 66150.000



4412 S CORBETT AVENUE
PORTLAND, OR 97239
503.248.1939 MAIN
866.727.0140 FAX
PBSUSA.COM

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Supporting Data

FIGURES

Figure 1. Site Plan and Overall Utility Plan
Figure 2. Vicinity Map
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APPENDICES

Appendix A: Traffic Impact Analysis

Appendix B: SEPA, Geotechnical Engineering Report, and Soil Sampling Investigation Report

Appendix C: Legal Description and Exhibit

PROJECT SUMMARY

Introduction

This narrative accompanies the zoning map amendment application for Sienna Hills Development LLC (applicant), who is seeking approval for a zoning map amendment. The application package will be submitted to the City of Richland (City) in accordance with Titles 19 and 23 of the Richland Municipal Code (RMC). An application for a comprehensive plan map amendment is being submitted simultaneously with the request for the zoning map amendment; however, the applicant acknowledges and understands that the zoning map amendment application will be processed separately from, and after, the comprehensive plan map amendment.

Site Information

The project property (site) is an approximately 1.82-acre odd-shaped portion of the larger approximately 98-acre parcel. Neither the site nor the larger parcel has an address, but the larger parcel is identified by the Benton County Assessor as Parcel No. 134983000001005, located in Section 34, Township 9 North, Range 28 East, of the Willamette Meridian, City of Richland, Benton County, Washington. Generally, the site is located approximately 2,000 feet west of Bermuda Boulevard, with Bent Road as its western boundary. The site has a comprehensive map classification of Badger Mountain Subarea Commercial (BMC) and a zone of Commercial Limited Business (C-LB).

The site is a part of the Sienna Hills development. The preliminary plat for the development was approved in March 2020 as File S2019-101. The approved development will divide approximately 98 acres of land, of which the site is a part, into 285 residential lots. Included in the approved 285 residential lots are the site's future six residential lots for construction of detached one-family dwellings pending approval of the zoning map amendment and applicable permits.

Surrounding Uses and Zones

The uses and zones surrounding the site are noted as follows:

Table 1. Surrounding Uses and Zone Designations

Direction	Uses	City or County	Zone
North	Undeveloped Phase 4 Sienna Hills	City	R-2
South	Undeveloped Phase 4 Sienna Hills	City	R-1-10
East	Undeveloped Phase 4 Sienna Hills	City	R-2
West	Undeveloped Phase 4 Sienna Hills	City	R-2

Project Description

The applicant wishes to make the site available for the future construction of six detached single-family dwellings. The layout of the six lots has already been approved through the City's File S2019-101, and this zone change approval will not increase the overall number of 285 lots in the Sienna Hills development. To allow for construction of detached one-family dwellings, though, on the approved six lots, the applicant requests a change from the site's current Badger Mountain Subarea Commercial comprehensive plan map classification to the comprehensive plan map classification of Badger Mountain Subarea Medium Density Residential, which if approved allows for the subsequent zone change request from the current Commercial Limited Business (C-LB) to the proposed Medium Density Residential (R-2). The R-2 zone allows detached one-family dwellings, which are not allowed in the C-LB zone. The result of approval of the request, then, will be six detached one-family dwellings on individual lots having a comprehensive plan map designation of

Badger Mountain Subarea Medium Density Residential and a zone of R-2, consistent with the comprehensive plan map designation, zone, and use to the north, east, and west and consistent with the residential zone and use to the south.

QUESTIONS FROM ZONING MAP AMENDMENT APPLICATION

1. The unique characteristics, if any, of the property or circumstances of the owner

Response: The site is surrounded by residential zoning (R-2 to the north, east, and west and R-1-10 to the south) for already-existing or future use as detached one-family dwellings. Accordingly, the site has the unique characteristic of being an island of commercial zoning amongst a sea of residential zoning used, or intended to be used, for detached one-family dwellings.

2. Any hardship that may result in the event the rezone is not granted

Response: Not rezoning the site will result in six fewer opportunities for the citizens of Richland for home ownership of detached one-family dwellings.

3. The manner in which the proposed rezone conforms to patterns in adjacent zones

Response: The adjacent zone to the north, east, and west of the site is the same zone, R-2, that is being requested for the site. Accordingly, approval of the zone change will result in the site's zoning being consistent with the adjacent north, east, and west zone. The area to the south of the site, while a different zone of R-1-10, is still a residential zone and is being, or will be, used for detached one-family dwellings. The proposed rezone, then, will conform to the adjacent residential zones as well as the adjacent land use of detached one-family dwellings.

4. Any beneficial or adverse effects the granting or denial of the rezone would have on adjacent or surrounding zones

Response: The proposed zone and use of the site are consistent with the current use (detached one-family dwellings) and residential zones of the surrounding areas to the north, south, east, and west (with the north, east, and west being the same R-2 zone that is being request for the site and the south being another residential zone of R-1-10). This will be of benefit to the surrounding area by providing compatibility in land uses and concentrating detached one-family dwellings in an area, rather than having a different use inserted into the future and developed detached one-family dwelling area. This results in consistency and avoidance of sprawl in this area of the city and provides additional housing stock for individual ownership.

5. Any beneficial or adverse effects the granting or denial of the rezone would have in relation to the overall purpose and intent of the comprehensive plan and this title

Response: The City's Comprehensive Plan, on page 1, states that the "Comprehensive Plan acts as a guide for the community's physical development (land use) over the long term that reflects the community's values, activities, and future growth." Page 6 provides the vision and values, particularly that "Richland is a progressive, safe, and family-friendly community that welcomes diversity." Page 6 further describes the community and neighborhood character of the City as a "family-friendly community with opportunities for jobs, housing, and recreation." The site is specifically part of Badger Mountain Subarea, and the *City of Richland Badger Mountain Subarea Plan* notes that "the Badger Mountain Subarea is intended to be

developed to protect existing residential land uses, conserve and protect natural systems, and provide quality and choice in housing..." as well as noting that "residential neighborhoods are the foundation of the Richland community." The proposed zone change will be consistent with the surrounding residential zones (R-2 and R-1-10) and use (detached one-family dwellings) to the north, south, east, and west of the site, as well as serving as a natural extension of the already existing and future detached one-family dwellings. This will protect existing adjacent residential land use from uses other than one-family dwelling residential. It will also provide more housing stock for home ownership, thus providing choices in housing, and such housing stock will be in a location adjacent to other houses and within walking distance to commercial activity along Bermuda Road.

6. *The benefits or detriments accruing to the city which would result from the granting or denial of this special permit*

Response: The benefits to approving this request are the opportunity for another six detached one-family dwellings to be built for ownership by the citizens of Richland, as well as providing zoning and usage of the site that is consistent with the adjacent north, east, and west zone and use. Overall, then, this provides for a more appropriate land use for the site than the current zoning when considering the adjacent properties on all sides of the site.

7. *Whether the proposed rezone represents a better use of the land from the standpoint of the comprehensive plan than the original zone*

Response: The bulk of the approved Sienna Hills development is designed for detached one-family dwellings. This site is an outlier with its commercial zone surrounded by residential zoning, noting that the large portion of the Sienna Hills development's C-LB zoning is farther to the east and is adjacent to Bermuda Road. To be consistent with its surrounding residential zones and use approved in the preliminary plat, the zone change is necessary to allow for construction of detached one-family dwellings on the site's lots, rather commercial buildings. This will provide for six houses in the stock available for purchase and home ownership and will be a natural extension of the existing and planned residential use to the south and planned residential use to the north, east, and west. It eliminates the spot-zoned area of C-LB zoning, which will provide consistency in the development's residential zoning and use and still preserve the larger C-LB zoning to the east of Bermuda Road for commercial activity within walking distance of the residential zones.

The following information details consistency with the goals and policies and strategies of the comprehensive plan.

General Community Goals:

Community Goal 1. Ensure and enhance the continuing sense of a livable and sustainable community in Richland.

Response: The site is surrounded by zoning and use as detached one-family dwellings. Replacing the site's commercial zoning with a zone that allows for the same detached one-family dwelling use as the adjacent properties ensures use compatibility, which contributes to the livability of the area.

Land Use Element:

LU Goal 1: Plan for growth within the urban growth area and promote compatible land use.

Response: The site is surrounded by residential zoning and existing or future detached one-family dwellings. The proposed amendment allows for growth within the urban growth area by providing an opportunity for

home ownership for six families and replaces the island of commercial zoning with residential zoning that allows for one-family dwellings, and thereby promoting consistent land use in this area of the Sienna Hills development.

LU Goal 2: Establish land uses that are sustainable and create a livable and vibrant community.

Response: The site is surrounded by zoning and use as detached one-family dwellings. Replacing the site's commercial zoning with a zone that allows for the same detached one-family dwelling use as the adjacent properties ensures use compatibility, which contributes to the livability of the area.

Policy 2: Ensure that adequate public services are provided in a reasonable time frame for new developments.

Response: The site presently has access to city sewer and water via the extension of lines through the road system and the installation of service connections at each lot. The 285 residential lots (of which, the site's proposed 6 one-family dwelling lots are a part) have already been approved through preliminary plat approval of the Sienna Hills development. The requested amendment does not change the number of lots, nor does it change the existing sewer and water services, or their extension thereof, which will occur regardless of this amendment.

The same holds true for parks, police, fire, emergency medical services, and governmental services. The requested designation is a less-intense use than the existing designation. Regardless of the amendment, the previous approval of the preliminary plat for Sienna Hills will result in an increased demand for parks, police, fire, emergency medical services, and governmental services. This amendment, though, will lessen that increase since, as the result of the approved amendment, the construction of detached one-family dwellings instead of commercial buildings will result in less activity at the site. It is noted that a new clubhouse will be included as an amenity to the development, which will provide opportunities for recreation. Police and fire protection are currently provided by local services, and such protection will continue regardless of this zone change. Public school services for the site are provided by the local school district.

LU Goal 10: Follow controlling law and constitutional requirements, both state and federal, to ensure the appropriate protection of private property rights.

Policy 2: Process comprehensive plan amendments and development regulations using a fair and open hearing process, with adequate public notice and opportunities to participate to ensure the protection of all due process rights.

Policy 3: Process timely, fair, and predictable processing and review of land use permit applications in conformance with applicable federal and state legal and regulatory requirements.

Response: The city's code has established a public hearing process that is administered by City staff that provides public notice for the request and opportunities for the property owner and applicant as well as the public to provide comment. The application will be process in accordance with the City's established process in a timely fashion as per city code and state law.

8. Whether the proposed rezone represents spot zoning and whether a larger area should be considered

Response: The proposed rezone does not represent spot zoning. If anything, it eliminates spot zoning since the site is currently zoned C-LB and the requested zone is R-2 just like the adjacent zoning to the north, east, and west.

9. Identify impacts on the environment and public safety

Response: The application package includes a completed SEPA checklist, identified as Appendix B. Any development of, on, or to the site must comply with all state and federal environmental regulations.

The site is not part of the shoreline master program, nor does it contain any flood hazard areas, sensitive areas, or critical areas.

The site is currently designated as C-LB. The request is to amend that designation to R-2. The requested designation is less intense than the current designation. The site presently has access to city sewer and water via the extension of lines through the road system and the installation of service connections at each lot. The 285 residential lots (of which, the site's proposed 6 one-family dwelling lots are a part) have already been approved through preliminary plat approval of the Sienna Hills development. The requested amendment does not change the number of lots, nor does it change the existing sewer and water services, or their extension thereof, which will occur regardless of this amendment.

The same holds true for parks, police, fire, emergency medical services, and governmental services. The requested designation is a less-intense use than the existing designation. Regardless of the amendment, the previous approval of the preliminary plat for Sienna Hills will result in an increased demand for parks, police, fire, emergency medical services, and governmental services. This amendment, though, will lessen that increase since, as the result of the approved amendment, the construction of detached one-family dwellings instead of commercial buildings will result in less activity at the site. It is noted that a new clubhouse will be included as an amenity to the development, which will provide opportunities for recreation. Police and fire protection are currently provided by local services, and such protection will continue regardless of this zone change. Public school services for the site are provided by the local school district.

CHAPTER 23.18 RESIDENTIAL ZONING DISTRICTS

23.18.025 Single-family residential design standards

Response: The future dwellings will be new construction of stick-built structures placed on permanent foundations.

23.18.030 Residential use districts permitted land uses

Response: The R-2 zone allows detached one-family dwellings as a permitted use, subject to the general requirements and performance standards required in the R-2 zone.

23.18.040 Site requirements for residential use districts

Response: The minimum lot area requirement in the R-2 zone for a one-family detached dwelling is 6,000 square feet. The approved preliminary plat for Sienna Hills provides a minimum lot size of 6,000 square feet for the six lots comprising the site. The R-2 zone has a minimum lot width of 50 feet, and this requirement has been met in the approved preliminary plat for Sienna Hills. Minimum setback, maximum lot coverage, and

maximum building height requirements will be reviewed for compliance as part of the building permit application process.

23.18.050 Parking standards for residential use districts

Response: Individual driveways will be provided on each of the six approved lots to accommodate the off-street parking requirement.

CHAPTER 23.70 ADMINISTRATION, ENFORCEMENT, AMENDMENT

23.70.180 Amendment

The regulations, restrictions and boundaries set forth in this title may from time to time be amended, supplemented, changed or repealed; provided however, that no such action shall be taken until after a public hearing...

Response: The required public hearing for the requested zoning map amendment from C-LB to R-2 will be scheduled and coordinated by the City.

23.70.190 Initiation of proceedings

Proceedings for a reclassification or an amendment to this title may be initiated by either of the following two means:

- A. *The verified petition of one or more persons or corporations requesting the amendment or owning the property which is proposed to be reclassified shall be filed with the secretary of the planning commission. A petition for reclassification shall also be accompanied by a report from a title insurance company showing ownership of the property involved and a list of the names and addresses of all owners of property within 300 feet of the boundaries of the property involved. In addition, the report shall include an accurate key map showing the property involved and delineating the property within 300 feet of the property involved. Each parcel falling wholly or partly within the 300-foot distance shall be numbered to correspond with the ownership report. The petition shall also be accompanied by such fees as are required by RMC 19.80.020.*

Response: The site is owned by Sienna Hills Development LLC, who is the applicant, property owner, and petitioner requesting the zone change. The required title report, list of property owners, map, and fee have been submitted along with the completed application.

23.70.200 Notice of hearing

Response: The City shall comply with noticing requirements specified in RMC 23.70.200.

23.70.210 Public hearing and recommendation to council

Response: The applicant acknowledges that an open record public hearing shall be held wherein a recommendation will be given to the city council.

23.70.230 Consideration and action by council

Response: The applicant acknowledges that the recommendation, together with other reports, maps, documents, and recommendations, shall be considered by the city council in accordance with the provisions and requirements of RMC Title 19.

Figures

(attached separately)

Appendix A

Traffic Impact Analysis

(attached separately)

Appendix B

**SEPA, Geotechnical Engineering Report, and Soil Sampling Investigation
Report**

(attached separately)

Appendix C

Legal Description and Exhibit
(attached separately)

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:
Sienna Hills

2. Name of applicant:
Sienna Hills Development, LLC

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

Taylor Merrill or Greg Johnson, 2463 E Gala Street, Suite 120, Meridian, ID 83642 208.870.3432

4. Date checklist prepared:

November 13, 2020

5. Agency requesting checklist:

City of Richland

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

Preliminary plat approval for 6 phases has been received. Phase 1 is under construction. Complete buildout is planned for 2026.

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

Final engineering drawings will be submitted for Phases 2 through 6. Final plat approval will be obtained for final plats for each phase. Grading permits will be obtained. Building permits will be obtained by individual lot owners.

8. List any environmental information you know about that has been prepared, or will be

prepared, directly related to this proposal. *Soil analysis for organochloride pesticides, lead, arsenic. Geotechnical Investigation of site.*

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.

The applicant is not aware of any pending applications of other proposals that directly affect the property.

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

Final engineering drawing and grading permit approval, final plat approval, and building permits for houses will be needed for the development, but not specifically for this application.

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.)

*Comprehensive plan amendment from Commercial to Medium Density Residential and zone change from C-LB to R-2 for 1.8 acres in the approved Sienna Hills preliminary plat. Allows for 6 residential lots that are **already included** in the approved lot count of 285.*

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. *Project site is located in a portion of Section 34, Township 9 North, Range 28 East of the Willamette Meridian, City of Richland, Benton County, Washington. Site can be accessed from Bent Road. See attached site plan.*

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

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

a. General description of the site:

Hilly

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

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

There are portions of the site that are sloped at a 1.5' Horizontal to 1' Vertical Slope. Majority of the site slopes at approximately 7%.

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.

The soils are characterized as Sandy Silt with Silty Sand, Sand with Silt, Gravel and Cobbles.

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

There are existing steep slopes on site that appear to be stable with slight evidence of raveling in some locations. The site has no immediate indications of unstable soils and has been primarily under agricultural production for several years until recently.

- 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.

This application for a comp plan/zone change will not result in any filling, excavation, or grading.

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

No erosion will occur as a result of this application, since it doesn't involve clearing, construction, or use.

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

This project application does not entail construction. It is only an application for a comp plan/zone change.

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

This application does not propose measures to reduce or control erosion, since no grading, excavating, or impacts to the earth are proposed directly for this application.

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.

No construction will result from this application, since it's only for a comp plan/zone change.

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

The applicant is not aware of any off-site sources of emissions or odor that may affect the proposal.

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

There are no proposed measures to reduce or control emissions as part of this application for a comp plan/zone change.

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.

There is an irrigation pond operated by Badger Mountain Irrigation District that is located north and east of the property.

- 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.

No.

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

None.

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

The proposal does not require any surface water withdrawals or diversions.

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

The proposal does not lie within a 100-year floodplain.

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 proposal does not involve any discharges of waste materials to surface waters.

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.

There will be no groundwater withdrawn from a well for drinking water or any other purpose. No water will be discharged to groundwater.

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.

There will be no waste material that will be discharged into the ground from septic tanks or any other source. The development will utilize the municipal sewer system. Additionally, this application is for a comp plan/zone change and doesn't involve construction work in and of itself.

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.

The actual Sienna Hills project will involve storm water runoff collection within the roadway prism and disposed of via surface/subsurface methods consistent with city standards. The development will not have any off-site discharge. This specific application, though, is not for development but is for a comp plan/zone change.

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

It is not anticipated that any waste materials will enter ground or surface waters since waste materials are not allowed to be discharged to city-owned, maintained, and operated storm water systems.

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

The completed Sienna Hills project will alter the existing ground surface which could change current existing ground runoff that is currently impacting properties to the south of the development. However, this specific application is for a zone change and doesn't involve any construction work.

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

The actual development of Sienna Hills will adhere to all city and state rules and regulations regarding reducing and controlling surface, ground, and runoff water, and drainage pattern impacts. However, this specific application is for a zone change and, by itself, does not propose any measures for reduction or control since no earthwork is involved with a comp plan/zone change.

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

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

Existing orchard that was on the project site has been taken out of production and removed from 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?

Remaining grass and brush will be removed where grading will take place. All of the orchard will be removed with the Sienna Hills development. This specific application will not remove any vegetation since it's only for a comp plan/zone change.

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

There are no threatened or endangered species known to be on or near the site to the applicant's knowledge.

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

After the construction of the residences, typical residential landscaping including grass and trees will be installed on each individual lot.

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

There are no noxious weeds or invasive species known to be on or near the site to the applicant's knowledge.

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.

Examples include: *Hawks, songbirds, deer, ground squirrels*

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.

There are no threatened or endangered species known to be on or near the site to the applicant's knowledge.

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

Yes, Richland is within the Pacific Flyway.

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

No measures are being proposed to preserve or enhance wildlife.

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

There are no invasive animal species known to be on or near the site to the applicant's knowledge.

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.

The Sienna Hills development will require energy in order to serve the houses with electricity and gas. This specific application, since it's just for a comprehensive plan map amendment/zone change, will not require any energy.

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

This project has no impact to adjacent properties potential solar needs.

- 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:

No energy conservation features are included in this application, since it is only for a comprehensive plan map amendment/zone change. New houses in the Sienna Hills development must comply with applicable energy codes.

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. *There are no identified potential health hazards with this proposal.*

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

The applicant has no knowledge of known or possible contamination at the site from present or past uses.

- 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.

Site observations and lab results indicate no organochloride pesticides were detected above laboratory detection limits. Arsenic and lead levels are present at concentrations consistent with natural background levels and are below MTCA Method A cleanup levels.

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

None

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

None

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

No measures are proposed at this time to reduce or control environmental hazards.

b. Noise

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

There are no known sources of noise in the area that will directly affect this proposal. The project is near existing agricultural uses and will experience seasonal noises due to the maintenance and production of agricultural products.

- 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.

This project for a comprehensive plan map/zone change will not create any noise.

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

Construction hours for the Sienna Hills project will be limited to working hours as defined in city ordinance.

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.

Currently the site and adjacent properties are vacant, single family homes, or being used for agricultural purposes. This proposal will not affect nearby land uses.

- 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?

The entirety of the project (98+ Acres) will be converted from orchard property to residential non-farm use.

- 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:

The proposal does not anticipate any adverse impacts on agricultural ground, and does not anticipate that current agricultural practices will effect the development.

- c. Describe any structures on the site.

There is an existing Badger Mountain Irrigation District pump station and structure on the site just east of the future Queensgate alignment.

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

The existing pump station and building will remain in place. This land will be set aside in a tract and dedicated to Badger Mountain Irrigation District.

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

The small portion that is the subject of this application is zoned C-LB.

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

The small portion that is the subject of this application has a comprehensive plan designation of Badger Mountain South Commercial.

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

This is not applicable.

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

No.

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

The completed Sienna Hills development anticipates approximately 460 residents.

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

None.

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

None.

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

Sienna Hills will be built in accordance with the city's zoning and comprehensive plan requirements for residential use.

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

None.

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

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

This application will not provide any housing units since it's only a comprehensive plan/zone change.

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

No units will be eliminated as a result of this application.

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

Housing impacts will be controlled by the city's zoning code for the R-2 designation.

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?

This application is for a comprehensive plan/zone change and does not include any construction.

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

No views in the immediate vicinity will be altered or obstructed.

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

Aesthetics will be controlled by the city's zoning code.

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

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

This application itself for a comprehensive plan/zone change will not create any light or glare. The completed Sienna Hills development will create light from the required city street lights as well as outside lighting on the residential homes. This light would be created during the evening hours.

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

The applicant is not aware of any light or glare from the finished project that will be a safety hazard or interfere with views.

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

There are no existing off-site sources of light or glare that will affect this proposal.

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

All proposed lighting associated with the Sienna Hills development will be directed downward.

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

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

There are no designated and informal recreational opportunities in the immediate vicinity.

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

The project will not displace any existing recreational uses.

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

The Sienna Hills development proposes open space, walking paths throughout, and a club house with recreational opportunities.

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.

To the applicant's knowledge, there are no building, structures, or sites, located on or near the site that are over 45 years old listed in or eligible for listing in a preservation register.

- 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.

The applicant is not aware of any landmarks, features, or other evidence of Indian or historic use or occupation. No professional studies have been conducted at the site to identify such resources.

- 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.

PBS Engineering and Environmental staff evaluated the WISAARD maps for this area. Predictive modeling identifies the area as a moderate risk level. There are no GLO features on the site based on historic mapping.

- 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.

None.

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.

See attached approved preliminary plat map. Major transportation routes include Queensgate Boulevard to Bermuda as well as construction of a portion of Gage Boulevard along the western boundary of the Sienna Hills development. Bent Road runs along the western boundary of this 1.8-acre piece that is the being requested to have a zone change to R-2.

- 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?

The property is within the Ben Franklin Transit service area, though no bus service is currently provided for the neighborhood. The nearest bus service is along Keene Road and Gage Blvd., approximately 3.5 miles to the east.

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

The completed Sienna Hills development will provide on-street parking and driveways at each house for off-street parking. No parking spaces will be eliminated.

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

Yes, the project will require the development of new public streets to be extended to the site as well as the development of the internal roadway system to serve the single family homes.

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

No.

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

Approximately 2,850 vehicular trips per day will be generated by the completed Sienna Hills development. Peak volumes would occur in the morning and evening hours. ITE Trip Generation Manual was used for estimation of traffic generated by single family residential development.

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

No.

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

The Sienna Hills development would seek to develop offsite roadway to extend Queensgate Drive (Bermuda) to the site and connect to Bermuda as well as construction and dedication of right of way for future Gage Boulevard. This application itself, as a comprehensive plan/zone change does not directly impact transportation.

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.

The completed Sienna Hills development, that already has preliminary plat approval, will result in the need for fire protection, police protection, schools, and other public services associated with housing development. This specific application for a comprehensive plan/zone change will not specifically result in an increased need for public services.

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

The project does not include measures to reduce or control direct impacts on services because construction or development is not part of this proposal. A separate SEPA checklist was submitted for review and approval as part of the preliminary plat approval of Sienna Hills, of which the site is a part.

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

- a. Circle utilities currently available at the site:

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

- 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.

This application will not specifically need utilities as it's only a comprehensive plan/zone change application. However, the Sienna Hills development that has previous preliminary plat approval will have utilities to include water, sewer, refuse service, and electricity provided by the City of Richland. Irrigation will be provided by Badger Mountain Irrigation District, the natural gas provider in the area is Cascade Natural Gas, and telephone is provided by CenturyLink and Charter Communications. New sanitary sewer, water, and irrigation mains, as well as dry utilities will need to be extended to service the lots.

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 Jason Mattox, PE

Position and Agency/Organization PBS Engineering and Environmental

Date Submitted: 12/29/2020

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?

Impervious surfaces would be added to lots in the future, but development would be in conformance with City code requirements and significant air impacts or the release of hazardous substances are not anticipated given the proposed land use of residential.

Proposed measures to avoid or reduce such increases are:

All local, state, and federal rules and regulations will be adhered to in the construction of the infrastructure and the residential dwellings.

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

The orchard trees on the site have been removed. Once the houses are finished, typical residential landscaping will be installed on each lot. Some impacts from grading and paving would occur from future project development.

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

Compliance with city and state codes. Typical residential landscaping will be installed on each lot by individual lot owners.

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

The proposed future development is not anticipated to deplete energy or natural resources.

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

Compliance with energy codes and city, state, and federal laws regarding energy and natural resource conservation.

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 impacts to critical areas are anticipated from future development.*

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

Compliance with applicable city, state, and federal laws.

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?

There will be no impact to land and shoreline use since the site is not in a shoreline management area. Properties to the south are residential use, and this project is also for residential use.

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

There are no proposed measures.

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

The ultimate project, Sienna Hills, will result in the need for fire protection, police protection, schools, and other public services associated with the houses, including public streets and municipal sewer and water.

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

Project would seek to develop offsite roadway to extend Queensgate Drive (Bermuda) to the site and connect to Bermuda as well as construction and dedication of right of way for future Gage Boulevard. A new local public street system will be constructed within the development. Compliance with city codes and standards will be observed.

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

The applicant is not aware of any conflicts with local, state, or federal laws or requirements for the protection of the environment.



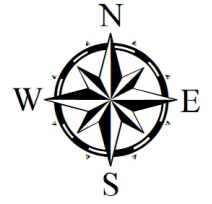
City of Richland Economic Development –
Village Parkway

CPA2021-103

Z2021-103

Vicinity Map

Item: Comprehensive Plan Amendment
Applicant: City of Richland
File #: CPA2021-103





CITY OF RICHLAND
ECONOMIC DEVELOPMENT DEPARTMENT
625 Swift Boulevard, MS-18
Richland, WA 99352
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February 23, 2021

City of Richland
Planning Department
625 Swift Blvd., MS #35
Richland, WA 99352

Attn: Mike Stevens, Planning Manager

RE: Comprehensive Plan Land Use Map Amendment-Horn Rapids Future Fire Station

This letter is a formal request to the City of Richland on behalf of Pahlisch Homes, LLC, and the City of Richland Economic Development department to process a Comprehensive Plan Land Use Map Amendment during the City of Richland's 2021 Comprehensive Plan review cycle.

The subject properties are located west of the Village Parkway entrance and north of Village Parkway west extension, and are identified as a portion of 120083000009013 and 120083020005000 for the purposes of the proposed Map Amendment. The property is currently designated as Public Facility (PF). The proposed Map Amendment is to change the land use designation to High Density Residential. A concurrent Zoning Map Amendment is proposed under a separate application as requested by the City of Richland Planning Department, to implement commensurate zoning. The current Parks and Public Facility (PPF) zoning is proposed to be amended to a R-3 (Multi-Family Residential) consistent with the proposed land use designation.

The property is approximately 21.00 acres in the northwest portion of the City Limits, comprised of 20.48 acres of tax parcel 120083000009013, along with an additional 0.59 acres comprised of tax parcel 120083020005000. The project is bound by Highway SR-240 (north), and Village Parkway (west/south).

The attached is the formal application for your consideration during the City's annual review process for the 2020 Comprehensive Plan Map Amendments. The application fee for the Comp. Plan Map Amendment of \$1235.00, Zoning Map Amendment fee of \$1235.00 and the SEPA Checklist fee of \$380.00 shall be billed to the Economic Development Department.

If you have any questions during the review process please feel free to reach out by email dmullins@ci.richland.wa.us or phone (509)724-1954.

Sincerely,

Danielle M. Mullins, PE
Civil Engineer II

Enclosure



Comprehensive Plan Amendment Application

☒ Comprehensive Plan Land Use Map

☐ Text of Comprehensive Plan

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

PROPERTY OWNER/APPLICANT INFORMATION

☒ Contact Person

Owner: City of Richland, Economic Development, Danielle Mullins PE

Address: 625 Swift Blvd, Richland WA 99352

Phone: 509 942-7717

Email: dmullins@ci.richland.wa.us

OWNER/APPLICANT

☐ Contact Person

Company: Pahlisch Homes at Horn Rapids Limited Partnership

Contact: Chad Bettsworth, PE

Address: 210 SW Wilson Ave, Ste 100, Bend OR 97702

Phone: 541-385-6762 x166

Email: chadb@pahlisch.com

PROPERTY INFORMATION

Legal Description: **See attached Exhibit (EX-11A - Proposed Zoning Legal Descriptions)**
See attached Exhibit (EX-2A – Overall Legal Description of Property)

Parcel Number: 120083000009013 and 120083020005000

Current Zoning: Parks and Public Facility (PPF)

Current Land Use Designation: Public Facility (PF)

APPLICATION REQUIREMENTS – Submit as required or attach written statements explaining the following:

1. Completed application and filing fee;
2. The purpose of the proposed amendment;
3. Describe how the amendment is consistent with Washington State Growth Management Act-RCW 36.70A (the goals of the Act are listed in 36.70A.020);
4. How the amendment is consistent with the adopted countywide planning policies;
5. How the amendment furthers the purpose of the City's comprehensive plan;
6. How the amendment is internally consistent with the City's comprehensive plan, as well as other adopted City plans and codes;
7. If applicable, how the project will meet concurrency requirements for transportation;
8. As necessary, supplemental environmental review and/or critical areas review, as determined by the Administrator;
9. **Comprehensive Plan TEXT AMENDMENT applications must also include:**
 - a. The proposed element, chapter, section and page number of the comp. plan to be amended;
 - b. The proposed text change, with new text underlined and deleted text crossed out;
10. **Comprehensive Plan MAP AMENDMENT applications must also include:**
 - a. The current land use map designation for the subject parcel(s);
 - b. The land use map designation requested;
 - c. A complete legal description describing the combined area of the subject parcel(s);
 - d. A vicinity map showing:
 - i. All land use designations within 300 feet of the subject parcel(s);
 - ii. All parcels within 300 feet of the subject parcel and all existing uses of those parcels;
 - iii. All roads abutting and/or providing access to the subject parcel(s) including information on road classification (arterial, collector, access) and improvements to such roads;

- iv. Location of shorelines and critical areas on or within 300 feet of the site, if applicable;
 - v. The location of existing utilities serving the subject parcels, including electrical, water, and sewer;
 - vi. The location and uses of existing structures located on the subject parcel(s);
- e. Topographical map of the subject parcels and abutting properties at a minimum scale of one inch represents 200 feet (1:200);
- f. The current official zoning map designation for the subject parcel(s);
- g. A detailed plan which indicates any proposed improvements to:
 - i. Paved streets;
 - ii. Storm drainage control and detention facilities;
 - iii. Public water supply;
 - iv. Public sanitary sewers;
 - v. Circulation and traffic patterns for the development and the surrounding neighborhoods;
- h. A corresponding zoning map amendment application, where necessary, to maintain consistency between the land use and zoning maps. The rezone application will be processed separately from, and after, the comprehensive plan amendment;
- i. A description of any associated development proposals. Development proposals shall not be processed concurrently with comprehensive plan amendments, but the development proposals may be submitted for consideration of the comprehensive plan amendments to limit consideration of all proposed uses and densities of the property under the City's SEPA, zoning and comprehensive land use plan. If no proposed development description is provided, the City will assume that the applicant intends to develop the property with the most intense development allowed under the proposed land use designation. The City shall assume the maximum impact, unless the applicant submits with the comprehensive plan amendment a development agreement to ameliorate the adverse impact(s) of the proposed development.

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

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

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

1. I have read and examined this permit application and have documented all applicable requirements on the site plan.
2. The information provided in this application contains no misstatement of fact.
3. I am the owner(s), the authorized agent(s) of the owner(s) of the above referenced property, or I am currently a licensed contractor or specialty contractor under Chapter 18.27 RCW or I am exempt from the requirements of Chapter 18.27 RCW.
4. I understand this permit is subject to all other local, state, and federal regulations.

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

Applicant Printed Name: Danielle Mullins, for City of Richland Economic Development

Applicant Signature:  Date 2/23/2021

Applicant Printed Name: Chad Bettsworth, for Pahlisch Homes at Horn Rapids, LP

Applicant Signature:  Date 2/16/21

Horn Rapids Future Fire Station

Comprehensive Plan Land Use Designation Map Amendment

APPLICATION -GENERAL REQUIREMENTS

1. Completed Application and Filing Fee.

The Filing Fee will be paid by Development Services once it has been processed by the Planning department.

2. The purpose of the proposed amendment.

The City is proposing a Comprehensive Plan Map Amendment and a concurrent Zoning Map Amendment on approximately 21 acres ("Site"). It is currently owned by the City of Richland, is currently land use designation of Public Facility (PF). The proposed amendment is for a change in land use designation to a High Density Residential. A concurrent Zoning Map Amendment is proposed as requested by the City, to implement commensurate zoning, and is submitted as a separate application by the Applicant. The current Developed Open Space (PPF) zoning is proposed to amended to be Multiple Family Residence (R-3) land use designation.

Justification:

- **The property was originally slated to be sold to the Richland School District for a new elementary school to support the Horn Rapids area. The Richland School District has reevaluated its locations and has determined that the land is no longer needed. Since the property is in a central location of the proposed residence the City of Richland Fire Department is going to be purchasing a portion of the property to build a new station.**

Why High Density Residential:

- **The Comprehensive Plan supports and accommodate the projected growth;**
 - **The vacant land that is designated as Public Facility should be changed to support the future development around it, which is Medium Density Residential and High Density Residential. This property will be sold by the City and will be developed into the current residential community.**
 - **The Comprehensive Plan concludes that there is not enough residential land to accommodate growth, it also concludes that the bulk of the future dwelling units anticipated would accommodate lower density of residential development and clearly to meet the supporting development in the area, and allow for the same density of homes to be built.**

- **Rezoning this portion of the property to residential provides better flexibility for the City to accommodate the projected growth without reliance on;**
 - **The full utilization of all vacant and underdeveloped land in the City within the horizon of the Comprehensive Plan,**
 - **Willing and timely rezoning and development of the Parks and Public Facility**
3. Describe how the amendment is consistent with Washington State Growth Management Act-RCW 36.70A (the goals of the Act are listed 36.70A.020).

See Attachment A – Consistency with Growth Management Act Goals

4. How the amendment is consistent with the adopted countywide planning policies.

See Attachment B – Consistency with Countywide Policies 2018 Benton County Comprehensive Plan

5. How the amendment is internally consistent with the City's Comprehensive plan.

See #2 Purpose of Proposed Amendment, above for the justification of How the proposed amendment furthers the City's comprehensive plan objectives.

6. How the amendment furthers the purpose of the City's Comprehensive Plan, as well as other adopted City Plans and codes.

See Attachment C – Consistency with City of Richland Comprehensive Plan Policies

7. If, applicable, how the project will meet concurrency requirements for transportation.

Not Applicable to the Comprehensive Plan Map Amendment.

A Traffic Study was performed in 2006, it was updated in 2007. For this property the Traffic Impact Analysis was Amended and was performed by PBS. In the update, it studies the original Horn Rapids Master Planned Community which designated the property as multi-family residential, elementary school, and public park and compared the increase/decrease in the traffic patterns for the proposed changes per the Comp. Plan change, which is planned as single-family residential and the City of Richland Fire Station. This Amendment is attached.

8. As necessary, supplemental environmental review and/or critical areas review, as determined by the Administrator.

A SEPA checklist for the programmatic level SEPA review addressing both the proposed Comprehensive Plan Land Use Map Amendment and concurrent Zoning Map Amendment

is submitted herewith. As noted above, City Staff requested inclusion of a traffic impact analysis to supplement the applications for the proposed map amendments. The SEPA Checklist and Attachments are included in this FORMAL Application submittal package.

9. Comprehensive Plan TEXT AMENDMENT applications must also include:
- a. The proposed element, chapter, section and page number of the comp. plan to be amended.

Not Applicable. The proposal is for a Map Amendment.

- b. The proposed text change, with new text underlined and deleted text crossed out.

Not Applicable.

10. Comprehensive Plan MAP AMENDMENT applications must also include:

See the List of Application Exhibits and supporting Exhibits attached hereto. The exhibits are provided as either 8.5"x11" OR 11"x17" format.

- a. The current land use map designation for the subject parcel(s).
EX-3 Current Comprehensive Plan Land Use Designation Map
- b. The land use map designation requested.
EX-4 Proposed Comprehensive Plan Land Use Designation Map
- c. A complete legal description describing the combined area of the subject parcel(s).
EX-2A Overall Legal Description of Property
EX-11A Proposed Zoning Legal Descriptions
- d. A vicinity map showing:
See the attached Regional Vicinity Map and Aerial Site Map that provide a full representation of the location of the site, surrounding areas and existing uses.
EX-1 Regional Vicinity Map
EX-2 Aerial Site Map
 - i. All land use designations within 300 feet of the subject parcel(s).
EX-5 Local Vicinity Map
 - ii. All parcels within 300 feet of the subject parcel and all existing uses of those parcels.
EX-5 Local Vicinity Map

- iii. All roads abutting and/or providing access to the subject parcel(s) including information on road classification (arterial, collector, access) and improvement to such roads.

EX-5 Local Vicinity Map

EX-9 City of Transportation Future Functionally Classified Street Network Plan

- iv. Location of shorelines and critical areas on or within 300 feet of the site, if applicable.

Not Applicable

- v. The location of existing utilities serving the subject parcel(s), including electrical, water, and sewer.

EX-8 City of Richland Existing Sewer System

EX-8A City of Richland Master Plan System

EX-8B City of Richland Sewer CIP Summary

- vi. The location and uses of existing structures located on the subject parcel(s).

Not Applicable

- e. Topographical map of the subject parcels and abutting properties at a minimum scale of the one inch represents 200 feet (1:200).

EX-6 Topographic Map

- f. The current official zoning map designation for the subject parcel(s).

EX-7 Current Zoning Map

- g. A detailed plan which indicates any proposed improvements to:

- i. Paved Streets
- ii. Storm drainage control and detention facilities
- iii. Public water supply
- iv. Public sanitary sewers
- v. Circulation and traffic patterns for the development and the surrounding neighborhoods.

Not Applicable

- h. A corresponding zoning map amendment application, where necessary, to maintain consistency between the land use and zoning maps. The rezone application will be processed separately from, and after, the comprehensive plan amendment.

EX-11 and EX-11A depict the proposed corresponding Zoning Map Amendment.

The Formal Application for the Horn Rapids Future Fire Station Properties Zoning Map Amendment has been submitted concurrently by the Applicant as a separate application per the request of the City.

- i. A description of any associated development proposals. Development proposals shall not be processed concurrently with comprehensive plan amendments to limit consideration of all proposed uses and densities of the property under the City's SEPA, zoning and comprehensive land use plan. If no proposed development description is provided, the City will assume that the applicant intends to develop the property with the most intense development allowed under the proposed land use designation. The City shall assume the maximum impact, unless the applicant submits with the comprehensive plan amendment a development agreement to ameliorate the adverse impact(s) of the proposed development.

The future development or site development design is contemplated to be single-family residents and for a future City of Richland Fire Station. This has been clearly stated and depict in the supporting documentation in the Comprehensive Plan Land Use MAP Amendment, along with the concurrent Zoning MAP Amendment applications.

Horn Rapids Future Fire Station
Comprehensive Plan Land Use Designation Map Amendment

Attachment A
Consistency with Growth Management Act Goals

1. **Urban growth.** *Encourage development in urban areas where adequate public facilities and services exist or can be provided in an efficient manner.*

Response: **The proposed comprehensive plan amendment site is located within the City of Richland. It lies within the water and Sewer Service Areas as identified in the Proposed Year 2036 Water Improvements – North (Exhibit 10) of the City of Richland 2017 comprehensive Water System Plan. The City of Richland 2015 General Sewer Plan Update cites accommodating sewer service for the site area with growth per Capital Improvement Plan (CIP) projects. Accordingly, the City is committed to providing public services and the proposed plan amendment is consistent with this goal.**

2. **Reduce sprawl.** *Reduce the inappropriate conversion of undeveloped land into sprawling, low-density.*

Response: **The proposed amendment would promote future development in an area currently planned by the City of Richland for growth.**

3. **Transportation.** *Encourage efficient multimodal transportation systems that are based on regional priorities and coordinated with County and city comprehensive plans.*

Response: **The City of Richland City wide Transportation Plan adopted in 2005 supports the City's vision and servicing planned growth within this area, including multimodal elements over the next 20 years.**

4. **Housing.** *Encourage the availability of affordable housing to all economic segments of the population of this state, promote a variety of residential densities and house types, and encourage preservation of existing housing stock.*

Response: **The proposed amendment would promote future development of residential housing allowed by the proposed R-3.**

5. **Economic development.** *Encourage economic development throughout the state that is consistent with adopted comprehensive plans, promote economic opportunity for all citizens of this state, especially for unemployed and for disadvantaged persons, promote the retention and expansion of existing business and recruitment of new businesses, recognize regional differences impacting economic development opportunities, and encourage growth*

in areas experiencing insufficient economic growth, all within the capacities of the state's natural resources, public services, and public facilities.

Response: **The Comp. Plan Amendment doesn't involve any Commercial area.**

6. **Property rights.** *Private property shall not be taken for public use without just compensation **having** been made. The property rights of landowners shall be protected from arbitrary and discriminatory actions.*

Response: **The proposal does not involve the taking of private lands for public purposes.**

7. **Permits.** *Applications for both state and local government permits should be processed in a timely and fair manner to ensure predictability.*

Response: **The proposed Comp. Plan Amendment is being filed in accordance with City regulations and processing procedures along with all other Comp. Plan Amendments that have been filed within the City's annual plan review cycle, in accordance with the State Growth Management Act.**

8. **Natural resource industries.** *Maintain and enhance natural resource-based industries, including productive timber, agricultural, and fisheries industries. Encourage the conservation of productive forest lands and productive agricultural lands, and discourage incompatible uses.*

Response: **The proposed Comp. Plan Amendment does not involve natural resource land, and the current property is zoned Parks and Public Facility and has not been used as Park or had a Public Facility on it previously.**

9. **Open space and recreation.** *Retain open space, enhance recreational opportunities, conserve fish and wildlife habitat, increase access to natural resource lands and water, and develop parks and recreation facilities.*

Response: **The proposed Comp. Plan Amendment would change the Public Facilities designation to a High Density Residential on the site. The property was designated as parks/open space which was planned for a new elementary school. The Richland School District chose to not proceed with purchasing the property to build a new elementary school. The property will be used for residential development and for a new City of Richland Fire Station. The small area should not impact the overall goal.**

10. **Environment.** *Protect the environment and enhance the state's high quality of life, including air and water quality, and the availability of water.*

Response: **Development of the site would be subject to City and State environmental regulations whether developed under either the existing or proposed land use**

designations and zoning. There are no natural water features on-site. The Washington State Department of Fish and Wildlife (WDFW) Priority Habitats and Species (PHS) database shows a Ferruginous hawk habitat. According to the WDFW stated that given the proximity adjacent to the highway on one side and residential development on the other, suitability of the habitat is marginal at best. The area is small and rapidly developing area, and essentially surrounded by disturbance(s), would further reduce its suitability. A map is provided, along with the email thread that was had with WDFW.

11. **Citizen participation and coordination.** *Encourage the involvement of citizens in the planning process and ensure coordination between communities and jurisdictions to reconcile conflicts.*

Response: The application is filed in accordance with existing City regulations, which will require public notification and hearings before both the planning Commission and City Council.

12. **Public facilities and services.** *Ensure that those public facilities and services necessary to support development shall be adequate to serve the development at the time the development is available for occupancy and use without decreasing current service levels below locally established minimum standards.*

Response: As noted Policy 1 above, the proposed Comp Plan Amendment site is located within the City of Richland's Water and Sewer Service Areas and identified in the respective System plans. The site abuts Highway 240, and Village Parkway. The site is located in an area where public facilities and services are present in proximity to the site, and serve existing adjacent recreational and industrial development, along with residential development in the Horn Rapids Master Plan. The amendment area is already in the existing area that was planned for residential development and those facilities and services are anticipated in the City's Management Plans for Water Service, Sewer Service, Transportation Planning, etc., based upon need for future growth within the area. Therefore, the proposed amendment is consistent with this goal.

13. **Historic preservation.** *Identify and encourage the preservation of lands, sites, and structures, that have historical or archaeological significance.*

Response: There are no structures on the site and no known sites of historical or archaeological significance.

14. **Shoreline management.** *Develop a Shoreline Master Program (SMP) pursuant to the Shoreline Management Act. The goals and policies of a SMP for a county or city approved under Chapter 90.58 RCW shall be considered a part of the county or city's comprehensive plan.*

Response: **The site does not lie within the jurisdiction of the City of Richland Shoreline Master Program.**

Horn Rapids Future Fire Station
Comprehensive Plan Land Use Designation Map Amendment

Attachment B
Consistency with Countywide Policies
2018 Benton County Comprehensive Plan

Policy 1: *The comprehensive plans of Benton County and each of the cities therein shall be prepared and adopted with the objective to facilitate economic prosperity by accommodating growth consistent with the 14 goals of the Growth Management Act.*

Response: A specific response as to how the application is consistent with the 14 goals of the Growth Management Act is addressed in Attachment A.

Policy 2: *The County shall allocate future projected populations through the use of the latest population projections published by the Washington State Office of Financial Management (OFM). Allocation of future populations shall be based on the following distribution: City of Kennewick 40% of total county populations; City of Richland 28% of total county population; Benton County 19% of total county population; City of West Richland 8% of total county populations; City of Prosser 3% of total county population and City of Benton City 2% of total county population. The County, in consultation with the Cities will review the OFM population projection ranges (Low, Medium, and High) and allocation percentages whenever OFM publishes new GMA population projections.*

Response: The proposed Comprehensive plan amendment would provide additional flexibility for the City of Richland to accommodate projected growth in the 2017 Comprehensive Plan. The amendment is consistent with this policy.

Policy 3: *The locating of Urban Growth areas within the County shall be accomplished through the use of accepted planning practices which provide sufficient land and service capacity, up to the determined need, to meet project populations at urban densities and service standards within the Cities, and urban densities for those portions of the County located within the urban growth areas.*

Response: The subject property is currently within the City of Richland. This amendment is consistent with the policy.

Policy 4: *That Urban Growth Areas of each City shall be based upon official and accepted population projections for [a] minimum of 20 years. The gross undeveloped and underdeveloped acreage within the city limits and the Urban Growth Area shall be sufficient*

to meet all the land requirements, for the following: community and essential public facilities, populations projection, commercial and industrial activities, employment projections, infill and to prevent inflation of land cost due to a limited land supply. (Note: The complex formula for identifying per capita land needs included in this policy has not been reprinted here.).

Response: The proposed Comprehensive Plan Amendment is consistent with the overall intent of the existing plan. It is intended to provide additional flexibility for the City of Richland to accommodate projected population growth in their 2017 Comprehensive Plan. It would not lead to expansion of city limits into the adjacent County Urban Growth areas.

Policy 5: *That within the Urban Growth Area, urban uses shall be concentrated in and adjacent to existing urban services or where they are shown on a Capital Improvement Plan to be available within 6 years.*

Response: The proposed Comprehensive Plan Amendment occurs within the City limits. The City Management plans include the anticipation of extension of streets and utility systems to serve this area. The proposed plan amendment is consistent with the intent of the policy.

Policy 6: *That cities limit the extension of service district boundaries and water and sewer infrastructure to areas within each jurisdiction's urban growth area contained in their adopted Comprehensive Plan. Utility plans should attempt to reflect possible needs for 50 years.*

Response: The proposed Comprehensive Plan Amendment would not involve extending service district boundaries outside of the City of Richland City Limits. The City's Water and Sewer Comprehensive Plans address future growth, utility extension and reserve capacity for the amendment area located within the existing service areas, and therefore the proposed amendment is consistent with this policy.

Policy 7: *Within each Comprehensive Plan, the Land Use Plan for urban growth areas should designate urban densities and indicate the general locations of greenbelt and critical areas.*

Response: The proposed Comprehensive Plan Amendment is intended to provide additional flexibility for the City of Richland to accommodate projected population growth in the 2017 Comprehensive Plan. There are no known critical areas on the site. Therefore, the proposal is consistent with this policy.

Policy 8: *Maintain and enhance natural resource-based industries, including productive timber, agricultural, and fisheries industries. Encourage the conservation of productive forest lands and productive agricultural lands, and discourage incompatible uses.*

Response: The proposed Comprehensive Plan Amendment does not involve revisions to the Urban Growth Boundary. The proposed plan amendment is consistent with this policy. Albeit the site is currently zoned Parks and Public Facility, no Park, but a Public Facility is proposed for a portion of the land.

Policy 9: *The appropriate directions for the expansion of urban growth areas are those which are unincorporated land with existing service infrastructure and lands adjacent to corporate limits.*

Response: The proposed Comprehensive Plan Amendment doesn't not involve an expansion of an Urban Growth Area boundary. The site is within the corporate limits of the City of Richland. The amendment is consistent with this policy.

Policy 10: *All policies within each jurisdiction's Comprehensive Plans shall be modified to be consistent with adopted Countywide Policies.*

Response: The proposed Comprehensive Plan Amendment would not require the amendment of any policies within the City of Richland Comprehensive Land Use Plan. The amendment is consistent with this policy.

Policy 11: *The County and Cities, along with public participation shall develop a cooperative regional process to site essential public facilities of regional and statewide importance. The objective of the process shall be to ensure that such facilities are located so as to protect environmental quality, optimize access and usefulness to all jurisdictions, and equitably distribute economic benefits/burdens throughout the region or county.*

Response: The proposed Comprehensive Plan Amendment is not anticipated to impact City planned public facilities. The current land use designation of Public Facilities (PF) was due to the Richland School District's future plans for an elementary school in the Horn Rapids area but they have changed their plans to look for another location.

Policy 12: *Support the existing solid waste program that promotes and maintains a high level of public health and safety, protects the natural and human environment of Benton County and encourages public involvement by securing representation of the public in the planning process*

Response: The proposed Comprehensive Plan Amendment would not impact the City's solid waste collection program or commitment to public health. The proposed Comprehensive Plan Amendment would not impact existing solid waste programs and is consistent with this policy.

Policy 13: *Encourage and expand coordination and communication among all jurisdictions and solid waste agencies/firms in Benton and Franklin Counties in order to develop consistent and cost-effective programs that avoid duplication of effort and gaps in programs activities.*

Response: The proposed Comprehensive Plan Amendment would not impact existing solid waste programs and is consistent with this policy.

Policy 14: *Maintain active County-City participation in the Regional Transportation Planning Organization in order to facilitate City, County and State coordination in planning regional transportation facilities and infrastructure improvements to serve essential public facilities including Port District facilities and properties.*

Response: The proposed Comprehensive Plan Amendment would potentially facilitate existing regional and city planning of transportation facilities and infrastructure improvements, including TIP and CIP project funding, etc. The City Transportation Plan identifies expansion of future infrastructure improvements for the area in the planned future functional Classified Street Network. It is consistent with this policy.

Policy 15: *The County and Cities within shall work together to proceed the housing for all economic segments of the population. All jurisdictions shall see to create the conditions necessary for the construction of affordable housing, as the appropriate densities within the cities and count. The following actions should be accomplished:*

- a. *Jointly quantify and project total countywide housing needs by income level and housing type (i.e. rental, ownership, senior, farm worker housing, group housing.)*
- b. *Establish a mechanism whereby the housing efforts/programs of each jurisdiction address the projected countywide need.*
- c. *Address the affordable housing needs of very low, low- and moderate-income households, and special needs individuals through the Comprehensive Housing Affordability Strategy (CHAS).*
- d. *Develop design standards for implementation within the Comprehensive Plan with special attention to be given to the residential needs of low to moderate income families.*

Response: The proposed plan amendment would not impact the City's Plans and Policies for affordable housing but could facilitate additional flexibility to accommodate a need

for higher density housing. The proposed Comprehensive Plan Map Amendment is consistent with the intent of the policy.

Policy 16: *Urban growth areas may include territory located outside of a city if such territory may be characterized by urban growth or is adjacent to territory already characterized by urban growth. Within urban growth areas, only urban development may occur. (Note: the definition of “urban” included in the policy language has not been reprinted here.)*

Response: The proposed Comprehensive Plan Amendment is located within the incorporated City of Richland city limits the amendment is consistent with this policy.

Policy 17: *To encourage logical expansion of corporate boundaries into urban growth areas, and to enable the most cost-efficient expenditure of public funds for the provision of urban services into newly annexed areas. The County and each City shall jointly develop and implement development, land division and building standards, and coordinated permit procedures for the review and permitting of new subdivision within Urban Growth Areas.*

Response: The proposed Comprehensive Plan Amendment site is located within the City of Richland city limits. The amendment is consistent with this policy.

Policy 18: *Consistent with the protection of public Health, safety, welfare and the use of natural resources on a long-term sustainable basis, the ability of service capacity to accommodate demands, and the expressed desires of each community, Comprehensive Plans shall jointly and individually support the County and region’s economic prosperity in order to promote employment and economic opportunity for all citizens.*

Response: The proposed Comprehensive Plan Amendment occurs within the City limits. The City Management plans include the anticipation of extension of streets and utility systems to serve this area. The proposed Plan Amendment is constituent with the intent of this policy.

Policy 19: *The County and Cities have historically partnered with each other as well as with other organizations to achieve economic development throughout the region. It is the intention of the County and Cities to continue to actively pursue mutually beneficial partnerships that promote growth in all sectors of business and industry, including but not limited to areas of agriculture, agri-business, industrial, commercial, public schools, recreation and tourism. Key strategies will include promoting family wage jobs, increasing business formation, expansion and retention and creating jobs and financial investment to improve the economics of our communities. (Note: specific economic development policies a-g are note reprinted here).*

Response: The proposed Comprehensive Plan Amendment is intended to facilitate the City's planned expansion of expansion of commercial, businesses and associated job creation; support economic growth and development opportunities; and create of a variety of housing options. It is consistent with this policy.

Policy 20: *Capital Improvement Plans and Land Use Plans, shall conduct fiscal analyses which identify and refine the most cost-effective use of regional and local public services. (Note: specific policies (a-c) to accomplish this goal have not been reprinted here.)*

Response: The proposed Comprehensive Plan Amendment is within the City limits. The existing City Management Plan(s) anticipate providing infrastructure and public services necessary to support future development within this area. It is consistent with this policy.

Policy 21: *Support the development of public schools in areas where utilities are present or can be extended, is financially supportable at urban densities, where the extension of public infrastructure will protect health and safety and the school locations are consistent with the analysis recommended by WAC 365-196-425(3)(b).*

Response: The proposed Comprehensive Plan Amendment site is in an area anticipated to accommodate future housing the City's Comprehensive Plan. The amendment is consistent with this policy.

Policy 22: *The Growth Management Act requires counties planning under the Act to adopt a countywide planning policy in cooperation with the cities located in the county. The countywide planning policy is to be a written policy statement or statements used solely for establishing a countywide framework from which county and city comprehensive plans are developed and adopted pursuant to this (GMA) chapter.*

The purpose for the Benton County Wide Planning Policies is to meet the requirement of the Act. This document is a tool that will provide the necessary guidance to achieve consistency during the updating of comprehensive plans for the county and the cities.

Response: The proposed Comprehensive Plan Amendment is consistent with the framework and cooperation between the County and City Comprehensive plans. The amendment is consistent with this policy.

Horn Rapids Future Fire Station
Comprehensive Plan Land Use Designation Map Amendment

Attachment C
Consistency with City of Richland Comprehensive Plan Policies

ECONOMIC DEVELOPMENT ELEMENT

ED Goal 1: *Build the diversity, resiliency, and equity of the City's economy to ensure opportunities for growth and shared prosperity.*

***Policy 1:** Support the growth of a balanced mix of companies in the following sector: high technology, professional service, personal service. Retail trade. Agricultural processing, energy industries, manufacturing, and tourism.*

***Policy 2:** Support expansion and improvement of business recruitment, retention and expansion programs to provide outreach and assistance to startup and existing businesses.*

***Policy 3:** Encourage educational institutions and non-profits to train a skilled future workforce.*

***Policy 4:** Recognize that infrastructure, including transportation and utility planning are vital to economic development and attracting businesses.*

Response: The amendment would provide and support development compatible with the City's growth projection in the area for residential development that would in turn support the proposed retail and commercial development along with the industrial uses in the surrounding area, encourage regional economic growth and provide and opportunity for a variety of new jobs. The proposed plan amendment is consistent with this economic development goal.

ED Goal 5: *Ensure that Richland's economic development goals are aligned with regional economic development and marketing efforts.*

***Policy 1:** Coordinate with local, regional, and state economic development organizations in activities to attract new businesses and industries to the community.*

***Policy 2:** Facilitate collaboration with Tri-City Development Council (TRIDEC) and the Tri-Cities Visitor and Convention Bureau to develop and implement seamless, collaborative, low-cost, and effective marketing efforts designed to recruit new businesses, expand existing businesses, and build a positive national image.*

Policy 3: Accommodate the continued use of the Port of Benton barging facilities in north Richland, consistent with the City's Shoreline Master Program (SMP).

Policy 4: Market the newly transferred 1,341 acre land from DOE to the City, the Port of Benton, and Energy Northwest for large industrial developments.

Response: The proposed Comprehensive Plan Amendment occurs within the City limits. The City Management plans include the anticipation of streets and utility systems to serve this area. The proposed plan amendment is consistent with the intent of this policy.

ED Goal 6: Encourage vibrant mixed-use areas in Tri-Cities as destinations to live, work, and visit.

Policy 1: Stimulate the development of quality retail and entertainment venues through incentives and infrastructure investments.

Policy 2: Assist small business owners to enhance their skills and profit opportunities.

Policy 3: Work with public and private groups to expand the range of tourist attractions within the city.

Policy 4: Facilitate retail development and Business District, Uptown, and nearby commercial areas.

Policy 5: Promote performing arts venue and activates through partnerships with regional economic development agencies.

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.

Response: The proposed amendment would provide continuity of the land use and the zoning classification. The amendment will also support the proposed buildout of the current subdivision that is currently being built in phases. The residential development will also support the development growth of the commercial and industrial land that is located within the surrounding area.

LAND USE ELEMENT

LU Goal 1: *Plan for growth within the urban growth area and promotes compatible land use.*

Policy 1: *Revitalize areas that are already within the City, especially areas within the Central Business District, such as the Parkway and Uptown, and the Island View Area.*

Policy 2: *Facilitate planned growth and infill developments within the City.*

Response: **The proposed Comprehensive Plan Map Amendment consists of a land use designation and zoning map change on a site located within the City Limits providing flexibility to accommodate projected growth.**

LU Goal 2: *Establish land uses that area 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.*

Policy 2: *Ensure that adequate public services are provided in a reasonable time frame for new developments.*

Policy 3: *Ensure that the intent of the land use and districts are maintained.*

Response: **The proposed Comprehensive Plan Amendment will result in additional flexibility to provide living and working environments for existing Horn Rapids Industrial Park employees and a mix of supporting commercial retail and business to the Horn Rapids Mater Plan community residents. The proposed zoning will support the residential development in the area. The proposed amendment is consistent with this goal and policies.**

LU Goal 3: *Maintain a broad range of residential land use designations to accommodate a variety of lifestyles and housing opportunities.*

Policy 1: *Distribute residential uses and densities throughout the urban growth area consistent with the City's vision.*

Policy 2: *Encourage higher residential densities especially in and near the Central Business Center area.*

Policy 3: *Innovative and non-traditional residential developments can occur through the use of planned unit developments, density bonuses, new types of housing, and multi-use or mixed-use developments.*

Response: As noted in LU Goal 2 and 3 above, the proposed comprehensive plan amendment would provide for future development of a variety of residential densities and housing types. The proposed amendment is consistent with the land use goal.

LU Goal 4: *Promote commercial and industrial growth that supports the City's economic development goals.*

Policy 1: *Accommodate a variety of commercial land uses including retail and whole sale sales and services, and research and professional services.*

Policy 2: *Promote developments such as business and research parks, office parks, technology centers, manufacturing and processing facilities, and other types for high-tech uses.*

Policy 3: *Locate neighborhood-oriented commercial land uses in Neighborhood Retail Business areas.*

Policy 4: *Encourage the use of buffers or transition zones between non-compatible land uses.*

Policy 5: *In areas where residential uses are in close proximity to industrial or commercial lands, adequate development standard should be used in industrial or commercial developments to mitigate the impacts on residential uses.*

Policy 6: *Support industrial developments on lands previously owned by the Department of Energy and transferred to the City and Port of Benton.*

Response: The proposed Comprehensive Plan Amendment would provide the support the proposed commercial development needed for projected growth ancillary to the Horn Rapids Industrial Park and existing Horn Rapids Master Plan community. The proposed amendment is consistent with the intent of this land use goal.

LU Goal 5: *Ensure connectivity that enhances community access and promotes physical, Social, and overall well- being so residents can live healthier and more active lives.*

Policy 1: *Locate commercial uses so that they conveniently serve the needs of residential neighborhoods, workplaces, and are easily accessible via non-motorized modes of transport.*

Policy 2: *Promote pedestrian and bicycle circulation throughout the community by connecting with the infrastructure and the City's network of parks and trail system.*

Response: The proposed Comprehensive Plan Amendment site is in proximity of the Horn Rapids Master Plan area. It is bounded by SR-240 and the future buildout of Village Parkway. The City's Transportation plan identifies future extensions and development with these city roadways as well as a regional trail envisioned north within the Horn Rapids Industrial Park. The proposed Comprehensive Plan Amendment is consistent with this land use goal.

LU Goal 6: *Develop an attractive and vibrant Central Business District that displays the unique character of Richland.*

Policy 1: *Revitalize declining commercial areas by promoting clean, safe, and pedestrian-and bicycle-friendly environments.*

Policy 2: *Designate land use and zoning for higher-density residential uses, mixed-use, and business uses within and adjacent to the Central Business District.*

Policy 3: *Encourage infill development and redevelopment in the Central Business District. Public Facilities.*

Response: The site is not located near the Central Business District, so this goal would not directly apply to this proposal

LU Goal 7: *Encourage efficient use and location of public facilities such as transit centers, utility facilities, schools, parks, and other public uses.*

Policy 1: *Locate municipal facilities within their services areas and ensure the grouping of facilities within neighborhoods, whenever feasible.*

Policy 2: *Ensure that the scale, and location of public facilities are compatible with or buffered from existing and planned surrounding areas.*

Policy 3: *Wherever possible, the City will locate park and school facilities together for efficient use of public facilities.*

Policy 4: *Encourage the development of private and public regional sports and recreational facilities of a size and quality to attract significant numbers of users and spectators.*

Response: Comprehensive Plan Amendment is not anticipated to impact the City's plan for public facilities as the proposed land designation would support the construction of the new City of Richland Fire Station.

LU Goal 8: *Address unique land use situations in the urban area with policies specific to those situations that ensure compatibility between land uses without infringing on private property rights.*

Policy 1: *Ensure that land designated Urban Reserve remain in this holding category to serve future demand for land.*

Policy 2: *Apply the Agricultural designation in the Yakima River floodplain.*

Policy 3: *At designated Waterfront land use locations, encourage an active mix of commercial, residential, and marine uses as allowed in the SMP.*

Policy 4: *Identify and encourage the preservation of lands, sites, and structures that have historical or archaeological significance.*

Policy 5: *Define and identify mineral resources lands located within its boundaries that are not already compromised by on-site, immediate, or adjacent urban growth and that have long-term significance for the extraction of minerals on a commercially-viable basis.*

Policy 6: *Property and/or mineral rights owners should work with the City and appropriate agencies for protection of these sites. Designate mineral resource lands located in the City of Richland that meet the Criteria for Classification of Mineral Resources (WAS 365-190-070).*

Policy 7: *Ensure that land uses surrounding the Richland Airport area compatible with existing and future airport operations and do not restrict the airport's ability to maintain or expand its existing and future aviation demands. Coordinate with the Port of Benton to restrict land uses in airport areas that would create conflict or negatively impact the safe and effective airport operations.*

Response: The unique circumstances addressed in these land use policies do not apply to this application, as the site is not used for agricultural production; is not within any shoreline; is without any known historical or archeological significance; is not a mineral resource areal or in close proximity to the Richland Airport.

LU Goal 9: *Within Island View, that City will implement a Single-Family Overlay land use designation for clusters of property that are currently used as single-family residences which have high probability of being redeveloped with non-residential land uses.*

Policy 1: *The city will use the Single-Family Overlay concept only in those instances where the majority of property owners have expressed a preference for its use.*

Policy 2: *Areas designated as Single-Family Overlay will be zoned for single-family residential uses, as identified in the city's R-2 Medium Density Residential zoning district.*

Policy 3: *Areas designated as Single-Family Overlay will remain as such until property owner(s) bring forward a request to remove the overlay and change the zoning to the designation contained in the Island View Subarea Plan. In such cases, an amendment to the comprehensive plan is not necessary.*

Policy 4: *Applicants bringing forward a request to change the zoning of property designate Single Family Overlay should demonstrate that the land proposed for amendment is: a) large enough to support redevelopment for non-single-family residential land uses; and b) will have sufficient access to City streets and utility systems to support redevelopment.*

Policy 5: *Whenever properties designated with Single-Family Overlay are rezoned for non-single-family residential uses in accordance with Policy 4 above, the Single-Family Overlay designation should be removed from the subject property.*

Response: **The site is not located within the Island View area, so these land use policies do not apply.**

LU Goal 10: **Follow controlling law and constitutional requirements, both state and federal, to ensure the appropriate protection of private property rights.**

Policy 1: *Monitor evolving state and federal statutory amendments and judicial precedent so that timely amendments or changes can be made in the process of implementing the comprehensive plan policies and development regulations.*

Policy 2: *Process comprehensive plan amendments and development regulations using a fair and open hearing process, with adequate public notice and opportunities to participate to ensure the protection of all due process rights.*

Policy 3: *Process timely, fair, and predictable processing and review of land use permit applications in conformance with applicable federal and state legal and regulatory requirements.*

Response: **The application has been prepared and filed in compliance with City regulations that are in place to facilitate a fair and open hearing process and prove the public with adequate note. The proposed plan amendment is consistent with this Land Use goal.**

HOUSING ELEMENT

HE Goal 1: *Provide a range of housing densities, sizes, and types for all income and age groups of the Richland community.*

Policy 1: *Ensure that the comprehensive plan development regulations allow for a variety of housing types, sized, densities, and lot configurations such as small lot single family housing, multi-family housing, mixed use development, cluster development, live/work housing co-housing, accessory dwelling units, single room occupancy units, zero lot line and similar subdivisions, and planned unit developments.*

Policy 2: *Encourage mixed-use developments with apartments and condominiums above commercial uses in the City's urban core. Where redevelopment or infill opportunities arise, allow for increased housing density in residential-designate areas that immediately surround the CBD, while respecting the character and scale of the existing neighborhood.*

Policy 3: *Support the development of senior housing care/assisted living facilities in the City in close proximity to commercial uses and medical services and facilities.*

Policy 4: *Promote and prove incentives (such as zoning/rezoning, revised regulations, and provision of infrastructure) for infill development and redevelopment, while respecting the character and scale of the existing neighborhood.*

Policy 5: *Allow and regulate manufactured homes in the same way as site-built homes.*

Policy 6: *Plan for an adequate supply of land appropriate land designations and zoning categories to accommodate household growth, accommodating other commercial, industrial, and open space needs of the City.*

Response: *As noted in LU Goals 2 and 3 above, the proposed Comprehensive Plan Amendment would provide for future development of variety of residential densities and housing types. The proposed amendment is consistent with the land use goal.*

HE Goal 2: *Improve affordable housing opportunities for lower-income individuals, households, and first-time homebuyers.*

Policy 1: *Expand the supply of affordable units by proposing owner-and renter-occupied housing throughout the City, consistent with Comprehensive Plan.*

Policy 2: *Promote the use of mixed-income, housing developments and mixed-use developments that provide both affordable housing and economic opportunities throughout the City consistent with the Comprehensive Plan.*

Policy 3: Sustain or improve the quality of existing affordable housing stock by encouraging rehabilitation of housing units by current owners.

Response: The amendment would not impact the City's goals and policies for the promotion of affordable housing.

TRANSPORTATION ELEMENT

TE Goal 1: *Provide an efficient and multi-model transportation network including road, trail, rail, water, and air, to support the City's land use vision and existing needs.*

Policy 1: *Plan new street segments and consider modifying existing streets to provide comfortable and safe elements for bicyclists, pedestrians, and transit users in addition to vehicles.*

Policy 2: *Identify and secure the rights of way for new and/or expanded transportation corridors.*

Policy 3: *Support rail services for industries and commerce within the area.*

Policy 4: *Support regional planning efforts for roadway, rail, air, and non-motorized travel.*

Policy 5: *Plan and implement transportation system improvements that meet the needs of all areas and residents.*

Policy 6: *Plan transportation facilities that are compatible with adjacent land uses.*

Policy 7: *Plan and implement an appropriately classified and designed roadway system that provides for efficient movement of people and goods and the comfort and safety of residential neighborhoods.*

Response: The City of Richland City-wide Transportation Plan adopted in 2005 supports the City's vision and servicing planned growth within this area, including multimodal elements over the next 20 years.

TE Goals 2: The City of Richland Citywide Transportation Plan adopted in 2005 supports the City's vision and servicing planned growth within this area, including multimodal elements over the next 20 years.

Policy 1: *Implement appropriate access control for arterial collectors and aerial streets.*

Policy 2: *Link local street networks through subdivisions to provide efficient local circulations, as appropriate, and provide additional collector arterial access for major residential areas.*

Policy 3: *Evaluate, Plan, and install traffic control devise and intersection designs to improve travel safety and efficiency.*

Response: The City of Richland City wide Transportation Plan adopted in 2005 supports the City's vision and servicing planned growth within this area, including multimodal elements over the next 20 years. The proposed Comprehensive Plan Amendment would promote the opportunity for planned safe and efficient regional roadway connections and extensions within this area of the City. The propose Plan amendment is consistent with this transportation goal.

TE Goals 3: Encourage the use of transportation modes that promote energy conservation, circulation efficiency, and an active lifestyle.

Policy 1: *Support increased use of transit, bicycling, and pedestrian travel.*

Policy 2: *Plan facilities for non-motorized travel across jurisdictional boundaries.*

Policy 3: *Require sidewalks, improved shoulders, appropriate signage, or off-street trails within new developments to accommodate internal bicycle and pedestrian circulation within and between neighborhoods.*

Policy 4: *Encourage new developments to be pedestrian-friendly and compatible with the public transportation system.*

Policy 5: *Design a circulation system to become a bicycle-friendly community with complete streets.*

Response: As noted in TE Goal 2 above, the City's City-wide Transportation Plan adopted in 2005 supports the City's vision and servicing planned growth within this area, including multimodal elements over the next 20 years. The proposed plan amendment is consistent with this transportation goal.

TE Goals 4: *Ensure that the road network is sensitive to the natural and built environment and offers a sense of community.*

Policy 1: *Use appropriate streetscape and gateway features along the major entryways into the City.*

Policy 2: *Implement landscaping and other types of buffers along major transportation corridors.*

Policy 3: *Construct street system improvements to reduce traffic congestion as a measure to improve quality.*

Policy 4: *Plan new streets and consider modifying existing streets to include storm water management best practices to reduce pollution from stormwater runoff.*

Policy 5: *Plan and implement new streets and consider modifying existing streets to improve access control to sensitive areas.*

Response: The amendment would not impact the City's goals and policies for road networks.

URBAN DESIGN ELEMENT

UD Goal 3: Development through appropriate design, should protect natural features such as rivers, shorelines, ridgelines, steep slopes, and archaeological and historical resources.

Policy 1: *Development should be sensitive to existing topography and landscape, and should minimize environmental impacts.*

Policy 2: *Hillside development should, as much as practical, blend with the natural shape and texture of the land.*

Policy 3: *Lighting should be designed so as to promote "Dark Sky" principals.*

Response: The site of the proposed plan amendment does not contain shorelines, steep slopes, or ridgelines and there are no known archeological or historical resources on site. Therefore, this Urban Design goal is not directly applicable to this proposed plan amendment.

UTILITIES ELEMENT

UE Goal 2: *Maintain existing service levels to current customers and ensure that public facilities and services necessary to support development are planned, sized, and constructed to service new development.*

Policy 3: *Promote the efficient use of land and minimize environmental disturbance by requiring that the facilities of various utilities be located together in the City right of way wherever possible.*

Response: The proposed Comprehensive Plan Amendment occurs within the City limits. The City Management plans include the anticipation of extension of streets and utility systems to serve this area. The proposed plan amendment is consistent with the intent of this policy.

Horn Rapids Future Fire Station
Comprehensive Plan Map Amendment

LIST OF EXHIBITS

EX - 1	Regional Vicinity Map
EX – 2	Aerial Site Map
EX – 2A	Overall Legal Description of Property
EX – 3	Current Comprehensive Plan Land Use Designation Map
EX – 4	Proposed Comprehensive Plan Land Use Designation Map
EX – 5	Local Vicinity Map
EX – 6	Topographic Map (1"=1,000)
EX – 7	Current Zoning Map
EX – 8	City of Richland Existing Sewer System
EX – 8A	City of Richland Master Plan System
EX – 8B	City of Richland Sewer CIP Summary
EX – 9	City of Transportation Future Functionally Classified Street Network Plan
EX – 10	City of Richland Water Proposed 2036 Water System Improvements – North
EX – 11	Proposed Zoning Map Amendment
EX – 11A	Proposed Zoning Legal Descriptions

City of Richland

COMPREHENSIVE PLAN AMENDMENT

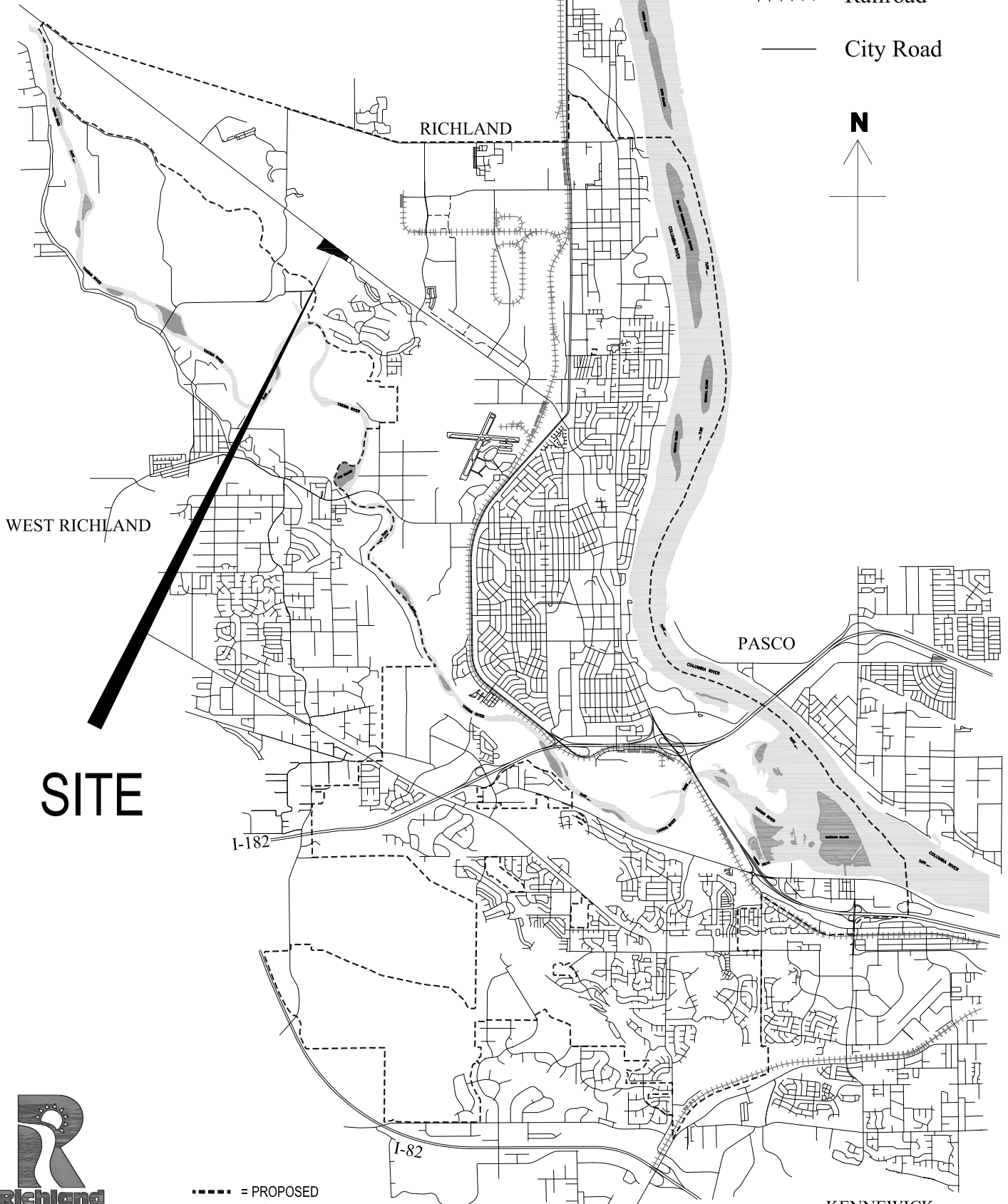
Legend

----- City Limits

+++++ Railroad

—— City Road

N

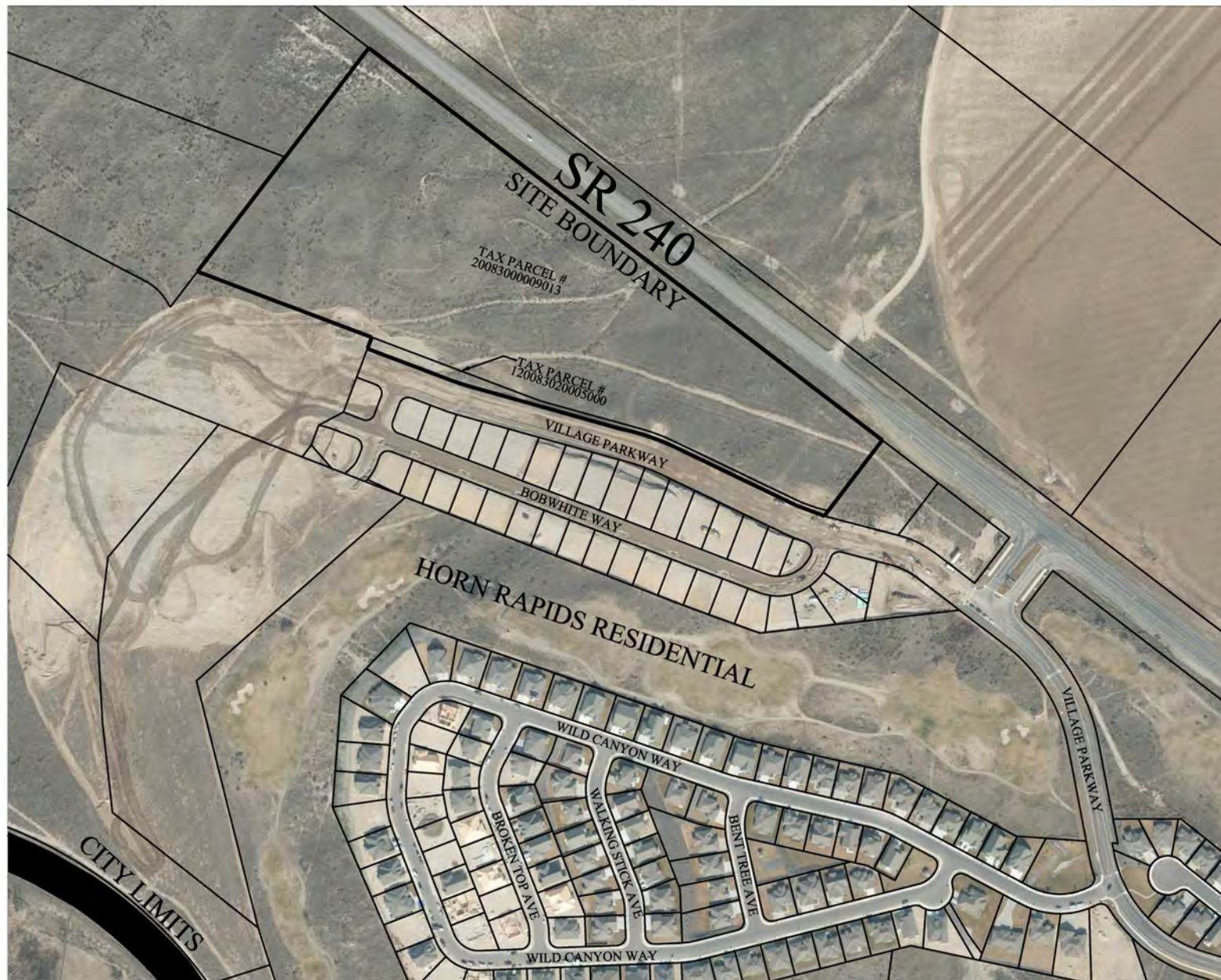


CAD DWG: VALDWG
DATE: 19.01.2021
DRAWN BY: DMM
SCALE: NTS

----- = PROPOSED
ROAD

KENNEWICK

EX-1



AERIAL SITE MAP

CITY OF RICHLAND ECONOMIC DEVELOPMENT
AND PAHLISCH HOMES
RICHLAND, WA

EX-2

DRAWING SCALE: NTS

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January 14, 2021

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DESCRIPTION FOR COMBINED SUB-AREAS 1 & 2:

TRACT E OF THE PLAT OF QUAIL RIDGE PHASE 1 & 2 RECORDED IN VOLUME 15 OF PLATS AT PAGE 680 UNDER BENTON COUNTY AUDITOR'S FILE NUMBER 2020-025039 AND A PORTION OF THOSE LANDS DESCRIBED IN DEED RECORDED UNDER BENTON COUNTY AUDITOR'S FILE NUMBER 2005-026833, LOCATED WITHIN THE SOUTHEAST QUARTER OF THE NORTHWEST QUARTER, THE NORTHEAST QUARTER OF THE SOUTHWEST QUARTER AND THE NORTHWEST QUARTER OF THE SOUTHEAST QUARTER OF SECTION 20, TOWNSHIP 10 NORTH, RANGE 28 EAST OF THE WILLAMETTE MERIDIAN, CITY OF RICHLAND, BENTON COUNTY, WASHINGTON, DESCRIBED MORE PARTICULARLY AS FOLLOWS:

COMMENCING AT THE SOUTHEAST CORNER OF SAID SECTION 20, MARKED BY A 3 INCH BRASS CAP INSCRIBED "S20-S21-S28-S29 T10N R28E LS 6455 1994" ON THE GOLF COURSE FAIRWAY, LOCATED NORTH 86°44'36" EAST A DISTANCE OF 5,300.70 FEET FROM THE SOUTHWEST CORNER OF SAID SECTION 20, MARKED BY A STONE WITH "X" IN IRRIGATION VALVE CASE NEAR THE INTERSECTION OF WEIDLE ROAD & E 811 PR NE AT FENCE CORNER; THENCE NORTH 00°16'10" EAST ALONG THE EAST LINE OF SAID SECTION 20 A DISTANCE OF 175.39 FEET TO THE INTERSECTION WITH THE SOUTHWESTERLY EASEMENT MARGIN OF STATE ROUTE 240, ALSO KNOWN AS SECONDARY STATE HIGHWAY NO. 11-C, GRANTED PER DEED RECORDED UNDER BENTON COUNTY AUDITOR'S FILE NUMBER 573713, SAID SOUTHWESTERLY EASEMENT MARGIN BEING A 75.00 FOOT OFFSET FROM THE CENTERLINE THEREOF;

THENCE NORTH 52°35'11" WEST ALONG SAID SOUTHWESTERLY EASEMENT MARGIN A DISTANCE OF 2,472.89 FEET TO A WESTERLY PROPERTY CORNER OF THOSE LANDS DESCRIBED IN DEED RECORDED UNDER BENTON COUNTY AUDITOR'S FILE NUMBER 2019-008939 AND DEPICTED ON SURVEY NO. 4139 RECORDED UNDER BENTON COUNTY AUDITOR'S FILE NUMBER 2010-026398, MARKED BY A 5/8 INCH REBAR WITH YELLOW PLASTIC CAP INSCRIBED "SHEA LS 33656", BEING THE NORTHWEST CORNER OF TRACT D OF SAID PLAT OF QUAIL RIDGE PHASE 1 & 2 AND TRUE POINT OF BEGINNING;

THENCE NORTH 52°35'11" WEST CONTINUING ALONG SAID SOUTHWESTERLY EASEMENT MARGIN A DISTANCE OF 1,775.19 FEET TO THE INTERSECTION WITH THE SOUTHEASTERLY COMPOSITE BOUNDARY OF THOSE LANDS DESCRIBED IN DEED RECORDED UNDER BENTON COUNTY AUDITOR'S FILE NUMBER 2011-023857 AND SAID BENTON COUNTY AUDITOR'S FILE NUMBER 2019-008939;

THENCE SOUTH 37°24'49" WEST ALONG SAID SOUTHEASTERLY COMPOSITE BOUNDARY A DISTANCE OF 774.63 FEET TO THE INTERSECTION WITH THE BOUNDARY OF TRACT F OF SAID PLAT OF QUAIL RIDGE PHASE 1 & 2;

THENCE ALONG SAID TRACT F BOUNDARY THE FOLLOWING COURSES:

THENCE SOUTH 69°17'53" EAST A DISTANCE OF 510.69 FEET;

THENCE SOUTH 20°42'03" WEST A DISTANCE OF 33.51 FEET TO THE INTERSECTION WITH THE NORTHEASTERLY RIGHT OF WAY MARGIN OF VILLAGE PARKWAY DEDICATED PER SAID PLAT OF QUAIL RIDGE PHASE 1 & 2;

THENCE LEAVING SAID TRACT F BOUNDARY AND FOLLOWING ALONG SAID NORTHEASTERLY RIGHT OF WAY MARGIN THE FOLLOWING COURSES:

THENCE SOUTH 69°17'57" EAST A DISTANCE OF 247.61 FEET TO A POINT OF CURVATURE WITH A TANGENT CURVE TURNING TO THE LEFT, HAVING A RADIUS OF 562.00 FEET; THENCE ALONG SAID CURVE, HAVING AN ARC LENGTH OF 50.93 FEET, WITH A DELTA ANGLE OF 05°11'33", A CHORD BEARING OF SOUTH 71°53'44" EAST, AND A CHORD LENGTH OF 50.91 FEET;

THENCE SOUTH 74°29'30" EAST A DISTANCE OF 483.39 FEET TO A POINT OF CURVATURE WITH A TANGENT CURVE TURNING TO THE RIGHT, HAVING A RADIUS OF 562.00 FEET; THENCE ALONG SAID CURVE, HAVING AN ARC LENGTH

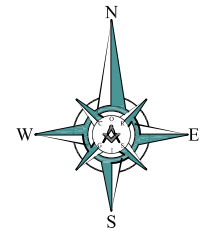
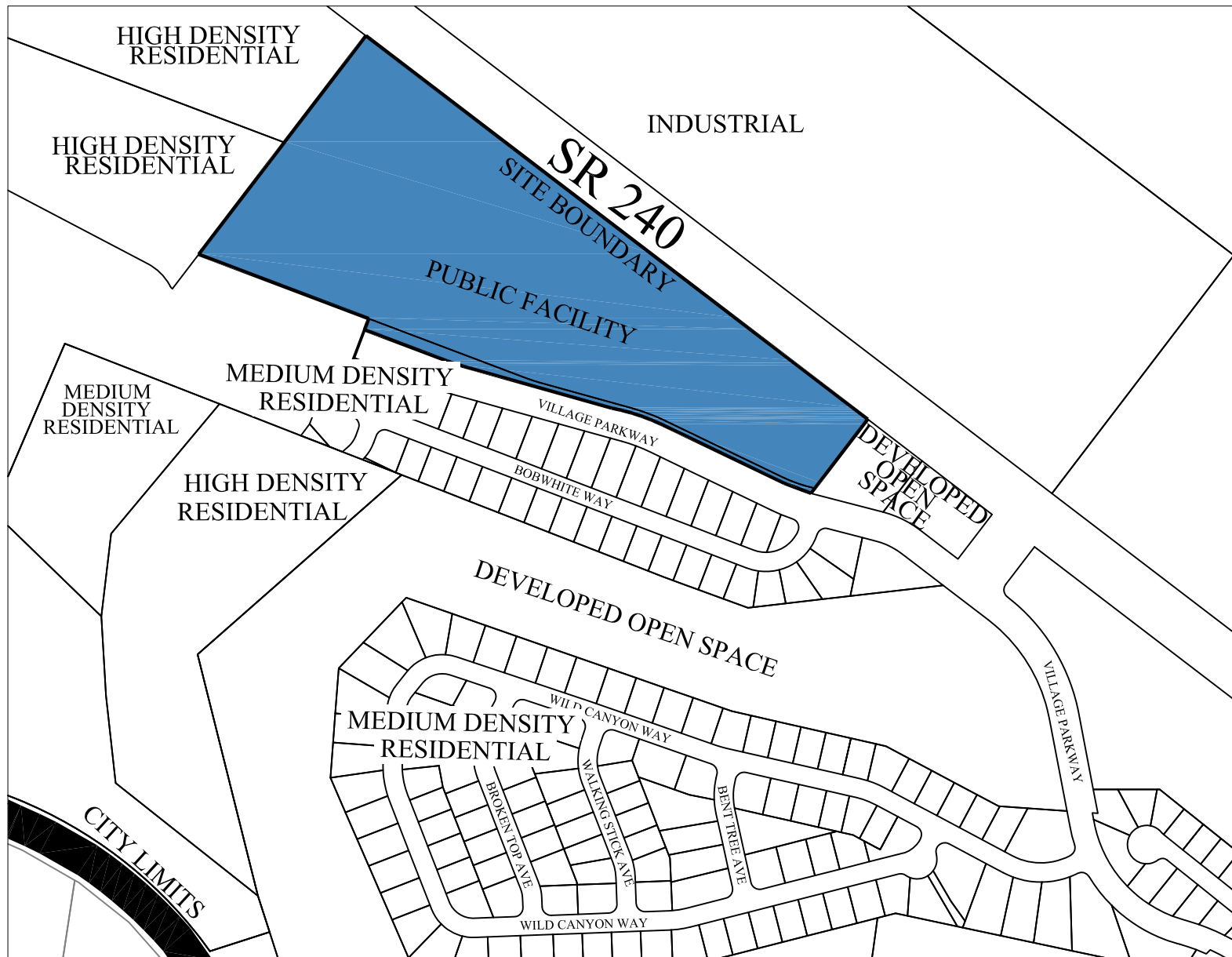
OF 99.43 FEET, WITH A DELTA ANGLE OF 10°08'11", A CHORD BEARING OF SOUTH 69°25'25" EAST, AND A CHORD LENGTH OF 99.30 FEET;

THENCE SOUTH 64°21'20" EAST A DISTANCE OF 378.80 FEET TO A POINT OF CURVATURE WITH A TANGENT CURVE TURNING TO THE LEFT, HAVING A RADIUS OF 458.00 FEET; THENCE ALONG SAID CURVE, HAVING AN ARC LENGTH OF 80.39 FEET, WITH A DELTA ANGLE OF 10°03'26", A CHORD BEARING OF SOUTH 69°23'02" EAST, AND A CHORD LENGTH OF 80.29 FEET TO THE INTERSECTION WITH THE NORTHWESTERLY BOUNDARY OF SAID TRACT D OF THE PLAT OF QUAIL RIDGE PHASE 1 & 2;

THENCE NORTH 37°24'49" EAST ALONG SAID NORTHWESTERLY BOUNDARY A DISTANCE OF 262.27 FEET TO THE TRUE POINT OF BEGINNING.

HAVING AN AREA OF 918,180 SQUARE FEET, 21.08 ACRES, MORE OR LESS.

SUBJECT TO EASEMENTS, RESERVATIONS AND RESTRICTIONS OF RECORD.



HORN RAPIDS FUTURE FIRE STATION
CURRENT COMPREHENSIVE PLAN LAND USE DESIGNATION MAP
 CITY OF RICHLAND ECONOMIC DEVELOPMENT
 AND PAHLISCH HOMES
 RICHLAND, WA

EX-3

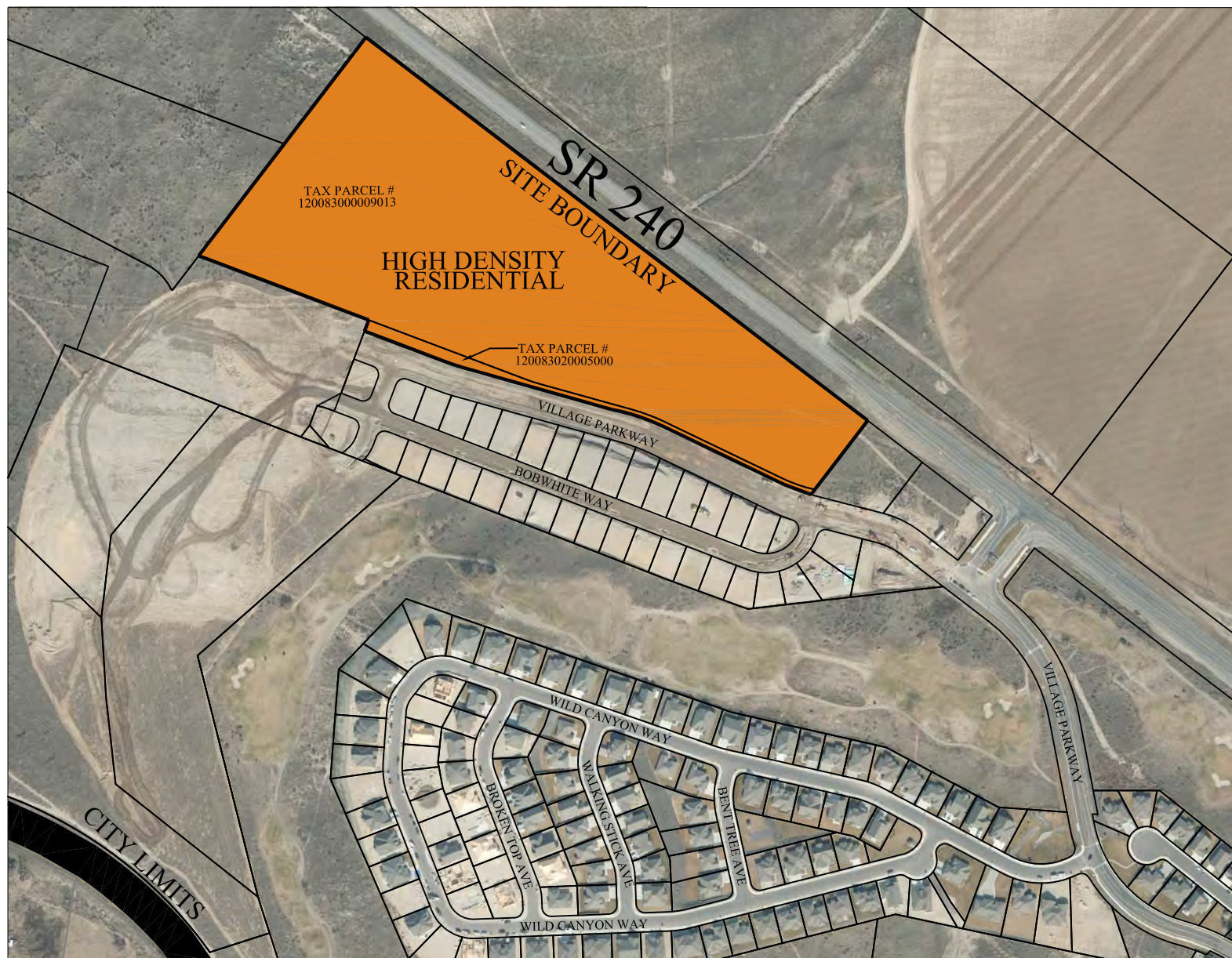
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January 14, 2021

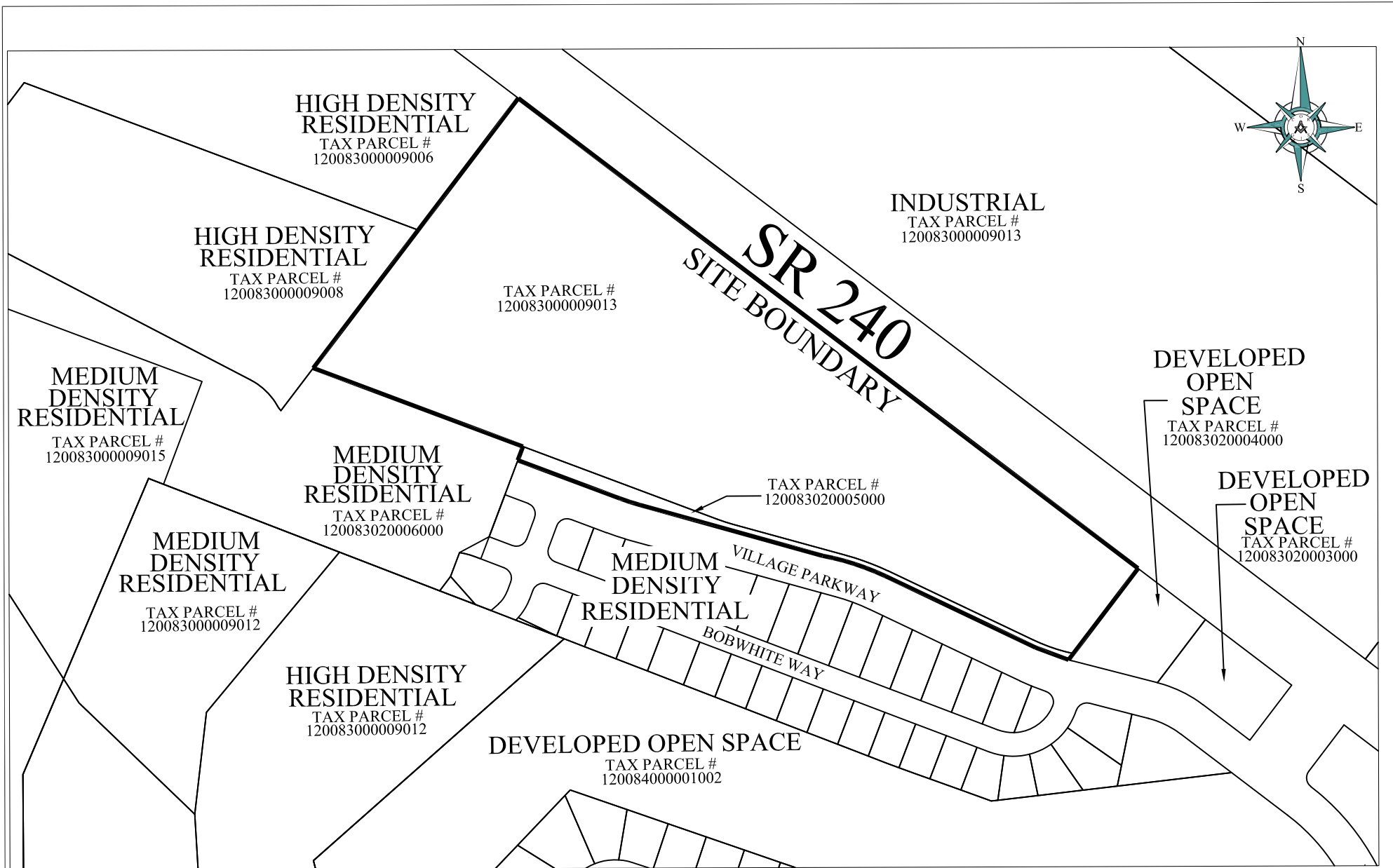
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EX-4

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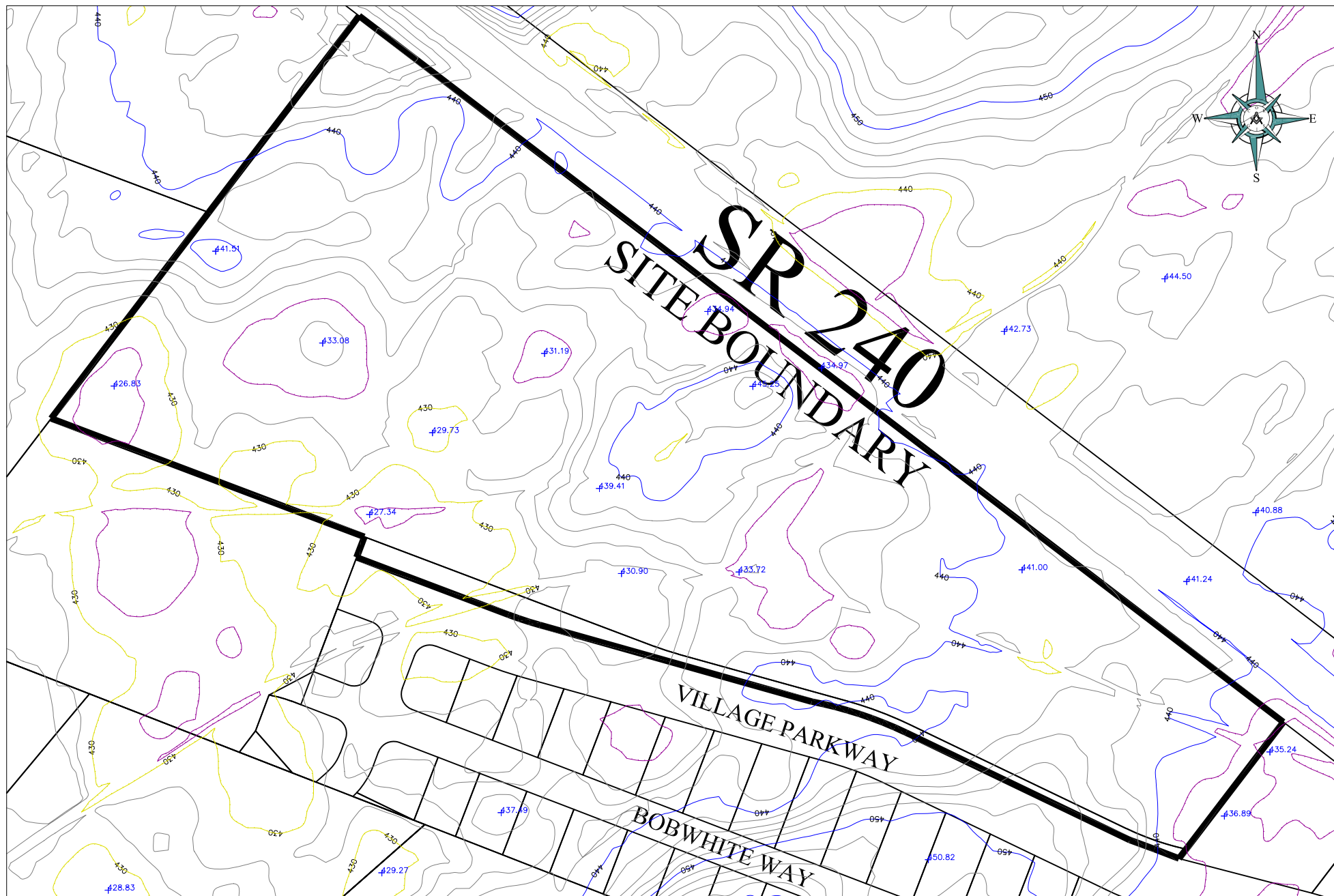


**HORN RAPIDS FUTURE FIRE STATION
LOCAL VICINITY MAP**
CITY OF RICHLAND ECONOMIC DEVELOPMENT
AND PAHLISCH HOMES
RICHLAND, WA

DRAWING
SCALE: 1"=300'

EX-5

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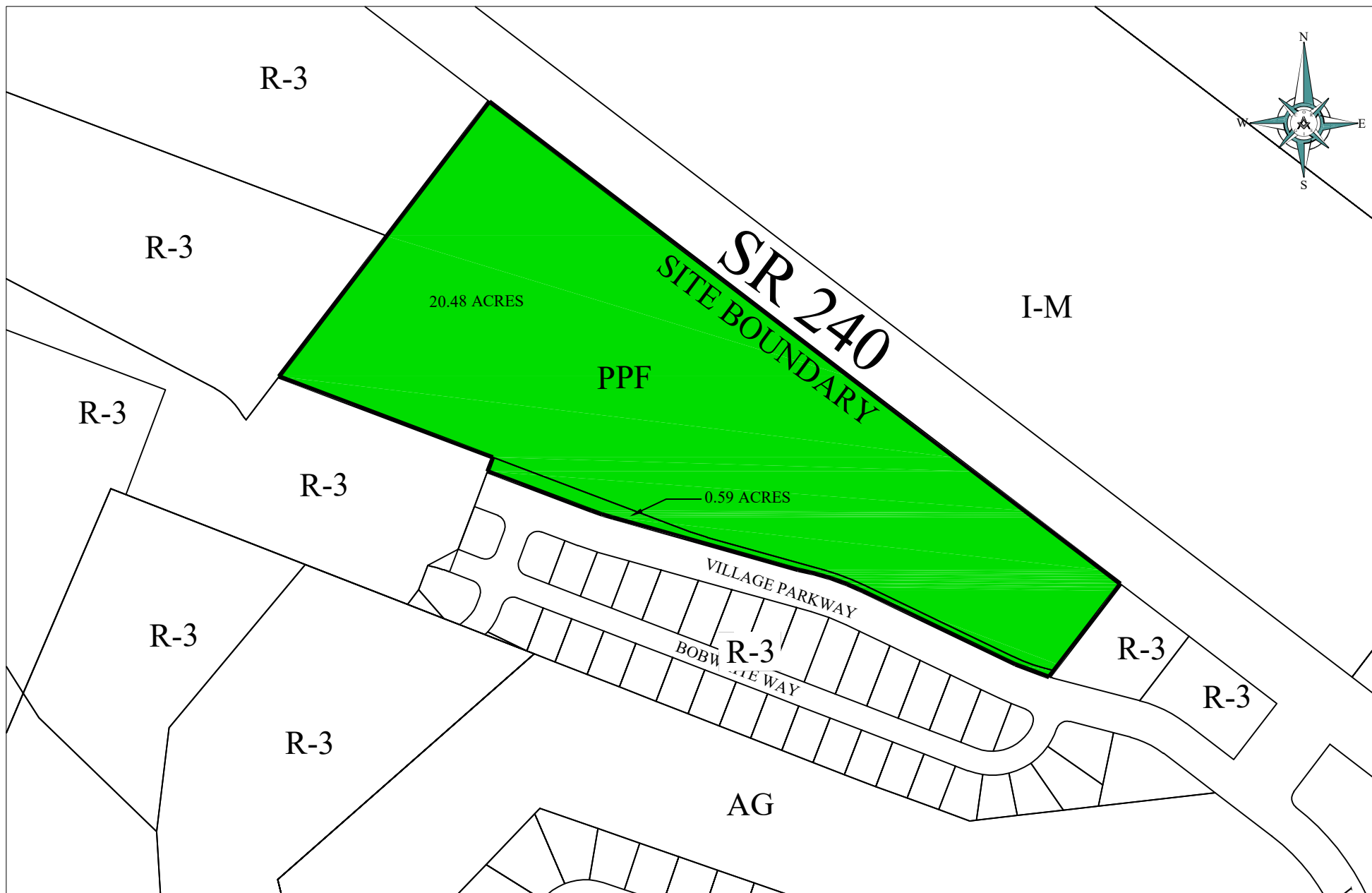
**HORN RAPIDS FUTURE FIRE STATION
TOPOGRAPHIC MAP
CITY OF RICHLAND ECONOMIC DEVELOPMENT
AND PAHLISCH HOMES
RICHLAND, WA**

DRAWING
SCALE: 1"=200'

EX-6

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HORN RAPIDS FUTURE FIRE STATION
CURRENT ZONING MAP
 CITY OF RICHLAND ECONOMIC DEVELOPMENT
 AND PAHLISCH HOMES
 RICHLAND, WA

EX-7

DRAWING SCALE: NTS

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February 24, 2021

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Figure A1

Existing System

Legend

- City Limits
- Waste Water Treatment Plant
- City Lift Stations
- George Washington Way Diversion Structure
- Forcemain

Existing Pipe Size (in)

- Collector
- 10
- 12
- 15
- 18
- 21
- 24
- 27
- 30
- 36
- 42
- 54



Date: Dec 4, 2015





Figure A9

Master Plan System

Legend

City Limits

UGA

50-yr Planning

Waste Water Treatment Plant

City Lift Stations

MP City Lift Station

Existing Size (in)	MP Pipe Size (in)
Collector	Collector
10	10
12	12
15	15
18	18
21	21
24	24
27	27
30	30
36	36
42	42
54	54
Forcemain	MP Forcemain

0 6,000 12,000 Feet

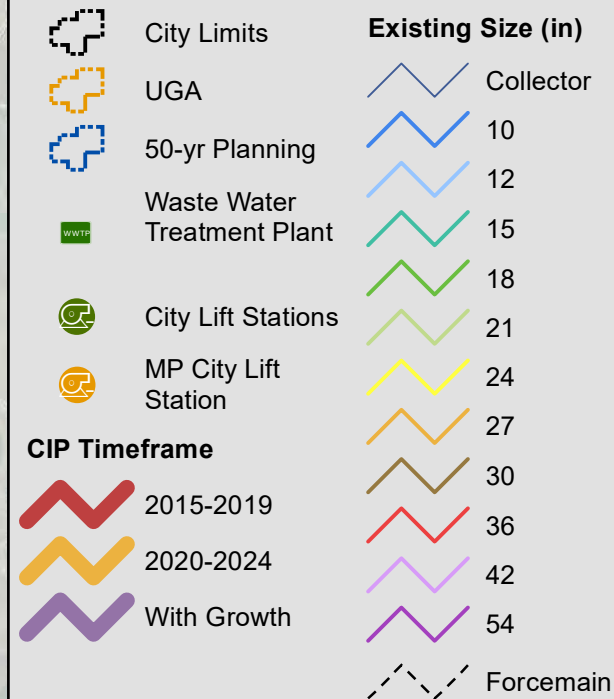


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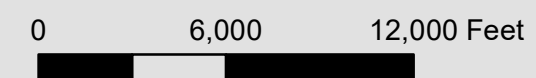
EX-8A

Legend



NOTE

A Master Plan is conceptual in nature and intended for planning purposes only. Field verification, survey, utility locates, and investigation of other potential upstream and downstream conflicts should be completed prior to preliminary and final design.

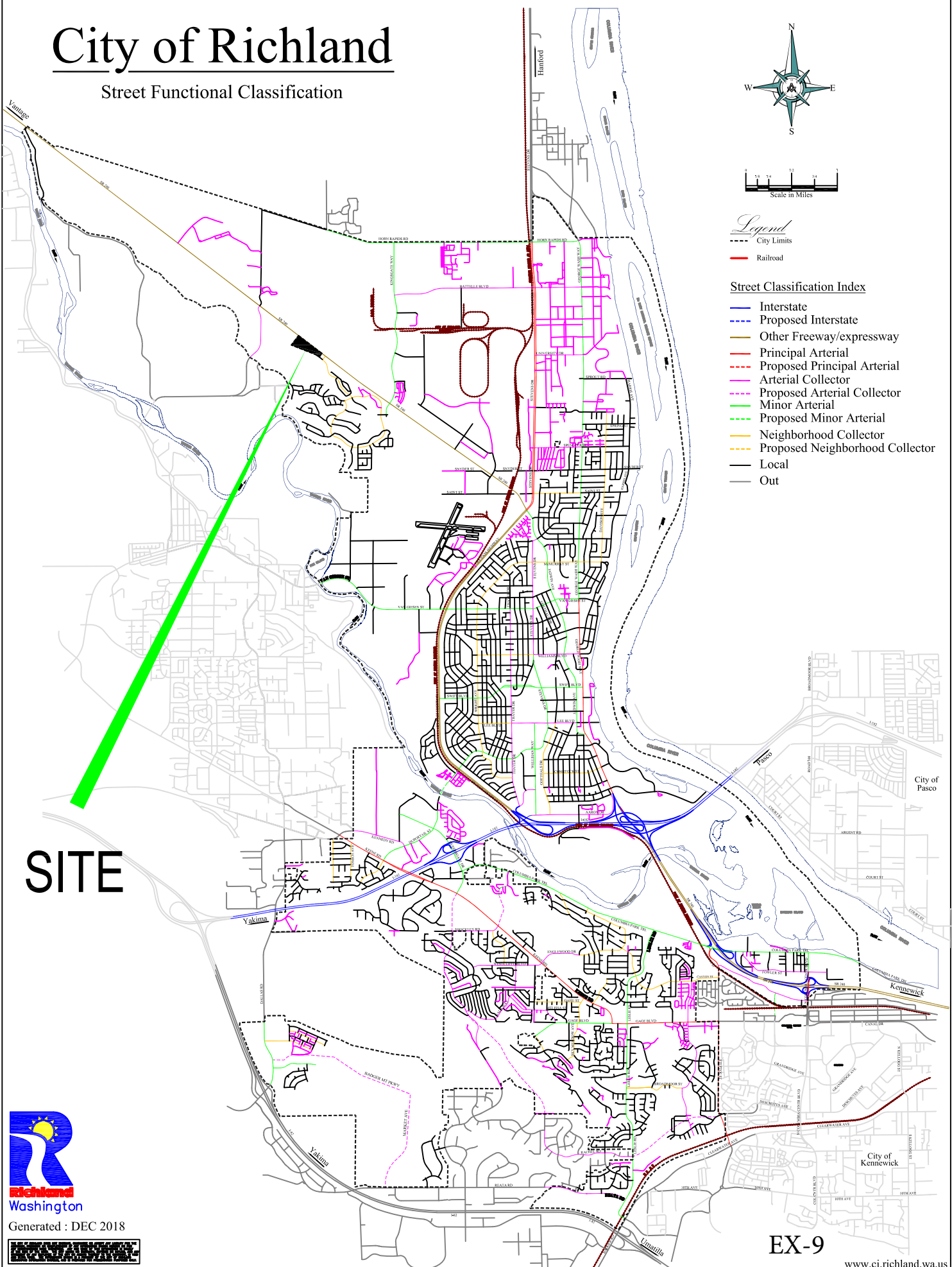


Date: Dec 9, 2015



City of Richland

Street Functional Classification



SITE

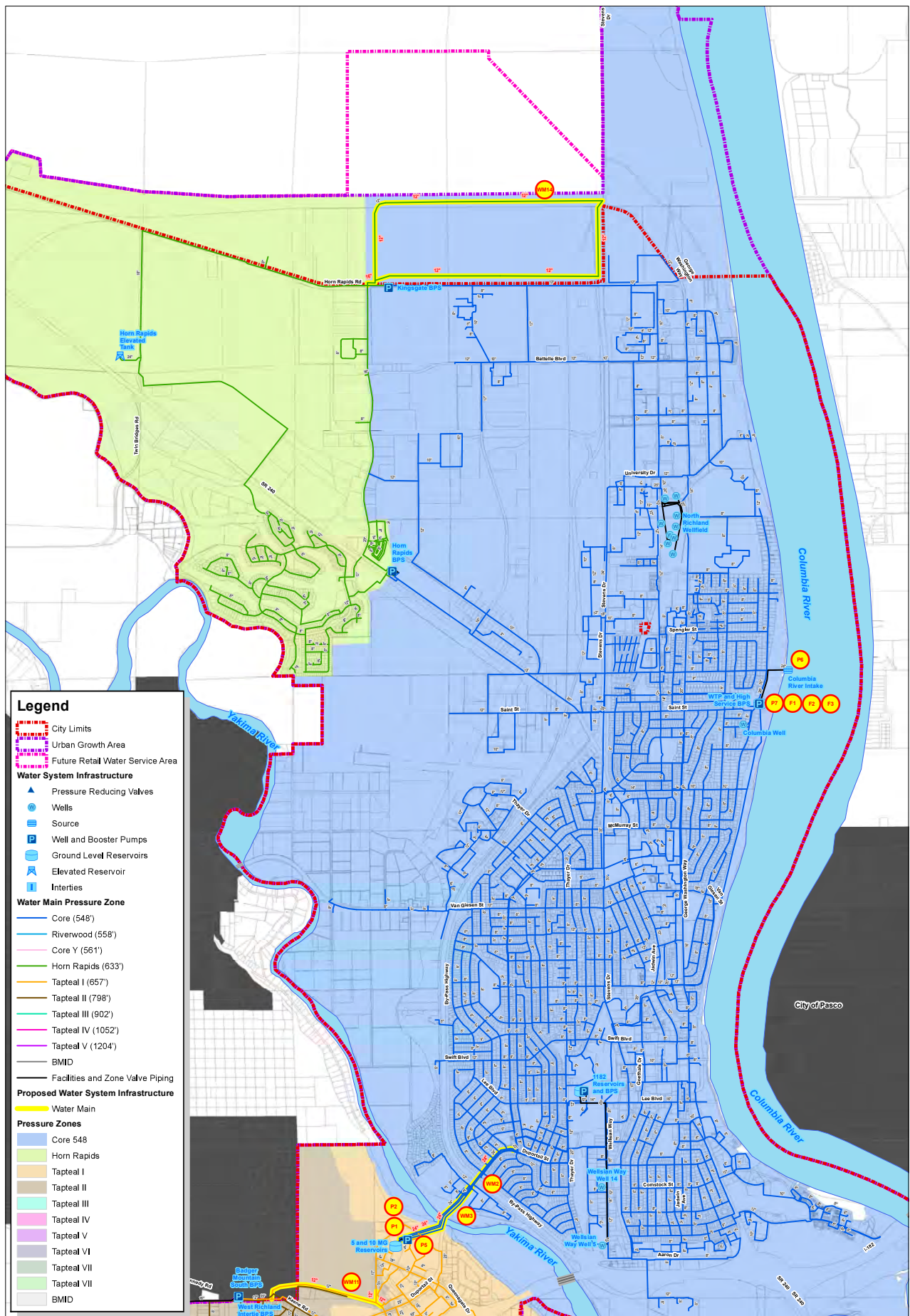


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EX-9

www.ci.richland.wa.us



\\RH2\DFS\RICHLAND\DATA\RIC\715-107\GIS\MAPS\FIG8-1.MXD BY: RWITHERS PLOT DATE: MAR 20, 2017 COORDINATE SYSTEM: NAD 1983 STATEPLANE WASHINGTON SOUTH FIPS 4602 FEET

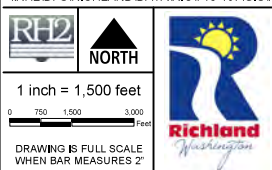
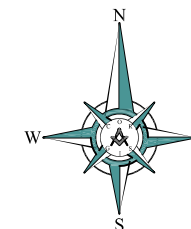
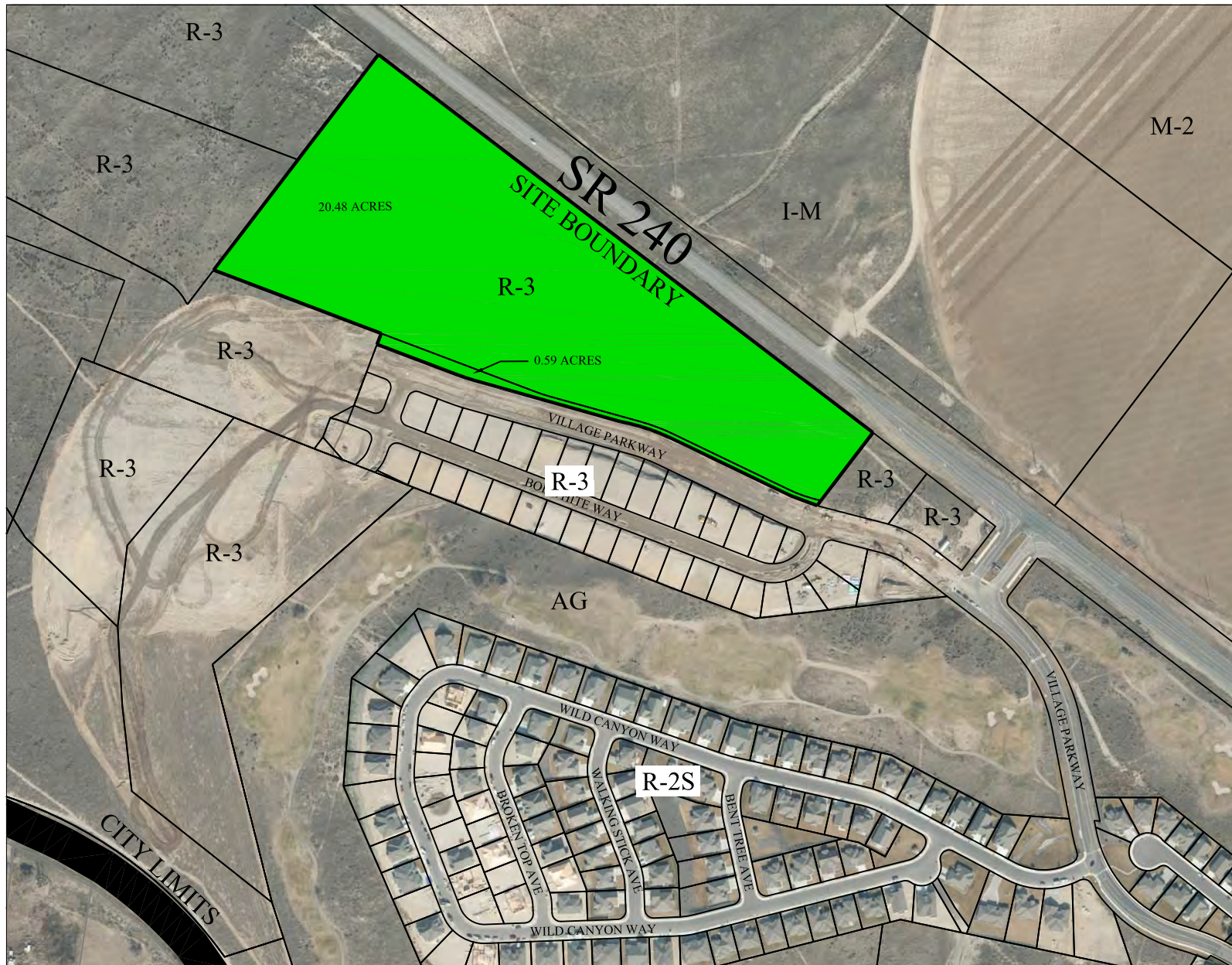


Figure 8-1 **Proposed Year 2036 Water System** **Improvements - North** **City of Richland** **2017 Comprehensive Water System Plan**

EX-10

Vicinity Map





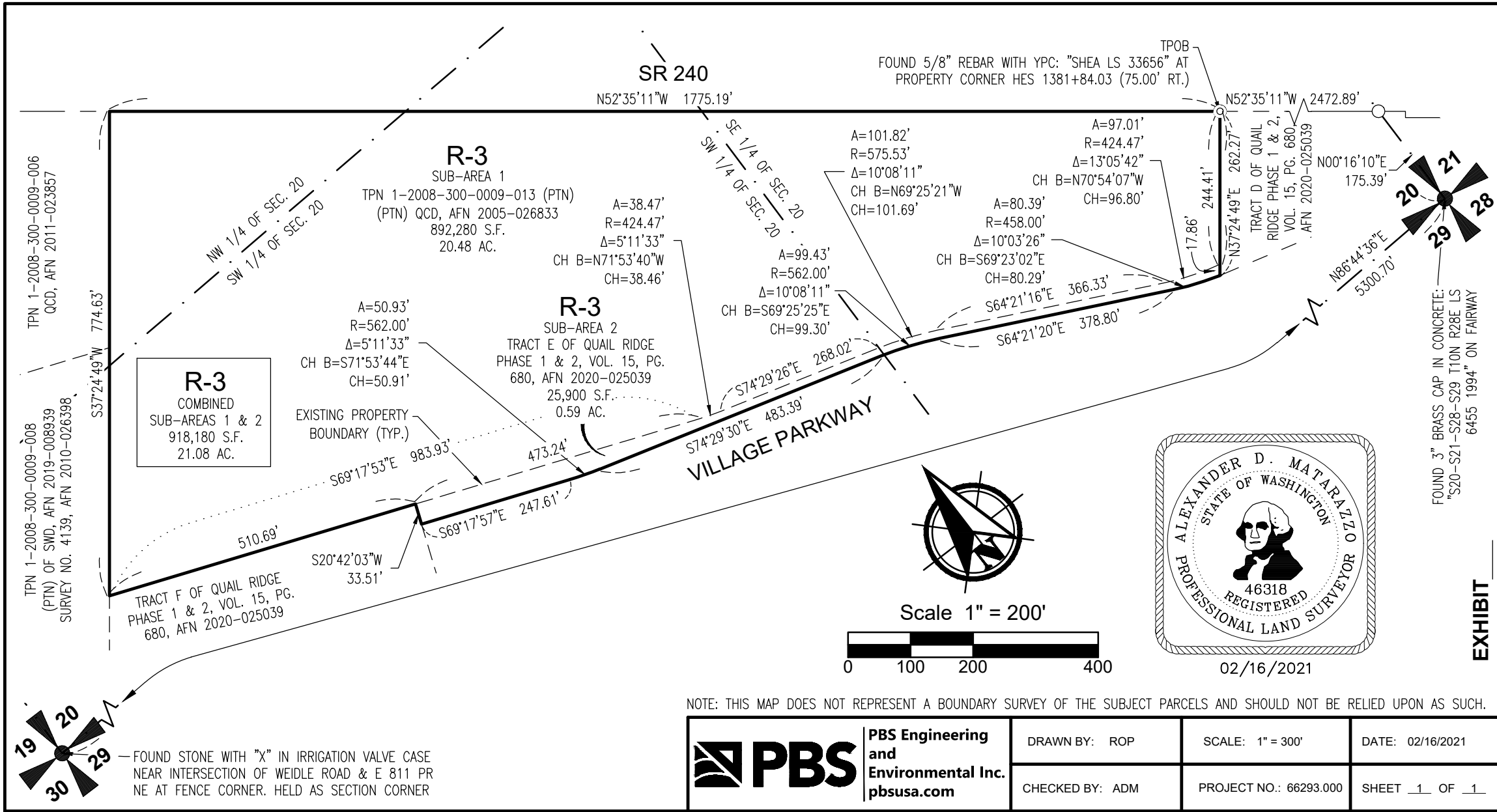
HORN RAPIDS FUTURE FIRE STATION
PROPOSED ZONING MAP AMENDMENT
 CITY OF RICHLAND ECONOMIC DEVELOPMENT
 AND PAHLISCH HOMES
 RICHLAND, WA

DRAWING SCALE: NTS

EX-11

THE CITY OF RICHLAND DOES NOT ENDORSE, GUARANTEE OR ACCEPT ANY LIABILITY FOR THE ACCURACY, PRECISION OR COMPLETENESS OF ANY INFORMATION SHOWN HEREON OR FOR ANY INTERPRETATIONS MADE THEREFROM. ANY USE MADE OF THIS INFORMATION IS SOLELY AT THE RISK OF THE USER. THE CITY MAKES NO WARRANTY, EXPRESS OR IMPLIED, AND ANY AND ALL USE OF ANY EMPLOYEE OF THE CITY OR AGENTS OF THE CITY, TO THE COMPANY, IS VOID AND ULTIMATELY, THE INFORMATION SHOWN IS A PRODUCT OF THE CITY OF RICHLAND. RECORDING INFORMATION SYSTEM, AND IS PROVIDED FOR PRESENTATION PURPOSES ONLY.





