



Agenda
City Council Special Meeting
Monday, August 1, 2022
Richland City Hall Council Chambers
625 Swift Boulevard

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

Welcome and Roll Call

Pledge of Allegiance

Approval of Agenda: (Approved by Motion)

Presentations:

1. Health Center Week Proclamation
 - Mayor Alvarez
2. Habitat for Humanity
 - Jet Richardson Habitat for Humanity Executive Director
 - Brittney Colgan-Ball, Habitat for Humanity Executive Coordinator
3. Mirror Ministries
 - Tricia MacFarlan, Mirror Ministries Executive Director
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 for distribution.

5. Proposed Amendment to the 2022 Budget in the General Fund, Industrial Development Fund, Streets Capital Construction Fund, Wastewater Utility Fund and Equipment Replacement Fund, Ordinance No. 2022-26
 - Brandon Allen, Finance 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 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 July 19, 2022 City Council Regular Meeting Minutes and the July 26, 2022 City Council Workshop Meeting Minutes
 - Jennifer Rogers, City Clerk

Ordinances - First Reading:

7. Ordinance No. 2022-19, Amending Richland Municipal Code Title 23: Zoning Regulations related to Emergency Shelters and Transitional Housing
 - Kerwin Jensen, Development Services Director
8. Ordinance No. 2022-28, Amending Chapters 9.05 and 9.07 of the Richland Municipal Code related to Domestic Violence and Non-Domestic Violence Court Orders
 - Heather Kintzley, City Attorney

Ordinances - Second Reading & Passage:

9. Ordinance No. 2022-25, Amending Richland Municipal Code Section 18.12.081 related to Metered Fire Hydrant Deposits and Refunds
 - Heather Kintzley, City Attorney

Resolutions - Adoption:

10. Resolution No. 2022-99, Adopting the West Village Park Long-Range Plan
 - Joe Schiessl, Deputy City Manager
11. Resolution No. 2022-100, Authorizing a Perpetual Parking Easement from the United States of America
 - Joe Schiessl, Deputy City Manager
12. Resolution No. 2022-101, Authorizing Award of Bid to Pipe of Washington, Inc. for the North Richland UV Improvements Project
 - Pete Rogalsky, Public Works Director
13. Resolution No. 2022-102, Authorizing Award of Bid to Premier Excavation, Inc. for the Center Parkway Extension North Project
 - Pete Rogalsky, Public Works Director

Items - Approval:

14. Appointment to the Arts Commission: David Boothroyd and Terri Rice
 - Jennifer Rogers, City Clerk

Items of Business:

15. Ordinance No. 2022-26, Amending the 2022 Budget in the General Fund, Industrial Development Fund, Streets Capital Construction Fund, Wastewater Utility Fund and Equipment Replacement Fund
 - Brandon Allen, Finance Director

Reports and Comments:

- I. City Manager

2. City Council
3. Mayor

Adjournment

This meeting will be broadcast live on [CityView Channel 192](#) on the City's website and on the [City's YouTube Channel](#).

Richland City Hall is ADA accessible. Any individual who has difficulty attending the meeting in-person may request to provide comments remotely. (Ch. 42.30 RCW) 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: 8/1/2022

Agenda Category: Presentations

Core Focus Area I - Promote Financial Stability & Operational Effectiveness

Subject:

Health Center Week Proclamation

Department/Office
City Council

Ordinance/Resolution Number:

Document Type:
Proclamation

Recommended Motion:

Summary:

Mayor Alvarez will read aloud a proclamation declaring August 7-13, 2022 to be *Health Center Week* in the City of Richland.

Fiscal Impact: None.

Attachments:

- I. Health Center Week Proclamation



Proclamation

WHEREAS, Tri-Cities Community Health (TCCH) has been rooted in the Tri-Cities community for over 40 years, serving as a safety net for the most vulnerable in our region, while continuing to innovate and drive savings for public budgets; and

WHEREAS, Tri-Cities Community Health is dedicated to the communities it serves, bringing together a unified team with a mission to deliver the highest-quality health care to every person, every time; and

WHEREAS, Tri-Cities Community Health has received national recognition as a patient-centered medical home and continues to provide integrated care, bringing together medical, dental, behavioral medicine, pharmacy, vision and other critical services under one roof; and

WHEREAS, Tri-Cities Community Health is governed by a patient-majority board, ensuring that patients are engaged in their own health care decisions; and

WHEREAS, Tri-Cities Community Health continues to be a model for effectively overcoming barriers to accessible health care, including geography, income and insurance status, and in so doing, improves health status and outcomes, and reduces health care system costs; and

WHEREAS, National Health Center Week offers the opportunity to recognize Tri-Cities Community Health, its health centers in Pasco, Richland and Kennewick, its dedicated team, board members, patients and all those responsible for its continued success and growth since opening its doors more than 40 years ago.

NOW, THEREFORE, I, Michael Alvarez, by virtue of the authority vested in me as Mayor of the City of Richland, Washington, do hereby proclaim August 7-13, 2022 to be

"HEALTH CENTER WEEK"

in Richland, and I encourage all citizens to take part in this week by visiting their local health center and celebrating the important partnership between America's health centers and the communities they serve.

IN WITNESS WHEREOF, I have hereunto set my hand and caused to be affixed hereto the official seal of the City of Richland, Washington on this 2nd day of August, 2022.


Michael Alvarez, Mayor



**every
one**

deserves a decent
place to live.



Tri-County Partners
Habitat
for Humanity®

City of Richland

August 1, 2022



Tri-County Partners
Habitat
for Humanity®

Serving Benton, Franklin, & Walla
Walla Counties for 28 years



151 Homes Built

278

Adults

480

Children

Our Mission:

Seeking to put God's love into action, Habitat for Humanity brings people together to build homes, communities and hope.

Our Vision:

All residents of Benton, Franklin, and Walla Walla Counties have the opportunity for a decent, affordable place to live.



Nevresa – April 2022



Gay Htoo, Seh Neh Ku – January 2022



Leh Tar, Paw Tu – June 2022

Three Criteria for Homeownership Program

- **Need for affordable/decent housing** – Program applicants might be dealing with poorly built, unhealthy, damaged, inadequate or unaffordable housing.
- **Ability to pay a low-interest mortgage** – Applicants must have the resources to pay a low-interest, monthly mortgage that does not exceed 30% of their monthly income.
- **Willingness to partner through “Sweat Equity”** – Applicants must be willing to commit to the “sweat equity” requirement of 500 hours on the construction of their home or other qualified projects

Serving households living at 30% - 80% Area Median Income (AMI)

AMI for Benton & Franklin Counties is \$87,500 (HUD)

Family of 4 at 30% AMI = \$27,750

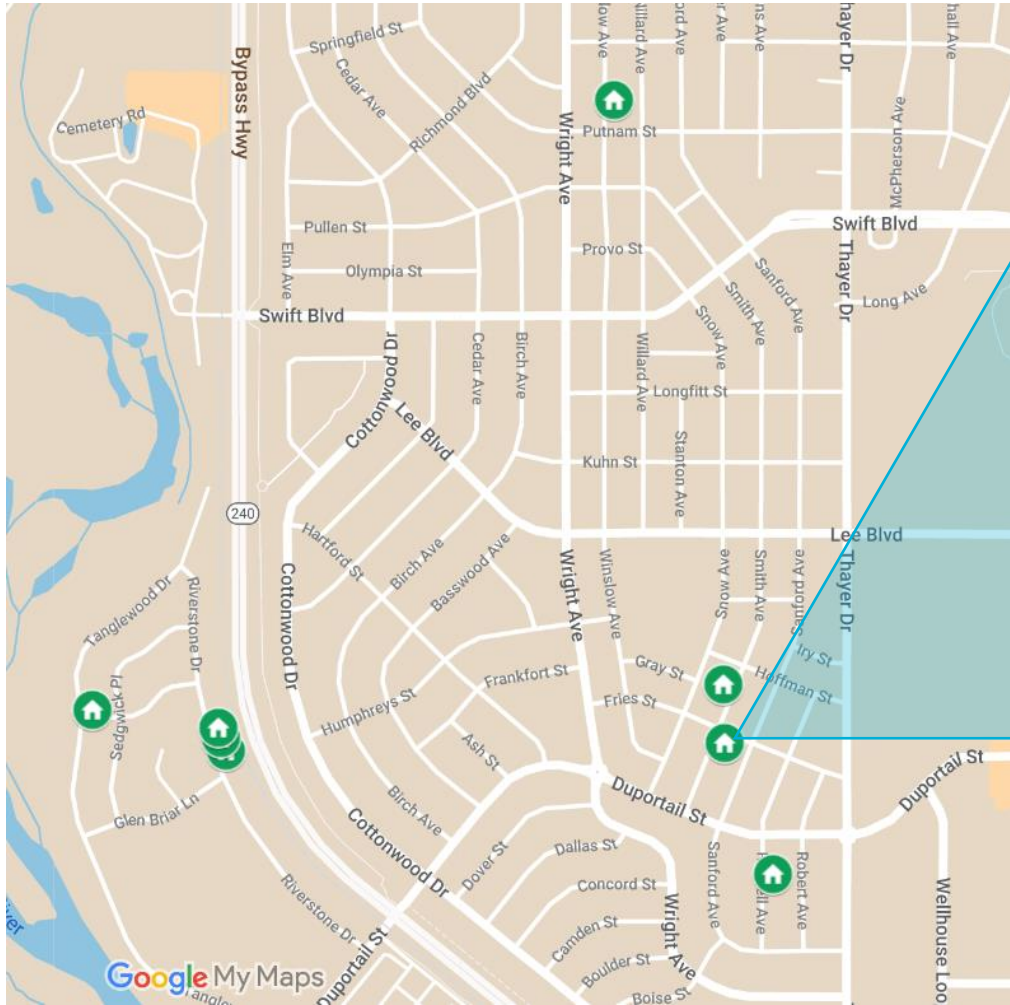
Family of 4 at 50% AMI = \$43,650

Family of 4 at 80% AMI = \$69,850

Why **[Habitat]** Homeownership?????

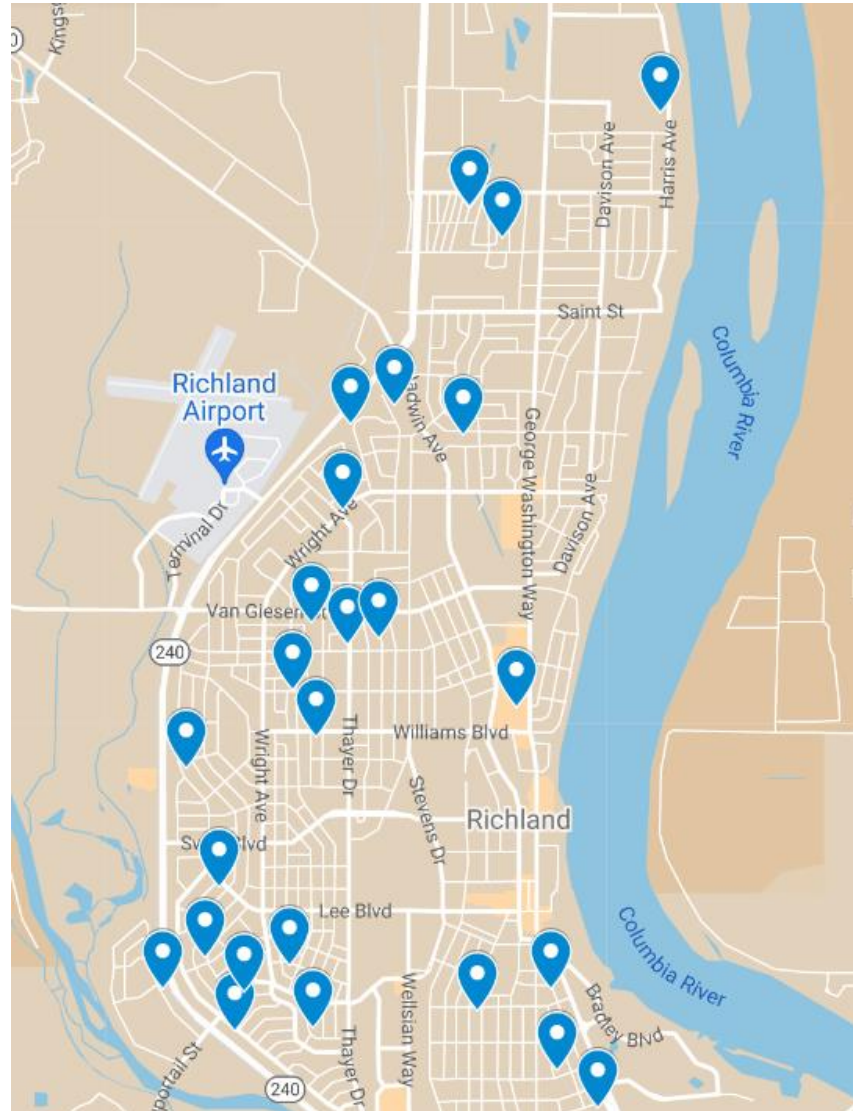
- **Habitat** affordable homeownership creates **responsible** monthly mortgage payments for Pasco residents.
- Rental subsidies **don't** create long-term benefits for the renter or their family, only for the apartment owner.
- Habitat **affordable** mortgage payments **benefit** the homeowner and their children by **generating stability** and creating **generational wealth**.

8 Habitat Homes in Richland



A Brush With Kindness

27 Home Preservation Projects in Richland



2021 Mahon - RICHLAND
BEFORE



2021 Mahon - RICHLAND
AFTER

Unmet Need in Richland:

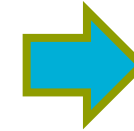
- **32.9%** of Richland renters have a housing cost-burden
 - **Moderate Housing Cost-Burden** (19.5% of Richland renters)
 - 1,527 renters pay over 30% of their income on housing
 - **Severe Housing Cost-Burden** (13.4% of Richland renters)
 - 1,053 renters pay over 50% on housing
- **Average rent** (zumper.com)
 - 2-bedroom apartment: \$1,425 per month
 - 3-bedroom apartment: \$1,915 per month

Breaking Cycles of Generational Poverty

RICHLAND

8 Homes = \$708,216 (Original Mortgage)

Today's Market Value = \$2,745,000 – (OM) = \$2,036,784



\$254,598

Generated Wealth Per Family

KENNEWICK

40 Homes = \$3,788,994 (Original Mortgage)

Today's Market Value = \$12,142,812 – (OM) = \$8,353,818



\$208,845

Generated Wealth Per Family

PASCO

87Homes = \$11,717,789 (Original Mortgage)

Today's Market Value = \$24,831,700 – (OM) = \$15,983,317



\$183,716

Generated Wealth Per Family

Benton-Franklin-Walla Walla: \$29,768,211

\$197,140

WE can DO MORE!

Richland Housing & Affordable Homeownership Working Group

[Collaborative group of community members and city staff that will provide recommendations to City Council for the long-term supply and sustainability of affordable housing and homeownership opportunities in our community.]

Thank you!

Tri-County Partners Habitat for Humanity

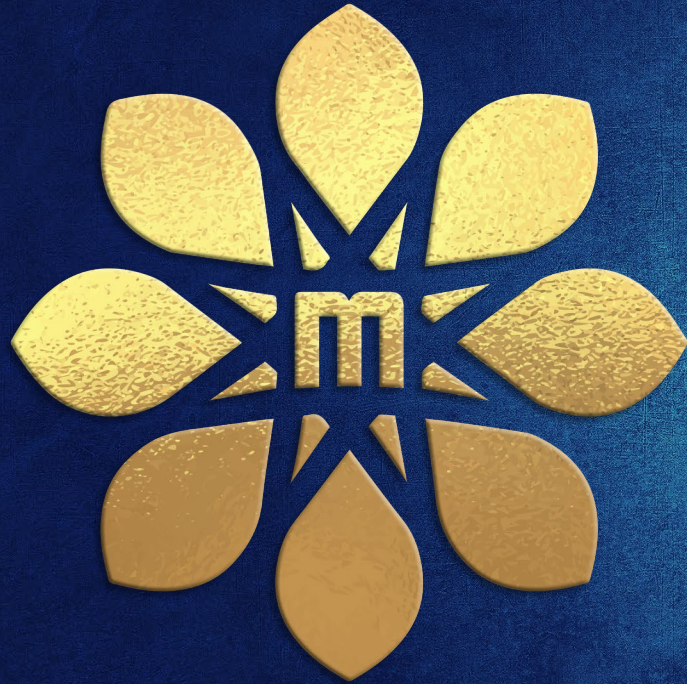
1005 Knight St, Richland, WA 99352

(509) 943-5555 | info@habitat-tcp.org | habitatbuilds.com



We build strength, stability and self-reliance through shelter.





MIRROR MINISTRIES

Tricia MacFarlan, Executive Director
info@Mirror-Ministries.org

Mission Statement

Mirror Ministries mission is to respond to domestic minor sex trafficking with the love of Christ through local education, intervention, restoration, and aftercare.











REGAIN
POWER
RECEIVE
RESPECT
REDISCOVER YOUR
VALUE



SURVIVOR SERVICES
(509) 212-9995
CALL · TEXT · 24/7 HOTLINE
MIRROR-MINISTRIES.ORG



SPECIALIZED ADVOCATE SERVICES

PROFESSIONAL CASE MANAGEMENT HELPS YOU:

Create:

- Safe & trusting relationship with your advocate
- Safe & effective community support
- A safety plan
- Education and training goals
- Relocation plans (as needed)
- Coping strategies

Access:

- Resources for basic needs (food, clothing, housing, etc)
- Health & medical care
- Mental health services
- Counseling
- Legal assistance
- Trafficking safe homes/restoration services
- Drug & alcohol treatment facilities
- Other appropriate services



REFLECTING THE GRACE OF GOD TO VICTIMS
AND SURVIVORS OF HUMAN TRAFFICKING

for those who
have been
forced, tricked,
or threatened
into sex work, or
any minor
involved in the
sex trade



24/7 HOTLINE

(509) 212-9995

MIRROR-MINISTRIES.ORG





HOTLINE CALLS
797

TRAININGS
183



NEWLY FOUND
FREEDOM
64

AVERAGE CLIENT
CASELOAD
60-70



2021 By the Numbers

A photograph of three young women sitting on a concrete ledge in front of a light-colored brick building. The woman on the left is wearing a black beanie, a black choker, and a black t-shirt with a graphic. The woman in the middle is wearing a yellow t-shirt with '91' and 'HAWK' on it. The woman on the right is wearing a red bandana, a red top, and a gold chain necklace. In the background, there is a sign that says 'EBT' and some other buildings.

WHAT IS SEX TRAFFICKING

The use of force, fraud or coercion to exploit a person for commercial sexual activities

OR

Any person under the age of 18 involved in a commercial sex act

CHILD SEX TRAFFICKING

Of the nearly 25,000 runaways reported to NCMEC in 2017,
one in seven were likely victims of sex trafficking



Of those, 88% were in the care of social services when they went missing



What does it look like?





What does it look like?





RISK INDICATORS/WARNING SIGNS

SUB-CULTURE INVOLVEMENT

- Street name, street family
- Lingo/slang from The Life, boyfriend as Daddy
- Tattoo reluctant to explain
- Changes in appearance
- Unaccounted for money, jewelry, clothes
- Multiple cell phones
- Severe attachment to cell phone
- Secretive about relationships
- Online relationships
- Drug use/ addiction

SIGNS OF VIOLENCE/TRAUMA

- Signs of physical abuse
- Disclosure or evidence of sexual or physical assault
- Signs of psychological trauma
- Signs of controlling relationship
- Fearful of speaking for self
- Hunger, fatigue
- Multiple miscarriages, abortions, STDs
- Young child who is sexually acting out
- Branding

WHAT DO I DO?



IF EMERGENCY
CALL 911

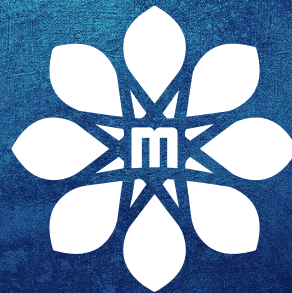


CALL LOCAL POLICE
ASK FOR A DETECTIVE



CALL CPS
855-420-5888

National Human Trafficking
Hotline 1(888)3737-888



MIRROR MINISTRIES
HOTLINE 509-212-9995





COUNCIL AGENDA ITEM COVERSHEET

Council Date: 8/1/2022

Agenda Category: Minutes

Core Focus Area I - Promote Financial Stability & Operational Effectiveness

Subject:

Approval of the July 19, 2022 City Council Regular Meeting Minutes and the July 26, 2022 City Council Workshop Meeting Minutes

Department/Office
City Clerk

Ordinance/Resolution Number:

Document Type:
Minutes

Recommended Motion:

Approve the meeting minutes from the July 19, 2022 City Council regular meeting and the July 26, 2022 City Council workshop meeting.

Summary:

Draft minutes from the July 19, 2022 City Council regular meeting and the July 26, 2022 City Council workshop meeting are presented for Council's consideration and approval.

Fiscal Impact: None.

Attachments:

1. Draft July 19, 2022 City Council Meeting Minutes
2. Draft July 26, 2022 City Council Workshop Meeting Minutes



MINUTES

RICHLAND CITY COUNCIL REGULAR MEETING

Tuesday, July 19, 2022

Richland City Hall ~ Council

Chambers 625 Swift Boulevard

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

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

Welcome and Roll Call

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

Attendance: Mayor Alvarez, Mayor Pro Tem Christensen, and Councilmembers Jones, Kent, Lukson, Richardson and VanDyke were present.

Also present were City Manager Amundson, Assistant City Manager Florence, City Attorney Kintzley, Chief of Police Clary, Fire Chief Huntington, Development Services Director Jensen, Public Works Director Rogalsky, Finance Director Allen, Human Resources Director Paulsen, and City Clerk Rogers.

Pledge of Allegiance

Mayor Alvarez led the Council and the audience in the recitation of the Pledge of Allegiance.

Approval of Agenda

MAYOR PRO TEM CHRISTENSEN MOVED AND COUNCILMEMBER JONES SECONDED THE MOTION TO APPROVE THE AGENDA AS PUBLISHED. MOTION CARRIED 7-0.

Presentations

1. United Way of Benton Franklin Counties

Dr. LoAnn Ayers, President & CEO of United Way of Benton & Franklin Counties (UWBFC), presented an overview of the agency's mission, critical services and programs offered, and allocation of funds. Dr. Ayers also spoke about how United Way meets the demands and challenges faced by the community.

Dr. Ayers turned the floor over to Davin Diaz, Associate Vice President of UWBFC, to provide an overview of the *Volunteer Tri-Cities* program.

At the request of Council, Dr. Ayers also provided an overview of United Way's fundraising campaign and the middle school lunchtime mentorship program. Additional

details are available in the PowerPoint presentation included in the agenda packet.

Public Hearing

City Clerk Rogers read the Public Hearing and Public Comments procedures.

- 2 Proposed Amendment to the 2022 Budget in the General Fund, Industrial Development Fund, Streets Capital Construction Fund, Wastewater Utility Fund and Equipment Replacement Fund, Ordinance No. 2022-26

Mayor Alvarez opened and closed the public hearing at 6:17 p.m. No testimony was offered.

Public Comments

The following individual provided public comments:

Roy Keck - 3250 Port of Benton Boulevard, Richland, WA: Mr. Keck, Port of Benton Commission Vice President, spoke about improving the partnership between the City of Richland and the Port of Benton, and provided an overview of the following projects:

- Richland Airport (RLD) Electrical Replacement Project
- Termination of operator contract with Tri-City Railroad Company (TCRY)
- Van Giesen and Cemetery Railroad Crossing Project
- Phase I of the WSU Tri-Cities' Hanford History Project (HHP)

Consent Calendar

City Clerk Rogers read the Consent Calendar.

MAYOR PRO TEM CHRISTENSEN MOVED AND COUNCILMEMBER RICHARDSON SECONDED THE MOTION TO APPROVE THE CONSENT AGENDA AS PUBLISHED. THOSE IN FAVOR: MAYOR ALVAREZ, MAYOR PRO TEM CHRISTENSEN, AND COUNCILMEMBERS JONES, KENT, LUKSON, RICHARDSON AND VANDYKE. THOSE OPPOSED: NONE. MOTION CARRIED 7-0.

Minutes

- 3 Approval of the July 5, 2022, City Council Regular Meeting Minutes

Ordinances - First Reading

- 4 Ordinance No. 2022-25, Amending Richland Municipal Code Section 18.12.081 Related to Metered Fire Hydrant Deposits and Refunds

Ordinances - Second Reading & Passage

5. Ordinance No. 2022-24, Amending Richland Municipal Code Sections 24.14.020, 24.14.040, 24.14.090 and 24.14.100 related to Procedures for Processing Binding Site Plans

Resolutions – Adoption

6. Resolution No. 2022-97, Authorizing Award of Bid to Palouse Power for \$660,290.17 for Dock Crew Street Light Head Replacement Project
7. Resolution No. 2022-98, Authorizing Grant Applications to the Benton-Franklin Council of Governments' 2022 Call for Projects

Items - Approval

None.

Expenditures - Approval

8. Expenditures from June 1, 2022 to June 30, 2022 for \$29,784,155.50 including Travel Check Nos. 20155-20169, Accounts Payable Check Nos. 300997- 302108, Accounts Payable Wire Nos. 9091-9129, Payroll Wires & ACH Nos. 12774-12826, Payroll Direct Deposit & Check Nos. 194258-195415 and Pension Check Nos. 6191-6215.

Items of Business

9. Rescheduling the August 2, 2022 and September 6, 2022 Regular Meetings

City Attorney Kintzley explained that regular meetings of the City Council are scheduled the first and third Tuesdays of every month pursuant to RMC 1.01.011, and for this reason, formal Council action is required to adjust regular meeting dates. An affirmative vote of at least four (4) councilmembers is necessary to cancel the August 2, 2022 regular meeting and reschedule it as a special meeting on August 1, 2022. City Attorney Kintzley also clarified that there is no longer a need to advance the start time of the September 6, 2022 regular meeting as noted in the staff report.

MAYOR PRO TEM CHRISTENSEN MOVED AND COUNCILMEMBER LUKSON SECONDED THE MOTION TO APPROVE CANCELLATION OF THE AUGUST 2, 2022 REGULAR MEETING AND THE SCHEDULING OF A SPECIAL MEETING ON AUGUST 1, 2022. MOTION CARRIED 7-0.

10. Ordinance No. 2022-26, Amending the 2022 Budget in the General Fund, Industrial Development Fund, Streets Capital Construction Fund, Wastewater Utility Fund and Equipment Replacement Fund

Finance Director Allen provided an overview of the proposed budget amendments, which touched on a number of funds. Ordinance No. 2022-26 will add \$3,532,910 in appropriations to the 2022 Budget. Of this amount, \$975,000 is from new revenue sources and \$2,557,910 is from fund balance. The details of the specific budget adjustments are available in Ordinance No. 2022-26.

MAYOR PRO TEM CHRISTENSEN MOVED AND COUNCILMEMBER RICHARDSON SECONDED THE MOTION TO APPROVE ORDINANCE NO. 2022-26, AMENDING THE 2022 BUDGET IN THE GENERAL FUND, INDUSTRIAL DEVELOPMENT FUND, STREETS CAPITAL CONSTRUCTION FUND, WASTEWATER UTILITY FUND AND EQUIPMENT REPLACEMENT FUND, FOR FIRST READING BY TITLE ONLY. THOSE IN FAVOR: MAYOR ALVAREZ, MAYOR PRO TEM CHRISTENSEN, AND COUNCILMEMBERS JONES, KENT, LUKSON, RICHARDSON AND VANDYKE. THOSE OPPOSED: NONE. MOTION CARRIED 7-0.

Reports and Comments

City Manager

City Manager Amundson announced that the combined National Night Out (NNO) and City Fair events will be held on Tuesday, August 2, 2022 from 5:30 - 7:30 p.m. at Howard Amon Park.

Next, City Manager Amundson stated that a shipment of fifty (50) of the three hundred (300) transformers ordered has been received, with an additional fifty (50) to be delivered within the month. Staff is confident that the number of transformers received will meet development demands through the end of the year.

Lastly, City Manager Amundson provided an overview of agenda items listed on the July 26, 2022 City Council workshop meeting.

City Council

Councilmember Kent inquired if the City will provide cooling centers for the public. City Manager Amundson replied that members of the public can access the Richland Public Library and the Richland Community Center for cooling center opportunities. Information regarding the cooling centers is available on the City's website, social media platforms and has been shared with the Benton-Franklin Health District. Councilmember Kent reminded everyone to stay cool and safe, and to utilize cooling centers if needed.

Councilmember Richardson and Councilmember VanDyke had no comments.

Councilmember Jones thanked Mr. Keck for providing an update on various Port of Benton projects.

Councilmember Lukson also thanked Mr. Keck for the update, and encouraged everyone to participate in National Night Out (NNO) and City Fair.

Mayor Pro Tem Christensen shared his excitement upon receiving a new AMI utility meter from the City. Next, Mayor Pro Tem Christensen provided a brief summary of recent decisions made at the July 14, 2022 Ben Franklin Transit (BFT) Board meeting. Lastly, Mayor Pro Tem Christensen announced that BFT has hired a new general manager.

Mayor

Mayor Alvarez announced that he participated in the interview process to fill vacant positions on the Arts Commission, and complimented the quality candidates who applied to volunteer for the City in that capacity.

Executive Session

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

COUNCIL ENTERED INTO EXECUTIVE SESSION AT 6:44 P.M.

Individuals present during the executive session included Mayor Alvarez, Mayor Pro Tem Christensen, and Councilmembers Jones, Kent, Lukson, Richardson and VanDyke. City Manager Amundson, Assistant City Manager Florence, City Attorney Kintzley and Development Services Director Jensen were also present.

MAYOR ALVAREZ EXTENDED THE EXECUTIVE SESSION FOR AN ADDITIONAL 15 MINUTES at 7:15 PM.

COUNCIL EXITED EXECUTIVE SESSION AT 7:31 P.M.

Adjournment

Mayor Alvarez adjourned the meeting at 7:31 p.m.

APPROVED:

ATTEST:

Michael Alvarez, Mayor

Jennifer Rogers, City Clerk

DATE APPROVED:

DATE PUBLISHED:



MINUTES

RICHLAND CITY COUNCIL WORKSHOP MEETING

Tuesday, July 26, 2022
Richland City Hall ~ 625 Swift Boulevard

City Council Workshop - 6:00 p.m.

Mayor Alvarez called the Council workshop to order at 6:00 p.m.

Attendance: Mayor Alvarez, Mayor Pro Tem Christensen and Councilmembers Jones, Richardson and VanDyke were present. Councilmembers Kent and Lukson were absent.

Also present were City Manager Amundson, Deputy City Manager Schiessl, Assistant City Manager Florence, Chief of Police Clary, Fire Chief Huntington, Finance Director Allen, Energy Services Director Whitney, Economic Development Manager Wallner and City Clerk Rogers.

Agenda Items

1. Council Assignments for Position No. 5

City Manager Amundson stated that former councilmember Lemley's resignation from City Council on June 1, 2022 created council liaison/representative vacancies on the following boards, commissions, and committees (BCC): Utility Advisory Committee, Visit Tri-Cities and Hanford Area Economic Investment Fund Advisory Committee (HAEIFAC). City Manager Amundson facilitated a discussion with Council regarding the transfer of former Councilmember Lemley's BCC's assignments to newly appointed Councilmember VanDyke.

City Manager Amundson reminded Council that members of HAEIFAC are appointed by the Washington State Department of Commerce instead of Richland City Council.

Council engaged in a brief discussion and reached general consensus regarding Councilmember VanDyke's council assignments.

2. Electrical Distribution Line Extension Recommended Changes

Energy Services Director Whitney provided an overview of the proposed changes to Richland Municipal Code (RMC) Title 14. To name a few, proposed modifications included:

- Requirement for developers to pay for all electrical distribution infrastructure, including distribution transformers and switchgear
- Miscellaneous changes to Title 14
- Elimination of the subtraction of City provided capitalized equipment (COR owned

material, equipment and overhead).

Examples of line extension estimates were provided for Council review. The Title 14 revisions were reviewed and endorsed by the Utility Advisory Committee on May 10, 2022. Details of the proposed electrical distribution line extension amendments are included in the agenda packet.

Council engaged in a question and answer session with Mr. Whitney throughout the presentation.

3. Medical Utility Strategic Plan Review and 2023 Rate Setting Discussion

Presenting conjointly, Fire Chief Huntington, Fire Battalion Chief VanBeek and Finance Director Allen, provided a detailed outline of the 2022-2024 Medical Utility Strategic Plan and the 2023 rate and fee setting recommendations to support the addition of Station 76 in Badger Mountain South.

Detailed information regarding the 2022-2024 Medical and Ambulance Service Utility Strategic Plan is included in the agenda packet. Council and staff discussion ensued during the presentation. An ordinance capturing staff's recommendations to increase transport fees will be presented for Council consideration at a future regular meeting. Further discussion regarding rate equity ensued.

4. Claybell Park and Broadmoor Street Issue

Public Works Director Rogalsky stated that a multi-department team attended a community meeting on Monday, June 27, 2022 near Claybell Park to receive concerns and recommendations from citizens who reside in the vicinity, related to driver, pedestrian and parking safety at or near Claybell Park and Broadmoor Street.

Staff reviewed elements of Resolution No. 28-11, establishing criteria to be used in reviewing neighborhood speed and traffic calming requests then presented traffic calming solution recommendations. At the conclusion of the presentation, staff solicited Council direction on next steps.

A question and answer session between Council and staff ensued throughout the presentation. The PowerPoint Presentation developed for this topic is included in the agenda packet.

5. Horn Rapids Industrial Park Overview, Strategies and Project Proposal

Economic Development Manager Wallner provided an overview of Horn Rapids Industrial Park and Business Center properties, total property valuation and development. Staff then provided a brief overview of the Horn Rapids Master Plan and project proposals. Staff responded to a series of inquiries from Council throughout the presentation.

City Manager Amundson shared that he has been communicating with Port of Benton Executive Director, Diahann Howard for a possible joint tour of economic development projects in north Richland for Richland City Councilmembers and Port of Benton Commission members sometime in the fall.

Additional Closing Comments

Mayor Alvarez provided comments in response to Councilmember Jones' inquiry to revisit current council assignments.

Adjournment

Mayor Alvarez adjourned the meeting at 7:31 p.m.

APPROVED:

Michael Alvarez, Mayor

ATTEST:

Jennifer Rogers, City Clerk

DATE APPROVED:

DATE PUBLISHED:



COUNCIL AGENDA ITEM COVERSHEET

Council Date: 8/1/2022

Agenda Category: Ordinances - First Reading

Core Focus Area 3 - Increase Economic Vitality

Subject:

Ordinance No. 2022-19, Amending Richland Municipal Code Title 23: Zoning Regulations related to Emergency Shelters and Transitional Housing

Department/Office
Development Services

Ordinance/Resolution Number:
2022-19

Document Type:
Ordinance

Recommended Motion:

Give first reading, by title only, to Ordinance No. 2022-19, amending Title 23 of the Richland Municipal Code related to emergency shelters and transitional housing as required by E2SHB 1220.

Summary:

The City of Richland planning staff is proposing text amendments to Title 23 in order to satisfy the requirements of Engrossed Second Substitute House Bill (E2SHB) 1220 which went into effect on July 25, 2021.

The proposed text amendments would add indoor emergency housing, indoor emergency shelters, permanent supportive housing, and transitional housing to RMC 23.14.030, 23.18.030, 23.22.030, 23.26.030 and 23.28.030 as required, and will add definitions for emergency housing, indoor emergency shelters, permanent supportive housing, and transitional housing to Chapter 23.06 RMC, Definitions.

Staff recommends approval of Ordinance No. 2022-19 for first reading, by title only.

Fiscal Impact: None.

Attachments:

1. Ordinance No. 2022-19
2. Staff Report - CA2021-110

WHEN RECORDED RETURN TO:

Richland City Clerk's Office
625 Swift Boulevard, MS-05
Richland, WA 99352

ORDINANCE NO. 2022-19

**AN ORDINANCE OF THE CITY OF RICHLAND, WASHINGTON,
AMENDING RICHLAND MUNICIPAL CODE TITLE 23: ZONING
REGULATIONS RELATED TO EMERGENCY SHELTERS AND
HOUSING.**

WHEREAS, in May 2021, the Washington State Legislature passed Engrossed Second Substitute House Bill 1220, meant to encourage cities to take active steps to accommodate transitional housing, emergency shelters, and similar homelessness-related facilities through local planning and changes to local development regulations; and

WHEREAS, to comply with the mandates of E2SHB 1220, Richland City Council desires to amend certain sections of the City's zoning code under Title 23 RMC regulating local planning and development consistent with Chapter 35.21 RCW; and

WHEREAS, on April 21, 2022, pursuant to RCW 36.70A.106, City staff properly and timely transmitted a copy of the proposed code amendments to the Washington State Department of Commerce for review and comment, and three (3) comments have been received to date; and

WHEREAS, on May 19, 2022, a SEPA threshold Determination of Non-significance was issued for the proposed amendments. No appeal was filed, and three (3) comments were received; and

WHEREAS, on May 25, 2022, the Richland Planning Commission held a public hearing on the proposed amendments and voted to recommend approval of the amendments; and

WHEREAS, Richland City Council recognizes that, in the interest of public health and safety, it is necessary to create standards that will regulate the siting and safe operation of transitional

housing and permanent supportive housing facilities within the City of Richland consistent with Chapter 35.21 RCW.

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

Section 1. Richland Municipal Code Chapter 23.06, Definitions, as first enacted by Ordinance No. 28-05, and last amended by Ordinance No. 08-20, is hereby amended as follows:

CHAPTER 23.06 DEFINITIONS

Sections:

- 23.06.010 Definitions – Introductory.**
- 23.06.020 Accessory apartment unit.**
- 23.06.025 Accessory dwelling unit.**
- 23.06.027 Adult family home.**
- 23.06.030 Adult use establishment.**
- 23.06.035 Agriculture.**
- 23.06.040 Airport commercial.**
- 23.06.045 Airport industrial.**
- 23.06.050 Alley.**
- 23.06.053 Amendment.**
- 23.06.055 Animal shelter.**
- 23.06.065 Apparel and accessory stores.**
- 23.06.070 Apartment.**
- 23.06.071 Apartment, studio.**
- 23.06.075 Arcade.**
- 23.06.080 *Repealed.***
- 23.06.085 Art galleries.**
- 23.06.090 Assisted living facility.**
- 23.06.095 Auto parts sales.**
- 23.06.100 Automobile repair.**
- 23.06.105 Automobile service station.**
- 23.06.110 Automobile wrecking.**
- 23.06.115 *Repealed.***
- 23.06.117 Basement.**
- 23.06.120 Bed and breakfast.**
- 23.06.125 Block front.**
- 23.06.130 Book, stationery and art supply store.**
- 23.06.135 Building.**
- 23.06.140 Building, accessory.**
- 23.06.145 Building, main.**
- 23.06.150 Building, hardware and garden supply store.**
- 23.06.155 Bus station.**
- 23.06.160 Bus terminal.**
- 23.06.165 Bus transfer station.**
- 23.06.170 Cafeteria.**

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23.06.180 Carport.
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23.06.360 Financial institution.
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- 23.06.940 Vehicle leasing and rentals.**
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- 23.06.965 Wholesale use.**
- 23.06.970 Wineries – Production.**
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- 23.06.975 Yard.**
- 23.06.980 Yard, front.**
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23.06.010 Definitions – Introductory.

For the purpose of this title, certain terms and words are defined in this chapter. When not inconsistent with the context, words used in the present tense shall include the future; the singular number shall include the plural, and the plural, the singular; the word “shall” is always mandatory and the word “may” denotes a use of discretion in making a decision. The words “used” or “occupied,” unless the context otherwise requires, shall be considered as though followed by the words “or intended, arranged or designed to be used or occupied.”

23.06.020 Accessory apartment unit.

An “accessory apartment unit” is located within or adjacent to a detached one-family dwelling, located on the same lot and is a habitable living unit that provides the basic requirements of shelter, heating, cooking, and sanitation subject to the provisions of RMC 23.42.020.

23.06.025 Accessory dwelling unit.

“Accessory dwelling unit” means a dwelling unit located within a building that contains a nonresidential main or primary use. Occupancy of accessory dwelling units is reserved for the manager or owner of the main or primary use of the building.

23.06.027 Adult family home.

“Adult family home” means a facility licensed pursuant to Chapter 70.128 RCW, or the regular family dwelling of a person or persons who are providing personal care, special care, and/or room and board to more than one but not more than six adults who are not related by blood or marriage to the person or persons providing the services.

23.06.030 Adult use establishment.

“Adult use establishment” means any adult motion picture theater, adult panoram establishment, adult retail establishment or live adult entertainment establishment, as defined herein, or any establishment which provides one or more of the activities listed herein.

A. “Adult motion picture theater” means any commercial establishment where films, motion pictures, video cassettes, computer images or other similar photographic reproductions depict specified sexual activities or specified anatomical areas to patrons for a payment of a fee, membership fee, or other charge.

B. Adult Panoram Establishment. “Adult panoram” means a commercial establishment where one or more motion picture projectors, slide projectors, computers or similar devices are used to show films, video cassettes, slides, or other forms of photographic reproductions depicting specified sexual activities or specified anatomical areas to patrons for a payment of a fee, membership fee, or other charge.

C. “Live adult entertainment establishment” means any commercial establishment featuring go-go dancers, exotic dancers, strippers, male or female impersonators, or similar entertainers that emphasize specified anatomical areas and/or whose performances or other activities include or mimic specified sexual activities.

D. “Adult retail establishment” means any retail establishment which, for money or any other form of consideration, either:

1. Has as one of its principal purposes to sell, exchange, rent, loan, trade, transfer, and/or provide for viewing, off the premises, any adult-oriented merchandise, as defined in RMC 5.21.010; or
2. Provides, as its substantial stock-in-trade, for the sale, exchange, rental, loan, trade, transfer and/or viewing or use, off of the premises, any adult-oriented merchandise as defined in RMC 5.21.010.

23.06.035 Agriculture.

“Agriculture” means the tilling of the soil, the raising of crops, horticulture, floriculture, viticulture, apiculture, small livestock farming, dairying, livestock or animal husbandry, and sod farming, including all uses incidental thereto, including the sale of the agricultural products grown or raised upon the site. “Agriculture” excludes the following activities: hog farm, livestock feed lot, poultry farm, slaughterhouse, fertilizer works, bone yard, plant for the reduction or processing of animal matter, or similar manufacturing, processing, warehousing, storage, and related industrial and commercial activities whether or not dependent upon or closely allied to the agriculture industry.

23.06.040 Airport commercial.

“Airport commercial” means the retail sale of aviation-related products and services including aircraft service and rental, air passenger services, and air terminal activities including passenger ticketing, baggage, taxi service, car rental, restaurants, hotels and gift shops.

23.06.045 Airport industrial.

“Airport industrial” means research, design, fabrication and assembly of aircraft, aircraft parts, airfreight terminals and aviation-related products. This use also includes storage and wholesale trade of aviation-related products and air cargo operations and associated storage and processing.

23.06.050 Alley.

“Alley” means a passage or way open to public travel, affording generally a secondary means of vehicular access to abutting lots, but not intended for the general traffic circulation and including vehicular ways satisfying this definition but designated by some other name.

23.06.053 Amendment.

“Amendment” means a change to the text of the city’s zoning regulations.

23.06.055 Animal shelter.

“Animal shelter” means a service use maintained and operated primarily for the impounding, holding and/or disposal of lost, stray, unwanted, or injured animals.

23.06.065 Apparel and accessory stores.

“Apparel and accessory stores” means stores primarily engaged in selling new clothing, shoes, jewelry, and related articles for personal wear and adornment and stores that rent clothing such as costumes or formal wear.

23.06.070 Apartment.

“Apartment” means a room or suite of two or more rooms, which is designed for, intended for, or occupied by one family, with facilities for cooking therein.

23.06.071 Apartment, studio.

“Apartment, studio” means a self-contained, small apartment which combines living room, kitchenette and bedroom into a single room.

23.06.075 Arcade.

“Arcade” means a commercial establishment containing six or more video, pinball, pool tables or other games, or a business with more than one game per 500 square feet of gross floor area.

23.06.080 Area of special flood hazard. *Repealed by Ord. 59-19.***23.06.085 Art galleries.**

“Art galleries” means establishments or other private or public places intended primarily for art exhibitions where people may view and/or purchase paintings, sculptures, or other works.

23.06.090 Assisted living facility.

“Assisted living facility” means an establishment which provides living quarters and a variety of limited personal care and supportive health care to individuals who are unable to live independently due to infirmity of age, physical or mental handicap, but who do not need the skilled nursing care of a convalescent or nursing home. These facilities may consist of individual dwelling units of a barrier-free design, with separate bathroom facilities, a full kitchen or no kitchen. The facility may provide a minimal amount of supportive health care monitoring, such as assistance with medication, but is limited to health care services which do not require state or federal licensing. In addition, these facilities may have a communal dining area, recreation facilities (library, lounge, game room), laundry facilities and open space.

23.06.095 Auto parts sales.

“Auto parts sales” means a commercial establishment primarily engaged in the retail sale of new auto parts, automobile accessories and tools, where no automobile maintenance or repair services are provided.

23.06.100 Automobile repair.

“Automobile repair” means an establishment which provides major automobile repair, minor automobile repair or an automobile repair specialty shop as defined herein.

A. “Major automobile repair” means general repair, engine rebuilding, rebuilding or reconditioning of motor vehicles or trailers; collision service, including body, frame or fender straightening or repair; overall painting or paint shop or other major repair or maintenance, including operations which may require open flame or welding.

B. “Minor automobile repair” means minor repairs, replacement of minor parts to passenger automobiles and trucks not exceeding one and one-half tons capacity, including any auto lubrication services and engine tune-up services but specifically excluding operations specified under “automobile repair, major” and “automobile repair, specialty shop.”

C. “Automobile repair specialty shop” means a retail and service place of business engaged primarily in light repair and sale of goods and services for automotive vehicles including brakes, muffler and tire shops, and their accessory uses. Major automobile repair is excluded from this definition.

23.06.105 Automobile service station.

“Automobile service station” means a retail place of business for the servicing or fueling of motor vehicles, including tube and tire repairs, battery charging, storage of merchandise and supplies related to the servicing of motor vehicles, sale of gasoline and other fuel and lubricants, and minor motor vehicle repairs. Such use excludes items constituting “major automobile repair.”

23.06.110 Automobile wrecking.

“Automobile wrecking” means the dismantling or wrecking of used motor vehicles or trailers, or the storage, sale or dumping of dismantled, partially dismantled, obsolete or wrecked vehicles or their parts.

23.06.115 Base flood. *Repealed by Ord. 59-19.***23.06.117 Basement.**

“Basement” means any area of a building having its floor subgrade (below ground level) on all sides.

23.06.120 Bed and breakfast.

“Bed and breakfast” means a one-family detached dwelling unit occupied by a resident owner/manager within which up to four rental bedrooms are made available for overnight accommodation.

23.06.125 Block front.

“Block front” means that property abutting on one side of a street and lying between the two nearest intersecting or intercepting streets or nearest intersecting or intercepting streets and railroad right-of-way, waterway, or subdivided acreage.

23.06.130 Book, stationery and art supply store.

“Book, stationery and art supply store” means an establishment engaged in the retail sale of books and magazines, stationery, CDs, record and tapes, video and art supplies.

23.06.135 Building.

“Building” means any structure having a roof supported by columns or by walls and intended for the shelter, housing, or enclosure of any person, animal, or chattel. When any portion thereof is completely separated from every other portion thereof by a masonry division or fire wall without any window, door or other opening therein, which wall extends from the ground to the upper surface of the roof at every point, then each such portion shall be deemed to be a separate building.

23.06.140 Building, accessory.

“Building, accessory” means a detached subordinate building, the use of which is necessary and incidental to that of a main building on the same lot, and which does not change or alter the character of the premises.

23.06.145 Building, main.

“Building, main” means a building in which is conducted the principal use of the lot on which it is situated. In any residential district, any dwelling shall be deemed to be a main building on the lot on which the same is situated.

23.06.150 Building, hardware and garden supply store.

“Building, hardware and garden supply store” means an establishment engaged in selling lumber and other building materials such as paint, glass, wallpaper, tools, seeds, and fertilizer.

23.06.155 Bus station.

“Bus station” means an establishment for the storage, dispatch, repair and maintenance of coaches and other vehicles of a public transit system.

23.06.160 Bus terminal.

“Bus terminal” means an establishment that sells tickets, provides scheduling information and serves as a point of arrival and departure for an inter-city bus line.

23.06.165 Bus transfer station.

“Bus transfer station” means land in a centralized location used by a municipal bus service as a point of departure for multiple bus routes and where bus passengers transfer from one bus to another.

23.06.170 Cafeteria.

“Cafeteria” means an enclosed building or portion thereof used for the preparation, sale, and consumption of food and beverages. Typically, food services offered in a cafeteria are provided as an accessory use to employees or other groups of people and are not generally offered to the general public.

