

City of Richland Resolution No. 100-20 temporarily designates virtual locations for all municipal meetings. This meeting will be held remotely via Zoom. Members of the public may attend this meeting by selecting the Zoom link or by calling the phone numbers provided.



Agenda
Hearing Examiner Meeting
Monday, April 11, 2022
Join the Zoom meeting [here](#)
Public Telephone Access: (206) 337-9723 or (253) 215-8782
Meeting ID No. 872 2126 7401

Hearing Examiner: Gary McLean

Staff Liaison: Planning Manager Stevens

Public Hearing - 6:00 p.m.

Public Hearing Explanation:

New Business - Public Hearing:

- I. Z2021-108 Rezone 1842 Jadwin Ave from C-1 to C-LB
ADL Holdings LLC

Adjournment

The next Hearing Examiner Meeting will be scheduled as needed.

This meeting is 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.



HEARING EXAMINER AGENDA ITEM COVERSHEET

Meeting Date: 4/11/2022

Agenda Category: New Business - Public Hearing

Prepared By: Shane O'Neill, Senior Planner

Subject:

Z2021-108 Rezone 1842 Jadwin Ave from C-1 to C-LB
ADL Holdings LLC

Department:

Development Services

Recommended Motion:

Planning staff recommends the Hearing Examiner approves the rezone application without a property use and development agreement.

Summary:

ADL Holdings LLC applied to rezone a 3.9-acre site near the southeast corner of Jadwin Avenue/McMurray Street from Retail Business (C-1) to Commercial Limited Business (C-LB). The vacant site lies in between an auto parts store and multi-family residential developments. Richland's Comprehensive Plan designates the site for commercial land use.

This item was previously heard by the Hearing Examiner on February 14, 2022. Due to an issue with noticing, this item is being brought forward for a new hearing.

Attachments:

1. Vicinity
2. FULL Staff Report - ADL Holdings C-1 to C-LB

Vicinity Map

Item: Rezone C-1 to C-LB
Applicant: ADL Holdings
File #: Z2021-108



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

GENERAL INFORMATION:

PROPOSAL NAME: ADL Holdings Rezone

LOCATION: 1842 Jadwin Avenue

APPLICANT: ADL Holdings on behalf of Greg Markel

FILE NO.: Z2021-108

DESCRIPTION: Request to change zoning on 3.9 acres from C-1 (Neighborhood Retail Business) to C-LB (Commercial Limited Business)

PROJECT TYPE: Type 3 Site-specific rezone

HEARING DATE: February 14 & April 11, 2022

REPORT BY: Shane O'Neill, Senior Planner

RECOMMENDED
ACTION: Approval

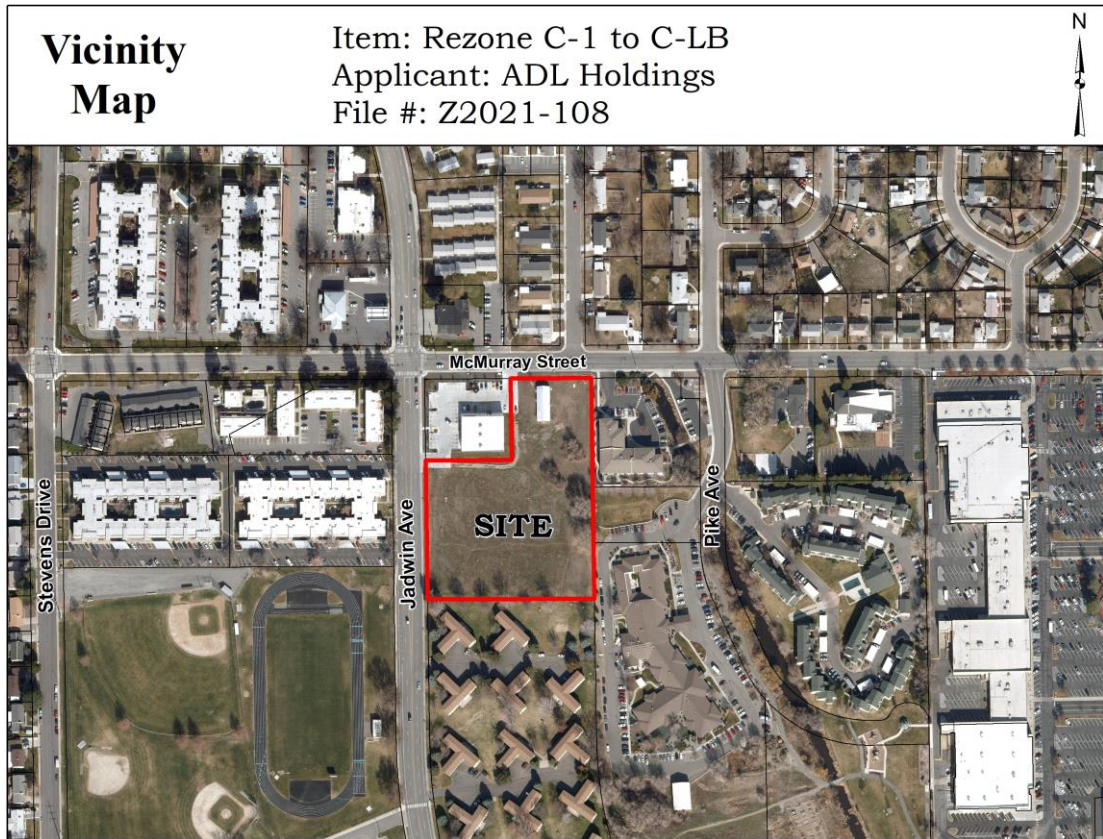


Figure 1 - Vicinity Map

DESCRIPTION OF PROPOSAL

ADL Holdings has filed a rezone request on behalf of the property owner (Greg Markel of Washington Securities & Investment Corporation) to change the zoning on a 3.9-acre site from C-1 (Neighborhood Retail Business) to C-LB (Commercial Limited Business). The application is attached herein as Exhibit 1. A proposed site plan nor building elevations/designs accompany the application to rezone the site, neither of which are necessary to review a rezoning proposal based upon its land use merits.

The existing C-1 (Neighborhood Retail) zoning is a retail business zone appropriate for areas which primarily provide retail products and services for the convenience of nearby neighborhoods with minimal impact on surrounding residential neighborhoods. Whereas the C-LB (Commercial Limited Business) zone is designed for the location of professional and business offices, motels, hotels, and their associated accessory uses and other compatible uses serving as an administrative district for the enhancement of the Central Business District. C-LB zoning may also serve as a buffer zone between residential areas and other commercial districts. This zone may be applied to lands designated commercial or high-density residential under Richland's Comprehensive Plan

(RMC 23.22.010). Refer to RMC Section 22.18.020 (Exhibit 2) for the list of land uses allowed in both the existing C-1 zone and the proposed C-LB zone.

SITE DESCRIPTION & ADJACENT LAND USES

The site is a 3.9-acre parcel of undeveloped land lying near the southeast corner of the intersection of McMurray Street and Jadwin Avenue. As depicted in Figure 1 (above) the small parcel precisely at the road intersection is developed with an auto parts store, and the subject parcel surrounds it on both sides. The trapezoidal property is generally level and is bordered by McMurray Street to the north and by Jadwin Avenue to the west.

The site is situated in an area of mixed uses. Adjacent property immediately to the south is zoned R-3 and is developed with several multi-family residential apartment buildings. Adjoining properties to the east are zoned C-LB and contain retirement apartments and a rehabilitation center. Properties on the north side of McMurray Street contain residential duplexes (R-2) and a fire station (C-LB). Parcels on the west side of Jadwin Avenue are zoned R-3 and contain multi-family residential apartments.

An aerial photo of the site in Figure 1 above and ground-level site photos taken by city staff are provided in Exhibit 3.

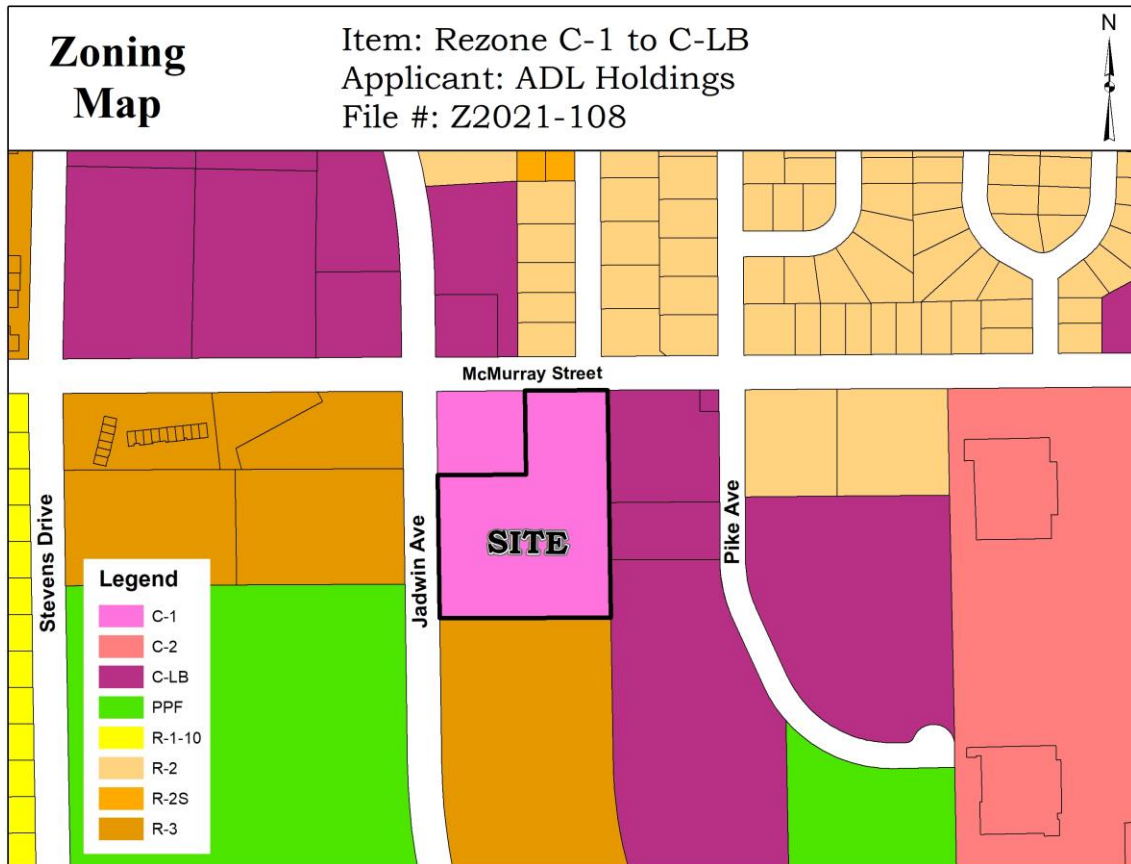


Figure 2 – Zoning Map

ZONING

As illustrated in the Zoning Map above, the site is surrounded by a variety of commercial and residential zones and land uses. The site is currently zoned C-1 (Neighborhood Retail Business) which allows a variety of neighborhood-scale retail businesses, as the name implies. The C-1 zone precludes “big box” large-scale retail businesses.