DESCRIPTION FOR SUB-AREA 1

A PORTION OF THOSE LANDS DESCRIBED IN DEED RECORDED UNDER BENTON COUNTY AUDITOR'S FILE NUMBER 2005-026833, LOCATED WITHIN THE SOUTHEAST QUARTER OF THE NORTHWEST QUARTER, THE NORTHEAST QUARTER OF THE SOUTHWEST QUARTER AND THE NORTHWEST QUARTER OF THE SOUTHEAST QUARTER OF SECTION 20, TOWNSHIP 10 NORTH, RANGE 28 EAST OF THE WILLAMETTE MERIDIAN, CITY OF RICHLAND, BENTON COUNTY, WASHINGTON, DESCRIBED MORE PARTICULARLY AS FOLLOWS:

COMMENCING AT THE SOUTHEAST CORNER OF SAID SECTION 20, MARKED BY A 3 INCH BRASS CAP INSCRIBED "S20-S21-S28-S29 T10N R28E LS 6455 1994" ON THE GOLF COURSE FAIRWAY, LOCATED NORTH 86°44'36" EAST A DISTANCE OF 5,300.70 FEET FROM THE SOUTHWEST CORNER OF SAID SECTION 20, MARKED BY A STONE WITH "X" IN IRRIGATION VALVE CASE NEAR THE INTERSECTION OF WEIDLE ROAD & E 811 PR NE AT FENCE CORNER; THENCE NORTH 00°16'10" EAST ALONG THE EAST LINE OF SAID SECTION 20 A DISTANCE OF 175.39 FEET TO THE INTERSECTION WITH THE SOUTHWESTERLY EASEMENT MARGIN OF STATE ROUTE 240, ALSO KNOWN AS SECONDARY STATE HIGHWAY NO. 11-C, GRANTED PER DEED RECORDED UNDER BENTON COUNTY AUDITOR'S FILE NUMBER 573713, SAID SOUTHWESTERLY EASEMENT MARGIN BEING A 75.00 FOOT OFFSET FROM THE CENTERLINE THEREOF;

THENCE NORTH 52°35'11" WEST ALONG SAID SOUTHWESTERLY EASEMENT MARGIN A DISTANCE OF 2,472.89 FEET TO A WESTERLY PROPERTY CORNER OF THOSE LANDS DESCRIBED IN DEED RECORDED UNDER BENTON COUNTY AUDITOR'S FILE NUMBER 2019-008939 AND DEPICTED ON SURVEY NO. 4139 RECORDED UNDER BENTON COUNTY AUDITOR'S FILE NUMBER 2010-026398, MARKED BY A 5/8 INCH REBAR WITH YELLOW PLASTIC CAP INSCRIBED "SHEA LS 33656", BEING THE NORTHWEST CORNER OF TRACT D OF THE PLAT OF QUAIL RIDGE PHASE 1 & 2 RECORDED IN VOLUME 15 OF PLATS AT PAGE 680 UNDER BENTON COUNTY AUDITOR'S FILE NUMBER 2020-025039 AND TRUE POINT OF BEGINNING;

THENCE NORTH 52°35'11" WEST CONTINUING ALONG SAID SOUTHWESTERLY EASEMENT MARGIN A DISTANCE OF 1,775.19 FEET TO THE INTERSECTION WITH THE SOUTHEASTERLY COMPOSITE BOUNDARY OF THOSE LANDS DESCRIBED IN DEED RECORDED UNDER BENTON COUNTY AUDITOR'S FILE NUMBER 2011-023857 AND SAID BENTON COUNTY AUDITOR'S FILE NUMBER 2019-008939;

THENCE SOUTH 37°24'49" WEST ALONG SAID SOUTHEASTERLY COMPOSITE BOUNDARY A DISTANCE OF 774.63 FEET TO THE INTERSECTION WITH THE NORTHEASTERLY COMPOSITE BOUNDARY OF TRACT E & F OF SAID PLAT OF QUAIL RIDGE PHASE 1 & 2;

THENCE ALONG SAID NORTHEASTERLY COMPOSITE BOUNDARY THE FOLLOWING COURSES:

THENCE SOUTH 69°17'53" EAST A DISTANCE OF 983.93 FEET TO A POINT OF CURVATURE WITH A TANGENT CURVE TURNING TO THE LEFT, HAVING A RADIUS OF 424.47 FEET; THENCE ALONG SAID CURVE, HAVING AN ARC LENGTH OF 38.47 FEET, WITH A DELTA ANGLE OF 05°11'33", A CHORD BEARING OF SOUTH 71°53'40" EAST, AND A CHORD LENGTH OF 38.46 FEET;

THENCE SOUTH 74°29'26" EAST A DISTANCE OF 268.02 FEET TO A POINT OF CURVATURE WITH A TANGENT CURVE TURNING TO THE RIGHT, HAVING A RADIUS OF 575.53 FEET; THENCE ALONG SAID CURVE, HAVING AN ARC LENGTH OF 101.82 FEET, WITH A DELTA ANGLE OF 10°08'11", A CHORD BEARING OF SOUTH 69°25'21" EAST, AND A CHORD LENGTH OF 101.69 FEET;

THENCE SOUTH 64°21'16" EAST A DISTANCE OF 366.33 FEET TO A POINT OF CURVATURE WITH A TANGENT CURVE TURNING TO THE LEFT, HAVING A RADIUS OF 424.47 FEET; THENCE ALONG SAID CURVE, HAVING AN ARC LENGTH OF 97.01 FEET, WITH A DELTA ANGLE OF 13°05'42", A CHORD BEARING OF SOUTH 70°54'07" EAST, AND A CHORD LENGTH OF 96.80 FEET TO THE INTERSECTION WITH THE NORTHWESTERLY BOUNDARY OF SAID TRACT D OF THE PLAT OF QUAIL RIDGE PHASE 1 & 2;

THENCE LEAVING SAID NORTHEASTERLY COMPOSITE BOUNDARY NORTH 37°24'49" EAST ALONG SAID NORTHWESTERLY BOUNDARY A DISTANCE OF 244.41 FEET TO THE TRUE POINT OF BEGINNING.

HAVING AN AREA OF 892,280 SQUARE FEET, 20.48 ACRES, MORE OR LESS.

SUBJECT TO EASEMENTS, RESERVATIONS AND RESTRICTIONS OF RECORD.

DESCRIPTION FOR SUB-AREA 2:

TRACT E OF THE PLAT OF QUAIL RIDGE PHASE 1 & 2 RECORDED IN VOLUME 15 OF PLATS AT PAGE 680 UNDER BENTON COUNTY AUDITOR'S FILE NUMBER 2020-025039, LOCATED WITHIN THE NORTHEAST QUARTER OF THE SOUTHWEST QUARTER AND THE NORTHWEST QUARTER OF THE SOUTHEAST QUARTER OF SECTION 20, TOWNSHIP 10 NORTH, RANGE 28 EAST OF THE WILLAMETTE MERIDIAN, CITY OF RICHLAND, BENTON COUNTY, WASHINGTON.

HAVING AN AREA OF 25,900 SQUARE FEET, 0.59 ACRES, MORE OR LESS.

SUBJECT TO EASEMENTS, RESERVATIONS AND RESTRICTIONS OF RECORD.



First American

First American Title Insurance Company

**8109 W Grandridge Blvd, Suite 110
Kennewick, WA 99336**

January 30, 2021

Darin Arrasmith
City of Richland
625 Swift Boulevard
Richland, WA 99352

Phone: (509) 942-7591

Fax:

Title Officer:	Kevin L. Howes
Phone:	(509)734-0771
Fax No.:	(866)907-4468
E-Mail:	Khowes@firstam.com
Order Number:	3669013

Escrow Number:	3669013
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Owner:	Pahlisch Homes at Horn Rapids Limited Partnership and City of Richland
Property:	3112 Village Parkway Richland, Washington 99354

Attached please find the following item(s):

Guarantee

Thank You for your confidence and support. We at First American Title Insurance Company maintain the fundamental principle:

Customer First!



First American

Guarantee

Subdivision Guarantee

ISSUED BY

First American Title Insurance Company

GUARANTEE NUMBER

5003353-3669013

SUBJECT TO THE EXCLUSIONS FROM COVERAGE, THE LIMITS OF LIABILITY AND THE CONDITIONS AND STIPULATIONS OF THIS GUARANTEE,

FIRST AMERICAN TITLE INSURANCE COMPANY

a Nebraska corporation, herein called the Company

GUARANTEES

the Assured named in Schedule A against actual monetary loss or damage not exceeding the liability stated in Schedule A, which the Assured shall sustain by reason of any incorrectness in the assurances set forth in Schedule A.

First American Title Insurance Company

Dennis J. Gilmore, President

Greg L. Smith, Secretary

This jacket was created electronically and constitutes an original document

SCHEDULE OF EXCLUSIONS FROM COVERAGE OF THIS GUARANTEE

1. Except to the extent that specific assurances are provided in Schedule A of this Guarantee, the Company assumes no liability for loss or damage by reason of the following:
 - (a) Defects, liens, encumbrances, adverse claims or other matters against the title, whether or not shown by the public records.
 - (b) (1) Taxes or assessments of any taxing authority that levies taxes or assessments on real property; or, (2) Proceedings by a public agency which may result in taxes or assessments, or notices of such proceedings, whether or not the matters excluded under (1) or (2) are shown by the records of the taxing authority or by the public records.
 - (c) (1) Unpatented mining claims; (2) reservations or exceptions in patents or in Acts authorizing the issuance thereof; (3) water rights, claims or title to water, whether or not the matters excluded under (1), (2) or (3) are shown by the public records.
2. Notwithstanding any specific assurances which are provided in Schedule A of this Guarantee, the Company assumes no liability for loss or damage by reason of the following:
 - (a) Defects, liens, encumbrances, adverse claims or other matters affecting the title to any property beyond the lines of the land expressly described in the description set forth in Schedule (A), (C) or in Part 2 of this Guarantee, or title to streets, roads, avenues, lanes, ways or waterways to which such land abuts, or the right to maintain therein vaults, tunnels, ramps or any structure or improvements; or any rights or easements therein, unless such property, rights or easements are expressly and specifically set forth in said description.
 - (b) Defects, liens, encumbrances, adverse claims or other matters, whether or not shown by the public records; (1) which are created, suffered, assumed or agreed to by one or more of the Assureds; (2) which result in no loss to the Assured; or (3) which do not result in the invalidity or potential invalidity of any judicial or non-judicial proceeding which is within the scope and purpose of the assurances provided.
 - (c) The identity of any party shown or referred to in Schedule A.
 - (d) The validity, legal effect or priority of any matter shown or referred to in this Guarantee.

GUARANTEE CONDITIONS AND STIPULATIONS

1. Definition of Terms.

The following terms when used in the Guarantee mean:

- (a) the "Assured": the party or parties named as the Assured in this Guarantee, or on a supplemental writing executed by the Company.
- (b) "land": the land described or referred to in Schedule (A)(C) or in Part 2, and improvements affixed thereto which by law constitute real property. The term "land" does not include any property beyond the lines of the area described or referred to in Schedule (A)(C) or in Part 2, nor any right, title, interest, estate or easement in abutting streets, roads, avenues, alleys, lanes, ways or waterways.
- (c) "mortgage": mortgage, deed of trust, trust deed, or other security instrument.
- (d) "public records": records established under state statutes at Date of Guarantee for the purpose of imparting constructive notice of matters relating to real property to purchasers for value and without knowledge.
- (e) "date": the effective date.

2. Notice of Claim to be Given by Assured Claimant.

An Assured shall notify the Company promptly in writing in case knowledge shall come to an Assured hereunder of any claim of title or interest which is adverse to the title to the estate or interest, as stated herein, and which might cause loss or damage for which the Company may be liable by virtue of this Guarantee. If prompt notice shall not be given to the Company, then all liability of the Company shall terminate with regard to the matter or matters for which prompt notice is required; provided, however, that failure to notify the Company shall in no case prejudice the rights of any Assured unless the Company shall be prejudiced by the failure and then only to the extent of the prejudice.

3. No Duty to Defend or Prosecute.

The Company shall have no duty to defend or prosecute any action or proceeding to which the Assured is a party, notwithstanding the nature of any allegation in such action or proceeding.

4. Company's Option to Defend or Prosecute Actions; Duty of Assured Claimant to Cooperate.

Even though the Company has no duty to defend or prosecute as set forth in Paragraph 3 above:

- (a) The Company shall have the right, at its sole option and cost, to institute and prosecute any action or proceeding, interpose a defense, as limited in (b), or to do any other act which in its opinion may be necessary or desirable to establish the title to the estate or interest as stated herein, or to establish the lien rights of the Assured, or to prevent or reduce loss or damage to the Assured. The Company may take any appropriate action under the terms of this Guarantee, whether or not it shall be liable hereunder, and shall not thereby concede liability or waive any provision of this Guarantee. If the Company shall exercise its rights under this paragraph, it shall do so diligently.
- (b) If the Company elects to exercise its options as stated in Paragraph 4(a) the Company shall have the right to select counsel of its choice (subject to the right of such Assured to object for reasonable cause) to represent the Assured and shall not be liable for and will not pay the fees of any other counsel, nor will the Company pay any fees, costs or expenses incurred by an Assured in the defense of those causes of action which allege matters not covered by this Guarantee.
- (c) Whenever the Company shall have brought an action or interposed a defense as permitted by the provisions of this Guarantee, the Company may pursue any litigation to final determination by a court of competent jurisdiction and expressly reserves the right, in its sole discretion, to appeal from an adverse judgment or order.
- (d) In all cases where this Guarantee permits the Company to prosecute or provide for the defense of any action or proceeding, an Assured shall secure to the Company the right to so prosecute or provide for the defense of any action or proceeding, and all appeals therein, and permit the Company to use, at its option, the name of such Assured for this purpose. Whenever requested by the Company, an Assured, at the Company's expense, shall give the Company all

GUARANTEE CONDITIONS AND STIPULATIONS (Continued)

reasonable aid in any action or proceeding, securing evidence, obtaining witnesses, prosecuting or defending the action or lawful act which in the opinion of the Company may be necessary or desirable to establish the title to the estate or interest as stated herein, or to establish the lien rights of the Assured. If the Company is prejudiced by the failure of the Assured to furnish the required cooperation, the Company's obligations to the Assured under the Guarantee shall terminate.

5. Proof of Loss or Damage.

In addition to and after the notices required under Section 2 of these Conditions and Stipulations have been provided to the Company, a proof of loss or damage signed and sworn to by the Assured shall be furnished to the Company within ninety (90) days after the Assured shall ascertain the facts giving rise to the loss or damage. The proof of loss or damage shall describe the matters covered by this Guarantee which constitute the basis of loss or damage and shall state, to the extent possible, the basis of calculating the amount of the loss or damage. If the Company is prejudiced by the failure of the Assured to provide the required proof of loss or damage, the Company's obligation to such assured under the Guarantee shall terminate. In addition, the Assured may reasonably be required to submit to examination under oath by any authorized representative of the Company and shall produce for examination, inspection and copying, at such reasonable times and places as may be designated by any authorized representative of the Company, all records, books, ledgers, checks, correspondence and memoranda, whether bearing a date before or after Date of Guarantee, which reasonably pertain to the loss or damage. Further, if requested by any authorized representative of the Company, the Assured shall grant its permission, in writing, for any authorized representative of the Company to examine, inspect and copy all records, books, ledgers, checks, correspondence and memoranda in the custody or control of a third party, which reasonably pertain to the loss or damage. All information designated as confidential by the Assured provided to the Company pursuant to this Section shall not be disclosed to others unless, in the reasonable judgment of the Company, it is necessary in the administration of the claim. Failure of the Assured to submit for examination under oath, produce other reasonably requested information or grant permission to secure reasonably necessary information from third parties as required in the above paragraph, unless prohibited by law or governmental regulation, shall terminate any liability of the Company under this Guarantee to the Assured for that claim.

6. Options to Pay or Otherwise Settle Claims: Termination of Liability.

In case of a claim under this Guarantee, the Company shall have the following additional options:

- (a) To Pay or Tender Payment of the Amount of Liability or to Purchase the Indebtedness.
- The Company shall have the option to pay or settle or compromise for or in the name of the Assured any claim which could result in loss to the Assured within the coverage of this Guarantee, or to pay the full amount of this Guarantee or, if this Guarantee is issued for the benefit of a holder of a mortgage or a lienholder, the Company shall have the option to purchase the

indebtedness secured by said mortgage or said lien for the amount owing thereon, together with any costs, reasonable attorneys' fees and expenses incurred by the Assured claimant which were authorized by the Company up to the time of purchase.

Such purchase, payment or tender of payment of the full amount of the Guarantee shall terminate all liability of the Company hereunder. In the event after notice of claim has been given to the Company by the Assured the Company offers to purchase said indebtedness, the owner of such indebtedness shall transfer and assign said indebtedness, together with any collateral security, to the Company upon payment of the purchase price.

Upon the exercise by the Company of the option provided for in Paragraph (a) the Company's obligation to the Assured under this Guarantee for the claimed loss or damage, other than to make the payment required in that paragraph, shall terminate, including any obligation to continue the defense or prosecution of any litigation for which the Company has exercised its options under Paragraph 4, and the Guarantee shall be surrendered to the Company for cancellation.

- (b) To Pay or Otherwise Settle With Parties Other Than the Assured or With the Assured Claimant.

To pay or otherwise settle with other parties for or in the name of an Assured claimant any claim assured against under this Guarantee, together with any costs, attorneys' fees and expenses incurred by the Assured claimant which were authorized by the Company up to the time of payment and which the Company is obligated to pay.

Upon the exercise by the Company of the option provided for in Paragraph (b) the Company's obligation to the Assured under this Guarantee for the claimed loss or damage, other than to make the payment required in that paragraph, shall terminate, including any obligation to continue the defense or prosecution of any litigation for which the Company has exercised its options under Paragraph 4.

7. Determination and Extent of Liability.

This Guarantee is a contract of Indemnity against actual monetary loss or damage sustained or incurred by the Assured claimant who has suffered loss or damage by reason of reliance upon the assurances set forth in this Guarantee and only to the extent herein described, and subject to the Exclusions From Coverage of This Guarantee.

The liability of the Company under this Guarantee to the Assured shall not exceed the least of:

- (a) the amount of liability stated in Schedule A or in Part 2;
- (b) the amount of the unpaid principal indebtedness secured by the mortgage of an Assured mortgagee, as limited or provided under Section 6 of these Conditions and Stipulations or as reduced under Section 9 of these Conditions and Stipulations, at the time the loss or damage assured against by this Guarantee occurs, together with interest thereon; or
- (c) the difference between the value of the estate or interest covered hereby as stated herein and the value of the estate or interest subject to any defect, lien or encumbrance assured against by this Guarantee.

8. Limitation of Liability.

- (a) If the Company establishes the title, or removes the alleged defect, lien or encumbrance, or cures any other matter assured against by this Guarantee in a reasonably diligent manner by

GUARANTEE CONDITIONS AND STIPULATIONS (Continued)

any method, including litigation and the completion of any appeals therefrom, it shall have fully performed its obligations with respect to that matter and shall not be liable for any loss or damage caused thereby.

- (b) In the event of any litigation by the Company or with the Company's consent, the Company shall have no liability for loss or damage until there has been a final determination by a court of competent jurisdiction, and disposition of all appeals therefrom, adverse to the title, as stated herein.
- (c) The Company shall not be liable for loss or damage to any Assured for liability voluntarily assumed by the Assured in settling any claim or suit without the prior written consent of the Company.

9. Reduction of Liability or Termination of Liability.

All payments under this Guarantee, except payments made for costs, attorneys' fees and expenses pursuant to Paragraph 4 shall reduce the amount of liability pro tanto.

10. Payment of Loss.

- (a) No payment shall be made without producing this Guarantee for endorsement of the payment unless the Guarantee has been lost or destroyed, in which case proof of loss or destruction shall be furnished to the satisfaction of the Company.
- (b) When liability and the extent of loss or damage has been definitely fixed in accordance with these Conditions and Stipulations, the loss or damage shall be payable within thirty (30) days thereafter.

11. Subrogation Upon Payment or Settlement.

Whenever the Company shall have settled and paid a claim under this Guarantee, all right of subrogation shall vest in the Company unaffected by any act of the Assured claimant. The Company shall be subrogated to and be entitled to all rights and remedies which the Assured would have had against any person or property in respect to the claim had this Guarantee not been issued. If requested by the Company, the Assured shall transfer to the Company all rights and remedies against any person or property necessary in order to perfect this right of subrogation. The Assured shall permit the Company to sue, compromise or settle in the name of the Assured and to use the name of the Assured in any transaction or litigation involving these rights or remedies. If a payment on account of a claim does not fully cover the loss of the Assured the Company shall be subrogated to all rights and remedies of the Assured after the Assured shall have recovered its principal, interest, and costs of collection.

12. Arbitration.

Unless prohibited by applicable law, either the Company or the Assured may demand arbitration pursuant to the Title Insurance Arbitration Rules of the American Land Title Association. Arbitrable matters may include, but are not limited to, any controversy or claim between the Company and the Assured arising out of or relating to this Guarantee, any service of the Company in connection with its issuance or the breach of a Guarantee provision or other obligation. All arbitrable matters when the Amount of Liability is \$2,000,000 or less shall be arbitrated at the option of either the Company or the Assured. All arbitrable matters when the amount of liability is in excess of \$2,000,000 shall be arbitrated only when agreed to by both the Company and the Assured. The Rules in effect at Date of Guarantee shall be binding upon the parties. The award may include attorneys' fees only if the laws of the state in which the land is located permits a court to award attorneys' fees to a prevailing party. Judgment upon the award rendered by the Arbitrator(s) may be entered in any court having jurisdiction thereof.

The law of the situs of the land shall apply to an arbitration under the Title Insurance Arbitration Rules.

A copy of the Rules may be obtained from the Company upon request.

13. Liability Limited to This Guarantee; Guarantee Entire Contract.

- (a) This Guarantee together with all endorsements, if any, attached hereto by the Company is the entire Guarantee and contract between the Assured and the Company. In interpreting any provision of this Guarantee, this Guarantee shall be construed as a whole.
- (b) Any claim of loss or damage, whether or not based on negligence, or any action asserting such claim, shall be restricted to this Guarantee.
- (c) No amendment of or endorsement to this Guarantee can be made except by a writing endorsed hereon or attached hereto signed by either the President, a Vice President, the Secretary, an Assistant Secretary, or validating officer or authorized signatory of the Company.

14. Notices, Where Sent.

All notices required to be given the Company and any statement in writing required to be furnished the Company shall include the number of this Guarantee and shall be addressed to the Company at **First American Title Insurance Company, Attn: Claims National Intake Center, 1 First American Way, Santa Ana, California 92707 Claims.NIC@firstam.com Phone: 888-632-1642 Fax: 877-804-7606**



First American Title



First American

Schedule A

Subdivision Guarantee

ISSUED BY

First American Title Insurance Company

GUARANTEE NUMBER

3669013

Order No.: 3669013

Liability: \$2,000.00

Fee: \$350.00

Tax: \$30.10

Name of Assured: City of Richland

Date of Guarantee: January 27, 2021 @ 8:00am

The assurances referred to on the face page hereof are:

1. Title is vested in:

Pahlisch Homes at Horn Rapids Limited Partnership, an Oregon limited partnership, as to Parcel A and the City of Richland, a municipal corporation of the State of Washington, as to Parcel B

2. That, according to the public records relative to the land described in Schedule C attached hereto (including those records maintained and indexed by name), there are no other documents affecting title to said land or any portion thereof, other than those shown under Record Matters in Schedule B.

3. The following matters are excluded from the coverage of this Guarantee

- A. Unpatented Mining Claims, reservations or exceptions in patents or in acts authorizing the issuance thereof.
- B. Water rights, claims or title to water.
- C. Tax Deeds to the State of Washington.
- D. Documents pertaining to mineral estates.

4. No guarantee is given nor liability assumed with respect to the validity, legal effect or priority of any matter shown herein.

5. This Guarantee is restricted to the use of the Assured for the purpose of providing title evidence as may be required when subdividing land pursuant to the provisions of Chapter 58.17, R.C.W., and the local regulations and ordinances adopted pursuant to said statute. It is not to be used as a basis for closing any transaction affecting title to said property.

6. Any sketch attached hereto is done so as a courtesy only and is not part of any title commitment, guarantee or policy. It is furnished solely for the purpose of assisting in locating the premises and First American expressly disclaims any liability which may result from reliance made upon it.



First American

Schedule B

Subdivision Guarantee

ISSUED BY

First American Title Insurance Company

GUARANTEE NUMBER

3669013

RECORD MATTERS

1. General taxes and assessments, if any, for the year 2021, in an amount not yet available, which cannot be paid until the **15th day of February** of said year.
Tax Account No.: 120083020005000

Assessed Land Value: \$ 70,000.00
Assessed Improvement Value: \$ 0.00
2. General taxes and assessments, if any, for the year 2021, in an amount not yet available, which cannot be paid until the **15th day of February** of said year.
Tax Account No.: 120083000009013 (IOP)
1st Half
Assessed Value of Land: \$ 1,033,820.00
Assessed Value of Improvement: \$ 0.00
2nd Half
Assessed Value of Land: \$ 1,033,820.00
Assessed Value of Improvement: \$ 0.00
3. Provisions of the Articles of Incorporation and By-Laws of the **Horn Rapids Master Homeowners**, and any tax, fee, assessments or charges as may be levied by said association.
Recorded: October 11, 2019

Recording No.: [2019-031435](#)
4. Any claim to (a) ownership of or rights to minerals and similar substances, including but not limited to ores, metals, coal, lignite, oil, gas, uranium, clay, rock sand, and gravel located in, on, or under the Land or produced from the Land, whether such ownership or rights arise by lease, grant, exception, conveyance, reservation, or otherwise; and (b) any rights, privileges, immunities, rights of way, and easements associated therewith or appurtenant thereto, whether or not the interests or rights excepted in (a) or (b) appear in the Public Records.
5. Reservations contained in Deed:
Executed By: United States of America
Recorded: March 16, 1987
Recording Information: [87-4170](#)
As Follows:

SUBJECT TO a 100-foot wide easement for said canal, being 50 feet on each side of the center line of said canal as it now exists.
6. Relinquishment of right to access to State Highway and of light, view and air, under terms of Deed to the State of Washington except as therein provided.

7. Reservations contained in Deed:
Executed By: United States of America
Recorded: October 2, 1991
Recording Information: [91-17968](#)
As Follows:

A right-of-way thereon for ditches or canals constructed by the authority of the United States. Act of August 30, 1890 (43 U.S.C. 945); and All mineral deposits in the land so patented, and to it, or persons authorized by it, the right to prospect for, mine, and remove such deposits from the same under applicable law.

Our title examination does not include the present ownership of the above reserved mineral rights.

8. Road and Utilities Easement Agreement and the terms and conditions thereof:
Between: Columbia Golf Associates, The City of Richland
And: Horn Rapids Land Development
Recording Information: [2002-028629](#)

9. Road and Utilities Easement Agreement and the terms and conditions thereof:
Between: Columbia Golf Associates, The City of Richland
And: Columbia Triangle Venture
Recording Information: [2002-028630](#)

10. Covenants, conditions, restrictions and/or easements; but deleting any covenant, condition or restriction indicating a preference, limitation or discrimination based on race, color, religion, sex, handicap, family status, or national origin to the extent such covenants, conditions or restrictions violate Title 42, Section 3604(c), of the United States Codes:
Recording Information: [94-18376](#)

Amendment thereto recorded under [2001-021610](#), [2003-061197](#), [2005-026398](#), [2005-030827](#), [2007-022828](#), [2011-024381](#), [2016-006290](#), a re-record of [2016-006215](#), [2018-002298](#) and [2019-008940](#).

11. Drainage Easement Agreement and the terms and conditions thereof:
Between: Columbia Golf Associates
And: Columbia Triangle Venture, The City of Richland, Horn Rapids Land Development
Recording Information: [2002-028631](#)

12. Emergency Access and Utilities Easement Agreement and the terms and conditions thereof:
Between: Columbia Golf Associates
And: The City of Richland
Recording Information: [2002-028632](#)

13. Sewer Easement Agreement and the terms and conditions thereof:
Between: Columbia Golf Associates, Horn Rapids Land Development
And: Horn Rapids Land Development, The City of Richland
Recording Information: [2002-028633](#)

14. Sewer Easement Agreement and the terms and conditions thereof:
Between: Columbia Golf Associates
And: The City of Richland
Recording Information: [2002-028634](#)
15. Sewer Easement Agreement and the terms and conditions thereof:
Between: Columbia Golf Associates
And: The City of Richland, Horn Rapids Land Development
Recording Information: [2002-028635](#)
16. Sewer and Water Easement Agreement and the terms and conditions thereof:
Between: Columbia Golf Associates
And: Columbia Triangle Venture, The City of Richland
Recording Information: [2002-028636](#)

Amendment thereto recorded under [2017-002344](#).

17. Sewer and Water Easement Agreement and the terms and conditions thereof:
Between: Columbia Golf Associates
And: Columbia Triangle Venture, The City of Richland
Recording Information: [2002-028637](#)
18. Sewer and Water Easement Agreement and the terms and conditions thereof:
Between: Columbia Golf Associates
And: Columbia Triangle Venture, The City of Richland
Recording Information: [2002-028638](#)

Amendment thereto recorded under [2017-002345](#).

19. Water Easement Agreement and the terms and conditions thereof:
Between: Columbia Golf Associates, Horn Rapids Land Development
And: The City of Richland, Horn Rapids Land Development
Recording Information: [2002-028639](#)
20. Water Easement Agreement and the terms and conditions thereof:
Between: Columbia Golf Associates, The City of Richland
And: Columbia Triangle Venture, Horn Rapids Land Development
Recording Information: [2002-028640](#)
21. Electrical and Water Easement Agreement and the terms and conditions thereof:
Between: Columbia Golf Associates, The City of Richland
And: Columbia Triangle Venture, Horn Rapids Land Development, The City of Richland
Recording Information: [2002-028641](#)

22. Any and all offers of dedication, conditions, restrictions, easements, boundary discrepancies or encroachments, notes and/or provisions shown or disclosed by Record Survey No. 3935 recorded under recording number [2008-029833](#).
23. Any and all offers of dedication, conditions, restrictions, easements, boundary discrepancies or encroachments, notes and/or provisions shown or disclosed by the Plat of Quail Ridge Phase 1 & 2 recorded in [Volume 15 of Plats, Page\(s\) 680](#).

24. Any and all offers of dedication, conditions, restrictions, easements, boundary discrepancies or encroachments, notes and/or provisions shown or disclosed by Record Survey No. 5052 recorded under recording number [2018-023978](#).
25. Relinquishment of right to access to State Highway and of light, view and air, under terms of Deed to the State of Washington except as therein provided.
Recorded: April 3, 2018
Recording Information: [2018-009303](#)
Affects: Parcel B

Informational Notes, if any



First American

Schedule C

Subdivision Guarantee

ISSUED BY

First American Title Insurance Company

GUARANTEE NUMBER

3669013

The land in the County of Benton, State of Washington, described as follows:

Parcel A

TRACT E, QUAIL RIDGE PHASE 1 & 2, ACCORDING TO THE PLAT THEREOF RECORDED IN [VOLUME 15 OF PLATS, PAGE 680](#), RECORDS OF BENTON COUNTY, WASHINGTON.

Parcel B

THAT PORTION OF SECTION 20, TOWNSHIP 10 NORTH, RANGE 28 EAST, W.M., IN THE CITY OF RICHLAND, BENTON COUNTY, WASHINGTON, LYING WITHIN THE FOLLOWING DESCRIBED PARCEL;

THOSE PORTIONS OF SECTIONS 19, 20, AND 29, TOWNSHIP 10 NORTH, RANGE 28 EAST, W.M. IN THE CITY OF RICHLAND, BENTON COUNTY, WASHINGTON MORE PARTICULARLY DESCRIBED AS FOLLOWS; BEGINNING AT THE NORTHWEST CORNER OF SAID SECTION 28, THENCE NORTH 89° 22' 08" EAST ALONG THE NORTH LINE OF SAID SECTION 28 A DISTANCE OF 210.81 FEET MORE OR LESS TO THE SOUTHWESTERLY RIGHT OF WAY LINE FOR STATE ROUTE 240, THENCE THE FOLLOWING COURSES AND DISTANCES ALONG SAID SOUTHWESTERLY RIGHT OF WAY; THENCE NORTH 52° 35' 15" WEST A DISTANCE OF 232.06 FEET; THENCE NORTH 37° 24' 45" EAST 10.00 FEET; THENCE NORTH 52° 35' 15" WEST A DISTANCE OF 1912.81 FEET TO THE TRUE POINT OF BEGINNING; THENCE CONTINUING NORTH 52° 35' 15" WEST A DISTANCE OF 3487.19 FEET; THENCE SOUTH 37° 24' 45" WEST A DISTANCE OF 5.00 FEET; THENCE NORTH 52° 35' 15" WEST A DISTANCE OF 300.00 FEET; THENCE NORTH 37° 24' 45" EAST A DISTANCE OF 5.00 FEET; THENCE NORTH 52° 35' 15" WEST A DISTANCE OF 980.00 FEET; THENCE SOUTH 82° 24' 45" WEST A DISTANCE OF 67.39 FEET; THENCE NORTH 64° 28' 10" WEST A DISTANCE OF 19.99 FEET TO A POINT ON A CURVE, THE CENTER OF WHICH BEARS SOUTH 64° 28' 10" EAST; THENCE SOUTHERLY ALONG AN ARC OF A CURVE TO THE LEFT LEAVING SAID SOUTHWESTERLY RIGHT OF WAY, ALONG SAID CURVE HAVING A RADIUS OF 130 FEET THROUGH A CENTRAL ANGLE OF 47° 57' 50" A DISTANCE OF 108.83, TO A POINT ON THE EASTERLY RIGHT OF WAY OF TWIN BRIDGES ROAD (FORMERLY GROSSCUP ROAD); THE FOLLOWING COURSES ARE ALONG THE EASTERLY RIGHT OF WAY; THENCE SOUTH 22° 26' 00" EAST A DISTANCE OF 199.08 FEET TO A POINT OF CURVE, THENCE SOUTHERLY ALONG AN ARC OF A CURVE TO THE RIGHT SAID CURVE HAVING A RADIUS OF 1020.04 FEET THROUGH A CENTRAL ANGLE OF 23° 23' 16" A DISTANCE OF 416.38 FEET; THENCE SOUTH 00° 57' 16" WEST A DISTANCE OF 1173.86 FEET; THENCE SOUTH 00° 58' 00" WEST A DISTANCE OF 92.60 FEET TO A POINT OF CURVE, THENCE SOUTHERLY ALONG AN ARC OF A CURVE TO THE RIGHT, SAID CURVE HAVING A RADIUS OF 820.00 FEET THROUGH A CENTRAL ANGLE OF 47° 32' 00" A DISTANCE OF 680.29 FEET; THENCE SOUTH 48° 30' 00" WEST A DISTANCE OF 341.50 FEET; THENCE SOUTH 46° 17' 51" WEST A DISTANCE OF 83.01 FEET LEAVING SAID EASTERLY RIGHT OF WAY TO A POINT ON THE NORTHEASTERLY RIGHT OF WAY ON A 50 FOOT OFFSET FROM CENTERLINE AS BUILT LOCATION OF THE FORMER RICHLAND IRRIGATION DISTRICT CANAL REC. NO [87-4170](#), THE FOLLOWING COURSES ARE ALONG SAID NORTHEASTERLY RIGHT OF WAY; THENCE SOUTH 62° 36' 19" EAST A DISTANCE OF 18.03 FEET; THENCE SOUTH 61° 27' 57" EAST A DISTANCE OF 46.19 FEET; THENCE SOUTH 60° 26' 25" EAST A DISTANCE OF 62.98 FEET; THENCE SOUTH 61° 19' 14" EAST A DISTANCE OF 53.70 FEET; THENCE SOUTH 60° 36' 11" EAST A DISTANCE OF 53.98 FEET; THENCE SOUTH 62° 05' 07" EAST A DISTANCE OF 54.02 FEET; THENCE SOUTH 59° 37' 54" EAST A DISTANCE OF 53.11 FEET; THENCE SOUTH 59° 54' 21" EAST A DISTANCE OF 54.41 FEET; THENCE SOUTH 56° 12' 24" EAST A DISTANCE OF 58.03 FEET; THENCE SOUTH 49° 26' 17" EAST A DISTANCE OF 62.71 FEET; THENCE SOUTH 43° 38' 23" EAST A DISTANCE OF 57.28 FEET; THENCE SOUTH 39° 37' 50" EAST A DISTANCE OF 59.14 FEET; THENCE SOUTH 33° 13' 45" EAST A DISTANCE OF 60.86 FEET; THENCE SOUTH 30° 51' 34" EAST A DISTANCE OF 52.53 FEET; THENCE SOUTH 37° 15' 55" EAST A

DISTANCE OF 46.10 FEET; THENCE SOUTH 45° 03' 33" EAST A DISTANCE OF 48.94 FEET; THENCE SOUTH 45° 28' 16" EAST A DISTANCE OF 52.66 FEET; THENCE SOUTH 46° 42' 18" EAST A DISTANCE OF 46.15 FEET; THENCE SOUTH 53° 21' 50" EAST A DISTANCE OF 56.40 FEET; THENCE SOUTH 64° 11' 51" EAST A DISTANCE OF 45.37 FEET; THENCE SOUTH 72° 50' 55" EAST A DISTANCE OF 43.97 FEET; THENCE SOUTH 79° 28' 10" EAST A DISTANCE OF 47.14 FEET; THENCE SOUTH 83° 51' 02" EAST A DISTANCE OF 59.60 FEET; THENCE SOUTH 84° 37' 07" EAST A DISTANCE OF 63.48 FEET; THENCE SOUTH 84° 04' 22" EAST A DISTANCE OF 53.15 FEET; THENCE SOUTH 84° 36' 26" EAST A DISTANCE OF 58.62 FEET; THENCE SOUTH 85° 23' 27" EAST A DISTANCE OF 56.01 FEET; THENCE SOUTH 82° 45' 59" EAST A DISTANCE OF 57.26 FEET; THENCE SOUTH 77° 43' 38" EAST A DISTANCE OF 59.19 FEET; THENCE SOUTH 72° 25' 38" EAST A DISTANCE OF 62.64 FEET; THENCE SOUTH 69° 51' 07" EAST A DISTANCE OF 57.93 FEET; THENCE SOUTH 37° 57' 51" EAST A DISTANCE OF 52.77 FEET; THENCE SOUTH 64° 03' 53" EAST A DISTANCE OF 73.65 FEET; THENCE SOUTH 61° 56' 11" EAST A DISTANCE OF 53.77 FEET; THENCE SOUTH 62° 01' 43" EAST A DISTANCE OF 54.05 FEET; THENCE SOUTH 58° 21' 37" EAST A DISTANCE OF 51.34 FEET; THENCE SOUTH 57° 08' 23" EAST A DISTANCE OF 52.63 FEET; THENCE SOUTH 54° 06' 59" EAST A DISTANCE OF 55.36 FEET; THENCE SOUTH 52° 41' 24" EAST A DISTANCE OF 56.61 FEET; THENCE SOUTH 47° 46' 03" EAST A DISTANCE OF 54.80 FEET; THENCE SOUTH 47° 59' 47" EAST A DISTANCE OF 58.61 FEET; THENCE SOUTH 43° 05' 20" EAST A DISTANCE OF 56.97 FEET; THENCE SOUTH 38° 45' 34" EAST A DISTANCE OF 57.36 FEET; THENCE SOUTH 36° 49' 24" EAST A DISTANCE OF 54.07 FEET; THENCE SOUTH 35° 36' 27" EAST A DISTANCE OF 55.96 FEET; THENCE SOUTH 31° 22' 31" EAST A DISTANCE OF 68.80 FEET; THENCE SOUTH 27° 18' 04" EAST A DISTANCE OF 54.39 FEET; THENCE SOUTH 26° 44' 39" EAST A DISTANCE OF 53.66 FEET; THENCE SOUTH 24° 09' 09" EAST A DISTANCE OF 52.73 FEET; THENCE SOUTH 23° 36' 33" EAST A DISTANCE OF 56.55 FEET; THENCE SOUTH 17° 48' 06" EAST A DISTANCE OF 52.86 FEET; THENCE SOUTH 16° 50' 19" EAST A DISTANCE OF 52.58 FEET; THENCE SOUTH 18° 53' 38" EAST A DISTANCE OF 53.84 FEET; THENCE SOUTH 18° 11' 20" EAST A DISTANCE OF 54.75 FEET; THENCE SOUTH 18° 17' 43" EAST A DISTANCE OF 56.07 FEET; THENCE SOUTH 15° 22' 47" EAST A DISTANCE OF 57.93 FEET; THENCE SOUTH 13° 17' 15" EAST A DISTANCE OF 57.95 FEET; THENCE SOUTH 03° 26' 56" EAST A DISTANCE OF 59.69 FEET; THENCE SOUTH 01° 05' 20" WEST A DISTANCE OF 62.80 FEET; THENCE SOUTH 07° 38' 49" WEST A DISTANCE OF 56.58 FEET; THENCE SOUTH 08° 22' 19" WEST A DISTANCE OF 67.21 FEET; THENCE SOUTH 14° 06' 37" WEST A DISTANCE OF 55.03 FEET; THENCE SOUTH 13° 06' 15" WEST A DISTANCE OF 51.38 FEET; THENCE SOUTH 14° 43' 37" WEST A DISTANCE OF 54.17 FEET; THENCE SOUTH 15° 58' 33" WEST A DISTANCE OF 53.36 FEET; THENCE SOUTH 15° 59' 46" WEST A DISTANCE OF 56.84 FEET; THENCE SOUTH 18° 29' 49" WEST A DISTANCE OF 56.52 FEET; THENCE SOUTH 19° 42' 21" WEST A DISTANCE OF 50.83 FEET; THENCE SOUTH 22° 06' 48" WEST A DISTANCE OF 59.21 FEET; THENCE SOUTH 24° 47' 36" WEST A DISTANCE OF 57.37 FEET; THENCE SOUTH 27° 20' 53" WEST A DISTANCE OF 56.37 FEET; THENCE SOUTH 32° 27' 28" WEST A DISTANCE OF 56.52 FEET THENCE SOUTH 35° 43' 55" WEST A DISTANCE OF 54.16 FEET; THENCE SOUTH 40° 44' 09" WEST A DISTANCE OF 53.78 FEET; THENCE SOUTH 44° 38' 37" WEST A DISTANCE OF 47.07 FEET; THENCE SOUTH 45° 45' 17" WEST A DISTANCE OF 55.08 FEET; THENCE SOUTH 42° 34' 58" WEST A DISTANCE OF 48.62 FEET; THENCE SOUTH 37° 49' 02" WEST A DISTANCE OF 59.06 FEET; THENCE SOUTH 24° 20' 25" WEST A DISTANCE OF 19.77 FEET; THENCE SOUTH 04° 42' 50" EAST A DISTANCE OF 3.83 FEET; THENCE SOUTH 32° 02' 09" EAST A DISTANCE OF 70.22 FEET; THENCE SOUTH 34° 43' 39" EAST A DISTANCE OF 53.73 FEET; THENCE SOUTH 31° 18' 38" EAST A DISTANCE OF 63.19 FEET; THENCE SOUTH 35° 06' 03" EAST A DISTANCE OF 24.61 FEET; THENCE SOUTH 33° 45' 12" EAST A DISTANCE OF 23.23 FEET; THENCE SOUTH 37° 39' 54" EAST A DISTANCE OF 24.18 FEET; THENCE SOUTH 53° 04' 12" EAST A DISTANCE OF 32.18 FEET; THENCE SOUTH 73° 11' 12" EAST A DISTANCE OF 45.95 FEET; THENCE SOUTH 76° 36' 27" EAST A DISTANCE OF 52.04 FEET; THENCE SOUTH 78° 21' 44" EAST A DISTANCE OF 53.40 FEET; THENCE SOUTH 74° 15' 36" EAST A DISTANCE OF 55.05 FEET; THENCE SOUTH 70° 39' 20" EAST A DISTANCE OF 54.62 FEET; THENCE SOUTH 66° 08' 24" EAST A DISTANCE OF 55.21 FEET; THENCE SOUTH 64° 25' 42" EAST A DISTANCE OF 54.33 FEET; THENCE SOUTH 62° 35' 24" EAST A DISTANCE OF 54.78 FEET; THENCE SOUTH 60° 10' 22" EAST A DISTANCE OF 53.75 FEET; THENCE SOUTH 60° 19' 35" EAST A DISTANCE OF 53.83 FEET; THENCE SOUTH 52° 08' 54" EAST A DISTANCE OF 57.42 FEET; THENCE SOUTH 49° 10' 37" EAST A DISTANCE OF 50.24 FEET; THENCE SOUTH 46° 50' 14" EAST A DISTANCE OF 114.96 FEET; THENCE SOUTH 43° 25' 00" EAST A DISTANCE OF 44.52 FEET; THENCE SOUTH 40° 07' 3" EAST A DISTANCE OF 56.38 FEET; THENCE NORTH 44° 20' 21" EAST A DISTANCE OF 113.30 FEET TO A POINT ON THE SOUTHERLY LINE OF PARCEL "B" AS DESCRIBED IN SWD AF#1996-006256, RECORDS OF BENTON COUNTY, WASHINGTON THE FOLLOWING COURSES ARE ALONG PARCEL "B"; THENCE NORTH 64° 31' 19" WEST A DISTANCE OF 159.23 FEET; THENCE NORTH 60° 52' 51" WEST A DISTANCE OF 721.93 FEET; THENCE NORTH 52° 24' 10" EAST A DISTANCE OF

1106.57 FEET; THENCE NORTH 57° 31' 24" EAST A DISTANCE OF 405.23 FEET; THENCE SOUTH 89° 34' 09" EAST A DISTANCE OF 747.48 FEET; THENCE SOUTH 24° 55' 37" EAST A DISTANCE OF 3.75 FEET LEAVING SAID SOUTHERLY LINE OF SAID PARCEL "B", TO A POINT ON THE NORTHWESTERLY LINE OF THE PLAT OF PRESTWICK AT HORN RAPIDS (RIVER PARK DRIVE), AS RECORDED IN VOLUME 14 OF PLATS ON PAGE 170 RECORD OF BENTON COUNTY, WASHINGTON; THENCE NORTH 64° 02' 25" EAST A DISTANCE OF 93.62 FEET ALONG SAID NORTHWESTERLY LINE TO A POINT ON THE NORTHERLY MARGIN OF SAID RIVER PARK DRIVE AND A NON-TANGENT POINT OF CURVE CONCAVE TO THE NORTHEAST HAVING A RADIAL BEARING ON NORTH 18° 25' 34" EAST AND A RADIUS OF 558.00 FEET; THENCE NORTHWESTERLY ALONG SAID CURVE 20.14 FEET THROUGH A CENTRAL ANGLE OF 02° 04' 03" AND A CHORD BEARING AND DISTANCE OF NORTH 70° 32' 24" WEST 20.14 FEET TO THE SOUTHWEST CORNER OF LOT 17 OF THE PLAT OF MAIDSTONE AT HORN RAPIDS AS RECORDED IN VOLUME 15 ON PAGE 36, RECORDS OF BENTON COUNTY, WASHINGTON; THENCE NORTH 15° 36' 34" EAST A DISTANCE OF 84.55 FEET ALONG THE NORTHWESTERLY LINE OF SAID PLAT OF MAIDSTONE, THE FOLLOWING COURSES ARE ALONG SAID NORTHWESTERLY LINE; THENCE NORTH 26° 17' 38" EAST A DISTANCE OF 80.93 FEET; THENCE NORTH 40° 08' 37" EAST A DISTANCE OF 80.74 FEET; THENCE NORTH 46° 09' 03" EAST A DISTANCE OF 451.28 FEET; THENCE NORTH 73° 25' 15" WEST A DISTANCE OF 829.57 FEET LEAVING SAID NORTHWESTERLY LINE OF SAID PLAT OF MAIDSTONE ALONG THE SOUTHERLY LINE OF PARCEL "A" OF SWD, SECOND CORRECTION AF#96-6256, RECORDS OF BENTON COUNTY, WASHINGTON THE FOLLOWING COURSES ARE ALONG SAID PARCEL "A"; THENCE SOUTH 76° 01' 32" WEST A DISTANCE OF 352.03 FEET; THENCE SOUTH 87° 59' 08" WEST A DISTANCE OF 592.45 FEET; THENCE NORTH 78° 30' 24" WEST A DISTANCE OF 487.33 FEET; THENCE NORTH 17° 41' 28" WEST A DISTANCE OF 448.14 FEET; THENCE NORTH 14° 02' 54" WEST A DISTANCE OF 699.54 FEET; THENCE NORTH 48° 39' 34" EAST A DISTANCE OF 764.34 FEET; THENCE SOUTH 68° 42' 46" EAST A DISTANCE OF 791.83 FEET; THENCE SOUTH 69° 57' 21" EAST A DISTANCE OF 250.95 FEET; THENCE NORTH 83° 26' 21" EAST A DISTANCE OF 562.80 FEET; THENCE NORTH 68° 15' 00" EAST A DISTANCE OF 273.37 FEET; TO A POINT ON THE SOUTHWESTERLY RIGHT OF WAY FOR STATE ROUTE 240 AND BACK TO THE TRUE POINT OF BEGINNING;

EXCEPT THAT PORTION DEFINED AS FOLLOWS;

THAT PORTION OF THE SOUTHEAST QUARTER OF SECTION 20 AND THAT PORTION OF THE NORTH HALF OF THE NORTHEAST QUARTER OF SECTION 29, TOWNSHIP 10 NORTH, RANGE 28 EAST, W.M. THE CITY OF RICHLAND, BENTON COUNTY, WASHINGTON;

DESCRIBED AS FOLLOWS; BEGINNING AT A 3-INCH BRASS CAP MARKING THE NORTHEAST CORNER OF THE NORTHEAST QUARTER OF SAID SECTION 29; THENCE SOUTH 86° 44' 38" WEST ALONG THE NORTH LINE OF THE NORTHEAST QUARTER OF SAID SECTION 29 FOR A DISTANCE OF 1504.67 FEET TO THE TRUE POINT OF BEGINNING; THENCE LEAVING THE NORTH LINE OF THE NORTHEAST QUARTER OF SAID SECTION 29, NORTH 89° 33' 31" WEST 626.63 FEET; THENCE SOUTH 76° 07' 32" WEST 237.83 FEET; THENCE SOUTH 00° 42' 18" WEST 701.84 FEET; THENCE SOUTH 84° 34' 08" EAST 489.13 FEET; THENCE SOUTHEASTERLY ALONG THE ARC OF A 641.00 FOOT RADIUS NON TANGENT CURVE TO THE LEFT (THE RADIUS OF WHICH BEARS NORTH 28° 36' 49" EAST); THROUGH A CENTRAL ANGLE OF 03° 02' 38" FOR AN ARC DISTANCE OF 34.05 FEET; THENCE NORTH 64° 02' 25" EAST 111.55 FEET TO THE NORTHERLY RIGHT OF WAY LINE OF RIVER PARK DRIVE SAID POINT BEING 42.00 NORTHERLY OF THE CENTER LINE OF SAID RIVER PARK DRIVE WHEN MEASURED AT RIGHT ANGLES OR RADIAL SAID POINT ALSO BEING ON THE SOUTH LINE OF LOT 17, MAIDSTONE AT HORN RAPIDS ACCORDING TO THE PLAT THEREOF, RECORDED IN VOLUME 15 OF PLATS, PAGE 36 RECORDS OF BENTON COUNTY, WASHINGTON; THENCE ALONG THE NORTHERLY RIGHT OF WAY LINE OF SAID RIVER PARK DRIVE AND SAID LOT 17; NORTHWESTERLY ALONG THE ARC OF A 558.00 FOOT RADIUS NON TANGENT CURVE TO THE RIGHT (THE RADIUS OF WHICH BEARS NORTH 18° 25' 32" EAST), THROUGH A CENTRAL ANGLE OF 02° 04' 23" FOR AN ARC DISTANCE OF 20.19 FEET TO THE SOUTHWEST CORNER OF SAID LOT 17 AND THE POINT OF TANGENCY THENCE LEAVING NORTHERLY RIGHT OF WAY LINE OF SAID RIVER PARK DRIVE AND CONTINUING TO FOLLOW SAID PLAT BOUNDARY THE FOLLOWING COURSES; THENCE NORTH 15° 36' 34" EAST 84.57 FEET; THENCE NORTH 26° 17' 38" EAST 80.93 FEET; THENCE NORTH 40° 08' 37" EAST 80.74 FEET; THENCE NORTH 46° 09' 03" EAST 595.22 FEET; THENCE LEAVING THE PLAT BOUNDARY OF SAID MAIDSTONE AT HORN RAPIDS, NORTH 53° 45' 39" WEST 222.36 FEET; THENCE NORTH 89° 33' 31" WEST 92.93 FEET TO THE TRUE POINT OF BEGINNING;

AND EXCEPT THAT PORTION DESCRIBED AS FOLLOWS;

BEGINNING AT THE SOUTHEAST CORNER OF SAID SECTION 20, THENCE NORTH 00° 30' 06" EAST 174.99 FEET TO THE SOUTHERLY RIGHT OF WAY LINE OF STATE ROUTE 240, SAID POINT BEING 75.00 FEET SOUTHERLY OF THE CENTER LINE THEREOF, WHEN MEASURED AT RIGHT ANGLES; THENCE ALONG THE SOUTHERLY RIGHT OF WAY LINE OF STATE ROUTE 240, NORTH 52° 35' 15" WEST 1873.74 FEET TO THE BOUNDARY OF THE COLUMBIA GOLF ASSOCIATES PARCEL AS DESCRIBED UNDER AF#2005-043675, RECORDS OF BENTON COUNTY, WASHINGTON; THENCE LEAVING THE SOUTHERLY RIGHT OF WAY LINE OF SAID STATE ROUTE 240 AND FOLLOWING THE BOUNDARY OF SAID COLUMBIA GOLF ASSOCIATED PARCEL THE FOLLOWING COURSES; THENCE SOUTH 68° 15' 00" WEST 273.38 FEET; THENCE SOUTH 83° 26' 21" WEST 10.46 FEET TO THE TRUE POINT OF BEGINNING,

THENCE CONTINUING SOUTH 83° 26' 21" WEST 552.34 FEET; THENCE NORTH 69° 57' 21" WEST 250.97 FEET; THENCE NORTH 68° 42' 46" WEST 791.83 FEET; THENCE LEAVING THE BOUNDARY OF SAID COLUMBIA GOLF ASSOCIATES PARCEL AND CONTINUING NORTH 68° 42' 46" WEST 979.66 FEET; THENCE NORTH 20° 42' 03" EAST 250.58 FEET; THENCE NORTH 69° 17' 57" WEST 768.43 FEET; THENCE NORTH 37° 24' 45" EAST 519.51 FEET; THENCE SOUTH 69° 17' 57" EAST 960.00 FEET; THENCE SOUTH 37° 24' 45" WEST 519.51 FEET; THENCE SOUTH 69° 17' 57" EAST 1019.21 FEET; THENCE SOUTHEASTERLY ALONG THE ARC OF A 542.00 FOOT RADIUS TANGENT CURVE TO THE LEFT (THE RADIUS OF WHICH BEARS NORTH 20° 42' 03" EAST) THROUGH A CENTRAL ANGLE OF 05° 11' 33" FOR AN ARC DISTANCE OF 49.12 FEET; THENCE SOUTH 74° 29' 30" EAST 268.02 FEET; THENCE SOUTHEASTERLY ALONG THE ARC OF A 458.00 FOOT RADIUS TANGENT CURVE TO THE RIGHT (THE RADIUS OF WHICH BEARS SOUTH 15° 30' 30" WEST) THROUGH A CENTRAL ANGLE OF 10° 08' 10" FOR AN ARC DISTANCE OF 81.03 FEET THENCE SOUTH 64° 21' 20" EAST 366.33 FEET; THENCE SOUTHEASTERLY ALONG THE ARC OF A 542.00 FOOT RADIUS TANGENT CURVE TO THE LEFT (THE RADIUS OF WHICH BEARS NORTH 25° 38' 40" EAST) THROUGH A CENTRAL ANGLE OF 07° 27' 25" FOR AN ARC DISTANCE OF 70.54 FEET; THENCE NORTH 37° 24' 45" EAST 371.06 FEET TO THE SOUTHERLY RIGHT OF WAY LINE OF SAID STATE ROUTE 240 SAID POINT BEING 75.00 FEET SOUTHERLY OF THE CENTER LINE THEREOF WHEN MEASURED AT RIGHT ANGLES; THENCE ALONG THE SOUTHERLY RIGHT OF WAY LINE OF SAID STATE ROUTE 240, SOUTH 52° 35' 15" EAST 440.45 FEET; THENCE LEAVING THE SOUTHERLY RIGHT OF WAY LINE OF SAID STATE ROUTE 240, SOUTH 37° 24' 45" WEST 242.00 FEET; THENCE SOUTH 52° 35' 15" EAST 11.76 FEET TO THE TRUE POINT OF BEGINNING.

AND ALSO EXCEPT THAT PORTION DESCRIBED AS FOLLOWS;

A PARCEL OF LAND LYING IN A PORTION OF THE NORTH HALF OF THE SOUTHWEST QUARTER AND THAT PORTION OF THE SOUTH HALF OF THE NORTHWEST QUARTER OF SECTION 20, TOWNSHIP 10 NORTH, RANGE 28 EAST, W.M. BENTON COUNTY, WASHINGTON, DESCRIBED AS FOLLOWS;

BEGINNING AT A 5/8 INCH IRON REBAR MARKING THE NORTHWEST CORNER OF THE SOUTHWEST QUARTER OF SAID SECTION 20 AS SHOWN IN RECORD OF SURVEY #4139, RECORDS IN VOLUME 1 OF SURVEYS, PAGE 4139, RECORDS OF BENTON COUNTY, WASHINGTON; THENCE NORTH 86° 43' 18" EAST ALONG THE NORTH LINE OF THE SOUTHWEST QUARTER OF SAID SECTION FOR A DISTANCE OF 751.33 FEET; THENCE LEAVING THE NORTH LINE OF THE SOUTHWEST QUARTER OF SAID SECTION 20, NORTH 62° 20' 10" WEST 257.09 FEET TO THE TRUE POINT OF BEGINNING OF THE PARCEL TO BE DESCRIBED;

THENCE SOUTH 37° 24' 45" WEST 54.79 FEET; THENCE NORTH 62° 20' 10" WEST 88.12 FEET; THENCE NORTH 37° 24' 45" EAST, 1092.62 FEET TO THE SOUTHERLY RIGHT OF WAY LINE OF STATE ROUTE 240, SAID POINT BEING 75.00 FEET SOUTHERLY OF THE CENTER LINE OF SAID STATE ROUTE 240 WHEN MEASURED AT RIGHT ANGLES; THENCE ALONG THE SOUTHERLY RIGHT OF WAY LINE OF SAID STATE ROUTE 240, SOUTH 52° 35' 15" EAST 1006.30 FEET; THENCE LEAVING THE SOUTHERLY RIGHT OF WAY LINE OF SAID STATE ROUTE 240, SOUTH 37° 24' 45" WEST 377.83 FEET; THENCE NORTH 69° 17' 57" WEST 960.00 FEET; THENCE SOUTH 37° 24' 45" WEST 369.01 FEET TO THE TRUE POINT OF BEGINNING;

AND ALSO EXCEPT THAT PORTION DESCRIBED AS FOLLOWS;

THAT PORTION OF THE SOUTHEAST QUARTER OF THE SOUTHEAST QUARTER OF SECTION 20,

TOWNSHIP 10 NORTH, RANGE 28 EAST, W.M. BENTON COUNTY, WASHINGTON DESCRIBED AS FOLLOWS; COMMENCING AT THE SOUTHEAST CORNER THEREOF; THENCE NORTH 00° 30' 06" EAST ALONG THE EAST LINE OF SAID SECTION FOR A DISTANCE OF 174.99 FEET TO THE SOUTHERLY MARGIN OF STATE ROUTE 240; THENCE NORTH 52° 35' 15" WEST ALONG THE SOUTHERLY MARGIN THEREOF FOR A DISTANCE OF 1873.74 FEET TO THE TRUE POINT OF BEGINNING;

THENCE CONTINUING NORTH 52° 35' 15" WEST ALONG THE SOUTHERLY MARGIN THEREOF FOR A DISTANCE OF 159.45 FEET; THENCE SOUTH 37° 24' 45" WEST FOR A DISTANCE OF 242.00 FEET; THENCE SOUTH 52° 35' 15" EAST FOR A DISTANCE OF 11.76 FEET TO THE INTERSECTION OF THE NORTHWEST LINE OF A PARCEL AS DESCRIBED AS TRACT 1 IN DEED RECORDED UNDER AF#2005-043675, RECORDS OF BENTON COUNTY, WASHINGTON; THENCE NORTHEASTERLY ALONG SAID NORTHWEST LINE THE FOLLOWING COURSES; THENCE NORTH 83° 26' 21" EAST FOR A DISTANCE OF 10.46 FEET; THENCE NORTH 68° 15' 00" EAST FOR A DISTANCE OF 273.38 FEET TO THE SOUTHERLY MARGIN THEREOF AND THE TRUE POINT OF BEGINNING;

AND ALSO EXCEPT THAT PORTION DESCRIBED AS FOLLOWS;

A PORTION OF THE SOUTHWEST QUARTER OF SECTION 20, TOWNSHIP 10 NORTH, RANGE 28 EAST, WILLAMETTE MERIDIAN, CITY OF RICHLAND, BENTON COUNTY, WASHINGTON DESCRIBED AS FOLLOWS:

BEGINNING AT THE SOUTHEAST CORNER OF THE SOUTHWEST QUARTER OF SAID SECTION 20, (FROM WHICH A STONE MARKING THE SOUTHWEST CORNER OF THE SOUTHWEST QUARTER OF SAID SECTION 20 BEARS SOUTH 86°44'38" WEST, 2650.30 FEET); THENCE SOUTH 86°44'38" WEST ALONG THE SOUTH LINE OF THE SOUTHWEST QUARTER OF SAID SECTION 20 FOR A DISTANCE OF 462.15 FEET; THENCE NORTH 78°30'24" WEST, 441.70 FEET; THENCE NORTH 17°47'28" WEST, 341.42 FEET TO THE TRUE POINT OF BEGINNING OF THE PARCEL TO BE DESCRIBED;

THENCE CONTINUING NORTH 17°47'28" WEST, 106.72 FEET; THENCE NORTH 14°02'54" WEST, 699.54 FEET; THENCE NORTH 48°39'34" EAST, 764.06 FEET; THENCE NORTH 68°42'46" WEST, 1016.38 FEET; THENCE SOUTH 23°10'55" WEST, 733.96 FEET; THENCE SOUTH 00°05'48" EAST, 554.49 FEET; THENCE SOUTHEASTERLY, ALONG THE ARC OF A 1245.00 FOOT RADIUS, NON-TANGENT CURVE TO THE RIGHT (THE RADIUS OF WHICH BEARS SOUTH 14°40'57" WEST) THROUGH A CENTRAL ANGLE OF 39°39'30" FOR AN ARC LENGTH OF 861.75 FEET, (THE LONG CHORD OF WHICH BEARS SOUTH 55°29'18" EAST, 844.65 FEET); THENCE NORTH 72°12'32" EAST, 176.21 FEET TO THE TRUE POINT OF BEGINNING AND THE END OF THIS LEGAL DESCRIPTION;

AND ALSO EXCEPT A PARCEL OF LAND LOCATED IN A PORTION OF THE NORTHWEST QUARTER OF THE SOUTHEAST QUARTER AND A PORTION OF THE NORTHEAST QUARTER OF THE SOUTHWEST QUARTER OF SECTION 20, TOWNSHIP 10 NORTH, RANGE 28 EAST, WILLAMETTE MERIDIAN, CITY OF RICHLAND, BENTON COUNTY, WASHINGTON DESCRIBED AS FOLLOWS:

BEGINNING AT THE BRASS CAP MARKING THE SOUTHEAST CORNER OF SAID SECTION 20, (FROM WHICH THE SOUTHWEST CORNER OF THE SOUTHEAST QUARTER OF SAID SECTION 20 BEARS SOUTH 86°44'38" WEST, 2650.30 FEET); THENCE NORTH 00°30'06" EAST, 174.99 FEET TO THE SOUTHERLY RIGHT-OF-WAY LINE OF STATE ROUTE 240, SAID POINT BEING 75.00 FEET SOUTHERLY OF THE CENTERLINE THEREOF, WHEN MEASURED AT RIGHT ANGLES; THENCE NORTH 52°35'15" WEST ALONG THE SOUTHERLY RIGHT-OF-WAY LINE OF SAID STATE ROUTE 240 FOR A DISTANCE OF 2473.61 FEET TO THE NORTHEAST CORNER OF THAT CERTAIN CITY OF RICHLAND PARCEL AS DESCRIBED UNDER AUDITOR'S FILE NO. [2005-026833](#), RECORDS OF BENTON COUNTY, WASHINGTON; THENCE LEAVING THE SOUTHERLY RIGHT-OF-WAY LINE OF SAID STATE ROUTE 240 ALONG THE BOUNDARY OF SAID CITY OF RICHLAND PARCEL THE FOLLOWING COURSES: THENCE SOUTH 37°24'45" WEST, 244.41 FEET TO THE TRUE POINT OF BEGINNING OF THE PARCEL TO BE DESCRIBED;

THENCE CONTINUING SOUTH 37°24'45" WEST, 126.65 FEET TO THE SOUTHEAST CORNER OF SAID CITY OF RICHLAND PARCEL, SAID POINT ALSO BEING AN INTERIOR CORNER OF THE PAHLISCH HOMES AT HORN RAPIDS LIMITED PARTNERSHIP PARCEL; THENCE ALONG THE COMMON BOUNDARY OF SAID CITY OF RICHLAND PARCEL AND SAID PAHLISCH HOMES AT HORN RAPIDS LIMITED PARTNERSHIP PARCEL THE FOLLOWING COURSES: THENCE NORTHWESTERLY, ALONG THE ARC OF A

542.00 RADIUS, NON-TANGENT CURVE TO THE RIGHT (THE RADIUS OF WHICH BEARS NORTH 18°11'15" EAST) THROUGH A CENTRAL ANGLE OF 07°27'25" FOR AN ARC LENGTH OF 70.54 FEET, (THE LONG CHORD OF WHICH BEARS NORTH 68°05'02" WEST, 70.49 FEET); THENCE NORTH 64°21'20" WEST, 366.33 FEET; THENCE NORTHWESTERLY, ALONG THE ARC OF A 458.00 FOOT RADIUS, TANGENT CURVE TO THE LEFT (THE RADIUS OF WHICH BEARS SOUTH 25°38'40" WEST) THROUGH A CENTRAL ANGLE OF 10°08'11" FOR AN ARC LENGTH OF 81.03 FEET, (THE LONG CHORD OF WHICH BEARS NORTH 69°25'25" WEST, 80.92 FEET); THENCE NORTH 74°29'30" WEST, 268.20 FEET; THENCE NORTHWESTERLY, ALONG THE ARC OF A 542.00 FOOT RADIUS, TANGENT CURVE TO THE RIGHT (THE RADIUS WHICH BEARS NORTH 15°30'30" EAST) THROUGH A CENTRAL ANGLE OF 05°11'33" FOR AN ARC LENGTH OF 49.12 FEET, (THE LONG CHORD OF WHICH BEARS NORTH 71°53'44" WEST, 49.10 FEET); THENCE NORTH 69°17'57" WEST, 1019.21 FEET; THENCE NORTH 37°24'45" EAST, 122.71 FEET; THENCE LEAVING THE COMMON BOUNDARY OF SAID CITY OF RICHLAND PARCEL AND SAID PAHLISCH HOMES AT HORN RAPIDS LIMITED PARTNERSHIP PARCEL, SOUTH 69°17'57" EAST, 983.92 FEET; THENCE SOUTHEASTERLY, ALONG THE ARC OF A 424.47 FOOT RADIUS, TANGENT CURVE TO THE LEFT (THE RADIUS OF WHICH BEARS NORTH 20°42'03" EAST) THROUGH A CENTRAL ANGLE OF 05°11'33" FOR AN ARC LENGTH OF 38.47 FEET, (THE LONG CHORD OF WHICH BEARS SOUTH 71°53'44" EAST, 38.46 FEET); THENCE SOUTH 74°29'30" EAST, 268.02 FEET; THENCE SOUTHEASTERLY, ALONG THE ARC OF A 575.53 FOOT RADIUS, TANGENT CURVE TO THE RIGHT (THE RADIUS WHICH BEARS SOUTH 15°15'30" WEST) THROUGH A CENTRAL ANGLE OF 10°08'11" FOR AN ARC LENGTH OF 101.82 FEET, (THE LONG CHORD OF WHICH BEARS SOUTH 69°25'25" EAST, 101.69 FEET); THENCE SOUTH 64°21'20" EAST, 366.33 FEET; THENCE SOUTHEASTERLY, ALONG THE ARC OF A 424.47 FOOT RADIUS, TANGENT CURVE TO THE LEFT (THE RADIUS OF WHICH BEARS NORTH 25°38'40" EAST) THROUGH A CENTRAL ANGLE OF 13°05'42" FOR AN ARC LENGTH OF 97.01 FEET, (THE LONG CHORD OF WHICH BEARS SOUTH 70°54'11" EAST, 96.80 FEET) TO THE TRUE POINT OF BEGINNING;

AND ALSO EXCEPT THAT A PORTION OF THOSE LANDS DESCRIBED IN DEED RECORDED UNDER BENTON COUNTY AUDITOR'S FILE NUMBER [2005-026833](#), LOCATED WITHIN THE WEST HALF OF THE SOUTHWEST QUARTER AND THE SOUTHWEST QUARTER OF THE NORTHWEST QUARTER OF SECTION 20, TOWNSHIP 10 NORTH, RANGE 28 EAST OF THE WILLAMETTE MERIDIAN, CITY OF RICHLAND, BENTON COUNTY, WASHINGTON, DESCRIBED MORE PARTICULARLY AS FOLLOWS:

COMMENCING AT THE SOUTH QUARTER CORNER OF SAID SECTION 20; THENCE SOUTH 86°44'33" WEST ALONG THE SOUTH LINE OF SAID SOUTHWEST QUARTER OF SECTION 20 A DISTANCE OF 2650.36 FEET TO THE SOUTHWEST CORNER THEREOF; THENCE NORTH 15°35'50" EAST A DISTANCE OF 1075.35 FEET TO A POINT BEING A 20.00 FOOT NORTHEASTERLY OFFSET FROM THE NORTHEASTERLY RIGHT OF WAY MARGIN OF THE FORMER RICHLAND IRRIGATION DISTRICT CANAL DESCRIBED IN DEED RECORDED UNDER BENTON COUNTY AUDITOR'S FILE NUMBER [87-4170](#), SAID POINT BEING THE TRUE POINT OF BEGINNING;

THENCE NORTH 06°27'23" EAST A DISTANCE OF 1658.90 FEET TO THE PARCEL BOUNDARIES OF THOSE LANDS DESCRIBED IN DEED RECORDED UNDER BENTON COUNTY AUDITOR'S FILE NUMBER [2019-008939](#); THENCE ALONG SAID PARCEL BOUNDARIES THE FOLLOWING COURSES:

THENCE SOUTH 69°18'04" EAST A DISTANCE OF 768.43 FEET; THENCE SOUTH 20°41'56" WEST A DISTANCE OF 250.58 FEET; THENCE NORTH 68°42'53" WEST A DISTANCE OF 36.72 FEET; THENCE SOUTH 23°10'48" WEST A DISTANCE OF 733.96 FEET; THENCE SOUTH 00°05'55" EAST A DISTANCE OF 554.53 FEET TO A POINT BEING A 20.00 FOOT NORTHEASTERLY OFFSET FROM SAID NORTHEASTERLY RIGHT OF WAY MARGIN OF THE FORMER RICHLAND IRRIGATION DISTRICT CANAL, SAID POINT BEING AN ARC OF A NON TANGENT CURVE TURNING TO THE LEFT, HAVING A RADIUS OF 1245.00 FEET; THE RADIUS POINT OF WHICH BEARS SOUTH 14°42'25" WEST; THENCE ALONG SAID CURVE AND LEAVING SAID PARCEL BOUNDARIES, HAVING AN ARC LENGTH OF 194.06 FEET, WITH A DELTA ANGLE OF 08°55'51", A CHORD BEARING OF NORTH 79°45'30" WEST, AND A CHORD LENGTH OF 193.87 FEET; THENCE ALONG SAID 20.00 FOOT NORTHEASTERLY OFFSET FROM SAID NORTHEASTERLY RIGHT OF WAY MARGIN OF THE FORMER RICHLAND IRRIGATION DISTRICT CANAL FOR FOLLOWING COURSES: THENCE NORTH 84°13'26" WEST A DISTANCE OF 238.59 FEET TO A POINT OF CURVATURE WITH A TANGENT CURVE TURNING TO THE RIGHT, HAVING A RADIUS OF 280.00 FEET; THENCE ALONG SAID CURVE, HAVING AN ARC LENGTH OF 68.33 FEET, WITH A DELTA ANGLE OF 13°58'57", A CHORD BEARING OF NORTH 77°13'57" WEST, AND A CHORD LENGTH OF 68.16 FEET TO THE TRUE POINT OF BEGINNING;

AND ALSO EXCEPT A PORTION OF THOSE LANDS DESCRIBED IN DEED RECORDED UNDER BENTON COUNTY AUDITOR'S FILE NUMBER [2005-026833](#), LOCATED WITHIN THE WEST HALF OF THE NORTHWEST QUARTER AND THE NORTHWEST QUARTER OF THE SOUTHWEST QUARTER OF SECTION 20, TOWNSHIP 10 NORTH, RANGE 28 EAST OF THE WILLAMETTE MERIDIAN, CITY OF RICHLAND, BENTON COUNTY, WASHINGTON, DESCRIBED MORE PARTICULARLY AS FOLLOWS:

COMMENCING AT THE WEST QUARTER CORNER OF SAID SECTION 20, MARKED BY A 5/8 INCH REBAR WITH YELLOW PLASTIC CAP INSCRIBED "LS 16216" IN CASE AT THE CENTERLINE OF TWIN BRIDGES ROAD, LOCATED NORTH 00°58'13" EAST A DISTANCE OF 2,641.70 FEET FROM THE SOUTHWEST CORNER OF SAID SECTION 20, MARKED BY A STONE WITH "X" IN IRRIGATION VALVE CASE NEAR THE INTERSECTION OF WEIDLE ROAD & E 811 PR NE AT FENCE CORNER; THENCE SOUTH 00°58'13" WEST ALONG THE WEST LINE OF SAID SECTION 20 A DISTANCE OF 348.32 FEET TO THE INTERSECTION WITH THE EAST MARGIN OF TWIN BRIDGES ROAD RIGHT OF WAY, DEDICATED PER CITY OF RICHLAND ORDINANCE NO. 18-10, PAGES 34 THROUGH 36 OF 38, RECORDED UNDER BENTON COUNTY AUDITOR'S FILE NUMBER 2010-020839 AND TRUE POINT OF BEGINNING;

THENCE SOUTH 00°58'13" WEST CONTINUING ALONG SAID WEST LINE OF SECTION 20 A DISTANCE OF 414.54 FEET TO A POINT ON THE ARC OF A NON TANGENT CURVE TURNING TO THE LEFT, HAVING A RADIUS OF 273.00 FEET; THE RADIUS POINT OF WHICH BEARS NORTH 38°47'20" EAST; THENCE ALONG SAID CURVE, HAVING AN ARC LENGTH OF 33.49 FEET, WITH A DELTA ANGLE OF 07°01'46", A CHORD BEARING OF SOUTH 54°43'33" EAST, AND A CHORD LENGTH OF 33.47 FEET TO A POINT OF REVERSE CURVATURE TURNING TO THE RIGHT, HAVING A RADIUS OF 1,058.00 FEET; THENCE ALONG SAID CURVE, HAVING AN ARC LENGTH OF 399.81 FEET, WITH A DELTA ANGLE OF 21°39'07", A CHORD BEARING OF SOUTH 47°24'53" EAST, AND A CHORD LENGTH OF 397.44 FEET TO THE INTERSECTION WITH THE WEST BOUNDARY OF THOSE LANDS DESCRIBED IN DEED RECORDED UNDER BENTON COUNTY AUDITOR'S FILE NUMBER 2020-000064;

THENCE NORTH 06°27'35" EAST ALONG SAID WEST BOUNDARY A DISTANCE OF 1,100.83 FEET TO THE INTERSECTION WITH THE WEST BOUNDARY OF TRACT F OF THE PLAT OF QUAIL RIDGE PHASE 1 & 2 RECORDED IN [VOLUME 15 OF PLATS AT PAGE 680](#) UNDER BENTON COUNTY AUDITOR'S FILE NUMBER 2020-025039;

THENCE NORTH 37°24'49" EAST ALONG SAID WEST BOUNDARY OF TRACT F A DISTANCE OF 95.71 FEET TO THE INTERSECTION WITH THE BOUNDARY OF THOSE LANDS DESCRIBED IN DEED RECORDED UNDER BENTON COUNTY AUDITOR'S FILE NUMBER 2011-023857;

THENCE NORTH 62°20'05" WEST ALONG SAID BOUNDARY A DISTANCE OF 88.12 FEET; THENCE NORTH 37°24'49" EAST CONTINUING ALONG SAID BOUNDARY A DISTANCE OF 1,092.61 FEET TO THE INTERSECTION WITH THE SOUTHWESTERLY EASEMENT MARGIN OF STATE ROUTE 240, ALSO KNOWN AS SECONDARY STATE HIGHWAY NO. 11-C, GRANTED PER DEED RECORDED UNDER BENTON COUNTY AUDITOR'S FILE NUMBER [573713](#), SAID SOUTHWESTERLY EASEMENT MARGIN BEING A 75.00 FOOT OFFSET FROM THE CENTERLINE THEREOF;

THENCE ALONG SAID SOUTHWESTERLY EASEMENT MARGIN THE FOLLOWING COURSES:

THENCE NORTH 52°35'11" WEST A DISTANCE OF 102.54 FEET;

THENCE SOUTH 37°24'49" WEST A DISTANCE OF 5.00 FEET TO AN 80.00 FOOT OFFSET FROM SAID CENTERLINE;

THENCE NORTH 52°35'11" WEST A DISTANCE OF 300.00 FEET;

THENCE NORTH 37°24'49" EAST A DISTANCE OF 5.00 FEET TO A 75.00 FOOT OFFSET FROM SAID CENTERLINE;

THENCE NORTH 52°35'11" WEST A DISTANCE OF 140.99 FEET;

THENCE SOUTH 37°24'49" WEST LEAVING SAID SOUTHWESTERLY EASEMENT MARGIN A DISTANCE OF

158.00 FEET;

THENCE NORTH 52°35'11" WEST A DISTANCE OF 35.74 FEET;

THENCE SOUTH 37°24'49" WEST A DISTANCE OF 329.00 FEET;

THENCE SOUTH 61°57'09" WEST A DISTANCE OF 27.75 FEET;

THENCE NORTH 89°02'49" WEST A DISTANCE OF 71.00 FEET;

THENCE SOUTH 00°57'11" WEST A DISTANCE OF 20.00 FEET;

THENCE NORTH 89°02'49" WEST A DISTANCE OF 167.00 FEET TO THE EAST MARGIN OF SAID TWIN BRIDGES ROAD RIGHT OF WAY, BEING A 40.00 FOOT OFFSET FROM THE CENTERLINE THEREOF;

THENCE ALONG SAID EAST RIGHT OF WAY MARGIN THE FOLLOWING COURSES:

THENCE SOUTH 00°57'11" WEST A DISTANCE OF 964.44 FEET;

THENCE SOUTH 00°58'13" WEST A DISTANCE OF 92.21 FEET TO A POINT OF CURVATURE WITH A TANGENT CURVE TURNING TO THE RIGHT, HAVING A RADIUS OF 840.00 FEET;

THENCE ALONG SAID CURVE, HAVING AN ARC LENGTH OF 260.27 FEET, WITH A DELTA ANGLE OF 17°45'10", A CHORD BEARING OF SOUTH 09°50'48" WEST, AND A CHORD LENGTH OF 259.23 FEET TO THE TRUE POINT OF BEGINNING.



February 19, 2021

Danielle Mullins, P.E., Economic Development
City of Richland
625 Swift Blvd
Richland, WA 99352

Regarding: Trip Generation Letter
Horn Rapids – Quail Ridge Comprehensive Plan Amendment
Southeast of Twin Bridges Road / SR 240 intersection
Richland, Washington 99354
PBS Project 66118.003

Dear Danielle Mullins:

This letter provides information on the estimated net new trips generated from the prior and current proposed land uses on a portion of the Horn Rapids – Quail Ridge site. The portion in question is located along the southwest side of State Route 240 (SR 240) between Twin Bridges Road and Village Parkway in Richland, Washington. The attached maps indicate the subject site. A comprehensive plan amendment is proposed to modify this portion of the Horn Rapids Master Planned Community designated for multi-family residential, elementary school, and public park uses. Instead, the site will be planned for single-family residential and fire station uses.

TRIP GENERATION

The Institute of Transportation Engineers' (ITE) *Trip Generation Manual*, 10th Edition, was used to estimate the number of trips generated by each of the land uses, both those in the prior master plan and those currently proposed. Table 1 presents the current proposed land uses and Table 2 presents the prior proposed land uses.

Table 1. Current Proposed Land Uses

Site Use	Developed Size ^a	ITE Land Use Model	ITE Land Use Code
Single-Family Residential	215 du	Single-Family Detached Housing	210
Fire Station	10,000 sf	Fire and Rescue Station	575

^a du = dwelling units; sf = square feet gross floor area

Table 2. Prior Proposed Land Uses

Site Use	Developed Size ^a	ITE Land Use Model	ITE Land Use Code
Multi-family Residential	600 du	Multifamily Housing (Low-Rise)	220
Park Site	15 ac	Public Park	411
Elementary School	530 students	Elementary School	520

^a du = dwelling units; ac = acres

The total trip generation estimates for the Horn Rapids – Quail Ridge site were calculated using either the ITE weighted average trip rates or regression equations, following ITE *Trip Generation Handbook*, 3rd Edition, guidelines.

There are two areas proposed for a comprehensive plan amendment: they cover approximately 28 acres and 42 acres in area, respectively. Both areas are outlined on the attached maps. The current proposed land uses include 87 dwelling units and 128 dwelling units (total of 215 dwelling units) of single-family housing plus a fire station. The size for the fire station was estimated based on ITE data which indicated that a typical size is 10,000 square feet of gross floor area. See the attachments for a graphical representation of the current proposed land uses. The trips generated by the current proposed uses are summarized in Table 3. Detailed trip generation calculations are attached.

Table 3. Trip Generation for Current Proposed Uses at the Horn Rapids – Quail Ridge Site

Current Proposed Land Use (ITE Code)	Single-Family Detached Housing (210)		Fire and Rescue Station (575)		Total	
Independent Variable	Dwelling Units		1,000 Square Feet			
Size	215		10			
Peak Hour Trips	AM	PM	AM ^a	PM	AM	PM
Entering	39	134	1	1	40	135
Exiting	118	78	1	4	119	82
Total Trips	157	212	2	5	159	217

^a For the AM peak hour, a rate of half the PM rate was assumed: 0.24.

Within these same areas, the prior proposed site plan included approximately 28 acres of elementary school and park area and approximately 42 acres of multi-family housing. The master plan documents do not provide adequate details to identify the sizes of the prior proposed uses other than their approximate areas. The following assumptions were made for the prior proposed land uses:

On the 28-acre area:

- Elementary School
 - 13 acres in area based on average elementary school campus sizes in Richland, Washington.
 - 530 students based on median enrollment values for the 10 existing elementary schools within the Richland School District
- Public Park
 - 15 acres of public park remain after subtracting 13 acres for the elementary school from the total 28-acre area

On the 42-acre area:

- Multi-family Housing
 - 600 dwelling units of multi-family (low-rise) housing based on 1 unit per 3,000 square feet of land, the maximum density for multi-family dwellings in zone R-3 within Richland Municipal Code 23.18.040

See the attachments for a graphical representation of the prior proposed land uses. The trips generated by the current proposed uses are summarized in Table 4. Detailed trip generation calculations are attached.

Table 4. Trip Generation for Prior Proposed Uses at the Horn Rapids – Quail Ridge Site

Prior Proposed Land Use (ITE Code)	Multifamily Housing (Low-Rise) (220)		Public Park (411)		Elementary School (520)		Total	
Independent Variable	Dwelling Units		Acres		Students			
Size	600		15		530			
Peak Hour Trips	AM	PM	AM	PM	AM	PM	AM	PM
Entering	60	183	0	1	192	43	252	227
Exiting	202	108	0	1	163	47	365	156
Total Trips	262	291	0	2	355	90	617	383

Net peak hour trips were estimated by deducting ITE trips generated by the prior proposed land uses from the trips generated by the current proposed land uses. Table 5 presents the net trip calculations.

Table 3. Net Trip Generation for Horn Rapids – Quail Ridge Site

Proposed Condition	Current Proposed Uses		Prior Proposed Uses		Net Trips	
Peak Hour Trips	AM	PM	AM	PM	AM	PM
Entering	40	135	(252)	(227)	(212)	(92)
Exiting	119	82	(365)	(156)	(246)	(74)
Total Trips	159	217	(617)	(383)	(458)	(166)

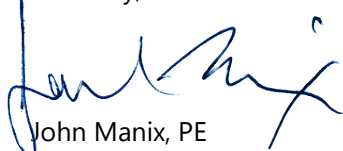
Note: negative values are shown italicized in parentheses.

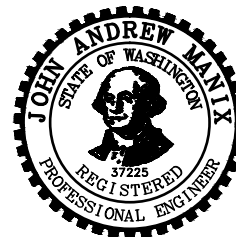
The prior proposed uses would have generated more trips than the current proposed uses. The proposed comprehensive plan amendment will not increase the net number of trips generated within the site.

CLOSING

Please feel free to contact me at 360.567.2117 or John.Manix@pbsusa.com with any questions or comments.

Sincerely,


 John Manix, PE
 Senior Traffic Engineer



Attachments: Original Prior Site Plan
 Current Site Plan with Land Use Markups
 Prior Site Plan with Land Use Markups
 Trip Generation

BJ:DAH,JAM:mo

Horn Rapids Master Planned Community



- Located in North Richland, Washington
- Approximately 1/3 of Horn Rapids is dedicated to recreation, parks and greenbelts.
- Elementary school, day care facility and a 100,000 - 150,000 square foot "Village Center" are planned.
- Up to 3,050 new homes of many types, sizes and price ranges.
- 835 Acres
- Many homes will be located along the golf course, greenbelts, parks or near Horn Rapids lakes.
- 18-hole championship target golf course.
- The City of Richland, Columbia Triangle Venture, L.P. and Columbia Golf Associates combined resources to create this successful, public-private enterprise.

Twin Bridges Road

This map is an artist's rendering of the Horn Rapids community and is not to scale. Modifications will surely occur in the entire development plan as Horn Rapids grows, matures, and listens to its customers.

SR 240

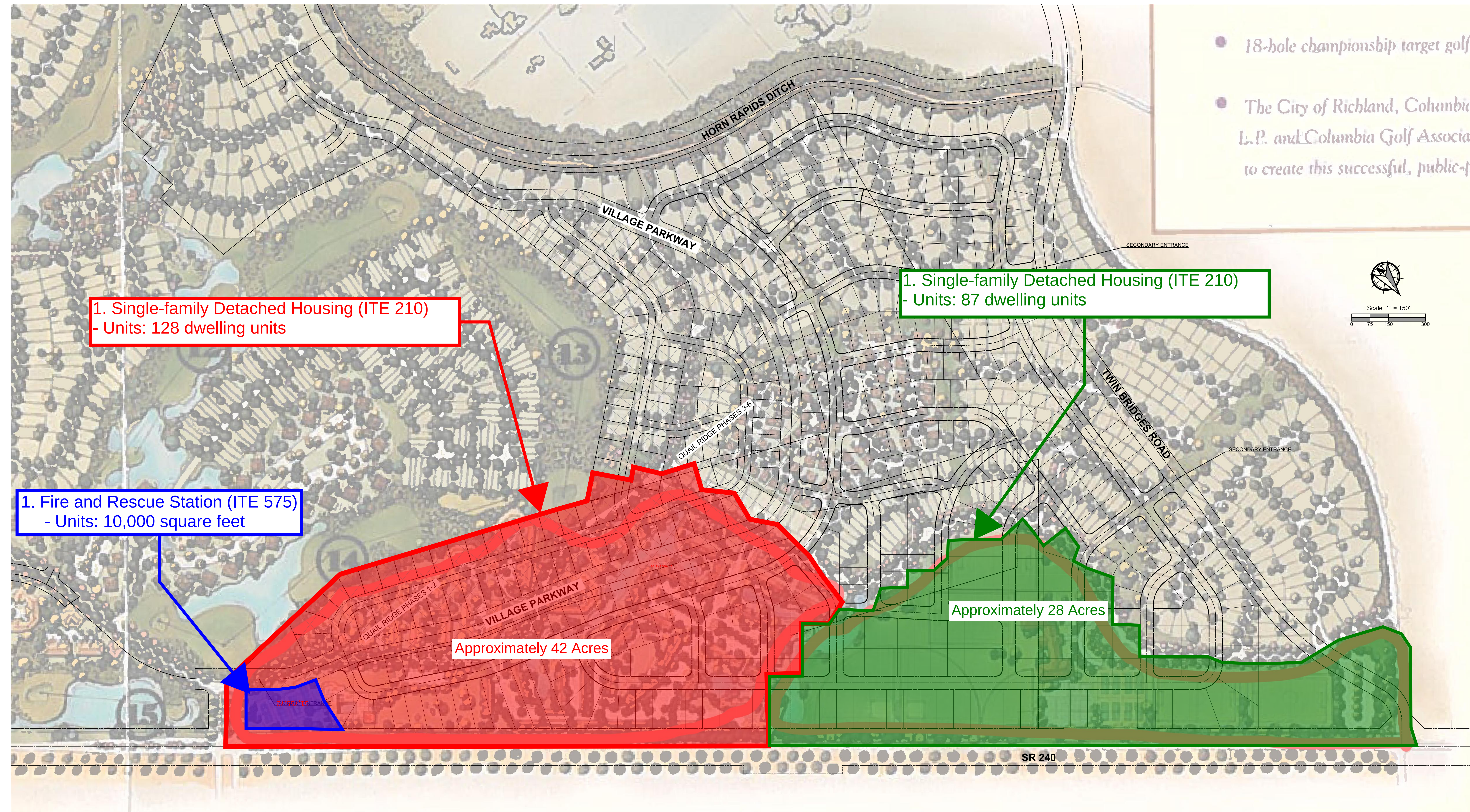


HORN RAPIDS

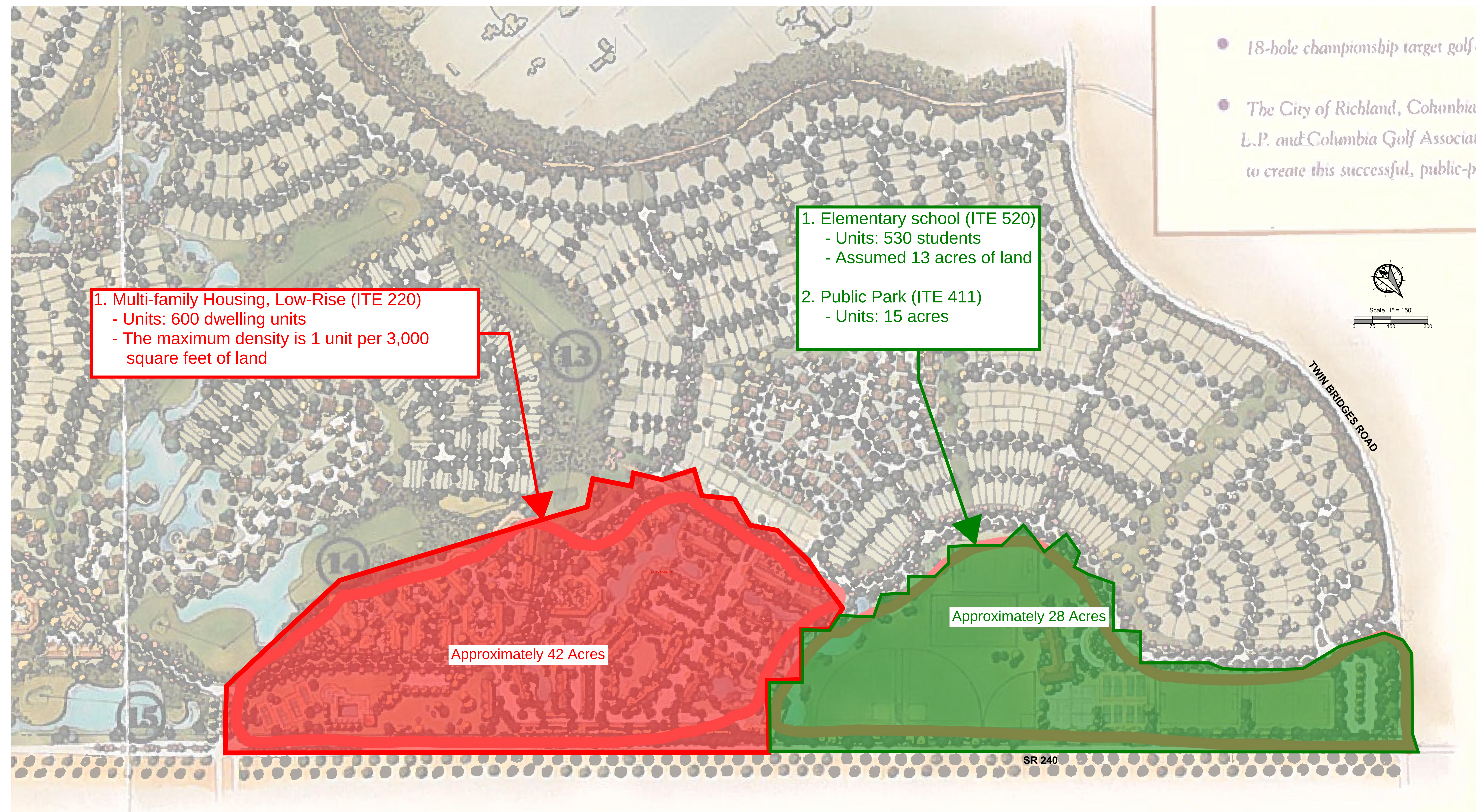
For new home information, call
(509) 375-4148

For Golf course information, call
(509) 375-4714

Current Proposed Land Uses (Horn Rapids - Quail Ridge, PBS Project 66118.003)



Prior Proposed Land Uses (Horn Rapids - Quail Ridge, PBS Project 66118.003)



Detailed Land Use Data
For 530 Students of SCHOOLELEM 1
(520) Elementary School

Project: Horn Rapids - Quail Ridge

Open Date: 2/12/2021
Analysis Date: 2/12/2021

<u>Day / Period</u>	<u>Total Trips</u>	<u>Pass-By Trips</u>	<u>Avg Rate</u>	<u>Min Rate</u>	<u>Max Rate</u>	<u>Std Dev</u>	<u>Avg Size</u>	<u>% Enter</u>	<u>% Exit</u>	<u>Use Eq.</u>	<u>Equation</u>	<u>R2</u>
Weekday Average Daily Trips Source : Trip Generation Manual 10th Edition	1002	0	1.89	1.51	2.45	0.34	760	50	50	False	$T = 2.13(X) - 184.07$	0.7
Weekday AM Peak Hour of Adjacent Street Traffic Source : Trip Generation Manual 10th Edition	355	0	0.67	0.24	1.47	0.27	603	54	46	False		
Weekday PM Peak Hour of Adjacent Street Traffic Source : Trip Generation Manual 10th Edition	90	0	0.17	0.05	0.44	0.11	590	48	52	False		

Detailed Land Use Data
For 600 Dwelling Units of LOW-RISE 1
(220) Multifamily Housing (Low-Rise)

Project: Horn Rapids - Quail Ridge

Open Date: 2/12/2021
Analysis Date: 2/12/2021

Day / Period	Total Trips	Pass-By Trips	Avg Rate	Min Rate	Max Rate	Std Dev	Avg Size	% Enter	% Exit	Use Eq.	Equation	R2
Weekday Average Daily Trips Source : Trip Generation Manual 10th Edition	4495	0	7.32	4.45	10.97	1.31	168	50	50	True	$T = 7.56(X) - 40.86$	0.96
Weekday AM Peak Hour of Adjacent Street Traffic Source : Trip Generation Manual 10th Edition	262	0	0.46	0.18	0.74	0.12	199	23	77	True	$\ln(T) = 0.95 \ln(X) - 0.51$	0.9
Weekday PM Peak Hour of Adjacent Street Traffic Source : Trip Generation Manual 10th Edition	291	0	0.56	0.18	1.25	0.16	187	63	37	True	$\ln(T) = 0.89 \ln(X) - 0.02$	0.86

Detailed Land Use Data
For 15 Acres of PUBLICPARK 1
(411) Public Park

Project: Horn Rapids - Quail Ridge

Open Date: 2/12/2021
Analysis Date: 2/12/2021

Day / Period	Total Trips	Pass-By Trips	Avg Rate	Min Rate	Max Rate	Std Dev	Avg Size	% Enter	% Exit	Use Eq.	Equation	R2
Weekday Average Daily Trips Source : Trip Generation Manual 10th Edition	12	0	0.78	0.55	34	1.36	612	50	50	False	$T = 0.64(X) + 88.46$	0.82
Weekday AM Peak Hour of Adjacent Street Traffic Source : Trip Generation Manual 10th Edition	0	0	0.02	0	4.5	0.23	398	59	41	False		
Weekday PM Peak Hour of Adjacent Street Traffic Source : Trip Generation Manual 10th Edition	2	0	0.11	0.05	3.5	0.24	516	55	45	False	$T = 0.06(X) + 22.6$	0.53

Detailed Land Use Data
For 215 Dwelling Units of SFHOUSE 1
(210) Single-Family Detached Housing

Project: Horn Rapids - Quail Ridge

Open Date: 2/12/2021
Analysis Date: 2/12/2021

Day / Period	Total Trips	Pass-By Trips	Avg Rate	Min Rate	Max Rate	Std Dev	Avg Size	% Enter	% Exit	Use Eq.	Equation	R2
Weekday Average Daily Trips Source : Trip Generation Manual 10th Edition	2103	0	9.44	4.81	19.39	2.1	264	50	50	True	$\ln(T) = 0.92 \ln(X) + 2.71$	0.95
Weekday AM Peak Hour of Adjacent Street Traffic Source : Trip Generation Manual 10th Edition	157	0	0.74	0.33	2.27	0.27	219	25	75	True	$T = 0.71(X) + 4.8$	0.89
Weekday PM Peak Hour of Adjacent Street Traffic Source : Trip Generation Manual 10th Edition	212	0	0.99	0.44	2.98	0.31	242	63	37	True	$\ln(T) = 0.96 \ln(X) + 0.2$	0.92

Detailed Land Use Data
For 10 1000 Sq. Ft. GFA of FIRESTATION 1
(575) Fire and Rescue Station

Project: Horn Rapids - Quail Ridge

Open Date: 2/12/2021
Analysis Date: 2/12/2021

<u>Day / Period</u>	<u>Total Trips</u>	<u>Pass-By Trips</u>	<u>Avg Rate</u>	<u>Min Rate</u>	<u>Max Rate</u>	<u>Std Dev</u>	<u>Avg Size</u>	<u>% Enter</u>	<u>% Exit</u>	<u>Use Eq.</u>	<u>Equation</u>	<u>R2</u>
Weekday Average Daily Trips Source : USER - Custom	48	0	4.8	0.18	1.1	0.48	10	29	71	False		0
Weekday AM Peak Hour of Adjacent Street Traffic Source : USER - Custom	2	0	0.24	0.18	1.1	0.48	10	29	71	False		0
Weekday PM Peak Hour of Adjacent Street Traffic Source : Trip Generation Manual 10th Edition	5	0	0.48	0.18	1.1	0.48	10	29	71	False		

Trip Generation Summary

Alternative: Current Proposed Land Uses

Phase:

Open Date: 2/11/2021

Project: Horn Rapids - Quail Ridge

Analysis Date: 2/11/2021

ITE	Land Use	Weekday Average Daily Trips				Weekday AM Peak Hour of Adjacent Street Traffic				Weekday PM Peak Hour of Adjacent Street Traffic			
		*	Enter	Exit	Total	*	Enter	Exit	Total	*	Enter	Exit	Total
210	SFHOUSE 1		1052	1051	2103		39	118	157		134	78	212
	215 Dwelling Units												
575	FIRESTATION 1	✓	14	34	48	✓	1	1	2		1	4	5
	10 1000 Sq. Ft. GFA												
Unadjusted Volume			1066	1085	2151		40	119	159		135	82	217
Internal Capture Trips			0	0	0		0	0	0		0	0	0
Pass-By Trips			0	0	0		0	0	0		0	0	0
Volume Added to Adjacent Streets			1066	1085	2151		40	119	159		135	82	217

Total Weekday Average Daily Trips Internal Capture = 0 Percent

Total Weekday AM Peak Hour of Adjacent Street Traffic Internal Capture = 0 Percent

Total Weekday PM Peak Hour of Adjacent Street Traffic Internal Capture = 0 Percent

* - Custom rate used for selected time period.

Source: Institute of Transportation Engineers, Trip Generation Manual 10th Edition

TRIP GENERATION 10, TRAFFICWARE, LLC

P. 1

Trip Generation Summary

Alternative: Prior Proposed Land Uses

Phase:

Open Date: 2/12/2021

Project: Horn Rapids - Quail Ridge

Analysis Date: 2/12/2021

ITE	Land Use	Weekday Average Daily Trips				Weekday AM Peak Hour of Adjacent Street Traffic				Weekday PM Peak Hour of Adjacent Street Traffic			
		*	Enter	Exit	Total	*	Enter	Exit	Total	*	Enter	Exit	Total
220	LOW-RISE 1		2248	2247	4495		60	202	262		183	108	291
	600 Dwelling Units												
411	PUBLICPARK 1		6	6	12		0	0	0		1	1	2
	15 Acres												
520	SCHOOLELEM 1		501	501	1002		192	163	355		43	47	90
	530 Students												
Unadjusted Volume			2755	2754	5509		252	365	617		227	156	383
Internal Capture Trips			0	0	0		0	0	0		0	0	0
Pass-By Trips			0	0	0		0	0	0		0	0	0
Volume Added to Adjacent Streets			2755	2754	5509		252	365	617		227	156	383

Total Weekday Average Daily Trips Internal Capture = 0 Percent

Total Weekday AM Peak Hour of Adjacent Street Traffic Internal Capture = 0 Percent

Total Weekday PM Peak Hour of Adjacent Street Traffic Internal Capture = 0 Percent

* - Custom rate used for selected time period.

Source: Institute of Transportation Engineers, Trip Generation Manual 10th Edition

TRIP GENERATION 10, TRAFFICWARE, LLC

P. 1

1		Horn Rapids - Quail Ridge - Total Trips								
ITE Code	Land Use	Total	Unit	ADT	Enter	AM Exit	Total	Enter	PM Exit	Total
<u>Current Proposed Land Use</u>										
210	Single-family Detached Housing	215	DU	2,103	39	118	157	134	78	212
575	Fire and Rescue Station	10	1,000 sf	48	1	1	2	1	4	5
			New Trips	2,151	40	119	159	135	82	217
<u>Prior Proposed Land Use</u>										
220	Multi-family Housing (Low-Rise)	600	DU	-4,495	-60	-202	-262	-183	-108	-291
411	Public Park	15	acres	-12	0	0	0	-1	-1	-2
520	Elementary School	530	students	-1,002	-192	-163	-355	-43	-47	-90
			New Trips	-5,509	-252	-365	-617	-227	-156	-383
Net NewTrips					-212	-246	-458	-92	-74	-166

Mullins, Danielle

From: Ritter, Michael W (DFW) <Michael.Ritter@dfw.wa.gov>
Sent: Friday, January 8, 2021 4:00 PM
To: Mullins, Danielle
Subject: RE: Priority Habitats and Species

Danielle,

Yes there is habitat and that within the yellow highlight is mapped as a Priority Habitat (shrub steppe). The remainder of the site is also habitat, but NOT mapped. Additionally, there are historic (and no longer existing) burrowing owl sites to the south/east.

As I said in a previous email, the PHS data layers are very out dated.

Given the proximity adjacent to the highway on one side and residential development on the other, the suitability of the habitat is marginal at best. Plus it's small size, in a rapidly developing area, and essentially surrounded by disturbance(s), would further reduce its suitability.

It would be useful to examine the SEPA trail for the residential development currently being built to the south/east to determine how habitat/species impacts were addressed. I believe that City code will provide the needed language to address.

Mike



From: Mullins, Danielle <dmullins@CI.RICHLAND.WA.US>
Sent: Friday, January 8, 2021 3:05 PM
To: Ritter, Michael W (DFW) <Michael.Ritter@dfw.wa.gov>
Subject: RE: Priority Habitats and Species

This message has originated from an External Source. Please use caution when opening attachments, clicking links, or responding to this email. Contact your desktop support or IT security staff for assistance and to report suspicious messages.

Mike,

Were you able to determine if there was any habitat on the property that I sent my inquiry about?

Just wanted to close the loop today if we could.

Thanks,

Danielle M. Mullins, PE
Civil Engineer II
(509) 942-7717

From: Ritter, Michael W (DFW) <Michael.Ritter@dfw.wa.gov>
Sent: Wednesday, January 6, 2021 1:18 PM
To: Mullins, Danielle <dmullins@CI.RICHLAND.WA.US>
Subject: RE: Priority Habitats and Species

Danielle,

Thanks for the maps. I cross-referenced them with our Priority Species and Habitat (PHS) Maps, which are, in some areas, very out-dated. This is the case for the zone change area. Our PHS indicates only burrowing owl dens and habitat BUT, this is very old data (the base layer is also very old as there is much more development in the area than the map shows).

I'll make a quick site visit tomorrow morning. Based on what I know of the area, at this time I see no issue that would derail a zone change.

Mike
Michael Ritter
Fish and Wildlife Area Habitat Biologist
Statewide Technical Lead: Wind and Solar
Washington Department of Fish and Wildlife
2620 N. Commercial Ave
Pasco, WA 99301
509-380-3028 (cell)



From: Mullins, Danielle <dmullins@CI.RICHLAND.WA.US>
Sent: Tuesday, January 5, 2021 3:38 PM
To: Ritter, Michael W (DFW) <Michael.Ritter@dfw.wa.gov>
Subject: RE: Priority Habitats and Species

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Mike,

Here are the maps that we spoke about on the phone. The purpose for the land use and zoning change for the property is because the Richland School District decided not to build a new elementary school, and is being changed to support the residential development that is currently being constructed across Valley Parkway. This proposal is also to support the construction of a new City of Richland Fire Station.

Please see the attached maps, along with the description. If you have any additional changes I am in the office all week.

Thanks again for the call today,

Danielle M. Mullins, PE
Civil Engineer II
(509) 942-7717

From: Ritter, Michael W (DFW) <Michael.Ritter@dfw.wa.gov>
Sent: Monday, January 4, 2021 1:40 PM
To: Mullins, Danielle <dmullins@CI.RICHLAND.WA.US>
Subject: RE: Priority Habitats and Species

I should have a response to you by Wednesday, will that work?

From: Mullins, Danielle <dmullins@CI.RICHLAND.WA.US>
Sent: Monday, January 4, 2021 1:18 PM
To: Ritter, Michael W (DFW) <Michael.Ritter@dfw.wa.gov>
Subject: Priority Habitats and Species

This message has originated from an External Source. Please use caution when opening attachments, clicking links, or responding to this email. Contact your desktop support or IT security staff for assistance and to report suspicious messages.

Mike,

I was wondering if you could help me out. I am not sure what I need to do. I am working on a Comp Plan Amendment and a SEPA. I looked up the area for any species that are threatened and I found that the Ferruginous Hawk is in the area of the Comp Plan Amendment. I have attached the overview (location is where the red "X" is shown) . Please let me know what I need to do next, the overview states that I should call the PHS Data Release at 360-902-2543, for obtaining information.

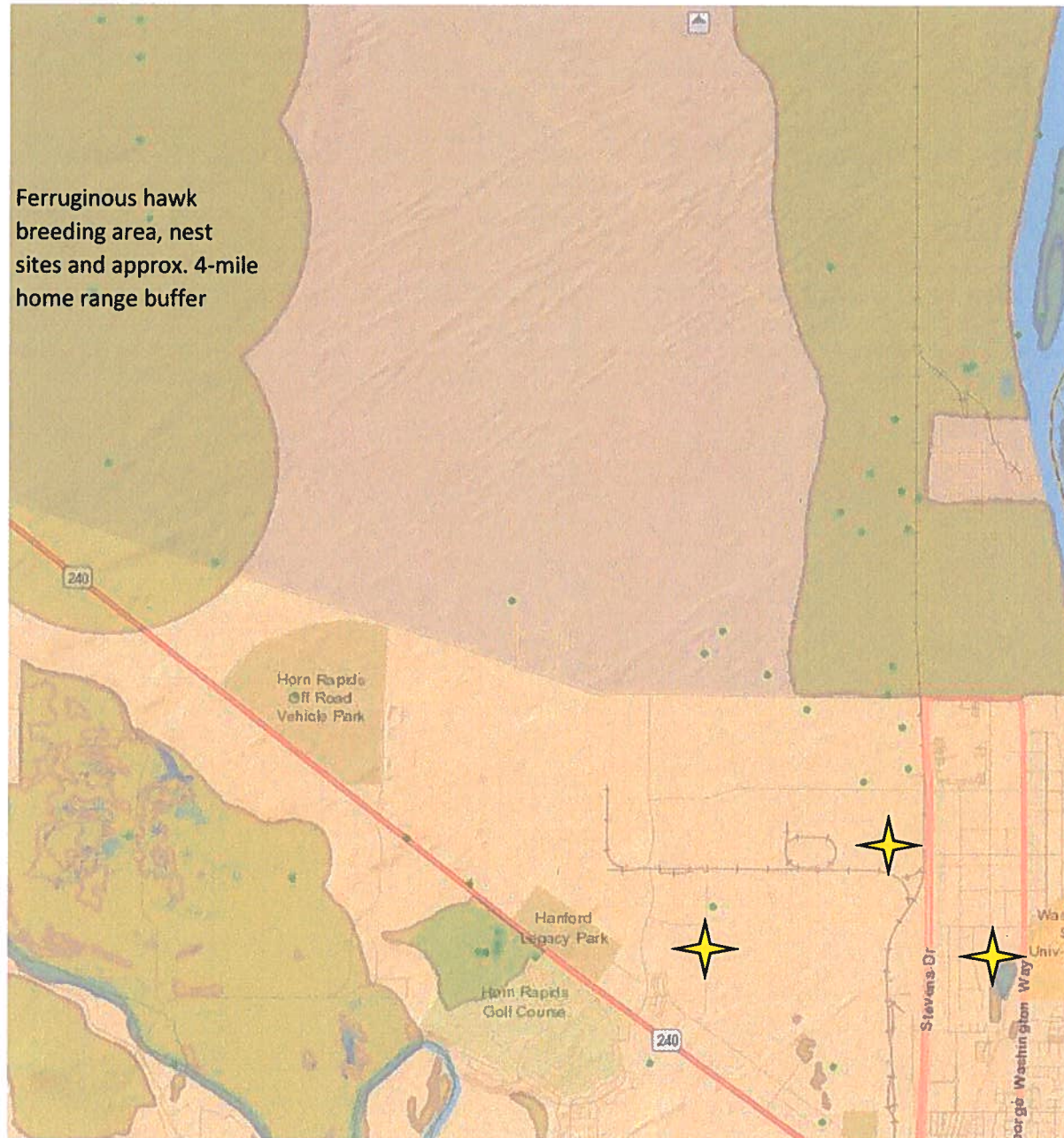
Thanks,



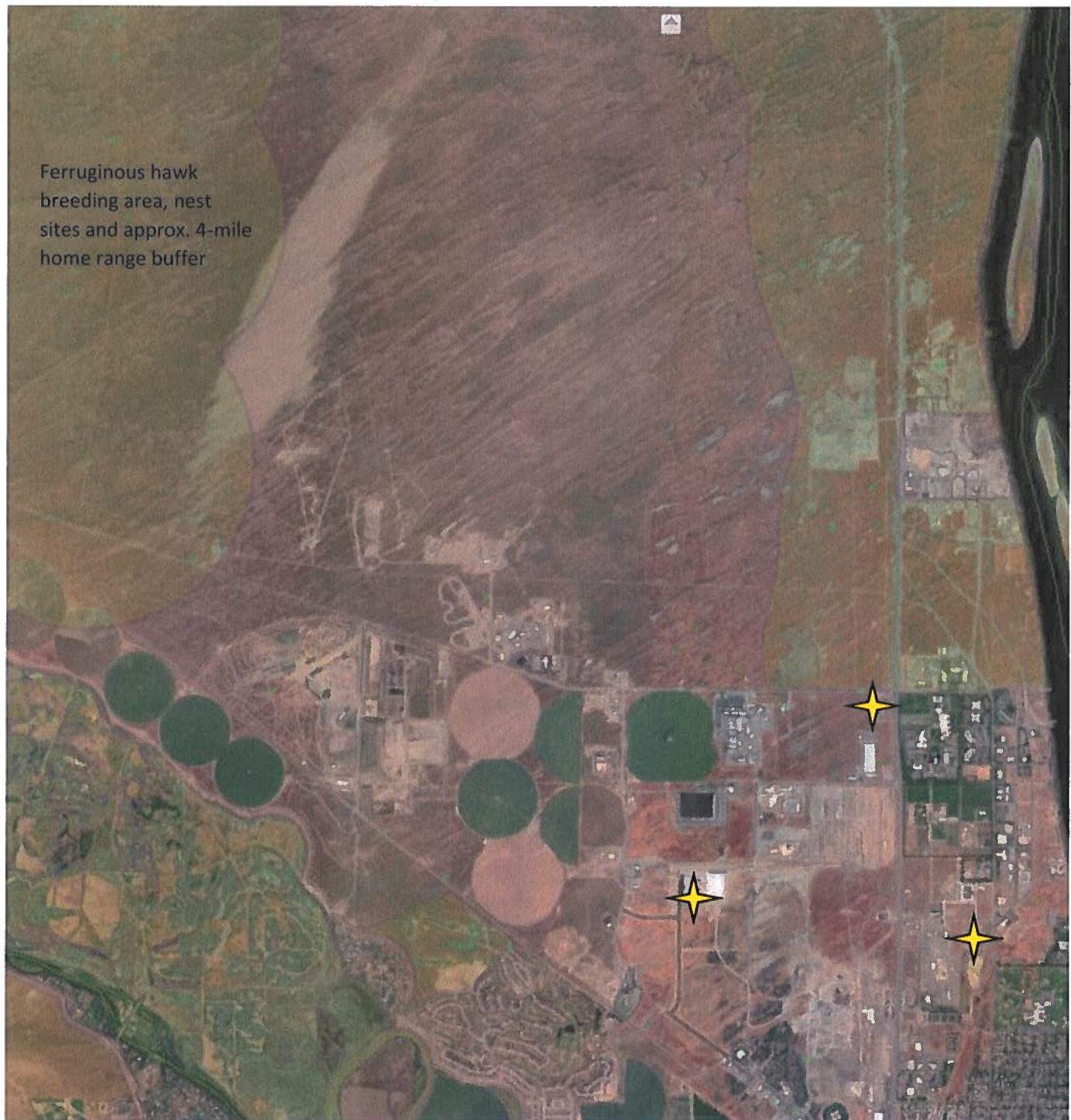
Danielle M. Mullins, PE
Civil Engineer II
625 Swift Blvd., MS-18 | Richland, WA 99352
(509) 942-7717

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Maps showing WDFW PHS species, habitats, and breeding areas relative to pending land use actions in the City of Richland. Ferruginous hawks will certainly fly outside the buffer to forage, but they are strongly linked with ground squirrels as a primary prey, but may also prey on small rodents. The PHS data base does not indicate any ground squirrel colonies associated with or adjacent to the pending land use actions, so impacts to Ferruginous hawk foraging are unlikely. Additionally, the closest pending land use actions to a buffer is approximately 3 miles, and in between there is a variety of other development, including transportation.



= Pending land use actions: Port of Benton, 3D Development, JUB Engineers. All three pending actions within the Richland city Limits.



Ferruginous hawk
breeding area, nest
sites and approx. 4-mile
home range buffer



= Pending land use actions: Port of Benton, 3D Development, JUB Engineers. All three pending actions within the Richland city Limits.



PHS Species/Habitats Overview:

Occurrence Name	Federal Status	State Status	Generalized Location
Burrowing owl	N/A	Candidate	No
Ferruginous hawk	N/A	Threatened	Yes

PHS Species/Habitats Details:

Burrowing owl	
Scientific Name	<i>Athene cunicularia</i>
Priority Area	Breeding Area
Site Name	HORN RAPIDS GOLF COURSE
Accuracy	1/4 mile (Quarter Section)
Notes	SITE HAS APPROXIMATELY 4 NATURAL BURROWS. NEEDS ADDITIONAL SURVEY. BLACK-TAILED JACKRABBITS ALSO SEEN IN THE AREA.
Source Record	913558
Source Dataset	PHSREGION
Source Name	SOUTHERN, MARK U OF A
Source Entity	WA Dept. of Fish and Wildlife
Federal Status	N/A
State Status	Candidate
PHS Listing Status	PHS Listed Occurrence
Sensitive	N
SGCN	Y
Display Resolution	AS MAPPED
ManagementRecommendations	http://wdfw.wa.gov/publications/pub.php?id=00026
Geometry Type	Polygons

Ferruginous hawk	
Scientific Name	<i>Buteo regalis</i>
Notes	This polygon mask represents one or more records of the above species or habitat occurrence. Contact PHS Data Release (360-902-2543) for obtaining information about masked sensitive species and habitats.
Federal Status	N/A
State Status	Threatened
PHS Listing Status	PHS Listed Occurrence
Sensitive	Y
SGCN	Y
Display Resolution	TOWNSHIP
ManagementRecommendations	http://wdfw.wa.gov/publications/pub.php?id=00026

DISCLAIMER. This report includes information that the Washington Department of Fish and Wildlife (WDFW) maintains in a central computer database. It is not an attempt to provide you with an official agency response as to the impacts of your project on fish and wildlife. This information only documents the location of fish and wildlife resources to the best of our knowledge. It is not a complete inventory and it is important to note that fish and wildlife resources may occur in areas not currently known to WDFW biologists, or in areas for which comprehensive surveys have not been conducted. Site specific surveys are frequently necessary to rule out the presence of priority resources. Locations of fish and wildlife resources are subject to variation caused by disturbance, changes in season and weather, and other factors. WDFW does not recommend using reports more than six months old.