23.06.175 Car wash.

“Car wash” means a facility designed for the cleaning of automobiles, of which there are two types:

A. “Car wash, automatic” means a tunnel-like structure through which cars are pulled or driven and in which high-pressure sprays and brushes clean, dry and may wax vehicles.

B. “Car wash, self-service” means a coin-actuated, self-service washing system enclosed in a walled bay, open front and rear, of not less than eight feet in height. The pumps, water heaters and like equipment are completely housed. Additional facilities may include drying material dispensers and vacuum cleaners.

23.06.180 Carport.

“Carport” means a covered space for the housing primarily of motor vehicles and enclosed on no more than two sides by walls, screens, cabinets, or other type of enclosures.

23.06.185 Cemetery.

“Cemetery” means land used or intended to be used for the burial of the dead and dedicated for cemetery purposes including columbariums, crematoriums, mausoleums, and funeral establishments, when operated in conjunction with and within the boundary of such cemetery.

23.06.190 Church.

“Church” means a structure, group of structures, or portion thereof which is utilized for the purpose of conducting religious worship, services or ceremonies. A church may contain facilities such as a sanctuary or chapel, assembly rooms, offices, kitchen, parsonage, or multi-purpose facilities. Graded educational facilities, dwelling units except parsonages, day care facilities, and facilities for the training of religious orders shall not be considered incidental to church usage, but may be allowed subject to other provisions of this title.

23.06.195 City officials and agencies.

The word “city” means the city of Richland in Benton County, Washington; the term “city council” means the city council of said city; the terms “planning commission” or “physical planning commission” or “commission” mean the planning commission of the city; the term “board” or “board of adjustment” means the board of adjustment of the city; the term “administrative official” or “city planner” means such person as the city manager shall designate to administer and enforce this title.

23.06.200 Cinema.

“Cinema” means a motion picture theater.

23.06.205 Clinic.

“Clinic” means a building or portion of a building containing offices for providing medical, dental, psychiatric or chiropractic services for outpatients only.

23.06.207 Clinic, school-based.

“Clinic, school-based” means a building or portion of a building, co-located on a school campus, containing offices for providing limited outpatient medical services to children and their families within the respective school district, as well as to district staff and faculty. Such facilities are operated by independent healthcare organizations.

23.06.210 Club or fraternal societies.

“Club” or “fraternal societies” means an association of persons (whether or not incorporated) organized for some common nonprofit purpose, but not including a group organized primarily to render a service customarily carried on as a business.

23.06.215 Commercial recreation.

“Commercial recreation” means establishments engaged in providing amusement or entertainment for a fee or admission charge. There are two categories of commercial recreation:

A. Indoor Commercial Recreation. Including but not limited to such activities as dance halls, bowling alleys, billiard and pool establishments, skating rinks, indoor batting cages and miniature golf.

B. Outdoor Commercial Recreation. Including but not limited to such activities as outdoor batting cages, arenas, golf courses, putting courses, outdoor miniature golf, amusement parks, riding academies, carnival operations, expositions, and marinas.

23.06.217 Concessionaire.

“Concessionaire,” for the purposes of this title, means and includes any person, firm, or corporation involved in any activity involving the sale of any goods or services, whether conducted for profit or not, on any property located within the PPF – parks and public facilities district. Any concession activity shall be clearly incidental to and supportive of an established primary permitted use in the underlying zoning district.

23.06.220 Convention center.

“Convention center” means a building or area designated to accommodate large groups of people usually for social occasions, or the exchange of information related to professional or commercial activity. Such a facility typically contains various large assembly halls, conference rooms, and food service facilities.

23.06.225 Contractors’ offices and shops.

“Contractors’ offices and shops” means a combination of uses in a single building or lot that includes the assembly, storage and/or manufacture of products typically used in building construction such as cabinetry, heating/cooling systems, plumbing and mechanical systems together with administrative offices.

23.06.230 Contractors’ yards.

“Contractors’ yards” means the portion of a lot outside of a contractor’s office and shop that is used for the outdoor storage of vehicles, equipment and supplies.

23.06.235 Court.

“Court” means an open, unoccupied space, other than a yard, on the same lot with a building or group of buildings, which is bounded on two or more sides by such building or buildings.

23.06.240 Cultural institution.

“Cultural institution” means establishments such as museums, art galleries, and botanical and

zoological gardens of historic, educational or cultural interests which are not operated for profit.

23.06.245 Day care center.

“Day care center” means a licensed facility, other than a family day care home, providing regularly scheduled care for a group of children for periods less than 24 hours.

23.06.250 Delicatessen.

“Delicatessen” means retail food stores selling ready-to-eat food products such as cooked meats, prepared salads or seafood, health food or other specialty food items.

23.06.255 Department store.

“Department store” means a large retail store arranged into departments for the sale of a variety of consumer goods.

23.06.260 Dependent recreational vehicle.

“Dependent recreational vehicle” means a recreational vehicle which does not contain water or sewage disposal facilities.

23.06.265 Designated manufactured home.

“Designated manufactured home” means a manufactured home which:

A. Is comprised of at least two fully enclosed parallel sections each not less than 12 feet wide by 36 feet long;

B. Was originally constructed with and now has a composition or wood shake or shingle, coated metal, or similar roof of not less than 3:12 pitch; and

C. Has exterior siding similar in appearance to siding materials commonly used on conventional site-built International Building Code single-family residences.

23.06.270 Development.

“Development” means any manmade change to improved or unimproved real estate, including but not limited to buildings or other structures, mining, dredging, filling, grading, paving, excavation or drilling operations or storage of equipment or materials, but not including any open wire fences in any F district.

23.06.275 District.

“District” means a portion of the city within which certain uses of land and buildings are permitted, and certain other uses of land and buildings are prohibited, or within which certain yards and other open spaces are required, or within which certain lot areas are established, or within which certain height limits are required for buildings, or within which a combination of such aforesaid regulations are applied, all as set forth and specified in this title, or any of the districts with which any combining regulations are combined.

23.06.280 Dormitories, fraternities and sororities.

“Dormitories,” “fraternities” and “sororities” mean a building occupied by and maintained

exclusively for students affiliated with an academic or professional college or university, or other recognized institution of higher learning.

23.06.285 Drinking establishment.

“Drinking establishment” means a business primarily engaged in the retail sale of alcoholic beverages for consumption on the premises, including nightclubs, bars, cocktail lounges, and taverns.

23.06.290 Drive-through.

“Drive-through” means a facility which, by its design, allows people to receive goods and/or services while remaining in their automobiles.

23.06.295 Drug store/pharmacy.

“Drug store/pharmacy” means an establishment engaged in the retail sale of prescription drugs, nonprescription medicines, cosmetics, vitamins, first-aid supplies, and other health-related products.

23.06.300 Dwelling, one-family attached.

“Dwelling, one-family attached” means a building designed for or containing one dwelling unit, which is attached on one or both sides with a common wall/zero lot line wall to one or more buildings of the same type.

23.06.305 Dwelling, one-family detached.

“Dwelling, one-family detached” means a detached building designed for or containing one dwelling unit, which may include an accessory apartment subject to the provisions of the zoning districts and RMC 23.42.020.

23.06.310 Dwelling, two-family detached.

“Dwelling, two-family detached” means a detached building designed for or containing two independent dwelling units.

23.06.315 Dwelling, multiple-family.

“Dwelling, multiple-family” means a building or portion thereof designed for or containing three or more independent dwelling units.

23.06.320 Dwelling unit.

“Dwelling unit” means a building or portion thereof providing complete housekeeping facilities for one family, which may include an accessory apartment unit subject to the provisions of the zoning districts and RMC 23.42.020.

23.06.325 Electronic equipment stores.

“Electronic equipment stores” means establishments engaged in the retail sale of a variety of electronic equipment including computers, televisions, stereos, and cameras.

23.06.327 Emergency housing.

“Emergency housing” means temporary indoor accommodations for individuals or families who

are experiencing homelessness or at imminent risk of becoming homeless that is intended to address the basic health, food, clothing, and personal hygiene needs of individuals or families. Emergency housing may or may not require occupants to enter into a lease or an occupancy agreement.

23.06.329 Emergency shelter.

“Emergency shelter” means a facility that provides a temporary shelter for individuals or families who are currently experiencing homelessness. Emergency shelter may not require occupants to enter into a lease or an occupancy agreement. Emergency shelter facilities may include day and warming centers that do not provide overnight accommodations.

23.06.330 Essential public facilities.

“Essential public facilities” means a facility, conveyance or site whose services are provided by a governmental agency, a private or nonprofit organization under contract to or with substantial funding from government agencies, or a private organization subject to public service obligations, which is necessary to adequately provide a public service and which is typically hard to site.

23.06.335 Equipment rental.

“Equipment rental” means the use of a building or land for the purpose of providing tools, implements, or other articles to individuals or businesses on a temporary basis for a specified fee. This use does not include the rental of automobiles or trucks.

23.06.340 Family.

“Family” means one or more persons occupying a premises and living as a single, nonprofit housekeeping unit, as distinguished from a group occupying a hotel, club, boardinghouse or rooming house, fraternity or sorority house.

23.06.345 Family day care home.

“Family day care home” means a licensed facility in the licensee’s home providing regularly scheduled care for 12 or fewer children for periods less than 24 hours.

23.06.350 Farming of land.

“Farming of land” means the growing of seasonal crops and/or the tilling of soil. For purposes of this definition, the farming of land is typically an interim or temporary land use and would not typically include agricultural activities that are of a long-term nature, such as the planting of orchards or vineyards or the raising of livestock.

23.06.355 Fence.

“Fence” means an upright structure serving as an enclosure, barrier or boundary usually made of posts, boards, wire, iron, steel, or masonry.

23.06.360 Financial institution.

“Financial institution” means a business or institution engaged in monetary transactions such as banks, lending, savings and loan institutions and credit unions but excluding pay day loan businesses.

23.06.365 Flood or flooding – Flood Insurance Rate Map (FIRM) – Flood Insurance Study.
Repealed by Ord. 59-19.

23.06.370 Florist.

“Florist” means an establishment engaged in the retail sale of flowers and plants.

23.06.375 Food stores.

“Food stores” means stores primarily engaged in selling food and beverages for home preparation and consumption. It includes grocery stores; mini-market or convenience store uses; meat and fish markets, including freezer provisioners; fruit and vegetable markets; candy, nut, and confectionery stores; dairy products stores; retail bakeries; wine and beer shops; liquor stores; and miscellaneous stores specializing in items such as spices, coffee, or health foods. As an accessory use, a food store may also sell prepared foods for on-site or off-site consumption.

23.06.380 Food wagon.

“Food wagon” means a vehicle that is used for retail food sales that is capable of operating from a variety of sites, rather than from a fixed location.

23.06.385 Fuel station/mini-mart.

“Fuel station/mini-mart” means establishments engaged primarily in the sale of automobile gasoline or other auto fuel to the general public. Such uses may include mini-market or convenience store uses involving the sale of snack food and beverage items.

23.06.390 Funeral establishment.

A “funeral establishment” is a place of business devoted exclusively to such activities as are related to the preparation and arrangements for the funeral, transportation, burial, or other disposition of dead bodies, and including but not limited to: (A) a chapel in which memorial, funeral, or religious services may be conducted; and (B) a preparation room equipped for the preparation and embalming of dead bodies for burial or transportation.

23.06.395 Furniture, home furnishings, and appliance stores.

“Furniture, home furnishings, and appliance stores” means businesses primarily engaged in the retail sale of goods used for furnishing the home, such as furniture, floor coverings, draperies, lighting fixtures, woodstoves, domestic cook stoves, refrigerators, and other household electrical and gas appliances. This category also includes rental of furniture, appliances, and the like.

23.06.400 General service businesses.

“General service businesses” means establishments which provide services involving the maintenance, repair or improvement of personal and household goods including computer and consumer electronics repair and service, custom framing shops, jewelry repair, locksmiths, shoe repair, tailors, upholstery shops, and similar uses.

23.06.405 Grade plane.

“Grade plane” means a reference plane representing the average of finished ground level adjoining the building at exterior walls. Where the finished ground level slopes away from the exterior walls, the reference plane shall be established by the lowest points within the area between the building

and the lot line or, where the lot line is more than six feet from the building, between the building and a point six feet from the building.

23.06.410 Gross floor area.

“Gross floor area” means the sum of the areas of all floors included within the surrounding walls of a building, or portion thereof, exclusive of vents, shafts, and courts.

23.06.415 Guest room.

“Guest room” means a room which is intended, arranged, or designed to be occupied or which is occupied by one or more guests, but in which no provision is made for cooking, and not including dormitories for sleeping purposes.

23.06.420 Habitable floor.

“Habitable floor” means any floor usable for living purposes, which includes working, sleeping, eating, cooking or recreation, or a combination thereof, except for a floor used only for storage purposes.

23.06.425 Hazardous waste.

“Hazardous waste” means all dangerous and extremely hazardous waste as defined by RCW 70.105.010.

23.06.430 Hazardous waste storage.

“Hazardous waste storage” means the holding of dangerous waste for a temporary period as regulated by the Washington State Dangerous Waste Regulations, Chapter 173-30 WAC.

23.06.435 Hazardous waste treatment.

“Hazardous waste treatment” means the physical, chemical, or biological processing of dangerous waste to make wastes nondangerous or less dangerous, safer for transport, amenable for storage, or reduced in volume.

23.06.440 Hazardous waste treatment and storage facilities, off site.

“Hazardous waste treatment and storage facilities, off site” means treatment and storage facilities that treat or store waste generated on properties other than those on which the off-site facilities are located.

23.06.445 Hazardous waste treatment and storage facilities, on site.

“Hazardous waste treatment and storage facilities, on site” means treatment and storage facilities that treat and store wastes generated on the same, geographically contiguous, or bordering property.

23.06.450 Hedge.

“Hedge” means a row of closely planted shrubs, bushes, or low growing trees forming a barrier, enclosure, or boundary.

23.06.455 Height of building.

“Height of building” means the vertical distance from grade plane to the average height of the

highest roof surface. (See RMC 23.06.405 for definition of “grade plane.”)

23.06.460 Hog farm.

“Hog farm” means a lot, structure or building used for the raising or keeping of six or more hogs or swine.

23.06.465 Home occupations.

“Home occupations” means an occupation or business activity conducted within a dwelling unit by a member or members of the family who occupy the dwelling, where the occupation or business activity is clearly incidental and secondary to the use of the dwelling for living purposes and the residential character of the dwelling is maintained.

23.06.470 Health/fitness center.

“Health/fitness center” means a building, group of buildings or combination of buildings and outdoor uses which together are used for sports, health and recreational uses whether on a membership basis or for the general public. Such facilities include, but are not limited to, gymnasiums, weight-reducing centers, dance studios, tennis, handball or racquetball courts, indoor or outdoor swimming pools and spas, weight training, exercise classes, and running tracks.

23.06.475 Health/fitness facility.

“Health/fitness facility” means health clubs, aerobics centers, athletic clubs and gymnasiums, handball and racquetball clubs, weight-reducing centers, dance studios, and other businesses primarily engaged in indoor health and recreation activities, whether on a membership basis or for the general public. Health/fitness facilities are conducted in buildings no larger than 5,000 square feet in area.

23.06.477 Health spa.

“Health spa” means a commercial facility providing body treatments, massage, gyms, spas, health and wellness activities and similar services.

~~23.06.480 Homeless shelter.~~

~~“Homeless shelter” means a facility designed to provide overnight accommodations and/or meals to homeless persons.~~

23.06.485 Hospital.

“Hospital” means a licensed institution designed within an integrated campus setting for the diagnosis, care, and treatment of human illness, both mental and physical.

23.06.490 Hospital or clinic for large animals.

“Hospital or clinic for large animals” means a medical facility or institution providing in-patient and outpatient veterinary service consisting of the prevention, cure, or alleviation of disease and injury to large animals or livestock.

23.06.495 Hospital or clinic for small animals.

“Hospital or clinic for small animals” means a medical facility or institution providing inpatient and outpatient veterinary service consisting of the prevention, cure, or alleviation of disease and

injury to dogs, birds, cats, and similar small animals.

23.06.500 Hot tub.

“Hot tub” means a nonpermanent structure intended for recreational bathing, in which all controls, water heating, and water circulating equipment are an integral part of the product.

23.06.505 Hotel.

“Hotel” means any building or portion thereof containing six or more guest rooms, which is used, designed, or intended to be used, let, or hired out to be occupied, or which is occupied by six or more individuals for compensation, whether the compensation be paid directly or indirectly.

23.06.510 House-banked card room.

“House-banked card room” as used in this title means an establishment licensed by the Washington State Gambling Commission (the “Commission”) to offer “house-banked card games” as described in WAC 230-40-010 and subject to regulation by the Commission under RCW 9.46.070 and Chapter 230-40 WAC.

23.06.515 Junkyard.

“Junkyard” means the use of more than 100 square feet of the area of any lot, or the use of any portion of that half of any lot (but not exceeding a depth or width, as the case may be, of 100 feet) which adjoins any street, for the storage, keeping or abandonment of junk, including scrap metals or other scrap material, or the use of any area for an automobile wrecking yard; provided, however, that this definition shall not be deemed to include uses conducted entirely within an enclosed building or lots for the outdoor display and sale of used automobiles in operable condition.

23.06.520 Kennel, commercial.

“Kennel, commercial” means any lot, premises, building, or structure where six or more dogs, cats, and/or household pets over six months of age are kept.

23.06.525 Landscaping.

“Landscaping” shall consist of any of the following or combination thereof: material such as, but not limited to, grass, ground covers, shrubs, vines, hedges, and trees; and nonliving durable material commonly used in landscaping such as, but not limited to, rocks, pebbles, bark, sand, walls, or fences, but excluding paving and artificial plants.

23.06.530 Landscaping material sales.

“Landscaping material sales” means establishments engaged in the retail sale of materials commonly used in landscaping such as trees, shrubs, bark, gravel, patio bricks, concrete blocks, pond liners, and similar materials.

23.06.535 Large livestock farming.

“Large livestock farming” means the keeping of domesticated animals such as horses, ponies, burros, dairy and beef cattle, sheep, goats, swine, and similar animals which are kept for personal or agricultural use, or raised for sale and profit.

23.06.540 Lattice tower.

“Lattice tower” is a wireless communications support structure, which consists of metal crossed strips or bars to support antennas and related equipment.

23.06.545 Laundry, self-service.

“Laundry, self-service” means a business providing home-type washing, drying and/or ironing facilities where customers primarily complete the laundering of their own clothes.

23.06.550 Laundry/dry cleaning, retail.

“Laundry/dry cleaning, retail” means a business providing drop off and pick up services of laundry and dry cleaning where the actual laundry/dry cleaning activities are completed at an off-site commercial laundry/dry cleaning facility.

23.06.552 Laundry/dry cleaning, neighborhood.

“Laundry/dry cleaning, neighborhood” means a business providing drop off and pick up services of laundry and dry cleaning and where actual laundry/dry cleaning activities are completed on site in a process that primarily uses solvents or chemicals that are not regulated as hazardous by the Environmental Protection Agency. Such businesses shall operate in facilities that are 2,000 square feet in area or less.

23.06.555 Laundry/dry cleaning, commercial.

“Laundry/dry cleaning, commercial” means a business providing commercial laundry or dry cleaning services.

23.06.560 Livestock feed lot.

“Livestock feed lot” means a lot, structure or building, or confined area used intensively for raising or keeping of more than six head of beef cattle or similar livestock for the purpose of feeding, breeding, conditioning, or holding the same for marketing or slaughter in which animal waste may accumulate, but not including barns, pens or similar structures.

23.06.565 Lot.

“Lot” means land occupied or to be occupied by a principal use or building or unit group of buildings and accessory buildings, together with such open spaces as are required under the provisions of this title, having not less than the minimum area required by this title, for a lot in the district in which such lot is situated, and having its principal frontage on a street, or having a permanent means of access to a street. A lot as defined herein is not necessarily the same as a platted lot.

23.06.567 Lot area.

“Lot area” means the total horizontal area included within lot lines.

23.06.570 Lot, corner.

“Lot, corner” means a lot bounded on two or more sides by street lines; provided, that the interior angle of intersection or interception of said street lines does not exceed 135 degrees.

23.06.572 Lot, interior.

“Lot, interior” means a lot other than a corner lot.

23.06.575 Lot line, front.

“Lot line, front” means, in the case of an interior lot, a line separating the lot from the street; in the case of a corner lot, a line separating the narrowest street frontage of the lot from the street; except in those cases in a C-1 district where a lot has two or more street frontages of equal length or nearly equal length, the front lot line shall be considered to be the line adjoining the street which the comprehensive plan shows is intended to carry the heaviest traffic flow.

23.06.577 Lot line, rear.

“Lot line, rear” means the lot line which is generally opposite the front lot line. If the rear lot line is less than 10 feet in length, or if the lot comes to a point at the rear, the rear lot line shall be deemed to be a line parallel to the front lot line, not less than 10 feet long, lying wholly within the lot and farthest from the front lot line.

23.06.580 Lot line, side.

“Lot line, side” means any lot boundary line not a front lot line or a rear lot line.

23.06.582 Lot depth.

“Lot depth” means the shortest horizontal distance between the front lot line and a line drawn parallel to the front lot line through the midpoint of the rear lot line. For lots with front lines containing curves or angles, the measurement shall be taken from a line drawn parallel to a base line adjoining the front corners of the lot and lying midway between said base line and a line drawn parallel to said base line tangent to the curve or through the angle point.

23.06.584 Lot width.

“Lot width” means the distance between side lot lines measured at right angles to the lot depth at its midpoint.

23.06.586 Lowest floor. *Repealed by Ord. 59-19.*

23.06.587 Lumberyard.

“Lumberyard” means a business that sells building materials and/or lumber in large quantities, and includes a significant portion of its product storage outdoors or in warehouse portions of a building.

23.06.590 Macrofacility.

“Macrofacility” is a large wireless communication facility that provides radio frequency coverage for a cellular telephone network. Generally, macro cell antennas are mounted on ground-based towers, rooftops and other existing structures at a height that provides a clear view over the surrounding buildings and terrain. Macro cell facilities typically contain antennas that are greater than three cubic feet per antenna, and typically cover large geographic areas with relatively high capacity and may be capable of hosting multiple wireless service providers.

23.06.595 Mailing services.

“Mailing services” means a private establishment engaged in the business of renting mailboxes,

accepting packages for delivery, selling packaging materials and/or providing bulk mailing services for customers.

23.06.600 Manufactured home.

“Manufactured home” means a single-family residence constructed after June 15, 1976, and in accordance with the U.S. Department of Housing and Urban Development (HUD) requirements for manufactured housing and bearing the appropriate insignia indicating such compliance.

23.06.605 Manufactured home lot, park, and stand.

“Manufactured home lot” means a designated portion of a manufactured home park designed for the accommodation of one manufactured home and its accessory structures.

“Manufactured home park” means any site, lot, field or tract of land under the ownership or management of one person, partnership, firm or corporation which is divided into manufactured home lots for tenancy or lease, upon which two or more manufactured homes are located and occupied for dwelling purposes.

“Manufactured home stand” means that area of a manufactured home lot which has been reserved for the placement of a manufactured home.

23.06.610 Manufacturing, general.

“Manufacturing, general” means a manufacturing use, typically having the potential of creating moderate noise, smoke, dust, vibration or other environmental impacts or pollution, and including but not limited to the following:

- A. Production of items made from stone or concrete;
- B. Production of items from ferrous or nonferrous metals through use of a machine shop, welding or fabrication; or from nonferrous metals through use of a foundry; or from ferrous metals through use of a foundry heated by electricity (induction melting);
- C. Production of finished goods that typically are not for household or office use, such as barrels, ceramic molds, or cardboard cartons, from materials that are already refined, or from raw materials that do not need refining, such as paper, fabric, leather, premilled wood; or wool, clay, cork, semiprecious or precious metals or stones, fiber, or other similar materials;
- D. Production of finished goods, for household or nonhousehold use, such as toys, film, pens, or linoleum from plastic, rubber, or celluloid;
- E. Production of parts to be assembled into a finished product;
- F. Development of film on a wholesale basis;
- G. Production of items through biological processes, such as pharmaceuticals and industrial purifiers, manufactured by bioengineering techniques;

H. Production of items such as paint and coatings, dyestuffs, fertilizer, glue, cosmetics, clay, or pharmaceuticals that require the mixing or packaging of chemicals;

I. Food processing for human consumption except that involving the milling of grain or the refining of sugar.

23.06.615 Manufacturing, heavy.

“Manufacturing, heavy” means a manufacturing use, typically having the potential of creating substantial noise, smoke, dust, vibration and other environmental impacts or pollution, and including but not limited to:

A. Processing or refining of raw materials, such as but not limited to minerals, petroleum, rubber, wood or wood pulp, into other products;

B. The milling of grain or refining of sugar, except when accessory to a use defined as food processing for human consumption or as a retail sales and service use;

C. Slaughterhouses, including packing and freezing of meat products;

D. Refining, extruding, rolling, or drawing of ferrous or nonferrous metals, or the use of a noninduction foundry for ferrous metal;

E. Production of large durable goods such as motorcycles, cars, manufactured homes, airplanes, or heavy farm, industrial, or construction machinery;

F. Manufacturing of electrical components, such as semi-conductors and circuit boards, using chemical processes such as etching or metal coating;

G. Production of industrial organic and inorganic chemicals, and soaps and detergents; and

H. Conversion of solid waste into useful products or preparation of solid waste for disposal at another location by processing to change its physical form or chemical composition. This includes the off-site treatment or storage of hazardous waste as regulated by the State Department of Ecology.

23.06.617 Manufacturing, light.

“Manufacturing, light” means a manufacturing use, typically having little or no potential of creating noise, smoke, dust, vibration or other environmental impacts or pollution, and including but not limited to the following:

A. Production, assembly, finishing, and/or packaging of articles from parts made at another location, such as assembly of clocks, electrical appliances, or medical equipment;

B. Production of finished household and office goods, such as jewelry, clothing or cloth, toys, furniture, or tents, from materials that are already refined, or from raw materials that do not need refining, such as paper, fabric, leather, premilled wood; or wool, clay, cork, semi-precious or

precious metals or stones, fiber, or other similar materials;

C. Canning or bottling of food or beverages for human or animal consumption using a mechanized assembly line;

D. Printing plants with more than 5,000 square feet of gross floor area;

E. Electronic product and component manufacturing including radio, TV, computers, data systems equipment, optical, photographic, engineering and similar precision instruments and high-tech industries.

23.06.620 Manufacturing use.

“Manufacturing use” means a business establishment in which articles are produced by hand or by machinery, from raw or prepared materials, by giving to those materials new forms, qualities, properties, or combinations, in a process frequently characterized by the repetitive production of items made to the same or similar specifications.

23.06.625 Marinas.

“Marinas” means an establishment providing docking, moorage space and activities relating to the maintenance and minor repair of pleasure boats and yachts.

23.06.630 Marine equipment rentals.

“Marine equipment rentals” means a business engaged in the rental of marine equipment, such as boats or jet skis, to individuals or businesses on a temporary basis for a specified fee.

23.06.635 Marine gas sales.

“Marine gas sales” means a business typically associated with a marina that engages in retail gasoline sales for boats and other marine equipment.

23.06.640 Master plan.

“Master plan” means a detailed site plan for certain distinct areas of the city for which specific plans have been reviewed and approved by the planning commission and the city council. A master plan for a distinct area is not to be construed as a substitute for the comprehensive plan as set forth in Chapter 23.01 RMC.

23.06.645 Microbrewery.

“Microbrewery” means a small-scale beer brewing plant located within a restaurant or tavern building in which a portion of the building is used for the production of beer for wholesale distribution and for on-site retail sale to restaurant or tavern patrons.

23.06.650 Microfacility. *Repealed by Ord. 07-19.*

23.06.655 Mini-warehouse.

“Mini-warehouse” means a structure containing separate storage spaces of varying sizes that are leased or rented on an individual basis and outdoor yards for the storage of goods where storage, retrieval and transport are the responsibilities of the renter or lessee.

23.06.660 Mobile home.

“Mobile home” means a single-family residence transportable in one or more sections that are eight feet or more in width and 32 feet or more in length, built on a permanent chassis, designed to be used as a permanent dwelling and constructed before June 15, 1976.

23.06.665 Monopole.

“Monopole” means a vertical support structure consisting of a single vertical metal, concrete, or wooden pole, typically round or square and driven into the ground or attached to a foundation.

23.06.670 Motel.

“Motel” means a building or group of buildings containing guest rooms designed or used to provide transient lodging.

23.06.675 Nursing home or rest home.

“Nursing home” or “rest home” means a home for aged, chronically ill, incurable persons, or persons in need of convalescent care outside of a hospital in which two or more persons not of the immediate family are received, kept, or provided with food and shelter or care for compensation, but not including hospitals, clinics, or similar institutions devoted primarily to the diagnosis and treatment of disease or injury, maternity cases, or mental illness.

23.06.680 Nursery, plant.

“Nursery, plant” means an enterprise, establishment or portion thereof that conducts the retailing or wholesaling of plants grown on the site, as well as accessory items such as clay pots, potting soil, fertilizers, insecticides, garden implements, etc.

23.06.685 Office – Corporate.

“Office – corporate” means an establishment primarily engaged in providing internal office administration services as opposed to customer service in a single building or a campus setting; for example, the headquarters, regional offices and/or the administrative offices for a corporation. Generally, the majority of the traffic generated from corporate offices comes from employees and not the general public.

23.06.687 Office – Consulting services.

“Office – consulting services” means establishments providing a wide variety of professional services including but not limited to: accountants, engineers, geologists, architects, financial consultants, landscape architects, land planners, surveyors and interior designers who generally conduct research, provide analysis of information, computer simulation, diagramming, mapping and/or drafting in order to create new products or plans.

23.06.690 Office – General.

“Office – general” means an establishment which provides administrative, professional, educational, financial, governmental or customer services to individuals, businesses, institutions and/or governmental agencies in an office setting; for example, branch banks, travel agencies, medical offices, real estate offices, insurance agencies, government offices, customer service offices, data processing services, union or charitable organization offices and wholesalers’ offices.

23.06.695 Office – Research and development.

“Office – research and development” means an office/laboratory establishment engaged in the research, analysis, design, development and/or testing of a product.

23.06.700 Office supply store.

“Office supply store” means stores selling office products such as stationery, legal forms, writing implements, computers, copies, office furniture, and similar products.

23.06.705 Outdoor advertising sign.

“Outdoor advertising sign” means any lettered, figure, or pictorial matter or other sign of any kind or character whatsoever, made visible for outdoor advertising purposes anywhere.

23.06.710 Outdoor advertising structure.

“Outdoor advertising structure” means any structure of any kind or character erected or maintained for outdoor advertising purposes, upon which any outdoor advertising sign may be placed, including also outdoor advertising statuary.

23.06.715 Outdoor storage.

“Outdoor storage” means the storage of any products, materials, vehicles, equipment, junk, or scrap outside the confines of an enclosed building, and more specifically defined as:

A. Merchandise Display. Display of products and materials, and operable vehicles and equipment for the principal purpose of offering for sale at retail, and incidental to the business existing on the premises;

B. Equipment and Material Storage. Storage of any equipment or materials in usable condition which are not being specifically displayed as merchandise or offered for sale at retail; and

C. Junk and Scrap Storage. Storage of used products or scrap materials such as wood, cloth, paper, glass, metal, plastic, or rock material, which could be refurbished, recycled, or converted into usable stock or material.

23.06.720 Parking lot.

“Parking lot” means an open area, other than a street or alley, used for the temporary parking of automobiles and available for public use, whether free or for compensation, or as an accommodation for clients or customers.

23.06.725 Parking space, automobile (off street).

“Parking space, automobile (off street)” means space within a public or private parking area, or within a building designed for or used for the temporary parking or storage of one motor vehicle.

23.06.728 Parking structure.

“Parking structure” means a structure used for the parking of vehicles where parking is accommodated on two or more levels.

23.06.730 Pasture.

“Pasture” means a fenced enclosure or confined area used for the grazing of livestock or small animals which contains sufficient vegetation to serve as the principal food source for the livestock confined therein.

23.06.732 Patio.

“Patio” means an outdoor space that is often paved or decked directly adjacent to a main building that is at or within 30 inches of adjacent grade.

23.06.735 Pawn shop.

“Pawn shop” means an establishment engaged in the buying or selling of new or secondhand merchandise and offering loans in exchange for personal property.

23.06.740 Pen.

“Pen” means a fenced enclosure or small confined area used for the raising or keeping of livestock or small animals, but not including barns, sheds or similar structures, or pasture.

23.06.742 Permanent supportive housing.

“Permanent supportive housing” is subsidized, leased housing with no limit on length of stay that prioritizes people who need comprehensive support services to retain tenancy and utilizes admissions practices designed to use lower barriers to entry than would be typical for other subsidized or unsubsidized rental housing, especially related to rental history, criminal history, and personal behaviors. Permanent supportive housing is paired with on-site or off-site voluntary services designed to support a person living with a complex and disabling behavioral health or physical health condition who was experiencing homelessness or was at imminent risk of homelessness prior to moving into housing to retain their housing and be a successful tenant in a housing arrangement, improve the resident's health status, and connect the resident of the housing with community-based health care, treatment, or employment services. Permanent supportive housing is subject to all of the rights and responsibilities defined in chapter 59.18 RCW.

23.06.745 Personal loan business.

“Personal loan business” means an establishment engaged in the business of cashing payroll checks and/or providing small, nonsecured, short-term loans to individuals.

23.06.750 Personal services business.

“Personal services business” means a business primarily engaged in providing services generally involving the maintenance of the human body, or other services to one’s person. Such businesses include, but are not limited to, barber and beauty shops, photographic studios, body piercing, manicuring shops, tanning parlors, body wrapping, tattoo parlors and massage practitioners.

23.06.755 Pet shop and pet supply store.

“Pet shop” and “pet supply store” mean establishments engaged in the retail sale of pets, pet food, supplies and the grooming of pets.

23.06.760 Photo processing, copying and printing services.

“Photo processing, copying and printing services” means retail establishments that provide

duplicating services using photocopy, blueprint and offset printing equipment, including collating of booklets and reports.

23.06.765 Pool, private.

“Pool, private” means a swimming pool built accessory to a dwelling unit and used for the enjoyment of the family living therein.

23.06.770 Pool, public.

“Pool, public” means a swimming pool to which the general public has access through the payment of a fee or admission charge.

23.06.775 Pool, semi-public.

“Pool, semi-public” means a swimming pool accessory to a hotel, motel, multiple dwelling or similar use to which the general public does not have usual access, and located for the convenience of the guests or patrons of a hotel, motel or similar use.

23.06.777 Porch.

“Porch” means an outdoor, typically raised and covered area, providing an entrance way to a building.

23.06.780 Portable food vendor.

“Portable food vendor” means the vending of food and/or beverages from a movable cart-type stand which is located on the same lot as, and in conjunction with, a permitted use. Portable food vending stands cannot be self-propelled, must serve only walk-up customers, and may not be stored outdoors when the portable food vendor is not open for business.

23.06.785 Poultry farm.

“Poultry farm” means a lot, structure or building used intensively for the raising, feeding, breeding, or keeping of chickens, turkeys, or other poultry for marketing or slaughter, or for the production of eggs for sale.

23.06.790 Public agency building.

“Public agency building” means any agency office for the administration of any governmental activity or program.

23.06.792 Public agency facility.

“Public agency facility” means a lot, structure, facility or building which is necessary for the operation of a public utility on which is performed a public service such as supplying water, wastewater disposal, electrical, transportation or communication service, usually as a monopoly or pursuant to a franchise by a business organization under governmental regulation, or directly by government.

23.06.795 Radio and television studio.

“Radio and television studio” means an establishment engaged in transmitting oral and visual programs, and which consists of a studio, transmitter, and antennas.

23.06.797 Reclassification.

“Reclassification” means a change in the city’s zoning map, resulting in a change in zoning designation on one or more parcels of property. Also referred to as a rezone.

23.06.800 Recreational club.

“Recreational club” means an area devoted to facilities and equipment for recreational purposes, swimming pools, tennis courts, playgrounds, community clubhouses, and other similar uses maintained by a nonprofit organization whose membership is limited to the residents within the area in which it is located; provided, that membership shall not be denied to residents of the area based solely on race, creed or color.

23.06.802 Recreational vehicle.

“Recreational vehicle” means a vehicular-type unit designed for temporary living quarters for recreational, camping, or travel use, which either has its own motive power or is mounted on or drawn by another vehicle. “Recreational vehicle” shall include, but not be limited to, the following:

A. Travel Trailer. A vehicular, portable structure built on a chassis and drawn by a motorized vehicle and which is designed to be used as a temporary dwelling for travel, recreational and vacation uses;

B. Camper. A structure designed to be mounted on a truck chassis for use as a temporary dwelling for travel, recreational and vacation uses;

C. Motor Home. A portable, temporary dwelling to be used for travel, recreational and vacation use constructed as an integral part of a self-propelled vehicle;

D. Camping Trailer. A folding structure mounted on wheels and designed for travel, recreational and vacation uses.

(See also “Dependent recreational vehicle,” RMC 23.06.260.)

23.06.805 Recreational vehicle campground.

“Recreational vehicle campground” means a lot or parcel of land occupied or intended for occupancy by recreational vehicles or tents for travel, recreational or vacation usage for short periods of stay subject to the provisions of this title.

23.06.807 Recreational vehicle park.

“Recreational vehicle park” means a lot or parcel of land occupied or intended for occupancy by recreational vehicles for travel, recreational or vacation uses allowing for longer periods of stay subject to the provisions of this title.

23.06.809 Recreational vehicle space.

“Recreational vehicle space” means a parcel of land in a recreational vehicle park or campground for the placement of a single recreational vehicle and the exclusive use of its occupants.

23.06.810 Restaurant.

“Restaurant” means a retail establishment engaged in the preparation and sale of food and beverages, including coffee shops, sandwich shops, ice cream parlors, fast food take-out, espresso stands, and similar uses. The term “restaurant” can be further described by the following types:

A. Restaurant, Drive-Through. A “restaurant” which has one or more drive-through lanes for ordering and dispensing of food and beverages to patrons remaining in their vehicles, for consumption off the premises. A drive-through restaurant may also have seating facilities.

B. Restaurant, Lounge. A restaurant which includes licensed on-site provision of alcoholic beverages for consumption on the premises as an accessory to food service.

C. Restaurant, Sit-Down. A restaurant at which all food and drink is consumed on the premises.

D. Restaurant, Take-Out. A restaurant that offers a take-out service whereby food may be consumed off the premises. A take-out restaurant may also have seating facilities.

23.06.817 Sales, retail.

“Sales, retail” means sale to the ultimate consumer for direct consumption and not for resale.

23.06.820 Sales, wholesale.

“Sales, wholesale” means sale for resale not for direct consumption. For the purpose of land use classifications, a business primarily engaged in wholesale sales, with less than 25 percent of the square footage of sales in related retail, will be classified as wholesale.

23.06.825 Sanitary station or sanitary dumping station.

“Sanitary station” or “sanitary dumping station” means a facility used for removing and disposing of wastes from recreational vehicle sewage holding tanks.

23.06.830 School.

“School” means public or private graded educational institution facility, structure or building but not including trade schools.

23.06.832 School, alternative.

“School, alternative” means a school which offers a curriculum which is equivalent to but is a substitute for the curriculum commonly found in more traditional public or private schools.

23.06.833 School, commercial.

“School, commercial” means a business establishment where instruction is given, in exchange for payment of a fee. Examples of subjects taught include, but are not limited to, dance, computer skills, music, and martial arts.

23.06.834 School, trade.

“School, trade” means an educational facility, structure or building operated as a business enterprise offering instruction or training in the trades or industrial arts such as welding, brick laying, machinery operation, cooking, printing or similar trades or industrial arts, but not including

schools.

23.06.835 Secondhand/consignment store.

“Secondhand/consignment store” means an establishment engaged in the retail sale of used clothing, sports equipment, appliances, and other merchandise.

23.06.840 Senior housing.

“Senior housing” means a complex of dwellings, exclusively designed for and occupied by households having least one person 62 years of age or older.

23.06.845 Sensitive land uses.

“Sensitive land uses” means those land uses which are particularly sensitive to the secondary effects of adult use businesses. “Sensitive land uses” include the following:

- A. Churches, or other religious facilities or institutions;
- B. Multiple-family and single-family residential zones;
- C. Playgrounds and public parks;
- D. Public and private schools, technical schools and training facilities which have 25 percent or more of their students under the age of 18.

23.06.850 Small livestock farming.

“Small livestock farming” means the keeping of four or more domesticated animals such as rabbits, chickens, ducks, turkeys, and similar fowl and animals which are kept for personal or agricultural use, or raised for sale and profit.

23.06.855 Specialty retail store.

“Specialty retail store” means one of a wide variety of stores involved in the retail sale of one or more general categories of specialty goods and merchandise, including but not limited to the following types of specialty stores: sporting goods, bicycles, glassware and chinaware, fishing tackle, music, greeting cards, jewelry, toys, hobby supplies, games, cameras, gifts and souvenirs, sewing supplies, tobacco products, newspapers, magazines, and comic books, religious supplies, guns and gun supplies or other miscellaneous goods.

23.06.860 Specified anatomical areas.

“Specified anatomical areas” means:

- A. Less than completely and opaquely covered human genitals, pubic region, buttock or female breast below a point immediately above the top of the areola; and
- B. Human male genitals in a discernibly turgid state, even if completely and opaquely covered.

23.06.862 Specified sexual activities.

“Specified sexual activities” means:

- A. Human genitals in a state of sexual stimulation or arousal; and/or
- B. Acts of human masturbation, sexual intercourse or sodomy, whether between persons of the same or opposite sex; and/or
- C. Fondling or other erotic touching of human genitals, pubic region, buttock or female breast; and/or
- D. Excretory functions as part of or in connection with any of the activities set forth in this chapter.

23.06.865 Stable, private.

“Stable, private” means a building in which horses are kept for private use and not for remuneration, hire, or sale.

23.06.867 Stable, public.

“Stable, public” means a building in which horses are kept for remuneration, hire, or sale, including a riding academy.

23.06.870 Stock-in-trade.

“Stock-in-trade” means all books, equipment, magazines, periodicals, pictures, posters, printed material, products (including prerecorded video tapes, discs, or similar material), or other items readily available for purchase, rental, viewing or use by patrons of the establishment excluding material located in any storeroom or other portion of the premises not open to patrons.

23.06.871 Storage container.

“Storage container” is defined as provided in RMC 11.33.010.

23.06.875 Story.

“Story” means that portion of a building included between the surface of any floor and the surface of the next floor above it, or if there is no floor above it, then the space between the floor and the ceiling next above it. A mezzanine floor shall be counted as a story if it covers over one-third of the area of the floor next below it, or if the vertical distance from the floor next below it to the floor next above it is 24 feet or more. A basement shall be counted as a story if its ceiling is over six feet above the level from which the height of the building is measured.

23.06.880 Street.

“Street” means a public thoroughfare which affords the principal means of access to abutting property, including avenue, place, way, drive, lane, boulevard, highway, road, and any other thoroughfare except an alley.

23.06.885 Structure.

“Structure” means anything constructed or erected, the use of which requires location on the ground or attachment to something having location on the ground.

23.06.888 Substantial damage.

“Substantial damage” means damage of any origin sustained by a structure whereby the cost of

restoring the structure to its before-damaged condition would equal or exceed 50 percent of the market value of the structure before the damage occurred.

23.06.890 Substantial improvement.

“Substantial improvement” means any repair, reconstruction, or improvement of a structure, the cost of which equals or exceeds 50 percent of the market value of the structure either before the improvement or repair is started, or if the structure has been damaged and is being restored, before the damage occurred. “Substantial improvement” is considered to occur when the first alteration of any wall, ceiling, floor or other structural part of the building commences, whether or not that alteration affects the external dimensions of the structure.

The term “substantial improvement” does not include any project for improvement to comply with existing state or local health, sanitary, or safety code specifications which have been identified by the local code enforcement official which are the minimum necessary to assure safe living conditions, or any alteration of a structure listed on the National Register of Historic Places or State Inventory of Historic Places.

23.06.895 Theater.

“Theater” means a facility used by and for the performing arts but not including cinema.

23.06.900 Towing, vehicle impound lots.

“Towing, vehicle impound lots” means lots used for the temporary storage of vehicles which have been towed by a towing company or for impounded vehicles, but which does not include permanent vehicle storage or dismantling of vehicles.

23.06.901 Transitional housing.

“Transitional housing” means a facility that provides housing and supportive services to individuals or families experiencing homelessness for up to two (2) years and whose primary purpose is to enable individuals or families experiencing homelessness to move into independent living and permanent housing.

23.06.905 Travel trailer.

See “Recreational vehicle,” RMC 23.06.802.

23.06.910 Truck terminal.

“Truck terminal” means a business providing a location where goods carried by motor transport can be received, transferred from one vehicle to another, and/or shipped, where the primary purpose is not storage but to serve as a point of transfer.

23.06.915 Use – Permitted.

“Use – permitted” means a use authorized or allowed alone in a specified use district for the preservation or promotion of which the use district is established and subject to the requirements of the regulations and standards of such use district, and to which all other uses are accessory, special, conditional, or nonconforming.

23.06.920 Use – Accessory (secondary).

“Use – accessory (secondary)” means a secondary or minor use of a lot, structure, or building

designed or employed in conjunction with, but subordinate or incidental to, and compatible with the principal permitted use for which the use district is established, and subject to the regulations and standards of such use district.

23.06.925 Use – Nonconforming.

“Use – nonconforming” means the use of a building or other structure or of a tract of land which does not conform to the use regulations of this title for the district in which it is located, either at the effective date of the ordinance codified in this title or as a result of subsequent amendments which may be incorporated into this title.

23.06.930 Use – Special.

“Use – special” means any use of a lot, structure or building which by its nature, intensity or potential impact upon an area cannot be considered as a principal or accessory use within a use district, but when subject to special conditions and standards specified in a special use permit may be compatible with other uses in the same or adjacent use districts.

23.06.935 Variance.

“Variance” means a modification of the regulations of this title granted by the board of adjustment after finding that the literal application of the provisions of this title would cause undue and unnecessary hardship in view of certain facts and conditions applying to a specific parcel of property.

23.06.937 Vehicle-based food service.

“Vehicle-based food service” means the vending of food and/or beverages from a large vehicle that is equipped to both cook and sell food, and that is capable of being moved from place to place as provided in RMC 23.42.325.

23.06.940 Vehicle leasing and rentals.

“Vehicle leasing and rentals” means the use of any building or land for a business involving the leasing of vehicles.

23.06.945 Vehicle sales.

“Vehicle sales” means the use of any building or land for the display and sale or long-term lease of new or used automobiles, panel trucks or vans, boats, or motorcycles and including any warranty repair work and other repair service conducted as an accessory use.

23.06.950 Video rental store.

“Video rental store” means an establishment engaged primarily in the renting or sale of videocassettes, DVDs, and video games.

23.06.955 Warehousing and wholesale trade.

“Warehousing and wholesale trade” means establishments involved in the storage and/or sale of bulk goods for resale or assembly, excluding establishments offering the sale of bulk goods to the general public.

23.06.960 Warehousing, storage and distribution.

“Warehousing, storage and distribution” means a building where goods and materials are kept immediately prior to their delivery to retail outlets or their sale to other businesses. This use may include vehicle maintenance or storage as an accessory use.

23.06.965 Wholesale use.

“Wholesale use” means a business that stores large stocks of goods for sale in bulk quantities to retail outlets. Sales to the general public do not occur on the site, nor is the location of the business advertised through newspapers, flyers or other media designed to reach the consumer.

23.06.970 Wineries – Production.

“Wineries – production” means an establishment engaged in the production of wine for wholesale distribution.

23.06.972 Wineries – Tasting room.

“Wineries – tasting room” means an establishment engaged in the retail sales of wines.

23.06.975 Yard.

“Yard” means an open space of uniform width or depth on the same lot with a building or a group of buildings, which open space lies between the building or group of buildings and the nearest lot line and is unoccupied and unobstructed from the ground upward, except for the certain exceptions specified in this title. In measuring a yard, as hereinafter provided, the “line of a building” shall be deemed to mean a line parallel to or concentric with the nearest lot line drawn through the point of a building or the point of a group of buildings nearest to such a lot line, exclusive of the exceptions referenced above, and the measurements shall be taken from the line of the building to the nearest lot line.

23.06.980 Yard, front.

“Yard, front” means a yard extending the full width of the site and measured as to depth at the least horizontal distance between the street right-of-way line and the exterior wall.

23.06.983 Yard, rear.

“Yard, rear” means a yard which extends the full width of the site and is measured as to depth at the least horizontal distance between the rear lot line and the exterior wall.

23.06.985 Yard, side.

“Yard, side” means a yard which extends from the front yard or front lot line where no front yard exists to the rear yard or rear lot line where no rear yard exists and is measured as to width at the least horizontal distance between the side lot line and the exterior wall.