The applicant is requesting the current C-1 zoning be converted to Commercial Limited Business (C-LB). The stated purposes of the C-1 and C-LB zones (as set forth in RMC 23.22.010) are as follows:

C-1 Zone Purpose

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

C-LB Zone Purpose

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

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

Zoning	Existing C-1	Proposed C-LB
STANDARD	REQUIRED/ALLOWED	REQUIRED/ALLOWED
Min. Lot Area	None	None
Max. Lot Coverage	None	None
Building Setbacks		
Front	45 ft.	20 ft.
Side(s)	0 ft.	0 ft.
Rear	0 ft.	0 ft.
Building Height	30 ft.	55 ft.

Table 1 – Comparison of C-1 & C-LB Dimensional Standards

Noteworthy is the point that the front setback reduction to twenty (20) feet incurred with assigning C-LB zoning is consistent with the minimum front setback applied to residential properties in the vicinity. The commercial land use table (RMC 23.22.030) is provided as Exhibit 2 to illustrate specific differences between each zone in terms of permitted land uses.

The dimensional standards table above, applies to non-residential development in each zone. In the case of residential development proposals in the C-LB zone the following performance standards drawn from RMC 23.22.020(A) apply:

1. Minimum Yard Requirements.

a. Front Yard. Twenty feet except as provided by footnote (3) of RMC 23.18.040.

b. Side Yards. Each side yard shall provide one foot of side yard for each three feet or portion thereof of building height.

c. Rear Yards. Twenty-five feet.

2. Required Court Dimensions. Each court on which windows open from any room other than a kitchen, bathroom or a closet, shall have all horizontal dimensions measured at right angles from the windows to any wall or to any lot line other than a front lot line equal to not less than the height of the building above the floor level of the story containing the room, but no dimension shall be less than 20 feet.

3. Distance between Buildings. No main building shall be closer to any other main building on the lot than a distance equal to the average of their heights. This provision shall not apply if no portion of either building lies within the space between the prolongation of lines along any two of the opposite walls of the other building, but in any such situation the buildings shall not be closer to each other than a distance of 10 feet.

4. Percentage of Lot Coverage. Apartment buildings in a C-LB district shall cover not more than 33 percent of the area of the lot.

PUBLIC NOTICE

Application Date:	December 28, 2021
Notice of Application & Hearing Mailed:	January 12 & March 22, 2022
Notice of Application & Hearing Published:	January 23 & March 27, 2022
Notice of Application & Hearing Posted:	January 22 & March 21, 2022
Public Hearing:	February 14 & April 11, 2022

Public notice of the Feb. 14 hearing was distributed to an incorrect set of property owners. To correct this matter, staff is conducting a second hearing on April 11, 2022. Notice of application and public hearing was provided through posting of the property, mailing of notice to the correct set of property owners within 300 feet of the site, re-publication in the *Tri-City Herald* newspaper and was posted on the City's website. Copies of the original notices and affidavits advertising the Feb. 14 hearing are included in Exhibit 4. Copies of the revised notices and affidavits advertising the April 11 hearing are provided as Exhibit 4a.

PUBLIC COMMENTS

At the time this report was written, only one comment had been received. Said comment (Exhibit 5) was received from the Washington State Department of Transportation stating certain development constraints/review criteria. No additional comments were revived in response to the second round of notices.

UTILITY AVAILABILITY

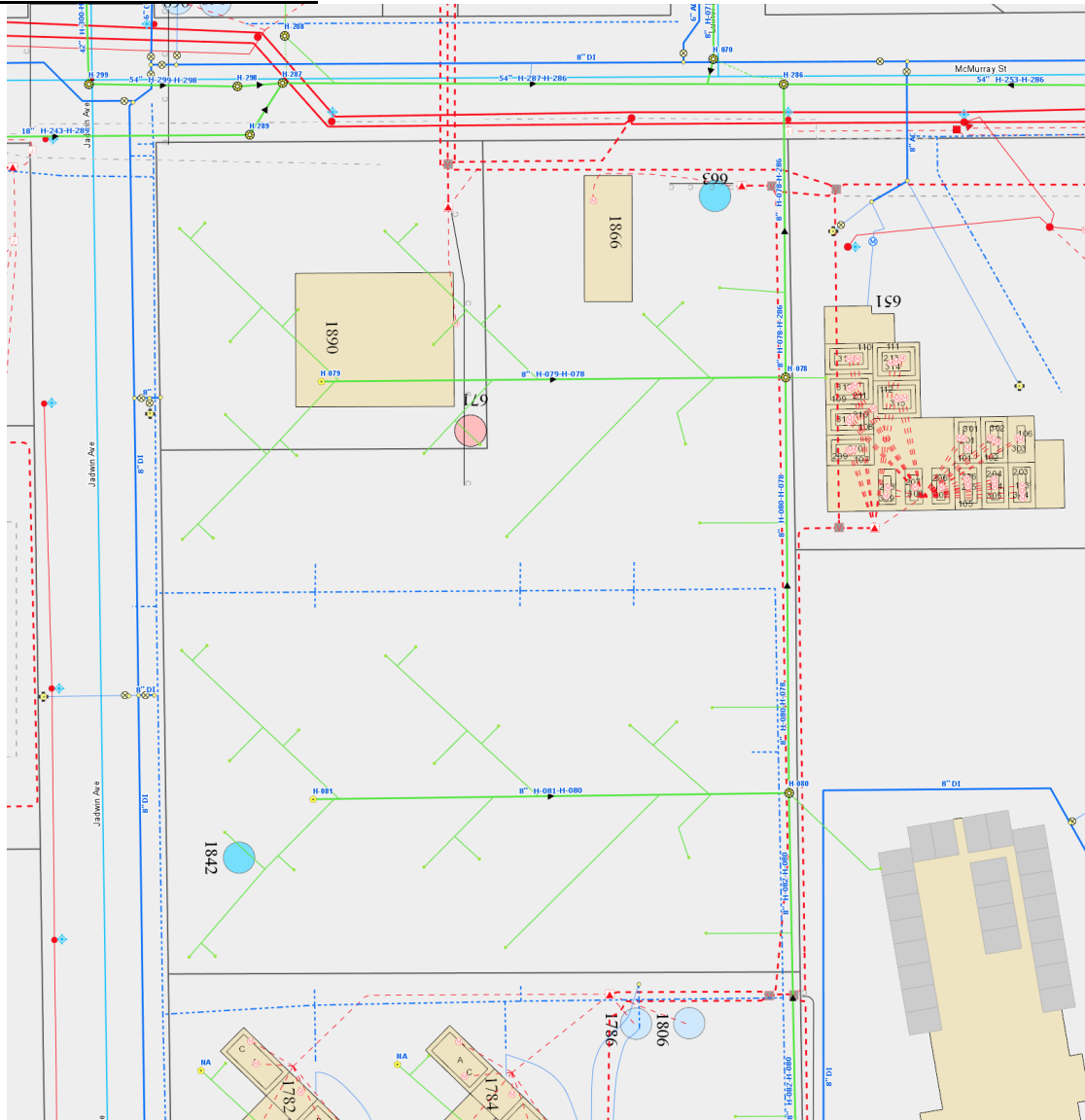


Figure 3 – Utility Map
(Blue = water, Green = sewer, Red = electrical power)

Sewer

An eight-inch sewer main extends along the east property line from McMurray Street and continues south to serve other properties on the block. City utility records indicate existing sewer stubs on-site in the identical configuration as the residential apartments immediately to the south. These sewer stubs imply the site may have previously contained apartments belonging to the same original government residential development.

Water

Eight-inch water mains currently extend along both parcel road frontages within the McMurray Street and Jadwin Ave rights-of-way. Both water mains are sufficiently sized and have capacity to serve future site development.

Power

McMurray Street contains overhead electrical power distribution lines. Underground power lines run inside and parallel to the east property line. Richland Energy Services confirmed the underground lines have adequate capacity to serve future site development types allowed in the C-LB zone.

TRANSPORTATION

Jadwin Avenue is classified as a minor arterial roadway in the City's Transportation Plan. McMurray Street is classified as a major collector roadway in the City's Transportation Plan. Both roads have existing capacity to support additional commercial and residential development. Specific design and assessment of transportation related improvements, if any are required, will be determined when specific development plans are submitted to the City. Jadwin Avenue belongs to Ben-Franklin Transit route #123. There is a transit bus stop on the site's Jadwin Ave. frontage.