CULTURAL RESOURCES REPORT COVER SHEET

Author: Christopher Landreau. and Mallory Triplett

Title of Report: **A Cultural Resources Review and Inventory of the Proposed Horn Rapids Future Fire Station Project, Richland, Benton County, Washington**

DAHP Project: 2021-02-00983

Date of Report: February 25, 2021

County: Benton

Section: 20 Township: 10N Range: 28E

Quad: Richland, WA 7.5' Acres: 35

PDF of report submitted (REQUIRED) ☒ Yes

Historic Property Inventory Forms to be Approved Online? Yes ☒ No

Archaeological Site(s)/Isolate(s) Found or Amended? ☐ Yes ☒ No

TCP(s) found? ☐ Yes ☒ No

Replace a draft? Yes ☒ No

Satisfy a DAHP Archaeological Excavation Permit requirement? ☐ Yes # ☒ No

Were Human Remains Found? ☐ Yes DAHP Case # ☒ No

DAHP Archaeological Site #:

HR-1 (Smithsonian # TBD)

A Cultural Resources Review and Inventory of the Proposed Horn Rapids Future Fire Station Project, Richland, Benton County, Washington

February 25, 2021

RLR Report 2021-532-05

DAHP Project: 2021-02-00983

By
Christopher Landreau, M.S. and Mallory Triplett, B.S.



*PO Box 2215, Yakima WA 98907
PH (509) 952-5130 E-Mail: chris@reisslandreau.com*



Consultation provided to The City of Richland

EXECUTIVE SUMMARY

The City of Richland has planned to add a new fire station, new roads, and single-family housing on two parcels in northern Richland, Washington. RLR was retained to consult and provide a reconnaissance Cultural Resources Inventory of the proposed Area of Potential Effect (APE). *The property that is being studied is for the Comprehensive Plan Land Use/Zoning Map Amendment-Horn Rapids Future Fire Station. The property is approximately 21.00 acres in the northwest portion of the City Limits, comprised of 20.48 acres of tax parcel 120083000009013, along with an additional 0.59 acres comprised of tax parcel 120083020005000. The project is bound by Highway SR-240 (north), and Village Parkway (west/south) (City of Richland 2021).*

This report documents a prescribed survey and inventory of the project APE, as set forth, after State Environmental Policy Act (SEPA) consultation with Washington State Department of Archaeology and Historic Preservation (DAHP) and the Confederated Tribes of the Umatilla Indian Reservation (CTUIR).

The preliminary research conducted through the State of Washington Department of Archaeology and Historic Preservation (WISAARD) database revealed nine previous survey reports and three previously recorded archaeological site within a one-mile radius of the proposed APE. No known sites will be impacted by the proposed action.

A single historic scatter (HR-1) was relocated during the pedestrian survey. This scatter was sparse, fragmented, and had no subsurface depth. There were no other pre-contact or historic sites relocated during the rest of the pedestrian or sub-surface survey. In terms of pre-contact Native American cultural material, as well as potential historic period remains, we believe potential for inadvertent discovery to be limited. **HR-1 is likely a one-time refuse deposit and is not recommended as eligible to the NRHP; therefore, RLR finds no effect to historic properties per 36CFR § (800.4(d)(1) and that work continue as planned.**

Legal Information:

County: Benton
Richland WA topographic quadrangle.

T10N, R28E, S20

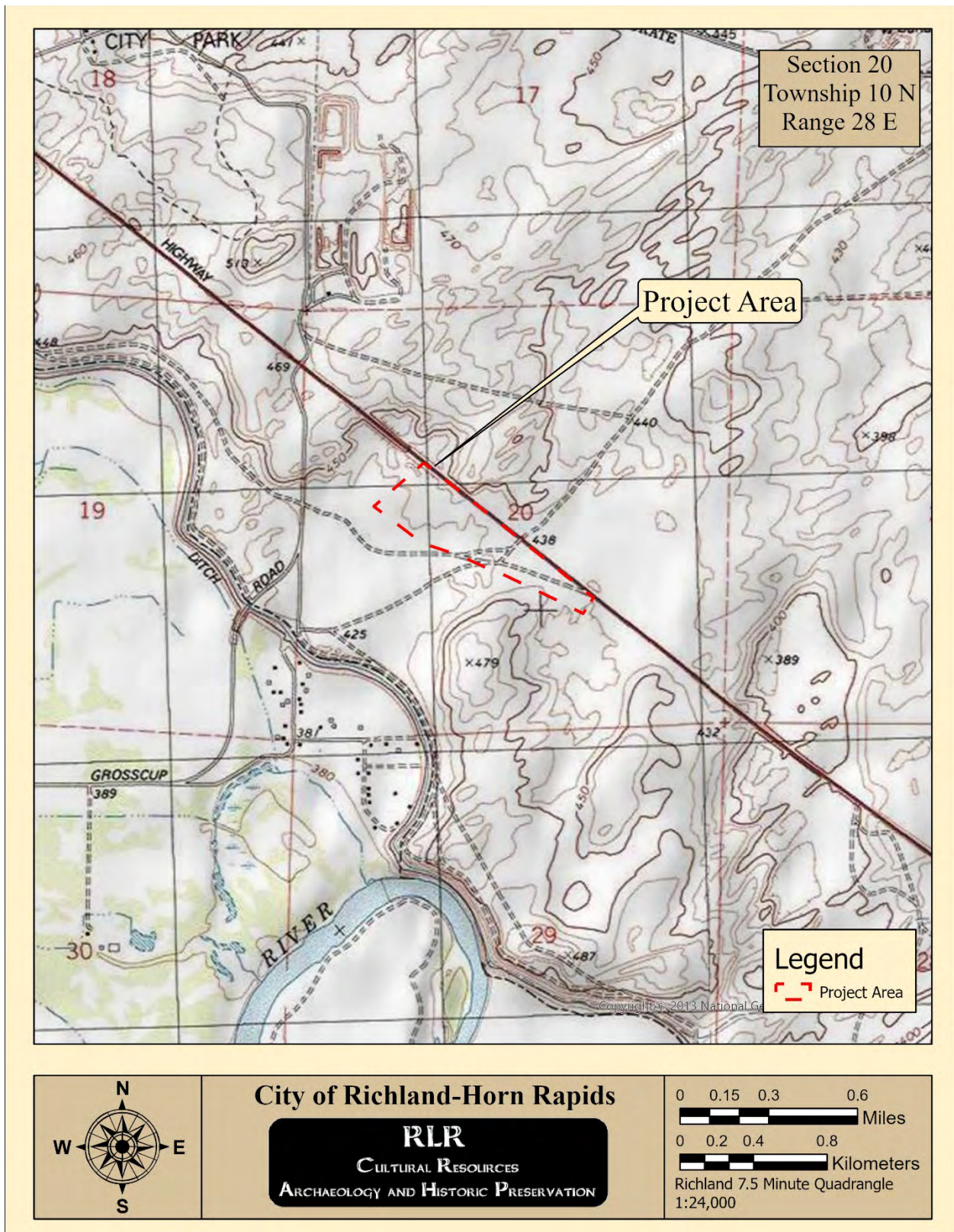


Figure 1. Project location on a 1:24,000 scale topographic projection

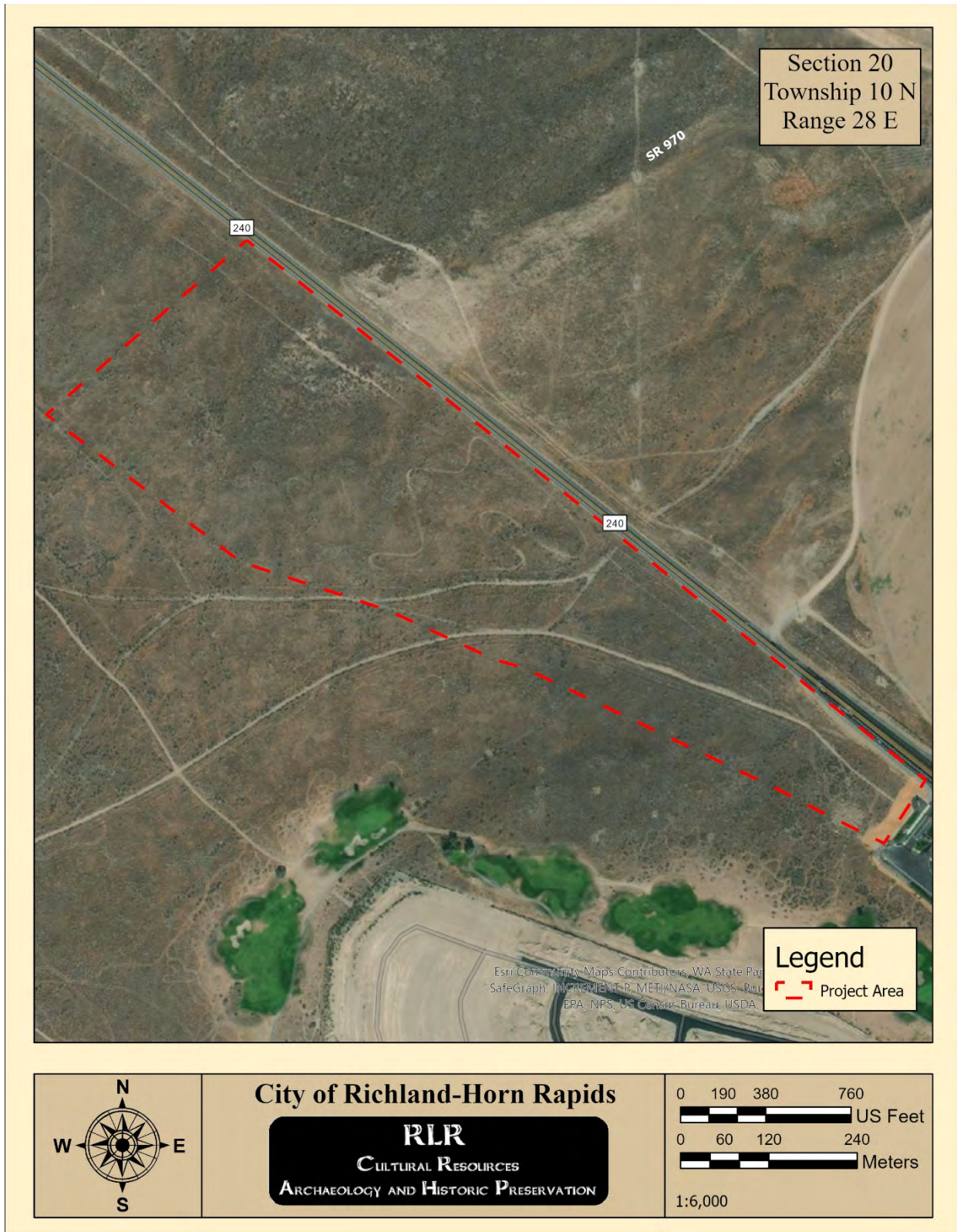


Figure 2. Project location on an orthographic projection.

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PROJECT DESCRIPTION

A. Project Activities: The City of Richland has planned to add a new fire station, new roads, and single-family housing on two parcels in northern Richland, Washington. RLR was retained to consult and provide a reconnaissance Cultural Resources Inventory of the proposed APE. RLR was retained to consult and provide a reconnaissance Cultural Resources Inventory of the proposed APE.

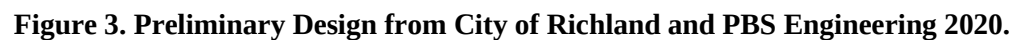
B. Area of Potential Effect (APE): *The property that is being studied is for the Comprehensive Plan Land Use/Zoning Map Amendment-Horn Rapids Future Fire Station. The property is approximately 21.00 acres in the northwest portion of the City Limits, comprised of 20.48 acres of tax parcel 120083000009013, along with an additional 0.59 acres comprised of tax parcel 120083020005000. The project is bound by Highway SR-240 (north), and Village Parkway (west/south).*” (City of Richland 2021).

C. Location and size (in acres) of the survey area: The 35-acre project is located in Benton County, WA in Section 20, Township 10N, Range 28E.

D. Regulatory: This report documents a prescribed survey and inventory of the project APE, as set forth after SEPA consultation with Washington State Department of Archaeology and Historic Preservation (DAHP) and the Confederated Tribes of the Umatilla Indian Reservation (CTUIR).

D. Survey personnel: Josh Allen, M.S., Mallory Triplett, B.S., and Miranda Maple, B.A.

E. What circumstances led to this survey: This project was a standard regulatory compliance project.



ENVIRONMENTAL SETTING

Climate

The Columbia Basin of Eastern Washington have a semiarid climate with warm, dry summers and cool, moist winters. The average annual precipitation is 9 to 12 inches. The average January temperature is 30 degrees F.; the average July temperature is 72 degrees F.; and the average annual temperature is 48 to 52 degrees F. The frost-free season is 135 to 180 days (USDA 2020).

Landforms and Geomorphology

The general area is part of the Columbia Basin Physiographic region (Lasmanis 1991:265; Walker 1998), the Columbia Plateau (McKee 1972), or the Great Plain of the Columbia (Meinig 1968). All three are apropos as the geophysical setting is a basin at an altitude above sea level, yet should be regarded strictly as a structural basin which formed before the Columbia River Basalt Group (CRBG) filled with successive basalt flows during the Miocene.

McKee (1971) outlines tectonic events beginning 40 Mya involving a massive crustal plate—the Farallon plate—which subducted under the North American plate causing pressure to build up and deformation of the crust. The project area is between a normal yet concealed fault—known more colloquially as the Horse Heaven Hills—and a concealed opposing thrust fault. Excessive pressure led to faulting and eventually flood-like eruptions of olivine-rich basalt. Subduction of the Farallon plate under the North American plate continued from 19 to 2 Mya, but at a slower rate. The Columbia River Basalt Group is the result of several sequential low-viscosity Miocene flood-basalt flows from approximately 17.5 to 2 Mya that covered an area of over 63,000 mi² and began in an unstable fault zone near the present borders of Washington, Idaho, and Oregon. Individual lava flows measure 27 to 100 ft. (8 to 30 m) thick, but when taken in aggregate—as one might at Vantage, Washington—a total thickness of 2,000 to 5,000 ft. (600 to 1,550 m) can be attributed to this formation (Franklin et al. 1988:29). Columbia River Basalt Group (CRBG) flows were malleable enough that they folded under pressure instead of faulting, though there are numerous faults within the region.

The Columbia Basin Province is best defined by the areal extent of the Miocene CRBG flows. These basalts, which are present in the Blue Mountain uplift as well as in the Columbia Basin, cover 36% of the state of Washington. This group consists of four flood basalt formations, starting with the Imnaha Basalt at 17.5 Mya, followed by the Grande Ronde Basalt (16.5 to 15.6 Mya), the Wanapum Basalt (15.6 to 14.5 Mya), and lastly the Saddle Mountains Basalt (14.5 to 6 Mya).

On the basis of geophysical evidence, the basalts are known to reach a maximum total thickness of 16,000 ft. (4,545m) in the Pasco Basin. During the Pliocene and the Pleistocene, gravel, sand, silt, and clay were deposited in lakes or by aggrading streams and rivers in depressions such as the Pasco Basin, where in places 1,000 ft. (300m) of sediment lies on top of the basalt.

Glacial outwash during the Pleistocene produced huge volumes of wind-blown silt called loess. Loess blankets much of the Columbia Basin and in places is up to 200 ft. (60m) thick. Indeed, much of the project area resides atop Missoula Flood deposits composed of gravels, silts, and aerally distributed loess (see Soils below) hence the development of the Columbia Basin Project in the 1930s and 1950s.

Surficial geology is dominated by Quaternary loessal deposits resultant from the Missoula Floods series of events and aerial redistribution thereof since the last flood event. Otherwise, Middle Miocene CRBG Umatilla Member is exposed in drainages e.g., Coyote Canyon and relatively low-relief outcrops. Middle Miocene CRBG Umatilla Member (map symbol Mv_{su}; Figure 5) is composed of two flows black in color but weathering to yellow-orange in color. They have a glassy to very fine grained crystalline structure with sparse plagioclase phenocrysts. These flows have well-developed entablature with hackly jointing and colonnades in places. These flows have normal magnetic polarity. The upper subunit is named Sillusi flow and the lower subunit is named Basalt of Umatilla. Basalt of Umatilla has lower P₂O₅ and higher TiO₂ than the Sillusi flow, though both are known to have mixed locally and may be difficult to distinguish (Reidel et al. 1994).

Middle Miocene Pomona Member is also represented along a Columbia River paleochannel exposure to the north of the project area. CRBG Pomona Member has two flows or flow units, each with small phenocrysts of plagioclase, clinopyroxene, and olivine. Pomona Member flows have reversed magnetic polarity and occurs in nearly sheet-like flows ca. 30-60m thick. The Upper flow is black to gray-black in color weathering to gray. The Lower flow is blue-black in color weathering to black-gray. Both exhibit fanning columns distinguish (Reidel et al. 1994).

Smith (1988) finds that the Columbia Basin is dominated by two major landform types: flood-scoured coulees and loess-mantled interfluvial uplands. Otherwise, the contrast between upland and “lowland” topography provides microclimate niches wherein different biotic, human, and ecologic communities have managed to eke out an existence since the last catastrophic flood event ca. 12,500 years before the present. Indeed, between CRBG flows in the steep canyon areas exposures of the Ringold Formation occasionally crop out, revealing or producing cryptocrystalline-silicate (CCS) groundmass materials early inhabitants of the region used for the manufacturing of stone tools such as projectile points, knives, scrapers, drills, burins, and other flake tools. Talus scree and landslide deposits are also known and have been identified as occasionally containing pre-contact human interments or features such as hunting blinds, game drives or pits. No human burials are within the proposed project areas, but the possibility that pre-contact lithic materials, features, or buried human remains does exist, hence the cultural resources survey this project report entails.

Vegetation

Prior to Euro-American settlement, the project area was within undisturbed shrub-steppe grassland with sagebrush, rabbitbrush, bunchgrass, and ryegrass (Franklin and Dyrness 1973). The predominant vegetation in the valley bottom was Bluebunch wheatgrass (*Agropyron spicatum*) and Basin wild rye (*Elymus cinereus*). Willow (*Salix* spp.) and cottonwood (*Populus trichocarpa*) outlined streams and wetted areas, while big sage (*Artemesia tridentata*),

rabbitbrush (*Chrysothamus nauseosum*), and bitterbrush (*Purshia tridentata*) flourished in the drier areas (Franklin and Dyrness 1973).

Soils

Soils within the project area are primarily composed of Quincy Loamy Sand (QuD) at 0 to 30% slopes. The soil is considered excessively drained and can be excavated to more than 80 inches before reaching a disruptive feature. The soil profile is loamy sand at 0 to 9 inches, and loamy fine sand at 9 to 60 inches (Figure 4).



Figure 4. NRCS Soil Map and Legend of the Project Area (NRCS 2021).

CULTURAL SETTING

Prehistory Overview

Archaeological investigation of the Columbia Plateau now spans one hundred years. Early efforts concentrated on main-stem riverine settings, more often than not along the Columbia and Snake rivers, as a result of large-scale reclamation projects. The American Museum of Natural History sponsored perhaps the earliest formal inquiry into central Washington archaeology when Harlan Smith (1910) documented and excavated locations in the upper Yakima River Basin, from the Naches River to Lake Cle Elum. Smith recorded a variety of cultural resources, including private artifact collections, pictographs, petroglyphs, a tool stone quarry, house pit depressions and human internments.

The early period of conservation archaeology coincided with the Culture History period of Americanist archaeology and produced “characterizations of time and space in terms of archaeological content” for the region (Dunnell 1979). Archaeological periods and phases represent, for the most part, spans of time during which settlement and/or subsistence is assumed to have changed very little (Bicchieri 1976). Phase ranges are based on a combination of radiocarbon dates and chronologies largely based on projectile point forms.

Cultural history of this region begins with the Paleo-Indian period dating to 11,500 years ago. The Richey-Roberts Clovis Cache is the only known site to contain intact cultural deposits of this age and was found north of the proposed project area near Wenatchee, WA (Mierendorf, 1987). Numerous artifacts attributed to the Clovis period have been found across the landscape but are entirely limited to surface finds (Ames et al. 1998) where chronological placement is limited to artifact typology association. The climate at this period experienced major changes as the cooler Pleistocene environment transitioned into the warmer Holocene environment; this period also represents the last major retreat of the glaciers and a transformation into the landscape that we generally see today (Chatters 1998).

Using the Cultural Chronology developed by Ames et al. (1998) the next major technological shift seen in the archaeological record dates to 11,000-5,000/4,400 years ago and is characterized by people who utilized a broad-spectrum hunter-gatherer subsistence economy. These people would have moved across the landscape according to seasonal changes in low population densities which were highly adaptable Ames et al. (1998). No evidence of pit houses or permanent structures has been found from this era. Technologies inferred from artifacts and features indicate that these people were highly mobile and likely had no use for a permanent structure. This period also predates the eruption of Mount Mazama in southern Oregon, a chronological marker used to date archaeological sites based on their position above or below the lens of ash.

After the eruption of Mount Mazama, Ames et al. (1998) identifies the next major technological shift at 5,000/4,400-1,900 years ago. This shift in technology is marked by the decline in frequency of projectile points and an increase in milling stone size and evidence of intensified

natural resource exploitation including certain roots and salmon. This period also marks the first appearance of pit houses. The climate during this period was cooler relative to the climate observed during Period 1B. Timberlines descended in elevation and moisture increased (Chatters 1998).

The next period of technological shift identified by Ames et al. (1998) spans from 1,900 years ago to A.D. 1720 (ca. 300 years ago). At the beginning of this period pit houses became widespread. Evidence of a heavy reliance on fishing, storage and intensive exploitation of camas can be found in the archaeological record from this period. Land use patterns observed by Euro-American explorers during their first arrivals corroborate archaeological findings. The period ends with the arrival of the horse and European explorers (i.e., Contact Period). Within this period the climate continued to cool until around 800 years ago when temperatures begin to warm and glaciers receded as a result (Chatters 1998). This fluctuation in temperature is reflected in the observable tree lines in the archaeological record. Between A.D. 1400 and 1850 a “Little Ice Age” occurred, and while evident in the higher mountain ranges, this event had little effect on the flora of the Northwest (Chatters 1998).

Ethnographic Overview

In 1807 the first trading post was established on the Columbia River and in 1820 the famous trading center of Colville tribes’ ancestors, Kettle Falls, was occupied by the Hudson Bay Company. The era of trade began with indigenous native people and was often conducted by non-Indians from the northern territories which became Canada. The first major Euro-American settlement began in 1835. Samuel Parker settled on land the Columbia Plain. Though Parker noted the fertile upper prairies, few settlers were as tenacious without adequate water supplies. The Whitman and Spaulding missions were established a year later in 1836.

In 1847, relations with the local Native Americans became strained with the Whitman Massacre and the Cayuse War. Prior to the 1860s the territorial dispute between the United States and Great Britain also discouraged homesteading and settlement. The Treaty of 1846 ended British claims in what became north central Washington, and established the Canadian border as well as the Oregon Territory (and later the Washington Territory). U.S. Army orders prohibited white settlement in most of eastern Washington between 1846 and 1859 until a treaty between the United States and the Yakima Confederacy signed at Walla Walla in 1855 was ratified by Congress (in 1859), establishing much of the current reservation. Large reservations such as the Colville were established for the Native American Tribes and confederacies thereafter.

Historical Overview

Before Washington became a Territory, the Lewis and Clark Expedition made a stop at the confluence of the Snake and Columbia rivers in the autumn of 1805. Canadian explorer David Thompson (1770-1857) was the first to describe interactions with native groups in his (Kershner 2008). Thompson embarked from Kettle Falls on July 3, 1811 on a historic voyage down the Columbia River to the Pacific Ocean. Thompson was also the fur agent in charge of the Columbia Department of the North West Company of Canada. He was sent on a mission to

determine whether the Columbia was navigable to the sea and whether it could provide a viable trade route for the fur company. Thompson was the first white man to descend the river and make contact with tribes between Kettle Falls and the mouth of the Snake River. Thompson's route intersected the route of Lewis and Clark from five years earlier.

Between 1818 and 1833, additional trading posts were established in the Northwest. Ross (1956:125) notes the Yakama were trading at Fort Nez Percés near the mouth of the Walla Walla River after the North West Company established the post in 1818. Fort Vancouver was established by the London-based Hudson's Bay Company (HBC) on the Lower Columbia River in 1825. Fort Nisqually, established by the HBC at the south end of Puget Sound, was established in 1833. By the late 1840s, the fur trade went into decline while a new era of intensive settlement primarily by Euro-Americans was just beginning. Instead of trading posts, military forts were constructed. Concurrently, Catholic missions were also constructed in the region.

In 1848, Chief Kamiakin requested that a mission be established on his own lands which extended from the present-day town of Prosser, WA west to Naches, WA. Kamiakin's brother, Skaloam, is said to have lived in the Ahtanum (Bischoff 1949). On July 6, 1848, the first St. Joseph's Mission was founded near Simcoe River. Father Louis Joseph d'Herbomez served at the St. Joseph's on the Simcoe from 1850 and helped Father Pandosy build the Holy Cross Mission on the upper Ahtanum Creek. Originally known as Sainte-Croix d'Ahtanum, the mission soon became the headquarters of the various Oblate stations in the Yakima Valley (Lentz 1974). It is currently a National Register property; similarly, Kamiakin's Gardens is currently a National Register District.

Euro-American settlement of the Yakima River Valley began in earnest in late 1848 with the establishment of the Immaculate Conception Mission (1848-56) along Manastash Creek (Glauert and Kunz 1976). Emigrants, livestock herders, and prospectors trickled into the valleys during the intervening years. In 1870, cattlemen A. J. Splawn and Ben Burch established a trading post in a place later known as Ellensburg. Settlers drawn to the valley in search of gold and coal established mining claims, homesteads, farms, and ranches on the fertile valley soils. Settlers and the enterprising railroads required wood to complete the expansion of rail lines across the Plateau. Logging began in earnest in the forests of the Cascades. Lumber mills were established seemingly wherever there was access to timber—even small groves of pine were razed to supply demand. Logs were floated down the Yakima River to mills in Ellensburg and Yakima (Selah). Indeed, a log jam in the 1880s seriously disrupted the salmon runs for several generations.

On July 2nd, 1864, President Abraham Lincoln chartered the Northern Pacific Railroad Company to build a transcontinental rail line from the Great Lakes to Puget Sound. The Northern Pacific Railroad (hereafter NPRR) expanded markets for the growing number of irrigated farms which dotted the valleys. Hay, wheat, fruit, and livestock—both sheep and cattle—were the mainstays. As irrigation techniques gradually improved, farmers diversified their operations by planting orchards of apples, peaches, cherries, pears, plums, and eventually hops. Dairy farmers and cattle ranchers were soon served by skimming stations that appeared throughout the region (Dodril and Sadin 2009). Although ranching became the dominant

economic activity in the area from the 1860s into the early 1880s, its decline was due to a combination of railroad construction, large-scale farming and fencing, and the destruction of the range from overgrazing (Bard and McClintock 1997).

Richland, Washington Overview

Richland, WA is located in the eastern portion of the Yakima Valley in what is now Benton County, WA. Among the first inhabitants, along with other river tribes, were the Chemnapum, a tribe closely related to the Wanapum of the Columbia River (Kershner 2008). For thousands of years, the Chemnapum utilized resources on a seasonal round at “Chemna,” land that includes areas now known as Richland and West Richland, as well as the Yakima River Delta, the confluence of the Yakima and Columbia Rivers, which they called “Tapteal.”

The earliest record of contact between the Chemnapum and non-native peoples is of the Lewis and Clark expedition in 1805, traveling by water on the Columbia River between the lands of what are today Richland and West Richland. The Lewis and Clark Expedition canoed up the Columbia River to the mouth of the Yakima River (Kershner 2008). Contact was extended by the British Northwest Fur Company, who used the same water route to trade with the Chemnapum between 1811 and the 1850s.

Non-native explorers, although not settling the area, were interested in its potential for other uses. In 1841, Robert E. Johnson of the Army Corps of Topographical Engineers mapped the Yakima Valley, including the West Richland area (Kershner 2008). When the area became part of Washington Territory in 1853 (previously part of Oregon Territory), Governor Isaac Stevens began developing plans to construct a railway through the Yakima Valley and the Cascade Mountains to Puget Sound. In this same year, Congress authorized the building of a road through the Yakima Valley, which would transect what is presently West Richland.

It was not until 1863 that the first non-native person officially settled in the West Richland area. At the mouth of the Yakima River, approximately 5 miles east of where West Richland is today, J. B. Nelson built his home (Kubic 1994). Soon after, in 1868, E. Bird brought the cattle industry to the Richland area, which possibly included use of the West Richland area (Kubic 1994). When a stagecoach company was established in Richland area in 1880, more settlers came (Kershner 2008). This number once again increased in 1883 with the construction of the Northern Pacific Railroad through the Yakima Valley (Kershner 2008).

The increase in settlement of the area placed a greater demand on the lands than was custom with the Chemnapum, representing a great shift in the relationship people of the area shared with the landscape. By 1892, Nelson Rich and Howard Amon had formed the Benton Water Company, irrigating the lands of what are now Richland and West Richland (Kershner 2008).

This transformation of the landscape for agricultural and ranching use paved the way for the development of small communities of settlers and invited further sociopolitical division of the lands. In 1905, Benton County was created, and modern-day West Richland became known as “Lower Yakima”. The population exploded in the 1920s and 1930s with the large influx of farmers from the Midwest during the “Dust Bowl” era. To combat the economic downturn of the Great Depression, construction was begun in 1934 of a series of hydroelectric dams and

locks along the Columbia River. With these in place, the Tri-Cities (Richland [and what is currently West Richland], Pasco, and Kennewick) became a major river transportation hub and, again, the population steadily rose.

Farming was the primary industry in the Tri-Cities area until WWII when, in 1943, the Hanford Atomic Reservation was established 20 miles north of what is presently West Richland (Kubic 1994). The United States War Department took possession of 860-mi² area, including Richland, Hanford, and White Bluffs, and placed it under the control of the Manhattan District of the U.S. Army Corps of Engineers for construction of the Hanford Engineer Works, which produced the plutonium for the atomic bomb that was detonated over Nagasaki in WWII (World Citizens for Peace 2020). The take-over of the area meant settlers no longer could own houses or the land on which they lived, prompting many residents of Richland to move across the Yakima River to what is now West Richland, where it was possible to purchase and own land.

Small communities of farmers lived in the Richland area under the “Lower Yakima” title for some time before new names were adopted by its residents. In 1948, Carl Heminger purchased 80 acres of land in the area and laid out plans for “Heminger City;” however, the people of the community already living there chose the name “Enterprise.” So, in 1949, Mr. Heminger moved a mile away and platted another small community, which did adopt his name as “Heminger City”.

In between the platting of the two cities, in 1948, the Yakima and Columbia Rivers flooded the roadways of Richland. Community members banded together to help build a dike called “The Miracle Mile” around Richland in 5 days to both protect Richland and prevent further damage to Heminger City and Enterprise (Wright 2011). In 1953, the McNary Dam was built on the Columbia River 35 miles south of Heminger City and Enterprise (West Richland). Because ocean-going barge traffic was able to travel between the Pacific Ocean and Richland, industry thrived and more people came to the area (Kubic 1994). As quickly as 1954, the conglomerate of small communities known as Enterprise and Heminger City gathered enough signatures to join together and officially become “West Richland” (Kershner 1994).

A campaign began in 1964 to diversify Richland’s economy and reduce its dependence on Hanford. Between 1964 and 1971, eight of the nine production reactors of Hanford were shut down, the last one closing in 1988. After the end of the Cold War in 1989, Hanford’s mission became environmental restoration. The Tri-Cities (and West Richland) continue to benefit from Hanford activity, but Hanford is no longer the main source of employment for the area. Agriculture, however, continues to thrive, particularly in Richland.

RECORDS SEARCH

Sites on, adjacent to, or nearby the subject property APE identified by the literature review are considered to be confidentially located. Files pertaining to these sites or cultural resources surveys can be found on the Washington Information System for Architectural and Archaeological Resources Database (WISAARD).

Archival reports within a 1-mile radius of the subject property

Within a one-mile radius there are nine cultural resources reports. These reports are summarized in Table 1 below.

Table 1. Cultural Resources Reports within a One-Mile Radius of the APE

NADB	Author	County	Title
1350517	Sharley, Ann	Benton	Cultural Resources Survey for the Washington State Department of Transportation's SR 240, Beloit Road to Kingsgate Way Project
1351107	Miller, Carey L.	Benton	Archaeological Survey for the Proposed Babe Ruth Baseball Complex, Richland
1694156	Stapp, Darby	Benton	Cultural Resources Reconnaissance for the Clubhouse Lane Roundabout and Road Extension, and Grading of Adjacent Lots Project, Richland, WA
1692574	Hansen, Heather	Benton	Cultural Resources Reconnaissance for the Henderson Loop West Project, Richland, WA
1353206	Arthur, Ed	Benton	Cultural Resources Survey for the Robertson Drive Extension, Richland, WA
1689642	Knobbs, Jacob	Benton	Archaeological Assessment of the 40-Acre Parcel Being Considered for the Proposed Army National Guard Readiness Center, Richland
1351223	Chobot, Katherine	Benton	Cultural Resources Assessment and Monitoring for the Port of Benton Transload Facility Project
1342318	Chatters, James C.	Benton	Letter to Gene Post Regarding Preliminary Report on the Cultural Resources File Search and Survey of the Precision Cast Parts Property
1352450	Arthur, Ed	Benton	Cultural Resource Survey for the Horn Rapids .75 Mgal Reservoir, Richland

Historic property inventories within a 1-mile radius of the APE

There are no Historic Property Inventories (HPI)s within a one-mile radius of the APE.

Register Properties within a 1-mile radius of the APE

There are no registered properties recorded within a one-mile radius of the APE.

Cemeteries within a 1-mile radius of the APE

There are no cemeteries recorded within a one-mile radius of the APE.

Archaeological Sites recorded within a 1-mile radius of the APE

Three previously recorded archaeological sites are within a one-mile radius of the APE and are summarized in Table 2. None of these sites are within or immediately adjacent to the APE.

Table 2. Archaeological Sites within a One-Mile Radius of the APE

Smithsonian Number	Site Name	Site Type	Comments
BN00030	N/A	Precontact	One possible stone cairn burial
BN01475	N/A	Precontact	Pre-contact lithic material, ground stone isolate
BN01122	N/A	Historic	Historic refuse scatter, 80 x 30 m, early 1900s

Cadastral Survey

The project APE covers a cadastral survey from 1865. The 1865 survey of T10N R28E was conducted by Francis Henry. Henry notes the Yakama River and a wagon trails is located less than a mile southwest of the project area. No other features are noted in the survey (Figure 5).



Figure 5. 1865 Cadastral Survey of T10N R28E (USDI BLM 2021).

INVENTORY METHODOLOGY

Archaeological survey method: RLR planned a visual survey within the project APE, spacing transects within the APE 15-20 m apart. Areas of disturbance, including mounds, cuts, trenches, built environment, etc. are inspected for surficial expressions of cultural materials and may retain intact, native soil profiles. Next, RLR planned 59, 30-40cm wide shovel probes within the APE. All material was planned to be screened by ¼-inch mesh.

SURVEY RESULTS

Archaeological investigation consisted of pedestrian survey and subsurface testing of the proposed APE, generally southwest of Highway 240, in Richland, Washington (Figure 6). The archaeological investigation was conducted by Mallory Triplett, B.S., Miranda Maple, B.A., and Josh Allen, M.S. on February 3-5 and 8-9, 2021. The weather during fieldwork was cloudy with moderate wind (5-10 mph). Temperatures during fieldwork ranged from 39-51°F.



Figure 6. Project APE overview; View: W.



Pedestrian Survey

Pedestrian survey included a 100% survey of the proposed APE (Figure 7). The parcel has seen little to no disturbance beyond some light off-road activity, hiking, and horseback riding; however, it was covered in modern trash. There were several two-track roads noted, isolated cans and bottle fragments, and two, large bottle dumps (20+ vessels) that all dated to less than 50 years in age (Figure 8). The southwest side was being actively developed with the addition of sidewalks, roads, and utilities immediately adjacent to the APE (Figure 9). Vegetation was consistent with light use over the last century with some disturbance to the distribution of vegetation due to several, two-track roads. Native species include big sagebrush (*Artemisia tridentata*) and various bunchgrasses, while invasive species include Russian thistle (*Kali tragus*) and cheatgrass (*Bromus tectorum*). Surface visibility ranged from 70-100% throughout the APE.



Figure 8. Detail of modern refuse found throughout APE



Figure 9. Overview of sidewalk, utilities, and road immediately adjacent to APE; View: E

HR-1 Site Summary

One historic scatter (HR-1) was relocated near the southwestern edge of the APE. The scatter was sparse, surficial, and only contained fragments of glassware, ceramic, and one crushed can (Table 3, Figure 10). The site was scattered over an area of about 50 m² and STP 52 was within the site boundaries (Figure 11). There was a single fragment of white-improved-earthenware (WIE) found on the surface of STP 52. STP 52 was excavated to 81 centimeters-below-surface (cmbs) with no other artifacts found below the surface. The site appeared to be a single episode, refuse deposit based on the fragmented, sparse, and scattered nature of the artifacts and the lack of depth (Figure 12).

The fish scale, molded design on the milk glass cup fragment was a common mold used by Anchor-Hocking during the years that they produced the Fire-King brand (Parson 2021). Although the Fire-King brand was used by Anchor-Hocking from the 1940s-1970s, the fish scale mold was most popular during the 1940s and 1950s (Parsons 2021).

Table 3. Artifacts found in Historic Scatter-1

Location	Count	Material	Type/Description
Surface	4	Ceramic	Dark, cobalt blue, WIE fragments
	8	WIE	White-improved-earthenware, non-diagnostic fragments
	4	Glass	Milk glass fragments, with fish scale molding, one with rim
	4	Glass	Clear glass fragments, non-diagnostic
	2	Glass	Clear glass fragments, with condiment panels
	1	Porcelain	Porcelain bowl fragment with transfer print motif in leaves and white and green flowers on an orange and yellow background
	1	Ferrous	Sanitary Seam can, crushed
STP 52	1	WIE	White-improved-earthenware, non-diagnostic fragment



Figure 10. Sample of artifacts from HR-1; View; Detail

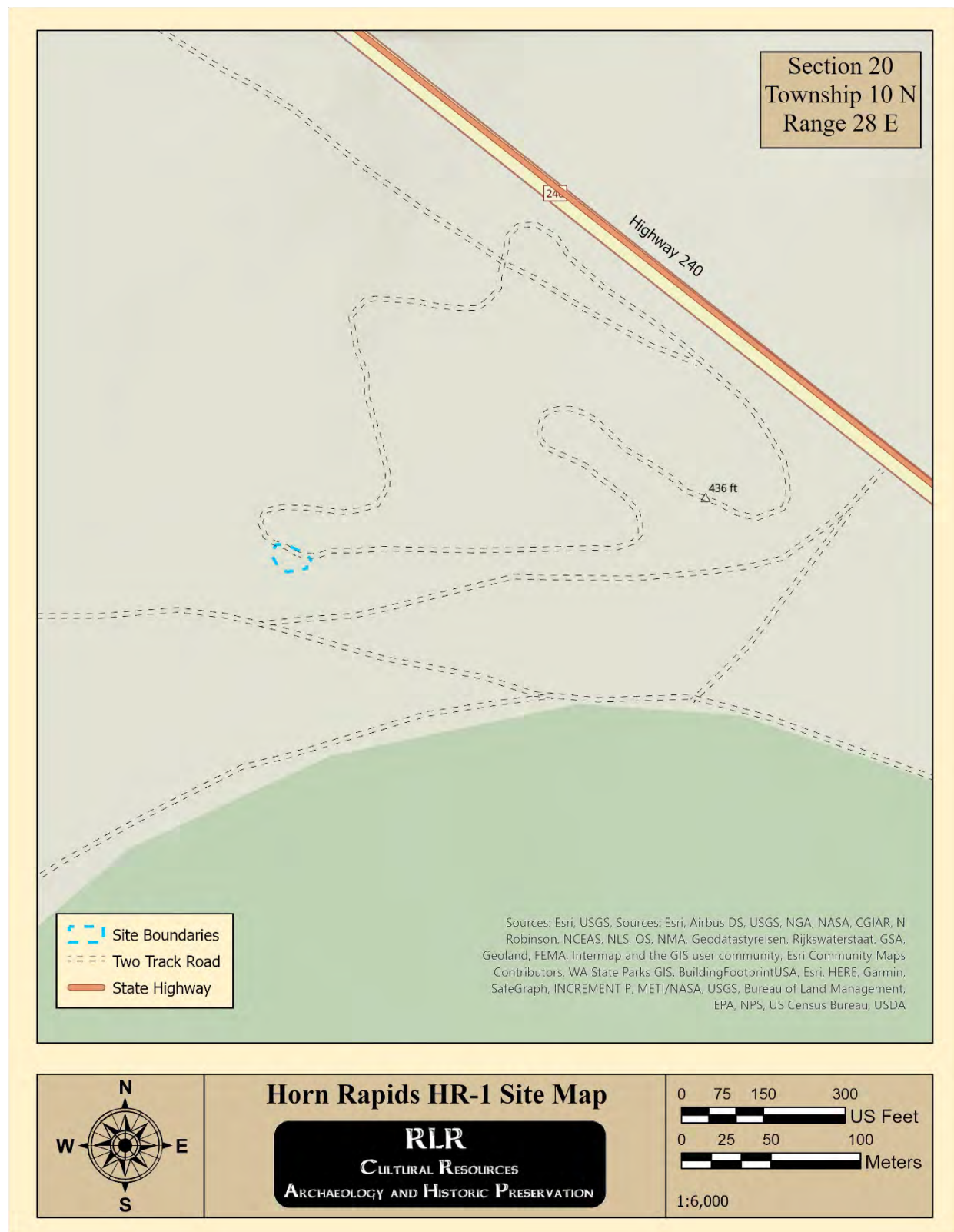


Figure 11. HR-1 Site Map



Figure 12. Overview of HR-1; View: W

HR-1 Integrity and NRHP Evaluation

The 1955 aerial (CWU 2021) showed the project location as an open landscape with a sparse scattering of sage brush, sand dunes, and a couple, two-track roads. The deposit appeared to be adjacent to the two track-road that is on the 1955 aerial and is mentioned as a “Seasonal Road” on the 1976 Metsker Map (Historic Map Works 2021). The property is owned by Richland in the 1976 map (Historic Map Works 2021). There was no indication that there was a structure or any other type of building at this location either based on archival data and fieldwork. The site likely dated to the 1940s to 1950s based on the presence of fish scale molded, Anchor Hocking milk glass that was popular at this time (Parsons 2021).

If HR-1 were eligible under Criterion A of the NRHP it would be “... *associated with events that have made a significant contribution to the broad patterns of our history...*” HR-1 is not likely to have been associated with an event that have made a broad impact on regional history. From what can be gleaned from archival research, this was not the location of any particular event that made a broad pattern in either local, regional, or national history. Based on the sparse nature of the deposit it is likely a single episode, refuse deposit. Therefore, it is recommended that this resource is not eligible to the NRHP under Criterion A.

To be eligible under Criterion B, HR-1 would need to be “...*associated with the lives of persons significant in our past...*” HR-1, is a refuse deposit located on land that has been owned by the City of Richland since at least the 1970s (Historic Map Works 2021). None of the artifacts indicate ownership and given the lack of physical context in the form of a building or structure,

an exact person or persons is impossible to determine. Therefore, HR-1 is recommended as not eligible to the NRHP under Criteria B.

Criterion C is generally considered to be associated with works of high artistic value or that of a master. The resource is exclusively a surficial deposit with little to no depth. Given the lack of physical representation to attribute to the work of a master or retain high artistic value, HR-1 is not recommended eligible for inclusion on the NRHP under Criterion C.

To be considered eligible under Criterion D the resource needs to “... *have yielded, or may be likely to yield, information important in prehistory or history...*” HR-1 has yielded information based on the artifacts already found on the surface and the excavation of STP 52. The fish scale molded milk glass dates the site to the 1940s-1950s based on the popularity of the design at the time (Parsons 2021). Because the site is unlikely to yield more data potential given its limited surface presence and complete lack of sub-surface presence, HR-1 is not recommended to the NRHP under Criterion D.

The integrity of a resource is evaluated under seven aspects: Location, Design, Setting, Materials, Workmanship, Feeling, and Association. The Location of the resource has likely stayed the same since it was deposited given that it appears to be a single episode, refuse deposit. The integrity of Design in a property is typically dependent on the conscious decision of the designer during the planning process and the representation of that design in a building, landscape, etc. HR-1 lacks integrity in Design considering it is a single episode refuse deposit off the side of a two-track road. The Setting of the deposit is lacking considering that the surrounding area, which was once devoid of settlement and infrastructure into the mid-20th century, is now full of single-family homes, a golf course, and Highway 240. The resource does not retain Integrity with respect to Materials as it is a single episode, refuse deposit. The resource does not retain any integrity with regards to Workmanship because it lacks any physical structure or building that the refuse deposit can be associated with. The Feeling of deposit is lacking because it is a single episode refuse deposit composed of domestic artifacts that in no way contribute to how the land was once or is currently used for. The Association with an important historic event or person is also lacking with this resource as there is no definitive way to date it to a specific person or event that made an impact on local, regional, or national history. Overall, the resource only retains integrity in one out of the seven aspects, Location, and fails to retain intact integrity in the other six aspects.

Subsurface Testing

A total of 59 shovel test probes (STPs) were planned to determine if cultural material was present within the project APE (Figure 13). The planned STPs were mapped every 50 meters on a grid covering the entire parcel to test the subsurface component thoroughly. During pre-field planning, there were no utilities noted on the aerials nor was the city concerned with buried utilities at this location. However, once in the field, it was discovered that a development with roads, sidewalks, and utilities were actively being installed immediately adjacent to the southwestern edge of the project. Therefore, STP 45, 53, and 54 were not excavated due to their proximity to these utilities. In total, 56 of the 59 STPs were excavated

(Table 4). STP 52, located within HR-1, had a single WIE fragment on the surface with no additional artifacts found below the surface.

The soil in the STPs typically consisted of medium brown loamy sand from 0-60 cmbs that transitioned to a light gray to white sand until the hole was terminated, typically between 85-100 cmbs (Figure 15, Figure 16). The gravel content of the STPs varied from 0-25% with very few cobbles present. All soils were consistent with descriptions of the Quincy Series, a very deep, excessively drained loamy sand (USDA 2020).

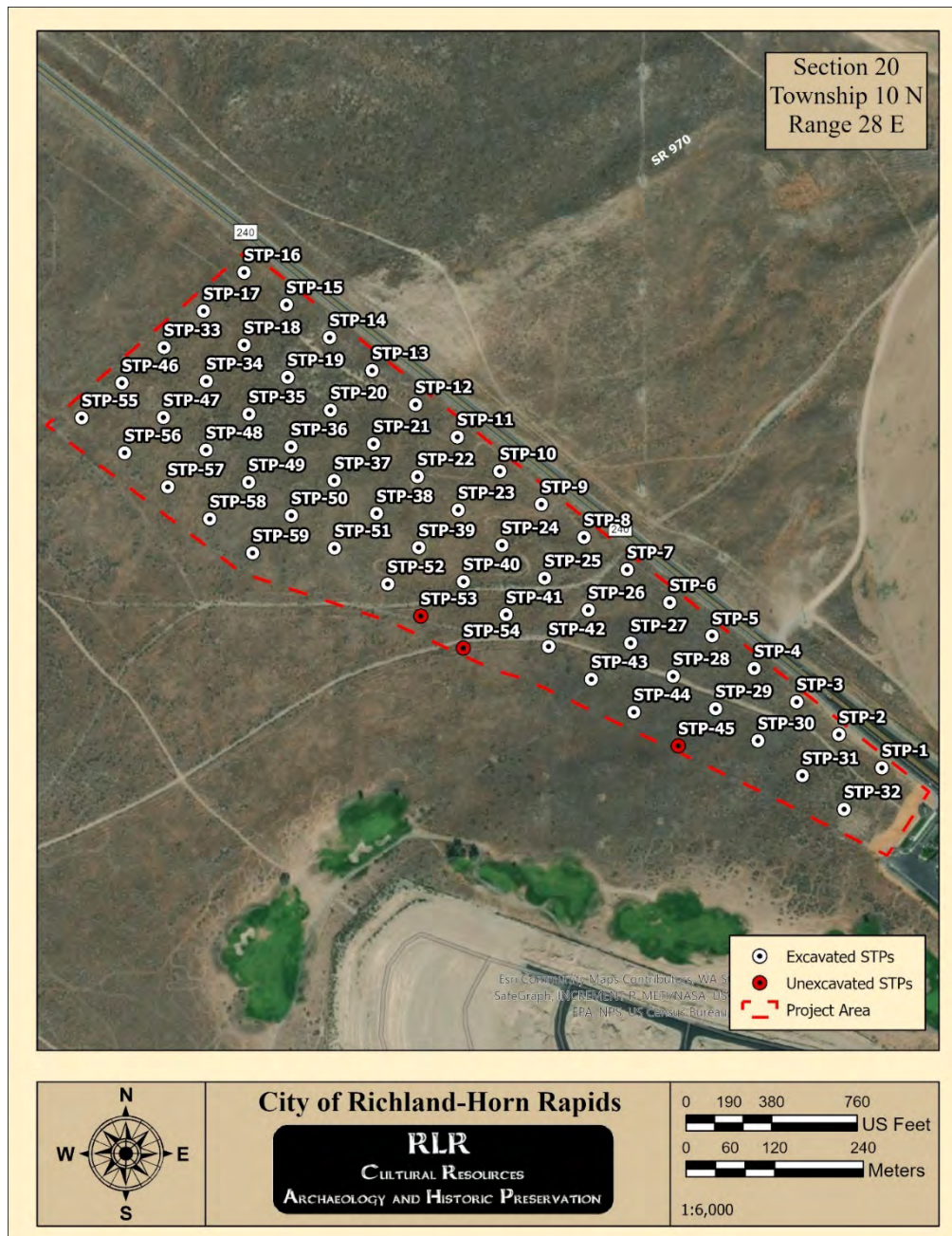


Figure 13. STP Map.

Table 4. Project STP Summaries

STP #	Depth (cmbs)	Cultural	Stratigraphy	Notes
1	79	Negative	- 0-42 cmbs – brown silty sand with <5% angular pebbles - 42-79 cmbs – light brown sand; very loose; medium rounded cobbles	Terminated at desired depth
2	90	Negative	- 0-40 cmbs – brown silty sand with <5% angular pebbles - 40-90 cmbs – light brown sand; very loose; medium rounded cobbles	Terminated at desired depth
3	82	Negative	- 0-55 cmbs – brown silty sand; <25% small to med, rounded poorly sorted pebbles - 55-82 cmbs – light tan sand; no inclusions; very loose	Terminated at desired depth
4	82	Negative	- 0-62 cmbs – brown silty sand; <5% angular inclusions; some roots - 62-82 cmbs – tan/gray sand; no inclusions	Terminated at desired depth
5	80	Negative	- 0-57 cmbs – brown silty sand; <10% angular pebble inclusions - 57-80 cmbs – white gray sand; cobbles and approx.. 25% angular pebble inclusions; very loose	Terminated at desired depth
6	76	Negative	- 0-62 cmbs – dark brown silty sand; <5% angular pebbles - 62-76 cmbs – tan/gray sand; loose with <105% angular pebble inclusions	Terminated at desired depth
7	60	Negative	- 0-50 cmbs – dark brown silty sand; <5% angular pebbles - 50-60 cmbs – tan/gray sand; loose with <105% angular pebble inclusions	Terminated at desired depth
8	64	Negative	- 0-45 cmbs – dark brown sandy loam; semi-compact and dry; 0% gravels - 45-64 cmbs – medium brown sandy loam; compact and dry; large obstructing rock on North side	Terminated due to large cobble
9	64	Negative	- 0-45 cmbs – dark brown sandy loam; semi-compact and dry; 0-25% small sub-angular gravels - 45-64 cmbs – medium brown sandy loam; compact and dry; large obstructing rock on North side	Terminated due to large cobble
10	94	Negative	- 0-60 cmbs – dark brown sandy loam; semi-compact and dry; 0% gravels; large rock at 50 cmbs on south side of STP - 60-94 cmbs – light gray/tan sand; loose and dry; 0-25% poorly sorted, sub-angular gravels	Terminated at desired depth
11	94	Negative	- 0-50 cmbs – dark brown sandy loam; semi-compact and dry; 0-25% gravels - 50-75 cmbs – medium dark brown sand; loose and dry; 0-25% sub-angular gravels/cobbles - 75-94 cmbs – white/light brown sand; loose and dry; 0-25% sub-angular gravels	Terminated at desired depth

STP #	Depth (cmbs)	Cultural	Stratigraphy	Notes
12	85	Negative	- 0-3 cmbs – loose root mat - 3-70 cmbs – medium brown silty loam; <1% sub-angular gravels; damp - 70-85 cmbs – light gray sand; dry; <1% gravels	Terminated at desired depth
13	93	Negative	- 0-1 cmbs – loose, root mat - 1-93 cmbs – gray sand; <1% gravels; damp	Terminated at desired depth
14	93	Negative	- 0-80 cmbs – light brown silty sand; no gravels; slightly damp - 80-93 cmbs – light gray sand; dry; massive	Terminated at desired depth
15	87	Negative	- 0-2 cmbs – loose root mat - 2-52 cmbs – medium brown silty loam with <1% gravels; damp; <1% medium, sub-angular cobbles - 52-87 cmbs – light gray sand	Terminated at desired depth
16	96	Negative	- 0-2 cmbs – loose root mat - 2-76 cmbs – medium brown silty loam with <1% gravels; damp - 76-96 cmbs – light gray sand	Terminated at desired depth
17	86	Negative	- 0-2 cmbs – loose root mat - 2-65 cmbs – medium brown silty loam; 0-5% sub-rounded gravels; large cobble in east wall at 50 cmbs - 65-86 cmbs – light gray sand; 5-10% sub-angular to sub-round gravels	Terminated at desired depth
18	93	Negative	- 0-2 cmbs – loose root mat - 2-83 cmbs – medium brown silty loam; <1% sub-rounded gravels; some small cobbles; damp - 83-93 cmbs – light gray sand; <1% gravels; dry	Terminated at desired depth
19	85	Negative	- 0-68 cmbs – medium brown silty loam; <1% gravels; damp - 68-85 cmbs – light gray sand; <1% gravels; dry	Terminated at desired depth
20	94	Negative	- 0-1 cmbs – loose root mat - 1-85 cmbs – medium brown silty loam; <1% gravels; damp - 85-94 cmbs – light gray sand; <1% gravels; dry	Terminated at desired depth
21	87	Negative	- 0-3 cmbs – loose root mat - 3-57 cmbs – medium brown silty loam; <1% sub-angular gravels; damp - 57-87 cmbs – light gray sand; dry; <1% gravels	Terminated at desired depth
22	90	Negative	- 0-4 cmbs – loose root mat - 4-82 cmbs – medium brown silty loam; <1% gravels - 82-90 cmbs – light gray sand; < 1% gravels	Terminated at desired depth
23	96	Negative	- 0-45 cmbs – dark brown sandy loam; semi-compact and dry; 0-25% sub-angular gravels - 45-96 cmbs – light gray/tan fine sand; large cobble at 45cmbs; loose and dry; 0-25% poorly sorted sub-angular gravels	Terminated at desired depth
24	101	Negative	- 0-60 cmbs – dark brown sandy loam; semi-compact and dry; 0% gravels - 60-101 cmbs – light gray/tan fine sand; loose and dry; 0% gravels	Terminated at desired depth

STP #	Depth (cmbs)	Cultural	Stratigraphy	Notes
25	104	Negative	- 0-60 cmbs – dark brown, sandy loam; loose and dry; 0% gravels - 60-90 cmbs – light gray/tan sand; loose and dry; 0% gravels - 90-104 cmbs – light gray/white, fine sand; loose and dry; 0% gravels	Terminated at desired depth
26	90	Negative	- 0-62 cmbs – light brown silty sand; minimal clay content; increased compaction; <25% rounded pebbles - 62-90 cmbs – light tan sand; 25% rounded pebbles; very loose	Terminated at desired depth
27	90	Negative	- 0-60 cmbs – dark brown silty sand; <5% angular pebbles - 60-90 cmbs – tan/gray sand; loose with <105% angular pebble inclusions	Terminated at desired depth
28	76	Negative	- 0-60 cmbs – dark brown silty loam; <5% angular pebble inclusions - 60-76 cmbs – light tan/gray sand; very loose	Terminated at desired depth
29	86	Negative	- 0-55 cmbs – brown silty sand; <5% angular inclusions; some roots - 55-86 cmbs – tan/gray sand; no inclusions	Terminated at desired depth
30	82	Negative	- 0-65 cmbs – brown silty sand; <25% small to med, rounded poorly sorted pebbles - 65-82 cmbs – light tan sand; no inclusions; very loose	Terminated at desired depth
31	87	Negative	- 0-67 cmbs – brown silty sand with <5% angular pebbles - 67-87 cmbs – light brown sand; very loose; medium rounded cobbles	Terminated at desired depth
32	70	Negative	- 0-60 cmbs – brown silty sand; <5% angular pebbles; loose - 60-70 cmbs – light tan sand; no inclusions; very loose	Terminated at desired depth
33	95	Negative	- 0-2 cmbs – loose root mat - 2-95 cmbs – medium brown silty loam ;roots at 70 cmbs likely from sage brush; moist; 5-10% sub-round to sub-angular gravels and increasing with depth	Terminated at desired depth
34	93	Negative	- 0-2 cmbs – loose root mat - 2-73 cmbs – medium brown silty loam; <1% gravels; damp - 73-93 cmbs – light gray sand; <1% gravels; dry	Terminated at desired depth
35	92	Negative	- 0-2 cmbs – loose root mat - 2-62 cmbs – medium brown silty loam; <1% sub-angular gravels; some small cobbles; sand - 62-92 cmbs – light gray sand; dry; <1% gravels	Terminated at desired depth
36	96	Negative	- 0-3 cmbs – loose root mat - 3-76 cmbs – medium brown silty loam; some small cobbles; <1% sub-round gravels; damp - 76-96 cmbs – light gray sand; dry; <1% gravels	Terminated at desired depth

STP #	Depth (cmbs)	Cultural	Stratigraphy	Notes
37	92	Negative	- 0-2 cmbs – loose root mat - 2-64 cmbs – medium brown silty loam; <1% gravels - 64-92 cmbs – light gray sand; < 1% gravels	Terminated at desired depth
38	89	Negative	- 0-4 cmbs – loose root mat - 4-64 cmbs – medium brown silty loam; <1% gravels - 68-89 cmbs – light gray sand; < 1% gravels	Terminated at desired depth
39	94	Negative	- 0-60 cmbs – dark brown sandy loam; semi-compact and dry; 0% gravels - 60-94 cmbs – light gray/tan fine sand; loose and dry; 0-25% sub-angular gravels	Terminated at desired depth
40	100	Negative	- 0-60 cmbs – dark brown sandy loam; semi-compact and dry; 0% gravels - 60-100 cmbs – light gray/tan fine sand; loose and dry; 0-25% sub-angular gravels	Terminated at desired depth
41	104	Negative	- 0-30 cmbs – dark brown, sandy loam, loose and dry, 0% gravel - 30-75 cmbs – light gray/brown sand, loose and dry, 0% gravels - 75-104 cmbs – light gray/white sand; loose and dry; 0% gravels	Terminated at desired depth
42	88	Negative	- 0-70 cmbs – light brown silty sand; minimal clay content; increased compaction; <25% rounded pebbles - 70-88 cmbs – light tan sand; 25% rounded pebbles; very loose	Terminated at desired depth
43	60	Negative	- 0-56 cmbs – dark brown silty sand; <5% angular pebbles - 56-60 cmbs – tan/gray sand; loose with <105% angular pebble inclusions	Terminated at desired depth
44	73	Negative	- 0-52 cmbs – dark brown silty loam; <5% angular pebble inclusions - 52-73 cmbs – light tan/gray sand; very loose	Terminated at desired depth
45	N/A	N/A	- N/A	Not excavated due to unknown utilities
46	79	Negative	- 0-3 cmbs – loose root mat - 3-40 cmbs – medium brown silty loam; 15-20% sub-rounded gravels; damp - 40-79 cmbs – light gray sand; 5-10% gravels; dry	Terminated at desired depth
47	81	Negative	- 0-50 cmbs – medium brown silty loam; 10-15% sub-round to sub-angular gravels; damp - 50-81 cmbs – light gray sand; increase in gravels; dry	Terminated at desired depth
48	83	Negative	- 0-70 cmbs – medium brown silty loam; 10-15% sub-round to sub-angular gravels; damp - 70-83 cmbs – light gray sand; increase in gravels; dry	Terminated at desired depth
49	84	Negative	- 0-40 cmbs – medium brown silty loam; damp; no gravels - 40-83 cmbs – gray sand; dry; <1% sub-round to sub-angular gravels; chunks	Terminated at desired depth

STP #	Depth (cmbs)	Cultural	Stratigraphy	Notes
50	89	Negative	- 0-3 cmbs – loose root mat - 3-63 cmbs – medium brown silty loam; slight compaction in first 20 cm; damp; no gravels - 63-89 cmbs – gray sand; dry; <1% sub-round to sub-angular gravels	Terminated at desired depth
51	90	Negative	- 0-3 cmbs – loose root mat - 3-67 cmbs – medium brown silty loam; damp; no gravels - 67-90 cmbs – gray sand; dry; <1% sub-round to sub-angular gravels	Terminated at desired depth
52	81	Positive	- 0-39 cmbs – medium brown loamy sand with some rootlets - 39-81 cmbs – gray sand; dry; sub-angular gravels <1%	Terminated at desired depth
53	N/A	N/A	- N/A	Not excavated due to unknown utilities
54	N/A	N/A	- N/A	Not excavated due to unknown utilities
55	89	Negative	- 0-3 cmbs – loose root mat - 3-40 cmbs – medium brown loamy silt with poor ped development; <1% sub-angular to sub-round gravels; damp - 50-89 cmbs – light gray sand; <1% gravel content; dry	Terminated at desired depth
56	82	Negative	- 0-3 cmbs – loose root mat - 3-50 cmbs – medium brown loamy silt with poor ped development; <1% sub-angular to sub-round gravels; damp - 50-82 cmbs – light gray sand; <1% gravel content; dry	Terminated at desired depth
57	70	Negative	- 0-39 cmbs – medium brown silty loam; loam; 0-5 % sub-round to sub-angular gravels - 39-70 cmbs – light gray sand; calcium present on gravels; dry; 5-10% gravels	Terminated at desired depth
58	91	Negative	- 0-64 cmbs – medium brown silt loam; <5% sub-angular gravels; some calcium present on gravels - 64-91 cmbs – light gray sand; 5% sub-angular to sub-round gravels; dry	Terminated at desired depth
59	82	Negative	- 0-6 cmbs – loose root mat - 0-65 cmbs – medium brown silt loam; <1% sub-angular gravels; some calcium present on gravels - 65-82 cmbs – light gray sand; 0-5% sub-angular to sub-round gravels; dry	Terminated at desired depth



Figure 14. Detail of STP 51



Figure 15. Overview of STP 57; View: W

PROJECT RECOMMENDATIONS

A single historic scatter (HR-1) was relocated during the pedestrian survey. This scatter was sparse, fragmented, and had no subsurface depth. There were no other pre-contact or historic sites relocated during the rest of the pedestrian or sub-surface survey. In terms of pre-contact Native American cultural material, as well as potential historic period remains, we believe potential for inadvertent discovery to be limited. **HR-1 is likely a one-time refuse deposit and is not recommended as eligible to the NRHP; therefore, RLR finds no effect to historic properties per 36CFR § (800.4(d)(1) and that work continue as planned.**

INADVERTENT DISCOVERY PROCEDURE

If an inadvertent discovery of archaeological items is made during construction, City of Richland (the project proponent) will contact PSA, Benton County, the affected Indian tribes, and DAHP.

If the inadvertent discovery is Archaeological material:

1. The project proponent and the Washington State Department of Archaeology and Historic Preservation (DAHP) will be contacted and work in that area will stop.
2. The archaeologist will contact the Project Proponent, City of Richland.
 - a. Upon notification of discovery of potential archaeological deposits, the professional archaeologist evaluates the remains.
 - b. The DAHP, CTUIR, and the YN will be given the opportunity to view the artifacts within 48 hours after the discovery or at the earliest possible time thereafter. The discovery will be kept confidential. After halting construction, securing the site, and notifying the contractor, the archaeologist will conduct a brief in-field evaluation. The purpose of the evaluation is to determine whether the discovered resources have potential to answer research questions.
 - c. Evaluation protocols are described in the following section.
 - d. If parties agree that the artifacts are not significant, RLR will ask the construction representatives to resume construction.

- e. If parties agree that the artifacts are significant, the Washington State DAHP will issue a stop work order until further notice for all construction work in the area defined as a significant site.

Guidelines for the Discovery of Human Remains:

1. All persons who know of the existence and location of human remains must, by law, **notify the county coroner and local law enforcement**. This must be done in the most expeditious manner possible. (RCW 27.44; 68.50; 68.60)
2. Any person engaging in ground disturbing activity that encounters skeletal human remains must **cease all activity which may cause further disturbance to the remains, make a reasonable effort to protect the area from further disturbance, report the presence and location of those remains to the coroner and local law enforcement** (RCW 27.44; 68.50; 68.60). The remains should not be touched, moved, or further disturbed.
3. The county coroner will assume jurisdiction over the human skeletal remains and make a determination of whether those remains are forensic or non-forensic. (RCW 27.44; 68.50; 68.60)
4. If the county coroner determines the remains are non-forensic, then the Department of Archaeology and Historic Preservation will take jurisdiction over the remains. (RCW 27.44; 68.50; 68.60)
5. The State Physical Anthropologist will make a determination of whether the remains are Indian or Non-Indian and report that finding to the affected parties. (RCW 27.44, 68.50; 68.60)
6. The DAHP will handle all consultation with the affected parties as to the future preservation, excavation, and disposition of the remains if there is no federal agency involved.

Contact:

Dr. Guy Tasa, State Physical Anthropologist, DAHP
1063 South Capitol Way, Suite 106, PO Box 48343, Olympia, Washington 98501
Email: guy.tasa@dahp.wa.gov Phone: (360) 586-3534 Cell: (360) 790-1633

REFERENCES CITED

- Ames, Kenneth M., Dumond, D. E., Galm, J. R., & Minor, R.
1998 *Prehistory of the Southern Plateau*. In W. C. Sturtevant, & D. E. Walker (1998). Handbook of North American Indians. Volume 12. Plateau. Washington, D.C.: Smithsonian Institution.
- Bard, J. C., and McClintock, R.
1997 *Section 3. Ethnographic/Contact Period of the Hanford Site, Washington: Lewis and Clark 1805- Hanford Engineer Works 1943*. Hanford Cultural and Historic Resources Program. Retrieved on June 22, 2011 from <http://www.hanford.gov/doe/culres/mpd/sec3.htm#3.0>
- Bicchieri, Barbara
1975 Units of culture and units of time: Periodization and its use in syntheses of plateau prehistory. *Northwest Anthropological Research Notes* 9 (2):246-266
- Bicchieri, Barbara
1991 *Archaeological survey of randomly selected ¼ sections of Reecer Canyon Quadrangle*. Archaeological and Cultural Task Group of the Yakima Resources Management Cooperative. Ellensburg, Washington.
- Bischoff, W.N.
1949 Yakima Campaign of 1856 *Mid-America* 21:170
- Bureau of Land Management [BLM]
2021 *Land Status and Cadastral Records Viewer: Willamette Meridian—Oregon and Washington States*. Electronic document, <http://www.blm.gov/or/landrecords/survey/ySrvy1.php>, accessed January 2021.
- Chatters, James C.
1998 *Environment*. In Sturtevant, W. C., & Walker, D. E. (1998). Handbook of North American Indians. Volume 12. Plateau. Washington, D.C.: Smithsonian Institution.
- Central Washington University [CWU]
2021 Central Washington Historical Aerial Photograph Project. Department of Geography, Central Washington University. Electronic document, https://www.gis.cwu.edu/geog/historical_airphotos/, accessed February 2021.
- Dodril, B., and Sadin, P.
2009 National Register of Historic Places multiple property documentation form for private irrigation structures in Kittitas County and north Yakima County, Washington. NPS Form 10-900-b. OMB No. 1024-0018. Prepared by Historical Research Associates, Inc. for Washington State Department of Archaeology and Historic Preservation and Historic Preservation and Advisory Council on Historic Preservation.

Dunnell, Robert C.

1979 Trends in current Americanist Archaeology. *American Journal of Archaeology*, 83, 437-449.

Evans, E., and North Pacific History Company

1889 *History of the Pacific Northwest: Oregon and Washington; embracing an account of the original discoveries on the Pacific coast of North America, and a description of the conquest, settlement and subjugation of the original territory of Oregon, also interesting biographies of the earliest settlers and more prominent men and women of the Pacific Northwest, including a description of the climate, soil, productions of Oregon and Washington*. Portland, OR: North Pacific History Co.

Evans, E., and North Pacific History Company

1889 *History of the Pacific Northwest: Oregon and Washington ; embracing an account of the original discoveries on the Pacific coast of North America, and a description of the conquest, settlement and subjugation of the original territory of Oregon*. Portland, OR: North Pacific History Co.

Franklin, J. F., Blinn, T., and Dyrness, C. T.

1988 *Natural vegetation of Oregon and Washington: Commentary and bibliographic supplement*. Corvallis, OR: Oregon State University Press; USDA Forest Service, Pacific Northwest Research Station.

Galm, J. J., Hartmann, G. D., Masten, R. A., and Stephenson, G. O.

1981 A cultural resource overview of the Bonneville Power Administration's Mid-Columbia Project, Central Washington. Bonneville Cultural Resources Group Report No. 100-16. *Eastern Washington University Reports in Archeology and History*, Cheney: WA.

Glauert, E. T., and Kunz, M. H.

1972 *The Kittitas Indians*. Ellensburg, WA: Ellensburg Public Library.

Historic Map Works

2021 Washington, Benton County 1976, Metsker Maps. Electronic document, <http://www.historicmapworks.com>, accessed February 2021.

Hunn, E. S., and Selam, J.

1990 *Nch'i-wána, "the big river": Mid-Columbia Indians and their land*. Seattle: University of Washington Press.

Kershner, J.

2008 Richland—Thumbnail history. HistoryLink.org essay 8450. Electronic document, <https://www.historylink.org/File/8450>, accessed January 2021.

Kubik, Barbara J.

1994 Richland: Celebrating Its Heritage (City of Richland, self Published).

- Lasmanis, R.
1991 The geology of Washington. *Rocks and Minerals*, 66(4), pgs. 262-277.
- Lentz, C. R.
1974 *Yakima Project water rights & related data*. Preliminary record. Yakima, WA: Pacific Northwest Region.
- McKee, E. H.
1971 Tertiary igneous chronology of the Great Basin of Western United States: Implications for tectonic models. *Geological Society of America Bulletin*, 80(12), 3497-3502.
- Meinig, D. W.
1968 *The Great Columbia Plain: A historical geography, 1805-1910*. Seattle: University of Washington Press.
- Parsons, Katie
2021 "Vintage Fire King 101: A Guide to Fire King Kitchenware." Electronic document, <https://estatesales.org/thegoods/vintage-fire-king-101-guide-fire-king-kitchenware>, accessed February 18, 2021.
- Ray, Verne F.
1936 Native villages and groupings of the Columbia Basin. *Pacific Northwest Quarterly*, 27, 99-152.
- Reidel, S. P., Fecht, K. R., and Washington (State)
1994 *Geologic map of the Priests Rapids 1:100,000 quadrangle, Washington*. Olympia, WA: Washington Division of Geology and Earth Resources.
- Ross, A.
1956 *The fur hunters of the Far West*. The American Exploration and Travel Series, 20. Norman: University of Oklahoma Press
- Smith, Harlen I.
1910 *The archaeology of the Yakima Valley*. Anthropological Papers of the American Museum of Natural History VI (1). New York: American Museum of Natural History.
- Smith, G. A.
1988 Neogene synvolcanic and syntectonic sedimentation in Central Washington. *Geological Society of America Bulletin*, 100, 1479-1492.
- Splawn, A. J.
1958 *Ka-mi-akin, The last hero of the Yakimas*. Portland, OR: Kilham Stationery and Print.

USDA [NRCS]

2021 *Web Soil Survey*. Electronic document, from
<http://www.websoilsurvey.nrcs.usda.gov>, accessed January 2021.

Walker, Deward and Roderick Sprague

1998 *History Until 1846*. In W. C. Sturtevant, & D. E. Walker (1998). Handbook of
North American Indians. Volume 12. Plateau. Washington, D.C.: Smithsonian Institution.

APPENDIX A

ARCHAEOLOGY SITE RECORD



STATE OF WASHINGTON ARCHAEOLOGICAL SITE INVENTORY FORM

Smithsonian Number: 45

County:

Date: 2/24/2021

Human Remains? ☐ DAHP Case No.:

Compiled By: Joshua Allen

RLR Cultural Resources, LLC

Archaeological Sites are exempt from public disclosure per RCW 42.56.300

SITE DESIGNATION

Site Name: HR-1

Field/Temporary ID: HR-1

Site Type: Historic Debris Scatter/Concentration

As the designated authority under the National Historic Preservation Act, as amended, I hereby certify that this request for determination of eligibility meet the documentation standards for registering properties in the National Register of Historic Places and meets the procedural and professional requirements set forth in 36 CFR Part 60. In my opinion, the site

☐ meets ☒ does not meet the National Register Criteria.

I recommend that this property be considered significant at the following level(s) of significance:

Criteria

Statement of Significance

The 1955 aerial (CWU 2021) showed the project location as an open landscape with a sparse scattering of sage brush, sand dunes, and a couple, two-track roads. The deposit appeared to be adjacent to the two track-road that is on the 1955 aerial and is mentioned as a "Seasonal Road" on the 1976 Metsker Map (Historic Map Works 2021). The property is owned by Richland in the 1976 map (Historic Map Works 2021). There was no indication that there was a structure or any other type of building at this location either based on archival data and fieldwork. The site likely dated to the 1940s to 1950s based on the presence of fish scale molded, Anchor Hocking milk glass that was popular at this time (Parsons 2021).

If HR-1 were eligible under Criterion A of the NRHP it would be "... associated with events that have made a significant contribution to the broad patterns of our history..." HR-1 is not likely to have been associated with an event that have made a broad impact on regional history. From what can be gleaned from archival research, this was not the location of any particular event that made a broad pattern in either local, regional, or national history. Based on the sparse nature of the deposit it is likely a single episode, refuse deposit. Therefore, it is recommended that this resource is not eligible to the NRHP under Criterion A.

To be eligible under Criterion B, HR-1 would need to be "...associated with the lives of persons significant in our past..." HR-1, is a refuse deposit located on land that has been owned by the City of Richland since at least the 1970s (Historic Map Works 2021). None of the artifacts indicate ownership and given the lack of physical context in the form of a building or structure, an exact person or persons is impossible to determine. Therefore, HR-1 is recommended as not eligible to the NRHP under Criteria B.

Criterion C is generally considered to be associated with works of high artistic value or that of a master. The resource is exclusively a surficial deposit with little to no depth. Given the lack of physical representation to attribute to the work of a master or retain high artistic value, HR-1 is not recommended eligible for inclusion on the NRHP under Criterion C.

To be considered eligible under Criterion D the resource needs to "... have yielded, or may be likely to yield, information important in prehistory or history..." HR-1 has yielded information based on the artifacts already found on the surface and the excavation of STP 52. The fish scale molded milk glass dates the site to the 1940s-1950s based on the popularity of the design at the time (Parsons 2021). Because the site is unlikely to yield more data potential given its limited surface presence and complete lack of sub-surface presence, HR-1 is not recommended to the NRHP under Criterion D.

Integrity

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The integrity of a resource is evaluated under seven aspects: Location, Design, Setting, Materials, Workmanship, Feeling, and Association. The Location of the resource has likely stayed the same since it was deposited given that it appears to be a single episode, refuse deposit. The integrity of Design in a property is typically dependent on the conscious decision of the designer during the planning process and the representation of that design in a building, landscape, etc. HR-1 lacks integrity in Design considering it is a single episode refuse deposit off the side of a two-track road. The Setting of the deposit is lacking considering that the surrounding area, which was once devoid of settlement and infrastructure into the mid-20th century, is now full of single-family homes, a golf course, and Highway 240. The resource does not retain Integrity with respect to Materials as it is a single episode, refuse deposit. The resource does not retain any integrity with regards to Workmanship because it lacks any physical structure or building that the refuse deposit can be associated with. The Feeling of deposit is lacking because it is a single episode refuse deposit composed of domestic artifacts that in no way contribute to how the land was once or is currently used for. The Association with an important historic event or person is also lacking with this resource as there is no definitive way to date it to a specific person or event that made an impact on local, regional, or national history. Overall, the resource only retains integrity in one out of the seven aspects, Location, and fails to retain intact integrity in the other six aspects.

SHPO Determination

Eligibility Survey/Inventory **Determined On**
Determined By
SHPO Comments

SITE LOCATION

USGS Quad Map Name(s):

T: 10 **R:** 28 **E/W:** E **Section:** 20
UTM: Zone: 11 **Easting:** 320029 **Northing:** 5133958
Latitude: 46.335280 **Longitude:** -119.338430 **Elevation (ft/m):** 129
Drainage, Major: Lower Yakima **Drainage, Minor:** **River Mile** 11
Aspect N/A **Slope** 0

Location Description (General to Specific):

The site is located approximately 3 miles northwest of Richland, Washington. Horn Rapids is located approximately 5 miles northwest. The surrounding area is an open flood plain of the Yakima River that is rapidly being developed with the construction of a golf course, single family homes, and general city infrastructure.

Directions (For Relocation Purposes):

From the intersection of Jadwin Avenue (Highway 240) and By Pass Highway in Richland Washington, drive northwest on Jadwin Avenue (Highway 240) for approximately 2.8 miles. Turn left onto Village Parkway and then take the first right and continue on Village Parkway for 0.3 miles. Park the vehicle and walk approximately 100 feet bearing 15 degrees. Note that the area is currently (02/2021) being developed and that the site will likely be on private land in the near future so landowner permission will be needed to access the site.

SITE DESCRIPTION

Narrative Description (Overall Site Observations):

One historic scatter (HR-1) was relocated near the southwestern edge of the APE. The scatter was sparse, surficial, and only contained fragments of glassware, ceramic, and one crushed can. The site was scattered over an area of about 50 m2 and STP 52 was within the site boundaries. There was a single fragment of white-improved-earthenware (WIE) found on the surface of STP 52. STP 52 was excavated to 81 centimeters-below-surface (cmbs) with no other artifacts found below the surface. The site appeared to be a single episode, refuse deposit based on the fragmented, sparse, and scattered nature of the artifacts and the lack of depth.

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Site Dimensions (Overall Site Dimensions):

Length: 25 ft Direction: N/S Width: 25 ft Direction: E/W
 Method of Horizontal Measurement: Tape
 Depth: Surface Method of Vertical Measurement: N/A
 Deposit

Vegetation (On Site):

Local: Native species include big sagebrush (*Artemisia tridentata*) and various bunchgrasses, while invasive species include Russian thistle (*Kali tragus*) and cheatgrass (*Bromus tectorum*).
Regional: Same as local

Landforms (On Site):

Local: Horn Rapids **Regional:** Rattlesnake Ridge

Water Resources (Type): Lower Yakima River **Distance:** 0.75 miles **Permanence:** Permanent

CULTURAL MATERIALS AND FEATURES

Narrative Description (Specific Inventory Details):

The fish scale, molded design on the milk glass cup fragment was a common mold used by Anchor-Hocking during the years that they produced the Fire-King brand (Parson 2021). Although the Fire-King brand was used by Anchor-Hocking from the 1940s-1970s, the fish scale mold was most popular during the 1940s and 1950s (Parsons 2021).

Location Count Material Type/Description

Surface	4 Ceramic	Dark, cobalt blue, WIE fragments
	8 WIE	White-improved-earthenware, non-diagnostic frags
	4 Glass	Milk glass fragments, with fish scale molding, one w/rim
	4 Glass	Clear glass fragments, non-diagnostic
	2 Glass	Clear glass fragments, with condiment panels
	1 Porc.	Porcelain bowl frag w/transfer print motif in leaves and white and green flowers on an orange and yellow background
	1 Ferrous	Sanitary Seam can, crushed
STP 52	1 WIE	White-improved-earthenware, non-diagnostic fragment

Method of Collection:

Not collected

Location of Artifacts (Temporary/Permanent):

Left at site

SITE AGE

Component Type Historic
Dates 1940-1950s
Dating Method Fish scale molded milk glass fragment (Parsons 2021)
Phase
Basis for Phase Designation

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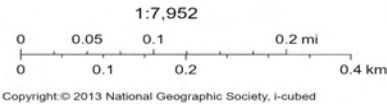
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SITE RECORDERS			
Observed By	Address		
Joshua Allen	PO Box 2215, Yakima, Wa 98907-2215		
Date Recorded:	2/24/2021		
Recorded by (Professional Archaeologist):	Joshua Allen		
Organization:	RLR Cultural Resources, LLC	Phone Number:	(208) 290-4008
Address:	PO Box 2215, Yakima, Wa 98907-2215	Email:	joshua.allen2@cwu.edu
SITE HISTORY			
Previous Archaeological Work:			
No previous archaeological work.			
LAND OWNERSHIP			
Owner	Address	Parcel	
City of Richland	625 Swift Blvd, Richland, WA, 99352	120083000009013	
RESEARCH REFERENCES			
Items/Documents Used in Research:			
Central Washington University [CWU] 2021 Central Washington Historical Aerial Photograph Project. Department of Geography, Central Washington University. Electronic document, https://www.gis.cwu.edu/geog/historical_airphotos/ , accessed February 2021.			
Historic Map Works 2021 Washington, Benton County 1976, Metsker Maps. Electronic document, http://www.historicmapworks.com , accessed February 2021.			
Parsons, Katie 2021 "Vintage Fire King 101: A Guide to Fire King Kitchenware." Electronic document, https://estatesales.org/thegoods/vintage-fire-king-101-guide-fire-king-kitchenware , accessed February 18, 2021.			

USGS MAP



February 24, 2021



SKETCH MAPS

Source Information



Photographs, Tables and Additional Information



Photo ID	512574
Title	Overview of HR-1
Year Taken	2021
Is Circa?	☐
Notes	
Type	image/jpeg
Photo View	W
Source	
Copyright	☐

ARCHAEOLOGICAL SITE INVENTORY FORM

Smithsonian Number: 45



Photo ID	512576
Title	HR-1 Aerial Site Map
Year Taken	
Is Circa?	☐
Notes	
Type	image/jpeg
Photo View	
Source	
Copyright	☐

ARCHAEOLOGICAL SITE INVENTORY FORM

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Photo ID 512573
Title Sample of Artifacts found at HR-1
Year Taken 2021
Is Circa? ☐
Notes
Type image/jpeg
Photo View Detail
Source
Copyright ☐

ARCHAEOLOGICAL SITE INVENTORY FORM

Smithsonian Number: 45

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Photo ID 512572
Title Detail of fish-scale molded Fire-King milk glass frag
Year Taken 2021
Is Circa? ☐
Notes
Type image/jpeg
Photo View Detail
Source Parsons 2021
Copyright ☐

ARCHAEOLOGICAL SITE INVENTORY FORM

Smithsonian Number: 45

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Photo ID 512571
Title Detail of Porcelain Bowl Fragment
Year Taken 2021
Is Circa? ☐
Notes
Type image/jpeg
Photo View Detail
Source
Copyright ☐



Zoning Map Amendment Application

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

PROPERTY OWNER INFORMATION

☒ Contact Person

Owner: City of Richland, Economic Development, Danielle Mullins PE

Address: 625 Swift Blvd., Richland, WA 99352

Phone: 509-942-7583

Email: dmullins@ci.richland.wa.us

OWNER/APPLICANT INFORMATION

☐ Contact Person

Company: Pahlisch Homes at Horn Rapids Limited Partnership

Contact: Chad Bettsworth, PE

Address: 210 SW Wilson Ave, Ste 100, Bend OR 97702

Phone: 541-385-6762 x166

Email: Chadb@pahlisch.com

DESCRIPTION OF WORK

The City is proposing a Comprehensive Plan Map Amendment and a concurrent Zoning Map Amendment on approximately 21 acres ("Site"). It is currently owned by the City of Richland and Pahlisch Homes, LLC, and is currently land use designation of Public Facility (PF). The proposed amendment is for a change in land use designation to High Density Residential. A concurrent Zoning Map Amendment is proposed as requested by the City, to implement commensurate zoning to match adjacent parcels. The current Developed Open Space (PPF) zoning is proposed to be amended to Multiple Family Residence (R-3) zoning designation. The Developed Open Space is no longer needed since the Richland School District determined they did not need it for a school site.

PROPERTY INFORMATION

Parcel #: 120083000009013 and 120083020005000

Legal Description: See attached

Current Zoning: Parks & Public Facility

Current Comp Plan:

Requested Zoning: R-3, Multi-Family

Current Use: Public Facility

Proposed Use: High Density Residential

Area of Property: 21.07 acres

APPLICATION MUST INCLUDE

1. Completed application and filing fee
2. Title Report showing ownership, easements, restrictions, and accurate legal description of the property involved
3. Other information as determined by the Administrator

ANSWER THE FOLLOWING AS COMPLETELY AS POSSIBLE

The unique characteristics, if any, of the property or circumstances of the owner:

The property was originally slated for a Richland School District elementary school. The Richland School District revised their planned school locations and does not want the land. The current land use does not support the future development, and the current zoning classification. By submitting for a Comprehensive Plan Amendment and Zoning Map Amendment, both the Land Use and Zoning of the property will support one another, which includes the development and construction of the proposed Horn Rapids Future Fire Station.

Any hardship that may result in the event the rezone is not granted:

If the rezone is not granted, it would prevent the City's Economic Development Department from selling the property and would not be able to fulfill its agreement with Pahlisch Homes, LLC of their Option to Purchase Agreement, along with requiring the City to find a new location for the Future Fire Station. The property would remain undeveloped, and this could possibly cost the City money to maintain and prevent damage from dust control. This property is located directly north of a residential development.

The manner in which the proposed rezone conforms to patterns in adjacent zones:

The adjacent use is Medium Density Residential, High Density Residential, and Parks & Public Facility. This rezone would allow for consistency of the zoning and to accommodate the future development to be consistent with the land use designation.

Any beneficial or adverse effects the granting or denial of the rezone would have on adjacent or surrounding zones:

Additional residential development would complement the current residential development that is directly adjacent to the property. The construction of the new City of Richland Fire Station would benefit all the growth (residential, commercial, and industrial) that is projected in the Horn Rapids area, which has been a growing concern with the residents in the area.

Any beneficial or adverse effects the granting or denial of the rezone would have in relation to the overall purpose and intent of the comprehensive plan and this title:

The zone change would support the growth and development in north Richland and is supported by the goals and policies of the City's Comprehensive Land Use Plan, thus furthering the overall purpose and intent of the plan.

The benefits or detriments accruing to the City which would result from the granting or denial of this special permit:

If approved, the zone change would be consistent with the land use designation and would support the residential development and the construction of the City of Richland Fire Station.

Whether the proposed rezone represents a better use of the land from the standpoint of the comprehensive plan than the original zone:

The rezone application is accompanied by a proposed Comprehensive Plan Map Amendment which would change the land use designation from Park & Public Facility to High Density Residential. A description of the benefits of the proposed map change and how it is consistent with the City's Comprehensive Plan, county-wide planning policies and State Goals are described in the Comprehensive Plan Map Amendment

Whether the proposed rezone represents spot zoning and whether a larger area should be considered:

The proposed zoning map amendment is located within the Horn Rapids Residential Development that exists and is continuing to be developed. The proposed amendment will continue to provide and support the opportunity for growth and development in the surrounding area.

Identify impacts on the environment and public safety:

Development of the subject property would result in more residential development provided that it is in the current residential development. Further development will increase traffic but a new Traffic Impact Analysis has been prepared (the last TIA was completed in 2006). This will help determine what additional improvements will be required by the residential developer, and if the current access supports the proposed use.

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

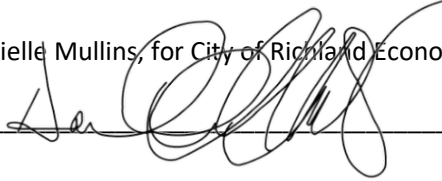
I also acknowledge that if a permit is issued for land development activities, no terms of the permit can be violated without further approval by the permitting entity. I understand that the granting of a permit does not authorize anyone to violate in any way any federal, state, or local law/regulation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

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

1. I have read and examined this permit application and have documented all applicable requirements on the site plan.
2. The information provided in this application contains no misstatement of fact.
3. I am the owner(s), the authorized agent(s) of the owner(s) of the above referenced property, or I am currently a licensed contractor or specialty contractor under Chapter 18.27 RCW or I am exempt from the requirements of Chapter 18.27 RCW.
4. I understand this permit is subject to all other local, state, and federal regulations.

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

Applicant Printed Name: Danielle Mullins, for City of Richland Economic Development

Applicant Signature:  Date 2/23/2021

Applicant Printed Name: Chad Bettesworth, for Pahlisch Homes at Horn Rapids, LP

Applicant Signature:  Date 2/16/21

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: **Comprehensive Plan Amendment and Zoning Map Amendment.**
2. Name of applicant: **City of Richland, Economic Development**

3. Address and phone number of applicant and contact person: **625 Swift Blvd., Richland, WA 99352, Contact: Danielle Mullins 509-942-7717**
4. Date checklist prepared: **January 14, 2021**
5. Agency requesting checklist: **City of Richland, Planning Department**
6. Proposed timing or schedule (including phasing, if applicable): **The Comprehension Plan Amendment when approved, the land use will be the appropriate designation for the City of Richland's new fire station and will able to be sold to the residential developer that has been building to the immediate south of the property. At this time there is not timeframe or schedule.**
7. Do you have any plans for future additions, expansion, or further activity related to or connected with this proposal? If yes, explain. **The future activity for the property will be completed by the City of Richland's Fire Department and by the developer that purchases the property from the City's Economic Development Department.**
8. List any environmental information you know about that has been prepared, or will be prepared, directly related to this proposal. **There are no issues known.**
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.
N/A
10. List any government approvals or permits that will be needed for your proposal, if known.
N/A
11. Give brief, complete description of your proposal, including the proposed uses and the size of the project and site. There are several questions later in this checklist that ask you to describe certain aspects of your proposal. You do not need to repeat those answers on this page. (Lead agencies may modify this form to include additional specific information on project description.) **The request for the Comprehensive Plan Amendment and the Zone Map Amendment are to support the development of the land for the future Horn Rapids Fire Station and residential development.**
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. **This project is located within the SE1/4 of S20, T10N and R28E. The property's physical location is north of the intersection of Village Parkway and Bobwhite Way and extends to the west to where Village Parkway dead ends, in Richland Washington.**

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)? **2.0 percent**

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. **SP-SM**

d. Are there surface indications or history of unstable soils in the immediate vicinity? If so, describe. **None that are known.**

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.. **None that are known.**

f. Could erosion occur as a result of clearing, construction, or use? If so, generally describe. **No material will be moved as part of this application. This application is for a Comp. Plan Amendment. The site will be cleared and grubbed at the time of future development.**

g. About what percent of the site will be covered with impervious surfaces after project construction (for example, asphalt or buildings)? **There is no plan at this time for development until the Comp. Plan Amendment is approved. In the future the property will be developed for residential housing and a new City of Richland Fire Station.**

h. Proposed measures to reduce or control erosion, or other impacts to the earth, if any: **There is no plan at this time for development until the Comp. Plan Amendment is approved. The future development will be required to follow and place all erosion control measures.**

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. **Per this application there will be no emissions or construction. This is for a Comp. Plan Amendment, during the future development of the Fire Station and the residential development there will be normal construction emissions I the air.**

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

- c. Proposed measures to reduce or control emissions or other impacts to air, if any: **This application is for a Comp. Plan Amendment. No construction is currently being proposed at this time.**

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.

N/A

- 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.

N/A

- 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.

N/A

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

N/A

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

N/A

- 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.

N/A

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.

N/A

- 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.

N/A

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. **Per this application there will be no means of disturbing or creating the current runoff. When the property is developed the construction will be designed and will adhere to the design requirements of the Department of Ecology, and will follow the guidelines of the Stormwater Management Manual for Eastern Washington.**
- 2) Could waste materials enter ground or surface waters? If so, generally describe. **N/A.**
- 3) Does the proposal alter or otherwise affect drainage patterns in the vicinity of the site? If so, describe.

N/A

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

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? **None per this application. When the future property is developed the removal of the existing vegetation will be determined on the final design.**

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

Ferruginous Hawk – See attached from Department of Fish and Wildlife.

- d. Proposed landscaping, use of native plants, or other measures to preserve or enhance vegetation on the site, if any: **When the future property is developed the new landscaping will be consistent and will complement the of what is in that area.**

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

None known

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.

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.
No threatened or endangered species have been seen or encountered on the property. The Washington Fish and Wildlife has been consulted and has performed a site visit. Attached is there recommendations.

- c. Is the site part of a migration route? If so, explain.
No

- d. Proposed measures to preserve or enhance wildlife, if any:
None

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

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.
When the property is developed Power, and Natural Gas could be extended to the property depending on the purveyor, and the usage.
- b. Would your project affect the potential use of solar energy by adjacent properties? If so, generally describe.
No
- 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 City of Richland has been doing study on Energy Efficient Street Lights. The final results of the study are not available at this time.

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. **No**

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

- 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.

Natural Gas could be extended to the property for future development depending on the purveyor and their service plan.

- 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.

At the time of future development, the Contractor could refuel their equipment on-site, and may store some fuel onsite during construction.

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

None needed.

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

b. Noise

- 1) What types of noise exist in the area which may affect your project (for example: traffic, equipment, operation, other)? **At the time of future construction, the equipment and normal everyday traffic from the subdivision development.**

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. **At the time of future construction, normal construction noise, from 7:30am to 5:00pm. This would be on a short-term basis.**

- 3) Proposed measures to reduce or control noise impacts, if any: **At the time of future construction the inspector will verify that the Contractor is working within the City's Ordinance of working hours.**

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.

There should be no issues to the adjacent properties. This property is not located within a Shoreline.

- b. Has the project site been used as working farmlands or working forest lands? If so, describe. How much agricultural or forest land of long-term commercial significance will be converted to other uses as a result of the proposal, if any? If resource lands have not been designated, how many acres in farmland or forest land tax status will be converted to nonfarm or nonforest use? **No**

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

- c. Describe any structures on the site. **There are no structures on the site. It is vacant land.**

- d. Will any structures be demolished? If so, what? **No**
- e. What is the current zoning classification of the site?
The current zoning designation is PPF – Parks and Public Facility, this application is being submitted for a Comp Plan Amendment and a Zoning Map Amendment change. The zoning is being proposed to be changed to R-3 – Multiple Family Residential.
- f. What is the current comprehensive plan designation of the site? **The current land use is designated at Public Facility. This application is being submitted for the proposed change to High Density Residential.**
- g. If applicable, what is the current shoreline master program designation of the site? **N/A**
- h. Has any part of the site been classified as a critical area by the city or county? If so, specify.
No
- i. Approximately how many people would reside or work in the completed project? **The future development has been discussed as being residential development, as well as a new City of Richland Fire Station. At this time there is no estimated number of residents or employees or anticipated schedule for building at this time.**
- j. Approximately how many people would the completed project displace? **None.**
- k. Proposed measures to avoid or reduce displacement impacts, if any: **N/A**
- l. Proposed measures to ensure the proposal is compatible with existing and projected land uses and plans, if any: **All plats and proposed buildings are reviewed by Building, Planning and Public Works.**
- m. Proposed measures to reduce or control impacts to agricultural and forest lands of long-term commercial significance, if any: **N/A**

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

- a. Approximately how many units would be provided, if any? Indicate whether high, middle, or low-income housing.
For this application no homes are being proposed to be constructed. The future development would be for residential development, and the estimated number of lots has not been finalized.
- b. Approximately how many units, if any, would be eliminated? Indicate whether high, middle, or low-income housing.
N/A
- c. Proposed measures to reduce or control housing impacts, if any:
N/A

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?

The height will not exceed the Richland Municipal Code.

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

There will be no views obstructed. The property borders State Route 240.

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

None

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

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

The future development will have City Street Lighting.

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

No, the design for Street Lights focuses on the required candlesticks, and the area that is lit.

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

There are no sources that will affect the proposed property.

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

If the site has any issues causing glare, the Street Lights will have shields applied to them.

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

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

Horn Rapids Golf Course is in the vicinity of the proposed property that is being submitted for the Comp. Plan Amendment.

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

No

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

N/A

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.

N/A

- 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.

N/A

- 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.

N/A

- 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. **N/A**

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.

The main access into the property development is from SR240 and the access is fed directly from the local road access.

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

No, the closest transit stop is approximately 2 miles away.

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

N/A – There is no construction planned at this time.

- 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).

Per the application for the Comp. Plan Amendment and Zoning Map Amendment there is no need or requirement for the construction of any new roads and infrastructure. Once the Comp. Plan and Zoning changes have been approved and the developer moves forward with their future plans, the requirements of new roads with the supporting infrastructure will be determined.

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

Vehicular transportation will be used for travel to and from the property.

- 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?

A current TIA has been performed and will compare the trips of the current land use and zoning to the new proposed land use and zoning. Attached.

- g. Will the proposal interfere with, affect or be affected by the movement of agricultural and forest products on roads or streets in the area? If so, generally describe. **No**

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

The proposed application for the Comp. Plan Amendment has no proposal to reduce or control transportation impacts. When looking at the current land use and proposed land use there should be no additional transportation impacts. The land use change could reduce the impacts. If the land use change is approved it will be the responsibility of the developer to plan and make the required improvements.

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.

The proposed application is for the Comp. Plan Amendment to change the current land use and zoning of the property. This property is slated for the development and construction of a new City of Richland Fire Station. With the continued growth of residential development along with the growth of the Horn Rapids Industrial Park there is a need for the new Fire Station and this application supports the increase need for public services.

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

The measures that are being taken is to change the land use and the zoning of the property to support the construction of a new City of Richland Fire station in the Horn Rapids area. Without the approval of the land use change and the zoning it will directly impact this area due to the lack of public service (fire protection).

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

- a. Circle utilities currently available at the site:

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

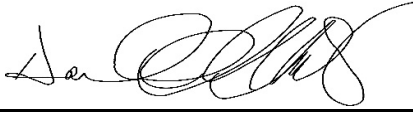
These utilities are available to the west property line, and can be extended at the time of future development.

- 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.

**Water, Sewer, Refuse Service, Electricity, Fiber – provided by the City of Richland
Telephone – Ziply Fiber
Cable – Spectrum/Charter
Natural Gas - Cascade Natural Gas**

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 Danielle M. Mullins

Position and Agency/Organization Civil Engineer II, City of Richland

Date Submitted: 2/25/2021

D. Supplemental sheet for non-project 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?

The proposed application for the Comp. Plan Amendment will not cause any increase to discharge to water, as this area when developed will retain all stormwater runoff on site. Emissions to the air will only be from residential vehicles and that of emergency service vehicles. There is no plan for storage, use of toxic or hazardous substances, or manufacturing of any kind that would increase noise.

Proposed measures to avoid or reduce such increases are: **N/A**

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

Currently the land is covered in desert grass and weeds, The area when developed will be restored to reduce the chance of wild grass fires. The Department of Fish and Wildlife has been consulted on displacing any animals and they have determined that this area will have a very low impact if any.

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

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

The application will not cause any depletion of energy or natural resources.

Proposed measures to protect or conserve energy and natural resources are: **N/A**

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

The proposed change the land use and the zoning of the property will support the development of additional single-family residence and a new City of Richland Fire Station could have an effect on areas that potentially have threatened species. As part of this SEPA the Department of Fish and Wildlife has been consulted and the future development is projected to have minimal impacts.

Proposed measures to protect such resources or to avoid or reduce impacts are: **There has been no evidence that there are any threatened species located within the property boundary.**

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? **This project is not located in an area that would affect land and shoreline use.**

Proposed measures to avoid or reduce shoreline and land use impacts are: **N/A**

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

The proposed change for the land use and zoning will allow for additional residential development and for the construction of a new City of Richland Fire Station. This will require the need to construct new roads to support the new residence and infrastructure. The new infrastructure will support the City's policies for growth and development. The new Fire Station will also support the growth and provide the limited service that the Horn Rapids has currently.

Proposed measures to reduce or respond to such demand(s) are: **The change in land use and zoning will support the City's plans to build a new Fire Station, which supports the increase and need for public services.**

7. Identify, if possible, whether the proposal may conflict with local, state, or federal laws or requirements for the protection of the environment. **When developing this application, the Department of Fish and Wildlife was consulted for any threatened species, which it was concluded that there wasn't any sign of. The future development will follow all the City of Richland's Design Standards and will also be designed per all codes and regulations that are put forth by the state and federal government. At this time there is no conflict.**



C&M Nursery

2517 Van Giesen St

CPA2021-104

Z2021-104

Vicinity Map

Item: Comprehensive Plan Amendment
Applicant: NC Ventures LLC
File #: CPA2021-104





Comprehensive Plan Amendment Application

☒ Comprehensive Plan Land Use Map

☐ Text of Comprehensive Plan

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

PROPERTY OWNER INFORMATION

☐ Contact Person

Owner: NC Ventures LLC (Attn. Andy Clary)

Address: 3802 S Highlands Blvd, West Richland, WA 99353

Phone: (509) 528-7881

Email: andy@cmnursery.org

APPLICANT/CONTRACTOR INFORMATION (if different)

☒ Contact Person

Company: AHBL, Inc.

UBI#:

Contact: Nicole Stickney, AICP

Address: 5904 Road 90, Suite H, Pasco WA 99301

Phone: (509) 316-7131

Email: nstickney@ahbl.com

PROPERTY INFORMATION

Legal Description:

PORTION OF NE 1/4 OF SE 1/4 OF SECTION 4 TOWNSHIP 9 N RANGE 28 E, W.M.

Parcel Number: 104984000001000

Current Zoning: AG

Current Land Use Designation: Agriculture

APPLICATION REQUIREMENTS – Submit as required or attach written statements explaining the following:

1. Completed application and filing fee;
2. The purpose of the proposed amendment;
3. Describe how the amendment is consistent with Washington State Growth Management Act-RCW 36.70A (the goals of the Act are listed in 36.70A.020);
4. How the amendment is consistent with the adopted countywide planning policies;
5. How the amendment furthers the purpose of the City's comprehensive plan;
6. How the amendment is internally consistent with the City's comprehensive plan, as well as other adopted City plans and codes;
7. If applicable, how the project will meet concurrency requirements for transportation;
8. As necessary, supplemental environmental review and/or critical areas review, as determined by the Administrator;
9. **Comprehensive Plan TEXT AMENDMENT applications must also include:**
 - a. The proposed element, chapter, section and page number of the comp. plan to be amended;
 - b. The proposed text change, with new text underlined and deleted text crossed out;
10. **Comprehensive Plan MAP AMENDMENT applications must also include:**
 - a. The current land use map designation for the subject parcel(s);
 - b. The land use map designation requested;
 - c. A complete legal description describing the combined area of the subject parcel(s);
 - d. A vicinity map showing:
 - i. All land use designations within 300 feet of the subject parcel(s);
 - ii. All parcels within 300 feet of the subject parcel and all existing uses of those parcels;
 - iii. All roads abutting and/or providing access to the subject parcel(s) including information on road classification (arterial, collector, access) and improvements to such roads;
 - iv. Location of shorelines and critical areas on or within 300 feet of the site, if applicable;

- v. The location of existing utilities serving the subject parcels, including electrical, water, and sewer;
 - vi. The location and uses of existing structures located on the subject parcel(s);
- e. Topographical map of the subject parcels and abutting properties at a minimum scale of one inch represents 200 feet (1:200);
- f. The current official zoning map designation for the subject parcel(s);
- g. A detailed plan which indicates any proposed improvements to:
 - i. Paved streets;
 - ii. Storm drainage control and detention facilities;
 - iii. Public water supply;
 - iv. Public sanitary sewers;
 - v. Circulation and traffic patterns for the development and the surrounding neighborhoods;
- h. A corresponding zoning map amendment application, where necessary, to maintain consistency between the land use and zoning maps. The rezone application will be processed separately from, and after, the comprehensive plan amendment;
- i. A description of any associated development proposals. Development proposals shall not be processed concurrently with comprehensive plan amendments, but the development proposals may be submitted for consideration of the comprehensive plan amendments to limit consideration of all proposed uses and densities of the property under the City's SEPA, zoning and comprehensive land use plan. If no proposed development description is provided, the City will assume that the applicant intends to develop the property with the most intense development allowed under the proposed land use designation. The City shall assume the maximum impact, unless the applicant submits with the comprehensive plan amendment a development agreement to ameliorate the adverse impact(s) of the proposed development.

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

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

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

1. I have read and examined this permit application and have documented all applicable requirements on the site plan.
2. The information provided in this application contains no misstatement of fact.
3. I am the owner(s), the authorized agent(s) of the owner(s) of the above referenced property, or I am currently a licensed contractor or specialty contractor under Chapter 18.27 RCW or I am exempt from the requirements of Chapter 18.27 RCW.
4. I understand this permit is subject to all other local, state, and federal regulations.

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

Applicant Printed Name: Nicole Stickney

eSigned via SeamlessDocs.com

Applicant Signature: 

Key: 62e6b5f0794ad0c8364e675742f9891

Date February 25, 2021



Comprehensive Plan Amendment Application

SUPPLEMENT

APPLICATION REQUIREMENTS — Submit as required or attach written statements explaining the following:

1. Completed application and filing fee;

Submitted.

2. The purpose of the proposed amendment;

The purpose of the proposed amendment is to correct the designation of Parcel No. 104984000001000 to be all COM-Commercial. We are also applying to rezone the parcel to be all C-3 General Business. The parcel is approximately 6.9 acres in size. The parcel has two different designations and two different zonings (and moreover, the different classifications do not line up). While the northern portions of the parcel currently have the desired designation and zoning, our request is to change the remainder to match the designation and zoning along the road frontage (W. Van Giesen). The property has new landowners who are exploring different options for commercial development.

3. Describe how the amendment is consistent with Washington State Growth Management Act—RCW 36.70A (the goals of the Act are listed in 36.70A.020);

The following is a list of the GMA topics and the applicability of each to the proposed map change.

(1) **Urban growth.** The requested change will accommodate development in an urban growth area (and within city limits as of an annexation in 1956) where adequate public facilities and services exist or can be provided in an efficient manner.

(2) **Reduce sprawl.** The proposal will not induce sprawl but instead will create an opportunity for infill development and the option to introduce a higher and better use in an area with existing infrastructure, and within valuable proximity to existing housing and commercial uses.

(3) **Transportation.** The subject parcel has direct access to SR 224/ Van Giesen (classified as a Minor Arterial, with 2016 Peak Hour traffic volume of 720 vehicles EB, 1080 vehicles WB and operating at less than .7 volume to capacity ratio) and is proximate to:

- Automobile and truck routes on SR 240/Stephens;
- Two existing Ben Franklin Transit stops for Bus Route 120 (one is approximately 300 feet to the west and the other is approximately 500 feet to the east) and an 80-space Park and Ride at 1600 Terminal Drive;
- The Richland Airport (approximately one mile north);
- Rail services (to the east, although only used for freight);
- Paved bike and pedestrian paths along SR 240; and
- Signalized intersection at Van Giesen and SR 240 (performing at an acceptable Level of Service), with pedestrian crosswalks connecting all four corners.

(4) Housing. N/A

(5) Economic development. The requested change will foster economic development consistent with Richland's adopted Comprehensive Plan.

(6) Property rights. We are exercising our rights as property owners in seeking this map change.

(7) Permits. N/A

(8) Natural resource industries. N/A

(9) Open space and recreation. The proposal to change the land use map and to rezone would result in an opportunity for a commercial business to exist in a previously developed area. The proposal would potentially prevent development of an area where there is no existing infrastructure or in an area that could otherwise remain unbuilt or be used as open space.

(10) Environment. The infill development where existing infrastructure is already in place increases the efficiency of the infrastructure and protects the environment by avoiding sprawling development in greenfield sites.

(11) Citizen participation and coordination. The proposal will be considered during a public hearing.

(12) Public facilities and services. We have included with this application a traffic analysis to ensure that those public facilities and services necessary to support development will be adequate to serve the development at the time the development is available for occupancy, and use without decreasing current service levels below locally established standards.

(13) Historic preservation. Future development will adhere to applicable guidelines established by the City and/or the Washington Department of Archeology and Historic Preservation.

(14) Shoreline Management. N/A

4. How the amendment is consistent with the adopted countywide planning policies;

First, the Vision for Richland, as listed in the Community Vision chapter of the Plan states that the "dynamic city....actively supports opportunities for economic development..." In that same section, the importance of creating and sustaining jobs while growing small and large vibrant businesses is emphasized. Community Goal # 10 calls on the community to "achieve a diversified mix of private industry and commerce capable of supporting a strong and growing economy."

The proposed amendment will align with the City's desire to foster commercial land uses along Van Giesen St. where feasible.

In addition, the amendment will resolve an undesirable situation where the Comprehensive Land Use Map features two different designations on the same parcel (which is less than seven acres).

In summary, expanding the commercial land use designation to the entire parcel will further economic development (expansion of the tax base, job creation, availability of consumer services) by raising the enterprise opportunities of the under-utilized site positioned within a developed area, consistent with the city's Comprehensive Plan.

5. How the amendment furthers the purpose of the City's comprehensive plan;

First, the Vision for Richland, as listed in the Community Vision chapter of the Plan states that the "dynamic city....actively supports opportunities for economic development..." In that same section, the importance of creating and sustaining jobs while growing small and large vibrant businesses is

emphasized. Community Goal # 10 calls on the community to “achieve a diversified mix of private industry and commerce capable of supporting a strong and growing economy.”

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In summary, expanding the commercial land use designation to the entire parcel will further economic development (expansion of the tax base, job creation, availability of consumer services) by raising the enterprise opportunities of the under-utilized site positioned within a developed area, consistent with the city’s Comprehensive Plan.

6. How the amendment is internally consistent with the City’s comprehensive plan, as well as other adopted City plans and codes;

The proposed Land Use map change - and subsequent re-zone to commercial - will encourage economic development that is consistent with Richland’s adopted comprehensive plan. Moreover, the proposal supports many of City’s goals, policies or objectives as expressed in the Plan, and does not come into conflict with them.

Under Land Use Goal 8, there is a policy statement (#2) that says, “Apply the Agricultural designation in the Yakima River Floodplain.” This statement is interesting to consider in relation to the property, since property is not in the 100-year floodplain but other nearby properties with the same designation are in the floodplain. We conclude that since the property is not within the floodplain, nor is in any agricultural production or use, the designation does not fit with the particular property, although it is appropriate in other locations nearby.

Next, Economic Development (ED) Goal 1: “Build the diversity , resiliency, and equity of the City’s economy to ensure opportunities for growth and shared prosperity” and ED Goal 3: “Support businesses of all sizes” support this request.

On Page 16 the Plan highlights that planning for urban infill development is a key opportunity for the city, and the Plan details that “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.” This request aligns with that concept.

In the Land Use Element, future land capacity within the City is discussed and a land use density and land inventory analysis is referenced. A conclusion is made, stating there is sufficient land within the city’s UGA to accommodate land needs for the projected and residential growth. However, it appears that the analysis may not have fully considered the fact that commercial zoning districts (per RMC Chapter 23.22) also allow for uses which are not strictly commercial in nature but that the City’s residents and visitors will have a demand for. Examples include light manufacturing activities, public/quasi-public uses (such as passive open space uses, schools, and parks which can be extremely land consumptive), recreational uses, residential uses, and miscellaneous uses (such as transit facilities, or cemeteries) per RMC 23.22.030. We contend that the analysis may not have taken “demands” for non-commercial uses in commercially-zoned land into account. Accordingly, transferring a few acres of land from an “agricultural” to “commercial” designation type would not be problematic for a growing city where a broad range of land uses are needed.

Finally, we highlight that the city's development codes implement the Comprehensive Plan and according to RMC 23.08.010 the typical uses of the "Agricultural District" is agriculture and horticulture. (While the nursery may have some horticultural elements, there is limited propagation or cultivation of plants at the site; rather, the nursery is primarily a retail outlet for plants, gardening products, and gifts.) Agriculture and horticulture do not logically fit with a property located on a major transportation corridor that is not encumbered with a floodplain or other limiting designation.

7. If applicable, how the project will meet concurrency requirements for transportation;

We have included with this application a Technical Memorandum by J-U-B Engineers "C&M Nursery Comprehensive Plan Amendment Traffic Study, dated February 25, 2021, addressing potential traffic impacts and mitigation that could be triggered at various development levels, based on different types of development.

8. As necessary, supplemental environmental review and/or critical areas review, as determined by the Administrator;

SEPA checklist - *enclosed*
FEMA Firm Panel - *enclosed*

9. Comprehensive Plan TEXT AMENDMENT applications must also include:

- a. The proposed element, chapter, section and page number of the comp. plan to be amended;**
- b. The proposed text change, with new text underlined and deleted text crossed out;**

Not applicable.

10. Comprehensive Plan MAP AMENDMENT applications must also include:

- a. The current land use map designation for the subject parcel(s);**

COM-Commercial and AGR-Agriculture

- b. The land use map designation requested;**

COM-Commercial

- c. A complete legal description describing the combined area of the subject parcel(s);**

PORTION OF NE 1/4 OF SE 1/4 OF SECTION 4 TOWNSHIP 9 N RANGE 28 E, W.M.

- d. A vicinity map showing:**

- i. All land use designations within 300 feet of the subject parcel(s);**
- ii. All parcels within 300 feet of the subject parcel and all existing uses of those parcels;**
- iii. All roads abutting and/or providing access to the subject parcel(s) including information on road classification (arterial, collector, access) and improvements to such roads;**
- iv. Location of shorelines and critical areas on or within 300 feet of the site, if applicable;**
- v. The location of existing utilities serving the subject parcels, including electrical, water, and sewer;**
- vi. The location and uses of existing structures located on the subject parcel(s);**

A vicinity map is enclosed.

e. Topographical map of the subject parcels and abutting properties at a minimum scale of one inch represents 200 feet (1:200);

A topographical map is enclosed.

f. The current official zoning map designation for the subject parcel(s);

C-3 General Business and AG-Agricultural

g. A detailed plan which indicates any proposed improvements to:

- i. Paved streets;**
- ii. Storm drainage control and detention facilities;**
- iii. Public water supply;**
- iv. Public sanitary sewers;**
- v. Circulation and traffic patterns for the development and the surrounding neighborhoods;**

Not applicable at this time.

h. A corresponding zoning map amendment application, where necessary, to maintain consistency between the land use and zoning maps. The rezone application will be processed separately from, and after, the comprehensive plan amendment;

The application is submitted.

i. A description of any associated development proposals. Development proposals shall not be processed concurrently with comprehensive plan amendments, but the development proposals may be submitted for consideration of the comprehensive plan amendments to limit consideration of all proposed uses and densities of the property under the City's SEPA, zoning and comprehensive land use plan. If no proposed development description is provided, the City will assume that the applicant intends to develop the property with the most intense development allowed under the proposed land use designation. The City shall assume the maximum impact, unless the applicant submits with the comprehensive plan amendment a development agreement to ameliorate the adverse impact(s) of the proposed development.

Once the requested map change and zoning change are approved, we intend to develop the site with a commercial use, (specific type is to be determined).



THE
LANGDON
GROUP



GATEWAY
MAPPING
INC.

OTHER J-U-B COMPANIES

TECHNICAL MEMORANDUM

DATE: February 25, 2021
TO: City of Richland
CC: Nicole Stickney, AHBL
FROM: Spencer D. Montgomery, Transportation Planner *SDM*
Richard H. Door, P.E.
SUBJECT: RE: C&M Nursery Comprehensive Plan Amendment Traffic Study



This memo has been prepared to address traffic issues associated with the proposed Comprehensive Plan Amendment of the C&M Nursery Site on the south side of Van Giesen Street (SR 224) and west of SR 240. Specifically, interest in answering the question of the need for left and right turn improvements at the driveway, and what the benefits of relocating the driveway further to the west would be.

Existing Conditions

An approximately 6.9 acre parcel exists in the City of Richland on the south side of Van Giesen Street, which is SR 224, and west of SR 240 (the By-Pass Highway) and the Tri-City and Olympia railroad tracks. The current use is a nursery and landscaping business. The Comprehensive Plan identifies the parcel with two land uses, as does the current zoning: commercial from Van Giesen Street south for approximately 300 feet, and agriculture south of there to the property line.

Van Giesen Street is a principal arterial serving east-west traffic. It has five lanes with two lanes eastbound, two lanes westbound and a center two-way left turn lane and a speed limit of 40 MPH. As Van Giesen Street approaches the signalized intersection with SR 240 the eastbound direction widens to provide four lanes including two left turn lanes, one through lane and a right turn lane. Existing queue lengths during the PM peak hour for the eastbound left turn and through lane are 88' and 235' respectively. The right turn lane has a southbound departure lane making it a "free" right turn such that a queue in that lane is uncommon. The driveway serving the property is situated approximately 740' feet west of SR 240 and approximately 75 feet east of Bronco Lane which is a local street on the north side of Van Giesen Street. A site map is attached showing the roadway features serving the site.

Existing traffic volumes on Van Giesen Street are likely down somewhat at this time due to Covid-19 Travel and work restrictions. A recent study performed for the City of Richland (*Regional North-South Travel Capacity Study*, J-U-B Engineers 2020) included estimates of 2019 PM peak hour traffic volumes at the intersection of SR240/Van Giesen Street. These volumes include 690 eastbound vehicles and 1295 westbound vehicles on Van Giesen Street in front of the subject property. Average Daily Traffic is approximately 18,000 vehicles.

Using the Institute of Transportation Engineers (ITE) *Trip Generation Manual* (10th Edition), Land Use 817 Nursery (Garden Center) and 6.9 acres it is estimated that the current use generates approximately 746 average weekday trips with 56 of those occurring during the PM peak hour. It is recognized that this estimate may be somewhat high, given that not all of the property is being used currently.

Evaluation of Need for Turn Lane Improvements

There is no current proposal for a specific development for the site, only a request to designate the entire parcel as commercial zoning. To determine how much development the site can accommodate and what improvements would be needed, several factors must be considered and various assumptions that come in to play. The City of Richland Traffic Engineer indicated that a threshold of 50 turns during the PM peak hour as well as 1,000 total daily trips are thresholds that are examined. Since Van Giesen Street is also a State Highway, the Washington State Department of Transportation (WSDOT) Design Manual guidelines are also valuable. As already mentioned, there is a center two-way left-turn lane that has approximately 380' of storage.

First, to determine how many trips would trigger the need for right turn improvements or left turn improvements into the site, forecast traffic volumes on Van Giesen Street need to be estimated. The previously mentioned study identified forecast traffic volumes for year 2040 as 945 eastbound and 1575 westbound vehicles. This is a directional split of 62% westbound and 38% eastbound. Comparing these values to attached WSDOT Design Manual Exhibits 1310-7b and 1310-11 for Left and Right Turn Guidelines indicates three numbers that are important to this evaluation:

- At total of more than 23 PM peak hour eastbound right turn vehicles a right-turn pocket should be considered.
- At total of more than 58 PM peak hour eastbound right turn vehicles a right-turn lane should be considered.
- A total of approximately 152 PM peak hour westbound left turns would indicate the need for more than 250' of left turn storage (where there is 260' existing).

Since the forecast directional split of traffic is 38% eastbound, it is calculated that up to 58 total inbound PM peak hour trips could be generated prior to needing an eastbound right turn pocket (22/0.38%), while up to 148 total inbound PM peak hour trips (55/0.38%) could be accommodated with a right turn pocket (60' right turn lane plus 100' taper, see attached exhibit 1310-12) before needing a right turn lane.

Without a specific development proposal to evaluate a sensitivity analysis evaluating a range of potential developments can provide insight as to whether transportation improvements would be warranted under various conditions. Three different land uses with different levels of intensity were considered for this analysis. Their trip generation rates from the (ITE) *Trip Generation Manual* (10th Edition) are:

- RV Park (Land Use 417) generates 0.27 trips (65% in/35%out) per occupied campsite during the PM peak hour. Based on units per acre at two local RV parks (Moon River RV Resort at SR 240/Vantage Highway and Horn Rapids RV Resort at SR 240/Kingsgate way) it is estimated that approximately 140 RV sites could be accommodated at this site, which would amount to 38 PM peak hour trips (25 in/13 out).
 - General Office (Land Use 710) generates 1.15 trips per 1,000 sq. ft. during the PM peak hour (16% in/84% out). A typical Floor Area Ratio (FAR) is 20% of land occupied by building, with the remainder used for parking and landscaping, internal circulation, etc. This would amount to approximately 60,000 square feet of development, which would generate approximately 69 PM
-

peak hour trips, however the fitted curve rather than the average results in 71 trips (11 in/60 out).

- Shopping Center (Land Use 820) generates 3.81 trips per 1,000 sq. ft. during the PM peak hour (48% in/52% out). An FAR of 20% results in approximately 60,000 sq feet of development, which would generate approximately 229 PM peak hour trips, however the fitted curve rather than the average results in 373 trips (179 in/194 out).

The anticipated inbound and outbound trips for each of these three land uses is shown in the table below.

PM Peak Hour Entering and Exiting Volumes at Proposed Driveway for Various Land Uses

Land Use	Inbound			Outbound			Total Trips
	Eastbound Right Turn	Westbound Left Turn	Total	Northbound Left Turn	Northbound Right Turn	Total	
RV Park (417)	9	16	25	8	5	13	38
General Office (710)	4	7	11	37	23	60	71
Shopping Center (820)	68	111	179	120	74	194	373

Comparing the westbound left turn volumes in the table above with WSDOT exhibit 1310-7b there is ample storage to accommodate the left turn movement for more than would be anticipated for any of the land uses considered here based on the fact that there is approximately 260' of left turn storage in the existing center two-way left-turn lane to the east of the existing driveway. The 2040 eastbound queue at SR 240 is forecast to fit within the eastbound storage currently provided (235' of 370' of existing storage) at SR 240.

Comparing the eastbound right turn volumes in the table above with the attached WSDOT Exhibit 1310-11 for right turn lanes, it would appear that either an RV site or office development would need no additional right turn treatment. However, a Shopping Center with a 20% FAR would generate enough trips making the eastbound right turn movement such that the WSDOT Design Manual would recommend a right turn lane with a length of 275' plus 100' taper (see Exhibit 1310-13 attached).

For informational purposes, since there is no specific development proposal, further sensitivity analysis was performed for the right turn lane, which indicates that at approximately 45,000 square feet of Shopping Center is where the need would reduce to a right turn pocket. Also, capacity analysis was performed for the driveway as a stop controlled intersection. It was found that as an RV Park, with the assumptions provided above, the driveway delay would be 24.6 seconds of average vehicle delay during the PM peak hour for Level of Service (LOS) "C"; as an office the driveway would function with 29.1 seconds of delay for LOS "D", both of which are acceptable. It was determined, however, using the existing directional split of traffic entering and exiting consistent with current traffic patterns, that at approximately 16,000 square feet of shopping center the driveway delay would fall below 35 seconds and be LOS "E". (Twice that much could be developed as shopping prior to the installation of a traffic signal if traffic patterns were reversed and more traffic went east to Richland neighborhoods rather than west.) Thus to fully develop the site with more intense development than this would likely require a traffic signal in order to better serve exiting traffic. Capacity Worksheets are attached for each scenario.

Discussion of Driveway Location

From the discussion above, it does not appear that the driveway would need to move west to create additional left turn storage, unless a higher intensity development were selected for the site. However, because of the high traffic volumes at the intersection of Van Giesen Street/SR 240 (By-Pass Highway) consideration has been given to create an interchange at this location and grade separate Van Giesen Street to go over the railroad tracks and SR 240. An exhibit of this concept as presented in the *North South Travel Capacity Study* is attached as well. This would close Terminal Drive because Van Giesen Street would be elevated at that location and likely reroute traffic from that street to Bronco Lane and signalize that location.

Regardless of the timing for such an improvement, there have been discussions about the conflicts and challenges with Terminal Drive on the north side of Van Giesen Street and it's proximity to SR 240 and the railroad tracks making it challenging to manage traffic safely at that unsignalized intersection. A similar solution has been considered of closing the access to Van Giesen Street at Terminal Drive and reroute the traffic to Bronco Lane and signalize that location. Another alternative considered has been to turn Terminal Drive into a westbound right-in/right-out, signalize Bronco Lane and allow U-turns.