Section 2. Richland Municipal Code Section 23.14.030, entitled Agricultural use districts permitted land uses, as first enacted by Ordinance No. 28-05, and last amended by Ordinance No. 17-09, is hereby amended as follows:

23.14.030 Agricultural use districts permitted land uses.

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

listed on the horizontal axis.

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

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

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

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

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

Land Use	AG	SAG
Agriculture		
Agricultural Use	P	P
Business and Personal Services		
Animal Shelter	S ¹	
Commercial Kennel	S ¹	
Hospital Clinic – Large Animal	S ¹	
Hospital Clinic – Small Animal	S ¹	
Industrial Uses		
Excavating, Processing, Removal of Topsoils, Sand, Gravel, Rock or Similar Natural Deposits	S ²	
Public Uses		
Churches	P ³	P ³
Clubs or Fraternal Societies	P ³	P ³
Cultural Institutions	P ³	P ³
General Park Maintenance and Operations	P	P
Golf Courses	P	P
Passive Open Space Uses	P	P
Power Transmission and Irrigation Wasteway Easements and Utility Uses	P ⁴	P ⁴
Public Agency Buildings	P ⁴	P ⁴

Land Use	AG	SAG
Public Agency Facilities	P ⁴	P ⁴
Public Parks	P	P
Schools	P ⁵	P ⁵
Special Events Including Concerts, Tournaments, and Competitions, Fairs, Festivals and Similar Public Gatherings	P	P
Trail Head Facilities	P	P
Trail for Equestrian, Pedestrian or Nonmotorized Vehicle Use	P	P
Recreational Uses		
Commercial Recreation, Outdoor	S ⁶	
Recreational Vehicle Campgrounds	S ⁷	
Stable, Public	S ⁸	
Retail Uses		
Landscaping Material Sales	S ⁹	
Nursery, Plant	S ⁹	
Parking Lot	A	A
Residential Uses		
Accessory Apartments	A ¹⁰	A ¹⁰
Adult Family Home	P	P
Bed and Breakfast	S ¹¹	S ¹¹
Day Care Center	S ¹²	S ¹²
Designated Manufactured Home	P ¹³	P ¹³
Dwelling, One-Family Detached	P ¹³	P ¹³
Family Day Care Home	A ¹²	A ¹²
Home Occupations	A ¹⁴	A ¹⁴
<u>Permanent Supportive Housing</u>	<u>P¹³</u>	<u>P¹³</u>
Private Swimming Pools	A ¹⁵	A ¹⁵
Recreational Club	P ¹⁶	P ¹⁶
Rental of Rooms to Not More Than Four Persons Other Than the Family Occupying the Single-Family Dwelling	A	A
<u>Transitional Housing</u>	<u>P¹³</u>	<u>P¹³</u>
Miscellaneous Uses		
Cemetery	P	

Land Use	AG	SAG
Macro-Antennas	P	P
Raising Crops, Trees or Vineyards	P	P

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

Section 3. Richland Municipal Code Section 23.18.030, entitled Residential use districts permitted land uses, as first enacted by Ordinance No. 28-05, and last amended by Ordinance No. 17-09, is hereby amended as follows:

23.18.030 Residential use districts permitted land uses.

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

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

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

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

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

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

Land Use	R-1-12	R-1-10	R-2	R-2S	R-3
Residential Uses					
Accessory Apartments	A ¹	A ¹	A ¹	A ¹	A ¹

Land Use	R-1-12	R-1-10	R-2	R-2S	R-3
Accessory Buildings ¹⁴	A	A	A	A	A
Adult Family Home	P	P	P	P	P
Apartment/Condominium (3 or More Units)					P
Assisted Living Facility					P
Bed and Breakfast	S ²	S ²	S ²	S ²	P
Day Care Center	S ³	S ³	S ³	S ³	P ³
Designated Manufactured Home	P ⁴	P ⁴	P ⁴	P ⁴	P ⁴
Dormitories, Fraternities and Sororities					P
Dwelling, One-Family Attached			P ⁴	P ⁴	P ⁴
Dwelling, One-Family Detached	P ⁴	P ⁴	P ⁴	P ⁴	P ⁴
Dwelling, Two-Family Detached			P	P	P
Home Occupations	A ⁵	A ⁵	A ⁵	A ⁵	A ⁵
Family Day Care Home	A ³	A ³	A ³	A ³	A ³
Manufactured Home Park			S ⁶	S ⁶	S ⁶
Playground Developed in Conjunction with School, Park or Community Clubhouse	P	P	P	P	P
Nursing or Rest Home					P
<u>Permanent Supportive Housing</u>	<u>P⁴</u>	<u>P⁴</u>	<u>P⁴</u>	<u>P⁴</u>	<u>P⁴</u>
Rental of Rooms to Not More Than Four Persons Other Than the Family Occupying the Single-Family Dwelling	A	A	A	A	A
Private Swimming Pools	A ⁷	A ⁷	A ⁷	A ⁷	A ⁷
Recreational Club	P ⁸	P ⁸	P ⁸	P ⁸	P ⁸
Senior Housing					P
<u>Transitional Housing</u>	<u>P⁴</u>	<u>P⁴</u>	<u>P⁴</u>	<u>P⁴</u>	<u>P⁴</u>
Public/Quasi-Public Uses					
Churches	P ⁹	P ⁹	P ⁹	P ⁹	P ⁹
Clubs or Fraternal Societies	P ⁹	P ⁹	P ⁹	P ⁹	P ⁹
Cultural Institutions	P ⁹	P ⁹	P ⁹	P ⁹	P ⁹
General Park Operations and Maintenance Activities	P	P	P	P	P

Land Use	R-1-12	R-1-10	R-2	R-2S	R-3
Golf Courses	P	P	P	P	P
Power Transmission and Irrigation Wasteway Easements and Utility Uses	P ¹⁰	P ¹⁰	P ¹⁰	P ¹⁰	P ¹⁰
Public Agency Buildings	P ¹⁰	P ¹⁰	P ¹⁰	P ¹⁰	P ¹⁰
Public Agency Facilities	P ¹⁰	P ¹⁰	P ¹⁰	P ¹⁰	P ¹⁰
Public Parks	P	P	P	P	P
Schools	P ¹¹	P ¹¹	P ¹¹	P ¹¹	P ¹¹
Special Events Including Concerts, Tournaments and Competitions, Fairs, Festivals and Similar Public Gatherings	P	P	P	P	P
Trail Head Facilities	P	P	P	P	P
Miscellaneous Uses					
Macro-Antennas	P	P	P	P	P
Parking Lots	P	P	P	P	P
Raising Crops, Trees, Vineyards	P	P	P	P	P
Recreational Vehicle Parks					S ^{12,13}

1. RMC 23.42.020

2. RMC 23.42.045

3. RMC 23.42.080

4. RMC 23.18.025

5. RMC 23.42.090

6. RMC 23.42.140

7. RMC 23.42.300

8. RMC 23.42.210

9. RMC 23.42.050

10. RMC 23.42.200

11. RMC 23.42.250

12. RMC 23.42.220

13. RMC 23.18.020(B)(4)

14. Accessory buildings and structures are subject to RMC 23.38.020 – 23.38.070

Section 4. Richland Municipal Code Section 23.22.030, entitled Commercial use districts permitted land uses, as first enacted by Ordinance No. 28-05, and last amended by Ordinance No. 15-21, is hereby amended as follows:

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			
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	

Land Use	C-LB	C-1	C-2	C-3	CBD	WF	CR	CW
Towing, Vehicle Impound Lots				S ³				
Truck Rentals			P	P				
Truck Stop – Diesel Fuel Sales			S	P				
Truck Terminal				P				
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			
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

Land Use	C-LB	C-1	C-2	C-3	CBD	WF	CR	CW
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
Restaurants/Sit Down	A	P	P	P	P	P	P	P
Restaurants/Take Out		P	P	P	P	P		P
Restaurants with Entertainment/Dancing Facilities		P ⁷	P	P	P	P	P	P
Vehicle-Based Food Service		P ³⁰	P ³⁰	P ³⁰	P ³⁰	P ³⁰		
Wineries – Tasting Room		P ⁷	P	P	P	P	P	P
Industrial/Manufacturing Uses								
Laundry and Cleaning Plants				P				P ²⁸
Light Manufacturing Uses				P				P ²⁸
Warehousing and Distribution Facilities				P				P ²⁸
Wholesale Facilities and Operations				P				P ²⁸
Wineries – Production				P				P
Office Uses								
Financial Institutions	P	P/S ²²	P	P	P/S ²²	P		
Medical, Dental and Other Clinics	P	P	P	P	P	P		
Newspaper Offices and Printing Works			P	P	P			
Office – Consulting Services	P	P	P	P	P	P		P ²⁸
Office – Corporate	P		P	P	P	P		P ²⁸
Office – General	P	P	P	P	P	P		P ²⁸
Office – Research and Development	P		P	P	P			P ²⁸

Land Use	C-LB	C-1	C-2	C-3	CBD	WF	CR	CW
Radio and Television Studios			P	P	P			
Schools, Commercial	P		P	P	P	P		
Schools, Trade			P	P	P			p ²⁸
Travel Agencies	P	P	P	P	P	P		
Public/Quasi-Public Uses								
Churches	P ¹⁰	P ¹⁰	P ¹⁰	P ¹⁰	P	P ¹⁰		
Clubs or Fraternal Societies	P ¹⁰	P ¹⁰	P ¹⁰	P ¹⁰	P ¹⁰	P ¹⁰		
Cultural Institutions	P ¹⁰	P ¹⁰	P ¹⁰		P ¹⁰	P ¹⁰		P ¹⁰
General Park O&M Activities	P	P	P	P	P	P	P	P
Hospitals	P		P	P	P			
Homeless Shelter				P				
Passive Open Space Use	P	P	P	P	P	P	P	P
Power Transmission and Irrigation Wasteway Easements and Utility Uses	P ¹¹	P ¹¹	P ¹¹	P ¹¹	P ¹¹	P ¹¹	P ¹¹	P ¹¹
Public Agency Buildings	P	P	P	P	P	P	P	
Public Agency Facilities	P ¹¹	P ¹¹	P ¹¹	P ¹¹	P ¹¹	P ¹¹	P ¹¹	P ¹¹
Public Campgrounds				S			S	
Public Parks	P	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	

Land Use	C-LB	C-1	C-2	C-3	CBD	WF	CR	CW
Cinema, Drive-In			P	P				
Commercial Recreation, Indoor		S ⁷	P	P	P	P	P	
Commercial Recreation, Outdoor			P	P		P	P	
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
Emergency Housing	<u>P</u>		<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>
Emergency Shelters	<u>P</u>		<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>
Family Day Care Home	p ¹⁹					p ¹⁹		
Houseboats						P	P	
Hotels or Motels	P		P	P	P	P	P	P
Nursing or Rest Home	P		P		p ¹⁸	P		
Permanent Supportive Housing	<u>P</u>		<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>
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
Transitional Housing	<u>P</u>		<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>

Land Use	C-LB	C-1	C-2	C-3	CBD	WF	CR	CW
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			
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				

Land Use	C-LB	C-1	C-2	C-3	CBD	WF	CR	CW
Community Festivals and Street Fairs	P	P	P	P	P	P	P	P
Convention Center	P		P	P	P	P	P	
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 multistory 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.
30. RMC 23.42.325

Section 5. Richland Municipal Code Section 23.26.030, entitled Industrial use districts permitted land uses, as first enacted by Ordinance No. 28-05, and last amended by Ordinance No. 60-19, is hereby amended as follows:

23.26.030 Industrial 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	I-M	M-2
Automotive, Marine and Heavy Equipment Uses		
Automotive Repair – Major	P	P
Automotive Repair – Minor	P	
Automotive Repair – Specialty Shop	P	
Automobile Service Station	P	
Automobile Wrecking		S ¹
Boat Building	P	P
Bottling Plants	P	P
Car Wash – Automatic or Self-Service	P ²	A
Equipment Rentals	P	
Farm Equipment and Supplies Sales	P	S
Gas/Fuel Station	P	S
Heavy Equipment Sales and Repair	P	P
Marine Repair	P	P
Towing, Vehicle Impound Lots	P ³	
Truck Rentals	P	
Truck Stop – Diesel Fuel Sales	P	P

Land Use	I-M	M-2
Truck Terminal	P	P
Vehicle Sales	P	
Warehousing, Wholesale Use	P	P
Business and Personal Services		
Animal Shelter	S ⁴	
Contractors' Offices and Shops	P	
General Service Businesses	P	P
Health/Fitness Facility	P	A
Health/Fitness Center	P	
Laundry/Dry Cleaning, Commercial	P	
Laundry/Dry Cleaning, Retail	P	
Mini-Warehouse	p ⁵	
Mailing Service	P	
Personal Loan Business	P	
Personal Services Businesses	P	
Photo Processing, Copying and Printing Services	P	
Telemarketing Services	P	
Food Service		
Cafeterias	A	A
Delicatessen	A	A
Drinking Establishments	P	P
Restaurants/Sit Down	P	
Restaurants/Drive-Through	p ⁶	A ⁶
Restaurants/Lounge	P	
Restaurants/Take Out	P	
Restaurants with Entertainment/Dancing Facilities	P	
Wineries	P	
Industrial/Manufacturing Uses		
Airport, Industrial	P	
Excavating, Processing, Removal of Topsoil, Sand, Gravel, Rock or Similar Natural Deposits	S ⁷	S ⁷
Junkyard		S

Land Use	I-M	M-2
Laundry and Cleaning Plants	P	P
General Manufacturing Uses	P	P
Heavy Manufacturing Uses		P
Light Manufacturing Uses	P	P
Research, Development and Testing Facilities	P	P
Warehousing, Storage and Distribution	P	P
Wholesale Facilities and Operations	P	P
Office Uses		
Financial Institutions	P	
Medical, Dental and Other Clinics	P	
Office – Consulting Services	P	
Office – Corporate	P	
Office – General	P	
Office – Research and Development	P	P
Public/Quasi-Public Uses		
General Park Operations and Maintenance Activities	P	P
Passive Open Space Use	P	P
Power Transmission and Irrigation Wasteway Easements and Utility Uses	P ⁸	P ⁸
Public Agency Buildings	P ⁸	P ⁸
Public Agency Facilities	P ⁸	P ⁸
Public Parks	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
Recreational Uses		
Commercial Recreation, Outdoor	S ⁹	
Residential Uses		
Accessory Dwelling Unit	A	
Day Care Center	S ¹⁰	
Dwelling Units for a Resident Watchman or Custodian	A	A
<u>Emergency Housing</u>	<u>S</u>	<u>S</u>

Land Use	I-M	M-2
<u>Emergency Shelters</u>	<u>S</u>	<u>S</u>
Hotels or Motels	S	S
<u>Permanent Supportive Housing</u>	<u>S</u>	<u>S</u>
Temporary Residence	p ¹¹	p ¹¹
<u>Transitional Housing</u>	<u>S</u>	<u>S</u>
Retail Uses		
Adult Use Establishments	p ¹²	
Airport, Commercial	P	
Parking Lot or Structure	P	P
Miscellaneous Uses		
Bus Station	P	
Bus Terminal	P	
Bus Transfer Station	P	P
Community Festivals and Street Fairs	P	P
Farming of Land	P	P
Macro-Antennas	P	P
Monopole	p ¹³	p ¹³
On-Site Hazardous Waste Treatment and Storage	P	P
Outdoor Storage	p ¹⁴	p ¹⁴
Storage in an Enclosed Building	P	P

1. RMC 23.42.290
2. RMC 23.42.270
3. RMC 23.42.320
4. RMC 23.42.040
5. RMC 23.42.170
6. RMC 23.42.047
7. RMC 23.42.070
8. RMC 23.42.200
9. RMC 23.42.175
10. RMC 23.42.080
11. RMC 23.42.110
12. RMC 23.42.030
13. Chapter 23.62 RMC
14. RMC 23.42.180

Section 6. 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. 2022-01, 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		P ²
Mailing Service	P	P
Personal Loan Business	P	P

Land Use	B-RP	B-C
Personal Services Businesses	P	P
Photo Processing, Copying and Printing Services	P	P
Telemarketing Services	S	P
Video Rental Store	P	P
Food Service		
Cafeterias	A	A
Delicatessen	A	A
Drinking Establishments	P	P
Portable Food Vendors	P ³	P ³
Restaurants/Drive-Through	A ⁴	A ⁴
Restaurants/Lounge	P	P
Restaurants/Sit Down	P	P
Restaurants/Take Out	P	P
Restaurants with Entertainment/Dancing Facilities	P	P
Vehicle-Based Food Service	P ¹⁵	P ¹⁵
Industrial/Manufacturing Uses		
Light Manufacturing Uses	P	P
Research, Development and Testing Facilities	P	P
Warehousing, Storage and Distribution		A
Wholesale Facilities and Operations		P
Office Uses		
Financial Institutions	P	P
Medical, Dental and Other Clinics	P	P
Newspaper Offices and Printing Works		P
Office – Consulting Services	P	P
Office – Corporate	P	P
Office – General	P	P
Office – Research and Development	P	P
Radio and Television Studios		P
Schools, Commercial	P	P
Schools, Trade	P	P
Travel Agencies	P	P

Land Use	B-RP	B-C
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
<u>Emergency Housing</u>	<u>S⁸</u>	<u>P</u>
<u>Emergency Shelters</u>	<u>S⁸</u>	<u>P</u>
Hotels or Motels	S ⁸	P
Nursing or Rest Home		P
<u>Permanent Supportive Housing</u>	<u>S⁸</u>	<u>P</u>
Temporary Residence	P ^{8,10}	P ¹⁰
<u>Transitional Housing</u>	<u>S⁸</u>	<u>P</u>

Land Use	B-RP	B-C
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

Section 7. This Ordinance shall take effect the day following its publication in the official newspaper of the City of Richland.

Section 8. 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 9. 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.

Michael Alvarez, 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.: CA2021-110

PREPARED BY: MIKE STEVENS
MEETING DATE: MAY 25, 2022

GENERAL INFORMATION:

APPLICANT: CITY OF RICHLAND CA2021-110

REQUEST: TEXT AMENDMENT TO RMC TITLE 23 RELATED TO
EMERGENCY SHELTERS AND HOUSING

LOCATION: CITYWIDE

REASON FOR REQUEST

The City of Richland planning staff is proposing a text amendment to Title 23 in order to satisfy the requirements of Engrossed Second Substitute House Bill (E2SHB) 1220 which went into effect on July 25, 2021.

ANALYSIS

Homelessness and affordable housing are two major and difficult issues facing communities throughout the State of Washington. To help address these complicated issues, E2SHB 1220 was signed into law and was meant to encourage cities to take active steps to accommodate transitional housing, emergency shelters, and similar homelessness related facilities through local planning and changes to local development regulations. This signed bill contains new requirements related to:

1. Housing element updates;
2. Adoption of moratoria or interim zoning controls; and
3. Zoning and development regulations regarding indoor shelters and housing for the homeless or those at risk of becoming homeless

The Housing element updates will occur during the next periodic update of the city's Comprehensive Plan and there has been no need to adopt a moratoria or interim zoning controls as it relates to E2SHB 1220. As a result, the issue at hand currently is the adoption of zoning and development regulations pertaining to transitional housing, permanent supportive housing, indoor shelters and housing for the homeless or those at risk of becoming homeless.

In order to accomplish item 3 (above), the city needed to review its zoning code and determine whether it would accomplish item 3 by:

1. Allowing indoor emergency shelters and indoor emergency housing in all zones where hotels are allowed; or
2. Allowing indoor emergency shelters and indoor emergency housing in a majority of zones within one-mile of transit.

In addition, E2SHB 1220 also amended RCW 35.21.689, which was adopted in 2019 and stated that “a city may not prohibit permanent supportive housing in areas where multifamily housing is permitted.” E2SHB 1220 added “transitional housing” to this prohibition and was revised as follows:

“A city shall not prohibit transitional housing or permanent supportive housing in any zones in which residential dwelling units or hotels are allowed.”

The first option was relatively straightforward; however, the second option would have required:

1. Mapping all of the transit stops/routes;
2. Applying a one-mile radius to all of the mapped areas;
3. Identifying all of the zones that fall within the mapped radii;
4. Numerically determining what would constitute a “majority” of the mapped zones;
5. Specifically selecting the zoning categories for which indoor emergency shelters and indoor emergency housing would and would not be allowed; and
6. Revise the zoning code.

After consultation with the City Attorney, city staff has drafted the attached ordinance for Planning Commission’s review and consideration.

Planning staff recommends that the Planning Commission recommend approval of this ordinance to City Council with several minor changes, which are a result of comments received from Mary M. Reinbold, Senior Planner, with the Washington State Department of Commerce (comments outlined below).

PUBLIC NOTICE/ COMMENTS

Staff provided notice of the proposed amendment 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. Staff provided notice to the Washington State Dept. of Commerce and other state agencies as required by RCW 36.70A.

As of the date this staff report was written only one comment of substance was received and it was from Mary M. Reinbold, Senior Planner, with the Washington State Department of Commerce. Ms. Reinbold indicated that the draft ordinance is consistent with HB 1220, However, she suggested that the use of the term “Homeless Shelter” be removed from the various land use tables and from the definition section of the code since the proposed code amendments better align with Washington State Law.

SEPA

The proposal is subject to environmental review. The City of Richland issued a Determination of Non-Significance (DNS) for the proposal on May 19, 2022 after utilizing the Optional DNS Process in WAC 197-11-355.

FINDINGS OF FACT

1. City planning staff is proposing amendments to the Richland Municipal Code Title 23, Zoning Regulations, related to emergency shelters and housing.
2. The purpose of the amendment is to comply with Engrossed Second Substitute House Bill 1220, which was adopted in May 2021.
3. 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.
4. One substantive comment regarding the proposed code amendment was received from the Washington State Department of Commerce.
5. The Washington State Department of Commerce received the 60-day Notice of Intent to Adopt Amendment and granted expedited review.
6. The City issued a SEPA Threshold Determination of Non-Significance on May 19, 2022 after utilizing the Optional DNS Process outlined in WAC 197-11-355.

CONCLUSIONS OF LAW

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

RECOMMENDATION

Staff recommends the Planning Commission concur with the findings and conclusions set forth in Staff Report (CA2021-110) and recommend to the City Council adoption of the proposed code amendments to RMC Title 23 subject to the removal of "Homeless Shelters" from the code.

ALTERNATIVES

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

RECOMMENDED MOTION – PLANNING COMMISSION

I move that the Planning Commission recommend approval of the proposed amendments to RMC Title 23 as identified in the draft ordinance with the removal of "Homeless Shelters" from the definitions and land use tables as recommended by the

Dept. of Commerce. This recommendation is based upon the listed Findings of Fact and Conclusions of Law.

EXHIBITS

1. Application Materials
2. Draft Ordinance
3. SEPA DNS & SEPA Checklist
4. Department of Commerce Notice
5. Public Notice & Comments Received



Code Amendment Application

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

APPLICANT		☐ Contact Person
Company: City of Richland Development Services		UBI#: 036 001 852
Contact: Kevin Damrell, Permit Technician		
Address: 625 Swift Blvd, Richland, WA 99352		
Phone: (509)942-7771	Email: kdamrell@ci.richland.wa.us	

DESCRIPTION OF PROPOSED AMENDMENT

The proposed amendment will add indoor emergency housing, indoor emergency shelters, permanent supportive housing, and transitional housing as necessary to Sections 23.14.030, 23.18.030, 23.22.030, 23.26.030 and 23.28.030 and will add definitions for emergency housing, indoor emergency shelters, permanent supportive housing, and transitional housing to Chapter 23.06, Definitions.

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): **See Attached Draft Ordinance**

Summary of requested code amendment(s):

The new language will allow for indoor emergency housing, indoor emergency shelters, permanent supportive housing, and transitional housing to assist those that are homeless or are at imminent risk for homelessness.

Reason(s) for code amendment(s):

The proposed code amendment is required per HB 1220 to be consistent with Chapters 25.21 and 35A.21 RCW.

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

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

No, a Comprehensive Plan amendment is not necessary.

Does the proposed amendment bear a substantial relation to the public health, safety, welfare and protection of the environment? Please explain: **The proposed code amendment will improve public health, safety, welfare and protection of the environment by allowing for indoor emergency housing, indoor emergency shelters, permanent supportive housing, and transitional housing within various areas of the city.**

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: Kevin Damrell, Permit Technician

Applicant Signature: 

Date

4-8-22

Exhibit 2

WHEN RECORDED RETURN TO:

Richland City Clerk's Office
625 Swift Boulevard, MS-05
Richland, WA 99352

ORDINANCE NO. 2022-XX

**AN ORDINANCE OF THE CITY OF RICHLAND, WASHINGTON,
AMENDING RICHLAND MUNICIPAL CODE TITLE 23: ZONING
REGULATIONS RELATED TO EMERGENCY SHELTERS AND
HOUSING.**

WHEREAS, in May 2021, the Washington State Legislature passed Engrossed Second Substitute House Bill 1220, meant to encourage cities to take active steps to accommodate transitional housing, emergency shelters, and similar homelessness-related facilities through local planning and changes to local development regulations; and

WHEREAS, to comply with the mandates of E2SHB 1220, Richland City Council desires to amend certain sections of the City's zoning code under Title 23 RMC regulating local planning and development consistent with Chapter 35.21 RCW; and

WHEREAS, on month x, 2022, pursuant to RCW 36.70A.106, City staff properly and timely transmitted a copy of the proposed code amendments to the Washington State Department of Commerce for review and comment, and XX comments have been received to date; and

WHEREAS, on month x, 2022, a SEPA threshold Determination of Non-significance was issued for the proposed amendments. No appeal was filed, and xx comments were received; and

WHEREAS, on month x, 2022, the Richland Planning Commission held a public hearing on the proposed amendments and voted to recommend approval of the amendments; and

WHEREAS, Richland City Council recognizes that, in the interest of public health and safety, it is necessary to create standards that will regulate the siting and safe operation of transitional housing and permanent supportive housing facilities within the City of Richland consistent with Chapter 35.21 RCW.

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

Section 1. Richland Municipal Code Chapter 23.06, Definitions, as first enacted by Ordinance No. 28-05, and last amended by Ordinance No. 08-20, is hereby amended as follows:

**CHAPTER 23.06
DEFINITIONS**

Sections:

- 23.06.010 Definitions – Introductory.**
- 23.06.020 Accessory apartment unit.**
- 23.06.025 Accessory dwelling unit.**
- 23.06.027 Adult family home.**
- 23.06.030 Adult use establishment.**
- 23.06.035 Agriculture.**
- 23.06.040 Airport commercial.**
- 23.06.045 Airport industrial.**
- 23.06.050 Alley.**
- 23.06.053 Amendment.**
- 23.06.055 Animal shelter.**
- 23.06.065 Apparel and accessory stores.**
- 23.06.070 Apartment.**
- 23.06.071 Apartment, studio.**
- 23.06.075 Arcade.**
- 23.06.080 *Repealed.***
- 23.06.085 Art galleries.**
- 23.06.090 Assisted living facility.**
- 23.06.095 Auto parts sales.**
- 23.06.100 Automobile repair.**
- 23.06.105 Automobile service station.**
- 23.06.110 Automobile wrecking.**
- 23.06.115 *Repealed.***
- 23.06.117 Basement.**
- 23.06.120 Bed and breakfast.**
- 23.06.125 Block front.**
- 23.06.130 Book, stationery and art supply store.**
- 23.06.135 Building.**
- 23.06.140 Building, accessory.**
- 23.06.145 Building, main.**
- 23.06.150 Building, hardware and garden supply store.**
- 23.06.155 Bus station.**
- 23.06.160 Bus terminal.**
- 23.06.165 Bus transfer station.**
- 23.06.170 Cafeteria.**
- 23.06.175 Car wash.**
- 23.06.180 Carport.**
- 23.06.185 Cemetery.**

23.06.190 Church.
 23.06.195 City officials and agencies.
 23.06.200 Cinema.
 23.06.205 Clinic.
 23.06.207 Clinic, school-based.
 23.06.210 Club or fraternal societies.
 23.06.215 Commercial recreation.
 23.06.217 Concessionaire.
 23.06.220 Convention center.
 23.06.225 Contractors' offices and shops.
 23.06.230 Contractors' yards.
 23.06.235 Court.
 23.06.240 Cultural institution.
 23.06.245 Day care center.
 23.06.250 Delicatessen.
 23.06.255 Department store.
 23.06.260 Dependent recreational vehicle.
 23.06.265 Designated manufactured home.
 23.06.270 Development.
 23.06.275 District.
 23.06.280 Dormitories, fraternities and sororities.
 23.06.285 Drinking establishment.
 23.06.290 Drive-through.
 23.06.295 Drug store/pharmacy.
 23.06.300 Dwelling, one-family attached.
 23.06.305 Dwelling, one-family detached.
 23.06.310 Dwelling, two-family detached.
 23.06.315 Dwelling, multiple-family.
 23.06.320 Dwelling unit.
 23.06.325 Electronic equipment stores.
 23.06.327 Emergency housing.
 23.06.329 Emergency shelters.
 23.06.330 Essential public facilities.
 23.06.335 Equipment rental.
 23.06.340 Family.
 23.06.345 Family day care home.
 23.06.350 Farming of land.
 23.06.355 Fence.
 23.06.360 Financial institution.
 23.06.365 *Repealed.*
 23.06.370 Florist.
 23.06.375 Food stores.
 23.06.380 Food wagon.
 23.06.385 Fuel station/mini-mart.
 23.06.390 Funeral establishment.
 23.06.395 Furniture, home furnishings, and appliance stores.

23.06.400 General service businesses.
 23.06.405 Grade plane.
 23.06.410 Gross floor area.
 23.06.415 Guest room.
 23.06.420 Habitable floor.
 23.06.425 Hazardous waste.
 23.06.430 Hazardous waste storage.
 23.06.435 Hazardous waste treatment.
 23.06.440 Hazardous waste treatment and storage facilities, off site.
 23.06.445 Hazardous waste treatment and storage facilities, on site.
 23.06.450 Hedge.
 23.06.455 Height of building.
 23.06.460 Hog farm.
 23.06.465 Home occupations.
 23.06.470 Health/fitness center.
 23.06.475 Health/fitness facility.
 23.06.477 Health spa.
 23.06.480 Homeless shelter.
 23.06.485 Hospital.
 23.06.490 Hospital or clinic for large animals.
 23.06.495 Hospital or clinic for small animals.
 23.06.500 Hot tub.
 23.06.505 Hotel.
 23.06.510 House-banked card room.
 23.06.515 Junkyard.
 23.06.520 Kennel, commercial.
 23.06.525 Landscaping.
 23.06.530 Landscaping material sales.
 23.06.535 Large livestock farming.
 23.06.540 Lattice tower.
 23.06.545 Laundry, self-service.
 23.06.550 Laundry/dry cleaning, retail.
 23.06.552 Laundry/dry cleaning, neighborhood.
 23.06.555 Laundry/dry cleaning, commercial.
 23.06.560 Livestock feed lot.
 23.06.565 Lot.
 23.06.567 Lot area.
 23.06.570 Lot, corner.
 23.06.572 Lot, interior.
 23.06.575 Lot line, front.
 23.06.577 Lot line, rear.
 23.06.580 Lot line, side.
 23.06.582 Lot depth.
 23.06.584 Lot width.
 23.06.586 *Repealed.*
 23.06.587 Lumberyard.

23.06.590 Macrofacility.
 23.06.595 Mailing services.
 23.06.600 Manufactured home.
 23.06.605 Manufactured home lot, park, and stand.
 23.06.610 Manufacturing, general.
 23.06.615 Manufacturing, heavy.
 23.06.617 Manufacturing, light.
 23.06.620 Manufacturing use.
 23.06.625 Marinas.
 23.06.630 Marine equipment rentals.
 23.06.635 Marine gas sales.
 23.06.640 Master plan.
 23.06.645 Microbrewery.
 23.06.650 *Repealed.*
 23.06.655 Mini-warehouse.
 23.06.660 Mobile home.
 23.06.665 Monopole.
 23.06.670 Motel.
 23.06.675 Nursing home or rest home.
 23.06.680 Nursery, plant.
 23.06.685 Office – Corporate.
 23.06.687 Office – Consulting services.
 23.06.690 Office – General.
 23.06.695 Office – Research and development.
 23.06.700 Office supply store.
 23.06.705 Outdoor advertising sign.
 23.06.710 Outdoor advertising structure.
 23.06.715 Outdoor storage.
 23.06.720 Parking lot.
 23.06.725 Parking space, automobile (off street).
 23.06.728 Parking structure.
 23.06.730 Pasture.
 23.06.732 Patio.
 23.06.735 Pawn shop.
 23.06.740 Pen.
 23.06.742 Permanent supportive housing.
 23.06.745 Personal loan business.
 23.06.750 Personal services business.
 23.06.755 Pet shop and pet supply store.
 23.06.760 Photo processing, copying and printing services.
 23.06.765 Pool, private.
 23.06.770 Pool, public.
 23.06.775 Pool, semi-public.
 23.06.777 Porch.
 23.06.780 Portable food vendor.
 23.06.785 Poultry farm.

23.06.790 Public agency building.
 23.06.792 Public agency facility.
 23.06.795 Radio and television studio.
 23.06.797 Reclassification.
 23.06.800 Recreational club.
 23.06.802 Recreational vehicle.
 23.06.805 Recreational vehicle campground.
 23.06.807 Recreational vehicle park.
 23.06.809 Recreational vehicle space.
 23.06.810 Restaurant.
 23.06.817 Sales, retail.
 23.06.820 Sales, wholesale.
 23.06.825 Sanitary station or sanitary dumping station.
 23.06.830 School.
 23.06.832 School, alternative.
 23.06.833 School, commercial.
 23.06.834 School, trade.
 23.06.835 Secondhand/consignment store.
 23.06.840 Senior housing.
 23.06.845 Sensitive land uses.
 23.06.850 Small livestock farming.
 23.06.855 Specialty retail store.
 23.06.860 Specified anatomical areas.
 23.06.862 Specified sexual activities.
 23.06.865 Stable, private.
 23.06.867 Stable, public.
 23.06.870 Stock-in-trade.
 23.06.871 Storage container.
 23.06.875 Story.
 23.06.880 Street.
 23.06.885 Structure.
 23.06.888 Substantial damage.
 23.06.890 Substantial improvement.
 23.06.895 Theater.
 23.06.900 Towing, vehicle impound lots.
23.06.901 Transitional housing.
 23.06.905 Travel trailer.
 23.06.910 Truck terminal.
 23.06.915 Use – Permitted.
 23.06.920 Use – Accessory (secondary).
 23.06.925 Use – Nonconforming.
 23.06.930 Use – Special.
 23.06.935 Variance.
 23.06.937 Vehicle-based food service.
 23.06.940 Vehicle leasing and rentals.
 23.06.945 Vehicle sales.

- 23.06.950 Video rental store.**
- 23.06.955 Warehousing and wholesale trade.**
- 23.06.960 Warehousing, storage and distribution.**
- 23.06.965 Wholesale use.**
- 23.06.970 Wineries – Production.**
- 23.06.972 Wineries – Tasting room.**
- 23.06.975 Yard.**
- 23.06.980 Yard, front.**
- 23.06.983 Yard, rear.**
- 23.06.985 Yard, side.**

23.06.010 Definitions – Introductory.

For the purpose of this title, certain terms and words are defined in this chapter. When not inconsistent with the context, words used in the present tense shall include the future; the singular number shall include the plural, and the plural, the singular; the word “shall” is always mandatory and the word “may” denotes a use of discretion in making a decision. The words “used” or “occupied,” unless the context otherwise requires, shall be considered as though followed by the words “or intended, arranged or designed to be used or occupied.”

23.06.020 Accessory apartment unit.

An “accessory apartment unit” is located within or adjacent to a detached one-family dwelling, located on the same lot and is a habitable living unit that provides the basic requirements of shelter, heating, cooking, and sanitation subject to the provisions of RMC 23.42.020.

23.06.025 Accessory dwelling unit.

“Accessory dwelling unit” means a dwelling unit located within a building that contains a nonresidential main or primary use. Occupancy of accessory dwelling units is reserved for the manager or owner of the main or primary use of the building.

23.06.027 Adult family home.

“Adult family home” means a facility licensed pursuant to Chapter 70.128 RCW, or the regular family dwelling of a person or persons who are providing personal care, special care, and/or room and board to more than one but not more than six adults who are not related by blood or marriage to the person or persons providing the services.

23.06.030 Adult use establishment.

“Adult use establishment” means any adult motion picture theater, adult panoram establishment, adult retail establishment or live adult entertainment establishment, as defined herein, or any establishment which provides one or more of the activities listed herein.

A. “Adult motion picture theater” means any commercial establishment where films, motion pictures, video cassettes, computer images or other similar photographic reproductions depict specified sexual activities or specified anatomical areas to patrons for a payment of a fee, membership fee, or other charge.

B. Adult Panoram Establishment. “Adult panoram” means a commercial establishment where one or more motion picture projectors, slide projectors, computers or similar devices are used to show

films, video cassettes, slides, or other forms of photographic reproductions depicting specified sexual activities or specified anatomical areas to patrons for a payment of a fee, membership fee, or other charge.

C. “Live adult entertainment establishment” means any commercial establishment featuring go-go dancers, exotic dancers, strippers, male or female impersonators, or similar entertainers that emphasize specified anatomical areas and/or whose performances or other activities include or mimic specified sexual activities.

D. “Adult retail establishment” means any retail establishment which, for money or any other form of consideration, either:

1. Has as one of its principal purposes to sell, exchange, rent, loan, trade, transfer, and/or provide for viewing, off the premises, any adult-oriented merchandise, as defined in RMC 5.21.010; or

2. Provides, as its substantial stock-in-trade, for the sale, exchange, rental, loan, trade, transfer and/or viewing or use, off of the premises, any adult-oriented merchandise as defined in RMC 5.21.010.

23.06.035 Agriculture.

“Agriculture” means the tilling of the soil, the raising of crops, horticulture, floriculture, viticulture, apiculture, small livestock farming, dairying, livestock or animal husbandry, and sod farming, including all uses incidental thereto, including the sale of the agricultural products grown or raised upon the site. “Agriculture” excludes the following activities: hog farm, livestock feed lot, poultry farm, slaughterhouse, fertilizer works, bone yard, plant for the reduction or processing of animal matter, or similar manufacturing, processing, warehousing, storage, and related industrial and commercial activities whether or not dependent upon or closely allied to the agriculture industry.

23.06.040 Airport commercial.

“Airport commercial” means the retail sale of aviation-related products and services including aircraft service and rental, air passenger services, and air terminal activities including passenger ticketing, baggage, taxi service, car rental, restaurants, hotels and gift shops.

23.06.045 Airport industrial.

“Airport industrial” means research, design, fabrication and assembly of aircraft, aircraft parts, airfreight terminals and aviation-related products. This use also includes storage and wholesale trade of aviation-related products and air cargo operations and associated storage and processing.

23.06.050 Alley.

“Alley” means a passage or way open to public travel, affording generally a secondary means of vehicular access to abutting lots, but not intended for the general traffic circulation and including vehicular ways satisfying this definition but designated by some other name.

23.06.053 Amendment.

“Amendment” means a change to the text of the city’s zoning regulations.

23.06.055 Animal shelter.

“Animal shelter” means a service use maintained and operated primarily for the impounding, holding and/or disposal of lost, stray, unwanted, or injured animals.

23.06.065 Apparel and accessory stores.

“Apparel and accessory stores” means stores primarily engaged in selling new clothing, shoes, jewelry, and related articles for personal wear and adornment and stores that rent clothing such as costumes or formal wear.

23.06.070 Apartment.

“Apartment” means a room or suite of two or more rooms, which is designed for, intended for, or occupied by one family, with facilities for cooking therein.

23.06.071 Apartment, studio.

“Apartment, studio” means a self-contained, small apartment which combines living room, kitchenette and bedroom into a single room.

23.06.075 Arcade.

“Arcade” means a commercial establishment containing six or more video, pinball, pool tables or other games, or a business with more than one game per 500 square feet of gross floor area.

23.06.080 Area of special flood hazard. *Repealed by Ord. 59-19.*

23.06.085 Art galleries.

“Art galleries” means establishments or other private or public places intended primarily for art exhibitions where people may view and/or purchase paintings, sculptures, or other works.

23.06.090 Assisted living facility.

“Assisted living facility” means an establishment which provides living quarters and a variety of limited personal care and supportive health care to individuals who are unable to live independently due to infirmity of age, physical or mental handicap, but who do not need the skilled nursing care of a convalescent or nursing home. These facilities may consist of individual dwelling units of a barrier-free design, with separate bathroom facilities, a full kitchen or no kitchen. The facility may provide a minimal amount of supportive health care monitoring, such as assistance with medication, but is limited to health care services which do not require state or federal licensing. In addition, these facilities may have a communal dining area, recreation facilities (library, lounge, game room), laundry facilities and open space.

23.06.095 Auto parts sales.

“Auto parts sales” means a commercial establishment primarily engaged in the retail sale of new auto parts, automobile accessories and tools, where no automobile maintenance or repair services are provided.

23.06.100 Automobile repair.

“Automobile repair” means an establishment which provides major automobile repair, minor automobile repair or an automobile repair specialty shop as defined herein.

A. “Major automobile repair” means general repair, engine rebuilding, rebuilding or reconditioning of motor vehicles or trailers; collision service, including body, frame or fender straightening or repair; overall painting or paint shop or other major repair or maintenance, including operations which may require open flame or welding.

B. “Minor automobile repair” means minor repairs, replacement of minor parts to passenger automobiles and trucks not exceeding one and one-half tons capacity, including any auto lubrication services and engine tune-up services but specifically excluding operations specified under “automobile repair, major” and “automobile repair, specialty shop.”

C. “Automobile repair specialty shop” means a retail and service place of business engaged primarily in light repair and sale of goods and services for automotive vehicles including brakes, muffler and tire shops, and their accessory uses. Major automobile repair is excluded from this definition.

23.06.105 Automobile service station.

“Automobile service station” means a retail place of business for the servicing or fueling of motor vehicles, including tube and tire repairs, battery charging, storage of merchandise and supplies related to the servicing of motor vehicles, sale of gasoline and other fuel and lubricants, and minor motor vehicle repairs. Such use excludes items constituting “major automobile repair.”

23.06.110 Automobile wrecking.

“Automobile wrecking” means the dismantling or wrecking of used motor vehicles or trailers, or the storage, sale or dumping of dismantled, partially dismantled, obsolete or wrecked vehicles or their parts.

23.06.115 Base flood. *Repealed by Ord. 59-19.*

23.06.117 Basement.

“Basement” means any area of a building having its floor subgrade (below ground level) on all sides.

23.06.120 Bed and breakfast.

“Bed and breakfast” means a one-family detached dwelling unit occupied by a resident owner/manager within which up to four rental bedrooms are made available for overnight accommodation.

23.06.125 Block front.

“Block front” means that property abutting on one side of a street and lying between the two nearest intersecting or intercepting streets or nearest intersecting or intercepting streets and railroad right-of-way, waterway, or subdivided acreage.

23.06.130 Book, stationery and art supply store.

“Book, stationery and art supply store” means an establishment engaged in the retail sale of books and magazines, stationery, CDs, record and tapes, video and art supplies.

23.06.135 Building.

“Building” means any structure having a roof supported by columns or by walls and intended for the shelter, housing, or enclosure of any person, animal, or chattel. When any portion thereof is completely separated from every other portion thereof by a masonry division or fire wall without any window, door or other opening therein, which wall extends from the ground to the upper surface of the roof at every point, then each such portion shall be deemed to be a separate building.

23.06.140 Building, accessory.

“Building, accessory” means a detached subordinate building, the use of which is necessary and incidental to that of a main building on the same lot, and which does not change or alter the character of the premises.

23.06.145 Building, main.

“Building, main” means a building in which is conducted the principal use of the lot on which it is situated. In any residential district, any dwelling shall be deemed to be a main building on the lot on which the same is situated.

23.06.150 Building, hardware and garden supply store.

“Building, hardware and garden supply store” means an establishment engaged in selling lumber and other building materials such as paint, glass, wallpaper, tools, seeds, and fertilizer.

23.06.155 Bus station.

“Bus station” means an establishment for the storage, dispatch, repair and maintenance of coaches and other vehicles of a public transit system.

23.06.160 Bus terminal.

“Bus terminal” means an establishment that sells tickets, provides scheduling information and serves as a point of arrival and departure for an inter-city bus line.

23.06.165 Bus transfer station.

“Bus transfer station” means land in a centralized location used by a municipal bus service as a point of departure for multiple bus routes and where bus passengers transfer from one bus to another.

23.06.170 Cafeteria.

“Cafeteria” means an enclosed building or portion thereof used for the preparation, sale, and consumption of food and beverages. Typically, food services offered in a cafeteria are provided as an accessory use to employees or other groups of people and are not generally offered to the general public.

23.06.175 Car wash.

“Car wash” means a facility designed for the cleaning of automobiles, of which there are two types:

A. “Car wash, automatic” means a tunnel-like structure through which cars are pulled or driven and in which high-pressure sprays and brushes clean, dry and may wax vehicles.

B. “Car wash, self-service” means a coin-actuated, self-service washing system enclosed in a walled bay, open front and rear, of not less than eight feet in height. The pumps, water heaters and like equipment are completely housed. Additional facilities may include drying material dispensers and vacuum cleaners.

23.06.180 Carport.

“Carport” means a covered space for the housing primarily of motor vehicles and enclosed on no more than two sides by walls, screens, cabinets, or other type of enclosures.

23.06.185 Cemetery.

“Cemetery” means land used or intended to be used for the burial of the dead and dedicated for cemetery purposes including columbariums, crematoriums, mausoleums, and funeral establishments, when operated in conjunction with and within the boundary of such cemetery.

23.06.190 Church.

“Church” means a structure, group of structures, or portion thereof which is utilized for the purpose of conducting religious worship, services or ceremonies. A church may contain facilities such as a sanctuary or chapel, assembly rooms, offices, kitchen, parsonage, or multi-purpose facilities. Graded educational facilities, dwelling units except parsonages, day care facilities, and facilities for the training of religious orders shall not be considered incidental to church usage, but may be allowed subject to other provisions of this title.

23.06.195 City officials and agencies.

The word “city” means the city of Richland in Benton County, Washington; the term “city council” means the city council of said city; the terms “planning commission” or “physical planning commission” or “commission” mean the planning commission of the city; the term “board” or “board of adjustment” means the board of adjustment of the city; the term “administrative official” or “city planner” means such person as the city manager shall designate to administer and enforce this title.

23.06.200 Cinema.

“Cinema” means a motion picture theater.

23.06.205 Clinic.

“Clinic” means a building or portion of a building containing offices for providing medical, dental, psychiatric or chiropractic services for outpatients only.

23.06.207 Clinic, school-based.

“Clinic, school-based” means a building or portion of a building, co-located on a school campus, containing offices for providing limited outpatient medical services to children and their families within the respective school district, as well as to district staff and faculty. Such facilities are operated by independent healthcare organizations.

23.06.210 Club or fraternal societies.

“Club” or “fraternal societies” means an association of persons (whether or not incorporated) organized for some common nonprofit purpose, but not including a group organized primarily to

render a service customarily carried on as a business.

23.06.215 Commercial recreation.

“Commercial recreation” means establishments engaged in providing amusement or entertainment for a fee or admission charge. There are two categories of commercial recreation:

A. Indoor Commercial Recreation. Including but not limited to such activities as dance halls, bowling alleys, billiard and pool establishments, skating rinks, indoor batting cages and miniature golf.

B. Outdoor Commercial Recreation. Including but not limited to such activities as outdoor batting cages, arenas, golf courses, putting courses, outdoor miniature golf, amusement parks, riding academies, carnival operations, expositions, and marinas.

23.06.217 Concessionaire.

“Concessionaire,” for the purposes of this title, means and includes any person, firm, or corporation involved in any activity involving the sale of any goods or services, whether conducted for profit or not, on any property located within the PPF – parks and public facilities district. Any concession activity shall be clearly incidental to and supportive of an established primary permitted use in the underlying zoning district.

23.06.220 Convention center.

“Convention center” means a building or area designated to accommodate large groups of people usually for social occasions, or the exchange of information related to professional or commercial activity. Such a facility typically contains various large assembly halls, conference rooms, and food service facilities.

23.06.225 Contractors’ offices and shops.

“Contractors’ offices and shops” means a combination of uses in a single building or lot that includes the assembly, storage and/or manufacture of products typically used in building construction such as cabinetry, heating/cooling systems, plumbing and mechanical systems together with administrative offices.

23.06.230 Contractors’ yards.

“Contractors’ yards” means the portion of a lot outside of a contractor’s office and shop that is used for the outdoor storage of vehicles, equipment and supplies.

23.06.235 Court.

“Court” means an open, unoccupied space, other than a yard, on the same lot with a building or group of buildings, which is bounded on two or more sides by such building or buildings.

23.06.240 Cultural institution.

“Cultural institution” means establishments such as museums, art galleries, and botanical and zoological gardens of historic, educational or cultural interests which are not operated for profit.

23.06.245 Day care center.

“Day care center” means a licensed facility, other than a family day care home, providing regularly scheduled care for a group of children for periods less than 24 hours.