SEPA

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

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

- (i) The project is in an urban growth area in a city or county planning under RCW 36.70A.040;*
- (ii) The proposed rezone is consistent with and does not require an amendment to the comprehensive plan; and*
- (iii) The applicable comprehensive plan was previously subjected to environmental review and analysis through an EIS under the requirements of this chapter prior to adoption; and the EIS adequately addressed the environmental impacts of the rezone.*

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

The following Land Use Map illustrates the City's Comprehensive Plan commercial land use designation of the site. As shown in the Existing Zoning

section of this report (above) the C-LB zoning classification is intended to be applied to portions of the city that are designated either commercial or high-density residential under the city of Richland Comprehensive Plan. This site is designated for commercial land uses and therefore supports the proposed rezone.

COMPREHENSIVE PLAN

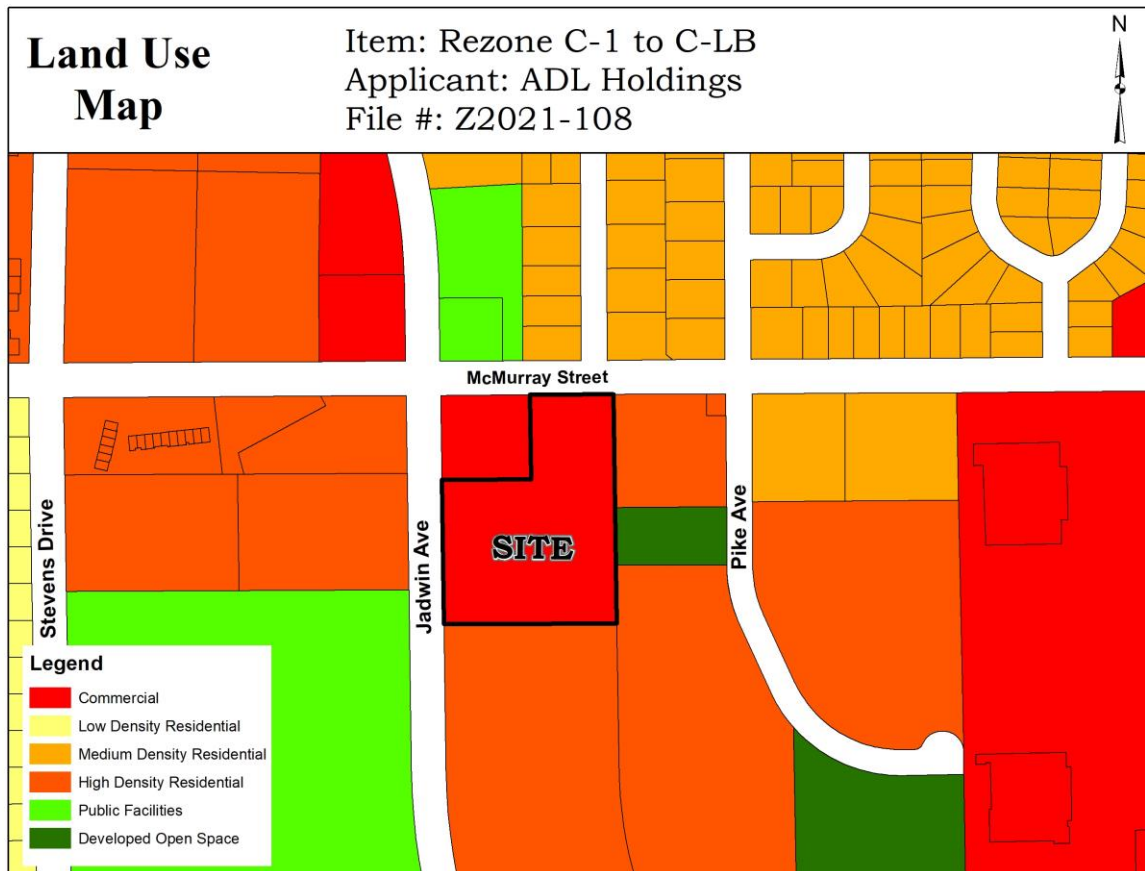


Figure 4 – Comprehensive Plan Map

The comprehensive plan contains the following goal and policy statements generally viewed as being in support of the proposed rezone application:

Land Use Goal 1:

Plan for growth within the urban growth area and promote compatible land use.

Policy 2 - Facilitate planned growth and infill developments within the City.

Land Use 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 [and] commercial... uses that will take advantage of the existing infrastructure network.

Land Use Goal 3:

Maintain a broad range of residential land uses and designations to accommodate a variety of lifestyles and housing opportunities

Policy 1 - Distribute residential densities throughout the urban growth area consistent with the City's vision.

Policy 2 – Encourage higher residential densities in and near the Central Business District area.

Land Use 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.

ANALYSIS

Washington Courts apply three basic rules when reviewing appeals of rezone applications: (1) there is no presumption favoring the rezone request; (2) the proponent must demonstrate that there has been a change of circumstances since the original zoning provided if a proposed rezone implements the policies of the comprehensive plan, a showing of changed circumstances is usually not required; and (3) the rezone must have a substantial relationship to the public health, safety, morals or general welfare.

Purposes of this rezone request, the central questions presented are:

1. Whether the requested rezone implements policies of the City's Comprehensive Plan, and /or whether there has been a change of circumstances since the original C-1 (Neighborhood Retail) zoning was adopted for the site?

The site is already designated for commercial uses by the City's Comprehensive Plan, and the rezone request would only change the zoning from one Commercial zoning district (C-1) to another (C-LB). The subject property remains undeveloped. The site has been left unattended and while

it is not overgrown with weeds and noxious vegetation, leaving it in a distressed/undeveloped condition which is not in the public interest. The requested rezone is meant to facilitate the applicant's plans to develop the site in a manner fully authorized by the C-LB zoning regulations.

2. Does the rezone bear a substantial relationship to the public health, safety, morals, or general welfare?

It appears that the proposed rezone is consistent with this criterion because the rezone is consistent with the City's Comprehensive Plan, and any future, project-specific proposal will have to meet city development regulations, including SEPA, possible subdivision codes, traffic impact reviews, public infrastructure concurrency reviews, and payment of any impact fees in effect at the time of an application.

The subject site, together with the adjacent parcel at the road intersection corner, form a commercially designated "island" amidst a patchwork of other land uses, land use designations and zones. The 4-way intersection of Jadwin Avenue and McMurray Street is signalized with a traffic light. The vicinity is viewed as a moderately high-impact area suitable for commercial and high-density residential land uses.

While the adjacent commercial and residential properties have been developed, the subject parcel has remained vacant. Having two direct frontages on two public roads, the site offers ample opportunities for vehicle ingress and egress. Municipal utilities already serve the site or are immediately available. The site does not adjoin any single-family homes/zones.

Transitioning the site's zoning from C-1 to C-LB is effectively a downgrade in allowable land use intensity. For instance, if approved, the site would no longer be available for fuel stations/mini-marts, vehicle service stations, contractor's offices with lay-down yards, building supply stores and grocery stores, bars/taverns or restaurants. Instead, the most intense land use permitted in the C-LB zone is multi-family residential (apartments).

Primarily an office zone and secondly a high-density residential zone, the C-LB district is well applied to transitional areas of the community to serve as a buffer between commercial and residential land uses. Transitioning this site to C-LB zoning would expand residential development opportunities while reducing the intensity of allowable commercial uses. It is reasonable to presume that the surrounding residents may appreciate the elimination of the site's potential to be developed with high customer volume businesses currently allowed under the existing C-1 zone. In the opinion of staff, the proposed C-LB zoning with its associated permitted land uses, is generally compatible with the vicinity. For the reasons listed above staff does not feel it is necessary to impose site specific development restrictions by way of a property use and development agreement.

The City's comprehensive plan designates the site as suitable for commercial land uses. In the purpose statement of the C-LB zone it is written: "*This zoning classification is intended to be applied to some portions of the city that are designated either commercial or high-density residential under the city of Richland comprehensive plan.*" In this way the subject rezone application is consistent with the city's Comprehensive Plan.

FINDINGS AND CONCLUSIONS

Staff has completed its review of the request for a change in zoning (Z2021-108) and recommends approval of the request based on the following:

1. The City of Richland Comprehensive Plan designates the subject site as suitable for commercial land uses.
2. The sites' immediate adjacency to both Jadwin Avenue and McMurray Street eliminated the need for future developments to traverse through other sites for access.
3. Residential or office development of the site uses is consistent with the intent of the Comprehensive Plan.
4. The site is situated in a transitional area of zoning and is surrounded by high-density residential and retail developments.
5. Transitioning the site to C-LB zoning would reduce the intensity level of commercial development opportunities; thereby buffering the surrounding residences from traffic on Jadwin Avenue.
6. The project is exempt from the provisions of the State Environmental Policy Act, as identified in WAC 197-11-800(6) (c).
7. Based on the above findings and conclusions, approval of the zone change request would be in the best interest of the community of Richland.

RECOMMENDATION:

Based upon the findings and conclusions listed above, Richland Planning staff recommends the Hearing Examiner approve the proposed rezone request without the use of a property use and development agreement.

EXHIBIT LIST

1. Application Form
2. Commercial Zoning – Chapter 18.22 of the Richland Municipal Code
3. Site Photos
4. Public Notices and Affidavits (Feb. 14 Hearing)
- 4.a Public Notices & Affidavits (April 11 Hearing)
5. Comment(s) received



Exhibit 1

Zoning Map Amendment Application

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

PROPERTY OWNER INFORMATION

☐ Contact Person

Owner: Washington Securities, & Investment Corporation

Address: 8901 W Tucannon Ave Suite 110, Kennewick, WA 99336

Phone: 509-531-4711

Email: wsic@eltopia.com

APPLICANT/CONTRACTOR INFORMATION (if different)

☒ Contact Person

Company: ADL Holdings LLC

UBI#: 603370315

Contact: Isaac Chamberlin & Aaron Locke

Address: 718 Rainier Ave S, Suite G - Seattle, WA 98144

Phone: 206-427-6485

Email: aaron@foundationgroupe.com

DESCRIPTION OF WORK

Rezone parcel (102982020745003) from C1 to CLB.