With the potential of a traffic signal at Bronco Lane to service traffic on the north side of Van Giesen Street, it would be sound planning for development on the south side to relocate the existing driveway to the west such that it lines up opposite Bronco Lane. Then at such time that a signal is needed either for this development or for access revisions on the north side any improvements associated with this development would have already accommodated the longer term plan. This would have the additional benefit of allowing for extra westbound left turn storage at the driveway opposite Bronco Lane and potentially accommodate a more intense development such as a Supermarket (Land US 850) which would generate 535 PM peak hour trips with 169 westbound left turns, which is over the curve for 300' of needed storage.

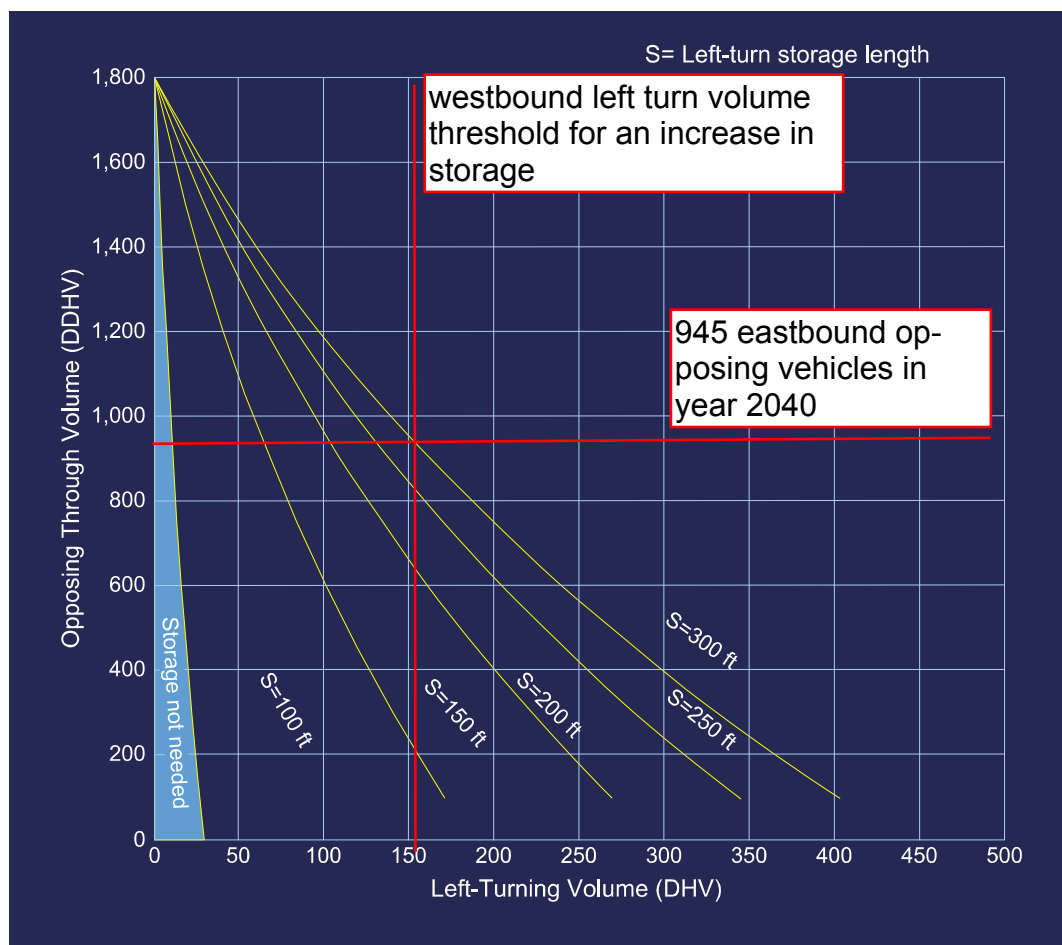


C&M Nursery
Comp Plan Amendment
Traffic Study

PARCEL 104984000001000
2517 VAN GIESEN ST
6.90 ACRES
PTN NE 1/4 OF SE 1/4 SECTION 4 T 9 N, R 28 E, WM

FIGURE
1

Exhibit 1310-7b Left-Turn Storage Guidelines: Four-Lane, Unsignalized



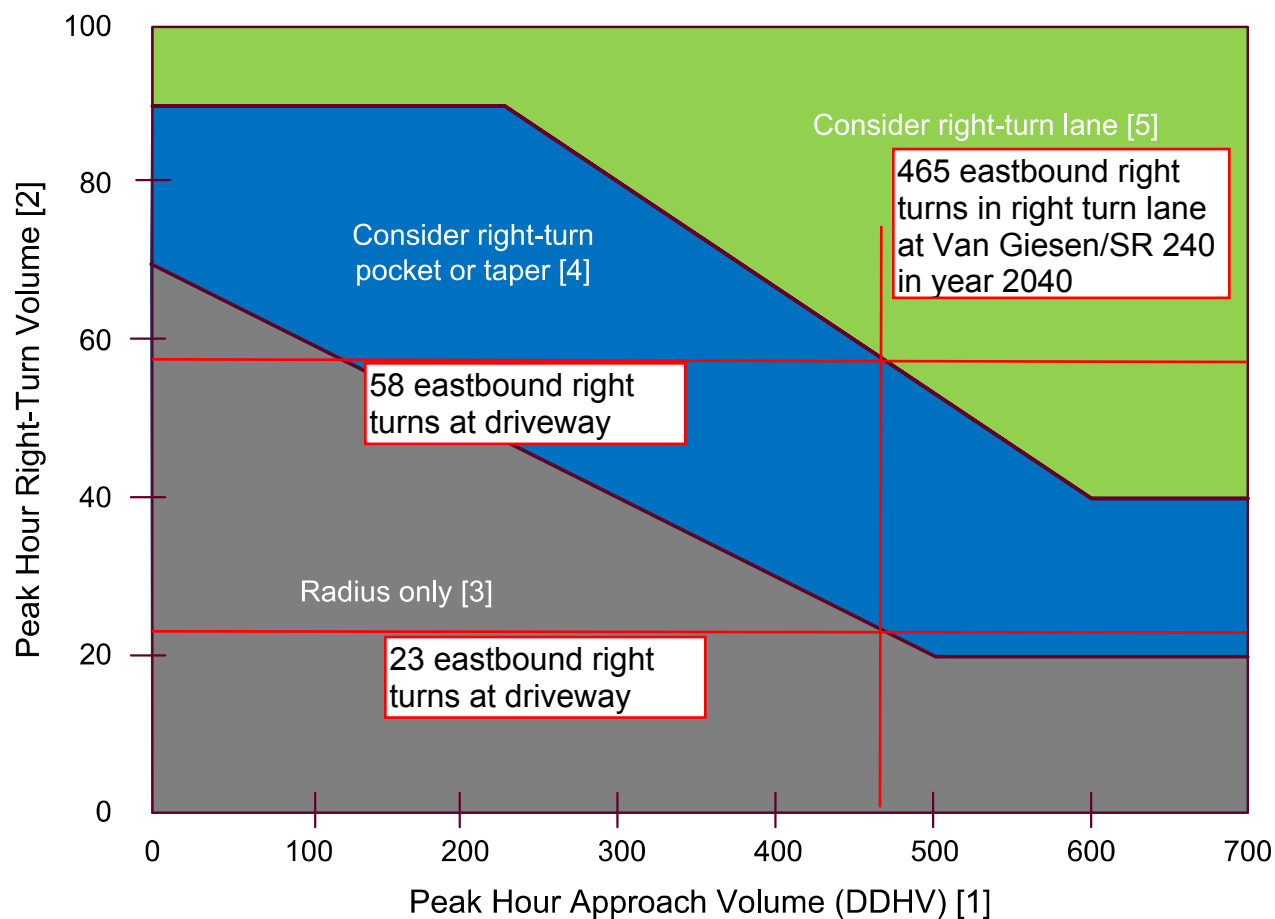
Determine the storage length on two-lane highways by using Exhibits 1310-8a through 8c. On four-lane highways, use Exhibit 1310-7b. These lengths do not consider trucks. Use Exhibit 1310-9 for storage length when trucks are present.

Use turn simulation software (such as AutoTURN®) to verify that left-turn movements for the design vehicle(s) do not have conflicts. Design opposing left-turn design vehicle paths with a minimum 4-foot (12-foot desirable) clearance between opposing turning paths.

Where one-way left-turn channelization with curbing is to be provided, evaluate surface water runoff and design additional drainage facilities if needed to control the runoff.

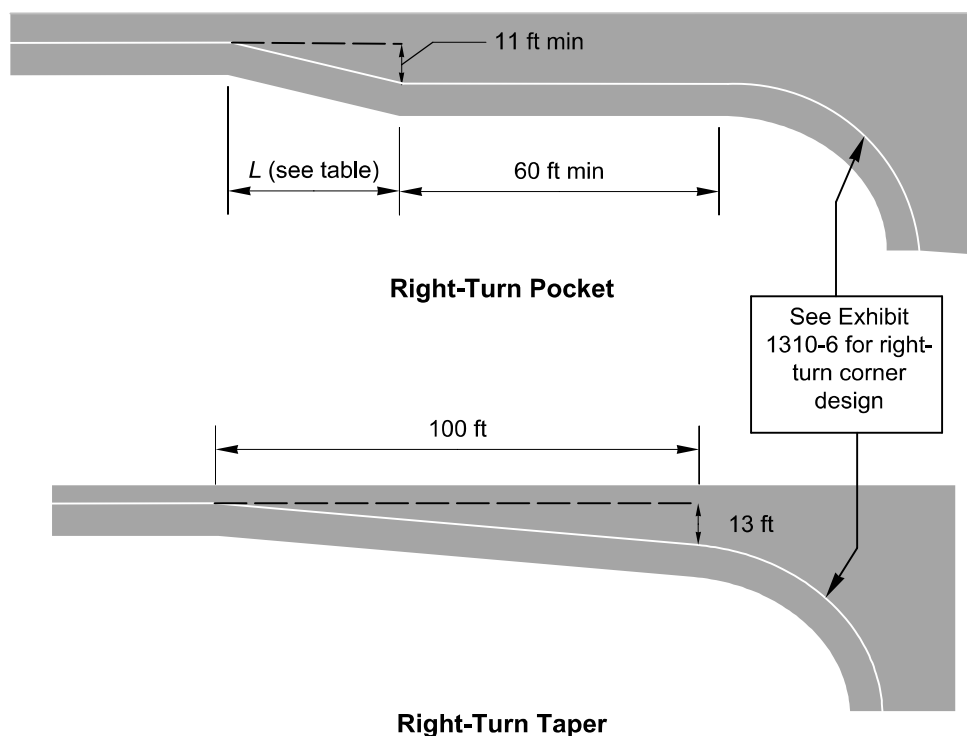
Provide illumination at left-turn lanes in accordance with the guidelines in Chapter 1040.

Exhibit 1310-11 Right-Turn Lane Guidelines



Notes:

- [1] For two-lane highways, use the peak hour DDHV (through + right-turn).
For multilane, highways (posted speed 45 mph or above), use the right-lane peak hour approach volume (through + right-turn).
- [2] When all three of the following conditions are met, reduce the right-turn DDHV by 20:
 - The posted speed is 45 mph or below
 - The right-turn volume is greater than 40 VPH
 - The peak hour approach volume (DDHV) is less than 300 VPH
- [3] For right-turn corner design, see Exhibit 1310-6.
- [4] For right-turn pocket or taper design, see Exhibit 1310-12.
- [5] For right-turn lane design, see Exhibit 1310-13.

Exhibit 1310-12 Right-Turn Pocket and Right-Turn Taper

Posted Speed Limit	<i>L</i>
Below 40 mph	40 ft
40 mph or above	100 ft

1310.03(4) Speed Change Lanes

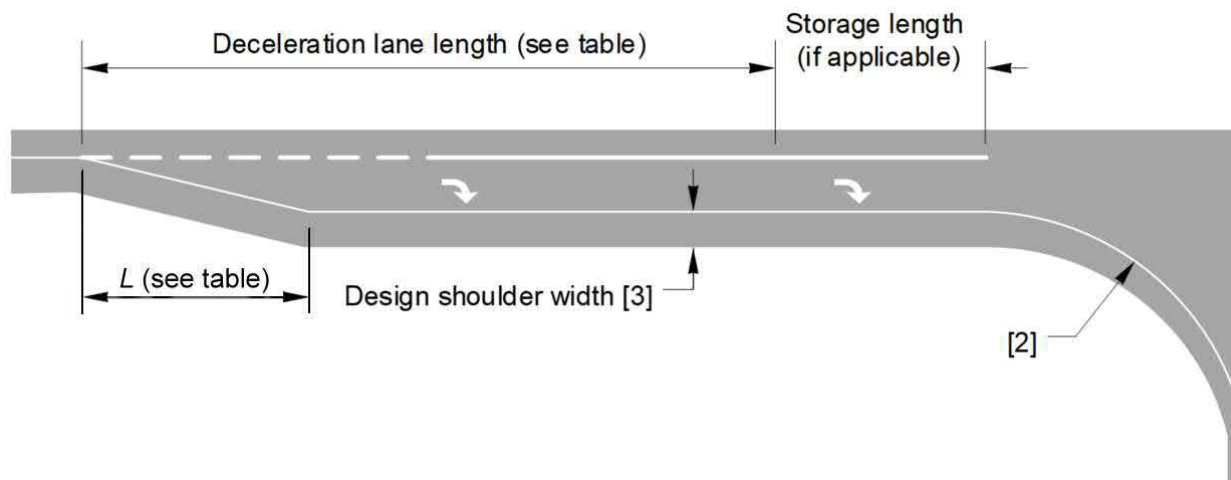
A speed change lane is an auxiliary lane primarily for the acceleration or deceleration of vehicles entering or leaving the through traveled way. Speed change lanes are normally provided for at-grade intersections on multilane divided highways with access control. Where roadside conditions and right of way allow, speed change lanes may be provided on other through roadways. Justification for a speed change lane depends on many factors, including speed; traffic volumes; capacity; type of highway; design and frequency of intersections and crash history

When either deceleration or acceleration lanes are to be used, design them in accordance with Exhibits 1310-13 and 1310-14. When the design speed of the turning traffic is greater than 20 mph, design the speed change lane as a ramp in accordance with Chapter 1360. When a deceleration lane is used with a left-turn lane, add the deceleration length to the storage length.

A dedicated deceleration lane (see Exhibit 1310-13) is advantageous because it removes slowing vehicles from the through lane.

An acceleration lane (see Exhibit 1310-14) is not as advantageous because entering drivers can wait for an opportunity to merge without disrupting through traffic. However, acceleration lanes for left-turning vehicles provide a benefit by allowing the turn to be made in two movements.

Exhibit 1310-13 Right-Turn Lane



Highway Design Speed (mph)	Deceleration Lane Length (ft)
30	160 [1]
35	220
40	275
45	350
50	425
55	515
60	605
65	715
70	820

Minimum Deceleration Lane Length (ft)

Notes:

- [1] When adjusting for grade, do not reduce the deceleration lane to less than 150 ft.
- [2] For right-turn corner design, see Exhibit 1310-6.
- [3] See 1310.03(6) and Chapter 1230.

General:

For pavement marking details, see the [Standard Plans](#) and the [MUTCD](#).

Posted Speed Limit	L
Below 40 mph	40 ft
40 mph or above	100 ft

Grade	Upgrade	Downgrade
3% to less than 5%	0.9	1.2
5% or more	0.8	1.35

Adjustment Multiplier for Grades 3% or Greater

HCS7 Two-Way Stop-Control Report

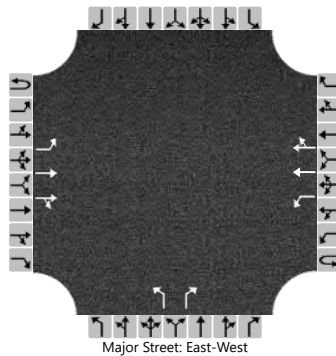
General Information

Analyst	Montgomery
Agency/Co.	JUB Engineers
Date Performed	2/24/2021
Analysis Year	2040
Time Analyzed	PM peak hour with RV Park
Intersection Orientation	East-West
Project Description	C&M Nursery Comp Plan

Site Information

Intersection	Van Giesen/Driveway
Jurisdiction	City of Richland
East/West Street	Van Giesen St
North/South Street	Commercial Driveway
Peak Hour Factor	0.92
Analysis Time Period (hrs)	0.25

Lanes



Vehicle Volumes and Adjustments

Approach	Eastbound				Westbound				Northbound				Southbound			
Movement	U	L	T	R	U	L	T	R	U	L	T	R	U	L	T	R
Priority	1U	1	2	3	4U	4	5	6		7	8	9		10	11	12
Number of Lanes	0	1	2	0	0	1	2	0		1	0	1		0	0	0
Configuration		L	T	TR		L	T	TR		L		R				
Volume (veh/h)	0	0	945	9	0	16	1575	0		8		5				
Percent Heavy Vehicles (%)	3	3			3	3				3		3				
Proportion Time Blocked																
Percent Grade (%)									0							
Right Turn Channelized									No							
Median Type Storage	Left Only								1							

Critical and Follow-up Headways

Base Critical Headway (sec)		4.1				4.1				7.5		6.9				
Critical Headway (sec)		4.16				4.16				7.56		6.96				
Base Follow-Up Headway (sec)		2.2				2.2				3.5		3.3				
Follow-Up Headway (sec)		2.23				2.23				3.53		3.33				

Delay, Queue Length, and Level of Service

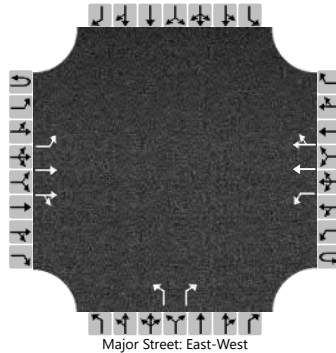
Flow Rate, v (veh/h)		0				17				9		5				
Capacity, c (veh/h)		362				660				140		499				
v/c Ratio		0.00				0.03				0.06		0.01				
95% Queue Length, Q ₉₅ (veh)		0.0				0.1				0.2		0.0				
Control Delay (s/veh)		14.9				10.6				32.4		12.3				
Level of Service (LOS)		B				B				D		B				
Approach Delay (s/veh)	0.0				0.1				24.6							
Approach LOS									C							

HCS7 Two-Way Stop-Control Report

General Information

Analyst	Montgomery	Intersection	Van Giesen/Driveway
Agency/Co.	JUB Engineers	Jurisdiction	City of Richland
Date Performed	2/24/2021	East/West Street	Van Giesen St
Analysis Year	2040	North/South Street	Commercial Driveway
Time Analyzed	PM peak hour with Office	Peak Hour Factor	0.92
Intersection Orientation	East-West	Analysis Time Period (hrs)	0.25
Project Description	C&M Nursery Comp Plan		

Lanes



Vehicle Volumes and Adjustments

Approach	Eastbound				Westbound				Northbound				Southbound			
Movement	U	L	T	R	U	L	T	R	U	L	T	R	U	L	T	R
Priority	1U	1	2	3	4U	4	5	6		7	8	9		10	11	12
Number of Lanes	0	1	2	0	0	1	2	0		1	0	1		0	0	0
Configuration		L	T	TR		L	T	TR		L		R				
Volume (veh/h)	0	0	945	4	0	7	1575	0		37		23				
Percent Heavy Vehicles (%)	3	3			3	3				3		3				
Proportion Time Blocked																
Percent Grade (%)									0							
Right Turn Channelized									No							
Median Type Storage	Left Only								1							

Critical and Follow-up Headways

Base Critical Headway (sec)		4.1				4.1				7.5		6.9				
Critical Headway (sec)		4.16				4.16				7.56		6.96				
Base Follow-Up Headway (sec)		2.2				2.2				3.5		3.3				
Follow-Up Headway (sec)		2.23				2.23				3.53		3.33				

Delay, Queue Length, and Level of Service

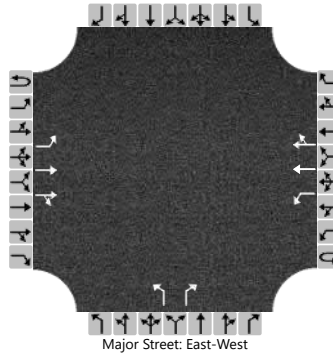
Flow Rate, v (veh/h)		0				8				40		25				
Capacity, c (veh/h)		362				663				144		502				
v/c Ratio		0.00				0.01				0.28		0.05				
95% Queue Length, Q ₉₅ (veh)		0.0				0.0				1.1		0.2				
Control Delay (s/veh)		14.9				10.5				39.5		12.6				
Level of Service (LOS)		B				B				E		B				
Approach Delay (s/veh)	0.0				0.0				29.2							
Approach LOS									D							

HCS7 Two-Way Stop-Control Report

General Information

Analyst	Montgomery	Intersection	Van Giesen/Driveway
Agency/Co.	JUB Engineers	Jurisdiction	City of Richland
Date Performed	2/24/2021	East/West Street	Van Giesen St
Analysis Year	2040	North/South Street	Commercial Driveway
Time Analyzed	PM peak hour w/ 60,000 sq ft Shopping	Peak Hour Factor	0.92
Intersection Orientation	East-West	Analysis Time Period (hrs)	0.25
Project Description	C&M Nursery Comp Plan		

Lanes



Vehicle Volumes and Adjustments

Approach	Eastbound				Westbound				Northbound				Southbound			
Movement	U	L	T	R	U	L	T	R	U	L	T	R	U	L	T	R
Priority	1U	1	2	3	4U	4	5	6		7	8	9		10	11	12
Number of Lanes	0	1	2	0	0	1	2	0		1	0	1		0	0	0
Configuration		L	T	TR		L	T	TR		L		R				
Volume (veh/h)	0	0	945	68	0	111	1575	0		120		74				
Percent Heavy Vehicles (%)	3	3			3	3				3		3				
Proportion Time Blocked																
Percent Grade (%)									0							
Right Turn Channelized									No							
Median Type Storage	Left Only								1							

Critical and Follow-up Headways

Base Critical Headway (sec)		4.1				4.1				7.5		6.9				
Critical Headway (sec)		4.16				4.16				7.56		6.96				
Base Follow-Up Headway (sec)		2.2				2.2				3.5		3.3				
Follow-Up Headway (sec)		2.23				2.23				3.53		3.33				

Delay, Queue Length, and Level of Service

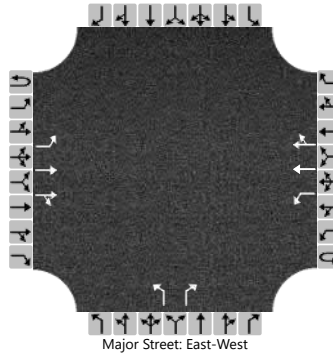
Flow Rate, v (veh/h)		0				121				130		80				
Capacity, c (veh/h)		362				624				104		476				
v/c Ratio		0.00				0.19				1.26		0.17				
95% Queue Length, Q ₉₅ (veh)		0.0				0.7				8.9		0.6				
Control Delay (s/veh)		14.9				12.1				248.9		14.1				
Level of Service (LOS)		B				B				F		B				
Approach Delay (s/veh)	0.0				0.8				159.3							
Approach LOS									F							

HCS7 Two-Way Stop-Control Report

General Information

Analyst	Montgomery	Intersection	Van Giesen/Driveway
Agency/Co.	JUB Engineers	Jurisdiction	City of Richland
Date Performed	2/24/2021	East/West Street	Van Giesen St
Analysis Year	2040	North/South Street	Commercial Driveway
Time Analyzed	PM peak hour w/ 16,000 sq ft Shopping	Peak Hour Factor	0.92
Intersection Orientation	East-West	Analysis Time Period (hrs)	0.25
Project Description	C&M Nursery Comp Plan		

Lanes



Vehicle Volumes and Adjustments

Approach	Eastbound				Westbound				Northbound				Southbound			
Movement	U	L	T	R	U	L	T	R	U	L	T	R	U	L	T	R
Priority	1U	1	2	3	4U	4	5	6		7	8	9		10	11	12
Number of Lanes	0	1	2	0	0	1	2	0		1	0	1		0	0	0
Configuration		L	T	TR		L	T	TR		L		R				
Volume (veh/h)	0	0	945	26	0	42	1575	0		45		28				
Percent Heavy Vehicles (%)	3	3			3	3				3		3				
Proportion Time Blocked																
Percent Grade (%)									0							
Right Turn Channelized									No							
Median Type Storage	Left Only								1							

Critical and Follow-up Headways

Base Critical Headway (sec)		4.1				4.1				7.5		6.9				
Critical Headway (sec)		4.16				4.16				7.56		6.96				
Base Follow-Up Headway (sec)		2.2				2.2				3.5		3.3				
Follow-Up Headway (sec)		2.23				2.23				3.53		3.33				

Delay, Queue Length, and Level of Service

Flow Rate, v (veh/h)		0				46				49		30				
Capacity, c (veh/h)		362				650				130		493				
v/c Ratio		0.00				0.07				0.38		0.06				
95% Queue Length, Q ₉₅ (veh)		0.0				0.2				1.6		0.2				
Control Delay (s/veh)		14.9				11.0				48.5		12.8				
Level of Service (LOS)		B				B				E		B				
Approach Delay (s/veh)	0.0				0.3				34.8							
Approach LOS									D							



REGIONAL NORTH-SOUTH TRAVEL CAPACITY STUDY

ALTERNATIVE D (2 OF 2)

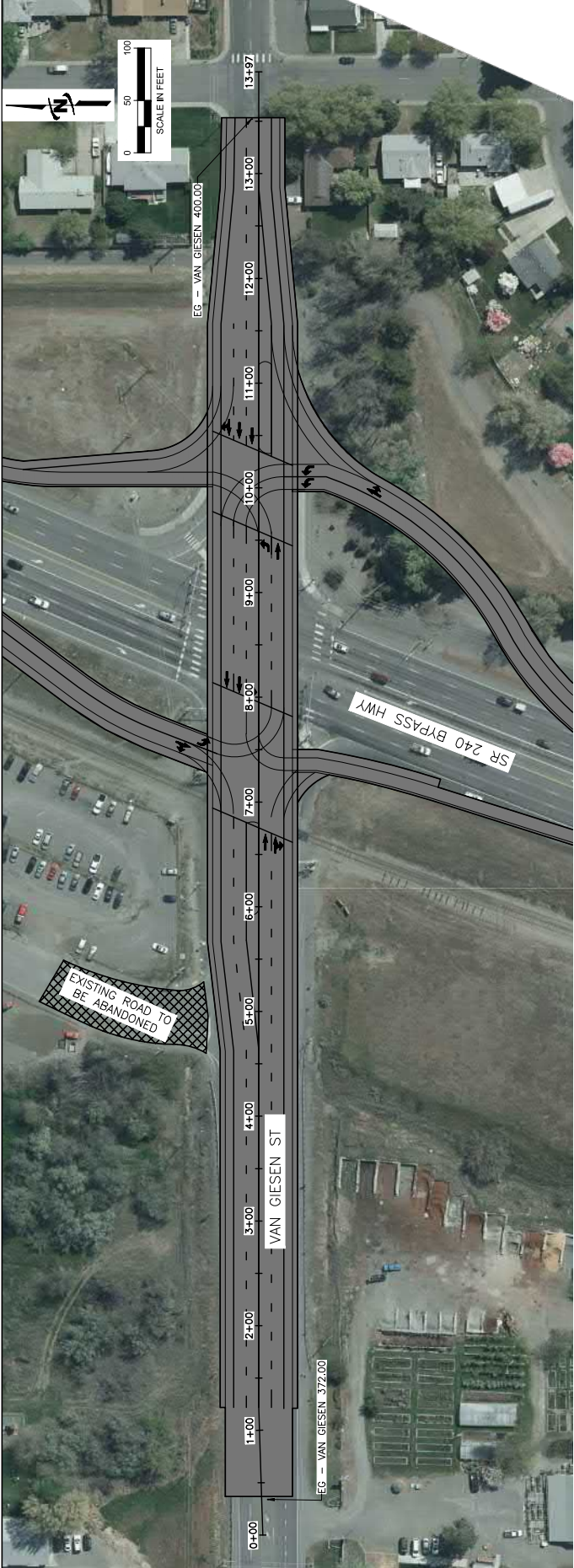
SR 240 - BYPASS INTERCHANGES

AARON DRIVE, DUPORTAL ST, VAN GIESEN AND JADWIN / STEVENS DR

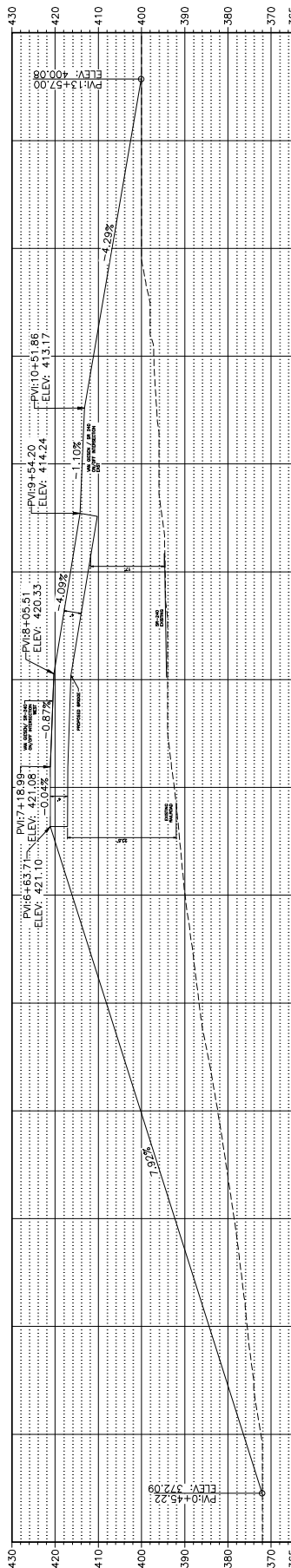
FIGURE
NO.

-





VAN_GIESEN-BRIDGE PROFILE
0+00 TO 14+00

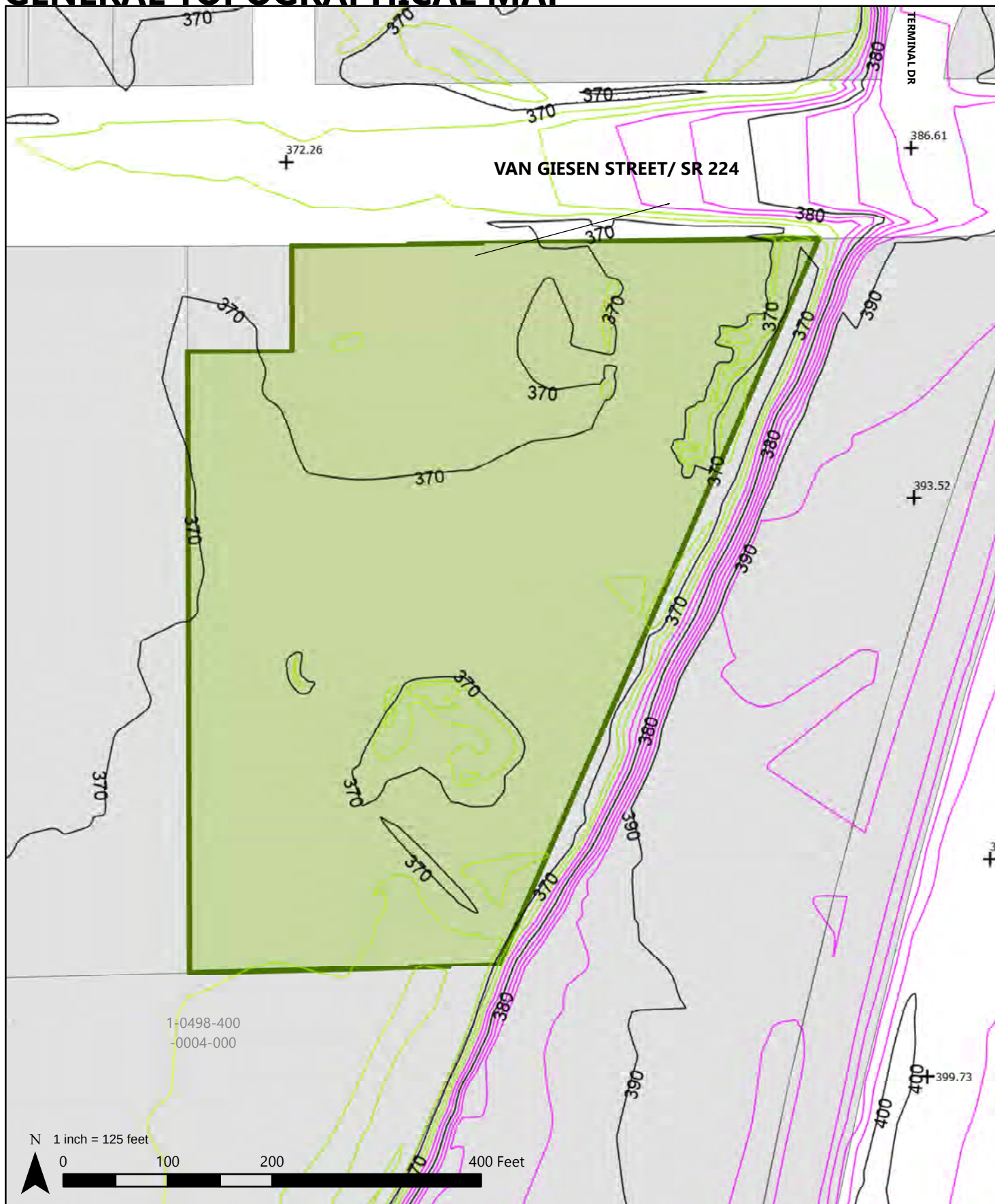




PARCEL 10498400001000
2517 VAN GIESEN ST
6.9 acres
PTN NE 1/4 OF SE 1/4 SECTION 4 T 9 N, R 28 E, WM

Imagery credit: City of Richland

GENERAL TOPOGRAPHICAL MAP

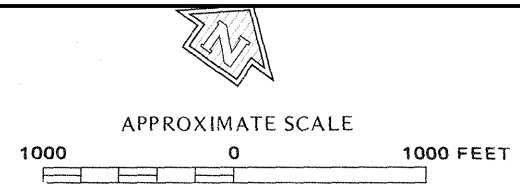
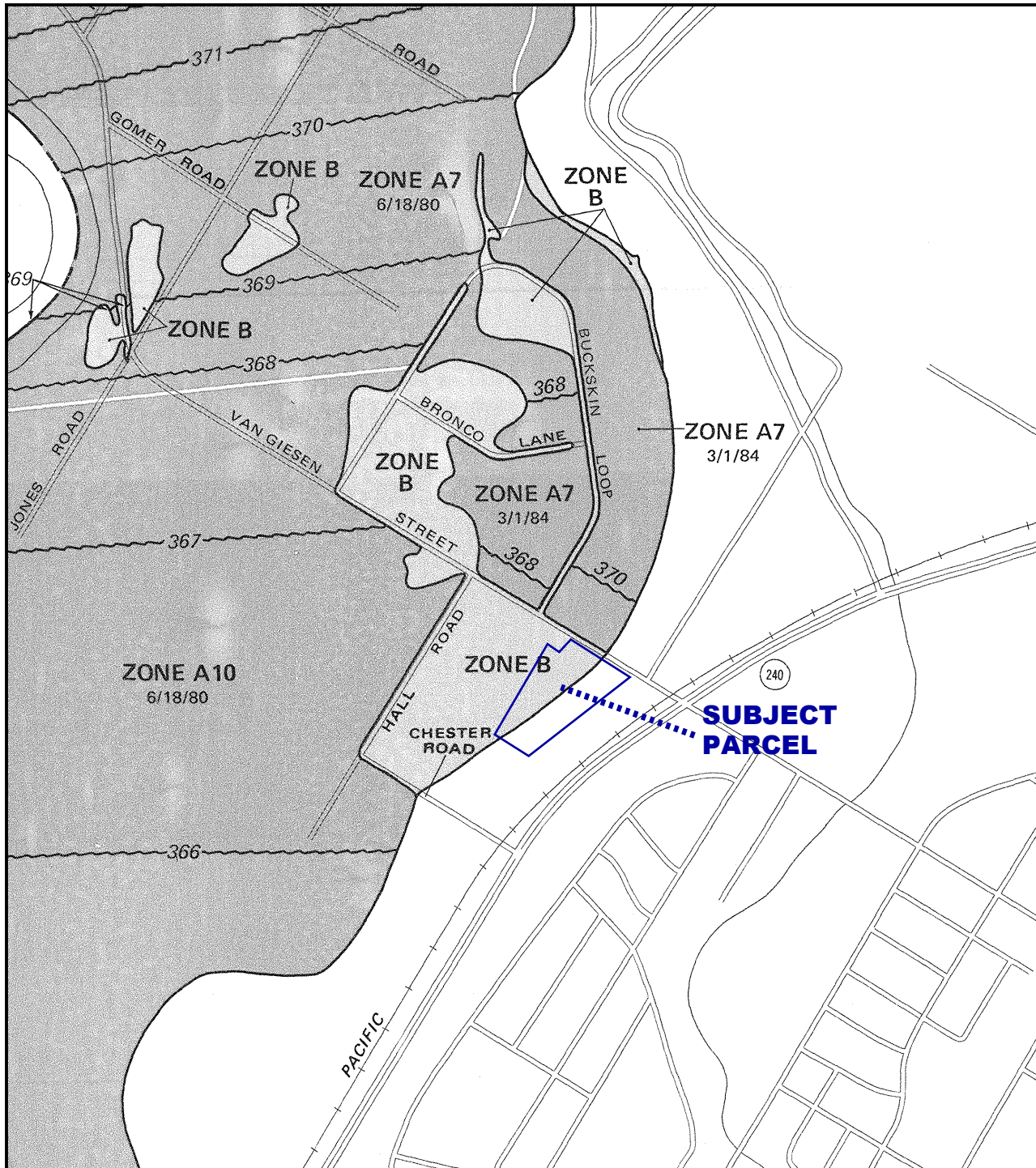


PARCEL 104984000001000

2517 VAN GIESEN ST

6.9 acres

PTN NE 1/4 OF SE 1/4 SECTION 4 T 9 N, R 28 E, WM



NATIONAL FLOOD INSURANCE PROGRAM

FIRM
FLOOD INSURANCE RATE MAP

CITY OF
RICHLAND,
WASHINGTON
BENTON COUNTY

PANEL 10 OF 15
(SEE MAP INDEX FOR PANELS NOT PRINTED)

COMMUNITY-PANEL NUMBER
535533 0010 E

MAP REVISED:
MARCH 1, 1984



Federal Emergency Management Agency

This is an official copy of a portion of the above referenced flood map. It was extracted using F-MIT On-Line. This map does not reflect changes or amendments which may have been made subsequent to the date on the title block. For the latest product information about National Flood Insurance Program flood maps check the FEMA Flood Map Store at www.msc.fema.gov



Order No.: **CBF11633**

**NC Ventures, LLC
3802 S Highlands Blvd.
West Richland, WA 99353**

Property Address: **2517 Van Giesen St.
Richland, WA 99354**

ENCLOSED IS YOUR FINAL TITLE INSURANCE POLICY

OUR SINCERE THANKS FOR CHOOSING
CASCADE TITLE COMPANY OF BENTON-FRANKLIN COUNTIES
FOR YOUR TITLE AND ESCROW CLOSINGS.

**8203 WEST QUINAULT AVE, SUITE 10
KENNEWICK, WA 99336
Phone: 509-783-0660
Fax: 509-783-6612**

Quality Staff, Exceptional Service and Local Decision Making

OWNER'S POLICY OF TITLE INSURANCE



Policy Number **OX-13238438**

Issued by Old Republic National Title Insurance Company

Any notice of claim and any other notice or statement in writing required to be given to the Company under this Policy must be given to the Company at the address shown in Section 18 of the Conditions.

COVERED RISKS

SUBJECT TO THE EXCLUSIONS FROM COVERAGE, THE EXCEPTIONS FROM COVERAGE CONTAINED IN SCHEDULE B, AND THE CONDITIONS, OLD REPUBLIC NATIONAL TITLE INSURANCE COMPANY, a Florida corporation (the "Company") insures, as of Date of Policy and, to the extent stated in Covered Risks 9 and 10, after Date of Policy, against loss or damage, not exceeding the Amount of Insurance, sustained or incurred by the Insured by reason of:

1. Title being vested other than as stated in Schedule A.
2. Any defect in or lien or encumbrance on the Title. This Covered Risk includes but is not limited to insurance against loss from:
 - (a) A defect in the Title caused by
 - (i) forgery, fraud, undue influence, duress, incompetency, incapacity, or impersonation;
 - (ii) failure of any person or Entity to have authorized a transfer or conveyance;
 - (iii) a document affecting Title not properly created, executed, witnessed, sealed, acknowledged, notarized, or delivered;
 - (iv) failure to perform those acts necessary to create a document by electronic means authorized by law;
 - (v) a document executed under a falsified, expired, or otherwise invalid power of attorney;
 - (vi) a document not properly filed, recorded, or indexed in the Public Records including failure to perform those acts by electronic means authorized by law; or
 - (vii) a defective judicial or administrative proceeding.
 - (b) The lien of real estate taxes or assessments imposed on the Title by a governmental authority due or payable, but unpaid.
 - (c) Any encroachment, encumbrance, violation, variation, or adverse circumstance affecting the Title that would be disclosed by an accurate and complete land survey of the Land. The term "encroachment" includes encroachments of existing improvements located on the Land onto adjoining land, and encroachments onto the Land of existing improvements located on adjoining land.
3. Unmarketable Title.
4. No right of access to and from the Land.
5. The violation or enforcement of any law, ordinance, permit, or governmental regulation (including those relating to building and zoning) restricting, regulating, prohibiting, or relating to
 - (a) the occupancy, use, or enjoyment of the Land;
 - (b) the character, dimensions, or location of any improvement erected on the Land;
 - (c) the subdivision of land; or
 - (d) environmental protectionif a notice, describing any part of the Land, is recorded in the Public Records setting forth the violation or intention to enforce, but only to the extent of the violation or enforcement referred to in that notice.

Countersigned:

OLD REPUBLIC NATIONAL TITLE INSURANCE COMPANY

A Stock Company

400 Second Avenue South, Minneapolis, Minnesota 55401

(612) 371-1111

Mark D. Smith

Authorized Officer or Licensed Agent

By

Attest

Mark D. Smith
Daniel Wold

President

Secretary

6. An enforcement action based on the exercise of a governmental police power not covered by Covered Risk 5 if a notice of the enforcement action, describing any part of the Land, is recorded in the Public Records, but only to the extent of the enforcement referred to in that notice.

7. The exercise of the rights of eminent domain if a notice of the exercise, describing any part of the Land, is recorded in the Public Records.

8. Any taking by a governmental body that has occurred and is binding on the rights of a purchaser for value without Knowledge.

9. Title being vested other than as stated in Schedule A or being defective

(a) as a result of the avoidance in whole or in part, or from a court order providing an alternative remedy, of a transfer of all or any part of the title to or any interest in the Land occurring prior to the transaction vesting Title as shown in Schedule A because that prior transfer constituted a fraudulent or preferential transfer under federal bankruptcy, state insolvency, or similar creditors' rights laws; or

(b) because the instrument of transfer vesting Title as shown in Schedule A constitutes a preferential transfer under federal bankruptcy, state insolvency, or similar creditors' rights laws by reason of the failure of its recording in the Public Records

(i) to be timely, or

(ii) to impart notice of its existence to a purchaser for value or to a judgment or lien creditor.

10. Any defect in or lien or encumbrance on the Title or other matter included in Covered Risks 1 through 9 that has been created or attached or has been filed or recorded in the Public Records subsequent to Date of Policy and prior to the recording of the deed or other instrument of transfer in the Public Records that vests Title as shown in Schedule A.

The Company will also pay the costs, attorneys' fees, and expenses incurred in defense of any matter insured against by this Policy, but only to the extent provided in the Conditions.

EXCLUSIONS FROM COVERAGE

The following matters are expressly excluded from the coverage of this policy, and the Company will not pay loss or damage, costs, attorneys' fees, or expenses that arise by reason of:

1. (a) Any law, ordinance, permit, or governmental regulation (including those relating to building and zoning) restricting, regulating, prohibiting, or relating to

(i) the occupancy, use, or enjoyment of the Land;

(ii) the character, dimensions, or location of any improvement erected on the Land;

(iii) the subdivision of land; or

(iv) environmental protection;

or the effect of any violation of these laws, ordinances, or governmental regulations. This Exclusion 1(a) does not modify or limit the coverage provided under Covered Risk 5.

(b) Any governmental police power. This Exclusion 1(b) does not modify or limit the coverage provided under Covered Risk 6.

2. Rights of eminent domain. This Exclusion does not modify or limit the coverage provided under Covered Risk 7 or 8.

3. Defects, liens, encumbrances, adverse claims, or other matters

(a) created, suffered, assumed, or agreed to by the Insured Claimant;

(b) not Known to the Company, not recorded in the Public Records at Date of Policy, but Known to the Insured Claimant and not disclosed in writing to the Company by the Insured Claimant prior to the date the Insured Claimant became an Insured under this policy;

(c) resulting in no loss or damage to the Insured Claimant;

(d) attaching or created subsequent to Date of Policy (however, this does not modify or limit the coverage provided under Covered Risk 9 and 10); or

(e) resulting in loss or damage that would not have been sustained if the Insured Claimant had paid value for the Title.

4. Any claim, by reason of the operation of federal bankruptcy, state insolvency, or similar creditors' rights laws, that the transaction vesting the Title as shown in Schedule A, is

(a) a fraudulent conveyance or fraudulent transfer; or

(b) a preferential transfer for any reason not stated in Covered Risk 9 of this policy.

5. Any lien on the Title for real estate taxes or assessments imposed by governmental authority and created or attaching between Date of Policy and the date of recording of the deed or other instrument of transfer in the Public Records that vests Title as shown in Schedule A.

CONDITIONS

1. DEFINITION OF TERMS

The following terms when used in this policy mean:

- (a) "Amount of Insurance": The amount stated in Schedule A, as may be increased or decreased by endorsement to this policy, increased by Section 8(b), or decreased by Sections 10 and 11 of these Conditions.
- (b) "Date of Policy": The date designated as "Date of Policy" in Schedule A.
- (c) "Entity": A corporation, partnership, trust, limited liability company, or other similar legal entity.
- (d) "Insured": The Insured named in Schedule A.
 - (i) The term "Insured" also includes
 - (A) successors to the Title of the Insured by operation of law as distinguished from purchase, including heirs, devisees, survivors, personal representatives, or next of kin;
 - (B) successors to an Insured by dissolution, merger, consolidation, distribution, or reorganization;
 - (C) successors to an Insured by its conversion to another kind of Entity;
 - (D) a grantee of an Insured under a deed delivered without payment of actual valuable consideration conveying the Title
 - (1) if the stock, shares, memberships, or other equity interests of the grantee are wholly-owned by the named Insured,
 - (2) if the grantee wholly owns the named Insured,
 - (3) if the grantee is wholly-owned by an affiliated Entity of the named Insured, provided the affiliated Entity and the named Insured are both wholly-owned by the same person or Entity, or
 - (4) if the grantee is a trustee or beneficiary of a trust created by a written instrument established by the Insured named in Schedule A for estate planning purposes.
 - (ii) With regard to (A), (B), (C), and (D) reserving, however, all rights and defenses as to any successor that the Company would have had against any predecessor Insured.
- (e) "Insured Claimant": An Insured claiming loss or damage.
- (f) "Knowledge" or "Known": Actual knowledge, not constructive knowledge or notice that may be imputed to an Insured by reason of the Public Records or any other records that impart constructive notice of matters affecting the Title.
- (g) "Land": The land described in Schedule A, and affixed improvements that by law constitute real property. The term "Land" does not include any property beyond the lines of the area described in Schedule A, nor any right, title, interest, estate, or easement in abutting streets, roads, avenues, alleys, lanes, ways, or waterways, but this does not modify or limit the extent that a right of access to and from the Land is insured by this policy.
- (h) "Mortgage": Mortgage, deed of trust, trust deed, or other security instrument, including one evidenced by electronic means authorized by law.
- (i) "Public Records": Records established under state statutes at Date of Policy for the purpose of imparting constructive notice of matters relating to real property to purchasers for value and without Knowledge. With respect to Covered Risk 5(d), "Public Records" shall also include environmental protection liens filed in the records of the clerk of the United States District Court for the district where the Land is located.
- (j) "Title": The estate or interest described in Schedule A.
- (k) "Unmarketable Title": Title affected by an alleged or apparent matter that would permit a prospective purchaser or lessee of the Title or lender on the Title to be released from the obligation to

purchase, lease, or lend if there is a contractual condition requiring the delivery of marketable title.

2. CONTINUATION OF INSURANCE

The coverage of this policy shall continue in force as of Date of Policy in favor of an Insured, but only so long as the Insured retains an estate or interest in the Land, or holds an obligation secured by a purchase money Mortgage given by a purchaser from the Insured, or only so long as the Insured shall have liability by reason of warranties in any transfer or conveyance of the Title. This policy shall not continue in force in favor of any purchaser from the Insured of either (i) an estate or interest in the Land, or (ii) an obligation secured by a purchase money Mortgage given to the Insured.

3. NOTICE OF CLAIM TO BE GIVEN BY INSURED CLAIMANT

The Insured shall notify the Company promptly in writing (i) in case of any litigation as set forth in Section 5(a) of these Conditions, (ii) in case Knowledge shall come to an Insured hereunder of any claim of title or interest that is adverse to the Title, as insured, and that might cause loss or damage for which the Company may be liable by virtue of this policy, or (iii) if the Title, as insured, is rejected as Unmarketable Title. If the Company is prejudiced by the failure of the Insured Claimant to provide prompt notice, the Company's liability to the Insured Claimant under the policy shall be reduced to the extent of the prejudice.

4. PROOF OF LOSS

In the event the Company is unable to determine the amount of loss or damage, the Company may, at its option, require as a condition of payment that the Insured Claimant furnish a signed proof of loss. The proof of loss must describe the defect, lien, encumbrance, or other matter insured against by this policy that constitutes the basis of loss or damage and shall state, to the extent possible, the basis of calculating the amount of the loss or damage.

5. DEFENSE AND PROSECUTION OF ACTIONS

- (a) Upon written request by the Insured, and subject to the options contained in Section 7 of these Conditions, the Company, at its own cost and without unreasonable delay, shall provide for the defense of an Insured in litigation in which any third party asserts a claim covered by this policy adverse to the Insured. This obligation is limited to only those stated causes of action alleging matters insured against by this policy. The Company shall have the right to select counsel of its choice (subject to the right of the Insured to object for reasonable cause) to represent the Insured as to those stated causes of action. It shall not be liable for and will not pay the fees of any other counsel. The Company will not pay any fees, costs, or expenses incurred by the Insured in the defense of those causes of action that allege matters not insured against by this policy.
- (b) The Company shall have the right, in addition to the options contained in Section 7 of these Conditions, at its own cost, to institute and prosecute any action or proceeding or to do any other act that in its opinion may be necessary or desirable to establish the Title, as insured, or to prevent or reduce loss or damage to the Insured. The Company may take any appropriate action under the terms of this policy, whether or not it shall be liable to the Insured. The exercise of these rights shall not be an admission of liability or waiver of any provision of this policy. If the Company exercises its rights under this subsection, it must do so diligently.
- (c) Whenever the Company brings an action or asserts a defense as required or permitted by this policy, the Company may pursue the litigation to a final determination by a court of competent jurisdiction, and it expressly reserves the right, in its sole discretion, to appeal any adverse judgment or order.

6. DUTY OF INSURED CLAIMANT TO COOPERATE

(a) In all cases where this policy permits or requires the Company to prosecute or provide for the defense of any action or proceeding and any appeals, the Insured shall secure to the Company the right to so prosecute or provide defense in the action or proceeding, including the right to use, at its option, the name of the Insured for this purpose. Whenever requested by the Company, the Insured, at the Company's expense, shall give the Company all reasonable aid (i) in securing evidence, obtaining witnesses, prosecuting or defending the action or proceeding, or effecting settlement, and (ii) in any other lawful act that in the opinion of the Company may be necessary or desirable to establish the Title or any other matter as insured. If the Company is prejudiced by the failure of the Insured to furnish the required cooperation, the Company's obligations to the Insured under the policy shall terminate, including any liability or obligation to defend, prosecute, or continue any litigation, with regard to the matter or matters requiring such cooperation.

(b) The Company may reasonably require the Insured Claimant to submit to examination under oath by any authorized representative of the Company and to produce for examination, inspection, and copying, at such reasonable times and places as may be designated by the authorized representative of the Company, all records, in whatever medium maintained, including books, ledgers, checks, memoranda, correspondence, reports, e-mails, disks, tapes, and videos whether bearing a date before or after Date of Policy, that reasonably pertain to the loss or damage. Further, if requested by any authorized representative of the Company, the Insured Claimant shall grant its permission, in writing, for any authorized representative of the Company to examine, inspect, and copy all of these records in the custody or control of a third party that reasonably pertain to the loss or damage. All information designated as confidential by the Insured Claimant provided to the Company pursuant to this Section shall not be disclosed to others unless, in the reasonable judgment of the Company, it is necessary in the administration of the claim. Failure of the Insured Claimant to submit for examination under oath, produce any reasonably requested information, or grant permission to secure reasonably necessary information from third parties as required in this subsection, unless prohibited by law or governmental regulation, shall terminate any liability of the Company under this policy as to that claim.

**7. OPTIONS TO PAY OR OTHERWISE SETTLE CLAIMS;
TERMINATION OF LIABILITY**

In case of a claim under this policy, the Company shall have the following additional options:

- (a) To Pay or Tender Payment of the Amount of Insurance.
To pay or tender payment of the Amount of Insurance under this policy together with any costs, attorneys' fees, and expenses incurred by the Insured Claimant that were authorized by the Company up to the time of payment or tender of payment and that the Company is obligated to pay.
Upon the exercise by the Company of this option, all liability and obligations of the Company to the Insured under this policy, other than to make the payment required in this subsection, shall terminate, including any liability or obligation to defend, prosecute, or continue any litigation.
- (b) To Pay or Otherwise Settle With Parties Other Than the Insured or With the Insured Claimant.
 - (i) To pay or otherwise settle with other parties for or in the name of an Insured Claimant any claim insured against under this

policy. In addition, the Company will pay any costs, attorneys' fees, and expenses incurred by the Insured Claimant that were authorized by the Company up to the time of payment and that the Company is obligated to pay; or

- (ii) To pay or otherwise settle with the Insured Claimant the loss or damage provided for under this policy, together with any costs, attorneys' fees, and expenses incurred by the Insured Claimant that were authorized by the Company up to the time of payment and that the Company is obligated to pay.

Upon the exercise by the Company of either of the options provided for in subsections (b)(i) or (ii), the Company's obligations to the Insured under this policy for the claimed loss or damage, other than the payments required to be made, shall terminate, including any liability or obligation to defend, prosecute, or continue any litigation.

8. DETERMINATION AND EXTENT OF LIABILITY

This policy is a contract of indemnity against actual monetary loss or damage sustained or incurred by the Insured Claimant who has suffered loss or damage by reason of matters insured against by this policy.

- (a) The extent of liability of the Company for loss or damage under this policy shall not exceed the lesser of
 - (i) the Amount of Insurance; or
 - (ii) the difference between the value of the Title as insured and the value of the Title subject to the risk insured against by this policy.
- (b) If the Company pursues its rights under Section 5 of these Conditions and is unsuccessful in establishing the Title, as insured,
 - (i) the Amount of Insurance shall be increased by 10%, and
 - (ii) the Insured Claimant shall have the right to have the loss or damage determined either as of the date the claim was made by the Insured Claimant or as of the date it is settled and paid.
- (c) In addition to the extent of liability under (a) and (b), the Company will also pay those costs, attorneys' fees, and expenses incurred in accordance with Sections 5 and 7 of these Conditions.

9. LIMITATION OF LIABILITY

- (a) If the Company establishes the Title, or removes the alleged defect, lien, or encumbrance, or cures the lack of a right of access to or from the Land, or cures the claim of Unmarketable Title, all as insured, in a reasonably diligent manner by any method, including litigation and the completion of any appeals, it shall have fully performed its obligations with respect to that matter and shall not be liable for any loss or damage caused to the Insured.
- (b) In the event of any litigation, including litigation by the Company or with the Company's consent, the Company shall have no liability for loss or damage until there has been a final determination by a court of competent jurisdiction, and disposition of all appeals, adverse to the Title, as insured.
- (c) The Company shall not be liable for loss or damage to the Insured for liability voluntarily assumed by the Insured in settling any claim or suit without the prior written consent of the Company.

10. REDUCTION OF INSURANCE; REDUCTION OR TERMINATION OF LIABILITY

All payments under this policy, except payments made for costs, attorneys' fees, and expenses, shall reduce the Amount of Insurance by the amount of the payment.

11. LIABILITY NONCUMULATIVE

The Amount of Insurance shall be reduced by any amount the Company pays under any policy insuring a Mortgage to which exception is taken in Schedule B or to which the Insured has agreed, assumed, or taken subject, or which is executed by an Insured after Date of Policy and which is a charge or lien on the Title, and the amount so paid shall be deemed a payment to the Insured under this policy.

12. PAYMENT OF LOSS

When liability and the extent of loss or damage have been definitely fixed in accordance with these Conditions, the payment shall be made within 30 days.

13. RIGHTS OF RECOVERY UPON PAYMENT OR SETTLEMENT

(a) Whenever the Company shall have settled and paid a claim under this policy, it shall be subrogated and entitled to the rights of the Insured Claimant in the Title and all other rights and remedies

in respect to the claim that the Insured Claimant has against any person or property, to the extent of the amount of any loss, costs, attorneys' fees, and expenses paid by the Company. If requested by the Company, the Insured Claimant shall execute documents to

evidence the transfer to the Company of these rights and remedies. The Insured Claimant shall permit the Company to sue, compromise,

or settle in the name of the Insured Claimant and to use the name of the Insured Claimant in any transaction or litigation involving these rights and remedies.

If a payment on account of a claim does not fully cover the loss of the Insured Claimant, the Company shall defer the exercise of its right to recover until after the Insured Claimant shall have recovered its loss.

(b) The Company's right of subrogation includes the rights of the Insured to indemnities, guaranties, other policies of insurance, or bonds, notwithstanding any terms or conditions contained in those instruments that address subrogation rights.

14. ARBITRATION

Either the Company or the Insured may demand that the claim or controversy shall be submitted to arbitration pursuant to the Title Insurance Arbitration Rules of the American Land Title Association ("Rules"). Except as provided in the Rules, there shall be no joinder or consolidation with claims or controversies of other persons.

Arbitrable matters may include, but are not limited to, any controversy or claim between the Company and the Insured arising out of or relating to this policy, any service in connection with its issuance or the breach of a policy provision, or to any other controversy or claim arising out of the transaction giving rise to this policy. All arbitrable matters when

the Amount of Insurance is \$2,000,000 or less shall be arbitrated at the option of either the Company or the Insured. All arbitrable matters when the Amount of Insurance is in excess of \$2,000,000

shall be arbitrated only when agreed to by both the Company and the Insured. Arbitration pursuant to this policy and under the Rules shall be binding upon the parties. Judgment upon the award rendered by the Arbitrator(s) may be entered in any court of competent jurisdiction.

15. LIABILITY LIMITED TO THIS POLICY; POLICY ENTIRE CONTRACT

(a) This policy together with all endorsements, if any, attached to it

by the Company is the entire policy and contract between the Insured and the Company. In interpreting any provision of this policy, this policy shall be construed as a whole.

(b) Any claim of loss or damage that arises out of the status of the Title or by any action asserting such claim shall be restricted to this policy.

(c) Any amendment of or endorsement to this policy must be in writing and authenticated by an authorized person, or expressly incorporated by Schedule A of this policy.

(d) Each endorsement to this policy issued at any time is made a part of this policy and is subject to all of its terms and provisions. Except as the endorsement expressly states, it does not (i) modify any of the terms and provisions of the policy, (ii) modify any prior endorsement, (iii) extend the Date of Policy, or (iv) increase the Amount of Insurance.

16. SEVERABILITY

In the event any provision of this policy, in whole or in part, is held invalid or unenforceable under applicable law, the policy shall be deemed not to include that provision or such part held to be invalid, but all other provisions shall remain in full force and effect.

17. CHOICE OF LAW; FORUM

(a) Choice of Law: The Insured acknowledges the Company has underwritten the risks covered by this policy and determined the premium charged therefor in reliance upon the law affecting interests in real property and applicable to the interpretation, rights, remedies, or enforcement of policies of title insurance of the jurisdiction where the Land is located.

Therefore, the court or an arbitrator shall apply the law of the jurisdiction where the Land is located to determine the validity of claims against the Title that are adverse to the Insured and to interpret and enforce the terms of this policy. In neither case shall the court or arbitrator apply its conflicts of law principles to determine the applicable law.

(b) Choice of Forum: Any litigation or other proceeding brought by the Insured against the Company must be filed only in a state or federal court within the United States of America or its territories having appropriate jurisdiction.

18. NOTICES, WHERE SENT

Any notice of claim and any other notice or statement in writing required to be given to the Company under this policy must be given to the Company at 400 Second Avenue South, Minneapolis, Minnesota 55401-2499

Old Republic National Title Insurance Company
ALTA 2006 STANDARD OWNERS POLICY

SCHEDULE A

FILE NO.: **CBF11633**

POLICY NO.: **OX-13238438**

ADDRESS

REFERENCE: **2517 Van Giesen St.
Richland, WA 99354**

AMOUNT OF
INSURANCE: **\$625,000.00**

PREMIUM: **\$1,559.00**

DATE OF POLICY: **September 01, 2020 at 2:46 PM**

1. NAME OF INSURED:

NC VENTURES, LLC, A WASHINGTON LIMITED LIABILITY COMPANY

2. THE ESTATE OR INTEREST IN THE LAND WHICH IS COVERED BY THIS POLICY IS:

THE EQUITABLE ESTATE CREATED BY THE CONTRACT OF SALE FROM:

**SELLER: HARLAN L. MCMULLEN AND BEVERLY K. MCMULLEN, ALSO KNOWN
AS BEVERLY K. MARCUM, HUSBAND AND WIFE**
BUYER: NC VENTURES, LLC, A WASHINGTON LIMITED LIABILITY COMPANY
DATED: September 01, 2020
RECORDED: September 01, 2020
AUDITOR'S FILE NO.: 2020-033315
EXCISE TAX NO.: 153306

3. TITLE TO THE ESTATE OR INTEREST IN THE LAND IS VESTED IN:

**BEVERLY K. MCMULLEN, WHO TOOK TITLE AS BEVERLY K. MARCUM, A MARRIED WOMAN - AS TO
PARCEL A AND HARLAN L. MCMULLEN AND BEVERLY K. MCMULLEN, HUSBAND AND WIFE - AS
TO PARCEL B**

4. THE LAND REFERRED TO IN THIS POLICY IS DESCRIBED AS FOLLOWS:

SEE ATTACHED EXHIBIT "A"

5. THIS POLICY INCORPORATES BY REFERENCE THOSE ALTA ENDORSEMENTS LISTED BELOW:

NONE

This policy valid only if Schedule B is attached.

Old Republic National Title Insurance Company
ALTA 2006 STANDARD OWNERS POLICY

FILE NO.: CBF11633

POLICY NO.: OX-13238438

SCHEDULE B

EXCEPTIONS FROM COVERAGE

THIS POLICY DOES NOT INSURE AGAINST LOSS OR DAMAGE, AND THE COMPANY WILL NOT PAY COSTS, ATTORNEYS' FEES OR EXPENSES THAT ARISE BY REASON OF:

General Exceptions:

- A. RIGHTS OR CLAIMS DISCLOSED ONLY BY POSSESSION, OR CLAIMED POSSESSION, OF THE PREMISES.
- B. ENCROACHMENTS, OVERLAPS, BOUNDARY LINE DISPUTES WHICH WOULD BE DISCLOSED BY AN ACCURATE SURVEY OR INSPECTION OF THE PREMISES.
- C. EASEMENTS, PRESCRIPTIVE RIGHTS, RIGHTS-OF-WAY, STREETS, ROADS, ALLEYS OR HIGHWAYS NOT DISCLOSED BY THE PUBLIC RECORDS.
- D. ANY LIEN, OR RIGHT TO A LIEN, FOR CONTRIBUTIONS TO EMPLOYEES BENEFIT FUNDS, OR FOR STATE WORKERS' COMPENSATION, OR FOR SERVICES, LABOR OR MATERIAL HERETOFORE OR HEREAFTER FURNISHED, ALL AS IMPOSED BY LAW AND NOT SHOWN BY THE PUBLIC RECORDS.
- E. UNDERGROUND EASEMENTS, SERVITUDES OR INSTALLATIONS OF WHICH NO NOTICE IS OF RECORD.
- F. GENERAL TAXES NOT NOW PAYABLE; MATTERS RELATING TO SPECIAL ASSESSMENTS AND SPECIAL LEVIES, IF ANY, PRECEDING THE SAME BECOMING A LIEN.
- G. ANY SERVICE, INSTALLATION, CONNECTION, MAINTENANCE, OR CONSTRUCTION CHARGES FOR SEWER, WATER, ELECTRICITY, NATURAL GAS OR OTHER UTILITIES OR GARBAGE COLLECTION AND DISPOSAL.
- H. RESERVATIONS OR EXCEPTIONS IN UNITED STATES PATENTS OR IN ACTS AUTHORIZING THE ISSUANCE THEREOF.
- I. INDIAN TRIBAL CODES OR REGULATIONS, INDIAN TREATY OR ABORIGINAL RIGHTS, INCLUDING EASEMENTS OR EQUITABLE SERVITUDES.
- J. WATER RIGHTS, CLAIMS OR TITLE TO WATER.

This policy valid only if Schedule A is attached

**Old Republic National Title Insurance Company
ALTA 2006 STANDARD OWNERS POLICY**

FILE NO.: CBF11633

POLICY NO.: OX-13238438

SPECIAL EXCEPTIONS:

1. EASEMENTS AND THE TERMS AND CONDITIONS CONTAINED IN DEED RECORDED AUGUST 3, 1960 UNDER AUDITOR'S FILE NO. 441061.
2. RIGHTS OF WAY FOR PIPELINES, DITCHES, CANALS, FLUMES, IF ANY CROSS SAID PREMISES, TOGETHER WITH THE RIGHT TO ENTER THEREON FOR THE PURPOSE OF REPAIR AND MAINTENANCE THEREOF.
3. RIGHT-OF-WAY FOR VAN GIESEN, IF ANY, AND ANY EASEMENT RIGHTS OF ADJOINING PROPERTIES OR THE PUBLIC TO THAT PORTION OF THE LAND INCLUDED WITHIN SUCH RIGHT-OF-WAY, AS DISCLOSED BY MATTERS OF RECORD.

END OF SCHEDULE B EXCEPTIONS.

SW/RB

This policy valid only if Schedule A is attached.

Old Republic National Title Insurance Company
ALTA 2006 STANDARD OWNERS POLICY

FILE NO.: CBF11633

POLICY NO.: OX-13238438

EXHIBIT "A"

PARCEL A

THAT PORTION OF THE NORTHEAST QUARTER OF THE SOUTHEAST QUARTER OF SECTION 4, TOWNSHIP 9 NORTH, RANGE 28 EAST, W.M., RECORDS OF BENTON COUNTY, WASHINGTON DEFINED AS FOLLOWS:

THAT PORTION LYING NORTH AND WEST OF THE FOLLOWING DESCRIBED LINE: BEGINNING ON THE NORTH BOUNDARY OF SAID NORTHEAST QUARTER OF THE SOUTHEAST QUARTER 143.28 FEET FROM THE EAST QUARTER CORNER OF SAID SECTION;
THENCE SOUTH 24°04'55" WEST 75.90 FEET TO THE SOUTH LINE OF VAN GIESEN ROAD;
THENCE CONTINUING SOUTH 24°04'55" WEST 1005.71 FEET;
THENCE SOUTH 41°30'02" WEST 478.66 FEET TO THE SOUTH BOUNDARY OF SAID NORTHEAST QUARTER OF SOUTHEAST QUARTER, EXCEPT PORTION DEFINED AS FOLLOWS: WEST 539.44 FEET OF THE NORTH 758.39 FEET TO THE NORTHEAST QUARTER OF THE SOUTHEAST QUARTER:

LESS PORTION DEFINED AS FOLLOWS: BEGINNING AT A POINT IN THE NORTH BOUNDARY OF SAID NORTHEAST QUARTER OF THE SOUTHEAST QUARTER, WHICH IS DISTANCE 143.28 FEET FROM THE EAST QUARTER CORNER OF SAID SECTION;
THENCE SOUTH 24°04'55" WEST 838.61 FEET TO THE TRUE POINT OF BEGINNING;
THENCE CONTINUING SOUTH 24°04'55" WEST 246 FEET;
THENCE SOUTH 41°30'02" WEST 478.66 FEET TO A POINT ON THE SOUTH LINE OF SAID SUBDIVISION;
THENCE SOUTH 88°53'51" WEST ALONG SOUTH LINE 413.95 FEET TO THE SOUTHWEST CORNER OF SAID SUBDIVISION;
THENCE NORTH 0°27'52" WEST ALONG THE WEST LINE OF SAID SUBDIVISION 573.64 FEET;
THENCE NORTH 88°48'21" EAST 836.24 FEET TO THE TRUE POINT OF BEGINNING; EXCEPT THE SOUTH 30 FEET AND WEST 30 FEET FOR ROAD:

LESS THAT PORTION OF THE NORTHEAST QUARTER OF THE SOUTHEAST QUARTER OF SAID SECTION 4 DEFINED AS FOLLOWS: BEGINNING AT A POINT IN THE NORTH BOUNDARY OF SAID NORTHEAST QUARTER OF THE SOUTHEAST QUARTER WHICH IS A DISTANCE OF 143.28 FEET FROM THE EAST QUARTER CORNER OF SAID SECTION;
THENCE SOUTH 24°04'55" WEST 78.90 FEET TO A POINT ON THE SOUTH RIGHT OF WAY LINE OF VAN GIESEN ST;
THENCE SOUTH 89°33'00" WEST ALONG SAID RIGHT OF WAY LINE 512.67 FEET TO TRUE POINT OF BEGINNING;
THENCE CONTINUING SOUTH 89°33'00" WEST ALONG SAID RIGHT OF WAY LINE 100 FEET TO A POINT WHICH IS A DISTANCE OF 539.44 FEET FROM THE WEST LINE OF SAID NORTHEAST QUARTER OF SOUTHEAST QUARTER;
THENCE SOUTH 0°27'52" EAST PARALLEL TO THE WEST LINE OF SAID SUBDIVISION 100 FEET;
THENCE NORTH 89°33'00" EAST 100 FEET;
THENCE NORTH 0°27'52" WEST 100 FEET TO THE TRUE POINT OF BEGINNING.

PARCEL B

THAT PORTION OF THE NORTHEAST QUARTER OF THE SOUTHEAST QUARTER OF SECTION 4, TOWNSHIP 9 NORTH, RANGE 28 EAST, W.M., RECORDS OF BENTON COUNTY, WASHINGTON DEFINED AS FOLLOWS:

BEGINNING AT A POINT IN THE NORTH BOUNDARY OF SAID NORTHEAST QUARTER OF THE SOUTHEAST QUARTER WHICH IS A DISTANCE OF 143.28 FEET FROM THE EAST QUARTER CORNER OF SAID SECTION;

Old Republic National Title Insurance Company
ALTA 2006 STANDARD OWNERS POLICY

FILE NO.: CBF11633

POLICY NO.: OX-13238438

THENCE SOUTH 24°04'55" WEST 78.90 FEET TO A POINT ON THE SOUTH RIGHT OF WAY LINE OF
VAN GIESEN ST;
THENCE SOUTH 89°33'00" WEST ALONG SAID RIGHT OF WAY LINE 512.67 FEET TO TRUE POINT
OF BEGINNING;
THENCE CONTINUING SOUTH 89°33'00" WEST ALONG SAID RIGHT OF WAY LINE 100 FEET TO A
POINT WHICH IS A DISTANCE OF 539.44 FEET FROM THE WEST LINE OF SAID NORTHEAST
QUARTER OF SOUTHEAST QUARTER;
THENCE SOUTH 0°27'52" EAST PARALLEL TO THE WEST LINE OF SAID SUBDIVISION 100 FEET;
THENCE NORTH 89°33'00" EAST 100 FEET;
THENCE NORTH 0°27'52" WEST 100 FEET TO THE TRUE POINT OF BEGINNING.

This policy valid only if Schedule A is attached.



Zoning Map Amendment Application

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

PROPERTY OWNER INFORMATION

☐ Contact Person

Owner: NC Ventures LLC (Attn. Andy Clary)

Address: 3802 S Highlands Blvd, West Richland, WA 99353

Phone: (509) 528-7881

Email: andy@cmnursery.org

APPLICANT/CONTRACTOR INFORMATION (if different)

☒ Contact Person

Company: AHBL, Inc.

UBI#:

Contact: Nicole Stickney, AICP

Address: 5904 Road 90, Suite H, Pasco WA 99301

Phone: (509) 316-7131

Email: nstickney@ahbl.com

DESCRIPTION OF WORK

We request a zoning designation change for a portion of Parcel No. 104984000001000 to allow the parcel to be entirely zoned C-3 General Business (the parcel is currently C-3 on the north end and AG-Agricultural on the south).

* We are also applying for a Comprehensive Plan Land Use Map amendment because the parcel has COM-Commercial and AGR-Agriculture designations.

* The extent and boundaries of the zoning and land use designations are not consistent with one another.

PROPERTY INFORMATION

Parcel #: 104984000001000

Legal Description: PORTION OF NE 1/4 OF SE 1/4 OF SECTION 4 TOWNSHIP 9 N RANGE 28 E, W.M.

Current Zoning: AG

Current Comp Plan: Agriculture

Requested Zoning: C-3

Current Use: Plant Nursery

Proposed Use: Commercial / TBD

Area of Property: 6.9 acres

APPLICATION MUST INCLUDE

1. Completed application and filing fee
2. Title Report showing ownership, easements, restrictions, and accurate legal description of the property involved
3. Other information as determined by the Administrator

ANSWER THE FOLLOWING AS COMPLETELY AS POSSIBLE

The unique characteristics, if any, of the property or circumstances of the owner:

The parcel carries two zoning designations, C-3 General Business and AG-Agricultural. There are also two different Comprehensive Plan Land Use map designations for the parcel, and the extent of the zoning and land use designations are not consistent with one another.

Any hardship that may result in the event the rezone is not granted:

The permitting process will be unnecessarily cumbersome for any proposed use on this parcel which carries two different comprehensive plan land use designations and two different zoning designations. In addition, opportunities for redevelopment of the site are reduced because there are very few uses allowed in both zones.

The manner in which the proposed rezone conforms to patterns in adjacent zones: The proposal is located along and accessed by Van Giesen St. where several lots to the west, to the north along Van Giesen St., and to the north along SR 240 carry the C -3 zoning designation. The Comprehensive Plan Land Use map designations follow the same pattern with the addition of a Commercial designation for the parcel to the east of the site.
Any beneficial or adverse effects the granting or denial of the rezone would have on adjacent or surrounding zones: The adjacent and surrounding zones include C-3 Commercial and AG-Agricultural. The rezone will not result in adverse effects to the AG zone and would potentially provide benefits to those properties.
Any beneficial or adverse effects the granting or denial of the rezone would have in relation to the overall purpose and intent of the comprehensive plan and this title: The proposed re-zone to commercial will foster economic development, consistent with Richland's adopted comprehensive plan. The change of zoning designation will also provide an opportunity for development in an urban area where adequate public facilities and services exist or can be provided in an efficient manner.
The benefits or detriments accruing to the City which would result from the granting or denial of this special permit: The proposed re-zone will foster encourage economic development which will in turn benefit the City (i.e. job creation, tax base expansion, etc.). Denial of the rezone could result in development occurring elsewhere, in a location without adequate infrastructure or perhaps in a location that would degrade the natural environment.
Whether the proposed rezone represents a better use of the land from the standpoint of the comprehensive plan than the original zone: The Comprehensive Plan stresses the importance of business opportunities and growth, job creation, and a diversified economy. The proposed amendment will align with the City's desire to foster commercial land uses. This site is appropriate for commercial zoning due to its location along a minor arterial and lack of environmental constraints.
Whether the proposed rezone represents spot zoning and whether a larger area should be considered: The proposed rezone would not result in spot zoning because a) the parcel currently carries two zoning designations, one of which is C-3, the requested designation and b) the parcel is adjacent to and in proximity to several other parcels with the C-3 designation.
Identify impacts on the environment and public safety: There are no known negative impacts on the environment or for public safety. The environmental impacts will be reviewed through the SEPA process, as required, and subsequent development proposals will follow any/all recommended mitigation measures.

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

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

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

1. I have read and examined this permit application and have documented all applicable requirements on the site plan.
2. The information provided in this application contains no misstatement of fact.
3. I am the owner(s), the authorized agent(s) of the owner(s) of the above referenced property, or I am currently a licensed contractor or specialty contractor under Chapter 18.27 RCW or I am exempt from the requirements of Chapter 18.27 RCW.
4. I understand this permit is subject to all other local, state, and federal regulations.

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

Applicant Printed Name: Nicole Stickney

eSigned via SeamlessDocs.com

Applicant Signature: 

Key: 5c72afa08fc56080740d56b45e4d4d0e

Date March 01, 2021

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

1. Name of proposed project, if applicable:

2517 Van Giesen (Richland) Comprehensive Plan Amendment and Rezone

2. Name of applicant:

Nicole Stickney, AICP

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

**AHBL, Inc.
5904 Road 90 # H
Pasco, WA 99301
(509) 380-5883**

4. Date checklist prepared:

February 25, 2021

5. Agency requesting checklist:

City of Richland

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

The property owner wishes to have the Comprehensive Plan Land Use map amended for the property (as part of the city's 2021 Comprehensive Plan Amendments docket) and then to have the property rezoned.

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

The site will be developed with commercial use (specifics are to be determined).

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

Technical Memorandum by J-U-B Engineers "C&M Nursery Comprehensive Plan Amendment Traffic Study, dated February 25, 2021.

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.

None known.

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

Comp. Plan Land Use Map Amendment (CPA) and Rezone. SEPA threshold determination.

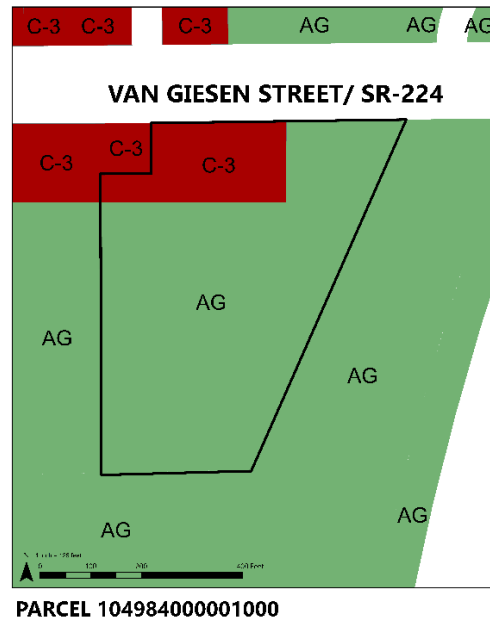
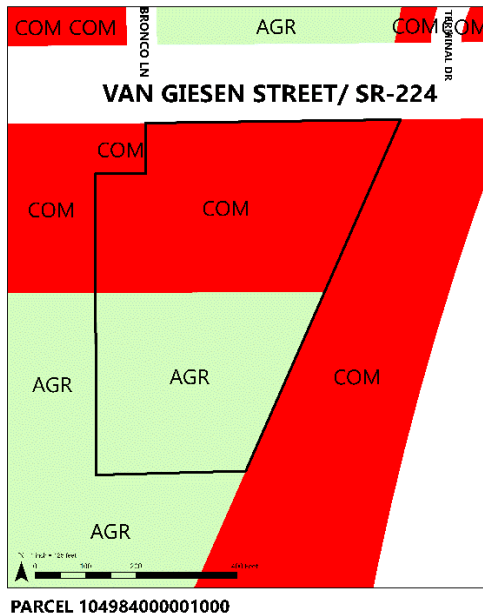
11. Give brief, complete description of your proposal, including the proposed uses and the size of the project and site. There are several questions later in this checklist that ask you to describe certain aspects of your proposal. You do not need to repeat those answers on this page. (Lead agencies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

The proposal is for an amendment to the City of Richland's Comprehensive Plan Land Use Map. The proposal is a request to change the Comprehensive Plan Land Use map designation Parcel No. 104984000001000 to COM-Commercial,

with a subsequent rezone to C 3 General Business. The parcel is approximately 6.9 acres in size. Currently the northern portions of the parcel have the desired land use map designation and zoning as shown below. Our application is to change the remaining parcel to match the zoning along the Van Giesen frontage.

LAND USE:

ZONING:



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

The site is situated in a portion of the Northeast Quarter of the Southeast Quarter of Section 4, Township 09 North, Range 28 East W.M. within the City of Richland, Benton County, Washington. Parcel No. 104984000001000.

The assigned address is 2517 Van Giesen St., Richland, WA 99354.

There is a business established on the site; C&M Nursery.

B. Environmental Elements

1. Earth

- a. General description of the site:

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

The site is generally flat, sloping upward from the east property line toward the railroad property, and slopes slightly downward to the south.

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

Maximum natural grade is about 2%.

- 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.

The majority of the site has Pasco silt loam soil. There is a small amount classified as Quincy loamy sand along the east/southeast parcel line. A portion of the site lies within the mapped 500-year floodplain of the Yakima River, yet no hydric soils are present according to the USDA Natural Resources Conservation Services.

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

There are no indications of unstable soils at the project site.

- 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.

Any future soil-disturbing work will be that typical of commercial construction and will be subject to local regulations.

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

None known at this time.

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

The proposed development will not exceed the maximum percentage of impervious surfaces allowed by the Richland Municipal Code.

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

None proposed at this time, as this is a nonproject application. At the time of construction, standard erosion control methods will be used such as silt fencing and dust control, as necessary.

2. Air

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

Emissions will be generally limited to that resulting from trips to and from the site for any new commercial use of the site.

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

The subject site will be affected by vehicle emissions because it is located near the intersection of Van Giesen St. and By-pass Highway/SR 240, a principal arterial. There are railroad tracks due east of the property so there will also be emissions from trains. The site may also be affected by odors due to its proximity to the Richland Riders Club, an equestrian boarding / riding facility.

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

None proposed.

3. Water

- a. Surface Water:

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

No surface water is located in the immediate vicinity. The Yakima River is located approximately over three thousand feet away (to the west).

- 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.

No.

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

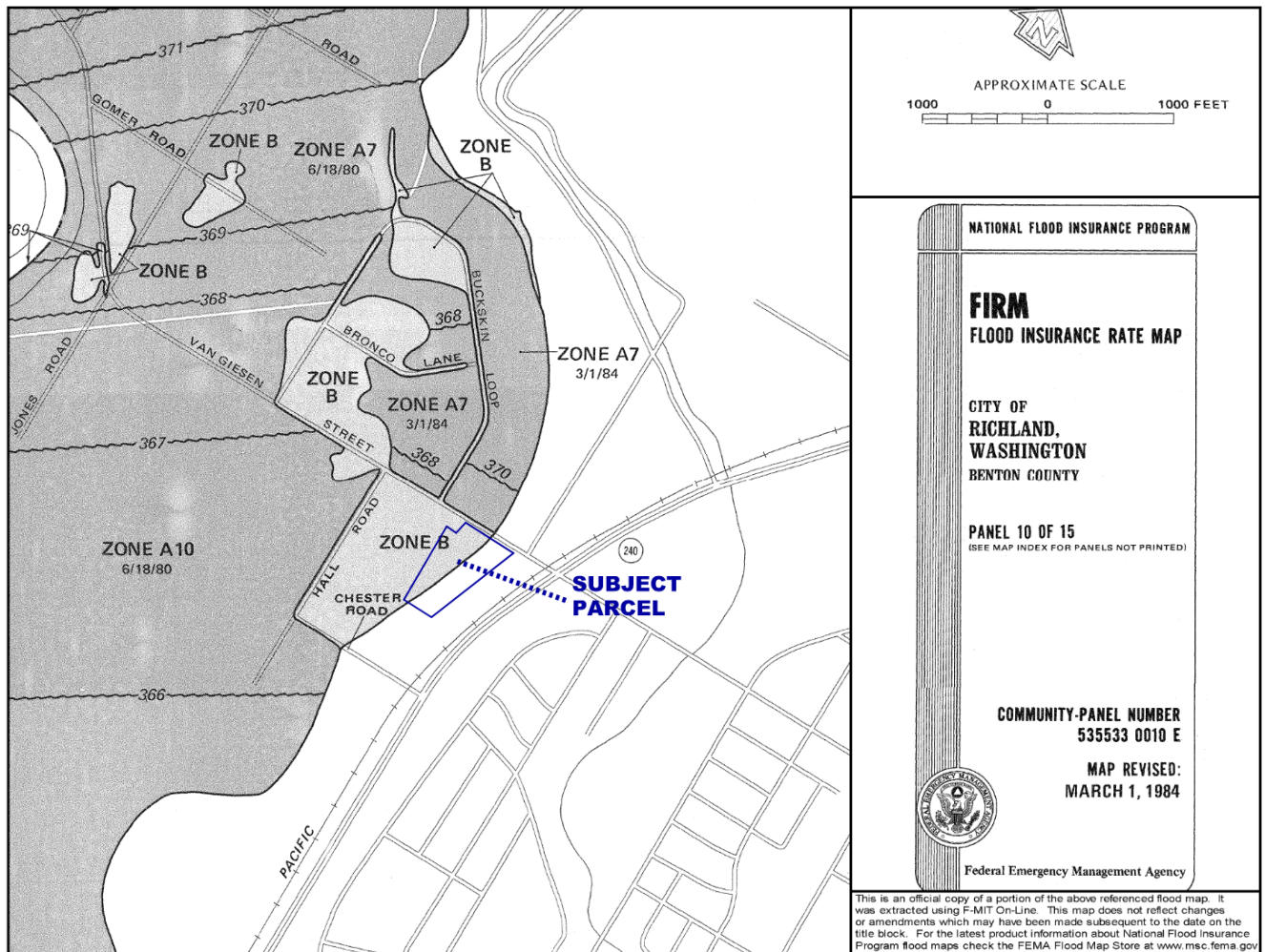
None.

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

No.

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

No. A portion of the Parcel is in Zone B (500-year floodplain) and the remainder is outside of Zone A (100-year floodplain) or B.



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

No.

b. Ground Water:

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

There is currently a well on-site. Additionally, the City of Richland maintains a water main along Van Giesen St. although there is not a lateral line provided to the site at this time.

- 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.

There is currently a septic system on site, which is not used for residential uses.

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.

Runoff will be limited to that typical of commercial development (roofs, parking, driveways) and the stormwater will infiltrate on site.

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

We anticipate that no waste material will be discharged to the groundwater with future development of the site.

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

Drainage patterns within the vicinity of the site will remain unchanged.

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

None proposed.

4. Plants

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

There are many different species of plants found on the site as it is currently occupied by a landscaping business.

☒ 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?

Some existing vegetation on the site may be cleared for development purposes.

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

There are no known threatened or endangered plant species on the site.

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

Future development will include any landscaping required by the Richland Municipal Code for commercial development.

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

None known.

5. Animals

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

Examples include:

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

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.

None known.

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

Yes, the entire Columbia Basin is part of a migration route.

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

No mitigation is proposed.

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

None are known.

6. Energy and Natural Resources

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

Electricity will be utilized to meet the energy needs of any proposed development.

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

Any proposed development will not affect the potential uses of solar energy by adjacent properties.

- 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:

Any proposed development will meet applicable state and local energy codes.

7. Environmental Health

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

None are known.

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

No known contamination is present at the site. The site has been used as a plant nursery for many decades.

- 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.

No known hazardous chemicals/conditions are present at the proposed development site.

- 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.

No known toxic or hazardous chemicals will be stored, used, or produced during the potential project's development or construction.

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

None are known.

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

No measures are proposed.

- b. Noise

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

The predominant noise in the area is from traffic on nearby streets. The noise generated by these roads is not anticipated to have an impact on any proposed development.

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

Short-term noise will be generated during the construction phase of any development. Long-term noise will be typical of commercial uses.

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

Noise impacts produced during any future construction will be limited to working hours. Compliance with the City of Richland Municipal code with regards to noise will be followed.

8. Land and Shoreline Use

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

The site is currently used as a Plant Nursery business (Commercial Use). On the west is the Richland Riders Club (a horse stable) and another nursery business; the Knights of Columbus meeting hall occupies the parcel directly to the east of the subject site; Van Giesen Street is adjacent to the parcel to the north; and there are various businesses and commercial uses located along the north side of Van Giesen St.

The proposal will not adversely affect land nearby or adjacent land uses.

- 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?

The project site has not been used as working farmland or forest land. There will not be any conversion of agricultural or forest land of long-term commercial significance.

- 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:

The proposal will not affect surrounding farm/forest work.

- c. Describe any structures on the site.

There are two permanent structures on the site; a “Homestead” used for customer restrooms, and a main retail building. There are also several small out-buildings related to the landscape business, all located on the northern portion of the parcel.

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

None at this time.

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

The parcel is zoned C-3 General Business and AG-Agricultural

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

COM-Commercial and AGR-Agriculture

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

Not applicable. The site is not within shoreline jurisdiction.

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

No.

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

The current proposal is to amend the Comprehensive Plan Land Use map and rezone the property to allow commercial uses on the site. There are no specific development proposals at this time.

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

No individuals will be displaced.

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

None proposed.

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

The proposal is to amend the Comprehensive Plan Land Use map so that there is one land use designation for the entire parcel. Currently, the parcel is designated as Commercial and Agriculture. The parcel to the east, many parcels to the north along Van Giesen St., and a portion of the parcel to the west are currently designated as Commercial.

The property also carries two zoning designations, C-3 and AG. We will apply to rezone the entire parcel to C-3 to allow commercial uses on the site and to ensure the proposal is compatible with the Comprehensive Plan. There are no specific development proposals at this time.

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

None proposed.

9. Housing

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

There are no specific development proposals at this time.

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

No housing units will be eliminated.

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

None proposed.

10. Aesthetics

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

All structures will be in accordance with the City of Richland Zoning District standards and the height of structures will not exceed the maximum height allowed.

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

The proposal to amend the Comprehensive Plan Land Use Map designation and rezone the parcel will not alter views in the immediate vicinity, although any proposed future development will alter the site's appearance. A portion of the site is currently zoned for commercial uses and allowed to be used for commercial land use purposes and could be developed as such, and the current commercial development is in view from travelers using Van Giesen St..

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

None proposed.

11. Light and Glare

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

There is no development proposed at this time. Any future development will be typical of a commercial use.

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

Minimal impacts would result from lighting or glare.

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

None noted.

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

None proposed.

12. Recreation

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

- **The Richland Riders Club is located adjacent to the site (to the west)**
- **The city park "W.E. Johnson Park" is less than one mile away (to the south)**
- **CBRC Health & Wellness Clinic is approx. ¼ mile away (to the north)**
- **Buckskin Golf Course is approx. ¼ mile away (to the north)**

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

The proposed development will not displace existing recreational uses.

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

None.

13. Historic and cultural preservation

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

While the structures on the site are over 45 years old, they would not be eligible for any special designation.

- 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.

None are known to exist on the proposed development site.

- 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.

None at this time as there is no development proposed. We consulted the Washington State Department of Archaeology and Historic Preservation website and found the area is mapped "Survey Highly Advised: High Risk." Any future commercial development involving ground disturbance may be subject to regulations pertaining to this classification and any inadvertent discovery regulations or protocols of the City of Richland.

- 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.

None proposed and no impacts are anticipated.

14. Transportation

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

The existing business and any proposed commercial use will continue to be accessed via Van Giesen St.

- 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?

Yes, public transit currently serves the site. There are two Benton Franklin Transit stops on the north side of Van Giesen St, one to the east of the property and one to the west.

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

Any future commercial development would have off-street parking spaces as required by code.

- 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).

There are no deficiencies in the access for the present use, and no improvements would be required for a Comprehensive Plan amendment or rezoning, since those actions would not result in any needs for improvements. However, future development allowed under the proposed zoning could trigger a need for such improvements in the future.

A technical memorandum prepared by J-U-B Engineers identifies different scenarios for commercial development that could be possible under the new zoning. The memorandum includes an analysis which considers the traffic generation that could result from different uses, as compared to the present use. The memo identifies at what scale / intensity different commercial uses could be introduced before triggering improvements (such as right turning lanes or driveway relocation).

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

There are existing railroad lines to the east of the property. The Richland Airport is approximately one mile to the north. No use of these facilities is proposed.

- 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?

This proposal for a land use map amendment / rezone in itself will not result in any changes to vehicular trips per day. A technical memorandum prepared by J-U-B Engineers identifies different scenarios for commercial development that could be possible under the new zoning. The memo describes the volume of traffic according to different development sizes (number of spaces, square footage, etc.).

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

No, the proposal would not affect the movement of agricultural or forest products, nor would any future development following a land use map change / rezone.

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

Any transportation impact fees will be addressed at the time of the building permits. Likewise, the technical memorandum prepared by J-U-B Engineers

identifies different measures that could be necessary should future development exceed certain traffic volume thresholds.

15. Public Services

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

Any proposed development is not expected to result in an increased need for public safety services such as police and fire, beyond that which is typical of commercial development.

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

None proposed.

16. Utilities

- a. Circle utilities currently available at the site:
electricity, natural gas, water, **refuse service, telephone**, sanitary sewer, **septic system**, other _____
- b. Describe the utilities that are proposed for the project, the utility providing the service and the general construction activities on the site or in the immediate vicinity which might be needed.

Water and Sewer: the City of Richland maintains a water line within Van Giesen St. yet the site is not presently connected to city water or sewer

Electricity: City of Richland

Refuse Service: City of Richland

Communication: Century Link and Charter Communications are service providers in the area. Ziply fiber is expected in the near future.

C. Signature

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

Signature: Nicole Stickney

Name of signee: Nicole Stickney, AICP

Position and Agency/Organization: Planning Project Manager / AHBL, Inc.

Date Submitted: February 25, 2021

D. Supplemental sheet for nonproject actions

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

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

When answering these questions, be aware of the extent the proposal, or the types of activities likely to result from the proposal, would affect the item at a greater intensity or at 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?

As a non-project action, the proposal will not increase discharges to water; emissions to air; production, storage, or release of toxic or hazardous substances; or result in noise production.

Presently, a portion of the site carries the zoning designation of C-3 and may be used for commercial purposes, another portion for uses allowed in the AG zoning district. Should the City adopt the proposed Comprehensive Plan Land Use map amendment to designate the entire parcel as Commercial and grant approval of the subsequent rezone application to C-3, there will be an opportunity to develop the entire site with a commercial use. Future proposed projects may result in increases to discharge to water; emissions to air; production, storage, or release of toxic or hazardous substances; or production of noise however, the increases to these elements will only result on the portion of the site presently zoned AG.

Proposed measures to avoid or reduce such increases are:

In addition to the state environmental policy act (SEPA) and other applicable regulations such as the Washington State Clean Air Act, the City of Richland Critical Areas Ordinance is the implementing code that must be met by all future development. Future proposed projects will be individually reviewed for site-specific impacts.

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

As a non-project action, the proposal will not affect plants, animals, fish, or marine life. Future proposed projects will be individually reviewed for site-specific impacts.

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

All site specific projects are required to comply with all local, state, and federal laws regarding the protection of endangered species.

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

As a non-project action, the proposal will not deplete energy or natural resources. Future proposed projects may result in increases to energy and natural resource use however, the increases - in comparison to what is presently allowed on site - will only result on the portion of the site presently zoned AG.

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

Future proposed projects will be individually reviewed for site-specific impacts.

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?

There is no evidence on the site of 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, or prime farmlands. Further, as a non-project action, the current proposal will not affect these areas.

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

Future proposed projects will be individually reviewed for site-specific impacts and will be subject to any relevant regulations of the Washington State Department of Archaeology and Historic Preservation.

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?

There will be no impact to shoreline uses. The proposal, if approved, will change the allowable uses on a portion of the site. The proposed CPA does not encourage land uses incompatible with existing plans but rather proposes to rectify a situation in which there are two land use map designations and two zoning designations on a single parcel and the boundaries do not align.

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

None proposed.

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

Any proposed development is not expected to result in an increased need for public safety services such as police and fire or to public utilities, beyond that which is typical of commercial development.

Future proposed projects will be individually reviewed for site-specific impacts to transportation, and a technical memorandum prepared by J-U-B Engineers identifies different scenarios for commercial development that could be possible under the new zoning. The memorandum includes an analysis which considers the traffic generation that could result from different uses, as compared to the present use. The memo identifies at what scale / intensity different commercial uses could be introduced before triggering improvements (such as right turning lanes or driveway relocation).

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

None proposed.

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

It is not the intent of the proposed comprehensive plan amendment to conflict with local, state, or federal laws or requirements for the protection of the environment.



Hayden Homes

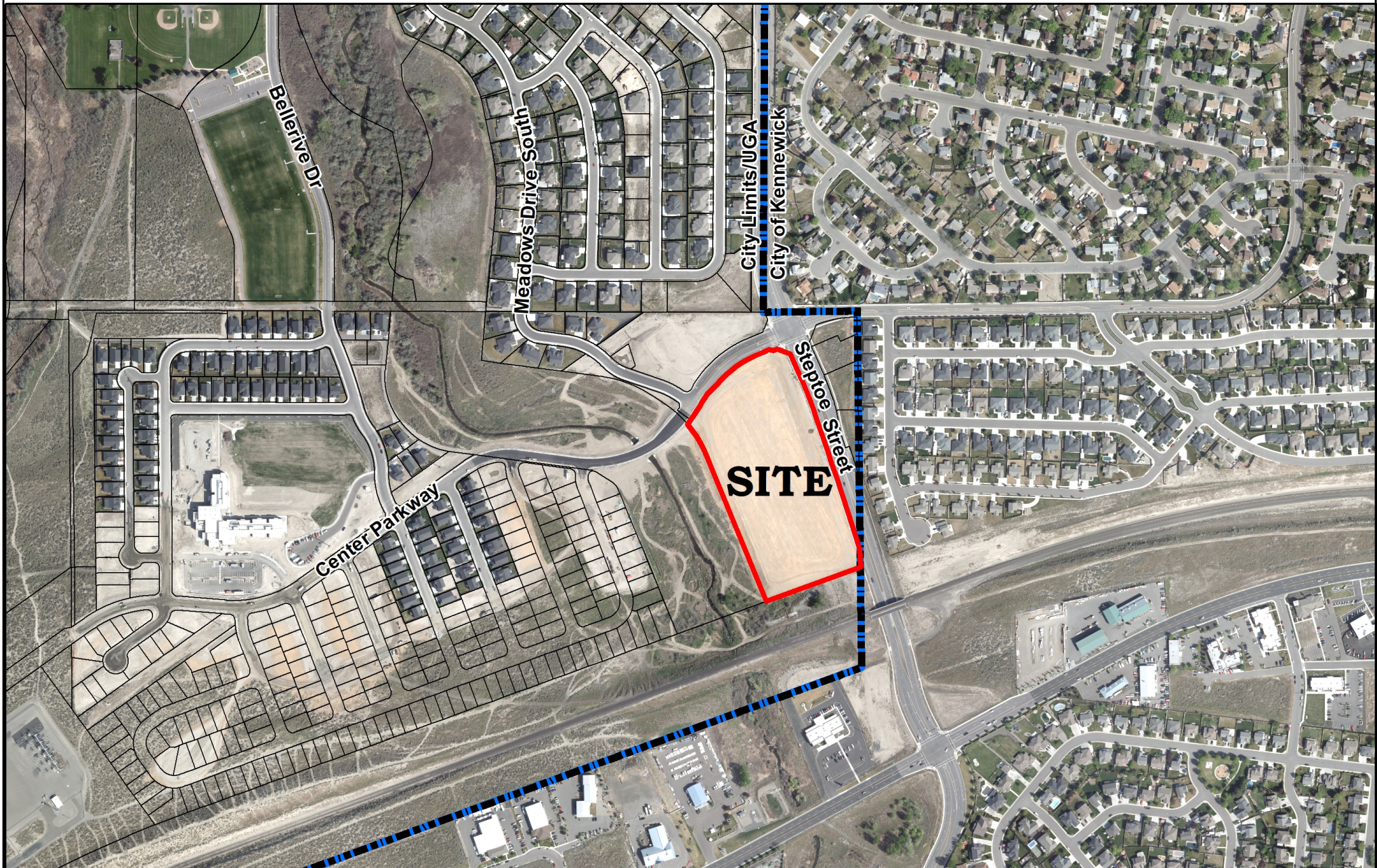
2725 Steptoe St

CPA2021-105

Z2021-105

Vicinity Map

Item: Comprehensive Plan Amendment
Applicant: Richland 132 LLC (Hayden Homes)
File #: CPA2021-105





Comprehensive Plan Amendment Application

☒ Comprehensive Plan Land Use Map

☐ Text of Comprehensive Plan

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

PROPERTY OWNER INFORMATION

☐ Contact Person

Owner: Richland 132, LLC.

Address: 2464 SW Glacier Pl. Suite 110, Redmond, OR. 97756

Phone: (509) 492-0153

Email: bthoreson@hayden-homes.com

APPLICANT/CONTRACTOR INFORMATION (if different)

☐ Contact Person

Company: Hayden Homes, LLC.

UBI#

Contact: Brian Thoreson

Address: 2464 SW Glacier Pl. Suite 110, Redmond, OR. 97756

Phone: (509) 492-0153

Email: bthoreson@hayden-homes.com

PROPERTY INFORMATION

Legal Description: Lot 9 of Clearwater Creek Phase 3

Parcel # 101-881-030-000-009

Current Zoning: C-1

Current Land Use Designation: Commerical

GENERAL REQUIREMENTS FOR ALL APPLICATIONS – Attach written statements explaining the following

1. Completed Application and Filing Fee;
2. The purpose of the proposed amendment;
3. Describe how the amendment is consistent with Washington State Growth Management Act-RCW 36.70A (The goals the Act are listed in 36.70A.020);
4. How the amendment is consistent with the adopted countywide planning polices;
5. How the amendment furthers the purpose of the city's comprehensive plan;
6. How the amendment is internally consistent with the city's comprehensive plan, as well as other adopted city plans and codes;
7. If applicable, how the project will meet concurrency requirements for transportation;
8. As necessary, supplemental environmental review and/or critical areas review, as determined by the Administrator;
9. **Comprehensive Plan TEXT AMENDMENT applications must also include;**
 - a. The proposed element, chapter, section and page number of the comp plan to be amended;
 - b. The proposed text change, with new text underlined and deleted text crossed out;
10. **Comprehensive Plan MAP AMENDMENT applications must also include;**
 - a. The current land use map designation for the subject parcel(s).
 - b. The land use map designation requested.
 - c. A complete legal description describing the combined area of the subject parcel(s)
 - d. A vicinity map showing:
 - i. All land use designations within 300 feet of the subject parcel(s);
 - ii. All parcels within 300 feet of the subject parcel and all existing uses of those parcels;
 - iii. All road abutting and/or providing access to the subject parcel(s) including information on road classification (arterial, collector, access) and improvements to such roads;
 - iv. Location of shorelines and critical areas on or within 300 feet of the site, if applicable

- v. The location of existing utilities serving the subject parcels including electrical, water and sewer;
 - vi. The location and uses of existing structures located on the subject parcel(s);
- e. Topographical map of the subject parcels and abutting properties at a scale of a minimum of one inch represents 200 feet (1:200);
- f. The current official zoning map designation for the subject parcel(s);
- g. A detailed plan which indicates any proposed improve
 - i. Paved streets;
 - ii. Storm drainage control and detention facilities;
 - iii. Public water supply;
 - iv. Public sanitary sewers;
 - v. Circulation and traffic patterns for the development and the surrounding neighborhoods;
- h. A corresponding zoning map amendment application, where necessary to maintain consistency between the land use and zoning maps. The rezone application will be processed separately from, and after, the comprehensive plan amendment;
- i. A description of any associated development proposals. Development proposals shall not be processed concurrent with comprehensive plan amendments, but the development proposals may be submitted for consideration of the comprehensive plan amendments to limit consideration of all proposed uses and densities of the property under the city's SEPA, zoning and comprehensive land use plan. If no proposed development description is provided, the city will assume that the applicant intends to develop the property with the most intense development allowed under the proposed land use designation. The city shall assume the maximum impact, unless the applicant submits with the comprehensive plan amendment a development agreement to ameliorate the adverse impact(s) of the proposed development.

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

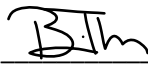
I also acknowledge that if a permit is issued for land development activities, no terms of the permit can be violated without further approval by the permitting entity. I understand that the granting of a permit does not authorize anyone to violate in any way any federal, state, or local law/regulation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

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

1. I have read and examined this permit application and have documented all applicable requirements on the site plan.
2. The information provided in this application contains no misstatement of fact.
3. I am the owner(s), the authorized agent(s) of the owner(s) of the above referenced property, or I am currently a licensed contractor or specialty contractor under Chapter 18.27 RCW or I am exempt from the requirements of the Chapter 18.27 RCW.
4. I understand this permit is subject to all other local, state, and federal regulations.

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

Applicant Printed Name: Brian Thoreson

Applicant Signature:  Date 2/18/2021



March 1, 2021

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

Dear Mr. Stevens,

Hayden Homes and Richland 132, LLC are respectfully requesting a Comprehensive Plan Amendment for Lot 9 of the Clearwater Creek Phase 3 development. Specifically, our request would reclassify the current land use designation from Commercial (COM) to Medium Density Residential (MDR). A Pre-Application meeting took place on January 5, 2021.

Purpose

The purpose of the proposed comprehensive plan amendment is to reclassify lot 9 of Clearwater Creek Phase 3 from Commercial to Residential. As you are aware, the subject property is part of the 132-acre site currently known as Clearwater Creek. At the time of the initial Clearwater Creek Development application submittal in 2013, the subject property was zoned Agriculture and designated as Medium Density Residential (MDR) in the City Comprehensive Plan. The city's vision at the time for this property was residential uses. It was at the request of the applicant in 2013, that the site be re-classified as Commercial. The original thought during the initial submittal was that a commercial component along N. Steptoe Street would benefit the future residents, the surrounding neighborhood, and the City of Richland. Unfortunately, that has not been the case. **The subject property has been marketed for sale by multiple commercial brokerages since 2016 with little to no interest.**

GMA Consistency

As outlined in RCW 36.70A.020

1. Urban Growth – the proposed site for reclassification is located in what would be defined as an urban setting with adequate municipal services, including sewer, water, irrigation, electrical, and natural gas systems which are already stubbed into the property. The municipal services were stubbed into the property as part of the Clearwater Creek Phase 3 improvements which included the connection of Meadows Drive South and Center Parkway.
2. Reduce Sprawl – The proposed site for reclassification would seek a zoning classification of R-2S consistent with the larger 320 lot Clearwater Creek development and would add another seventy-one lots on ten acres. The allowed density for the R-2S zone is 5.1 – 10 dwellings per acre.
3. Transportation – The proposed site is adjacent to Steptoe Street which connects to Clearwater Avenue to the south, which has direct access to Interstate 82, and Gage Boulevard to the north, as well as Highway 240 further north beyond Gage Boulevard. There is an abundance of paved pedestrian pathways along Steptoe that connect to the City's sidewalk system, as well as natural

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open space trails within the Clearwater Creek development that connect to trails within the Amon Creek Natural Preserve.

4. Housing – The site, if approved and constructed would continue to offer smaller affordable homes consistent with homes already constructed within Clearwater Creek. The city would benefit from additional housing in this area as other City developments are further West in the Badger South Area, and West Cliffe area of Badger Mountain. Larger estate style lots are also available along Columbia Park Trail east of Queensgate Avenue.
5. Economic Development – As mentioned in the Land Use Analysis included with this application, housing inventory throughout the Tri-Cities area has consistently seen extremely low inventory. The inventory of available homes in September 2020 had dropped to 375. Compare that to the inventory numbers reported in January 2021 to a total of less than 300 homes available for sale. The ability to provide much needed housing is critical, given the current conditions. The City of Richland would benefit greatly from the additional homesites within the Clearwater Creek development that this comprehensive plan amendment would provide.
6. Property Rights – The proposed roadway Rights of Way would be dedicated to the City of Richland upon approval of the final plat(s).
7. Permits – All applicable construction, grading, stormwater, and right of way permits will be obtained prior to ground disturbing activities. And all applicable building permits will be obtained prior to the construction of any residential structures.
8. Natural Resource Industries – The proposed site will not enhance or detract any natural resource industry such as timber, high producing agricultural lands, or fishery industries.
9. Open Space and Recreation – The proposed application will not remove any existing or proposed recreational activities. The proposed application can utilize the existing recreational opportunities provided within Clearwater Creek and the Amon Creek Natural Preserve. Other Recreational opportunities are available nearby such as Claybell Park, which is located along Bellerive Drive, North of Center Parkway.
10. Environment – The proposed application reclassifying the property from Commercial to Medium Density Residential. If approved, the number of vehicular trips per day would be reduced by 2,783 with 33 fewer trips and 160 fewer trips in the AM & PM peak hours, respectively (Traffic Memorandum provided by Charbonneau Engineering). Traffic memo is included as a separate attachment.
11. Citizen Participation and coordination – The property will be subject to a couple of public hearings if the application is approved to move forward. The public will have opportunities to comment on the Comprehensive Plan Amendment and Rezone, as well as a Preliminary Plat and SEPA applications.
12. Public Facilities and Services – The property already has municipal service such as sewer, water, irrigation, and electrical lines stubbed into the property that were installed with the construction improvements for Clearwater Creek Phase 3.
13. Historic Preservation – The site is not identified as an having archaeological or historical significance. Although there has been no report published to date declaring the site having no archaeological or historic significance, the site was used in the early 2000's to dump structural fill from an adjacent construction site. The area just east of the Amon wasteway, and west of Steptoe was filled and compacted with 10's of thousands of cubic yards of dirt removed from the railroad project crossing below Columbia Center Boulevard.

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Consistency with Countywide planning policies

The proposed site is consistent with the countywide planning policies under RCW 36.70A.210 Section 3, in which the proposal is contiguous with other residential developments and will utilize municipal services such as sewer, water, and irrigation to serve each residential lot. The proposal will also offer modestly sized and modestly priced homes that are close to existing commercial and retail spaces.

Furthering the purpose of the City's Comprehensive Plan

On October 3rd, 2017, the City of Richland released their Comprehensive Plan Supporting Analysis. In the report, it discusses the need for additional housing units beyond what is already projected on land currently designated as residential. The report states that 9,875 housing units are needed, and according to the analysis, 9,295 units will be developed from existing land within the city already designated as residential, leaving a shortfall of 580 units. The reclassification of the Clearwater Creek property from Commercial to Medium Density Residential further assists the city by reducing the number of housing units needed to achieve the total number of housing units needed by 2037.

Additionally, reclassifying the Clearwater Creek Property from Commercial to Medium Density Residential, reduces the amount of traffic by over 2,000 trips per day. The reduction in daily trips must be seen as a positive, as it will help prolong the life of the roads and maintain a level of service at major nearby intersections acceptable to the city.

Current and Proposed Land Use Designation

The current land use designation for the subject parcel is Commercial (COM) and the requested land use designation is Medium Density Residential (MDR).

Legal Description of Subject Parcel

The property is legally described as Clearwater Creek Phase 3, Lot 9. Recorded in Volume 15 of Plats at page 549. Records of Benton County, Washington. AF#2016-037862, 12/13/2016.

Current Zoning Map Designation

The current zoning map designation of the subject parcel is Commercial, C-1 Neighborhood Retail Business.

In conclusion, Hayden Homes, LLC and Richland 132, LLC respectfully request the approval of the Comprehensive Plan Amendment for the subject property from Commercial to Medium Density Residential Small Lots. Should you have any questions about the information provided in this application, please do not hesitate to contact me at (509) 492-0153 or email me at bthoreson@hayden-homes.com.

Sincerely,



Brian Thoreson

Regional Land Development Manager

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February 18, 2021

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

Dear Mr. Stevens,

Hayden Homes and Richland 132, LLC are respectfully requesting a Comprehensive Plan Amendment for Lot 9 of the Clearwater Creek Phase 3 development. Specifically, our request would reclassify the current land use designation from Commercial (COM) to Low Density Residential (LDR). A Pre-Application meeting took place on January 5, 2021, where city staff requested additional analysis and justification for the above-referenced request.

As you are aware, the subject property is part of the 132-acre site currently known as Clearwater Creek. At the time of the initial Clearwater Creek Development application submittal in 2013, the subject property was zoned Agriculture and designated as Low Density Residential (LDR) in the City Comprehensive Plan. The city's vision at the time for this property was residential uses. It was at the request of the applicant in 2013, that the site be re-classified as Commercial. The original thought during the initial submittal was that a commercial component along N. Steptoe Street would benefit the future residents, the surrounding neighborhood, and the City of Richland. Unfortunately, that has not been the case. **The subject property has been marketed for sale by multiple commercial brokerages since 2016 with little to no interest.** Below we will outline several key points to further demonstrate the rationale for the current request:

- Current Economic Overview
- The Shift to Remote Work
- Remote Work and the Impact on Commercial Real Estate
- The Current Housing Market
- Site Constraints

Economic Overview

2020 brought a significant shift in the economy as more and more people shifted out of offices spaces into remote business environments. In addition, there were whole segments of the economy that have been severely reduced through the pandemic and quarantine. This transition has severely impacted several key industries including retail trade, leisure and hospitality, education, and professional services. While we have seen some rebounds in the Tri-Cities in the Professional and Business Services, along with Construction related jobs; Education and government services are still below year-over-year marks.

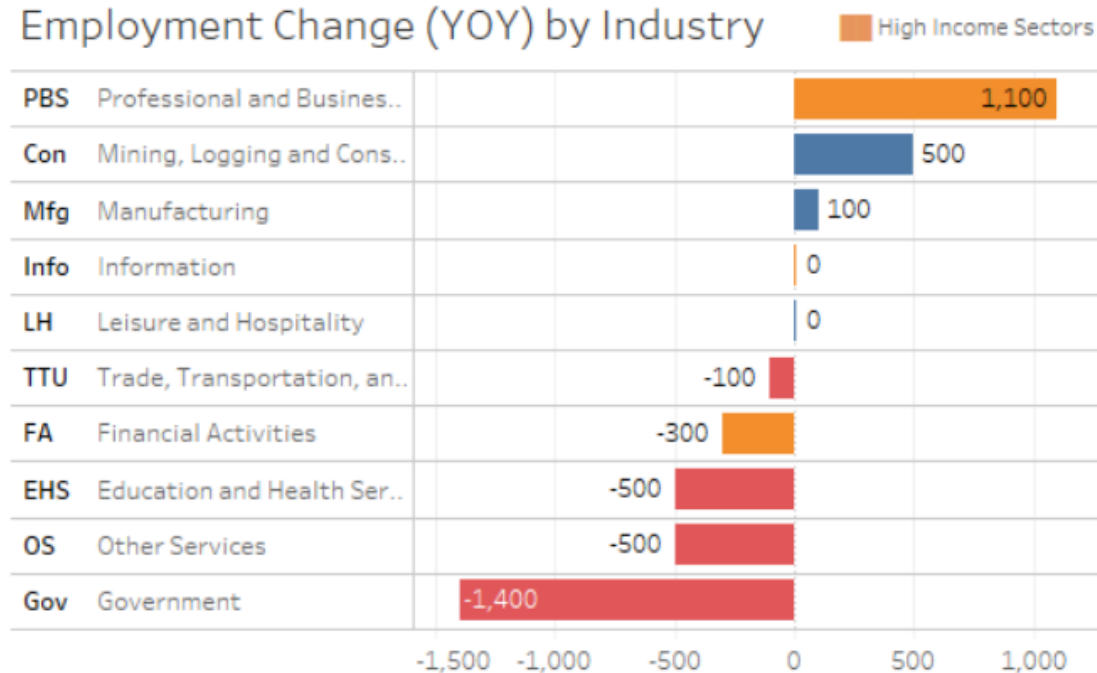
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Kennewick-Richland, WA – Employments Statistics

Employment Change (YOY) by Industry



MSA: Kennewick-Richland, WA Reference Month: 12/31/20

Data Source: <https://www.bls.gov/employment.htm>

The Shift to Remote Working

The concept of remote work will remain as more businesses and industries have adapted to this new form of enterprise. More people are understanding that they no longer need to live in large metropolitan environments and there is a shift to smaller suburban communities. The home office is becoming the new office and replacing a downtown commute and high-rise.

The percentage of workers permanently working from home is expected to double in 2021, according to a survey from Enterprise Research (ETR) as remote working is becoming the norm.¹ There are numerous examples of companies moving to a remote working environment. In a recent Forbes article² it highlights the continuing shift to permanent remote working environments for companies. 2020 has highlighted that many companies found ways to be productive in a remote environment that were never thought possible. In a 9,100-respondent survey published in *The Deloitte Global Millennial Survey 2020*, more than 60% of respondents say they want the option to work remotely more frequently, even after the pandemic is over.³

Remote Work and the Impact on Commercial Real Estate

With this shift in remote work, comes a shift in the need for less office and commercial space.

The large financial services company Deloitte recently published The Deloitte Center for Financial Services Global Outlook Survey 2020³ that interviewed 200 industry leaders to find how their companies

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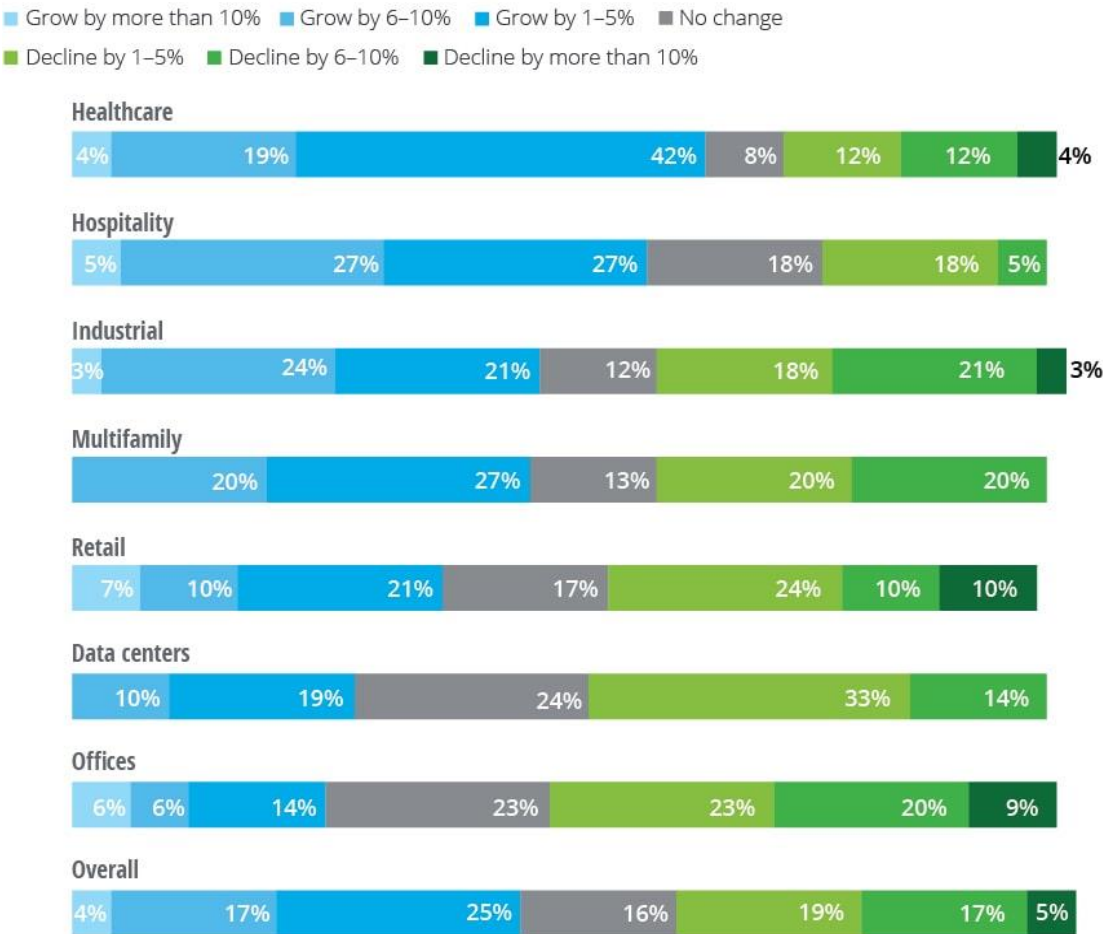
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are recovering from the COVID-19 pandemic. In addition, they asked several questions relating to looking forward. Below you will find several graphs that highlight some key takeaways as it relates to real estate holdings across a wide variety of sectors. Some of the larger takeaways include the fact that almost 60% of all people surveyed believe there will continue to be an increase in vacancy rates over the next 12 months. As companies find ways to save money, they are expected to continue to reduce office and retail space.

FIGURE 6A

Surveyed CRE companies indicated the impact on rental growth and vacancy levels varies widely across property types

Expected changes in rental growth, next 12 months



Note: Responses may not add up to 100 due to rounding.
Source: The Deloitte Center for Financial Services Global Outlook Survey 2020.

Deloitte Insights | deloitte.com/insights

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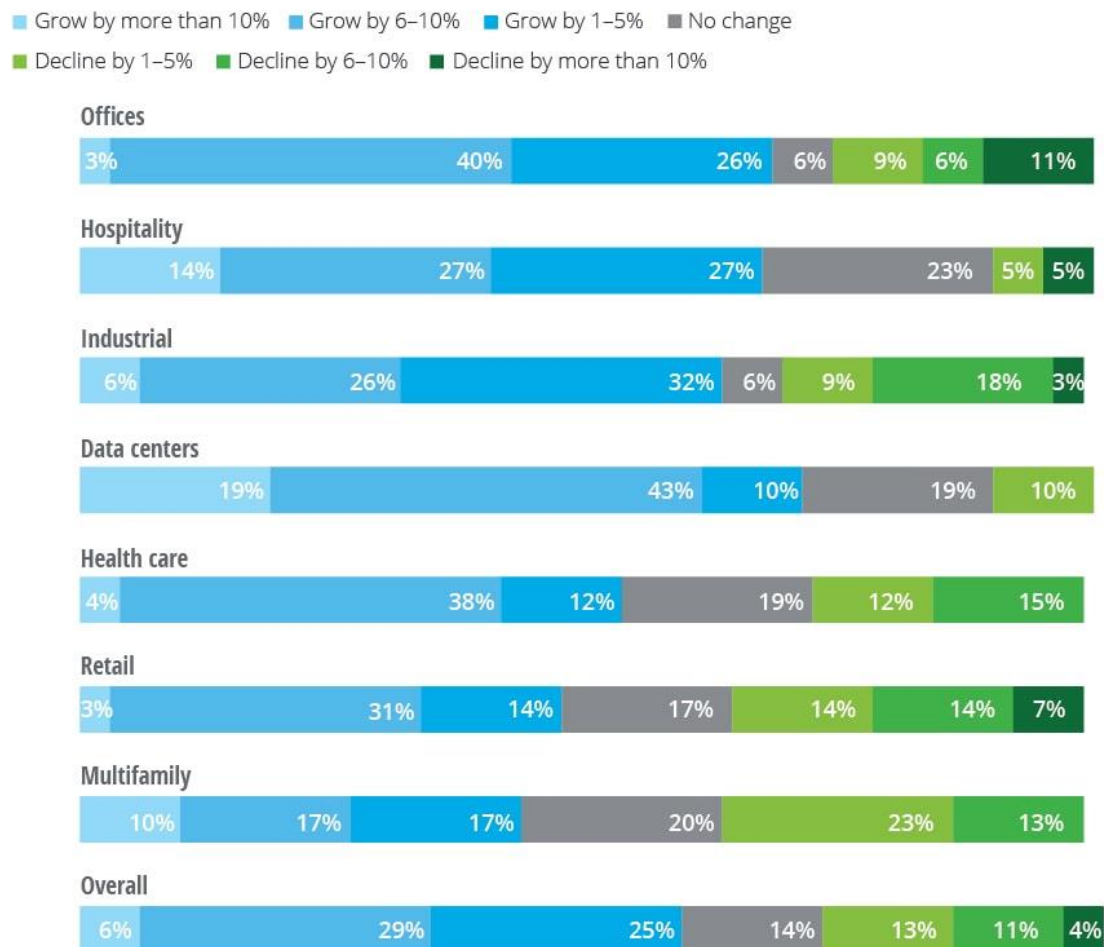
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FIGURE 6B

Surveyed CRE companies indicated the impact on rental growth and vacancy levels varies widely across property types

Expected changes in vacancy levels, next 12 months



Note: Responses may not add up to 100 due to rounding.