23.06.250 Delicatessen.

“Delicatessen” means retail food stores selling ready-to-eat food products such as cooked meats, prepared salads or seafood, health food or other specialty food items.

23.06.255 Department store.

“Department store” means a large retail store arranged into departments for the sale of a variety of consumer goods.

23.06.260 Dependent recreational vehicle.

“Dependent recreational vehicle” means a recreational vehicle which does not contain water or sewage disposal facilities.

23.06.265 Designated manufactured home.

“Designated manufactured home” means a manufactured home which:

A. Is comprised of at least two fully enclosed parallel sections each not less than 12 feet wide by 36 feet long;

B. Was originally constructed with and now has a composition or wood shake or shingle, coated metal, or similar roof of not less than 3:12 pitch; and

C. Has exterior siding similar in appearance to siding materials commonly used on conventional site-built International Building Code single-family residences.

23.06.270 Development.

“Development” means any manmade change to improved or unimproved real estate, including but not limited to buildings or other structures, mining, dredging, filling, grading, paving, excavation or drilling operations or storage of equipment or materials, but not including any open wire fences in any F district.

23.06.275 District.

“District” means a portion of the city within which certain uses of land and buildings are permitted, and certain other uses of land and buildings are prohibited, or within which certain yards and other open spaces are required, or within which certain lot areas are established, or within which certain height limits are required for buildings, or within which a combination of such aforesaid regulations are applied, all as set forth and specified in this title, or any of the districts with which any combining regulations are combined.

23.06.280 Dormitories, fraternities and sororities.

“Dormitories,” “fraternities” and “sororities” mean a building occupied by and maintained exclusively for students affiliated with an academic or professional college or university, or other recognized institution of higher learning.

23.06.285 Drinking establishment.

“Drinking establishment” means a business primarily engaged in the retail sale of alcoholic beverages for consumption on the premises, including nightclubs, bars, cocktail lounges, and taverns.

23.06.290 Drive-through.

“Drive-through” means a facility which, by its design, allows people to receive goods and/or services while remaining in their automobiles.

23.06.295 Drug store/pharmacy.

“Drug store/pharmacy” means an establishment engaged in the retail sale of prescription drugs, nonprescription medicines, cosmetics, vitamins, first-aid supplies, and other health-related products.

23.06.300 Dwelling, one-family attached.

“Dwelling, one-family attached” means a building designed for or containing one dwelling unit, which is attached on one or both sides with a common wall/zero lot line wall to one or more buildings of the same type.

23.06.305 Dwelling, one-family detached.

“Dwelling, one-family detached” means a detached building designed for or containing one dwelling unit, which may include an accessory apartment subject to the provisions of the zoning districts and RMC 23.42.020.

23.06.310 Dwelling, two-family detached.

“Dwelling, two-family detached” means a detached building designed for or containing two independent dwelling units.

23.06.315 Dwelling, multiple-family.

“Dwelling, multiple-family” means a building or portion thereof designed for or containing three or more independent dwelling units.

23.06.320 Dwelling unit.

“Dwelling unit” means a building or portion thereof providing complete housekeeping facilities for one family, which may include an accessory apartment unit subject to the provisions of the zoning districts and RMC 23.42.020.

23.06.325 Electronic equipment stores.

“Electronic equipment stores” means establishments engaged in the retail sale of a variety of electronic equipment including computers, televisions, stereos, and cameras.

23.06.327 Emergency housing.

“Emergency housing” means temporary indoor accommodations for individuals or families who are homeless or at imminent risk of becoming homeless that is intended to address the basic health, food, clothing, and personal hygiene needs of individuals or families. Emergency housing may or may not require occupants to enter into a lease or an occupancy agreement.

23.06.329 Emergency shelter.

“Emergency shelter” means a facility that provides a temporary shelter for individuals or families who are currently homeless. Emergency shelter may not require occupants to enter into a lease or an occupancy agreement. Emergency shelter facilities may include day and warming centers that do not provide overnight accommodations.

23.06.330 Essential public facilities.

“Essential public facilities” means a facility, conveyance or site whose services are provided by a governmental agency, a private or nonprofit organization under contract to or with substantial funding from government agencies, or a private organization subject to public service obligations, which is necessary to adequately provide a public service and which is typically hard to site.

23.06.335 Equipment rental.

“Equipment rental” means the use of a building or land for the purpose of providing tools, implements, or other articles to individuals or businesses on a temporary basis for a specified fee. This use does not include the rental of automobiles or trucks.

23.06.340 Family.

“Family” means one or more persons occupying a premises and living as a single, nonprofit housekeeping unit, as distinguished from a group occupying a hotel, club, boardinghouse or rooming house, fraternity or sorority house.

23.06.345 Family day care home.

“Family day care home” means a licensed facility in the licensee’s home providing regularly scheduled care for 12 or fewer children for periods less than 24 hours.

23.06.350 Farming of land.

“Farming of land” means the growing of seasonal crops and/or the tilling of soil. For purposes of this definition, the farming of land is typically an interim or temporary land use and would not typically include agricultural activities that are of a long-term nature, such as the planting of orchards or vineyards or the raising of livestock.

23.06.355 Fence.

“Fence” means an upright structure serving as an enclosure, barrier or boundary usually made of posts, boards, wire, iron, steel, or masonry.

23.06.360 Financial institution.

“Financial institution” means a business or institution engaged in monetary transactions such as banks, lending, savings and loan institutions and credit unions but excluding pay day loan businesses.

23.06.365 Flood or flooding – Flood Insurance Rate Map (FIRM) – Flood Insurance Study. *Repealed by Ord. 59-19.*

23.06.370 Florist.

“Florist” means an establishment engaged in the retail sale of flowers and plants.

23.06.375 Food stores.

“Food stores” means stores primarily engaged in selling food and beverages for home preparation and consumption. It includes grocery stores; mini-market or convenience store uses; meat and fish markets, including freezer provisioners; fruit and vegetable markets; candy, nut, and confectionery stores; dairy products stores; retail bakeries; wine and beer shops; liquor stores; and miscellaneous stores specializing in items such as spices, coffee, or health foods. As an accessory use, a food store may also sell prepared foods for on-site or off-site consumption.

23.06.380 Food wagon.

“Food wagon” means a vehicle that is used for retail food sales that is capable of operating from a variety of sites, rather than from a fixed location.

23.06.385 Fuel station/mini-mart.

“Fuel station/mini-mart” means establishments engaged primarily in the sale of automobile gasoline or other auto fuel to the general public. Such uses may include mini-market or convenience store uses involving the sale of snack food and beverage items.

23.06.390 Funeral establishment.

A “funeral establishment” is a place of business devoted exclusively to such activities as are related to the preparation and arrangements for the funeral, transportation, burial, or other disposition of dead bodies, and including but not limited to: (A) a chapel in which memorial, funeral, or religious services may be conducted; and (B) a preparation room equipped for the preparation and embalming of dead bodies for burial or transportation.

23.06.395 Furniture, home furnishings, and appliance stores.

“Furniture, home furnishings, and appliance stores” means businesses primarily engaged in the retail sale of goods used for furnishing the home, such as furniture, floor coverings, draperies, lighting fixtures, woodstoves, domestic cook stoves, refrigerators, and other household electrical and gas appliances. This category also includes rental of furniture, appliances, and the like.

23.06.400 General service businesses.

“General service businesses” means establishments which provide services involving the maintenance, repair or improvement of personal and household goods including computer and consumer electronics repair and service, custom framing shops, jewelry repair, locksmiths, shoe repair, tailors, upholstery shops, and similar uses.

23.06.405 Grade plane.

“Grade plane” means a reference plane representing the average of finished ground level adjoining the building at exterior walls. Where the finished ground level slopes away from the exterior walls, the reference plane shall be established by the lowest points within the area between the building and the lot line or, where the lot line is more than six feet from the building, between the building and a point six feet from the building.

23.06.410 Gross floor area.

“Gross floor area” means the sum of the areas of all floors included within the surrounding walls of a building, or portion thereof, exclusive of vents, shafts, and courts.

23.06.415 Guest room.

“Guest room” means a room which is intended, arranged, or designed to be occupied or which is occupied by one or more guests, but in which no provision is made for cooking, and not including dormitories for sleeping purposes.

23.06.420 Habitable floor.

“Habitable floor” means any floor usable for living purposes, which includes working, sleeping, eating, cooking or recreation, or a combination thereof, except for a floor used only for storage purposes.

23.06.425 Hazardous waste.

“Hazardous waste” means all dangerous and extremely hazardous waste as defined by RCW 70.105.010.

23.06.430 Hazardous waste storage.

“Hazardous waste storage” means the holding of dangerous waste for a temporary period as regulated by the Washington State Dangerous Waste Regulations, Chapter 173-30 WAC.

23.06.435 Hazardous waste treatment.

“Hazardous waste treatment” means the physical, chemical, or biological processing of dangerous waste to make wastes nondangerous or less dangerous, safer for transport, amenable for storage, or reduced in volume.

23.06.440 Hazardous waste treatment and storage facilities, off site.

“Hazardous waste treatment and storage facilities, off site” means treatment and storage facilities that treat or store waste generated on properties other than those on which the off-site facilities are located.

23.06.445 Hazardous waste treatment and storage facilities, on site.

“Hazardous waste treatment and storage facilities, on site” means treatment and storage facilities that treat and store wastes generated on the same, geographically contiguous, or bordering property.

23.06.450 Hedge.

“Hedge” means a row of closely planted shrubs, bushes, or low growing trees forming a barrier, enclosure, or boundary.

23.06.455 Height of building.

“Height of building” means the vertical distance from grade plane to the average height of the highest roof surface. (See RMC 23.06.405 for definition of “grade plane.”)

23.06.460 Hog farm.

“Hog farm” means a lot, structure or building used for the raising or keeping of six or more hogs or swine.

23.06.465 Home occupations.

“Home occupations” means an occupation or business activity conducted within a dwelling unit by a member or members of the family who occupy the dwelling, where the occupation or business activity is clearly incidental and secondary to the use of the dwelling for living purposes and the residential character of the dwelling is maintained.

23.06.470 Health/fitness center.

“Health/fitness center” means a building, group of buildings or combination of buildings and outdoor uses which together are used for sports, health and recreational uses whether on a membership basis or for the general public. Such facilities include, but are not limited to, gymnasiums, weight-reducing centers, dance studios, tennis, handball or racquetball courts, indoor or outdoor swimming pools and spas, weight training, exercise classes, and running tracks.

23.06.475 Health/fitness facility.

“Health/fitness facility” means health clubs, aerobics centers, athletic clubs and gymnasiums, handball and racquetball clubs, weight-reducing centers, dance studios, and other businesses primarily engaged in indoor health and recreation activities, whether on a membership basis or for the general public. Health/fitness facilities are conducted in buildings no larger than 5,000 square feet in area.

23.06.477 Health spa.

“Health spa” means a commercial facility providing body treatments, massage, gyms, spas, health and wellness activities and similar services.

23.06.480 Homeless shelter.

“Homeless shelter” means a facility designed to provide overnight accommodations and/or meals to homeless persons.

23.06.485 Hospital.

“Hospital” means a licensed institution designed within an integrated campus setting for the diagnosis, care, and treatment of human illness, both mental and physical.

23.06.490 Hospital or clinic for large animals.

“Hospital or clinic for large animals” means a medical facility or institution providing in-patient and outpatient veterinary service consisting of the prevention, cure, or alleviation of disease and injury to large animals or livestock.

23.06.495 Hospital or clinic for small animals.

“Hospital or clinic for small animals” means a medical facility or institution providing inpatient and outpatient veterinary service consisting of the prevention, cure, or alleviation of disease and injury to dogs, birds, cats, and similar small animals.

23.06.500 Hot tub.

“Hot tub” means a nonpermanent structure intended for recreational bathing, in which all controls, water heating, and water circulating equipment are an integral part of the product.

23.06.505 Hotel.

“Hotel” means any building or portion thereof containing six or more guest rooms, which is used, designed, or intended to be used, let, or hired out to be occupied, or which is occupied by six or more individuals for compensation, whether the compensation be paid directly or indirectly.

23.06.510 House-banked card room.

“House-banked card room” as used in this title means an establishment licensed by the Washington State Gambling Commission (the “Commission”) to offer “house-banked card games” as described in WAC 230-40-010 and subject to regulation by the Commission under RCW 9.46.070 and Chapter 230-40 WAC.

23.06.515 Junkyard.

“Junkyard” means the use of more than 100 square feet of the area of any lot, or the use of any portion of that half of any lot (but not exceeding a depth or width, as the case may be, of 100 feet) which adjoins any street, for the storage, keeping or abandonment of junk, including scrap metals or other scrap material, or the use of any area for an automobile wrecking yard; provided, however, that this definition shall not be deemed to include uses conducted entirely within an enclosed building or lots for the outdoor display and sale of used automobiles in operable condition.

23.06.520 Kennel, commercial.

“Kennel, commercial” means any lot, premises, building, or structure where six or more dogs, cats, and/or household pets over six months of age are kept.

23.06.525 Landscaping.

“Landscaping” shall consist of any of the following or combination thereof: material such as, but not limited to, grass, ground covers, shrubs, vines, hedges, and trees; and nonliving durable material commonly used in landscaping such as, but not limited to, rocks, pebbles, bark, sand, walls, or fences, but excluding paving and artificial plants.

23.06.530 Landscaping material sales.

“Landscaping material sales” means establishments engaged in the retail sale of materials commonly used in landscaping such as trees, shrubs, bark, gravel, patio bricks, concrete blocks, pond liners, and similar materials.

23.06.535 Large livestock farming.

“Large livestock farming” means the keeping of domesticated animals such as horses, ponies, burros, dairy and beef cattle, sheep, goats, swine, and similar animals which are kept for personal or agricultural use, or raised for sale and profit.

23.06.540 Lattice tower.

“Lattice tower” is a wireless communications support structure, which consists of metal crossed strips or bars to support antennas and related equipment.

23.06.545 Laundry, self-service.

“Laundry, self-service” means a business providing home-type washing, drying and/or ironing facilities where customers primarily complete the laundering of their own clothes.

23.06.550 Laundry/dry cleaning, retail.

“Laundry/dry cleaning, retail” means a business providing drop off and pick up services of laundry and dry cleaning where the actual laundry/dry cleaning activities are completed at an off-site commercial laundry/dry cleaning facility.

23.06.552 Laundry/dry cleaning, neighborhood.

“Laundry/dry cleaning, neighborhood” means a business providing drop off and pick up services of laundry and dry cleaning and where actual laundry/dry cleaning activities are completed on site in a process that primarily uses solvents or chemicals that are not regulated as hazardous by the Environmental Protection Agency. Such businesses shall operate in facilities that are 2,000 square feet in area or less.

23.06.555 Laundry/dry cleaning, commercial.

“Laundry/dry cleaning, commercial” means a business providing commercial laundry or dry cleaning services.

23.06.560 Livestock feed lot.

“Livestock feed lot” means a lot, structure or building, or confined area used intensively for raising or keeping of more than six head of beef cattle or similar livestock for the purpose of feeding, breeding, conditioning, or holding the same for marketing or slaughter in which animal waste may accumulate, but not including barns, pens or similar structures.

23.06.565 Lot.

“Lot” means land occupied or to be occupied by a principal use or building or unit group of buildings and accessory buildings, together with such open spaces as are required under the provisions of this title, having not less than the minimum area required by this title, for a lot in the district in which such lot is situated, and having its principal frontage on a street, or having a permanent means of access to a street. A lot as defined herein is not necessarily the same as a platted lot.

23.06.567 Lot area.

“Lot area” means the total horizontal area included within lot lines.

23.06.570 Lot, corner.

“Lot, corner” means a lot bounded on two or more sides by street lines; provided, that the interior angle of intersection or interception of said street lines does not exceed 135 degrees.

23.06.572 Lot, interior.

“Lot, interior” means a lot other than a corner lot.

23.06.575 Lot line, front.

“Lot line, front” means, in the case of an interior lot, a line separating the lot from the street; in the case of a corner lot, a line separating the narrowest street frontage of the lot from the street; except in those cases in a C-1 district where a lot has two or more street frontages of equal length or nearly equal length, the front lot line shall be considered to be the line adjoining the street which the comprehensive plan shows is intended to carry the heaviest traffic flow.

23.06.577 Lot line, rear.

“Lot line, rear” means the lot line which is generally opposite the front lot line. If the rear lot line is less than 10 feet in length, or if the lot comes to a point at the rear, the rear lot line shall be deemed to be a line parallel to the front lot line, not less than 10 feet long, lying wholly within the lot and farthest from the front lot line.

23.06.580 Lot line, side.

“Lot line, side” means any lot boundary line not a front lot line or a rear lot line.

23.06.582 Lot depth.

“Lot depth” means the shortest horizontal distance between the front lot line and a line drawn parallel to the front lot line through the midpoint of the rear lot line. For lots with front lines containing curves or angles, the measurement shall be taken from a line drawn parallel to a base line adjoining the front corners of the lot and lying midway between said base line and a line drawn parallel to said base line tangent to the curve or through the angle point.

23.06.584 Lot width.

“Lot width” means the distance between side lot lines measured at right angles to the lot depth at its midpoint.

23.06.586 Lowest floor. *Repealed by Ord. 59-19.*

23.06.587 Lumberyard.

“Lumberyard” means a business that sells building materials and/or lumber in large quantities, and includes a significant portion of its product storage outdoors or in warehouse portions of a building.

23.06.590 Macrofacility.

“Macrofacility” is a large wireless communication facility that provides radio frequency coverage for a cellular telephone network. Generally, macro cell antennas are mounted on ground-based towers, rooftops and other existing structures at a height that provides a clear view over the surrounding buildings and terrain. Macro cell facilities typically contain antennas that are greater than three cubic feet per antenna, and typically cover large geographic areas with relatively high capacity and may be capable of hosting multiple wireless service providers.

23.06.595 Mailing services.

“Mailing services” means a private establishment engaged in the business of renting mailboxes, accepting packages for delivery, selling packaging materials and/or providing bulk mailing services for customers.

23.06.600 Manufactured home.

“Manufactured home” means a single-family residence constructed after June 15, 1976, and in accordance with the U.S. Department of Housing and Urban Development (HUD) requirements for manufactured housing and bearing the appropriate insignia indicating such compliance.

23.06.605 Manufactured home lot, park, and stand.

“Manufactured home lot” means a designated portion of a manufactured home park designed for

the accommodation of one manufactured home and its accessory structures.

“Manufactured home park” means any site, lot, field or tract of land under the ownership or management of one person, partnership, firm or corporation which is divided into manufactured home lots for tenancy or lease, upon which two or more manufactured homes are located and occupied for dwelling purposes.

“Manufactured home stand” means that area of a manufactured home lot which has been reserved for the placement of a manufactured home.

23.06.610 Manufacturing, general.

“Manufacturing, general” means a manufacturing use, typically having the potential of creating moderate noise, smoke, dust, vibration or other environmental impacts or pollution, and including but not limited to the following:

- A. Production of items made from stone or concrete;
- B. Production of items from ferrous or nonferrous metals through use of a machine shop, welding or fabrication; or from nonferrous metals through use of a foundry; or from ferrous metals through use of a foundry heated by electricity (induction melting);
- C. Production of finished goods that typically are not for household or office use, such as barrels, ceramic molds, or cardboard cartons, from materials that are already refined, or from raw materials that do not need refining, such as paper, fabric, leather, premilled wood; or wool, clay, cork, semiprecious or precious metals or stones, fiber, or other similar materials;
- D. Production of finished goods, for household or nonhousehold use, such as toys, film, pens, or linoleum from plastic, rubber, or celluloid;
- E. Production of parts to be assembled into a finished product;
- F. Development of film on a wholesale basis;
- G. Production of items through biological processes, such as pharmaceuticals and industrial purifiers, manufactured by bioengineering techniques;
- H. Production of items such as paint and coatings, dyestuffs, fertilizer, glue, cosmetics, clay, or pharmaceuticals that require the mixing or packaging of chemicals;
- I. Food processing for human consumption except that involving the milling of grain or the refining of sugar.

23.06.615 Manufacturing, heavy.

“Manufacturing, heavy” means a manufacturing use, typically having the potential of creating substantial noise, smoke, dust, vibration and other environmental impacts or pollution, and including but not limited to:

- A. Processing or refining of raw materials, such as but not limited to minerals, petroleum, rubber, wood or wood pulp, into other products;
- B. The milling of grain or refining of sugar, except when accessory to a use defined as food processing for human consumption or as a retail sales and service use;
- C. Slaughterhouses, including packing and freezing of meat products;
- D. Refining, extruding, rolling, or drawing of ferrous or nonferrous metals, or the use of a noninduction foundry for ferrous metal;
- E. Production of large durable goods such as motorcycles, cars, manufactured homes, airplanes, or heavy farm, industrial, or construction machinery;
- F. Manufacturing of electrical components, such as semi-conductors and circuit boards, using chemical processes such as etching or metal coating;
- G. Production of industrial organic and inorganic chemicals, and soaps and detergents; and
- H. Conversion of solid waste into useful products or preparation of solid waste for disposal at another location by processing to change its physical form or chemical composition. This includes the off-site treatment or storage of hazardous waste as regulated by the State Department of Ecology.

23.06.617 Manufacturing, light.

“Manufacturing, light” means a manufacturing use, typically having little or no potential of creating noise, smoke, dust, vibration or other environmental impacts or pollution, and including but not limited to the following:

- A. Production, assembly, finishing, and/or packaging of articles from parts made at another location, such as assembly of clocks, electrical appliances, or medical equipment;
- B. Production of finished household and office goods, such as jewelry, clothing or cloth, toys, furniture, or tents, from materials that are already refined, or from raw materials that do not need refining, such as paper, fabric, leather, premilled wood; or wool, clay, cork, semi-precious or precious metals or stones, fiber, or other similar materials;
- C. Canning or bottling of food or beverages for human or animal consumption using a mechanized assembly line;
- D. Printing plants with more than 5,000 square feet of gross floor area;
- E. Electronic product and component manufacturing including radio, TV, computers, data systems equipment, optical, photographic, engineering and similar precision instruments and high-tech industries.

23.06.620 Manufacturing use.

“Manufacturing use” means a business establishment in which articles are produced by hand or by machinery, from raw or prepared materials, by giving to those materials new forms, qualities, properties, or combinations, in a process frequently characterized by the repetitive production of items made to the same or similar specifications.

23.06.625 Marinas.

“Marinas” means an establishment providing docking, moorage space and activities relating to the maintenance and minor repair of pleasure boats and yachts.

23.06.630 Marine equipment rentals.

“Marine equipment rentals” means a business engaged in the rental of marine equipment, such as boats or jet skis, to individuals or businesses on a temporary basis for a specified fee.

23.06.635 Marine gas sales.

“Marine gas sales” means a business typically associated with a marina that engages in retail gasoline sales for boats and other marine equipment.

23.06.640 Master plan.

“Master plan” means a detailed site plan for certain distinct areas of the city for which specific plans have been reviewed and approved by the planning commission and the city council. A master plan for a distinct area is not to be construed as a substitute for the comprehensive plan as set forth in Chapter 23.01 RMC.

23.06.645 Microbrewery.

“Microbrewery” means a small-scale beer brewing plant located within a restaurant or tavern building in which a portion of the building is used for the production of beer for wholesale distribution and for on-site retail sale to restaurant or tavern patrons.

23.06.650 Microfacility. *Repealed by Ord. 07-19.***23.06.655 Mini-warehouse.**

“Mini-warehouse” means a structure containing separate storage spaces of varying sizes that are leased or rented on an individual basis and outdoor yards for the storage of goods where storage, retrieval and transport are the responsibilities of the renter or lessee.

23.06.660 Mobile home.

“Mobile home” means a single-family residence transportable in one or more sections that are eight feet or more in width and 32 feet or more in length, built on a permanent chassis, designed to be used as a permanent dwelling and constructed before June 15, 1976.

23.06.665 Monopole.

“Monopole” means a vertical support structure consisting of a single vertical metal, concrete, or wooden pole, typically round or square and driven into the ground or attached to a foundation.

23.06.670 Motel.

“Motel” means a building or group of buildings containing guest rooms designed or used to provide transient lodging.

23.06.675 Nursing home or rest home.

“Nursing home” or “rest home” means a home for aged, chronically ill, incurable persons, or persons in need of convalescent care outside of a hospital in which two or more persons not of the immediate family are received, kept, or provided with food and shelter or care for compensation, but not including hospitals, clinics, or similar institutions devoted primarily to the diagnosis and treatment of disease or injury, maternity cases, or mental illness.

23.06.680 Nursery, plant.

“Nursery, plant” means an enterprise, establishment or portion thereof that conducts the retailing or wholesaling of plants grown on the site, as well as accessory items such as clay pots, potting soil, fertilizers, insecticides, garden implements, etc.

23.06.685 Office – Corporate.

“Office – corporate” means an establishment primarily engaged in providing internal office administration services as opposed to customer service in a single building or a campus setting; for example, the headquarters, regional offices and/or the administrative offices for a corporation. Generally, the majority of the traffic generated from corporate offices comes from employees and not the general public.

23.06.687 Office – Consulting services.

“Office – consulting services” means establishments providing a wide variety of professional services including but not limited to: accountants, engineers, geologists, architects, financial consultants, landscape architects, land planners, surveyors and interior designers who generally conduct research, provide analysis of information, computer simulation, diagramming, mapping and/or drafting in order to create new products or plans.

23.06.690 Office – General.

“Office – general” means an establishment which provides administrative, professional, educational, financial, governmental or customer services to individuals, businesses, institutions and/or governmental agencies in an office setting; for example, branch banks, travel agencies, medical offices, real estate offices, insurance agencies, government offices, customer service offices, data processing services, union or charitable organization offices and wholesalers’ offices.

23.06.695 Office – Research and development.

“Office – research and development” means an office/laboratory establishment engaged in the research, analysis, design, development and/or testing of a product.

23.06.700 Office supply store.

“Office supply store” means stores selling office products such as stationery, legal forms, writing implements, computers, copies, office furniture, and similar products.

23.06.705 Outdoor advertising sign.

“Outdoor advertising sign” means any lettered, figure, or pictorial matter or other sign of any kind or character whatsoever, made visible for outdoor advertising purposes anywhere.

23.06.710 Outdoor advertising structure.

“Outdoor advertising structure” means any structure of any kind or character erected or maintained for outdoor advertising purposes, upon which any outdoor advertising sign may be placed, including also outdoor advertising statuary.

23.06.715 Outdoor storage.

“Outdoor storage” means the storage of any products, materials, vehicles, equipment, junk, or scrap outside the confines of an enclosed building, and more specifically defined as:

A. Merchandise Display. Display of products and materials, and operable vehicles and equipment for the principal purpose of offering for sale at retail, and incidental to the business existing on the premises;

B. Equipment and Material Storage. Storage of any equipment or materials in usable condition which are not being specifically displayed as merchandise or offered for sale at retail; and

C. Junk and Scrap Storage. Storage of used products or scrap materials such as wood, cloth, paper, glass, metal, plastic, or rock material, which could be refurbished, recycled, or converted into usable stock or material.

23.06.720 Parking lot.

“Parking lot” means an open area, other than a street or alley, used for the temporary parking of automobiles and available for public use, whether free or for compensation, or as an accommodation for clients or customers.

23.06.725 Parking space, automobile (off street).

“Parking space, automobile (off street)” means space within a public or private parking area, or within a building designed for or used for the temporary parking or storage of one motor vehicle.

23.06.728 Parking structure.

“Parking structure” means a structure used for the parking of vehicles where parking is accommodated on two or more levels.

23.06.730 Pasture.

“Pasture” means a fenced enclosure or confined area used for the grazing of livestock or small animals which contains sufficient vegetation to serve as the principal food source for the livestock confined therein.

23.06.732 Patio.

“Patio” means an outdoor space that is often paved or decked directly adjacent to a main building that is at or within 30 inches of adjacent grade.

23.06.735 Pawn shop.

“Pawn shop” means an establishment engaged in the buying or selling of new or secondhand merchandise and offering loans in exchange for personal property.

23.06.740 Pen.

“Pen” means a fenced enclosure or small confined area used for the raising or keeping of livestock or small animals, but not including barns, sheds or similar structures, or pasture.

23.06.742 Permanent supportive housing.

“Permanent supportive housing” is subsidized, leased housing with no limit on length of stay that prioritizes people who need comprehensive support services to retain tenancy and utilizes admissions practices designed to use lower barriers to entry than would be typical for other subsidized or unsubsidized rental housing, especially related to rental history, criminal history, and personal behaviors. Permanent supportive housing is paired with on-site or off-site voluntary services designed to support a person living with a complex and disabling behavioral health or physical health condition who was experiencing homelessness or was at imminent risk of homelessness prior to moving into housing to retain their housing and be a successful tenant in a housing arrangement, improve the resident's health status, and connect the resident of the housing with community-based health care, treatment, or employment services. Permanent supportive housing is subject to all of the rights and responsibilities defined in chapter 59.18 RCW.

23.06.745 Personal loan business.

“Personal loan business” means an establishment engaged in the business of cashing payroll checks and/or providing small, nonsecured, short-term loans to individuals.

23.06.750 Personal services business.

“Personal services business” means a business primarily engaged in providing services generally involving the maintenance of the human body, or other services to one’s person. Such businesses include, but are not limited to, barber and beauty shops, photographic studios, body piercing, manicuring shops, tanning parlors, body wrapping, tattoo parlors and massage practitioners.

23.06.755 Pet shop and pet supply store.

“Pet shop” and “pet supply store” mean establishments engaged in the retail sale of pets, pet food, supplies and the grooming of pets.

23.06.760 Photo processing, copying and printing services.

“Photo processing, copying and printing services” means retail establishments that provide duplicating services using photocopy, blueprint and offset printing equipment, including collating of booklets and reports.

23.06.765 Pool, private.

“Pool, private” means a swimming pool built accessory to a dwelling unit and used for the enjoyment of the family living therein.

23.06.770 Pool, public.

“Pool, public” means a swimming pool to which the general public has access through the payment

of a fee or admission charge.

23.06.775 Pool, semi-public.

“Pool, semi-public” means a swimming pool accessory to a hotel, motel, multiple dwelling or similar use to which the general public does not have usual access, and located for the convenience of the guests or patrons of a hotel, motel or similar use.

23.06.777 Porch.

“Porch” means an outdoor, typically raised and covered area, providing an entrance way to a building.

23.06.780 Portable food vendor.

“Portable food vendor” means the vending of food and/or beverages from a movable cart-type stand which is located on the same lot as, and in conjunction with, a permitted use. Portable food vending stands cannot be self-propelled, must serve only walk-up customers, and may not be stored outdoors when the portable food vendor is not open for business.

23.06.785 Poultry farm.

“Poultry farm” means a lot, structure or building used intensively for the raising, feeding, breeding, or keeping of chickens, turkeys, or other poultry for marketing or slaughter, or for the production of eggs for sale.

23.06.790 Public agency building.

“Public agency building” means any agency office for the administration of any governmental activity or program.

23.06.792 Public agency facility.

“Public agency facility” means a lot, structure, facility or building which is necessary for the operation of a public utility on which is performed a public service such as supplying water, wastewater disposal, electrical, transportation or communication service, usually as a monopoly or pursuant to a franchise by a business organization under governmental regulation, or directly by government.

23.06.795 Radio and television studio.

“Radio and television studio” means an establishment engaged in transmitting oral and visual programs, and which consists of a studio, transmitter, and antennas.

23.06.797 Reclassification.

“Reclassification” means a change in the city’s zoning map, resulting in a change in zoning designation on one or more parcels of property. Also referred to as a rezone.

23.06.800 Recreational club.

“Recreational club” means an area devoted to facilities and equipment for recreational purposes, swimming pools, tennis courts, playgrounds, community clubhouses, and other similar uses maintained by a nonprofit organization whose membership is limited to the residents within the area in which it is located; provided, that membership shall not be denied to residents of the area

based solely on race, creed or color.

23.06.802 Recreational vehicle.

“Recreational vehicle” means a vehicular-type unit designed for temporary living quarters for recreational, camping, or travel use, which either has its own motive power or is mounted on or drawn by another vehicle. “Recreational vehicle” shall include, but not be limited to, the following:

A. Travel Trailer. A vehicular, portable structure built on a chassis and drawn by a motorized vehicle and which is designed to be used as a temporary dwelling for travel, recreational and vacation uses;

B. Camper. A structure designed to be mounted on a truck chassis for use as a temporary dwelling for travel, recreational and vacation uses;

C. Motor Home. A portable, temporary dwelling to be used for travel, recreational and vacation use constructed as an integral part of a self-propelled vehicle;

D. Camping Trailer. A folding structure mounted on wheels and designed for travel, recreational and vacation uses.

(See also “Dependent recreational vehicle,” RMC 23.06.260.)

23.06.805 Recreational vehicle campground.

“Recreational vehicle campground” means a lot or parcel of land occupied or intended for occupancy by recreational vehicles or tents for travel, recreational or vacation usage for short periods of stay subject to the provisions of this title.

23.06.807 Recreational vehicle park.

“Recreational vehicle park” means a lot or parcel of land occupied or intended for occupancy by recreational vehicles for travel, recreational or vacation uses allowing for longer periods of stay subject to the provisions of this title.

23.06.809 Recreational vehicle space.

“Recreational vehicle space” means a parcel of land in a recreational vehicle park or campground for the placement of a single recreational vehicle and the exclusive use of its occupants.

23.06.810 Restaurant.

“Restaurant” means a retail establishment engaged in the preparation and sale of food and beverages, including coffee shops, sandwich shops, ice cream parlors, fast food take-out, espresso stands, and similar uses. The term “restaurant” can be further described by the following types:

A. Restaurant, Drive-Through. A “restaurant” which has one or more drive-through lanes for ordering and dispensing of food and beverages to patrons remaining in their vehicles, for consumption off the premises. A drive-through restaurant may also have seating facilities.

B. Restaurant, Lounge. A restaurant which includes licensed on-site provision of alcoholic

beverages for consumption on the premises as an accessory to food service.

C. Restaurant, Sit-Down. A restaurant at which all food and drink is consumed on the premises.

D. Restaurant, Take-Out. A restaurant that offers a take-out service whereby food may be consumed off the premises. A take-out restaurant may also have seating facilities.

23.06.817 Sales, retail.

“Sales, retail” means sale to the ultimate consumer for direct consumption and not for resale.

23.06.820 Sales, wholesale.

“Sales, wholesale” means sale for resale not for direct consumption. For the purpose of land use classifications, a business primarily engaged in wholesale sales, with less than 25 percent of the square footage of sales in related retail, will be classified as wholesale.

23.06.825 Sanitary station or sanitary dumping station.

“Sanitary station” or “sanitary dumping station” means a facility used for removing and disposing of wastes from recreational vehicle sewage holding tanks.

23.06.830 School.

“School” means public or private graded educational institution facility, structure or building but not including trade schools.

23.06.832 School, alternative.

“School, alternative” means a school which offers a curriculum which is equivalent to but is a substitute for the curriculum commonly found in more traditional public or private schools.

23.06.833 School, commercial.

“School, commercial” means a business establishment where instruction is given, in exchange for payment of a fee. Examples of subjects taught include, but are not limited to, dance, computer skills, music, and martial arts.

23.06.834 School, trade.

“School, trade” means an educational facility, structure or building operated as a business enterprise offering instruction or training in the trades or industrial arts such as welding, brick laying, machinery operation, cooking, printing or similar trades or industrial arts, but not including schools.

23.06.835 Secondhand/consignment store.

“Secondhand/consignment store” means an establishment engaged in the retail sale of used clothing, sports equipment, appliances, and other merchandise.

23.06.840 Senior housing.

“Senior housing” means a complex of dwellings, exclusively designed for and occupied by households having least one person 62 years of age or older.

23.06.845 Sensitive land uses.

“Sensitive land uses” means those land uses which are particularly sensitive to the secondary effects of adult use businesses. “Sensitive land uses” include the following:

- A. Churches, or other religious facilities or institutions;
- B. Multiple-family and single-family residential zones;
- C. Playgrounds and public parks;
- D. Public and private schools, technical schools and training facilities which have 25 percent or more of their students under the age of 18.

23.06.850 Small livestock farming.

“Small livestock farming” means the keeping of four or more domesticated animals such as rabbits, chickens, ducks, turkeys, and similar fowl and animals which are kept for personal or agricultural use, or raised for sale and profit.

23.06.855 Specialty retail store.

“Specialty retail store” means one of a wide variety of stores involved in the retail sale of one or more general categories of specialty goods and merchandise, including but not limited to the following types of specialty stores: sporting goods, bicycles, glassware and chinaware, fishing tackle, music, greeting cards, jewelry, toys, hobby supplies, games, cameras, gifts and souvenirs, sewing supplies, tobacco products, newspapers, magazines, and comic books, religious supplies, guns and gun supplies or other miscellaneous goods.

23.06.860 Specified anatomical areas.

“Specified anatomical areas” means:

- A. Less than completely and opaquely covered human genitals, pubic region, buttock or female breast below a point immediately above the top of the areola; and
- B. Human male genitals in a discernibly turgid state, even if completely and opaquely covered.

23.06.862 Specified sexual activities.

“Specified sexual activities” means:

- A. Human genitals in a state of sexual stimulation or arousal; and/or
- B. Acts of human masturbation, sexual intercourse or sodomy, whether between persons of the same or opposite sex; and/or
- C. Fondling or other erotic touching of human genitals, pubic region, buttock or female breast; and/or
- D. Excretory functions as part of or in connection with any of the activities set forth in this chapter.

23.06.865 Stable, private.

“Stable, private” means a building in which horses are kept for private use and not for remuneration, hire, or sale.

23.06.867 Stable, public.

“Stable, public” means a building in which horses are kept for remuneration, hire, or sale, including a riding academy.

23.06.870 Stock-in-trade.

“Stock-in-trade” means all books, equipment, magazines, periodicals, pictures, posters, printed material, products (including prerecorded video tapes, discs, or similar material), or other items readily available for purchase, rental, viewing or use by patrons of the establishment excluding material located in any storeroom or other portion of the premises not open to patrons.

23.06.871 Storage container.

“Storage container” is defined as provided in RMC 11.33.010.

23.06.875 Story.

“Story” means that portion of a building included between the surface of any floor and the surface of the next floor above it, or if there is no floor above it, then the space between the floor and the ceiling next above it. A mezzanine floor shall be counted as a story if it covers over one-third of the area of the floor next below it, or if the vertical distance from the floor next below it to the floor next above it is 24 feet or more. A basement shall be counted as a story if its ceiling is over six feet above the level from which the height of the building is measured.

23.06.880 Street.

“Street” means a public thoroughfare which affords the principal means of access to abutting property, including avenue, place, way, drive, lane, boulevard, highway, road, and any other thoroughfare except an alley.

23.06.885 Structure.

“Structure” means anything constructed or erected, the use of which requires location on the ground or attachment to something having location on the ground.

23.06.888 Substantial damage.

“Substantial damage” means damage of any origin sustained by a structure whereby the cost of restoring the structure to its before-damaged condition would equal or exceed 50 percent of the market value of the structure before the damage occurred.

23.06.890 Substantial improvement.

“Substantial improvement” means any repair, reconstruction, or improvement of a structure, the cost of which equals or exceeds 50 percent of the market value of the structure either before the improvement or repair is started, or if the structure has been damaged and is being restored, before the damage occurred. “Substantial improvement” is considered to occur when the first alteration of any wall, ceiling, floor or other structural part of the building commences, whether or not that alteration affects the external dimensions of the structure.

The term “substantial improvement” does not include any project for improvement to comply with existing state or local health, sanitary, or safety code specifications which have been identified by the local code enforcement official which are the minimum necessary to assure safe living conditions, or any alteration of a structure listed on the National Register of Historic Places or State Inventory of Historic Places.

23.06.895 Theater.

“Theater” means a facility used by and for the performing arts but not including cinema.

23.06.900 Towing, vehicle impound lots.

“Towing, vehicle impound lots” means lots used for the temporary storage of vehicles which have been towed by a towing company or for impounded vehicles, but which does not include permanent vehicle storage or dismantling of vehicles.

23.06.901 Transitional housing.

“Transitional housing” means a facility that provides housing and supportive services to homeless individuals or families for up to two years and whose primary purpose is to enable homeless individuals or families to move into independent living and permanent housing.

23.06.905 Travel trailer.

See “Recreational vehicle,” RMC 23.06.802.

23.06.910 Truck terminal.

“Truck terminal” means a business providing a location where goods carried by motor transport can be received, transferred from one vehicle to another, and/or shipped, where the primary purpose is not storage but to serve as a point of transfer.

23.06.915 Use – Permitted.

“Use – permitted” means a use authorized or allowed alone in a specified use district for the preservation or promotion of which the use district is established and subject to the requirements of the regulations and standards of such use district, and to which all other uses are accessory, special, conditional, or nonconforming.

23.06.920 Use – Accessory (secondary).

“Use – accessory (secondary)” means a secondary or minor use of a lot, structure, or building designed or employed in conjunction with, but subordinate or incidental to, and compatible with the principal permitted use for which the use district is established, and subject to the regulations and standards of such use district.

23.06.925 Use – Nonconforming.

“Use – nonconforming” means the use of a building or other structure or of a tract of land which does not conform to the use regulations of this title for the district in which it is located, either at the effective date of the ordinance codified in this title or as a result of subsequent amendments which may be incorporated into this title.

23.06.930 Use – Special.

“Use – special” means any use of a lot, structure or building which by its nature, intensity or potential impact upon an area cannot be considered as a principal or accessory use within a use district, but when subject to special conditions and standards specified in a special use permit may be compatible with other uses in the same or adjacent use districts.

23.06.935 Variance.

“Variance” means a modification of the regulations of this title granted by the board of adjustment after finding that the literal application of the provisions of this title would cause undue and unnecessary hardship in view of certain facts and conditions applying to a specific parcel of property.

23.06.937 Vehicle-based food service.

“Vehicle-based food service” means the vending of food and/or beverages from a large vehicle that is equipped to both cook and sell food, and that is capable of being moved from place to place as provided in RMC 23.42.325.

23.06.940 Vehicle leasing and rentals.

“Vehicle leasing and rentals” means the use of any building or land for a business involving the leasing of vehicles.

23.06.945 Vehicle sales.

“Vehicle sales” means the use of any building or land for the display and sale or long-term lease of new or used automobiles, panel trucks or vans, boats, or motorcycles and including any warranty repair work and other repair service conducted as an accessory use.

23.06.950 Video rental store.

“Video rental store” means an establishment engaged primarily in the renting or sale of videocassettes, DVDs, and video games.

23.06.955 Warehousing and wholesale trade.

“Warehousing and wholesale trade” means establishments involved in the storage and/or sale of bulk goods for resale or assembly, excluding establishments offering the sale of bulk goods to the general public.

23.06.960 Warehousing, storage and distribution.

“Warehousing, storage and distribution” means a building where goods and materials are kept immediately prior to their delivery to retail outlets or their sale to other businesses. This use may include vehicle maintenance or storage as an accessory use.

23.06.965 Wholesale use.

“Wholesale use” means a business that stores large stocks of goods for sale in bulk quantities to retail outlets. Sales to the general public do not occur on the site, nor is the location of the business advertised through newspapers, flyers or other media designed to reach the consumer.

23.06.970 Wineries – Production.

“Wineries – production” means an establishment engaged in the production of wine for wholesale distribution.

23.06.972 Wineries – Tasting room.

“Wineries – tasting room” means an establishment engaged in the retail sales of wines.

23.06.975 Yard.

“Yard” means an open space of uniform width or depth on the same lot with a building or a group of buildings, which open space lies between the building or group of buildings and the nearest lot line and is unoccupied and unobstructed from the ground upward, except for the certain exceptions specified in this title. In measuring a yard, as hereinafter provided, the “line of a building” shall be deemed to mean a line parallel to or concentric with the nearest lot line drawn through the point of a building or the point of a group of buildings nearest to such a lot line, exclusive of the exceptions referenced above, and the measurements shall be taken from the line of the building to the nearest lot line.

23.06.980 Yard, front.

“Yard, front” means a yard extending the full width of the site and measured as to depth at the least horizontal distance between the street right-of-way line and the exterior wall.

23.06.983 Yard, rear.

“Yard, rear” means a yard which extends the full width of the site and is measured as to depth at the least horizontal distance between the rear lot line and the exterior wall.

23.06.985 Yard, side.

“Yard, side” means a yard which extends from the front yard or front lot line where no front yard exists to the rear yard or rear lot line where no rear yard exists and is measured as to width at the least horizontal distance between the side lot line and the exterior wall.