PROPERTY INFORMATION

Parcel #: 102982020745003

Legal Description: (attached in title report)

Current Zoning: C-1

Current Comp Plan: Commercial

Requested Zoning: C-LB

Current Use: Vacant Land

Proposed Use: NA

Area of Property: 172001.00

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:
Property is in negotiation for sale.

Any hardship that may result in the event the rezone is not granted:
Sale may or may not go through.

The manner in which the proposed rezone conforms to patterns in adjacent zones: CLB is an adjacency to the East of the parcel, there is residential abutting the property to the East and the South.
Any beneficial or adverse effects the granting or denial of the rezone would have on adjacent or surrounding zones: No adverse effects
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: No change to the comprehensive plan so 'Not applicable'.
The benefits or detriments accruing to the City which would result from the granting or denial of this special permit: This rezone will allow for an increased likelihood of future development.
Whether the proposed rezone represents a better use of the land from the standpoint of the comprehensive plan than the original zone: This may allow for a more dense development which would create a more feasible enviroment for future development.
Whether the proposed rezone represents spot zoning and whether a larger area should be considered: not a spot zone.
Identify impacts on the environment and public safety: no impact to the environment or public safety.

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: Aaron Locke

eSigned via SeamlessDocx.com

Aaron Locke

Applicant Signature:

Key: 5c72afa08fc56080740d56b45e4d4d4d

Date December 22, 2021

Chapter 23.22

COMMERCIAL ZONING DISTRICTS

Sections:

- [23.22.010](#) Purpose of commercial use districts.
- [23.22.020](#) Performance standards and special requirements.
- [23.22.030](#) Commercial use districts permitted land uses.
- [23.22.040](#) Site requirements and development standards for commercial use districts.
- [23.22.050](#) Parking standards for commercial use districts.

23.22.010 Purpose of commercial use districts.

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

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

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

D. The general business use district (C-3) is a zone classification providing a use district for commercial establishments which require a retail contact with the public together with incidental

shop work, storage and warehousing, or light manufacturing and extensive outdoor storage and display, and those retail businesses satisfying the essential permitted use criteria of the C-2 use district. This zoning classification is intended to be applied to some portions of the city that are designated commercial under the city of Richland comprehensive plan.

E. The waterfront use district (WF) is a special commercial and residential zoning classification providing for the establishment of such uses as marinas, boat docking facilities, resort motel and hotel facilities, offices, and other similar commercial, apartment, and multifamily uses which are consistent with waterfront oriented development, and which are in conformance with RMC Title [26](#), Shoreline Management, and with applicable U.S. Corps of Engineers requirements. This zoning classification encourages mixed special commercial and high-density residential uses to accommodate a variety of lifestyles and housing opportunities. Any combination of listed uses may be located in one building or one development (i.e., related buildings on the same lot or site). This zoning classification is intended to be applied to those portions of the city that are designated waterfront under the city of Richland comprehensive plan.

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

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

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

23.22.020 Performance standards and special requirements.

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

1. Minimum Yard Requirements.

- a. Front Yard. Twenty feet except as provided by footnote (3) of RMC [23.18.040](#);
- b. Side Yards. Each side yard shall provide one foot of side yard for each three feet or portion thereof of building height;
- c. Rear Yards. Twenty-five feet.

2. Required Court Dimensions. Each court on which windows open from any room other than a kitchen, bathroom or a closet, shall have all horizontal dimensions measured at right angles from the windows to any wall or to any lot line other than a front lot line equal to not less than the height of the building above the floor level of the story containing the room, but no dimension shall be less than 20 feet.

3. Distance Between Buildings. No main building shall be closer to any other main building on the lot than a distance equal to the average of their heights. This provision shall not apply if no portion of either building lies within the space between the prolongation of lines along any two of the opposite walls of the other building, but in any such situation the buildings shall not be closer to each other than a distance of 10 feet.

4. Percentage of Lot Coverage. Apartment buildings in a C-LB district shall cover not more than 33 percent of the area of the lot.

B. Neighborhood Retail Business. All uses permitted in a C-1 district must comply with the following performance standards:

1. All business, service, repair, processing, or merchandise display shall be conducted wholly within an enclosed building, except for off-street automobile parking, the sale of gasoline, and self-service car washes. Limited outdoor display of merchandise is permitted; provided, that such display shall include only those quantities sold in a day's operation.

2. Outdoor storage areas incidental to a permitted use shall be enclosed with not less than a six-foot-high fence and shall be visually screened from adjoining properties. All storage areas shall comply with building setbacks.

3. Not more than three persons shall be engaged at any one time in fabricating, repairing, cleaning, or other processing of goods other than food preparation in any establishment. All goods produced shall be primarily sold at retail on the premises where produced.

4. Lighting, including permitted illuminated signs, shall be shielded or arranged so as not to reflect or cause glare to extend into any residential districts, or to interfere with the safe operation of motor vehicles.

5. Noise levels resulting from the operation of equipment used in the conduct of business in the C-1 district shall conform to the requirements of Chapter 173-60 WAC, Maximum Environmental Noise Levels.

6. No single retail business, except for a food store, shall operate within a building space that exceeds 15,000 square feet in area, unless approved by the planning commission through the

issuance of a special use permit upon the finding that the proposed retail business primarily serves and is appropriately located within the surrounding residential neighborhoods.

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

1. Smokestacks shall not emit a visible smoke except for one 10-minute period each day, when a new fire is being started. During this period, the density of the smoke shall not be darker than No. 2 of the Ringlemann Chart as published by the U.S. Bureau of Mines.
2. No visible or invisible noxious gases, fumes, fly ash, soot or industrial wastes shall be discharged into the atmosphere from any continuous or intermittent operation except such as is common to the normal operations of heating plants or gasoline or diesel engines in cars, trucks or railroad engines.
3. Building materials with high light reflective qualities shall not be used in the construction of buildings in such a manner that reflected sunlight will throw intense glare to areas surrounding the C-3 district.
4. Odors of an intensity greater than that of a faint smell of cinnamon which can be detected by persons traveling the roads bordering the lee side of the C-3 district, when a 10 mph wind or less is blowing, are prohibited.
5. Machines or operations which generate air or ground vibration must be baffled or insulated to eliminate any sensation of sound or vibration outside the C-3 district.

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

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

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

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

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

2. Building facades facing streets shall include:

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

b. At least two of the following architectural elements:

i. Awnings;

ii. Wall plane modulation at a minimum of three feet for every wall more than 50 feet in length;

iii. Pilasters or columns;

iv. Bays;

v. Balconies or building overhangs; or

vi. Upper story windows (comprising a minimum of 50 percent of the facade).

3. At least one pedestrian, nonservice entrance into the building will be provided on each street frontage or provided at the building corner.

4. Variation of exterior building material between the ground and upper floors of multi-story buildings.

5. All buildings with a flat roof shall use a modulated height parapet wall for wall lengths greater than 50 feet. The modulation of parapet heights is encouraged to identify building entrances.

6. All new buildings that utilize parapet walls shall include a projecting cornice detail to create a prominent edge.

7. Public street and sidewalk improvements are required per Richland Municipal Code to implement approved street cross-sections. Curb cuts are encouraged to be located adjacent to property lines and shared with adjacent properties, via joint access agreement.

8. Service bays, loading areas, refuse dumpsters, kitchen waste receptacles, outdoor storage locations, and rooftop mechanical equipment shall be located away from public rights-of-way via site planning and screened from view with landscaping, solid screening or combination.

9. Alternative Design. In the event that a proposed building and/or site does not meet the literal standards identified in this section, or the maximum setback standards set forth in RMC [23.22.040](#) or the maximum parking standards set forth in RMC [23.22.050](#), a project representative may apply to the Richland planning commission for a deviation from these site design standards. The Richland planning commission shall consider said deviation and may approve any deviation based on its review and a determination that the application meets the following findings:

a. That the proposal would result in a development that offers equivalent or superior site design than conformance with the literal standards contained in this section; and

b. The proposal addresses all applicable design standards of this section in a manner which fulfills their basic purpose and intent; and

c. The proposal is compatible with and responds to the existing or intended character, appearance, quality of development and physical characteristics of the subject property and immediate vicinity. [Ord. 28-05 § 1.02; Ord. 07-06; Ord. 04-09; Ord. 07-10 § 1.01; amended during 2011 recodification; Ord. 32-11 § 4].