Source: The Deloitte Center for Financial Services Outlook Survey 2020.

Deloitte Insights | deloitte.com/insights

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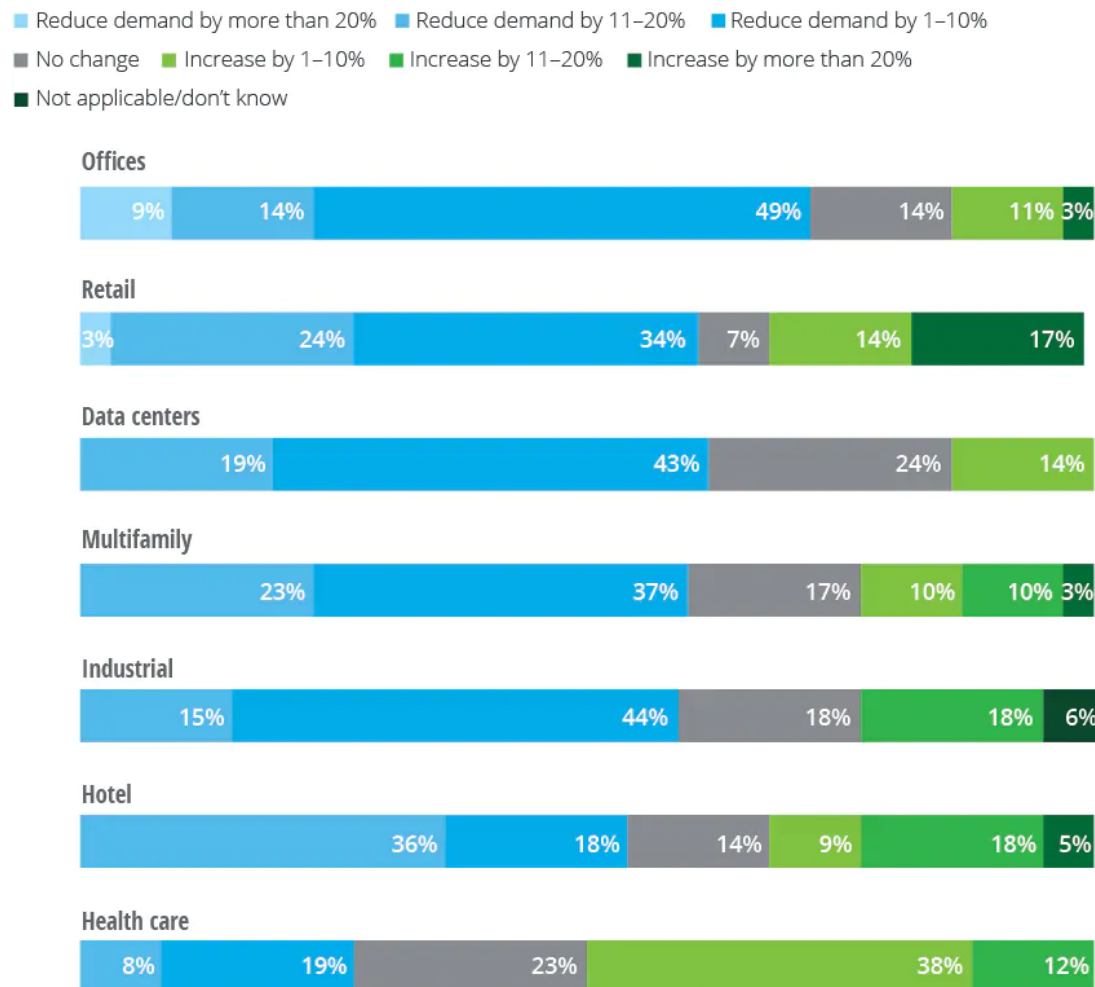
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The survey also suggests that the demand for hotel, retail, and office spaces could see a double-digit decline in leasing activity over the next 18 months.

FIGURE 7

Changing tenant and end user preferences may influence leasing demand

Expected changes in demand for leasing spaces over next 18 months and beyond



Note: Responses may not add up to 100 due to rounding.

Source: The Deloitte Center for Financial Services Global Outlook Survey 2020.

Deloitte Insights | deloitte.com/insights

The subject property was re-classified as Commercial (C-1 Zoning) in 2013 and construction of Center Parkway took place in 2016. At that time, all the necessary utilities were stubbed to the property. **Since 2016, the property has been marketed for sale by multiple commercial brokerages with little to no interest.** As previously stated, many industry experts continue to believe that we will see commercial, retail, and office space vacancy rates continue to climb in 2021 and 2022. With vacancy rates trending upward, the existing commercial spaces should be the priority. Adding additional commercial space given the current market trends and forecast would appear to be counterintuitive.

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In reviewing the Tri-Cities MLS commercial activity in Richland for 2019 and 2020; it is easy to see the national trends were also playing out on the local level.

Commercial Property Type	2019	2020	% Change
Office	6	2	-67%
Retail	6	1	-83%
Other (Industrial, Restaurant, Etc.)	1	2	100%
Total Transactions	13	5	-62%
Total Value of Transactions	\$ 13,611,000	\$ 4,588,000	-66%

In 2021 thus far, there is one pending commercial transaction showing up on the MLS system for office/retail space. Other highlights of active commercial listings on the MLS system include:

Current 2021 Active Listings in Richland			
Commercial Property Type	# of Listings	Total Asking Price	Notes
Office	10	\$ 32,613,750.00	314,778 s.f. of office buildings
Retail	1	\$ 3,700,000.00	13,805 s.f. or retail building
Industrial	2	\$ 2,795,000.00	4,320 s.f. building - 1 listing, 19 acres of raw land - listing
Total Commercial Listings	13	\$ 39,108,750.00	

It is important to note on properties for sale that some of these properties currently have tenants and some do not. This information is anecdotal but provides some context to the much larger commercial real estate environment in Richland. The more telling information is the number of active listings for vacant commercial space currently listed on the MLS in Richland only. Below you will see a breakdown of more than 400,000 square feet of available commercial space.

Current 2021 Active Leasable Space Available in Richland		
Commercial Property Type	# of Listings	Available S.F.
Office	32	259,051
Retail	20	96,026
Industrial	9	42,975
Other (Restaurant, etc.)	2	10,740
Total Space Available	63	408,792

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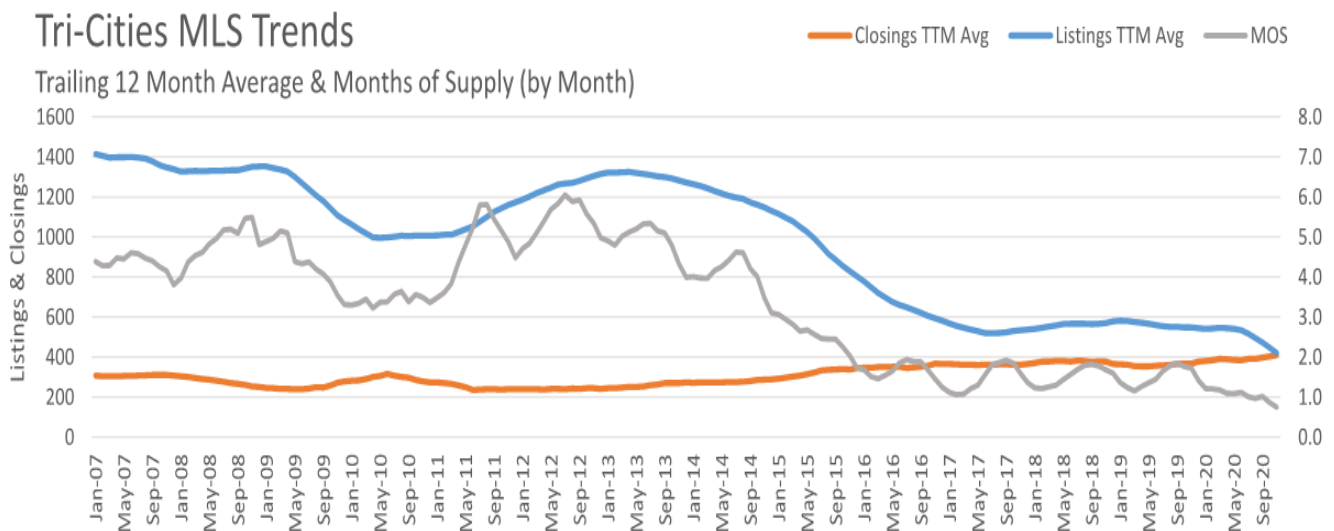
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The Current Housing Market

The 2021 economic outlook looks favorable for some moderate growth through the year. The Federal Reserve has committed to some monetary easing for the next two years and most economic forecasters agree that mortgage rates are likely to remain favorable for the near term.

Housing Inventory throughout the United States and Pacific Northwest has remained extremely limited and scarce. As many people look for new options outside of larger cities and into suburbs, the inventory is even more constricted. The concept of remote work will remain as more businesses and industries have adapted to this new form of enterprise. The home office is becoming more desirable in-lieu of an extra bedroom or bonus space. The current housing market across the Tri-Cities area has extremely limited inventory. By mid-September 2020, the inventory of available homes had dropped to 375. These type of limited inventory numbers have not been seen since the early 1990's. In a healthy real estate market, there should be at least 3-month supply of inventory available month-over-month. Typically, in the Tri-Cities overall market you would consider 4-6-month supply as "normal". The graph below highlights this unprecedented situation.



To further demonstrate the current conditions, the chart below uses data provided by the Tri-Cities MLS. The Blue line (# of listings) as an indicator of Supply and the Orange line (# sold) as the Demand and the Black line (Median Price) keeps going up and to the right. Historically, the number of listings typically exceeds the number of sales. In June 2020, the market dynamics inverted where the number of sales exceed the number of listing coming to the market. This is leading to further diminishing supply. As stated above, a "normal" market would have 4-6-month supply...**we are currently seeing a 3-week supply. The median "Days on Market" is currently 6 days and 50% of homes listed are sold in less than a week.**

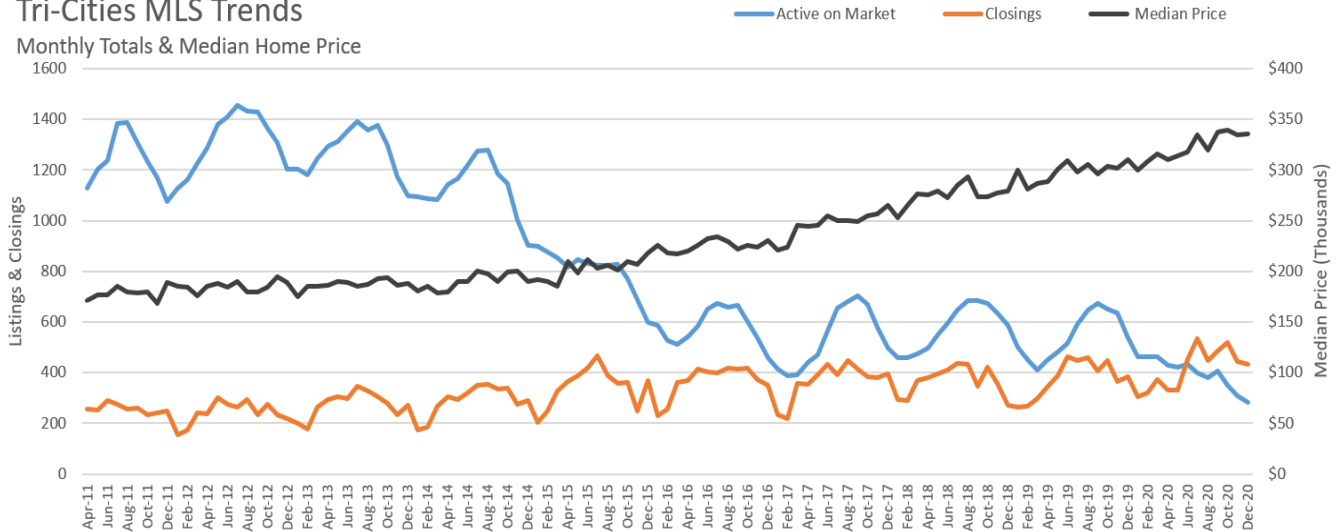
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Tri-Cities MLS Trends

Monthly Totals & Median Home Price



The numbers continue to erode as the inventory numbers for January 2021 have fallen below 300 total available homes. The ability to provide much-needed housing is critical, given the current conditions. The City of Richland would benefit greatly from the additional homesites within the Clearwater Creek development that this Comprehensive Plan Amendment would provide.

Site Constraints

Since the subject property has been marketed for sale over the last 6 years, one of the significant obstacles that has been stated is the limited accessibility to the site. As you are aware, the access for this property would be limited to Center Parkway with an alignment at Meadows Drive South. The commercial developers that have looked at the property in the past were turned away from this potential site due to this key constraint. Additionally, if access were allowed from N. Steptoe Street; it would be restricted to a right-in/right-out design from the southbound lanes. From a commercial developer's perspective, this limited access design constraint was viewed as a detriment to future development.

To compound the access issue even further, the subject property sits approximately 20' below the existing intersection of N. Steptoe Street and Center Parkway. Most commercial developments need and want high visibility opportunities at intersections. This property simply does not afford that opportunity. From a local business perspective, you would want to have high visibility to your storefront and signage. Simply put, there is little to no visibility from N. Steptoe to any commercial buildings, unless they were at least 3-stories tall. Conversely, the existing grade differential and lack of visibility from N. Steptoe Street would be much more desirable and consistent with a residential development.

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In summary, Hayden Homes and Richland 132, LLC requests to reclassify the subject property from Commercial (COM) to Low Density Residential (LDR) through a Comprehensive Plan Amendment. Given the current economic climate, the shifting business work environment, the extremely constricted housing supply, and the subject property site constraints; we respectfully request further consideration and support for our Comprehensive Plan Amendment.

Sincerely,



Brian Thoreson
Regional Land Development Manager

References:

1. Gertrude Chavez-Dreyfus. "Permanently remote workers seen doubling in 2021 due to pandemic productivity: survey" Reuters, October 22, 2020. <https://www.reuters.com/article/us-health-coronavirus-technology/permanently-remote-workers-seen-doubling-in-2021-due-to-pandemic-productivity-survey-idUSKBN2772P0>
2. Caroline Castrillon. "This Is the Future of Remote Work In 2021" Forbes.com, December 27, 2020. <https://www.forbes.com/sites/carolinecastrillon/2021/12/27/this-is-the-future-of-remote-work-in-2021/?sh=13f8cc431e1d>
3. Jim Berry, Kathy Feucht. "2021 commercial real estate outlook. Rebuilding to enhance resilience" Deloitte, December 2, 2020. <https://www2.deloitte.com/us/en/insights/industry/financial-services/commercial-real-estate-outlook.html>
4. Deloitte. The Deloitte Global Millennial Survey 2020. <https://www2.deloitte.com/global/en/pages/about-deloitte/articles/millennialsurvey.html>

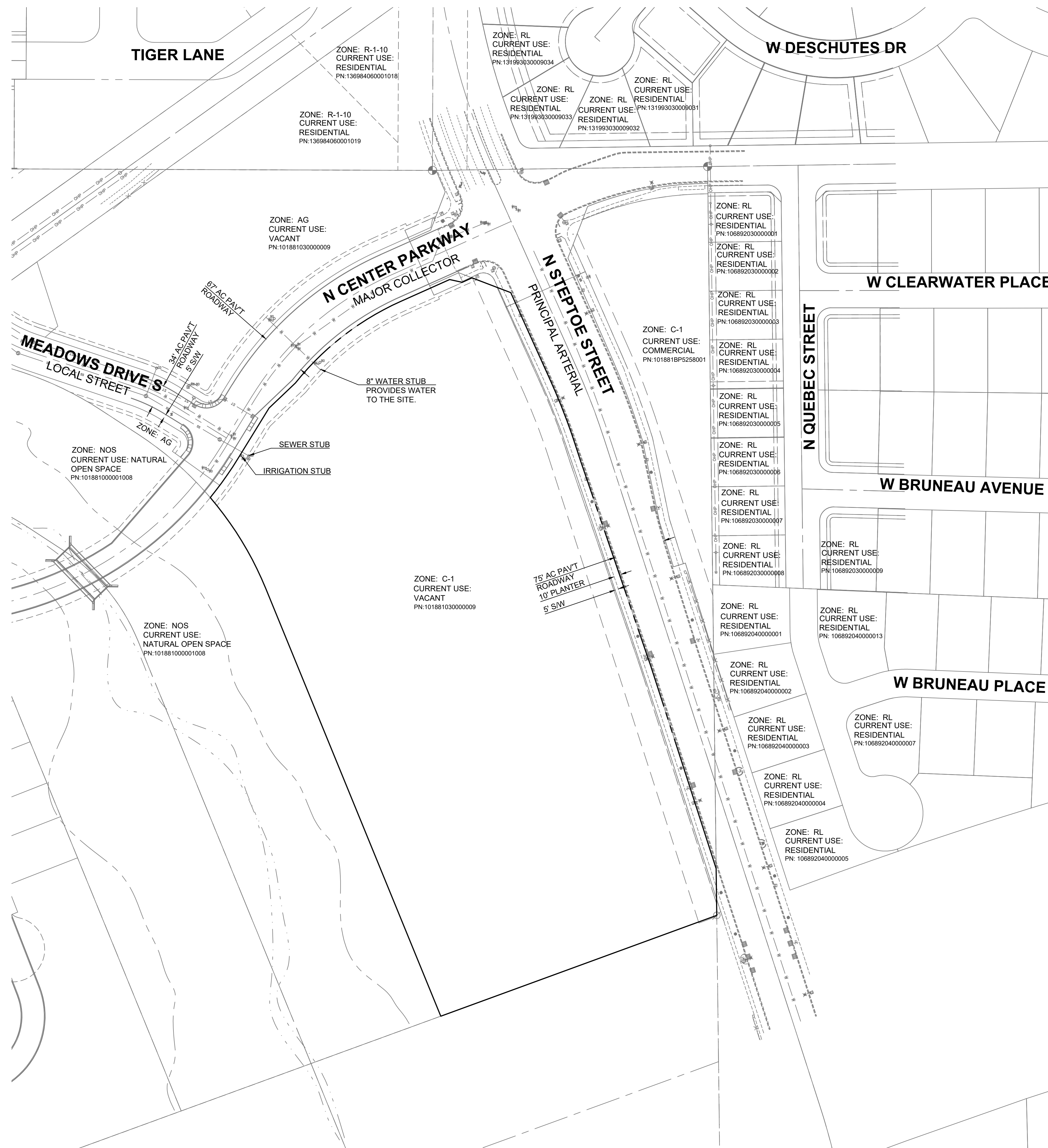
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Clearwater Creek Phase 13

SEC. 01, T.8N., R.28E., W.M., City of Richland,
Benton County, Washington



VICINITY MAP
NOT TO SCALE

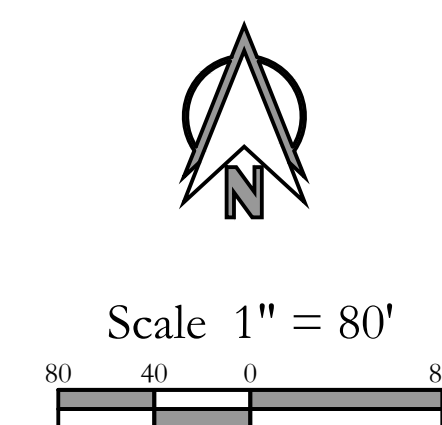
GENERAL NOTES

APPLICANT:
Hayden Homes
2464 SW Glacier Place, Suite 110
Redmond, OR 97756
Contact: Brian Thoreson
Ph. (509) 492-0153
E-mail: bthoreson@Hayden-Homes.com

CIVIL ENGINEER:
PLS Engineering
Contact: Travis Johnson, PE
604 W Evergreen Blvd
Vancouver, WA 98660
PH: (360) 944-6519
pm@plsengineering.com

SHORELINE:
There are no shorelines or critical areas
within 300' of the site.

STRUCTURES:
There are no existing structures on the site.



Vicinity Map for:

Clearwater Creek Phase 13

A Subdivision located in the City of Richland, Washington

Revisions

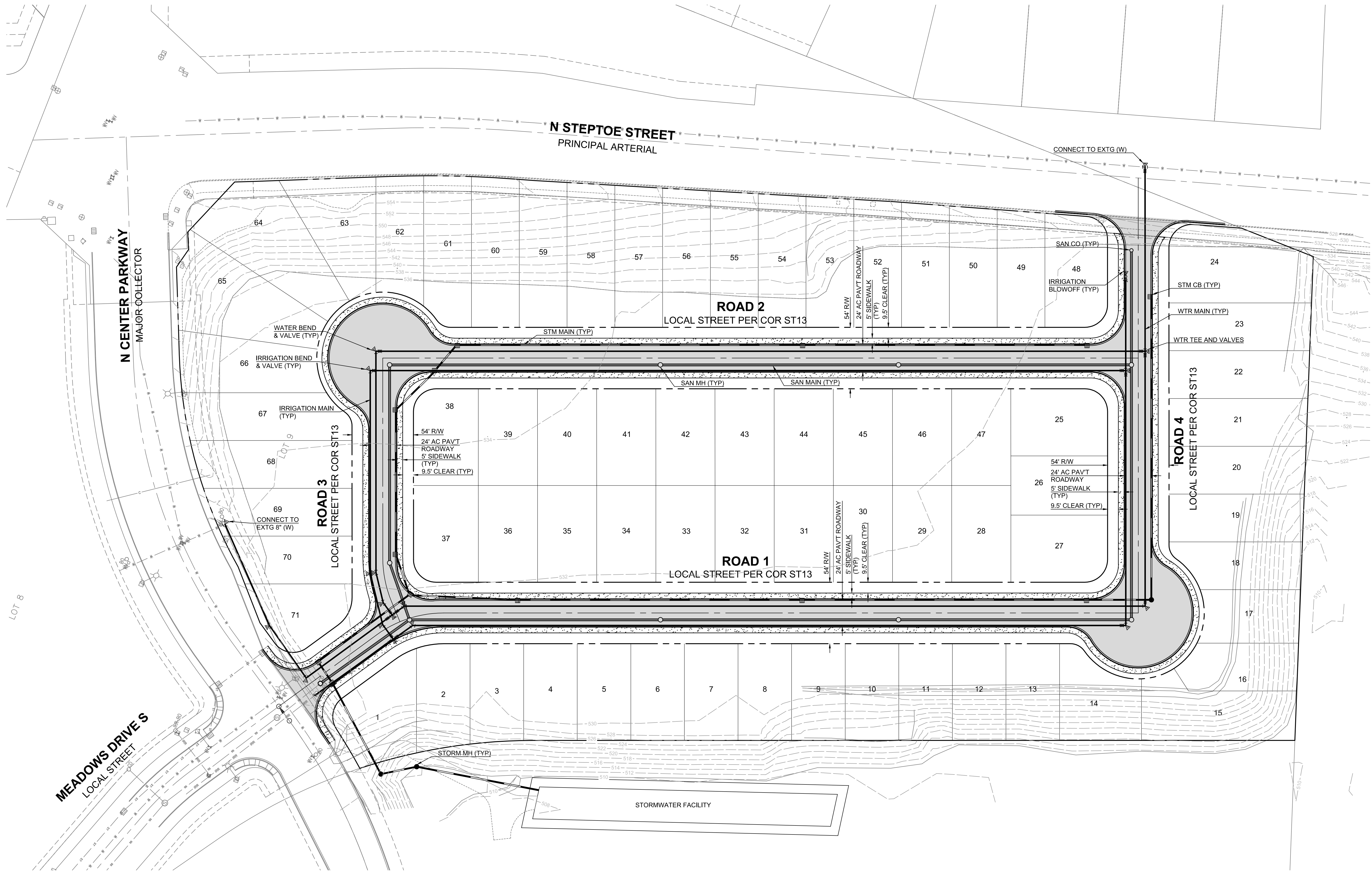
1	2	3	4	5	6

Project No. 3131
SCALE: H: 1" = 80' V: N/A
DESIGNED BY: JMT
DRAFTED BY: JSV
REVIEWED BY: TGJ

1
2

PLS ENGINEERING

Engineering - Surveying - Planning 604 W. Evergreen Blvd., Vancouver, WA 98660 PH: (360) 944-6519 Fax: (360) 944-6539



Conceptual Utility Plan for:

Clearwater Phase 13

A Subdivision located in the City of Richland, Washington

Revisions					
1					
2					
3					
4					
5					
6					

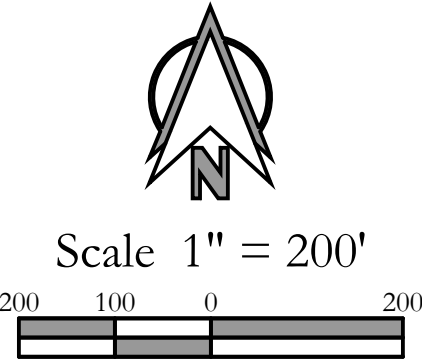
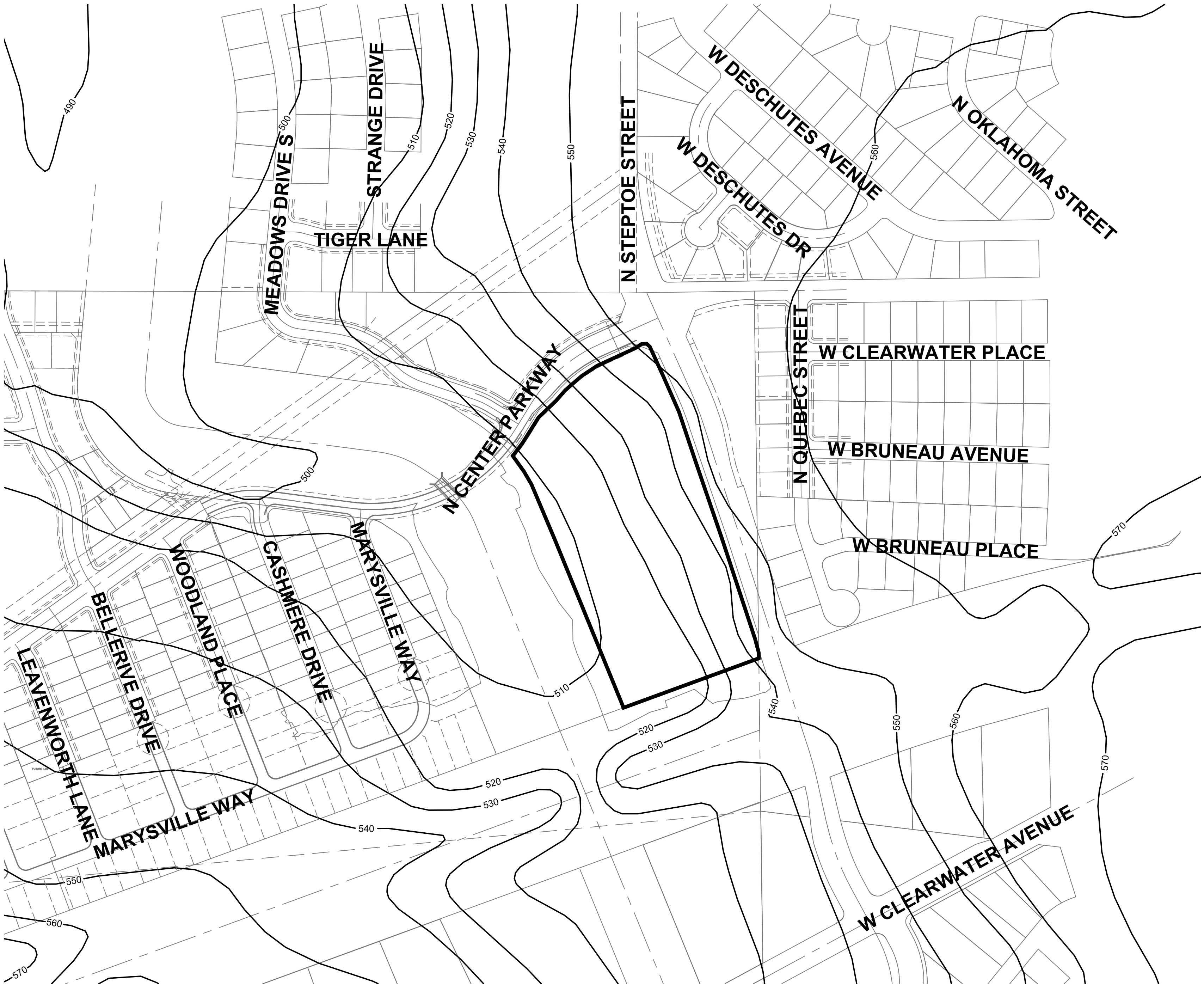
Project No. 3131	
SCALE:	H: 1" = 40' V: N/A
DESIGNED BY:	JMT
DRAFTED BY:	JSV
REVIEWED BY:	TGJ

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Clearwater Creek Phase 13

SEC. 01, T.8N., R.28E., W.M., City of Richland,
Benton County, Washington



Topographic Map for:

Clearwater Creek Phase 13

A Subdivision Located in the City of Richland, Washington

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PLS

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Revisions

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Project No. 3131

SCALE: H: 1" = 200'
V: N/A

DESIGNED BY:	TGJ
DRAFTED BY:	JSV
REVIEWED BY:	TGJ

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MEMORANDUM

Date: February 18, 2021

To: Travis Johnson, PE
PLS Engineering
604 West Evergreen Blvd
Vancouver WA 98660

From: Frank Charbonneau, PE, PTOE

Subject: Trip Generation Assessment
Lot #9 Clearwater Creek Phase 3
North Center Parkway, Richland

FL2112

As requested a trip generation assessment and trip accounting summary has been prepared for the proposed Clearwater Creek Lot #9 subdivision in Richland. The development is being planned for a total of 71 single-family housing units with a single site access connecting to North Center Parkway across from the stop controlled intersection at Meadows Drive South. The access approach to Clearwater Creek Lot #9 will be controlled by stop signing on the approach to North Center Parkway. A site plan furnished by PLS Engineering is attached to this memorandum.

The City of Richland has required that the trip generation for the 71 lot housing development be compared to a previous proposal to buildout Lot #9 with commercial facilities which typically generate much higher traffic volumes. With this finding documented and confirmed it will not be necessary to prepare a full traffic analysis report for the current housing plan.

In year 2015 a proposal to develop Lot #9 with 91,465 square feet of commercial space was identified and included as in-process traffic in the traffic analysis report for the Clearwater Creek Lot #1 study performed by Charbonneau Engineering for Hayden Homes. For reference purposes the in-process traffic flow map (titled Figure 4) for the commercial use is included in the appendix.

For the current housing development plan the following trip generation (shown in Table 1) has been calculated based on 71 single-family housing units. The calculations utilizing the latest ITE Trip Generation rates (10th edition, year 2017) determined that the site will generate a weekday ADT of 670 trips. In the peak hours the site will generate 53 AM trips and 70 PM trips.

Table 1 Trip Generation Summary - Clearwater Creek Lot #9 for 71 Housing Units

ITE Land Use	Units (#)	Weekday						
		ADT	AM Peak Hour			PM Peak Hour		
			Total	Enter	Exit	Total	Enter	Exit
Single-Family (#210)	71							
Generation Rate ¹		9.44	0.74	25%	75%	0.99	63%	37%
Site Trips		670	53	13	40	70	44	26

¹ Source: *Trip Generation*, 10th Edition, ITE, 2017, average rates.

Table 2 has been prepared to document the number trips that would be generated if Lot #9 was developed with 91,465 square feet of commercial building space as previously assessed in the year 2015 traffic report. It is noted that at the time the 9th edition ITE Trip Generation manual was applicable. Table 2a lists the trip generation based on the 10th edition ITE rates.

Table 2 Trip Generation for Clearwater Creek - Lot #9 Commercial Use - Year 2015 Proposal

ITE Land Use	Units (sq.ft.)	Weekday						
		ADT	AM Peak Hour			PM Peak Hour		
			Total	Enter	Exit	Total	Enter	Exit
Shopping Center (#820)	91,465							
Generation Rate ¹		42.70	0.96	62%	38%	3.73	48%	52%
Total Driveway Trips		3,906	88	55	33	341	164	177
Pass-By Rate ²						34%		
Pass-By Trips						116	56	60
New Site Trips		3,906	88	55	33	225	108	117

¹ Source: *Trip Generation*, 9th Edition, ITE, 2012, average rates.

³ 34% based on *Trip Generation Handbook, 2nd Edition*, ITE, 2004.

Table 2a Trip Generation for Clearwater Creek - Lot #9 Com. Use - Yr 2015 Proposal w/10th Edition Rates

ITE Land Use	Units (sq.ft.)	Weekday						
		ADT	AM Peak Hour			PM Peak Hour		
			Total	Enter	Exit	Total	Enter	Exit
Shopping Center (#820)	91,465							
Generation Rate ¹		37.75	0.94	62%	38%	3.81	48%	52%
Total Driveway Trips		3,453	86	53	33	348	167	181
Pass-By Rate ²						34%		
Pass-By Trips						118	57	61
New Site Trips		3,453	86	53	33	230	110	120

¹ Source: *Trip Generation*, 10th Edition, ITE, 2017, average rates.

³ 34% based on *Trip Generation Handbook, 2nd Edition*, ITE, 2004.

The proposed housing development on Lot #9 will generate less traffic than the previous commercial proposal on Lot #9. In summary there would be 2,783 fewer ADT trips with 33 fewer trips and 160 fewer trips in the AM & PM peak hours, respectively.

Based on these findings it is recommended that the City of Richland support the Lot #9 proposed subdivision without further transportation analysis.

If you should have any questions, please contact Frank Charbonneau, PE, PTOE at 503.293.1118 or email Frank@CharbonneauEngineer.com.

Attachments

- Clearwater Creek Site Plan (furnished by PLS Engineering)
- Figure 4, Lot #9 In-Process Traffic for Commercial Development (Charbonneau Engineering TIA, September 2015)

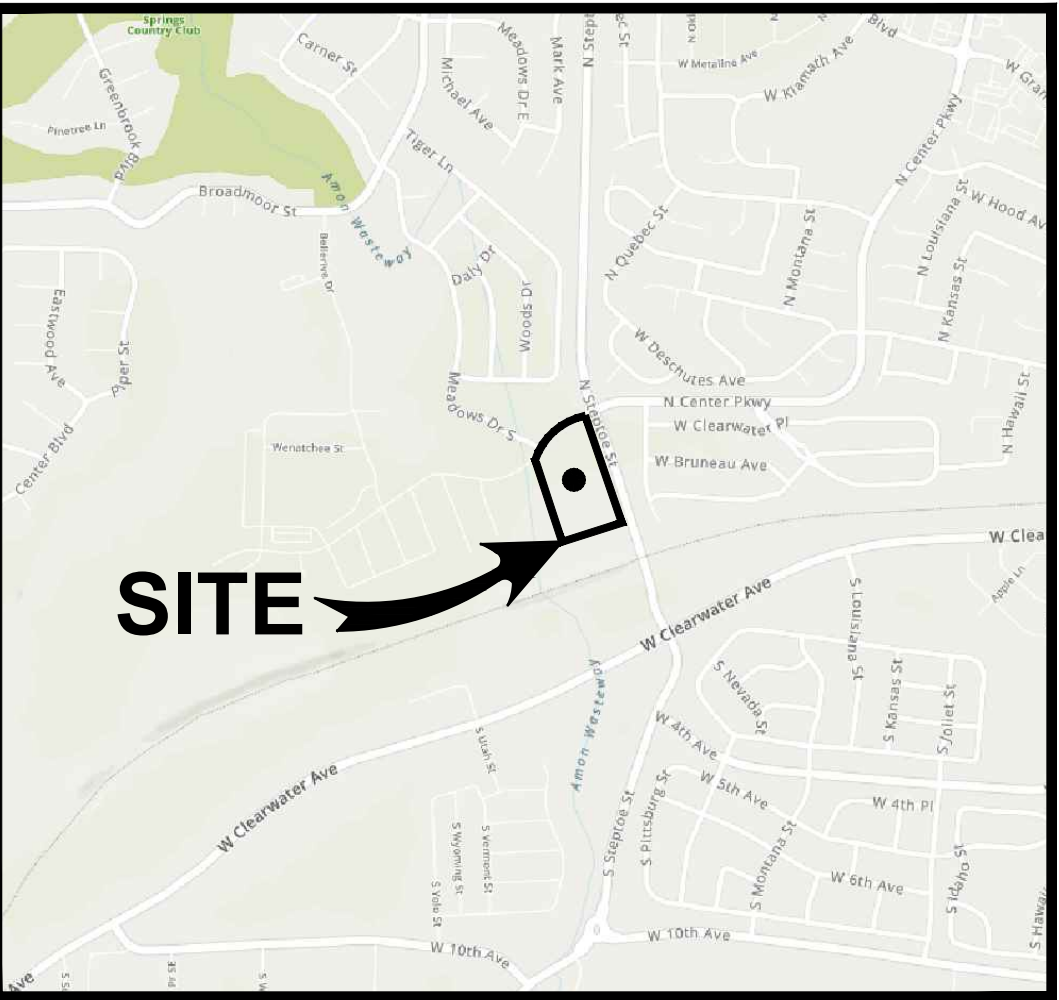
GENERAL NOTES

APPLICANT:
Hayden Homes
2464 SW Glacier Place, Suite 110
Redmond, OR 97756
Contact: Brian Thoreson
Ph. (509) 492-0153
E-mail: bthoreson@Hayden-Homes.com

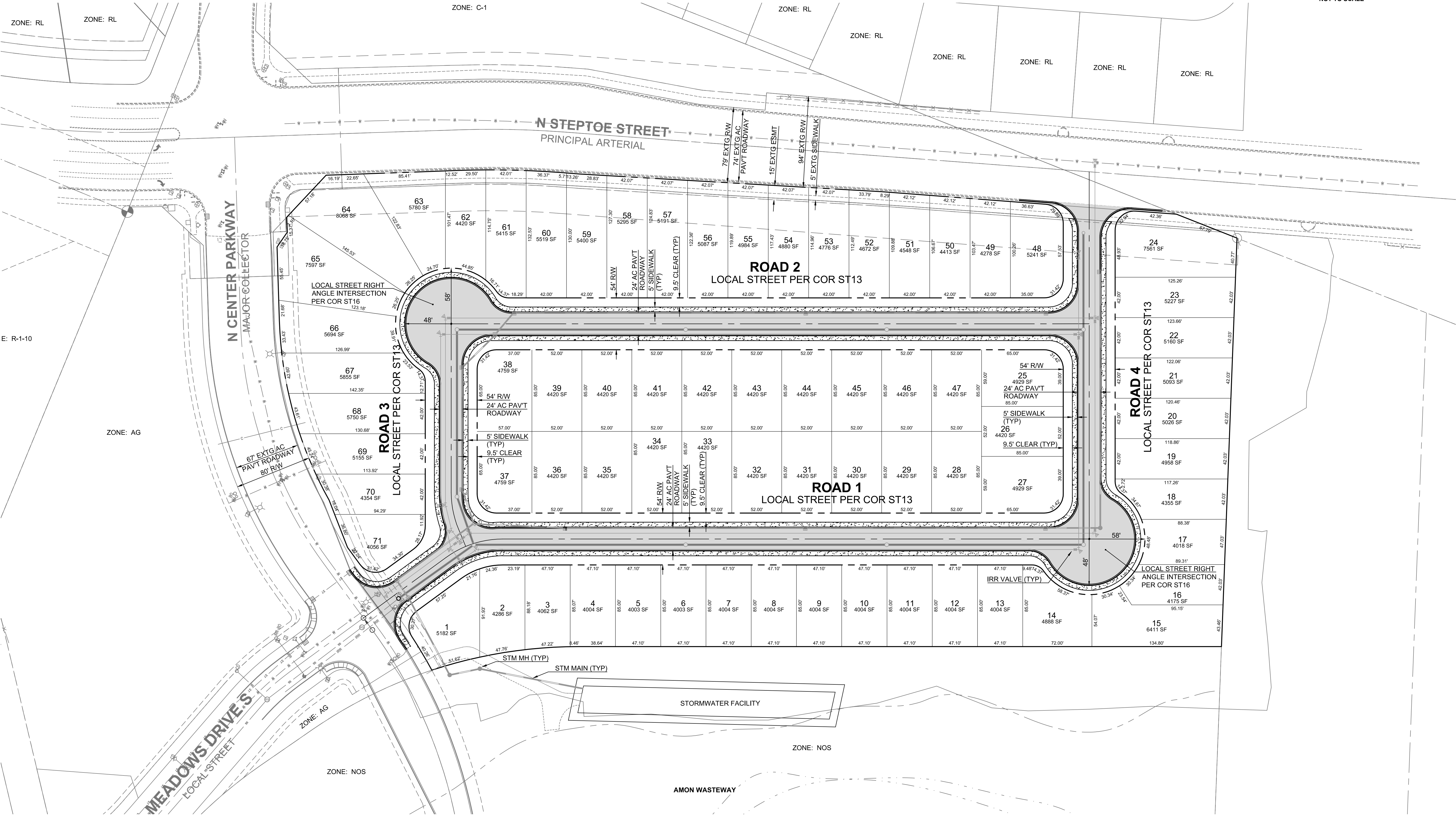
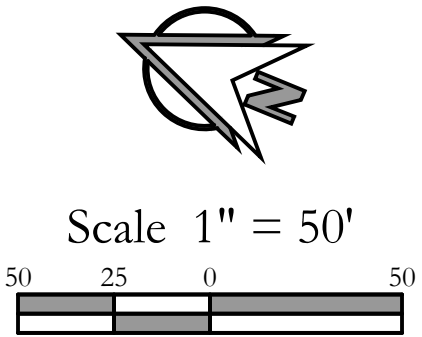
CIVIL ENGINEER:
PLS Engineering
Contact: Travis Johnson, PE
604 W Evergreen Blvd
Vancouver, WA 98660
PH: (360) 944-6519
pm@plsengineering.com

Clearwater Creek Phase 13

SEC. 01, T.8N., R.28E., W.M., City of Richland,
Benton County, Washington



VICINITY MAP
NOT TO SCALE



Conceptual Plat for:

Clearwater Creek Phase 13

A Subdivision located in the City of Richland, Washington

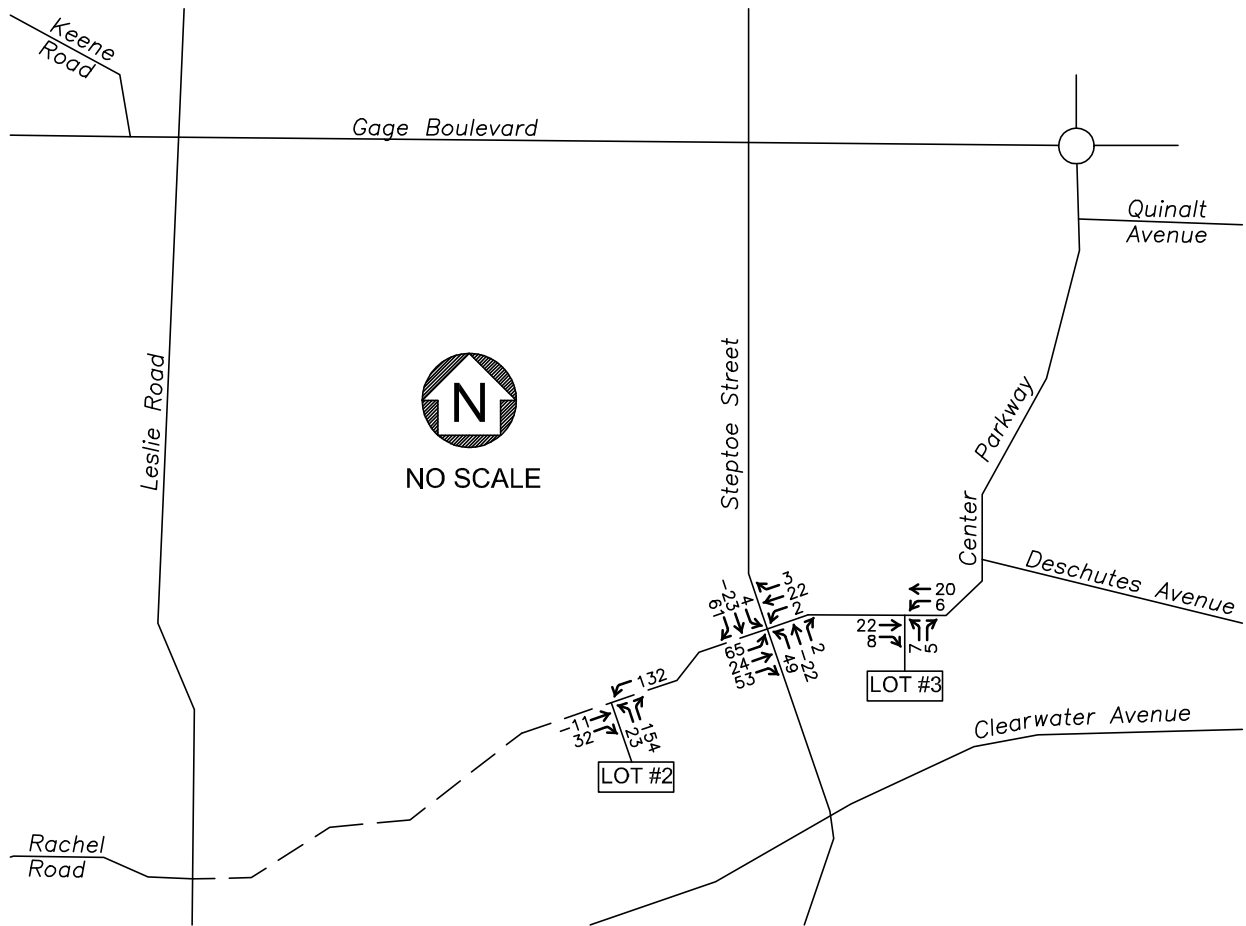
Revisions

1	2	3	4	5	6

Project No. 3131
SCALE: H: 1" = 50' V: N/A
DESIGNED BY: JMT
DRAFTED BY: JSV
REVIEWED BY: TGJ

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CHARBONNEAU
ENGINEERING LLC

PROJECT: 15-36

NOTES: In-process traffic includes
new trips & pass-by trips
generated by Lot #2 & Lot #3
on the Clearwater Creek site.

IN-PROCESS TRAFFIC
PM PEAK HOUR
CLEARWATER CREEK - LOT #1

FIGURE

4

2725 Steptoe Street
Richland, WA 99352

Title Order Number: 21-1914B



FRONTIER TITLE & ESCROW COMPANY

6921 Crosswind Boulevard
Kennewick, WA 99336
Phone 509-783-8828 / Fax 509-783-6239

TO: Hayden Homes, LLC, an Oregon Limited Liability Company
2464 SW Glacier Place, Ste 110
Redmond, OR 97756
ATTN: Brian Thoreson
REF: To Follow



Frontier Title & Escrow Company

6921 Crosswind Boulevard
Kennewick, Washington 99336
Telephone No. (509) 783-8828
Fax No. (509) 783-6239

SUBDIVISION GUARANTEE

Liability: \$ **1,000.00**
Premium: \$ **350.00**
Tax: \$ **30.10**

Old Republic National Title Insurance Company,

A California Corporation, herein called the Company,

SUBJECT TO THE LIABILITY EXCLUSIONS AND LIMITATIONS SET FORTH
BELOW AND IN SCHEDULE A

GUARANTEES

Hayden Homes, LLC, an Oregon Limited Liability Company

herein called the Assured, against actual loss not exceeding the liability amount stated above which the Assured shall sustain by reason of any incorrectness in the assurances set forth in Schedule A.

LIABILITY EXCLUSIONS AND LIMITATIONS

1. No guarantee is given nor liability assumed with respect to the identity of any party named or referred to in Schedule A or with respect to the validity, legal effect or priority of any matter shown therein.
2. The company's liability hereunder shall be limited to the amount of actual loss sustained by the Assured because of reliance upon the assurance herein set forth, but in no event shall the Company's liability exceed the liability amount set forth above.
3. This guarantee is restricted to the use of the Assured for the purpose of providing title evidence as may be required when subdividing land pursuant to the provisions of Chapter 58.17, R.C.W., and the local regulations and ordinances adopted pursuant to said statute. It is not to be used as a basis for closing any transaction affecting title to said property.

Effective Date: **February 24, 2021 @ 8:00 a.m.**

By:  Authorized Signature
Michael Beckmann
Michael@frontiertitle.biz

Schedule A

The assurances referred to on the face page are:

A. Title is vested in:

Richland 132, LLC, a Washington Limited Liability Company, a Washington Corporation

B. That according to the Company's title plant records relative to the following described real property (including those records maintained and indexed by name), there are no other documents affecting title to said real property or any portion thereof, other than those shown below under record matters.

The following matters are excluded from the coverage of this guarantee:

1. Unpatented mining claims, reservations or exceptions in patents or in acts authorizing the issuance thereof.
2. Water rights, claims or title to water.
3. Tax Deeds to the State of Washington.
4. Documents pertaining to mineral estates.

Legal Description:

Lot 9, Clearwater Creek Phase 3, according to the Plat thereof recorded in Volume 15 of Plats, Page 549, records of Benton County, Washington.

Record Matters:

1. Notes, narratives and easement provisions contained on the face of the Plat of Clearwater Creek Phase 3, recorded under Auditor's File No. 2016-037862

A copy of which is hereto attached.

2. Easement provisions contained on the face of said plat, a copy of which is hereto attached.
3. Dedication and/or notes contained on the face of said plat, a copy of which is hereto attached.
4. Exceptions and Reservations as contained in Deed:
From: Glacier Park Company, a Delaware corporation
Recorded: October 13, 1998
Recording No.: 1998-030435
As Follows: Reserving and excepting from said lands so much or such portions thereof as are or may be mineral lands or contain coal or iron, and also the use and the right and title to the use of such surface ground as may be necessary for mining operations and the right of access to such reserved and excepted mineral lands, including lands containing coal or iron, for the purpose of exploring, developing and working the same.

This exception does not constitute a statement as to the ownership of this interest or right. There may be leases, grants, exceptions or reservations of such interests that are not listed.

5. Second Declaration of Annexation for Clearwater Creek Homeowners Association and the terms and conditions contained therein:

Recorded: December 20, 2016
Recording No.: 2016-038624

Building Lots 8-9 will be used for commercial development, and are not annexed into the Clearwater Creek Homeowners Association, and are not subject to the Declaration.

6. Unrecorded leaseholds, if any.
7. We find no open recorded Deeds of Trust as of our current plant date of November 5, 2020. Please verify by inquiry of seller if we have overlooked something and advise title department accordingly prior to closing.
8. A record of survey No. 4525 recorded on September 17, 2014 under recording no. 2014-023317.
9. A record of survey No. 4628 recorded on June 25, 2015 under recording no. 2015-018105.

10. General Property Taxes and Miscellaneous Assessments for the year 2021, in the amount of \$2,667.99.

First Half: \$1,334.03 (will become delinquent on May 1)

Second Half: \$1,333.96 (will become delinquent on November 1)

Tax Account No.: 1-0188-103-0000-009

For more information, please call the Benton County Treasurer at #509-735-8505

Notes:

NOTE A: Common address purported to be:

**2725 Steptoe Street
Richland, WA 99352**

NOTE B: Abbreviated legal description as follows:

Lot 9, Clearwater Creek Phase 3

NOTE C: This property is within the Kennewick Irrigation District, but was not assessed this year.



Zoning Map Amendment Application

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

PROPERTY OWNER INFORMATION

☐ Contact Person

Owner: Richland 132, LLC.

Address: 2464 SW Glacier Pl. Ste. 110, Redmond, OR. 97756

Phone: (509) 492-0153

Email: bthoreson@hayden-homes.com

APPLICANT/CONTRACTOR INFORMATION (if different)

☐ Contact Person

Company: Hayden Homes, LLC.

UBI#:

Contact: Brian Thoreson

Address: 2464 SW Glacier Pl. Ste. 110, Redmond, OR. 97756

Phone: (509) 492-0153

Email: bthoreson@hayden-homes.com

DESCRIPTION OF WORK

To rezone the subject parcel from C-1 Neighborhood Retail Business to R-2S Medium Density Residential Small Lots.

PROPERTY INFORMATION

Parcel #: 10188103000000

Legal Description: Clearwater Creek Phase 3, Lot 9

Current Zoning: C-1 Neighborhood retail

Current Comp Plan: Commercial

Requested Zoning:

R-2S Medium Density
Residential small lots

Current Use: Vacant Commercial

Proposed Use: Residential

Area of Property: 10.43 Acres

APPLICATION MUST INCLUDE

1. Completed application and filing fee
2. Title Report showing ownership, easements, restrictions, and accurate legal description of the property involved
3. Other information as determined by the Administrator

ANSWER THE FOLLOWING AS COMPLETELY AS POSSIBLE

The unique characteristics, if any, of the property or circumstances of the owner:

The subject property was originally designated as residential, but in 2013 as part of the Clearwater Creek development, the applicant requested a rezone to Commercial C-1. The property has been sitting for the last 6 years (since Clearwater Creek Phase 3) with little to no interest from commercial buyers. Access and visibility constraints were cited by potential buyers as for reasons to not purchase.

Any hardship that may result in the event the rezone is not granted:

The owner will continue to sit on the property with no interest from commercial buyers.

The manner in which the proposed rezone conforms to patterns in adjacent zones:

The proposed rezone is proposed to match the same lot size minimums as the adjacent Clearwater Creek development.

Any beneficial or adverse effects the granting or denial of the rezone would have on adjacent or surrounding zones:

The benefit of granting the rezone will be that construction of a residential development will take place as soon as an application is submitted and approved. The land will be vacant for a shorter period of time. If the rezone application is denied, the existing commercial property will sit there vacant for a lot longer period of time potentially causing concerns with dust and weed control.

Any beneficial or adverse effects the granting or denial of the rezone would have in relation to the overall purpose and intent of the comprehensive plan and this title:

The city is in need of additional housing inventory, and approving this proposal will help boost the historically low housing inventories.

The benefits or detriments accruing to the City which would result from the granting or denial of this special permit:

The benefit of granting this special permit will be the reduction of over 2,000 vehicle trips per day if the site is rezoned to R-2S MDR versus Commercial C-1 Neighborhood Retail Business.

Whether the proposed rezone represents a better use of the land from the standpoint of the comprehensive plan than the original zone: The proposed rezone does represent a better use of the land. First, from a traffic standpoint due to a reduction of over 2,000 trips per day. Second, the City needs additional housing units per the Comprehensive Plan Supporting Analysis dated October 3, 2017. Third, the entire state and nation for that matter are experiencing severe housing shortages with inventories not seen for decades. Lastly, due to COVID, there is an up tick in available commercial properties.

Whether the proposed rezone represents spot zoning and whether a larger area should be considered:

The proposed rezone does not represent spot zoning. It is not recommended that a larger area be considered at this time for a rezone.

Identify impacts on the environment and public safety:

Although there will be some temporary impacts to the environment and public safety such as noise and dust during construction, the impacts will be minimal.

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

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

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

1. I have read and examined this permit application and have documented all applicable requirements on the site plan.
2. The information provided in this application contains no misstatement of fact.
3. I am the owner(s), the authorized agent(s) of the owner(s) of the above referenced property, or I am currently a licensed contractor or specialty contractor under Chapter 18.27 RCW or I am exempt from the requirements of Chapter 18.27 RCW.
4. I understand this permit is subject to all other local, state, and federal regulations.

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

Applicant Printed Name: Brian Thoreson

Applicant Signature:  Date 2/25/2021

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: Clearwater Creek Phase 13
2. Name of applicant: Richland 132, LLC

3. Address and phone number of applicant and contact person: 2464 SW Glacier Pl. Suite 110, Redmond, OR. 97756. (509) 492-0153 Brian Thoreson, bthoreson@hayden-homes.com

4. Date checklist prepared: March 10, 2021.

5. Agency requesting checklist: City of Richland.

6. Proposed timing or schedule (including phasing, if applicable): Comprehensive plan amendment / rezone – 2021, Preliminary plat submittal – January 2022, Construction – Summer 2022, Project Completion Fall / Winter 2022

7. Do you have any plans for future additions, expansion, or further activity related to or connected with this proposal? If yes, explain. No further expansion is anticipated for this property.

8. List any environmental information you know about that has been prepared, or will be prepared, directly related to this proposal. A Phase 1 Environmental Site Assessment was prepared for the Clearwater Creek property in May 2016, which included the proposed lot 9 as well as all of Clearwater Creek. A SEPA checklist will be prepared directly for this application.

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. None are that are known.

10. List any government approvals or permits that will be needed for your proposal, if known. Comprehensive plan amendment and rezone approval, preliminary plat approval, construction drawing approval, grading and right of way permit will be required.

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

The proposal consists of reclassifying 10.43 acres from Commercial to Medium Density Residential. The proposal also is seeking a rezone from C-1 to R-2S.

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

The property is located at 2725 Steptoe Street which is the Southwest corner of the Center Parkway and Steptoe Street intersection. The property is located within the NE ¼ of Sec. 1, T.8N, R.28E, W.M.

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

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

- a. General description of the site: The site is generally flat, with slopes not exceeding 2.5:1 around the perimeter of the property. There is one grade break that runs through the middle of the property with slopes not exceeding 2.5:1.

(circle one): Flat, rolling, hilly, steep slopes, mountainous, other Slope along property boundaries.

- b. What is the steepest slope on the site (approximate percent slope)? 40%
- 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. The soil classifications found onsite are generally silty sand, including some poorly graded sand with gravel. The National Resource Conservation Service identifies onsite soils as Esquatzel fine sandy loam, and Hezel loamy fine sand. The proposed site does not contain soils that result in agricultural land of long-term significance. To the applicant's knowledge, the site has never been used for agricultural services.
- d. Are there surface indications or history of unstable soils in the immediate vicinity? If so, describe.
No surface indications of unstable soils are visible or have been found. GN Northern completed a geotechnical report for the proposal area dated 8/25/2020.
- 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. Grading activities will be approximately 35,000 cubic yards, and the total area of disturbance will be approximately 10.43 acres.
- f. Could erosion occur as a result of clearing, construction, or use? If so, generally describe. Minor erosion could occur as a result of clearing and construction. Prudent dust control and grading procedures such as watering will be used to minimize erosion. An approved erosion control plan will be implemented during ongoing construction activities. Best Management Practices (BMP's) will be in place such as, but not limited to, silt fence, construction entrance, and inlet protection to eliminate or reduce potential erosion.
- g. About what percent of the site will be covered with impervious surfaces after project construction (for example, asphalt or buildings)? Approximately 40%-45% of the site would be covered with impervious surfaces after project completion.
- h. Proposed measures to reduce or control erosion, or other impacts to the earth, if any: During construction, an erosion and sediment control plan will be included with the final approved engineering plans. Proposed measures will be, but not limited to, silt fencing, inlet protection, and construction entrance(s).

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. During construction, there will be noise and exhaust from construction equipment as well as dust.
- b. Are there any off-site sources of emissions or odor that may affect your proposal? If so, generally describe. No off-site emissions are known at this time that will affect this proposal.
- c. Proposed measures to reduce or control emissions or other impacts to air, if any: During construction, emissions will be limited to working hours per City of Richland Municipal Code and dust will be controlled by a person operated watering device.

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. The Amon Wasteway is approximately 200 feet west of the western property boundary of lot 9.
 - 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. No work will be required within 200 feet of the Amon Wasteway. All work will be approximately 300 feet or further away from the Amon Wasteway.
 - 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. There is no fill or dredge material that will be placed or removed as part of this application.
 - 4) Will the proposal require surface water withdrawals or diversions? Give general description, purpose, and approximate quantities if known. The proposal will not require surface water withdrawals or diversions.
 - 5) Does the proposal lie within a 100-year floodplain? If so, note location on the site plan. The proposal **does not** lie within a 100-year floodplain.

- 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 proposal does not involve any discharges of waste materials to surface waters.

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. No groundwater will be withdrawn for drinking water or other purposes. The project will be served with water provided by the City of Richland.
- 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. No waste material will be discharged into the ground or groundwater. The proposed site will be served by the extension of the City of Richland's municipal sewer system.

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. Stormwater runoff from roadways, roofs, and impervious parking areas will be directed and collected within an approved onsite storm management system in accordance with the City of Richland standards. There will be no off-site discharge of stormwater.
- 2) Could waste materials enter ground or surface waters? If so, generally describe. It is not anticipated that waste materials will enter ground or surface waters. The onsite storm management system will be designed by a licensed professional engineer in strict conformance with the Eastern Stormwater Manual and the City of Richland.
- 3) Does the proposal alter or otherwise affect drainage patterns in the vicinity of the site? If so, describe. The proposal does not seek to alter or affect the drainage patterns within the vicinity.

d. Proposed measures to reduce or control surface, ground, and runoff water, and drainage

pattern impacts, if any: The stormwater disposal methods will be in compliance with the Eastern Washington Stormwater Manual and the City of Richland. The roadway and associated infrastructure will be designed by a licensed professional engineer and will be approved by the City of Richland.

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 - Weeds

b. What kind and amount of vegetation will be removed or altered? The site is bare with some weeds.

c. List threatened and endangered species known to be on or near the site. No threatened or endangered species are known to be on the site. However, the property is surrounded by shrub-steppe outside of the application boundaries.

d. Proposed landscaping, use of native plants, or other measures to preserve or enhance vegetation on the site, if any: Landscaping will be consistent with residential homes and will consist of turf grasses, shrubs, and trees.

e. List all noxious weeds and invasive species known to be on or near the site. Tumble weeds are known to be prevalent in the area.

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.

Examples include:

birds: hawk heron, eagle, songbirds, other:
mammals: deer, bear, elk, beaver, other: Rabbits, coyotes
fish: bass, salmon, trout, herring, shellfish, other _____

b. List any threatened and endangered species known to be on or near the site. None to the applicant's knowledge.

c. Is the site part of a migration route? If so, explain. Not to the applicant's knowledge.

d. Proposed measures to preserve or enhance wildlife, if any: No measures proposed at this time to preserve or enhance wildlife. There are several open space areas near the proposed site that promote wildlife.

e. List any invasive animal species known to be on or near the site. None to the applicant's knowledge.

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. The completed project will utilize electrical service to fulfill its energy needs and will also use electrical service to heat residential unit.

b. Would your project affect the potential use of solar energy by adjacent properties? If so, generally describe. No.

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 homes will be constructed in accordance with all applicable building codes as recognized by the City of Richland.

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. No, the project proposal when complete would not present any environmental health risks and would be consistent with adjacent single-family residential housing in the immediate area.

1) Describe any known or possible contamination at the site from present or past uses. None are known to the applicant.

2) Describe existing hazardous chemicals/conditions that might affect project development

and design. This includes underground hazardous liquid and gas transmission pipelines located within the project area and in the vicinity. None are known to the applicant.

- 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. There will be no hazardous chemicals stored at the site during construction. However, heavy equipment will utilize diesel fuel during construction activities.
- 4) Describe special emergency services that might be required. The development of this proposal will require the use of emergency services such as fire, ambulance, and police.
- 5) Proposed measures to reduce or control environmental health hazards, if any: None are proposed at this time.

b. Noise

- 1) What types of noise exist in the area which may affect your project (for example: traffic, equipment, operation, other)? The project site is located along Steptoe street which is classified as a Principal Arterial. However, the half of the site is located below the elevation of Steptoe Street which will help reduce noise. Additionally, the project site is located adjacent to the Burlington Northern Right of Way along the project's southern boundary. The tracks are approximately 200' south of the projects south property line.
- 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. On a short-term basis, the project will create noise associated with infrastructure construction such as the use of heavy equipment. Short term noise will also be created using handheld equipment such as saws and nail guns. Hours of operation will be limited to those allowed by the City of Richland Municipal Code. Lastly, the proposed project will increase the traffic in the area consistent with single-family neighborhoods on a long-term basis. However, traffic for a residential neighborhood will produce more the 2,000 fewer trips per day than a commercial development on the same property.
- 3) Proposed measures to reduce or control noise impacts, if any: Construction hours will be limited to working hours defined by the City of Richland Municipal Code. Construction equipment will have noise suppression as required by law. Furthermore, as noted above, the proposed project will reduce the total vehicle trips per day by more than 2,000, which would greatly reduce noise impacts to this area.

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. The site is currently designated as commercial with a C-1 zoning designation. The site has been vacant and marketed for

sale for over six years. Prior to the surrounding area being improved, the proposed site was vacant. The property to the east across Steptoe is commercial that includes a coffee shop, the property to the west and north is residential, and the property to the south is the Burlington Northern rail line. Further south along the Clearwater Avenue corridor, the property is designated as commercial.

- b. Has the project site been used as working farmlands or working forest lands? If so, describe. How much agricultural or forest land of long-term commercial significance will be converted to other uses as a result of the proposal, if any? If resource lands have not been designated, how many acres in farmland or forest land tax status will be converted to nonfarm or non-forest use? To the applicant's knowledge, the property has never been used for agricultural purposes, nor is the property working forest lands.

- 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: The proposal will not affect or be affected by surrounding working farmlands.

- c. Describe any structures on the site. The site does not contain any existing structures.

- d. Will any structures be demolished? If so, what? No, the site does not contain any existing structures.

- e. What is the current zoning classification of the site? The current zoning classification of the site is C-1 Neighborhood retail business.

- f. What is the current comprehensive plan designation of the site? The site has a current land use designation of Commercial.

- g. If applicable, what is the current shoreline master program designation of the site? Not applicable.

- h. Has any part of the site been classified as a critical area by the city or county? If so, specify. No part of the proposed site has been classified as a critical area by the city or county.

- i. Approximately how many people would reside or work in the completed project? There would be approximately 150-200 people residing in the proposed completed project.

- j. Approximately how many people would the completed project displace? The completed project would not displace any people.
- k. Proposed measures to avoid or reduce displacement impacts, if any: No measures are proposed at this time to avoid or reduce displacement impacts as no one will be displaced as part of this proposed project.
- l. Proposed measures to ensure the proposal is compatible with existing and projected land uses and plans, if any: The proposed project would be an extension of the Clearwater Creek development and any proposed structures would be similar to what has already been constructed in the area.
- m. Proposed measures to reduce or control impacts to agricultural and forest lands of long-term commercial significance, if any: The site is not designated as agricultural lands of long-term commercial significance, therefore, no measures are proposed at this time.

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

- a. Approximately how many units would be provided, if any? Indicate whether high, middle, or low-income housing. 71 single-family homesites are proposed.
- b. Approximately how many units, if any, would be eliminated? Indicate whether high, middle, or low-income housing. No existing housing units will be eliminated.
- c. Proposed measures to reduce or control housing impacts, if any: No measures to reduce or control housing impacts are proposed at this time. The proposed project does not eliminate any existing homes.

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? The tallest height of any structure will be limited to what is allowed per the City of Richland Municipal code. The principal exterior building material will consist of wood siding.
- b. What views in the immediate vicinity would be altered or obstructed? No views will be altered or obstructed as part of this proposal.

- b. Proposed measures to reduce or control aesthetic impacts, if any: No measures are being proposed at this time. Height of structures will be controlled by the City of Richland Municipal code.

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

- a. What type of light or glare will the proposal produce? What time of day would it mainly occur? The proposed project would create light from outside lighting on residential homes and streetlights during the evening hours.
- b. Could light or glare from the finished project be a safety hazard or interfere with views? It does not appear from the applicant's knowledge that light or glare will create a safety hazard or interfere with surrounding views.
- c. What existing off-site sources of light or glare may affect your proposal? Streetlight glare from Steptoe Street, as well as headlight glare from vehicles travelling along the Steptoe and Center Parkway corridors could affect our proposal.
- d. Proposed measures to reduce or control light and glare impacts, if any: All proposed lighting would be directed downward. Street lighting will be installed per the City of Richland standards.

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

- a. What designated and informal recreational opportunities are in the immediate vicinity? Claybell park is located approximately a half mile to the northwest of the proposed project. Also, there are many trails that have been created in the immediate area along with trails within the Amon Wasteway easement area that included in the Clearwater Creek development.
- b. Would the proposed project displace any existing recreational uses? If so, describe. No, the proposed project would not displace any existing recreational uses.
- c. Proposed measures to reduce or control impacts on recreation, including recreation opportunities to be provided by the project or applicant, if any: There are no measures at this time to reduce or control impact to recreation. As noted above, the site does not displace any existing recreational uses.

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. No, there are no existing structures on or near the proposed project area.
- 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 to the applicant's knowledge. However, no professional studies have been conducted on proposed project site.
- 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. None.
- 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. No measures are proposed at this time.

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. The proposed project site would have direct access to Steptoe Street via Center Parkway. Steptoe Street connects to Clearwater Avenue to the south, and Gage Boulevard to the north.
- 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? The nearest bus stop is located at Center Parkway and Deschutes Avenue approximately a half mile away.
- c. How many additional parking spaces would the completed project or non-project proposal have? How many would the project or proposal eliminate? Residents of the proposed project would have access to on-street parking as well as onsite (driveway and garage) parking at each individual homesite.
- 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). It is not anticipated that the proposed project would

require new improvements of existing roads or streets. A trip generation memorandum was provided as part of the proposal and dated February 18, 2021. As noted in previous answers and in the traffic memorandum, the proposed project would reduce daily vehicle trips by more than 2,000.

- e. Will the project or proposal use (or occur in the immediate vicinity of) water, rail, or air transportation? If so, generally describe. No.
- f. How many vehicular trips per day would be generated by the completed project or proposal? If known, indicate when peak volumes would occur and what percentage of the volume would be trucks (such as commercial and non-passenger vehicles). What data or transportation models were used to make these estimates? Per the traffic memorandum written by Charbonneau Engineering dated February 18, 2021, the projected vehicle trips per day for the proposed project will 670, with 53 AM peak hour trips and 70 PM peak hour trips.
- g. Will the proposal interfere with, affect, or be affected by the movement of agricultural and forest products on roads or streets in the area? If so, generally describe. No.
- h. Proposed measures to reduce or control transportation impacts, if any: Roads within the proposed project would be constructed per the City of Richland design and construction standards.

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. Yes, the proposed project will result in the need for fire protection, police protection, schools, and other public service associated with housing.
- b. Proposed measures to reduce or control direct impacts on public services, if any. No measures are proposed at this time to reduce or control impacts to public services.

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

- a. Circle utilities currently available at the site:
electricity, natural gas, water, refuse service, telephone, sanitary sewer, septic system, other irrigation
- 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. Sewer, water, electrical, and refuse service will be provided by the City of

Richland. Irrigation will be provided by the Kennewick Irrigation District, natural gas will be provided by Cascade Natural Gas, and Telecommunications will be provided by Spectrum. All these services are stubbed into the proposed project boundaries.

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 Brian Thoreson

Position and Agency/Organization Regional Land Development Manager, Hayden Homes.

Date Submitted: 3/12/2021

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?

Proposed measures to avoid or reduce such increases are:

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

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

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

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

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?

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

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?

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

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

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

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



Tim Bush

400 Thayer Dr

CPA2021-106

Z2021-106

Vicinity Map

Item: Comprehensive Plan Amendment
Applicant: Richland Heights Baptist Church
File #: CPA2021-106





Comprehensive Plan Amendment Application

☒ Comprehensive Plan Land Use Map ☐ Text of Comprehensive Plan

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

PROPERTY OWNER INFORMATION

☐ Contact Person

Owner: Richland Heights Baptist Church

Address: 390 Thayer Drive, Richland WA 99352

Phone: 509-943-0730

Email:

APPLICANT/CONTRACTOR INFORMATION (if different)

☒ Contact Person

Company:

UBI#:

Contact: Tim Bush

Address: 320 W Columbia Dr, Kennewick WA 99336

Phone: 509-947-7902

Email: Tim@BushCarWash.com

PROPERTY INFORMATION

Legal Description:

That portion of the plat of Richland of Block 400, Lot 7, except road right-of-way (description change per AF#2016-012571 May 6, 2016) line North of the Duportail ROW.

Parcel Number: 115981020400007

Current Zoning: R-1-12

Current Land Use Designation: Low-density Residential

APPLICATION REQUIREMENTS – Submit as required or attach written statements explaining the following:

1. Completed application and filing fee;
2. The purpose of the proposed amendment;
3. Describe how the amendment is consistent with Washington State Growth Management Act-RCW 36.70A (the goals of the Act are listed in 36.70A.020);
4. How the amendment is consistent with the adopted countywide planning policies;
5. How the amendment furthers the purpose of the City's comprehensive plan;
6. How the amendment is internally consistent with the City's comprehensive plan, as well as other adopted City plans and codes;
7. If applicable, how the project will meet concurrency requirements for transportation;
8. As necessary, supplemental environmental review and/or critical areas review, as determined by the Administrator;
9. **Comprehensive Plan TEXT AMENDMENT applications must also include:**
 - a. The proposed element, chapter, section and page number of the comp. plan to be amended;
 - b. The proposed text change, with new text underlined and deleted text crossed out;
10. **Comprehensive Plan MAP AMENDMENT applications must also include:**
 - a. The current land use map designation for the subject parcel(s);
 - b. The land use map designation requested;
 - c. A complete legal description describing the combined area of the subject parcel(s);
 - d. A vicinity map showing:
 - i. All land use designations within 300 feet of the subject parcel(s);
 - ii. All parcels within 300 feet of the subject parcel and all existing uses of those parcels;
 - iii. All roads abutting and/or providing access to the subject parcel(s) including information on road classification (arterial, collector, access) and improvements to such roads;
 - iv. Location of shorelines and critical areas on or within 300 feet of the site, if applicable;

- v. The location of existing utilities serving the subject parcels, including electrical, water, and sewer;
 - vi. The location and uses of existing structures located on the subject parcel(s);
- e. Topographical map of the subject parcels and abutting properties at a minimum scale of one inch represents 200 feet (1:200);
- f. The current official zoning map designation for the subject parcel(s);
- g. A detailed plan which indicates any proposed improvements to:
 - i. Paved streets;
 - ii. Storm drainage control and detention facilities;
 - iii. Public water supply;
 - iv. Public sanitary sewers;
 - v. Circulation and traffic patterns for the development and the surrounding neighborhoods;
- h. A corresponding zoning map amendment application, where necessary, to maintain consistency between the land use and zoning maps. The rezone application will be processed separately from, and after, the comprehensive plan amendment;
- i. A description of any associated development proposals. Development proposals shall not be processed concurrently with comprehensive plan amendments, but the development proposals may be submitted for consideration of the comprehensive plan amendments to limit consideration of all proposed uses and densities of the property under the City's SEPA, zoning and comprehensive land use plan. If no proposed development description is provided, the City will assume that the applicant intends to develop the property with the most intense development allowed under the proposed land use designation. The City shall assume the maximum impact, unless the applicant submits with the comprehensive plan amendment a development agreement to ameliorate the adverse impact(s) of the proposed development.

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

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

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

1. I have read and examined this permit application and have documented all applicable requirements on the site plan.
2. The information provided in this application contains no misstatement of fact.
3. I am the owner(s), the authorized agent(s) of the owner(s) of the above referenced property, or I am currently a licensed contractor or specialty contractor under Chapter 18.27 RCW or I am exempt from the requirements of Chapter 18.27 RCW.
4. I understand this permit is subject to all other local, state, and federal regulations.

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

Applicant Printed Name: Tim Bush

Applicant Signature:  eSigned via SeamlaseDocs.com
Key: 62e6b5f0794ad0c8364e675742f989b8

Date March 01, 2021



Pre-Application Conference Waiver

PROPERTY OWNER INFORMATION		☐ Contact Person
Owner: Richland Heights Baptist Church		
Address: 390 Thayer Dr, Richland WA 99352		
Phone: 509-943-0730	Email:	

APPLICANT/CONTRACTOR INFORMATION (if different)		☒ Contact Person
Company:	UBI#	
Contact: Tim Bush		
Address: 320 W Columbia Dr, Kennewick WA 99336		
Phone: 509-947-7902	Email: Tim@BushCarWash.com	

PROPERTY INFORMATION
Parcel #: 115981020400007
Legal Description: Ptn Plat of Richland, Block 400, Lot 7, Line N of Duportail ROW

TYPE II APPLICATIONS	TYPE III APPLICATION
☐ Flood Plain Variance	☐ Non-residential Shoreline Substantial Development
☐ Critical Areas & Resource Lands Variance/Viable Use	☐ Residential Shoreline Substantial Development
☐ Binding Site Plan	☐ Shoreline Variance/Conditional Use
☐ Administrative Variance	☐ Conditional Use
☐	☐ Subdivision
☐	☒ Rezone (site specific) from R-1-12 to R-3
☐	☐ Vacation/Alteration of a Subdivision
☐	☐ Variance
☐ Other:	

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

Applicant Printed Name: Tim Bush

Applicant Signature:  (Rick Simon for Tim Bush) Date March 8, 2021

Attachment A
Bush Application for Comprehensive Plan Amendment
Consistency with Growth Management Act Goals

The goals of the Washington State Growth Management Act (RCW 36.70A.020) are reprinted below with a brief statement identifying how the proposed comprehensive plan amendment relates to the GMA goal.

- (1) **Urban growth.** *Encourage development in urban areas where adequate public facilities and services exist or can be provided in an efficient manner.*

Response: The proposed comprehensive plan amendment would occur in an area that is entirely located within the Richland urban growth area, within an existing neighborhood that is served by an existing street network and utility systems where a full range of public services are present.

- (2) **Reduce sprawl.** *Reduce the inappropriate conversion of undeveloped land into sprawling, low-density development.*

Response: The proposed comprehensive plan amendment site is centrally located within the City and could not be reasonably described as sprawl.

- (3) **Transportation.** *Encourage efficient multimodal transportation systems that are based on regional priorities and coordinated with county and city comprehensive plans.*

Response: The proposed comprehensive plan amendment site is located at the intersection of a minor arterial street and a major collector street and is located on an existing transit route. The proposed plan amendment would not result in the development of any additional street extensions.

- (4) **Housing.** *Encourage the availability of affordable housing to all economic segments of the population of this state, promote a variety of residential densities and housing types, and encourage preservation of existing housing stock.*

Response: The proposed comprehensive plan amendment would directly help the City to implement affordable housing goals by providing for as many as six owner-occupied townhome developments within an existing neighborhood. Townhomes are a cost-effective form of housing that is not widely available.

- (5) **Economic development.** *Encourage economic development throughout the state that is consistent with adopted comprehensive plans, promote economic opportunity for all citizens of this state, especially for unemployed and for disadvantaged persons, promote the retention and expansion of existing businesses and recruitment of new businesses, recognize regional differences impacting economic development opportunities, and encourage growth in areas experiencing insufficient economic growth, all within the capacities of the state's natural resources, public services, and public facilities.*

Response: The proposed comprehensive plan amendment would provide for townhome style residential development and in so doing provide some affordable housing. The jobs associated with construction of the project would help to provide

economic opportunities in the short term for building contractors and adequate housing for residents in the longer term. The proximity of the project to commercial services will provide some economic benefit to those businesses as well.

- (6) **Property rights.** *Private property shall not be taken for public use without just compensation having been made. The property rights of landowners shall be protected from arbitrary and discriminatory actions.*

Response: The proposal does not involve the taking of private lands for public purposes.

- (7) **Permits.** *Applications for both state and local government permits should be processed in a timely and fair manner to ensure predictability.*

Response: The proposed comprehensive plan amendment has been filed in accordance with City regulations.

- (8) **Natural resource industries.** *Maintain and enhance natural resource-based industries, including productive timber, agricultural, and fisheries industries. Encourage the conservation of productive forestlands and productive agricultural lands, and discourage incompatible uses.*

Response: The proposed comprehensive plan does not involve natural resource land or agricultural lands.

- (9) **Open space and recreation.** *Retain open space, enhance recreational opportunities, conserve fish and wildlife habitat, increase access to natural resource lands and water, and develop parks and recreation facilities.*

Response: The proposed comprehensive plan amendment does not involve recreational land, fish or wildlife habitat or natural resource lands.

- (10) **Environment.** *Protect the environment and enhance the state's high quality of life, including air and water quality, and the availability of water.*

Response: The proposed comprehensive plan amendment would not significantly impact the environment. Future development of the site would occur in compliance with City and State regulations to protect the environment and to assure the proposal is consistent with all City standards.

- (11) **Citizen participation and coordination.** *Encourage the involvement of citizens in the planning process and ensure coordination between communities and jurisdictions to reconcile conflicts.*

Response: The application was filed in accordance with existing City regulations, which will require public notification and hearings before both the Planning Commission and City Council.

- (12) **Public facilities and services.** *Ensure that those public facilities and services necessary to support development shall be adequate to serve the development at the time the*

development is available for occupancy and use without decreasing current service levels below locally established minimum standards.

Response: The proposed comprehensive plan would place only minimal demands on City public facilities or services, as it would add at most six residential units in a well established neighborhood that is well served by public facilities and services.

(13) **Historic preservation.** *Identify and encourage the preservation of lands, sites, and structures, that have historical or archaeological significance.*

Response: There are no historic structures on the site and no known sites of historical or archaeological significance.

Attachment B

Bush Application for Comprehensive Plan Amendment Consistency with County Wide Planning Policies

The Benton County Wide Planning Policies most recently adopted by the Benton County Commission on February 7, 2017 are reprinted below with a brief statement identifying how the proposed comprehensive plan amendment relates to the adopted County Wide Planning Policies.

Policy 1: *The comprehensive plans of Benton County and each of the cities therein shall be prepared and adopted with the objective to facilitate economic prosperity by accommodating growth consistent with the 12 goals of the Growth Management Act.*

Response: A specific response as to how the application is consistent with the 12 goals of the Growth Management Act is addressed in Attachment A.

Policy 2: *The County shall allocate future projected populations through the use of the latest population projections published by the Washington State Office of Financial Management (OFM). Allocation of future populations shall be based on the following distribution: City of Kennewick 40% of total county population; City of Richland 28% of total county population; Benton County 19% of total county population; City of West Richland 8% of total county population; City of Prosser 3% of total county population and City of Benton City 2% of total county population. The County, in consultation with the Cities will review the OFM population projection ranges (Low, Medium, and High) and allocation percentages whenever OFM publishes new GMA population projections.*

Response: The proposed comprehensive plan amendment would not have any direct impacts on population projections for either the County or the City and would not involve any changes to the population allocation formula.

Policy 3: *The locating of Urban Growth Areas within the County shall be accomplished through the use of accepted planning practices which provide sufficient land and service capacity, up to the determined need, to meet project populations at urban densities and service standards within the Cities, and urban densities for those portions of the County located within the urban growth areas.*

Response: The proposed comprehensive plan amendment would result in a small infill development project that would result in development at urban densities in an area that is located well inside the City's urban growth area in a location that has available service capacity.

Policy 4: *That Urban Growth Areas of each City shall be based upon official and accepted population projections for minimum of 20 years. The gross undeveloped and underdeveloped acreage within the city limits and the Urban Growth Area shall be sufficient to meet all the land requirements, for the following: community and essential public facilities, population projection, commercial and industrial activities, employment projections, infill and to prevent inflation of land cost due to a limited land supply. (Note: The formula for identifying per capita land needs included in this policy has not been reprinted here.)*

Response: The proposed comprehensive plan amendment would not impact population projections nor the amount of land allocated for various future land uses.

Policy 5: *That within the urban growth area, urban uses shall be concentrated in and adjacent to existing urban services or where they are shown on a Capital Improvement Plan to be available within 6 years.*

Response: The proposed comprehensive plan amendment occurs in an area where urban services already exist.

Policy 6: *That cities limit the extension of service district boundaries and water and sewer infrastructure to areas within each jurisdiction's urban growth area contained in their adopted Comprehensive Plan. Utility plans should attempt to reflect possible needs for 50 years.*

Response: The proposed comprehensive plan amendment does not involve the extension of service district boundaries and occurs in an area where existing utility infrastructure is already in place and is located well inside the City urban growth area.

Policy 7: *Within each Comprehensive Plan, the Land Use Plan for urban growth areas shall designate urban densities and indicate the general locations of greenbelt and critical areas.*

Response: The proposed comprehensive plan amendment would not result in the change of any urban growth area boundaries and would provide for development at urban densities without impacting greenbelt or critical areas.

Policy 8: *Wherever possible, given consideration of all other variables, such as existing unused service infrastructure, the placement of an urban growth line into an area of existing commercial agriculture shall be avoided.*

Response: The proposed comprehensive plan amendment does not involve either the movement of an urban growth boundary or the conversion of commercial agricultural lands.

Policy 9: *The appropriate directions for the expansion of urban growth areas are those which are unincorporated land with existing service infrastructure and lands adjacent to corporate limits.*

Response: The proposed comprehensive plan amendment does not involve an expansion of an urban growth area boundary. The site is located within the existing urban growth area and falls within the corporate limits of the City of Richland.

Policy 10: *All policies within each jurisdiction's Comprehensive Plans shall be modified to be consistent with adopted Countywide Policies.*

Response: The proposed comprehensive plan amendment would not require the amendment of any policies within the City of Richland Comprehensive Land Use Plan.

Policy 11: *The County and Cities, along with public participation shall develop a cooperative regional process to site essential public facilities of regional and statewide importance. The objective of the process shall be to ensure that such facilities are located so as to protect environmental quality, optimize access and usefulness to all jurisdictions, and equitably distribute economic benefits/burdens throughout the region or county.*

Response: The proposed comprehensive plan amendment does not involve the siting of essential public facilities.

Policy 12: *Support the existing solid waste program that promotes and maintains a high level of public health and safety, protects the natural and human environment of Benton County and encourages public involvement by securing representation of the public in the planning process.*

Response: The proposed comprehensive plan amendment would not impact existing solid waste programs.

Policy 13: *Encourage and expand coordination and communication among all jurisdictions and solid waste agencies/firms in Benton and Franklin Counties in order to develop consistent and cost-effective programs that avoid duplication of effort and gaps in program activities.*

Response: The proposed comprehensive plan amendment would not impact existing solid waste programs.

Policy 14: *Maintain active County-City participation in the Regional Transportation Planning Organization in order to facilitate City, County and State coordination in planning regional transportation facilities and infrastructure improvements to serve essential public facilities including Port District facilities and properties.*

Response: The proposed comprehensive plan amendment would not impact existing City, County or regional transportation plans. Rather, the proposal completely relies on the existing street network.

Policy 15: *The County and Cities within shall work together to provide housing for all economic segments of the population. All jurisdictions shall seek to create the conditions necessary for the construction of affordable housing, at the appropriate densities within the cities and county. The following actions should be accomplished:*

- a. Jointly quantify and project total countywide housing needs by income level and housing type (i.e. rental, ownership, senior, farm worker housing, group housing.)*
- b. Establish a mechanism whereby the housing efforts/programs of each jurisdiction address the projected countywide need.*
- c. Address the affordable housing needs of very low, low and moderate income households, and special needs individuals through the Comprehensive Housing Affordability Strategy (CHAS).*
- d. Develop design standards for implementation within the Comprehensive Plan with special attention to be given to the residential needs of low to moderate income families.*

Response: The proposed comprehensive plan amendment would help the City to meet its affordable housing goals by providing up to six owner-occupied affordable townhome units.

Policy 16: *Urban growth areas may include territory located outside of a city if such territory may be characterized by urban growth or is adjacent to territory already characterized by urban growth. Within urban growth areas, only urban development may occur. (Note: the definition of “urban” included in the policy language has not been reprinted here.)*

Response: The proposed comprehensive plan amendment is located in an area that is incorporated within the City of Richland and is already part of Richland’s Urban Growth Area. Therefore, the proposed amendment would not impact urban growth area boundaries.

Policy 17: *To encourage logical expansion of corporate boundaries into urban growth areas, and to enable the most cost efficient expenditure of public funds for the provision of urban services into newly annexed areas. The County and each City shall jointly develop and implement development, land division and building standards, and coordinated permit procedures for the review and permitting of new subdivision within Urban Growth Areas.*

Response: As the proposed comprehensive plan amendment site is located within the City, it does not impact City/County efforts to establish joint development standards.

Policy 18: *Consistent with the protection of public health, safety, welfare and the use of natural resources on a long-term sustainable basis, the ability of service capacity to accommodate demands, and the expressed desires of each community, Comprehensive Plans shall jointly and individually support the County and region's economic prosperity in order to promote employment and economic opportunity for all citizens.*

Response: The proposed comprehensive plan amendment would provide for additional housing within the City's core area. Housing in and near downtown has been encouraged by the City to promote, strengthen and encourage additional commercial services. The proposal would not result in the loss of natural resources.

Policy 19: *The County and Cities have historically partnered with each other as well as with other organizations to achieve economic development throughout the region. It is the intention of the County and Cities to continue to actively pursue mutually beneficial partnerships that promote growth in all sectors of business and industry, including but not limited to areas of agriculture, agri-business, industrial, commercial, public schools, recreation and tourism. Key strategies will include promoting family wage jobs, increasing business formation, expansion and retention and creating jobs and financial investment to improve the economics of our communities. (Note: specific economic development policies a-g are not reprinted here.)*

Response: The proposed comprehensive plan would provide additional housing units within the City and would be complimentary to but not directly supportive of this policy's promotion of economic growth.

Policy 20: *Capital Improvement Plans and Land Use Plans, shall conduct fiscal analyses which identify and refine the most cost effective use of regional and local public services. (Note: specific policies (a-c) to accomplish this goal have not been reprinted here.)*

Response: The proposed comprehensive plan amendment would not impact regional and local public services.

Policy 21: *Support the development of public schools in areas where utilities are present or can be extended, is financially supportable at urban densities, where the extension of public infrastructure will protect health and safety and the school locations are consistent with the analysis recommended by WAC 365-196-425(3)(b).*

Response: The proposed comprehensive plan amendment would add a maximum of six housing units to the City's population and so would not have significant impact on the demand for public schools.

Policy 22: *The Growth Management Act requires counties planning under the Act to adopt a countywide planning policy in cooperation with the cities located in the county. The countywide planning policy is to be a written policy statement or statements used solely for establishing a countywide framework from which county and city comprehensive plans are developed and adopted pursuant to this (GMA) chapter. The purpose for the Benton County Wide Planning Policies is to meet this requirement of the Act. This document is a tool that will provide the necessary guidance to achieve consistency during the updating of comprehensive plans for the county and the cities.*

Response: The proposed comprehensive plan amendment would not directly impact this County Wide Planning Policy.

Attachment C

Bush Application for Comprehensive Plan Amendment Consistency with Richland Comprehensive Land Use Plan

The goals and policies of the City's land use plan are reprinted below followed by a brief response describing how the application is consistent with the goals and policies.

LU Goal 1: Plan for growth within the urban growth area and promote compatible land use.

Policy 1: Revitalize areas that are already within the City, especially areas within the Central Business District, such as the Parkway and Uptown, and the Island View areas.

Policy 2: Facilitate planned growth and infill developments within the City.

Response: *The proposed comprehensive plan amendment is an infill project and would provide up to six additional housing units in an existing neighborhood. The proposal would be compatible with existing land uses as would be directly adjacent to a townhome development (soon to be under construction) adjacent to two churches and is located at the intersection of a minor arterial street and a major collector.*

LU Goal 2: 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.

Policy 2: Ensure that adequate public services are provided in a reasonable time frame for new developments.

Policy 3: Ensure that the intent of the land use and districts are maintained.

Response: *The site is located along the edge of a residential neighborhood where existing infrastructure is available to serve the proposal and public services are located nearby, including public schools and park lands.*

LU Goal 3: Maintain a broad range of residential land use designations to accommodate a variety of lifestyles and housing opportunities.

Policy 1: Distribute residential uses and densities throughout the urban growth area consistent with the City's vision.

Policy 2: Encourage higher residential densities especially in and near the Central Business District area.

Policy 3: Innovative and non-traditional residential developments can occur through the use of planned unit developments, density bonuses, new types of housing, and multi-use or mixed-use developments.

Response: *The proposed comprehensive plan amendment would increase housing density in a location that is near to commercial services, schools and park lands. It would provide for a form of housing (townhomes) that are not widely available within the City.*

LU Goal 4: Promote commercial and industrial growth that supports the City's economic development goals.

Policy 1: Accommodate a variety of commercial land uses including retail and wholesale sales and services, and research and professional services.

Policy 2: Promote developments such as business and research parks, office parks, technology centers, manufacturing and processing facilities, and other types for high- tech uses.

Policy 3: Locate neighborhood-oriented commercial land uses in Neighborhood Retail Business areas.

Policy 4: Encourage the use of buffers or transition zones between non- compatible land uses.

Policy 5: In areas where residential uses are in close proximity to industrial or commercial lands, adequate development standards should be used in industrial or commercial developments to mitigate the impacts on residential uses.

Policy 6: Support industrial developments on lands previously owned by the Department of Energy and transferred to the City and the Port of Benton.

Response: *The proposed comprehensive plan amendment only involves residential lands and does not have a direct impact on this goal relating to commercial/industrial lands. However, by providing additional housing in a location that is in close proximity to commercial services, the development of the site could work to support existing commercial businesses in the area and so would be consistent with the intent of this goal.*

LU Goal 5: Ensure connectivity that enhances community access and promotes physical, social, and overall well-being so residents can live healthier and more active lives.

Policy 1: Locate commercial uses so that they conveniently serve the needs of residential neighborhoods, workplaces, and are easily accessible via non-motorized modes of transport.

Policy 2: Promote pedestrian and bicycle circulation throughout the community by connecting with the infrastructure and the City's network of parks and trail system.

Response: *The proposed comprehensive plan would add housing in a location that is in close proximity to commercial services, park land and public schools.*

LU Goal 6: Develop an attractive and vibrant Central Business District that displays the unique character of Richland.

Policy 1: Revitalize declining commercial areas by promoting clean, safe, and pedestrian- and bicycle-friendly environments.

Policy 2: Designate land use and zoning for higher-density residential uses, mixed-use, and business uses within and adjacent to the Central Business District.

Policy 3: Encourage infill development and redevelopment in the Central Business District. Public Facilities

Response: *The site would provide for housing in a location that is close to commercial uses and certainly fits the definition of infill development and so is consistent with the intent of this goal.*

LU Goal 7: Encourage efficient use and location of public facilities such as transit centers, utility facilities, schools, parks, and other public uses.

Policy 1: Locate municipal facilities within their service areas and ensure the grouping of facilities within neighborhoods, whenever feasible.

Policy 2: Ensure that the scale, and location of public facilities are compatible with or buffered from existing and planned surrounding areas.

Policy 3: Wherever possible, the City will locate park and school facilities together for efficient use of public facilities.

Policy 4: Encourage the development of private and public regional sports and recreational facilities of a size and quality to attract significant numbers of users and spectators.

Response: *The site is located in an area that is convenient to a variety of public services. It is located at the intersection of a minor arterial street and a major collector street, is located adjacent to a transit route, is close to public schools and park lands. Additionally, utility services are located immediately adjacent to the site. The result is that the site is an efficient location for additional housing and is consistent with this goal.*

LU Goal 8: Address unique land use situations in the urban area with policies specific to those situations that ensure compatibility between land uses without infringing on private property rights.

Policy 1: Ensure that lands designated Urban Reserve remain in this holding category to serve future demand for land.

Policy 2: Apply the Agricultural designation in the Yakima River floodplain.

Policy 3: At designated Waterfront land use locations, encourage an active mix of commercial, residential, and marine uses as allowed in the SMP.

Policy 4: Identify and encourage the preservation of lands, sites, and structures that have historical or archaeological significance.

Policy 5: Define and identify mineral resource lands located within its boundaries that are not already compromised by on-site, immediate, or adjacent urban growth and that have long-term significance for the extraction of minerals on a commercially-viable basis.

Policy 6: Property and/or mineral rights owners should work with the City and appropriate agencies for protection of these sites. Designate mineral resource lands located in the City of Richland that meet the Criteria for Classification of Mineral Resources (WAC 365-190-070).

Policy 7: Ensure that land uses surrounding the Richland Airport are compatible with existing and future airport operations and do not restrict the airport's ability to maintain or expand its existing and future aviation demands. Coordinate with the Port of Benton to restrict land uses in airport areas that would create conflict or negatively impact the safe and effective airport operations.

Response: *The unique circumstances addressed in these land use policies do not apply to this application, as the site is not used for agricultural production; is not near the waterfront; is without any known historical or archeological significance; is not a mineral resource area; or in close proximity to the Richland Airport.*

LU Goal 9: Within Island View, the City will implement a Single Family Overlay land use designation for clusters of property that are currently used as single family residences which have high probability of being redeveloped with non-residential land uses.

Policy 1: The city will use the Single Family Overlay concept only in those instances where the majority of property owners have expressed a preference for its use.

Policy 2: Areas designated as Single Family Overlay will be zoned for single- family residential uses, as identified in the city's R-2 Medium Density Residential zoning district.

Policy 3: Areas designated as Single Family Overlay will remain as such until property owner(s) bring forward a request to remove the overlay and change the zoning to the designation contained in the Island View Subarea Plan. In such cases, an amendment to the comprehensive plan is not necessary.

Policy 4: Applicants bringing forward a request to change the zoning of property designated Single Family Overlay should demonstrate that the land proposed for amendment is: a) large enough to support redevelopment for non-single family residential land uses; and b) will have sufficient access to City streets and utility systems to support redevelopment.

Policy 5: Whenever properties designated with the Single Family Overlay are rezoned for non-single family residential uses in accordance with Policy 4 above, the Single Family Overlay designation should be removed from the subject property.

Response: *The site is not located within the Island View area, so these land use policies do not apply.*

LU Goal 10: Follow controlling law and constitutional requirements, both state and federal, to ensure the appropriate protection of private property rights.

Policy 1: Monitor evolving state and federal statutory amendments and judicial precedent so that timely amendments or changes can be made in the process of implementing the comprehensive plan policies and development regulations.

Policy 2: Process comprehensive plan amendments and development regulations using a fair and open hearing process, with adequate public notice and opportunities to participate to ensure the protection of all due process rights.

Policy 3: Process timely, fair, and predictable processing and review of land use permit applications in conformance with applicable federal and state legal and regulatory requirements.

Response: *The application has been prepared and filed in compliance with City regulations that are in place to facilitate a fair and open hearing process and provide the public with adequate notice.*

Natural Environment NE Goal 1: Promote the protection, conservation, and restoration of natural areas, shorelines, and critical areas as unique assets to the community, and provide public access for enjoyment of such facilities based on the ability of the resource to support the use.

Policy 1: Use the critical areas ordinance, SMP, the state environmental policy act (SEPA), and other ordinances, as applicable, to designate and protect the critical areas and natural environment.

Policy 2: Consider the goals and policies of the SMP as part of this Comprehensive Plan. Encourage development of water-oriented recreational, cultural, and commercial facilities in certain Columbia River locations, consistent with the SMP and its criteria of no net loss of ecological functions, to enhance and diversify Richland's community recreational resources and its attractiveness to tourists.

Policy 3: Ensure public access to shorelines on public land, subject to regulations protecting public safety, sensitive habitat areas, and wildlife.

Policy 4: Encourage the public and/or private acquisition of the prominent ridges in the south Richland area to preserve views, protect shrub- steppe habitat, and to provide public access. Consider the preservation of the ridges and hillside areas through various standards.

Policy 5: Develop an integrated pedestrian trail system to provide access through the City's important natural features, such as prominent ridges and rivershore areas and provide necessary trail linkages between these natural features.

Response: *Shoreline policies do not apply to the site based on its location which is well removed from any rivershore area. Neither does this site include prominent ridges, shrub-steppe habitat, sensitive habitat areas or wildlife.*

Historic and Cultural Resources HP Goal 1: Preserve significant historic structures, districts, and cultural resources that are unique to Richland.

Policy 1: Encourage preservation and promotion of adaptive reuse of historic "Alphabet Homes" of Richland.

Policy 2: Coordinate with local tribes, federal, state and local agencies to protect historic and cultural resources.

Response: *There are no structures on site and no known historic or cultural resources are present.*

UD Goal 1: Create a physically attractive and culturally vibrant, pedestrian- and bicycle-friendly environment in the City.

Policy 1: Establish and enhance the positive attributes of residential, commercial, central business, and other districts with appropriate transition between them.

Policy 2: Encourage redevelopment and upgrade of suitable commercial areas.

Policy 3: Improve streetscape and connectivity for safe and pedestrian-friendly environments.

Policy 4: Promote public arts, museums, and interpretive centers in coordination with public plazas and community spaces that reflect the unique history and culture of Richland.

Response: *Recent improvements to the Duportail Street corridor have resulted in sidewalks and bicycle lanes along the corridor, making this site and the surrounding neighborhood pedestrian and bicycle friendly.*

UD Goal 2: Revitalize commercial areas, such as areas in the Central Business District including the Uptown retail area and the Island View area.

Policy 1: Enhance the appearance, image, and design character of the Central Business District.

Policy 2: Ensure adequate public transit, bicycle, and pedestrian access in the commercial centers along with parking and landscaping.

Policy 3: Enhance the welcoming experience into the community through well- designed gateway features in prominent locations.

Policy 4: Design the public realm, including streetscapes, parks, plazas, and civic amenities for the community to gather and interact.

Policy 5: Provide continuity among adjacent uses by using cohesive landscaping, decorative paving, street furniture, public art, and integrated infrastructure elements.

Response: *The site is located within a planned and/or existing commercial areas and so this Urban Design goal is not directly applicable to this proposed plan amendment.*

UD Goal 3: Development through appropriate design, should protect natural features such as rivers, shorelines, ridgelines, steep slopes, and archaeological and historical resources.

Policy 1: Development should be sensitive to existing topography and landscape, and should minimize environmental impacts.

Policy 2: Hillside development should, as much as practical, blend with the natural shape and texture of the land.

Policy 3: Lighting should be designed so as to promote public safety as well as promote "Dark Sky" principals.

Response: *The site of the proposed plan amendment does not contain shorelines, steep slopes or ridgelines and there are no known archeological or historical resources on site. Therefore, this Urban Design goal is not directly applicable to this proposed plan amendment.*

UD Goal 4: Promote community beautification by enhancing public spaces and thoroughfares and encouraging private property beautification.

Policy 1: Improve the appearance of all city- owned space and major thoroughfares.

Policy 2: Promote programs to improve landscaping. Encourage xeriscaping and use of native plants.

Policy 3: Promote more attractive signage throughout the City, especially in commercial districts.

Response: *Beautification of the site will consist of residential landscaping typical of residential development.*

HE Goal 1: Provide a range of housing densities, sizes, and types for all income and age groups of the Richland community.

Policy 1: Ensure that the comprehensive plan and development regulations allow for a variety of housing types, sizes, densities, and lot configurations such as small lot single family housing, multi-family housing, mixed-use development, cluster development, live/work housing, cohousing, accessory dwelling units, single room occupancy units, zero lot line and similar subdivisions, and planned unit developments.

Policy 2: Encourage mixed-use developments with apartments and condominiums above commercial uses in the City's urban core. Where redevelopment or infill opportunities arise, allow for increased housing density in residential-designated areas that immediately surround the CBD, while respecting the character and scale of the existing neighborhood.

Policy 3: Support the development of senior housing and long-term care/assisted living facilities in the City in close proximity to commercial uses and medical services and facilities.

Policy 4: Promote and provide incentives (such as zoning/rezoning, revised regulations, and provision of infrastructure) for infill development and redevelopment, while respecting the character and scale of the existing neighborhood.

Policy 5: Allow and regulate manufactured homes in the same way as site-built homes.

Policy 6: Plan for an adequate supply of land in appropriate land use designations and zoning categories to accommodate projected household growth, while accommodating other commercial, industrial, and open space needs of the City.

Response: *The proposal would provide for a housing type (townhomes) that are not widely available city-wide. It is an infill development project and so should be promoted and incentivized according to policy 3. It is located close to commercial services and so would be a good location for higher density housing and so is consistent with this housing goal.*

HE Goal 2: Improve affordable housing opportunities for lower-income individuals, households, and first time homebuyers.

Policy 1: Expand the supply of affordable units by promoting owner- and renter-occupied housing throughout the City, consistent with Comprehensive Plan.

Policy 2: Promote the use of mixed-income housing developments and mixed-use developments that provide both affordable housing and economic opportunities throughout the City consistent with Comprehensive Plan.

Policy 3: Sustain or improve the quality of existing affordable housing stock by encouraging rehabilitation of housing units by current owners.

Response: *The proposal would provide up to six owner occupied affordable townhome style housing units at a time when housing costs are skyrocketing and so is consistent with this goal.*

HE Goal 3: Implement the current version of the Tri-Cities Consolidated Plan.

Policy 1: Provide assistance to lower-income households that participate in local improvement districts for infrastructure projects. Assistance may be limited to selected neighborhoods or to the neediest households based upon a percentage of median income and fund availability.

Policy 2: Assist infrastructure activities that revitalize and stabilize older or declining neighborhoods or areas in which the majority of households are lower-income.

Policy 3: Improve access for persons with disabilities and the elderly by improving streets and sidewalk systems.

Response: *While the proposal would provide for affordable middle-income housing, it would not provide low income housing and so does not directly address the intent of this goal.*

HE Goal 4: Encourage the maintenance and preservation of existing housing stock and residential neighborhoods.

Policy 1: Encourage reinvestment in older residential neighborhoods and support the revitalization of such neighborhoods by keeping the streets and other municipal systems in good repair. a) Encourage the formation of local improvement districts.

Policy 2: Implement the City's affordable housing and weatherization programs. a) Continue to participate in the TriCities HOME Consortium. b) Continue to utilize federal Community Development Block Grant and HOME funds for housing rehabilitation and first-time homebuyer opportunities.

Policy 3: Continue to allow accessory dwelling units in single-family residential districts.

Policy 4: Accommodate non-profit and public agencies' efforts to purchase, construct, and rehabilitate housing to meet the affordable and other housing needs of the community.

Policy 5: Strive to increase the rate of owner occupancy over time through City's assistance programs.

Policy 6: Maintain a strong code enforcement program.

Policy 7: Update and implement the Island View Master Plan to include mixed-use housing and multi-family residential rehabilitation and construction.

Policy 8: Encourage the use of the City's Crime Prevention Through Environmental Design (CPTED) program in developments.

Policy 9: Continue to participate in the City Police Department's Crime Resistant Community Living (CRCL) Program, which provides free training for property owners and landlords to help provide safe, crime-resistant communities for all residents.

Response: *The proposal would help to create additional owner-occupied affordable housing units and so would be consistent with the intent of meeting affordable housing needs as mentioned in policy 4 and increasing the rate of owner-occupied housing as mentioned in policy 5.*

TIM BUSH – COMPREHENSIVE PLAN AMENDMENT – DUPORTAIL/THAYER PROPERTY SUPPLEMENTAL INFORMATION

The following is a summary of the information required in the comprehensive plan amendment application form. (Item #1 is the application form itself.)

2. Purpose of the Proposed Plan Amendment:

The purpose of this proposed plan amendment is to create an opportunity for affordable housing in a location that is close to commercial services, parks and schools. The project would provide for up to 6 owner occupied townhome units that would be located on individual lots.

3. Consistency with the Growth Management Act:

One of the goals of the Growth Management Act (36.70A.020) is to: *“Encourage the availability of affordable housing to all economic segments of the population of this state, promote a variety of residential densities and housing types, and encourage preservation of existing housing stock.”*

This proposed application would help to meet this goal by providing a parcel of property that could accommodate some higher density, affordable townhome infill development.

4. Consistency with Countywide Planning Policies:

Policy 15 of the Countywide Planning Policies speaks to providing housing for all economic segments of the population. It encourages cities to create conditions necessary for the construction of affordable housing at appropriate densities. This project represents an infill development opportunity that would provide for owner-occupied affordable housing.

5. Furthers the Purpose of the City’s Comprehensive Plan

Goal 2 of the City’s Housing Element along with policies 1 & 2 specifically address housing by stating: *“Improve affordable housing opportunities for lower-income individuals, households, and first time homebuyers.”*

Policy 1: *Expand the supply of affordable units by promoting owner- and renter-occupied housing throughout the City, consistent with Comprehensive Plan.*

Policy 2: *Promote the use of mixed-income housing developments and mixed-use developments that provide both affordable housing and economic opportunities throughout the City consistent with Comprehensive Plan.*

This application would help to implement this housing goal by providing additional affordable owner occupied housing units in an area that is well located in terms of its proximity to commercial services, schools and parks.

6. Internal Consistency with the Comprehensive Plan

The application is consistent with the goals of the Growth Management Act for affordable housing and would help to implement housing goals contained in both the Countywide Planning Policies and the City's Comprehensive Plan. Specifically, approval of the proposed amendment would help to increase housing choices in the City of Richland. It would provide for townhome development, a type of owner-occupied housing that is very limited at present within the City. It would be located immediately adjacent to a permitted townhome development and would be adjacent to churches and a minor arterial road. All of these factors demonstrate that the proposal would be consistent with the City's Comprehensive Plan.

7. Concurrency Requirements for Transportation

Once approved, the property owner will file for a rezone of the property to implement R-3 Multiple Family Housing on the property, which would allow for a maximum of 6 townhome units on the property. A subdivision of the property would also be required prior to development of the site. During this process, the City's traffic mitigation ordinance would be applied to the property and mitigation fees would be required. Specific mitigation measures and fees would be determined at the time a specific development application is brought forward.

8. Environmental/Critical Areas Review

An environmental checklist has been prepared for this application. There are no known critical areas located on-site.

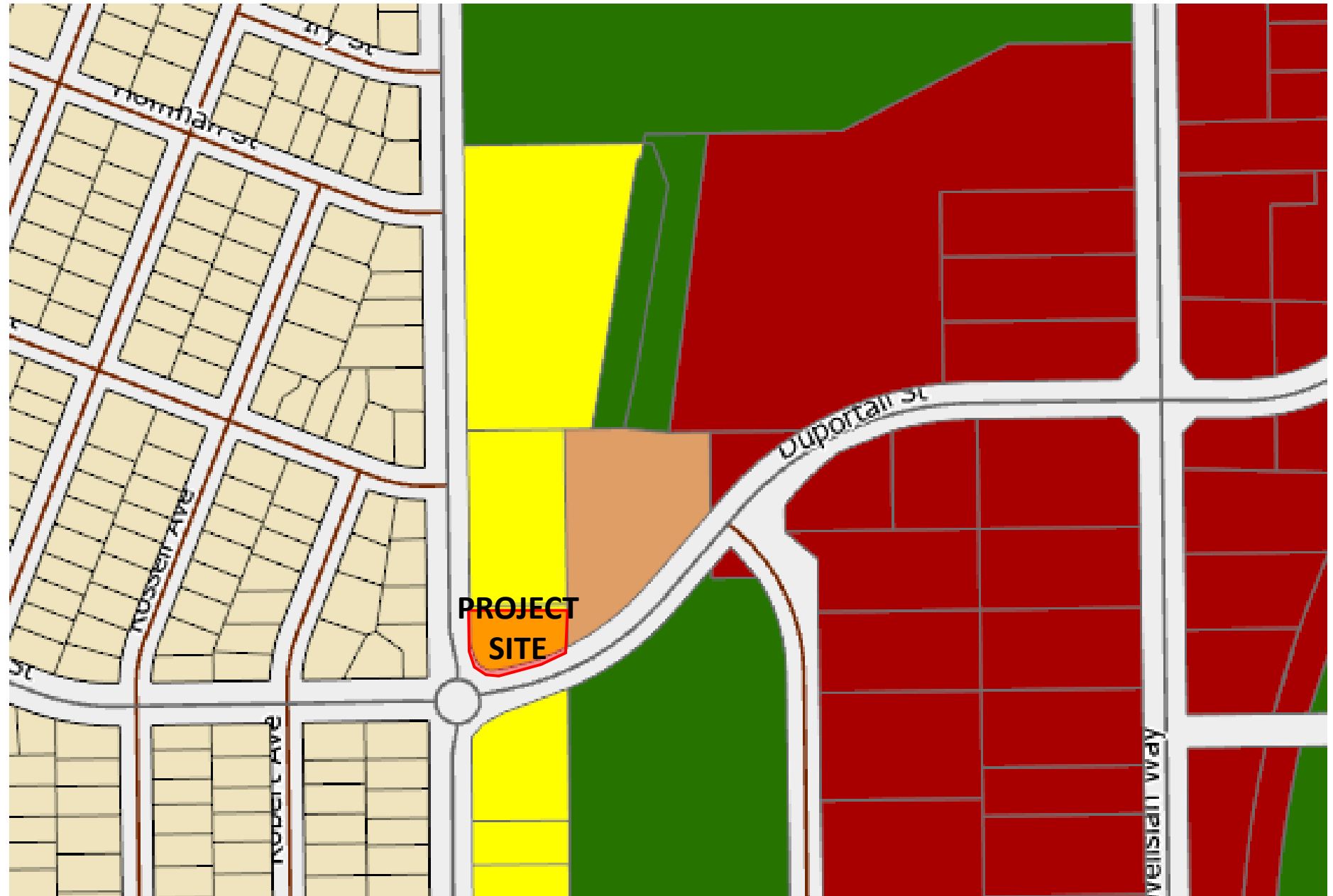
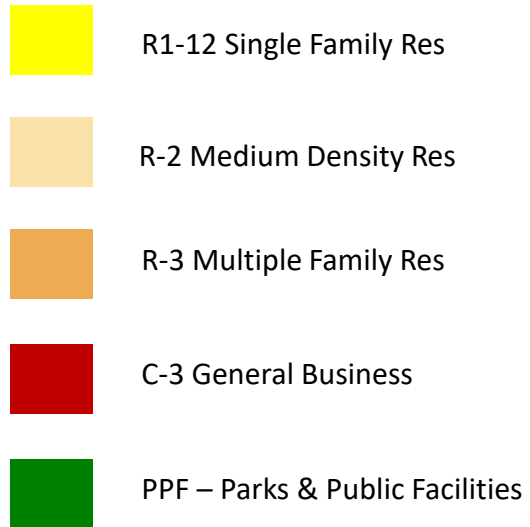
BUSH DUPERTAIL/THAYER COMPREHENSIVE PLAN AMENDMENT

1. Vicinity Map



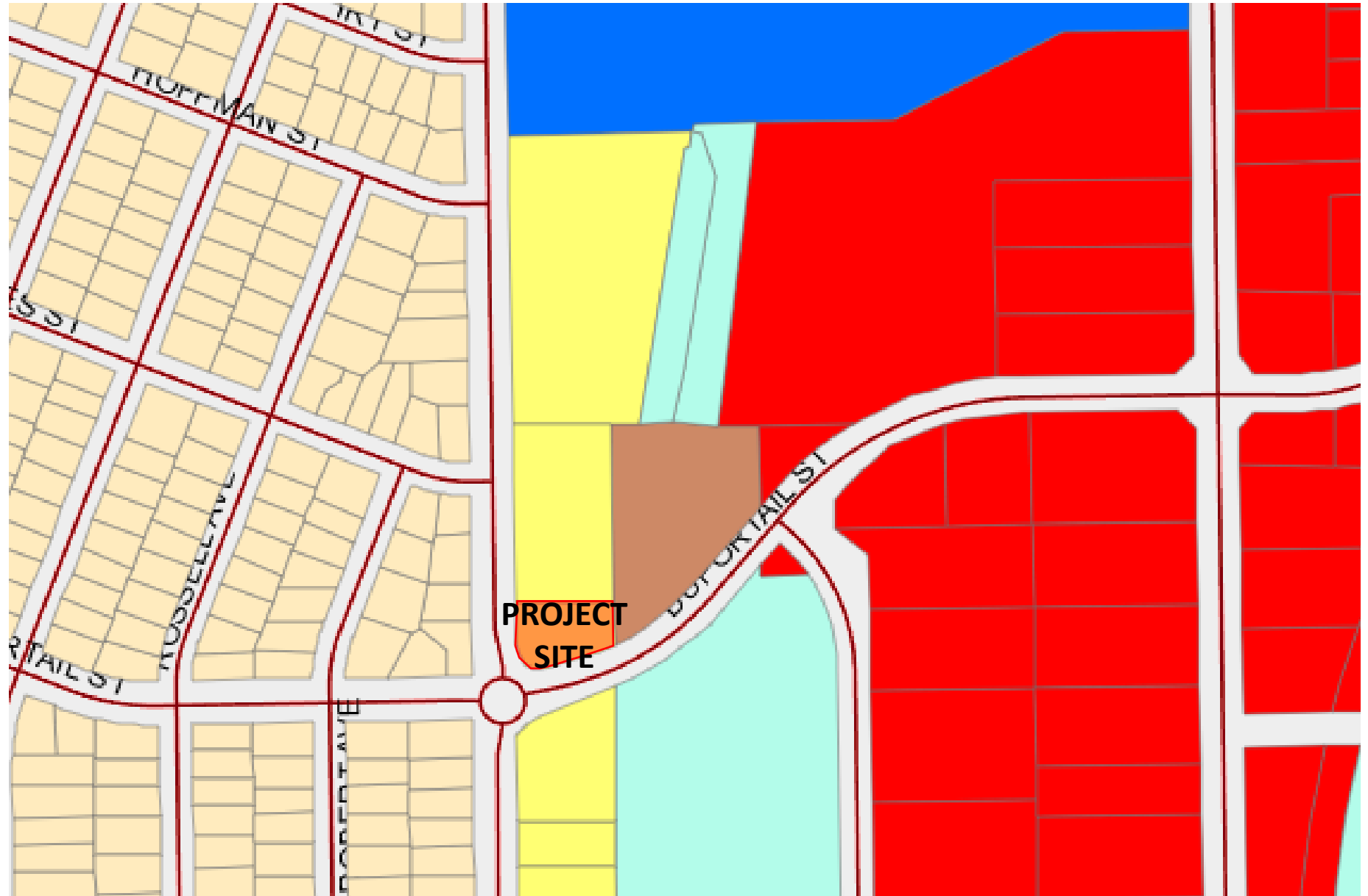
BUSH DUPERTAIL/THAYER COMPREHENSIVE PLAN AMENDMENT

2. Existing Zoning



BUSH DUPERTAIL/THAYER COMPREHENSIVE PLAN AMENDMENT

3. Comprehensive Land Use Plan



BUSH DUPERTAIL/THAYER COMPREHENSIVE PLAN AMENDMENT

4. Topographical Map



BUSH DUPERTAIL/THAYER COMPREHENSIVE PLAN AMENDMENT

5. Existing Land Use

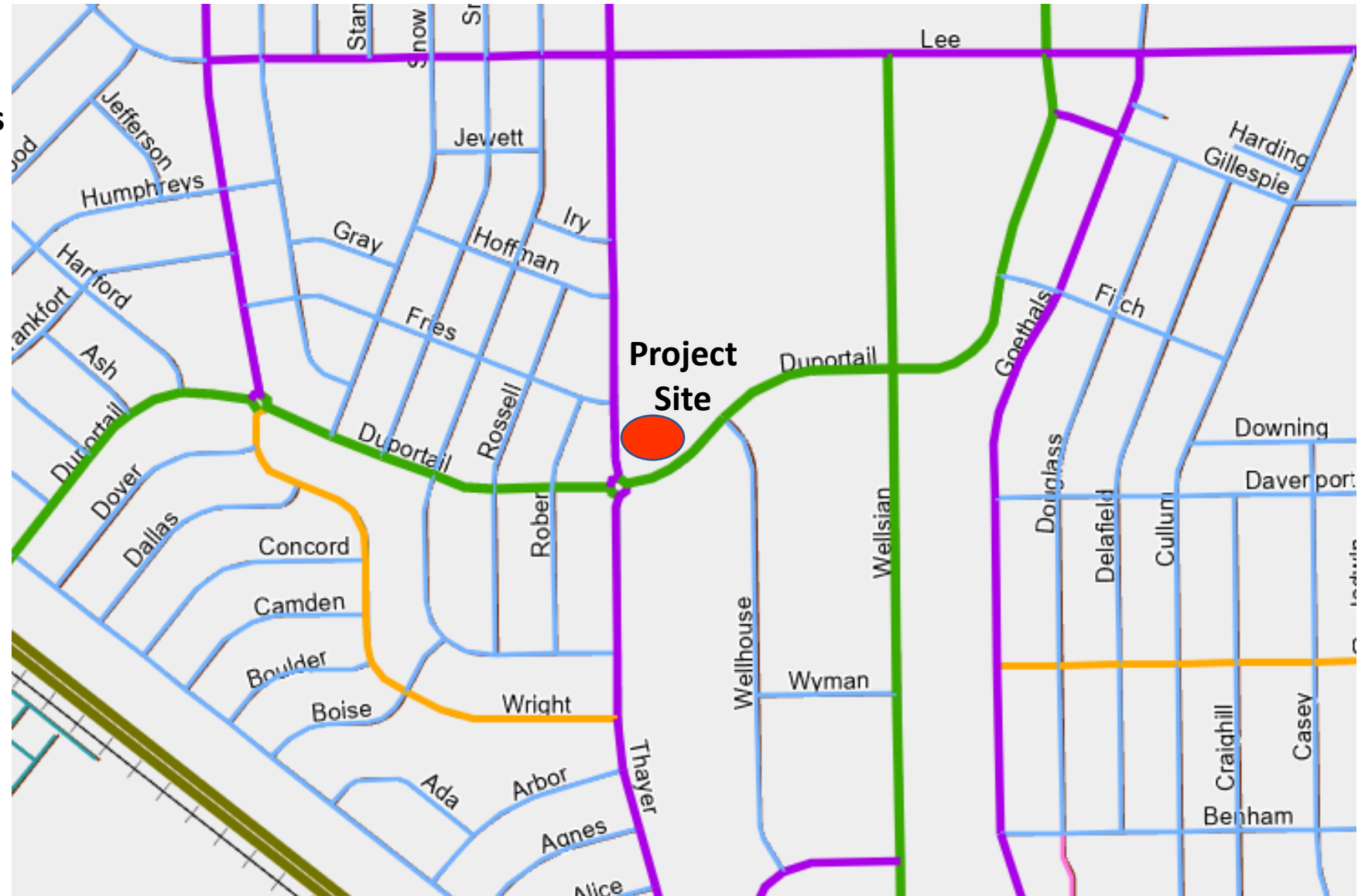
- Single Family Residential
- Church
- Natural Open Space
- High School Fields
- Heavy Commercial
- Multiple Family Residential (under permit)
- Vacant



BUSH DUPERTAIL/THAYER COMPREHENSIVE PLAN AMENDMENT

6. Functional Street Classifications

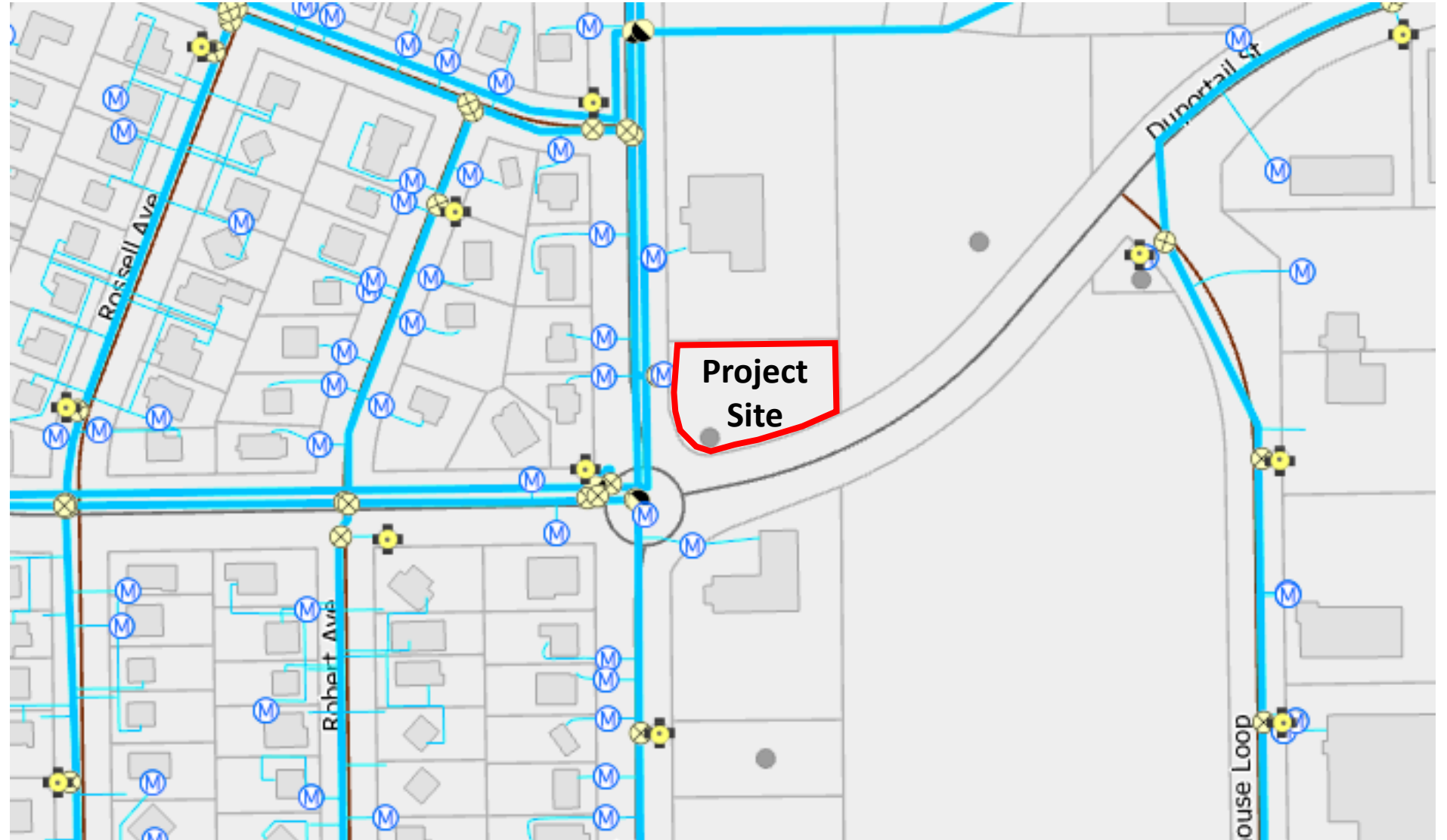
- Minor Arterial
- Major Collector
- Minor Collector



BUSH DUPERTAIL/THAYER COMPREHENSIVE PLAN AMENDMENT

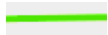
7. Water System

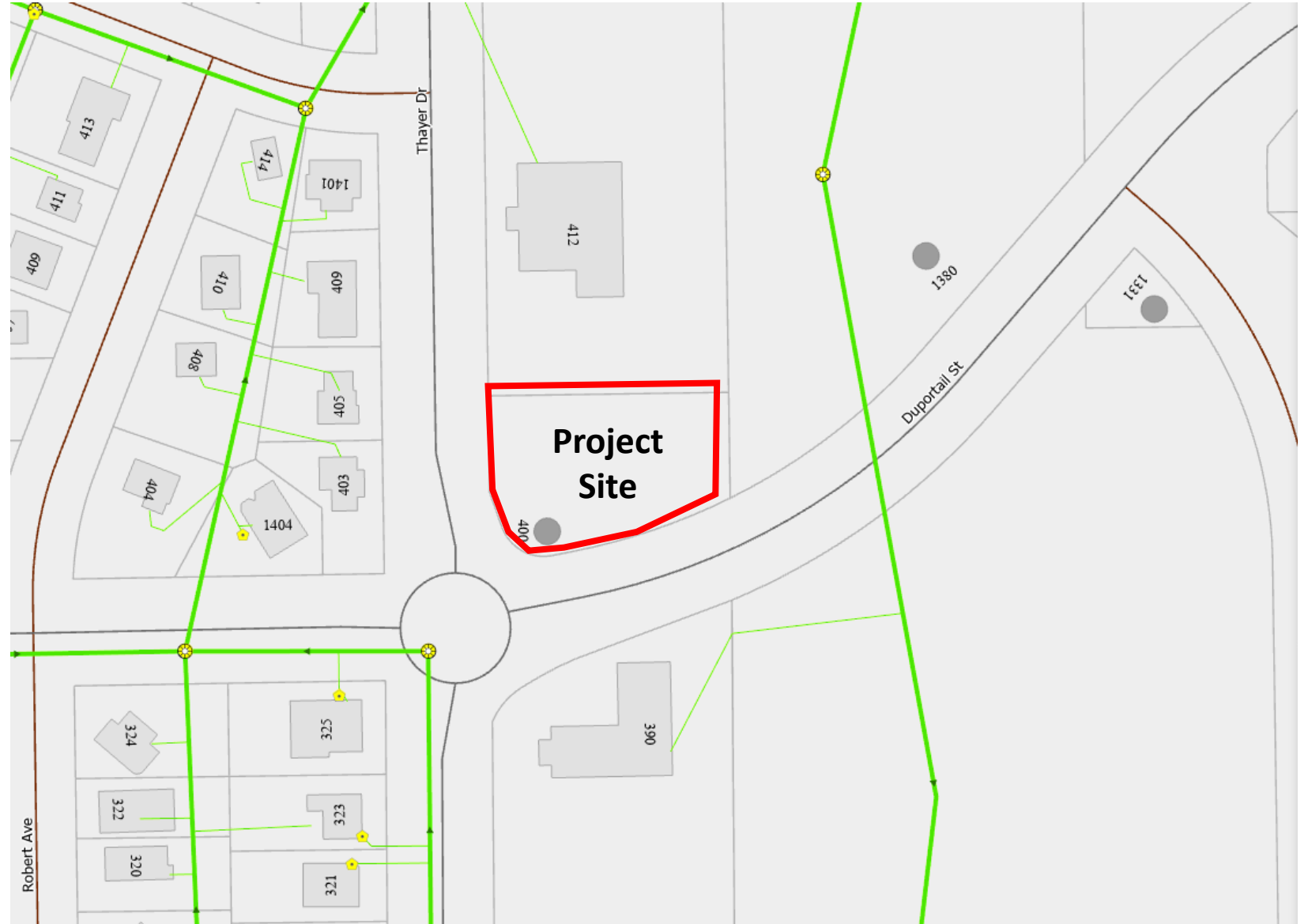
- Water Main
- Meter
- Hydrant



BUSH DUPERTAIL/THAYER COMPREHENSIVE PLAN AMENDMENT

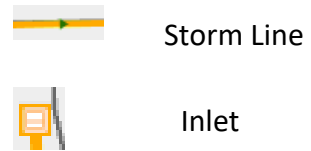
8. Sewer System

-  Main
-  Manhole



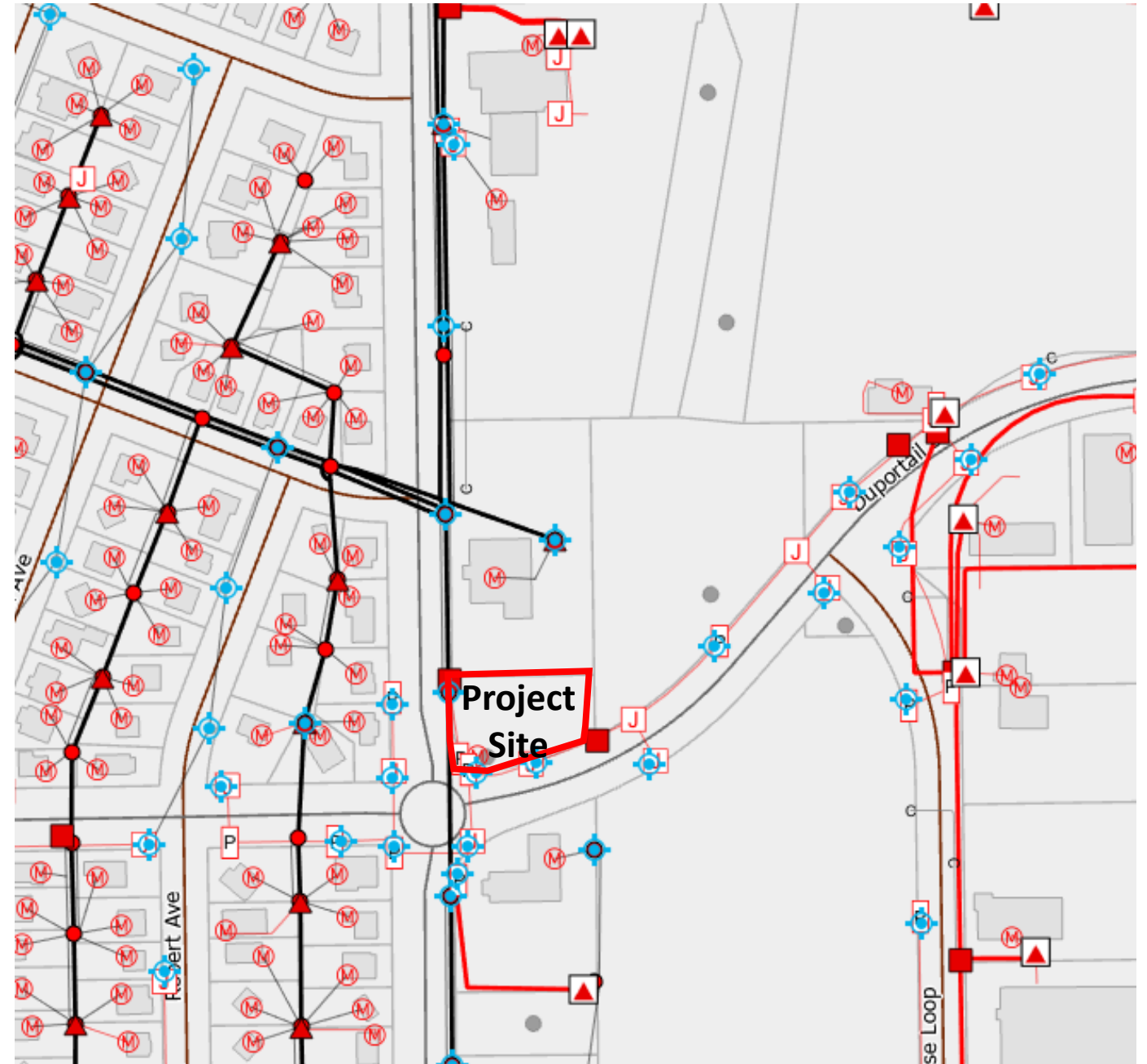
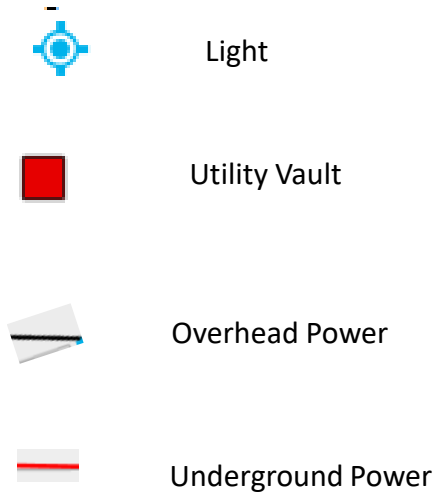
BUSH DUPERTAIL/THAYER COMPREHENSIVE PLAN AMENDMENT

9. Storm Drainage System



BUSH DUPERTAIL/THAYER COMPREHENSIVE PLAN AMENDMENT

10. Electrical System



Bush Comprehensive Plan Amendment – Duportail/Thayer Property

Statement in Support of

2021 Comprehensive Plan Amendment Application

This statement is prepared in response to the City's comprehensive plan amendment application form which calls for written statements to justify the requested plan amendment. The items listed below follow the numbered items found on the application form. (Item 1 is the application form itself):

2. Purpose of the Proposed Amendment:

The comprehensive plan amendment consists of changing an approximately .44-acre site from its current Low Density Residential land use designation to a High-Density Residential land use designation on property located at the northeast corner of the intersection of Duportail Street and Thayer Drive. If approved, a zone change application would rezone the same parcel from R1-12 Single Family Residential to R-3 Multiple Family Residential. The intent of these changes is to develop the site with a maximum of 6 townhome, owner-occupied affordable housing units.