Section 2. Richland Municipal Code Section 23.14.030, entitled Agricultural use districts permitted land uses, as first enacted by Ordinance No. 28-05, and last amended by Ordinance No. 17-09, is hereby amended as follows:

23.14.030 Agricultural use districts permitted land uses.

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

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

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

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

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

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

Land Use	AG	SAG
Agriculture		
Agricultural Use	P	P
Business and Personal Services		
Animal Shelter	S ¹	
Commercial Kennel	S ¹	
Hospital Clinic – Large Animal	S ¹	
Hospital Clinic – Small Animal	S ¹	
Industrial Uses		
Excavating, Processing, Removal of Topsoils, Sand, Gravel, Rock or Similar Natural Deposits	S ²	
Public Uses		
Churches	P ³	P ³
Clubs or Fraternal Societies	P ³	P ³
Cultural Institutions	P ³	P ³
General Park Maintenance and Operations	P	P
Golf Courses	P	P
Passive Open Space Uses	P	P
Power Transmission and Irrigation Wasteway Easements and Utility Uses	P ⁴	P ⁴
Public Agency Buildings	P ⁴	P ⁴
Public Agency Facilities	P ⁴	P ⁴
Public Parks	P	P
Schools	P ⁵	P ⁵
Special Events Including Concerts, Tournaments, and Competitions, Fairs, Festivals and Similar Public Gatherings	P	P
Trail Head Facilities	P	P
Trail for Equestrian, Pedestrian or Nonmotorized Vehicle Use	P	P

Land Use	AG	SAG
Recreational Uses		
Commercial Recreation, Outdoor	S ⁶	
Recreational Vehicle Campgrounds	S ⁷	
Stable, Public	S ⁸	
Retail Uses		
Landscaping Material Sales	S ⁹	
Nursery, Plant	S ⁹	
Parking Lot	A	A
Residential Uses		
Accessory Apartments	A ¹⁰	A ¹⁰
Adult Family Home	P	P
Bed and Breakfast	S ¹¹	S ¹¹
Day Care Center	S ¹²	S ¹²
Designated Manufactured Home	P ¹³	P ¹³
Dwelling, One-Family Detached	P ¹³	P ¹³
Family Day Care Home	A ¹²	A ¹²
Home Occupations	A ¹⁴	A ¹⁴
Permanent Supportive Housing	P¹³	P¹³
Private Swimming Pools	A ¹⁵	A ¹⁵
Recreational Club	P ¹⁶	P ¹⁶
Rental of Rooms to Not More Than Four Persons Other Than the Family Occupying the Single-Family Dwelling	A	A
Transitional Housing	P¹³	P¹³
Miscellaneous Uses		
Cemetery	P	
Macro-Antennas	P	P
Raising Crops, Trees or Vineyards	P	P

1. RMC 23.42.040
2. RMC 23.42.070
3. RMC 23.42.050
4. RMC 23.42.200
5. RMC 23.42.250
6. RMC 23.42.175
7. RMC 23.42.230
8. RMC 23.42.190
9. RMC 23.42.105

10. RMC 23.42.020
11. RMC 23.42.045
12. RMC 23.42.080
13. RMC 23.18.025
14. RMC 23.42.090
15. RMC 23.42.300
16. RMC 23.42.210

Section 3. Richland Municipal Code Section 23.18.030, entitled Residential use districts permitted land uses, as first enacted by Ordinance No. 28-05, and last amended by Ordinance No. 17-09, is hereby amended as follows:

23.18.030 Residential use districts permitted land uses.

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

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

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

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

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

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

Land Use	R-1-12	R-1-10	R-2	R-2S	R-3
Residential Uses					
Accessory Apartments	A ¹	A ¹	A ¹	A ¹	A ¹
Accessory Buildings ¹⁴	A	A	A	A	A
Adult Family Home	P	P	P	P	P
Apartment/Condominium (3 or More Units)					P
Assisted Living Facility					P
Bed and Breakfast	S ²	S ²	S ²	S ²	P
Day Care Center	S ³	S ³	S ³	S ³	P ³
Designated Manufactured Home	P ⁴	P ⁴	P ⁴	P ⁴	P ⁴
Dormitories, Fraternities and Sororities					P

Land Use	R-1-12	R-1-10	R-2	R-2S	R-3
Dwelling, One-Family Attached			P ⁴	P ⁴	P ⁴
Dwelling, One-Family Detached	P ⁴	P ⁴	P ⁴	P ⁴	P ⁴
Dwelling, Two-Family Detached			P	P	P
Home Occupations	A ⁵	A ⁵	A ⁵	A ⁵	A ⁵
Family Day Care Home	A ³	A ³	A ³	A ³	A ³
Manufactured Home Park			S ⁶	S ⁶	S ⁶
Playground Developed in Conjunction with School, Park or Community Clubhouse	P	P	P	P	P
Nursing or Rest Home					P
Permanent Supportive Housing	P⁴	P⁴	P⁴	P⁴	P⁴
Rental of Rooms to Not More Than Four Persons Other Than the Family Occupying the Single-Family Dwelling	A	A	A	A	A
Private Swimming Pools	A ⁷	A ⁷	A ⁷	A ⁷	A ⁷
Recreational Club	P ⁸	P ⁸	P ⁸	P ⁸	P ⁸
Senior Housing					P
Transitional Housing	P⁴	P⁴	P⁴	P⁴	P⁴
Public/Quasi-Public Uses					
Churches	P ⁹	P ⁹	P ⁹	P ⁹	P ⁹
Clubs or Fraternal Societies	P ⁹	P ⁹	P ⁹	P ⁹	P ⁹
Cultural Institutions	P ⁹	P ⁹	P ⁹	P ⁹	P ⁹
General Park Operations and Maintenance Activities	P	P	P	P	P
Golf Courses	P	P	P	P	P
Power Transmission and Irrigation Wasteway Easements and Utility Uses	P ¹⁰	P ¹⁰	P ¹⁰	P ¹⁰	P ¹⁰
Public Agency Buildings	P ¹⁰	P ¹⁰	P ¹⁰	P ¹⁰	P ¹⁰
Public Agency Facilities	P ¹⁰	P ¹⁰	P ¹⁰	P ¹⁰	P ¹⁰
Public Parks	P	P	P	P	P
Schools	P ¹¹	P ¹¹	P ¹¹	P ¹¹	P ¹¹
Special Events Including Concerts, Tournaments and Competitions, Fairs, Festivals and Similar Public Gatherings	P	P	P	P	P

Land Use	R-1-12	R-1-10	R-2	R-2S	R-3
Trail Head Facilities	P	P	P	P	P
Miscellaneous Uses					
Macro-Antennas	P	P	P	P	P
Parking Lots	P	P	P	P	P
Raising Crops, Trees, Vineyards	P	P	P	P	P
Recreational Vehicle Parks					S ^{12,13}

1. RMC 23.42.020

2. RMC 23.42.045

3. RMC 23.42.080

4. RMC 23.18.025

5. RMC 23.42.090

6. RMC 23.42.140

7. RMC 23.42.300

8. RMC 23.42.210

9. RMC 23.42.050

10. RMC 23.42.200

11. RMC 23.42.250

12. RMC 23.42.220

13. RMC 23.18.020(B)(4)

14. Accessory buildings and structures are subject to RMC 23.38.020 – 23.38.070

Section 4. Richland Municipal Code Section 23.22.030, entitled Commercial use districts permitted land uses, as first enacted by Ordinance No. 28-05, and last amended by Ordinance No. 15-21, is hereby amended as follows:

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			
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				
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				

Land Use	C-LB	C-1	C-2	C-3	CBD	WF	CR	CW
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			
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
Restaurants/Sit Down	A	P	P	P	P	P	P	P

Land Use	C-LB	C-1	C-2	C-3	CBD	WF	CR	CW
Restaurants/Take Out		P	P	P	P	P		P
Restaurants with Entertainment/Dancing Facilities		P ⁷	P	P	P	P	P	P
Vehicle-Based Food Service		p ³⁰	p ³⁰	p ³⁰	p ³⁰	p ³⁰		
Wineries – Tasting Room		P ⁷	P	P	P	P	P	P
Industrial/Manufacturing Uses								
Laundry and Cleaning Plants				P				p ²⁸
Light Manufacturing Uses				P				p ²⁸
Warehousing and Distribution Facilities				P				p ²⁸
Wholesale Facilities and Operations				P				p ²⁸
Wineries – Production				P				P
Office Uses								
Financial Institutions	P	P/S ²²	P	P	P/S ²²	P		
Medical, Dental and Other Clinics	P	P	P	P	P	P		
Newspaper Offices and Printing Works			P	P	P			
Office – Consulting Services	P	P	P	P	P	P		p ²⁸
Office – Corporate	P		P	P	P	P		p ²⁸
Office – General	P	P	P	P	P	P		p ²⁸
Office – Research and Development	P		P	P	P			p ²⁸
Radio and Television Studios			P	P	P			
Schools, Commercial	P		P	P	P	P		
Schools, Trade			P	P	P			p ²⁸
Travel Agencies	P	P	P	P	P	P		
Public/Quasi-Public Uses								
Churches	p ¹⁰	p ¹⁰	p ¹⁰	p ¹⁰	P	p ¹⁰		
Clubs or Fraternal Societies	p ¹⁰	p ¹⁰	p ¹⁰	p ¹⁰	p ¹⁰	p ¹⁰		
Cultural Institutions	p ¹⁰	p ¹⁰	p ¹⁰		p ¹⁰	p ¹⁰		p ¹⁰
General Park O&M Activities	P	P	P	P	P	P	P	P

Land Use	C-LB	C-1	C-2	C-3	CBD	WF	CR	CW
Hospitals	P		P	P	P			
Homeless Shelter				P				
Passive Open Space Use	P	P	P	P	P	P	P	P
Power Transmission and Irrigation Wasteway Easements and Utility Uses	P ¹¹	P ¹¹	P ¹¹	P ¹¹	P ¹¹	P ¹¹	P ¹¹	P ¹¹
Public Agency Buildings	P	P	P	P	P	P	P	
Public Agency Facilities	P ¹¹	P ¹¹	P ¹¹	P ¹¹	P ¹¹	P ¹¹	P ¹¹	P ¹¹
Public Campgrounds				S			S	
Public Parks	P	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	
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								

Land Use	C-LB	C-1	C-2	C-3	CBD	WF	CR	CW
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
<u>Emergency Housing</u>	<u>P</u>		<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>
<u>Emergency Shelters</u>	<u>P</u>		<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>
Family Day Care Home	P ¹⁹					P ¹⁹		
Houseboats						P	P	
Hotels or Motels	P		P	P	P	P	P	P
Nursing or Rest Home	P		P		P ¹⁸	P		
<u>Permanent Supportive Housing</u>	<u>P</u>		<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>
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
<u>Transitional Housing</u>	<u>P</u>		<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>
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		

Land Use	C-LB	C-1	C-2	C-3	CBD	WF	CR	CW
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			
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
Convention Center	P		P	P	P	P	P	
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 multistory 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.
30. RMC 23.42.325

Section 5. Richland Municipal Code Section 23.26.030, entitled Industrial use districts permitted land uses, as first enacted by Ordinance No. 28-05, and last amended by Ordinance No. 60-19, is hereby amended as follows:

23.26.030 Industrial 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	I-M	M-2
Automotive, Marine and Heavy Equipment Uses		
Automotive Repair – Major	P	P
Automotive Repair – Minor	P	
Automotive Repair – Specialty Shop	P	
Automobile Service Station	P	
Automobile Wrecking		S ¹
Boat Building	P	P
Bottling Plants	P	P
Car Wash – Automatic or Self-Service	P ²	A
Equipment Rentals	P	
Farm Equipment and Supplies Sales	P	S
Gas/Fuel Station	P	S
Heavy Equipment Sales and Repair	P	P
Marine Repair	P	P
Towing, Vehicle Impound Lots	P ³	
Truck Rentals	P	
Truck Stop – Diesel Fuel Sales	P	P
Truck Terminal	P	P
Vehicle Sales	P	
Warehousing, Wholesale Use	P	P
Business and Personal Services		
Animal Shelter	S ⁴	
Contractors' Offices and Shops	P	
General Service Businesses	P	P
Health/Fitness Facility	P	A
Health/Fitness Center	P	
Laundry/Dry Cleaning, Commercial	P	
Laundry/Dry Cleaning, Retail	P	

Land Use	I-M	M-2
Mini-Warehouse	P ⁵	
Mailing Service	P	
Personal Loan Business	P	
Personal Services Businesses	P	
Photo Processing, Copying and Printing Services	P	
Telemarketing Services	P	
Food Service		
Cafeterias	A	A
Delicatessen	A	A
Drinking Establishments	P	P
Restaurants/Sit Down	P	
Restaurants/Drive-Through	P ⁶	A ⁶
Restaurants/Lounge	P	
Restaurants/Take Out	P	
Restaurants with Entertainment/Dancing Facilities	P	
Wineries	P	
Industrial/Manufacturing Uses		
Airport, Industrial	P	
Excavating, Processing, Removal of Topsoil, Sand, Gravel, Rock or Similar Natural Deposits	S ⁷	S ⁷
Junkyard		S
Laundry and Cleaning Plants	P	P
General Manufacturing Uses	P	P
Heavy Manufacturing Uses		P
Light Manufacturing Uses	P	P
Research, Development and Testing Facilities	P	P
Warehousing, Storage and Distribution	P	P
Wholesale Facilities and Operations	P	P
Office Uses		
Financial Institutions	P	
Medical, Dental and Other Clinics	P	
Office – Consulting Services	P	

Land Use	I-M	M-2
Office – Corporate	P	
Office – General	P	
Office – Research and Development	P	P
Public/Quasi-Public Uses		
General Park Operations and Maintenance Activities	P	P
Passive Open Space Use	P	P
Power Transmission and Irrigation Wasteway Easements and Utility Uses	P ⁸	P ⁸
Public Agency Buildings	P ⁸	P ⁸
Public Agency Facilities	P ⁸	P ⁸
Public Parks	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
Recreational Uses		
Commercial Recreation, Outdoor	S ⁹	
Residential Uses		
Accessory Dwelling Unit	A	
Day Care Center	S ¹⁰	
Dwelling Units for a Resident Watchman or Custodian	A	A
Emergency Housing	S	S
Emergency Shelters	S	S
Hotels or Motels	S	S
Permanent Supportive Housing	S	S
Temporary Residence	P ¹¹	P ¹¹
Transitional Housing	S	S
Retail Uses		
Adult Use Establishments	P ¹²	
Airport, Commercial	P	
Parking Lot or Structure	P	P
Miscellaneous Uses		
Bus Station	P	

Land Use	I-M	M-2
Bus Terminal	P	
Bus Transfer Station	P	P
Community Festivals and Street Fairs	P	P
Farming of Land	P	P
Macro-Antennas	P	P
Monopole	P ¹³	P ¹³
On-Site Hazardous Waste Treatment and Storage	P	P
Outdoor Storage	P ¹⁴	P ¹⁴
Storage in an Enclosed Building	P	P

1. RMC 23.42.290
2. RMC 23.42.270
3. RMC 23.42.320
4. RMC 23.42.040
5. RMC 23.42.170
6. RMC 23.42.047
7. RMC 23.42.070
8. RMC 23.42.200
9. RMC 23.42.175
10. RMC 23.42.080
11. RMC 23.42.110
12. RMC 23.42.030
13. Chapter 23.62 RMC
14. RMC 23.42.180

Section 6. 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. 2022-01, 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		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

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

Land Use	B-RP	B-C
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
Emergency Housing	S⁸	P
Emergency Shelters	S⁸	P
Hotels or Motels	S ⁸	P
Nursing or Rest Home		P
Permanent Supportive Housing	S⁸	P
Temporary Residence	P ^{8,10}	P ¹⁰
Transitional Housing	S⁸	P
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

Land Use	B-RP	B-C
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

Section 7. This Ordinance shall take effect the day following its publication in the official newspaper of the City of Richland.

Section 8. 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 9. 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.

Michael Alvarez, Mayor

Attest:

Approved as to Form:

Jennifer Rogers, City Clerk

Heather Kintzley, City Attorney

First Reading: _____

Second Reading: _____

Date Published: _____

Exhibit 3



File No. EA2022-111

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

Description of Proposal: The City of Richland is proposing to amend the Richland Municipal Code by adding indoor emergency housing, indoor emergency shelters, permanent supportive housing, and transitional housing as necessary to Sections 23.14.030, 23.18.030, 23.22.030, 23.26.030 and 23.28.030 and will add definitions for emergency housing, indoor emergency shelters, permanent supportive housing, and transitional housing to Chapter 23.06, Definitions. The proposed code amendment is being done to comply with the mandates of E2SHB 1220.

Proponent: City of Richland

Location of Proposal: City-Wide.

Lead Agency: City of Richland

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

() There is no comment for the DNS.

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

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

Responsible Official: Mike Stevens

Position/Title: Planning Manager

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

Date: May 19, 2022

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: **CA2021-110 Emergency Housing & Emergency Shelters**
2. Name of applicant: **Kevin Damrell, Permit Technician**

3. Address and phone number of applicant and contact person: **625 Swift Blvd, MS-35, Richland, WA 99352 (509)942-7771**
4. Date checklist prepared: **4/6/2022**
5. Agency requesting checklist: **City of Richland Development Services Department**
6. Proposed timing or schedule (including phasing, if applicable): **RMC Code Amendment – May/June, 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, this is a stand-alone code amendment.**
8. List any environmental information you know about that has been prepared, or will be prepared, directly related to this proposal. **No additional environmental information is being prepared as a result of this proposed code amendment.**
9. Do you know whether applications are pending for governmental approvals of other proposals directly affecting the property covered by your proposal? If yes, explain. **No other governmental approvals are required.**
10. List any government approvals or permits that will be needed for your proposal, if known. **None.**
11. Give brief, complete description of your proposal, including the proposed uses and the size of the project and site. There are several questions later in this checklist that ask you to describe certain aspects of your proposal. You do not need to repeat those answers on this page. (Lead agencies may modify this form to include additional specific information on project description.) **The proposed amendment will add indoor emergency housing, indoor emergency shelters, permanent supportive housing, and transitional housing as necessary to Sections 23.14.030, 23.18.030, 23.22.030, 23.26.030 and 23.28.030 and will add definitions for emergency housing, indoor emergency shelters, permanent supportive housing, and transitional housing to Chapter 23.06, Definitions.**
12. Location of the proposal. Give sufficient information for a person to understand the precise location of your proposed project, including a street address, if any, and section, township, and range, if known. If a proposal would occur over a range of area, provide the range or boundaries of the site(s). Provide a legal description, site plan, vicinity map, and topographic map, if reasonably available. While you should submit any plans required by the agency, you are not required to duplicate maps or detailed plans submitted with any permit applications related to this checklist. **The proposed code amendment would apply to land uses within the Agriculture, Residential, Commercial, Industrial and Business zoning districts that allow for hotels and allows transitional housing and permanent supportive housing in zoning districts in which residential dwelling units or hotels are allowed.**

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

1. Earth

- a. General description of the site: **Proposed text amendments would apply city-wide.**
(circle one): Flat, rolling, hilly, steep slopes, mountainous, other _____
- b. What is the steepest slope on the site (approximate percent slope)? **N/A Proposed text amendments would apply city-wide.**
- c. What general types of soils are found on the site (for example, clay, sand, gravel, peat, muck)? If you know the classification of agricultural soils, specify them and note any agricultural land of long-term commercial significance and whether the proposal results in removing any of these soils. **Varies. Proposed text amendments would apply city-wide.**
- d. Are there surface indications or history of unstable soils in the immediate vicinity? If so, describe. **Not applicable. Proposed text amendments would apply city-wide.**
- e. Describe the purpose, type, total area, and approximate quantities and total affected area of any filling, excavation, and grading proposed. Indicate source of fill. **Not applicable.**
- f. Could erosion occur as a result of clearing, construction, or use? If so, generally describe. **Not applicable.**
- g. About what percent of the site will be covered with impervious surfaces after project construction (for example, asphalt or buildings)? **Not applicable.**
- h. Proposed measures to reduce or control erosion, or other impacts to the earth, if any: **Not applicable.**

2. Air

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

3. Water

- a. Surface Water: **Not applicable. This is a non-project related code amendment. All future site specific development projects will be subject to SEPA analysis if not exempt per WAC 197-11-800.**
 - 1) Is there any surface water body on or in the immediate vicinity of the site (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.**

- 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.**
- 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.**
- 4) Will the proposal require surface water withdrawals or diversions? Give general description, purpose, and approximate quantities if known. **Not applicable.**
- 5) Does the proposal lie within a 100-year floodplain? If so, note location on the site plan. **Not applicable.**
- 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. **Not applicable.**

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

- 1) Will groundwater be withdrawn from a well for drinking water or other purposes? If so, give a general description of the well, proposed uses and approximate quantities withdrawn from the well. Will water be discharged to groundwater? Give general description, purpose, and approximate quantities if known. **Not applicable.**
- 2) Describe waste material that will be discharged into the ground from septic tanks or other sources, if any (for example: Domestic sewage; industrial, containing the following chemicals. . . ; agricultural; etc.). Describe the general size of the system, the number of such systems, the number of houses to be served (if applicable), or the number of animals or humans the system(s) are expected to serve. **Not applicable.**

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

- 1) Describe the source of runoff (including storm water) and method of collection and disposal, if any (include quantities, if known). Where will this water flow? Will this water flow into other waters? If so, describe. **Not applicable.**
- 2) Could waste materials enter ground or surface waters? If so, generally describe. **Not applicable.**

3) Does the proposal alter or otherwise affect drainage patterns in the vicinity of the site? If so, describe. **Not applicable.**

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

4. Plants

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

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

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

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

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

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

5. Animals

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

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

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

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

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

6. Energy and Natural Resources

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

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

c. What kinds of energy conservation features are included in the plans of this proposal? List other proposed measures to reduce or control energy impacts, if any: **Not applicable. Not applicable. This is a non-project related code amendment. All future site specific development projects will be subject to SEPA analysis if not exempt per WAC 197-11-800.**

7. Environmental Health

a. Are there any environmental health hazards, including exposure to toxic chemicals, risk of fire and explosion, spill, or hazardous waste, that could occur as a result of this proposal? If so, describe. **Not applicable. This is a non-project related code amendment. All future site specific development projects will be subject to SEPA analysis if not exempt per WAC 197-11-800.**

- 1) Describe any known or possible contamination at the site from present or past uses. **Not applicable. This is a non-project related code amendment. All future site specific development projects will be subject to SEPA analysis if not exempt per WAC**

197-11-800.

- 2) Describe existing hazardous chemicals/conditions that might affect project development and design. This includes underground hazardous liquid and gas transmission pipelines located within the project area and in the vicinity. **Not applicable. This is a non-project related code amendment. All future site specific development projects will be subject to SEPA analysis if not exempt per WAC 197-11-800.**
- 3) Describe any toxic or hazardous chemicals that might be stored, used, or produced during the project's development or construction, or at any time during the operating life of the project. **Not applicable. This is a non-project related code amendment. All future site specific development projects will be subject to SEPA analysis if not exempt per WAC 197-11-800.**
- 4) Describe special emergency services that might be required. **Not applicable. This is a non-project related code amendment. All future site specific development projects will be subject to SEPA analysis if not exempt per WAC 197-11-800.**
- 5) Proposed measures to reduce or control environmental health hazards, if any: **Not applicable. This is a non-project related code amendment. All future site specific development projects will be subject to SEPA analysis if not exempt per WAC 197-11-800.**

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

- 1) What types of noise exist in the area which may affect your project (for example: traffic, equipment, operation, other)? **Not applicable. This is a non-project related code amendment. All future site specific development projects will be subject to SEPA analysis if not exempt per WAC 197-11-800.**
- 2) What types and levels of noise would be created by or associated with the project on a short-term or a long-term basis (for example: traffic, construction, operation, other)? Indicate what hours noise would come from the site. **Not applicable. This is a non-project related code amendment. All future site specific development projects will be subject to SEPA analysis if not exempt per WAC 197-11-800.**
- 3) Proposed measures to reduce or control noise impacts, if any: **Not applicable. This is a non-project related code amendment. All future site specific development projects will be subject to SEPA analysis if not exempt per WAC 197-11-800.**

8. Land and Shoreline Use

- a. What is the current use of the site and adjacent properties? Will the proposal affect current land uses on nearby or adjacent properties? If so, describe. **Not applicable. This is a non-**

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

- b. Has the project site been used as working farmlands or working forest lands? If so, describe. How much agricultural or forest land of long-term commercial significance will be converted to other uses as a result of the proposal, if any? If resource lands have not been designated, how many acres in farmland or forest land tax status will be converted to nonfarm or nonforest use? **Not applicable. This is a non-project related code amendment. All future site specific development projects will be subject to SEPA analysis if not exempt per WAC 197-11-800.**
 - 1) Will the proposal affect or be affected by surrounding working farm or forest land normal business operations, such as oversize equipment access, the application of pesticides, tilling, and harvesting? If so, how: **Not applicable. This is a non-project related code amendment. All future site specific development projects will be subject to SEPA analysis if not exempt per WAC 197-11-800.**
- c. Describe any structures on the site. **Not applicable. This is a non-project related code amendment. All future site specific development projects will be subject to SEPA analysis if not exempt per WAC 197-11-800.**
- d. Will any structures be demolished? If so, what? **Not applicable. This is a non-project related code amendment. All future site specific development projects will be subject to SEPA analysis if not exempt per WAC 197-11-800.**
- e. What is the current zoning classification of the site? **Not applicable. This is a non-project related code amendment. All future site specific development projects will be subject to SEPA analysis if not exempt per WAC 197-11-800.**
- f. What is the current comprehensive plan designation of the site? **Not applicable. This is a non-project related code amendment. All future site specific development projects will be subject to SEPA analysis if not exempt per WAC 197-11-800.**
- g. If applicable, what is the current shoreline master program designation of the site? **Not applicable. This is a non-project related code amendment. All future site specific development projects will be subject to SEPA analysis if not exempt per WAC 197-11-800.**
- h. Has any part of the site been classified as a critical area by the city or county? If so, specify. **Not applicable. This is a non-project related code amendment. All future site specific development projects will be subject to SEPA analysis if not exempt per WAC 197-11-800.**
- i. Approximately how many people would reside or work in the completed project? **Not applicable. This is a non-project related code amendment. All future site specific development projects will be subject to SEPA analysis if not exempt per WAC 197-11-800.**

- j. Approximately how many people would the completed project displace? **Not applicable. This is a non-project related code amendment. All future site specific development projects will be subject to SEPA analysis if not exempt per WAC 197-11-800.**
- k. Proposed measures to avoid or reduce displacement impacts, if any: **Not applicable. This is a non-project related code amendment. All future site specific development projects will be subject to SEPA analysis if not exempt per WAC 197-11-800.**
- l. Proposed measures to ensure the proposal is compatible with existing and projected land uses and plans, if any: **Not applicable. This is a non-project related code amendment. All future site specific development projects will be subject to SEPA analysis if not exempt per WAC 197-11-800.**
- m. Proposed measures to reduce or control impacts to agricultural and forest lands of long-term commercial significance, if any: **Not applicable. This is a non-project related code amendment. All future site specific development projects will be subject to SEPA analysis if not exempt per WAC 197-11-800.**

9. Housing

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

10. Aesthetics

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

11. Light and Glare Not applicable.

- a. What type of light or glare will the proposal produce? What time of day would it mainly occur? **Not applicable. This is a non-project related code amendment. All future site specific development projects will be subject to SEPA analysis if not exempt per WAC 197-11-800.**
- b. Could light or glare from the finished project be a safety hazard or interfere with views? **Not applicable. This is a non-project related code amendment. All future site specific development projects will be subject to SEPA analysis if not exempt per WAC 197-11-800.**
- c. What existing off-site sources of light or glare may affect your proposal? **Not applicable. This is a non-project related code amendment. All future site specific development projects will be subject to SEPA analysis if not exempt per WAC 197-11-800.**
- d. Proposed measures to reduce or control light and glare impacts, if any: **Not applicable. This is a non-project related code amendment. All future site specific development projects will be subject to SEPA analysis if not exempt per WAC 197-11-800.**

12. Recreation

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

13. Historic and cultural preservation

- 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. This is a non-project related code amendment. All future site specific development projects will be subject to SEPA analysis if not exempt per WAC 197-11-800.**
- b. Are there any landmarks, features, or other evidence of Indian or historic use or occupation? This may include human burials or old cemeteries. Are there any material evidence, artifacts, or areas of cultural importance on or near the site? Please list any professional studies conducted at the site to identify such resources. **Not applicable. This is a non-project related code amendment. All future site specific development projects will be subject to SEPA analysis if not exempt per WAC 197-11-800.**

- c. Describe the methods used to assess the potential impacts to cultural and historic resources on or near the project site. Examples include consultation with tribes and the department of archeology and historic preservation, archaeological surveys, historic maps, GIS data, etc. **Not applicable. This is a non-project related code amendment. All future site specific development projects will be subject to SEPA analysis if not exempt per WAC 197-11-800.**
- d. Proposed measures to avoid, minimize, or compensate for loss, changes to, and disturbance to resources. Please include plans for the above and any permits that may be required. **Not applicable. This is a non-project related code amendment. All future site specific development projects will be subject to SEPA analysis if not exempt per WAC 197-11-800.**

14. Transportation

- a. Identify public streets and highways serving the site or affected geographic area and describe proposed access to the existing street system. Show on site plans, if any. **Not applicable. This is a non-project related code amendment. All future site specific development projects will be subject to SEPA analysis if not exempt per WAC 197-11-800.**
- b. Is the site or affected geographic area currently served by public transit? If so, generally describe. If not, what is the approximate distance to the nearest transit stop? **Not applicable. This is a non-project related code amendment. All future site specific development projects will be subject to SEPA analysis if not exempt per WAC 197-11-800.**
- c. How many additional parking spaces would the completed project or non-project proposal have? How many would the project or proposal eliminate? **Not applicable. This is a non-project related code amendment. All future site specific development projects will be subject to SEPA analysis if not exempt per WAC 197-11-800.**
- d. Will the proposal require any new or improvements to existing roads, streets, pedestrian, bicycle or state transportation facilities, not including driveways? If so, generally describe (indicate whether public or private). **Not applicable. This is a non-project related code amendment. All future site specific development projects will be subject to SEPA analysis if not exempt per WAC 197-11-800.**
- e. Will the project or proposal use (or occur in the immediate vicinity of) water, rail, or air transportation? If so, generally describe. **Not applicable. This is a non-project related code amendment. All future site specific development projects will be subject to SEPA analysis if not exempt per WAC 197-11-800.**
- f. How many vehicular trips per day would be generated by the completed project or proposal? If known, indicate when peak volumes would occur and what percentage of the volume would be trucks (such as commercial and nonpassenger vehicles). What data or transportation models were used to make these estimates? **Not applicable. This is a non-project related code amendment. All future site specific development projects will be subject to SEPA analysis if not exempt per WAC 197-11-800.**

- g. Will the proposal interfere with, affect or be affected by the movement of agricultural and forest products on roads or streets in the area? If so, generally describe. **Not applicable. This is a non-project related code amendment. All future site specific development projects will be subject to SEPA analysis if not exempt per WAC 197-11-800.**
- h. Proposed measures to reduce or control transportation impacts, if any: **Not applicable. This is a non-project related code amendment. All future site specific development projects will be subject to SEPA analysis if not exempt per WAC 197-11-800.**

15. Public Services

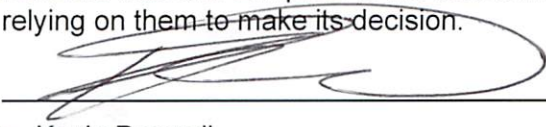
- a. Would the project result in an increased need for public services (for example: fire protection, police protection, public transit, health care, schools, other)? If so, generally describe. **Not applicable. This is a non-project related code amendment. All future site specific development projects will be subject to SEPA analysis if not exempt per WAC 197-11-800.**
- b. Proposed measures to reduce or control direct impacts on public services, if any. **Not applicable. This is a non-project related code amendment. All future site specific development projects will be subject to SEPA analysis if not exempt per WAC 197-11-800.**

16. Utilities

- a. Circle utilities currently available at the site:
electricity, natural gas, water, refuse service, telephone, sanitary sewer, septic system, other _____ **Not applicable. This is a non-project related code amendment. All future site specific development projects will be subject to SEPA analysis if not exempt per WAC 197-11-800.**
- b. Describe the utilities that are proposed for the project, the utility providing the service, and the general construction activities on the site or in the immediate vicinity which might be needed. **Not applicable. This is a non-project related code amendment. All future site specific development projects will be subject to SEPA analysis if not exempt per WAC 197-11-800.**

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

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

Signature:  _____

Name of signee Kevin Damrell

Position and Agency/Organization Permit Technician, City of Richland

Date Submitted: 4/6/2022

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

Proposed measures to avoid or reduce such increases are: **None.**

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

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

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

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

4. How would the proposal be likely to use or affect environmentally sensitive areas or areas designated (or eligible or under study) for governmental protection; such as parks, wilderness, wild and scenic rivers, threatened or endangered species habitat, historic or cultural sites, wetlands, floodplains, or prime farmlands? **The proposed text amendment will not change a development proposal's requirement to comply with all local, state, and federal environmental regulations.**

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

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 text amendment is not likely to increase demands on transportation or public services and utilities.**

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. **There is not a conflict as this will be consistent with Chapters 25.21 and 35A.21 RCW.**



Department of Commerce

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

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

1. Jurisdiction Name:	City of Richland – Development Services Dept.
2. Select Submittal Type: Select the Type of Submittal listed. (Select One Only)	☐ 60-Day Notice of Intent to Adopt Amendment. ☒ Request of Expedited Review / Notice of Intent to Adopt Amendment. ☐ Supplemental Submittal for existing Notice of Intent to Adopt Amendment. ☐ Notice of Final Adoption of Amendment.
3. Amendment Type: Select Type of Amendment listed. (Select One Only)	☐ Comprehensive Plan Amendment. ☒ Development Regulation Amendment. ☐ Critical Areas Ordinance Amendment. ☐ Combined Comprehensive and Development Regulation Amendments. ☐ Countywide Planning Policy .
4. Description Enter a brief description of the amendment. Begin your description with “Proposed” or “Adopted”, based on the type of Amendment you are submitting. Examples: <i>“Proposed comprehensive plan amendment for the GMA periodic update.”</i> or <i>“Adopted Ordinance 123, adoption amendment to the sign code.”</i> (Maximum 400 characters).	Proposed amendment to the Richland Municipal Code by adding indoor emergency housing, indoor emergency shelters, permanent supportive housing, and transitional housing as necessary to Sections 23.14.030, 23.18.030, 23.22.030, 23.26.030 and 23.28.030 and will add definitions for emergency housing, indoor emergency shelters, permanent supportive housing, and transitional housing to Chapter 23.06, Definitions. The proposed code amendment is being done to comply with the mandates of E2SHB 1220.



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: May 25, 2022 City Council: June 21, 2022 Proposed / Date of Adoption: July 5, 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
F. Cell/Mobile Phone: (optional)	
Consultant Information:	
G. Is this person a consultant?	☐ Yes
H. Consulting Firm name?	
8. Would you like Commerce to contact you for Technical Assistance regarding this submitted amendment?	☐ Yes

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

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



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

04/25/2022

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--2022-S-3899--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.

The City of Richland is proposing to amend the Richland Municipal Code by adding indoor emergency housing, indoor emergency shelters, permanent supportive housing, and transitional housing as necessary to Sections 23.14.030, 23.18.030, 23.22.030, 23.26.030 and 23.28.030 and will add definitions for emergency housing, indoor emergency shelters, permanent supportive housing, and transitional housing

We received your submittal on 04/21/2022 and processed it with the Submittal ID 2022-S-3899. Please keep this letter as documentation that you have met this procedural requirement. Your 60-day notice period ends on 06/20/2022.

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,

Stevens, Mike

From: COM GMU Review Team <reviewteam@commerce.wa.gov>
Sent: Thursday, May 5, 2022 11:09 PM
To: Stevens, Mike
Subject: City of Richland - Expedited Review Request Granted for Submittal ID: 2022-S-3899

Dear Mr. Stevens,

Your request for an Expedited Review has been granted for: The City of Richland is proposing to amend the Richland Municipal Code by adding indoor emergency housing, indoor emergency shelters, permanent supportive housing, and transitional housing as necessary to Sections 23.14.030, 23.18.030, 23.22.030, 23.26.030 and 23.28.030 and will add definitions for emergency housing, indoor emergency shelters, permanent supportive housing, and transitional housing

As of receipt of this email, you have met the Growth Management notice to state agency requirements in RCW 36.70A.106 for this submittal. Please keep this email as confirmation.

If you have any questions, please contact William Simpson at (509) 280-3602 or by email at william.simpson@commerce.wa.gov.

~~~ ONLINE TRACKING SYSTEM AVAILABLE ~~~~

Log into our new PlanView system at <https://secureaccess.wa.gov/com/planview> where you can keep up with this submittal status, reprint communications and update your contact information.

Don't have a user account? Reply to this email to request one and attach a completed PlanView User Request Form.

Have questions about using PlanView? Use the PlanView User Manual for assistance at <https://www.commerce.wa.gov/serving-communities/growth-management/washington-department-of-commerce-growth-management-submitting-materials/>.

Sincerely,

Review Team  
Growth Management Services



## **CITY OF RICHLAND NOTICE OF APPLICATION, PUBLIC HEARING AND OPTIONAL DNS (CA2021-110 & EA2022-111)**

The City of Richland is proposing to amend the Richland Municipal Code by adding indoor emergency housing, indoor emergency shelters, permanent supportive housing, and transitional housing as necessary to Sections 23.14.030, 23.18.030, 23.22.030, 23.26.030 and 23.28.030 and will add definitions for emergency housing, indoor emergency shelters, permanent supportive housing, and transitional housing to Chapter 23.06, Definitions. The proposed code amendment is being done to comply with the mandates of E2SHB 1220.

Pursuant to Richland Municipal Code (RMC) Section 19.20 the Richland Planning Commission will conduct a public hearing and review of the proposed code amendment on Wednesday, May 25, 2022 at 6:00 p.m. in the Richland City Hall Council Chambers, 625 Swift Blvd. All interested parties are invited to attend and present testimony at the public hearing or by visiting the City of Richland website ([www.ci.richland.wa.us](http://www.ci.richland.wa.us)) and joining via Zoom.

**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](http://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 emailed to [mstevens@ci.richland.wa.us](mailto:mstevens@ci.richland.wa.us). Written comments should be received no later than 5:00 p.m. on Wednesday, May 18, 2022 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](http://www.ci.richland.wa.us) beginning Friday, May 20, 2022.



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

The Herald - Rock Hill  
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Idaho Statesman  
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**Attention:** Jana Duncan  
CITY OF RICHLAND/LEGALS  
625 SWIFT BLVD. MS-05  
RICHLAND, WA 99352

### CITY OF RICHLAND NOTICE OF APPLICATION, PUBLIC HEARING, AND OPTIONAL DNS

Notice is hereby given that the City of Richland is proposing to amend the Richland Municipal Code by adding indoor emergency housing, indoor emergency shelters, permanent supportive housing, and transitional housing as necessary to Sections 23.14.030, 23.18.030, 23.22.030, 23.26.030 and 23.28.030 and will add definitions for emergency housing, indoor emergency shelters, permanent supportive housing, and transitional housing to Chapter 23.06, Definitions. The proposed code amendment is being done to comply with the mandates of E2SHB 1220.

Pursuant to Richland Municipal Code (RMC) Section 19.20, the Richland Planning Commission will conduct a public hearing and review of the proposed code amendment on **Wednesday, May 25, 2022 at 6:00 p.m.** in the Richland City Hall Council Chambers, 625 Swift Blvd. All interested parties are invited to attend and present testimony at the public hearing or visit the City of Richland's website at ([www.ci.richland.wa.us](http://www.ci.richland.wa.us)) and join via Zoom.

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Any person desiring to express their views or to be notified of any decisions pertaining to this application should notify Mike Stevens, Planning Manager, 625 Swift Blvd., MS-35, Richland, WA 99352. Comments may also be emailed to [mstevens@ci.richland.wa.us](mailto:mstevens@ci.richland.wa.us). Written comments should be received no later than 5:00 p.m. on Wednesday, May 18, 2022, 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's website at [www.ci.richland.wa.us](http://www.ci.richland.wa.us) beginning Friday, May 20, 2022.

Published: Sunday, April 24, 2022  
IPL0070173  
Apr 24 2022

COUNTY OF BENTON)

SS

STATE OF WASHINGTON)

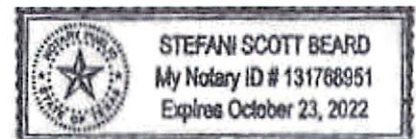
Keriann Leenerts, being duly sworn, deposes and says, I am the Legals Clerk of The Tri-City Herald, a daily newspaper. That said newspaper is a local newspaper and has been approved as a legal newspaper by order of the superior court in the county in which it is published and it is now and has been for 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 04/24/2022, and ending on 04/24/2022 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 25th day of April 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!

## Stevens, Mike

---

**From:** Reinbold, Mary (COM) <mary.reinbold@commerce.wa.gov>  
**Sent:** Monday, May 2, 2022 5:01 PM  
**To:** Stevens, Mike  
**Cc:** Simpson, William (COM)  
**Subject:** 2022-S-3899

Mike,

Thank you for submitting the proposed amendments to the Richland Municipal Code addressing special housing types related to HB 1220.

In reviewing your proposed changes, it appears there is an error in the land use table.

The use Homeless Shelter would need to be amended to be allowed in all sections which allow hotels. However, more consistent with the rest of your code update would be to remove this use from the land use table.

The rest of the proposed amendments look consistent with HB 1220. Good work.

**Mary M. Reinbold (she/her), AICP | Senior Planner**  
Growth Management Services | Washington State Department of Commerce  
1011 Plum Street SE, Olympia, WA 98504-2525  
Cell: 509.638.5449 | Email: [mary.reinbold@commerce.wa.gov](mailto:mary.reinbold@commerce.wa.gov)

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## Stevens, Mike

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**From:** Buechler, Ken  
**Sent:** Wednesday, April 27, 2022 7:44 PM  
**To:** Stevens, Mike  
**Cc:** VanBeek, Michael; Jordon, Joshua  
**Subject:** RE: CA2021-110 Emergency Housing Code Amendment

Mike,

1. In the "Reason for Code Amendment" section, it lists 25.21. If that is RMC 25.21, it should be **25.15 Richland Humans Right Ordinance**. There is no RMC 25.21.
2. In the same section, RCW 35A.21 is more precisely 35A.21.430 that speaks to:  
**35A.21.430 Transitional housing, permanent supportive housing, indoor emergency housing, and indoor emergency shelters.**

Other than those comments, Fire is good with this. Use what you need and ignore the rest.



**Kenneth L Buechler**

Fire Marshal 172

625 Swift Blvd., MS-16 | Richland, WA 99352

(509) 942-7556

(509) 578-9321

---

**From:** Stevens, Mike <mstevens@CI.RICHLAND.WA.US>

**Sent:** Thursday, April 21, 2022 10:45 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>; 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>; FormerOrchards@ecy.wa.gov; Ghbein, Briana <bghbein111@richlandwa.mail.onmicrosoft.com>; 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>; John Lyle <john.lyle@bentoncleanair.org>; Jordon, Joshua <jojordon@CI.RICHLAND.WA.US>; Joseph Cichy, Ziply <joseph.cichy@ziply.com>; Joseph Cottrell <jecottrell@bpa.gov>; Junior Campos <junior.campos@charter.com>; Kelly Cooper <kelly.cooper@doh.wa.gov>; Kevin Knodel <kevin.knodel@rsd.edu>; Kevin Sliger <KSliger@bft.org>; KID Development <development@kid.org>; KID Webmaster <webmaster@kid.org>; Lopez, Brandin <blopez@CI.RICHLAND.WA.US>; M. Deklyne <mjddeklyne@bpa.gov>; Map BCES

<map@bces.wa.gov>; Mattheus, Pamela <pmattheus@CI.RICHLAND.WA.US>; Noah Lee  
<noah.lee@bentoncleanair.org>; 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>; Robin Priddy <robin.priddy@bentoncleanair.org>; Sarah Gates <s.gates@bces.wa.gov>; Schiessl,  
Joe <JSchiessl@CI.RICHLAND.WA.US>; SEPA Center <sepacenter@dnr.wa.gov>; SEPA Register  
<separegister@ecy.wa.gov>; SEPA Unit <sepaunit@ecy.wa.gov>; Seth DeFoe <SDefoe@kid.org>; South Central Region  
Planning <scplanning@wsdot.wa.gov>; T.S. "Max" Platts <PlattsT@wsdot.wa.gov>; Tyutyunnik, Ruvim  
<rtutyunnik@CI.RICHLAND.WA.US>; WA Dept of Fish & Wildlife <rittemwr@dfw.wa.gov>; WA Dept of Fish & Wildlife  
<lopezlal@dfw.wa.gov>; Westphal, Nichole <nwestphal@ci.richland.wa.us>; William Simpson  
<william.simpson@commerce.wa.gov>

**Subject:** CA2021-110 Emergency Housing Code Amendment

Attention:

Attached to this email you will find a copy of the Notice of Application and related information for a proposed amendment to the Richland Municipal Code pertaining specifically to Emergency Housing and implementing requirements of House Bill 1220. Please review the information and submit any comments back to me by 5:00 PM, Wednesday, May 18, 2022.

Thank you,



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

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## Stevens, Mike

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**From:** Chris Sittman <CSittman@kid.org>  
**Sent:** Wednesday, May 4, 2022 11:12 AM  
**To:** Stevens, Mike  
**Subject:** RE: CA2021-110 Emergency Housing Code Amendment

KID has no comments

**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:** Thursday, April 21, 2022 10:45 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>; 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>; FormerOrchards@ecy.wa.gov; Ghbein, Briana <bghbein111@richlandwa.mail.onmicrosoft.com>; 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>; John Lyle <john.lyle@bentoncleanair.org>; Jordon, Joshua <jojordon@CI.RICHLAND.WA.US>; 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>; Lopez, Brandin <blopez@CI.RICHLAND.WA.US>; M. Deklyne <mjdelyne@bpa.gov>; Map BCES <map@bces.wa.gov>; Mattheus, Pamela <pmattheus@CI.RICHLAND.WA.US>; Noah Lee <noah.lee@bentoncleanair.org>; 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>; Robin Priddy <robin.priddy@bentoncleanair.org>; Sarah Gates <s.gates@bces.wa.gov>; Schiessl,

Joe <JSchiessl@CI.RICHLAND.WA.US>; SEPA Center <sepacenter@dnr.wa.gov>; SEPA Register <separegister@ecy.wa.gov>; SEPA Unit <sepaunit@ecy.wa.gov>; Seth Defoe <SDefoe@kid.org>; South Central Region Planning <scplanning@wsdot.wa.gov>; T.S. "Max" Platts <PlattsT@wsdot.wa.gov>; Tyutyunnik, Ruvim <rtutyunnik@CI.RICHLAND.WA.US>; WA Dept of Fish & Wildlife <rittemwr@dfw.wa.gov>; WA Dept of Fish & Wildlife <lopezlal@dfw.wa.gov>; Westphal, Nichole <nwestphal@ci.richland.wa.us>; William Simpson <william.simpson@commerce.wa.gov>

**Subject:** CA2021-110 Emergency Housing Code Amendment

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.

Attention:

Attached to this email you will find a copy of the Notice of Application and related information for a proposed amendment to the Richland Municipal Code pertaining specifically to Emergency Housing and implementing requirements of House Bill 1220. Please review the information and submit any comments back to me by 5:00 PM, Wednesday, May 18, 2022.

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: 8/1/2022

Agenda Category: Ordinances - First Reading

Core Focus Area I - Promote Financial Stability & Operational Effectiveness

**Subject:**

Ordinance No. 2022-28, Amending Chapters 9.05 and 9.07 of the Richland Municipal Code related to Domestic Violence and Non-Domestic Violence Court Orders

Department/Office  
City Attorney

Ordinance/Resolution Number:  
2022-28

Document Type:  
Ordinance

**Recommended Motion:**

Give first reading, by title only, to Ordinance No. 2022-28, amending Chapters 9.05 and 9.07 of the Richland Municipal Code related to domestic violence and non-domestic violence court orders.

**Summary:**

The City has need, from time to time, to amend the Richland Municipal Code (RMC) to align with state law.

In 2021, the Washington State Legislature consolidated and recodified a number of disparate statutes, including but not limited to Chapter 26.50 RCW related to domestic violence orders, Chapter 10.14 RCW related to anti-harassment orders, and Chapter 74.34 RCW related to vulnerable adult protection orders. These rules were all recodified as Chapter 7.105 RCW.

The Richland Municipal Code extends local jurisdiction over misdemeanor and gross misdemeanor court order violations that occur within city limits. However, the language in the RMC specifically references sections of state law that have been repealed. For this reason, the RMC must be amended to cite new state statutes and eliminate references to repealed state statutes.

Without these amendments to Chapters 9.05 and 9.07 RMC, criminal prosecution of no-contact order violations by the City of Richland in Benton County District Court will fail.

Staff recommends approval of Ordinance No. 2022-28 for first reading, by title only.

Fiscal Impact:           None.

**Attachments:**

- I. Ordinance No. 2022-28

## **ORDINANCE NO. 2022-28**

### **AN ORDINANCE OF THE CITY OF RICHLAND, WASHINGTON, AMENDING CHAPTER 9.05 OF THE RICHLAND MUNICIPAL CODE RELATED TO CRIMES OF DOMESTIC VIOLENCE AND CHAPTER 9.07 OF THE RICHLAND MUNICIPAL CODE RELATED TO VIOLATION OF COURT ORDERS.**

**WHEREAS**, the City has need, from time to time, to amend the Richland Municipal Code (RMC) to align with state law; and

**WHEREAS**, in 2021, the Washington State Legislature consolidated and recodified a number of disparate statutes, including but not limited to Chapter 26.50 RCW related to domestic violence orders, Chapter 10.14 RCW related to anti-harassment orders, and Chapter 74.34 RCW related to vulnerable adult protection orders, as Chapter 7.105 RCW; and

**WHEREAS**, amendments to Chapters 9.05 and 9.07 RMC are necessary to reflect this change so that criminal prosecution of no-contact orders by the City of Richland in Benton County District Court do not fail based on deficiencies in the charging document.

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

Section 1. Chapter 9.05 of the Richland Municipal Code entitled Crimes of Domestic Violence, as first enacted by Ordinance No. 20-11, and last amended by Ordinance No. 16-20, is hereby amended as follows:

#### **Chapter 9.05 CRIMES OF DOMESTIC VIOLENCE**

##### **Sections:**

- 9.05.010 Purpose.**
- 9.05.020 Definitions.**
- 9.05.030 Simple assault – Domestic violence.**
- 9.05.040 Reckless endangerment second degree – Domestic violence.**
- 9.05.050 Stalking – Domestic violence.**
- 9.05.060 Coercion – Domestic violence.**
- 9.05.070 Trespass first degree – Domestic violence.**
- 9.05.075 Trespass second degree – Domestic violence.**
- 9.05.080 Destruction of property – Domestic violence.**
- 9.05.090 Violation of court orders – Domestic violence.**
- 9.05.100 Violation of orders – Penalties – Authority to arrest.**
- 9.05.110 Interfering with reporting domestic violence.**
- 9.05.120 Nonliability of peace officer – Domestic violence.**

### **9.05.010 Purpose.**

The purpose of this chapter of the Richland Municipal Code is to recognize the importance of domestic violence as a serious crime against society and to assure the victim of domestic violence the maximum protection from abuse that the law and those who enforce it can possibly provide.

### **9.05.020 Definitions.**

“Dating relationship” means a social relationship of a romantic nature. Factors that the court may consider in making this determination include: (a) the length of time the relationship has existed; (b) the nature of the relationship; and (c) the frequency of interaction between the parties.

“Domestic violence” includes but is not limited to any of the following crimes when committed by one family or household member against another:

1. Assault in the fourth degree (RCW 9A.36.041) and simple assault (RMC 9.05.030).
2. Reckless endangerment in the second degree (RCW 9A.36.050 and RMC 9.05.040).
3. Stalking (RCW 9A.46.110 and RMC 9.05.050).
4. Coercion (RCW 9A.36.070 and RMC 9.05.060).
5. Criminal trespass in the first degree (RCW 9A.52.070 and RMC 9.05.070).
6. Criminal trespass in the second degree (RCW 9A.52.080 and RMC 9.05.075).
7. Destruction of property (RMC 9.05.080).
8. Violation of the provisions of a restraining order, no-contact order, or protection order restraining or enjoining the family or household member, or restraining the family or household member from going onto the grounds of or entering a residence, workplace, school, or day care, or prohibiting the family or household member from knowingly coming within, or knowingly remaining within, a specified distance of a location, a protected party’s person, or a protected party’s vehicle (Chapter 7.105 RCW or RCW 10.99.040, 10.99.050, 26.09.300, 26.26B.050, 26.44.063, 26.44.150, or 26.52.070, or any of the former RCW 26.50.060, 26.50.070, 26.50.130, and 74.34.145, and RMC 9.05.090). ~~or protection order restraining the family or household member or excluding the family or household member from a residence RCW 26.09.300, 26.50.060, 26.50.070, 26.50.110, 26.50.130, 26.52.070, or Chapter 74.34 RCW, and RMC 9.05.090).~~
9. Interfering with reporting domestic violence (RMC 9.05.110).

“Family or household member” means spouses, former spouses, persons who have a child in common regardless of whether they have been married or have lived together at any time, adult persons related by blood or marriage, adult persons who are presently residing together or who have resided together in the past, persons 16 years of age or older who are presently residing together or who have resided together in the past and who have or have had a dating relationship,

persons 16 years of age or older with whom a person 16 years of age or older has or has had a dating relationship, and persons who have a biological or legal parent-child relationship, including stepparents and stepchildren and grandparents and grandchildren.

“Victim” means a family or household member who has been subjected to domestic violence.

**9.05.030 Simple assault – Domestic violence.**

A. No person may, as a family or household member, intentionally use or threaten to use by purposeful words or acts, unlawful physical force against another family or household member.

B. A person is guilty of assault in the fourth degree if, under circumstances not amounting to assault in the first, second, or third degree, or custodial assault, he or she assaults another family or household member.

C. Any defense available to a person charged with the crime of “assault in the fourth degree” under RCW 9A.36.041 shall also be a defense to the crime of simple assault under this section.

D. Any crime charged under this section shall be a gross misdemeanor.

**9.05.040 Reckless endangerment second degree – Domestic violence.**

A person is guilty of reckless endangerment in the second degree when he or she recklessly endangers another family or household member, in conduct not amounting to reckless endangerment in the first degree as defined by RCW 9A.36.045, but which creates a substantial risk of death or serious physical injury to another family or household member. Reckless endangerment is a gross misdemeanor.

**9.05.050 Stalking – Domestic violence.**

A. A person commits the crime of stalking if, without lawful authority and under circumstances not amounting to a felony attempt of another crime:

1. He or she intentionally and repeatedly follows a family or household member to that family or household member’s home, school, place of employment, business, or any other location, or follows the family or household member while the family or household member is in transit between locations; and

2. The family or household member being followed is intimidated, harassed, or placed in fear that the stalker intends to injure the family or household member or property of the family or household member being followed or the property of another person. The feeling of fear, intimidation, or harassment must be one that a reasonable person in the same situation would experience under all the circumstances; and

3. The stalker either:

a. Intends to frighten, intimidate, or harass the family or household member being followed; or

b. Knows or reasonably should know that the family or household member being followed is afraid, intimidated, or harassed even if the stalker did not intend to place the family or household member in fear or intimidate or harass the family or household member;

4. A person who commits the crime of stalking under this subsection (A) is guilty of a gross misdemeanor except under the conditions defined in subsection (E) of this section.

B. It is not a defense to the crime of stalking in this section where:

1. Under subsection (A)(3)(a) of this section the stalker was not given actual notice that the family or household member being followed did not want the stalker to contact or follow the family or household member; or

2. Under subsection (A)(3)(b) of this section the stalker did not intend to frighten, intimidate, or harass the family or household member being followed.

C. It shall be a defense to the crime of stalking that the defendant is a licensed private detective acting within the capacity of his or her license as provided by Chapter 18.165 RCW.

D. Attempts to contact or follow the family or household member after being given actual notice that the family or household member does not want to be contacted or followed constitute prima facie evidence that the stalker intends to intimidate or harass the family or household member.

E. A person who stalks another family or household member is guilty of a gross misdemeanor, except that the person is guilty of a Class C felony if any of the following applies:

1. The stalker has previously been convicted in this state or any other state of any crime of harassment, as defined in RMC 9.04.020, of the same victim or members of the victim's family or household members or any person specifically named in a no-contact order or no-harassment order; or

2. The person violates a court order issued pursuant to RMC 9.05.090 or RCW 9A.46.040 protecting the family or household member being stalked; or

3. The stalker has previously been convicted of a gross misdemeanor or felony stalking offense for stalking another family or household member; or

4. The stalker was armed with a deadly weapon as defined in RCW 9.94A.825 while stalking the family or household member; or

5. The stalker's victim is or was a law enforcement officer, judge, juror, attorney, victim advocate, legislator, or community corrections officer, and the stalker stalked the victim to retaliate against the victim for an act the victim performed during the course of official duties, or to influence the victim's performance of official duties; or

6. The stalker's victim is a current, former, or prospective witness in an adjudicative proceeding, and the stalker stalked the victim to retaliate against the victim as a result of the victim's testimony or potential testimony.

F. Definitions as used in this section:

1. "Follows" means deliberately maintaining visual or physical proximity to a specific family or household member over a period of time. A finding that the alleged stalker repeatedly and deliberately appears at the family or household member's home, school, place of employment, business, or any other location to maintain visual or physical proximity to the family or household member is sufficient to find that the alleged stalker follows the family or household member. It is not necessary to establish that the alleged stalker follows the family or household member while in transit from one location to another.

2. "Harasses" means unlawful harassment as defined in RMC 9.04.020 or RCW 10.14.020.

3. "Protective order" means any temporary or permanent court order prohibiting or limiting violence against, harassment of, contact or communication with, or physical proximity to another family or household member.

4. "Repeatedly" means on two or more separate occasions.

**9.05.060 Coercion – Domestic violence.**

A. A person is guilty of coercion if by use of a threat he or she compels or induces another family or household member to engage in conduct which the latter has a legal right to abstain from, or to abstain from conduct which he or she has a legal right to engage in.

B. "Threat" as used in this section means:

1. To communicate, directly or indirectly, the intent to immediately use force against another family or household member who is present at the time; or

2. Threats as defined in RCW 9A.04.110(27)(a) through (f) as those subsections may be amended from time to time.

3. Coercion – domestic violence is a gross misdemeanor.

**9.05.070 Trespass first degree – Domestic violence.**

It is unlawful for any person to knowingly enter or remain, unlawfully, in a building of another family or household member. For the purpose of this section, a person "enters or remains, unlawfully," in a building of another family or household member when he is not then licensed, invited, or otherwise privileged to so enter or remain.

Trespass – domestic violence in the first degree shall be a gross misdemeanor.

#### **9.05.075 Trespass second degree – Domestic violence.**

It is unlawful for any person to knowingly enter or remain, unlawfully, upon the premises of another family or household member. For the purpose of this section, a person “enters or remains, unlawfully,” in or upon the premises of another family or household member when he is not then licensed, invited, or otherwise privileged to so enter or remain.

Trespass – domestic violence in the second degree shall be a misdemeanor.

#### **9.05.080 Destruction of property – Domestic violence.**

It is unlawful for any person to:

A. Intentionally cause physical damage to the property of another family or household member;  
or

B. Write, paint, draw or create any inscription, figure or mark of any type on any public or private building or other structure or any real or personal property owned by any other person, family or household member, unless the person has obtained the express permission of the owner or operator of the property.

Any person found in violation of the provisions of this section shall be guilty of destruction of property, which is a gross misdemeanor if the damage to the property is in an amount less than \$750.00.

#### **9.05.090 Violation of court orders – Domestic violence.**

A. Definitions. The definitions in this section apply throughout this chapter.

1. “Foreign protection order” means an injunction or other order related to domestic violence or family violence, harassment, sexual abuse, or stalking, for the purpose of preventing violent or threatening acts or harassment against, or contact or communication with, or physical proximity to, another family or household member, issued by a court of another state, territory, or possession of the United States, the Commonwealth of Puerto Rico, or the District of Columbia, or any United States military tribunal, or tribal court, in a civil or criminal action as defined in RCW 26.52.010(3).

2. “Person entitled to protection” means a person, regardless of whether the person was the moving party in the foreign jurisdiction, who is benefited by the foreign protection order as defined in RCW 26.52.010(6).

3. “Person under restraint” means a person, regardless of whether the person was the responding party in the foreign jurisdiction, whose ability to contact or communicate with another family or household member, or to be physically close to another family or household member, is restricted by the foreign protection order.

4. “Respondent” means the person who is identified as the respondent in a petition filed under any of the RCWs listed in this chapter or in an order granted by the Benton County district court.

B. Violations. Any person violating, within the city of Richland, a court order issued by any court of competent jurisdiction ~~of the state of Washington~~, when the violation of such court order is a criminal misdemeanor or gross misdemeanor under:

~~1. Chapter 9A.46 RCW (criminal no-contact order); or~~

~~2. Chapter 10.99 RCW (criminal no-contact order); or~~

~~3. Chapter 10.14 RCW (anti-harassment order); or~~

1. 4. Chapter 26.44 RCW (restraining order issued on behalf of an abused child or adult dependent person); or

2. 5. Chapter 7.105 ~~26.50~~ RCW (domestic violence protection order (former RCW 26.50.060, 26.50.070, 26.50.130), sexual assault protection order, stalking protection order, vulnerable adult protection order (former RCW 74.34.145), order granted under Chapter 9A.40, 9A.44, 9A.46, 9A.88, 9.94A, 10.99, 26.09, 26.26A, or 26.26B RCW, foreign protection order, or Canadian domestic violence protection order);

~~6. Chapter 26.52 RCW (foreign protection order); or~~

~~7. Chapter 74.34 RCW (order for protection of a vulnerable adult);~~

is subject to prosecution for such violation in the Benton County district court the same as any other criminal violation of this title. Whenever an order is granted by the Benton County district court or under any of the RCWs listed herein, and the defendant, respondent, or person to be restrained is a family or household member as defined in RMC 9.05.020 who knows of the order, a violation of any of the following is a gross misdemeanor:

a. The restraint provisions prohibiting acts or threats of violence against, or stalking of, a protected party, or the restraint provisions prohibiting contact with a protected party; or

b. A provision excluding the person from a residence, workplace, school, or day care; or

c. A provision prohibiting the person from knowingly coming within, or knowingly remaining within, a specified distance of a location, a protected party's person, or a protected party's vehicle; or

d. A provision prohibiting interfering with the protected party's efforts to remove a pet owned, possessed, leased, kept, or held by the petitioner, the respondent, or a minor child residing with either the petitioner or the respondent; or

e. ~~d.~~ A provision of a foreign protection order or a Canadian domestic violence protection order specifically indicating that a violation will be a crime.

#### **9.05.100 Violation of orders – Penalties – Authority to arrest.**

A. A peace officer shall arrest without a warrant and take into custody a person whom the peace officer has probable cause to believe has violated an order issued by the Benton County district court or ~~an~~ a domestic violence protection order, a sexual assault protection order, a stalking protection order, or a vulnerable adult protection order issued pursuant to Chapter 7.105 RCW or any of the former RCW 26.50.060, 26.50.070, 26.50.130 and 74.34.145, or an order issued under Chapter 9A.40, 9A.44, 9A.46, 9A.88, 9.94A, 10.99, 26.09, 26.26A, or 26.26B RCW, or a valid foreign protection order as defined in RCW 26.52.020, or a Canadian domestic violence protection order as defined in RCW 26.55.010, ~~10.99, 26.09, 26.10, 26.26, 26.50, 26.52 or 74.34 RCW,~~ that restrains the person or excludes the person from a residence, workplace, school or day care, or prohibits the person from knowingly coming within, or knowingly remaining within, a specified distance of a location, a protected party's person, or a protected party's vehicle, ~~family member or household member,~~ if the person restrained knows of the order. Presence of the order in the law enforcement computer-based criminal intelligence information system is not the only means of establishing knowledge of the order.

B. A violation of an order issued in Benton County district court, ~~or~~ a domestic violence protection order, a sexual assault protection order, a stalking protection order, or a vulnerable adult protection order issued under Chapter 7.105 RCW or any of the former RCW 26.50.060, 26.50.070, 26.50.130 and 74.34.145, or an order issued under Chapter 9A.40, 9A.44, 9A.46, 9A.88, 9.94A, 10.99, 26.09, 26.26A, or 26.26B RCW, or a valid foreign protection order as defined in RCW 26.52.020, or a Canadian domestic violence protection order as defined in RCW 26.55.010, ~~10.99, 26.09, 26.10, 26.26, 26.50, 26.52 or 74.34 RCW,~~ shall also constitute contempt of court, and is subject to the penalties prescribed by law.

C. Any assault that is a violation of an order issued by Benton County district court, ~~or~~ a domestic violence protection order, a sexual assault protection order, a stalking protection order, or a vulnerable adult protection order issued under Chapter 7.105 RCW or any of the former RCW 26.50.060, 26.50.070, 26.50.130 and 74.34.145, or an order issued under Chapter 9A.40, 9A.44, 9A.46, 9A.88, 9.94A, 10.99, 26.09, 26.26A, or 26.26B RCW, or a valid foreign protection order as defined in RCW 26.52.020, or a Canadian domestic violence protection order as defined in RCW 26.55.010, ~~10.99, 26.09, 26.10, 26.26, 26.50, 26.52 or 74.34 RCW,~~ that does not amount to assault in the first or second degree under RCW 9A.36.011 or 9A.36.021 is a Class C felony, and any conduct in violation of such an order that is reckless and creates a substantial risk of death or serious physical injury to another family or household member is a Class C felony.

D. A violation of a court order issued by Benton County district court, ~~or~~ a domestic violence protection order, a sexual assault protection order, a stalking protection order, or a vulnerable adult protection order issued under Chapter 7.105 RCW or any of the former RCW 26.50.060, 26.50.070, 26.50.130 and 74.34.145, or an order issued under Chapter 9A.40, 9A.44, 9A.46, 9A.88, 9.94A, 10.99, 26.09, 26.26A, or 26.26B RCW, or a valid foreign protection order as defined in RCW 26.52.020, or a Canadian domestic violence protection order as defined in RCW 26.55.010, ~~10.99, 26.09, 26.10, 26.26, 26.50, 26.52 or 74.34 RCW,~~ is a Class C felony if the offender has at least two previous convictions for violating the provisions of ~~an order issued under a domestic violence protection order, a sexual assault protection order, a stalking protection order, or a vulnerable adult protection order issued under Chapter 7.105 or any of the former RCW~~

[26.50.060, 26.50.070, 26.50.130 and 74.34.145, or an order issued under Chapter 9A.40, 9A.44, 9A.46, 9A.88, 9.94A, 10.99, 26.09, 26.26A, or 26.26B RCW, or a valid foreign protection order as defined in RCW 26.52.020, or a Canadian domestic violence protection order as defined in RCW 26.55.010](#) ~~Chapter 10.99, 26.09, 26.10, 26.26, 26.50, 26.52 or 74.34 RCW~~. The previous convictions may involve the same family or household member or another family or household member specifically protected by the orders the offender violated.

E. Upon the filing of an affidavit by the petitioner or any peace officer alleging that the defendant, respondent, or person under restraint has violated an order granted under the Richland Municipal Code or [a domestic violence protection order, a sexual assault protection order, a stalking protection order, or a vulnerable adult protection order issued under Chapter 7.105 or any of the former RCW 26.50.060, 26.50.070, 26.50.130 and 74.34.145, or an order issued under Chapter 9A.40, 9A.44, 9A.46, 9A.88, 9.94A, 10.99, 26.09, 26.26A, or 26.26B RCW, or a valid foreign protection order as defined in RCW 26.52.020, or a Canadian domestic violence protection order as defined in RCW 26.55.010, 10.99, 26.09, 26.10, 26.26, 26.50, 26.52 or 74.34 RCW](#), the court may issue an order to the defendant, respondent, or person under restraint, requiring that person to appear and show cause within 14 days why he or she should not be found in contempt of court and punished accordingly. The hearing may be held in the court of any county or municipality in which the petitioner or respondent temporarily or permanently resides at the time of the alleged violation.

[F. Appearances required under this section are mandatory and cannot be waived.](#)

#### **9.05.110 Interfering with reporting domestic violence.**

A. A person commits the crime of interfering with reporting domestic violence if the person:

1. Commits a crime of domestic violence as defined in RMC 9.05.020; and
2. Prevents or attempts to prevent the victim of or a witness to that domestic violence crime from calling the 911 emergency communication system, or from obtaining medical assistance, or from making a report to any law enforcement official.

B. Commission of a crime of domestic violence under subsection (A)(1) of this section is a necessary element of the crime of interfering with reporting domestic violence.

C. Interfering with reporting domestic violence is a gross misdemeanor.

#### **9.05.120 Nonliability of peace officer – Domestic violence.**

A peace officer shall not be held liable in any civil action for an arrest based on probable cause, enforcement in good faith of a court order, or any other action or omission in good faith under this chapter arising from an alleged incident of domestic violence brought by any party to the incident.

Section 2. Chapter 9.07 of the Richland Municipal Code entitled Violation of Court Orders, as first enacted by Ordinance No. 20-11, and last amended by Ordinance No. 06-18, is hereby amended as follows:

## Chapter 9.07 VIOLATION OF COURT ORDERS

### Sections:

**9.07.010 Definitions.**

**9.07.020 Violation of court orders.**

**9.07.030 Violation of orders – Penalties – Authority to arrest.**

**9.07.040 Nonliability of peace officer.**

### **9.07.010 Definitions.**

The definitions in this section apply throughout this chapter.

“Foreign protection order” means an injunction or other order related to harassment, sexual abuse, or stalking, for the purpose of preventing violent or threatening acts or harassment against, or contact or communication with, or physical proximity to, another person, issued by a court of another state, territory, or possession of the United States, the Commonwealth of Puerto Rico, or the District of Columbia, or any United States military tribunal, or tribal court, in a civil or criminal action as defined in RCW 26.52.010(3).

“Person entitled to protection” means a person, regardless of whether the person was the moving party in the foreign jurisdiction, who is benefited by the foreign protection order as defined in RCW 26.52.010(6).

“Person under restraint” means a person, regardless of whether the person was the responding party in the foreign jurisdiction, whose ability to contact or communicate with another person, or to be physically close to another person, is restricted by the foreign protection order.

“Respondent” means the person who is identified as the respondent in a petition filed under any of the RCWs listed in this chapter or in an order granted by the Benton County district court.

### **9.07.020 Violation of court orders.**

Any person violating, within the city of Richland, a court order issued by any court of competent jurisdiction ~~of the state of Washington~~, when the violation of such court order is a criminal misdemeanor or gross misdemeanor under:

A. Chapter 7.105 RCW (sexual assault protection order, stalking protection order, vulnerable adult protection order (former RCW 74.34.145), anti-harassment order, order granted under Chapter 9A.40, 9A.44, 9A.46, 9A.88, 9.94A, 26.09, 26.26A, or 26.26B RCW, foreign protection order); or  
~~Chapter 9A.46 RCW (criminal no-contact order); or~~

~~B. Chapter 10.99 RCW (criminal no-contact order); or~~

~~C. Chapter 10.14 RCW (anti-harassment order); or~~

B. D. Chapter 26.44 RCW (restraining order issued on behalf of an abused child or adult dependent person); ~~or~~

~~E. Chapter 26.52 RCW (foreign protection order); or~~

~~F. Chapter 74.34 RCW (order for protection of a vulnerable adult);~~

is subject to prosecution for such violation in the Benton County district court the same as any other criminal violation of this title. Whenever an order is granted by the Benton County district court or under any of the RCWs listed herein, and the defendant, respondent, or person to be restrained knows of the order, a violation of any of the following is a gross misdemeanor:

1. The restraint provisions prohibiting acts or threats of violence against, or stalking of, a protected party, or the restraint provisions prohibiting contact with a protected party; or
2. A provision excluding the person from a residence, workplace, school, or day care; or
3. A provision prohibiting the person from knowingly coming within, or knowingly remaining within, a specified distance of a location, a protected party's person, or a protected party's vehicle; or
4. A provision of a foreign protection order specifically indicating that a violation will be a crime.

#### **9.07.030 Violation of orders – Penalties – Authority to arrest.**

A. A peace officer shall arrest without a warrant and take into custody a person whom the peace officer has probable cause to believe has violated an order issued by the Benton County district court or a sexual assault protection order, a stalking protection order, an anti-harassment order, or a vulnerable adult protection order issued pursuant to Chapter 7.105 RCW or former Chapter 10.14 RCW or 74.34.145, or an order issued under Chapter 9A.40, 9A.44, 9A.46, 9A.88, 9.94A, 26.09, 26.26A, or 26.26B RCW, or a valid foreign protection order as defined in RCW 26.52.020, ~~an order issued pursuant to Chapter 10.99, 26.09, 26.10, 26.26, 26.50, 26.52 or 74.34 RCW,~~ that restrains the person or excludes the person from a residence, workplace, school or day care, or prohibits the person from knowingly coming within, or knowingly remaining within, a specified distance of a location, a protected party's person, or a protected party's vehicle, if the person restrained knows of the order. Presence of the order in the law enforcement computer-based criminal intelligence information system is not the only means of establishing knowledge of the order.

B. A violation of an order issued in Benton County district court, a sexual assault protection order, a stalking protection order, an anti-harassment order, or a vulnerable adult protection order issued pursuant to Chapter 7.105 RCW or former Chapter 10.14 RCW or 74.34.145, or an order issued under Chapter 9A.40, 9A.44, 9A.46, 9A.88, 9.94A, 26.09, 26.26A, or 26.26B RCW, or a valid foreign protection order as defined in RCW 26.52.020, ~~or under Chapter 10.99, 26.09, 26.10, 26.26, 26.50, 26.52 or 74.34 RCW,~~ shall also constitute contempt of court, and is subject to the penalties prescribed by law.

C. Any assault that is a violation of an order issued by Benton County district court, a sexual assault protection order, a stalking protection order, an anti-harassment order, or a vulnerable adult protection order issued pursuant to Chapter 7.105 RCW or former Chapter 10.14 RCW or

74.34.145, or an order issued under Chapter 9A.40, 9A.44, 9A.46, 9A.88, 9.94A, 26.09, 26.26A, or 26.26B RCW, or a valid foreign protection order as defined in RCW 26.52.020, ~~or under Chapter 10.99, 26.09, 26.10, 26.26, 26.50, 26.52 or 74.34 RCW,~~ that does not amount to assault in the first or second degree under RCW 9A.36.011 or 9A.36.021, is a Class C felony, and any conduct in violation of such an order that is reckless and creates a substantial risk of death or serious physical injury to another person is a Class C felony.

D. A violation of a court order issued by Benton County district court, a sexual assault protection order, a stalking protection order, an anti-harassment order, or a vulnerable adult protection order issued pursuant to Chapter 7.105 RCW or former Chapter 10.14 RCW or 74.34.145, or an order issued under Chapter 9A.40, 9A.44, 9A.46, 9A.88, 9.94A, 26.09, 26.26A, or 26.26B RCW, or a valid foreign protection order as defined in RCW 26.52.020, ~~or under Chapter 10.99, 26.09, 26.10, 26.26, 26.50, 26.52 or 74.34 RCW,~~ is a Class C felony if the offender has at least two previous convictions for violating the provisions of a sexual assault protection order, a stalking protection order, an anti-harassment order or a vulnerable adult protection order issued under Chapter 7.105 or any former Chapter 10.14 RCW or 74.34.145, or an order issued under Chapter 9A.40, 9A.44, 9A.46, 9A.88, 9.94A, 26.09, 26.26A, or 26.26B RCW, or a valid foreign protection order as defined in RCW 26.52.020, ~~order issued under Chapter 10.99, 26.09, 26.10, 26.26, 26.50, 26.52 or 74.34 RCW.~~ The previous convictions may involve the same victim or other victims specifically protected by the orders the offender violated.

E. Upon the filing of an affidavit by the petitioner or any peace officer alleging that the defendant, respondent, or person under restraint has violated an order granted under the Richland Municipal Code, or a sexual assault protection order, a stalking protection order, an anti-harassment order, or a vulnerable adult protection order issued under Chapter 7.105 or any former Chapter 10.14 RCW or 74.34.145, or an order issued under Chapter 9A.40, 9A.44, 9A.46, 9A.88, 9.94A, 26.09, 26.26A, or 26.26B RCW, or a valid foreign protection order as defined in RCW 26.52.020, ~~under Chapter 10.99, 26.09, 26.10, 26.26, 26.50, 26.52 or 74.34 RCW,~~ the court may issue an order to the defendant, respondent, or person under restraint, requiring that person to appear and show cause within 14 days why he or she should not be found in contempt of court and punished accordingly. The hearing may be held in the court of any county or municipality in which the petitioner or respondent temporarily or permanently resides at the time of the alleged violation.

F. Appearances required under this section are mandatory and cannot be waived.

#### **9.07.040 Nonliability of peace officer.**

A peace officer shall not be held liable in any civil action for an arrest based on probable cause, enforcement in good faith of a court order, or any other action or omission in good faith under this chapter arising from an allegation brought by any party to the incident.

Section 3. This Ordinance shall take effect the day following its publication in the official newspaper of the City of Richland.

Section 4. 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 5. 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.

\_\_\_\_\_  
Michael Alvarez, 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: 8/1/2022

Agenda Category: Ordinances - Second Reading & Passage

Core Focus Area I - Promote Financial Stability & Operational Effectiveness

**Subject:**

Ordinance No. 2022-25, Amending Richland Municipal Code Section 18.12.081 related to Metered Fire Hydrant Deposits and Refunds

Department/Office  
City Attorney

Ordinance/Resolution Number:  
2022-25

Document Type:  
Ordinance

**Recommended Motion:**

Give second reading and pass Ordinance No. 2022-25, amending Richland Municipal Code Section 18.12.081 related to metered fire hydrant deposits and refunds.

**Summary:**

The City has need, from time to time, to update the Richland Municipal Code (RMC) to eliminate ambiguities and bring the code into alignment with current practices. In March of 2022, through Ordinance No. 2022-11, the City made changes to Title 18 RMC to reduce water rates and adjust billing practices. Unfortunately, the code amendments related to billing practices created discord with the Utility Billing process for finalizing accounts for metered fire hydrant use. After consultation with staff, this housekeeping ordinance was drafted to restore the flexibility needed by Utility Billing to efficiently and effectively reconcile accounts.

Staff recommends approval of Ordinance No. 2022-25 for second reading and passage.

Fiscal Impact:           None.

**Attachments:**

- I.     ORD 2022-25 Water Rates Fix

## ORDINANCE NO. 2022-25

### **AN ORDINANCE OF THE CITY OF RICHLAND, WASHINGTON, AMENDING RICHLAND MUNICIPAL CODE SECTION 18.12.081 RELATED TO METERED FIRE HYDRANT DEPOSITS AND REFUNDS.**

**WHEREAS**, the City has need, from time to time, to update the Richland Municipal Code (RMC) to eliminate ambiguities and bring the code into alignment with current practices; and

**WHEREAS**, in early 2022, through Ordinance No. 2022-11, the City made changes to Title 18 RMC to reduce water rates and adjust billing practices; and

**WHEREAS**, the code amendments related to billing practices created discord with the Utility Billing process for finalizing accounts for metered fire hydrant use; and

**WHEREAS**, this housekeeping ordinance will restore the flexibility needed by Utility Billing to efficiently and effectively reconcile accounts.

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

Section 1. Richland Municipal Code Section 18.12.081, entitled Temporary supply – Metered fire hydrant deposit/refund, as first enacted by Ordinance No. 29-98, and last amended by Ordinance No. 2022-11, is hereby amended as follows:

#### **18.12.081 Temporary supply – Metered fire hydrant deposit/refund.**

Any persons making application for temporary construction water from a fire hydrant shall pay a deposit of \$1,500 for a hydrant meter; said deposit is to guarantee the return of the meter in good condition to the city.

When any person no longer needs temporary water service from a fire hydrant meter, notice shall be given to the water division to have the meter recovered and a final reading taken.

For service durations less than 30 days, the service charge, consumption charge, and any repair costs will be charged against the deposit. If charges exceed the deposit, the city will issue an invoice to the user. If charges are less than the deposit, the balance remaining will be refunded to the user.

For service durations in excess of 30 days, each month the city will read the meter to determine consumption, after which the city will issue an invoice capturing the service charge, consumption charge, and repair charges. Users who fail to promptly pay the invoiced amount are subject to discontinuance of service. When service is discontinued, either by notice from the user or discontinuance by the city, charges consisting of outstanding balances owed, current service charges, consumption charges, and repair charges ~~may will~~ be charged against the deposit. After the account is reconciled, any remaining deposit will be refunded. Any remaining balance will be

billed to the user. ~~If charges exceed the deposit, the city will issue an invoice to the user. If charges are less than the deposit, the balance remaining will be refunded to the user.~~

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 special meeting on the 1<sup>st</sup> day of August, 2022.

\_\_\_\_\_  
Michael Alvarez, Mayor

Attest:

Approved as to Form:

\_\_\_\_\_  
Jennifer Rogers, City Clerk

\_\_\_\_\_  
Heather Kintzley, City Attorney

First Reading: July 19, 2022

Second Reading: August 1, 2022

Date Published: August 7, 2022



## COUNCIL AGENDA ITEM COVERSHEET

Council Date: 8/1/2022

Agenda Category: Resolutions - Adoption

Core Focus Area 5 - Maximize Community Amenities

**Subject:**

Resolution No. 2022-99, Adopting the West Village Park Long-Range Plan

Department/Office  
Parks & Public Facilities

Ordinance/Resolution Number:  
2022-99

Document Type:  
Resolution

**Recommended Motion:**

Adopt Resolution No. 2022-99, adopting the Long-Range Plan for West Village Park in Badger Mountain South.

**Summary:**

The Badger South neighborhood is managed by development agreement with NorAm Investments and the City. Each party has certain obligations within the agreement. One such City obligation is to provide public parks in the neighborhood. Resolution 2022-99 will adopt a long-range park plan for West Village Park. A comprehensive and public-facing planning process was overseen by the Parks and Recreation Commission. The Commission recommends adoption of the plan and phase one of the park is scheduled to begin construction this year.

**Fiscal Impact:**

There is not a fiscal impact to adopt a park plan. There will be future fiscal impacts to implement the plan.

**Attachments:**

- I. Resolution No. 2022-99

## RESOLUTION NO. 2022-99

### A RESOLUTION OF THE CITY OF RICHLAND, WASHINGTON, ADOPTING THE WEST VILLAGE PARK LONG-RANGE PLAN.

**WHEREAS**, in February 2011, the City entered into a Master Development Agreement with Nor Am Investment, LLC (Contract No. 137-10) to govern the development of Badger Mountain South, a master-planned community of 1,480 acres located in the City of Richland; and

**WHEREAS**, Contract No. 137-10 was subsequently amended and restated (*see* Contract No. 143-15); and

**WHEREAS**, the intent of the Badger Mountain South (BMS) Master Agreement is to (1) further the goals and policies of the City's Comprehensive Plan; (2) provide mechanisms to assure that public health and safety are protected while having growth pay for growth; (3) provide adequate space for elementary and middle schools so that the affected school districts can place schools in the areas where the need is generated; (4) create a new tourist destination and freeway-oriented development to capture additional tax revenue for the City; (5) provide for public investment to stimulate the economy while assuring that development occurs in a financially responsible manner that does not adversely impact the City's financial integrity; (6) stimulate economic development within the City by creating areas for business development and expansion; (7) create a viable walkable community with standards designed to meet sustainability goals; (8) provide a broad range of housing types; **(9) provide recreational opportunities within close proximity to housing**; (10) provide for expedited permit processing while assuring adequate public input and mitigation of environmental impacts; and (11) provide flexibility in uses and timing of development to accommodate market trends and conditions; and

**WHEREAS**, consistent with the above, the BMS Master Agreement includes the provision of park and recreation amenities to be developed by the City of Richland, including West Village Park; and

**WHEREAS**, West Village Park is approximately thirty (30) acres in size and is included in the adopted Land Use and Development Regulations (LUDR) for the Badger Mountain South master-planned community; and

**WHEREAS**, the Richland Parks & Recreation Commission oversaw a comprehensive public process to develop a long-range development plan for West Village Park, and recommends City Council approval of the plan.

**NOW, THEREFORE, BE IT RESOLVED** by the City Council of the City of Richland that the long-range plan for West Village Park in Badger Mountain South, as depicted in **Exhibit A** attached hereto and incorporated herein by reference, is hereby adopted.

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

**ADOPTED** by the City Council of the City of Richland, Washington, at a special meeting on the 1<sup>st</sup> day of August, 2022.

\_\_\_\_\_  
Michael Alvarez, Mayor

Attest:

Approved as to Form:

\_\_\_\_\_  
Jennifer Rogers, City Clerk

\_\_\_\_\_  
Heather Kintzley, City Attorney

## Exhibit A to Resolution No. 2022-99

### West Village Community Park Long-Range Plan - PROPOSED

City of Richland, Washington Parks & Public Facilities



Produced by SPVV Landscape Architects - June 16, 2022



## COUNCIL AGENDA ITEM COVERSHEET

Council Date: 8/1/2022

Agenda Category: Resolutions - Adoption

Core Focus Area 2 - Manage & Maintain Infrastructure & Facilities

**Subject:**

Resolution No. 2022-100, Authorizing a Perpetual Parking Easement from the United States of America

Department/Office  
Parks & Public Facilities

Ordinance/Resolution Number:  
2022-100

Document Type:  
Resolution

**Recommended Motion:**

Adopt Resolution No. 2022-100, authorizing the City Manager to sign and execute a perpetual parking easement agreement with the United States of America in exchange for compensation and facility improvements as identified therein.

**Summary:**

Resolution 2022-100 will authorize the purchase of a parking easement from the United States of America for the purpose of providing additional parking capacity for Richland City Hall. The subject site is the northern portion of the federal parking lot serving the Federal Building located adjacent and south of the City's City Hall property. The draft easement document includes a requirement that the City improve the surface of the entire federal parking lot with a seal coat, stripe the new surface, and install a barrier curb.

**Fiscal Impact:**

There is adequate budget capacity for this specific project in the existing 2022 Capital Improvement Plan to acquire the easement and make necessary physical improvements.

**Attachments:**

1. Resolution No. 2022-100
2. Draft GSA Parking Easement for Richland City Hall

**RESOLUTION NO. 2022-100**

**A RESOLUTION OF THE CITY OF RICHLAND, WASHINGTON,  
AUTHORIZING EXECUTION OF A PERPETUAL PARKING  
EASEMENT WITH THE UNITED STATES OF AMERICA.**

**WHEREAS**, the City of Richland owns property at 625 Swift Boulevard used as Richland City Hall and identified as Assessor's Parcel No. 111982020629019; and

**WHEREAS**, in 2016, the City of Richland acquired the property at 625 Swift Boulevard from the United States of America through the authority of the Richland City Council and the United States Congress; and

**WHEREAS**, the United States of America owns property used for vehicular parking serving the Richland Federal Building located at 825 Jadwin Avenue and identified as Assessor's Parcel No. 111982020629019; and

**WHEREAS**, the City of Richland desires additional parking capacity for Richland City Hall; and

**WHEREAS**, the United States of America has identified a portion of the parking lot serving the Richland Federal Building as excess to current need; and

**WHEREAS**, the parties desire to enter into an agreement to provide a perpetual parking easement benefitting the City of Richland for parking at Richland City Hall in exchange for reasonable compensation and certain parking improvement; and

**WHEREAS**, adequate budget exists in the 2022 Capital Improvement Plan to acquire the easement and make minor improvements to the parking lot as required by the United States of America, including the addition of a separating curb, seal coating, and striping.

**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 perpetual parking easement with the United States of America and any other documents necessary to fulfill the terms and conditions stated therein.

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

**ADOPTED** by the City Council of the City of Richland, Washington, at a special meeting on the 1<sup>st</sup> day of August, 2022.

\_\_\_\_\_  
Michael Alvarez, Mayor

Attest:

Approved as to Form:

\_\_\_\_\_  
Jennifer Rogers, City Clerk

\_\_\_\_\_  
Heather Kintzley, City Attorney

**DRAFT**

RECORDING REQUESTED BY  
AND WHEN RECORDED MAIL TO:

City of Richland  
625 Swift Boulevard, MS-04  
Richland, WA 99352  
Attn: City Clerk

0.94 Acres Richland Parking Easement  
Portion of APN 111982020629018  
GSA Control Number: 9-G-WA-1263-AC

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Space Above Line for Recorder's Use

## **PARKING EASEMENT**

THIS PARKING EASEMENT AGREEMENT ("Agreement") is made this \_\_\_\_ day of \_\_\_\_\_, 2022, between THE UNITED STATES OF AMERICA, acting by and through the Administrator of General Services ("Grantor"), under and pursuant to the powers and authority contained in the provisions of Title 40, U.S. Code, Section 1314, as amended, and regulations and orders promulgated thereunder, and the CITY OF RICHLAND, a Washington municipal corporation ("Grantee"), with respect to the following facts:

A. Grantor is the owner of fee title to that certain parcel of real property identified as Parcel A and Parcel 2 on Exhibit "A" attached hereto and incorporated herein by this reference (the "Grantor Parcel"), The Richland Federal Building and United States Courthouse (the "Federal Building") is located adjacent to the Grantor's Parcel.

B. Grantee is the owner of fee title to certain real property located at 625 Swift Boulevard in the City of Richland, Washington designated as APN 111982020629019 and identified as Parcel 1 on Exhibit "A" attached hereto and incorporated herein (the "Grantee's Parcel"). Grantee's Parcel is adjacent to the Grantor Parcel., Grantee acquired the Grantee's Parcel in 2016 from the Grantor to construct, operate and maintain the City Hall.

C. Grantee desires to have additional surface parking to serve the City Hall over a portion of the Grantor Parcel.

**DRAFT**

NOW THEREFORE, said Grantor, for and in consideration of Three Hundred Fifty Thousand and no/100 (\$ \_\_\_350,000,\_\_\_00) and services described in this Agreement, the receipt of which is hereby acknowledged, by these presents does grant unto said Grantee, its successors and assigns, a surface easement ("Easement") in that portion of Grantor's Parcel described as follows ("Easement Property"):

A PORTION OF LOT 2, BLOCK 629, PLAT OF RICHLAND, ACCORDING TO THE PLAT THEREOF RECORDED IN VOLUMES 6 & 7 OF PLATS, RECORDS OF BENTON COUNTY, WASHINGTON, DESCRIBED AS FOLLOWS:

BEGINNING AT THE SOUTHWEST CORNER OF THAT PARCEL CONVEYED TO CITY OF RICHLAND IN QUIT CLAIM DEED 2017-024246; THENCE NORTH 89°08'59" EAST 402.84 FEET TO THE SOUTHEAST CORNER OF SAID PARCEL AND THE WEST RIGHT-OF-WAY OF JADWIN AVENUE; THENCE SOUTH 0°50'33" EAST ALONG THE WEST RIGHT-OF-WAY OF SAID JADWIN AVENUE 101.20 FEET; THENCE ON A LINE PARALLEL WITH AND 101.20 FEET SOUTHERLY OF SAID PARCEL SOUTH 89°08'59" WEST 402.67 FEET LEAVING SAID RIGHT-OF-WAY TO THE WEST LINE OF PARCEL A, RECORD OF SURVEY 3479; THENCE NORTH 0°56'12" WEST 101.20 FEET ALONG SAID WEST LINE TO THE SOUTHWEST CORNER OF SAID PARCEL AND TO THE TRUE POINT OF BEGINNING.

CONTAINING 40,758 SQUARE FEET, (0.94 ACRES) MORE OR LESS.

THIS EASEMENT IS SUBJECT TO THE FOLLOWING:

- 1) Use Restriction. This Easement shall be solely for purposes of non-commercial surface parking area. Grantee is prohibited from constructing vertical improvements except for any structures or improvements that may be needed for parking control, perimeter fencing or lighting. The Grantee shall use the subject property for City employee and visitor parking only and may not use the subject property for metered or other income generating parking. Grantee shall have the right to sign, mark and enforce the above parking restrictions.
- 2) Vehicle Barrier. Grantee shall be responsible for construction of a vehicle barrier on the northern side of the south easement line. The vehicle barrier shall be situated within the Easement Property and be constructed of concrete with a minimum height of 6" and a minimum width of 16" so as to prevent vehicular traffic from the Easement Property onto the remainder of Grantor Parcel. The barrier shall be an aesthetically pleasing surface and blend into the existing landscape around the parking lot. The construction, use, maintenance, repair and replacement of the barrier and landscaping shall be at Grantee's

sole cost and expense. Any construction shall be in accordance with plans and drawings reviewed by Grantor in accordance with Paragraph 4. Except for the work described in Paragraph 3, the Grantee shall stage and complete all construction activities within the Easement Property.

- 3) Grantor Parcel Reconfiguration. Grantee shall be responsible for sealcoating and restriping the parking stalls in the Grantor Parcel. The Grantor Parcel's surface area is approximately 163,000 sq ft and is comprised of 455 parking stalls to include nine (9) ADA parking spaces and an additional 16 motorcycle parking stalls. The work shall include but not limited to: clean and prep existing asphalt surface, seal cracks in asphalt, apply surface seal coat over entire parking lot area, and restripe all parking stalls. Any repair work shall be in accordance with plans and drawings approved by Grantor in accordance with Paragraph 4.
- 4) Right of Review. Grantor shall have the right to review and approve all plans and drawings for the construction and repair work. Grantor's review and approval of the plans and specifications shall not constitute the assumption of any responsibility by Grantor for either the accuracy or sufficiency of the quality or suitability for its intended use. Any such review and approval is for the sole purpose of protecting Grantor's interests in the Grantor's Parcel and shall be in Grantor's sole discretion. Grantee is not permitted to commence any construction work prior to Grantor's final approval of the plans and drawings.
- 5) Good and Workmanlike Manner. All work performed by Grantee, its contractors, subcontractors and representatives shall be in a good and workmanlike manner and shall be in compliance with all provisions of government rules, laws and permits controlling and applicable to the work. Grantee represents to Grantor it has obtained all necessary permits and complied with all necessary environmental regulations for the construction and repair work. Grantee shall proceed with due diligence and shall coordinate any activities in a manner so as to minimize disruption to the occupants of the Federal Building. Grantee shall remove all trash and debris resulting from the work on a daily and timely basis. Upon completion of the work, or portions of work, Grantee shall request from Grantor an inspection and acceptance of the work. Grantor reserves the right to reject any defective work or material on the Grantor Parcel prior to acceptance. Final acceptance shall not be unreasonably withheld by Grantor and will represent satisfactory performance and completion of the work by Grantee.
- 6) Maintenance. Grantee is responsible for maintaining and repairing the Easement Property at its own expense, including any landscaping and maintenance, repairing and replacing site improvements in a decent, safe, and sanitary manner, free of debris and hazards or conditions that would cause injury or harm to persons or property including pest control. Grantee shall ensure that the Easement Property is maintained on a frequent basis so as to

avoid creating a nuisance, eyesore, or health hazard for the tenants of the Federal Building or the local community.

- 7) Reservation of Access. Grantor reserves the right for unrestricted access upon, through, over, under, and across the Easement Property, at any time but with a 10-day notice, except for emergencies, for the purpose of inspecting, operating, maintaining, replacing and upgrading the utility lines located in the Easement Property.
- 8) Compliance with all laws. At its sole expense, Grantee shall comply with all federal, state and local laws, codes and regulations, in connection with activities permitted, required or authorized by this Easement.
- 9) Indemnification. Grantee shall indemnify, defend and hold Grantor, its elected and appointed directors, officers, employees, and agents harmless from and against any and all claims, liens, demands, liabilities, judgments, losses, costs and expenses (including reasonable attorneys' fees) (collectively, "Claims") arising from or relating to Grantee's use of the Easement Property, the construction, use, operation, or maintenance of the Easement Property, or any work required pursuant to Paragraph 3, provided that Grantee shall not be liable to Grantor, nor shall Grantee have any obligation to hold harmless, defend or indemnify Grantor for any Claims to the extent arising out of the gross negligence or intentional misconduct of Grantor.
- 10) Wages, Bonds and Insurance. Grantee shall pay any workers prevailing wages. Grantee shall provide Grantor with a copy of the Payment Bond at least two (2) business days prior to the commencement of construction activities. Grantee shall provide Grantor with evidence of payment to workers, suppliers and subcontractors. Grantee also shall provide evidence of coverage from a municipal risk pool, during construction activities. A copy of the evidence of coverage must be provided to the Grantor at least two business days prior to the commencement of construction activities.
- 11) Environmental Indemnification. Grantee agrees to indemnify, defend and hold harmless the Grantor, its respective employees, contractors, subcontractors, agents, and invitees from and against any claims, damages, suits, actions, legal or administrative proceedings (whether arising in contract, tort, strict liability, or of common law or statutory derivation), demands, liabilities, fines, penalties, losses, injuries, expenses or costs, including without limitation, interest and reasonable attorney's fees, incurred by, claimed or assessed against the United States, its respective employees, contractors, subcontractors, agents, and invitees to the extent such arise from any release or threatened release of "hazardous waste" as defined in Resource Conservation and Recovery Act of 1976, as amended and "hazardous substances" as defined by Comprehensive Environmental Response

Compensation and Liability Act of 1980, as amended, or violation of any environmental laws by Grantee or its respective employees, contractors, subcontractors, agents, and invitees.

- 12) Hazardous Materials. Grantee will comply with any laws, regulations, conditions, or instructions affecting the activity hereby authorized if and when issued by the United States Environmental Protection Agency ("EPA"), or any Federal, state, interstate, or local governmental agency having jurisdiction over the Easement Property to abate or prevent pollution. The disposal of any toxic or hazardous materials, or petroleum, within the Easement Property is strictly prohibited. Such regulations, conditions or instructions in effect or prescribed by EPA or any Federal, state, interstate, or local governmental agency having jurisdiction over the Easement Property to abate or prevent pollution are hereby made a condition of this Easement.
- 13) No Representation. This Easement is made subject to all existing covenants, reservations, easements, restrictions, and rights, recorded or unrecorded, for public roads, highways, streets, railroads, power lines, telephone lines and equipment, pipelines, drainage, sewer and water mains and lines, public utilities, and other rights-of-way, and to the easements, reservations, rights and covenants reserved by Grantor herein, and to any facts which a physical inspection or accurate survey of the Easement Property may disclose. Grantee understands that the real property granted by this Easement is made available on an "as is, where is" basis, without representation or warranty on the part of Grantor for suitability for any purpose.
- 14) Termination. Grantor has the right to terminate this Easement as specified below:
  - a) Default. In the event that the Easement Property is used for any purpose other than specified in Paragraph 1 above, or if the Grantee does not comply with the terms and conditions of this Easement Agreement, then Grantor shall have the right to terminate this Easement, re-enter the Easement Property and remove all improvements and personal property there from and Grantee shall be liable for such damages as the Grantor may incur. In the event of a default, Grantor shall provide Grantee with notice of the default and opportunity to cure within thirty (30) calendar days of receipt of the default notice. If Grantee fails to cure within thirty (30) calendar days of receipt of the default notice, Grantor may immediately terminate the easement, without reimbursement.
  - b) Future Federal Use. Grantor shall have the continuing right to terminate this Easement upon a one year written notice to Grantee in the event that use of the Easement Property or any portion thereof is necessary for the expansion of the Federal Building or other federal uses. If this event occurs within 10 years (120

months) from the date of this signed Agreement, Grantor shall reimburse Grantee the fractional monthly value for each remaining month of the 10 year period.

- c) Termination For Any Reason. After 10 years, with Notice, the Grantor may terminate the easement without any reimbursement if the Federal Building parking demand increases beyond the capacity of the Federal Building parking lots to support the demand, or if the space is needed for a federal purpose.
  - d) Incomplete Service. If Grantee fails to complete the work described in Paragraph 2 and 3 within one year from the date of this signed Agreement. Grantor shall provide Grantee with a notice to cure and opportunity to cure within 60 days of receipt of the notice. If Grantee fails to cure within 60 days of receipt of the notice, Grantor may terminate without reimbursement, with a 90-days written notice. This termination section 14d will expire upon acceptance of the work as contained in Section 5 herein.
- 15) Notices. Grantor and Grantee agree that any notice or other communication required or permitted to be given under this Easement will be sufficiently given or delivered if provided in writing and transmitted by personal messenger; certified mail, return receipt requested; or overnight delivery service with receipt confirmation, and addressed as follows:

In the case of a notice or communication to GSA:

U.S. General Services Administration  
Northwest Arctic Region 10  
Attn: Office of Portfolio Management  
and  
U.S. General Services Administration  
50 United Nations Plaza, Mailbox 9  
San Francisco, CA 94102  
Attn: Real Property Utilization and Disposal

In the case of a notice of communication to the City of Richland:

City of Richland  
625 Swift Boulevard, MS-04  
Richland, WA 99352  
Attn: City Manager  
With a copy to the Parks & Public Facilities Manager (at the same address)

***DRAFT***

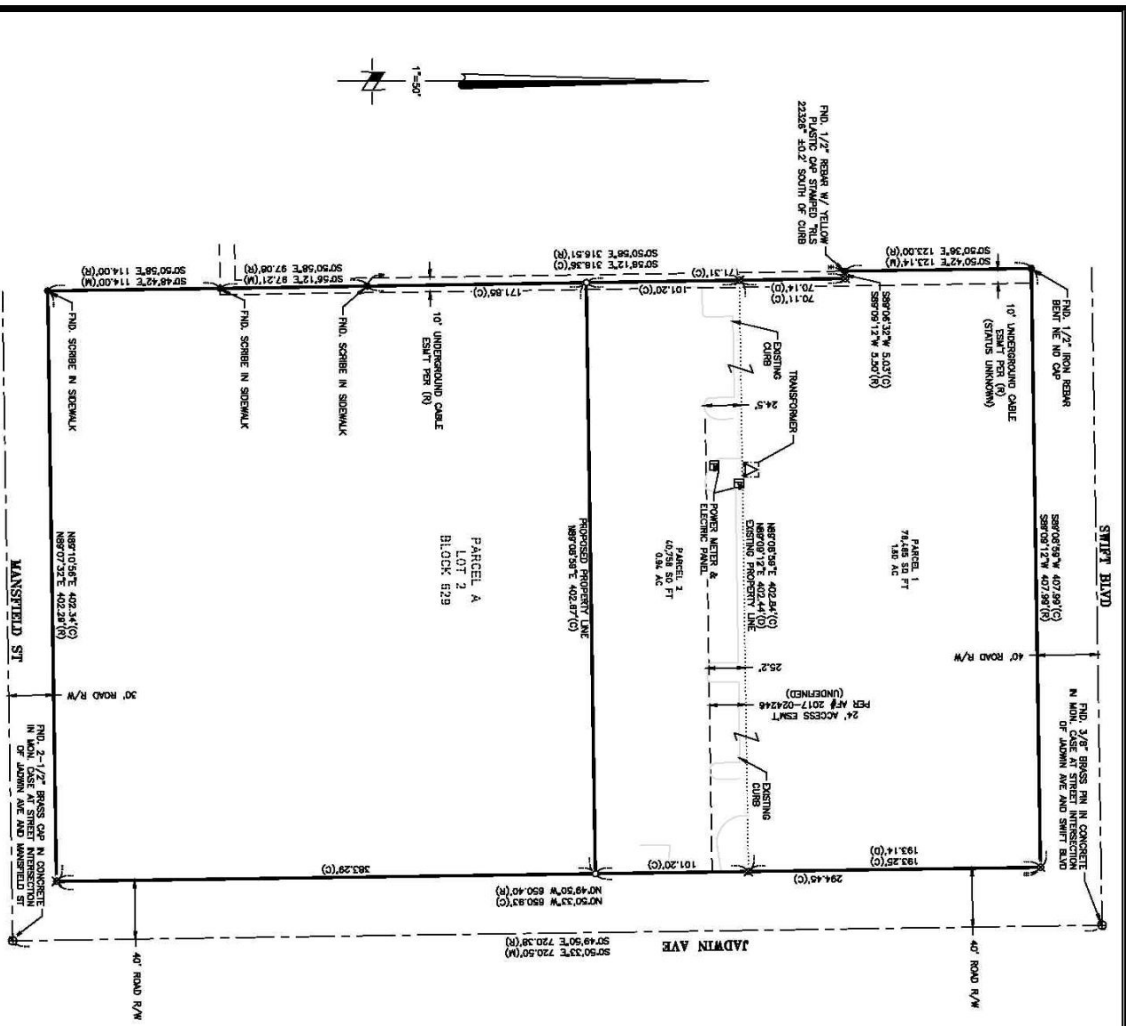
IN WITNESS WHEREOF, the Grantor has caused this Easement to be executed as of this \_\_\_\_ day  
of \_\_\_\_\_ 2022.

UNITED STATES OF AMERICA  
Acting by and through the  
ADMINISTRATOR OF GENERAL SERVICES

BY: \_\_\_\_\_  
David Haase  
Contracting Officer  
Office of Real Property Utilization and Disposal  
U.S. General Services Administration

DRAFT

EXHIBIT A



LEGAL DESCRIPTIONS  
SEE SHEET 2



RECORD SURVEY

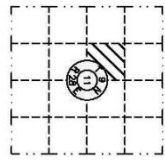
FOR BOUNDARY LINE ADJUSTMENT  
LOCATED IN A PORTION OF THE SE 1/4 OF THE NW  
1/4 OF SECTION 11, TOWNSHIP 9 NORTH, RANGE 28  
EAST, W.M., BENTON COUNTY, WASHINGTON

NOTES:

1. BASE OF BEARING IS GEO. WASHINGTON STATE PLATE, SOUTH ZONE, NAD83(11), BASED ON THE DATUM OF 1983. DISTANCES ARE BROUGHT TO THE DATUM OF 1983 BY THE FACTOR OF 0.99999443.
2. O - DENOTES SET 5/8"X3/4" IRON WITH ORANGE PLASTIC CAP STAMPED "TBN WA 11028"
3. \* - DENOTES FOUND MONUMENT AS NOTED
4. @ - DENOTES FOUND BRASS CAP AS NOTED
5. X - DENOTES NOT FOUND, NOT SET
6. (N) = MONUMENT (C) = CORNER (D) = BENCHMARK USED 4/8/2017-02/24/18
7. (N) = MONUMENT (C) = CORNER (D) = BENCHMARK USED 4/8/2017-02/24/18
8. REMOVED AND PROCEDURES USED: DUAL FREQUENCY GNSS RECEIVERS USING REAL TIME KINEMATIC METHOD

SURVEYOR'S NARRATIVE:

THIS SURVEY WAS PERFORMED TO ESTABLISH THE BOUNDARIES OF THE SUBJECT PARCEL. THE BOUNDARY WAS PREVIOUSLY SURVEYED BY BRUCE ON RECORD SURVEY 3479, NEITHER SCHEME NOR CONVENTION WAS NOTED ON THE DEED. THE DEED DESCRIBES THE PARCEL AS BEING 1/4 OF SECTION 11, TOWNSHIP 9 NORTH, RANGE 28 EAST, W.M., BENTON COUNTY, WASHINGTON. THE DEED DOES NOT SHOW THE LOCATION OF THE PARCEL. THE DEED DOES NOT SHOW THE LOCATION OF THE PARCEL. THE DEED DOES NOT SHOW THE LOCATION OF THE PARCEL.



SURVEYOR'S CERTIFICATE

I, DAVID S. BASKIN, SURVEYOR, A STATE LICENSED BY THE GEODETIC SURVEYING ACT OF THE REQUESTOR, HAVE PERSONALLY SURVEYED THE BOUNDARIES OF THE SUBJECT PARCEL AND HAVE FOUND THEM TO CONFORM WITH THE REQUIREMENTS OF THE SURVEYING ACT OF THE REQUESTOR.



AUDITOR'S CERTIFICATE

FILED FOR RECORD THIS \_\_\_\_\_ DAY OF \_\_\_\_\_, 20\_\_\_\_, A.D., AT \_\_\_\_\_  
MINUTES PAST \_\_\_\_\_, AND RECORDED IN VOLUME \_\_\_\_\_ OF SURVEYS,  
PAGE \_\_\_\_\_, AT THE REQUEST OF ROGERS SURVEYING.  
BENTON COUNTY AUDITOR  
AUDITOR'S FILE NUMBER \_\_\_\_\_

**RSI ROGERS**  
SURVEYING INC., P.S.  
1000 10TH AVENUE, SUITE 100  
SEASIDE, WA 98138  
PHONE (206) 783-4141  
FAX (206) 783-4141  
www.rsirogers.com

|                                         |                          |                  |
|-----------------------------------------|--------------------------|------------------|
| CLIENT                                  | US GSA                   | REV. 2/12/20 BMS |
| PROJECT                                 | BOUNDARY LINE ADJUSTMENT | 2019             |
| PTN OF NW1/4 SEC. 11, T. 9 N., R. 28 E. |                          |                  |
| DRAWN BY                                | WPL                      | SCALE 1" = 50'   |
| APPROVED DWS                            | DATE 12/20/2019          | FILED 20191220   |
|                                         |                          | SHEET 1 OF 2     |

**RECORD LEGAL DESCRIPTION (DEED)**  
(SEE QUIT CLAIM DEED 2017-024246)

A PORTION OF LOT 2, BLOCK 609, PLAT OF RICHLAND, ACCORDING TO THE PLAT THEREOF RECORDED IN VOLUMES 6 & 7 OF PLATS, RECORDS OF BENTON COUNTY, WASHINGTON, DESCRIBED AS FOLLOWS:

THE NORTH 13.14 FEET OF PARCEL A, RECORD OF SLURRY #479, RECORDED IN VOLUME 1 OF RECORDS ON PAGE 367D, RECORDS OF SNO COUNTY AND STATE, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

[illegible]

## PARCEL IN:

[illegible]

THE NORTH 294.45 FEET OF PARCEL A, RECORD OF SURVEY 3479, RECORDED IN VOLUME 6 OF SURTENS ON PAGE 3479, RECORDS OF SAID COUNTY AND STATE, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

[illegible]

FOR BOUNDARY LINE ADJUSTMENT  
LOCATED IN A PORTION OF THE SE 1/4 OF THE NW  
1/4 OF SECTION 11, TOWNSHIP 9 NORTH, RANGE 28  
EAST, W.M. BENTON COUNTY, WASHINGTON



FILED FOR RECORD THIS \_\_\_\_\_ DAY OF \_\_\_\_\_, 20\_\_ A.D., AT \_\_\_\_\_  
MINUTES PAST \_\_\_\_\_ M. AND RECORDED IN VOLUME \_\_\_\_\_ OF SURVEYS,  
PAGE \_\_\_\_\_, AT THE REQUEST OF ROBERTS SURVEYING.

AUDITOR'S FILE NUMBER

**PSI**  
**ROGERS**  
**SURVEYING INC., P.S.**  
1466 COLUMBIA PARK TRAIL  
RICHMOND, VA 23062  
PHONE (800) 778-4141  
FAX (800) 765-8090  
www.rogerssurveying.com

**CERTIFICATE OF ACKNOWLEDGMENT**

A Notary Public or other officer completing this certificate verifies only the identity of the individual who signed the document to which this certificate is attached, and not the truthfulness, accuracy, or validity of that document.

State of California )

County of San Francisco )

On, \_\_\_\_\_ before me, \_\_\_\_\_,  
Date Name and Title of the Officer

Notary Public personally appeared \_\_\_\_\_,  
Name(s) of Signer (s)

who proved to me on the basis of satisfactory evidence to be the person(s) whose name(s) is/are subscribed to the within instrument and acknowledged to me that he/she/they executed the same in his/her/their authorized capacity(ies), and that by his/her/their signature(s) on the instrument the person(s), or the entity upon behalf of which the person(s) acted, executed the instrument.

I certify under PENALTY OF PERJURY under the laws of the State of California that the foregoing paragraph is true and correct.

WITNESS my hand and official seal.

\_\_\_\_\_  
Notary Public Signature

\_\_\_\_\_  
Notary Public Name (typed or printed)

(Notary Public Seal)

**CERTIFICATE OF ACCEPTANCE**

This is to certify that the interest in the real property conveyed by the PARKING EASEMENT AGREEMENT from the **UNITED STATES OF AMERICA**, acting by and through the Administrator of General Services, to the **CITY OF RICHLAND**, Washington, attached hereto, is hereby accepted by the undersigned officer or agent on behalf of the City of Richland, and the City consents to the recordation of this Agreement by its duly authorized officer.

CITY OF RICHLAND

Dated this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_.

By: \_\_\_\_\_  
Name  
Title

State of Washington )  
County of Benton )

On this \_\_\_\_ day of \_\_\_\_\_, 20\_\_, before me personally appeared \_\_\_\_\_, known to me to be the \_\_\_\_\_ for the City of Richland, and the person who executed the within and foregoing Parking Easement Agreement and acknowledged that the said Agreement is to be the free and voluntary act and deed of said corporation, for the uses and purposes therein mentioned, and on oath stated that she/he was authorized to execute said Agreement .

Witness my hand and official seal.

\_\_\_\_\_  
Notary Public Signature

\_\_\_\_\_  
Notary Public Name (typed or printed)

(Notary Public Seal)



## COUNCIL AGENDA ITEM COVERSHEET

Council Date: 8/1/2022

Agenda Category: Resolutions - Adoption

Core Focus Area 2 - Manage & Maintain Infrastructure & Facilities

**Subject:**

Resolution No. 2022-101, Authorizing Award of Bid to Pipe of Washington, Inc. for the North Richland UV Improvements Project

Department/Office  
Public Works

Ordinance/Resolution Number:  
2022-101

Document Type:  
Resolution

**Recommended Motion:**

Adopt Resolution No. 2022-101, authorizing the City Manager to sign and execute an agreement with Pipe of Washington, Inc. for construction of the North Richland UV Improvements project in the amount of \$847,751.30 and authorizing change orders as identified therein.

**Summary:**

The 2022-2027 Capital Improvement Plan (CIP) includes the North Richland Slow Sand Facility Treatment Equipment Replacement project within the Water Treatment Renewal and Replacement Program. This program preserves the city's investment in water treatment facilities by completing timely renewal and replacement projects. The North Richland Slow Sand Facility is the City's second largest treated water facility and is vital to delivering high quality water to the city. The project will replace two ultra-violet light treatment modules that have reached the end of their service life.

City staff have completed all project development and design work necessary to advance the project to construction. Bids were solicited in accordance with the City's purchasing policies, with four bids received and opened on July 19, 2022. Pipe of Washington submitted the lowest responsible bid, which was lower than the high end of the Engineer's Estimate. The bid prices reflect a sound competitive process and the current inflationary pressure on construction prices. Sufficient funding is available to complete the project.

The City's best interests are served by completing the Project in accordance with the CIP, project design and lowest responsible bid. Staff recommends adoption of Resolution No. 2022-101.

**Fiscal Impact:**

The Council approved 2022 Capital Improvement Plan (CIP) includes the Water Treatment Renewal and Replacement Program. This program includes upgrades to the North Richland UV Facility. Completion of this contract is estimated to cost \$942,751.30, which includes construction, contingency and construction management. There is currently \$2,023,093 available in this program budget.

**Attachments:**

1. Resolution No. 2022-101
2. 7-19-22 - North Richland UV Disinfection System Improvements - ITB-22-0047 - POW Contracting

**RESOLUTION NO. 2022-101**

**A RESOLUTION OF THE CITY OF RICHLAND, WASHINGTON,  
AWARDING A CONSTRUCTION CONTRACT TO PIPE OF  
WASHINGTON, INC FOR THE NORTH RICHLAND UV  
IMPROVEMENTS PROJECT.**

**WHEREAS**, the 2022-2027 Capital Improvement Plan (CIP) includes the North Richland Slow Sand Facility Treatment Equipment Replacement project within the Water Treatment Renewal and Replacement Program (the “Project”); and

**WHEREAS**, this Water Treatment Replacement and Renewal Program preserves the City’s investment in water treatment facilities by completing timely renewal and replacement projects; and

**WHEREAS**, the North Richland Slow Sand Facility is the City’s second largest treated water facility and is vital to delivering high quality water to Richland citizens; and

**WHEREAS**, all project development and design work necessary to advance the Project to construction has been completed; and

**WHEREAS**, bids were solicited in accordance with the City’s purchasing policies, with four (4) bids received and opened on July 19, 2022. Pipe of Washington, Inc. submitted the lowest responsible bid, which was below the high end of the Engineer’s estimate; and

**WHEREAS**, the bid prices reflect a sound competitive process and the current inflationary pressure on construction prices; and

**WHEREAS**, sufficient funding is available to complete the Project; and

**WHEREAS**, the City’s best interests are served by completing the Project in accordance with the CIP, project design and lowest responsible bid.

**NOW, THEREFORE, BE IT RESOLVED** by the City Council of the City of Richland that the City Manager is authorized to sign and execute a construction contract with Pipe of Washington, Inc. in the amount of \$847,751.30 for the North Richland UV Improvements project, and to execute change orders in an aggregate amount not to exceed \$85,000 as needed to fulfill the Project’s intent.

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

*This space intentionally left blank.*

**ADOPTED** by the City Council of the City of Richland, Washington, at a special meeting on the 1<sup>st</sup> day of August, 2022.

\_\_\_\_\_  
Michael Alvarez, Mayor

Attest:

Approved as to Form:

\_\_\_\_\_  
Jennifer Rogers, City Clerk

\_\_\_\_\_  
Heather Kintzley, City Attorney

# City of Richland

|                                                    |               |
|----------------------------------------------------|---------------|
| DATE BIDS OPENED: July 19, 2022                    | ITB # 22-0047 |
| NORTH RICHLAND UV DISINFECTION SYSTEM IMPROVEMENTS |               |

|      |                                                  |     |      | ENGINEER'S ESTIMATE |             | POW CONTRACTING PASCO, WA |             | INDUSTRIAL CONSTRUCTION OF WASHINGTON W. RICHLAND, WA |             |
|------|--------------------------------------------------|-----|------|---------------------|-------------|---------------------------|-------------|-------------------------------------------------------|-------------|
| Item | Description                                      | Qty | Unit | Unit Price          | Total Price | Unit Price                | Total Price | Unit Price                                            | Total Price |
|      | BASE BID                                         |     |      |                     |             |                           |             |                                                       |             |
| 1    | Mobilization.                                    | 1   | LS   | \$81,000.00         | 81,000.00   | 69,900.00                 | 69,900.00   | 28,458.20                                             | 28,458.20   |
| 2    | Demolition & removal of existing infrastructure. | 1   | LS   | 43,000.00           | 43,000.00   | 52,000.00                 | 52,000.00   | 47,216.87                                             | 47,216.87   |
| 3    | Mechanical.                                      | 1   | LS   | 415,000.00          | 415,000.00  | 343,000.00                | 343,000.00  | 395,216.16                                            | 395,216.16  |
| 4    | Structural.                                      | 1   | LS   | 38,000.00           | 38,000.00   | 62,000.00                 | 62,000.00   | 86,577.11                                             | 86,577.11   |
| 5    | Electrical & control.                            | 1   | LS   | 135,000.00          | 135,000.00  | 198,000.00                | 198,000.00  | 163,776.15                                            | 163,776.15  |
| 6    | As-Built.                                        | 1   | LS   | 5,000.00            | 5,000.00    | 5,000.00                  | 5,000.00    | 5,000.00                                              | 5,000.00    |
| 7    | Testing, start-up & training.                    | 1   | LS   | 10,000.00           | 10,000.00   | 5,000.00                  | 5,000.00    | 31,005.30                                             | 31,005.30   |
| 8    | Demobilization.                                  | 1   | LS   | 41,000.00           | 41,000.00   | 5,000.00                  | 5,000.00    | 28,699.35                                             | 28,699.35   |
| 9    | Project postponement.                            | 1   | LS   | 40,000.00           | 40,000.00   | 40,000.00                 | 40,000.00   | 40,000.00                                             | 40,000.00   |
|      |                                                  |     |      | BASE BID SUBTOTAL   |             | \$808,000.00              |             | \$825,949.14                                          |             |
|      |                                                  |     |      | 8.7% SALES TAX      |             | 70,296.00                 |             | 71,857.58                                             |             |
|      |                                                  |     |      | BASE BID TOTAL      |             | \$878,296.00              |             | \$897,806.72                                          |             |

# City of Richland

|                                                    |               |       |         |
|----------------------------------------------------|---------------|-------|---------|
| DATE BIDS OPENED:                                  | July 19, 2022 | ITB # | 22-0047 |
| NORTH RICHLAND UV DISINFECTION SYSTEM IMPROVEMENTS |               |       |         |

|                                                    |                                                   |  |
|----------------------------------------------------|---------------------------------------------------|--|
| ALLSTAR CONSTRUCTION<br>GROUP, INC<br>RICHLAND, WA | STRIDER CONSTRUCTION<br>CO, INC<br>BELLINGHAM, WA |  |
|----------------------------------------------------|---------------------------------------------------|--|

| Item              | Description                                      | Qty | Unit | Unit Price | Total Price  | Unit Price | Total Price    | Unit Price | Total Price |
|-------------------|--------------------------------------------------|-----|------|------------|--------------|------------|----------------|------------|-------------|
|                   | BASE BID                                         |     |      |            |              |            |                |            |             |
| 1                 | Mobilization.                                    | 1   | LS   | 27,569.00  | 27,569.00    | 90,000.00  | 90,000.00      |            | -           |
| 2                 | Demolition & removal of existing infrastructure. | 1   | LS   | 52,580.00  | 52,580.00    | 41,000.00  | 41,000.00      |            | -           |
| 3                 | Mechanical.                                      | 1   | LS   | 414,427.00 | 414,427.00   | 476,000.00 | 476,000.00     |            | -           |
| 4                 | Structural.                                      | 1   | LS   | 134,628.00 | 134,628.00   | 72,000.00  | 72,000.00      |            | -           |
| 5                 | Electrical & control.                            | 1   | LS   | 173,014.00 | 173,014.00   | 223,000.00 | 223,000.00     |            | -           |
| 6                 | As-Built.                                        | 1   | LS   | 5,000.00   | 5,000.00     | 5,000.00   | 5,000.00       |            | -           |
| 7                 | Testing, start-up & training.                    | 1   | LS   | 41,928.00  | 41,928.00    | 5,000.00   | 5,000.00       |            | -           |
| 8                 | Demobilization.                                  | 1   | LS   | 8,000.00   | 8,000.00     | 4,000.00   | 4,000.00       |            | -           |
| 9                 | Project postponement.                            | 1   | LS   | 40,000.00  | 40,000.00    | 40,000.00  | 40,000.00      |            | -           |
| BASE BID SUBTOTAL |                                                  |     |      |            | \$897,146.00 |            | \$956,000.00   |            | \$0.00      |
| 8.7% SALES TAX    |                                                  |     |      |            | 78,051.70    |            | 83,172.00      |            | -           |
| BASE BID TOTAL    |                                                  |     |      |            | \$975,197.70 |            | \$1,039,172.00 |            | \$0.00      |



## COUNCIL AGENDA ITEM COVERSHEET

Council Date: 8/1/2022

Agenda Category: Resolutions - Adoption

Core Focus Area 2 - Manage & Maintain Infrastructure & Facilities

**Subject:**

Resolution No. 2022-102, Authorizing Award of Bid to Premier Excavation, Inc. for the Center Parkway Extension North Project

Department/Office  
Public Works

Ordinance/Resolution Number:  
2022-102

Document Type:  
Resolution

**Recommended Motion:**

Adopt Resolution No. 2022-102, authorizing a construction contract with Premier Excavation, Inc. in the amount of \$1,783,941.09 for the Center Parkway North Extension project and authorizing change orders as identified therein.

**Summary:**

The 2022-2027 Capital Improvement Plan (CIP) includes the Center Parkway North Extension project (the "Project"). This Project will improve travel circulation in the Tapteal Drive retail area by connecting Gage Boulevard to Tapteal Drive.

City staff have completed all project development and design work necessary to advance the Project to construction. Bids were solicited in accordance with the City's purchasing policies, with six (6) bids received and opened on July 19, 2022. Premier Excavating, Inc. submitted the lowest responsible bid, which was below the high end of the Engineer's estimate. The bid prices reflect a sound competitive process and the current inflationary pressure on construction prices, and sufficient funding is being secured to complete the Project. The City's best interests are served by completing the Project in accordance with the CIP, project design and lowest responsible bid.

At present the funds necessary to pay for the construction contract are not fully secured. Benton County reviewed and approved an application for this project in 2020 and executed a funding agreement awarding the City \$1,240,000 from the Rural County Capital Fund so that property acquisition and engineering could proceed. Benton County staff have prepared an amended and restated agreement adding another \$1,600,000 to the original agreement with the intention of seeking Commission approval on August 9, 2022. To fully fund the construction, City staff anticipates seeking one more distribution of Rural County Capital Funds, approximately \$300,000, near the end of 2022. Benton County staff is aware of this future request and has indicated support for awarding the funds. By policy, Benton County only authorizes distribution of funds on hand at the time of agreement execution, so the City must wait for Benton County to receive the Fund revenue before seeking additional disbursement authority. Staff believes this approach to funding construction carries extremely low risk to the City and that the value to the community of moving forward with this construction project overrides the risk that may be present.

**Fiscal Impact:**

The Council approved 2022 Capital Improvement Plan includes funding for the Center Parkway North Extension project. The cost estimate to complete the remaining ROW and construction work is \$2,591,565 which includes the ROW completion, construction, contingency and construction management. There is currently \$2,657,438 available in the project budget to complete this work.

**Attachments:**

1. Resolution No. 2022-102
2. 7-19-22 - Center Parkway North Extension - ITB-22-0031 - Premier Excavation Inc

**RESOLUTION NO. 2022-102**

**A RESOLUTION OF THE CITY OF RICHLAND, WASHINGTON,  
AUTHORIZING AWARD OF BID TO PREMIER EXCAVATION,  
INC. FOR THE CENTER PARKWAY – NORTH – EXTENSION  
PROJECT.**

**WHEREAS**, the 2022-2027 Capital Improvement Plan (CIP) includes the Center Parkway - North - Extension project (the “Project”); and

**WHEREAS**, the Project will improve travel circulation in the Tapteal Drive retail area by connecting Gage Boulevard to Tapteal Drive; and

**WHEREAS**, all project development and design work necessary to advance the Project to construction has been completed; and

**WHEREAS**, bids were solicited in accordance with the City’s purchasing policies, with six (6) bids received and opened on July 19, 2022. Premier Excavating, Inc. submitted the lowest responsible bid, which was below the high end of the Engineer’s estimate; and

**WHEREAS**, the bid prices reflect a sound competitive process and the current inflationary pressure on construction prices; and

**WHEREAS**, sufficient funding is available to complete the Project; and

**WHEREAS**, the City’s best interests are served by completing the Project in accordance with the CIP, project design and lowest responsible bid.

**NOW, THEREFORE, BE IT RESOLVED** by the City Council of the City of Richland that the City Manager is authorized to sign and execute a construction contract with Premier Excavation, Inc. in the amount of \$1,783,941.09 for the Center Parkway - North - Extension project, and to execute change orders in an aggregate amount not to exceed \$180,000 as needed to fulfill the Project’s intent.

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

**ADOPTED** by the City Council of the City of Richland, Washington, at a special meeting on the 1<sup>st</sup> day of August, 2022.

\_\_\_\_\_  
Michael Alvarez, Mayor

Attest:

Approved as to Form:

\_\_\_\_\_  
Jennifer Rogers, City Clerk

\_\_\_\_\_  
Heather Kintzley, City Attorney

# City of Richland

|                                |               |       |         |
|--------------------------------|---------------|-------|---------|
| DATE BIDS OPENED:              | July 19, 2022 | ITB # | 22-0031 |
| CENTER PARKWAY EXTENSION NORTH |               |       |         |

| Item | Description                                                     | Qty      | Unit | ENGINEER'S ESTIMATE |             | PREMIER EXCAVATION, INC PASCO, WA |             | GOODMAN & MEHLENBACHER ENT, INV KENNEWICK, WA |             |
|------|-----------------------------------------------------------------|----------|------|---------------------|-------------|-----------------------------------|-------------|-----------------------------------------------|-------------|
|      |                                                                 |          |      | Unit Price          | Total Price | Unit Price                        | Total Price | Unit Price                                    | Total Price |
|      | <b>SCHEDULE A - GENERAL / STREET / STORM / RAIL</b>             |          |      |                     |             |                                   |             |                                               |             |
| A1   | Mobilization.                                                   | 1.00     | LS   | \$150,000.00        | 150,000.00  | 90,435.00                         | 90,435.00   | 67,800.00                                     | 67,800.00   |
| A2   | SPCC plan.                                                      | 1.00     | LS   | 1,000.00            | 1,000.00    | 500.00                            | 500.00      | 575.00                                        | 575.00      |
| A3   | Roadway surveying.                                              | 1.00     | LS   | 20,000.00           | 20,000.00   | 21,200.00                         | 21,200.00   | 30,000.00                                     | 30,000.00   |
| A4   | ADA features surveying.                                         | 1.00     | LS   | 2,500.00            | 2,500.00    | 2,080.00                          | 2,080.00    | 2,400.00                                      | 2,400.00    |
| A5   | Record drawings (minimum Bid \$500).                            | 1.00     | LS   | 500.00              | 500.00      | 2,080.00                          | 2,080.00    | 1,500.00                                      | 1,500.00    |
| A6   | Type b progress schedule (minimum Bid \$500).                   | 1.00     | LS   | 500.00              | 500.00      | 1,000.00                          | 1,000.00    | 800.00                                        | 800.00      |
| A7   | Removal of structures and obstructions.                         | 1.00     | LS   | 20,000.00           | 20,000.00   | 37,810.00                         | 37,810.00   | 15,500.00                                     | 15,500.00   |
| A8   | Clearing & grubbing.                                            | 1.00     | LS   | 5,000.00            | 5,000.00    | 6,500.00                          | 6,500.00    | 8,400.00                                      | 8,400.00    |
| A9   | Erosion control & water pollution prevention.                   | 1.00     | LS   | 10,000.00           | 10,000.00   | 4,000.00                          | 4,000.00    | 5,750.00                                      | 5,750.00    |
| A10  | Roadway excavation including haul.                              | 1,020.00 | CY   | 40.00               | 40,800.00   | 24.00                             | 24,480.00   | 7.00                                          | 7,140.00    |
| A11  | Embankment compaction.                                          | 1,240.00 | CY   | 20.00               | 24,800.00   | 6.00                              | 7,440.00    | 8.00                                          | 9,920.00    |
| A12  | Demolition of structure @ 8220 W. Gage Blvd.                    | 1.00     | LS   | 80,000.00           | 80,000.00   | 46,069.00                         | 46,069.00   | 94,500.00                                     | 94,500.00   |
| A13  | Catch basin type (COK 24" diameter).                            | 6.00     | EA   | 2,000.00            | 12,000.00   | 1,904.67                          | 11,428.02   | 1,300.00                                      | 7,800.00    |
| A14  | Catch basin type (COK 48" diameter).                            | 2.00     | EA   | 3,000.00            | 6,000.00    | 3,714.00                          | 7,428.00    | 4,100.00                                      | 8,200.00    |
| A15  | Solid wall PVC storm pipe 12 in. diameter.                      | 551.00   | LF   | 80.00               | 44,080.00   | 74.06                             | 40,807.06   | 61.00                                         | 33,611.00   |
| A16  | TV inspection of storm pipe.                                    | 551.00   | LF   | 5.00                | 2,755.00    | 5.25                              | 2,892.75    | 3.00                                          | 1,653.00    |
| A17  | Imported pipe zone bedding (4" layer; 5/8" minus crushed rock). | 671.00   | LF   | 5.00                | 3,355.00    | 7.35                              | 4,931.85    | 4.00                                          | 2,684.00    |
| A18  | Imported pipe zone backfill.                                    | 671.00   | LF   | 1.00                | 671.00      | 19.59                             | 13,144.89   | 5.00                                          | 3,355.00    |
| A19  | Underground utility crossing - marked & unmarked.               | 7.00     | EA   | 750.00              | 5,250.00    | 300.00                            | 2,100.00    | 700.00                                        | 4,900.00    |
| A20  | Aluminum trash grate - 12 inch.                                 | 2.00     | EA   | 500.00              | 1,000.00    | 655.00                            | 1,310.00    | 700.00                                        | 1,400.00    |
| A21  | Construction geotextile for underground drainage.               | 505.00   | SY   | 5.00                | 2,525.00    | 6.04                              | 3,050.20    | 7.00                                          | 3,535.00    |
| A22  | Quarry spalls.                                                  | 155.00   | CY   | 75.00               | 11,625.00   | 94.00                             | 14,570.00   | 76.00                                         | 11,780.00   |
| A23  | Inlet protection.                                               | 17.00    | EA   | 150.00              | 2,550.00    | 106.47                            | 1,809.99    | 100.00                                        | 1,700.00    |
| A24  | Crushed surfacing base course (6").                             | 620.00   | CY   | 50.00               | 31,000.00   | 64.50                             | 39,990.00   | 47.00                                         | 29,140.00   |
| A25  | Crushed surfacing top course (3").                              | 310.00   | CY   | 60.00               | 18,600.00   | 72.00                             | 22,320.00   | 60.00                                         | 18,600.00   |
| A26  | Crack sealing.                                                  | 9.00     | FA   | 5,000.00            | 5,000.00    | 5,000.00                          | 5,000.00    | 5,000.00                                      | 5,000.00    |
| A27  | HMA Cl. 1/2 in. Pg 64h-28.                                      | 980.00   | TON  | 110.00              | 107,800.00  | 134.00                            | 131,320.00  | 150.00                                        | 147,000.00  |
| A28  | Soil residual herbicide.                                        | 3,720.00 | SY   | 0.50                | 1,860.00    | 0.65                              | 2,418.00    | 0.30                                          | 1,116.00    |
| A29  | Job mix compliance price adjustment.                            | 1.00     | CALC | 1.00                | 1.00        | 1.00                              | 1.00        | 1.00                                          | 1.00        |
| A30  | Compaction price adjustment.                                    | 1.00     | CALC | 1.00                | 1.00        | 1.00                              | 1.00        | 1.00                                          | 1.00        |
| A31  | Asphalt cost price adjustment.                                  | 1.00     | CALC | 4,500.00            | 4,500.00    | 4,500.00                          | 4,500.00    | 4,500.00                                      | 4,500.00    |
| A32  | Cement concrete traffic curb & gutter.                          | 1,460.00 | LF   | 50.00               | 73,000.00   | 18.00                             | 26,280.00   | 18.00                                         | 26,280.00   |
| A33  | Cement concrete traffic curb (at raised islands).               | 425.00   | LF   | 50.00               | 21,250.00   | 33.00                             | 14,025.00   | 30.00                                         | 12,750.00   |
| A34  | Cement concrete stamped median island (6" concrete).            | 195.00   | SY   | 200.00              | 39,000.00   | 106.97                            | 20,859.15   | 60.00                                         | 11,700.00   |

|                                                              |                                                     |          |      | ENGINEER'S<br>ESTIMATE |                       | PREMIER EXCAVATION, INC<br>PASCO, WA |                       | GOODMAN &<br>MEHLENBACHER ENT, INV<br>KENNEWICK, WA |                       |
|--------------------------------------------------------------|-----------------------------------------------------|----------|------|------------------------|-----------------------|--------------------------------------|-----------------------|-----------------------------------------------------|-----------------------|
| Item                                                         | Description                                         | Qty      | Unit | Unit Price             | Total Price           | Unit Price                           | Total Price           | Unit Price                                          | Total Price           |
| A35                                                          | Cement concrete sidewalk.                           | 1,142.00 | SY   | 50.00                  | 57,100.00             | 58.96                                | 67,332.32             | 66.00                                               | 75,372.00             |
| A36                                                          | Cement concrete driveway entrance (6" concrete).    | 74.00    | SY   | 150.00                 | 11,100.00             | 85.99                                | 6,363.26              | 93.00                                               | 6,882.00              |
| A37                                                          | Cement concrete curb ramp type parallel.            | 3.00     | EA   | 2,500.00               | 7,500.00              | 2,429.50                             | 7,288.50              | 3,650.00                                            | 10,950.00             |
| A38                                                          | Cement concrete curb ramp type single direction.    | 2.00     | EA   | 2,500.00               | 5,000.00              | 2,429.50                             | 4,859.00              | 3,800.00                                            | 7,600.00              |
| A39                                                          | Detectable warning surface.                         | 58.00    | SF   | 30.00                  | 1,740.00              | 40.00                                | 2,320.00              | 46.00                                               | 2,668.00              |
| A40                                                          | Chain link fence (6') w/privacy slats.              | 160.00   | LF   | 60.00                  | 9,600.00              | 50.00                                | 8,000.00              | 75.00                                               | 12,000.00             |
| A41                                                          | Temporary fence (chain link).                       | 250.00   | LF   | 30.00                  | 7,500.00              | 20.00                                | 5,000.00              | 12.00                                               | 3,000.00              |
| A42                                                          | Tubular marker.                                     | 2.00     | EA   | 250.00                 | 500.00                | 250.00                               | 500.00                | 320.00                                              | 640.00                |
| A43                                                          | Adjust manhole.                                     | 4.00     | EA   | 750.00                 | 3,000.00              | 600.00                               | 2,400.00              | 1,150.00                                            | 4,600.00              |
| A44                                                          | Adjust catch basin.                                 | 4.00     | EA   | 600.00                 | 2,400.00              | 400.00                               | 1,600.00              | 690.00                                              | 2,760.00              |
| A45                                                          | Adjust valve box.                                   | 10.00    | EA   | 600.00                 | 6,000.00              | 450.00                               | 4,500.00              | 460.00                                              | 4,600.00              |
| A46                                                          | Permanent signing.                                  | 1.00     | LS   | 7,500.00               | 7,500.00              | 11,500.00                            | 11,500.00             | 11,500.00                                           | 11,500.00             |
| A47                                                          | Plastic line.                                       | 2,430.00 | LF   | 1.50                   | 3,645.00              | 1.20                                 | 2,916.00              | 1.50                                                | 3,645.00              |
| A48                                                          | Plastic wide lane line.                             | 3,510.00 | LF   | 3.00                   | 10,530.00             | 1.35                                 | 4,738.50              | 1.50                                                | 5,265.00              |
| A49                                                          | Plastic stop line.                                  | 70.00    | LF   | 15.00                  | 1,050.00              | 11.65                                | 815.50                | 13.50                                               | 945.00                |
| A50                                                          | Plastic traffic arrow.                              | 1.00     | EA   | 300.00                 | 300.00                | 265.00                               | 265.00                | 300.00                                              | 300.00                |
| A51                                                          | Plastic railroad crossing symbol.                   | 2.00     | EA   | 1,000.00               | 2,000.00              | 830.00                               | 1,660.00              | 950.00                                              | 1,900.00              |
| A52                                                          | Plastic bicycle lane symbol.                        | 4.00     | EA   | 300.00                 | 1,200.00              | 320.00                               | 1,280.00              | 368.00                                              | 1,472.00              |
| A53                                                          | Project temporary traffic control.                  | 1.00     | LS   | 20,000.00              | 20,000.00             | 4,500.00                             | 4,500.00              | 4,025.00                                            | 4,025.00              |
| A54                                                          | Illumination system.                                | 1.00     | LS   | 40,000.00              | 40,000.00             | 52,100.00                            | 52,100.00             | 56,268.00                                           | 56,268.00             |
| A55                                                          | Stabilized construction entrance.                   | 2.00     | EA   | 5,000.00               | 10,000.00             | 1,130.00                             | 2,260.00              | 4,000.00                                            | 8,000.00              |
| A56                                                          | Site restoration.                                   | 1.00     | LS   | 10,000.00              | 10,000.00             | 8,400.00                             | 8,400.00              | 8,600.00                                            | 8,600.00              |
| A57                                                          | Dig and verify.                                     | 1.00     | EA   | 300.00                 | 300.00                | 800.00                               | 800.00                | 960.00                                              | 960.00                |
| A58                                                          | Power vault V3B with V3KO pad.                      | 1.00     | EA   | 2,000.00               | 2,000.00              | 4,400.00                             | 4,400.00              | 1,275.00                                            | 1,275.00              |
| A59                                                          | Conduit pipe 3 in. diameter.                        | 120.00   | LF   | 8.00                   | 960.00                | 17.40                                | 2,088.00              | 33.00                                               | 3,960.00              |
| A60                                                          | Concrete crossing panel.                            | 97.50    | TF   | 380.40                 | 37,089.00             | 351.79                               | 34,299.53             | 378.00                                              | 36,855.00             |
| A61                                                          | Track construction.                                 | 452.00   | TF   | 250.00                 | 113,000.00            | 400.00                               | 180,800.00            | 432.00                                              | 195,264.00            |
| A62                                                          | Track surface and line (only).                      | 992.00   | TF   | 25.00                  | 24,800.00             | 65.00                                | 64,480.00             | 70.00                                               | 69,440.00             |
| A63                                                          | Track ballast.                                      | 453.00   | CY   | 50.00                  | 22,650.00             | 64.77                                | 29,340.81             | 60.00                                               | 27,180.00             |
| A64                                                          | Track subballast.                                   | 125.00   | CY   | 50.00                  | 6,250.00              | 65.50                                | 8,187.50              | 60.00                                               | 7,500.00              |
| A65                                                          | Subballast for signal house access and pad.         | 22.00    | CY   | 50.00                  | 1,100.00              | 99.50                                | 2,189.00              | 60.00                                               | 1,320.00              |
| A66                                                          | Remove track.                                       | 1,459.00 | TF   | 15.00                  | 21,885.00             | 26.00                                | 37,934.00             | 28.00                                               | 40,852.00             |
| A67                                                          | Excavation (at railroad only).                      | 867.00   | CY   | 7.00                   | 6,069.00              | 34.44                                | 29,859.48             | 8.00                                                | 6,936.00              |
| A68                                                          | Embankment (at railroad only).                      | 7.00     | CY   | 11.75                  | 82.25                 | 14.00                                | 98.00                 | 519.00                                              | 3,633.00              |
| A69                                                          | Install No. 11 turnout.                             | 1.00     | EA   | 186,000.00             | 186,000.00            | 163,500.00                           | 163,500.00            | 172,800.00                                          | 172,800.00            |
| A70                                                          | Remove No. 10 turnout.                              | 1.00     | EA   | 8,000.00               | 8,000.00              | 7,725.00                             | 7,725.00              | 8,400.00                                            | 8,400.00              |
| A71                                                          | Railroad signals; wiring, construction & materials. | 1.00     | LS   | 330,000.00             | 330,000.00            | 362,700.00                           | 362,700.00            | 368,550.00                                          | 368,550.00            |
| <b>SCHEDULE A - GENERAL / STREET / STORM / RAIL SUBTOTAL</b> |                                                     |          |      |                        | <b>\$1,726,773.25</b> |                                      | <b>\$1,742,780.31</b> |                                                     | <b>\$1,758,908.00</b> |
| <b>0% SALES TAX</b>                                          |                                                     |          |      |                        | <b>-</b>              |                                      | <b>-</b>              |                                                     | <b>-</b>              |
| <b>SCHEDULE A - GENERAL / STREET / STORM / RAIL TOTAL</b>    |                                                     |          |      |                        | <b>\$1,726,773.25</b> |                                      | <b>\$1,742,780.31</b> |                                                     | <b>\$1,758,908.00</b> |

|                                                     |                                                        |       |      | ENGINEER'S<br>ESTIMATE |                       | PREMIER EXCAVATION, INC<br>PASCO, WA |                       | GOODMAN &<br>MEHLENBACHER ENT, INV<br>KENNEWICK, WA |                       |
|-----------------------------------------------------|--------------------------------------------------------|-------|------|------------------------|-----------------------|--------------------------------------|-----------------------|-----------------------------------------------------|-----------------------|
| Item                                                | Description                                            | Qty   | Unit | Unit Price             | Total Price           | Unit Price                           | Total Price           | Unit Price                                          | Total Price           |
|                                                     | <b>SCHEDULE B - COK WATERLINE</b>                      |       |      |                        |                       |                                      |                       |                                                     |                       |
| B1                                                  | Mobilization (this schedule only).                     | 1.00  | LS   | \$5,000.00             | 5,000.00              | 2,500.00                             | 2,500.00              | 680.00                                              | 680.00                |
| B2                                                  | Dig and verify.                                        | 1.00  | EA   | 400.00                 | 400.00                | 300.00                               | 300.00                | 960.00                                              | 960.00                |
| B3                                                  | Di pipe for water main 8 in. Diam. (restrained joint). | 95.00 | LF   | 80.00                  | 7,600.00              | 84.58                                | 8,035.10              | 104.00                                              | 9,880.00              |
| B4                                                  | Di pipe for water main 6 in. Diam. (restrained joint). | 15.00 | LF   | 100.00                 | 1,500.00              | 109.33                               | 1,639.95              | 61.00                                               | 915.00                |
| B5                                                  | Connect to existing 6 in. Ac water main.               | 1.00  | EA   | 2,000.00               | 2,000.00              | 2,180.00                             | 2,180.00              | 1,600.00                                            | 1,600.00              |
| B6                                                  | Connect to existing 8 in. Gate valve.                  | 1.00  | EA   | 1,000.00               | 1,000.00              | 1,995.00                             | 1,995.00              | 850.00                                              | 850.00                |
| B7                                                  | 8 in. 45 degree bend (MJ).                             | 2.00  | EA   | 600.00                 | 1,200.00              | 1,055.00                             | 2,110.00              | 475.00                                              | 950.00                |
| B8                                                  | 8 in. 45 degree bend (FL).                             | 1.00  | EA   | 600.00                 | 600.00                | 850.00                               | 850.00                | 575.00                                              | 575.00                |
| B9                                                  | 6 in. 45 degree bend (FL).                             | 1.00  | EA   | 500.00                 | 500.00                | 690.00                               | 690.00                | 400.00                                              | 400.00                |
| B10                                                 | Fire hydrant assembly.                                 | 1.00  | EA   | 4,200.00               | 4,200.00              | 6,500.00                             | 6,500.00              | 4,700.00                                            | 4,700.00              |
| B11                                                 | Gate valve 6 in. FL x MJ .                             | 1.00  | EA   | 1,500.00               | 1,500.00              | 1,725.00                             | 1,725.00              | 1,500.00                                            | 1,500.00              |
| B12                                                 | Remove & salvage existing fire hydrant.                | 1.00  | EA   | 1,000.00               | 1,000.00              | 800.00                               | 800.00                | 450.00                                              | 450.00                |
| B13                                                 | Cut & plug existing 6" AC main.                        | 1.00  | EA   | 500.00                 | 500.00                | 450.00                               | 450.00                | 1,100.00                                            | 1,100.00              |
| B14                                                 | Remove valve lid / casting.                            | 1.00  | EA   | 200.00                 | 200.00                | 250.00                               | 250.00                | 270.00                                              | 270.00                |
| B15                                                 | 8 in. MJ x 6 in. FL tee.                               | 1.00  | EA   | 700.00                 | 700.00                | 800.00                               | 800.00                | 520.00                                              | 520.00                |
| B16                                                 | Transition coupling to AC pipe (FL x MJ).              | 1.00  | EA   | 500.00                 | 500.00                | 950.00                               | 950.00                | 660.00                                              | 660.00                |
| B17                                                 | 8 in. (FL x MJ) coupling adapter.                      | 3.00  | EA   | 500.00                 | 1,500.00              | 626.67                               | 1,880.01              | 376.00                                              | 1,128.00              |
| B18                                                 | 8 x 6 in FL reducer.                                   | 1.00  | EA   | 750.00                 | 750.00                | 675.00                               | 675.00                | 450.00                                              | 450.00                |
| B19                                                 | 8 x 6 FL tee.                                          | 1.00  | EA   | 650.00                 | 650.00                | 815.00                               | 815.00                | 625.00                                              | 625.00                |
| B20                                                 | Thrust block.                                          | 3.00  | EA   | 250.00                 | 750.00                | 373.33                               | 1,119.99              | 345.00                                              | 1,035.00              |
| B21                                                 | Imported pipe zone bedding.                            | 95.00 | LF   | 5.00                   | 475.00                | 5.33                                 | 506.35                | 4.00                                                | 380.00                |
| B22                                                 | Trench safety.                                         | 95.00 | LF   | 5.00                   | 475.00                | 1.00                                 | 95.00                 | 1.00                                                | 95.00                 |
| B23                                                 | Underground utility crossing - marked & unmarked.      | 5.00  | EA   | 500.00                 | 2,500.00              | 200.00                               | 1,000.00              | 720.00                                              | 3,600.00              |
| <b>SCHEDULE B - COK WATERLINE SUBTOTAL</b>          |                                                        |       |      |                        | <b>\$35,500.00</b>    |                                      | <b>\$37,866.40</b>    |                                                     | <b>\$33,323.00</b>    |
| <b>8.7% SALES TAX</b>                               |                                                        |       |      |                        | <b>3,088.50</b>       |                                      | <b>3,294.38</b>       |                                                     | <b>2,899.10</b>       |
| <b>SCHEDULE B - COK WATERLINE TOTAL</b>             |                                                        |       |      |                        | <b>\$38,588.50</b>    |                                      | <b>\$41,160.78</b>    |                                                     | <b>\$36,222.10</b>    |
| <b>SCHEDULE A - GENERAL / STREET / STORM / RAIL</b> |                                                        |       |      |                        | <b>\$1,726,773.25</b> |                                      | <b>\$1,742,780.31</b> |                                                     | <b>\$1,758,908.00</b> |
| <b>SCHEDULE B - COK WATERLINE</b>                   |                                                        |       |      |                        | <b>38,588.50</b>      |                                      | <b>41,160.78</b>      |                                                     | <b>36,222.10</b>      |
| <b>GRAND TOTAL</b>                                  |                                                        |       |      |                        | <b>\$1,765,361.75</b> |                                      | <b>\$1,783,941.09</b> |                                                     | <b>\$1,795,130.10</b> |

# City of Richland

|                                 |               |
|---------------------------------|---------------|
| DATE BIDS OPENED: July 19, 2022 | ITB # 22-0031 |
| CENTER PARKWAY EXTENSION NORTH  |               |

| Item | Description                                                     | Qty      | Unit | APOLLO, INC<br>KENNEWICK, WA |             | DOUBLE J EXCAVATING,<br>INC<br>RICHLAND, WA |             | C & E TRENCHING, LLC<br>PASCO, WA |             |
|------|-----------------------------------------------------------------|----------|------|------------------------------|-------------|---------------------------------------------|-------------|-----------------------------------|-------------|
|      |                                                                 |          |      | Unit Price                   | Total Price | Unit Price                                  | Total Price | Unit Price                        | Total Price |
|      | <b>SCHEDULE A - GENERAL / STREET /<br/>STORM / RAIL</b>         |          |      |                              |             |                                             |             |                                   |             |
| A1   | Mobilization.                                                   | 1.00     | LS   | 168,000.00                   | 168,000.00  | 220,000.00                                  | 220,000.00  | 90,538.00                         | 90,538.00   |
| A2   | SPCC plan.                                                      | 1.00     | LS   | 1,000.00                     | 1,000.00    | 500.00                                      | 500.00      | 688.00                            | 688.00      |
| A3   | Roadway surveying.                                              | 1.00     | LS   | 23,800.00                    | 23,800.00   | 23,000.00                                   | 23,000.00   | 16,584.00                         | 16,584.00   |
| A4   | ADA features surveying.                                         | 1.00     | LS   | 1,800.00                     | 1,800.00    | 2,000.00                                    | 2,000.00    | 2,252.00                          | 2,252.00    |
| A5   | Record drawings (minimum Bid \$500).                            | 1.00     | LS   | 500.00                       | 500.00      | 500.00                                      | 500.00      | 3,234.00                          | 3,234.00    |
| A6   | Type b progress schedule (minimum Bid \$500).                   | 1.00     | LS   | 500.00                       | 500.00      | 500.00                                      | 500.00      | 982.00                            | 982.00      |
| A7   | Removal of structures and obstructions.                         | 1.00     | LS   | 36,000.00                    | 36,000.00   | 14,000.00                                   | 14,000.00   | 22,029.00                         | 22,029.00   |
| A8   | Clearing & grubbing.                                            | 1.00     | LS   | 4,000.00                     | 4,000.00    | 12,800.00                                   | 12,800.00   | 19,558.00                         | 19,558.00   |
| A9   | Erosion control & water pollution prevention.                   | 1.00     | LS   | 3,000.00                     | 3,000.00    | 1,500.00                                    | 1,500.00    | 26,198.00                         | 26,198.00   |
| A10  | Roadway excavation including haul.                              | 1,020.00 | CY   | 26.00                        | 26,520.00   | 30.00                                       | 30,600.00   | 81.40                             | 83,028.00   |
| A11  | Embankment compaction.                                          | 1,240.00 | CY   | 12.00                        | 14,880.00   | 5.00                                        | 6,200.00    | 7.90                              | 9,796.00    |
| A12  | Demolition of structure @ 8220 W. Gage Blvd.                    | 1.00     | LS   | 34,000.00                    | 34,000.00   | 46,000.00                                   | 46,000.00   | 30,281.00                         | 30,281.00   |
| A13  | Catch basin type (COK 24" diameter).                            | 6.00     | EA   | 1,100.00                     | 6,600.00    | 1,600.00                                    | 9,600.00    | 2,695.00                          | 16,170.00   |
| A14  | Catch basin type (COK 48" diameter).                            | 2.00     | EA   | 4,500.00                     | 9,000.00    | 3,550.00                                    | 7,100.00    | 5,744.00                          | 11,488.00   |
| A15  | Solid wall PVC storm pipe 12 in. diameter.                      | 551.00   | LF   | 64.00                        | 35,264.00   | 65.00                                       | 35,815.00   | 45.00                             | 24,795.00   |
| A16  | TV inspection of storm pipe.                                    | 551.00   | LF   | 3.50                         | 1,928.50    | 2.00                                        | 1,102.00    | 7.00                              | 3,857.00    |
| A17  | Imported pipe zone bedding (4" layer; 5/8" minus crushed rock). | 671.00   | LF   | 3.00                         | 2,013.00    | 1.40                                        | 939.40      | 2.40                              | 1,610.40    |
| A18  | Imported pipe zone backfill.                                    | 671.00   | LF   | 3.00                         | 2,013.00    | 19.00                                       | 12,749.00   | 33.88                             | 22,733.48   |
| A19  | Underground utility crossing - marked & unmarked.               | 7.00     | EA   | 650.00                       | 4,550.00    | 175.00                                      | 1,225.00    | 1,457.00                          | 10,199.00   |
| A20  | Aluminum trash grate - 12 inch.                                 | 2.00     | EA   | 600.00                       | 1,200.00    | 500.00                                      | 1,000.00    | 1,164.00                          | 2,328.00    |
| A21  | Construction geotextile for underground drainage.               | 505.00   | SY   | 1.75                         | 883.75      | 10.00                                       | 5,050.00    | 5.00                              | 2,525.00    |
| A22  | Quarry spalls.                                                  | 155.00   | CY   | 110.00                       | 17,050.00   | 95.00                                       | 14,725.00   | 77.00                             | 11,935.00   |
| A23  | Inlet protection.                                               | 17.00    | EA   | 100.00                       | 1,700.00    | 50.00                                       | 850.00      | 144.00                            | 2,448.00    |
| A24  | Crushed surfacing base course (6").                             | 620.00   | CY   | 54.00                        | 33,480.00   | 40.00                                       | 24,800.00   | 111.00                            | 68,820.00   |
| A25  | Crushed surfacing top course (3").                              | 310.00   | CY   | 57.00                        | 17,670.00   | 55.00                                       | 17,050.00   | 189.00                            | 58,590.00   |
| A26  | Crack sealing.                                                  | 9.00     | FA   | 5,000.00                     | 5,000.00    | 5,000.00                                    | 5,000.00    | 5,000.00                          | 5,000.00    |
| A27  | HMA Cl. 1/2 in. Pg 64h-28.                                      | 980.00   | TON  | 150.00                       | 147,000.00  | 140.00                                      | 137,200.00  | 153.00                            | 149,940.00  |
| A28  | Soil residual herbicide.                                        | 3,720.00 | SY   | 0.50                         | 1,860.00    | 0.20                                        | 744.00      | 1.46                              | 5,431.20    |
| A29  | Job mix compliance price adjustment.                            | 1.00     | CALC | 1.00                         | 1.00        | 1.00                                        | 1.00        | 1.00                              | 1.00        |
| A30  | Compaction price adjustment.                                    | 1.00     | CALC | 1.00                         | 1.00        | 1.00                                        | 1.00        | 1.00                              | 1.00        |
| A31  | Asphalt cost price adjustment.                                  | 1.00     | CALC | 4,500.00                     | 4,500.00    | 4,500.00                                    | 4,500.00    | 4,500.00                          | 4,500.00    |
| A32  | Cement concrete traffic curb & gutter.                          | 1,460.00 | LF   | 22.00                        | 32,120.00   | 23.00                                       | 33,580.00   | 19.69                             | 28,747.40   |
| A33  | Cement concrete traffic curb (at raised islands).               | 425.00   | LF   | 34.00                        | 14,450.00   | 32.00                                       | 13,600.00   | 31.07                             | 13,204.75   |
| A34  | Cement concrete stamped median island (6" concrete).            | 195.00   | SY   | 106.00                       | 20,670.00   | 95.00                                       | 18,525.00   | 114.52                            | 22,331.40   |

|                                                              |                                                     |          |      | APOLLO, INC<br>KENNEWICK, WA |                       | DOUBLE J EXCAVATING,<br>INC<br>RICHLAND, WA |                       | C & E TRENCHING, LLC<br>PASCO, WA |                       |
|--------------------------------------------------------------|-----------------------------------------------------|----------|------|------------------------------|-----------------------|---------------------------------------------|-----------------------|-----------------------------------|-----------------------|
| Item                                                         | Description                                         | Qty      | Unit | Unit Price                   | Total Price           | Unit Price                                  | Total Price           | Unit Price                        | Total Price           |
| A35                                                          | Cement concrete sidewalk.                           | 1,142.00 | SY   | 54.00                        | 61,668.00             | 50.00                                       | 57,100.00             | 62.92                             | 71,854.64             |
| A36                                                          | Cement concrete driveway entrance (6" concrete).    | 74.00    | SY   | 80.00                        | 5,920.00              | 90.00                                       | 6,660.00              | 88.59                             | 6,555.66              |
| A37                                                          | Cement concrete curb ramp type parallel.            | 3.00     | EA   | 2,600.00                     | 7,800.00              | 2,200.00                                    | 6,600.00              | 2,092.84                          | 6,278.52              |
| A38                                                          | Cement concrete curb ramp type single direction.    | 2.00     | EA   | 2,600.00                     | 5,200.00              | 2,200.00                                    | 4,400.00              | 535.74                            | 1,071.48              |
| A39                                                          | Detectable warning surface.                         | 58.00    | SF   | 45.00                        | 2,610.00              | 40.00                                       | 2,320.00              | 43.30                             | 2,511.40              |
| A40                                                          | Chain link fence (6') w/privacy slats.              | 160.00   | LF   | 73.00                        | 11,680.00             | 60.00                                       | 9,600.00              | 54.12                             | 8,659.20              |
| A41                                                          | Temporary fence (chain link).                       | 250.00   | LF   | 14.00                        | 3,500.00              | 6.00                                        | 1,500.00              | 4.54                              | 1,135.00              |
| A42                                                          | Tubular marker.                                     | 2.00     | EA   | 280.00                       | 560.00                | 200.00                                      | 400.00                | 270.62                            | 541.24                |
| A43                                                          | Adjust manhole.                                     | 4.00     | EA   | 740.00                       | 2,960.00              | 1,200.00                                    | 4,800.00              | 981.58                            | 3,926.32              |
| A44                                                          | Adjust catch basin.                                 | 4.00     | EA   | 740.00                       | 2,960.00              | 750.00                                      | 3,000.00              | 1,369.56                          | 5,478.24              |
| A45                                                          | Adjust valve box.                                   | 10.00    | EA   | 400.00                       | 4,000.00              | 850.00                                      | 8,500.00              | 729.44                            | 7,294.40              |
| A46                                                          | Permanent signing.                                  | 1.00     | LS   | 11,200.00                    | 11,200.00             | 19,000.00                                   | 19,000.00             | 10,824.76                         | 10,824.76             |
| A47                                                          | Plastic line.                                       | 2,430.00 | LF   | 1.35                         | 3,280.50              | 1.00                                        | 2,430.00              | 1.30                              | 3,159.00              |
| A48                                                          | Plastic wide lane line.                             | 3,510.00 | LF   | 1.50                         | 5,265.00              | 1.50                                        | 5,265.00              | 1.46                              | 5,124.60              |
| A49                                                          | Plastic stop line.                                  | 70.00    | LF   | 13.00                        | 910.00                | 16.00                                       | 1,120.00              | 12.61                             | 882.70                |
| A50                                                          | Plastic traffic arrow.                              | 1.00     | EA   | 300.00                       | 300.00                | 220.00                                      | 220.00                | 286.86                            | 286.86                |
| A51                                                          | Plastic railroad crossing symbol.                   | 2.00     | EA   | 930.00                       | 1,860.00              | 900.00                                      | 1,800.00              | 898.46                            | 1,796.92              |
| A52                                                          | Plastic bicycle lane symbol.                        | 4.00     | EA   | 360.00                       | 1,440.00              | 230.00                                      | 920.00                | 346.39                            | 1,385.56              |
| A53                                                          | Project temporary traffic control.                  | 1.00     | LS   | 5,000.00                     | 5,000.00              | 9,300.00                                    | 9,300.00              | 17,276.33                         | 17,276.33             |
| A54                                                          | Illumination system.                                | 1.00     | LS   | 47,000.00                    | 47,000.00             | 56,000.00                                   | 56,000.00             | 67,742.49                         | 67,742.49             |
| A55                                                          | Stabilized construction entrance.                   | 2.00     | EA   | 5,500.00                     | 11,000.00             | 2,200.00                                    | 4,400.00              | 3,837.24                          | 7,674.48              |
| A56                                                          | Site restoration.                                   | 1.00     | LS   | 14,000.00                    | 14,000.00             | 10,300.00                                   | 10,300.00             | 24,740.68                         | 24,740.68             |
| A57                                                          | Dig and verify.                                     | 1.00     | EA   | 530.00                       | 530.00                | 175.00                                      | 175.00                | 1,456.76                          | 1,456.76              |
| A58                                                          | Power vault V3B with V3KO pad.                      | 1.00     | EA   | 1,300.00                     | 1,300.00              | 1,400.00                                    | 1,400.00              | 3,461.73                          | 3,461.73              |
| A59                                                          | Conduit pipe 3 in. diameter.                        | 120.00   | LF   | 38.00                        | 4,560.00              | 27.00                                       | 3,240.00              | 21.40                             | 2,568.00              |
| A60                                                          | Concrete crossing panel.                            | 97.50    | TF   | 390.00                       | 38,025.00             | 350.00                                      | 34,125.00             | 380.81                            | 37,128.98             |
| A61                                                          | Track construction.                                 | 452.00   | TF   | 460.00                       | 207,920.00            | 430.00                                      | 194,360.00            | 450.78                            | 203,752.56            |
| A62                                                          | Track surface and line (only).                      | 992.00   | TF   | 73.00                        | 72,416.00             | 65.00                                       | 64,480.00             | 70.36                             | 69,797.12             |
| A63                                                          | Track ballast.                                      | 453.00   | CY   | 44.00                        | 19,932.00             | 70.00                                       | 31,710.00             | 100.54                            | 45,544.62             |
| A64                                                          | Track subballast.                                   | 125.00   | CY   | 127.00                       | 15,875.00             | 63.00                                       | 7,875.00              | 114.58                            | 14,322.50             |
| A65                                                          | Subballast for signal house access and pad.         | 22.00    | CY   | 190.00                       | 4,180.00              | 90.00                                       | 1,980.00              | 123.18                            | 2,709.96              |
| A66                                                          | Remove track.                                       | 1,459.00 | TF   | 29.00                        | 42,311.00             | 26.00                                       | 37,934.00             | 28.14                             | 41,056.26             |
| A67                                                          | Excavation (at railroad only).                      | 867.00   | CY   | 19.00                        | 16,473.00             | 30.00                                       | 26,010.00             | 63.79                             | 55,305.93             |
| A68                                                          | Embankment (at railroad only).                      | 7.00     | CY   | 175.00                       | 1,225.00              | 26.00                                       | 182.00                | 108.78                            | 761.46                |
| A69                                                          | Install No. 11 turnout.                             | 1.00     | EA   | 180,000.00                   | 180,000.00            | 170,000.00                                  | 170,000.00            | 173,196.15                        | 173,196.15            |
| A70                                                          | Remove No. 10 turnout.                              | 1.00     | EA   | 8,600.00                     | 8,600.00              | 7,700.00                                    | 7,700.00              | 8,362.13                          | 8,362.13              |
| A71                                                          | Railroad signals; wiring, construction & materials. | 1.00     | LS   | 393,000.00                   | 393,000.00            | 424,000.00                                  | 424,000.00            | 379,949.04                        | 379,949.04            |
| <b>SCHEDULE A - GENERAL / STREET / STORM / RAIL SUBTOTAL</b> |                                                     |          |      |                              | <b>\$1,889,414.75</b> |                                             | <b>\$1,923,562.40</b> |                                   | <b>\$2,067,397.31</b> |
| <b>0% SALES TAX</b>                                          |                                                     |          |      |                              | <b>-</b>              |                                             | <b>-</b>              |                                   | <b>-</b>              |
| <b>SCHEDULE A - GENERAL / STREET / STORM / RAIL TOTAL</b>    |                                                     |          |      |                              | <b>\$1,889,414.75</b> |                                             | <b>\$1,923,562.40</b> |                                   | <b>\$2,067,397.31</b> |

|                                                     |                                                        |       |      | APOLLO, INC<br>KENNEWICK, WA |                       | DOUBLE J EXCAVATING,<br>INC<br>RICHLAND, WA |                       | C & E TRENCHING, LLC<br>PASCO, WA |                       |
|-----------------------------------------------------|--------------------------------------------------------|-------|------|------------------------------|-----------------------|---------------------------------------------|-----------------------|-----------------------------------|-----------------------|
| Item                                                | Description                                            | Qty   | Unit | Unit Price                   | Total Price           | Unit Price                                  | Total Price           | Unit Price                        | Total Price           |
|                                                     | <b>SCHEDULE B - COK WATERLINE</b>                      |       |      |                              |                       |                                             |                       |                                   |                       |
| B1                                                  | Mobilization (this schedule only).                     | 1.00  | LS   | 1,000.00                     | 1,000.00              | 3,250.00                                    | 3,250.00              | 2,491.59                          | 2,491.59              |
| B2                                                  | Dig and verify.                                        | 1.00  | EA   | 530.00                       | 530.00                | 175.00                                      | 175.00                | 1,457.91                          | 1,457.91              |
| B3                                                  | Di pipe for water main 8 in. Diam. (restrained joint). | 95.00 | LF   | 118.00                       | 11,210.00             | 89.00                                       | 8,455.00              | 97.35                             | 9,248.25              |
| B4                                                  | Di pipe for water main 6 in. Diam. (restrained joint). | 15.00 | LF   | 147.00                       | 2,205.00              | 220.00                                      | 3,300.00              | 169.04                            | 2,535.60              |
| B5                                                  | Connect to existing 6 in. Ac water main.               | 1.00  | EA   | 1,400.00                     | 1,400.00              | 3,100.00                                    | 3,100.00              | 4,675.22                          | 4,675.22              |
| B6                                                  | Connect to existing 8 in. Gate valve.                  | 1.00  | EA   | 1,000.00                     | 1,000.00              | 190.00                                      | 190.00                | 294.08                            | 294.08                |
| B7                                                  | 8 in. 45 degree bend (MJ).                             | 2.00  | EA   | 500.00                       | 1,000.00              | 580.00                                      | 1,160.00              | 502.42                            | 1,004.84              |
| B8                                                  | 8 in. 45 degree bend (FL).                             | 1.00  | EA   | 650.00                       | 650.00                | 940.00                                      | 940.00                | 655.23                            | 655.23                |
| B9                                                  | 6 in. 45 degree bend (FL).                             | 1.00  | EA   | 400.00                       | 400.00                | 890.00                                      | 890.00                | 417.06                            | 417.06                |
| B10                                                 | Fire hydrant assembly.                                 | 1.00  | EA   | 6,000.00                     | 6,000.00              | 5,800.00                                    | 5,800.00              | 5,150.59                          | 5,150.59              |
| B11                                                 | Gate valve 6 in. FL x MJ .                             | 1.00  | EA   | 1,900.00                     | 1,900.00              | 1,300.00                                    | 1,300.00              | 1,520.98                          | 1,520.98              |
| B12                                                 | Remove & salvage existing fire hydrant.                | 1.00  | EA   | 500.00                       | 500.00                | 1,000.00                                    | 1,000.00              | 928.97                            | 928.97                |
| B13                                                 | Cut & plug existing 6" AC main.                        | 1.00  | EA   | 450.00                       | 450.00                | 180.00                                      | 180.00                | 1,591.95                          | 1,591.95              |
| B14                                                 | Remove valve lid / casting.                            | 1.00  | EA   | 120.00                       | 120.00                | 175.00                                      | 175.00                | 563.45                            | 563.45                |
| B15                                                 | 8 in. MJ x 6 in. FL tee.                               | 1.00  | EA   | 740.00                       | 740.00                | 380.00                                      | 380.00                | 640.02                            | 640.02                |
| B16                                                 | Transition coupling to AC pipe (FL x MJ).              | 1.00  | EA   | 580.00                       | 580.00                | 580.00                                      | 580.00                | 535.14                            | 535.14                |
| B17                                                 | 8 in. (FL x MJ) coupling adapter.                      | 3.00  | EA   | 450.00                       | 1,350.00              | 250.00                                      | 750.00                | 413.88                            | 1,241.64              |
| B18                                                 | 8 x 6 in FL reducer.                                   | 1.00  | EA   | 550.00                       | 550.00                | 310.00                                      | 310.00                | 515.47                            | 515.47                |
| B19                                                 | 8 x 6 FL tee.                                          | 1.00  | EA   | 1,500.00                     | 1,500.00              | 465.00                                      | 465.00                | 1,364.35                          | 1,364.35              |
| B20                                                 | Thrust block.                                          | 3.00  | EA   | 280.00                       | 840.00                | 210.00                                      | 630.00                | 155.65                            | 466.95                |
| B21                                                 | Imported pipe zone bedding.                            | 95.00 | LF   | 3.00                         | 285.00                | 5.00                                        | 475.00                | 27.40                             | 2,603.00              |
| B22                                                 | Trench safety.                                         | 95.00 | LF   | 1.00                         | 95.00                 | 1.00                                        | 95.00                 | 10.82                             | 1,027.90              |
| B23                                                 | Underground utility crossing - marked & unmarked.      | 5.00  | EA   | 300.00                       | 1,500.00              | 175.00                                      | 875.00                | 1,457.92                          | 7,289.60              |
| <b>SCHEDULE B - COK WATERLINE SUBTOTAL</b>          |                                                        |       |      |                              | <b>\$35,805.00</b>    |                                             | <b>\$34,475.00</b>    |                                   | <b>\$48,219.79</b>    |
| <b>8.7% SALES TAX</b>                               |                                                        |       |      |                              | <b>3,115.04</b>       |                                             | <b>2,999.33</b>       |                                   | <b>4,195.12</b>       |
| <b>SCHEDULE B - COK WATERLINE TOTAL</b>             |                                                        |       |      |                              | <b>\$38,920.04</b>    |                                             | <b>\$37,474.33</b>    |                                   | <b>\$52,414.91</b>    |
| <b>SCHEDULE A - GENERAL / STREET / STORM / RAIL</b> |                                                        |       |      |                              | <b>\$1,889,414.75</b> |                                             | <b>\$1,923,562.40</b> |                                   | <b>\$2,067,397.31</b> |
| <b>SCHEDULE B - COK WATERLINE</b>                   |                                                        |       |      |                              | <b>38,920.04</b>      |                                             | <b>37,474.33</b>      |                                   | <b>52,414.91</b>      |
| <b>GRAND TOTAL</b>                                  |                                                        |       |      |                              | <b>\$1,928,334.79</b> |                                             | <b>\$1,961,036.73</b> |                                   | <b>\$2,119,812.22</b> |

# City of Richland

DATE BIDS OPENED: July 19, 2022

CENTER PARKWAY EXTENSION NORTH

ESF DEVELOPMENT, LLC  
WALLA WALLA, WA

| Item                                                | Description                                                     | Qty      | Unit | Unit Price | Total Price | Unit Price | Total Price |
|-----------------------------------------------------|-----------------------------------------------------------------|----------|------|------------|-------------|------------|-------------|
| <b>SCHEDULE A - GENERAL / STREET / STORM / RAIL</b> |                                                                 |          |      |            |             |            |             |
| A1                                                  | Mobilization.                                                   | 1.00     | LS   | 210,000.00 | 210,000.00  |            | -           |
| A2                                                  | SPCC plan.                                                      | 1.00     | LS   | 1,000.00   | 1,000.00    |            | -           |
| A3                                                  | Roadway surveying.                                              | 1.00     | LS   | 10,000.00  | 10,000.00   |            | -           |
| A4                                                  | ADA features surveying.                                         | 1.00     | LS   | 1,000.00   | 1,000.00    |            | -           |
| A5                                                  | Record drawings (minimum Bid \$500).                            | 1.00     | LS   | 1,000.00   | 1,000.00    |            | -           |
| A6                                                  | Type b progress schedule (minimum Bid \$500).                   | 1.00     | LS   | 1,000.00   | 1,000.00    |            | -           |
| A7                                                  | Removal of structures and obstructions.                         | 1.00     | LS   | 40,000.00  | 40,000.00   |            | -           |
| A8                                                  | Clearing & grubbing.                                            | 1.00     | LS   | 25,000.00  | 25,000.00   |            | -           |
| A9                                                  | Erosion control & water pollution prevention.                   | 1.00     | LS   | 1,000.00   | 1,000.00    |            | -           |
| A10                                                 | Roadway excavation including haul.                              | 1,020.00 | CY   | 40.00      | 40,800.00   |            | -           |
| A11                                                 | Embankment compaction.                                          | 1,240.00 | CY   | 20.00      | 24,800.00   |            | -           |
| A12                                                 | Demolition of structure @ 8220 W. Gage Blvd.                    | 1.00     | LS   | 50,000.00  | 50,000.00   |            | -           |
| A13                                                 | Catch basin type (COK 24" diameter).                            | 6.00     | EA   | 3,000.00   | 18,000.00   |            | -           |
| A14                                                 | Catch basin type (COK 48" diameter).                            | 2.00     | EA   | 6,000.00   | 12,000.00   |            | -           |
| A15                                                 | Solid wall PVC storm pipe 12 in. diameter.                      | 551.00   | LF   | 67.00      | 36,917.00   |            | -           |
| A16                                                 | TV inspection of storm pipe.                                    | 551.00   | LF   | 5.00       | 2,755.00    |            | -           |
| A17                                                 | Imported pipe zone bedding (4" layer; 5/8" minus crushed rock). | 671.00   | LF   | 1.00       | 671.00      |            | -           |
| A18                                                 | Imported pipe zone backfill.                                    | 671.00   | LF   | 25.00      | 16,775.00   |            | -           |
| A19                                                 | Underground utility crossing - marked & unmarked.               | 7.00     | EA   | 500.00     | 3,500.00    |            | -           |
| A20                                                 | Aluminum trash grate - 12 inch.                                 | 2.00     | EA   | 1,000.00   | 2,000.00    |            | -           |
| A21                                                 | Construction geotextile for underground drainage.               | 505.00   | SY   | 5.00       | 2,525.00    |            | -           |
| A22                                                 | Quarry spalls.                                                  | 155.00   | CY   | 140.00     | 21,700.00   |            | -           |
| A23                                                 | Inlet protection.                                               | 17.00    | EA   | 100.00     | 1,700.00    |            | -           |
| A24                                                 | Crushed surfacing base course (6").                             | 620.00   | CY   | 80.00      | 49,600.00   |            | -           |
| A25                                                 | Crushed surfacing top course (3").                              | 310.00   | CY   | 80.00      | 24,800.00   |            | -           |
| A26                                                 | Crack sealing.                                                  | 9.00     | FA   | 5,000.00   | 5,000.00    |            | -           |
| A27                                                 | HMA Cl. 1/2 in. Pg 64h-28.                                      | 980.00   | TON  | 155.00     | 151,900.00  |            | -           |
| A28                                                 | Soil residual herbicide.                                        | 3,720.00 | SY   | 0.20       | 744.00      |            | -           |
| A29                                                 | Job mix compliance price adjustment.                            | 1.00     | CALC | 1.00       | 1.00        |            | -           |
| A30                                                 | Compaction price adjustment.                                    | 1.00     | CALC | 1.00       | 1.00        |            | -           |
| A31                                                 | Asphalt cost price adjustment.                                  | 1.00     | CALC | 4,500.00   | 4,500.00    |            | -           |
| A32                                                 | Cement concrete traffic curb & gutter.                          | 1,460.00 | LF   | 35.00      | 51,100.00   |            | -           |
| A33                                                 | Cement concrete traffic curb (at raised islands).               | 425.00   | LF   | 35.00      | 14,875.00   |            | -           |
| A34                                                 | Cement concrete stamped median island (6" concrete).            | 195.00   | SY   | 175.00     | 34,125.00   |            | -           |

|                                                              |                                                     |          |      | ESF DEVELOPMENT, LLC<br>WALLA WALLA, WA |                       |            |               |
|--------------------------------------------------------------|-----------------------------------------------------|----------|------|-----------------------------------------|-----------------------|------------|---------------|
| Item                                                         | Description                                         | Qty      | Unit | Unit Price                              | Total Price           | Unit Price | Total Price   |
| A35                                                          | Cement concrete sidewalk.                           | 1,142.00 | SY   | 73.00                                   | 83,366.00             |            | -             |
| A36                                                          | Cement concrete driveway entrance (6" concrete).    | 74.00    | SY   | 80.00                                   | 5,920.00              |            | -             |
| A37                                                          | Cement concrete curb ramp type parallel.            | 3.00     | EA   | 1,800.00                                | 5,400.00              |            | -             |
| A38                                                          | Cement concrete curb ramp type single direction.    | 2.00     | EA   | 1,800.00                                | 3,600.00              |            | -             |
| A39                                                          | Detectable warning surface.                         | 58.00    | SF   | 25.00                                   | 1,450.00              |            | -             |
| A40                                                          | Chain link fence (6') w/privacy slats.              | 160.00   | LF   | 90.00                                   | 14,400.00             |            | -             |
| A41                                                          | Temporary fence (chain link).                       | 250.00   | LF   | 3.00                                    | 750.00                |            | -             |
| A42                                                          | Tubular marker.                                     | 2.00     | EA   | 300.00                                  | 600.00                |            | -             |
| A43                                                          | Adjust manhole.                                     | 4.00     | EA   | 200.00                                  | 800.00                |            | -             |
| A44                                                          | Adjust catch basin.                                 | 4.00     | EA   | 200.00                                  | 800.00                |            | -             |
| A45                                                          | Adjust valve box.                                   | 10.00    | EA   | 300.00                                  | 3,000.00              |            | -             |
| A46                                                          | Permanent signing.                                  | 1.00     | LS   | 15,300.00                               | 15,300.00             |            | -             |
| A47                                                          | Plastic line.                                       | 2,430.00 | LF   | 2.00                                    | 4,860.00              |            | -             |
| A48                                                          | Plastic wide lane line.                             | 3,510.00 | LF   | 2.00                                    | 7,020.00              |            | -             |
| A49                                                          | Plastic stop line.                                  | 70.00    | LF   | 20.00                                   | 1,400.00              |            | -             |
| A50                                                          | Plastic traffic arrow.                              | 1.00     | EA   | 230.00                                  | 230.00                |            | -             |
| A51                                                          | Plastic railroad crossing symbol.                   | 2.00     | EA   | 1,100.00                                | 2,200.00              |            | -             |
| A52                                                          | Plastic bicycle lane symbol.                        | 4.00     | EA   | 240.00                                  | 960.00                |            | -             |
| A53                                                          | Project temporary traffic control.                  | 1.00     | LS   | 45,500.00                               | 45,500.00             |            | -             |
| A54                                                          | Illumination system.                                | 1.00     | LS   | 59,000.00                               | 59,000.00             |            | -             |
| A55                                                          | Stabilized construction entrance.                   | 2.00     | EA   | 2,600.00                                | 5,200.00              |            | -             |
| A56                                                          | Site restoration.                                   | 1.00     | LS   | 11,000.00                               | 11,000.00             |            | -             |
| A57                                                          | Dig and verify.                                     | 1.00     | EA   | 300.00                                  | 300.00                |            | -             |
| A58                                                          | Power vault V3B with V3KO pad.                      | 1.00     | EA   | 2,000.00                                | 2,000.00              |            | -             |
| A59                                                          | Conduit pipe 3 in. diameter.                        | 120.00   | LF   | 22.00                                   | 2,640.00              |            | -             |
| A60                                                          | Concrete crossing panel.                            | 97.50    | TF   | 400.00                                  | 39,000.00             |            | -             |
| A61                                                          | Track construction.                                 | 452.00   | TF   | 450.00                                  | 203,400.00            |            | -             |
| A62                                                          | Track surface and line (only).                      | 992.00   | TF   | 75.00                                   | 74,400.00             |            | -             |
| A63                                                          | Track ballast.                                      | 453.00   | CY   | 85.00                                   | 38,505.00             |            | -             |
| A64                                                          | Track subballast.                                   | 125.00   | CY   | 140.00                                  | 17,500.00             |            | -             |
| A65                                                          | Subballast for signal house access and pad.         | 22.00    | CY   | 180.00                                  | 3,960.00              |            | -             |
| A66                                                          | Remove track.                                       | 1,459.00 | TF   | 30.00                                   | 43,770.00             |            | -             |
| A67                                                          | Excavation (at railroad only).                      | 867.00   | CY   | 30.00                                   | 26,010.00             |            | -             |
| A68                                                          | Embankment (at railroad only).                      | 7.00     | CY   | 320.00                                  | 2,240.00              |            | -             |
| A69                                                          | Install No. 11 turnout.                             | 1.00     | EA   | 170,000.00                              | 170,000.00            |            | -             |
| A70                                                          | Remove No. 10 turnout.                              | 1.00     | EA   | 8,780.00                                | 8,780.00              |            | -             |
| A71                                                          | Railroad signals; wiring, construction & materials. | 1.00     | LS   | 361,000.00                              | 361,000.00            |            | -             |
| <b>SCHEDULE A - GENERAL / STREET / STORM / RAIL SUBTOTAL</b> |                                                     |          |      |                                         | <b>\$2,127,050.00</b> |            | <b>\$0.00</b> |
| <b>0% SALES TAX</b>                                          |                                                     |          |      |                                         | <b>-</b>              |            | <b>-</b>      |
| <b>SCHEDULE A - GENERAL / STREET / STORM / RAIL TOTAL</b>    |                                                     |          |      |                                         | <b>\$2,127,050.00</b> |            | <b>\$0.00</b> |

|                                                     |                                                        |       |      | ESF DEVELOPMENT, LLC<br>WALLA WALLA, WA |                       |            |               |
|-----------------------------------------------------|--------------------------------------------------------|-------|------|-----------------------------------------|-----------------------|------------|---------------|
| Item                                                | Description                                            | Qty   | Unit | Unit Price                              | Total Price           | Unit Price | Total Price   |
|                                                     | <b>SCHEDULE B - COK WATERLINE</b>                      |       |      |                                         |                       |            |               |
| B1                                                  | Mobilization (this schedule only).                     | 1.00  | LS   | 500.00                                  | 500.00                |            | -             |
| B2                                                  | Dig and verify.                                        | 1.00  | EA   | 750.00                                  | 750.00                |            | -             |
| B3                                                  | Di pipe for water main 8 in. Diam. (restrained joint). | 95.00 | LF   | 200.00                                  | 19,000.00             |            | -             |
| B4                                                  | Di pipe for water main 6 in. Diam. (restrained joint). | 15.00 | LF   | 200.00                                  | 3,000.00              |            | -             |
| B5                                                  | Connect to existing 6 in. Ac water main.               | 1.00  | EA   | 2,000.00                                | 2,000.00              |            | -             |
| B6                                                  | Connect to existing 8 in. Gate valve.                  | 1.00  | EA   | 1,000.00                                | 1,000.00              |            | -             |
| B7                                                  | 8 in. 45 degree bend (MJ).                             | 2.00  | EA   | 800.00                                  | 1,600.00              |            | -             |
| B8                                                  | 8 in. 45 degree bend (FL).                             | 1.00  | EA   | 800.00                                  | 800.00                |            | -             |
| B9                                                  | 6 in. 45 degree bend (FL).                             | 1.00  | EA   | 800.00                                  | 800.00                |            | -             |
| B10                                                 | Fire hydrant assembly.                                 | 1.00  | EA   | 480.00                                  | 480.00                |            | -             |
| B11                                                 | Gate valve 6 in. FL x MJ .                             | 1.00  | EA   | 1,750.00                                | 1,750.00              |            | -             |
| B12                                                 | Remove & salvage existing fire hydrant.                | 1.00  | EA   | 1,500.00                                | 1,500.00              |            | -             |
| B13                                                 | Cut & plug existing 6" AC main.                        | 1.00  | EA   | 1,500.00                                | 1,500.00              |            | -             |
| B14                                                 | Remove valve lid / casting.                            | 1.00  | EA   | 500.00                                  | 500.00                |            | -             |
| B15                                                 | 8 in. MJ x 6 in. FL tee.                               | 1.00  | EA   | 800.00                                  | 800.00                |            | -             |
| B16                                                 | Transition coupling to AC pipe (FL x MJ).              | 1.00  | EA   | 1,000.00                                | 1,000.00              |            | -             |
| B17                                                 | 8 in. (FL x MJ) coupling adapter.                      | 3.00  | EA   | 700.00                                  | 2,100.00              |            | -             |
| B18                                                 | 8 x 6 in FL reducer.                                   | 1.00  | EA   | 800.00                                  | 800.00                |            | -             |
| B19                                                 | 8 x 6 FL tee.                                          | 1.00  | EA   | 1,000.00                                | 1,000.00              |            | -             |
| B20                                                 | Thrust block.                                          | 3.00  | EA   | 500.00                                  | 1,500.00              |            | -             |
| B21                                                 | Imported pipe zone bedding.                            | 95.00 | LF   | 32.00                                   | 3,040.00              |            | -             |
| B22                                                 | Trench safety.                                         | 95.00 | LF   | 6.00                                    | 570.00                |            | -             |
| B23                                                 | Underground utility crossing - marked & unmarked.      | 5.00  | EA   | 500.00                                  | 2,500.00              |            | -             |
| <b>SCHEDULE B - COK WATERLINE SUBTOTAL</b>          |                                                        |       |      |                                         | <b>\$48,490.00</b>    |            | <b>\$0.00</b> |
| <b>8.7% SALES TAX</b>                               |                                                        |       |      |                                         | <b>4,218.63</b>       |            | <b>-</b>      |
| <b>SCHEDULE B - COK WATERLINE TOTAL</b>             |                                                        |       |      |                                         | <b>\$52,708.63</b>    |            | <b>\$0.00</b> |
| <b>SCHEDULE A - GENERAL / STREET / STORM / RAIL</b> |                                                        |       |      |                                         | <b>\$2,127,050.00</b> |            | <b>\$0.00</b> |
| <b>SCHEDULE B - COK WATERLINE</b>                   |                                                        |       |      |                                         | <b>52,708.63</b>      |            | <b>0.00</b>   |
| <b>GRAND TOTAL</b>                                  |                                                        |       |      |                                         | <b>\$2,179,758.63</b> |            | <b>\$0.00</b> |



## COUNCIL AGENDA ITEM COVERSHEET

Council Date: 8/1/2022

Agenda Category: Items - Approval

Core Focus Area I - Promote Financial Stability & Operational Effectiveness

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**Subject:**

Appointment to the Arts Commission: David Boothroyd and Terri Rice

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Department/Office  
City Clerk

Ordinance/Resolution Number:

Document Type:  
General Business Item

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**Recommended Motion:**

Appoint David Boothroyd to Position No. 4 and Terri Rice to Position No. 5 on the Arts Commission.

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**Summary:**

Nine (9) applications were received as a result of advertising for the two (2) unexpired term vacancies on the Arts Commission. The Arts Commission Interview Panel interviewed all applicants and recommends David Boothroyd to Position No. 4 and Terri Rice to Position No. 5.

The unexpired term for Position No. 4 will expire March 31, 2023 and the unexpired term for Position No. 5 will expire March 31, 2024.

Candidate application information is on file in the City Clerk's Office.

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Fiscal Impact:           None.

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**Attachments:**

- I.     Arts Commission Applicant Recommendations



## MEMORANDUM

TO: City Clerk, Jennifer Rogers

FROM: Administrative Assistant II, Patty Roe

THROUGH: Arts Commission Staff Liaison, Julie Jackson

DATE: July 21, 2022

SUBJECT: Arts Commission Vacancy Selection

Nine (9) applications were received as a result of advertising for the two (2) vacancies on the Arts Commission for Adult Positions No. 4 and No. 5.

Chair Kissel, Vice Chair Richardson, Council Liaison Mayor Alvarez, and Recreation Manager Jackson conducted the interviews of the candidates. Interview procedures were followed on Monday, July 18, 2022 and on Wednesday, July 20, 2022, no conflict of interests was identified.

As a result of these interviews the recommendations are:

|                      |                 |                    |
|----------------------|-----------------|--------------------|
| Adult Position No. 4 | David Boothroyd | Term expiring 2023 |
| Adult Position No. 5 | Terri Rice      | Term expiring 2024 |



## COUNCIL AGENDA ITEM COVERSHEET

Council Date: 8/1/2022

Agenda Category: Ordinances – Items of Business

Core Focus Area I - Promote Financial Stability & Operational Effectiveness

**Subject:**

Ordinance No. 2022-26, Amending the 2022 Budget in the General Fund, Industrial Development Fund, Streets Capital Construction Fund, Wastewater Utility Fund and Equipment Replacement Fund

Department/Office  
Finance

Ordinance/Resolution Number:  
2022-26

Document Type:  
Ordinance

**Recommended Motion:**

Give first reading, by title only, to Ordinance No. 2022-26, amending the 2022 Budget in the General Fund, Industrial Development Fund, Streets Capital Construction Fund, Wastewater Utility Fund and Equipment Replacement Fund.

**Summary:** Ordinance 2022-26 included several amendments to the adopted 2022 Budget as follows:

- The Wastewater Utility planned to replace the easement machine trailer in 2023 at an estimated cost of \$35,000. However, due to safety concerns, the trailer needs to be replaced sooner. Adequate fund balance is available in the Equipment Replacement Fund for this purpose.
- The recent carryover ordinance (Ord. 2022-17) excluded a transfer from the Industrial Development Fund of \$391,910 for a capital project.
- In March 2022, the City received \$450,000 from the Transportation Improvement Board (TIB) based on the City's Complete Street grant application. The grant award must be appropriated in the 2022 Budget so the \$450,000 grant award can be spent accordingly.
- In May 2022, the City received a TAP grant of \$225,000 from the Benton-Franklin Council of Government (BFCG) for the Jadwin Avenue/Catskill Street Pedestrian Crossing. The grant award must be appropriated in the 2022 Budget so the \$225,000 grant award can be spent accordingly.
- The Center Parkway - North Extension project is nearing design completion and will soon be ready for construction. Bids for the project were received after the July 19<sup>th</sup> reading of this ordinance, and based on the bids received, the \$300,000 adjustment from the first reading is no longer required and has been removed from the ordinance.
- Bids were received after the July 19<sup>th</sup> reading of this ordinance for the Wastewater Treatment Plant Aeration Basin Improvement project. It is expected that approximately \$2,500,000 of fund balance from the Wastewater Fund will be needed to complete the project, which is an increase of \$500,000 from the first reading. There is adequate fund balance in the Wastewater Fund.
- The City is in need of expert review of its development process to ensure practices are up to date and appropriate for the region. This review was not contemplated in the 2022 budget and is expected to cost approximately \$82,500, including contingency. The General Fund has adequate fund balance to pay for this review.
- Due to the increase in the number and complexity of residential and commercial fire code plan reviews, the Fire Prevention Division is unable to adequately keep pace without expending significant overtime and experiencing negative impacts on the timely processing of submitted plans. Contracted services in the amount of \$48,500 are required to eliminate the associated overtime, ensure timely processing of plan reviews and provide improved customer service. There is adequate General Fund balance to pay for these contracted services, and long-term solutions are being proposed in the development of the 2023 budget.

**Fiscal Impact:**

Ordinance No. 2022-26 will add \$3,732,910 in appropriations to the 2022 Budget. Of this amount, \$675,000 is from new revenue sources and \$3,057,910 is from fund balance.

**Attachments:**

- I. Ordinance No. 2022-26

**ORDINANCE NO. 2022-26**

**AN ORDINANCE OF THE CITY OF RICHLAND, WASHINGTON, AMENDING THE 2022 BUDGET TO PROVIDE FOR ADDITIONAL APPROPRIATIONS IN THE CITY'S GENERAL FUND, INDUSTRIAL DEVELOPMENT FUND, STREETS CAPITAL CONSTRUCTION FUND, WASTEWATER UTILITY FUND, AND EQUIPMENT REPLACEMENT FUND AND DECLARING THAT A PUBLIC EMERGENCY EXISTS IN THE CITY'S GENERAL FUND, INDUSTRIAL DEVELOPMENT FUND, WASTEWATER UTILITY FUND, AND EQUIPMENT REPLACEMENT FUND.**

**WHEREAS**, on November 16, 2021, Richland City Council approved Ordinance No. 39-21 approving the 2022 Budget; and

**WHEREAS**, this Ordinance No. 2022-26 will accomplish several discrete budget adjustments in the 2022 Budget necessary for the effective delivery of services to the public; and

**WHEREAS**, Ordinance No. 2022-17 to amend the 2022 Budget for carryovers inadvertently excluded a transfer from the Industrial Development Fund for \$391,910; and

**WHEREAS**, a different, safer trailer is needed by the Wastewater Maintenance division for transporting the easement machine; and

**WHEREAS**, although the trailer replacement was not included in the 2022 Budget, the Equipment Replacement budget contains sufficient unappropriated Wastewater funds for replacement of the trailer at an estimated cost of \$35,000, and the City's best interests are served by replacing the trailer; and

**WHEREAS**, on March 3, 2022, Richland City Council accepted a Complete Streets grant award from the Washington State Transportation Improvement Board (TIB); and

**WHEREAS**, the 2022 Budget did not include the Complete Streets grant funds, which now must be included and appropriated, and the City's best interests are served by appropriating \$450,000 in Complete Streets grant funds to the Streets Capital Fund to enable timely implementation of planned pedestrian and bicycle system improvements; and

**WHEREAS**, in May, the Benton-Franklin Council of Governments (BFCG) awarded a \$225,000 grant to the City of Richland in support of the Jadwin Avenue/Catskill Street Pedestrian Crossing project; and

**WHEREAS**, the 2022 Budget did not include the BFCG funds for this project, which now must be included and appropriated, and the City's best interests are served by leveraging the BFCG funds to enhance the improvements to Jadwin Avenue during this year's Pavement Preservation Program project on Jadwin Avenue; and

**WHEREAS**, the 2022 Budget and the 2022 - 2027 Capital Improvement Plan (CIP) include a project titled the Wastewater Treatment Plant Aeration Basin Improvements, and the project is necessary to replace equipment that has reached the end of its service life; and

**WHEREAS**, the City solicited bids in May for the project, receiving bids that suggested that current construction market conditions have increased the costs of this project, and fund balance in the Wastewater Fund is available to appropriate additional funds to support this project; and

**WHEREAS**, the City's best interests are served by appropriating additional funds in the amount of \$2,500,000 from the Wastewater Fund to enable the Wastewater Treatment Plant Aeration Basin Improvements project; and

**WHEREAS**, the City's development review process is complex and requires periodic expert review to ensure best practices, and funds were not budgeted for this purpose in 2022; and

**WHEREAS**, the scope of work to audit the City's development review process is expected to cost \$82,500 including a ten percent (10%) contingency, and sufficient unappropriated funds are available in the General Fund to support the required budget adjustment; and

**WHEREAS**, the number and complexity of residential and commercial fire code plan reviews continue to increase, and the Richland Fire Prevention Division is unable to adequately keep pace with the volume of required plan reviews without a significant amount of overtime and/or negative impacts to the timely processing of submitted plans; and

**WHEREAS**, \$48,500 in contracted services for plan review will eliminate the associated overtime costs, ensure timely processing of plan reviews, and provide capacity in the Fire Prevention Division for improved customer service and timely follow up with developer needs. Sufficient unappropriated funds are available in the General Fund to support the required budget adjustment; and

**WHEREAS**, no funds were appropriated in the General Fund, Industrial Development Fund, Streets Capital Construction Fund, Wastewater Utility Fund, and Equipment Replacement Fund for the purposes identified above; and

**WHEREAS**, sufficient unappropriated funds are available in the General Fund, Industrial Development Fund, Streets Capital Construction Fund, Wastewater Utility Fund, and Equipment Replacement Fund to support the required budget adjustments; and

**WHEREAS**, pursuant to RCW 35.33.091, a duly noticed public hearing was held on August 1, 2022 regarding the increase in appropriations from beginning fund balance in the above-referenced funds.

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

Section 1. Facts Constituting Emergency. The expenses contained within this Ordinance were not anticipated when the 2022 Budget was approved.

Section 2. Declaration of Public Emergency. Due to circumstances described above, the City Council declares that a public emergency exists in the General Fund, Industrial Development Fund, Wastewater Utility Fund and Equipment Replacement Fund.

Section 3. Amendment of the 2022 Budget. The 2022 Budget is hereby amended to provide additional appropriations in the General Fund, Industrial Development Fund, Streets Capital Construction Fund, Wastewater Utility Fund and Equipment Replacement Fund as follows:

**General Fund**

Current Appropriation: \$ 88,381,295  
Increase in Appropriation: \$ 131,000  
Amended Appropriation: \$ 88,512,295

**Industrial Development Fund**

Current Appropriation: \$ 16,320,109  
Increase in Appropriation: \$ 391,910  
Amended Appropriation: \$ 16,712,019

**Streets Capital Construction Fund**

Current Appropriation: \$ 28,621,626  
Increase in Appropriation: \$ 675,000  
Amended Appropriation: \$ 29,296,626

**Wastewater Utility Fund**

Current Appropriation: \$ 28,205,939  
Increase in Appropriation: \$ 2,500,000  
Amended Appropriation: \$ 30,705,939

**Equipment Replacement Fund**

Current Appropriation: \$ 14,016,493  
Increase in Appropriation: \$ 35,000  
Amended Appropriation: \$ 14,051,493

Section 4. This Ordinance shall take effect the day following its publication in the official newspaper of the City of Richland.

*This space intentionally left blank.*

**PASSED** by the City Council of the City of Richland, Washington, at a regular meeting on the \_\_\_\_\_ of \_\_\_\_\_, 2022.

\_\_\_\_\_  
Michael Alvarez, Mayor

Attest:

Approved as to Form:

\_\_\_\_\_  
Jennifer Rogers, City Clerk

\_\_\_\_\_  
Heather Kintzley, City Attorney

First Reading: \_\_\_\_\_

Second Reading: \_\_\_\_\_

Date Published: \_\_\_\_\_