23.22.030 Commercial use districts permitted land uses.

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

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

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

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

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

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

Land Use	C-LB	C-1	C-2	C-3	CBD	WF	CR	CW
Agricultural Uses								
Raising Crops, Trees, Vineyards								P
Automotive, Marine and Heavy Equipment								
Automotive Repair – Major				P				
Automotive Repair – Minor		P	P	P	S			
Automotive Repair – Specialty Shop		S	P	P	S			
Automobile Service Station		P ₁	P ₁	P ₁	S ₁			

Land Use	C-LB	C-1	C-2	C-3	CBD	WF	CR	CW
Auto Part Sales		P	P	P	S			
Boat Building				P				
Bottling Plants				P				P ₂₈
Car Wash – Automatic or Self-Service		P ₂	P ₂	P ₂	S ₂			
Equipment Rentals			P	P				
Farm Equipment and Supplies Sales				P				
Fuel Station/Mini Mart	S	P	P	P	P			
Heavy Equipment Sales and Repair				P				
Manufactured Home Sales Lot				P				
Marinas						P	P	
Marine Equipment Rentals				P		P	P	
Marine Gas Sales						A	A	
Marine Repair				P		P	P	
Towing, Vehicle Impound Lots				S ₃				
Truck Rentals			P	P				
Truck Stop – Diesel Fuel Sales			S	P				
Truck Terminal				P				

Land Use	C-LB	C-1	C-2	C-3	CBD	WF	CR	CW
Vehicle Leasing/Renting			P ⁴	P	S ⁴			
Vehicle Sales			P ⁴	P	S ⁴			
Warehousing, Wholesale Use				P				
Business and Personal Services								
Animal Shelter				S ⁵				
Automatic Teller Machines	P	P	P	P	P	P		P
Commercial Kennel				P ⁵				
Contractors' Offices		P	P	P	P			
Funeral Establishments			P	P				
General Service Businesses	A	P	P	P	P	P		
Health/Fitness Facility	A	P	P	P	P	A	P	
Health/Fitness Center			P	P	P		P	
Health Spa		P	P	P	P	P		P
Hospital/Clinic – Large Animal				S ⁵				
Hospital/Clinic – Small Animal			S ⁵	P ⁵	P			
Laundry/Dry Cleaning, Com.				P	P ²⁹			
Laundry/Dry Cleaning, Neighborhood		P	P	P	P			

Land Use	C-LB	C-1	C-2	C-3	CBD	WF	CR	CW
Laundry/Dry Cleaning, Retail	P	P	P	P	P	P		
Laundry – Self-Service		P	P	P	P			
Mini-Warehouse				P ₆				
Mailing Service	P	P	P	P	P	P		
Personal Loan Business	P	P	P	P	P			
Personal Services Businesses	A	P	P	P	P	P		
Photo Processing, Copying and Printing Services	P	P	P	P	P	P		
Telemarketing Services	P		P	P	P			
Video Rental Store		P	P	P	P	P		P
Food Service								
Cafeterias	A		A	A	A	A	A	
Delicatessen	P	P	P	P	P	P	P	P
Drinking Establishments		P ₇	P	P	P	P	P	P
Micro-Brewery			P	P	P	P	P	P
Portable Food Vendors ²⁶	A ²⁷	A ²⁷	A ²⁷	A ²⁷	A ²⁷	A ²⁷	A ²⁷	A ²⁸
Restaurants/Drive-Through		S ₈	P ₈	P ₈	S _{8, 9}	S _{8, 9}		
Restaurants/Lounge		P ₇	P	P	P	P	P	P

Land Use	C-LB	C-1	C-2	C-3	CBD	WF	CR	CW
Public Campgrounds				S			S	
Public Parks	P	P	P	P	P		P	P
Schools	P ₁₂	P ₁₂	P ₁₂	P ₁₂	P ₁₂	P ₁₂		
Schools, Alternative	P ₁₃	P ₁₃	P ₁₃	P ₁₃	P ₁₃			
Special Events Including Concerts, Tournaments and Competitions, Fairs, Festivals and Similar Public Gatherings	P	P	P	P	P	P	P	P
Trail Head Facilities	P	P	P	P	P	P	P	P
Trails for Equestrian, Pedestrian, or Nonmotorized Vehicle Use	P	P	P	P	P	P	P	P
Recreational Uses								
Art Galleries			P	P	P	P	P	P
Arcades		P	P	P	P	P	P	
Boat Mooring Facilities						P	P	
Cinema, Indoor			P	P	P	P	P	
Cinema, Drive-In			P	P				
Commercial Recreation, Indoor		S ₇	P	P	P	P	P	
Commercial Recreation, Outdoor			P	P		P	P	

Land Use	C-LB	C-1	C-2	C-3	CBD	WF	CR	CW
House Banked Card Rooms				P ₁₄	P ₁₄	P ₁₄	P ₁₄	
Recreational Vehicle Campgrounds				S ₁₅			S ₁₅	
Recreational Vehicle Parks				S ₁₆			S ₁₆	
Stable, Public				S ₁₇				
Theater		P ₇	P	P	P	P	P	P
Residential Uses								
Accessory Dwelling Unit		A	A	A	A	A		A
Apartment, Condominium (3 or more units)	P		P ₁₈		P	P		
Assisted Living Facility	P		P		P ₁₈	P		
Bed and Breakfast	P	P	P	P	P	P	P	P
Day Care Center	P ₁₉	P ₁₉	P ₁₉	P ₁₉	P ₁₉	P ₁₉		
Dormitories, Fraternities, and Sororities	P				P	P		
Dwelling, One-Family Attached						P ₂₅		
Dwelling, Two-Family Detached						P		
Dwelling Units for a Resident Watchman or Custodian				A				P ₂₈
Family Day Care Home	P ₁₉					P ₁₉		
Houseboats						P	P	

Land Use	C-LB	C-1	C-2	C-3	CBD	WF	CR	CW
Hotels or Motels	P		P	P	P	P	P	P
Nursing or Rest Home	P		P		P ₁₈	P		
Recreational Club	A				A	A		
Senior Housing	P				P ₁₈	P		
Temporary Residence	P ₂₀	P ₂₀	P ₂₀	P ₂₀	P ₂₀	P ₂₀		P
Retail Uses								
Adult Use Establishments				P ₂₁				
Apparel and Accessory Stores		P	P	P	P	P		P
Auto Parts Supply Store		P	P	P	P			
Books, Stationery and Art Supply Stores	A	P	P	P	P	P		P
Building, Hardware, Garden Supply Stores		P	P	P	P			
Department Store			P	P	P			
Drug Store/Pharmacy	A	P/S ²²	P	P	P	P		
Electronic Equipment Stores		P	P	P	P	P		
Food Stores		P	P	P	P	P		
Florist		P	P	P	P	P		P
Furniture, Home Furnishings and Appliance Stores		P	P	P	P			

Land Use	C-LB	C-1	C-2	C-3	CBD	WF	CR	CW
Landscaping Material Sales			A	P				
Lumberyards				P				
Nursery, Plant				P				P
Office Supply Store	A	P	P	P	P	P		
Outdoor Sales				P				
Parking Lot or Structure	P	P	P	P	A	P		P
Pawn Shop				P				
Pet Shop and Pet Supply Stores		P	P	P	P			
Retail Hay, Grain and Feed Stores				P				
Secondhand Store			P	P	P	P		
Specialty Retail Stores		P	P	P	P	P		P
Miscellaneous Uses								
Bus Station				P	P			
Bus Terminal				P	P			
Bus Transfer Station	P		P	P	P		P	
Cemetery	P		P	P				
Community Festivals and Street Fairs	P	P	P	P	P	P	P	P

Land Use	C-LB	C-1	C-2	C-3	CBD	WF	CR	CW
Convention Center	P		P	P	P	P	P	
Micro- and Macro-Antennas	P	P	P	P	P	P	P	P
Monopole			S ²³	P/S ²³	S ²³			
On-Site Hazardous Waste Treatment and Storage	A	A	A	A	A	A	A	A
Outdoor Storage		A ²⁴	A ²⁴	P ²⁴				
Storage in an Enclosed Building	A	A	A	A	A	A	A	A ²⁸

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

23.22.040 Site requirements and development standards for commercial use districts.



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

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

Standard	C-LB	C-1	C-2	C-3	CBD	WF	CR	CW
Minimum Dwelling Unit Size (in square feet, excluding porches, decks, balconies and basements)	500 feet	N/A	N/A	N/A	500 feet	500 feet	N/A	N/A

1. Each lot shall have a front yard 45 feet deep or equal to the front yards of existing buildings in the same C-1 district and within the same block.
2. No setback required if street right-of-way is at least 80 feet in width. Otherwise, a minimum setback of 40 feet from street centerline is required.
3. Unless a greater setback is required by Chapter [12.11](#) RMC, Intersection Sight Distance.
4. Front and Side Street. No building shall be closer than 40 feet to the centerline of a public right-of-way. The setback area shall incorporate pedestrian amenities such as increased sidewalk width, street furniture, landscaped area, public art features, or similar features.
5. In the case of attached one-family dwelling units, setback requirements shall be as established for attached dwelling units in the medium-density residential small lot (R-2S) zoning district. Refer to RMC [23.18.040](#).
6. In any commercial limited business (C-LB), central business (CBD) or in any commercial winery (CW) zoning district that directly abuts a single-family zoning district, the following buffer, setback and building height regulations shall apply to all structures:
 - a. Within the commercial limited business (C-LB), the central business district (CBD) and the commercial winery (CW) districts, buildings shall maintain at least a 35-foot setback from any property that is zoned for single-family residential use. Single-family residential zones include R-1-12 – single-family residential 12,000, R-1-10 – single-family residential 10,000, R-2 – medium-density residential, R-2S – medium-density residential small lot, or any residential planned unit development that is comprised of single-family detached dwellings.
 - b. Buildings that are within 50 feet of any property that is zoned for single-family residential use in commercial limited business (C-LB) and the commercial winery (CW) districts and buildings that are within 50 feet of any property that is zoned for and currently developed with a single-family residential

use in the central business district (CBD) (as defined in footnote (6)(a)) shall not exceed 30 feet in height. Beyond the area 50 feet from any property that is zoned for single-family residential use, building height may be increased at the rate of one foot in building height for each additional one foot of setback from property that is zoned for single-family residential use to the maximum building height allowed in the C-LB, CW and CBD zoning districts, respectively.

c. A six-foot-high fence that provides a visual screen shall be constructed adjacent to any property line that adjoins property that is zoned for single-family residential use, or currently zoned for and developed with a single-family residential use in the CBD district. Additionally, a 10-foot landscape strip shall be provided adjacent to the fence. This landscape strip may be used to satisfy the landscaping requirements established for the landscaping of parking facilities as identified in RMC [23.54.140](#).

d. In the C-LB and CW districts, a 20-foot setback shall be provided for any side yard that adjoins a street.

7. Side yard and rear yard setbacks are not required except for lots adjoining a residential development, residential district, or a street. Lots adjoining either a residential development or residential district shall maintain a minimum 15-foot setback. Lots adjoining a street shall maintain a minimum 20-foot setback. Required side or rear yards shall be landscaped or covered with a hard surface, or a combination of both. No accessory buildings or structures shall be located in such yards unless otherwise permitted by this title.