This application for a comprehensive plan amendment is submitted Tim Bush to add to the City's affordable housing stock, similar to the townhome project that is currently in the development process on the site that is immediately east of and adjacent to the subject property. The townhome concept is an efficient use of land, allowing for a higher density housing while still providing for individual lot ownership and owner-occupied dwellings. Mr. Bush is not interested in apartment construction.

The site represents a good opportunity for infill development. As supported in the City's comprehensive plan policies, infill is an efficient way to add to the City's housing stock, taking advantage of the existing street and utility networks that are already in place, as well as the community services that are available nearby to serve the future residents. While it provides for only a small number of additional housing units, the proposal would help the City to meet its population targets without the need to expand urban growth boundaries.

The site is located at the intersection of a minor arterial street (Duportail) and a major collector street (Thayer Drive). Typically, development along street corridors such as these include more intensive forms of development than single family homes. For example:

- The intersection of Wright Avenue (collector) and Duportail (arterial) includes both neighborhood commercial and multi-family residential uses;
- The intersection of Van Giesen (arterial) and McMurray (collector) includes a neighborhood shopping center;
- The intersection of McMurray (collector) and Jadwin (arterial) includes multi-family residential and commercial land uses;
- The intersection of Jadwin (arterial) and McMurray (collector) includes multi-family residential uses.

This proposal would provide for higher density development on only one leg of the intersection on a small parcel of property, so the intensity of development would be much less than in the examples listed above.

The extension of Duportail Street, which now extends from the City's downtown area across the Yakima River to the Queensgate shopping district represents a changed condition that strongly supports the proposed plan amendment. Prior to the Duportail extension, the site was not directly connected to the commercial uses along Wellsian Way and Duportail functioned as a local street. The change in traffic patterns justifies more intensive land use along this corridor.

The site is well located for additional residential development, being in relatively close proximity to commercial services located along the Wellsian Way corridor, with natural open land located immediately east of the site, Richland High School and Carmichael Middle School located a short distance north on Thayer Drive and several churches located both north and south along Thayer Drive. The site is also immediately adjacent to an existing bus route. All of these factors make the site well suited to townhome development.

The site is located immediately adjacent to a Multi-family residential zone and a townhome project is currently going through the permitting process, with construction anticipated to begin later this year. So the proposed plan amendment is simply a minor extension of the land use that has already been established in the vicinity. Additionally, the site is bounded by churches both to the immediate north and south. Single family uses (R-2 zoning) is located to the west, across Thayer Drive, which forms a logical transition between the lower and higher density residential uses.

The townhome concept provides for higher density housing while still providing for owner-occupied affordable housing. It uses land more efficiently and so results in lower land costs per unit. Further, it takes advantage of existing networks of streets and city services, which reduces development costs. Shared walls reduce building construction costs and smaller lots reduce home maintenance costs. The limited number of townhome development sites throughout the city limit opportunities for families that are seeking affordable housing.

Finally, the goals and policies contained within the comprehensive plan support the conversion of this property from single family to multi-family use. Policies regarding infill development, affordable housing, provision for a variety of housing types and encouraging higher density housing in proximity to the downtown core all support the proposed comprehensive plan amendment.

3. Describe how the amendment is consistent with the goals of the Washington State Growth Management Act

Refer to Attachment A – GMA Planning Goals

4. Describe how the amendment is consistent with the adopted countywide planning policies

Refer to Attachment B – Consistency with Countywide Planning Policies

5. Describe how the amendment furthers the purpose of the City's comprehensive plan

Refer to Attachment C – Consistency with City Plan

6. Describe how the amendment is internally consistent with the City's comprehensive plan as well as other adopted city plans and codes:

Attachments A through C all describe how this application is consistent with the goals of the Growth Management Act, the Countywide Planning Policies and the goals of the City's Comprehensive Plan. We believe the proposal to be entirely consistent with these documents. In fact, the application would help to implement the goals of the plan in several areas, including:

- The expansion of affordable housing opportunities (Housing Goal #2);
- The expansion of the supply of owner-occupied housing units throughout the City (Housing Goal #2);
- The facilitation of infill developments (Land Use Goal #1);
- Land use designations that take advantage of existing infrastructure networks (Land Use Goal #2);
- Provision of higher residential densities near commercial areas (Land Use Goal #3);
- Provision of connectivity between residential neighborhoods with other uses and provision for pedestrian and bicycle circulation (Land Use Goal #5);
- Provision for infill development in a location close to commercial services and public facilities (Land Use Goal #6);
- Provision for residential development that is efficiently located near public facilities, transit routes, schools, parks and other public uses (Land Use Goal #7); and
- Provision for a range of housing densities and types (Housing Goal #1).

7. If applicable, how the project will meet concurrency requirements for transportation

Concurrency requirements will need to be addressed in detail when a specific development plan is brought forward for the proposal. That is part of the City's requirement for reviewing development proposals (See RMC 19.650.010(C)). However, given the size of the site and the lot size requirements for townhomes in the R-3 zone, six townhome units would be the maximum allowed number of units under the proposed zoning, an increase in five units over the existing R-1-12 zoning.

Potential Traffic Generation under Existing & Proposed Zoning

Existing Zoning	Maximum Density	Total Acres	Potential Dwelling Units	Total Daily Trips*
R1-12	12,000 sq. ft. SF lots	.44	1	8
R-3	1 townhome unit/ 3,000 sq. ft.	.44	6	49

*From Institute of Traffic Generation: Single Family = 8.2 ADT;

8. Supplemental environmental review and/or critical areas review

The application included a completed environmental checklist, which is attached.

9. Comprehensive Plan Text Amendment

This application does not contemplate any changes to the text of the plan.

10. Comprehensive Plan Map Amendment

The following maps are included in the application:

1. Vicinity Map
2. Existing Zoning Map
3. Comprehensive Plan Land Use Map
4. Topographical Map
5. Existing Land Use Map
6. Functional Street Classification Map
7. Water System Map
8. Sewer System Map
9. Storm Drainage System Map
10. Electrical System Map



Zoning Map Amendment Application

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

PROPERTY OWNER INFORMATION

☐ Contact Person

Owner: Richland Heights Baptist Church

Address: 390 Thayer Drive, Richland, WA 99352

Phone: 509-943-0730

Email:

APPLICANT/CONTRACTOR INFORMATION (if different)

☒ Contact Person

Company:

UBI#:

Contact: Tim Bush

Address: 320 West Columbia Drive, Kennewick, WA 99336

Phone: 509-947-7902

Email: Tim@BushCarWash.com

DESCRIPTION OF WORK

The proposal is for the construction of up to 6 townhomes on a .44 acre site located at the northeast corner of the intersection of Thayer Drive and Duportail Street.

PROPERTY INFORMATION

Parcel #: 115981020400007

Legal Description: That portion of the Plat of Richland of Block 400 Lot 7, except road Right-of-Way (Description

Current Zoning: R-1-12

Current Comp Plan: Low Density

Requested Zoning: R-3

Current Use: vacant

Proposed Use: townhomes

Area of Property: .44 acres

APPLICATION MUST INCLUDE

1. Completed application and filing fee
2. Title Report showing ownership, easements, restrictions, and accurate legal description of the property involved
3. Other information as determined by the Administrator

ANSWER THE FOLLOWING AS COMPLETELY AS POSSIBLE

The unique characteristics, if any, of the property or circumstances of the owner:

The site is especially well suited for multi-family housing. It is located at the intersection of a major collector (Thayer) and a minor arterial street (Duportail). It is located close to commercial services, park land, schools and is on a bus route. It is immediately adjacent to a multi-family housing project.

Any hardship that may result in the event the rezone is not granted:

This site served as a parking area for the adjacent Baptist Church until Duportail Street was extended across the site, effectively isolating the church from this site. With the conversion of Duportail to a minor arterial and the increased traffic that it now carries, it is not a desirable location for a single-family residence, which is the primary use allowed under the existing zoning. Denial of the rezone would prevent reasonable use of the property.

The manner in which the proposed rezone conforms to patterns in adjacent zones: The site is immediately adjacent to and west of an R-3 zoned property that is under development as a townhome project by the applicant. This site is also be developed with townhomes. Commercial uses and park lands are located further east of the site. Properties to the north and south have been developed with churches. Single family residential uses are located to the west across Thayer Drive. The proposed use makes a logical transition between the lower intensity uses to the west and the higher intensity uses to the east.
Any beneficial or adverse effects the granting or denial of the rezone would have on adjacent or surrounding zones: Denial of the rezone would prohibit the landowner from putting the property to a reasonable use and leave the site vacant and prone to accumulation of weeds and/or debris.
Any beneficial or adverse effects the granting or denial of the rezone would have in relation to the overall purpose and intent of the comprehensive plan and this title: The rezone would help to implement the City's Comprehensive Plan through the construction of affordable housing units; provide for the efficient use of existing city networks and services that occur with infill development projects and provide an economic benefit to the commercial service businesses along Wellsian Way that would result from additional residents locating within the neighborhood.
The benefits or detriments accruing to the City which would result from the granting or denial of this special permit: The City would benefit from the rezone through the increased property tax revenues derived from a townhome development. City utility services, streets and services are already in place to serve the surrounding neighborhood and could efficiently be provided to the future residents of the townhome development.
Whether the proposed rezone represents a better use of the land from the standpoint of the comprehensive plan than the original zone: The rezone would be a better use of the site because it implements several comprehensive plan policies: it provides affordable housing; it provides for a housing type that is not readily available within the City; it represents infill development which the City encourages; and it would make efficient use of City infrastructure and services.
Whether the proposed rezone represents spot zoning and whether a larger area should be considered: The proposed rezone is not spot zoning because the property immediately adjacent to and east of the site already carries the R-3 zoning that is requested here. Further, the recent extension of Duportail Street changes the character of the area by providing direct access to commercial services to the east that was not there before and introducing higher traffic volumes to the neighborhood, which justify a more intensive land use for this site.
Identify impacts on the environment and public safety: Impacts to the environment have been detailed in the environmental checklist that was prepared for this project. In regard to public services, the project would not require the extension of streets or utility mains. It is located in an existing neighborhood where full City services, including emergency services, are already provided.

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

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

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

1. I have read and examined this permit application and have documented all applicable requirements on the site plan.
2. The information provided in this application contains no misstatement of fact.
3. I am the owner(s), the authorized agent(s) of the owner(s) of the above referenced property, or I am currently a licensed contractor or specialty contractor under Chapter 18.27 RCW or I am exempt from the requirements of Chapter 18.27 RCW.
4. I understand this permit is subject to all other local, state, and federal regulations.

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

Applicant Printed Name: Tim Bush

Applicant Signature:  (Rick Simon for Tim Bush) Date March 04, 2021



Pre-Application Conference Waiver

PROPERTY OWNER INFORMATION		☐ Contact Person
Owner: Richland Heights Baptist Church		
Address: 390 Thayer Dr, Richland WA 99352		
Phone: 509-943-0730	Email:	

APPLICANT/CONTRACTOR INFORMATION (if different)		☒ Contact Person
Company:	UBI#	
Contact: Tim Bush		
Address: 320 W Columbia Dr, Kennewick WA 99336		
Phone: 509-947-7902	Email: Tim@BushCarWash.com	

PROPERTY INFORMATION
Parcel #: 115981020400007
Legal Description: Ptn Plat of Richland, Block 400, Lot 7, Line N of Duportail ROW

TYPE II APPLICATIONS	TYPE III APPLICATION
☐ Flood Plain Variance	☐ Non-residential Shoreline Substantial Development
☐ Critical Areas & Resource Lands Variance/Viable Use	☐ Residential Shoreline Substantial Development
☐ Binding Site Plan	☐ Shoreline Variance/Conditional Use
☐ Administrative Variance	☐ Conditional Use
☐	☐ Subdivision
☐	☒ Rezone (site specific) from R-1-12 to R-3
☐	☐ Vacation/Alteration of a Subdivision
☐	☐ Variance
☐ Other:	

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

Applicant Printed Name: Tim Bush

Applicant Signature:  (Rick Simon for Tim Bush) Date March 8, 2021



TitleOne: Kennewick

Authorized Agent for:

Fidelity National Title Insurance Company

File Number: 20396812

Contact Information

We would like to thank you for your business and we appreciate the opportunity to serve you. The title commitment has been sent to the parties listed below.

If you have any closing questions, please contact your Escrow team:

Alaina Brainerd	Micah Sanford
Alaina.Brainerd@titleonecorp.com	msanford@titleonecorp.com
(509) 783-2101	(509) 783-2101

TitleOne State License: WAOIC# 1047305

If you have any title questions, please contact your Title Officer:

Jose Vidaurri	TitleOne: Kennewick Address:
jose.vidaurri@titleonecorp.com	1919 N. Pittsburgh Street, Suite A
(509) 783-2101	Kennewick, WA 99336

Agents / Brokers and Transaction Coordinators

FSBO
FSBO

FSBO
FSBO



Fidelity National Title Insurance Company

Transaction Identification Data for reference only:

Issuing Office: TitleOne
 ALTA® Universal ID: 1065022
 Commitment Number: 20396812

SCHEDULE A

1. **Commitment Date:** December 29, 2020 at 07:30 AM

2. **Policy or Policies to be issued:**

X ALTA Homeowners Policy (12/2/13)	Standard Coverage	Policy Amount:	\$70,000.00
Proposed Insured:		Premium:	\$491.00
		Tax:	\$42.23
Timothy T. Bush and Kathryn L. Bush, as Trustees of the Bush Living Trust			
Endorsements:	None Requested	Charge:	\$0.00

3. **The estate or interest in the land described or referred to in this Commitment is:**

Fee Simple

4. **Title to the estate or interest in the Land is at the Commitment Date vested in:**

Richland Heights Baptist Church, Richland, Washington, a religious corporation

5. **The Land described as follows:**

See Attached Schedule C

Fidelity National Title Insurance Company

TitleOne

By:

Jose Vidaurri, Authorized Signatory

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27C165B

ALTA Commitment for Title Insurance 8-1-16

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SCHEDULE B, PART I Requirements

All of the following Requirements must be met:

1. The Proposed Insured must notify the Company in writing of the name of any party not referred to in this Commitment who will obtain an interest in the Land or who will make a loan on the Land. The Company may then make additional Requirements or Exceptions.
2. Pay the agreed amount for the estate or interest to be insured.
3. Pay the premiums, fees, and charges for the Policy to the Company.
4. Documents satisfactory to the Company that convey the Title or create the Mortgage to be insured, or both, must be properly authorized, executed, delivered, and recorded in the Public Records.
5. Necessary conveyance to the proposed insured.
6. Instruments creating the estate or interest or mortgage to be insured must be properly executed, delivered and duly filed of record.

Pursuant to RCW's 65.04.45 & 65.04.47, the first page of each document must have a 3-inch top margin and a 1-inch side and bottom margins. All succeeding pages must have a 1-inch margin on all sides of each page. No writing, including notary stamp is allowed within said margins. Documents not conforming to these requirements may be recorded for an additional recording fee of \$51.00, per document or may result in a rejection by the recording department, pursuant to RCW 65.04.

The standard per page recording charge is \$103.50, for the first page and \$1.00, for each additional page including the cover sheets for all transfer deeds. A \$104.50, recording fee is for the first page for all Deeds of Trust and \$1.00, for each additional page.

Reference should be made to the County Auditor for a complete list of recording fees and requirements.

7. The map attached, if any, may or may not be a survey of the land depicted hereon. TitleOne expressly disclaims any liability for loss or damage which may result from reliance on this map except to the extent coverage for such loss or damage is expressly provided by the terms and provisions of the title insurance policy, if any, to which this map is attached.

8. Note: In the event this transaction fails to close, or this commitment is cancelled, a cancellation fee will be charged to comply with the State of Washington Department of Insurance regulations.

9. NOTE: According to the available records, the purported address of said land is:

390 Thayer Dr, Richland, WA 99352

10. The description can be abbreviated as suggested below if necessary to meet standardization requirements. The full text of the description must appear in the document(s) to be insured.

Abbreviated Legal: Ptn. Lot 7, Block 400, Plat of Richland

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ALTA Commitment for Title Insurance 8-1-16

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11. Paid miscellaneous assessments levied by the county for the year 2020, in the amount of \$8.57. Affects: Subject property and other lands.

12. The County Treasurer's office records indicate that the subject property was EXEMPT from taxes for 2020. If subject property is sold and no longer qualifies for the current exemption then the county might impose property taxes. Affects: Subject property and other lands; Parcel Number: 1-1598-102-0400-007

13. A copy of the Bush Living Trust, must be submitted to this office prior to closing.

14. In order for the legal description as set forth herein to be insured it must have its own tax parcel number. The forthcoming conveyance must be pre-approved by the county assessor's office.

15. The Company will require the following document in order to insure a conveyance, lease, exchange, other disposition or encumbrance by the corporation named below:

Corporation Name: _Richland Baptist Church, a Washington Corporation

Documentation: An original or certified copy of the Resolution of the Board of Directors authorizing the subject transaction.

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SCHEDULE B, PART II Exceptions

THIS COMMITMENT DOES NOT REPUBLISH ANY COVENANT, CONDITION, RESTRICTION, OR LIMITATION CONTAINED IN ANY DOCUMENT REFERRED TO IN THIS COMMITMENT TO THE EXTENT THAT THE SPECIFIC COVENANT, CONDITION, RESTRICTION, OR LIMITATION VIOLATES STATE OR FEDERAL LAW BASED ON RACE, COLOR, RELIGION, SEX, SEXUAL ORIENTATION, GENDER IDENTITY, HANDICAP, FAMILIAL STATUS, OR NATIONAL ORIGIN.

The Policy will not insure against loss or damage resulting from the terms and provisions of any lease or easement identified in Schedule A, and will include the following Exceptions unless cleared to the satisfaction of the Company. If the Company's requirements are satisfied, Exceptions 1 through 7 will be removed on Enhanced/Extended coverage policies.

1. Any defect, lien, encumbrance, adverse claim, or other matter that appears for the first time in the Public Records or is created, attaches, or is disclosed between the Commitment Date and the date on which all of the Schedule B, Part I—Requirements are met.
2. Rights or claims of parties in possession not shown by the public records.
3. Any encroachment, encumbrance, violation, variation, or adverse circumstance affecting the Title that would be disclosed by an accurate and complete land survey of the Land, and that is not shown by the Public Records.
4. Easements, or claims of easements, not shown by the public records.
5. Any lien, or right to a lien, for services, labor, or materials heretofore or hereafter furnished, imposed by law and not shown by the public records.
6. (a) Unpatented mining claims; (b) reservations or exceptions in patents or in Acts authorizing the issuance thereof; (c) water rights, claims to title to water, whether or not the matters excepted under (a), (b), or (c) are shown by the public records.
7. Taxes or special assessments which are not shown as existing liens by the records of any taxing authority that levies taxes or assessments on real property or by the public records. Proceedings by a public agency which may result in taxes or assessments, or notices to such proceedings whether or not shown by the records of such agency, or by the public records.
8. Indian tribal codes or regulations, Indian treaty or aboriginal rights, including easements or equitable servitudes.
9. Any service, installation, connection, maintenance, tap, capacity or construction charges for sewer, water, electricity, natural gas or other utilities, or garbage collection and disposal.
10. Easements, reservations, restrictions, and dedications as shown on the official plat of Plat of Richland.
11. An easement for the purpose shown below and rights incidental thereto as set forth in Quit Claim Deed.
Grantee: United States of America
Recorded: February 7, 1956
Instrument No.: 352635

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12. Reservations as contained in Quit Claim Deed

Recorded: February 7, 1956

Instrument No.: 352635

13. All matters, and any rights, easements, interests or claims as disclosed by Survey No. 4975 recorded January 17, 2018 as Instrument No. 2018-001477.

14. General taxes for 2021, the amount of which is not available, and which cannot be paid until February 15, 2021.

Parcel Number: 1-1598-102-0400-007

15. Lien of real estate excise sales tax upon any sale of said premises, situated in the City of Richland.

(End of Exceptions)

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ALTA Commitment for Title Insurance 8-1-16

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SCHEDULE C

Legal Description:

That portion of Lot 7, Block 400, Plat of Richland, according to the Plat thereof recorded in Volumes 6 & 7, of Plats records of Benton County, Washington, lying Northerly of Duportail St. right of way.

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27C165B

ALTA Commitment for Title Insurance 8-1-16

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When recorded return to:

Dr. Cynthia D. Reents, City Manager
840 Northgate Drive, P O Box 190 MS-26
Richland, WA 99352

Filed for Record at Request of
Tri-City Title & Escrow LLC
Escrow Number: 16-18143-PS

TRI-CITY TITLE & ESCROW

#73-

Statutory Warranty Deed

THE GRANTOR Richland Heights Baptist Church for and in consideration of TEN DOLLARS AND OTHER GOOD AND VALUABLE CONSIDERATION in hand paid, conveys and warrants to City of Richland, a Washington Municipal Corporation the following described real estate, situated in the County of Benton, State of Washington.

Abbreviated Legal:
Portion of Lot 7, Block 400, PLAT OF RICHLAND

Tax Parcel Number(s): 1-1598-102-0400-007

COMPLETE LEGAL DESCRIPTION ATTACHED AS EXHIBIT A

SUBJECT TO Easements, Covenants, Conditions, Reservations and Restrictions of Record.

Dated April 12, 2016

Richland Heights Baptist Church

Mark R. Steelman

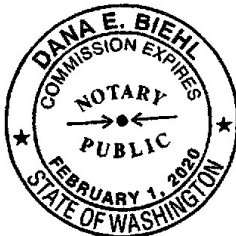
By: ., .

STATE OF WASHINGTON }
COUNTY OF Benton } SS:

I certify that I know or have satisfactory evidence that Mark R. Steelman
he is/are the person(s) who appeared before
me, and said person(s) acknowledge that he signed this instrument, on oath stated he
he is/are authorized to execute the instrument and acknowledge that as the
Vice President of Richland Heights Baptist Church
to be the free and voluntary act of such party(ies) for the uses and purposes mentioned in this instrument.

Dated: 05/06/2016

Samuel Biele



Notary Public in and for the State of Washington
Residing at Kennemuck
My appointment expires: 02/01/2020

Exhibit A
Legal Description of Subject Property

Land in Fee

A portion of the Northeast $\frac{1}{4}$ of Section 15 Township 9 North, Range 28 East, W.M., City of Richland, Benton County, Washington, described as follows:

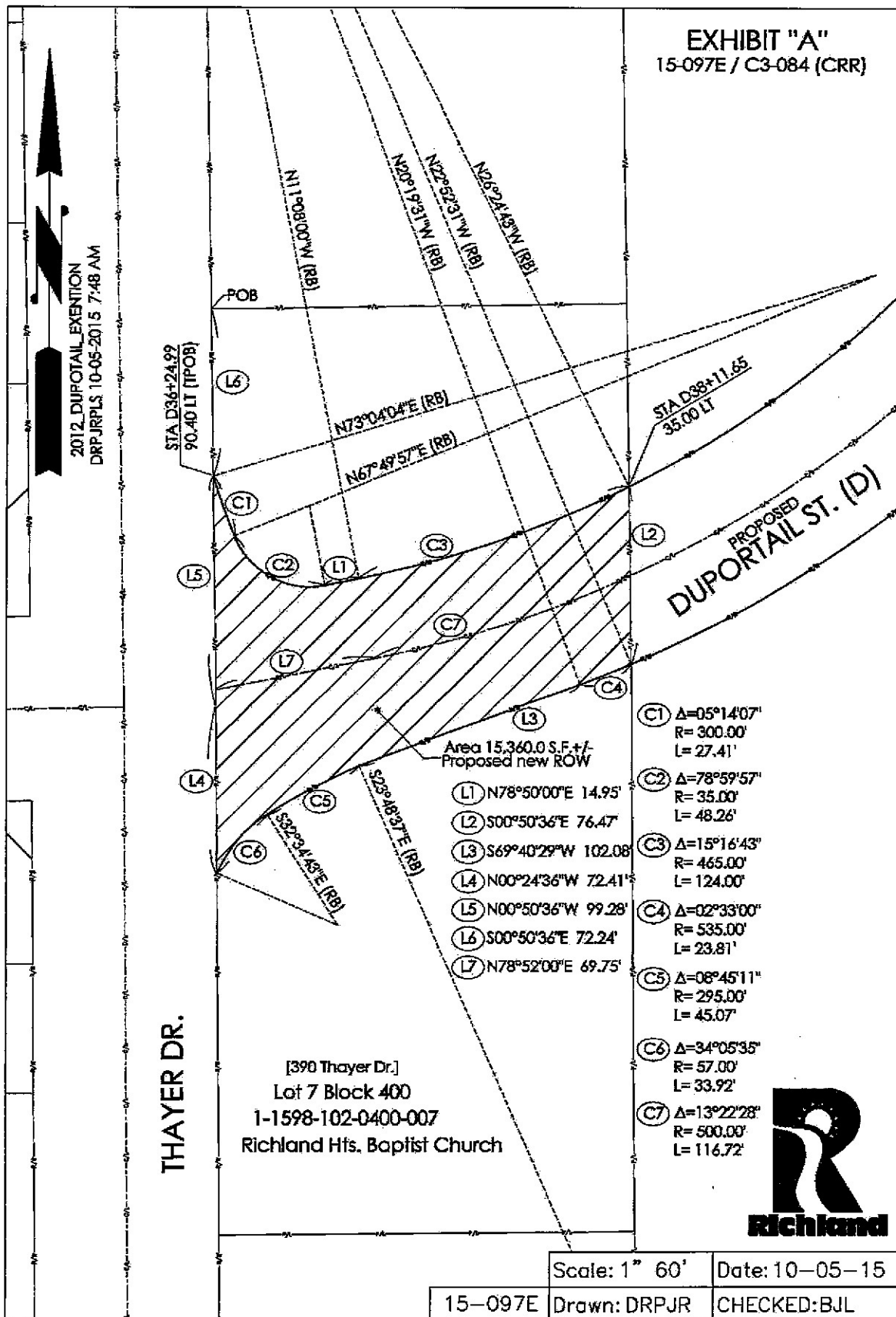
A portion of Lot 7 Block 400 of the Plat of Richland as recorded in Volumes 6 & 7 of Plats records of said County and State, more particularly described as follows:

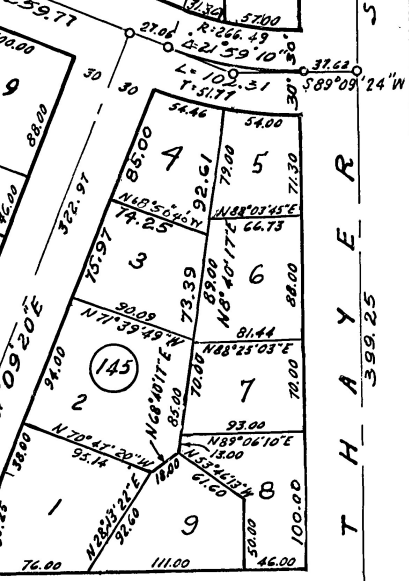
Beginning at the Northwest corner of said Lot 7, said corner is lying on the East right-of-way of Thayer Drive as shown on said Plat of Richland; Thence South $00^{\circ}50'36''$ East a distance of 72.24 feet along the Westerly line of said Lot 7 and said East right-of-way, said point is located at D-line Station 36+24.99 at 90.40 feet left, as shown on City of Richland Duportail Street Extension right-of-way map filed under C3-084(CRR) City of Richland Records, and the **TRUE POINT of BEGINNING** and the beginning of a 300.00 foot radius non-tangent curve having a radial bearing of North $73^{\circ}04'04''$ East; Thence Southeasterly a distance of 27.41 feet along the arc of said curve through a central angle of $05^{\circ}14'07''$ leaving said Westerly line and East right-of-way to the beginning of a 35.00 foot radius tangent curve to the left; Thence Southeasterly a distance of 48.26 feet along the arc of said curve through a central angle of $78^{\circ}59'57''$ to its point of tangency; Thence North $78^{\circ}50'00''$ East a distance of 14.95 feet leaving said curve to the beginning of a 465.00 foot radius tangent curve to the left; Thence Northeasterly a distance of 124.00 feet along the arc of said curve through a central angle of $15^{\circ}16'43''$ to a point on the East line of said Lot 7; Thence South $00^{\circ}50'36''$ East a distance of 76.47 feet leaving said curve along said East line to the beginning of a 535.00 foot radius non-tangent curve having a radial bearing of North $22^{\circ}52'31''$ West (common radius with aforesaid 465.00 foot radius); Thence Southwest a distance of 23.81 feet along said curve leaving said East line of said Lot 7 through a central angle of $02^{\circ}33'00''$ to its point of tangency; Thence South $69^{\circ}40'29''$ West a distance of 102.08 feet leaving said curve to the beginning of a 295.00 foot radius non-tangent curve having a radial bearing of South $23^{\circ}48'37''$ East;

Thence Southwesterly a distance of 45.07 feet along the arc of said curve through a central angle of $08^{\circ}45'11''$ to the beginning of a 57.00 foot radius non-tangent curve having a radial bearing of South $32^{\circ}34'43''$ East; Thence Southwesterly a distance of 33.92 feet along the arc of said curve through a central angle of $34^{\circ}05'35''$ to a non-tangent point on said East right-of-way of Thayer Drive; Thence North $00^{\circ}24'36''$ West a distance of 72.41 feet leaving said curve along said East right-of-way to an angle point; Thence North $00^{\circ}50'36''$ West a distance of 99.28 feet continuing along said East right-of-way back to the true point of beginning.

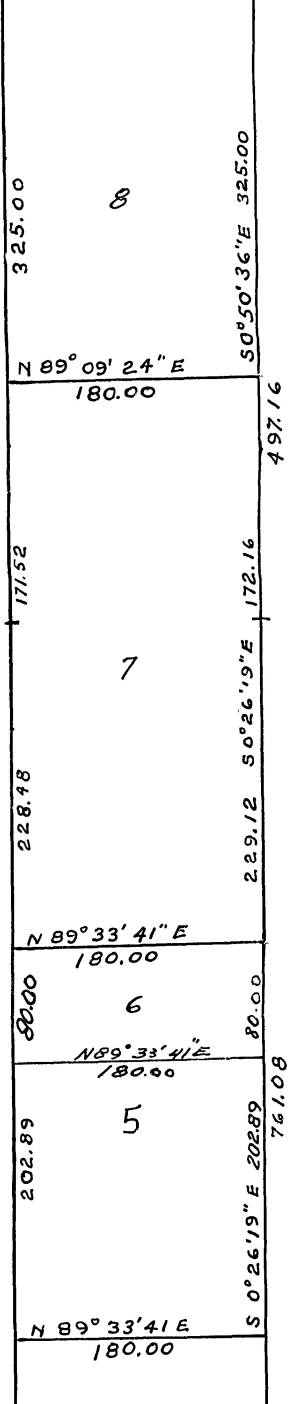
Containing 15,360.0 square feet, more or less, according to the bearings and distances listed above and as depicted on the attached **Exhibit "A" 15-097E**.

TOGETHER WITH AND SUBJECT TO covenants, easements, and restrictions of record.





115.00	118.55	70.32
12	13	69.99
5 89° 15' 50\" N	117.57	56.00
11	14	56.00
117.18	15	54.00
116.80	16	54.00
116.46	17	50.00
116.07	18	55.00
115.68	19	57.00
115.29	20	56.00
114.94	21	50.00
114.62		47.00



400

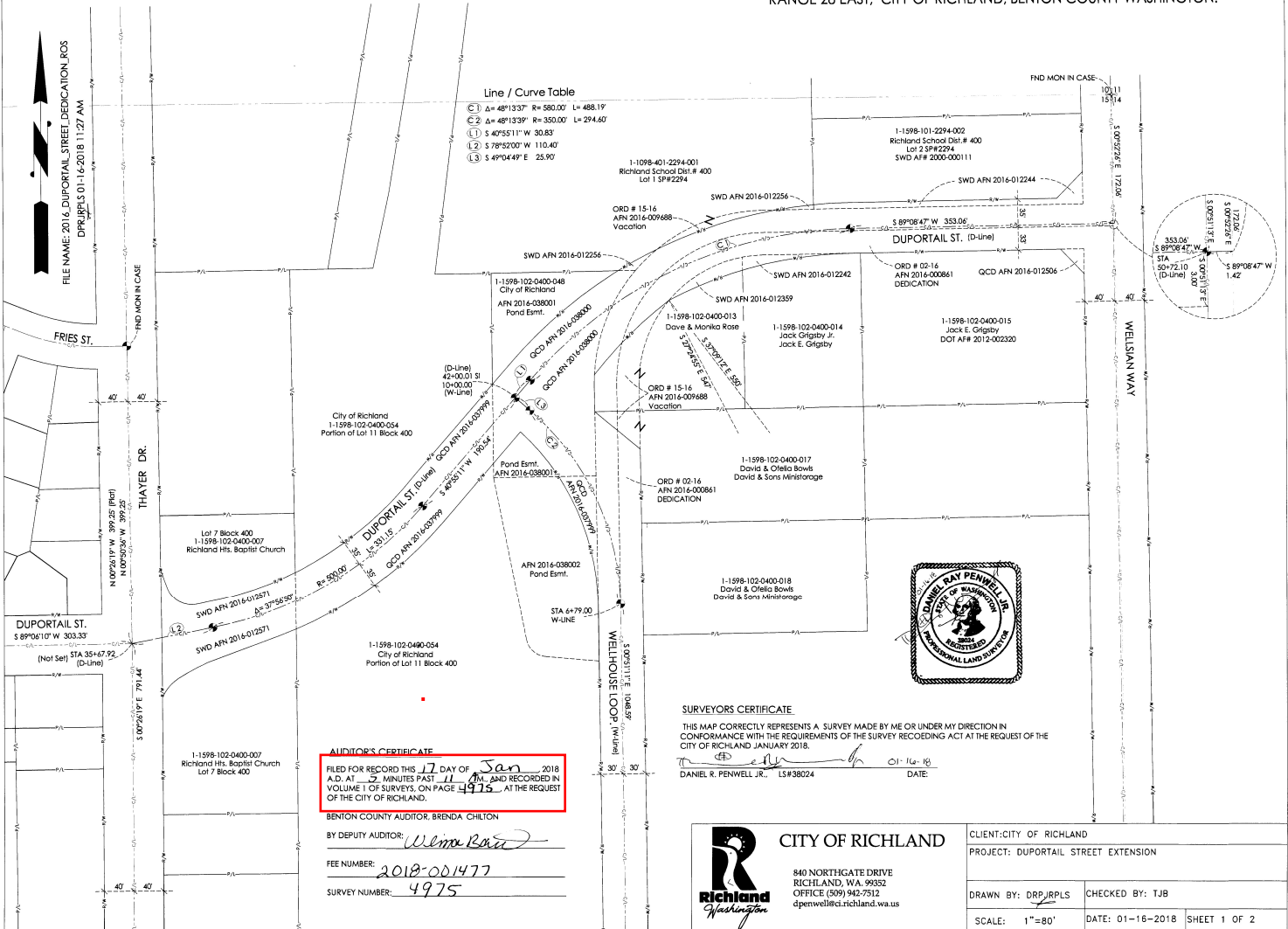
11

RECORD OF SURVEY NO. 4975 A PORTION OF THE NORTHEAST 1/4 OF SECTION 15, TOWNSHIP, 9 NORTH, RANGE 28 EAST, CITY OF RICHLAND, BENTON COUNTY WASHINGTON.

FILE NAME: 2016 DUPORTAIL STREET DEDICATION.ROS
DPRJRLS 01-16-2018 11:27 AM

Line / Curve Table

- ① Δ = 48°13'37" R = 580.00' L = 488.19'
- ② Δ = 48°13'39" R = 350.00' L = 294.60'
- ③ Δ = 40°55'11" W 30.83'
- ④ Δ = 78°52'00" W 110.40'
- ⑤ Δ = 49°04'49" E 25.90'



AUDITOR'S CERTIFICATE

FILED FOR RECORD THIS 17 DAY OF Jan 2018
A.D. AT 5 MINUTES PAST 11 AM, AND RECORDED IN
VOLUME 1 OF SURVEYS, ON PAGE 4975, AT THE REQUEST
OF THE CITY OF RICHLAND.

BENTON COUNTY AUDITOR, BRENDA CHILTON

BY DEPUTY AUDITOR: *Wendy Baird*

FEE NUMBER: 2018-001477

SURVEY NUMBER: 4975

SURVEYORS CERTIFICATE

THIS MAP CORRECTLY REPRESENTS A SURVEY MADE BY ME OR UNDER MY DIRECTION IN
CONFORMANCE WITH THE REQUIREMENTS OF THE SURVEY RECORDED ACT AT THE REQUEST OF THE
CITY OF RICHLAND JANUARY 2018.

DANIEL R. PENWELL JR. LS#38024 DATE: 01-16-18



CITY OF RICHLAND

840 NORTHGATE DRIVE
RICHLAND, WA 99352
OFFICE (509) 942-7512
dpenwell@richland.wa.us

CLIENT: CITY OF RICHLAND

PROJECT: DUPORTAIL STREET EXTENSION

DRAWN BY: DPRJRLS

CHECKED BY: TJB

SCALE: 1"=80'

DATE: 01-16-2018 SHEET 1 OF 2

2018-001477 B. P. 4975 SUR
CITY OF RICHLAND
BENTON COUNTY, WASHINGTON
JAN 17 2018
FILED FOR RECORD
AT THE CLERK'S OFFICE
OF BENTON COUNTY, WASHINGTON

RECORD OF SURVEY NO. 4975

A PORTION OF THE NORTHEAST $\frac{1}{4}$ OF SECTION 15, TOWNSHIP, 9 NORTH,
RANGE 28 EAST, CITY OF RICHLAND, BENTON COUNTY WASHINGTON.

DESCRIPTION

A PORTION OF THE NORTHEAST $\frac{1}{4}$ OF SECTION 15, TOWNSHIP, 9 NORTH, RANGE 28 EAST, CITY OF RICHLAND, BENTON COUNTY WASHINGTON.

A PORTION OF BLOCK 400 OF THE PLAT OF RICHLAND AS RECORDED IN VOLUMES 6 & 7 OF PLATS RECORDS OF SAID COUNTY AND STATE,
DESCRIBED AS FOLLOWS:

THE CENTERLINE OF A VARYING WIDTH CORRIDOR MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT THE NORTHEAST CORNER OF SAID SECTION 15, TOWNSHIP, 9 NORTH, RANGE 28 EAST, W.M.; THENCE SOUTH $00^{\circ} 55'26''$ EAST A DISTANCE OF 172.06 FEET ALONG THE EAST
LINE OF SAID NORTHEAST $\frac{1}{4}$ OF SAID SECTION 15 TO A POINT ON THE PROPOSED PROJECTED CENTERLINE OF DUPORTAIL STREET; THENCE SOUTH $89^{\circ}08'47''$ WEST A DISTANCE OF 1.42 FEET
TO A POINT ON THE CENTERLINE OF WELLSIAN WAY AND THE TRUE POINT OF BEGINNING; (STATION 56+72.10 D-LINE AS SHOWN ON THE DUPORTAIL STREET EXTENSION RIGHT-OF-WAY
PLAN FILED UNDER CITY OF RICHLAND RECORDS DRAWING NUMBER C3-084); THENCE SOUTH $89^{\circ}08'47''$ WEST A DISTANCE OF 333.06 TO THE BEGINNING OF A 580.00 FOOT RADIUS
TANGENT CURVE TO THE LEFT; THENCE SOUTHWESTERLY A DISTANCE OF 488.19 FEET ALONG THE ARC OF SAID CURVE THROUGH A CENTRAL ANGLE OF $48^{\circ}13'37''$ TO ITS POINT OF
TANGENCY; THENCE SOUTH $40^{\circ}55'11''$ WEST A DISTANCE OF 30.83 FEET TO THE INTERSECTION OF DUPORTAIL STREET A WELLHOUSE LOOP; (STATION 42+00.01 D-LINE AND 10+00.00 W-LINE
AS SHOWN ON THE DUPORTAIL STREET EXTENSION RIGHT-OF-WAY PLAN); THENCE CONTINUING SOUTH $40^{\circ}55'11''$ WEST A DISTANCE OF 190.54 FEET TO THE BEGINNING OF A 500.00 FOOT
RADIUS TANGENT CURVE TO THE RIGHT; THENCE SOUTHWESTERLY A DISTANCE OF 331.15 FEET ALONG THE ARC OF SAID CURVE THROUGH A CENTRAL ANGLE OF $37^{\circ}56'50''$ TO IT POINT OF
TANGENCY; THENCE SOUTH $78^{\circ}52'00''$ WEST A DISTANCE OF 110.40 FEET TO THE INTERSECTION OF SAID DUPORTAIL STREET AND THAYER DRIVE (STATION 35+47.92 D-LINE AS SHOWN ON
THE DUPORTAIL STREET EXTENSION RIGHT-OF-WAY PLAN FILED UNDER CITY OF RICHLAND RECORDS DRAWING NUMBER C3-084) AND THE TERMINUS OF SAID CENTERLINE.

TOGETHER WITH:

BEGINNING AT SAID INTERSECTION OF DUPORTAIL STREET AND WELLHOUSE LOOP; (STATION 42+00.01 D-LINE AND 10+00.00 W-LINE AS SHOWN ON THE DUPORTAIL STREET EXTENSION
RIGHT-OF-WAY PLAN; THENCE SOUTH $49^{\circ}04'49''$ EAST A DISTANCE OF 25.90 FEET TO THE BEGINNING OF A 350.00 FOOT RADIUS TANGENT CURVE TO THE RIGHT; THENCE SOUTHEASTERLY
A DISTANCE OF 294.40 FEET ALONG THE ARC OF SAID CURVE THROUGH A CENTRAL ANGLE OF $48^{\circ}13'39''$ TO ITS POINT OF TANGENCY ON THE EXISTING CENTERLINE OF WELLHOUSE LOOP
(STATION 4+79.00 W-LINE AS SHOWN ON THE DUPORTAIL STREET EXTENSION RIGHT-OF-WAY PLAN AND THE TERMINUS OF SAID CENTERLINE.

SURVEYORS NARRATIVE

THE INTENT OF THIS SURVEY IS TO SHOW THE NEW MONUMENTED CENTERLINE AND RIGHT OF WAY
WIDTHS OF DUPORTAIL STREET FROM WELLSIAN WAY TO THAYER DRIVE AND CONNECTING TO
EXISTING WELLHOUSE LOOP. THIS SURVEY IS INTENDED TO BE AN INDEX OF THE RECORDED
DOCUMENTS THAT WERE REQUIRED IN ORDER TO CREATE THE CORRIDOR AND TO SHOW THE CITY OF
RICHLANDS INTENT OF NEW PROJECTED PROPERTY LINES OF THE ADJOINING PARCELS. (SEE RECORD
DRAWING C3-084 DUPORTAIL STREET EXTENSION RIGHT-OF-WAY PLANS FOR DETAILED INFORMATION
OF THE RIGHT-OF-WAY RETURNS AND TRANSITIONS.

BASIS OF BEARING

PLAT OF RICHLAND, AS RECORDED IN VOLUMES 6 & 7 OF PLATS, RECORDS OF BENTON COUNTY WASHINGTON.

REFERENCE DOCUMENTS:

SWD AFN 2016-012244
QCD AFN 2016-012506
SWD AFN 2016-012256
SWD AFN 2016-012242
SWD AFN 2016-012359
QCD AFN 2016-038000
QCD AFN 2016-037999
SWD AFN 2016-012371
ORD # 02-16 AFN 2016-000861 (DEDICATION)
ORD # 15-16 AFN 2016-009688 (VACATION)
See C3-084 Duportal Street Extension Right-of-Way Plan, records of the City of Richland.

NOTES

NEW MONUMENTS SET STAMPED "DRPJR LS 38024"
EXISTING MONUMENTS FOUND AS NOTED.

AUDITOR'S CERTIFICATE

FILED FOR RECORD THIS 17 DAY OF Jan, 2018 A.D.
AT 8 MINUTES PAST 11 A.M. AND RECORDED IN VOLUME 1
OF SURVEYS, ON PAGE 4975, AT THE REQUEST OF THE CITY OF
RICHLAND.

BENTON COUNTY AUDITOR, BRENDA CHILTON

BY DEPUTY AUDITOR: W. M. B. C.

SEE NUMBER: 2018-001477

SURVEY NUMBER: 4975



CITY OF RICHLAND

840 NORTHGATE DRIVE
RICHLAND, WA. 99352
OFFICE (509) 942-7312
dpennell@ci.richland.wa.us

CLIENT: CITY OF RICHLAND

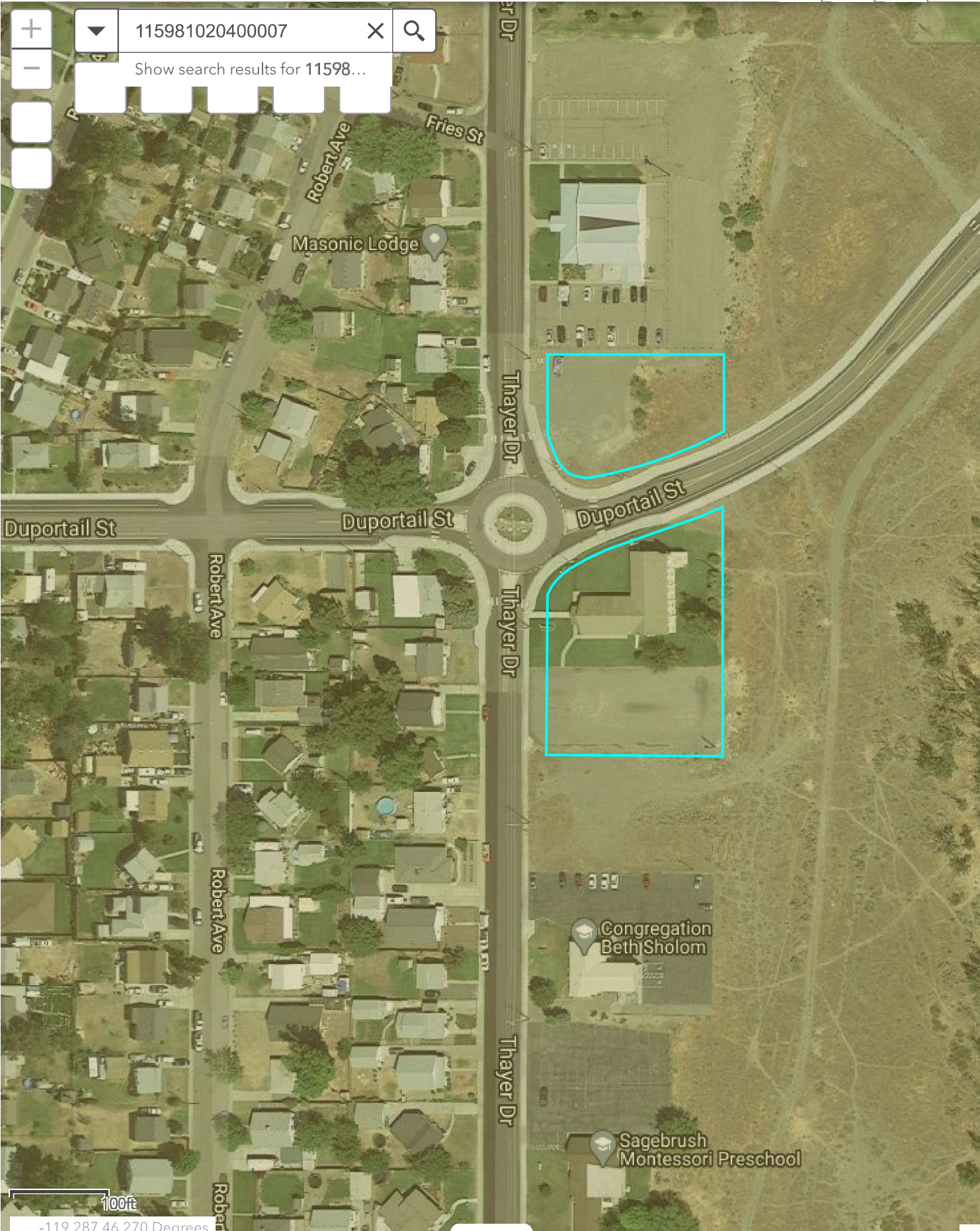
PROJECT: DUPORTAIL STREET EXTENSION

DRAWN BY: DPR/JRPLS

CHECKED BY: TJB

SCALE: 1"=80'

DATE: 01-16-2018 SHEET 2 OF 2





Fidelity National Title Insurance Company

COMMITMENT FOR TITLE INSURANCE ISSUED BY FIDELITY NATIONAL TITLE INSURANCE COMPANY

NOTICE

IMPORTANT—READ CAREFULLY: THIS COMMITMENT IS AN OFFER TO ISSUE ONE OR MORE TITLE INSURANCE POLICIES. ALL CLAIMS OR REMEDIES SOUGHT AGAINST THE COMPANY INVOLVING THE CONTENT OF THIS COMMITMENT OR THE POLICY MUST BE BASED SOLELY IN CONTRACT.

THIS COMMITMENT IS NOT AN ABSTRACT OF TITLE, REPORT OF THE CONDITION OF TITLE, LEGAL OPINION, OPINION OF TITLE, OR OTHER REPRESENTATION OF THE STATUS OF TITLE. THE PROCEDURES USED BY THE COMPANY TO DETERMINE INSURABILITY OF THE TITLE, INCLUDING ANY SEARCH AND EXAMINATION, ARE PROPRIETARY TO THE COMPANY, WERE PERFORMED SOLELY FOR THE BENEFIT OF THE COMPANY, AND CREATE NO EXTRACONTRACTUAL LIABILITY TO ANY PERSON, INCLUDING A PROPOSED INSURED.

THE COMPANY'S OBLIGATION UNDER THIS COMMITMENT IS TO ISSUE A POLICY TO A PROPOSED INSURED IDENTIFIED IN SCHEDULE A IN ACCORDANCE WITH THE TERMS AND PROVISIONS OF THIS COMMITMENT. THE COMPANY HAS NO LIABILITY OR OBLIGATION INVOLVING THE CONTENT OF THIS COMMITMENT TO ANY OTHER PERSON.

COMMITMENT TO ISSUE POLICY

Subject to the Notice; Schedule B, Part I—Requirements; Schedule B, Part II—Exceptions; and the Commitment Conditions, Fidelity National Title Insurance Company, a Florida Corporation (the "Company"), commits to issue the Policy according to the terms and provisions of this Commitment. This Commitment is effective as of the Commitment Date shown in Schedule A for each Policy described in Schedule A, only when the Company has entered in Schedule A both the specified dollar amount as the Proposed Policy Amount and the name of the Proposed Insured.

If all of the Schedule B, Part I—Requirements have not been met within 180 Days after the Commitment Date, this Commitment terminates and the Company's liability and obligation end.

Fidelity National Title Insurance Company

By:

President

ATTEST

Secretary

Privacy Policy Notice

Rev. 10-23-2017

FACTS	WHAT DOES TITLEONE DO WITH YOUR PERSONAL INFORMATION?		
Why?	Financial companies choose how they share your personal information. Federal law gives consumers the right to limit some but not all sharing. Federal law also requires us to tell you how we collect, share, and protect your personal information. Please read this notice carefully to understand what we do.		
What?	The types of personal information we collect and share depend on the product or service you have with us. This information can include: • Social Security number and account balances • Payment history and credit card or other debt • Checking account information and wire transfer instructions When you are <i>no longer</i> our customer, we continue to share your information as described in this notice.		
How?	All financial companies need to share customers’ personal information to run their everyday business. In the section below, we list the reasons financial companies can share their customers’ personal information; the reasons TitleOne chooses to share; and whether you can limit this sharing.		
Reasons we can share your personal information		Does TitleOne share?	Can you limit this sharing?
For our everyday business purposes – such as to process your transactions, maintain your account(s), respond to court orders and legal investigations, or report to credit bureaus		Yes	No
For our marketing purposes- to offer our products and services to you		No	We don’t share
For joint marketing with other financial companies		No	We don’t share
For our affiliates’ everyday business purposes- information about your transactions and experiences		Yes	No
For our affiliates’ everyday business purposes- information about your creditworthiness		No	We don’t share
For our affiliates to market to you		No	We don’t share
For nonaffiliates to market to you		No	We don’t share
Questions?	Go to https://www.titleonecorp.com/company/privacypolicy.aspx		

Who we are	
Who is providing this notice?	TitleOne
What we do	
How does TitleOne protect my personal information?	To protect your personal information from unauthorized access and use, we use security measures that comply with federal law. These measures include computer safeguards and secured files and buildings.
How does TitleOne collect my personal information?	We collect your personal information, for example, when you • Apply for insurance or pay insurance premiums • Provide your mortgage information or show your driver's license • Give us your contact information We also collect your personal information from others, such as credit bureaus, affiliates, or other companies.
Why can't I limit all sharing?	Federal law gives you the right to limit only • Sharing for affiliates' everyday business purposes – information about your creditworthiness • Affiliates from using your information to market to you • Sharing for nonaffiliates to market to you State laws and individual companies may give you additional rights to limit sharing.
Definitions	
Affiliates	Companies related by common ownership or control. They can be financial and nonfinancial companies. • <i>Our affiliates include companies that are owned in whole or in part by Realogy Holdings Corp., such as Better Homes and Gardens® Real Estate, CENTURY 21®, Coldwell Banker®, Coldwell Banker Commercial®, The Corcoran Group®, ERA®, Sotheby's International Realty®, ZipRealty®, NRT LLC, Cartus and Title Resource Group.</i>
Nonaffiliates	Companies not related by common ownership or control. They can be financial and nonfinancial companies. • <i>TitleOne does not share with nonaffiliates so they can market to you.</i>
Joint Marketing	A formal agreement between nonaffiliated financial companies that together market financial products or service to you. • <i>TitleOne does not share with nonaffiliated financial companies for joint marketing purposes.</i>
Other Important Information	
For European Union Customers	Please see our Privacy Policy located at https://www.titleonecorp.com/company/privacypolicy.aspx
For our California Customers	Please see our notice about the California Consumer Protection Act located at https://www.titleonecorp.com/company/privacypolicy.aspx



Fidelity National Title Insurance Company

COMMITMENT CONDITIONS

1. DEFINITIONS

- (a) "Knowledge" or "Known": Actual or imputed knowledge, but not constructive notice imparted by the Public Records.
- (b) "Land": The land described in Schedule A and affixed improvements that by law constitute real property. The term "Land" does not include any property beyond the lines of the area described in Schedule A, nor any right, title, interest, estate, or easement in abutting streets, roads, avenues, alleys, lanes, ways, or waterways, but this does not modify or limit the extent that a right of access to and from the Land is to be insured by the Policy.
- (c) "Mortgage": A mortgage, deed of trust, or other security instrument, including one evidenced by electronic means authorized by law.
- (d) "Policy": Each contract of title insurance, in a form adopted by the American Land Title Association, issued or to be issued by the Company pursuant to this Commitment.
- (e) "Proposed Insured": Each person identified in Schedule A as the Proposed Insured of each Policy to be issued pursuant to this Commitment.
- (f) "Proposed Policy Amount": Each dollar amount specified in Schedule A as the Proposed Policy Amount of each Policy to be issued pursuant to this Commitment.
- (g) "Public Records": Records established under state statutes at the Commitment Date for the purpose of imparting constructive notice of matters relating to real property to purchasers for value and without Knowledge.
- (h) "Title": The estate or interest described in Schedule A.

2. If all of the Schedule B, Part I—Requirements have not been met within the time period specified in the Commitment to Issue Policy, this Commitment terminates and the Company's liability and obligation end.

3. The Company's liability and obligation is limited by and this Commitment is not valid without:

- (a) the Notice;
- (b) the Commitment to Issue Policy;
- (c) the Commitment Conditions;
- (d) Schedule A;
- (e) Schedule B, Part I—Requirements; and
- (f) Schedule B, Part II—Exceptions; and
- (g) a counter-signature by the Company or its issuing agent that may be in electronic form.

4. COMPANY'S RIGHT TO AMEND

The Company may amend this Commitment at any time. If the Company amends this Commitment to add a defect, lien, encumbrance, adverse claim, or other matter recorded in the Public Records prior to the Commitment Date, any liability of the Company is limited by Commitment Condition 5. The Company shall not be liable for any other amendment to this Commitment.

This page is only a part of a 2016 ALTA® Commitment for Title Insurance issued by Fidelity National Title Insurance Company. This Commitment is not valid without the Notice; the Commitment to Issue Policy; the Commitment Conditions; Schedule A; Schedule B, Part I—Requirements; and Schedule B, Part II—Exceptions; and a counter-signature by the Company or its issuing agent that may be in electronic form.

27C165B

ALTA Commitment for Title Insurance 8-1-16

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AMERICAN
LAND TITLE
ASSOCIATION





Fidelity National Title Insurance Company

5. LIMITATIONS OF LIABILITY

- (a) The Company's liability under Commitment Condition 4 is limited to the Proposed Insured's actual expense incurred in the interval between the Company's delivery to the Proposed Insured of the Commitment and the delivery of the amended Commitment, resulting from the Proposed Insured's good faith reliance to:
 - (i) comply with the Schedule B, Part I—Requirements;
 - (ii) eliminate, with the Company's written consent, any Schedule B, Part II—Exceptions; or
 - (iii) acquire the Title or create the Mortgage covered by this Commitment.
- (b) The Company shall not be liable under Commitment Condition 5(a) if the Proposed Insured requested the amendment or had Knowledge of the matter and did not notify the Company about it in writing.
- (c) The Company will only have liability under Commitment Condition 4 if the Proposed Insured would not have incurred the expense had the Commitment included the added matter when the Commitment was first delivered to the Proposed Insured.
- (d) The Company's liability shall not exceed the lesser of the Proposed Insured's actual expense incurred in good faith and described in Commitment Conditions 5(a)(i) through 5(a)(iii) or the Proposed Policy Amount.
- (e) The Company shall not be liable for the content of the Transaction Identification Data, if any.
- (f) In no event shall the Company be obligated to issue the Policy referred to in this Commitment unless all of the Schedule B, Part I—Requirements have been met to the satisfaction of the Company.
- (g) In any event, the Company's liability is limited by the terms and provisions of the Policy.

6. LIABILITY OF THE COMPANY MUST BE BASED ON THIS COMMITMENT

- (a) Only a Proposed Insured identified in Schedule A, and no other person, may make a claim under this Commitment.
- (b) Any claim must be based in contract and must be restricted solely to the terms and provisions of this Commitment.
- (c) Until the Policy is issued, this Commitment, as last revised, is the exclusive and entire agreement between the parties with respect to the subject matter of this Commitment and supersedes all prior commitment negotiations, representations, and proposals of any kind, whether written or oral, express or implied, relating to the subject matter of this Commitment.
- (d) The deletion or modification of any Schedule B, Part II—Exception does not constitute an agreement or obligation to provide coverage beyond the terms and provisions of this Commitment or the Policy.
- (e) Any amendment or endorsement to this Commitment must be in writing and authenticated by a person authorized by the Company.
- (f) When the Policy is issued, all liability and obligation under this Commitment will end and the Company's only liability will be under the Policy.

7. IF THIS COMMITMENT HAS BEEN ISSUED BY AN ISSUING AGENT

The issuing agent is the Company's agent only for the limited purpose of issuing title insurance commitments and policies. The issuing agent is not the Company's agent for the purpose of providing closing or settlement services.

This page is only a part of a 2016 ALTA® Commitment for Title Insurance issued by Fidelity National Title Insurance Company. This Commitment is not valid without the Notice; the Commitment to Issue Policy; the Commitment Conditions; Schedule A; Schedule B, Part I—Requirements; and Schedule B, Part II—Exceptions; and a counter-signature by the Company or its issuing agent that may be in electronic form.

27C165B

ALTA Commitment for Title Insurance 8-1-16

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ASSOCIATION





Fidelity National Title Insurance Company

8. PRO-FORMA POLICY

The Company may provide, at the request of a Proposed Insured, a pro-forma policy illustrating the coverage that the Company may provide. A pro-forma policy neither reflects the status of Title at the time that the pro-forma policy is delivered to a Proposed Insured, nor is it a commitment to insure.

9. ARBITRATION

The Policy contains an arbitration clause. All arbitrable matters when the Proposed Policy Amount is \$2,000,000 or less shall be arbitrated at the option of either the Company or the Proposed Insured as the exclusive remedy of the parties. A Proposed Insured may review a copy of the arbitration rules at <<http://www.alta.org/arbitration>>.

This page is only a part of a 2016 ALTA® Commitment for Title Insurance issued by Fidelity National Title Insurance Company. This Commitment is not valid without the Notice; the Commitment to Issue Policy; the Commitment Conditions; Schedule A; Schedule B, Part I—Requirements; and Schedule B, Part II—Exceptions; and a counter-signature by the Company or its issuing agent that may be in electronic form.

27C165B

ALTA Commitment for Title Insurance 8-1-16

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LAND TITLE
ASSOCIATION



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:

Duportail/Thayer Comprehensive Plan Amendment, Rezone and Townhome Development

2. Name of applicant:

Tim Bush

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

320 West Columbia Drive, Kennewick, WA 99336

4. Date checklist prepared:

March 1, 2021

5. Agency requesting checklist:

City of Richland

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

Review of Comprehensive Plan Amendment – 2021 Cycle

Rezone and development permit applications to follow as soon as possible afterward.

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

No

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

NA

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 of Comprehensive Plan Amendment Application

Rezone of Property to R3-Multiple Family Residential Zoning

Subdivision of Property into maximum of six townhome lots

Building permits and engineering approval for building construction and utility and driveway extensions

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

The project is the construction of attached townhome dwellings that would be built on individual lots to accommodate owner occupied housing. The site is approximately .44 acres in area and would be large enough to accommodate a maximum of 6 units. However, detailed design plans have not been prepared to date.

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

The northeast corner of the intersection of Duportail Street and Thayer Drive in Richland, located between 390 and 410 Thayer Drive

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)?

Less than 10%

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.

No agricultural soils of long term significance have been designated on the site or in the immediate vicinity.

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

None known.

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.

Specific quantities of fill and excavation will not be determined until specific design plans are prepared for the property following approval of comprehensive plan amendment and rezone procedures.

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

Given the slight slope on the property, erosion is not likely to occur.

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

The percentage of site coverage will not be determined until specific design plans are prepared following the approval of comprehensive plan amendment and rezone procedures.

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

Compliance with state and local laws concerning storm water runoff treatment and runoff; and use of best practices during grading and construction activities on-site.

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.

Emissions from earth moving equipment during construction are likely. At project completion, emissions typically associated with residential dwellings would be present – from auto traffic, outdoor grills, etc.

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

None known.

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

None are needed.

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.

No.

- 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.

No.

- 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.

NA

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

No.

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

No.

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

No.

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

- 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.

No.

- 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, thenumber 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.

No waste materials would typically be generated from residential development. Domestic sewage would be disposed of through the City's sewage system, not into the ground. No other types of discharges would be anticipated.

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.

Storm water runoff would be collected, treated and either retained on-site or discharged into the City's storm drainage system. Quantities and specific storm drainage plans would be developed following approval of the comprehensive plan and rezone procedures.

- 2) Could waste materials enter ground or surface waters? If so, generally describe.
Storm runoff systems will be designed to properly treat and retain storm water.

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

No.

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

A storm water system will be designed to comply with City and state requirements for stormwater treatment.

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?

It is likely that all or almost all of existing vegetation will be removed from the site.

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

None known.

- d. Proposed landscaping, use of native plants, or other measures to preserve or enhance vegetation on the site, if any:
Typical residential landscaping would be installed following completion of construction of the residential buildings.

- e. List all noxious weeds and invasive species known to be on or near the site.
None known to be onsite.

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.

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.
None known to be on or frequent the site.

- c. Is the site part of a migration route? If so, explain.
Yes, the site and all of Richland are within the Pacific Flyway.

- d. Proposed measures to preserve or enhance wildlife, if any:
None are needed.

- e. List any invasive animal species known to be on or near the site.
None are known to be on the site.

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.

Energy usage typical of residential development will be used for the project. As City electrical lines are present in the immediate vicinity, electric energy would be the predominant source of energy used for residential living on the site.

- b. Would your project affect the potential use of solar energy by adjacent properties?
If so, generally describe.
Not likely.

- 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:
Specific development plans have not yet been developed for the project; however; residential construction will comply with the provisions of the Washington State Energy Code.

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.

Residential construction is typically not associated with environmental health hazards or toxic chemicals, so hazards are anticipated to be created by this proposal.

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

None are known to exist.

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

None are known to exist in the vicinity.

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

None are anticipated.

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

Emergency services typically associated with residential development may be required and include paramedics, fire and police services.

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

Residential development will require fire protection measures such as placement of fire hydrants near the project site, access drives large enough to accommodate emergency vehicles and installation of fire sprinkler systems within the residences.

b. Noise

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

Existing noise in the vicinity is typical of residential neighborhoods and traffic along minor arterial streets.

- 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.

Noises typically associated with residential development and noise created by equipment and workers constructing the project.

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

Compliance with City noise ordinances.

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.

The site is currently undeveloped. Adjacent properties to both north and south consist of churches. An townhome development has been permitted and will soon be constructed on the property immediately east of the site. Across Thayer Drive, lands have been developed with single family residences.

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

No.

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

No.

- c. Describe any structures on the site.

There are none.

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

No.

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

R1-12 – Single Family Residential

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

Low Density Residential

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

NA

- h. Has any part of the site been classified as a critical area by the city or county? If so, specify.
The site is located within a Critical Aquifer Recharge Area as defined in the City's Critical Areas Regulations.

- i. Approximately how many people would reside or work in the completed project?
With a maximum of 6 townhouse units on-site, the number of people living within the units would be estimated to be approximately 12 – 15 persons.

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

None.

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

None are required.

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

The proposed comprehensive plan amendment would help the City to implement some of its affordable housing goals, represents infill development and is appropriately located adjacent to the intersection of two minor arterial streets and adjacent to a townhome development that will soon be under construction.

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

None are needed.

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

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

A maximum of six, middle income townhome units would be provided.

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

No units would be eliminated.

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

No measures are proposed.

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?

The townhouse units would be two stories. The building height of the units won't be determined until specific development plans are developed following approval of the comprehensive plan and rezone procedures.

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

Some views of the surrounding territory to the east of the site would be altered when viewed from Thayer Drive and points west.

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

Existing zoning regulations (R1-12 Single Family Residential) would allow for structures of a similar height.

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

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

Outdoor lighting typically associated with residential development.

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

Not likely.

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

Existing development in the neighborhood including street lights.

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

Compliance with City outdoor lighting standards.

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

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

An existing City park is located just east of the site. Richland High School sports fields are located to the north.

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

No.

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

None are needed.

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.

No buildings are located on site.

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.

None are known.

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.

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.

None are proposed.

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.

The site is adjacent to both Thayer Drive and Duportail Street.

- 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?

Yes. The site is located along a bus route.

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

A specific design of the project has not yet been completed. A minimum of two parking spaces per unit as per City code would be provided onsite.

- 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).

Specific plans for street improvement would be determined at a later stage of the development process.

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

No.

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

With a maximum of six townhome units, estimated trips per day would total 48, with the peak hour occurring between 4 and 6 p.m. Traffic would be composed of noncommercial vehicles. Estimates for traffic were derived from Institute of Traffic Engineers.

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

No.

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

The project will be subject to the City's Traffic Mitigation ordinance.

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.

Typically, residential development does place additional demands on public services including schools, police, fire, transit, and parks.

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

Development of the site will increase property taxes and the tax funds will provided additional revenue for schools and city services. Additionally, mitigation fees for traffic and parks will offset the impacts of additional development.

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

- a. Circle utilities currently available at the site:

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

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

The project is dependent upon City electrical, water and sewer services. All services are located within the immediate vicinity.

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 Rick Simon for Tim Bush

Position and Agency/Organization Applicant

Date Submitted: 3-2-2021

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?

Development of the site would likely result in an increase in storm water runoff that is typically associated with building construction and driveways; emissions to air would likely result during building construction and from traffic generated by the residents of the completed project. Noise would be generated during building construction and from the residents occupying the completed housing units. Hazardous substances would not likely be released as a result of the project.

Proposed measures to avoid or reduce such increases are:

Compliance with City and State stormwater runoff requirements and City noise ordinances would mitigate expected impacts of development. Air emissions would be addressed through federal vehicle emission standards

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

Existing vegetation would be removed from the site at the time of development; however; there is very little natural vegetation present on-site. No known endangered or threatened species (plant or animal) are known to reside on the site.

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

Given the small size of the site, the surrounding land uses and previous disturbance that has taken place on-site, no protection or conservation measures are necessary.

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

Development of residential units would use building materials and energy both during the time of construction and at occupancy of the buildings.

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

Compliance with state and local energy codes will mitigate impacts associated with residential development.

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

The site is located in an area that has been designated for residential land development. It is not on or near any known environmentally sensitive areas except it is located within a critical aquifer recharge area.

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

Development of the site will occur in compliance with the City's Critical Areas regulations concerning aquifer recharge.

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 not impact shoreline use. It will require an amendment to the city's existing comprehensive plan.

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

The project would be an infill development project that would provide a small area for the construction of up to six townhome owner-occupied housing units. It would be located immediately adjacent (west) of a larger townhouse project and would be flanked on the

north and south by two churches. It is also located at the intersection of two minor arterial streets, which typically provide locations for more intensive land uses. It will help to implement some of the city's goals concerning affordable housing.

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

The proposal would result in the construction of up to six townhome units and so would result in a corresponding increase in traffic and demand for public services and utilities.

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

The proposal will be evaluated under the City's Traffic Mitigation regulations and park mitigation fee regulations and would be responsible for the payment of fees to connect to city water and sewer systems. Increased property tax revenue resulting from the development will help to fund future demands placed on the city services, such as police and fire protection.

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

There are no known area of conflict between the proposal and local, state and federal environmental laws.

Attachment 5

Statement of Opposition

RE: Sienna Hills Development (CPA2021-102 & Z2021-101)

The City of Richland adopted the Badger Mountain Subarea Plan in 2010. This plan emphasized the need for a sustainable and economically practical community and delivered guidance as to how that could be achieved. Commercial nodes, like this one in the Sienna Hills Development, were specifically designed to “provide limited retail business for the convenience of nearby neighborhoods” (Badger Mountain Subarea Plan, page 28). These are resources our current community desperately needs. Our nearest retail is Yoke’s on Keene, which is 3 miles away and a 10 minute drive through residential neighborhoods.

Arguments by the Sienna Hills developer claim the Bermuda commercial district will provide all the needed services to the community. However, there is no guarantee that the Bermuda commercial location will serve the greater community. Apartment complexes or office buildings are more likely to go up in a C-LB zone than a neighborhood-oriented retail business. Eliminating this node reduces the chance that we will have any neighborhood-oriented businesses or communal resources. This would be detrimental to both sustainability and vitality of the region. Not only would the elimination of this commercial node undermine the goals set out in the Badger Mountain Subarea Plan, but it would also set a precedent for future developers to ask for the same accommodations at the expense of City of Richland residents.

Instead of eliminating this commercial node, please consider alternative options that would still serve the greater community. These include:

- Plan to accommodate local community services. A neighborhood deli or local day care would provide beneficial services to the community without increased traffic at the current site.
- Non-commercial uses are allowed in C-LB zoning. These uses include public parks, community gardens, and open spaces available to the whole community.
- Relocate the commercial designation to the west end of the subdivision to align with the future extension of Gage, in keeping with the original commercial zone placement.
- Change the commercial zoning designation from C-LB to C-1 to allow for a wider range of commercial activity. C-1 businesses uses include food stores, restaurants, drug stores, hardware stores, and specialty retail.

As a resident who hopes to continue living in the Badger Mountain Subarea for many years to come, I ask you to support our local community. The Badger Mountain Subarea was meant “to be practical in economic terms and visionary in terms of its ability to address emerging issues such as sustainability.” This commercial zoning designation was part of a locally designed plan created to help the local community, please keep it in place to help achieve those intended goals.

Rebecca Clapperton, Owner and Resident
3802 N Levi Street



MEMORANDUM

Public Works – Traffic Engineer

To: Mike Stevens, Planning Manager, Development Services

Copy: Carlo D'Alessandro, Transportation & Development Manager
Jason Reathafor, Engineering Tech IV

From: John Deskins, Traffic Engineer

Date: September 20, 2021

Re: Traffic Engineer's Comments - CPA2021 Annual Comprehensive Plan Amendments

Comments

1. **CPA 2021-102 - Sienna Hills** – The proposal would meet Transportation Concurrency requirements.
2. **CPA 2021-103 – City of Richland – Village Parkway** – A traffic study was prepared to look at the subject site, to include area all the way west to Twin Bridges Road. The overall site evaluated shows a substantial trip reduction as a result of proposed changes. Currently, the city is in the process of developing a new Transportation Impact Fee (TIF) zone that would cover all of the Horn Rapids area both north and south of SR 240. Presuming the TIF is established in code, then any homes or structures proposed after the TIF zone implementation would be expected to pay into the TIF. Projects would be programmed in the TIF such that the affected intersections of SR 240 with Village Parkway and also with Twin Bridges road would meet Transportation Concurrency.
3. **CPA 2021-104 – C & M Nursery, Van Giesen** – The request is to correct the overall parcel to Commercial and rezone the parcel to be all General Business. A traffic study performed by JUB and dated February 25, 2021 demonstrates that low trip generating commercial businesses (i.e. RV Park or General Office) could go in on site and use the existing access location while meeting Level of Service (LOS) requirements for concurrency. It also demonstrates that such businesses would need minimal if any mitigations for right or left-turns. However, it is clear that more intense commercial uses involving retail shopping would likely run up against transportation concurrency issues that would require upgraded traffic

control such as a traffic signal or a roundabout to mitigate. In either case it would be necessary for such a proposed project to site their access point directly across from Bronco Lane which would require obtaining access rights from the adjacent property. If that were not possible then Bronco Lane might need to be relocated to match. A roundabout would be strongly preferred to avoid necessary traffic signal coordination requirement with the WSDOT signal. Further it provides a means to potentially retain some or all access at Terminal Drive into the future.

4. **CPA 2021-105 – Hayden Homes, Steptoe** - The request is to change the land use designation from Commercial to Medium Density Residential. This site as is poses some significant access as commercial property. This is due to the much higher trip generation, the spacing between the traffic signal at Steptoe and the city street of Meadow Hills Drive plus any needed commercial access in between, and the nearby grades that would limit practical access. The change to Medium Density Residential would significantly reduce the number of trips and reduce any need for commercial access on the south side of Center Parkway significantly mitigating the concerns. There has been discussion of additional access directly from Steptoe Street for this development. It would be allowed as a secondary Emergency Services access point, but may require a dedicated right-turn taper for normal vehicle access. This is because the safe access to the site from Steptoe is already provided at the traffic signal and allowing additional access without a deceleration right-turn taper reduces the safety effectiveness of the roadway as a whole. The proposal would meet Transportation Concurrency requirements.
5. **CPA 2021-106 – Tim Bush, Thayer Drive** – The proposal would meet Transportation Concurrency requirements. The developer will need to meet access requirements of the City on both Thayer & Duportail as needed for their development.



September 20, 2021

City of Richland
Development Services Department, Planning Division
625 Swift Boulevard, MS 35
Richland, WA 99352

Attention: Mike Stevens, Planning Manager

Subject: CPA2021-103 City of Richland Economic Development-Village Parkway
SR 240 at Horn Rapids Area, MP 26.1

We have reviewed the proposed comprehensive plan and zoning amendment applications and have the following comments.

- The subject property is adjacent to State Route (SR) 240, a partially-controlled limited access facility with a posted speed limit of 55 miles per hour. WSDOT has acquired all access rights to the highway. Direct access to SR 240 is prohibited.
- The subject property is located in a rapidly growing area along SR 240 that is experiencing increased vehicular traffic. Access to SR 240 is on Village Parkway. Recent transportation planning efforts by WSDOT and local agencies with input from the general public, including area residents, identified congestion, delay in travel, noise associated with vehicle traffic, and safety issues on this section of the two-lane highway.
- SR 240 is an existing facility and the proponent will be generating more noise-sensitive land uses. The proponent and future residents should be aware that they are proposing residential development in an area with traffic noise. They should also expect that traffic noise may continue to grow into the future, and, as an essential public facility, SR 240 may need to be expanded to accommodate future traffic growth. It is the developers' responsibility to dampen or deflect any traffic noise for this development.
- SR 240 has traffic congestion issues due to Hanford traffic during the morning and afternoon peak times. As developments are proposed, they will be subject to review for their impacts to the state system. Impacts that are determined to be significant will require mitigation, and it is anticipated that all costs will be borne by the development. Of particular concern to the department are the effects developments have on the multimodal capacity, retention and treatment of stormwater, outdoor

lighting, noise sensitivity, and signage. This information is normally obtained through a Traffic Impact Analysis (TIA) performed by the developer. The City and developer should consider Transportation Demand Management (TDM) measures to reduce traffic impacts. It is to the benefit of the City, the State, and the developers to preserve the functionality of SR 240.

Thank you for the opportunity to review and comment on these proposals. If you have any questions regarding our comment, please contact Debi Freudenthal at (509) 577-1633.

Sincerely,

A handwritten signature in black ink that reads "Paul Gonseth". The signature is fluid and cursive, with the first name "Paul" and last name "Gonseth" clearly distinguishable.

Paul Gonseth, P.E.
Planning Engineer

PG: df

cc: SR 240, 2021-5
Will Simpson, WA Department of Commerce
Celeste Gilman, WSDOT Multimodal Planning



**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



COUNCIL AGENDA ITEM COVERSHEET

Council Date: 1/4/2022

Agenda Category: Ordinances - Second Reading & Passage

Core Focus Area I - Promote Financial Stability & Operational Effectiveness

Subject:

Ordinance No. 42-21, Approving Amendments to RMC Title 23 and the Official Zoning Map of the City of Richland

Department:

Development Services

Ordinance/Resolution Number:

42-21

Document Type:

Ordinance

Recommended Motion:

Give second reading and pass Ordinance No. 42-21, approving amendments to RMC Title 23 and the Official Zoning Map of the City of Richland.

Summary:

The City of Richland received five (5) applications for amendments to its Comprehensive Plan Land Use Map and its Official Zoning Map on or before March 1, 2021, which was the deadline for application submittals. On April 27, 2021, the City Council conducted a workshop to review the 2021 Comprehensive Plan Amendment Docket. On June 1, 2021, the Council approved the docket via Resolution No. 62-21 and forwarded it to the Planning Commission for processing.

On October 27, 2021, the Richland Planning Commission conducted a public hearing in which public testimony was received regarding the five (5) Comprehensive Plan Land Use Map and Official Zoning Map amendments. After receiving public input, the Planning Commission voted to recommend approval of four (4) of the five (5) 2021 Comprehensive Plan Land Use Map and Official Zoning Map amendments. The Planning Commission did not recommend CPA2021-102 (Sienna Hills) for approval as it determined that the small commercial node was necessary for the Sienna Hills residential area.

At its December 7, 2021 meeting, Council deliberated without decision on the five (5) proposed amendments, and indicated support for the proposed Sienna Hills amendment, and a lack of support for the proposed Clearwater Creek amendment. Ordinance No. 41-21 has been modified to reflect Council's deliberations. The updated ordinance was approved for first reading on December 21, 2021.

Additional information pertaining to each application can be found in the staff report attached to Ordinance No. 41-21.

Fiscal Impact:

None.

Attachments:

- I. Ordinance No. 42-21

WHEN RECORDED RETURN TO:

Richland City Clerk's Office
625 Swift Boulevard, MS-05
Richland, WA 99352

ORDINANCE NO. 42-21

AN ORDINANCE of the City of Richland amending Title 23: Zoning Regulations of the Richland Municipal Code and the Official Zoning Map of the City of Richland to change zoning on certain parcels or portions of parcels to conform to the updated Comprehensive Plan of the City of Richland.

WHEREAS, this area-wide rezone includes reclassifying all, or portions of, parcels as indicated in Section 1 herein and depicted in **Exhibit A**; and

WHEREAS, the Richland Development Services Department completed environmental review (SEPA) for the land use changes and issued a Threshold Determination of Non-Significance (DNS) on September 1, 2021, which was not appealed; and

WHEREAS, on April 28, 2021, Richland City Council held a workshop to review the proposed 2021 Comprehensive Plan Policies, Maps and Zoning Code Amendments Docket; and

WHEREAS, on June 1, 2021, Richland City Council passed Resolution No. 62-21, authorizing the 2021 Comprehensive Plan Policies, Maps and Zoning Code Amendments Docket; and

WHEREAS, the Planning Commission held a duly advertised public hearing on October 27, 2021 to accept testimony from anyone wishing to speak for or against the proposed changes; and

WHEREAS, on October 27, 2021, the Richland Planning Commission voted to recommend four (4) of the five (5) proposed amendments as evidenced in the Planning Commission's meeting minutes; and

WHEREAS, on December 7, 2021, Richland City Council held a public hearing to consider the proposed amendments and the recommendation of the Planning Commission. All testimony from anyone wishing to speak for or against the changes was accepted, after which Council deliberated on the proposed changes; and

WHEREAS, Richland City Council reviewed the application materials, staff report, and comments concerning the rezoning; and

WHEREAS, after the December 7, 2021 public hearing, Council deliberated without decision on the Planning Commission's recommendation for denial of CPA2021-102 & Z2021-101, which consists of an application to change the land use designation and zoning districts on approximately 1.82 acres from Badger Mountain Subarea Plan – Commercial (BMC) to Badger Mountain Subarea Plan – Medium Density Residential (BMMDR); and

WHEREAS, after the December 7, 2021 public hearing, Council deliberated without decision on the Planning Commission's recommendation for approval of CPA2021-105 & Z2021-105, which consists of an application from Hayden Homes to change the comprehensive plan designation on approximately 10.43 acres from Commercial to Medium Density Residential, and to change the zoning district from Retail Business (C-1) to Medium Density Residential (R-2S); and

WHEREAS, based on the deliberation occurring on December 7, 2021, Council directed the City Manager to bring forward updated Ordinance Nos. 41-21 and 42-21 with findings and conclusions consistent with Council's deliberations; and

WHEREAS, on December 21, 2021, by approval of Ordinance No. 42-21 for first reading, Richland City Council voted to amend the City's Comprehensive Plan and change the land use designations for four (4) parcels; and

WHEREAS, Richland City Council finds the proposed amendments to be in compliance with the Comprehensive Plan of the City of Richland as amended by Ordinance No. 42-21 and area-wide rezone criteria of the Richland Municipal Code.

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

Section 1. Change in Zones. To implement the 2021 amendments to the Comprehensive Plan of the City of Richland as adopted by Ordinance No. 41-21, the property listed below is rezoned as follows:

- A portion of Parcel Numbers 120083000009013 & 12083020005000 (21 Acres) is rezoned from Parks & Public Facilities (PPF) to Multiple Family Residential (R-3).

- Parcel No. 104984000001000 (6.9 Acres) is rezoned from Agriculture (AG) and General Business (C-3) to all General Business (C-3).
- Parcel No. 115981020400007 (0.44 Acres) is rezoned from Low Density Residential 12,000 (R-1-12) to Multiple Family Residential (R-3).
- Parcel Number 124983000001005 (1.82 Acres) is rezoned from Commercial Limited Business (C-LB) to Medium-Density Residential (R-2).

Section 2. Title 23 of the City of Richland Municipal Code and the Official Zoning Map of the City, as adopted by Section 23.08.040 of said title, are amended by amending Sectional Map Nos. 5, 9, 12, 13 and 22, which are five (5) maps in a series of maps constituting said Official Zoning Map, as shown on the attached **Exhibit A** and bearing the number and date of passage of this Ordinance, and by reference made a part of this Ordinance and of the Official Zoning Map of the City.

Section 3. The City Clerk is directed to file with the Auditor of Benton County, Washington a copy of this Ordinance and the attached amended Sectional Map Nos. 5, 9, 12, 13 and 22, duly certified by the Clerk as a true copy.

Section 4. This Ordinance shall take effect the day following its publication in the official newspaper of the City of Richland.

Section 5. 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 6. 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 4th day of January, 2022.

Ryan Lukson, Mayor

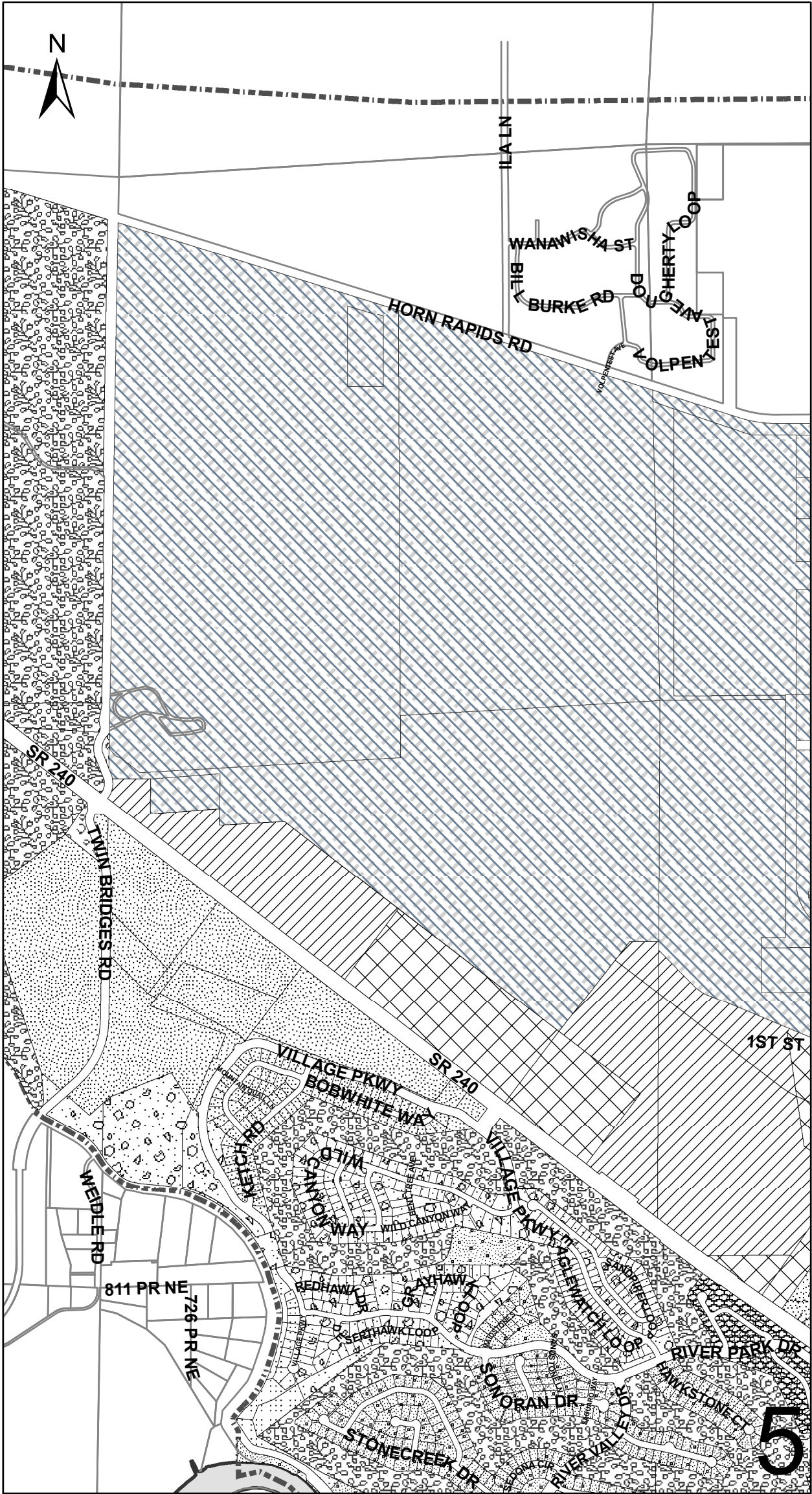
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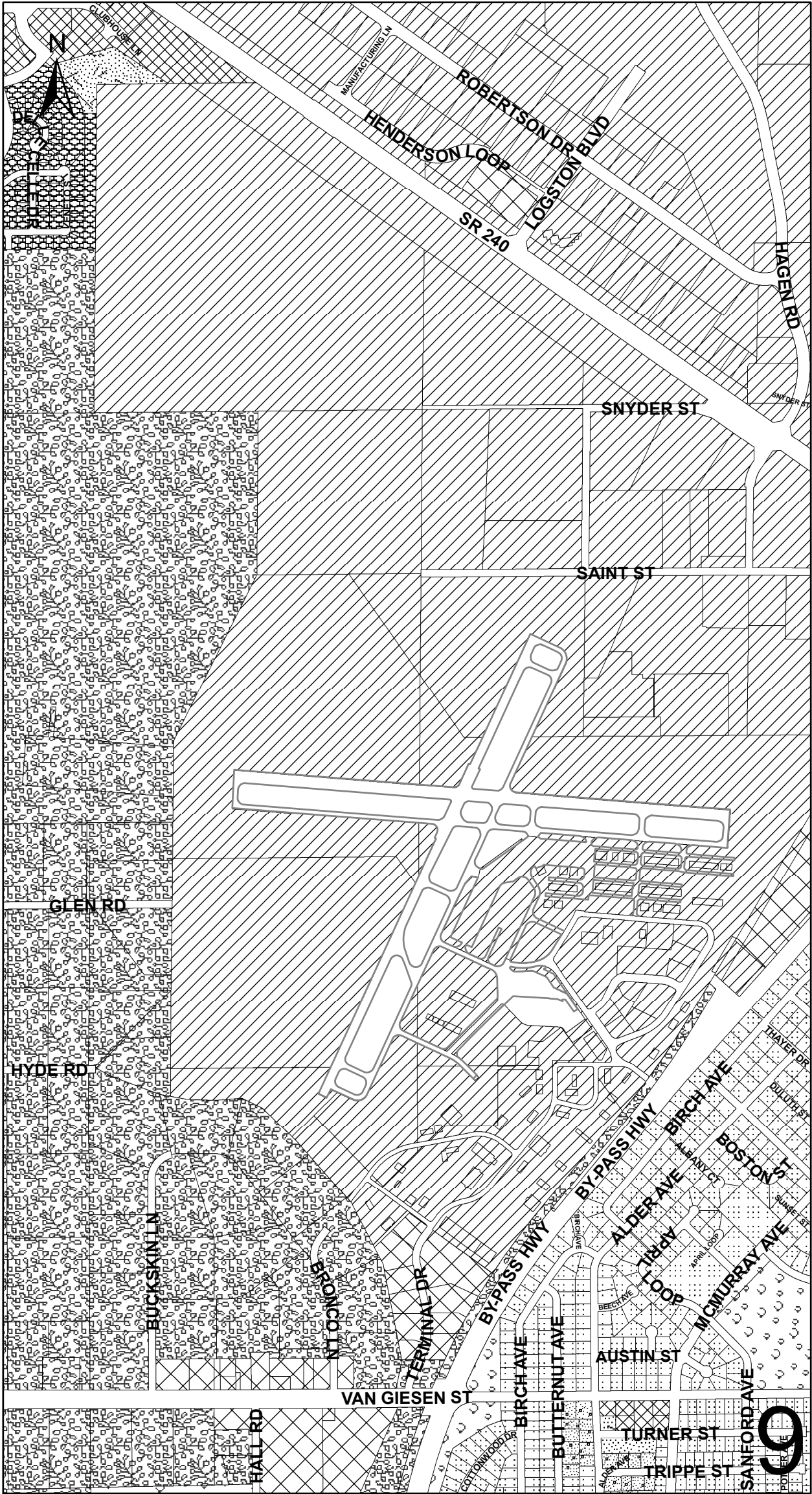
Approved as to Form:

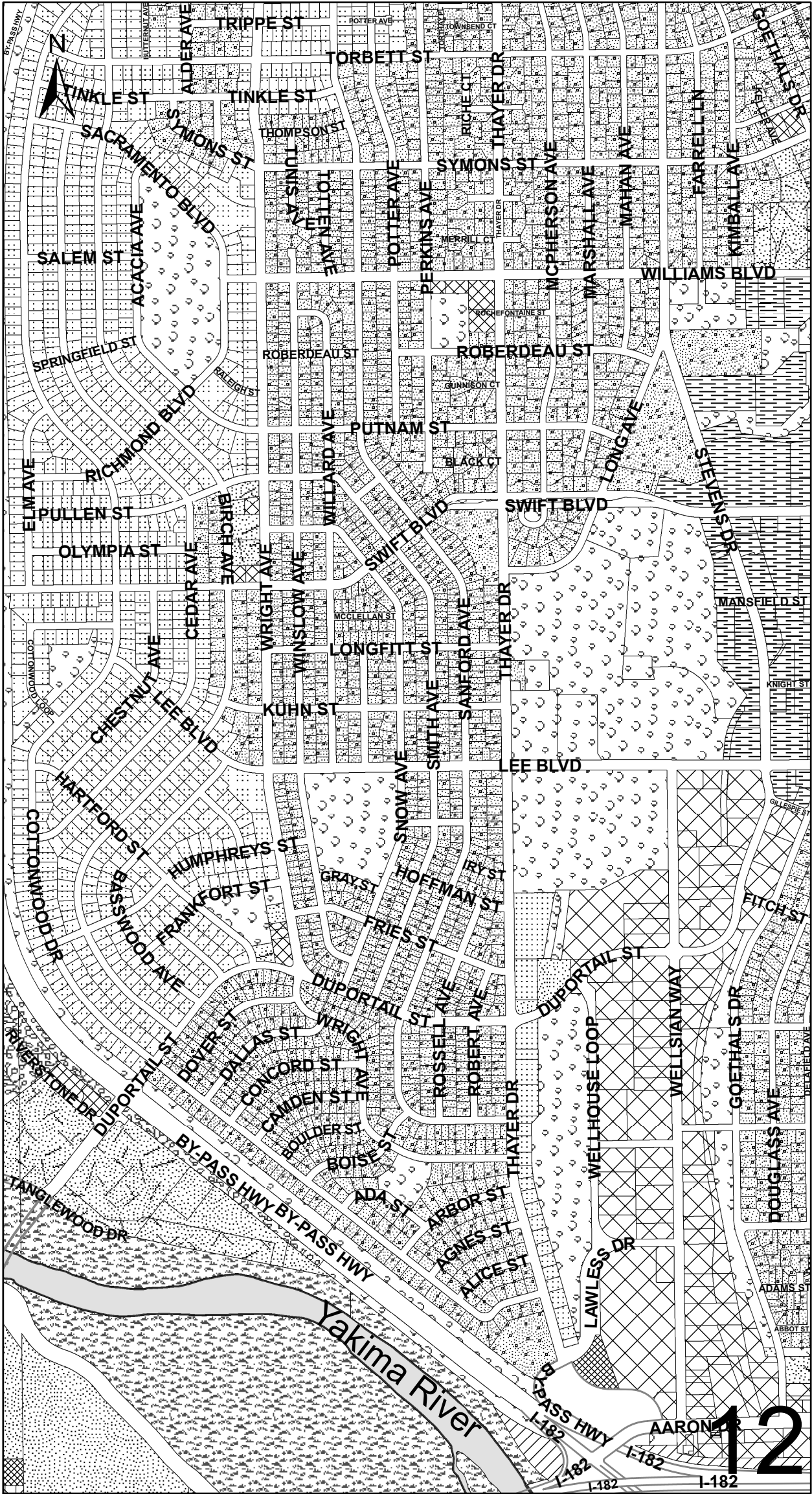
Jennifer Rogers, City Clerk

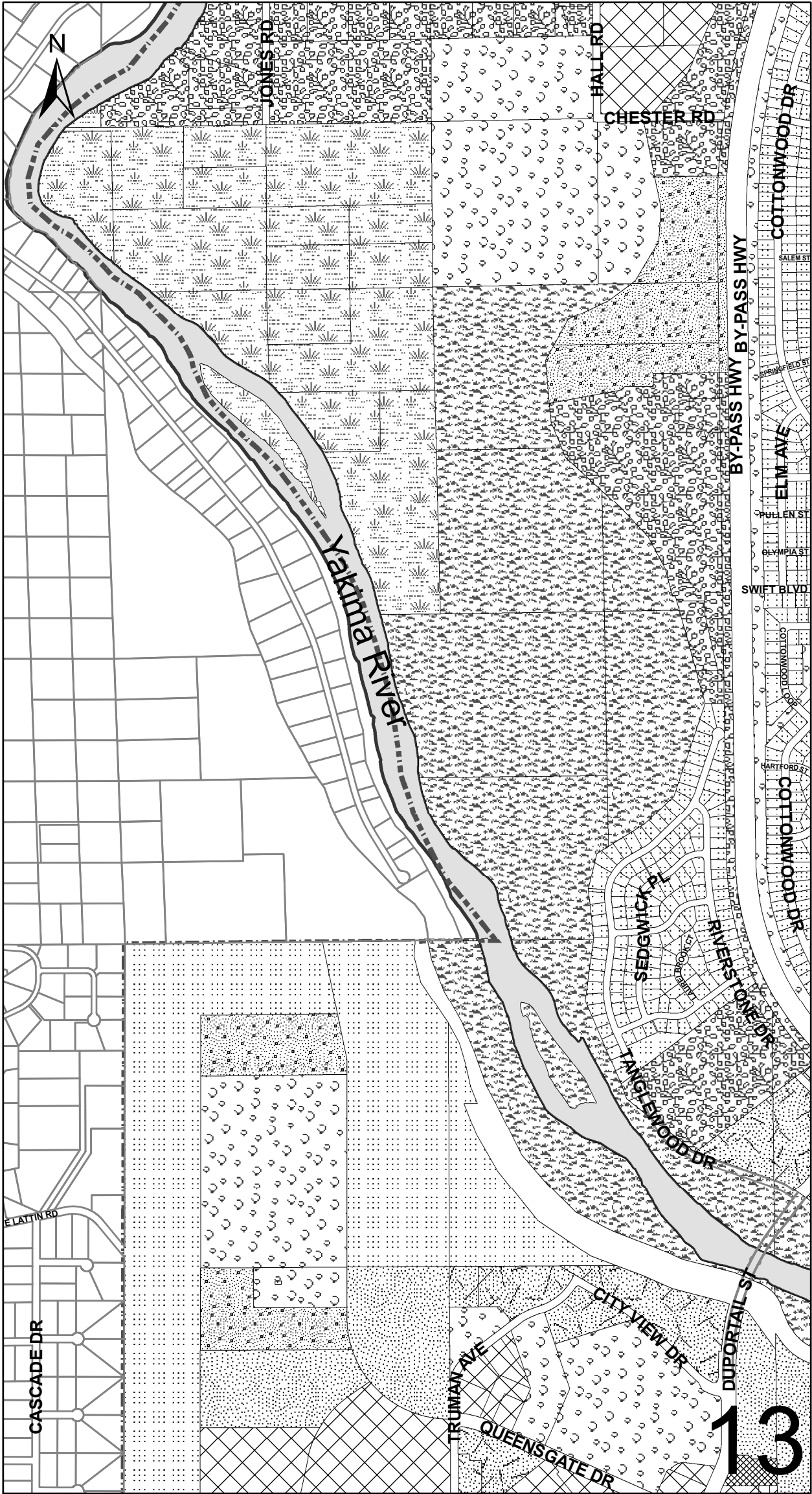
Heather Kintzley, City Attorney

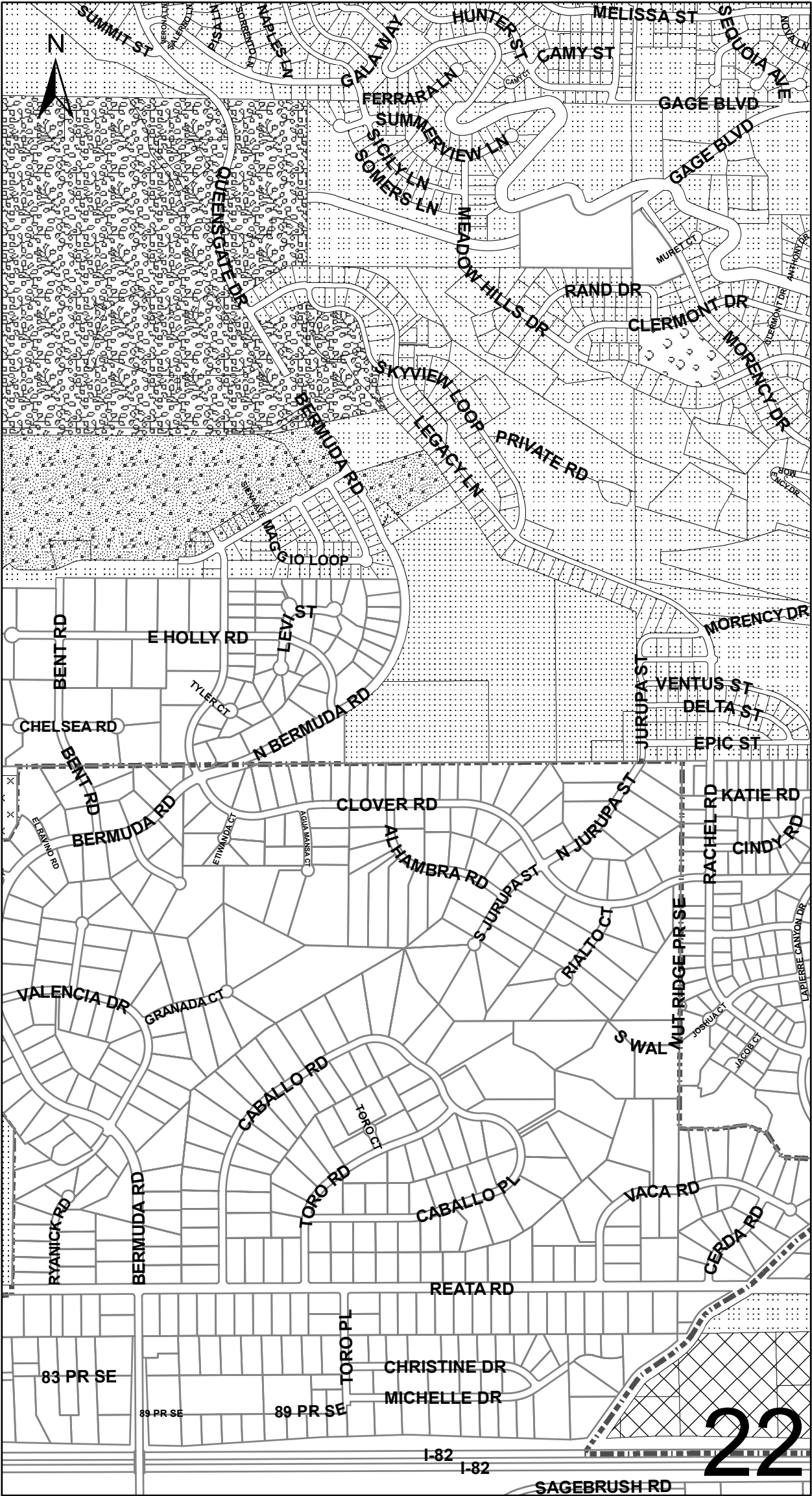
First Reading: December 21, 2021
Second Reading: January 4, 2022
Date Published: January 9, 2022













COUNCIL AGENDA ITEM COVERSHEET

Council Date: 1/4/2022

Agenda Category: Ordinances - Second Reading & Passage

Core Focus Area 2 - Manage & Maintain Infrastructure & Facilities

Subject:

Ordinance No. 43-21, Amending Chapter 12.03 of the Richland Municipal Code related to Road Impact Fees

Department:
Public Works

Ordinance/Resolution Number:
43-21

Document Type:
Ordinance

Recommended Motion:

Give second reading and pass Ordinance No. 43-21, amending Chapter 12.03 of the Richland Municipal Code related to Road Impact Fees

Summary:

In 2004, Council created Richland Municipal Code (RMC) Chapter 12.03 regarding Road Impact Fees. RMC 12.03.140 states that changes to the impact fees will be reviewed and approved by Council through an ordinance. Several revisions have occurred since the program's inception, to include periodic fee updates based on changing project costs and development patterns, and the expansion of the program to include additional geographic zones within the City. The current program includes three zones, all located south of the Yakima River.

Staff proposes to add a fourth zone covering the Horn Rapids area for the following reasons: 1) a road impact fee functions as a savings account dedicated to specific street improvements that are reliably expected to be needed to support future development; 2) the City, as the majority property owner in the Horn Rapids area, will need to fund street improvements as it sells property and development occurs; and 3) an impact fee program provides a predictable and fair method of distributing the costs of needed improvements to the development that creates the need.

Impact fees assessed pursuant to Chapter 82.02 RCW must be based upon a showing that new development creates additional demand and need for public streets and roads, that the impact fees do not exceed a proportionate share of the costs of such additional public streets and roads, and that the impact fees are spent on public streets and roads that are reasonably related to the new development. New developments in the Horn Rapids area will generate the need for street improvements, specifically improvements to SR-240 and its intersections with city streets. The necessary analysis to satisfy the requirements of Chapter 82.02 RCW for the Horn Rapids area has been completed, generating an estimate of development in the benefit area, scoping and estimating the costs of improvements needed to support the development, and calculating the impact fee rate. The improvement list created for this proposal is largely centered on improvements to SR-240, which functions as the arterial corridor for the Horn Rapids area. Other needed streets will be built by developers and/or the City to support local access to development parcels.

Impact fees imposed by the proposed ordinance will be used for public street improvements, mostly to SR-240, that are reasonably related to, and will provide benefit for new development and will be collected and spent on public streets and roads that are identified in the RMC. The impact fee program will provide a predictable and fair assessment related to traffic impacts on new developments, thus streamlining the approval process for these developments.

Staff completed outreach to those most likely to pay the fee. The outreach included the Port of Benton, the Tri-Cities Homebuilders Association, and specific land purchase clients for the City-owned property in the affected area. No opposition to the proposal from those contacted has been raised.

Fiscal Impact:

The proposed new impact fee area will increase revenues to the City, estimated at approximately \$150,000 annually based on the past 5 years of residential and commercial building permits.

Attachments:

- I. Ordinance No. 43-21

ORDINANCE NO. 43-21

AN ORDINANCE of the City of Richland amending Chapter 12.03 of the Richland Municipal Code related to road impact fees.

WHEREAS, on November 1, 2004, Richland City Council adopted Ordinance No. 39-04, creating Richland Municipal Code (RMC) Chapter 12.03 – Road Impact Fees; and

WHEREAS, RMC 12.03.140 provides that changes to the City's impact fees will be reviewed and approved by City Council via ordinance; and

WHEREAS, the boundary of the area within the City covered by road impact fees is being expanded to include the Horn Rapids area; and

WHEREAS, impact fees assessed pursuant to Chapter 82.02 RCW must be based upon a showing that new development creates additional demand and need for public streets and roads, that the impact fees do not exceed a proportionate share of the costs of such additional public streets and roads, and that the impact fees are spent for public streets and roads that are reasonably related to the new development; and

WHEREAS, new developments in the Horn Rapids area will generate the need for street improvements, specifically improvements to SR-240 and its intersections with city streets; and

WHEREAS, impact fees imposed by this Ordinance will be used for public streets improvements that are reasonably related to, and will provide benefit for, new development; and

WHEREAS, impact fees will be collected and spent for public streets and roads that are identified in the Richland Municipal Code; and

WHEREAS, the impact fee program will provide a predictable and fair assessment related to traffic impacts for new developments, thus streamlining the approval process for these developments; and

WHEREAS, an analysis of required projects and associated costs has been completed by professional staff, and a rate study has been provided to serve as the basis for the actions taken by Richland City Council.

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

Section 1. Chapter 12.03 of the Richland Municipal Code, entitled Road Impact Fees, as enacted by Ordinance No. 39-04 and last modified by Ordinance 36-18, is hereby amended to read as follows:

Chapter 12.03 ROAD IMPACT FEES

Sections:

- 12.03.010 Authority and purpose.**
- 12.03.020 Definitions.**
- 12.03.030 Imposition of transportation impact fees.**
- 12.03.040 Calculation of impact fees.**
- 12.03.060 Credits.**
- 12.03.070 Applicability.**
- 12.03.080 Time of payment of impact fees.**
- 12.03.085 Deferral of impact fee payment.**
- 12.03.090 Adjustments.**
- 12.03.100 Establishment of impact fee account.**
- 12.03.120 Refunds.**
- 12.03.130 City use of collected funds.**
- 12.03.140 Plan and fee update.**
- 12.03.150 Appeals.**
- 12.03.160 Existing authority unimpaired.**
- 12.03.170 Relationship to SEPA.**
- 12.03.180 Relationship to concurrency.**
- 12.03.190 Project list.**
- 12.03.200 Options for implementation.**
- 12.03.220 Grant funds.**

12.03.010 Authority and purpose.

The ~~South~~ Richland traffic impact fee program has been developed pursuant to the city of Richland police powers, the Growth Management Act as codified in Chapter 36.70A RCW, the enabling authority in Chapter 82.02 RCW, Chapter 58.17 RCW relating to platting and subdivisions and the State Environmental Policy Act (SEPA), Chapter 43.21C RCW.

The purpose of the traffic impact fee program is to:

- A. Develop a program consistent with Richland's comprehensive plan, the six-year transportation improvement program (TIP) and the capital improvement plan (CIP), for joint public and private financing of transportation improvements necessitated in whole or in part by development within the program boundary;
- B. Ensure adequate levels of transportation and traffic service consistent with the level of transportation service identified in the comprehensive plan and this title;
- C. Create a mechanism to charge and collect fees to ensure that all new development bears its proportionate share of the capital costs of off-site transportation facilities directly necessitated by new development; and

D. Ensure fair collection and administration of such transportation impact fees.

The provisions of the ~~South~~ Richland traffic impact fee program shall be liberally construed to effectively carry out its purpose in the interests of the public health, safety and welfare.

12.03.020 Definitions.

For the purposes of this chapter the following terms, phrases and words shall have the meaning given herein:

“Developer” means an individual, group of individuals, partnership, corporation, association, municipal corporation, state agency, or other person undertaking development and their successors and assigns.

“Development” means the subdivision or short platting of land or the construction or expansion of commercial, industrial, public, or any other nonresidential building, building space, or land that generates additional vehicular trips.

“Development permit” means a building permit, special use or other city-issued permit required to develop property that will generate additional vehicular trips.

“Equivalent single-family residential unit” means a unit of development that generates 10 vehicle trips per day as defined by the latest edition of the ITE Trip Generation Manual.

“Fair market value” means the price that a property will bring in a competitive and open market under all conditions of a fair sale, the buyer and seller each prudently knowledgeable, and assuming the price is not affected by undue stimulus, measured at the time of the dedication to local government of land or improved transportation facilities.

“Off-site transportation improvements” means those transportation capital improvements designated in the comprehensive plan or capital improvement plan adopted by the city that serve the transportation needs of more than one development and that are located outside the boundary of the permitted project.

“Traffic impact zone” means an identified traffic shed boundary as depicted on the official plan map with similar travel patterns that will benefit from a group of planned improvement projects.

“Transportation impact fee” means a monetary charge imposed on new development for the purpose of mitigating off-site transportation impacts that are a direct result of the proposed development.

12.03.030 Imposition of transportation impact fees.

Transportation impact fees imposed in this program:

A. Shall only be imposed for system improvements that are reasonably related to the new

development;

B. Shall not exceed a proportionate share of the costs of system improvements that are reasonably related to the new development;

C. May be collected and spent only for system improvements, which are provided for in the transportation element of the capital improvement plan and comprehensive land use plan;

D. Shall not be imposed to mitigate the same off-site transportation facility impacts that are mitigated pursuant to the State Environmental Policy Act (SEPA) or any other law;

E. Shall not be used to correct existing transportation system deficiencies as of the date of adoption of this plan; and

F. Shall be collected only once for each development, unless changes or modifications to the development are proposed which result in greater direct impacts on transportation facilities than were considered when the development was first approved.

12.03.040 Calculation of impact fees.

The method of calculating the transportation impact fees in this program incorporates, among other things, the following:

A. The cost of public streets and roads necessitated by new development;

B. An adjustment to the costs of the public streets and roadways for past or future SEPA mitigation payments made by previous development to pay for particular system improvements that were prorated to the particular system improvement;

C. The availability of other means of funding public street and roadway improvements; and

D. The methods by which public street and roadway improvements were financed.

Each single-family residence unit in Traffic Impact Zone 1 shall be subject to a fee amounting to \$1,991.25. Each single-family residence unit in Traffic Impact Zone 2 shall be subject to a fee amounting to \$854.81. Each single-family residential unit in Traffic Impact Zone 3 shall be subject to a fee amounting to \$2,229.09. Each single-family residential unit in Traffic Impact Zone 4 shall be subject to a fee amounting to \$2,222.43. Fees for commercial, industrial, and/or multifamily developments will be calculated based on their peak hour trip generation rates as determined by the city engineer applying the latest version of the ITE Trip Generation Manual. Pass-by and internally captured trips will be deducted from the total trip generation in determining new development trips. As an example, a commercial building in Traffic Impact Zone 2 generating 150 trips with 50 being pass-by and/or internally captured trips resulting in 100 new peak hour trips will have an impact fee of \$85,481.

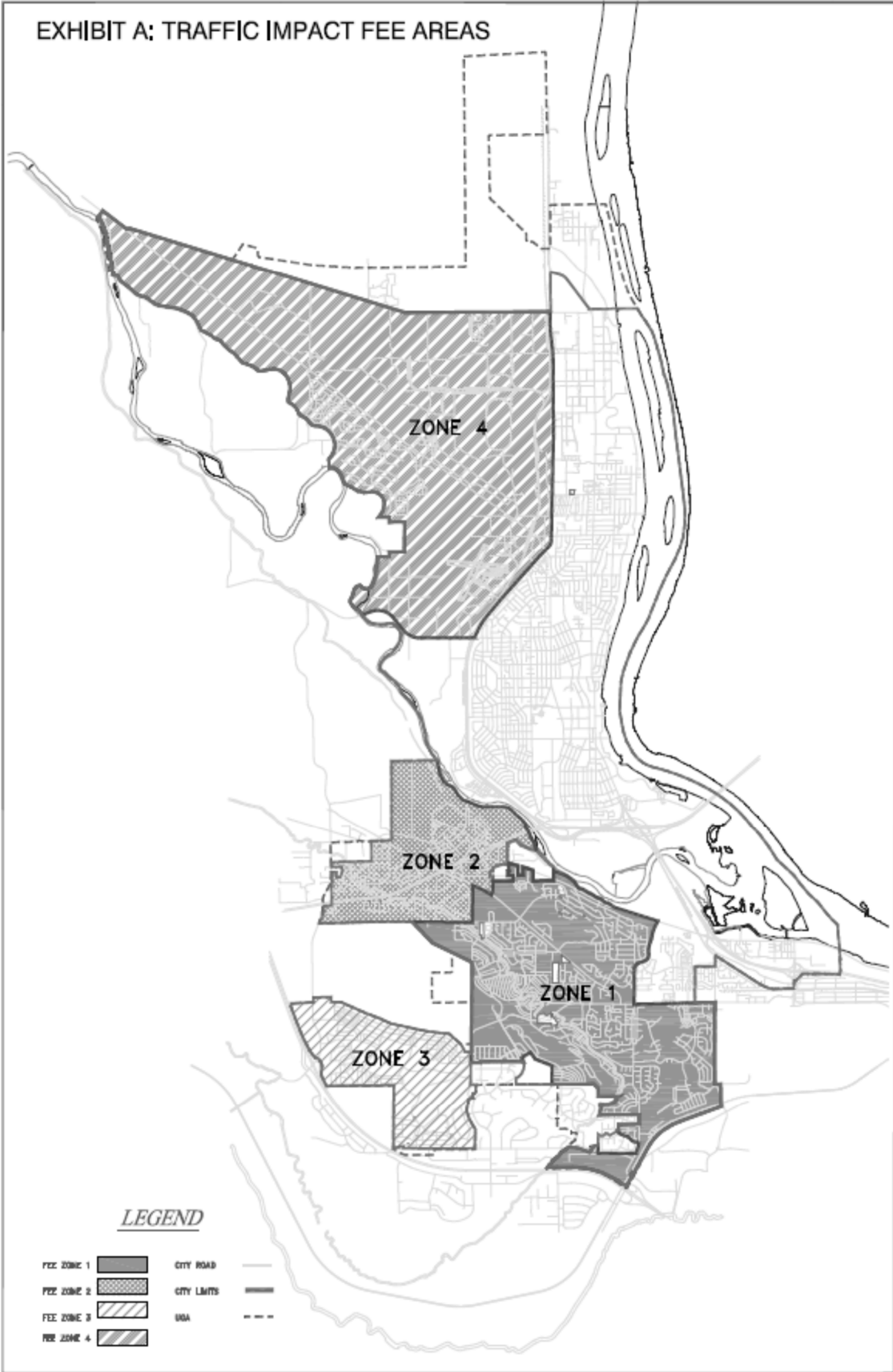
12.03.060 Credits.

A credit, not to exceed the impact fee otherwise payable, shall be provided for the fair market value of any dedication of land for, improvement to, or new construction of any system improvements provided by the developer, to facilities that are identified in the financing plan. The determination of "value" shall be consistent with the assumptions and methodology used by the city in estimating the capital improvement costs. For land dedications, the value of land dedicated after January 1, 2018, shall be \$4.50 per square foot. For land dedications dedicated before January 1, 2018, the value shall be established based on a determination of fair market value at the time of dedication.

12.03.070 Applicability.

The requirements of this chapter apply to all development activity located within the boundaries of an identified traffic impact fee zone as depicted on the map titled Exhibit A. The requirements of this chapter do not apply outside the boundaries of the City or within unincorporated properties within the exterior boundary of the City. Unincorporated areas located inside of a traffic impact fee zone as depicted in Exhibit A are not considered to establish the fee levels. An unincorporated area that is annexed into the City will be assigned to the appropriate fee area and shall participate in the program prior to approval of any development proposal. ~~The requirements of the South Richland traffic impact fee program apply to all development activity in the city of Richland as depicted on the map titled Exhibit A that is attached to the ordinance codified in this chapter. Unincorporated areas within the boundary will not be used in the fee calculations and once annexed into the city will be assigned to the appropriate fee area and shall participate in the program prior to approval of any development proposal.~~

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12.03.080 Time of payment of impact fees.

All new development within the program boundary shall pay a transportation impact fee in accordance with the provisions of this plan at the time that the applicable development permit is ready for issuance; except that permit applications for detached or attached single-family residences may defer impact fee payment, as authorized under RMC 12.03.085. The fee paid shall be the amount in effect as of the date of the permit issuance.

The impact fee amount shall be set as of the date of the development permit application. No development permit shall be issued until the impact fee is paid, except as authorized under RMC 12.03.085.

A developer may obtain a preliminary determination of the impact fee before application for a development permit.

Impact fees may be paid under protest in order to obtain a permit or other approval of development activity.

12.03.085 Deferral of impact fee payment.

Impact fees required for a detached or attached single-family residence shall be paid either prior to the issuance of a building permit for a single-family residence or, if the applicant chooses, the impact fee can be deferred until the time that the city approves the final building inspection for the single-family residence. If an applicant chooses to defer payment of an impact fee, the following process shall be followed:

A. The amount of the impact fee shall be determined at the time the applicant applies for deferral of the impact fee.

B. The applicant shall grant a deferred impact fee lien against the property in favor of the city of Richland in the amount of the deferred impact fee. The deferred impact fee lien shall include the legal description of the property, the county assessor tax parcel number, and the property address on a form approved by the city and containing the signatures of all owners of the property.

C. The deferred impact fee lien shall be recorded by the city. The applicant shall be responsible for providing all recording fees for the deferred impact fee lien.

D. Once the impact fee has been paid, the city shall execute a release of deferred impact fee lien. The applicant shall be responsible for recording the release of deferred impact fee lien.

The city shall not approve the final inspection or issue a certificate of occupancy for any building until the impact fee has been paid in full.

12.03.090 Adjustments.

The amount of fee to be imposed on a particular development may be adjusted by the public works director giving consideration to studies and other data available to the

director or submitted by the developer demonstrating to the satisfaction of the director that an adjustment should be made in order to carry out the purposes of this chapter.

12.03.100 Establishment of impact fee account.

Impact fee receipts for the **South** Richland traffic impact fee program shall be earmarked specifically and retained in special interest-bearing accounts. Separate accounts shall be established and maintained for each traffic impact zone. All interest shall be retained in the account and expended for the purpose or purposes for which the impact fees were imposed.

12.03.120 Refunds.

A developer may request and shall receive a refund when the developer does not proceed with the development activity for which transportation impact fees were paid, and the developer shows that no impact has resulted.

The owner must submit a request for a refund to the city in writing within one year of the date the right to claim the refund arises. Any transportation impact fees that are not expended or encumbered within the time limitations established, and for which no application for a refund has been made within this one-year period, shall be retained and expended on any project identified in the South Richland traffic impact fee program.

In the event that transportation impact fees must be refunded for any reason, they shall be refunded with interest earned to the owners as they appear of record with the Benton County assessor at the time of refund.

When the city seeks to terminate any or all impact fee requirements, all unexpended or unencumbered funds shall be refunded pursuant to this section. Upon the finding that any or all fee requirements are to be terminated, the city shall place notice of such termination and the availability of refunds in a newspaper of general circulation at least two times and shall notify all potential claimants by first class mail to the last known address of claimants. Claimants shall request refunds as in this section. All funds available for refund shall be retained for a period of one year. At the end of one year, any remaining funds shall be retained by the city, but must be expended on projects identified within the **South** Richland traffic impact fee program. This notice requirement shall not apply if there are no unexpended or unencumbered balances within an account or accounts being terminated.

12.03.130 City use of collected funds.

The city will establish a separate account for each traffic impact zone in the **South** Richland traffic impact fee program into which developer contributions will be deposited. The only eligible costs that would be allowed to draw upon these funds would be for right-of-way acquisition, design engineering, construction, construction management and inspection, or reimbursement of funds expended on approved improvements within the plan area boundaries. Eligible expenditures would be prioritized based on:

A. Right-of-way acquisition for a project to reduce the traffic load on a street at or over capacity as defined in the municipal code.

B. Construction costs for a project to reduce the traffic load on a street at or over capacity as defined in the municipal code.

C. Right-of-way acquisition for a project projected to reduce the traffic load on a street projected to exceed the code capacity based on approved preliminary plats.

D. Construction costs for an approved improvement that will reduce the traffic load on a collector street projected to exceed the code capacity based on approved preliminary plats.

E. Reimbursement of private developer construction costs for an approved street improvement included in an approved latecomer agreement.

F. Reimbursement of private developer right-of-way acquisition costs for an approved street improvement included in an approved latecomer agreement.

Transportation impact fees shall be expended or encumbered for a permissible use within six years of receipt, unless there exists an extraordinary or compelling reason for fees to be held longer than six years. The public works director may recommend to the council that the city hold fees beyond six years in cases where extraordinary or compelling reasons exist. Such reasons shall be identified in written findings by the council.

The finance director shall prepare an annual report on the transportation impact fee account showing the source and amount of all monies collected, earned or received and projects that were financed in whole or in part by transportation impact fees.

The city council will approve expenditures of **South** Richland traffic impact fee program funds in accordance with the above priorities.

12.03.140 Plan and fee update.

This plan may be updated annually to evaluate the consistency of development density assumption, estimated project costs and adjust for awarded grant funding, if any. Plan updates that result in a change in impact fees will be reviewed by city council. Impact fee changes will only occur through an ordinance requiring council action.

12.03.150 Appeals.

A developer may appeal the amount of an impact fee determined by the city. The appeal shall be submitted in writing to the public works director. No appeal shall be permitted until the impact fees at issue have been paid.

A. The developer shall bear the burden of proving:

1. That the city committed an error in calculating the developer's proportionate share, as determined by an individual fee calculation; or

2. That the fee was based upon incorrect data.

Appeals regarding the impact fees imposed on any development activity shall only be filed by the fee payer of the property where such development activity will occur.

B. The fee payer must first file the appeal and request a review regarding impact fees as provided herein:

1. The request shall be in writing stating the specific reasons for the appeal;
2. The appeal and request for review shall be filed no later than 14 calendar days after the fee payer pays the impact fees at issue;
3. The public works director shall issue a determination in writing within 14 calendar days after the receipt of the appeal;
4. The developer may appeal the public works director's determination to the city council.

12.03.160 Existing authority unimpaired.

Nothing in this chapter shall preclude the city from requiring the applicant for a building permit, or certificate of occupancy if no building permit is required, to mitigate adverse environmental impacts of a specific development pursuant to the State Environmental Policy Act, Chapter 43.21C RCW, based on the environmental documents accompanying the underlying development approval process, and/or Chapter 58.17 RCW, governing plats and subdivisions; provided, that the exercise of this authority is consistent with the provisions of RCW 82.02.050(1)(c).

12.03.170 Relationship to SEPA.

All development shall be subject to environmental review pursuant to SEPA and other applicable city ordinances and regulations.

Payment of the impact fee shall constitute satisfactory mitigation of those traffic impacts related to the specific improvements identified on the project list.

Further mitigation in addition to the impact fee shall be required for identified adverse impacts appropriate for mitigation pursuant to SEPA that are not mitigated by an impact fee.

Nothing in this chapter shall be construed to limit the city's authority to deny development permits when a proposal would result in significant adverse traffic impacts identified in an environmental impact statement and reasonable mitigation measures are insufficient to mitigate the identified impact.

12.03.180 Relationship to concurrency.

Development proposals that are submitted in general conformance with the assumptions made for land uses and scale/density will be deemed to meet the concurrency requirements of the Growth Management Act by paying the appropriate transportation impact fee. A development proposal not meeting such may require additional review and

studies to determine concurrency.

12.03.190 Project list.

The improvements included in the traffic impact fee program are:

A. Traffic Impact Zone 1.

1. Queensgate Drive (Phase 1) – Keene Road to Shockley.
2. Queensgate Drive/Keene Road intersection improvements.
3. Shockley Road – Keene Road to Columbia Park Trail.
4. Center Parkway Extension – Leslie Road to Clearwater Creek.
5. Center Parkway/Leslie Road intersection improvements.
6. Leslie Road/Columbia Park Trail intersection improvements.
7. Leslie Road/Reata Road intersection improvements.
8. ~~Road B-C~~ [Gage Boulevard](#) – Corvina Street to Queensgate.
9. Queensgate Drive (Phase 2) – Westcliffe Heights to city limits.
10. Gage Boulevard – Morency Drive to Queensgate.
11. Gage Boulevard/Queensgate Boulevard/~~Road B-C~~ [Gage Boulevard](#) intersection improvements.
12. Center Parkway extension – Steptoe Street to west side of Clearwater Creek.
13. Bellerive Drive – Claybell Park to Center Parkway.

B. Traffic Impact Zone 2.

1. Queensgate and Eastbound I-182 ramps improvements.
2. Queensgate and Westbound I-182 ramps improvements.
3. Queensgate and Duportail intersection improvements.
4. Duportail/Kennedy intersection improvements.
5. Duportail/driveway intersection improvements.
6. Duportail/Keene intersection improvements.
7. Queensgate Drive – Truman Avenue to city limits.

C. Traffic Impact Zone 3.

1. Trowbridge Boulevard – Dallas Road to Ava Way (half road constructed).
2. Trowbridge Boulevard – Ava Way to ~~Road B-C~~ [Gage Boulevard](#).
3. Ava Way – Extension to Trowbridge Boulevard.
4. Dallas Road widening (four lanes).
5. Bella Coola Lane – Trowbridge Boulevard to ~~Road B-C~~ [Gage Boulevard](#).
6. ~~Road B-C~~ [Gage Boulevard](#) – Reata Road to Trowbridge Boulevard.
7. ~~Road B-C~~ [Gage Boulevard](#) – Trowbridge Boulevard to Corvina Street.
8. ~~Road B-C~~ [Gage Boulevard](#)/Trowbridge intersection improvements.
9. Dallas Rd/Trowbridge Boulevard intersection improvements.
10. Dallas Road/Ava Way intersection improvements.
11. Trowbridge/Ava Way intersection improvements.
12. Trowbridge/Bella Coola Lane intersection improvements.
13. Dallas Road/I-82 EB ramps intersection improvements.
14. Dallas Road/I-82 WB ramps intersection improvements.

D. Traffic Impact Zone 4.

1. SR-240/Logston Road intersection improvements.
2. SR-240/Village Parkway intersection improvements.
3. SR-240/Twin Bridges Road intersection improvements.
4. SR-240/Beardsley Road intersection improvements.
5. SR-240 widening – west of Stevens Dr to 1,000' west of Hagen Road.
6. SR-240 widening – 1,000' west of Hagen Road to 1,000' west of Kingsgate Way.
7. SR-240 widening – 1,000' west of Kingsgate Way to Village Parkway.
8. SR-240 widening – Village Parkway to Beardsley Road.
9. SR-240 widening – Beardsley Road to Vantage Properties western access.
10. Kingsgate Way – Clubhouse Lane to Van Giesen Avenue

12.03.200 Options for implementation.

A. As defined in the ~~South~~ Richland traffic impact fee program, the impact fee will be designed to accomplish the following scope of work:

1. Right-of-way acquisition.
2. Traffic signal and intersection improvements.
3. Street improvements including asphalt pavement, curb, gutter, sidewalk, street lighting, and storm drainage. Roadside landscaping is excluded from the impact fee scope of work. In Zones 1 and 2, pavement width beyond 32 feet, curb, gutter, sidewalk, street lighting and storm drainage are excluded from the fee-covered scope of work and remain the responsibility of the underlying property owner.

B. Improvement costs are divided into two elements:

1. Right-of-way acquisition; and
2. Design and construction of city standard collector street section, including storm drain system, street lights, curb, gutter, sidewalks, and listed intersection improvements. Roadside landscaping is excluded from the impact fee scope of work. In Zones 1 and 2, pavement width beyond 32 feet, curb, gutter, sidewalk, street lighting and storm drainage are excluded from the fee-covered scope of work and remain the responsibility of the underlying property owner.

12.03.220 Grant funds.

Grant funds acquired for identified improvements in the program will be applied to the public share of the project, if any, and then to the new development share and may result in a reassessment of required plan funding, with properties developing after the grant was acquired benefiting from lower per-trip costs.

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 4th day of January, 2022.

Ryan Lukson, Mayor

Attest:

Approved as to Form:

Jennifer Rogers, City Clerk

Heather Kintzley, City Attorney

First Reading: December 21, 2021

Second Reading: January 4, 2022

Date Published: January 9, 2022



COUNCIL AGENDA ITEM COVERSHEET

Council Date: 1/4/2022

Agenda Category: Ordinances - Second Reading & Passage

Core Focus Area 2 - Manage & Maintain Infrastructure & Facilities

Subject:

Ordinance No. 45-21, Revising the Corporate Boundary of the City of Richland to include a Portion of Reata Road

Department:
Public Works

Ordinance/Resolution Number:
45-21

Document Type:
Ordinance

Recommended Motion:

Give second reading and pass Ordinance No. 45-21, revising the corporate boundary of the City of Richland to include a portion of Reata Road right-of-way.

Summary:

Land development associated with the Badger Mountain South development is proposed at the City's corporate boundary at Reata Road. That development will require urban style improvements to Reata Road, which is presently within Benton County and overseen by Benton County's Public Works Department.

Staff from Richland and Benton County recommend transferring a portion of the Reata Road right-of-way to the City so that the City's Public Works Department may oversee the urban improvements to Reata Road. On November 16, 2021, Council adopted Resolution No. 139-21, authorizing an agreement with Benton County for the revision of Richland's corporate boundary at Reata Road. An ordinance is required to revise the City's corporate limits in compliance with the interlocal agreement.

The revision of the corporate boundary is consistent with the City's Comprehensive Plan because the adjusted area is within the City's Urban Growth Area, and inclusion of the roadway within city limits will enable appropriate urban improvements in the City.

Staff recommends approval of Ordinance No. 45-21 for second reading and passage.

Fiscal Impact:

The additional public street segment will carry an ongoing maintenance burden that is estimated to be small and manageable.

Attachments:

- I. Ordinance No. 45-21

ORDINANCE NO. 45-21

AN ORDINANCE of the City of Richland revising the corporate boundary of the City of Richland to include a portion of Reata Road.

WHEREAS, the City of Richland and Benton County have entered into an Agreement for the revision of the corporate boundary of the City of Richland; and

WHEREAS, the City of Richland must pass an ordinance to revise its corporate limits in compliance with the Agreement; and

WHEREAS, this action is exempt from review under the State Environmental Policy Act (RCW 43.21C.222); and

WHEREAS, the revision of the corporate boundary of the City of Richland, to include the property described below, is consistent with the City's Comprehensive Plan since the adjusted area is within the City's Urban Growth Area (UGA), and inclusion of the roadway within city limits will foster economic growth in the City.

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

Section 1. The corporate limits of the City of Richland are hereby revised to include the following described real property which consists of roadway and road right-of-way:

That portion of Reata Road beginning at the north right-of-way of Interstate 82 and extending east to the east line of Section 4, Township 8N, Range 28E, W.M. containing 12.17 acres, more or less.

Also being depicted on the attached **Exhibit 1**.

Section 2. All property within the revised corporate boundary shall be assessed and taxed at the same rate and on the same basis as property within the City, including assessments for taxes and payment of any bonds issued or debts contracted prior to or existing as of the date of annexation, and be further subject to the indebtedness of the City of Richland.

Section 3. From and after the effective date of this Ordinance, the above described property shall be subject to all of the laws and ordinances of the City of Richland then and thereafter in force and effect.

Section 4. Severability. The provisions of this Ordinance are hereby declared to be severable. If any section, subsection, sentence, clause, or phrase of this Ordinance or its application to any person or circumstance is for any reason held to be invalid or unconstitutional, the remainder of this Ordinance shall not as a result of said section, subsection, sentence, clause, or phrase be held unconstitutional or invalid.

Section 5. This Ordinance shall take effect the day following its publication in the official newspaper of the City of Richland.

PASSED by the City Council of the City of Richland, Washington, at a regular meeting on the 4th day of January, 2022.

Ryan Lukson, Mayor

Attest:

Approved as to Form:

Jennifer Rogers, City Clerk

Heather Kintzley, City Attorney

First Reading: December 21, 2021

Second Reading: January 4, 2022

Date Published: January 9, 2022

SITE MAP





COUNCIL AGENDA ITEM COVERSHEET

Council Date: 1/4/2022

Agenda Category: Resolutions - Adoption

Core Focus Area I - Promote Financial Stability & Operational Effectiveness

Subject:

Resolution No. 2022-01, Authorizing a 2022-2026 Interlocal Agreement for the Hanford Communities

Department:
City Manager

Ordinance/Resolution Number:
2022-01

Document Type:
Resolution

Recommended Motion:

Adopt Resolution No. 2022-01, authorizing the City Manager to sign and execute a successor interlocal agreement with the cities of Kennewick, Pasco and West Richland and the counties of Franklin and Benton to continue the Hanford Communities administrative agency.

Summary:

Hanford Communities was established in 1994 by an interlocal agreement with the cities of Kennewick, Pasco and Richland and the counties of Benton and Franklin as a forum for local governments in the Tri-Cities area most impacted by the Hanford Site. In 2016, West Richland joined Hanford Communities through an updated interlocal agreement. The Hanford Communities exchange information and ideas related to Hanford issues, such as cleanup and economic transition.

The most recent interlocal agreement expired December 31, 2021. A new interlocal is necessary to continue the Hanford Communities administrative agency. The parties to the agreement remain unchanged.

Additional language has been added to clarify the records retention obligations of the Operating Jurisdiction. TRIDEC has served as the Operating Jurisdiction of the Hanford Communities administrative agency since 2020.

Staff recommends adoption of Resolution No. 2022-01.

Fiscal Impact:

Funds necessary to carry out the interlocal agreement comes from Participating Jurisdiction assessments and federal, state, and other grants. Assessments are based on a funding formula approved by the Hanford Communities Administrative Board. The formula is based on population, and Richland paid approximately \$12,750 in 2020.

Attachments:

- I. Resolution No. 2022-01

RESOLUTION NO. 2022-01

**A RESOLUTION OF THE CITY OF RICHLAND, WASHINGTON,
AUTHORIZING AN INTERLOCAL AGREEMENT BETWEEN THE
CITIES OF RICHLAND, KENNEWICK, PASCO, AND WEST
RICHLAND AND THE COUNTIES OF BENTON AND FRANKLIN
RELATED TO HANFORD COMMUNITIES.**

WHEREAS, the Interlocal Cooperation Act, Ch. 39.34 RCW, permits local government agencies to make the most efficient use of their powers by enabling them to cooperate with other localities on the basis of mutual advantage to provide services and facilities that will best meet the needs of each community; and

WHEREAS, environmental contamination at Hanford and the United States Department of Energy's consequential remediation and waste management activities impose numerous health, safety, and socio-economic impacts on the well-being of the residents of our local communities; and

WHEREAS, the cities of Richland, Kennewick, and Pasco, and the counties of Benton and Franklin (Participating Jurisdictions) entered in to a five-year interlocal agreement in 1994 (Contract No. 92-14), establishing the Hanford Communities as an administrative agency tasked with reviewing, evaluating and monitoring conditions at Hanford and the policies, programs and operations of the Department of Energy (DOE) and others in regard to Hanford; and

WHEREAS, said interlocal agreement was renewed in 1999, 2004, 2009, 2015, and most recently in 2017, for an additional five-year period, to December 31, 2021; and

WHEREAS, the City of Richland continues to value its involvement and participation with the Hanford Communities.

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Richland that the Mayor of Richland is authorized to sign and execute an Interlocal Agreement, in substantially the form provided in **Exhibit A** hereto, between and among the cities of Kennewick, Pasco, Richland and West Richland, and the counties of Benton and Franklin, effective January 1, 2022 and ending December 31, 2026.

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

ADOPTED by the City Council of the City of Richland, Washington, at a regular meeting on the 4th day of January, 2022.

Ryan Lukson, Mayor

Attest:

Approved as to Form:

Jennifer Rogers, City Clerk

Heather Kintzley, City Attorney

AN INTERLOCAL COOPERATION AGREEMENT BETWEEN ELIGIBLE LOCAL GOVERNMENTS TO REVIEW, EVALUATE, AND MONITOR CONDITIONS AND OPERATIONS AT THE HANFORD NUCLEAR RESERVATION (HANFORD) AND ESTABLISHING THE HANFORD COMMUNITIES

This **INTERLOCAL AGREEMENT**, effective the 1st day of January, 2022, is hereby entered into by and between the Cities of Richland, Kennewick, Pasco, and West Richland, and the Counties of Benton and Franklin (hereinafter referred to as "Participating Jurisdictions").

WHEREAS, the Interlocal Cooperation Act, RCW 39.34 allows public agencies to make the most efficient use of their powers by enabling them to cooperate with each other on the basis of mutual advantage to provide services and facilities that will best meet the needs of each community; and

WHEREAS, environmental contamination at Hanford and the U.S. Department of Energy's consequential environmental remediation and waste management activities impose numerous health, safety, and socio-economic impacts on the well-being of the residents of Richland, Kennewick, Pasco, West Richland, and unincorporated portions of Benton and Franklin Counties; and

WHEREAS, the vast majority of those who work at Hanford live in and around the Cities of Richland, Kennewick, Pasco, and West Richland; and the counties therein; and

WHEREAS, although each jurisdiction fully reserves the right to pursue its own interests with regard to Hanford, through joint utilization of personnel and other resources these jurisdictions are desirous of entering into a program to review, evaluate and monitor conditions at Hanford and policies, programs and operations of the Department of Energy (DOE) and others in regard to Hanford,

NOW THEREFORE, in consideration of the mutual covenants contained herein, it is agreed in accordance with the provisions of RCW 39.34.030 as follows:

I. PURPOSE

The purpose of this Agreement is to make available jointly to the Participating Jurisdictions technical, analytical, and other resources to review, evaluate and monitor conditions at Hanford such as cleanup, workforce and community transition. Information will also be made available regarding policies, programs and operations of the DOE and others with regard to Hanford, and to enhance citizen understanding of such. To that end, the Participating Jurisdictions have established and periodically renew this Interlocal Cooperation Agreement creating an administrative entity to be known as the "*Hanford Communities*" to:

1. Coordinate efforts concerning Hanford activities and issues requiring local government interaction or participation between the Hanford Communities, the DOE, local, state, and national agencies;
2. Interact with the DOE, the Washington State Department of Ecology, the U. S. Environmental Protection Agency, and others regarding Hanford environmental contamination, remediation, waste management, response to emergencies, and work force and site transition issues;

3. Evaluate reports, findings, and recommendations regarding ongoing, planned and possible cleanup and waste management activities at Hanford, including actual or potential environmental and socio-economic impacts on the Hanford Communities or individual Participating Jurisdictions;
4. Prepare special studies, assessments, surveys, and related efforts regarding Hanford for the use of the Hanford Communities or individual Participating Jurisdictions and/or to further public information and enhance citizen understanding of Hanford-related issues; and
5. Prepare and issue position papers, give testimony, and sponsor other activities designed to inform the public about environmental, waste management, emergency management, and site transition activities; and
6. Prepare and present issue papers and sponsor activities in support of workforce and community transition issues.

II. ORGANIZATION

1. **Eligibility:** Full membership in the Hanford Communities Interlocal is limited to the cities of Richland, Kennewick, Pasco, and West Richland and the counties of Benton and Franklin. Affiliate memberships are open to local government entities other than general purpose governments.
2. **Governing Board:** The governing bodies of each Participating Jurisdiction shall identify one (1) elected legislative representative from its governing body to serve on the Governing Board of the Hanford Communities. Governing Board members shall focus on addressing issues at the policy level and shall advocate positions consistent with the annual Issue Agenda.
3. **Administrative Board:** The chief administrative officers, or designees, of the Participating Jurisdictions shall constitute the Administrative Board of the Hanford Communities. Administrative Board members shall address the day-to-day activities of the Hanford Communities consistent with executing the policy decisions made by the Governing Board.
4. **Operating Jurisdiction:** The Operating Jurisdiction may be one of the Participating Jurisdictions or a third-party qualified to carry out the items enumerated in "Section I - Purpose" on behalf of the Hanford Communities. The Operating Jurisdiction's rules, regulations, and ordinances, unless otherwise specifically provided for herein, apply to the administrative entity. Employees of the administrative entity are employees of the Operating Jurisdiction, which shall provide all necessary support services. With oversight from the Administrative Board, the Operating Jurisdiction shall administer the Hanford Communities budget, from which authorized program expenses shall be reimbursed. The Operating Jurisdiction shall provide these reimbursed services at no administrative charge to participants of this Interlocal Agreement.
5. **Officers:** There shall be a Chairperson and Vice-chairperson for the Governing Board and the Administrative Board, respectively. The Chairperson and Vice-chairperson shall be elected from among the membership of each board to serve one-year terms effective January 1 of each year.

III. ADMINISTRATION

1. **Budget Preparation:** The Operating Jurisdiction shall prepare a budget in accordance with its budget cycle based upon policies adopted by the Governing Board. The budget shall be approved by the Governing Board of the Hanford Communities.
2. **Funding:** Funds necessary to carry out this Agreement shall come from Participating Jurisdiction assessments and federal, state, and other grants. Assessments shall be based on a funding formula approved by the Hanford Communities Administrative Board.
3. **Meetings:** The Governing Board shall meet annually to approve the Hanford Communities budget and Issue Agenda for the coming year, and other times as needed. The Administrative Board will meet as needed, however, in no event less frequently than biannually each calendar year. Meetings of the Hanford Communities Governing Board shall be subject to the Washington Open Public Meetings Act.
4. **Dispute Resolution:** Disputes between or among the Participating Jurisdictions and affiliated members regarding the breach, interpretation or enforcement of this Agreement shall be first addressed by the parties in a good faith effort to resolve the dispute. Any remaining disputes shall be resolved by binding arbitration in accordance with RCW 7.04A and the Mandatory Rules of Arbitration.
5. **Liability:** To the extent any liability exceeds the insurance coverage of the Operating Jurisdiction, each remaining Participating Jurisdiction shall be jointly liable for the balance of claim in the same ratio as their percentage contribution is to the annual budget.

IV. DURATION OF THE AGREEMENT

This Agreement shall be effective the 1st day of January, 2022 and shall continue through December 31, 2026. The term of this Agreement may be extended thereafter with the written approval of the Participating Jurisdictions.

V. OWNERSHIP OF PROPERTY

All property, real and personal, acquired with Hanford Communities funds to carry out the purposes of this Agreement shall be owned by and between the Participating Jurisdictions in the same ratio as their percentage of contribution is to the annual budget. Real and personal property owned by the Operating Jurisdiction and used to service its contract with the Hanford Communities shall remain the property of the Operating Jurisdiction.

All documents, studies, and issue papers prepared for or on behalf of the Hanford Communities shall be available to Participating Jurisdictions and affiliates for all purposes. The Operating Jurisdiction is responsible for maintaining Hanford Communities' records consistent with state law for retention of public records, Ch. 40.14 RCW. The Washington Public Records Act shall apply to such records for any request made by the public. The Operating Jurisdiction shall serve as the public records officer for Hanford Communities.

VI. AMENDMENT

The Agreement may be amended upon written approval of a majority of the Governing Board.

VII. WITHDRAWAL

A jurisdiction may withdraw without penalty from this Agreement effective December 31 of any year, provided written notice is given to the Administrative Board no later than the preceding June 30.

RICHLAND

Mayor, City of Richland

Attest:

Richland City Clerk

Approved as to Form:

City Attorney

PASCO

Mayor, City of Pasco

Attest:

Pasco City Clerk

Approved as to Form:

Pasco City Attorney

KENNEWICK

Mayor, City of Kennewick

Attest:

Kennewick City Clerk

Approved as to Form:

City Attorney

WEST RICHLAND

Mayor, City of West Richland

Attest:

West Richland City Clerk

Approved as to Form:

West Richland City Attorney

BENTON COUNTY

Chairman, Benton County
Board of Commissioners

Attest:

Clerk of the Board, Benton County

Approved as to Form

Benton County Civil Deputy
Prosecuting Attorney

FRANKLIN COUNTY

Chairman, Franklin County
Board of Commissioners

Attest:

Clerk of the Board, Franklin County

Approved as to Form:

Franklin County Civil Deputy
Prosecuting Attorney

Draft



COUNCIL AGENDA ITEM COVERSHEET

Council Date: 1/4/2022

Agenda Category: Resolutions - Adoption

Core Focus Area I - Promote Financial Stability & Operational Effectiveness

Subject:

Resolution No. 2022-02, Authorizing a Consultant Agreement with Berry, Dunn, McNeil & Parker, LLC for Utility Billing Analysis and Enterprise Asset Management Services

Department:
Assistant City Manager

Ordinance/Resolution Number:
2022-02

Document Type:
Resolution

Recommended Motion:

Adopt Resolution No. 2022-02, authorizing a consultant agreement with BerryDunn for utility billing analysis and enterprise asset management services.

Summary:

The City of Richland is in need of services for business process diagramming and gap analysis of utility billing and enterprise asset management. The attached contract includes work scopes for both of these areas, and is a key component of the next phase of our current ERP implementation. BerryDunn has familiarity with the City's ERP system, which will provide the City with an efficient process review in these areas.

A waiver to the competitive procurement requirements of Chapter 3.04 RMC is appropriate and has been approved by the City Manager.

Staff recommends approval of Resolution No. 2022-02.

Fiscal Impact: The contract value is not to exceed \$123,410.00. Funds are available in the 2022 Budget.

Attachments:

1. Resolution No. 2022-02
2. Draft BerryDunn Consultant Agreement

RESOLUTION NO. 2022-02

**A RESOLUTION OF THE CITY OF RICHLAND, WASHINGTON,
AUTHORIZING A CONSULTANT AGREEMENT WITH BERRY,
DUNN, MCNEIL & PARKER, LLC FOR UTILITY BILLING
ANALYSIS & ENTERPRISE ASSET MANAGEMENT SERVICES.**

WHEREAS, the City of Richland is in need of business process diagramming and gap analysis for utility billing services; and

WHEREAS, in 2016, through a formal Request for Proposals (RFP) selection process, the City selected Berry, Dunn, McNeil & Parker, LLC (BerryDunn) to provide enterprise resource planning (ERP) consulting services for the Gap Analysis/RFP Development project; and

WHEREAS, BerryDunn has familiarity with the City's ERP system that allows the City to receive efficient process review and analysis of its entire system; and

WHEREAS, BerryDunn is qualified to perform the consulting services needed for the utility billing analysis and Enterprise Asset Management services; and

WHEREAS, a waiver of the City's competitive solicitation is appropriate under the circumstances and has been approved by the City Manager; and

WHEREAS, the City's best interests are served by executing a consultant agreement with BerryDunn for utility billing analysis and Enterprise Asset Management services.

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Richland that the City Manager is authorized to sign and execute a consultant agreement with Berry, Dunn, McNeil & Parker, LLC in an amount not to exceed \$123,410.00 for utility billing analysis and Enterprise Asset Management services.

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

ADOPTED by the City Council of the City of Richland, Washington, at a regular meeting on the 4th day of January, 2022.

Ryan Lukson, Mayor

Attest:

Approved as to Form:

Jennifer Rogers, City Clerk

Heather Kintzley, City Attorney



AGREEMENT BETWEEN CITY AND CONSULTANT

Business Process Modeling

This Agreement is entered into this _____ day of January, 2022 ("Effective Date") by and between the **City of Richland** ("**City**"), a Washington municipal corporation located at 625 Swift Blvd. Richland, WA 99352, and **Berry Dunn McNeil & Parker LLC** ("**Consultant**"), a foreign limited liability company with service at 100 Middle Street, Portland ME, 04101. **City** and **Consultant** are referred to individually herein as a "Party" and collectively herein as the "Parties."

WITNESSETH:

1. SCOPE OF WORK

- a. Consultant shall furnish all services, labor and related equipment necessary to conduct and complete the work outlined in Exhibit A. In performing these services, Consultant shall at all times comply with all federal, state and local statutes, rules and ordinances applicable to the performance of such services. In addition, these services and all duties incidental or necessary therefore, shall be performed diligently and completely and in accordance with professional standards of conduct and performance. All services performed under this Agreement will be conducted solely for the benefit of the City and will not be used for any other purpose without written consent of the City.
- b. This Agreement consists of this Agreement and other documents listed below. These form the entire Agreement between the Parties, and are fully integrated into this Agreement as if stated or repeated herein. In the event of a conflict between documents, the order of precedence will be the order listed below. An enumeration of the Agreement documents is set forth below (mark all that apply):
 1. ☒ City of Richland Agreement No. _____
 2. ☒ Exhibit A: Scope of Work
 3. ☐ City Richland Solicitation No. N/A
 4. ☐ Exhibit B: Solicitation No. N/A proposal response submitted by Consultant dated N/A.
 5. ☐ Additional Documents – N/A.

2. TIME FOR COMPLETION

Consultant shall not begin any work under the terms of this Agreement until authorized in writing by the City. Consultant agrees to use best efforts to complete all work described under this Agreement by December 16, 2022.

3. TERM

The term of this Agreement shall commence on the Effective Date identified above and end at midnight on December 30, 2022.

4. PAYMENT

- a. Services rendered by Consultant under this Agreement will be paid at the rate set forth in Exhibit A Scope of Work, but in no event shall the total compensation for services rendered under this Agreement exceed **One Hundred Twenty-Three Thousand Four Hundred Ten Dollars and No Cents (\$123,410.00)**, including all fees and those reimbursable expenses listed in Exhibit A.
- b. City shall pay Consultant for services rendered after receipt of a detailed invoice. Invoices not in dispute by the City will be paid net thirty (30) days and shall reference the contract number and/or purchase order applicable to the work. The invoice shall provide sufficient detail on the work being billed and include detailed receipts for any invoices.
- c. Partial payments to cover the percentage of work completed may be requested by Consultant. These payments shall not be more than one (1) per month.
- d. Pre-approved travel, meals and lodging will be reimbursed at cost and only when consultant travels at least 150 miles per one way trip. Reimbursable expenses are limited to the following: coach airfare, ground transportation (taxi, shuttle, car rental), hotel accommodations as provided below, personal or company vehicle use at the then-current federal mileage rate, and meals at the current federal per-diem meal allowance or up to the current federal per-diem with detailed receipts, no alcohol, and a 20% maximum gratuity.
 - i. Hotel accommodations: eligible lodging expenses include the room cost only; itemized receipts must be provided for hotel reimbursements.
 - ii. Hotel reimbursement is limited to the single room rate. If two or more consultants are sharing a room, reimbursement is allowable for only one consultant at the double room rate.
 - iii. The maximum reimbursement should be limited to the best discount rate available and allowable that meets traveler's business needs and basic needs for health, safety and cleanliness. Non-smoking rooms are authorized even if they are more expensive.
- e. Reimbursement for extra services/reimbursable expenses are not authorized under this Agreement unless detailed in the Scope of Work or agreed upon in writing as a modification to this Agreement.
- f. Consultant will allow access to the City, State of Washington, Federal Grantor Agency, Comptroller General of the United States, or any of their duly authorized representatives, to any books, documents, papers, and records which are directly pertinent to this Agreement for the purpose of making audit, examination, excerpts, and transcriptions. Unless otherwise provided, said records must be retained for three (3) years from the date of receipt of final payment. If any litigation, claim, or audit arising out of, in connection with, or relating to this Agreement is initiated before the expiration of the three-year period, the records shall be retained until such litigation, claim, or audit involving the records is completed.

5. INDEPENDENT CONTRACTOR

Consultant, and any and all employees of Consultant or other persons engaged in the performance of any work or services required of Consultant under this Agreement, are

independent contractors and shall not be considered employees of the City. Any and all claims that arise at any time under any Workers' Compensation Act on behalf of said employees or other persons while so engaged, and any and all claims made by a third party as a consequence of any act or omission on the part of Consultant's employees or other persons engaged in any of the work or services required to be provided herein, shall be the sole obligation and responsibility of Consultant.

6. OWNERSHIP OF DOCUMENTS

Any and all data, analyses, documents, photographs, plans, designs, drawings, specifications, surveys, films, documents, reports and other work products created, prepared, produced, constructed, assembled, made, performed, or otherwise produced by Consultant or Consultant's subcontractors for delivery to the City pursuant to this Agreement shall become the sole and absolute property of the City upon completion of the services and payment in full of all payment due to Consultant of the fees set forth in this Agreement. Such property shall constitute "work made for hire" as defined by the U.S. Copyright Act of 1976, 17 U.S.C. § 101, and the ownership of the copyright and any other intellectual property rights in such property shall vest in the City at the time of its creation. Ownership of the intellectual property includes the right to copyright, patent, and register, and the ability to transfer these rights. Material which Consultant uses to perform this Agreement but is not created, prepared, constructed, assembled, made, performed or otherwise produced for or paid for by the City is owned by Consultant and is not "work made for hire" within the terms of this Agreement. Consultant will ensure that all independent contractors have written agreements in place that transfers ownership of all Intellectual Property created by them or provided by them to the City.

The City may make or permit to be made any modifications to the plans and specifications without the prior written authorization of Consultant. The City agrees to waive any claim against Consultant arising from any unauthorized reuse of the plans and specifications, and to indemnify and hold Consultant harmless from any claim, liability or cost arising or allegedly arising out of any reuse of the plans and specifications by the City or its agent not authorized by Consultant.

7. TERMINATION

- a. This Agreement may be terminated by either Party upon thirty (30) days' written notice. In the event this Agreement is terminated by Consultant, the City shall be entitled to reimbursement of costs occasioned by such termination. In the event the City terminates this Agreement, the City shall pay Consultant for the work performed, which shall be an amount equal to the percentage of completion of the work as mutually agreed between the City and Consultant.
- b. If any work covered by this Agreement shall be suspended or abandoned by the City before Consultant has completed the assigned work, Consultant shall be paid an amount equal to the costs incurred up to the date of termination or suspension as mutually agreed upon between the City and Consultant.

8. AVAILABILITY OF RECORDS FOR PUBLIC INSPECTION

- a. As a public contract, all records prepared, generated or used by Consultant or its agents, employees and subcontractors relating to this Agreement and associated work (hereinafter "public records") may be subject to disclosure under the Washington State Public Record Act, Chapter 42.56 RCW.

- b. Contractor shall maintain and retain all such public records in a manner that is readily accessible for a minimum term of no less than three (3) years following completion of the contract work. City shall have the right to timely review all such public records upon request. Contractor shall provide copies of any public records requested by City within thirty (30) calendar days of City's request. If City requests that copies of public records be provided to City in an electronic format, said records shall be provided at no cost to City. If paper copies are requested by City, City shall pay \$.10 per page. Payment for paper copies shall be rendered to Consultant within twenty (20) calendar days of receipt.
- c. All records subject to a public disclosure request will be provided to a requester unless exempted from disclosure by law. The City's decision to exempt or redact any public record shall be based only upon valid exemptions that apply to the City. City will not refrain from disclosing any record under an exemption that may be personal to Consultant. In the event Consultant objects to release of any public record under this Agreement, Consultant may seek judicial approval to prevent such disclosure at Consultant's sole expense. City shall neither aid nor interfere with Consultant's request for an injunction to prevent disclosure of any public record under this Agreement.
- d. Consultant shall insert this provision in all contracts with subcontractors or agents providing services relating to this Agreement.

9. DISPUTE RESOLUTION

- a. The City and Consultant agree to negotiate in good faith for a period of thirty (30) days from the date of notice of all disputes between them prior to exercising their rights under this Agreement, or under law.
- b. All disputes between the City and Consultant not resolved by negotiation between the Parties may be arbitrated only by mutual agreement of the City and Consultant. If not mutually agreed to resolve the claim by arbitration, the claim will resolve by legal action.

10. DEBARMENT CERTIFICATION

Consultant certifies that neither Consultant nor its principals are presently debarred, suspended, proposed for debarment, declared ineligible, or voluntarily excluded from participating in this contract by any federal or state department or agency. Further, Consultant agrees not to enter into any arrangements or contracts related to completion of the work contemplated under this Agreement with any party that is on the "General Service Administration List of Parties Excluded from Federal Procurement or Non-Procurement Programs" which can be found at:

www.sam.gov and <https://secure.lni.wa.gov/verify/>

11. VENUE, APPLICABLE LAW AND PERSONAL JURISDICTION

In the event that either Party deems it necessary to initiate a legal action to enforce any right or obligation under this Agreement, the Parties agree that any such action shall be initiated in the Superior Court of the State of Washington situated in Benton County. The Parties agree that all questions shall be resolved by application of Washington law, and that the Parties to such action shall have the right of appeal from such decision of the Superior Court in accordance with the laws of the State of Washington. Consultant hereby consents to the personal jurisdiction of the Superior Court of the State of Washington situated in Benton County.

12. ATTORNEY'S FEES

The Parties agree that should legal action be necessary to enforce any of the provisions of this Agreement, that the substantially prevailing Party will be awarded its reasonable attorney's fees and costs in action, including costs and attorney's fees on appeal if appeal is taken.

13. INSURANCE

Consultant shall procure and maintain for the duration of the Agreement insurance against claims for injuries to persons or damage to property which may arise from or in connection with the performance of the work hereunder by Consultant, its agents, representatives, or employees.

- a. No Limitation. Consultant's maintenance of insurance as required by this Agreement shall not be construed to limit the liability of Consultant to the coverage provided by such insurance, or otherwise limit the City's recourse to any remedy available at law or in equity.
- b. Minimum Scope of Insurance. Consultant shall obtain insurance of the types described below:
 1. Automobile Liability insurance covering all owned, non-owned, hired and leased vehicles. Coverage shall be written on Insurance Services Office (ISO) form CA 00 01 or a substitute form providing equivalent liability coverage.
 2. Commercial General Liability insurance shall be as least as broad as ISO occurrence form CG 00 01 and shall cover liability arising from premises, operations, stop-gap independent contractors and personal injury and advertising injury. The City shall be named as an insured under the Consultant's Commercial General Liability insurance policy with respect to the work performed for the City using an additional insured endorsement at least as broad as ISO CG 20 26.
 3. Workers' Compensation coverage as required by the Industrial Insurance laws of the State of Washington.
 4. Professional Liability, Errors or Omissions insurance appropriate to the Consultant's profession. Coverage shall be provided if Consultant is providing services under this Agreement as a licensed professional, including, but not limited to, engineers, architects, accountants, surveyors, and attorneys.
- c. Minimum Amounts of Insurance. Consultant shall maintain the following insurance limits:
 1. Automobile Liability insurance with a minimum combined single limit for bodily injury and property damage of \$1,000,000 per accident.
 2. Commercial General Liability insurance shall be written with limits no less than \$2,000,000 each occurrence, \$2,000,000 general aggregate.
 3. Professional Liability insurance shall be written with limits no less than \$1,000,000 per claim and \$1,000,000 policy aggregate limit.

- d. Other Insurance Provisions. Consultant's Automobile Liability and Commercial General Liability insurance policies are to contain, or be endorsed to contain that they shall be primary insurance with respect to the City. Any insurance, self-insurance, or self-insured pool coverage maintained by the City shall be excess of Consultant's insurance and shall not contribute with it.
- e. Acceptability of Insurers. Insurance is to be placed with insurers with a current A.M. Best rating of not less than A:VII.
- f. Verification of Coverage. Consultant shall furnish the City with original certificates and a copy of the amendatory endorsements, including but not necessarily limited to, the additional insured endorsement, evidencing the insurance requirements of Consultant before commencement of the work.
- g. Notice of Cancellation. Consultant shall provide the City with written notice of any policy cancellation within two (2) business days of Consultant's receipt of such notice.
- h. Failure to Maintain Insurance. Failure on the part of Consultant to maintain the insurance as required shall constitute a material breach of contract, upon which the City may, after giving five (5) business days' notice to Consultant to correct the breach, immediately terminate the contract or, at its discretion, procure or renew such insurance and pay any and all premiums in connection therewith, with any sums so expended to be repaid to the City on demand, or at the sole discretion of the City, offset against funds due Consultant from the City.
- i. Public Entity Full Availability of Consultant Limits. If Consultant maintains higher insurance limits than the minimum shown above, the City shall be insured for the full available limits of the Commercial General and Excess or Umbrella liability maintained by Consultant, irrespective of whether such limits maintained by Consultant are greater than those required by this contract or whether any certificate of insurance furnished to the City evidences limits of liability lower than those maintained by Consultant.

14. INDEMNIFICATION / HOLD HARMLESS

- a. Consultant shall defend, indemnify, and hold the City, its officers, officials, employees and volunteers harmless from any and all claims, injuries, damages, losses or suits including attorney fees, arising out of or resulting from the willful or negligent acts, or alleged willful or alleged negligent acts, errors or omissions of the Consultant or the Consultant's employees or agents in performance of this Agreement, except for injuries and damages caused by the sole negligence of the City.
- b. Should a court of competent jurisdiction determine that this Agreement is subject to RCW 4.24.115, then, in the event of liability for damages arising out of bodily injury to persons or damages to property caused by or resulting from the concurrent negligence of the Consultant and the City, its officers, officials, employees, and volunteers, the Consultant's liability, including the duty and cost to defend, shall be only to the extent of the Consultant's negligence. It is further specifically and expressly understood that the indemnification provided herein constitutes the Consultant's waiver of immunity under Industrial Insurance, Title 51 RCW, solely for the purposes of this indemnification. This waiver has been mutually negotiated by the Parties. The provisions of this section shall survive the expiration or termination of this Agreement.

15. STANDARD OF CARE

The professional services will be furnished in accordance with the care and skill ordinarily used by members of the same profession practicing under similar conditions at the same time and in the same locality.

16. SUCCESSORS OR ASSIGNS

All of the terms, conditions and provisions hereof shall inure to the benefit of and be binding upon the Parties hereto, and their respective successors and assigns; provided, however, that no assignment of the Agreement shall be made without written consent of the non-assigning Party, which may be given in the non-assigning Party's sole discretion.

17. NOTICES

Any notices required under this Agreement will be in writing, addressed to the appropriate Party at the address which appears below (as modified in writing from time to time by such party), and given by electronic submission, by facsimile personally, by registered or certified mail, return receipt requested, or by nationally recognized overnight courier service. All notices shall be effective upon the date sent.

Purchasing Manager
City of Richland
625 Swift Blvd., MS-11
Richland, WA 99352
Email: purchasing@ci.richland.wa.us
Phone: (509) 942-7710
Fax: (509) 942-7397

Contact Name: Seth Hedstrom
Name of Firm: Berry Dunn McNeil & Parker, LLC
Address: 100 Middle Street
Address: Portland, ME 04101
Email: shedstrom@ci.richland.wa.us
Phone Number: (207) 541-2212
Fax Number: N/A

18. EQUAL OPPORTUNITY AGREEMENT

Consultant agrees that Consultant will not discriminate against any employee or job applicants for work under this Agreement for reasons of race, sex, nationality, religious creed, or sexual orientation.

19. SEVERABILITY

If any provision of this Agreement conflicts with applicable law, or its application is found to be invalid by a court of competent jurisdiction, the remainder of this Agreement shall not be affected, and to this end, the terms of this Agreement are declared to be severable.

20. AMENDMENTS

All amendments must be in writing and be approved and signed by both Parties.

21. CHANGE IN LAW

The Parties hereto agree that in the event legislation is enacted or regulations are promulgated, or a decision of court is rendered, or any interpretive policy or opinion of any governmental agency charged with the enforcement of any such law or regulation is published that affects or may affect the legality of this Agreement or any part thereof or that materially and adversely affects the ability of either Party to perform its obligations or receive the benefits intended hereunder ("Adverse Change in Law"), then within fourteen (14) calendar days following written notice by either Party to the other Party of such adverse change in law, the Parties shall meet to negotiate in good faith an amendment which will carry out the original intention of the Parties to the extent possible. If, despite good faith attempts, the Parties cannot reach agreement upon an amendment within sixty (60) calendar days after commencing negotiation, then this Agreement may be terminated by either Party as of the

earlier of: (i) the effective date of the adverse change in law, or (ii) the expiration of a period of sixty (60) days following written notice of termination provided by one Party to the other.

22. CONFIDENTIALITY

In the course of performing under this Agreement, Consultant, including its employees, agents or representatives, may receive, be exposed to, or acquire confidential information. Confidential information may include, but is not limited to, patient information, contract terms, sensitive employee information, or proprietary data in any form, whether written, oral, or contained in any computer database or computer readable form. Consultant shall: i) not disclose or sell confidential information except as permitted by this Agreement; (ii) only permit use of such confidential information by employees, agents and representatives having a need to know in connection with performance under this Agreement; and (iii) advise each of its employees, agents, and representatives of their obligations to keep such information confidential.

23. CHANGES OF WORK

- a. When required to do so, and without any additional compensation, Consultant shall make such changes and revisions in the completed work of this Agreement as necessary to correct or revise any errors, omissions, or other deficiencies in the design, drawings, specifications, reports, and other similar documents which Consultant is responsible for preparing or furnishing under this Agreement.
- b. Should the City find it desirable for its own purposes to have previously satisfactorily completed work or parts thereof changed or revised, Consultant shall make such revisions as directed by the City. This work shall be considered as Extra Work and will be paid for as herein provided under Section 24, Extra Work.

24. EXTRA WORK

The City may desire to have Consultant perform work or render additional services within the general scope of this Agreement. Such work shall be considered as extra work and will be specified in a written supplement to this Agreement which will set forth the nature of the scope, schedule for additional work, additional fees and the method of payment. Work under a supplemental Agreement shall not proceed until authorized in writing by the City.

25. ENTIRE AGREEMENT

This Agreement contains the entire agreement of the Parties hereto and supersedes all previous understandings and agreements, written and oral, with respect to this transaction. Neither Party shall be liable to the other for any representations made by any person regarding the terms of this Agreement, except to the extent that the same are expressed in this Agreement.

26. AUTHORITY TO EXECUTE

Each person executing this Agreement on behalf of another person, corporation, partnership, company, or other organization or entity represents and warrants that he or she is fully authorized to so execute and deliver this Agreement on behalf of the entity or party for which he or she is signing. The Parties hereby warrant to each other that each has full power and authority to enter into this Agreement and to undertake the actions contemplated herein, and that this Agreement is enforceable in accordance with its terms.

27. COUNTERPART ORIGINALS

Execution of this Agreement and any amendment or other document related to this Agreement may be by electronic signature and in any number of counterpart originals, each of which shall be deemed to constitute an original agreement, and all of which shall constitute one whole agreement.

(Signature page to follow)

Draft

IN WITNESS WHEREOF, the Parties hereto have executed this Agreement as of the day and year first above written.

CITY OF RICHLAND

CONSULTANT

Jon Amundson, ICMA-CM
City Manager

Signature

Attest:

Printed Name

Jennifer Rogers, City Clerk

Title

Approved as to form:

Heather Kintzley, City Attorney

Draft

EXHIBIT A: Detailed Scope of Work

See attached.

Draft



November 23, 2021

Ms. Tracy Troutman
IT Application Supervisor
City of Richland
505 Swift Boulevard
Richland, Washington 99352

Sent via email to ttroutman@ci.richland.wa.us

Dear Ms. Troutman:

Thank you for providing BerryDunn with the opportunity to submit cost estimates for assisting the City of Richland (City) with the analysis of key utility billing processes. On the following pages, we have outlined how BerryDunn may continue to assist the City in the successful completion of this important project.

Overview of Our Proposed Approach

1. Conduct initial project planning and develop the project schedule
2. Confirm the list of processes to be diagrammed. The preliminary list is included below for reference.

1. New development/property	28. Misapplied payment (adjustments)
2. Builder/temporary services	29. End of day balancing
3. New account	30. Deceased/estates
4. Move in/move out	31. Seasonal
5. Master accounts/tenants/landlords	32. Senior/pro-rated services
6. Deposits	33. Waivers
7. Billing	34. Collections processing (late fee/notifications)
8. Rate determination	35. Collections
9. Rate structure, calculators, review, adjustments	36. Shut offs
10. Cancel/rebill	37. Daily cash
11. Reads	38. Notices (multiple types)
12. Estimated reads	39. Credit balances/refunds
13. Meter exchange	40. Conservation loans
14. Equipment changes/adds	41. Signers vs. customers
15. Payment processing - Counter	42. Deactivating/reactivating/removing services
16. Payment processing - Drop box	43. Bankruptcy
17. Payment processing - Bill payer	44. Lien/RTO
18. Payment processing - IVR	45. FTSU
19. Payment processing - Auto-pay	46. Equalization
20. Payment processing - Equalized	47. Leak adjustment
21. Payment processing - ECare	48. Third-party billing
22. Payment processing - Lockbox	49. Annexation of service area
23. Payment processing - Payment plans	50. Mass update for service start
24. Payment processing - Returned payments	51. SSRS report generation

25. Payment processing - AMI pre-pay	52. Scheduler, for future-date processes/reports
26. Payment processing - Helping Hands	53. "Actions Macro" for account task completion
27. NSF processing	54. Audit processing

3. Conduct project kickoff presentation:

- » Introduce BerryDunn team and City stakeholders
- » Review the approach to process diagramming

4. Conduct a series of web-based process diagramming work sessions to capture the as-is processes for each of the City's in-scope workflows.

5. Conduct diagramming follow-up activities and facilitate a web conference with the City's Project Team to review the As-Is Process Diagrams, which will be finalized after City feedback is implemented.

6. Develop Opportunities for Improvement Memo, which will include the following:

- » Recommended changes to the As-Is Process Diagrams and other opportunities for improvement as the system implementation planning activities progress
- » Recommended considerations where utility billing processes interact with other City processes, or, where individuals from other departments are stakeholders in utility billing processes
- » Additional implementation considerations for the City as they plan for the upcoming community development system implementation

7. Facilitate a web conference work session with City Project Team to review the Opportunities for Improvement Memo, and incorporate feedback before sending a final version to the City.

DELIVERABLES

D1: Project Planning and Schedule

D2: As-Is Process Diagrams

D3: Opportunities for Improvement Memo

Project Cost Estimates

We have provided estimated fees for business process diagramming services in Table 1, calculated based on BerryDunn's experience with similar projects. The cost estimates below are based on an hourly rate of \$205, and are not inclusive of expenses. No on-site trips are planned for this project. BerryDunn will progress bill the City on a monthly basis against completed deliverables.

Table 1: Costs for Project Deliverables

Deliverables	Hours	Cost
D1. Project Planning and Schedule	6	\$1,230
D2. As-Is Process Diagrams	340	\$69,700
D3. Opportunities for Improvement Memo	24	\$4,920
Project Total	370	\$75,850

In Closing

We appreciate the opportunity to continue our work with the City and would be happy to discuss the above cost estimates or provide any additional details that would aid the City's planning process. Should you require further details, we would be happy to discuss the above cost estimates or provide any additional information that would aid the City's planning process.

Sincerely,



Seth Hedstrom, PMP®
Principal
207-541-2212
shedstrom@berrydunn.com

Draft



November 23, 2021

Ms. Tracy Troutman
IT Application Supervisor
City of Richland
505 Swift Boulevard
Richland, Washington 99352

Sent via email to ttroutman@ci.richland.wa.us

Dear Ms. Troutman:

Thank you for providing BerryDunn with the opportunity to submit cost estimates for assisting the City of Richland (City) with an implementation readiness assessment in advance of the City's upcoming Enterprise Asset Management (EAM) system implementation. On the following pages, we have outlined how BerryDunn may continue to assist the City in the successful completion of this important project.

Overview of Our Proposed Approach

1. Conduct initial project planning and develop the project schedule.
2. Confirm division interview participants, develop meeting agendas, and develop a schedule for division interviews. We plan to meet with representatives from each of the following 18 divisions:
 - » *Energy Services:*
 - Electrical Engineering
 - Power Operations
 - Systems
 - Energy Policy Management / Conservation
 - Technical Services
 - » *Public Works*
 - Water Operations
 - Water Maintenance
 - Wastewater Operations
 - Wastewater Maintenance
 - Stormwater
 - City Streets
 - Public Works Administration and Engineering
 - » *Parks and Public Facilities:*
 - Parks and Recreation Projects Administration
 - Parks and Public Facilities
 - » *Administrative Services:*
 - Fleet
 - Finance
 - Purchasing/Warehouse

- » *Other Divisions:*
 - Information Technology
3. Conduct project kickoff presentation:
 - » Introduce BerryDunn team and City stakeholders
 - » Review the approach to division interviews
 4. We will conduct a series of two hour interviews via web conference with representatives from each of the 18 divisions that will be included in the upcoming EAM implementation. During these interviews, we will cover the following topics:
 - » Current asset management and work order systems
 - » Types of asset and work orders being managed in current systems
 - » Information being tracked in current systems
 - » Current system and process challenges
 - » Opportunities for improvement and goals for a new EAM system
 - » Staff availability to participate in implementation activities and staff knowledge of end to end processes
 - » Seasonality of processes and other implementation timing considerations
 - » Identification of the processes that should be diagrammed per division
 5. Develop Implementation Readiness Assessment Memo, which include the following:
 - » A table containing the results of each division meeting. This table will summarize current processes (i.e., intake, scheduling, planning, and reporting) and systems, regulatory requirements and key performance indicators, opportunities for improvement and goals for the future EAM system, staff availability (i.e., number of hours that functional leads could commit to implementation activities in a week or month) for the implementation, and open items that should be confirmed or addressed before starting the implementation.
 - » An overall summary of readiness for the implementation, including a table summarizing readiness, process knowledge, and process flexibility by division
 - » A recommended implementation schedule, including recommended phasing and sequencing of divisions.
 - » Additional planning and implementation considerations for the City as they plan for the upcoming EAM system implementation
 6. Facilitate a virtual work session with City Project Team to review the Implementation Readiness Assessment Memo, and incorporate feedback before sending a final version to the City.
 7. Conduct a web conference with the City Project Manager to prioritize and confirm the list of division processes to be diagrammed. This overall process list will be developed based on the processes identified through division interviews.
 8. Conduct a series of web-based process diagramming work sessions to capture the as-is processes identified for diagramming. We have planned to diagram 54 processes, three for each of the divisions in scope. We have planned to conduct these diagramming sessions through a series of two and one

half hour diagramming work sessions with each division. If challenges, opportunities for improvement, or other open questions are identified through these diagramming meetings, we will capture these notes within the Microsoft Visio file.

9. Conduct diagramming follow-up activities and facilitate a web conference with the City's Project Team to review the As-Is Process Diagrams, which will be finalized after City feedback is implemented.

DELIVERABLES:

D1: Project Planning and Schedule

D2: Implementation Readiness Assessment Memo

D3: As-Is Process Diagrams

Project Cost Estimates

We have provided estimated fees for business process diagramming services in Table 1, calculated based on BerryDunn's experience with similar projects. The cost estimates below are based on an hourly rate of \$205, and are not inclusive of expenses. No on-site trips are planned for this project. BerryDunn will progress bill the City on a monthly basis against completed deliverables.

Table 3: Costs for Project Deliverables

Deliverables	Hours	Cost
D1. Project Planning and Schedule	6	\$1,230
D2. Implementation Readiness Assessment Memo	116	\$23,780
D3. As-Is Process Diagrams	110	\$22,550
Project Total	232	\$47,560

In Closing

We appreciate the opportunity to continue our work with the City and would be happy to discuss the above cost estimates or provide any additional details that would aid the City's planning process. Should you require further details, we would be happy to discuss the above cost estimates or provide any additional information that would aid the City's planning process.

Sincerely,



Seth Hedstrom, PMP®
Principal
207-541-2212
shedstrom@berrydunn.com



Kevin Price, MPP, PMP®, Prosci® CCP
Senior Manager
207-541-2379
kprice@berrydunn.com



COUNCIL AGENDA ITEM COVERSHEET

Council Date: 1/4/2022

Agenda Category: Resolutions - Adoption

Core Focus Area 1 - Promote Financial Stability & Operational Effectiveness

Core Focus Area 2 - Manage & Maintain Infrastructure & Facilities

Subject:

Resolution No. 2022-03, Authorizing Award of Bid to Magnum Power for the Reata Road - Leslie Substation Feeder 141 Extension

Department:
Energy Services

Ordinance/Resolution Number:
2022-03

Document Type:
Resolution

Recommended Motion:

Adopt Resolution No. 2022-03, authorizing the City Manager to sign and execute an agreement with Magnum Power in the amount of \$1,104,500.01 for the Reata Road - Leslie Substation Feeder 141 extension, and to execute change orders in an aggregate amount of up to ten percent (10%) of the approved contract value.

Summary:

The City of Richland Energy Services (RES) completed a twelve-year, long-range electric utility infrastructure plan in 2014 (the "Plan"). Objectives of the Plan were to evaluate system capacity, reliability, required maintenance, aging infrastructure, and economic development opportunities to align with the City's Strategic Leadership Plan.

The City's 2021-2026 Capital Improvement Plan (CIP) identified the extension of Leslie Road Substation Feeder 141 as an investment in utility infrastructure to improve system reliability and capacity. Extending this feeder will better position Energy Services to support the ongoing residential development of the Badger Mountain South area.

The City received six (6) bids on December 14, 2021, with the lowest qualified bid of \$1,104,500.01 from Magnum Power, LLC of Castle Rock, Washington. The engineer's estimate for the project was \$1,519,366.67 and was based on past bids with similar construction.

Staff recommends adoption of Resolution No. 2022-03.

Fiscal Impact:

This project is included in the City's approved 2022 Capital Improvement Plan and funded at \$1,104,500.01 in the approved 2022 Budget for the Electric Fund.

Attachments:

1. Resolution No. 2022-03
2. ITB 21-0087 Map
3. ITB 21-0087 Bid Tab

RESOLUTION NO. 2022-03

**A RESOLUTION OF THE CITY OF RICHLAND, WASHINGTON,
AUTHORIZING THE AWARD OF BID TO MAGNUM POWER, LLC
FOR THE LESLIE SUBSTATION FEEDER 141 EXTENSION
PROJECT.**

WHEREAS, the City of Richland operates an electric utility providing customers with reliable service at the lowest reasonable cost through wholesale power purchases, efficient operations and energy efficiency; and

WHEREAS, the City's 2022-2027 Capital Improvement Plan (CIP) includes various projects related to electric utility system improvements; and

WHEREAS, new infrastructure needs to be extended from the Leslie Road Substation to serve new customers and increase reliability to existing customers; and

WHEREAS, bids were solicited in accordance with the City's purchasing policies, with six (6) bids received and opened on December 14, 2021; and

WHEREAS, Magnum Power, LLC submitted the lowest responsive bid in the amount of \$1,104,500.01 inclusive of sales tax; and

WHEREAS, the City's best interests are served by completing the project in accordance with the Capital Improvement Plan, project design, and lowest responsible bid.

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Richland that the City Manager is authorized to sign and execute an construction contract with Magnum Power, LLC in the amount of \$1,104,500.01 for the Leslie Substation Feeder 141 Extension Project, and to execute change orders in an aggregate amount of up to ten percent (10%) of the approved contract amount.

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

ADOPTED by the City Council of the City of Richland, Washington, at a regular meeting on the 4th day of January, 2022.

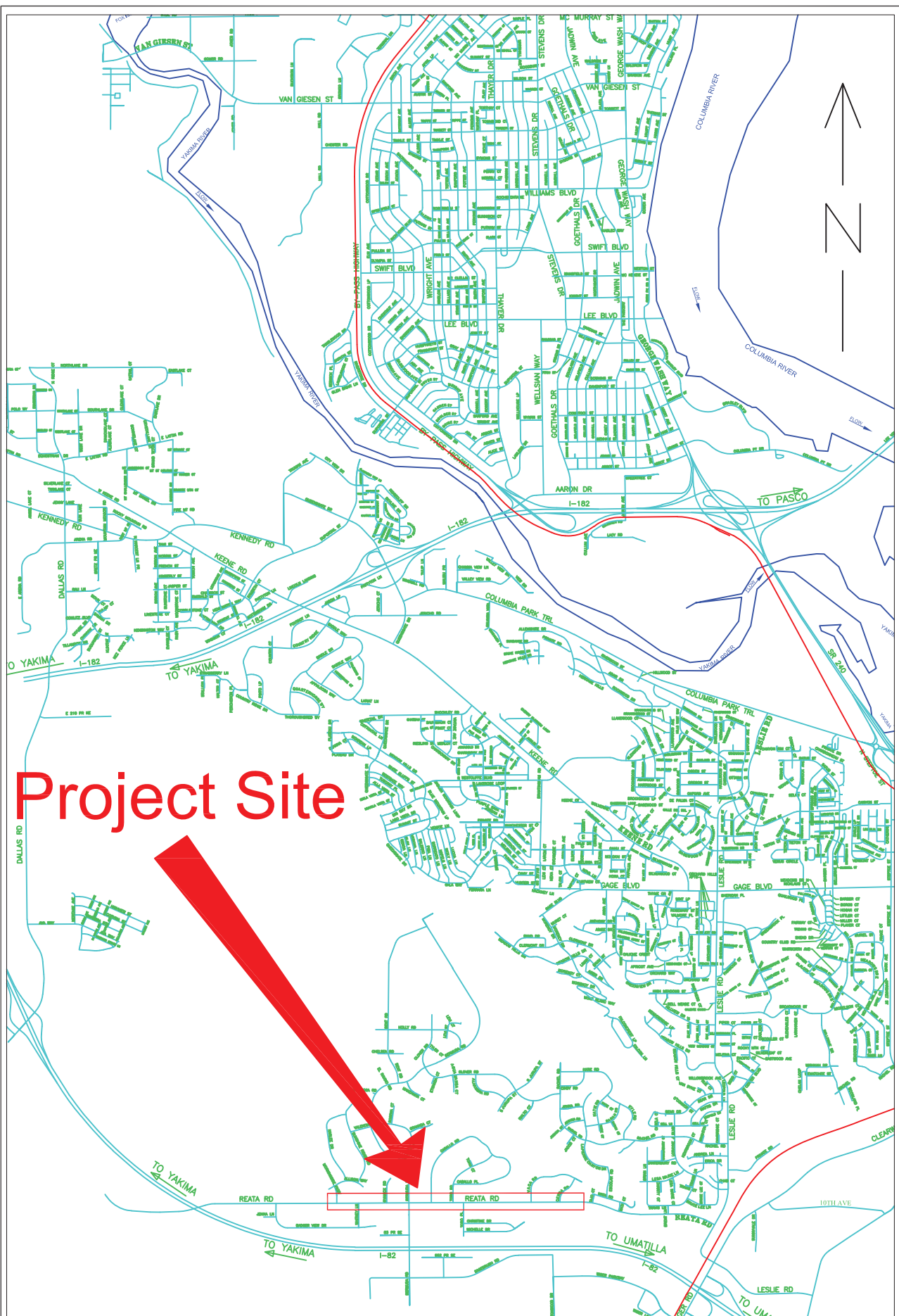
Ryan Lukson, Mayor

Attest:

Approved as to Form:

Jennifer Rogers, City Clerk

Heather Kintzley, City Attorney



Project Site

Site Area Map
2021 Reata Rd - Leslie Sub Feeder 141 Extension



DATE: 08/16/2021	MAP#:
DRAWN: Joe B.	SVC JT:
ENG'R: Joe B.	PROJ JT:
SCALE: NTS	SHT 1 of 1
	WO#: EW210079



City of Richland

DATE BIDS OPENED:	12/14/21	ITB No.	21-0087
**PROJECT NAME **		REATA ROAD - LESLIE SUB FEEDER 141 EXTENSION	

				ENGINEER'S ESTIMATE		MAGNUM POWER CASTLE ROCK, WA		PALOUSE POWER QUINCY, WA		MICHELS PACIFIC ENERGY TUMWATER, WA	
Item	Description	Qty	Unit	Unit Price	Total Price	Unit Price	Total Price	Unit Price	Total Price	Unit Price	Total Price
	Schedule A - Base Bid										
A-1	Mobilization per Task Order	1	LS	\$13,000.00	13,000.00	50,000.00	50,000.00	45,766.90	45,766.90	23,682.43	23,682.43
A-2	Boring/Drilling and/or trenching and supply 1 - 4" conduit installation - CD4	7,628	LF	37.00	282,236.00	40.00	305,120.00	37.66	287,270.48	36.58	279,032.24
A-3	Boring/Drilling and/or trenching and supply 1 - 6" conduit installation - CD6	7,777	LF	48.50	377,184.50	50.00	388,850.00	58.66	456,198.82	57.81	449,588.37
A-4	Install (3) 750 MCM JAL Primary - NUP75J*	8,083	LF	16.00	129,328.00	5.00	40,415.00	6.29	50,842.07	8.12	65,633.96
A-5	Supply and install 4'x4'x3.5' vault w/steel hatched lid - Vault	12	EA	13,000.00	156,000.00	3,500.00	42,000.00	4,828.86	57,946.32	4,810.13	57,721.56
A-6	Supply and install 4'x4'x1' vault riser - V11RIS12	3	EA	2,225.00	6,675.00	2,500.00	7,500.00	952.57	2,857.71	704.60	2,113.80
A-7	Supply and install vault base - V19B with V19STLS lid	11	EA	18,450.00	202,950.00	5,000.00	55,000.00	6,323.97	69,563.67	6,076.08	66,836.88
A-8	Supply and install vault riser - V19RIS12	3	EA	3,500.00	10,500.00	2,000.00	6,000.00	1,202.59	3,607.77	976.45	2,929.35
A-9	Supply and install vault base - V29B	2	EA	24,400.00	48,800.00	5,200.00	10,400.00	5,625.32	11,250.64	4,542.71	9,085.42
A-10	Supply and install vault lid - V29STLS	1	EA	4,000.00	4,000.00	5,000.00	5,000.00	3,737.78	3,737.78	5,015.40	5,015.40
A-11	Supply and install vault lid - V29SWTDF	1	EA	3,750.00	3,750.00	5,000.00	5,000.00	3,217.74	3,217.74	3,206.75	3,206.75
A-12	Install primary switch cabinet - PME11*	1	EA	5,350.00	5,350.00	8,000.00	8,000.00	4,240.68	4,240.68	5,124.75	5,124.75
A-13	Install 750 JAL "T" Body - UT7JT*	84	EA	645.00	54,180.00	350.00	29,400.00	456.16	38,317.44	506.38	42,535.92
A-14	Install vault ground - V19-28 GRD*	13	EA	885.00	11,505.00	750.00	9,750.00	549.59	7,144.67	512.48	6,662.24
A-15	Install load break protective cap - ULBCAP*	3	EA	150.00	450.00	300.00	900.00	181.36	544.08	64.06	192.18
A-16	Install protective cap, 600A - UTICAP*	3	EA	175.00	525.00	300.00	900.00	230.82	692.46	64.06	192.18
A-17	Install switch numbering*	1	EA	175.00	175.00	500.00	500.00	274.79	274.79	64.06	64.06
A-18	Install vault numbering*	14	EA	160.00	2,240.00	250.00	3,500.00	181.36	2,539.04	64.06	896.84
A-19	WSDOT Control Density Fill Concrete	6	YD	200.00	1,200.00	300.00	1,800.00	692.60	4,155.60	622.33	3,733.98
A-20	Excavation and Backfill 4' wide by 4' length by 4' deep of existing vault or to intercept existing conduit	2	EA	3,000.00	6,000.00	500.00	1,000.00	2,923.09	5,846.18	3,238.61	6,477.22
A-21	Flagging per Task Order	1	LS	80,000.00	80,000.00	40,000.00	40,000.00	26,748.44	26,748.44	51,992.61	51,992.61
A-22	ROW Permitting Per Task Order	1	LS	3,000.00	3,000.00	6,000.00	6,000.00	325.03	325.03	721.25	721.25
Schedule A - Base Bid		SUBTOTAL		\$1,399,048.50		\$1,017,035.00		\$1,083,088.31		\$1,083,439.39	
8.6%		SALES TAX		120,318.17		87,465.01		93,145.59		93,175.79	
Schedule A - Base Bid		TOTAL		\$1,519,366.67		\$1,104,500.01		\$1,176,233.90		\$1,176,615.18	



City of Richland

DATE BIDS OPENED:	12/14/21	ITB No.	21-0087
**PROJECT NAME ** REATA ROAD - LESLIE SUB FEEDER 141 EXTENSION			

POTELCO, INC. SUMNER, WA	DJ'S ELECTRICAL, INC. BRUSH PRAIRIE, WA	TITAN ELECTRIC CASPER, WY	
-----------------------------	--	------------------------------	--

Item	Description	Qty	Unit	Unit Price	Total Price	Unit Price	Total Price	Unit Price	Total Price	Unit Price	Total Price
Schedule A - Base Bid											
A-1	Mobilization per Task Order	1	LS	41,691.00	41,691.00	10,000.00	10,000.00	150,876.74	150,876.74		-
A-2	Boring/Drilling and/or trenching and supply 1 - 4" conduit installation - CD4	7,628	LF	33.00	251,724.00	45.00	343,260.00	60.56	461,951.68		-
A-3	Boring/Drilling and/or trenching and supply 1 - 6" conduit installation - CD6	7,777	LF	50.00	388,850.00	70.00	544,390.00	95.00	738,815.00		-
A-4	Install (3) 750 MCM JAL Primary - NUP75J*	8,083	LF	13.51	109,201.33	12.00	96,996.00	11.42	92,307.86		-
A-5	Supply and install 4'x4'x3.5' vault w/steel hatched lid - Vault	12	EA	9,100.00	109,200.00	5,500.00	66,000.00	4,613.94	55,367.28		-
A-6	Supply and install 4'x4'x1' vault riser - V11RIS12	3	EA	2,000.00	6,000.00	650.00	1,950.00	732.67	2,198.01		-
A-7	Supply and install vault base - V19B with V19STLS lid	11	EA	9,100.00	100,100.00	12,000.00	132,000.00	8,542.91	93,972.01		-
A-8	Supply and install vault riser - V19RIS12	3	EA	2,000.00	6,000.00	1,500.00	4,500.00	962.40	2,887.20		-
A-9	Supply and install vault base - V29B	2	EA	9,100.00	18,200.00	12,000.00	24,000.00	5,668.34	11,336.68		-
A-10	Supply and install vault lid - V29STLS	1	EA	1,500.00	1,500.00	7,500.00	7,500.00	5,250.68	5,250.68		-
A-11	Supply and install vault lid - V29SWTDF	1	EA	1,500.00	1,500.00	5,500.00	5,500.00	3,330.38	3,330.38		-
A-12	Install primary switch cabinet - PME11*	1	EA	18,500.00	18,500.00	3,500.00	3,500.00	3,320.37	3,320.37		-
A-13	Install 750 JAL "T" Body - UT7JT*	84	EA	1,115.07	93,665.88	450.00	37,800.00	332.04	27,891.36		-
A-14	Install vault ground - V19-28 GRD*	13	EA	2,190.00	28,470.00	500.00	6,500.00	175.00	2,275.00		-
A-15	Install load break protective cap - ULBCAP*	3	EA	300.00	900.00	150.00	450.00	75.00	225.00		-
A-16	Install protective cap, 600A - UTICAP*	3	EA	300.00	900.00	150.00	450.00	75.00	225.00		-
A-17	Install switch numbering*	1	EA	300.00	300.00	150.00	150.00	50.00	50.00		-
A-18	Install vault numbering*	14	EA	300.00	4,200.00	150.00	2,100.00	50.00	700.00		-
A-19	WSDOT Control Density Fill Concrete	6	YD	165.00	990.00	500.00	3,000.00	176.72	1,060.32		-
A-20	Excavation and Backfill 4' wide by 4' length by 4' deep of existing vault or to intercept existing conduit	2	EA	2,500.00	5,000.00	2,500.00	5,000.00	617.10	1,234.20		-
A-21	Flagging per Task Order	1	LS	40,000.00	40,000.00	80,000.00	80,000.00	115,223.23	115,223.23		-
A-22	ROW Permitting Per Task Order	1	LS	2,500.49	2,500.49	1,500.00	1,500.00	1,000.00	1,000.00		-
Schedule A - Base Bid				SUBTOTAL		\$1,229,392.70		\$1,376,546.00		\$1,771,498.00	
8.6%				SALES TAX		105,727.77		118,382.96		152,348.83	
Schedule A - Base Bid				TOTAL		\$1,335,120.47		\$1,494,928.96		1,923,846.83	
										\$0.00	
										-	
										-	



COUNCIL AGENDA ITEM COVERSHEET

Council Date: 1/4/2022

Agenda Category: Resolutions - Adoption

Key I - Financial Stability & Operational Effectiveness

Subject:

Resolution No. 2022-04, Approving the 2022-2024 Collective Bargaining Agreement with the International Union of Operating Engineers, Local No. 280

Department:

Human Resources

Ordinance/Resolution Number:

2022-04

Document Type:

Resolution

Recommended Motion:

Adopt Resolution No. 2022-04, authorizing the City Manager to sign and execute the 2022-2024 Collective Bargaining Agreement with the International Union of Operating Engineers, Local No. 280.

Summary:

In September 2021, the City entered into negotiations with the International Union of Operating Engineers, Local No. 280 (IUOE). IUOE represents approximately 111 City employees.

The IUOE membership ratified the proposed agreement on December 15, 2021. The proposed agreement includes a total compensation package within the parameters set by the Richland City Council.

A public hearing was held on January 4, 2022 pursuant to Article IV of the Richland City Charter to take public comment on the proposed agreement.

Staff recommends adoption of Resolution No. 2022-04.

Fiscal Impact:

Terms of the proposed agreement fit within the City's 2022 Budget and City Council's collective bargaining parameters.

Attachments:

1. Resolution No. 2022-04
2. Proposed 2022-2024 IUOE Collective Bargaining Agreement

RESOLUTION NO. 2022-04

**A RESOLUTION OF THE CITY OF RICHLAND, WASHINGTON,
ADOPTING THE 2022-2024 COLLECTIVE BARGAINING
AGREEMENT WITH THE INTERNATIONAL UNION OF
OPERATING ENGINEERS, LOCAL NO. 280 AND AUTHORIZING
PERIODIC MEMORANDUMS OF UNDERSTANDING.**

WHEREAS, the Richland City Council desires to attract and retain qualified employees and maintain harmonious relations between the City and the International Union of Operating Engineers, Local No. 280 (IUOE); and

WHEREAS, amendments to wages, benefits, and other terms and conditions of employment are warranted based on external market conditions; and

WHEREAS, the City Manager may desire to enter into memorandums of understanding with IUOE periodically throughout the term of the collective bargaining agreement for operational and administrative purposes.

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Richland that the 2022-2024 Collective Bargaining Agreement with the International Union of Operating Engineers, Local No. 280 is hereby approved.

BE IT FURTHER RESOLVED that the City Manager is authorized to sign and execute the 2022-2024 Collective Bargaining Agreement on behalf of the City.

BE IT FURTHER RESOLVED that the City Manager or designee is authorized to enter into periodic memorandums of understanding with IUOE for operational or administrative purposes during the term of the Agreement.

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

ADOPTED by the City Council of the City of Richland, Washington, at a regular meeting on the 4th day of January, 2022.

Ryan Lukson, Mayor

Attest:

Approved as to Form:

Jennifer Rogers, City Clerk

Heather Kintzley, City Attorney

AGREEMENT BETWEEN

THE CITY OF RICHLAND,
WASHINGTON

AND

THE INTERNATIONAL UNION OF
OPERATING ENGINEERS
LOCAL UNION NO. 280
2022-2024

Resolution No. **TBD**, Contract No. **TBD**



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ARTICLE I PREAMBLE

This agreement is entered into by and between the City of Richland, hereinafter referred to as City, and the International Union of Operating Engineers Local 280, hereinafter referred to as Union. It is the purpose of this Agreement to achieve and maintain harmonious relations between the City and the Union, to provide for equitable and peaceful adjustment of differences, which may arise, and to establish wages, benefits and other terms and conditions of employment.

ARTICLE II RECOGNITION

The City hereby recognizes the Union as the exclusive bargaining representative for the purposes stated in Chapter 41.56 RCW of all regular full-time and part-time employees employed within the bargaining unit and job classifications listed in this Agreement. The classifications recognized as bargaining unit positions covered by this agreement shall be listed with pay rates in Appendix A of this agreement.

Section 2.01 Unit Description

For the purposes of this Agreement regular full-time employees shall mean employees occupying budgeted positions, working a regular schedule of two thousand eighty (2080) hours in a calendar year in classifications listed in Appendix A of the Agreement.

Section 2.02 Temporary and Limited Term Employment

A. Temporary

The City may employ temporary employees to assist with seasonal work, unusually high workloads, and temporary job vacancies due to injuries, illnesses, and other extenuating circumstances. A temporary employee will not be employed more than eight (8) months (approximately one thousand three hundred and eighty-five [1385] hours) in a calendar year or consecutively for more than eight (8) months (approximately 1385 hours) without an approved Request to Extend Temporary Employment (see Exhibit 'A').

Temporary employees shall be provided statutory benefits. Additionally, such employees are eligible for Paid Time Off (PTO) accrual as specified in Section 13.01, except as modified by the City's Paid State Sick Leave policy, and Holiday pay as specified in Section 13.04.

Temporary employees are not covered by the provisions of this Agreement unless stated specifically in writing, and are not subject to any conditions or benefits provided for in this Agreement including, but not limited to, access to the grievance procedure.

B. Limited Term

When the City has a need to extend temporary employment beyond eight (8) months, the temporary employee will be re-categorized as a limited term employee. A limited term employee is defined as a temporary employee whose tenure is greater than eight (8)

months but no longer than twenty-four (24) months. Limited term employees have no right to steady employment, prior notice of termination or preference for regular full-time job openings.

Limited term employees shall be subject to statutory benefits. Additionally, such employees are eligible for Paid Time Off (PTO) accrual as specified in Section 13.01, except as modified by the City's Paid State Sick Leave policy, and Holiday pay as specified in Section 13.04.

Limited term employees are not covered by the provisions of this Agreement unless stated specifically in writing, and are not subject to any conditions or benefits provided for in this Agreement including, but not limited to, access to the grievance procedure.

C. Meter Readers – Limited Term

Meter Reader vacancies may be filled with a limited term employee from the beginning of their assignment / employment, as part of the transition to Automated Metering Infrastructure (AMI).

Regular, full time Meter Reader vacancies may be filled with limited term employees, in recognition of the transition to Advanced Metering Infrastructure (AMI), after which it is anticipated the City will have fully deployed automatic meters that normally will not require field reading.

Incumbent Meter Readers are encouraged to seek alternate City employment in anticipation of upcoming reduction of Meter Reader positions. To support incumbent Meter Reader employees in their career transitions within or outside the City, the City shall allow use of the Tuition Reimbursement policy, without repayment obligation, whether the employee finds employment inside or outside of the City, or is laid off by the City.

Section 2.03 Communications and Notices

Any notices to be given hereunder by either party to the other, including formal written grievances, shall be effected in writing either by personal delivery or by first class mail as follows:

To the City

Human Resources
625 Swift Blvd., MS-12
Richland, Washington 99352

To the Union

Business Representative
Post Office Box 807
Richland, Washington 99352

ARTICLE III TERM AND RENEWAL

This Agreement shall be for a term of **three (3) years** commencing the first payroll period of **2022** and ending the last payroll period of **2024**.

The City and the Union agree to enter into negotiations for a succeeding agreement by notifying the other party in writing no later than June 30, 2024, unless mutually agreed.

ARTICLE IV SCOPE AND PREVAILING RIGHTS

Section 4.01 Basic Agreement

It is the intent and purpose of the Agreement to assure sound and mutually beneficial working and economic relations between the parties hereto, to provide an orderly and peaceful means of resolving any misunderstanding or differences which may arise, and to set forth herein the basic and full agreement between the parties concerning wages, hours, and other terms and working conditions of employment.

Section 4.02 No Discrimination

The City and Union understand that state and federal law prohibit discrimination, and shall abide by and support Richland Municipal Code section 2.28.105 related to Equal Opportunity Employment.

The City and Union also agree not to discriminate against any employee because of membership or non-membership in the union.

Section 4.03 Management Rights Reserved

Any and all rights concerned with the management, authority and operation of the City are exclusively that of the City and remain exclusively vested in the City except as modified by the expressed provisions of this Agreement. Examples of these rights include:

- a) To plan, direct, control and determine the operations and services to be performed by employees of the City;
- b) To determine the methods, means, number of personnel needed to carry out the aforementioned operations and services;
- c) To hire, transfer and promote including determination of qualifications, and development of job descriptions;
- d) To discipline and discharge regular full-time employees for just cause;
- e) To discipline and discharge probationary employees for any lawful reason;
- f) To enforce code of conduct;
- g) To determine standards for employee performance and conduct;
- h) To evaluate employees including use of or modification of performance appraisal programs;
- i) To provide coaching of employees in the proper use of equipment and performance of job responsibilities which may include supervisory training in the operation of equipment or other tools;
- j) To take all actions necessary to carry out the mission of the City in emergencies. An emergency means any unanticipated event threatening the health or safety of the City's employees or the public, or to mitigate the imminent potential for property damage when IUOE resources are not immediately available.

Except as provided in this Article or elsewhere in this Agreement, the City acknowledges its obligation to bargain with the Union over the effects and impacts of Management decisions that affect wages, hours and/or working conditions, upon written request of the Union.

ARTICLE V UNION MEMBERSHIP AND SECURITY

Section 5.01 Union Membership

~~All employees covered by this Agreement shall as of the effective date of this Agreement be required to share in the cost of maintaining and operating the Union as their collective bargaining agency, in accordance with lawfully adopted Union rules, and as may be limited by law, and shall be members thereof, in good standing. The foregoing provision shall not be construed as denying the City to the right to hire employees regardless of whether such employees are members of the Union, but is the intent of the parties that newly hired employees shall become members in good standing of the Union within thirty (30) days after the date of their employment.~~

~~In the event an employee member of the Union fails to maintain their membership or fair share payment to the Union, the Union will notify the City in writing as specified in Article 2 of such employee's delinquency. The City agrees to give notice to the employee within five (5) working days that the employee's employment status with the City is in jeopardy and that failure to meet the employee's membership obligation within fifteen (15) calendar days from the date such notice is received will result in termination. The Union will advise the City if the employee meets his/her membership obligation(s).~~

~~The City will provide the union a list of unit employees including the designation of their employment. Said list shall be provided on a monthly basis.~~

Employees shall have the right to join or not join the Union. Employees have the right to pay fees or not pay fees to the Union.

All employees of the City within the classifications covered by this Agreement may choose to share in the cost of maintaining and operating the Union as their collective bargaining agent, in accordance with its rules, and become members or agency fee payers. The foregoing provisions shall not be construed as denying the City the right to select its employees regardless of whether such employees are members of the Union. It is the intent of the parties that new employees may choose to become members of the Union or agency fee payers.

Section 5.02 Deduction of Union Dues

During the term of this Agreement, upon receipt of an executed voluntary written authorization, the City shall deduct Union dues monthly for employees who have voluntarily signed such written authorization. The amounts to be deducted for Union dues shall be certified to the City by the appropriate Union official. Such deductions shall be made only when the employee's earnings for a pay period are sufficient after other legally required deductions are made. The City will submit a monthly accounting of such deduction giving the amount deducted opposite the employee's name.

~~Employees working less than full-time will be required to pay service dues as a condition of employment to the Union equal to regular Union dues. The requirement to pay monthly service dues will commence thirty (30) calendar days from the date of employment. Temporary~~

~~employees will be able to participate in the dues checkoff. Temporary employees will not be otherwise covered or entitled to any provisions except as specified in the Agreement.~~

The Union agrees to indemnify and hold harmless the City, its officers, agents and employees, from and against any and all claims, demands, actions and other forms of liability, monetary or otherwise, arising from the application and enforcement of this section.

Section 5.03 Union Stewards

The City recognizes the right of the Union to designate eleven (11) stewards from among the employees covered by this Agreement. In addition to a Chief Steward, one (1) job steward may be designated from each of the following areas: 1) Solid Waste Collection; 2) Solid Waste Disposal; 3) Water Maintenance; 4) Waste Water Maintenance; 5) Equipment Maintenance/Warehouse; 6) Water Operations; 7) Waste Water Operations; 8) Parks and Facilities; 9) Streets; and 10) Meter Reading.

In addition to the grievance procedure, it is understood that a bargaining unit employee may request the presence of a union representative during a City-employee conference when one or more of the following apply: 1) as a part of an investigational interview or any meeting which could reasonably be expected to lead to or involve disciplinary action against the employee; 2) when in the best interest of all involved as determined by the supervisor; and 3) as provided for by applicable statute or case law. However, employees shall retain the right to decline representation.

Section 5.04 Union Release Time

After receiving permission from their supervisor and notifying supervisor of the employee to be visited, union Stewards may visit the work locations of employees covered by this Agreement for the purpose of investigating any grievance.

All union business shall be conducted during off-duty hours, except as provided in this Article. There shall be no solicitation of or for membership or collection or checking of dues or any other union activity during work hours. Work hours shall not be used by officers, employees or business agents to conduct union business or promote union affairs other than provided herein. This prohibition shall extend to all City-owned equipment and facilities including mail distribution systems, voice and electronic mail, personal computers, computer software and copying machines.

The steward or employee involved in investigating a grievance during the employee's regular working hours shall not lose pay for reasonable time, as determined by the employee's non-union supervisor. International Union representatives may participate as deemed necessary by the Union. Additional non-City union representatives may participate in grievance meetings with prior notice to the Human Resources Director.

The City agrees to pay a total of fifty (50) hours to each employee sitting on the Union negotiating team while they are on duty and engaged in face-to-face labor agreement negotiations with the City. No more than four (4) employees shall sit on the Union negotiating team.

Section 5.05 Union Visits

The designated business agent and/or other union representatives will be allowed access and visitation rights to City property and facilities provided advance notification of such visit is given to the appropriate supervisor and the visitation will not disrupt the workplace nor interfere with productivity.

Any employee called away from his work station (including Union stewards) to confer with the Union Business Representative must do so on non-City paid time and remain in such an unpaid status for the duration of the interview. Permission for an employee to leave their work station must be received in advance from the supervisor.

The Union agrees to indemnify and hold harmless the City for any loss, damages or claim arising out of such visits.

Section 5.06 Bulletin Boards

The City agrees to maintain a bulletin board during the term of this Agreement. Space on the bulletin board will be made available to the Union. Postings by the Union on such board are to be confined to official business of the Union, and must be initialed by a union steward prior to posting.

Section 5.07 Professional Standards

In keeping with professional ideals and standards, neither the Union nor the City shall invoke the name of the other party as a sponsor or supporter to any fund-raising activities without the written agreement of the duly-designated representative of the sponsoring party.

ARTICLE VI SAVINGS CLAUSE

Section 6.01 State and Federal Obligations

This Agreement shall not in any way interfere with the obligation of the parties hereto to comply with the State and Federal Law or of any rule, legislation, regulation or order issued by such government authority pertaining to the matters covered herein. The City agrees that it will notify and meet with the union regarding any changes to this agreement.

Section 6.02 Court Actions

If any provision of this Agreement or its application should be rendered or declared invalid by any court action, the remaining parts or portions of this Agreement shall remain in full force and effect.

Section 6.03 Binding

Except as provided in the above preceding paragraphs, the parties hereto agree this Agreement cannot be modified, changed or altered in any way whatsoever except by provision of notice, and meeting and conferring prior to implementation of any changes. It is understood that this agreement is not binding on successors or assigns.

ARTICLE VII FULL UNDERSTANDING, MODIFICATIONS, WAIVER

It is intended that this Agreement sets forth the full and entire understanding of the parties regarding the matters set forth herein, and any other prior or existing understanding or agreements by the parties, whether formal or informal, regarding any such matters are hereby superseded or terminated in their entirety.

Except as specifically provided herein, it is agreed and understood that both parties voluntarily and unqualifiedly waive their rights, and agree that the other shall not be required to negotiate with respect to any subject or matter covered herein during the term of this Agreement.

Any agreement, alteration, understanding, variation, waiver, or modification of any of the terms or provisions contained herein shall not be binding upon the parties hereto unless made and executed in writing by all parties hereto, and if required, approved and implemented by the City Council and union membership.

The City Manager or designee is fully authorized to enter into Memorandums of Understanding (MOUs) and/or Memorandums of Agreement (MOAs) with the IUOE.

Non-conflicting prior practices shall continue without interruption as a prior practice until notice of discontinuation is provided. A prior practice shall be defined as a practice which has been 1) unequivocal; and 2) clearly enunciated and acted upon by both parties; and 3) readily ascertainable over a reasonable period of time as fixed and an established practice.

The waiver or breach of any term or condition of this Agreement by either party shall not constitute a precedent in the future enforcement of all its terms and provisions.

~~Exhibits 'B' and 'C' attached hereto are agreements between the City, International Brotherhood of Electrical Workers, Local 77, and International Union of Operating Engineers, Local 280 relating to Warehouse staffing. Said agreements are incorporated herein by reference.~~

ARTICLE VIII PERFORMANCE OF DUTY

The City and Union agree that public interest requires the effective and uninterrupted performance of public and emergency services. Nothing in this agreement shall be construed to give an employee the right to strike or refuse to pass through an official AFL/CIO sanctioned picket line associated with any City services. With respect to other official AFL/CIO sanctioned picket lines, employees shall be required to pass through when health, safety or emergency issues exist, or when a qualified supervisor is not available to perform the work.

No employee shall strike or refuse to perform their duties to the best of their ability during the term of this agreement. Neither the Union nor any of its members shall cause, encourage, or

participate in any strike, picketing, slowdowns, sick outs, walkouts, or any other work stoppage or interference with the City's services or operations.

ARTICLE IX PROBATIONARY PERIOD, SENIORITY, PROMOTIONS AND TRANSFERS, LAYOFFS AND RECALLS

Section 9.01 Probationary Period

The first twelve (12) months of employment shall constitute a probationary period, during which time the seniority provisions of this Agreement will not apply. After satisfactory completion of the probationary period, all names must appear on a seniority list as of the first date of employment.

An extension to the twelve (12) month probationary period will be required when an employee is promoted or transferred prior to his/her successful completion of a twelve (12) month probationary period. In this case, the promoted or transferred employee shall complete six (6) months of probation in the new classification (refer to Section 9.03 Promotion and Transfers).

Supervisors shall be responsible for meeting with the probationary employee and conducting written performance evaluations following the sixth (6th) month and twelfth (12th) month, or more often if needed. Upon successful completion of probation, the employee shall be considered "regular full-time".

Section 9.02 Seniority

Seniority shall for the purpose of this Agreement be defined as an employee's length of continuous regular, full-time service since their last date of hire, less any adjustments due to layoff or any other breaks in service, excluding approved absences associated with medical or disability of the employee or qualified family member, or other lawfully protected absences. Seniority within the Division will be as of the first day of regular employment in the Division.

A. Seniority List Divisions

- Water (Water Operations and Water Maintenance; includes Meter Service Worker)
- Waste Water (Waste Water Operations/Waste Water Maintenance/Storm Water Maintenance)
- Equipment Maintenance
- Parks and Facilities
- Street Maintenance
- Warehouse
- Solid Waste (Solid Waste Collection and Solid Waste Disposal)
- Meter Reader

Seniority lists for Divisions listed above shall be updated by Human Resources and reviewed by IUOE stewards annually. The lists shall show relative position based upon:

- 1) Continuous service within the Division.
- 2) In the event of a tie on one (1) above, length of service within the classification shall determine position on the list.
- 3) In cases where two (2) or more employees start to work on the same day, the date of application for employment shall establish priority of position on the seniority lists.

B. Termination of Seniority

Seniority and the employment relationship shall be terminated when an employee: 1) quits or; 2) is discharged for just cause; or 3) is absent for three (3) consecutive work days without notifying the City providing that the employee was able to do so; or 4) is laid off and fails to report within seven (7) calendar days after having been recalled by certified mail sent to last known address on record; or 5) fails to report for work within one (1) work day after termination of an authorized leave of absence; or 6) is laid off in excess of two (2) years; or 7) retires.

Section 9.03 Promotions and Transfers

All qualified, regular full-time City employees covered by this Agreement may apply for job vacancies for the classifications listed in Appendix A of this Agreement. The City shall internally post each job vacancy and provide qualified, regular full-time City employees covered by this Agreement first consideration over all other City employees and non-employees. Provided, the seeking of qualified applicants by posting vacancies inside and outside the City shall not be considered a violation of this agreement.

Probationary employees are not considered regular full-time employees until successfully completing a twelve (12) month probationary period; however, probationary employees are eligible to apply for promotions and/or transfers upon completion of at least six (6) months of the probationary period, [unless the promotional opportunity exists within the same department the employee works within](#). An employee who is promoted or transferred prior to completion of a twelve (12) month probationary period, must successfully complete at least six (6) months of probation in the new position before becoming a regular full-time employee.

Applicants must meet the minimum qualifications for the posted job classification in order to participate in the examination process. Actual job performance, knowledge, skills, abilities, training and experience shall be considered in any examination used to determine qualifications and fitness of candidates. If the qualifications and fitness of the applicants covered by this Agreement are relatively equal, the following factors shall be considered respectively:

- 1) Length of continuous service within the Division (see Section 9.02 Seniority).
- 2) Length of continuous service within the IUOE bargaining unit.

It is understood by the parties hereto that if examinations are utilized, they will be given to all those applying for the position.

After complying with the provisions as stated above and a vacancy still exists, first consideration will be given to part-time, **probationary** and temporary employees who have successfully completed at least one season of employment with the City, or who receive the recommendation of their supervisor. This is not a guarantee of an offer of regular employment, and the City reserves the right to open up the application process to all other City employees and non-employees at the same time.

When an employee is promoted into a higher classification, the employee shall receive compensation at the appropriate step in the higher classification. The appropriate step shall be one that will make at least a seventy-five dollar (\$75.00) per month increase over the employee's base rate, but in no case will it exceed the top step of the higher classification.

When an employee is transferred to another classification, the employee shall receive the same compensation unless a higher step is required to avoid a reduction in the employee's base rate of pay. However, in no case will the employee's base rate exceed the top step of the new classification.

When an employee has been transferred or promoted into any position in which the employee has had limited experience, the employee shall be given a thirty (30) calendar day training period.

Immediately following the transfer or promotion, the employee and supervisor shall review a written summary of anticipated job duties and expectations (standards) for performance.

On or about two (2) weeks into the training period, the supervisor will meet with the employee to review and discuss the employee's Training Period Performance Review. In addition, the supervisor and employee will discuss job duties and expectations as outlined at the time of the promotion or transfer, and whether training has been adequate for the employee to learn the specific job duties encountered during the first two (2) weeks of training.

If within five (5) days before the end of the training period it is determined that the employee will not be successful in the new position based on two (2) Training Period Performance Reviews, the employee will be returned to his/her previous position. A probationary employee is not guaranteed a return to his/her previous position. If it is determined by the City that an extension of the training period is necessary to afford the promoted or transferred employee exposure to other aspects of the work as specified in the original written duties and expectations, the employee shall be notified within the time frame noted above.

It is understood that the City will not fill the vacated position with a regular full-time employee while the promoted or transferred employee is undergoing his/her training period. The vacated position may be filled temporarily by an upgrade, or a provisional appointment may be made. At

such time as the employee has completed a successful training period, the vacant position may be filled in accordance with this section.

The promoted or transferred employee shall retain seniority in his/her previous seniority group until such date that a final decision is reached on successful completion of the training period.

Section 9.04 Layoffs and Recalls

When by reason of lack of work, budgetary consideration, or any other reason, it is necessary to lay off employee(s) in a given job classification within a Division, the employee with the least seniority in the classification within the Division shall be dispositioned first.

Employees being dispositioned may choose to transfer (bump) to a lower or equal paying bargaining unit classification provided:

- 1) The employee has more seniority in the bargaining unit than the incumbent.
- 2) Employee meets the current minimum job requirements of the classification.
- 3) The employee has previously worked in that classification or a higher level in the classification series within a Division (e.g., Maintenance Craftworker I and Maintenance Craftworker II; Utility Craftworker and General Craftworker, etc.) at an effective performance level which will be determined by a review of employee's official personnel record by Human Resources.

Employees laid off will retain recall rights for a two (2) year period; however, prior to using the recall list, each job opening will be posted to regular full-time IUOE employees first. If there are no qualified candidates, the recall list will be used.

Employees laid off shall be recalled in the reverse order to that of the layoff. Employees recalled and reinstated will retain established bargaining unit seniority for the purpose of PTO accrual and other seniority related provisions of this agreement. Accrued Grandfathered Sick Leave at the time of layoff will be credited to the employee at the time of recall/reinstatement.

ARTICLE X HOURS OF WORK AND WORKING SCHEDULES

This article is intended to define the normal hours of work per day or per week in effect at the time of execution of this Agreement. Nothing unless expressly contained within this Agreement, shall prevent the City from restructuring the normal workday or workweek for the purposes of promoting the efficiency of municipal government.

Section 10.01 Work Day

Eight (8), ~~ten (10), or to~~ twelve (12) hour days may be considered standard work shifts for bargaining unit personnel. Division managers shall have full authority in establishing appropriate workweeks, work days and work shifts. Employees will report for work on time and ready to begin work at the designated starting time.

The workday shall be defined as commencing at the start of an employee's regular shift and shall end at the start of the employee's next regularly scheduled shift. This shall not apply to Plant Operators who work a non-traditional work schedule.

Section 10.02 Work Week

Forty (40) hours shall constitute the normal workweek for all regular full-time employees. The work week shall commence Sunday midnight of the current week and end midnight the following Sunday.

Section 10.03 Rest Periods

Employees shall be allowed fifteen (15) minutes of break time for each one-half (1/2) shift.

Section 10.04 Work Shift

The normal work shift shall start at 7:00 a.m. and continue until 3:30 p.m., unless modified to accommodate a ~~nine (9) ten (10) or to~~ twelve- (12) hour shift or modified by other provisions of this Agreement.

Employees will be allowed a ten (10) minute clean-up time prior to the end of their work shift, to the extent ten (10) minutes are needed to clean up.

Employees shall travel from shop to shop on City time and shall report at the shop headquarters in which they are regularly employed in time to begin work promptly at the designated starting time.

It is recognized that at times emergency conditions experienced in the City's service area are beyond that in which an employee can safely and efficiently work. It is agreed that under such conditions the employees may be assigned alternate duties in a protected area or relieved from duty per Section 10.07 and authorized to utilize available paid time off for subsequent whole day instances. The intent of this provision is to reaffirm the willingness of the City and Union to emergency conditions may provide a valid reason for a supervisor to assign alternate duties. The Union recognizes that emergency work involving danger to life or property must be performed regardless of the emergent conditions.

Where possible, employees will be provided at least seven (7) calendar day notice of shift changes that will be in excess of one (1) week in duration. Individual employee(s) affected by such changes and the division steward will be notified. Temporary shift changes will be with at least a twenty-four (24) hour notice, ~~or less if mutually agreed upon by the employee and supervisor, with notification to the Chief Steward~~, except in cases of natural or civil disaster, or inclement weather compromising the safe performance of assigned work. Such conditions may result in delayed start, shift change, or work cancellations as determined by the Department Director (communicated by Supervisor or designee), as long as notice is provided before the start of the employee's regular shift.

Section 10.05 Meal Periods

The City retains the right to manage breaks and meal periods within State and Federal rules and regulations except that a break shall be defined as fifteen (15) minutes in accordance with Section 10.03.

The total amount of unpaid time to be allowed for the lunch period shall be one-half (1/2) hour, between 11:00 a.m. and 1:00 p.m. Employees will be allowed up to a ten (10) minute clean-up time prior to the start of their meal period. Meal periods shall normally be taken in the field for employees who normally work in the field. If a restroom is not available at the job site then employees may drive to the nearest public restroom available. [Driving time to a public restroom is included in the ten \(10\) minutes of clean-up time allocated.](#) Breaks and meal periods will not be combined nor stacked at the end of a shift. The one-half (1/2) hour may be changed to one (1) hour by agreement between the City and the Union.

If an employee works through his or her designated lunch period at the direction of his or her supervisor, a one-half (1/2) hour lunch period will be paid at straight time if the employee commences lunch at 12:45 p.m. or later.

Exceptions to these hours may be established to meet the conditions in some particular cases by mutual consent.

Lunchtime for irregular shifts shall normally be at mid-shift.

Section 10.06 Call Outs

A voluntary call out list will be established for each operating division as required. The list will be established for a seven (7) day period, which may fluctuate during weeks in which holidays occur.

Employees who volunteer will be called out in seniority order. Subsequent call outs will commence with the next employee listed after the employee who reported for the previous call out assignment.

Employees who volunteer will be expected to report when called out. However, should an employee be unable to report and the list is exhausted, the least senior qualified employee is required to respond to such call out.

The right of the City to require such call out work is expressly affirmed by the Union.

Section 10.07 Relief From Duty

Employees relieved from duty during the first half of the day or shift shall receive not less than one-half (1/2) day's pay. If relieved after having been on duty more than one-half (1/2) day, they shall then receive a full day's pay. This clause will not apply to employees relieved from duty due to disciplinary action.

ARTICLE XI WAGES, SHIFT DIFFERENTIALS, STANDBY, OVERTIME AND PAYDAY

Section 11.01 Wages

All employees covered by this Agreement and on the payroll as of the effective date of this agreement shall receive wages per Appendix 'A' attached hereto. Time worked and/or paid, and benefits accrued, will be in increments of tenths of hours (each tenth equaling six [6] minutes). Regular full-time employees shall be eligible for progression based on the recommendation of his or her supervisor (which may be based on performance appraisals, discipline, etc.). Progression through the range shall be in six (6) month intervals, subject to satisfactory performance. Withholding of progression shall only occur when supporting documentation of unsatisfactory performance is in a performance appraisal or disciplinary action. All such increases shall take effect at the first of the pay period following the six (6) month interval.

Section 11.02 Shift Differentials

All employees, except plant operators, who commence their shift on or after 12:00 p.m. and before 2:00 p.m., shall receive an additional forty-five cents (\$.45) per hour for all hours worked on that shift after 2:00 p.m. This rate shall be increased to fifty cents (\$.50) per hour when the shift commences on or after 10:30 p.m. and before 5:00 a.m. Shift differential shall not be applied to call out hours worked.

- a) Shift differentials for Plant Operators are included in the wage associated with that classification.
- b) Shift differentials are not applicable when Public Works employees are engaged in snow and ice control and removal, as described in Section 11.04(e).

Section 11.03 Temporary Work In A Higher Classification (Acting Pay)

A qualified employee placed on a temporary assignment to a higher classification shall receive compensation at the appropriate step in the higher classification. The appropriate step shall be one that will make at least a sixty dollar (\$60.00) per month increase over the employee's base rate, but in no case will it exceed the top of the higher classification scale. Such compensation will be made on an hourly basis for actual hours worked in the higher classification.

Criteria for selection of a qualified employee shall be made as follows:

- 1) Upgrades will be on a rotational basis among qualified employees beginning with the most senior employee.
- 2) In order to maintain the upgrade, the employee must demonstrate satisfactory performance in the upgrade position.
- 3) The employee may be removed from the upgrade if performance is unsatisfactory. The employee will be given reason(s) for unsatisfactory performance.
- 4) Employees may refuse an upgrade.

- 5) If all qualified employees refuse the upgrade, the least senior qualified employee will be upgraded.

An employee who works one thousand forty (1040) cumulative hours in an upgrade position is eligible for a within range increase in the upgrade position. The employee's supervisor shall be responsible for maintaining records of cumulative hours in upgraded positions, and such information shall be available to the employee upon request.

Section 11.04 Overtime

Authorized work performed by employees, which exceeds the standard work schedules may be compensated as set forth in "A" and "B" below. Overtime pay shall be calculated on the base rate of the position in which the authorized overtime was worked. Overtime worked is recorded in increments of tenths of hours (each tenth equaling six [6] minutes). All overtime shall be paid in the form of dollars and cents only.

- A. Time and one-half (1-1/2) will be paid for:
 - 1) Hours worked on the first scheduled day of rest;
 - 2) Hours in excess of the regularly scheduled full time workshift.
- B. Double time will be paid for:
 - 1) Hours worked on the second scheduled day of rest;
 - 2) Call-out hours during the period commencing at 12:00 midnight and ending at 7:00 a.m. or the beginning of the regular work shift, whichever is earlier;
 - 3) Cumulative hours worked in excess of twelve (12) in any single workday; and until six (6) hours of rest.
- C. Employees assigned to work schedules which provide for consecutive days of rest in excess of two days shall be compensated as follows:
 - 1) Time and a half for all hours worked on the first day of rest.
 - 2) Double time for all hours worked on the second day of rest.
- D. For overtime worked on subsequent days of rest, compensation shall be as follows:
 - 1) If the overtime worked is the first occasion during the rest day period, compensation shall be at time and a half.
 - 2) If the overtime worked is on the second or subsequent consecutive days after the first occasion of overtime work, compensation shall be at double time.
 - 3) If a break in work schedule occurs, the cycle shall commence accordingly as a first day of rest.

- E. Overtime worked by Public Works employees assigned to snow and ice control and removal on the driving surfaces of public streets shall be at the overtime rate of 1.75 times the employee's base rate of pay. This higher overtime rate combines both overtime and shift differential pay. This provision supersedes Sections 11.04 (A-D), above.

Section 11.05 Call-out Pay

Upon acceptance of the call-out assignment, pay for call-out time shall not be less than the equivalent of four (4) hours pay at straight time rate, unless such call-out time extends into the employee's regular scheduled shift, in which case pay shall be only for the period of time between the beginning of the call-out work and the beginning of the shift. Call-out pay shall begin at the time the employee accepts the call-out. A thirty (30) minute response time is required for call-outs.

The guarantee of a minimum of four (4) hours pay at straight time shall apply only to a two and one-half (2-1/2) hour period initiated by a call-out, regardless of how many subsequent call-outs may occur during that two and one-half (2-1/2) hour period.

A subsequent two and one-half (2-1/2) hour period initiated by a call-out. a) Occurring after completion of work and return home from a previous call-out and b) occurring after elapse of the previous two and one-half (2-1/2) hour period initiated by the first call-out, will be granted an additional guarantee of four (4) hours straight time pay regardless of how many call-outs are made during that two and one-half (2-1/2) hour period.

This procedure is repeated as necessary. After 12:00 midnight the two and one-half (2 1/2) hours referenced will become a two (2) hour period.

Section 11.06 Scheduled Overtime

Scheduled overtime shall be offered to senior qualified employee(s) on a rotational basis, and is not subject to the four (4) hour call-out provision outlined in Section 11.05, nor is an employee eligible for meals provided for in Section 10.05 of this Agreement. However, an employee shall work and be paid, at the appropriate overtime rate, for a minimum of four (4) hours for any overtime scheduled on a day of rest.

Refusal of scheduled overtime shall be charged as overtime hours worked for record keeping purposes.

The City will provide notice to affected employees no less than twelve (12) hours in advance of such scheduled overtime, except in cases of emergency.

Section 11.07 Shift Extension Overtime

Overtime, which is the extension of a shift at its end, is not to be treated as call-out or scheduled overtime but rather paid pursuant to the provisions of Article 11.0. An extension of the beginning of a shift shall not be treated as a call-out and paid accordingly.

Section 11.08 Required Overtime

In the event qualified employees do not volunteer to perform required overtime, least senior qualified employees will be required by the City to perform such required overtime work. The right of the City to require such overtime work is expressly affirmed by the Union.

Section 11.09 Meal Allowance

An employee shall be allowed a meal when 1) he or she has been called out and works a minimum of three (3) hours or; 2) he or she is called out and the call-out extends into the employees regularly scheduled shift, or; 3) his or her shift is extended a minimum of two (2) hours.

The time allowed for meals shall be non-compensable. The meal period shall be on City time in all circumstances when the employee is required to remain on duty during the meal period. Meal allowances will be paid in accordance with the City's Travel Policy per diem schedule in effect on the date of the meal. The City's per diem schedule will be updated as the General Services Administration (GSA) establishes new rates. Employees shall pay directly for their meals eaten and are not required to submit meal receipts. Employees may choose a meal of greater or lesser value than the established per diem in effect, however, their meal allowance shall nonetheless equal the per diem meal rate.

The following meal periods will determine the appropriate meal allowance:

<u>Meal</u>	<u>Meal Period</u>
Breakfast	12:01 a.m. - 8:00 a.m.
Lunch	8:01 a.m. - 4:00 p.m.
Dinner	4:01 p.m. - 12:00 a.m.

The time the employee becomes entitled to a meal determines the per-diem rate to be used. If an employee, for example, is called out at 8:30 p.m. and works until 1:30 a.m., the employee is entitled to a meal at 11:30 p.m. (three [3] hours after the call-out) at the dinner rate. However, if an employee is called out at 10:00 p.m. and works until 1:30 a.m., the employee is entitled to a meal at 1:00 a.m. at the breakfast rate.

An employee shall be entitled to a second meal in the event he/she works an additional four (4) hours, without being sent home, on overtime or on his/her normal shift after he/she was entitled to the first meal.

If an employee is unable to take their meal during the meal period occurring outside their regular work schedule, the employee shall still be entitled to the applicable per diem allowance as though the employee took a meal.

Section 11.10 Payday

Normally, the City will pay its employees every other Thursday. Pay shall include time worked for the two (2) week period through the previous Sunday. If any payday falls on a holiday, the preceding day shall become the payday.

ARTICLE XII INSURANCE AND BENEFITS

Section 12.01 Health and Life Insurance Benefits

The medical, dental, and vision benefit plan components shall remain unchanged for the duration of the Agreement, ~~except as noted in this Article as related to federal healthcare legislation.~~ Thereafter, for the duration of the Agreement, any subsequent changes to the Plans shall be negotiated.

~~If it is determined that a federal excise tax must be imposed upon the City because of healthcare costs, the Employer will provide written notice to the Union. The parties recognize the City may need to make benefit plan changes as are reasonably necessary to comply with the provisions of the federal healthcare initiative. Changes may include those intended to avoid the incurring of any federal excise tax liability imposed on the City under a federal healthcare initiative.~~

A. Medical Plan – Preferred Provider Organization

The City-sponsored Preferred Provider Organization (PPO) Plan (“Plan”) provides medical coverage (“medical coverage” includes imbedded prescription coverage) and a separate PPO dental coverage for employees and their eligible dependents.

Employee Medical Premium Contributions by Tier*

Employee Only	12.0%
Employee & Spouse	12.0%
Employee & Child/Children	12.0%
Employee, Spouse & Child/Children (Family Tier)	12.0%

The employee’s medical insurance contribution will be split equally and deducted from the first (2) paychecks of each month.

~~*Beginning January 2018 through August 2018, the employee portion of medical premium contributions shall equal the 2017 IUOE employee contributions for all tiers.~~

~~Effective September 2018 through December 2019, the employee portion of medical premium contributions shall equal those of the 2018 Unaffiliated and IBEW employee contribution for all tiers.~~

~~Beginning January 2020, the employee portion of medical premium contributions shall equal the provisions of Article 12, Section 12.01 (A).~~

B. Prescription Plan

The City’s health care package includes a prescription plan imbedded in the Medical plan (referred to as the Medical Plan).

C. Minimum medical and dental healthcare coverage – Essential Plan or Primary (PPO) Plan

When statutory benefits are required under federal healthcare initiatives for employees working thirty-five (35) or more hours per week (defined as “Regular, Full-time” under

federal legislation), these employees shall be eligible for the Primary PPO and Dental plan benefits of regular, full-time employees. For temporary and other employees defined as eligible for healthcare benefits under federal healthcare initiatives, other than those defined as regular, full-time, the City shall provide Essential Plan medical and dental eligibility. The City shall define the Essential Plan and the rates. The employee may opt out of employee and dependent coverage. The employee and the City each shall pay fifty percent (50%) of the employee and the child or children medical and/or dental premiums. The employee shall pay one hundred percent (100%) of the spouse premium, if elected.

D. ~~Retiree Medical Insurance for employees retired prior to January 1, 2013~~

~~Employees who retired prior to January 1, 2013 who enrolled and remain enrolled in Retiree Insurance for themselves and/or eligible dependents will continue to pay one half (½) of the composite rate in effect for the Open Access Plan (OAP) 2 Retiree Insurance plan, regardless of the number of eligible dependents the retiree has enrolled in the plan.~~

~~All retirees and dependents enrolled in OAP 2 will continue to receive the same coverage (plan design) as active employees enrolled in OAP 1, provided they maintain all premium payment and other eligibility requirements.~~

~~Retirees (or their surviving spouse or surviving dependents, if there is no surviving spouse) may, at their own election, at any time during the calendar year, elect enrollment in the OAP 3 Retiree Insurance plan, and pay one half of the tiered premium rate in effect. Enrollment in OAP 3 is effective the first day of the month following the new election. The election to move from OAP 2 to OAP 3 is irreversible.~~

E. ~~Retiree Medical Insurance for employees employed as of December 31, 2012, and who did not opt out of Retiree Insurance eligibility~~

Employees who did not opt out of Retiree Insurance eligibility and who retired/will retire January 1, 2013 or later are eligible to enroll in the OAP 3 Retiree Insurance Plan for themselves and eligible dependents. The City and enrolled retirees (or their surviving spouse or surviving dependents) share equally in the monthly premium in effect for the tier elected.

F. ~~Retiree benefits for regular full-time employees as of December 31, 2012 who chose to opt out of Retiree Insurance eligibility~~

Employees who were employed as of December 31, 2012 and who chose to opt out of Retiree Insurance eligibility are eligible for certain retiree benefits in lieu of Retiree Insurance. These employees have already received a buyout, which they were eligible for as a result of their decision to opt out. The City shall contribute one percent (1%) of base salary each payroll period to the employee's ~~ICMA-RC~~ RHS account.

G. ~~Retiree benefits for regular full-time employees hired on or after January 1, 2013~~

In lieu of eligibility for Retiree Insurance, employees hired on or after January 1, 2013 are eligible for certain retiree benefits. Both the City and the employee shall each contribute one percent (1%) of base salary each payroll period in the employee's ~~ICMA-RC~~ Retirement Health Savings (~~ICMA-RC~~ RHS) account. The City may redirect both City and employee contributions to an alternative savings account agreed to between the parties if the City must include this program as a part of medical plan value in the calculation of excise tax

liability under a federal healthcare initiative.

H. Dental Plan

The City's health care package includes a dental plan for the employee and his or her eligible dependents. This plan has a separate enrollment election from the medical plan. The City pays the full cost of the Dental PPO Plan, except for those enrolled in the Essential Plan (see Article 12, Section 12.01 [C], above).

I. Vision Plan

The City's health care package also includes a vision plan for the employee and his or her eligible dependents. This plan has a separate enrollment election from the medical plan. The City pays the full cost of the Vision Plan.