8. No minimum required, except parking shall be set back a minimum of five feet to accommodate required landscape screening as required under RMC [23.54.140](#).

9. Side Yard. No minimum, except parking shall be set back a minimum of five feet, and buildings used exclusively for residences shall maintain at least one foot of side yard for each three feet or portion thereof of building height. Side yards adjoining a residential district shall maintain setbacks equivalent to the adjacent residential district.

10. No minimum, except parking shall be set back a minimum of five feet. Rear yards adjoining a residential district shall maintain setbacks equivalent to the adjacent residential district.

11. Commercial developments such as community shopping centers or retail centers over 40,000 square feet in size and typically focused around a major tenant, such as a supermarket grocery, department store or discount store, and supported with smaller “ancillary” retail shops and services

located in multiple building configurations, are permitted front and street side maximum setback flexibility for the largest building. Maximum setback standards on any other new buildings may be adjusted by the planning commission as part of the alternative design review as set forth in the performance standards and special requirements of RMC [23.22.020](#)(E)(9).

12. All buildings that are located in both the waterfront (WF) district and that fall within the jurisdictional limits of the Shoreline Management Act shall comply with the height limitations established in the Richland shoreline master program (RMC Title [26](#)). Buildings in the WF district that are not subject to the Richland shoreline master program shall not exceed a height of 35 feet; unless the planning commission authorizes an increase in building height to a maximum height of 55 feet, based upon a review of the structure and a finding that the proposed building is aesthetically pleasing in relation to buildings and other features in the vicinity and that the building is located a sufficient distance from the Columbia River to avoid creating a visual barrier.

13. Physical additions to existing nonconforming structures are not subject to the maximum front yard setback requirements.

14. The medical, uptown and parkway districts of the CBD zoning district are established as shown by Plates 23.22.040(1), (2) and (3).

PLATE NO. 1 - 23.22.040

PLATE 1



CBD - MEDICAL DISTRICT

PLATE NO. 2 - 23.22.040

PLATE 2



CBD - UPTOWN DISTRICT

PLATE NO. 3 - 23.22.040

PLATE 3



CBD - THE PARKWAY DISTRICT

23.22.050 Parking standards for commercial use districts.

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

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

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

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

b. Within a 600-foot radius of the property, and within the CBD zoning district, a 25 percent credit will be provided for each on-street parking space and/or for each off-street parking space located in a city-owned public parking lot. The allowed combined reduction in required off-street parking shall not exceed 50 percent of the overall off-street parking requirement (including any reductions contained in RMC [23.54.080](#)).

Example: one off-street space will be credited if four on-street spaces are located within 600 feet of the property. Parking space dimensions are found in RMC [23.54.120](#). Only those streets designated for on-street parking shall be considered for the credit. Curb cuts, driveways, hydrant frontages, and similar restricted parking areas shall be excluded from the calculation.

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

Looking North



SITE

Looking East



Looking East



Looking Southeast



Looking South



Looking West



SITE



CITY OF RICHLAND NOTICE OF APPLICATION AND PUBLIC HEARING (Z2021-108)

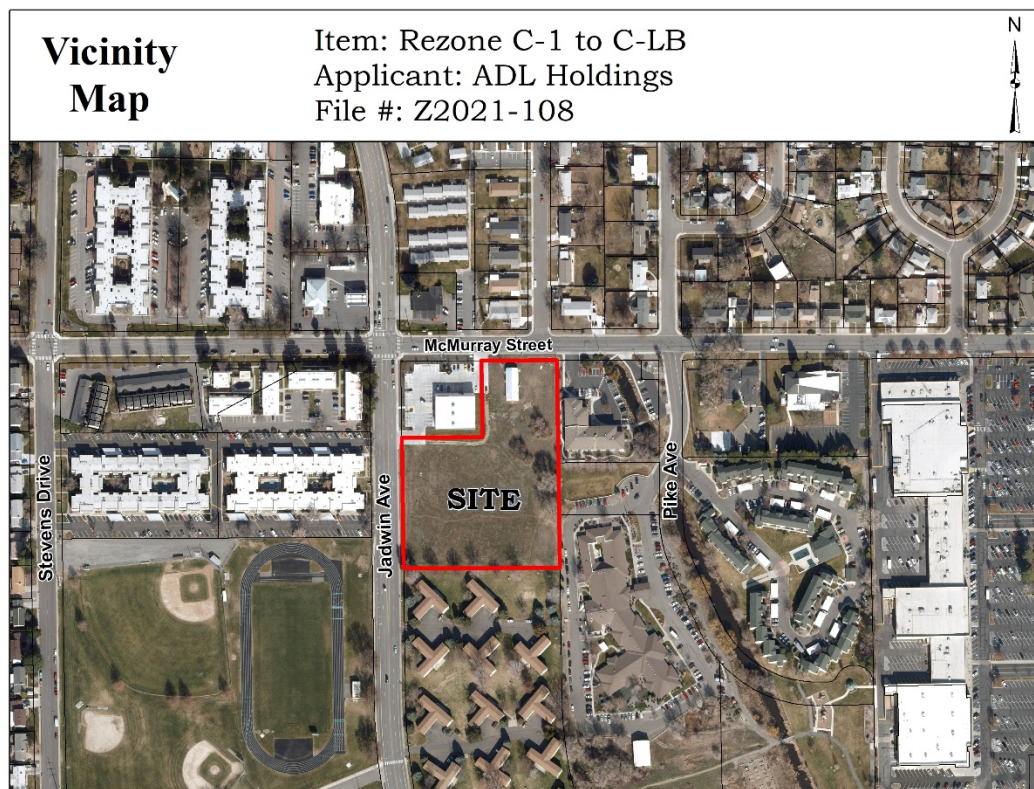
Notice is hereby given that ADL Holdings has filed a request to rezone a 3.9-acre parcel from C-1 (Retail Business) to Commercial Limited Business (C-LB). The project site is located near the southeast corner of the intersection of Jadwin Avenue and McMurray Street (APN 1-02982020745003). Application materials can be viewed online at www.ci.richland.wa.us.

The Richland Hearing Examiner will conduct a virtual public hearing and review of the application at 6:00 p.m., Monday, February 14, 2022. All interested parties are invited to participate in the virtual public hearing by visiting the City of Richland website (www.ci.richland.wa.us).

Environmental Review: The proposal is not subject to environmental review. Pursuant to WAC 197-11-800(6)(c) the rezone application qualifies as a categorically exempt action.

Any person desiring to express their views or to be notified of any decisions pertaining to this application should notify Shane O'Neill, Senior Planner, 625 Swift Boulevard, MS-35, Richland, WA 99352. Comments may also be faxed to (509) 942-7764 or emailed to soneill@ci.richland.wa.us. Written comments should be received no later than 5:00 p.m. on Monday, January 31, 2022 to be incorporated into the staff report. Written comments received after Jan. 31 will be provided to the Hearing Examiner on the day of the public hearing. Written comment will not be accepted after 6 p.m. on February 13; however verbal comments may be presented during the public hearing.

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



AFFIDAVIT OF POSTING

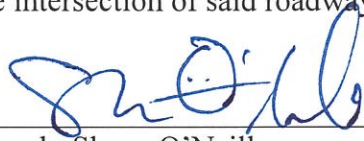
STATE OF WASHINGTON)
) ss.
COUNTY OF BENTON)

COMES NOW, **Shane O'Neill**, who, being first duly sworn upon oath deposes and says:

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

2. On the 18th day of January 2022, I posted the attached NOTICE OF PUBLIC HEARING, File Number Z2021-108 (ADL Holdings Rezone) in the following location:

On the Jadwin Ave and McMurray Street road frontages of parcel # 1-02982020745003); generally near the southeast corner of the intersection of said roadways, Richland WA


Signed: Shane O'Neill

SIGNED AND SWORN to before me this 18th day of January 2022, by Shane O'Neill.




Signature of Notary

Jennifer Schuster
Printed Name

Notary Public in and for the State of Washington,
Residing in 625 Swift Blvd, Richland

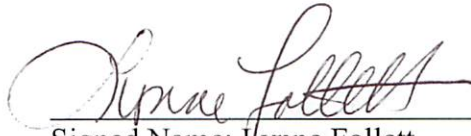
My appointment expires: 4-25-23

AFFIDAVIT OF MAILING

STATE OF WASHINGTON)
) ss.
COUNTY OF BENTON)

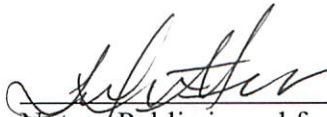
COMES NOW, Lynne Follett, who, being first duly sworn upon oath deposes and says:

1. I am an employee in the Planning & Development Department for the City of Richland.
2. On the 12th day of January, 2022, I mailed a copy of the attached NOTICE OF APPLICATION AND PUBLIC HEARING to the attached list of individuals via regular USPS or E-mail on the date indicated above. The Notice of application to rezone a 3.9 acre site located near the southeast corner of the intersection of Jadwin Avenue and McMurray Street (APN 1-02982020745003), C-1 (Retail Business) to Commercial Limited Business (C-LB).


Signed Name: Lynne Follett

SIGNED AND SWORN to before me this 12th day of January, 2022 by Lynne Follett.




Notary Public in and for the State of Washington,
Residing at 625 Swift Blvd, Richland
My appointment expires: 4-25-23
Jennifer Schuster
Printed Name

owner	addr_line1	addr_state	addr_city	addr_zip
DAN & DEBRA BROWN	1915 HARRIS AVE	WA	RICHLAND	99354-2339
LOUISE LEWIS	3233 35TH AVE W	WA	SEATTLE	98199
BRUCE WILSON	1913 HARRIS AVE	WA	RICHLAND	99354-2339
DAVID NEIL HARBINSON	1911 HARRIS AVE	WA	RICHLAND	99354-2339
WILLIAM E JR & DENISE HART	1922 HETRICK ST	WA	RICHLAND	99354-2310
STEPHAN E & JANET SCHOEL	1918 HETRICK ST	WA	RICHLAND	99354-2310
LINO NICCOLI TRUSTEE	1923 HARRIS AVE	WA	RICHLAND	99352-2339
JAMES BARNARD	1930 HETRICK ST	WA	RICHLAND	99354-2310
BRIAN WADE & CHERYL SMITH	1926 HETRICK ST	WA	RICHLAND	99354
LAWRENCE WOJDAC	1933 HARRIS AVE	WA	RICHLAND	99354-2339
DAVID & KAREN HARVEY	1931 HARRIS AVE	WA	RICHLAND	99354-2339
DIANNE GREEN	1927 HARRIS AVE	WA	RICHLAND	99354
NORMAN WILBURN	1922 HARRIS AVE	WA	RICHLAND	99354-2340
CHARLES KINCAID	1926 HARRIS AVE	WA	RICHLAND	99354-2340
BRENDA DAU	1932 HARRIS AVE	WA	RICHLAND	99354
ELSIE GOLDING TRUSTEE	1930 HARRIS AVE	WA	RICHLAND	99354-2340
GEORGE MOREY	1830 HUNT AVE	WA	RICHLAND	99352
CHRISTENSEN NATHAN JOSHUA &				
ZIMNEY CARRIE POFELSKI	1910 HARRIS AVE	WA	RICHLAND	99354
WILLIAM & KRISTINE POWELL	1912 HARRIS AVE	WA	RICHLAND	99354-2340
KATHLEEN METHOD	2851 MATTISON LN	CA	SANTA CRUZ	95065
LESLIE WALKER	1914 HARRIS AVE	WA	RICHLAND	99354-2340
LARRY & TERESA LYNN KESSIE	1832 HUNT AVE	WA	RICHLAND	99354
THOMAS & RORY TAYLOR	1828 HUNT AVE	WA	RICHLAND	99354-5712
STANLEY & DEBORAH PITMAN	1826 HUNT AVE	WA	RICHLAND	99354-5712
KENNETH LAGERGREN	1824 HUNT PT	WA	RICHLAND	99354-5712
MAYNARD & YVONNE PLAHUTA TRUSTEES	1822 HUNT AVE	WA	RICHLAND	99354-5712
DIANA MOELLER	1918 HARRIS AVE	WA	RICHLAND	99354
EDWARD & SUSAN MILLER	1920 HARRIS AVE	WA	RICHLAND	99354-2340
USA CORP OF ENGINEERS	201 N 3RD AVE	WA	WALLA WALLA	99362



Beaufort Gazette
Belleville News-Democrat
Bellingham Herald
Bradenton Herald
Centre Daily Times
Charlotte Observer
Columbus Ledger-Enquirer
Fresno Bee

The Herald - Rock Hill
Herald Sun - Durham
Idaho Statesman
Island Packet
Kansas City Star
Lexington Herald-Leader
Merced Sun-Star
Miami Herald

el Nuevo Herald - Miami
Modesto Bee
Raleigh News & Observer
The Olympian
Sacramento Bee
Fort Worth Star-Telegram
The State - Columbia
Sun Herald - Biloxi

Sun News - Myrtle Beach
The News Tribune Tacoma
The Telegraph - Macon
San Luis Obispo Tribune
Tri-City Herald
Wichita Eagle

AFFIDAVIT OF PUBLICATION

Account #	Order Number	Identification	Order PO	Amount	Cols	Depth
36823	199459	Print Legal Ad - IPL0055804	HE PHN Z2021-108	\$145.63	1	59 L

Attention: Jana Duncan
CITY OF RICHLAND/LEGALS
625 SWIFT BLVD. MS-11
RICHLAND, WA 99352

CITY OF RICHLAND NOTICE OF PUBLIC HEARING (Z2021-108)

Notice is hereby given that ADL Holdings has filed a request to rezone a 3.9 acre parcel from C-1 (Retail Business) to Commercial Limited Business (C-LB). The project site is located near the southeast corner of the intersection of Jadwin Avenue and McMurray Street (APN 1-02982020745003). Application materials may be viewed on the City of Richland's website at www.ci.richland.wa.us/landuse.

The Richland Hearing Examiner will conduct a virtual public hearing and review of the application on **Monday, February 14, 2022 at 6:00 p.m.** All interested parties are invited to participate in the virtual public hearing by visiting the City of Richland's website at www.ci.richland.wa.us.

Environmental Review: The proposal is not subject to environmental review. Pursuant to WAC 197-11-800(6)(c), the rezoning application qualifies as a categorically exempt action. Any person desiring to express their views or to be notified of any decisions pertaining to this application should notify Shane O'Neill, Senior Planner, 625 Swift Boulevard, MS-35, Richland, WA 99352. Comments may also be faxed to 509-942-7764 or emailed to soneill@ci.richland.wa.us. Written comments should be received no later than 5:00 p.m. on Monday, January 31, 2022 to be incorporated into the staff report. Written comments received after January 31 will be provided to the Hearing Examiner on the day of the public hearing. Written comments will not be accepted after 6:00 p.m. on February 13; however, verbal comments may be presented during the public hearing.

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

Published: Sunday, January 23, 2022
IPL0055804
Jan 23 2022

COUNTY OF BENTON)

SS

STATE OF WASHINGTON)

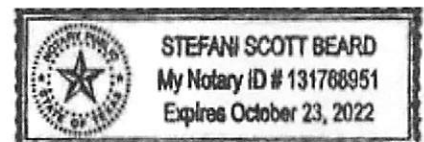
Keriann Leenerts, being duly sworn, deposes and says, I am the Legals Clerk of The Tri-City Herald, a daily newspaper. That said newspaper is a local newspaper and has been approved as a legal newspaper by order of the superior court in the county in which it is published and it is now and has been for more than six months prior to the date of the publications hereinafter referred to, published continually as a daily newspaper in Benton County, Washington. That the attached is a true copy as it was printed in the regular and entire issue of the Tri-City Herald and not in a supplement thereof, ran 1 time(s) commencing on 01/23/2022, and ending on 01/23/2022 and that said newspaper was regularly distributed to its subscribers during all of this period.

(Signature of Legals Clerk)

Sworn to and subscribed before me this 24th day of January in the year of 2022

Stefani Beard

Notary Public in and for the state of Texas, residing in Dallas County



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



CITY OF RICHLAND NOTICE OF APPLICATION AND PUBLIC HEARING (Z2021-108)

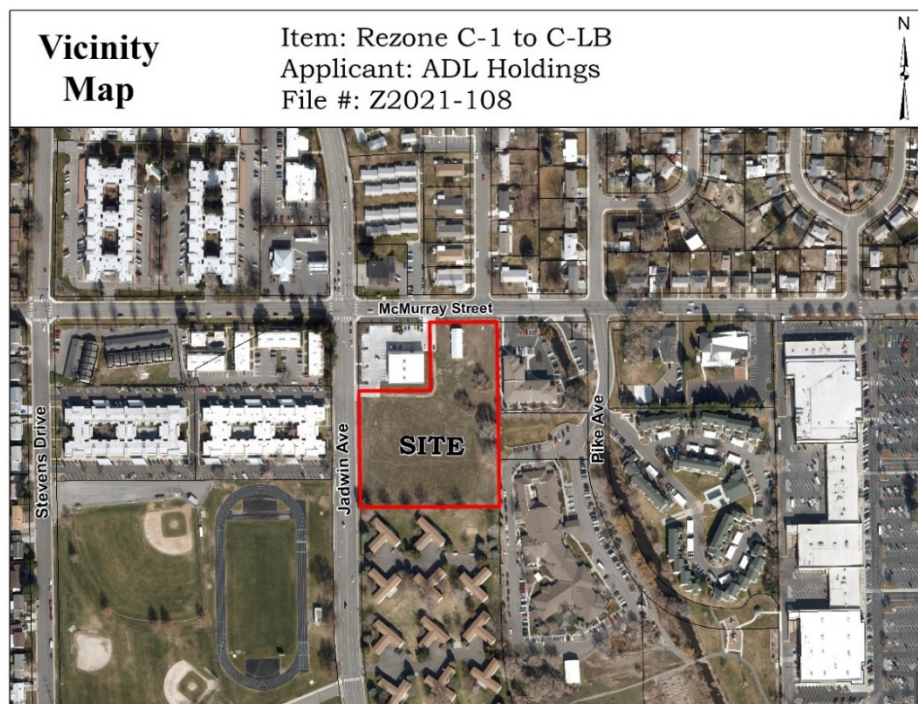
Notice is hereby given that ADL Holdings has filed a request to rezone a 3.9-acre parcel from C-1 (Retail Business) to Commercial Limited Business (C-LB). The project site is located near the southeast corner of the intersection of Jadwin Avenue and McMurray Street (APN 1-02982020745003). Application materials can be viewed online at www.ci.richland.wa.us.

The public hearing on the proposed rezone will be held before the Hearing Examiner on Monday, April 11, 2022, at 6:00 pm in the Council Chambers, 625 Swift Blvd., Richland WA 99352. All interested parties are invited to participate in the public hearing by attending in person or by visiting the City of Richland website (www.ci.richland.wa.us) and joining via Zoom. Application materials are available to the public and can be viewed at www.ci.richland.wa.us.

Environmental Review: The proposal is not subject to environmental review. Pursuant to WAC 197-11-800(6)(c) the rezone application qualifies as a categorically exempt action.

Any person desiring to express their views or to be notified of any decisions pertaining to this application should notify Shane O'Neill, Senior Planner, 625 Swift Boulevard, MS-35, Richland, WA 99352. Comments may also be faxed to (509) 942-7764 or emailed to soneill@ci.richland.wa.us. Written comments should be received no later than 5:00 p.m. on Monday, April 4, 2022, to be incorporated into the staff report. Written comments received after April 4, will be provided to the Hearing Examiner on the day of the public hearing. Written comment will not be accepted after 6 p.m. on April 10; however verbal comments may be presented during the public hearing.

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



AFFIDAVIT OF POSTING

STATE OF WASHINGTON)
) ss.
COUNTY OF BENTON)

COMES NOW, **Shane O'Neill**, who, being first duly sworn upon oath deposes and says:

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

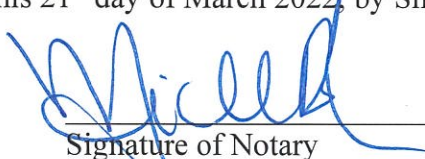
2. On the 21st day of March 2022, I posted a NOTICE OF PUBLIC HEARING for File Number Z2021-108 (ADL Holdings Rezone) in the following location:

On the Jadwin Ave and McMurray Street road frontages of (parcel # 1-02982020745003); generally near the southeast corner of the intersection of said roadways, Richland WA


Signed: Shane O'Neill

SIGNED AND SWORN to before me this 21st day of March 2022, by Shane O'Neill.




Signature of Notary

Michelle L Burden
Printed Name

Notary Public in and for the State of Washington,

Residing in Kennewick

My appointment expires: 3.21.2022



Beaufort Gazette
Belleville News-Democrat
Bellingham Herald
Bradenton Herald
Centre Daily Times
Charlotte Observer
Columbus Ledger-Enquirer
Fresno Bee

The Herald - Rock Hill
Herald Sun - Durham
Idaho Statesman
Island Packet
Kansas City Star
Lexington Herald-Leader
Merced Sun-Star
Miami Herald

el Nuevo Herald - Miami
Modesto Bee
Raleigh News & Observer
The Olympian
Sacramento Bee
Fort Worth Star-Telegram
The State - Columbia
Sun Herald - Biloxi

Sun News - Myrtle Beach
The News Tribune Tacoma
The Telegraph - Macon
San Luis Obispo Tribune
Tri-City Herald
Wichita Eagle

AFFIDAVIT OF PUBLICATION

Account #	Order Number	Identification	Order PO	Amount	Cols	Depth
36823	237210	Print Legal Ad - IPL0065966	D2586000 4401 HE PH	\$150.56	1	61 L

Attention: Jana Duncan
CITY OF RICHLAND/LEGALS
625 SWIFT BLVD. MS-11
RICHLAND, WA 99352

CITY OF RICHLAND NOTICE OF PUBLIC HEARING (2021-108)

Notice is hereby given that ADL Holdings has filed a request to rezone a 3.9 acre parcel from C-1 (Retail Business) to Commercial Limited Business (C-LB). The project site is located near the southeast corner of the intersection of Jadwin Avenue and McMurray Street (APN 1-02982020745003). Application materials may be viewed on the City of Richland's website at www.ci.richland.wa.us/landuse.

The Richland Hearing Examiner will conduct a public hearing and review of the application on **Monday, April 11, 2022 at 6:00 p.m.** in the Council Chambers, 625 Swift Blvd., Richland WA 99352. All interested parties are invited to attend in-person or participate in the virtual public hearing by visiting the City of Richland's website at www.ci.richland.wa.us.

Environmental Review: The proposal is not subject to environmental review. Pursuant to WAC 197-11-800(6)(c), the rezoning application qualifies as a categorically exempt action. Any person desiring to express their views or to be notified of any decisions pertaining to this application should notify Shane O'Neill, Senior Planner, 625 Swift Boulevard, MS-35, Richland, WA 99352. Comments may also be faxed to 509-942-7764 or emailed to soneill@ci.richland.wa.us. Written comments should be received no later than 5:00 p.m. on Monday, April 4, 2022, to be incorporated into the staff report. Written comments received after April 4 will be provided to the Hearing Examiner on the day of the public hearing. Written comments will not be accepted after 6:00 p.m. on April 10; however, verbal comments may be presented during the public hearing.

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

Published: Sunday, March 27, 2022
IPL0065966
Mar 27 2022

COUNTY OF BENTON)

SS

STATE OF WASHINGTON)

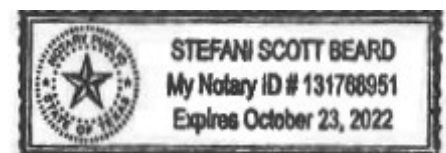
Keriann Leenerts, being duly sworn, deposes and says, I am the Legals Clerk of The Tri-City Herald, a daily newspaper. That said newspaper is a local newspaper and has been approved as a legal newspaper by order of the superior court in the county in which it is published and it is now and has been for more than six months prior to the date of the publications hereinafter referred to, published continually as a daily newspaper in Benton County, Washington. That the attached is a true copy as it was printed in the regular and entire issue of the Tri-City Herald and not in a supplement thereof, ran 1 time(s) commencing on 03/27/2022, and ending on 03/27/2022 and that said newspaper was regularly distributed to its subscribers during all of this period.

(Signature of Legals Clerk)

Sworn to and subscribed before me this 28th day of March in the year of 2022

Stefani Beard

Notary Public in and for the state of Texas, residing in Dallas County



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

1
2 **AFFIDAVIT OF MAILING**

3
4 STATE OF WASHINGTON)
5) ss.
6 COUNTY OF BENTON)

7
8 COMES NOW, Kevin Damrell, who, being first duly sworn upon oath deposes and says:

9 1. I am an employee in the Planning & Development Department for the City of Richland.

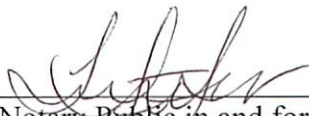
10 2. On the 22nd day of March, 2022, I mailed a copy of the attached NOTICE OF APPLICATION
11 AND PUBLIC HEARING (Z2021-108) to the attached list of individuals via regular USPS on the
12 date indicated above. The Richland Hearing Examiner will conduct a public hearing at 6:00 PM on
13 Monday, April 11, 2022.

14
15 
16 Signed: Kevin Damrell

17
18 SIGNED AND SWORN to before me this 22nd day of March, 2022 by Kevin Damrell.



23
24
25


Notary Public in and for the State of Washington,

Print Name
Residing at 425 Swift Blvd
My appointment expires: 4-25-2023

owner	Address	State	City	State	situs_zip
THREE RIVERS SENIOR HOUSING LLLP	6120 STONERIDGE MALL RD	CA	PLEASANTON	WA	99354-2283
RICHLAND WASHINGTON LLC / C/O TAX ESCROW DEPT	303 INTERNATIONAL CIRCLE	MD	HUNT VALLEY	WA	99352
EDT2017 LLC	777 MCMURRAY ST	WA	RICHLAND	WA	99354-2266
JADWIN STEVENS APARTMENTS LLC	1955 JADWIN AVE STE 350	WA	RICHLAND	WA	99354-2518
KATHLEEN BETTE HODGES	1900 LUTHER PL	WA	RICHLAND	WA	99354
DAVID STANLEY & KANDICE HALL	1906 LUTHER PL	WA	RICHLAND	WA	99354-2236
BRIAN & STACIE PRATT	1912 LUTHER PL	WA	RICHLAND	WA	99354-2236
DANIEL CLARK BIGGS JR	1901 PIKE AVE	WA	RICHLAND	WA	99354-2247
NATHAN SCHWEIGER	1300 GEORGE WASHINGTON WAY	WA	RICHLAND	WA	99354-2247
GEORGIE DEAN	1905 PIKE AVE	WA	RICHLAND	WA	99354
BRIAN & BRANDY FORTNEY	1303 KENSINGTON WAY	WA	RICHLAND	WA	99354-2235
LUTHER SENIOR CENTER EAST	818 W RIVERSIDE AVE STE 300	WA	SPOKANE	WA	99354-2235
SAHOTA INVESTMENTS INC	1903 JADWIN AVE	WA	RICHLAND	WA	99354-2271
RICHLAND SCHOOL DISTRICT #400	615 SNOW AVE	WA	RICHLAND	WA	99354
LIH COLUMBIA PARK LP	1200 5TH AVE STE 825	WA	SEATTLE	WA	99354-2544
WASHINGTON SECURITIES & INVESTMENT CORP	8901 W TUCANNON AVE STE 110	WA	KENNEWICK	WA	99354
O'REILLY AUTO ENTERPRISES LLC	PO BOX 9167	MO	SPRINGFIELD	WA	99352



Aviation Division
7702 Terminal St SW
Tumwater, WA 98501
360-709-8015 / FAX: 360-709-8009
Toll Free: 1-800-552-0666
TTY: 1-800-833-6388
www.wsdot.wa.gov

January 27, 2022

City of Richland Development Services
625 Swift Blvd, MS-35
Richland, WA 99352

RE: NOTICE OF APPLICATION AND PUBLIC HEARING (Z2021-108)

Dear Mr. O'Neill:

Thank you for allowing the Washington State Department of Transportation (WSDOT) Aviation Division to provide input on the NOA and Public Hearing for the ADL Holdings LLC Jadwin Ave Rezone (Z2021-108).

The subject property of the ADL Holdings Rezone is in the airport influence area of the Richland Municipal Airport and is within Zones 3 and 6 of the WSDOT Land-Use Compatibility zones. Commercial developments are allowed in these zones. However, development plans in this zone should be reviewed to ensure that they will not create a height hazard obstruction, smoke, glare, electronic, wildlife attractants or other airspace hazards.

We appreciate the opportunity to offer written comments. Our office is available for any questions or further discussions. Please don't hesitate to contact me at 360-890-5258 or plattst@wsdot.wa.gov.

Sincerely,

Thomas S. "Max" Platts
Aviation Planner
360-890-5258
plattst@wsdot.wa.gov