J. Flexible Spending Account – Section 125

Employees may voluntarily participate in the IRC Section 125 Flexible Spending Account program, to include medical expenditures and/or dependent care expenditures. The City will pay any administrative fees. The City may eliminate the medical plan component of this program if the City must include this program as a part of medical plan value in the calculation of excise tax liability under a federal healthcare initiative.

K. Insurance Committee

The City may form an insurance advisory-only committee to explore consumerism, wellness, and healthcare cost mitigation measures during the term of this Agreement. If formed, the IUOE may designate members to participate on the Committee.

L. Life and Accidental Death & Dismemberment (AD&D) Insurance

The City will pay for Basic Life and AD&D policies which provide a death benefit equal to two (2) times an employee's annual base rate of pay (rounded to nearest \$1000), basic spouse and basic dependent life insurance as specified in plan documents, and coverage for employee AD&D. The City will pay the entire premium for Basic Life and Basic AD&D coverage for employees and eligible dependents. Employees may elect supplemental (voluntary) additional life and/or supplemental (voluntary) AD&D benefits for themselves and eligible dependents, subject to plan requirements and limitations.

M. Administration

The City retains the right to choose the insurance carrier(s), administrators and networks and other administrative consultants for the Plans' management.

N. High Deductible Health Plan (HDHP)

The IUOE and the City shall allow employees to enroll in a HDHP if the City implements such a plan during the term of this Agreement, as an addition to the PPO plan offered to eligible employees. The HDHP may have a health savings or health reimbursement component.

Section 12.02 Deferred Compensation

A. Voluntary Program

In accordance with the limitations of federal law, regular full-time employees are eligible to voluntarily participate in a City Internal Revenue Code (IRC) section 457 Plan.

B. City Matching Program

For regular full-time employees, the City will match an employee's contribution of up to three percent (3%) of base pay into either a City IRC 457 Plan or a City 401(a) Plan. The 401(a) plan must be elected within sixty (60) days of initial eligibility for that plan.

The City will match an employee's contribution to a two-to-one match, up to three percent (3%). This match allows employees the opportunity to reduce their contributions to the IRC 457 plan to help offset increases in health insurance premium share. For example:

<u>Employee</u>	<u>City</u>	<u>Total</u>
0.5%	1.0%	1.5% of Base Pay
1.0%	2.0%	2.0% of Base Pay
1.5%	3.0%	4.5% of Base Pay

This match modification is not applicable to the 401(a) plan due to the irrevocable election required under the 401(a) plan.

Section 12.03 Transition from RHS

Transition from RHS to Section 401(a) or Section 457 due to Federal Healthcare Legislation:

If federal healthcare legislation results in the RHS plan contributing to the calculation for excise tax on healthcare benefits, then, effective the tax year impacted by excise tax, both the employees' and any/all City RHS contributions addressed in this Agreement shall be discontinued, and the City shall establish an equivalent-contribution program to an IRC Section 401(a) plan, if allowed by IRS guidelines.

If these City and employee contributions cannot be made to a Section 401(a) plan, the City shall instead establish an IRC Section 457 plan instead, for both City and Employee contributions, except that the employee one percent (1%) contribution shall be voluntary by the employee. The RHS contributions shall continue if the RHS program is not considered a medical plan for excise tax calculation purposes, unless otherwise negotiated in a successor agreement.

Section 12.04 Retirement Health Savings Program.

For regular full-time employees, the City will contribute one-half percent (0.5%) of base pay to the City's Retirement Health Savings (RHS) Program.

Upon service retirement from the City, employees shall contribute all unused Grandfathered Sick Leave within the limits of this agreement to the RHS Program (refer to Section 13.03 Treatment of Grandfathered Sick Leave).

Section 12.05 Retirement

The City agrees to participate in the Public Employee Retirement System plan in accordance with the regulations established by the Public Employee Retirement System.

Section 12.06 Optional Coverages

Subject employees may voluntarily contribute to and participate in other optional benefits offered by the City, included but not limited to the Employee Wellness and Employee Assistance Programs. It is understood that optional benefits may change or be discontinued at any time at the City's discretion.

ARTICLE XIII LEAVES

Section 13.01 Paid Time Off and Extended Sick Leave Program

Paid Time Off (PTO) is provided to regular full-time employees in lieu of Vacation and Sick Leave. In addition to PTO, an Extended Sick Leave (ESL) bank is created.

The purpose of PTO is to compensate employees for absences due to injury, illness, vacation and personal business. In addition, the program is designed to provide employees with personal flexibility regarding the use of leave.

With the implementation of PTO and ESL, the following was eliminated: 1) vacation bonus day (eight (8) hours is included in the PTO accrual rate calculation); 2) floating holiday (eight (8) hours is included in the PTO accrual rate calculation); 3) doctor and dentist appointment leave (ten (10) hours is included in the PTO accrual rate calculation); and 4) bereavement leave.

A. Paid Time Off (PTO)

Regular full-time employees shall accrue PTO as follows:

1. Accrual and Use

PTO hours accrue based upon the actual number of regular hours worked, or other non-worked hours entitled to PTO accrual when defined in this Agreement.

<u>Years of Continuous Service</u>	<u>Hours Per Month</u>
0-9	20.17
10-15	22.17
16-20	24.17
20+	26.17

Temporary employees shall earn PTO pay at a rate of four (4) hours per month of service to be paid upon completion of the temporary assignment. This PTO shall be utilized to meet the statutory requirements of Paid State Sick Leave as described in Article 2, Section 2.01 (A).

Limited term employees shall accrue PTO at a rate of twelve (12) hours per month of service. Limited term employees shall be eligible for use of PTO upon approval of the supervisor and shall be eligible for payout of PTO upon separation.

Upon completion of six (6) months of employment, probationary employees shall be eligible for payout of PTO upon separation.

2. Accumulation Limit

Accumulation of PTO shall be limited to five hundred (500) hours. Employees will be responsible for ensuring that they do not exceed the limit by December 31st of each year. Any balances in excess of will be reduced to at that time.

3. Pro-ration

Leave accrual for regular part-time employees is prorated based on scheduled hours.

4. Authorized Uses

Authorized use of PTO must be either Scheduled or Unscheduled (see definitions below). Employees may be compensated for utilizing leave which does not meet the below authorized uses, however, leaves not meeting the below criteria will be considered unexcused absences and may result in disciplinary action.

a. Scheduled

Scheduled uses are those not defined as unscheduled. Requests for scheduled PTO must be submitted at least ~~five (5)~~ **three (3)** working days in advance. Once PTO has been scheduled, it may not be changed except for reasons authorized by the division supervisor. Depending on the workload of the unit, the supervisor may waive all or part of the ~~five (5)~~ **three (3)** working day advance notice requirement. Obtaining prior approval constitutes scheduled leave.

b. Unscheduled

Unscheduled uses of PTO must be compelling and of an emergency/urgent nature. Preventative health and dental appointments are not considered unscheduled and must be requested in advance in accordance with the provisions for scheduled uses above.

An employee who is unable to report to work due to an unscheduled absence must contact their division supervisor in accordance with department/division policy, or, absent such a policy, no later than two (2) hours after the beginning of his/her scheduled work shift.

Prior to submitting a timecard, an employee, if requested, must provide his or her division supervisor with satisfactory explanation/documentation as to the nature and extent of unscheduled PTO uses, except that an employee is not required to provide their supervisor with specific medical information regarding their own or a qualified family member's condition necessitating the absence(s).

The employee must keep his or her division supervisor generally informed that their absence relates to a medical or other condition for themselves or a qualified family member, or that the absence is a result of a previously-approved FMLA case (as approved by Human Resources). If the absence is more than three (3) working days'

duration, the employee may be required by Human Resources to submit a medical certification to Human Resources. The required certification may include a qualified healthcare provider's statement and/or certification and statement that the employee has been or will be unable to work for the period of absence of their own or a qualified family member's condition.

If the absence is due to the employee's own condition, a certification by the treating healthcare provider may be required by Human Resources indicating the employee is cleared to return without need for any restrictions or job shift modification. If needed, Human Resources will work with the employee's supervisor to consider accommodating the healthcare provider's request for light duty or modified work hours/schedule in lieu of denying an employee's return to work.

Below are eligible unscheduled uses that do not constitute an attendance infraction:

i. Personal Sick

Unscheduled PTO is available for employees who need to take leave for personal illness or non-work-related physical disability, when such leave is authorized by policy and/or Human Resources as "excused".

ii. Work-Related Illness or Injury

After returning to work, employees must use scheduled PTO, when available, for follow-up medical appointments related to an industrial injury. Employees may elect to make up differences between state mandated benefits and regular pay as outlined in Section 13.05 Occupational Disability Allowance herein.

iii. Family Sick

Unscheduled PTO is available when employees are required to provide temporary assistance in situations where injury or illness of an immediate family member prevents them from coming to work, or when other allowed absences occur, such as when providing assistance related to a domestic violence matter. Immediate family members include spouse; child or grandchild (natural, adopted, foster and step); parent, guardian, grandparent and sibling (natural, adopted, step and in-laws); and opposite-sex registered domestic partner. It does not include uncle, aunt, niece, nephew or cousin. Other additional family members may be qualified if required by law.

5. Annual Buy-Out

With written approval from the division head and department director, an employee may buy-out a portion of his or her accumulated PTO on an annual basis. Said buy-out will be made at the employee's base straight time hourly rate of pay and is subject to the following:

- 1) The employee must have at least two hundred (200) hours of PTO remaining in his or her accumulation account after said buy-out;
- 2) The employee must have used at least forty (40) consecutive hours of scheduled PTO in the twelve (12) months preceding the effective date of buy-out. No other

form of unpaid or paid time (holiday, comp time, etc.) shall qualify as part of this forty (40) consecutive PTO hour requirement.;

- 3) The minimum cash buy-out is twenty (20) hours and the maximum is forty (40) hours of PTO; limited to one (1) time per calendaryear;
- 4) Employees may buy out an additional twenty (20) to forty (40) hours of PTO for purposes of funding the ~~ICMA-RC~~ 457 Deferred Compensation plan; limited to one (1) time per calendaryear;
- 5) Approval of the buy-out is discretionary on the part of the employee's Department Director who may approve all, a portion or none of the request depending upon available funds, and anticipated workload of the employee as determined by the City;
- 6) Approved requests for buy-outs must be submitted as a part of the regular payroll (no special requests) as an entry on the employee's timecard;
- 7) Employees are responsible for understanding the tax implications of such a buy-out.

6. Pay-Off Upon Termination

Except for employees serving their initial probationary period, or as otherwise provided for in this Agreement, accumulated PTO up to the accumulation limit of five hundred (500) hours shall be paid out at the time of termination. Said hours shall be compensated at the employee's straight time base rate of pay.

7. Donation and Transfer

The policy of the City is to allow employees to donate PTO to co-workers facing personal emergencies who have exhausted all accrued leave.

An employee is eligible for donated PTO when 1) he or she has suffered an extraordinary injury or illness (from other than a work-related cause) which exceeds sixty (60) calendar days in duration and has exhausted all applicable accumulated leaves; or 2) when an attending physician determines the presence of an employee is necessary because of an immediate family member's medical condition which exceeds sixty (60) calendar days in duration and the employee has exhausted all other available leaves.

Recipients are limited to receiving two hundred forty (240) hours of donated leave for any one incident or illness and may not request Donated Leave more than one time in any concurrent five (5) year period.

The leave recipient must pay insurance premiums while using donated leave, and will not accrue any other leaves while using Donated Leave.

An eligible employee requiring use of Donated Leave shall notify ~~his or her division manager~~ Human Resources in writing that the use of donated leave is required, explaining and providing written documentation as to the circumstances.

~~The division manager shall forward the request to Human Resources for approval.~~ The Human Resources ~~Department~~ is responsible for ~~processing and~~ approving the request

and forwarding ~~the PTO/Vacation Donation Transfer Form (see Exhibit 'D') to the respective division~~ for organizational wide notification and distribution.

City employees may donate PTO leave to other employees under the following conditions:

- 1) A PTO balance of at least two hundred (200) hours is maintained after the transfer, and, employees may not donate more than one hundred (100) hours per year of their PTO balance.
- 2) PTO is transferred based on the dollar value of said leave. For example, the requesting employee earns ten dollars (\$10.00) per hour base. The donating employee earns twenty dollars (\$20.00) per hour, and wishes to transfer ten (10) hours. As a result, two hundred dollars (\$200) worth of leave is transferred. The requesting employee will be credited with twenty (20) hours (\$200 divided by \$10/hour).

No City employee may intimidate, threaten or coerce any other employee with respect to donating, receiving or using leave under this program. ~~If the recipient does not use all the leave donated, the remainder will be returned to the donors as nearly as possible in the ratio of each employee's donation to the total amount. Only the amount of PTO needed by the recipient will be transferred, each time payroll is processed, until all donations have been exhausted.~~

Section 13.02 Extended Sick Leave (ESL)

The purpose of ESL is to compensate regular full-time employees for long-term illness/injury or for grieving and bereavement of a family member.

A. Full-Time Accrual Rate

Effective December 19, 2012, ESL will accumulate at a rate of four (4) hours per month. Regular full-time employees will be credited with forty-eight (48) hours of ESL upon successful completion of probation.

B. Accumulation Limit

There is six hundred (600) hour limit of ESL that an employee can accrue.

C. Proration

Leave accrual limits for part-time employees are prorated based on scheduled hours.

D. Authorized Uses

ESL is available when employees are required to provide long-term assistance in situations where injury or illness of self or an immediate family member prevents them from coming to work. Immediate family members include spouse; child and grandchild (natural, adopted and step); parent, guardian, grandparent and sibling (natural, adopted, step and in-laws); opposite- sex registered domestic partner. It does not include uncle, aunt, niece, nephew, or cousin. This leave is only available once the employee has been on approved

leave (for illness/injury) for over eighty (80) continuous regularly scheduled working hours. It may be used retroactively if the condition persists for over eighty (80) regular work hours and Paid Leave was originally requested.

With the Human Resources Director's approval, an employee returning to work from a serious illness/injury may be eligible to use ESL on an intermittent basis to continue treatment/rehabilitation.

ESL is authorized up to forty (40) hours for bereavement purposes (immediate family as defined above) per occurrence. Additional time off may be requested using PTO.

E. Pay-off Upon Termination

There will be no cash out available for ESL upon termination or retirement.

F. Donation of ESL

ESL cannot be donated.

Section 13.03 Treatment of Grandfathered Sick Leave

All existing sick leave accumulated prior to the first payroll period of 2009 (December 22, 2008) is considered "grandfathered". Authorized uses include only scheduled preventative health and dental appointments, unscheduled personal/family illness, or long-term illness or injury. Upon service related retirement, employees shall contribute all unused Grandfathered Sick Leave to the RHS Plan as follows:

Less than 500 unused hours	- 25% of total hours
500-999 unused hours	- 30% of total hours (not to exceed \$7,500)
1000 unused hours or more	- 35% of total hours (not to exceed \$10,000)

Section 13.04 Holidays

Ten (10) guaranteed holidays with pay shall be as follows:

New Year's Day (January 1);
 President's Day (Third Monday of February);
 Memorial Day (Last Monday in May);
 Fourth of July Independence Day (July 4);
 Labor Day (First Monday in September);
 Veterans Day (November 11);
 Thanksgiving Day (Fourth Thursday in November);
 Day after Thanksgiving;
 Christmas Eve (December 24);
 Christmas Day (December 25).

Each holiday listed above shall be within a single twenty-four (24) hour period commencing at 12:01 a.m. (midnight) on the calendar day on which the City observes the holiday and shall end at 12:00 midnight on that same calendar day. When a holiday falls on a Saturday, it shall be observed on the preceding Friday. When a holiday falls on a Sunday, it shall be observed on the following Monday. When a holiday falls within an employee's vacation (scheduled PTO) period, the holiday shall extend the vacation (scheduled PTO) period.

All personnel employed temporarily, including Limited Term employees, by the City for work on a full-time basis shall receive pay for all regularly paid holidays provided the holiday falls on the employee's tour of duty.

Employees not scheduled to work on a holiday shall receive eight (8) hours of holiday pay at the regular straight base rate of pay.

Employees scheduled to work a City recognized holiday and who works in excess of five (5) hours will be paid a minimum of eight (8) hours pay at a rate of time and one-half (1½).

Employees working a holiday shall be paid time and one-half (1½) for all hours worked on the holiday, plus eight (8) hours holiday pay at straight time.

Holiday Scheduling: Rotational selection by seniority, rotate until all holidays scheduled for Solid Waste.

Holidays will be observed for Water Operations and Waste Water Operations (Plant Operators Only) on the actual holiday and Plant Operators will be compensated in accordance with the parties' Memorandum of Understanding from June 2007.

Section 13.05 Occupational Disability Allowances

In the case of any disability which is covered by State Industrial Insurance or Worker's Compensation, the City will pay to such disabled employee an occupational disability allowance equal to one hundred percent (100%) of the employee's regular straight-time wages for the first forty (40) regularly scheduled hours of inability to work due to a covered disability. The City will continue to pay eighty percent (80%) of the employee's regular straight-time wages for an additional maximum period of three hundred and sixty five (365) continuous calendar days from the date of injury (combining the first forty [40] hours at 100% and the remaining calendar days at 80%).

Light duty assignments during the initial 365 from the date of injury do not extend the 365-day entitlement to Occupational Disability pay. Time worked in light duty assignments is paid at the employee's regular wage. Additionally, light duty assignments may extend past the initial 365 days, as determined by the treating healthcare provider, the City and the Worker's Compensation administrator.

Cumulative PTO, Grandfather Sick or ESL may be used to make up the difference between eighty percent (80%) of the regular straight-time wages and one hundred percent (100%) base salary at the employee's option. At no time will the 100% or 80% wages be less than the net mandated time loss compensation as indicated under the RCW Title 51, Industrial Insurance.

All applicable payroll deductions, voluntary or otherwise, will be subtracted from the allowance which exceeds RCW Title 51 compensation, subtracted from the optional use of other accumulated leave or paid by employee reimbursement.

Section 13.06 Leave to Attend Funerals of City Employees

Except for temporary and provisional employees, all City employees may be allowed to take necessary time off with pay at the discretion of their supervisor to attend a funeral of a City employee.

Section 13.07 Jury Duty and Witness Service

An employee who is called for jury duty or is subpoenaed as a witness in a case to which the employee is not a party, shall be paid during the absence on account of the jury or witness service, salary less the amount of jury or witness fees (exclusive of mileage) the employee is paid or to which the employee is entitled.

Section 13.08 Military Leave

Employees shall be subject to the City's policy regarding Military Leave, ensuring State and Federal military leave laws and entitlements are followed.

Section 13.09 Family and Medical Leave

Employees shall be subject to the City's policy regarding Family and Medical Leave, ensuring State and Federal leave laws and entitlements are followed.

Section 13.10 Leave of Absence Without Pay

A regular full-time employee may be eligible for an unpaid leave of absence up to thirty (30) calendar days with the approval of the employee's Department Director. If such a leave is approved, the employee will be considered to be active at work and entitled to the privileges and benefits as specified by this Agreement. If the employee fails to return from said leave, the employee will be considered as having abandoned the employee's job and be subject to termination.

A regular full-time employee with a minimum of two (2) years of service may be granted an unpaid leave of absence of up to one (1) calendar year with the approval of the City Manager. Prior to approval of such leave, the employee must have exhausted all the employee's PTO and ESL leave. During such leave, the employee will not accrue PTO or ESL leave or any other benefits, and the employee's seniority will be frozen.

Upon return from such leave, the employee may displace the employee who replaced the employee or be placed in an open position as listed in Appendix A of this Agreement according to the employee's knowledge, skills and abilities. If the employee fails to return from such leave, the employee will be considered as abandoning the employee's job and be subject to termination.

An employee appointed or elected to office in the Union which requires a part or all of the employee's time shall not lose his/her established seniority with the City and shall be granted leave of absence upon application. Leave of absence under this clause shall be limited to one (1) year except that the City may grant extensions in increments of one (1) year for as long as the City deems practical.

ARTICLE XIV DRUG AND ALCOHOL TESTING

Section 14.01 ~~At Work Influence Prohibited Drug and Alcohol Testing Policy~~

~~Reporting to work under the influence of alcohol and/or illegal drugs, or the use, sale, or possession by an employee of illegal drugs is strictly prohibited and may result in disciplinary action, including immediate termination.~~

~~Each employee must advise the City if they are using prescription or other over the counter drugs they know or reasonably should know may impair their ability to perform job functions and/or operate machinery such as automobiles. Under appropriate circumstances the City may request the employee provide written medical authorization to perform various essential job functions from a physician while using such drugs.~~

~~Bargaining unit employees that hold a CDL shall be subject to the City's Substance-Free Workplace Policy for Employees Occupying Safety-Sensitive Positions (DOT). All other bargaining unit employees shall be subject to the Substance-Free Workplace Policy (Non-DOT).~~

Section 14.02 Employee Assistance Program Available

The City recognizes a need to provide an opportunity for employees to deal with alcohol related problems through employee assistance programs. Any employee, who voluntarily seeks treatment for a personal alcohol problem or for a substance abuse disorder, not involving criminal conduct, may do so through employee assistance programs of the employee's own choosing in complete confidence and without jeopardizing the employee's employment with the City.

Section 14.03 ~~Suspicion of Influence~~

~~Where a supervisory employee of the City has a reasonable suspicion to believe an employee is under the influence of alcohol or illegal drugs, or is using illegal drugs, the employee in question will be asked to submit to discovery testing including, breath tests, urinalysis and/or a blood screen to identify any involvement with alcohol or illegal drugs.~~

~~An employee who refuses to submit to discovery testing for alcohol and/or illegal drugs shall be conclusively presumed to be under the influence of alcohol or an illegal drug for the purpose of administering this Article.~~

For the purpose of administering this Article the following definition of reasonable suspicion is provided:

- 1) Management personnel concludes through objective observation, investigation and evaluation that an employee is under the influence or impaired by the use of alcohol, drugs and/or controlled substances;
- 2) Where an employee is involved in an accident due to the action, inaction or inattention of the employee;
- 3) Where the City receives reliable information based upon personal knowledge of an individual, including but not limited to other employees of the City, the medical community, or law enforcement personnel, of involvement by the employee with alcohol and/or controlled substances.

Under the influence—The following cutoff levels shall be used for the initial screening of specimens to determine whether they are negative for these drugs or classes of drugs:

DEPARTMENT OF TRANSPORTATION STANDARDS—49 CFR PART 40 §40.87		
Type of Drug or Metabolite	Initial Test	Confirmation Test
Marijuana metabolites Delta-9 tetrahydrocannabinol- 9-carboxylic acid (TCH)	50	15
Cocaine metabolites (Benzoylecgonine)	150	100
Phencyclidine (PCP)	25	25
Amphetamines—AMP/MAMP- Amphetamine (AMP)- Methamphetamine (MAMP)	500	250 250 (specimen must also contain at least 100- ng/mL of amphetamine)
Opiate metabolites—Codeine/Morphine Codeine Morphine	2000	2000 2000
6acetylmorphine	10	10
Phencyclidine (PCP)	25	25
Methylenedioxymethamphetamine (MDMA)- Methylenedioxyamphetamine (MDA) Methylenedioxyethylamphetamine (MDEA)	500	250 250 250

Level of the positive result for ethyl alcohol....0.04 gm/dl

~~Illegal Drugs are defined as all forms of narcotics, depressants, stimulants, hallucinogens, and cannabis, which sale, purchase, transfer, or unauthorized use or possession is prohibited by law.~~

~~Over the Counter Drugs are those, which are generally available without a prescription and are limited to those drugs, which are capable of impairing the judgment of an employee to safely perform the employee's duties.~~

~~Prescription Drugs are defined as those drugs, which are used in the course of medical treatment and have been prescribed and authorized for use by a licensed practitioner/physician or dentist.~~

~~Section 14.04 Testing Procedure~~

~~If an employee is required to submit to a drug test, the following procedure shall be followed:~~

- ~~1) The employee shall be given an opportunity to confer with a Union representative if one is readily available and the employee has requested said conference.~~
- ~~2) The employee shall be given an opportunity to explain the reasons for the employee's condition, such as reaction to a prescribed drug, fatigue, exposure to toxic substances, or any other reasons known to employee to the testing administrator. The City and a Union representative may be present during this discussion.~~
- ~~3) The City may request urine and/or blood samples.~~
- ~~4) Urine and blood samples shall be collected at a local laboratory, hospital or medical facility. The City shall transport the employee to the collection site. The City and/or Union representative may be allowed to accompany the employee to the collection site and observe the bottling and sealing of the specimen. The employee shall not be observed by the City when the urine specimen is given.~~
- ~~5) All specimen containers, vials, and bags used to transport the specimen shall be sealed to safeguard their integrity, in the presence of the City, employee, and the Union representative, and proper chain-of-custody procedures shall be followed.~~
- ~~6) The drug tests of the specimen shall be conducted by the same laboratory utilized in the DOT program.~~
- ~~7) If a specimen tests positive in an immunoassay screen test, the results must be confirmed by a gas chromatography/mass spectrometry tests. The specimen must show positive results on the GC/MS (gas chromatography/mass spectrometry) confirmatory test to be considered positive.~~
- ~~8) At the employee's or the Union's option, a sample of the specimen may be requisitioned and sent to a laboratory chosen by the Union for testing. The cost of this test will be paid by the Union or the employee. Failure to exercise this option may not be considered as evidence in an arbitration or other proceeding concerning the drug test or its consequences. The results of this second test shall be provided to the City.~~

~~Section 14.05 Results Reporting~~

~~The employee and the Union shall be informed of the results of all tests, and provided with all documentation regarding the tests as soon as the test results are available.~~

~~The City shall designate a Medical Review Officer (MRO) to review all confirmed positive test results and communicate those results to the City. The MRO shall have the responsibility to determine when an individual has failed a drug test in accordance with the standards enumerated herein.~~

~~If the results of the drug test are positive, and support a conclusion that the employee used an illegal drug, or reported to work while under the influence of alcohol, the employee may be subject to discipline including immediate discharge.~~

~~When applicable, additional testing may be required under the City's DOT policy.~~

~~Section 14.06 City Policy Impacts~~

~~If the City issues a separate substance abuse policy the parties shall meet in labor management to discuss impacts of implementation, with the intent that the policy shall reflect State and Federal requirements for a Drug Free Workplace, drug testing, and CDL/DOT requirements when applicable. It is agreed that disciplinary action taken for violation of the City's policy shall be subject to the grievance procedure. The City shall provide written notice to the Union if amendments are needed during the term of this Agreement.~~

ARTICLE XV MISCELLANEOUS

Section 15.01 Attendance Policy

The parties agree that regular and prompt attendance of each employee is necessary so that service to customers can be met in an efficient manner. The purpose of this policy is to promote satisfactory attendance and shall be applied uniformly and consistently to all employees covered by this agreement.

A. Absenteeism

Absences from work may be scheduled or unscheduled; both scheduled and unscheduled absences may be authorized and not subject to discipline.

Employees may be subject to disciplinary action for unscheduled absences, except when they are associated with medical, FMLA, military leave, or other protected leave as approved by Human Resources. Additionally, unscheduled absences may be subject to disciplinary action when the sick leave is taken for reasons other than those allowed by policy, or other than reasons approved by Human Resources, or when the employee fails to comply with required notification or documentation procedures of department, division or City policy or Human Resources procedures.

Employees may be subject to disciplinary action for habitual absences, including when the employee is excessively absent from work on an unscheduled basis without an authorized reason. Employees may not incur more than eight instances of full or partial day unscheduled/unprotected absences in a rolling 12-month period for the purpose of initiating disciplinary action. Unscheduled use of PTO or leave without pay on days connected to scheduled PTO or holidays which substantiate a pattern of abuse (may be less than eight (8) total unscheduled days).

~~Discipline for unscheduled absences must meet the following criteria:~~

- ~~1) Unscheduled use of PTO or leave without pay on more than eight (8) instances normally scheduled or scheduled overtime days in a rolling calendar year; or~~
- ~~2) Unscheduled use of PTO or leave without pay on days connected to scheduled PTO or holidays which substantiate a pattern of abuse (may be less than eight (8) total unscheduled days).~~

B. Progressive Steps of Discipline

1. Action Step 1

If an employee exceeds any of the thresholds, the immediate supervisor will review the attendance record with Human Resources to determine that an employee has a problem with use of unscheduled PTO or other time off. Should that problem exist, the supervisor will meet with the employee, discuss the problem and agree upon expectations for correcting the problem. The meeting may constitute a verbal warning.

2. Action Step 2

Should the unscheduled attendance problem continue, the Supervisor may initiate actions of progressive discipline in accordance with acceptable standards of reasonable judgment as established by the parties in the City's Progressive Discipline Policy.

In lieu of a suspension, the employee's manager or supervisor may substitute a one (1) pay period reduction in hourly pay equal to the suspension, or a combination of both suspension and pay reduction. For example, an employee who earns \$20.00 per hour is subject to a one (1) day suspension. In lieu, the manager or supervisor may temporarily reduce the employee's hourly rate of pay from \$20.00 to \$18.00 for one (1) pay period.

Section 15.02 Discipline

Probationary employees, as defined in Section 9.01 of this Agreement, are subject to discipline or discharge with or without cause and said discipline or discharge shall not be subject to the grievance procedure.

Regular full-time employees will be disciplined using methods of progressive discipline in the form of verbal and/or written warnings, suspension and discharge for just cause.

Verbal warnings shall not be considered a subject of a grievance.

Employees shall have the right to request union representation during an investigative interview or meeting which could reasonably be expected to lead to disciplinary action.

Copies of written reprimands and suspension will be provided to the employee, the Union and will become a part of the employee's personnel file.

In the case of discharge, the employee will be provided a letter setting forth the reason(s) for such possible discharge and shall be entitled to respond to the reason(s) prior to any decision to discharge the employee.

Section 15.03 Personnel Records

Disciplinary materials at the level of a written warning or higher shall be maintained in the official personnel file of the employee. Access to personnel files shall be limited to the employee, the employee's authorized representative, officials of the City who have a business need for the access or as required by public records and freedom of information laws at the federal or state level. Employees shall have the right to review their files after providing reasonable advance notice and shall have the right to attach reasonable materials in explanation or rebuttal to adverse materials. Adverse materials shall not be placed in the personnel file without the knowledge of the employee.

Written warnings shall ~~be removed~~ not be used for escalation of discipline after eighteen (18) months if there is no further related disciplinary action taken.

Disciplinary suspensions shall ~~be removed~~ not be used for escalation of discipline after ~~twenty-four (24)~~ thirty-six (36) months if there is no further related disciplinary action taken.

Section 15.04 Work Attire

The City will not require uniforms during the term of this Agreement. However, employees will wear clothing appropriate to their work. This shall include clothing that meets safety and reasonable appearance standards of the City. Note: Examples of inappropriate attire include cutoffs, tennis shoes, sandals, indiscreet lettering on shirts/jackets, tank tops, ragged clothes, etc.

Rain gear shall be made available from a central pool per employee's request.

Employees working in the Streets division will be provided with an annual boot allowance of \$150.00.

Section 15.05 No Smoking

The City's no smoking ordinance is incorporated herein by this reference. Smoking and the use of tobacco-related products is prohibited in accordance with Ordinance No. 26-91, Richland Municipal Code 2.58, Smoking and the use of tobacco-related products in the work environment. Employees shall comply with the terms and conditions of the ordinance.

Section 15.06 Tools and Instruments

The City will provide all tools and instruments for all full-time employees. Part-time and temporary employees may be required to provide their own tools and instruments.

Section 15.07 Contracting

It is the general policy of the City to utilize its employees to perform work that is considered work normally performed by the job classifications contained in Appendix 'A' of this Agreement. Such work shall include all facilities and grounds maintenance; maintenance, plant additions, alterations and changes to water and waste water systems and operational facilities of the City of Richland. However, the City reserves the option to contract out any work it deems necessary in the interest of economy, ability and capability of the work force, availability of City equipment, applicable State and Federal laws and emergency conditions.

Should the City determine to contract out customary bargaining unit work, the City shall strive to absorb displaced workers in other City classifications wherever possible.

Except where an emergency condition exists or natural man-made disasters, the City shall notify the union in writing of any consideration to contract. Should the union desire to enter into negotiations over the City's decision, or its impacts, the union shall provide, within fifteen calendar days, written notice to the City.

Section 15.08 Safety

The City will provide safety measures and safety rules for the purpose of preventing accidents and health hazards to the employees during the hours of their employment. The Union and employees agree to accept their full share of the responsibility and to cooperate with the City so that the employees will use such safety equipment when so provided and observe such safety and health regulations as required by the City.

Section 15.09 Education Benefits

Employees required by the State of Washington and/or the City to maintain certification(s) as a condition of employment shall be offered training in addition to safety and first aid training at City expense, sufficient for the employee to earn at least the minimum number of CEU's required to maintain their State Certification for the position the employee holds with the City.

"At City expense" as used herein means the employee will be paid for time spent in a seminar, class or other City selected training where CEU's are earned and the cost of registration and required materials, and the actual cost of transportation (if outside the Tri-City area). No overtime will be claimed unless mandated by the FLSA or State law. Travel time to and from any City offered training is not compensable unless required by the FLSA.

Travel shall be in accordance with City General Administration Travel policy 2910.

Section 15.10 Commercial Driver's License

The City shall facilitate and cover the cost of physical examinations required of employees to maintain commercial driver's licenses (CDL). In addition, the City shall reimburse employees for the cost of renewing required CDL.

All regular full-time employees required by job description to maintain a Class B CDL will receive an additional twenty cents (\$.20) per hour for all hours worked plus leave hours. All regular full-time employees required by job description to maintain a Class A CDL will receive an additional forty cents (\$.40) per hour for all hours worked plus leave hours. Employees hired on or before December 31, 2014, and who possess a Class A CDL but who are in a position which requires a Class B CDL, shall receive the Class A CDL additional forty (\$.40) per hour as long as the Class A CDL is maintained and they are in the position requiring a Class B CDL.

CDL pay does not apply to leave cash-outs or buy-outs.

Effective January 1, 2015, all waste-water and water treatment ~~P~~lant ~~O~~perators shall no longer be required to maintain a CDL.

Section 15.11 Education Requirements for Certification

The City shall provide director-approved training to prepare employees for certification exams or to support accumulation of required professional experience toward certification requirements. The City shall pay for up to two attempts by each employee to take each certification exam. Provision of training and professional experience shall be subject to budgetary capacity and management determination of staff assignments to meet operational needs, both of which are at the sole discretion of management.

- a) An employee who fails to pass a certification exam after a second attempt will be responsible for the costs and associated time (by utilizing PTO) with any future training and attempts to pass that exam.
- b) The City shall provide training opportunities required for employees to accumulate continuing education units required to maintain certifications. The City will, at the discretion of the Director, assign employees to qualifying training sessions, some of which may require out of town travel. The City shall cover the cost of training and travel.

Section 15.12 Meter Readers

If it becomes necessary to do future mass meter readings, the Union agrees that such work may be assigned by the City to other personnel provided that no meter readers will lose any work as a result of such decision.

ARTICLE XVI GRIEVANCE AND ARBITRATION PROCEDURE

A "grievance" as used in this Agreement means a claim by an employee or group of employees that the terms of this Agreement have been violated, or that a dispute exists concerning the proper application or interpretation of the terms of this Agreement. The time lines set forth in this Article are to be strictly followed, unless waived by mutual agreement.

None of the foregoing is intended to mean that the union itself cannot lodge a grievance and process the same through the various steps to arbitration in accordance with and subject to the

provisions hereof. The right of the union to so lodge and process a grievance is expressly confirmed. An employee may be represented at any stage of the grievance procedure by the union. No settlement of a grievance with any employee shall be contrary to the terms of this Agreement unless such change is mutually agreed upon by both parties to this Agreement.

Section 16.01 Informal Process

An employee or group of employees, or their designated representative, who consider they have a grievance shall discuss the grievance within fifteen (15) working days of the alleged occurrence with the immediate supervisor. The supervisor shall have five (5) working days to resolve the grievance. If no mutually satisfactory resolution or remedy is reached, he or she may then proceed to Formal Step 1, within ten (10) working days of the supervisor's response.

Nothing in this section shall preclude communications between stewards and manager level staff in an attempt to resolve grievances prior to initiation of the Formal Process.

Section 16.02 Formal Process

All Formal grievances shall be reduced to writing. Formal grievances shall be signed by the grievant or the employee's authorized representative (shop steward or business representative). All Formal grievances shall state the issue being grieved, reference the applicable section of the Agreement allegedly violated, enumerate all facts pertaining to the matter, and outline the remedy sought. All appeals shall include pertinent materials provided and presented at previous steps.

At each step of the Formal process, the City representative (Division Manager, Department Director, etc.) is responsible for immediate forwarding a copy of the grievance and any related material to the Human Resources Director.

A. Formal Step 1

Formal Step 1 grievances shall be presented to the appropriate next level, typically the Division Manager, or Department Director. Grievances dealing with written warnings shall commence at this step.

The City shall attempt to resolve the grievance within ten (10) working days of receipt. If the grievant is not satisfied with the Formal Step 1 outcome, the grievant may submit the signed Report of Grievance to proceed to Formal Step 2 within ten (10) working days of the Formal Step 1 response.

B. Formal Step 2

Formal Step 2 grievances shall be presented to the next level, typically the Department Director or Deputy City Manager. Grievances dealing with disciplinary suspensions shall commence at this step.

The Department Director or Deputy City Manager shall attempt to resolve the matter within ten (10) working days after it has been presented. If the grievant is not satisfied with the Formal Step 2 outcome, the grievant, with the assistance of the union, may submit a written notice to proceed to Formal Step 3 within ten (10) working days of the Formal Step 2 response.

C. Formal Step 3

Formal Step 3 grievances shall be presented to the City Manager. Grievances relating to termination of an employee will commence at Formal Step 3.

The City Manager shall attempt to resolve the matter within twenty-one (21) working days after it has been presented. If the grievant is not satisfied with the Formal Step 3 outcome, the grievant, with the assistance of the union, may submit a written notice to proceed to Formal Step 4 within thirty (30) calendar days from receipt of the City Manager's response.

D. Formal Step 4

At Formal Step 4, the grievant or union may make a decision to appeal the matter to an arbitrator. Any decision resulting from Formal Step 4 shall be final and binding upon the parties to the grievance, unless the decision involves an action by the City which is beyond the arbiter's jurisdiction. The expenses related to Formal Step 4 (fees and charged expenses) shall be borne equally by the parties hereto. Each party will be responsible for its own expenses and legal fees incurred during the preparation and the presentation of any grievance.

The arbiter or any other person or persons involved in the grievance procedure shall not have the power to negotiate new agreements or to change any of the provisions of this Agreement.

The process for arbitration is detailed below:

1) Arbitration

Upon selection of arbitration, the parties shall attempt to agree to the selection of an arbitrator. In the event that a mutually acceptable arbiter cannot be selected by the parties within fourteen (14) calendar days following the demand for arbitration, a request may be filed with the Federal Mediation Conciliation Service (FMCS). The arbiter shall be selected according to FMCS procedures. It shall be the function of the arbiter to hold a hearing at which the parties may submit their cases concerning the grievance.

The arbiter shall render his or her decision based on the interpretation and application of the provisions of the Agreement within thirty (30) calendar days after the completion of such hearing.

SIGNATURES

The parties hereto have caused this Agreement to be executed this _____ day of _____, 2022.

City of Richland, Washington

IUOE Local 280

Jon Amundson, ICMA-CM Date
City Manager

Dean Bushey Date
Business Manager

Drew Florence Date
Assistant City Mgr./Former Interim ASD

Paul Pardini Date
Chief Steward

Pete Rogalsky Date
Public Works Director

Corey Stratton Date
Recording Secretary

Joe Schiessl Date
Parks & Public Facilities Director

Lacey Paulsen Date
Human Resources Director

ATTEST:

Jennifer Rogers Date
City Clerk

APPROVED TO FORM:

Heather Kintzley Date
City Attorney

~~APPENDIX A – 2021 CLASSIFICATIONS AND WAGES~~

~~2021 Increase – Effective the first day of the 2021 payroll year – 2% base wage increase.~~

~~Miscellaneous:~~

~~A. Treatment Plant Mechanic will be compensated at five percent (5%) above base wage (plus CDL pay, if applicable) for all hours worked in a temporary Lead assignment.~~

~~B. The following amendments to duties will be incorporated into job descriptions:~~

~~1) Changes to certain Laborer and Construction Maintenance Job Descriptions, as follows:~~

~~a) Laborer 1 – (Parks & Public Facilities) add push spreader fertilizing, graffiti abatement; (Public Works) add assists in paving, asphalt dig outs, concrete finishing, crack sealing, pavement marking, raking and grading, traffic control set up.~~

~~b) Construction and Maintenance Worker (CMW) I – (Parks & Public Facilities) remove “over seeding”; add large equipment fertilizing.~~

~~c) CMW II – (Parks & Public Facilities) no changes.~~

~~2) Public Works certifications – Job descriptions for public works employees may include various certifications deemed necessary to satisfy regulatory requirements, support essential duties of a position, and / or support staff development and professionalism.~~

~~The City of Richland recognizes there are costs associated with obtaining and maintaining the certifications identified in job descriptions the City shared with the IUOE referenced above. As a result of bargaining the impacts to these newly required certifications, the City and the IUOE reached various the terms, hereby incorporated into this Agreement.~~

~~a. The City agrees to provide director approved training to prepare employees for certification exams, to support accumulation of required professional experience toward certification requirements, and to pay the cost of up to two attempts by each employee to take each certification exam. Provision of training and professional experience shall be subject to budgetary capacity and management~~

~~determination of staff assignments to meet operational needs, both of which are at the sole discretion of management.~~

- ~~i. An employee who fails to pass a certification exam after a second attempt will be responsible for the costs and time associated with any future training and attempts to pass the exam.~~
- ~~b. The City agrees to provide training opportunities required for employees to accumulate continuing education units required to maintain certifications. The City may, at its discretion, assign employees to qualifying training sessions, including some that may require out of town travel. The City will cover the costs of training and travel.~~
- ~~c. Incumbent employees (those continuing to hold an impacted position) who are employed by the City as of the effective date of this agreement will not face termination ("job jeopardy") for failure to meet the certification requirements of his /her position, except for the incumbents in Operator in Training positions described below.~~
- ~~d. Employees hired, promoted or moved laterally into the impacted positions listed in this Agreement after the effective date of 08/08/2017 (which was the date of the originating MOU # 2017-03 IUOE containing these provisions) must meet the qualifications of the job description*. *See Appendix A~~
 - ~~i. The exception to this is Wastewater Division Operator in Training incumbent (and future) employees. These incumbent and future employees are required under this Agreement to obtain the certifications required on their respective job descriptions, under the conditions specified above. If they fail to achieve and maintain the required certification levels, these employees will face termination ("job jeopardy").~~

APPENDIX A – 2022 CLASSIFICATION & WAGE TABLE

**Effective first payroll period of 2022 – 3.5% Increase, with the following exceptions:
4.5% for General Craftworker, Equipment Technician, Lead Equipment Technician, Plant Operator,
Lead Plant Operator, Warehouse Worker, Warehouse Worker II, Lead Warehouse Worker**

Job #	Description	Step A	Step B	Step C	Step D	Step E	Step F
3044	CONST & MAINTENANCE WKR I	26.18	27.01	27.87	28.70	29.37	30.19
3045	CONST & MAINTENANCE WKR II	-	31.41	32.42	33.57	34.52	35.59
3031	ENVIRONMENTAL COMP./SOURCE CONTROL SPECIALIST	30.55	31.52	32.48	33.63	34.61	35.78
3002	EQUIPMENT OPERATOR	29.56	30.54	31.48	32.63	33.63	34.79
3024	EQUIPMENT TECHNICIAN	30.84	31.72	32.73	33.89	34.85	35.94
3006	GENERAL CRAFTSWORKER	-	31.72	32.73	33.89	34.85	35.94
3007	HVAC TECHNICIAN	33.37	34.44	35.52	36.53	37.55	38.56
3010	LABORATORY TECHNICIAN II	30.04	31.45	32.93	34.55	36.19	37.90
3043	LABORER I	20.22	21.09	22.01	22.84	23.74	24.53
3053	LABORER II TEMP	18.31	18.83	19.34	19.86	-	-
3011	LABORER-TEMPORARY	15.49	16.49	17.49	-	-	-
3039	LANDFILL OP 1 / TRANSFER STATION ATTENDANT	28.64	29.56	30.42	31.12	32.00	32.90
3055	LANDFILL OPERATOR II	29.56	30.54	31.48	32.63	33.63	34.79
3012	LEAD CONSTRUCTION & MAINT WKR	29.24	31.10	32.93	34.77	36.63	38.47
3013	LEAD CRAFTSWORKER (STREETS/WW)	28.89	30.65	32.45	34.23	36.11	37.90
3052	LEAD CRAFTSWORKER (WATER MAINT)	33.97	35.02	36.10	37.14	38.13	39.14
3014	LEAD CUSTODIAN	23.25	24.42	25.64	26.90	28.25	29.68
3016	LEAD EQUIP TECH	33.69	34.78	35.86	36.88	37.91	38.94
3015	LEAD LANDFILL OPERATOR	31.86	32.88	33.96	35.02	36.05	37.15
3041	LEAD METER READER	-	-	-	-	32.00	32.90
3017	LEAD PLANT OPERATOR	34.30	35.36	36.45	37.49	38.50	39.52
3054	LEAD PLANT OPERATOR (UPGRADE)	33.37	34.44	35.52	36.53	37.55	38.56
3019	LEAD TRUCK DRIVER	31.41	32.42	33.57	34.52	35.59	-
3018	LEAD WAREHOUSE WORKER	-	-	-	-	-	37.58
3020	MAINTENANCE CRAFTSWORKER I	27.75	28.64	29.56	30.42	31.12	32.00
3021	MAINTENANCE CRAFTSWORKER II	-	31.41	32.42	33.57	34.52	35.59
3022	MAINTENANCE WORKER I	25.57	26.32	27.09	27.85	28.58	29.43
3023	MAINTENANCE WORKER II	28.64	29.56	30.42	31.12	32.00	32.90
3025	METER READER	26.59	27.42	28.33	29.15	29.98	30.91
3046	PLANT OIT WITH LEVEL1 OP CERT	26.34	27.11	27.84	28.64	29.35	30.20
3047	PLANT OIT WITH LEVEL2 OP CERT	27.13	27.86	28.62	29.40	30.13	30.98
3048	PLANT OIT WITH LEVEL3 OP CERT	28.67	29.41	30.17	30.96	31.66	32.52
3028	PLANT OPERATOR	30.85	31.82	32.79	33.95	34.94	36.13
3029	PLANT OPERATOR-IN-TRAINING	25.57	26.32	27.09	27.85	28.58	29.43
3030	PRETREATMENT COORDINATOR	28.33	30.11	31.88	33.63	35.42	37.22
3032	SERVICE WRITER	27.75	28.64	29.56	30.42	31.12	32.00
3050	TREATMENT PLANT MECH I (WWM)	-	31.41	32.42	33.57	34.52	35.59
3049	TREATMENT PLANT MECH I (WM)	-	31.41	32.42	33.57	34.52	35.59
3051	TREATMENT PLANT MECH II (WWM)	33.37	34.44	35.52	36.53	37.55	38.56
3037	TREATMENT PLANT MECH II (WM)	33.37	34.44	35.52	36.53	37.55	38.56
3034	TRUCK DRIVER-HEAVY	28.64	29.56	30.42	31.12	32.00	32.90
3035	UTILITY CRAFTSWORKER	27.75	28.64	29.56	30.42	31.12	32.00
3038	WAREHOUSE WORKER I	25.32	26.62	27.92	29.31	-	-
3033	WAREHOUSE WORKER II	-	-	30.44	32.00	33.48	35.26
3036	WATER QUALITY COORDINATOR	28.33	30.11	31.88	33.29	33.63	37.22

APPENDIX A – 2023 CLASSIFICATION & WAGE TABLE

Effective first payroll period of 2023 – 3.0% Increase

Job #	Description	Step A	Step B	Step C	Step D	Step E	Step F
3044	CONST & MAINTENANCE WKR I	26.96	27.82	28.71	29.56	30.25	31.10
3045	CONST & MAINTENANCE WKR II	-	32.35	33.39	34.57	35.55	36.66
3031	ENVIRONMENTAL COMP./SOURCE CONTROL SPECIALIST	31.47	32.46	33.45	34.64	35.65	36.85
3002	EQUIPMENT OPERATOR	30.45	31.46	32.43	33.61	34.64	35.83
3024	EQUIPMENT TECHNICIAN	31.76	32.67	33.71	34.91	35.90	37.02
3006	GENERAL CRAFTSWORKER	-	32.67	33.71	34.91	35.90	37.02
3007	HVAC TECHNICIAN	34.37	35.48	36.59	37.62	38.68	39.72
3010	LABORATORY TECHNICIAN II	30.94	32.40	33.92	35.58	37.28	39.04
3043	LABORER I	20.83	21.73	22.67	23.53	24.46	25.27
3053	LABORER II TEMP	18.86	19.39	19.92	20.46	-	-
3011	LABORER-TEMPORARY	TBD	TBD	TBD	-	-	-
3039	LANDFILL OP 1 / TRANSFER STATION ATTENDANT	29.50	30.45	31.33	32.06	32.96	33.89
3055	LANDFILL OPERATOR II	30.45	31.46	32.43	33.61	34.64	35.83
3012	LEAD CONSTRUCTION & MAINT WKR	30.12	32.03	33.92	35.81	37.73	39.63
3013	LEAD CRAFTSWORKER (STREETS/WW)	29.75	31.57	33.42	35.25	37.19	39.04
3052	LEAD CRAFTSWORKER (WATER MAINT)	34.99	36.08	37.18	38.25	39.27	40.32
3014	LEAD CUSTODIAN	23.94	25.15	26.41	27.71	29.09	30.57
3016	LEAD EQUIP TECH	34.70	35.82	36.94	37.98	39.05	40.10
3015	LEAD LANDFILL OPERATOR	32.81	33.87	34.98	36.08	37.13	38.26
3041	LEAD METER READER	-	-	-	-	32.96	33.89
3017	LEAD PLANT OPERATOR	35.33	36.42	37.54	38.62	39.65	40.71
3054	LEAD PLANT OPERATOR (UPGRADE)	34.37	35.48	36.59	37.62	38.68	39.72
3019	LEAD TRUCK DRIVER	32.35	33.39	34.57	35.55	36.66	-
3018	LEAD WAREHOUSE WORKER	-	-	-	-	-	38.71
3020	MAINTENANCE CRAFTSWORKER I	28.58	29.50	30.45	31.33	32.06	32.96
3021	MAINTENANCE CRAFTSWORKER II	-	32.35	33.39	34.57	35.55	36.66
3022	MAINTENANCE WORKER I	26.34	27.11	27.90	28.69	29.43	30.31
3023	MAINTENANCE WORKER II	29.50	30.45	31.33	32.06	32.96	33.89
3025	METER READER	27.39	28.24	29.18	30.02	30.88	31.83
3046	PLANT OIT WITH LEVEL1 OP CERT	27.13	27.92	28.68	29.50	30.23	31.11
3047	PLANT OIT WITH LEVEL2 OP CERT	27.94	28.70	29.48	30.29	31.03	31.91
3048	PLANT OIT WITH LEVEL3 OP CERT	29.53	30.30	31.08	31.89	32.61	33.50
3028	PLANT OPERATOR	31.77	32.77	33.78	34.97	35.99	37.21
3029	PLANT OPERATOR-IN-TRAINING	26.34	27.11	27.90	28.69	29.43	30.31
3030	PRETREATMENT COORDINATOR	29.18	31.01	32.83	34.64	36.48	38.34
3032	SERVICE WRITER	28.58	29.50	30.45	31.33	32.06	32.96
3050	TREATMENT PLANT MECH I (WWM)	-	32.35	33.39	34.57	35.55	36.66
3049	TREATMENT PLANT MECH I (WM)	-	32.35	33.39	34.57	35.55	36.66
3051	TREATMENT PLANT MECH II (WWM)	34.37	35.48	36.59	37.62	38.68	39.72
3037	TREATMENT PLANT MECH II (WM)	34.37	35.48	36.59	37.62	38.68	39.72
3034	TRUCK DRIVER-HEAVY	29.50	30.45	31.33	32.06	32.96	33.89
3035	UTILITY CRAFTSWORKER	28.58	29.50	30.45	31.33	32.06	32.96
3038	WAREHOUSE WORKER I	26.08	27.41	28.76	30.19	-	-
3033	WAREHOUSE WORKER II	-	-	31.35	32.96	34.49	36.32
3036	WATER QUALITY COORDINATOR	29.18	31.01	32.83	34.28	34.64	38.34

APPENDIX A – 2024 CLASSIFICATION & WAGE TABLE
Effective first payroll period of 2024 – 3.0% Increase

Job #	Description	Step A	Step B	Step C	Step D	Step E	Step F
3044	CONST & MAINTENANCE WKR I	27.77	28.66	29.57	30.45	31.16	32.03
3045	CONST & MAINTENANCE WKR II	-	33.33	34.39	35.61	36.62	37.76
3031	ENVIRONMENTAL COMP./SOURCE CONTROL SPECIALIST	32.41	33.44	34.46	35.68	36.72	37.96
3002	EQUIPMENT OPERATOR	31.36	32.40	33.40	34.62	35.68	36.90
3024	EQUIPMENT TECHNICIAN	32.72	33.65	34.72	35.95	36.97	38.13
3006	GENERAL CRAFTSWORKER	-	33.65	34.72	35.95	36.97	38.13
3007	HVAC TECHNICIAN	35.40	36.54	37.68	38.75	39.84	40.91
3010	LABORATORY TECHNICIAN II	31.86	33.37	34.94	36.65	38.40	40.21
3043	LABORER I	21.46	22.38	23.36	24.23	25.19	26.02
3053	LABORER II TEMP	19.42	19.97	20.52	21.07	-	-
3011	LABORER-TEMPORARY	TBD	TBD	TBD	-	-	-
3039	LANDFILL OP 1 / TRANSFER STATION ATTENDANT	30.38	31.36	32.27	33.02	33.95	34.91
3055	LANDFILL OPERATOR II	31.36	32.40	33.40	34.62	35.68	36.90
3012	LEAD CONSTRUCTION & MAINT WKR	31.02	33.00	34.94	36.88	38.86	40.81
3013	LEAD CRAFTSWORKER (STREETS/WW)	30.65	32.51	34.42	36.31	38.31	40.21
3052	LEAD CRAFTSWORKER (WATER MAINT)	36.04	37.16	38.30	39.40	40.45	41.53
3014	LEAD CUSTODIAN	24.66	25.90	27.20	28.54	29.97	31.49
3016	LEAD EQUIP TECH	35.74	36.90	38.05	39.12	40.22	41.31
3015	LEAD LANDFILL OPERATOR	33.80	34.88	36.03	37.16	38.24	39.41
3041	LEAD METER READER	-	-	-	-	33.95	34.91
3017	LEAD PLANT OPERATOR	36.39	37.52	38.67	39.78	40.84	41.93
3054	LEAD PLANT OPERATOR (UPGRADE)	35.40	36.54	37.68	38.75	39.84	40.91
3019	LEAD TRUCK DRIVER	33.33	34.39	35.61	36.62	37.76	-
3018	LEAD WAREHOUSE WORKER	-	-	-	-	-	39.87
3020	MAINTENANCE CRAFTSWORKER I	29.44	30.38	31.36	32.27	33.02	33.95
3021	MAINTENANCE CRAFTSWORKER II	-	33.33	34.39	35.61	36.62	37.76
3022	MAINTENANCE WORKER I	27.13	27.92	28.74	29.55	30.32	31.22
3023	MAINTENANCE WORKER II	30.38	31.36	32.27	33.02	33.95	34.91
3025	METER READER	28.21	29.09	30.05	30.92	31.81	32.79
3046	PLANT OIT WITH LEVEL1 OP CERT	27.94	28.76	29.54	30.38	31.14	32.04
3047	PLANT OIT WITH LEVEL2 OP CERT	28.78	29.56	30.36	31.20	31.96	32.86
3048	PLANT OIT WITH LEVEL3 OP CERT	30.42	31.21	32.01	32.84	33.59	34.50
3028	PLANT OPERATOR	32.73	33.76	34.79	36.02	37.07	38.33
3029	PLANT OPERATOR-IN-TRAINING	27.13	27.92	28.74	29.55	30.32	31.22
3030	PRETREATMENT COORDINATOR	30.05	31.94	33.82	35.68	37.57	39.49
3032	SERVICE WRITER	29.44	30.38	31.36	32.27	33.02	33.95
3050	TREATMENT PLANT MECH I (WWM)	-	33.33	34.39	35.61	36.62	37.76
3049	TREATMENT PLANT MECH I (WM)	-	33.33	34.39	35.61	36.62	37.76
3051	TREATMENT PLANT MECH II (WWM)	35.40	36.54	37.68	38.75	39.84	40.91
3037	TREATMENT PLANT MECH II (WM)	35.40	36.54	37.68	38.75	39.84	40.91
3034	TRUCK DRIVER-HEAVY	30.38	31.36	32.27	33.02	33.95	34.91
3035	UTILITY CRAFTSWORKER	29.44	30.38	31.36	32.27	33.02	33.95
3038	WAREHOUSE WORKER I	26.86	28.24	29.62	31.10	-	-
3033	WAREHOUSE WORKER II	-	-	32.29	33.95	35.52	37.41
3036	WATER QUALITY COORDINATOR	30.05	31.94	33.82	35.31	35.68	39.49

APPENDIX A – 2022-2024 WAGES FOR SEASONAL/TEMPORARY LABORERS

A. Laborer wage scale is as follows:

- 1) Bottom of wage scale shall be no lower than \$1.00 over the minimum wage in effect while employed. This wage shall represent the bottom of the wage scale, and the top of the wage scale shall be no greater than \$2.00 over the bottom of the wage scale (above).
- 2) City may place new or returning temporary laborers at any point in the temporary wage range described above.
- 3) Seasonal or returning temporary laborers or other temporary employees who begin an assignment with less than a thirteen-(13) week break in employment from the last day of their previous City temporary/seasonal assignment shall be offered Essential Plan medical benefits, when required by federal healthcare law or regulation.

B. Seasonal/Temporary employees and Limited Term employees employed in a position other than a Laborer are assigned the applicable wage for their assigned position as specified in the wage table for regular, full-time employees in Appendix A.

EXHIBIT 'A' - REQUEST TO EXTEND TEMPORARY EMPLOYMENT

_____ requests an extension for

 Division/Department

_____ from _____ to _____
 Temporary Employee Start Date Estimated End Date

The extension is requested for the following reason(s):

For the City:

For the Union:

 Requesting Supervisor/Manager Date

 IUOE Chief Steward Date

 Department Head Date

 IUOE Business Manager Date

 Human Resources Date

 I understand that my temporary employment with the City is being extended as requested above.
 I further understand that this extension does not entitle me to any additional benefits unless
 specifically stated in the current Collective Bargaining Agreement between the City of Richland
 and the International Union of Operating Engineers, Local 280.

 Employee Date

~~EXHIBIT 'B' MEMORANDUMS OF UNDERSTANDING / MEMORANDUMS OF AGREEMENT IN EFFECT AS OF 2021~~

~~MOU 1996-01-IUOE~~

SETTLEMENT AGREEMENT

The City of Richland ("the City"), the International Union of Operating Engineers, Local 280 ("Local 280") and the International Brotherhood of Electrical Workers, Local 77 ("Local 77") wish to settle their dispute regarding the unit placement of "warehouse assistants." In furtherance of this settlement, the parties agree as follows:

1. As soon as practicable after the execution of this Settlement Agreement by all parties Local 280 will withdraw its Unit Clarification petition filed with PERC on or about April 16, 1996, CASE 12447-C-96-777.

2. Warehouse assistant positions shall be split 50/50 between Local 280 and Local 77. Provided, however, that the current warehouse assistants, Debbie Johns and Joe Wright, will remain members of Local 77 so long as they remain warehouse assistants, or occupy another position in the Local 77 bargaining unit.

3. After the City reaches a 50/50 split of warehouse assistants between the unions, and while it remains at such a split, additional hires shall be allocated as follows: odd numbered hires shall be Local 77 hires; even numbered hires shall be Local 280 hires.

4. Temporary warehouse assistants employed on the date this Agreement is executed shall become members of Local 280 within thirty days of that execution, unless the temporary warehouse assistant position has expired. Should such warehouse assistants remain in the City's employ beyond thirty days and therefore be allocated to Local 280, this allocation will not affect application of paragraphs 2 and 3 above to instances of hiring regular warehouse assistants.

5. Temporary warehouse assistants hired after the date of the execution of this Agreement shall be allocated between the unions as follows:

- a. temporary warehouse assistants hired to fill-in for an absent regular warehouse assistant shall be allocated to the same union as the employee they are replacing;
- b. temporary warehouse assistants hired to cover periods of excessive workload or for other reason not entailing replacement of a regular warehouse assistant shall be allocated to the appropriate union in compliance with paragraphs 2 and 3 above and in compliance with the applicable union security clause;
- c. provided, however, that the allocation of a temporary warehouse assistant to a particular union will not affect application of paragraphs 2 and 3 above to instances of hiring regular warehouse assistants.

6. The City may assign warehouse assistants to perform their duties regardless of union affiliation as necessary to cover absences or workloads.

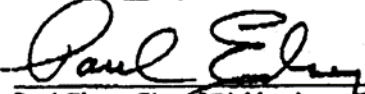
7. Local 280 and Local 77 agree that their members will accept delivery of warehouse items from any warehouse assistant, regardless of union affiliation.

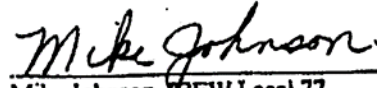
8. All parties expressly reserve all rights, positions and arguments with respect to disputes not covered by this Agreement, and this Agreement shall have no effect on those other disputes.

9. This Agreement is in full settlement of the issues addressed in Local 280's unit clarification petition. The parties hereby release and forever discharge each other from any claims, grievances, suits, petitions or actions of any kind embodied within or related to the issues raised in the UC petition.

10. Disputes regarding the interpretation or application of this Settlement Agreement shall be resolved pursuant to the grievance and arbitration provisions of the collective bargaining agreement of the first union to grieve. All parties agree that the non-grieving (or later grieving) union will be entitled to participate fully in all proceedings on the grievance, including arbitration. If more than one arguably distinct grievance is filed, all grievances will be consolidated into the proceeding related to the first-filed grievance. The arbitrator's decision shall be final and binding upon all parties on all the grievances.

Dated this 24 day of November, 1996.


Paul Elsey, City of Richland
Human Resources Manager


Mike Johnson, IBEW Local 77
Business Agent


Larry Johnston, IUOE Local 280
Business Representative

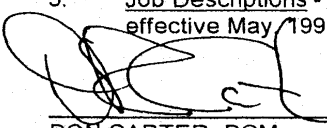
~~EXHIBIT 'C' - MEMORANDUMS OF UNDERSTANDING / MEMORANDUMS OF AGREEMENT IN EFFECT AS OF 2021~~

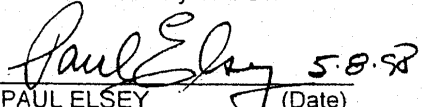
~~MOU 1998 01 IUOE~~

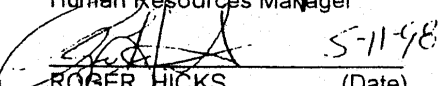
MEMO OF UNDERSTANDING

The City of Richland, International Brotherhood of Electrical Workers, Local 77 and International Union of Operating Engineers, Local 280, hereinafter known collectively as the parties, agree on the following. This memo reflects the efforts of the parties in reaching an understanding and agreement on issues which were an outgrowth of ULP 12860-U-96-03099.

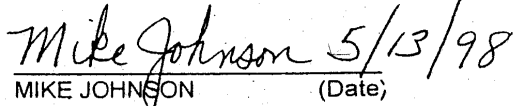
1. Promotion - Rip McLeod is to be promoted to Lead Storekeeper at 92.5% of 100% Journeyman Lineman's rate (\$22.32).
2. Incumbent Warren Hyland will remain classified and in the position of Storekeeper per IBEW/COR collective bargaining agreement.
3. Ron Alexander is promoted to position of Storekeeper per ULP 2860-U-96-0399 and in accordance with Appendix A of IUOE/COR collective bargaining agreement.
4. Upgrades
 - a. When the Lead Storekeeper is absent from work, should the Warehouse Supervisor elect to replace the position, Storekeeper W. Hyland will be selected. Should W. Hyland not be available, Storekeeper R. Alexander will be selected.
 - b. When R. Alexander is upgraded, the pay rate will be that rate as shown in Appendix A of IUOE/COR collective bargaining agreement.
5. Job Descriptions - Job descriptions for each position have been revised effective May 1998 and are agreed upon by the parties.

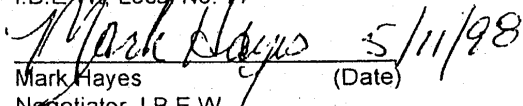

DON CARTER, DCM, (Date)
Utilities and Physical Services

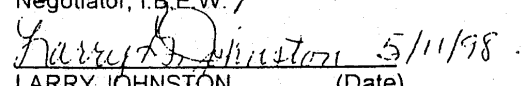

PAUL ELSEY (Date)
Human Resources Manager

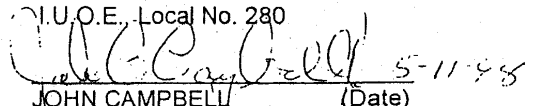

ROGER HICKS (Date)
Maintenance Superintendent


MARVIN MOORE (Date)
Warehouse Supervisor


MIKE JOHNSON (Date)
Business Representative
I.B.E.W., Local No. 77


Mark Hayes (Date)
Negotiator, I.B.E.W.


LARRY JOHNSTON (Date)
Business Representative
I.U.O.E., Local No. 280


JOHN CAMPBELL (Date)
Chief Steward, I.U.O.E.

~~EXHIBIT 'D' — PTO/VACATION DONATION TRANSFER FORM~~

~~Current version of form is on corCompass. Return completed form to Payroll for processing, once approved.~~

EXHIBIT 'C' - MEMORANDUMS OF UNDERSTANDING / MEMORANDUMS OF AGREEMENT IN EFFECT AS OF 2022

MOU # 2021-01-IUOE



MEMORANDUM OF UNDERSTANDING

**City of Richland
And
International Union of Operating Engineers, Local 280**

Stand-By

The City of Richland ("City") and the International Union of Operating Engineers, Local 280 ("Union") enter into this memorandum of understanding (MOU) to implement a stand-by program for IUOE represented employees.

Stand-by time is defined as a period of off-duty time during which an employee shall be assigned by a supervisor to be available to work if and when summoned. At managements discretion, at least one (1) employee per division, at the discretion of the Department Director, may be required to be on mandatory stand-by if voluntary call-out lists within the division are not regularly established or are inadequately populated by employees to ensure timely and effective response to afterhours work demands, also as determined by the Department Director. Employees on stand-by may engage in normal off-duty activities, provided that:

- The cell phone provided is carried and on their person at all times;
- The employee will make every effort to respond as quickly as possible whenever called;
- The employee will respond to the job site or required work location within thirty (30) minutes; and
- The employee keeps themselves in a condition to be fit to duty in accordance with Section 14.01.

Employee's assigned stand-by status shall be paid time and a half for one additional hour for each work day and two additional hours for each Saturday or Sunday they are on stand-by status. Stand-by employees summoned to work will shall be paid in accordance with the call-out pay provisions defined in Section 11.05 below.

When activated by Division management all qualified employees shall be assigned a seven-day week, starting at Monday at the beginning of the regular shift and ending at the following Monday at the beginning of the shift. Qualified employees are employees that have achieved regular full-time status by completing their probationary period and achieving minimum technical competence in their division. Minimum qualifications shall be established by Division Management based on competence to address common call-out tasks.

For divisions that activate stand-by on an ongoing basis, currently anticipated to be the Streets Division and the Wastewater Maintenance Division, a stand-by assignment calendar will be established at the beginning of each calendar year according to the following procedure. All employees in the division will select their first choice of a standby week, with selections occurring from most senior to least senior qualified staff. This same procedure will be used for a second and third assigned week. Beginning with the fourth assigned week the order of selection shall be reversed so that when all weeks are assigned the most senior employees do not have more assignments than the least senior employees.

For divisions that activate stand-by on a periodic basis, currently anticipated to be the Parks Division, assignments shall follow the process described above for the first three assignments.

If stand-by is activated in additional divisions they will utilize either the on-going or intermittent assignment procedures described above appropriate for their needs.

Lacey Paulsen
Human Resources Director

Date

MOU # 2020-01-IUOE



***Memorandum of Agreement
between the
City of Richland
and the
International Union of Operating Engineers, Local 280***

**LEAD PLANT OPERATOR JOB DESCRIPTION MODIFICATIONS AND
ASSOCIATED WAGE ADJUSTMENT**

The City of Richland ("City") and the International Union of Operating Engineers, Local 280 ("Union") enter into this memorandum of agreement (MOA) to modify the Lead Plant Operator job description and adjust wages for the position accordingly. City and Union are referred to herein as the "Parties." This MOA is non-precedence setting in all respects.

The City recently added additional duties to the Lead Plant Operator job description, including but not limited to responsibility and maintenance of the City's wastewater pretreatment program. In response to the City's modification of the job description, the Union has requested to amend the Lead Plant Operator wage to reflect these additional duties.

In recognition of the additional duties added by the City to the Lead Plant Operator job description, the Parties agree that the Lead Plant Operator wage will increase effective November 4, 2019 to the same wage rate as the Lead Craftworker (Water Maintenance).

The Parties further agree that if, at any time, the City determines by management prerogative to remove these additional duties from the Lead Plant Operator position (including responsibility and maintenance of the City's wastewater pretreatment program), the Lead Plant Operator wage will revert to the equivalent wage rate in effect for the position immediately prior to execution of this MOA.

The Parties acknowledge and agree that the agreement to increase the wage for the Lead Plant Operator position is directly tied to the addition and performance of additional duties, and that without such additional responsibly, no increase is warranted.

This MOA will remain in effect unless terminated by either Party upon two weeks' written notice, or until its inclusion into a duly executed collective bargaining agreement.

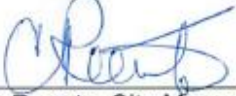
[Signature page to follow]

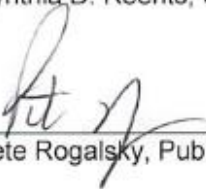
MOU # 2020-01-IUOE

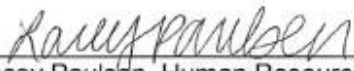
Page 2 of 2

Dated this 20 day of February, 2020.

City of Richland:

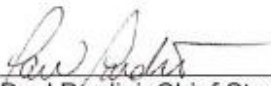

Cynthia D. Reents, City Manager


Pete Rogalsky, Public Works Director


Lacey Paulsen, Human Resources Manager

IUOE Local 280:


Dean Bushey, Business Manager


Paul Pardini, Chief Steward

MOU # 2017-02-IUOE



***Memorandum of Understanding between
City of Richland
and
International Union of Operating Engineers, Local 280***

CDL PAY FOR TEMPORARY EMPLOYEES

The purpose of this Memorandum of Understanding (MOU) is to document an understanding between the City of Richland ("City") and the International Union of Operating Engineers ("IUOE") Local 280 (referred to collectively as the "Parties") to address Commercial Driver License (CDL) pay for temporary employees. This MOU will apply to seasonal temporary employees who are asked to use a CDL during the course of their temporary assignment with the City. The MOU is non-precedence setting in all respects.

All temporary employees who are asked to utilize their CDL during their temporary assignment will receive additional CDL pay of an additional forty cents (\$0.40) per hour when the assignment requires a Class "A" CDL, or an additional twenty cents (\$0.20) per hour when the assignment requires a Class "B" CDL. The manager will determine which level of CDL will be utilized for the duration of the temporary assignment, and the employee will be paid for the level utilized even when the employee may hold a higher level certification. For example, a Truck-Driver Heavy (Temporary) would utilize a Class "B" CDL, so the temporary employee would receive an additional twenty (\$0.20) cents per hour for all hours worked in that capacity, even if the employee holds a Class "A" CDL.

Temporary employees may be asked to utilize a CDL without upgrade to a higher level position, and the Parties agree that CDL pay will substitute for any upgrade pay the Temporary employee may otherwise have been eligible to receive.

To be eligible for CDL pay, applicable Temporary employees must possess and maintain a current CDL, including a CDL medical card, in the level required for the temporary

MOU # 2017-02-IUOE

assignment, and must have successfully completed the City's required Department of Transportation (DOT) pre-employment screening requirements (DOT physical, DOT drug/alcohol screening, and DOT employment verification) prior to driving Commercial vehicles for the City, and prior to being placed in the City's random drug and alcohol testing pool for employees occupying safety sensitive positions.

For the 2017 season only, applicable Temporary employees will be paid CDL pay as of the date they were determined by Human Resources to have met requirements for eligibility to be placed into the City's random testing pool. Additionally, Temporary employees already employed as of the effective date of this MOU, and who are placed in the City's random testing pool within seven (7) calendar days of the effective date of this MOU, will be paid the applicable CDL pay *retroactive* to the first day of their 2017 seasonal assignment for hours worked utilizing the CDL.

The costs associated with obtaining and/or maintaining a CDL will be at the expense of the Temporary employee, with the exception of any pre-employment screening requirements to be paid for by the City. The City always maintains the right to end a Temporary employee's assignment at any time and for any reason, with or without notice, a right which survives the termination of this MOU. This includes, but is not limited to, circumstances in which a Temporary employee does not maintain a valid CDL and medical card when being assigned to tasks requiring those qualifications.

CDL pay will not be applied to any PTO cash-outs granted after successful completion of the season.

This MOU will remain in effect until and unless either Party provides a two-week prior written notice to dissolve it.

For the City of Richland:

 8/2/17
Cynthia D. Reents, ICMA-CM Date
City Manager *mk*

 8/1/17
Allison Jubb Date
Human Resources Director

 8/1/17
Pete Rogalsky Date
Public Works Director

For the IUOE, Local 280:

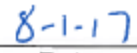
 8-6-17
Dean Bushey Date
Assistant Business Representative

 8-8-17
Corey Stratton Date
Chief Steward

MOU # 2017-02-IUOE



Joe Schlessl
Parks & Public Facilities Director



Date



***Memorandum of Understanding between
the City of Richland and
the International Union of Operating Engineers, Local 280***

**WASTE WATER TREATMENT PLANT (WWTP)
PLANT OPERATOR WORK SCHEDULE CHANGE & STANDBY DUTY**

The purpose of this Memorandum of Understanding (MOU) is to document an agreement between the City of Richland (City) and the International Union of Operating Engineers, Local No. 280 (IUOE) resulting in the need for a plant operator work schedule change and standby duty at the WWTP only. This MOU also addresses holiday pay for WWTP plant operators.

Unless otherwise stated in this MOU, the terms of the current collective bargaining agreement between the City and IUOE will be followed.

Work Schedule Change

Effective July 2, 2014, a 10-hour shift schedule will be implemented at the WWTP for all qualified plant operators and will be offered/assigned by seniority. Employees will be provided one 30-minute unpaid meal period each shift and will be relieved from duty.

Standby Duty

Standby duty is defined as a period of off duty time during which an employee shall be assigned to take trouble calls, assess issues, and report to the WWTP when necessary.

Effective July 2, 2014, all qualified WWTP plant operators will be assigned to standby duty on a rotating basis for a period of seven (7) days (commencing Wednesday at 5:30 pm and ending the following Wednesday at 7:00 am). Compensation for plant operator standby duty shall be thirty percent (30%) of the compensation for a forty (40) hour week at current plant operator top step hourly base rate of pay (does not include CDL pay).

Plant operators on standby duty will be compensated for non-assigned shift hours (5:30 pm – 7:00 am) Monday through Friday and for twenty-four (24) hours (7:00 am – 7:00 am) on Saturdays, Sundays and City holidays.

Employees on standby duty are required to immediately communicate to the applicable manager or designee if he/she becomes unavailable for standby duty or he/she is unable to address the immediate trouble call.

Employees on standby duty may engage in normal off-duty activities provided:

- City cell phone, pager and/or laptop as provided are carried on his/her person at all times;
- He/she is able to report to the WWTP within thirty (30) minutes of receiving trouble call;
- He/she remains fit for duty as required by the City's Drug & Alcohol Policy.

Probationary employees must meet the plant operator standby duty requirements as determined by the WWTP manager or designee in order to be eligible for standby duty.

Call-out time during standby duty starts when the plant operator takes a trouble call and / or acknowledges an alarm on the SCADA terminal with a minimum of ten (10) minutes pay at current plant operator top step hourly base rate plus CDL pay. All call-outs requiring the employee to respond to the call at the WWTP shall follow Section 11.05 Call-out Pay in the current collective bargaining agreement.

WWTP plant operators will continue to be compensated for actual holidays by following the principles used in the June 2007 MOU pertaining to holiday pay for plant operators, for example:

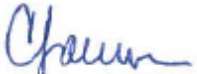
- If an employee does not work on a holiday, he/she will be compensated for eight (8) hours of holiday pay.
- If an employee works on a holiday, he/she will be compensated for ten (10) hours worked to overtime pay at one and one-half (1½) times hourly base rate of pay plus CDL pay. In addition, the employee will be compensated for eight (8) hours of holiday pay and two (2) regular hours at hourly base rate of pay plus CDL pay. Additionally, if an employee works in excess of ten (10) hours on a holiday, he/she will be compensated for actual hours worked to overtime pay at one and one-half (1½) times hourly base rate of pay plus CDL pay.

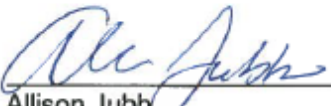
WWTP plant operators will also be compensated with two (2) hours of standby holiday premium at the plant operator top step hourly base rate (does not include CDL pay) for each actual holiday that falls within his/her standby schedule.

Plant operators may request standby duty trades with fellow plant operators with the approval of manager or designee. Upon approved trades, plant operators understand and acknowledge they are voluntarily giving up standby holiday premium when an actual holiday falls within the standby schedule he/she traded away.

The parties agree to meet and discuss any future shift schedule proposals for WWTP plant operators. If the parties cannot come to a mutual agreement, either party may revoke this MOU by providing a thirty (30) day notice in writing.

For the City of Richland:

 6/30/14
Cynthia D. Johnson
City Manager

 6/30/14
Allison Jubb
Human Resources Director

 4/30/2014
Pete Rogalsky
Public Works Director

For the IUOE, Local 280:

 6-30-14
Dean Bushey
Assistant Business Manager

 6/30/14
Corey Stratton
Chief Steward



COUNCIL AGENDA ITEM COVERSHEET

Council Date: 1/4/2022

Agenda Category: Resolutions - Adoption

Core Focus Area 1 - Promote Financial Stability & Operational Effectiveness

Core Focus Area 2 - Manage & Maintain Infrastructure & Facilities

Core Focus Area 4 - Manage our Natural Resources

Subject:

Resolution No. 2022-05, Authorizing a Purchase Order Contract with Boyd's Tree Service, LLC for Tree Pruning and Vegetation Management

Department:
Energy Services

Ordinance/Resolution Number:
2022-05

Document Type:
Resolution

Recommended Motion:

Adopt Resolution No. 2022-05, authorizing the City Manager to sign and execute a purchase order contract between the City and Boyd's Tree Service, LLC for tree pruning and vegetation management.

Summary:

Energy Services contract crews trim trees growing near power lines and manage vegetation around substations and other utility infrastructure. This proactive measure improves safety by maintaining proper clearance around electrical lines and equipment, and improves overall system reliability by reducing tree-related power outages.

The City has chosen to obtain a contractor for vegetation management services through a cooperative purchasing arrangement. Such arrangements are authorized under RCW 39.34.030. Benton PUD - with whom the City has a cooperative purchasing agreement - recently conducted a solicitation process for a vegetation management contractor that meets the City's procurement requirements.

Benton PUD awarded a contract to Boyd's Tree Service, LLC at its Commission meeting on December 14, 2021. Pursuant to the existing cooperative purchasing agreement with Benton PUD, the City plans to issue a purchase order to Boyd's Tree Service, LLC for 2022 tree pruning and vegetation management services.

Staff recommends adoption of Resolution No. 2022-05.

Fiscal Impact: Tree trimming and vegetation management services are included in the City's 2022 Capital Improvement Plan (CIP) with funding included in the Electric Utility Fund of the 2022 Budget. This time and materials contract is not to exceed \$350,000.

Attachments:

1. Resolution No. 2022-05
2. BPUD Solicitation-Contract No. 22-32-02

RESOLUTION NO. 2022-05

**A RESOLUTION OF THE CITY OF RICHLAND, WASHINGTON,
AUTHORIZING A PURCHASE ORDER CONTRACT WITH
BOYD'S TREE SERVICE, LLC FOR 2022 TREE TRIMMING AND
VEGETATION MANAGEMENT SERVICES.**

WHEREAS, the City of Richland operates an electric utility providing customers reliable service at the lowest reasonable cost through wholesale power purchases, efficient operations and energy efficiency; and

WHEREAS, the City of Richland owns and maintains power lines throughout the City's service area; and

WHEREAS, trees must be pruned annually to maintain safe and proper clearances of overhead electric lines; and

WHEREAS, the City contracts with outside service crews to trim trees within power lines and manage vegetation in and around substations to reduce tree-related power outages; and

WHEREAS, RCW 39.34.030 allows the City to enter into cooperative purchasing agreements with other public agencies to allow for "piggybacking" onto procurement efforts conducted by those agencies; and

WHEREAS, the solicitation, evaluation, and award process conducted by Benton Public Utility District No. 1 (Benton PUD) in Solicitation No. 22-32-02 meets the City of Richland's procurement requirements; and

WHEREAS, the Benton PUD Commission approved a contract for tree trimming services with Boyd's Tree Service, LLC on December 14, 2021; and

WHEREAS, the City's contract with Boyd's Tree Service, LLC expired December 31, 2021; and

WHEREAS, the City's best interests are served by piggybacking onto Benton PUD's contract with Boyd's Tree Service, LLC for 2022 tree trimming and vegetation management.

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Richland that the City Manager is authorized to sign and execute a purchase order contract with Boyd's Tree Service, LLC for tree trimming and vegetation management services through December 31, 2022.

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

This space intentionally left blank.

ADOPTED by the City Council of the City of Richland, Washington, at a regular meeting on the 4th day of January, 2022.

Ryan Lukson, Mayor

Attest:

Approved as to Form:

Jennifer Rogers, City Clerk

Heather Kintzley, City Attorney



☐	Business Agenda
☐	Second Reading
☒	Consent Agenda
☐	Info Only/Possible Action
☐	Info Only

COMMISSION MEETING AGENDA ITEM

Subject:	Contract Award Recommendation – Boyd’s Tree Service – Bid Package #22-32-02	
Agenda Item No:	8j	
Meeting Date:	December 14, 2021	
Presented by:	Brian Cramer	<i>Staff Presenting Item</i>
Approved by (dept):	Stephen B. Hunter	<i>Director/Manager</i>
Approved for Commission review:	Rick Dunn 	<i>General Manager/Asst GM</i>

Motion for Commission Consideration

Motion to award Contract #22-32-02 for Electric Utility Tree Pruning – Vegetation Management to Boyd’s Tree Service of Kennewick, WA for the total annual amount of \$866,000.00 with a term of one year with an option to extend annually up to four additional years.

Background

Bids were advertised and mailed to vendors from our prequalification list and the following two bids were received.

Boyd’s Tree Service	\$219.72 per crew hour
Asplundh Tree Expert Company	\$252.99 per crew hour

Staff has evaluated the proposals and recommends the contract be awarded to Boyd’s Tree Service. Boyd’s Tree Service was low bid and has met all our contract requirements.

Summary

Annually, thousands of trees have to be pruned to maintain safe and proper clearances of overhead electrical lines. We are challenged at Benton PUD because of the numerous fast growing trees throughout our service area. Boyd’s Tree Service will help reduce our number of tree related power outages caused by these trees.

Fiscal Impact

Operations has \$866,000 budgeted for Tree Pruning-Vegetation Management services in 2022.



TREE PRUNING-VEGETATION MANAGEMENT CONTRACT

On this 1st day of January 2022, **BOYD'S TREE SERVICE** (the Contractor) and **PUBLIC UTILITY DISTRICT NO. 1 OF BENTON COUNTY**, (the District) agree to be bound by the following terms and conditions:

1. The Contractor agrees to furnish all supervision, labor, cars, trucks, and equipment for the pruning-vegetation management and clearing of brush and trees from certain District electric distribution and transmission line rights-of-way in accordance with the Tree Clearance and Technical Specifications.
2. The Contractor agrees to remove all cut brush, limbs, trees, and debris from the Districts rights-of-way and District property facilities, easements and from all private land in accordance with the complete approval of the landowner and the District's representative.
3. The Contractor, in the performance of the work herein specified, shall be considered an independent Contractor and shall be solely responsible for the performance of said work and any damage resulting therefrom.
4. The Contractor shall comply with Revised Code of Washington Section 39.12, providing for payment of prevailing wages. No workman, laborer, or mechanic employed in the performance of any part of this contract shall be paid less than the 'prevailing rate of wage' as determined by the industrial statistician of the Department of Labor and Industries. The schedule of the prevailing wage rates of the locality or localities where this contract will be performed is by reference made a part of this contract as though fully set forth herein.

It will be the responsibility of the Contractor to pay all filing fees necessary to comply with RCW 39.12.

The Contractor shall conform to the wage rates, employee benefits, and working conditions expressed in the current collective bargaining agreement applicable to I.B.E.W. Local 77 construction membership. Verification of payment will be furnished to the District by way of certified payroll documents upon District request. This requirement can be fulfilled by the Contractor having an agreement with Local 77.

5. Contractor shall protect, hold free and harmless, defend and pay on behalf of the District (including its managers, commissioners and employees) all liability, penalties, costs,



losses, damage, expense, causes of action, claims, or judgments, (including attorney's fees) resulting from injury or death, sustained by any person (including Contractor's employees) or damage to property of any kind which injury, death, or damage arises out of or is in any way connected with Contractor's performance of this contract. Contractor's hold harmless agreement shall apply to any act or omission, willful misconduct or negligence whether passive or active, on the part of Contractor (its agents or employees); except, that this agreement shall not be applicable to injury, death, or damage to property or persons arising from the sole negligence or the sole willful misconduct of District, its managers, commissioners, and employees.

District shall not be responsible for loss or damage to property, materials, or equipment belonging to Contractor, its agents, employees, suppliers or anyone directly or indirectly employed by Contractor while said material property, or equipment is parked on District property. Contractor is encouraged to obtain appropriate insurance against such risk of loss. Contractor waives all rights of subrogation against District for such losses.

In any and all claims against the District by any employee of Contractor, the indemnification and hold-harmless obligation herein shall not be limited in any way by any limitation on the amount or type of damages, compensation or benefits payable by or for the Contractor under worker's compensation acts, disability benefit acts, or other employee benefit acts, AND CONTRACTOR SPECIFICALLY AND EXPRESSLY WAIVES ANY IMMUNITY UNDER SUCH ACTS. CONTRACTOR ACKNOWLEDGES THAT THIS WAIVER HAS BEEN MUTUALLY NEGOTIATED BY THE PARTIES.

6. The Contractor hereby accepts exclusive liability for payment of any and all taxes (federal and/or state) required to be paid by the Contractor, the employees of such Contractor, or by any subcontractors or the officers or employees or such subcontractors, to any governmental agency, commission or authority having jurisdiction in the premises, under the provisions of any unemployment insurance, social security and/or pension plans established by law insofar as said taxes pertain to work performed under this contract; the Contractor further agrees to meet all requirements that may be specified under regulations of any governmental agency, commission or authority having jurisdiction in the premises insofar as said requirements relate to the work performed under this contract. It is expressly understood and agreed that the Contractor will save and hold harmless the District from any and all liability whatsoever for the deduction, collection, and/or payment of any such sums or the performance of any of the requirements aforesaid.
7. The Contractor agrees to meet all requirements that may be specified under regulations



of any governmental agency, commissioner or authority having jurisdiction in the premises insofar as said requirements relate to work performed under this contract. It is expressly understood and agreed that the Contractor will save and hold harmless the District from any and all liability whatsoever for the deductions, collection, and/or payment of any such sums for the performance of any of the requirements aforesaid.

8. The Contractor will not sublet any of the work to be performed by him under the terms of this agreement and will not assign this contract or any rights hereunder, without first obtaining the written approval of the District.
9. It is agreed that neither the District nor the Contractor shall be held liable for work stoppage caused by strikes, injunction suits, acts of God or the public enemy, or causes beyond the control of the parties.
10. Within the first fifteen (15) days of each calendar month, the District shall make payment to the Contractor for the services rendered during the preceding calendar month. PROVIDED, HOWEVER, that the "Statement of Intent to Pay Prevailing Wages" has been certified by the Department of Labor and Industries and the certified pink copy has been received by the District. Each voucher claim submitted for payment on a project shall state that the prevailing wages have been paid in accordance with the pre-filed statement or statements of intent to pay prevailing wages on file with the District. Five percent (5%) of the amount of each payment shall be withheld until acceptance of the completed contract by the District and the expiration of the thirty (30) day period for filing of liens as provided by law and until the District receives the certified copy of "Affidavit of Wages Paid" from the Department of Labor and Industries, a certificate from the Audit section of the State Department of Revenue (contracts over \$20,000), authorizing the payment of the retained fund, and a certificate of release from the Department of Labor and Industries. A Notice of Completion of Public Works Contract will be filed with the State Department of Revenue by the District upon acceptance of the Contract by the District. It will be the responsibility of the Contractor to notify the Department of Labor and Industries of Contract completion.
11. The District reserves the right to terminate the contract or temporarily halt work prior to the end of the calendar year for any reason the District may deem necessary. The Contractor will be given five (5) working days' notice of the termination of the contract or temporary halting of work under this contract, as well as five (5) working days' notice to provide crew and equipment for the resumption of work after any temporary halting.
12. The Contractor shall have, and maintain throughout the contract period, insurance and



benefits in the following minimum requirements:

- a. Workers' compensation insurance, Social Security, Federal Income Tax deductions, and any other taxes or payroll deductions required by law for, or on behalf, of its employees.
- b. Employer's liability, commercial general liability (bodily injury and property damage) and comprehensive automobile liability (bodily injury and property damage) insurance, with each policy having maximum limits of not less than \$1,000,000.00
- c. Contractor shall provide an endorsement on the Commercial General Liability and Property Damage policy naming the District as additional insured and add a separation of insured clause or a cross liability endorsement.

The District shall have the right at any time to require commercial general liability, automobile liability, and property damage insurance greater than those required in subsection (b) of this section.

Contractor shall deliver to the Purchasing Department of the District, no later than ten (10) days after award of the Agreement, but in any event prior to execution of the Agreement by the District and prior to commencing work, Certificates of Insurance, identified on their face as the Agreement Number to which applicable, as evidence that policies providing such coverage and limits of insurance are in full force and effect, which Certificates shall provide that not less than thirty (30) days advance notice will be given in writing to the District prior to cancellation, termination or alteration of said policies of insurance. Such advance notice of cancellation, termination, or alteration of said policies shall be delivered to the Purchasing Department of the District.

13. The Contractor shall at all times take all reasonable precautions for the safety of employees on the work and of the public, and shall comply with all applicable provision of federal, state, and municipal safety laws and building and construction codes.
14. The Contractor may adjust the labor portion of the costs during the term of this contract to reflect any changes made in the current and prevailing union schedule of wages and working conditions. No adjustment will be allowed for equipment overhead or equipment.
15. The District reserves the right to increase/decrease the number of crews working, during the contract period according to the workload. The number or required crews will be determined by the District.



16. This contract shall be in full force beginning January 1, 2022 and in effect through December 31, 2022. The District, solely at its option, may extend the contract on an annual basis for an additional four-year period.

The District is a public entity subject to the disclosure requirements of the Washington Public Records Act of RCW 42.56. The vendor expressly acknowledges and agrees that its proposal and any information vendor submits with its proposal or which vendor submits to the District in its performance of any contract with the District is subject to public disclosure pursuant to the Public Records Act or other applicable law and the District may disclose vendor's proposal and/or accompanying information at its sole discretion in accordance with its obligations under applicable law.

The District must comply with the Preservation and Destruction of Public Records RCW 40.14. The vendor expressly acknowledges and agrees that it will maintain all records and documentation related to the contract in accordance with its obligations under applicable law.

In the event that the District receives a request pursuant to the Washington Public Records Act, or other legal process requesting or mandating disclosure of any information or documents submitted to the District by vendor, the District's sole obligation shall be to notify the vendor promptly, so that the vendor at vendor's expense and cost, may seek court protection of any of the requested information vendor deems confidential.

IN WITNESS WHEREOF, the parties hereto have duly executed this Agreement.

BOYD'S TREE SERVICE

Authorized by: (Print name & title)

Signature: _____

Date: _____

UBI No. _____

**PUBLIC UTILITY DISTRICT NO. 1
OF BENTON COUNTY**

Rick Dunn, General Manager

Authorized by: (Print name & title)

Signature: _____

Date: December 14, 2021



COUNCIL AGENDA ITEM COVERSHEET

Council Date: 1/4/2022

Agenda Category: Resolutions - Adoption

Core Focus Area 2 - Manage & Maintain Infrastructure & Facilities

Subject:

Resolution No. 2022-06, Authorizing an Interlocal Agreement with the Port of Benton related to the 2022 Rail Repair Project

Department:
Public Works

Ordinance/Resolution Number:
2022-06

Document Type:
Resolution

Recommended Motion:

Adopt Resolution No. 2022-06, authorizing the City Manager to sign and execute an interlocal agreement with Port of Benton related to the 2022 Rail Tie Replacement project.

Summary:

The City owns and maintains several miles of railroad track in the Horn Rapids Industrial Park. Most of the City's track was constructed in 1999, meaning the wood ties are more than 20 years old. In keeping with sound maintenance practices, the City purchased 300 railroad ties to begin replacing those that need to be replaced. Since the City does not own railroad maintenance vehicles or equipment, a tie replacement program performed by City staff would be very labor intensive.

The Port of Benton owns and maintains approximately fifteen miles of railroad track, five to six times the City's inventory. The Port has prepared a 2021 Derailment Damage Repair project contract to perform rail repairs on a portion of Port of Benton railroad track. The scope of the Port's project is much larger than the City's tie replacement needs, and the Port's contractor can perform the work more efficiently than the City. Including the City's 2022 rail tie replacement with the Port of Benton's repair contract serves the best interests of both jurisdictions and the public.

The City collects railroad track use fees each year from the Union Pacific and Burlington Northern Sante Fe railroads totaling approximately \$35,000. These funds are set aside to support maintenance work on the City-owned track. Currently, more than \$200,000 in past revenues is available for maintenance work.

At the time of the 2022 budget preparation, the opportunity to participate in a larger Port of Benton railroad maintenance project was not known. The opportunity posed by the Port's project will provide a more efficient means of accomplishing the railroad tie replacement work, and free staff capacity for higher priority work, such as pavement preservation, crack sealing, and ADA transition projects. Staff intends to propose a budget amendment to appropriate a portion of the accumulated railroad use fee revenue to support this project.

The proposed interlocal agreement will establish the Port as the lead agency for the rail repair work, with the City funding its own portion of the project. Staff recommends adoption of Resolution No. 2022-06.

Fiscal Impact:

The total cost to the City is estimated at approximately \$80,000. \$210,557.88 is accumulated in past revenues. A budget amendment will come forward in early 2022 to appropriate a portion of the accumulated revenues to support this Agreement.

Attachments:

1. Resolution No. 2022-06
2. Draft Port of Benton Interlocal - 2022 Rail Repairs

RESOLUTION NO. 2022-06

**A RESOLUTION OF THE CITY OF RICHLAND, WASHINGTON,
AUTHORIZING AN INTERLOCAL COOPERATIVE AGREEMENT
WITH THE PORT OF BENTON REGARDING THE 2022 RAIL TIE
REPLACEMENT PROJECT.**

WHEREAS, RCW 39.34.010 permits local governmental units to make the most efficient use of their powers by enabling them to cooperate with other localities on a basis of mutual advantage and thereby to provide services and facilities in a manner and pursuant to forms of governmental organization that will accord best with geographic, economic, population and other factors influencing the needs and development of local communities; and

WHEREAS, pursuant to RCW 39.34.080, each Jurisdiction is authorized to contract with any one or more public agencies to perform any governmental service, activity, or undertaking which each public agency entering into the contract is authorized by law to perform; provided that such contract shall be authorized by the governing body of each Jurisdiction to the contract and shall set forth its purposes, powers, rights, objectives and responsibilities of the contracting parties; and

WHEREAS, the Port of Benton has prepared a 2021 Derailment Damage Repair Project contract to perform rail repairs on a portion of Port of Benton railroad track; and

WHEREAS, the City has need to replace railroad ties on City-owned railroad track, and has an inventory of 300 rail ties to be used for replacement of rail ties that have little or no service life remaining; and

WHEREAS, the City's program is small in comparison to the Port of Benton's program; and

WHEREAS, including the City's 2022 rail tie replacements with the Port of Benton's 2021 Derailment Damage Repair contract serves the best interests of both Jurisdictions and the public; and

WHEREAS, the Jurisdictions, by their respective governing bodies, have determined this effort may be best implemented on a shared basis in a manner deemed most efficient and effective for the Jurisdictions.

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Richland that the City Manager is authorized to sign and execute an interlocal agreement with the Port of Benton related to the 2022 Rail Tie Replacement project.

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

This space intentionally left blank.

ADOPTED by the City Council of the City of Richland, Washington, at a regular meeting on the 4th day of January, 2022.

Ryan Lukson, Mayor

Attest:

Approved as to Form:

Jennifer Rogers, City Clerk

Heather Kintzley, City Attorney

WHEN RECORDED RETURN TO:

Richland City Clerk
625 Swift Boulevard, MS-07
Richland, WA 99352

INTERLOCAL COOPERATIVE AGREEMENT
Between
THE CITY OF RICHLAND AND THE PORT OF BENTON
Re: 2021 Derailment Damage Repair Project

THIS INTERLOCAL COOPERATIVE AGREEMENT is entered into this _____ day of _____, 2022 (the “Effective Date”), by and between the **City of Richland**, a Washington municipal corporation (hereafter “Richland” or “City”), and the **Port of Benton**, a political subdivision of the state of Washington (hereafter “the Port”). Richland and the Port are also herein referred to individually as a “Jurisdiction” and collectively as “the Jurisdictions.”

I. RECITALS

WHEREAS, RCW 39.34.010 permits local governmental units to make the most efficient use of their powers by enabling them to cooperate with other localities on a basis of mutual advantage and thereby to provide services and facilities in a manner and pursuant to forms of governmental organization that will accord best with geographic, economic, population and other factors influencing the needs and development of local communities; and

WHEREAS, pursuant to RCW 39.34.080, each Jurisdiction is authorized to contract with any one or more public agencies to perform any governmental service, activity, or undertaking which each public agency entering into the contract is authorized by law to perform; provided that such contract shall be authorized by the governing body of each Jurisdiction to the contract and shall set forth its purposes, powers, rights, objectives and responsibilities of the contracting parties; and

WHEREAS, the Port has prepared a 2021 Derailment Damage Repair Project contract to perform rail repairs on a portion of Port railroad track; and

WHEREAS, the City has need to replace railroad ties on City-owned railroad track, and has an inventory of 300 rail ties to be used for replacement of rail ties that have little or no service life remaining; and

WHEREAS, the City’s program is small in comparison to the Port’s program; and

WHEREAS, the Jurisdictions have determined that including the City's 2022 rail tie replacements into the Port's 2021 Derailment Damage Repair contract serves the best interests of both Jurisdictions and the public; and

WHEREAS, the Jurisdictions, by their respective governing bodies, have determined this effort may be best implemented on a shared basis in a manner deemed most efficient and effective for the Jurisdictions.

NOW, THEREFORE, in consideration of the mutual covenants contained herein, the Jurisdictions agree as follows:

II. AGREEMENT

Section 1. Purpose and Scope of Work: The purpose of this Agreement is to assist the City in preserving portions of City-owned rail located north of SR-240 and west of Stevens Drive in north Richland by replacing rail ties as marked in situ. Such preservation is for the benefit of all citizens and rail freight of Richland.

Section 2. Administration: The Port Executive Director or designee will administer this Agreement, and will be responsible for:

- a. Establishing policies for implementing this Agreement;
- b. Providing periodic progress reports to the elected officials of each Jurisdiction; and
- c. Monitoring progress of the Jurisdictions and other agencies in the fulfillment of their respective responsibilities.

Section 3. Funding: The City of Richland hereby commits to provide funding as set forth below:

- a. Contract work (including 10% contingency): \$ 75,000
- b. Contract administration/inspection: 3% of the City contract work value

This funding shall be used for the Project construction listed in the Bid Tabulations under Schedule B per the 2021 Derailment Damage Repair Project contract documents.

- c. The City of Richland will provide its own rail ties located at the City of Richland north storage yard and a storage location adjacent to Lineage Logistics facility for pick up by the contractor.

Section 4. Development and Bid Award Requirements: Each Jurisdiction hereby commits to the following:

- a. By January 7, 2022, the Port will include the City's rail tie replacements and generate biddable construction plans.
- b. January 16, 2022, the Port will advertise the project for bids.
- c. On or about February 8, 2022, the Port will open bids.
- d. The Port will provide the City with a copy of the bid results. If the total cost of Schedule B work is at or below \$75,000, the Port will proceed to award the project contract in accordance with Port process requirements. If the total cost of Schedule B work is higher than \$75,000, the City will review the bid received for Schedule B and notify Port in writing by February 18, 2022 if the bid is

acceptable for award.

The scheduled action completion dates identified in Section 4. may be adjusted by the parties to add up to sixty (60) days without written amendment to this Agreement. Adjustments to the scheduled action completion dates that are greater than sixty (60) days require written amendment to this Agreement, which may be executed administratively without further legislative action.

Section 5. Modification: Excepting the provisions in Section 4 above, amendments to this Agreement must be in writing and executed by the duly authorized representative for each Jurisdiction. Said amendments may be executed without further legislative body action.

Section 6. Term of Agreement and Termination:

- a. The term of this Agreement, commencing on the Effective Date, shall become effective on full execution hereof, and upon posting on at least one Jurisdiction's website as provided in RCW 39.34.040. Either Jurisdiction may choose to record this Agreement at its own expense, but recordation is not required.
- b. This Agreement shall expire on the date of completion of the Project.

Section 7. Inspection of Records: The records and documents with respect to all matters covered by this Agreement shall be subject to inspection by any Jurisdiction during the term of this Agreement, and shall be maintained thereafter in accordance with the retention schedule established by the State of Washington for municipal records.

Section 8. No Separate Legal Entity: By this Agreement, the Jurisdictions do not intend to form a separate legal entity to conduct the cooperative undertaking. Further, no acquiring, holding or disposing of real or personal property will occur under this Agreement.

Section 9. Severability: In the event any term or condition of this Agreement or application thereof to any person, entity or circumstance is held invalid, such invalidity shall not affect any other terms, conditions or applications of this Agreement which can be given effect without the invalid term, condition, or application. To this end, the terms and conditions of this Agreement are declared severable.

Section 10. Venue, Applicable Law and Personal Jurisdiction: All questions related to this Agreement shall be resolved under the laws of the State of Washington. In the event that either Jurisdiction deems it necessary to institute legal action arising from this Agreement, such action shall be instituted in Benton County Superior Court.

Section 11. Authority To Execute: Each person executing this Agreement on behalf of another person, corporation, partnership, company, or other organization or entity represents and warrants that he or she is fully authorized to so execute and deliver this Agreement on behalf of the entity for which he or she is signing. The Jurisdictions hereby warrant to each other that each has full power and authority to enter into this Agreement and to undertake the actions contemplated herein, and that this Agreement is enforceable in accordance with its terms.

Section 12. Counterpart Originals: Execution of this Agreement and any amendment or other document related to this Agreement may be by electronic signature and in any number of counterpart originals, including portable document format (.pdf), each of which shall be deemed to constitute an original agreement, and all of which shall constitute one whole agreement.

IN WITNESS WHEREOF, the Jurisdictions have entered into this Agreement as of the day and year first written above.

CITY OF RICHLAND

PORT OF BENTON

Jon Amundson, ICMA-CM
City Manager

Diahann Howard, Executive Director

Attest:

Attest:

Jennifer Rogers, City Clerk

By:

Approved as to form:

Approved as to form:

Heather Kintzley, City Attorney

David Billetdeaux, Port Counsel

Draft



COUNCIL AGENDA ITEM COVERSHEET

Council Date: 1/4/2022

Agenda Category: Resolutions - Adoption

Core Focus Area 2 - Manage & Maintain Infrastructure & Facilities

Subject:

Resolution No. 2022-07, Authorizing an Interlocal Agreement with Benton County and the cities of Benton City, Kennewick, Richland, Prosser and West Richland regarding Solid Waste Management

Department:
Public Works

Ordinance/Resolution Number:
2022-07

Document Type:
Resolution

Recommended Motion:

Adopt Resolution No. 2022-07, authorizing the City Manager to sign and execute an interlocal agreement with Benton County and the cities of Benton City, Kennewick, Prosser and West Richland regarding solid waste management.

Summary:

The City is required to prepare a solid waste management plan to fulfill its obligations under RCW 70.95. State law allows the City to fulfill its obligations through participation in a county-led planning process. Benton County, with participation by the City of Richland, has prepared and adopted a Solid Waste Management Plan, fulfilling both entities' planning obligations.

Pursuant to the adopted Solid Waste Management Plan, Benton County operates a Household Hazardous Waste Collection and Disposal Program, leveraging Washington State funding to reduce the operating costs of the local agency participants. The City has historically participated in this program, thus providing household hazardous waste collection and disposal services for its residents.

The proposed interlocal agreement will authorize continued participation by the City of Richland in Benton County's solid waste programs, including the Household Hazardous Waste Collection and Disposal Program. The agreement includes Benton County and the cities of Kennewick, West Richland, Benton City and Prosser. The Household Hazardous Waste program is set to improve local services this year through construction and operation of a local fixed drop-off facility on Ely Street in Kennewick. Acting as the lead agency, Benton County will manage, track and provide custody for the interlocal agreement. The Parties agree to mutually and financially support the administration, planning and operations of the Plan recommendations, each agreeing to pay a fair share of the program as determined and voted-on by the Solid Waste Advisory Committee and approved by the Benton County Commission.

Staff recommends adoption of Resolution No. 2022-07.

Fiscal Impact:

Participation in the Benton County Solid Waste Plan is currently budgeted in the Solid Waste Administration budget at \$18,000. The City's costs for 2022 are not known at this time since they will depend on the construction completion schedule for the new fixed drop-off facility and the activity level of that new facility. The annual budget has included adequate funding to support operations in recent years.

Attachments:

1. Resolution No. 2022-07
2. Draft Interlocal Agreement for 2022-2023 Solid Waste Program

RESOLUTION NO. 2022-07

**A RESOLUTION OF THE CITY OF RICHLAND, WASHINGTON,
AUTHORIZING AN INTERLOCAL AGREEMENT WITH BENTON
COUNTY AND THE CITIES OF BENTON CITY, KENNEWICK,
PROSSER AND WEST RICHLAND REGARDING SOLID WASTE
MANAGEMENT.**

WHEREAS, Benton County and the cities of Benton City, Kennewick, Richland, Prosser and West Richland (the “Parties”) recognize the requirement to prepare and implement solid and hazardous waste plans under Ch. 70.95 RCW and Ch. 70.105 RCW; and

WHEREAS, the Parties have developed the Benton County Comprehensive Solid Waste Plan with public involvement; and

WHEREAS, the Parties have adopted the Benton County Comprehensive Solid Waste Plan, thereby fulfilling their jurisdictional obligations under Ch. 70.95 RCW and Ch. 70.105 RCW; and

WHEREAS, the Parties wish to enter into a cooperative effort to administer, plan and implement the recommendations contained within the adopted Benton County Comprehensive Solid Waste Plan; and

WHEREAS, acting as Lead Agency, Benton County will manage, track and provide custody for this Agreement.

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Richland that the City Manager is authorized to sign and execute an interlocal agreement with Benton County and the cities of Benton City, Kennewick, Prosser and West Richland regarding Solid Waste Management.

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

ADOPTED by the City Council of the City of Richland, Washington, at a regular meeting on the 4th day of January, 2022.

Ryan Lukson, Mayor

Attest:

Approved as to Form:

Jennifer Rogers, City Clerk

Heather Kintzley, City Attorney

INTER-LOCAL AGREEMENT
REGARDING SOLID WASTE MANAGEMENT
BENTON COUNTY

This Agreement addresses City-County joint participation in the countywide Solid Waste Plan and joins public agencies to exercise their powers, thereby maximizing their ability to provide services and facilities which will best fulfill the needs of the community as a whole, and is made and entered into effective the first day of January 2022, by and between Benton County, a political subdivision of the State of Washington, hereafter referred to as the Lead Agency, and the cities of Benton City, Kennewick, Richland, Prosser, and West Richland, political subdivisions of the State of Washington, and hereafter referred to as Participating Jurisdictions. The Participating Jurisdictions and Lead Agency may be referred to herein collectively as the Parties.

I. RECITALS

WHEREAS, the parties hereto recognize the requirement to prepare and implement solid and hazardous waste plans under RCW Chapter 70.95 and RCW Chapter 70.105, and

WHEREAS, the parties have developed the Benton County Comprehensive Solid Waste Plan with public involvement; and

WHEREAS, the parties have adopted the Benton County Comprehensive Solid Waste Plan fulfilling their jurisdictional requirements under RCW Chapter 70.95 and RCW Chapter 70.105; and

WHEREAS, the parties hereto wish to enter into a cooperative effort to administer, plan, and implement the recommendations contained within the adopted Benton County Comprehensive Solid Waste Plan; and

WHEREAS, the Solid Waste Advisory Committee advises the Board of County Commissioners with respect to developing plans and policies for solid waste management in Benton County, each Participating Jurisdiction and Lead Agency recognizes that all members of the Solid Waste Advisory Committee shall have one (1) equal vote; and

WHEREAS, the Lead Agency will manage, track and provide custody for this Agreement, and

WHEREAS, the undersigned signatories of this Agreement are duly authorized to enter into the same by properly adopted resolutions,

NOW THEREFORE, in consideration of the foregoing recitals and the mutual agreements and covenants herein contained, the parties agree as follows:

II. AGREEMENTS

A. AUTHORITIES

The parties to this Agreement have and possess, both jointly and severally, the primary responsibility for effective solid and hazardous waste management, planning and implementation under RCW Chapters 70.95 and 70.105. Under RCW Chapter 39.34, the Inter-local Cooperation Act, local governments are authorized to cooperate to provide themselves with services of the nature herein agreed to.

B. PURPOSE

This Agreement is entered into pursuant to RCW Chapter 39.34 for the purpose of cooperative management of solid waste within Benton County. It is the intent of the parties to work cooperatively in implementing and managing a comprehensive solid waste management plan pursuant of RCW Chapters 70.95 and 70.105 that is viable and economically responsible to their citizens. Specifically, this Agreement will provide for the administration, planning and operations of the adopted Benton County Comprehensive Solid Waste Management Program.

C. DEFINITIONS

For the purpose of this Agreement, the following definitions shall apply:

‘Fair Share’ - the amount owed by each of the Parties, based upon April 1 population figures for the given year supplied by the Washington State Office of Financial Management (OFM), and the corresponding population percentage applied to the Solid Waste Program Budget.

‘Solid Waste Advisory Committee’ (SWAC) - a committee, formed pursuant to RCW 70.95.165, comprised of no more than twelve (12) members representing a balance of interests, pursuant to state statutes. Said committee shall contain one representative of each of the Parties. Each Party shall nominate its representative to the SWAC to the Lead Agency, to be approved by the Board of County Commissioners. The SWAC shall review Solid Waste Program budget and activities and make recommendations to the Benton County Commissioners.

‘Lead Agency’ - Benton County, a political subdivision of the State of Washington. The Lead Agency will administer, plan, and implement the Plan and Solid Waste Program.

‘Participating Jurisdictions’ - any City who has entered into the County-wide Solid Waste Inter-Local Agreement with the Lead Agency and who has agreed to mutually support and financially contribute to the administration, planning, and implementation of the Plan.

‘Parties’ - the collective term for all Participating Jurisdictions and Lead Agency.

‘Plan’ - the Benton County Comprehensive Solid Waste Management Plan, as the same exists now or may hereafter be amended.

‘Routine Operating Agreement’ (ROA) - an agreement that is established for the purpose of accomplishing a task set forth by the Parties and is funded within the Solid Waste Program Budget.

‘Solid Waste Advisory Committee Members Bylaws’ - the bylaws the same as now exist or may hereafter be amended.

‘Solid Waste Program Budget’ - the annual Countywide Solid Waste Budget, as prepared by Benton County and accepted by the SWAC, that appropriates funds to Routine Operating Agreements and administrative functions that meet specific requirements in RCW 70.95 and/or accomplishes goals as set forth in the Plan.

‘Task’ - a project, program, activity, etc., that is annually funded from the Solid Waste Program Budget. All tasks are approved by the SWAC as needed and shall meet the recommendations set forth in the Plan.

‘Task Manager’ is designated to lead and manage a Task per the ROA.

D. LOCAL ADOPTION OF PLAN

Under the authority of RCW 70.95.080, each Participating Jurisdiction elected to enter into this agreement with the County pursuant to those jurisdictions that participated in preparing and adopting the joint City-County Plan.

E. PLAN IMPLEMENTATION

Pursuant to RCW 70.95.080 and RCW 70.105.220, the Participating Jurisdictions and Lead Agency jointly prepared the Plan in accordance with “Guidelines for the Development of Local Solid Waste Plans and Plan Revisions” (*i.e.* Department of Ecology (WDoE) Publication No. 90-11) and will implement the Plan’s recommendations, as approved by the Department of Ecology pursuant to RCW 70.95.094.

F. BENTON COUNTY SOLID WASTE ADVISORY COMMITTEE

The Parties hereto recognize and support the SWAC as an advisory board created under authority of RCW 70.95.165. The SWAC is an ongoing advisory committee. The

SWAC is the focal point of the public involvement effort used in the planning, development and implementation of the Plan. The SWAC also provides advice to the Parties on solid and hazardous waste issues and assists the Parties in developing solid waste ordinances, rules, guidelines, and policies prior to their adoption.

G. REGIONAL PLANNING AREA

The Parties hereto recognize the geographical planning area covered by this Agreement to be the incorporated areas of the Participating Jurisdictions and the unincorporated area of Benton County. The Hanford Nuclear Reservation is exempted from the Plan and this Inter-local Agreement.

H. ROUTINE OPERATING AGREEMENT IMPLEMENTATION

Two months prior to the biennial Solid Waste Program Budget workshop, all task managers are required to submit their ROA. As a minimum, an ROA will include: 1) Task Introduction Statement; 2) Task Scope of Work; 3) Task Responsibilities; 4) Annual Task Cost; and 5) Quality Control. Eligibility of an ROA request is based on task cost and meeting recommendations set forth in the Plan. The ROA request should include both activities undertaken by the Participating Jurisdiction submitting the ROA and any activities that the Participating Jurisdiction believes the Lead Agency should implement on a countywide basis. The SWAC shall recommend that a request be advanced to the Board of County Commissioners on a 2/3 majority of those members present.

I. SOLID WASTE PROGRAM BUDGET

The Parties agree to mutually and financially support the administration, planning and operations of the Plan recommendations or as specified in RCW 70.95. The Lead Agency shall prepare a Solid Waste Program Budget each year for the upcoming budget year. The budget will also include Routine Operating Agreements that provide information on projects funded by the annual budget.

J. FAIR SHARE

The Parties agree to pay a Fair Share of the administration, planning and operation of the Solid Waste Program, as determined and voted-on by the SWAC and approved by the Benton County Commissioners. Said Fair Share shall be a percentage of all program costs that are not covered by Local Solid Waste Financial Aid Funds, share percentages to be updated each April of the Agreement, being based on the most recent population figures as supplied by the Washington State OFM. The Parties agree to remit their fee to the Lead Agency within sixty (60) days of receiving an invoice from the Lead Agency. The Lead Agency's fair share shall be based on the population for the unincorporated areas of the County.

K. DISBURSEMENT OF ASSETS AND DEBTS

If this Agreement is terminated, all Parties to this Agreement shall determine the disbursement of any outstanding debts and the allocation of any assets. If the Parties cannot agree to the disbursement of any outstanding debts and the allocation of any assets, the issues are to be submitted for arbitration, pursuant to state law, RCW 7.04 *et seq.* The Lead Agency and the contesting jurisdiction agree that such arbitration shall be conducted before one (1) disinterested arbitrator.

L. DURATION

This Agreement shall commence on the date set forth above and will continue in effect to December 31, 2023, or until superseded by another Interlocal Agreement. As stipulated within RCW 70.95.110(1), each Plan shall be maintained in a current condition and reviewed and revised periodically as may be required by the WDoE. Upon each review such plans shall be extended to show long-range needs for solid waste handling facilities for twenty (20) years in the future, and a revised implementation schedule and implementation budget for six (6) years in the future.

M. REVIEW AND RENEGOTIATION

Any Party may request a review and/or renegotiations on any provision of the Agreement during the six-month period immediately preceding the ending date for the Agreement. Such request must be made in writing to the Lead Agency and must specify the provision(s) of the Agreement for which review/renegotiation(s) are requested. Review and/or renegotiation(s) pursuant to such a written request shall be immediately referred to the SWAC for their review and recommendation. Notwithstanding any other provisions in this paragraph to the contrary, the Parties may, pursuant to the procedure outlined within the Solid Waste Advisory Committee Members Bylaws, modify or amend any provision(s) of this Agreement at any time during the term of this Agreement.

N. TERMINATION

This Agreement may be terminated by any Participating Jurisdiction, by written notice to the Lead Agency no less than thirty (30) days immediately preceding the implementation date of the next Solid Waste Program Budget. The Parties agree: (1) that the termination will not absolve a terminating Party of any financial responsibility to the extent a financial responsibility continues to exist pursuant to the provisions of this Agreement; and (2) that prior to termination, a withdrawing City shall submit to the SWAC how it intends on meeting its planning obligation under RCW 70.95.080.

O. WAIVER

No waiver by any of the Parties of any term or condition of this Agreement shall be deemed or construed to constitute a waiver of any other term or condition or of any subsequent breach whether of the same or a different provision of this Agreement.

P. ENTIRE AGREEMENT

This Agreement, including the recitals and all subsequent attachments and addendums, constitutes the entire Agreement between the Parties and shall be governed by the laws of the State of Washington. There are no other oral or written agreements or understanding between the Parties as to the subject matter contained herein. The venue for any action of law, suit in equity and judicial proceeding for the enforcement of this Agreement shall be instituted and maintained only in the courts of competent jurisdiction in Benton County, Washington.

Q. SEVERABILITY

Any provisions of this Agreement that is determined to be illegal, invalid or unenforceable for any reason shall be ineffective to the extent of such prohibition without invalidating the remainder of this Agreement.

Draft

FOR THE CITY OF BENTON CITY, WASHINGTON.

Linda Lehman, Mayor

Date

Attest:

City Clerk/Treasurer

Date

Approved as to Form:

City Attorney

Date

I certify that on this _____ day of _____, _____, before me, the undersigned Notary Public in and for the State of Washington, duly commissioned and sworn, personally appeared Linda Lehman, to me known to be the Mayor of the City of Benton City, Washington, the corporation that executed the foregoing instrument and acknowledged said instrument to be the free and voluntary act and deed of said municipal corporation for the uses and purposes therein mentioned, and on oath stated that they are authorized to execute said instrument and that the seal affixed is the corporate seal of the City of Benton City.

Witness my hand and official seal hereto affixed the day and year first above written.

Notary Public in and for the State of
Washington residing at _____
My commission expires: _____

FOR THE CITY OF KENNEWICK, WASHINGTON.

Don Britain, Mayor

Date

Attest:

City Clerk

Date

Approved as to Form:

City Attorney

Date

I certify that on this _____ day of _____, _____, before me, the undersigned Notary Public in and for the State of Washington, duly commissioned and sworn, personally appeared Don Britain, to me known to be the Mayor of the City of Kennewick, Washington, the corporation that executed the foregoing instrument and acknowledged said instrument to be the free and voluntary act and deed of said municipal corporation for the uses and purposes therein mentioned, and on oath stated that they are authorized to execute said instrument and that the seal affixed is the corporate seal of the City of Kennewick.

Witness my hand and official seal hereto affixed the day and year first above written.

Notary Public in and for the State of
Washington residing at Kennewick
My commission expires: _____

FOR THE CITY OF PROSSER, WASHINGTON.

Randy Taylor, Mayor

Date

Attest:

City Clerk

Date

Approved as to Form:

City Attorney

Date

I certify that on this _____ day of _____, _____, before me, the undersigned Notary Public in and for the State of Washington, duly commissioned and sworn, personally appeared Randy Taylor, to me known to be the Mayor of the City of Prosser, Washington, the corporation that executed the foregoing instrument and acknowledged said instrument to be the free and voluntary act and deed of said municipal corporation for the uses and purposes therein mentioned, and on oath stated that they are authorized to execute said instrument and that the seal affixed is the corporate seal of the City of Prosser.

Witness my hand and official seal hereto affixed the day and year first above written.

Notary Public in and for the State of
Washington residing at _____
My commission expires: _____

FOR THE CITY OF RICHLAND, WASHINGTON.

Ryan Lukson , Mayor

Date

Attest:

City Clerk

Date

Approved as to Form:

City Attorney

Date

I certify that on this _____ day of _____, _____, before me, the undersigned Notary Public in and for the State of Washington, duly commissioned and sworn, personally appeared Ryan Lukson, to me known to be the Mayor of the City of Richland, Washington, the corporation that executed the foregoing instrument and acknowledged said instrument to be the free and voluntary act and deed of said municipal corporation for the uses and purposes therein mentioned, and on oath stated that they are authorized to execute said instrument and that the seal affixed is the corporate seal of the City of Richland.

Witness my hand and official seal hereto affixed the day and year first above written.

Notary Public in and for the State of
Washington residing at _____
My commission expires: _____

FOR THE CITY OF WEST RICHLAND, WASHINGTON.

Brent Gerry, City Mayor

Date

Attest:

City Clerk

Date

Approved as to Form:

City Attorney

Date

I certify that on this _____ day of _____, _____, before me, the undersigned Notary Public in and for the State of Washington, duly commissioned and sworn, personally appeared Brent Gerry, to me known to be the Mayor of the City of West Richland, Washington, the corporation that executed the foregoing instrument and acknowledged said instrument to be the free and voluntary act and deed of said municipal corporation for the uses and purposes therein mentioned, and on oath stated that they are authorized to execute said instrument and that the seal affixed is the corporate seal of the City of West Richland.

Witness my hand and official seal hereto affixed the day and year first above written.

Notary Public in and for the State of
Washington residing at _____
My commission expires: _____

FOR BENTON COUNTY, WASHINGTON.

Jerome Delvin, Chairman
Board of County Commissioners

Date

Attest:

Clerk of the Board

Date

Approved as to Form:

Deputy Prosecuting Attorney

Date

I certify that on this _____ day of _____, _____, before me, the undersigned Notary Public in and for the State of Washington, duly commissioned and sworn, personally appeared Jerome Delvin, to me known to be the Chairman of the Board of Commissioners for Benton County, Washington, the corporation that executed the foregoing instrument and acknowledged said instrument to be the free and voluntary act and deed of said municipal corporation for the uses and purposes therein mentioned, and on oath stated that they are authorized to execute said instrument and that the seal affixed is the corporate seal of Benton County.

Witness my hand and official seal hereto affixed the day and year first above written.

Notary Public in and for the State of
Washington residing at _____
My commission expires: _____



COUNCIL AGENDA ITEM COVERSHEET

Council Date: 1/4/2022

Agenda Category: Items of Business

Core Focus Area I - Promote Financial Stability & Operational Effectiveness

Subject:

Selection Process for City Council Liaison Assignments to Various Boards, Commissions and Committees (Discussion Only)

Department:
City Manager

Ordinance/Resolution Number:

Document Type:
General Business Item

Recommended Motion:

Summary:

Council will discuss the selection process for City Council liaison assignments to various internal and external boards, commissions and committees for the 2022-2023 calendar years.

Fiscal Impact: None.

Attachments: