Agenda
City Council Regular Meeting
Tuesday, December 3, 2024
Richland City Hall ~ Council Chambers
625 Swift Boulevard

---

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

**Welcome and Roll Call**

**Pledge of Allegiance**

**Approval of Agenda:** (Approved by Motion)

**Presentations:**

1. New Hires and 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.

2. Proposed Adoption of the 2024 Comprehensive Plan Update Amendments, Ordinance No. 2024-41
3. Proposed Amendment to Richland Municipal Code Title 23: Zoning Regulations and the Official Zoning Map of the City of Richland, Ordinance No. 2024-42
4. Proposed Vacation of a Portion of Robertson Drive, Ordinance No. 2024-43
5. Proposed Amendment to the 2024 Budget in the General Fund, Special Lodging Assessment Fund, Equipment Replacement Fund, Medical Services Fund, Parks Project Construction Fund and Community Development Block Grant Fund, Ordinance No. 2024-44
6. Proposed Amendment to Exhibit A of the Compensation Plan for Unaffiliated Employees - 2024 and Continuing, Resolution No. 2024-162

**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:

7. Approval of the November 19, 2024 City Council Regular Meeting Minutes
   - Jennifer Rogers, City Clerk

Ordinances - First Reading:

None.

Ordinances - Second Reading & Passage:

None.

Resolutions - Adoption:

8. Resolution No. 2024-158, Approving 2025 Lodging Tax Grant Funding Awards
   - Jon Amundson, City Manager

9. Resolution No. 2024-159, Authorizing a Consultant Services Agreement with Systems Design West, LLC for Ambulance Billing Services
   - Tom Huntington, Fire Chief

10. Resolution No. 2024-160, Authorizing Application and Acceptance of Professional Development Grants from the Washington State Library
    - Christopher Nulph, Library Manager

11. Resolution No. 2024-161, Ratifying Acceptance of 2019 - 2024 Grant Agreements
    - Heather Kintzley, City Attorney

Items - Approval:

None.

**Items of Business:**

12. Ordinance No. 2024-38, Amending Richland Municipal Code Section 23.22.040 to Establish the Columbia Point North District within the Waterfront District and Increasing Building Height Limits Therein (Second Reading)
    - Mike Stevens, Planning Manager

13. Ordinance No. 2024-41, Adopting the 2024 Comprehensive Plan Amendments into the existing 2017 Comprehensive Plan (First Reading)
    - Mike Stevens, Planning Manager

14. Ordinance No. 2024-42, Amending Richland Municipal Code Title 23: Zoning Regulations and the City's Official Zoning Map to Conform to the Updated 2017 Comprehensive Plan (First Reading)
    - Mike Stevens, Planning Manager

15. Ordinance No. 2024-43, Vacating a Portion of Robertson Drive Right-of-Way (First Reading)
    - Carlo D'Alessandro, Public Works Director

16. Ordinance No. 2024-44, Amending the 2024 Budget in the General Fund, Streets Maintenance Fund, Special Lodging Assessment Fund, Equipment Replacement Fund, Medical Services Fund, Parks Project Construction Fund and Community Development Block Grant Fund (First Reading)
    - Brandon Allen, Finance Director

17. Resolution No. 2024-162, Amending Exhibit A of the Compensation Plan for Unaffiliated Employees - 2024 and Continuing
    - Lacey Paulsen, Human Resources Director

18. Resolution No. 2024-164, Authorizing a Financing Agreement with the Cities of Pasco and Kennewick and the Counties of Benton and Franklin for Capital Financing on behalf of Benton County Emergency Services
    - Drew Florence, Assistant City Manager

**Reports and Comments:**

1. 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.

# MINUTES
**RICHLAND CITY COUNCIL REGULAR MEETING**
**Tuesday, November 19, 2024**
**Richland City Hall ~ Council Chambers**
**625 Swift Boulevard**

---

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

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

## Welcome and Roll Call

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

| | | |
|---|---|---|
| Attendance: | Mayor Richardson | Present |
| | Mayor Pro Tem Kent | Present |
| | Councilmember Jones | Present (Remote via Zoom) |
| | Councilmember Lukson | Present |
| | Councilmember Maier | Present (Remote via Zoom) |
| | Councilmember VanDyke | Present (Remote via Zoom) |
| | Councilmember Whitten | Present |

Also present were City Manager Amundson, Deputy City Manager Schiessl, Assistant City Manager Florence, City Attorney Kintzley, Chief of Police Pilcher, Fire Chief Huntington, Energy Services Director Whitney, Finance Director Allen, Human Resources Director Paulsen, Parks & Public Facilities Director Waite, Public Works Director D'Alessandro, and City Clerk Rogers.

## Pledge of Allegiance

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

## Approval of Agenda

**MAYOR PRO TEM KENT MOVED AND COUNCILMEMBER WHITTEN SECONDED THE MOTION TO APPROVE THE AGENDA AS PUBLISHED. MOTION CARRIED 7-0.**

## Presentations

1. Swearing In of Chief of Police, Marty Pilcher

City Clerk Rogers administered to the oath of office to Chief of Police Pilcher. Monica Malhan, Richland Police Department Foundation Board President introduced herself and recognized several board members in attendance. Mrs. Malhan then presented

Draft

Chief Pilcher with a gift basket on behalf of the Foundation and welcomed him to the community.

2. Richland Public Facilities District Board Update

Steve Willey, Richland Public Facilities District Board President presented on several key topics, including the Public Facilities District (PFD) Board reorganization, the concept plan for the $81.3 million Performing Arts Center (PAC), and the timeline for its construction and completion. At the October 17, 2024 Richland PFD Board Meeting, members passed a resolution to place a ballot measure on the February 12, 2025 Special Election. The ballot measure will ask voters to approve a 0.2% sales tax to fund the construction of the PAC, with the tax set to expire after thirty (30) years.

Detailed information is included in the PowerPoint Presentation presented. Council engaged in a question-and-answer session with Mr. Wiley following the presentation.

3. Winter Weather Management Presentation

With the aid of a PowerPoint Presentation, Public Works Director D'Alessandro presented an update on the city's approach to Winter Weather Management. The presentation included an overview of street prioritization, level-of-service expectations, event categories, and emergency operations. He emphasized several key considerations in balancing these factors: public safety and emergency services, access during winter weather events, protection of both city and private property, existing and forecasted weather conditions, resource and budget constraints, and the environmental impacts of the city's operations.

Detailed information is included in the PowerPoint Presentation presented. Council engaged in a question-and-answer session with Mr. D'Alessandro following the presentation.

**Public Hearing**

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

4. Proposed 2025 Budget and 2025-2030 Capital Improvement Plan, Ordinance No. 2024-37

Mayor Richardson opened and closed the public hearing at 6 :56 p.m. No testimony was offered.

5. Proposed Amendment to Richland Municipal Code Section 23.22.040 Establishing the Columbia Point North District within the Waterfront District and Increasing Building Height Limits Therein, Ordinance No. 2024-38

Mayor Richardson opened the public hearing at 6:57 p.m.

- Ginger Wireman - 2435 Michael Avenue, Richland, WA: Ms. Wireman expressed



Draft

her opposition to the adoption of Ordinance No. 2024-38, which would increase building heights. She voiced concerns about the private development at the Richland river shore and expressed frustration with the ongoing loss of public riverfront access. In conclusion, Mrs. Wireman stressed the importance of preserving the river shore for public use.

No other testimony was offered. Mayor Richardson closed the public hearing at 6:59 p.m.

6. Declaring Surplus and Authorizing Relinquishment of Portions of Two Easements Lying within Peachtree Estates 1 and an Unplatted Portion of Section 34, Township 9 North Range 28 East, Resolution No. 2024-154

Mayor Richardson opened and closed the public hearing at 7:00 p.m. No testimony was offered.

**Public Comments**

The following individuals provided public comments:

- Faith Gambetti, a resident of Richland, WA, advocated for homeless individuals. Drawing from her own experience of overcoming homelessness, she urged council reevaluate their policies and approach the issue with compassion and understanding.

- Catherine Kyler, a resident of Richland, WA, expressed frustration regarding the overlap between recycling pick-up and street cleaning schedules and called for better communication to address the problem.

- Ginger Wireman, a resident of Richland, WA advocated for a housing-first approach when addressing the homeless population and emphasized the importance of collaborating with non-profits and neighboring communities to provide necessary resources. Mrs. Wireman urged council to transition from current policies to compassionate solutions, prioritizing long-term support with a focus on assisting veterans first.

- Marylyn Dolan, a resident of Richland, WA, raised concerns about the city's recent decision to remove the homeless population and close Wye Park and Columbia Park West, and called for more humane ways to assist the homeless population.

- Lisa Dukes of Richland, WA, urged the city to take immediate action to assist the homeless population, and expressed concern about the lack of visible efforts to coordinate support. She emphasized the need for collaboration with community partners to provide essential services and offered to assist to initiate the process.

**Consent Calendar**

City Clerk Rogers read the Consent Calendar.

Draft

**Minutes**

7. Approval of the November 5, 2024 City Council Regular Meeting Minutes

**Ordinances - First Reading**

None.

**Ordinances - Second Reading & Passage**

8. Ordinance No. 2024-37, Approving the 2025 Budget and the 2025-2030 Capital Improvement Plan

**Resolutions - Adoption**

9. Resolution No. 2024-153, Authorizing an Application to the Benton County Rural Capital Fund for the Duportail Improvements Project

10. Resolution No. 2024-155, Ratifying a Corrected Construction Contract with Sharpe & Preszler Construction Company, Inc. for the Meadows Drive South Water Service Replacement Project

11. Resolution No. 2024-157, Authorizing an Interlocal Agreement to Pool Opioid Funds in Support of the Columbia Valley Center for Recovery

**Expenditures – Approval**

12. Expenditures from October 1, 2024 to October 31, 2024 for $40,854,278.22 including Travel Checks Nos. 20632-20670, Accounts Payable Check Nos. 327709-328861, Accounts Payable Wire Nos. 10277-10321, Payroll Wires & ACH Nos. 14304-14357, Payroll Direct Deposit & Check Nos. 230076-231257, and Pension Check Nos. 6858-6879.

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

**Items of Business**

13. Ordinance No. 2024-38, Amending Richland Municipal Code Section 23.22.040 to Establish the Columbia Point North District within the Waterfront District and Increasing Building Height Limits Therein

Planning Manager Stevens provided an overview of the ordinance, which would establish a new overlay district called Columbia Point North. Adoption of the ordinance would amend the zoning text to increase the allowed heigh limit from 35 feet to 100 feet, and allow an

Draft

increase in other areas of the Waterfront Zone from 35 feet to 55 feet. The second component of the ordinance would increase the height limit within the Waterfront Zoning District to 55 feet citywide. Under the current regulations, a 55-foot height limit requires a public hearing and Planning Commission approval. The ordinance proposes to streamline the process by automatically granting the 55-foot height limit without the need for additional review. The proposed change will not apply to areas within the shoreline jurisdiction, where state law cap heights at 35 feet.

Following the presentation, council engaged in a question-and-answer session with Planning Manager Stevens and Deputy City Manager Schiessl, and individually shared comments either supporting or opposing the adoption of the proposed ordinance.

**COUNCILMEMBER LUKSON MOVED AND MAYOR PRO TEM KENT SECONDED THE MOTION TO APPROVE ORDINANCE NO. 2024-38, AMENDING RICHLAND MUNICIPAL CODE SECTION 23.22.040 TO ESTABLISH THE COLUMBIA POINT NORTH DISTRICT WITHIN THE WATERFRONT DISTRICT AND INCREASING BUILDING HEIGHT LIMITS THEREIN, FOR FIRST READING. THOSE IN FAVOR: MAYOR RICHARDSON AND COUNCILMEMERS LUKSON, VANDYKE, AND WHITTEN. THOSE OPPOSED: MAYOR PRO TEM KENT AND COUNCILMEMBERS JONES AND MAIER. MOTION CARRIED 4-3.**

14. Resolution No. 2024-154, Declaring Surplus and Authorizing Relinquishment of a Portion of Two Easements lying within Peachtree Estates 1 and an Unplatted Portion of Section 34, Township 9 North Range 28 East

Public Works Director D'Alessandro stated the property owner has requested the relinquishment of a portion of two (2) 10-foot-wide electric utility easements located along the south boundary of its property. The portions of the easements to be relinquished are no longer needed for city purposes as the utilities have been removed. Staff recommend approval of the relinquishments.

**MAYOR PRO TEM KENT MOVED AND COUNCILMEMBER WHITTEN SECONDED THE MOTION TO ADOPT RESOLUTION NO. 2024-154, DECLARING SURPLUS AND AUTHORIZING RELINQUISHMENT OF A PORTION OF TWO EASEMENTS LYING WITHIN PEACHTREE ESTATES 1 AND AN UNPLATTED PORTION OF SECTION 34, TOWNSHIP 9 NORTH RANGE 28 EAST. THOSE IN FAVOR: MAYOR RICHARDSON, MAYOR PRO TEM KENT, AND COUNCILMEMBERS JONES, LUKSON, MAIER, VANDYKE, AND WHITTEN. THOSE OPPOSED: NONE. MOTION CARRIED 7-0.**

15. Fire & Emergency Services Standards of Cover Overview

Fire Chief Huntington and Deputy Fire Chief Aust jointly provided an overview of the key findings of the Standards of Cover (SOC) and Emergency Services Department studies which focused on evaluating the department's ability to meet community needs for fire protection, emergency medical services (EMS), and other emergencies while optimizing resources and ensuring compliance with RCW 35.103.010.

The study also assessed current response capabilities, analyzed risk and hazard levels,

develop response standards, and align resources with community growth.

The top five (5) priorities included:

- Improve turnout and response times
- Plan for future stations
- Address increased community demands
- Develop a 3–5 year strategic plan
- Establish risk reduction programs

Current challenges include response delays compared to National Fire Protection Association (NFPA) standards and increased demand in high-risk and elderly population areas.

Proposed improvements include setting clearer policies for response times, monitoring performance data, optimizing internal processes, and planning for new station locations based on growth projections. Initiatives like the Resource Navigator Program and plans for fire inspection and pre-incident planning aim to reduce risks and address service gaps.

In conclusion, the SOC study identified areas for improvement to meet current and future safety demands. Strategic planning, effective resource allocation, and council feedback will guide the process. Next steps include council workshops in early 2025 to update service benchmarks, review comprehensive planning metrics, and finalize budget-related policies for improved service delivery.

Detailed information can be found in the PowerPoint Presentation. Following the presentation, council offered comments and engaged in a question-and-answer session with staff.

**Reports and Comments**

*City Manager*

City Manager Amundson made the following announcements:

- The 2025 Budget of $361 million was adopted under the Consent Calendar after a thorough process involving public hearings, workshops, and collaborative efforts by council and the Finance Department.

- Richland Fire & Emergency Services (RF&ES) and Kadlec Regional Medical Center were recognized by the American Heart Association for their efforts in the Heart Safe Program and other lifesaving initiatives. The City of Richland received the Gold level award, an improvement from the Silver designation previously received.

- The State of the Cities event will be held on Wednesday, November 20, 2024 from 11:30 a.m. to 1:30 p.m. at the Red Lion Hotel & Conference Center in Pasco.

Draft

*City Council*

Councilmember Whitten congratulated RF&ES for receiving the Gold level designation award by the American Heart Association, wished everyone a Happy Thanksgiving, and stressed the importance of safe driving. He emphasized the importance of equipping vehicles with high-quality, well-maintained snow tires, and reminded everyone to drive cautiously, especially in challenging road conditions.

Mayor Pro Tem Kent welcomed Chief of Police Pilcher to the community and congratulated him on being sworn in. She then thanked city staff for their efforts in preparing the budged and commended City Manager Amundson and the Finance Department for their disciplined and transparent approach to ensuring the budget is completed on schedule. In conclusion, Mayor Pro Tem Kent wished everyone a Happy Thanksgiving, encouraged citizens to volunteer with a local non-profit organization as many are still in need of volunteers, and thanked fellow councilmembers for their participation in the evening's discussions.

Councilmember Lukson thanked City Manager Amundson for including a diverse range of topics on the agenda, including density, parking, easements, snow removal, fire safety, and homeliness. He noted that these issues are common in growing communities and acknowledged the city's challenges with homelessness, emphasizing progress being made, such as the Columbia Valley Center for Recovery initiative. He expressed optimism about the city's development while acknowledging the complexities that come with it.

Councilmember Jones wished everyone a Happy Thanksgiving. She then welcomed Chief Pilcher to the city and noted recent complaints regarding disturbances in the areas of Howard Amon Park and Eastland View. She highlighted concerns about individuals engaging in drug-related activities, causing noise and disruptions, particularly late at night. Councilmember Jones expressed the need for the police department to address these issues by clearing the affected areas and emphasized the importance of proactive measures to abate these activities and improve community safety.

Councilmembers Maier and VanDyke welcomed Chief of Police Pilcher to the city.

*Mayor*

Mayor Richardson acknowledged the effort councilmembers made to attend the meeting remotely and expressed appreciation for their participation.

**Executive Session**

16. Executive Session Per RCW 42.30.110(1)(c) to Determine Minimum Offering Price For Sale or Lease if Disclosure Would Decrease Price and RCW 42.30.110(1)(i) to Discuss Current or Potential Litigation with Legal Counsel (45 minutes)

At 8:14 p.m., Richland City Council convened in executive session with legal counsel for forty-five (45) minutes to discuss minimum offering price for sale or lease if disclosure would decrease price and to discuss current or potential litigation. A five (5) minute

transition from dais to executive session room occurred, with the executive session getting underway at 8:20 p.m.

Individuals present included Mayor Richardson, Mayor Pro Tem Kent, and Councilmembers Jones, Lukson, Maier, VanDyke, and Whitten. Also present were City Manage Amundson, Deputy City Manager Schiessl, Assistant City Manager Florence, and City Attorney Kintzley.

Council exited the executive session at 9:02 p.m.

**Adjournment**

Mayor Richardson adjourned the meeting at 9:02 p.m.

APPROVED:

_____
Theresa Richardson, Mayor

ATTEST:

_____
Jennifer Rogers, City Clerk

DATE APPROVED:

DATE PUBLISHED:

Draft

# COUNCIL AGENDA ITEM COVERSHEET

Council Date: 12/3/2024 Agenda Category: Resolutions - Adoption

Strategic Priority 3 - Focused Development

Subject:
Resolution No. 2024-158, Approving 2025 Lodging Tax Grant Funding Awards

| Department/Office | Ordinance/Resolution Number: | Document Type: |
|---|---|---|
| City Manager | 2024-158 | Resolution |

Recommended Motion:
Adopt Resolution No. 2024-158, awarding 2025 Lodging Tax Grant funds and authorizing the City Manager to sign and execute the necessary agreements.

Summary:
The Lodging Tax Advisory Committee (LTAC) met on November 6, 2024 to review applications received for Lodging Tax Grant Funding opportunities. After review and discussion, final recommendations to the Council are outlined below. Additional information can be found in Exhibit A to Resolution No. 2024-158.

**First Two Percent (Marketing)**
Art in the Park: $12,000.00
Richland Regatta: $17,500.00
4 Multi-Day Racing Events: $40,000.00
Cool Desert Nights: $25,000.00
Live @ 5 Concert Series: $5,000.00
Tumbleweed Music Festival: $7,000.00
Hanford Howl Tournament: $8,500.00
Heat Up Tournament: $1,500.00
SEE3SLAM, 3 on 3 Basketball Tournament: $10,000.00
Columbia Cup & Air Show: $10,000.00
Tri-Town / Fusion Music & Art Festival: $10,000.00
Ironman Media Production and Marketing: $30,000.00
Summer Musical: $7,000.00

**Second two Percent (Capital Projects)**
Columbia Playfields north parking lot restoration: $450,000.00
Columbia Playfields side-by-side maintenance vehicle for special event and sports tourism logistics: $49,000.00
Citywide kiosk upgrade and replacements: $100,000.00
Columbia Point Marina Park dock & marina upgrades: $100,000.00
Richland BMX track starting gate replacement at Horn Rapids Athletic Complex: $85,250.00
Little Badger Mountain Park parking lot and interpretive loop: $326,520.00

Staff recommends adoption of Resolution No. 2024-158.

Fiscal Impact: $183,500 in grant funding is proposed to be awarded from the first 2% of available funds, leaving an estimated fund balance of $562,657. $1,110,770 in grant funding is proposed to be awarded from the second 2% of available funds, leaving an estimated fund balance of $164,152. The total recommended allocation of grant funds, including first and second two percent, is $1,294,270, leaving an estimated $726,809 fund balance.

Attachments:
1. Resolution No. 2024-158

**RESOLUTION NO. 2024-158**

**A RESOLUTION OF THE CITY OF RICHLAND, WASHINGTON, AWARDING THE DISTRIBUTION OF 2025 HOTEL/MOTEL TAX FUNDS.**

**WHEREAS**, pursuant to RCW 67.28.1817, Richland City Council established a reserve, funded through a tax on lodging, to be used to promote or increase tourism; and

**WHEREAS**, lodging tax revenues collected under Ch. 67.28 RCW may be used, directly by any municipality or indirectly through a convention and visitors bureau or destination marketing organization, for tourism marketing, the marketing and operations of special events and festivals designed to attract tourists, supporting the operations and capital expenditures of tourism-related facilities owned or operated by a municipality or a public facilities district created under chapters 35.57 and 36.100 RCW, or supporting the operations of tourism-related facilities owned or operated by nonprofit organizations described under IRS code; and

**WHEREAS**, an estimated $746,157 from the first two percent (2%) of funds (marketing projects) and $1,274,922 from the second two percent (2%) of funds (capital projects) is available to be awarded for the 2025 funding cycle, for a total fund balance of $2,021,079; and

**WHEREAS**, the City received applications for projects to be considered by the Lodging Tax Advisory Committee (LTAC) and City Council for funding; and

**WHEREAS**, at its November 6, 2024 meeting, the Lodging Tax Advisory Committee provided a positive recommendation to allocate a total of $1,294,270 toward marketing and capital projects that have been determined eligible as described in **Exhibit A**, attached hereto and incorporated by reference.

**NOW, THEREFORE, BE IT RESOLVED** by the City Council of the City of Richland that the City Manager is authorized to sign and execute funding agreements with applicants as detailed in **Exhibit A**.

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

**ADOPTED** by the City Council of the City of Richland, Washington, at a regular meeting on the 3rd day of December, 2024.

_____
Theresa Richardson, Mayor

Attest:

_____
Jennifer Rogers, City Clerk

Approved as to Form:

_____
Heather Kintzley, City Attorney

# 2025 LODGING TAX GRANT FUND RECOMMENDATIONS TO CITY COUNCIL

***EXHIBIT A to Resolution No. 2024-158***

| | | | | |
|---|---|---|---|---|
| | | | **First 2% Available Funds as of 11/06/2024:** | **$ 746,157.00** |
| **APP#** | **ORGANIZATION** | **PROPOSED USE OF MONEY** | **REQUESTED** | **RECOMMENDED** |
| 24-002 | Allied Arts Association | Art in the Park | $ 12,000.00 | $ 12,000.00 |
| 24-003 | Northwest Powerboat Association | Richland Regatta | $ 17,500.00 | $ 17,500.00 |
| 24-020 | Red Mountain Event Center - TC Raceways | 4 Multi-Day Racing Events | $ 40,000.00 | $ 40,000.00 |
| 24-012 | Richland Chamber of Commerce | Cool Desert Nights | $ 25,000.00 | $ 25,000.00 |
| 24-001 | Stephens Media Group | Live @ 5 Concert Series | $ 5,000.00 | $ 5,000.00 |
| 24-005 | Three Rivers Folklife Society | Tumbleweed Music Festival | $ 7,000.00 | $ 7,000.00 |
| 24-008 | Three Rivers Ultimate Frisbee | Hanford Howl Tournament | $ 10,000.00 | $ 8,500.00 |
| 24-009 | Three Rivers Ultimate Frisbee | Heat Up Tournament | $ 1,500.00 | $ 1,500.00 |
| 24-013 | Tri-Cities Sunrise Rotary | SEE3SLAM, 3 on 3 Basketball Tournament | $ 10,000.00 | $ 10,000.00 |
| 24-006 | Tri-Cities Water Follies | Columbia Cup & Air Show | $ 10,000.00 | $ 10,000.00 |
| 24-011 | TriTown Get Down / Fusion Fest | Tri-Town / Fusion Music & Art Festival | $ 15,000.00 | $ 10,000.00 |
| 24-004 | Visit Tri-Cities | Ironman Media Production and Marketing | $ 30,000.00 | $ 30,000.00 |
| 24-010 | Yes & Productions Foundation | Summer Musical | $ 7,000.00 | $ 7,000.00 |
| | | **2025 Total Requested:** | **$ 190,000.00** | |
| | | **2025 Total Recommended:** | | **$ 183,500.00** |
| | | **First 2% Balance if Granted:** | | **$ 562,657.00** |

| | | | | |
|---|---|---|---|---|
| | | | **Second 2% Available Funds as of 11/06/2024:** | **$ 1,274,922.00** |
| **APP#** | **ORGANIZATION** | **PROPOSED USE OF MONEY** | **REQUESTED** | **RECOMMENDED** |
| 24-015 | City of Richland - Parks and Public Facilities | Columbia Playfield North Parking Lot Restoration | $ 450,000.00 | $ 450,000.00 |
| 24-014 | City of Richland - Parks and Public Facilities | Side-by-Side Vehicle for Event and Logistic Needs | $ 49,000.00 | $ 49,000.00 |
| 24-017 | City of Richland - Parks and Public Facilities | Kiosk Upgrade and Replacements | $ 100,000.00 | $ 100,000.00 |
| 24-018 | City of Richland - Parks and Public Facilities | Columbia Point Marina Park Dock & Marina Upgrades | $ 400,000.00 | $ 100,000.00 |
| 24-019 | Mid-Columbia Basin BMX | Starting Gate Replacement | $ 85,250.00 | $ 85,250.00 |
| 24-016 | Friends of Badger Mountain | Little Badger Parking Lot and Interpretive Loop | $ 326,520.00 | $ 326,520.00 |
| 24-007 | Richland Babe Ruth Baseball Fields | Rebuild Bullpens & Install Batting Cages | $ 384,000.00 | $ - |
| | | **2025 Total Requested:** | **$ 1,794,770.00** | |
| | | **2025 Total Recommended:** | | **$ 1,110,770.00** |
| | | **Second 2% Balance if Granted:** | | **$ 164,152.00** |

| | |
|---|---|
| **Total Fund Balance as of 11-2024 (1st & 2nd 2%):** | **$ 2,021,079.00** |
| **Total Recommended Allocation:** | **$ 1,294,270.00** |
| **Total Fund Ending Balance:** | **$ 726,809.00** |

# COUNCIL AGENDA ITEM COVERSHEET

Council Date: 12/3/2024 Agenda Category: Resolutions - Adoption

Strategic Priority 2 - Financial Sustainability

Subject:
Resolution No. 2024-159, Authorizing a Consultant Services Agreement with Systems Design West, LLC for Ambulance Billing Services

| Department/Office | Ordinance/Resolution Number: | Document Type: |
|---|---|---|
| Fire & Emergency Services | 2024-159 | Resolution |

Recommended Motion:
Adopt Resolution No. 2024-159, authorizing the City Manager to sign and execute an agreement for ambulance billing and collection services with Systems Design West, LLC to and through December 31, 2028.

Summary:
In 2018, the City began outsourcing its ambulance billing functions to Systems Design West, LLC (SDW) through execution of a consultant services agreement. The current agreement for these services is due to expire on December 31, 2024. Richland's best interests are served by continuing to contract with SDW for ambulance billing services. At this time, a continued agreement between Richland and the vendor using the City's standard consulting services contract is preferred.

Staff recommends adoption of Resolution No. 2024-159

Fiscal Impact: The cost for this billing service is based on a $24.75 per-transport fee and will likely total between $100,000 - $120,000 annually, depending upon patient transport volume. The consultant agreement is not to exceed $130,000 annually.

Attachments:
1. Resolution No. 2024-159
2. Proposed Consultant Agreement - Systems Design West, LLC

**RESOLUTION NO. 2024-159**

**A RESOLUTION OF THE CITY OF RICHLAND, WASHINGTON, AUTHORIZING A CONSULTANT AGREEMENT WITH SYSTEMS DESIGN WEST, LLC FOR AMBULANCE BILLING SERVICES.**

**WHEREAS**, since May 2018, the City of Richland has contracted with Systems Design West, LLC ("SDW") for ambulance billing and collection services; and

**WHEREAS**, the City anticipates continued outsourcing of its ambulance billing functions to a third-party billing vendor; and

**WHEREAS**, the City's current contract with SDW will expire on December 31, 2024; and

**WHEREAS**, the City desires to continue contracting with SDW for ambulance billing; and

**WHEREAS**, Policy No. 2220, Exemptions to Competitive Solicitation Requirements, exempts services related to utility billing from the competitive solicitation process; and

**WHEREAS**, RMC 3.04.060 requires City Council approval for all service contracts greater than $50,000.

**NOW, THEREFORE, BE IT RESOLVED** by the City Council of the City of Richland that the City Manager is authorized to sign and execute a consultant agreement with Systems Design West, LLC in an annual amount not to exceed $130,000 for ambulance billing services to and through December 31, 2028.

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

**ADOPTED** by the City Council of the City of Richland, Washington, at a regular meeting on the 3rd day of December, 2024.

_____
Theresa Richardson, Mayor

Attest:

_____
Jennifer Rogers, City Clerk

Approved as to Form:

_____
Heather Kintzley, City Attorney

Contract No. _____

# AGREEMENT BETWEEN CITY AND CONSULTANT

Third-Party Ambulance Billing & Collection Services

This Agreement is entered into this _____ day of December, 2024 ("Effective Date") by and between the **City of Richland** ("**City**"), a Washington municipal corporation located at 625 Swift Blvd. Richland, WA 99352, and **Systems Design West, LLC** ("**Consultant**"), a foreign for-profit corporation with service at 19265 Powder Hill Place NE, Poulsbo, WA 98370. **City** and **Consultant** are referred to individually herein as a "Party" and collectively herein as the "Parties."

**WITNESSETH:**

## 1. SCOPE OF WORK

a. Consultant shall furnish all services, labor and related equipment necessary to conduct and complete the work outlined in Exhibit A. In performing these services, Consultant shall at all times comply with all federal, state and local statutes, rules and ordinances applicable to the performance of such services. In addition, these services and all duties incidental or necessary therefore, shall be performed diligently and completely and in accordance with professional standards of conduct and performance. All services performed under this Agreement will be conducted solely for the benefit of the City and will not be used for any other purpose without written consent of the City.

b. This Agreement consists of this Agreement and other documents listed below. These form the entire Agreement between the Parties, and are fully integrated into this Agreement as if stated or repeated herein. In the event of a conflict between documents, the order of precedence will be the order listed below. An enumeration of the Agreement documents is set forth below (mark all that apply):

1. ☒City of Richland Agreement No. _____
2. ☒Exhibit A: Scope of Work
3. ☐City Richland Solicitation No. N/A
4. ☐Exhibit B: Solicitation No. N/A proposal response submitted by Consultant dated N/A.
5. ☒Additional Documents – Attachment A – Business Associate Agreement.

## 2. TIME FOR COMPLETION

Consultant shall not begin any work under the terms of this Agreement until authorized in writing by the City. Consultant agrees to use best efforts to complete all work described under this Agreement by December 31, 2028.

## 3. TERM

The term of this Agreement shall commence on the Effective Date identified above and end at midnight on December 31, 2028.

Draft

**4. PAYMENT**

a. Services rendered by Consultant under this Agreement will be paid at the rate set forth in Exhibit A Scope of Work, but in no event shall the total compensation for services rendered under this Agreement exceed **One Hundred Thirty Thousand Dollars and No/Cents on an annual basis** ($**$130,000 annually**), including all fees and those reimbursable expenses listed in Exhibit A.

b. City shall pay Consultant for services rendered after receipt of a detailed invoice. Invoices not in dispute by the City will be paid net thirty (30) days and shall reference the contract number and/or purchase order applicable to the work. The invoice shall provide sufficient detail on the work being billed and include detailed receipts for any invoices.

c. Partial payments to cover the percentage of work completed may be requested by Consultant. These payments shall not be more than one (1) per month.

d. Pre-approved travel, meals and lodging will be reimbursed at cost and only when consultant travels at least 150 miles per one way trip. Reimbursable expenses are limited to the following: coach airfare, ground transportation (taxi, shuttle, car rental), hotel accommodations as provided below, personal or company vehicle use at the then-current federal mileage rate, and meals at the current federal per-diem meal allowance or up to the current federal per-diem with detailed receipts, no alcohol, and a 20% maximum gratuity.

    i. Hotel accommodations: eligible lodging expenses include the room cost only; itemized receipts must be provided for hotel reimbursements.

    ii. Hotel reimbursement is limited to the single room rate. If two or more consultants are sharing a room, reimbursement is allowable for only one consultant at the double room rate.

    iii. The maximum reimbursement should be limited to the best discount rate available and allowable that meets traveler's business needs and basic needs for health, safety and cleanliness. Non-smoking rooms are authorized even if they are more expensive.

e. Reimbursement for extra services/reimbursable expenses are not authorized under this Agreement unless detailed in the Scope of Work or agreed upon in writing as a modification to this Agreement.

f. Consultant will allow access to the City, State of Washington, Federal Grantor Agency, Comptroller General of the United States, or any of their duly authorized representatives, to any books, documents, papers, and records which are directly pertinent to this Agreement for the purpose of making audit, examination, excerpts, and transcriptions. Unless otherwise provided, said records must be retained for three (3) years from the date of receipt of final payment. If any litigation, claim, or audit arising out of, in connection with, or relating to this Agreement is initiated before the expiration of the three-year period, the records shall be retained until such litigation, claim, or audit involving the records is completed.

**5. INDEPENDENT CONTRACTOR**

Consultant, and any and all employees of Consultant or other persons engaged in the performance of any work or services required of Consultant under this Agreement, are

Draft

independent contractors and shall not be considered employees of the City. Any and all claims that arise at any time under any Workers' Compensation Act on behalf of said employees or other persons while so engaged, and any and all claims made by a third party as a consequence of any act or omission on the part of Consultant's employees or other persons engaged in any of the work or services required to be provided herein, shall be the sole obligation and responsibility of Consultant.

**6. OWNERSHIP OF DOCUMENTS**

Intentionally omitted.

**7. TERMINATION**

a. This Agreement may be terminated by either Party upon sixty (60) days' written notice. In the event this Agreement is terminated by Consultant, the City shall be entitled to reimbursement of costs occasioned by such termination. In the event the City terminates this Agreement, the City shall pay Consultant for the work performed, which shall be an amount equal to the percentage of completion of the work as mutually agreed between the City and Consultant.

b. If any work covered by this Agreement shall be suspended or abandoned by the City before Consultant has completed the assigned work, Consultant shall be paid an amount equal to the costs incurred up to the date of termination or suspension as mutually agreed upon between the City and Consultant.

**8. AVAILABILITY OF RECORDS FOR PUBLIC INSPECTION**

a. As a public contract, all records prepared, generated or used by Consultant or its agents, employees and subcontractors relating to this Agreement and associated work (hereinafter "public records") may be subject to disclosure under the Washington State Public Record Act, Chapter 42.56 RCW.

b. Contractor shall maintain and retain all such public records in a manner that is readily accessible for a minimum term of no less than three (3) years following completion of the contract work. City shall have the right to timely review all such public records upon request. Contractor shall provide copies of any public records requested by City within thirty (30) calendar days of City's request. If City requests that copies of public records be provided to City in an electronic format, said records shall be provided at no cost to City. If paper copies are requested by City, City shall pay $.10 per page. Payment for paper copies shall be rendered to Consultant within twenty (20) calendar days of receipt.

c. All records subject to a public disclosure request will be provided to a requester unless exempted from disclosure by law. The City's decision to exempt or redact any public record shall be based only upon valid exemptions that apply to the City. City will not refrain from disclosing any record under an exemption that may be personal to Consultant. In the event Consultant objects to release of any public record under this Agreement, Consultant may seek judicial approval to prevent such disclosure at Consultant's sole expense. City shall neither aid nor interfere with Consultant's request for an injunction to prevent disclosure of any public record under this Agreement.

d. Consultant shall insert this provision in all contracts with subcontractors or agents providing services relating to this Agreement.

Draft

**9. DISPUTE RESOLUTION**

a. The City and Consultant agree to negotiate in good faith for a period of thirty (30) days from the date of notice of all disputes between them prior to exercising their rights under this Agreement, or under law.

b. All disputes between the City and Consultant not resolved by negotiation between the Parties may be arbitrated only by mutual agreement of the City and Consultant. If not mutually agreed to resolve the claim by arbitration, the claim will resolve by legal action.

**10. DEBARMENT CERTIFICATION**

Consultant certifies that neither Consultant nor its principals are presently debarred, suspended, proposed for debarment, declared ineligible, or voluntarily excluded from participating in this contract by any federal or state department or agency. Further, Consultant agrees not to enter into any arrangements or contracts related to completion of the work contemplated under this Agreement with any party that is on the "General Service Administration List of Parties Excluded from Federal Procurement or Non-Procurement Programs" which can be found at: www.sam.gov and https://secure.lni.wa.gov/verify/

**11. VENUE, APPLICABLE LAW AND PERSONAL JURISDICTION**

In the event that either Party deems it necessary to initiate a legal action to enforce any right or obligation under this Agreement, the Parties agree that any such action shall be initiated in the Superior Court of the State of Washington situated in Benton County. The Parties agree that all questions shall be resolved by application of Washington law, and that the Parties to such action shall have the right of appeal from such decision of the Superior Court in accordance with the laws of the State of Washington. Consultant hereby consents to the personal jurisdiction of the Superior Court of the State of Washington situated in Benton County.

**12. ATTORNEY'S FEES**

The Parties agree that should legal action be necessary to enforce any of the provisions of this Agreement, that the substantially prevailing Party will be awarded its reasonable attorney's fees and costs in action, including costs and attorney's fees on appeal if appeal is taken.

**13. INSURANCE**

Consultant shall procure and maintain for the duration of the Agreement insurance against claims for injuries to persons or damage to property which may arise from or in connection with the performance of the work hereunder by Consultant, its agents, representatives, or employees.

a. No Limitation. Consultant's maintenance of insurance as required by this Agreement shall not be construed to limit the liability of Consultant to the coverage provided by such insurance, or otherwise limit the City's recourse to any remedy available at law or in equity.

b. Minimum Scope of Insurance. Consultant shall obtain insurance of the types described below:

1. Automobile Liability insurance covering all owned, non-owned, hired and leased vehicles. Coverage shall be written on Insurance Services Office (ISO) form CA 00 01 or a substitute form providing equivalent liability coverage.

Draft

2. Commercial General Liability insurance shall be as least as broad as ISO occurrence form CG 00 01 and shall cover liability arising from premises, operations, stop-gap independent contractors and personal injury and advertising injury. The City shall be named as an insured under the Consultant's Commercial General Liability insurance policy with respect to the work performed for the City using an additional insured endorsement at least as broad as ISO CG 20 26.

3. Workers' Compensation coverage as required by the Industrial Insurance laws of the State of Washington.

4. Professional Liability, Errors or Omissions insurance appropriate to the Consultant's profession. Coverage shall be provided if Consultant is providing services under this Agreement as a licensed professional, including, but not limited to, engineers, architects, accountants, surveyors, and attorneys.

c. Minimum Amounts of Insurance. Consultant shall maintain the following insurance limits:

1. Automobile Liability insurance with a minimum combined single limit for bodily injury and property damage of $1,000,000 per accident.

2. Commercial General Liability insurance shall be written with limits no less than $2,000,000 each occurrence, $2,000,000 general aggregate.

3. Professional Liability insurance shall be written with limits no less than $1,000,000 per claim and $1,000,000 policy aggregate limit.

d. Other Insurance Provisions. Consultant's Automobile Liability and Commercial General Liability insurance policies are to contain, or be endorsed to contain that they shall be primary insurance with respect to the City. Any insurance, self-insurance, or self-insured pool coverage maintained by the City shall be excess of Consultant's insurance and shall not contribute with it.

e. Acceptability of Insurers. Insurance is to be placed with insurers with a current A.M. Best rating of not less than A:VII.

f. Verification of Coverage. Consultant shall furnish the City with original certificates and a copy of the amendatory endorsements, including but not necessarily limited to, the additional insured endorsement, evidencing the insurance requirements of Consultant before commencement of the work.

g. Notice of Cancellation. Consultant shall provide the City with written notice of any policy cancellation within two (2) business days of Consultant's receipt of such notice.

h. Failure to Maintain Insurance. Failure on the part of Consultant to maintain the insurance as required shall constitute a material breach of contract, upon which the City may, after giving five (5) business days' notice to Consultant to correct the breach, immediately terminate the contract or, at its discretion, procure or renew such insurance and pay any and all premiums in connection therewith, with any sums so expended to be repaid to the City on demand, or at the sole discretion of the City, offset against funds due Consultant from the City.

Draft

i. Public Entity Full Availability of Consultant Limits. If Consultant maintains higher insurance limits than the minimum shown above, the City shall be insured for the full available limits of the Commercial General and Excess or Umbrella liability maintained by Consultant, irrespective of whether such limits maintained by Consultant are greater than those required by this contract or whether any certificate of insurance furnished to the City evidences limits of liability lower than those maintained by Consultant.

## 14. INDEMNIFICATION / HOLD HARMLESS

a. Consultant shall defend, indemnify, and hold the City, its officers, officials, employees and volunteers harmless from any and all claims, injuries, damages, losses or suits including attorney fees, arising out of or resulting from the willful or negligent acts, or alleged willful or alleged negligent acts, errors or omissions of the Consultant or the Consultant's employees or agents in performance of this Agreement, except for injuries and damages caused by the sole negligence of the City.

b. Should a court of competent jurisdiction determine that this Agreement is subject to RCW 4.24.115, then, in the event of liability for damages arising out of bodily injury to persons or damages to property caused by or resulting from the concurrent negligence of the Consultant and the City, its officers, officials, employees, and volunteers, the Consultant's liability, including the duty and cost to defend, shall be only to the extent of the Consultant's negligence. It is further specifically and expressly understood that the indemnification provided herein constitutes the Consultant's waiver of immunity under Industrial Insurance, Title 51 RCW, solely for the purposes of this indemnification. This waiver has been mutually negotiated by the Parties. The provisions of this section shall survive the expiration or termination of this Agreement.

## 15. STANDARD OF CARE

The professional services will be furnished in accordance with the care and skill ordinarily used by members of the same profession practicing under similar conditions at the same time and in the same locality.

## 16. SUCCESSORS OR ASSIGNS

All of the terms, conditions and provisions hereof shall inure to the benefit of and be binding upon the Parties hereto, and their respective successors and assigns; provided, however, that no assignment of the Agreement shall be made without written consent of the non-assigning Party, which may be given in the non-assigning Party's sole discretion.

## 17. NOTICES

Any notices required under this Agreement will be in writing, addressed to the appropriate Party at the address which appears below (as modified in writing from time to time by such party), and given by electronic submission, by facsimile personally, by registered or certified mail, return receipt requested, or by nationally recognized overnight courier service. All notices shall be effective upon the date sent.

| | | |
|---|---|---|
| Purchasing Manager | Contact Name: | Jennifer Braus |
| City of Richland | Name of Firm: | Systems Design West, LLC |
| 625 Swift Blvd., MS-11 | Address: | 19265 Powder Hill Place NE |
| Richland, WA 99352 | Address: | Poulsbo, WA 98370 |
| Email: purchasing@ci.richland.wa.us | Email: | jennb@sdwems.com |
| Phone: (509) 942-7710 | Phone Number: | (360) 394-7082 |

Draft

**18. EQUAL OPPORTUNITY AGREEMENT**

Consultant agrees that Consultant will not discriminate against any employee or job applicants for work under this Agreement for reasons of race, sex, nationality, religious creed, or sexual orientation.

**19. SEVERABILITY**

If any provision of this Agreement conflicts with applicable law, or its application is found to be invalid by a court of competent jurisdiction, the remainder of this Agreement shall not be affected, and to this end, the terms of this Agreement are declared to be severable.

**20. AMENDMENTS**

All amendments must be in writing and be approved and signed by both Parties.

**21. CHANGE IN LAW**

The Parties hereto agree that in the event legislation is enacted or regulations are promulgated, or a decision of court is rendered, or any interpretive policy or opinion of any governmental agency charged with the enforcement of any such law or regulation is published that affects or may affect the legality of this Agreement or any part thereof or that materially and adversely affects the ability of either Party to perform its obligations or receive the benefits intended hereunder ("Adverse Change in Law"), then within fourteen (14) calendar days following written notice by either Party to the other Party of such adverse change in law, the Parties shall meet to negotiate in good faith an amendment which will carry out the original intention of the Parties to the extent possible. If, despite good faith attempts, the Parties cannot reach agreement upon an amendment within sixty (60) calendar days after commencing negotiation, then this Agreement may be terminated by either Party as of the earlier of: (i) the effective date of the adverse change in law, or (ii) the expiration of a period of sixty (60) days following written notice of termination provided by one Party to the other.

**22. CONFIDENTIALITY**

In the course of performing under this Agreement, Consultant, including its employees, agents or representatives, may receive, be exposed to, or acquire confidential information. Confidential information may include, but is not limited to, patient information, contract terms, sensitive employee information, or proprietary data in any form, whether written, oral, or contained in any computer database or computer readable form. Consultant shall: i) not disclose or sell confidential information except as permitted by this Agreement; (ii) only permit use of such confidential information by employees, agents and representatives having a need to know in connection with performance under this Agreement; and (iii) advise each of its employees, agents, and representatives of their obligations to keep such information confidential.

**23. CHANGES OF WORK**

a. When required to do so, and without any additional compensation, Consultant shall make such changes and revisions in the completed work of this Agreement as necessary to correct or revise any errors, omissions, or other deficiencies in the design, drawings, specifications, reports, and other similar documents which Consultant is responsible for preparing or furnishing under this Agreement.

b. Should the City find it desirable for its own purposes to have previously satisfactorily completed work or parts thereof changed or revised, Consultant shall make such revisions

as directed by the City. This work shall be considered as Extra Work and will be paid for as herein provided under Section 24, Extra Work.

**24. EXTRA WORK**

The City may desire to have Consultant perform work or render additional services within the general scope of this Agreement. Such work shall be considered as extra work and will be specified in a written supplement to this Agreement which will set forth the nature of the scope, schedule for additional work, additional fees and the method of payment. Work under a supplemental Agreement shall not proceed until authorized in writing by the City.

**25. ENTIRE AGREEMENT**

This Agreement contains the entire agreement of the Parties hereto and supersedes all previous understandings and agreements, written and oral, with respect to this transaction. Neither Party shall be liable to the other for any representations made by any person regarding the terms of this Agreement, except to the extent that the same are expressed in this Agreement.

**26. AUTHORITY TO EXECUTE**

Each person executing this Agreement on behalf of another person, corporation, partnership, company, or other organization or entity represents and warrants that he or she is fully authorized to so execute and deliver this Agreement on behalf of the entity or party for which he or she is signing. The Parties hereby warrant to each other that each has full power and authority to enter into this Agreement and to undertake the actions contemplated herein, and that this Agreement is enforceable in accordance with its terms.

**27. COUNTERPART ORIGINALS**

Execution of this Agreement and any amendment or other document related to this Agreement may be by electronic signature and in any number of counterpart originals, each of which shall be deemed to constitute an original agreement, and all of which shall constitute one whole agreement.

*(Signature page to follow)*

Draft

IN WITNESS WHEREOF, the Parties hereto have executed this Agreement as of the day and year first above written.

CITY OF RICHLAND

_____
Jon Amundson, ICMA-CM
City Manager

Attest:

_____
Jennifer Rogers, City Clerk

Approved as to form:

_____
Heather Kintzley, City Attorney

CONSULTANT

_____
Signature

_____
Printed Name

_____
Title

Draft

**EXHIBIT A: Detailed Scope of Work**

**Exhibit A to follow**

Draft

**EXHIBIT A: Detailed Scope of Work**

1. **SCOPE OF SERVICES.** The Consultant shall provide to the Ambulance Provider specific services related to the billing and payment processing of EMS patient transport services that are provided to the general public by the Ambulance Provider. The following Scope of Services shall be incorporated into this contract as general services performed by the Ambulance Provider and the Consultant under this agreement.

1.1 The Ambulance Provider, with assistance from Consultant, shall apply for Provider Status or updated Status with Medicare, Medicaid, and all public and private insurances which will be billed as a part of this Scope of Services. The Ambulance Provider shall assist the Consultant to obtain the necessary certifications, numbers and documentation needed for Consultant to provide the services identified in sections 1.2 and 1.3 below. The Ambulance Provider agrees to furnish and assist the Consultant with the following:

(a) The Ambulance Provider agrees to provide a complete and legible "PCR" (Patient Care Report) to the Consultant including patient name, address and pertinent billing and insurance information from the field, including a copy of the patient signature for authorization of benefits and responsibility for payment, authorizing billing of Medicare, Medicaid and any insurance the patient is a subscriber to. The original patient signature must be maintained by the Ambulance Provider and made available to the Consultant and/or insurance payers upon request. The amounts to be billed will be determined by the Ambulance Provider in the form of a resolution or ordinance to be incorporated into this agreement as an attachment exhibit.

(b) The Ambulance Provider agrees to furnish the Consultant with hospital ER forms (face/admit sheets) with demographic and insurance information attached to the PCR if requested by Consultant. Copies of any payments made directly to the Ambulance Provider will be forwarded to the Consultant for accounting purposes in a timely manner. The Ambulance Provider agrees to generate any refund checks due to overpayments identified by the Consultant directly to the payer to which the refund is due, based on detailed information provided by the Consultant. The Ambulance Provider shall provide additional information as may be required by insurance companies or other agencies in order to facilitate the Consultant's obligations to the Ambulance Provider.

(c) The Ambulance Provider agrees to furnish to the Consultant to be made part of this agreement as an attachment: resolutions pertaining to this Scope of Services; specific write off policies; collections procedures; rates and fees to be charged by the Ambulance Provider and administered by Consultant as part of the Scope of Services performed under this agreement.

1.2 Upon receipt of the PCRs and Batch Log from the Ambulance Provider, the Consultant shall: set up a patient account in Consultant's proprietary software application and create a patient record; perform all billing operations including follow up statements and any necessary rebilling of EMS patient transport services provided by the Ambulance Provider to the subscriber's medical insurances, Medicare, Medicaid and any and all known secondary insurance providers; produce and forward CMS 1500 forms and/or electronic medical claims per payer's rules and regulations within the legal boundaries of all federal and state laws; produce and mail an initial invoice and subsequent statements to all private patient accounts on behalf of the Ambulance Provider; file any applicable appeals to insurance payers and/or Medicare and Medicaid on behalf of the patient if necessary to pursue the claim.

Draft

1.3 The Consultant shall: receive at its facilities all payments (except those directly deposited into the Ambulance Provider's account by insurances and Medicare/Medicaid via EFT) Explanations of Benefits and Electronic Remittance Advices; account for all payments; deposit all funds directly into the Ambulance Provider's "deposit only" account; forward deposit information to the Ambulance Provider within 24 hours of such deposit; initiate and forward refund information and adjustments made on behalf of the patient's account to the Ambulance Provider. The Consultant shall provide to the Ambulance Provider a minimum of four (4) standard reports each month including: a) Aged Accounts Receivable b) Month End Summary c) Annual Collection Statistics d) Transaction Journal. These reports will include information related to amounts billed, amounts collected and uncollected, insurance and Medicare/Medicaid allowable and disallowable.

1.4 The Consultant shall provide live customer service to Ambulance Provider's patients via toll free phone numbers to answer patient billing questions Monday through Friday from 8:00am through 6:00 pm, Pacific Standard Time (except Federal holidays).

1.5 The Consultant shall provide all labor, materials and equipment necessary to perform the work specified in the above scope of services.

**2. CONFIDENTIAL INFORMATION:**

2.1 Treatment of Confidential Information. Ambulance Provider's Confidential Information shall be treated as strictly confidential by Recipient and shall not be disclosed by Recipient to any third party except to those third parties operating under non-disclosure provisions no less restrictive than in this Section and who have a justified business "need to know". Ambulance Provider shall protect the deliverables resulting from Services with the same degree of care. This agreement imposes no obligation upon the Parties with respect to Confidential Information which either party can establish by legally sufficient evidence: (a) was in the possession of, or was rightfully known by the Recipient without an obligation to maintain its confidentiality prior to receipt from Ambulance Provider; (b) is or becomes generally known to the public without violation of this Agreement; (c) is obtained by Recipient in good faith from a third party having the right to disclose it without an obligation of confidentiality; (d) is independently developed by Recipient without the participation of individuals who have had access to the Confidential Information; or (e) is required to be disclosed by court order or applicable law, provided notice is promptly given to the Ambulance Provider and provided further that diligent efforts are undertaken to limit disclosure.

2.2 Confidentiality and Disclosure of Patient Information. Use and Disclosure of Protected Health Information. The parties hereto agree that in order for the Consultant to perform its duties as expected by the Ambulance Provider, it will be necessary for the Consultant to use and disclose Protected Health Information ("PHI"), as such term is defined at 45 CFR §164.501. The parties of this agreement further acknowledge and make part of this agreement as an attachment (Attachment A) to this agreement a "Business Associate Agreement" to be maintained and updated whenever applicable by either party of this agreement.

**3. FEES, EXPENSES AND PAYMENT:**

3.1 Fees. For and in consideration of the services provided by the Consultant identified above, the Ambulance Provider shall pay to the Consultant an amount not to exceed $24.75 per transport. In addition, the Ambulance Provider will pay actual postage for patient invoices and statements per the Scope of Services performed under this agreement. A $10.00 surcharge will

Draft

be applied to any accounts transferred from a prior billing service. The Ambulance Provider shall remit payment for services rendered under this agreement to the Consultant within 30 days from receipt of Consultant's monthly invoice to the Ambulance Provider. Fees may be changed only via written amendment signed by both parties.

3.2 Payment of Taxes. The Consultant shall be liable for any and all federal, state, and local sales, excise taxes and assessments as a result of the payment for services rendered under this agreement.

Draft

# COUNCIL AGENDA ITEM COVERSHEET

Council Date: 12/3/2024 Agenda Category: Resolutions - Adoption

Strategic Priority 5 - Engaged Workforce

Subject:
Resolution No. 2024-160, Authorizing Application and Acceptance of Professional Development Grants from the Washington State Library

| Department/Office | Ordinance/Resolution Number: | Document Type: |
|---|---|---|
| Parks & Public Facilities | 2024-160 | Resolution |

Recommended Motion:
Adopt Resolution No. 2024-160, authorizing submission of a grant application to the Washington State Library for Professional Development Grants, and authorizing the City Manager to execute all documents necessary to receive the grant in the event staff's application is successful.

Summary:
The Washington State Library provides grants to support library workers pursuing professional development opportunities. The grant allows for funds of up to $6,000 for staff to attend conferences, workshops, and seminars per federal fiscal year (October 1 - September 30). The grant applications are informal and are submitted by the applying staff member via Survey Monkey.

Resolution No. 2024-160 will allow staff to apply for the grant, and also authorizes the City Manager to execute the grant documents in the event the grant application is successful.

Staff recommends adoption of Resolution No. 2024-160.

Fiscal Impact: If approved, the grant will provide up to $6,000 in new revenue for the City from the Washington State Library.

Attachments:
1. Resolution No. 2024-160

**RESOLUTION NO. 2024-160**

**A RESOLUTION OF THE CITY OF RICHLAND, WASHINGTON, AUTHORIZING GRANT APPLICATION SUBMITTAL AND ACCEPTANCE OF PROFESSIONAL DEVELOPMENT GRANT FUNDS FROM THE WASHINGTON STATE LIBRARY.**

**WHEREAS**, the Washington State Library provides funding of up to $1,000 per individual and up to $6,000 per library to support staff attendance at conferences, workshops and seminars from October 1, 2024 through September 30, 2025; and

**WHEREAS**, to advance professional development, the Richland Public Library intends to send staff to conferences and workshops with professional library organizations throughout the 2025 calendar year; and

**WHEREAS**, the Richland Public Library supports and encourages staff to pursue professional learning goals, and values a workforce that stays at the forefront of industry trends; and

**WHEREAS**, these grant funds will directly support the City's effort to support staff by allowing a greater number of staff to engage in professional development.

**NOW, THEREFORE, BE IT RESOLVED** by the City Council of the City of Richland that staff is authorized to submit Professional Development grant applications to the Washington State Library for cumulative funds of up to $6,000.

**BE IT FURTHER RESOLVED** that the City Manager is authorized to execute all documents necessary to receive the grant funds in the event staff's application is successful.

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

**ADOPTED** by the City Council of the City of Richland, Washington, at a regular meeting on the 3rd day of December, 2024.

_____
Theresa Richardson, Mayor

Attest:

_____
Jennifer Rogers, City Clerk

Approved as to Form:

_____
Heather Kintzley, City Attorney

# COUNCIL AGENDA ITEM COVERSHEET

Council Date: 12/3/2024 Agenda Category: Resolutions - Adoption

Strategic Priority 1 - High Performance Government

Subject:
Resolution No. 2024-161, Ratifying Acceptance of 2019 - 2024 Grant Agreements

| Department/Office | Ordinance/Resolution Number: | Document Type: |
|---|---|---|
| City Attorney | 2024-161 | Resolution |

Recommended Motion:
Adopt Resolution No. 2024-161, ratifying the City's execution of 2019 - 2024 grant agreements as provided therein.

Summary:
The City of Richland has a long-standing written policy that governs application and acceptance of grant opportunities. Adopted in 1992, Policy No. 0215, requires that grant applications and acceptance of grant awards be presented to City Council for approval. In addition, Resolution No. 157-15 provides that all applications and agreements for federal, state or local grant monies be presented to the Council for consideration. The purpose behind this policy is to ensure that the Council is fully aware of all conditions associated with receipt of grant funds, particularly where matching funds are required or where onerous federal conditions are in play.

Between 2019 – 2024, several grants were sought and awarded that did not receive Council approval. The majority of these grants were in support of law enforcement and are procured through online processes on an annual basis (i.e., bulletproof vest grant and officer wellness grant). In these instances, the grant applications were successful and the funds have been spent. Other grants (i.e., climate planning grant and periodic comprehensive plan update grant) were accepted when the awarding state agency sent the agreements directly to staff for electronic signature through a DocuSign process that did not follow typical city protocol. Signatures were applied without considering the above-referenced policies.

Council ratification of previous grant activity is appropriate to complete the record. In addition, staff has been reminded of the requirements of Policy No. 0215 and Resolution No. 157-15.

Staff recommends adoption of Resolution No. 2024-161.

Fiscal Impact: None.

Attachments:
1. Resolution No. 2024-161

**RESOLUTION NO. 2024-161**

**A RESOLUTION OF THE CITY OF RICHLAND, WASHINGTON, RATIFYING ACCEPTANCE OF 2019 – 2024 GRANT AGREEMENTS.**

**WHEREAS**, the City has a policy that governs application and acceptance of grant opportunities for the City of Richland; and

**WHEREAS**, pursuant to Policy No. 0215, grant applications and acceptance of grant awards are to be presented to City Council for approval; and

**WHEREAS**, from 2019 – 2024, several grants were sought and awarded that did not receive Council approval; and

**WHEREAS**, Council ratification of previous grant activity is appropriate to complete the record.

**NOW, THEREFORE, BE IT RESOLVED** by the City Council of the City of Richland that the following grants applied for and received by the City of Richland are hereby ratified:

- Patrick Leahy Bulletproof Vest Partnership (2019 – 2023)
- Washington State Criminal Justice Training Commission Officer Wellness Grant (2024)
- 2023-2025 Climate Planning Grant with Department of Commerce
- Comprehensive Plan Periodic Update Grant – Year 1

**BE IT FURTHER RESOLVED** that the City Manager is authorized to sign and execute all future documents necessary to facilitate the above-listed grant opportunities on behalf of the City of Richland.

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

**ADOPTED** by the City Council of the City of Richland, Washington, at a regular meeting on the 3rd day of December, 2024.

_____
Theresa Richardson, Mayor

Attest:

_____
Jennifer Rogers, City Clerk

Approved as to Form:

_____
Heather Kintzley, City Attorney

# COUNCIL AGENDA ITEM COVERSHEET

Council Date: 12/3/2024 Agenda Category: Items of Business

Strategic Priority 3 - Focused Development

Subject:
Ordinance No. 2024-38, Amending Richland Municipal Code Section 23.22.040 to Establish the Columbia Point North District within the Waterfront District and Increasing Building Height Limits Therein (Second Reading)

| Department/Office | Ordinance/Resolution Number: | Document Type: |
|---|---|---|
| Development Services | 2024-38 | Ordinance |

Recommended Motion:
Give second reading and pass Ordinance No. 2024-38, establishing the North Columbia Point District and increasing the maximum building height allowed therein.

Summary:
Ordinance No. 2024-38 will amend RMC 23.22.040 to establish a new overlay district called Columbia Point North. If approved, amendments to the zoning text would increase the allowed height in Columbia Point North from 35 feet to 100 feet, and allow an increase in other areas of the Waterfront Zone from 35 feet to 55 feet.

No changes to the Shoreline development regulations are proposed at this time and as a result, all new construction within shoreline jurisdiction (200 feet from ordinary high water) will still be limited to 35 feet unless special approval is granted by the Richland Hearing Examiner, in which case the maximum height can be increased to 55 feet.

The City has been working with a potential developer of this site, and the developer has expressed that an increase in height standards would be beneficial to their proposal.

The Richland Planning Commission held an open-record public hearing on this matter, after which it provided a recommendation of approval to the City Council. A second open-record public hearing was held by Council on November 19, 2024 to take additional testimony on the proposed text amendment. One member of the public provided testimony.

Staff recommends approval of Ordinance No. 2024-38 for second reading and passage.

Fiscal Impact: None.

Attachments:
1. Ordinance No. 2024-38
2. PLN-T4-2024-00002 Full Staff Report
3. Draft 2024.10.23 Planning Commission Meeting Minutes

**ORDINANCE NO. 2024-38**

**AN ORDINANCE OF THE CITY OF RICHLAND, WASHINGTON, AMENDING RICHLAND MUNICIPAL CODE SECTION 23.22.040 ESTABLISHING THE COLUMBIA POINT NORTH DISTRICT OF THE WATERFRONT ZONING DISTRICT AND INCREASING BUILDING HEIGHT LIMITS THEREIN.**

**WHEREAS**, the City has need, from time to time, to amend the Richland Municipal Code (RMC) to align it with best practices; and

**WHEREAS**, the City has identified the Columbia Point North District to be an area for significant employment and residential opportunities; and

**WHEREAS**, the City has determined that the existing building height limit does not meet the goal of providing significant employment and residential opportunities.

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

Section 1. Richland Municipal Code Section 23.22.040, entitled Site requirements and development standards for commercial use districts, as first enacted by Ordinance No. 28-05, and last amended by Ordinance No. 15-21, is hereby amended to read as follows:

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

| Standard | C-LB | C-1 | C-2 | C-3 | CBD | WF | CR | CW |
|---|---|---|---|---|---|---|---|---|
| Minimum Lot Area | None | None | None | None | None | None | None | None |
| Maximum Density – Multifamily Dwellings (units:square feet) | 1:1,500 | N/A | N/A | N/A | None | 1:1,000 | N/A | N/A |
| Minimum Lot Width – One-Family Attached Dwellings | N/A | N/A | N/A | N/A | N/A | 30 feet | N/A | N/A |
| Minimum Front Yard Setback[14] | 20 feet | 45 feet[1] | 0 feet[2] | 0 feet[2] | CBD, Parkway, Uptown Districts: 0 feet min. – 20 feet max.[3,11,13] Medical District: 0 feet min. | Note 4,5 | Note 4 | 20 feet |
| Minimum Side Yard Setback | 0 feet[6] | 0 feet[7] | None | None | 0 feet[6,8] | 0 feet[5,9] | 0 feet | 0 feet[6,8] |

| Standard | C-LB | C-1 | C-2 | C-3 | CBD | WF | CR | CW |
|---|---|---|---|---|---|---|---|---|
| Minimum Rear Yard Setback | 0 feet[6,8] | 0 feet[7] | None | None | 0 feet[6,8] | 0 feet[5,8,10] | 0 feet | 0 feet[6,8] |
| Maximum Building Height[14, 15] | 55 feet | 30 feet | 80 feet | 80 feet | CBD: 110 feet<br>Medical: 140 feet<br>Parkway: 50 feet<br>Uptown: 50 feet | ~~35/~~55 feet[12]<br><br>Columbia Point North: 100 feet | 35/55 feet[12] | 35 feet |
| Minimum Dwelling Unit Size (in square feet, excluding porches, decks, balconies and basements) | 500 feet | N/A | N/A | N/A | N/A | 500 feet | N/A | N/A |

1. Each lot shall have a front yard 45 feet deep or equal to the front yards of existing buildings in the same C-1 district and within the same block.

2. No setback required if street right-of-way is at least 80 feet in width. Otherwise, a minimum setback of 40 feet from street centerline is required.

3. Unless a greater setback is required by Chapter 12.11 RMC, Intersection Sight Distance.

4. Front and Side Street. No building shall be closer than 40 feet to the centerline of a public right-of-way. The setback area shall incorporate pedestrian amenities such as increased sidewalk width, street furniture, landscaped area, public art features, or similar features.

5. In the case of attached one-family dwelling units, setback requirements shall be as established for attached dwelling units in the medium-density residential small lot (R-2S) zoning district. Refer to RMC 23.18.040.

6. In any commercial limited business (C-LB), central business (CBD) or in any commercial winery (CW) zoning district that directly abuts a single-family zoning district, the following buffer, setback and building height regulations shall apply to all structures:

a. Within the commercial limited business (C-LB), the central business district (CBD) and the commercial winery (CW) districts, buildings shall maintain at least a 35-foot setback from any property that is zoned for single-family residential use. Single-family residential zones include R-1-12 – single-family residential 12,000, R-1-10 – single-family residential 10,000, R-2 – medium-density residential, R-2S – medium-density residential small lot, or any residential planned unit development that is comprised of single-family detached dwellings.

b. Buildings that are within 50 feet of any property that is zoned for single-family residential use in commercial limited business (C-LB) and the commercial winery (CW) districts and buildings that are within 50 feet of any property that is zoned for and currently developed with a single-family residential use in the central business district (CBD) (as defined in footnote (6)(a)) shall not exceed 30 feet in height. Beyond the area 50 feet from any property that is zoned for single-family residential use, building height may be increased at the rate of one foot in building height for each

additional one foot of setback from property that is zoned for single-family residential use to the maximum building height allowed in the C-LB, CW and CBD zoning districts, respectively.

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

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

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

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

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

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

11. Commercial developments such as community shopping centers or retail centers over 40,000 square feet in size and typically focused around a major tenant, such as a supermarket grocery, department store or discount store, and supported with smaller "ancillary" retail shops and services located in multiple building configurations, are permitted front and street side maximum setback flexibility for the largest building. Maximum setback standards on any other new buildings may be adjusted by the planning commission as part of the alternative design review as set forth in the performance standards and special requirements of RMC 23.22.020(E)(9).

12. All buildings that are located in both the waterfront (WF) district and that fall within the jurisdictional limits of the Shoreline Management Act shall comply with the height limitations established in the Richland shoreline master program (RMC Title 26). Buildings in the WF district that are not subject to the Richland shoreline master program shall not exceed a height of ~~35~~ 55 feet unless located within the Columbia Point North District established by footnote no. 15 (below) and depicted on Plate No. 4.~~, unless the planning commission authorizes an increase in building height to a maximum height of 55 feet, based upon a review of the structure and a finding that the~~

~~proposed building is aesthetically pleasing in relation to buildings and other features in the vicinity and that the building is located a sufficient distance from the Columbia River to avoid creating a visual barrier.~~

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

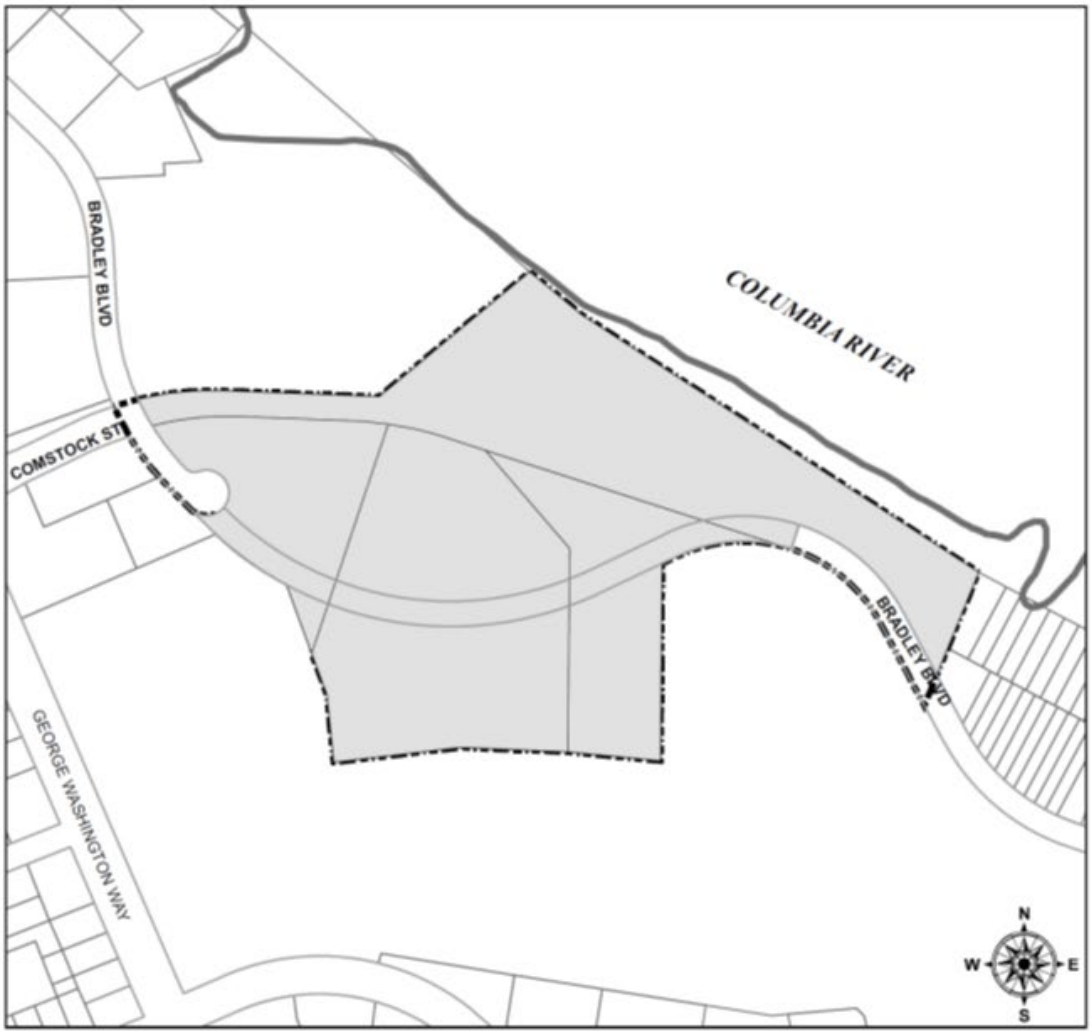
14. The medical, uptown and parkway districts of the CBD zoning district are established as shown by Plates 23.22.040(1), (2) and (3).

15. The Columbia Point North District of the Waterfront Zoning District is established as shown by Plate 23.22.040(4).

*This space intentionally left blank.*

# PLATE NO.4 - 23.22.040

## PLATE 4




## WF - COLUMBIA POINT NORTH

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

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

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

**PASSED** by the City Council of the City of Richland, Washington, at a regular meeting on the 3rd day of December, 2024.

_____
Theresa Richardson, Mayor

Attest:

_____
Jennifer Rogers, City Clerk

Approved as to Form:

_____
Heather Kintzley, City Attorney

First Reading: November 19, 2024
Second Reading: December 3, 2024
Date Published: December 8, 2024

**CITY OF RICHLAND DEVELOPMENT SERVICES DIVISION**
**STAFF REPORT TO THE PLANNING COMMISION**

TO: PLANNING COMMISSION
FILE NO.: PLN-T4-2024-00002

PREPARED BY: MIKE STEVENS
MEETING DATE: OCTOBER 23, 2024

GENERAL INFORMATION:

APPLICANT: CITY OF RICHLAND
REQUEST: TEXT AMENDMENT TO RMC TITLE 23 ESTABLISHING THE COLUMBIA POINT NORTH DISTRICT AS WELL AS TEXT CHANGES TO THE SITE REQUIREMENTS TABLE WITHIN RICHLAND MUNICIPAL CODE 23.22.040.
LOCATION: COLUMBIA POINT NORTH DISTRICT

REASON FOR REQUEST
The Economic Development of the City of Richland is proposing to amend the Richland Municipal Code [RMC] by amending RMC 23.22.040, which is accompanied by a new map plate to establish the affected area of these amendments. Text changes propose to increase the allowed height in the Waterfront zone from 35' to 55', and to allow 100' in the Columbia Point North District as identified by the previously mentioned map plate.

TEXT CHANGE
For the purposes of review, Staff have included the following amended text of RMC 23.22.030, 23.22.040, 23.26.030, 23.26.040, with demonstrated change inserted in **bold** and removed with ~~strikethrough~~:

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

| Standard | C-LB | C-1 | C-2 | C-3 | CBD | WF | CR | CW |
|---|---|---|---|---|---|---|---|---|
| Minimum Lot Area | None | None | None | None | None | None | None | None |
| Maximum Density – Multifamily Dwellings (units:square feet) | 1:1,500 | N/A | N/A | N/A | None | 1:1,000 | N/A | N/A |
| Minimum Lot Width – One-Family Attached Dwellings | N/A | N/A | N/A | N/A | N/A | 30 feet | N/A | N/A |

| Standard | C-LB | C-1 | C-2 | C-3 | CBD | WF | CR | CW |
|---|---|---|---|---|---|---|---|---|
| Minimum Front Yard Setback[14] | 20 feet | 45 feet[1] | 0 feet[2] | 0 feet[2] | CBD, Parkway, Uptown Districts: 0 feet min. – 20 feet max.[3,11,13] Medical District: 0 feet min. | Note 4,5 | Note 4 | 20 feet |
| Minimum Side Yard Setback | 0 feet[6] | 0 feet[7] | None | None | 0 feet[6,8] | 0 feet[5,9] | 0 feet | 0 feet[6,8] |
| Minimum Rear Yard Setback | 0 feet[6,8] | 0 feet[7] | None | None | 0 feet[6,8] | 0 feet[5,8,10] | 0 feet | 0 feet[6,8] |
| Maximum Building Height[14, 16] | 55 feet | 30 feet | 80 feet | 80 feet | CBD: 110 feet Medical: 140 feet Parkway: 50 feet Uptown: 50 feet | Columbia Point North: 100 Feet ~~35~~/55 feet[12] | 35/55 feet[12] | 35 feet |
| Minimum Dwelling Unit Size (in square feet, excluding porches, decks, balconies and basements) | 500 feet | N/A | N/A | N/A | N/A | 500 feet | N/A | N/A |

1. Each lot shall have a front yard 45 feet deep or equal to the front yards of existing buildings in the same C-1 district and within the same block.

2. No setback required if street right-of-way is at least 80 feet in width. Otherwise, a minimum setback of 40 feet from street centerline is required.

3. Unless a greater setback is required by Chapter 12.11 RMC, Intersection Sight Distance.

4. Front and Side Street. No building shall be closer than 40 feet to the centerline of a public right-of-way. The setback area shall incorporate pedestrian amenities such as increased sidewalk width, street furniture, landscaped area, public art features, or similar features.

5. In the case of attached one-family dwelling units, setback requirements shall be as established for attached dwelling units in the medium-density residential small lot (R-2S) zoning district. Refer to RMC 23.18.040.

6. In any commercial limited business (C-LB), central business (CBD) or in any commercial winery (CW) zoning district that directly abuts a single-family zoning district, the following buffer, setback and building height regulations shall apply to all structures:

a. Within the commercial limited business (C-LB), the central business district (CBD) and the commercial winery (CW) districts, buildings shall maintain at least a 35-foot setback from any property that is zoned for single-family residential use. Single-family residential zones include R-1-12 – single-family residential 12,000, R-1-10 – single-family residential 10,000, R-2 – medium-density residential, R-2S – medium-density residential small lot, or any residential planned unit development that is comprised of single-family detached dwellings.

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

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

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

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

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

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

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

11. Commercial developments such as community shopping centers or retail centers over 40,000 square feet in size and typically focused around a major tenant, such as a supermarket grocery, department store or discount store, and supported with smaller "ancillary" retail shops and services located in multiple building configurations, are permitted front and street side maximum setback flexibility for the largest building. Maximum setback standards on any other new buildings may be adjusted by the planning commission as part of the alternative design review as set forth in the performance standards and special requirements of RMC 23.22.020(E)(9).

12. All buildings that are located in both the waterfront (WF) district and that fall within the jurisdictional limits of the Shoreline Management Act shall comply with the height limitations established in the Richland shoreline master program (RMC Title 26). Buildings in the WF district that are not subject to the Richland shoreline master program shall not exceed a height of ~~35~~ **55** feet, **unless located within the Columbia Point North District as established by subscript No. 16 (below) and depicted on Plate No. 5.**~~unless the planning commission authorizes an increase in building height to a maximum height of 55 feet, based upon a review of the structure and a finding that the proposed building is aesthetically pleasing in relation to buildings and other features in the vicinity and that the building is located a sufficient distance from the Columbia River to avoid creating a visual barrier~~.

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

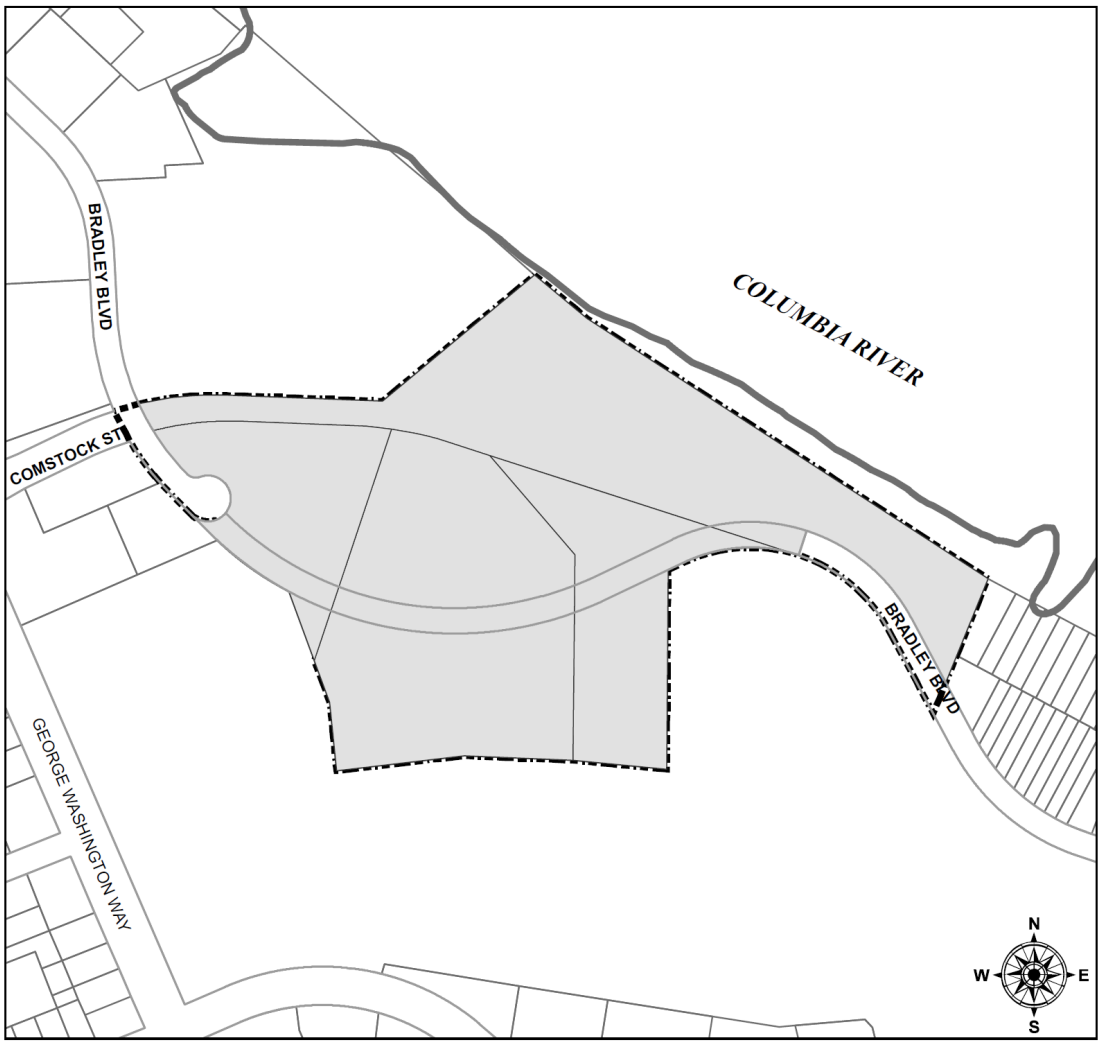
14. The medical, uptown and parkway districts of the CBD zoning district are established as shown by Plates 23.22.040(1), (2) and (3).

15. The Horn Rapids Employment Center is established as shown by Plate 23.22.040(4).

**16. The Columbia Point North District of the Waterfront zoning district is established as shown by plate 23.22.040 (5).**

# PLATE NO.5 - 23.22.040

# PLATE 5




# WF - COLUMBIA POINT NORTH

ANALYSIS

In order to help facilitate development identified by the Richland City Council as appropriate and necessary to help achieve their desired plans for the subject property, the City is proposing to establish the Columbia Point North Overlay District and increase the maximum building height within this area from 55 feet to 100 feet.

The Columbia Point North Overlay District consists of 4 parcels that are currently owned by the City and are available for sale. The city council has determined that the subject properties would be best suited for a mixture of commercial and residential development. In order to facilitate this mixed-use development, city staff are proposed to increase the building height limit within this specific area from 55 feet to 100 feet. Previous attempts to increase the height limit were unsuccessful in that they would have allowed a building height increase within all areas of the city zoned Waterfront. City staff would like to increase the maximum building height within this area of the city to help facilitate the property's sale to developers who have notified the city that an increase to the maximum building height would be necessary in order to achieve the city council's vision for the area.

In addition to increasing the building height within this specific area (Columbia Point North Overlay District), the proposed code amendment would also increase the permissible building height within other portions of the Waterfront Zoning District from 35 feet to 55 feet. While this building height increase is already permissible via the current regulations, it is only allowed via special approval from the Planning Commission. The proposed code amendment would remove the special approval requirement from the Planning Commission's purview.

PUBLIC NOTICE/ COMMENTS

Staff provided notice of the proposed amendment to local and state agencies via SEPA review and via Notice of Application on October 2, 2024. The SEPA DNS and Notice of Application/Public Hearing were also posted on the city's official website on October 2, 2024. Notice of the SEPA DNS, Application and Public Hearing was also published in the Tri-Cities Herald on October 6, 2024. See *Exhibit 5.* Staff provided notice to the Washington State Dept. of Commerce and other state agencies as required by RCW 36.70A on October 2, 2024. See *Exhibit 4.*

As of the date this Staff Report, there had been no received public comment on this matter. Of Staff and Agency sources, comments were received from the City's Public Works Department, State Fish and Wildlife Department and Kennewick Irrigation District. Comments received are included as *Exhibit 6*.

SEPA

The proposal is subject to environmental review. The City of Richland issued a Determination of Non-Significance (DNS) for the proposal on October 2, 2024, no appeals of the City's DNS were received. See *Exhibit 3.*

FINDINGS OF FACT

1. The City of Richland is proposing to amend Title 23 establishing the Columbia Point

North District as well as text changes to the Site Requirements Table within Richland Municipal Code 23.22.040.
2. The purpose of the Code amendment is to increase the maximum building height within the Waterfront Zoning District and to create an Overlay District to be known as the Columbia Point North District.
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. The Washington State Department of Commerce received the 60-day Notice of Intent to Adopt Amendment and granted expedited review. *See Exhibit 4.*
5. The City issued a SEPA Threshold Determination of Non-Significance on October 2, 2024. No appeals of the DNS were received.

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 (PLN-T4-2024-00002) and recommend to the City Council adoption of the proposed amendments to Title 23 as provided in the draft ordinance attached to this report.

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. 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 Expedited Review
5. Public Notice
6. Public & Agency Comments

Exhibit 1

**City of Richland**
625 Swift Blvd
Richland WA 99352
(509) 942-7794

# Plan Snapshot Report

**Plan Type:** Type 4
**Work Class:** T4 - Municipal Code Text Amendment
**Status:** In Review
**Description:** Add overlay district to Waterfront zone.

**Plan #:** PLN-T4-2024-00002
**District:** City of Richland

**App Date:** 09/07/2024
**Exp Date:** NOT AVAILABLE
**Completed:** NOT COMPLETED
**Approval Expire Date:**

| **Parcel:** | **Address:** Main<br>Richland, WA 99352 | **Zone:** |
|---|---|---|

Applicant
Joe J Schiessl
625 Swift Blvd
Richland, WA 99352
Business: (509) 942-7778
Mobile: (509) 578-9330

**Plan Custom Fields**

| | | | | | |
|---|---|---|---|---|---|
| PreAppQuestionBox | Yes | PreAppMeetingDate | Jul 1 2024 12:00AM | CodeSection | 23.22.040 |
| AmendmentSummary | Increase building height in Columbia Point North overlay of the Waterfront zoning district. | AmendmentReason | Increased building height in Columbia Point North overlay of the Waterfront zoning district to implement Richland Strategic Leadership Plan and Comprehensive Land Use Plan. | CompPlanQuestion | Yes |
| AmendmentSubstantial Relation | Yes, the amendment will implement the Comprehensive Land Use Plan. | | | | |

**23.22.040 Site requirements and development standards for commercial use districts.**

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

| Standard | C-LB | C-1 | C-2 | C-3 | CBD | WF | CR | CW |
|---|---|---|---|---|---|---|---|---|
| Minimum Lot Area | None | None | None | None | None | None | None | None |
| Maximum Density – Multifamily Dwellings (units:square feet) | 1:1,500 | N/A | N/A | N/A | None | 1:1,000 | N/A | N/A |
| Minimum Lot Width – One-Family Attached Dwellings | N/A | N/A | N/A | N/A | N/A | 30 feet | N/A | N/A |
| Minimum Front Yard Setback[14] | 20 feet | 45 feet[1] | 0 feet[2] | 0 feet[2] | CBD, Parkway, Uptown Districts: 0 feet min. – 20 feet max.[3,11,13]<br>Medical District: 0 feet min. | Note 4,5 | Note 4 | 20 feet |
| Minimum Side Yard Setback | 0 feet[6] | 0 feet[7] | None | None | 0 feet[6,8] | 0 feet[5,9] | 0 feet | 0 feet[6,8] |
| Minimum Rear Yard Setback | 0 feet[6,8] | 0 feet[7] | None | None | 0 feet[6,8] | 0 feet[5,8,10] | 0 feet | 0 feet[6,8] |
| Maximum Building Height[14,15] | 55 feet | 30 feet | 80 feet | 80 feet | CBD: 110 feet<br>Medical: 140 feet<br>Parkway: 50 feet<br>Uptown: 50 feet | Columbia Point North: 100 feet<br>~~35/~~55 feet[12] | 35/55 feet[12] | 35 feet |
| Minimum Dwelling Unit Size (in square feet, excluding porches, | 500 feet | N/A | N/A | N/A | N/A | 500 feet | N/A | N/A |

| Standard | C-LB | C-1 | C-2 | C-3 | CBD | WF | CR | CW |
|---|---|---|---|---|---|---|---|---|
| decks, balconies and basements) | | | | | | | | |

1. Each lot shall have a front yard 45 feet deep or equal to the front yards of existing buildings in the same C-1 district and within the same block.

2. No setback required if street right-of-way is at least 80 feet in width. Otherwise, a minimum setback of 40 feet from street centerline is required.

3. Unless a greater setback is required by Chapter 12.11 RMC, Intersection Sight Distance.

4. Front and Side Street. No building shall be closer than 40 feet to the centerline of a public right-of-way. The setback area shall incorporate pedestrian amenities such as increased sidewalk width, street furniture, landscaped area, public art features, or similar features.

5. In the case of attached one-family dwelling units, setback requirements shall be as established for attached dwelling units in the medium-density residential small lot (R-2S) zoning district. Refer to RMC 23.18.040.

6. In any commercial limited business (C-LB), central business (CBD) or in any commercial winery (CW) zoning district that directly abuts a single-family zoning district, the following buffer, setback and building height regulations shall apply to all structures:

a. Within the commercial limited business (C-LB), the central business district (CBD) and the commercial winery (CW) districts, buildings shall maintain at least a 35-foot setback from any property that is zoned for single-family residential use. Single-family residential zones include R-1-12 – single-family residential 12,000, R-1-10 – single-family residential 10,000, R-2 – medium-density residential, R-2S – medium-density residential small lot, or any residential planned unit development that is comprised of single-family detached dwellings.

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

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

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

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

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

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

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

11. Commercial developments such as community shopping centers or retail centers over 40,000 square feet in size and typically focused around a major tenant, such as a supermarket grocery, department store or discount store, and supported with smaller "ancillary" retail shops and services located in multiple building configurations, are permitted front and street side maximum setback flexibility for the largest building. Maximum setback standards on any other new buildings may be adjusted by the planning commission as part of the alternative design review as set forth in the performance standards and special requirements of RMC 23.22.020(E)(9).

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

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

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

15. The Columbia point north district of the waterfront zoning district is established as shown by plate 23.22.040(4).

# PLATE NO. 1 - 23.22.040

## PLATE 1




## CBD - MEDICAL DISTRICT

# PLATE NO. 2 - 23.22.040

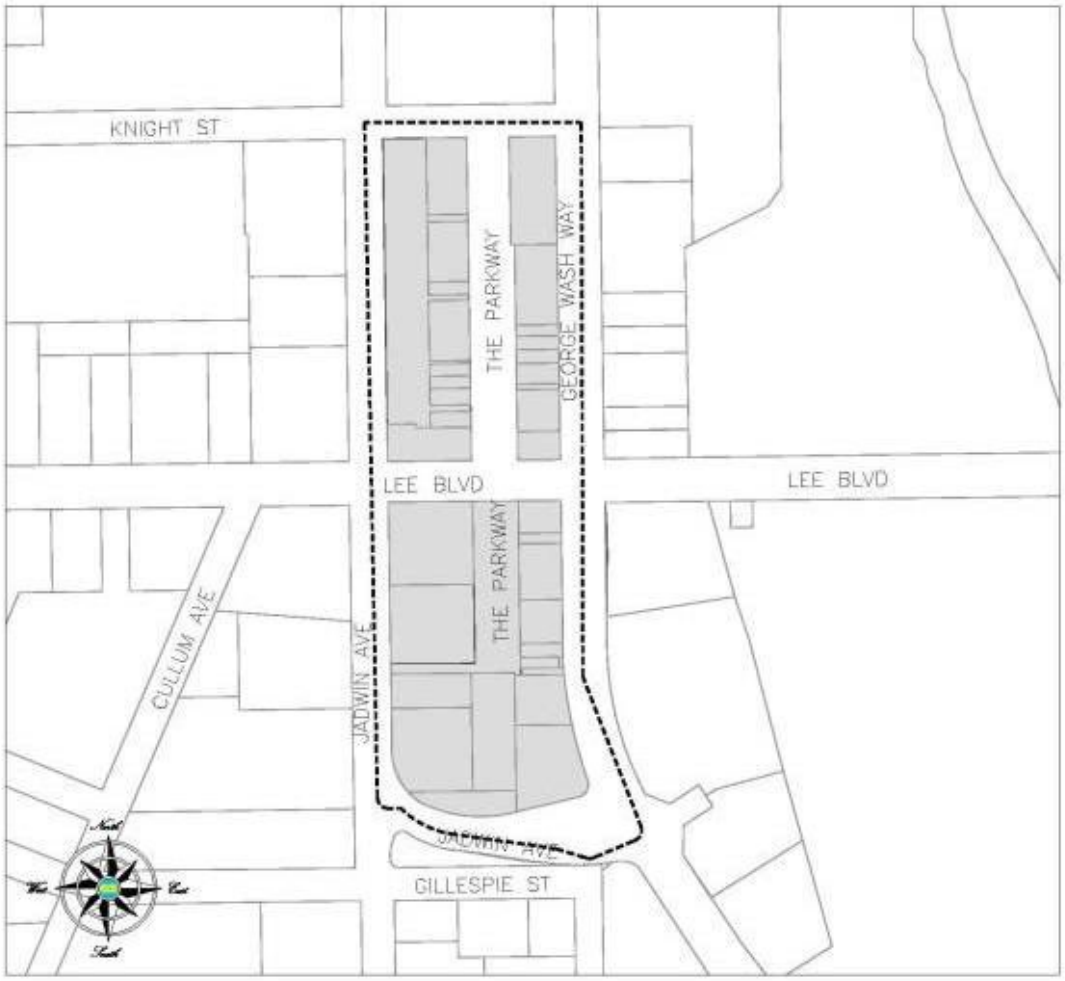
## PLATE 2




## CBD - UPTOWN DISTRICT

# PLATE NO. 3 - 23.22.040

## PLATE 3



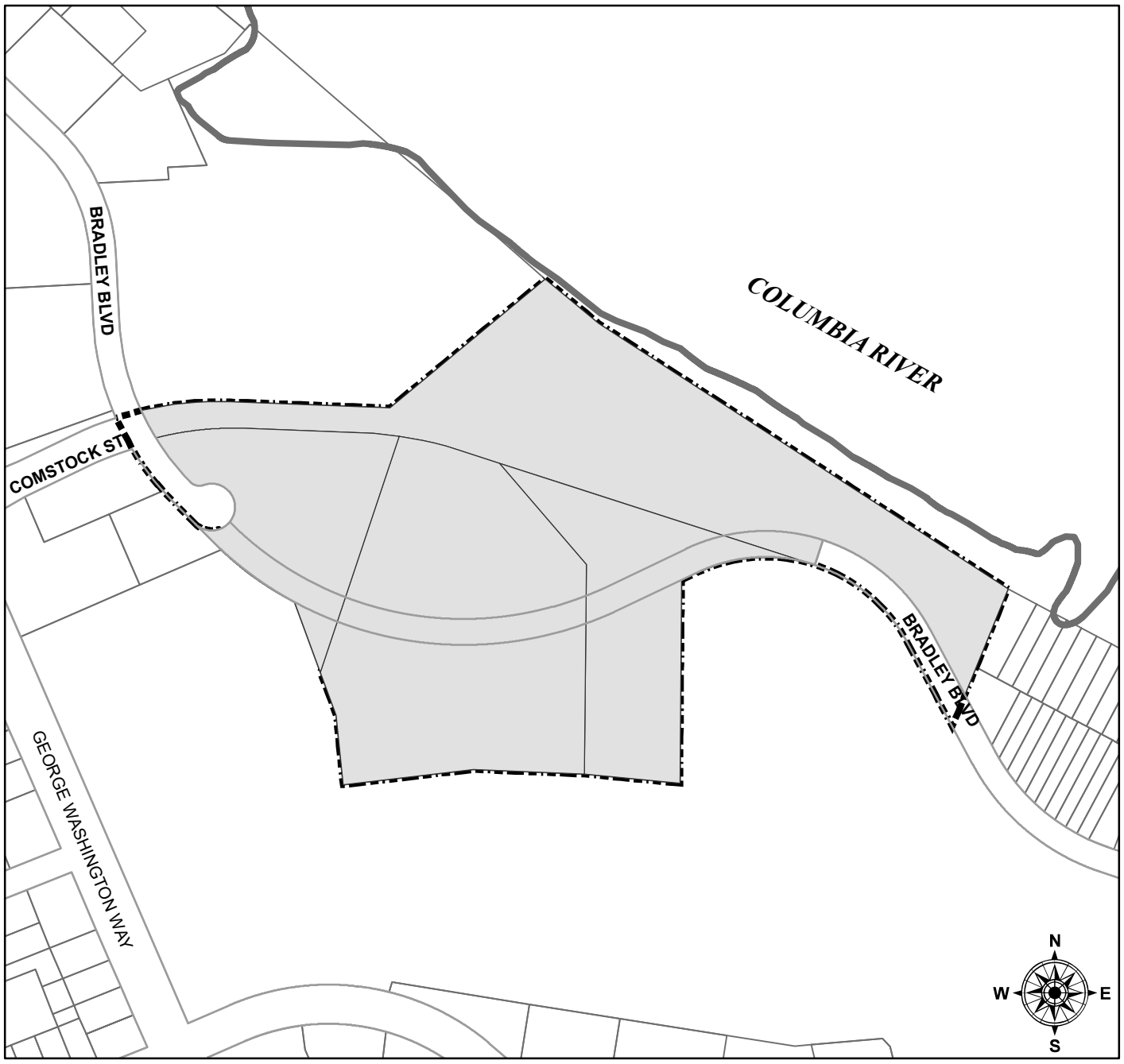

## CBD - THE PARKWAY DISTRICT

INSERT PLATE 4 HERE

[Ord. 28-05 § 1.02; Ord. 04-09; Ord. 07-10 § 1.03; amended during 2011 recodification; Ord. 32-11 § 6; Ord. 13-21 § 1; Ord. 15-21 § 2, 2021].

# PLATE NO.5 - 23.22.040

# PLATE 5




# WF - COLUMBIA POINT NORTH

Exhibit 2

**ORDINANCE NO. 2024-XX**

**AN ORDINANCE OF THE CITY OF RICHLAND, WASHINGTON, AMENDING CHAPTER 23.22 OF THE RICHLAND MUNICIPAL CODE TO INCREASE THE BUILDING HEIGHT LIMIT WITHIN THE COLUMBIA POINT NORTH DISTRICT OF THE WATERFRONT ZONING DISTRICT.**

**WHEREAS**, the City has need, from time to time, to amend the Richland Municipal Code (RMC) to bring it into alignment with best practices; and

**WHEREAS**, the City has identified the Columbia Point North District to be an area for significant employment and residential opportunities; and

**WHEREAS**, the City has determined that the existing building height limit does not meet the goal of providing significant employment and residential opportunities.

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

Section 1. Subsection 23.22.030 of the Richland Municipal Code, entitled Commercial use districts permitted land uses, as first enacted by Ordinance No. 28-05, and last amended by Ordinance No. 2022-19, is hereby amended to read 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] | | | | |
| Automatic Teller Machines | P | P | P | P | P | P | | P |

| Land Use | C-LB | C-1 | C-2 | C-3 | CBD | WF | CR | CW |
|---|---|---|---|---|---|---|---|---|
| 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, 31] | | | | |
| 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 |
| Restaurants/Take Out | | P | P | P | P | P | | P |

| Land Use | C-LB | C-1 | C-2 | C-3 | CBD | WF | CR | CW |
|---|---|---|---|---|---|---|---|---|
| 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 |
| Hospitals | P | | P | P | P | | | |
| Passive Open Space Use | P | P | P | P | P | P | P | P |

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

| Land Use | C-LB | C-1 | C-2 | C-3 | CBD | WF | CR | CW |
|---|---|---|---|---|---|---|---|---|
| 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 | P | | P | P | P | P | P | P |
| Emergency Shelters | P | | P | P | P | P | P | P |
| 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 | P | | P | P | P | P | P | P |
| Recreational Club | A | | | | A | A | | |
| Senior Housing | P | | | | P[18] | P | | |
| Temporary Residence | P[20] | P[20] | P[20] | P[20] | P[20] | P[20] | | P |
| Transitional Housing | P | | P | P | P | P | P | P |
| **Retail Uses** | | | | | | | | |
| Adult Use Establishments | | | | P[21] | | | | |
| Apparel and Accessory Stores | | P | P | P | P | P | | P |
| Auto Parts Supply Store | | P | P | P | P | | | |
| Books, Stationery and Art Supply Stores | A | P | P | P | P | P | | P |
| Building, Hardware, Garden Supply Stores | | P | P | P | P | | | |
| Department Store | | | P | P | P | | | |
| Drug Store/Pharmacy | A | P/S[22] | P | P | P | P | | |
| Electronic Equipment Stores | | P | P | P | P | P | | |
| Food Stores | | P | P | P | P | P | | |
| Florist | | P | P | P | P | P | | P |

| Land Use | C-LB | C-1 | C-2 | C-3 | CBD | WF | CR | CW |
|---|---|---|---|---|---|---|---|---|
| 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
31. Mini-Warehouse uses are prohibited in the Horn Rapids Employment Center.

Section 2. Subsection 23.22.040 of the Richland Municipal Code, entitled Site requirements and development standards for commercial use districts, as first enacted by Ordinance No. 28-05, and last amended by Ordinance No. 15-21, is hereby amended to read as follows:

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

| Standard | C-LB | C-1 | C-2 | C-3 | CBD | WF | CR | CW |
|---|---|---|---|---|---|---|---|---|
| Minimum Lot Area | None | None | None | None | None | None | None | None |
| Maximum Density – Multifamily Dwellings (units:square feet) | 1:1,500 | N/A | N/A | N/A | None | 1:1,000 | N/A | N/A |
| Minimum Lot Width – One-Family Attached Dwellings | N/A | N/A | N/A | N/A | N/A | 30 feet | N/A | N/A |

| Standard | C-LB | C-1 | C-2 | C-3 | CBD | WF | CR | CW |
|---|---|---|---|---|---|---|---|---|
| Minimum Front Yard Setback[14] | 20 feet | 45 feet[1] | 0 feet[2] | 0 feet[2] | CBD, Parkway, Uptown Districts: 0 feet min. – 20 feet max.[3,11,13] Medical District: 0 feet min. | Note 4,5 | Note 4 | 20 feet |
| Minimum Side Yard Setback | 0 feet[6] | 0 feet[7] | None | None | 0 feet[6,8] | 0 feet[5,9] | 0 feet | 0 feet[6,8] |
| Minimum Rear Yard Setback | 0 feet[6,8] | 0 feet[7] | None | None | 0 feet[6,8] | 0 feet[5,8,10] | 0 feet | 0 feet[6,8] |
| Maximum Building Height[14, 15] | 55 feet | 30 feet | 80 feet | 80 feet | CBD: 110 feet Medical: 140 feet Parkway: 50 feet Uptown: 50 feet | ~~35/~~55 feet[12] Columbia Point North: 100 feet | 35/55 feet[12] | 35 feet |
| Minimum Dwelling Unit Size (in square feet, excluding porches, decks, balconies and basements) | 500 feet | N/A | N/A | N/A | N/A | 500 feet | N/A | N/A |

1. Each lot shall have a front yard 45 feet deep or equal to the front yards of existing buildings in the same C-1 district and within the same block.

2. No setback required if street right-of-way is at least 80 feet in width. Otherwise, a minimum setback of 40 feet from street centerline is required.

3. Unless a greater setback is required by Chapter 12.11 RMC, Intersection Sight Distance.

4. Front and Side Street. No building shall be closer than 40 feet to the centerline of a public right-of-way. The setback area shall incorporate pedestrian amenities such as increased sidewalk width, street furniture, landscaped area, public art features, or similar features.

5. In the case of attached one-family dwelling units, setback requirements shall be as established for attached dwelling units in the medium-density residential small lot (R-2S) zoning district. Refer to RMC 23.18.040.

6. In any commercial limited business (C-LB), central business (CBD) or in any commercial winery (CW) zoning district that directly abuts a single-family zoning district, the following buffer, setback and building height regulations shall apply to all structures:

a. Within the commercial limited business (C-LB), the central business district (CBD) and the commercial winery (CW) districts, buildings shall maintain at least a 35-foot setback from any property that is zoned for single-family residential use. Single-family residential zones include R-1-12 – single-family residential 12,000, R-1-10 – single-family residential 10,000, R-2 – medium-density residential, R-2S – medium-density residential small lot, or any residential planned unit development that is comprised of single-family detached dwellings.

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

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

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

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

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

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

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

11. Commercial developments such as community shopping centers or retail centers over 40,000 square feet in size and typically focused around a major tenant, such as a supermarket grocery, department store or discount store, and supported with smaller “ancillary” retail shops and services located in multiple building configurations, are permitted front and street side maximum setback flexibility for the largest building. Maximum setback standards on any other new buildings may be adjusted by the planning commission as part of the alternative design review as set forth in the performance standards and special requirements of RMC 23.22.020(E)(9).

12. All buildings that are located in both the waterfront (WF) district and that fall within the jurisdictional limits of the Shoreline Management Act shall comply with the height limitations established in the Richland shoreline master program (RMC Title 26). Buildings in the WF district that are not subject to the Richland shoreline master program shall not exceed a height of ~~35~~ 55 feet unless located within the Columbia Point North District as established by subscript No. 16 (below) and depicted on Plate No. 5.~~, unless the planning commission authorizes an increase in building height to a maximum height of 55 feet, based upon a review of the structure and a finding that the proposed building is aesthetically pleasing in relation to buildings and other features in the vicinity and that the building is located a sufficient distance from the Columbia River to avoid creating a visual barrier.~~

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

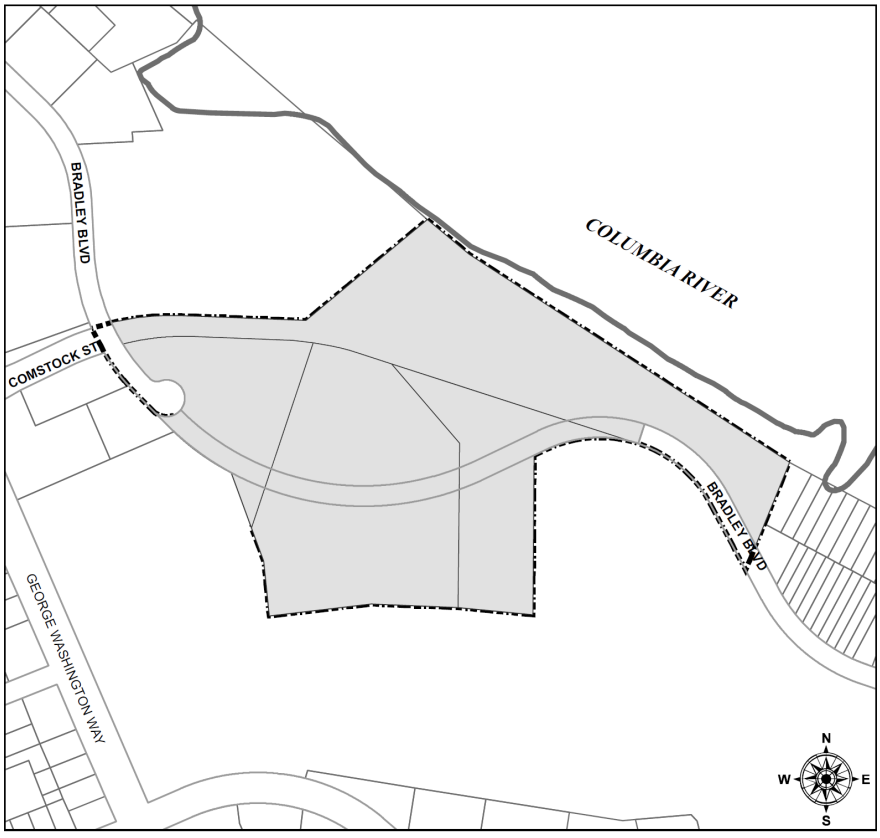
14. The medical, uptown and parkway districts of the CBD zoning district are established as shown by Plates 23.22.040(1), (2) and (3).

15. The Horn Rapids Employment Center is established as shown by Plate 23.22.040(4).

16. The Columbia Point North district of the Waterfront zoning district is established as shown by Plate 23.22.040 (5).

## PLATE NO.5 - 23.22.040

## PLATE 5




## WF - COLUMBIA POINT NORTH

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 _____, 2024.

_____
Theresa Richardson, Mayor

Attest:

_____
Jennifer Rogers, City Clerk

Approved as to Form:

_____
Heather Kintzley, City Attorney

First Reading: _____
Second Reading: _____
Date Published: _____

# Exhibit 3

**CITY OF RICHLAND**
**Determination of Non-Significance**
**File No**. PLN-T1-2024-0086

**Description of Proposal:** Zoning text amendment to establish a new overlay zone within the Waterfront Zoning District (Columbia Point North) and to increase the maximum building height to 100 feet within this area.

**Proponent:** City of Richland
Joe Schiessl, Deputy City Manager
625 Swift Blvd.
Richland, WA 99352

**Location of Proposal:** The properties are located in the northwest corner of the Plat of Columbia Point upon Assessor's Parcel Numbers 114981013234001, 114981013224002, 114981013234003 and 114981013234004.

**Lead Agency:** City of Richland

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

( ) There is no comment for the DNS.

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

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

**Responsible Official:** Mike Stevens
**Position/Title:** Planning Manager
**Address:** 625 Swift Blvd., MS #35, Richland, WA 99352
**Date:** October 3, 2024
**Comments Due:** October 17, 2024

**Signature** _____

# SEPA[1] 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.

[1] https://ecology.wa.gov/Regulations-Permits/SEPA/Environmental-review/SEPA-guidance/Checklist-guidance

# A.Background

Find help answering background questions[2]

1. **Name of proposed project, if applicable:** *Columbia Point North Waterfront Zoning Overlay*

2. **Name of applicant:** *City of Richland*

3. **Address and phone number of applicant and contact person:** *Joe Schiessl, Deputy City Manager, 625 Swift Blvd, Richland, WA 99352, 509-942-7778.*

4. **Date checklist prepared:** *9-7-24*

5. **Agency requesting checklist:** *City of Richland*

6. **Proposed timing of schedule (including phasing, if applicable):** *Upon passage of implementing local ordinance.*

7. **Do you have any plans for future additions, expansion, or further activity related to or connected with this proposal? If yes, explain.** *No.*

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

9. **Do you know whether applications are pending for governmental approvals of other proposals directly affecting the property covered by your proposal? If yes, explain.** *None.*

10. **List any government approvals or permits that will be needed for your proposal, if known. City of Richland Ordinance.** *Washington State Department of Commerce GMA review.*

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 Columbia Point North Zoning overlay will modify a portion of an existing zoning district by permitting additional building height beyond what is already*

[2] https://ecology.wa.gov/Regulations-Permits/SEPA/Environmental-review/SEPA-guidance/SEPA-checklist-guidance/SEPA-Checklist-Section-A-Background

*provided in the underlying Waterfront Zoning District. Current zoning allows for a maximum height of 55 feet. This proposal will allow for a maximum height of 100 feet. The City of Richland currently owns the subject geography and will sell or lease the property for development, and will retain the waterfront area for long term development and maintenance of open space and public park.*

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.** *Benton County Parcel Identification Numbers 1149810132234004, 114981013234003, 114981013234002, 114981013234001, and 114981013234004. The properties are located in the northwest corner of the Plat of Columbia Point, Richland WA.*

# B.Environmental Elements

## 1. Earth

Find help answering earth questions[3]

a. **General description of the site:**

**Circle or highlight one: Flat, rolling, hilly, steep slopes, mountainous, other:** *Flat, undeveloped and adjacent to the Columbia River and Columbia Point Golf Course. Approximately twenty percent of the site is encumbered by a closed municipal landfill.*

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

c. **What general types of soils are found on the site (for example, clay, sand, gravel, peat, muck)? If you know the classification of agricultural soils, specify them, and note any agricultural land of long-term commercial significance and whether the proposal results in removing any of these soils.** *Columbia River deposits of sand and rock. Some soils on the site have been replaced with municipal waste (landfill).*

[3] https://ecology.wa.gov/regulations-permits/sepa/environmental-review/sepa-guidance/sepa-checklist-guidance/sepa-checklist-section-b-environmental-elements/environmental-elements-earth

d. **Are there surface indications or history of unstable soils in the immediate vicinity? If so, describe.** *The Columbia River shoreline is subject to erosion. The remainder of the site is stable.*

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.** *The proposal is a non-project action and future uses are unknown. Anticipated use of the site is urban infill with a mix of multi-story, multi-family housing, commercial uses, and park and open space along the Columbia River frontage.*

f. **Could erosion occur because of clearing, construction, or use? If so, generally describe.** *Erosion is unlikely to occur due to flat condition of the land. Some shoreline stabilization work may occur as part of a shoreline restoration that may accompany a future project.*

g. **About what percent of the site will be covered with impervious surfaces after project construction (for example, asphalt or buildings)?** *The proposal is a non-project action and future uses are unknown. Anticipated impervious coverage could be approximately 75 percent.*

h. **Proposed measures to reduce or control erosion, or other impacts to the earth, if any.** *Local, state and federal regulations will address any anticipated erosion or other impacts to the earth as projects are proposed implementing this non-project action.*

## 2. Air

Find help answering air questions[4]

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.** *The proposal is a non-project action and future uses are unknown. Anticipated development of the area will involve combustion engines that will create emissions to the air. Occupation of the site following development may include use of carbon emitting cooking stoves and heating furnaces for dwelling units and commercial spaces. Maintenance of all spaces including park and open space may be performed using carbon emitting vehicles.*

[4] https://ecology.wa.gov/Regulations-Permits/SEPA/Environmental-review/SEPA-guidance/SEPA-checklist-guidance/SEPA-Checklist-Section-B-Environmental-elements/Environmental-elements-Air

b. **Are there any off-site sources of emissions or odor that may affect your proposal? If so, generally describe.** *None known.*

c. **Proposed measures to reduce or control emissions or other impacts to air, if any:** *The State of Washington regulates the acquisition of public vehicles and is currently mandating a transition to a carbon-free fleet. This will impact public vehicles maintaining future park and open space. Other private construction and personal use vehicles may undergo a similar transition. Other future unknown state regulation of carbon may affect future development approaches.*

## 3. Water

Find help answering water questions[5]

a. **Surface:**
Find help answering surface water questions[6]

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

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.** *The proposal is a non-project action and future uses are unknown. Anticipated development within 200 feet of the Columbia River includes public park and open space amenities.*

3. **Estimate the amount of fill and dredge material that would be placed in or removed from surface water or wetlands and indicate the area of the site that would be affected. Indicate the source of fill material.** *None.*

4. **Will the proposal require surface water withdrawals or diversions? Give a general description, purpose, and approximate quantities if known.** *No.*

[5] https://ecology.wa.gov/Regulations-Permits/SEPA/Environmental-review/SEPA-guidance/SEPA-checklist-guidance/SEPA-Checklist-Section-B-Environmental-elements/Environmental-elements-3-Water
[6] https://ecology.wa.gov/Regulations-Permits/SEPA/Environmental-review/SEPA-guidance/SEPA-checklist-guidance/SEPA-Checklist-Section-B-Environmental-elements/Environmental-elements-3-Water/Environmental-elements-Surface-water

5. **Does the proposal lie within a 100-year floodplain? If so, note location on the site plan.** *A portion of the site (shoreline) lies within Benton County FIRM Zone A10, another in Zone B, and another in Zone C.*

6. **Does the proposal involve any discharges of waste materials to surface waters? If so, describe the type of waste and anticipated volume of discharge.** *No.*

### b. Ground:

Find help answering ground water questions[7]

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 a general description, purpose, and approximate quantities if known.** *No.*

2. **Describe waste material that will be discharged into the ground from septic tanks or other sources, if any (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.** *None.*

### c. Water Runoff (including stormwater):

1. **Describe the source of runoff (including storm water) and method of collection and disposal, if any (include quantities, if known). Where will this water flow? Will this water flow into other waters? If so, describe.** *Stormwater will be captured on site per City of Richland standards.*

2. **Could waste materials enter ground or surface waters? If so, generally describe.** *No.*

3. **Does the proposal alter or otherwise affect drainage patterns in the vicinity of the site? If so, describe.** *No.*

**d. Proposed measures to reduce or control surface, ground, and runoff water, and drainage pattern impacts, if any:** *The proposal is a non-project action and future uses*

[7] https://ecology.wa.gov/Regulations-Permits/SEPA/Environmental-review/SEPA-guidance/SEPA-checklist-guidance/SEPA-Checklist-Section-B-Environmental-elements/Environmental-elements-3-Water/Environmental-elements-Groundwater

*are unknown. Anticipated development will be required to meet all local, state and federal laws and standards.*

## 4. Plants

Find help answering plants questions

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

☐ **deciduous tree: alder, maple, aspen, other**

☐ **evergreen tree: fir, cedar, pine, other**

☒ **shrubs**

☒ **grass**

☐ **pasture**

☐ **crop or grain**

☐ **orchards, vineyards, or other permanent crops.**

☐ **wet soil plants: cattail, buttercup, bullrush, skunk cabbage, other**

☐ **water plants: water lily, eelgrass, milfoil, other**

☒ **other types of vegetation:** *non-native Russian olive trees and unmanaged, mixed non-native weeds and fragmented shrubsteppe.*

**b. What kind and amount of vegetation will be removed or altered?** *The proposal is a non-project action and future uses are unknown. Anticipated development will remove all vegetation, except what will be managed under Richland's Critical Areas Ordinance.*

**c. List threatened and endangered species known to be on or near the site.** *None known.*

**d. Proposed landscaping, use of native plants, or other measures to preserve or enhance vegetation on the site, if any.** *The proposal is a non-project action and future uses are unknown. The City of Richland Critical Areas Ordinance will regulate native plantings.*

**e. List all noxious weeds and invasive species known to be on or near the site.** *Phragmites australis, Acroptilon repens, Centaurea stoebe, Kochia scoparia, Tribulus terrestris, Centaurea solstitialis, Saccharum ravennae, Bromus tectorum, and Elaeagnus angustifolia.*

## 5. Animals

Find help answering animal questions[8]

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

   **Examples include:**

   - **Birds: hawk, heron, eagle, songbirds, other:**
   - **Mammals: deer, bear, elk, beaver, other:**
   - **Fish: bass, salmon, trout, herring, shellfish, other:**

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

c. **Is the site part of a migration route? If so, explain.** *Yes, the site is located within the Pacific Flyway.*

d. **Proposed measures to preserve or enhance wildlife, if any.** *The Columbia River shoreline will be improved by removing non-native, noxious vegetation (including significant Elaeagnus angustifolia) and replaced with native vegetation.*

e. **List any invasive animal species known to be on or near the site.** *None known.*

## 6. Energy and natural resources

Find help answering energy and natural resource questions[9]

a. **What kinds of energy (electric, natural gas, oil, wood stove, solar) will be used to meet the completed project's energy needs? Describe whether it will be used for heating, manufacturing, etc.** *The proposal is a non-project action and future uses are unknown. Likely sources of energy for residential cooking, heating, cooling, and commercial heating and cooling include natural gas and electricity.*

b. **Would your project affect the potential use of solar energy by adjacent properties? If so, generally describe.** *The proposal is a non-project action and future uses are unknown. However, the proposal will accommodate increased building heights which*

[8] https://ecology.wa.gov/Regulations-Permits/SEPA/Environmental-review/SEPA-guidance/SEPA-checklist-guidance/SEPA-Checklist-Section-B-Environmental-elements/Environmental-elements-5-Animals
[9] https://ecology.wa.gov/Regulations-Permits/SEPA/Environmental-review/SEPA-guidance/SEPA-checklist-guidance/SEPA-Checklist-Section-B-Environmental-elements/Environmental-elements-6-Energy-natural-resou

*may cast longer shadows. Specific buildings proposals will be reviewed by the City of Richland at the time of submittal.*

c. **What kinds of energy conservation features are included in the plans of this proposal? List other proposed measures to reduce or control energy impacts, if any.** *The proposal is a non-project action and future uses are unknown. Specific buildings proposals will be reviewed by the City of Richland at the time of submittal.*

## 7. Environmental health

Health Find help with answering environmental health questions[10]

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

1. **Describe any known or possible contamination at the site from present or past uses.** *The site contains a closed municipal landfill. All or portions of the landfill may be removed and remediated. Some portions of the closed landfill may remain in place and capped with appropriate measures including vegetation and used as public open space.*

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.** *All municipal utilities are located within the Columbia Point Drive right of way in the project area. Additionally, a sewer outfall bisects the site.*

3. **Describe any toxic or hazardous chemicals that might be stored, used, or produced during the project's development or construction, or at any time during the operating life of the project.** *None anticipated.*

4. **Describe special emergency services that might be required.** *None anticipated.*

5. **Proposed measures to reduce or control environmental health hazards, if any.** *No environmental health hazards are anticipated. Federal, state and local law will dictate.*

[10] https://ecology.wa.gov/Regulations-Permits/SEPA/Environmental-review/SEPA-guidance/SEPA-checklist-guidance/SEPA-Checklist-Section-B-Environmental-elements/Environmental-elements-7-Environmental-health

### b. Noise

1. **What types of noise exist in the area which may affect your project (for example: traffic, equipment, operation, other)?** *None known.*

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)?** *Construction noise will be regulated by the City of Richland's noise ordinance and will be temporary. There are not abnormal long-term noise impacts anticipated by the proposal.*

3. **Proposed measures to reduce or control noise impacts, if any:** *Adherence to the City of Richland noise ordinance.*

## 8. Land and shoreline use

Find help answering land and shoreline use questions[11]

a. **What is the current use of the site and adjacent properties? Will the proposal affect current land uses on nearby or adjacent properties? If so, describe.** *The site is currently undeveloped, with the exception of a former municipal landfill on a portion of the site. Adjacent properties include a municipal golf course, a two-story hotel, and two story townhouses. The proposal is a non-project action and future uses are unknown. Specific building proposals will be reviewed by the City of Richland at the time of submittal.*

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 because of the proposal, if any? If resource lands have not been designated, how many acres in farmland or forest land tax status will be converted to nonfarm or nonforest use?** *No.*

    1. **Will the proposal affect or be affected by surrounding working farm or forest land normal business operations, such as oversize equipment access, the application of pesticides, tilling, and harvesting? If so, how?** *No.*

c. **Describe any structures on the site.** *There are no structures on the site.*

[11] https://ecology.wa.gov/Regulations-Permits/SEPA/Environmental-review/SEPA-guidance/SEPA-checklist-guidance/SEPA-Checklist-Section-B-Environmental-elements/Environmental-elements-8-Land-shoreline-use

d. **Will any structures be demolished? If so, what?** *n/a*

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

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

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

h. **Has any part of the site been classified as a critical area by the city or county? If so, specify.** *Yes. The City of Richland Critical Areas Map identifies the former municipal landfill as a Geologic Hazard Area.*

i. **Approximately how many people would reside or work in the completed project?** *The proposal is a non-project action and specific project proposals will be forthcoming. Future project proposals may include approximately 200 hotel rooms, 300 dwelling units, square feet of commercial space, and public park and open space.*

j. **Approximately how many people would the completed project displace?** *None.*

k. **Proposed measures to avoid or reduce displacement impacts, if any.** *n/a*

l. **Proposed measures to ensure the proposal is compatible with existing and projected land uses and plans, if any.** *Specific project proposals implementing this non-project action will be forthcoming and subject to regulation against the City's zoning code and municipal code to ensure compatibility with existing and projected land uses and plans.*

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

## 9. Housing

Find help answering housing questions[12]

[12] https://ecology.wa.gov/Regulations-Permits/SEPA/Environmental-review/SEPA-guidance/SEPA-checklist-guidance/SEPA-Checklist-Section-B-Environmental-elements/Environmental-elements-9-Housing

a. **Approximately how many units would be provided, if any? Indicate whether high, middle, or low-income housing.** *The proposal is a non-project action. Future project proposals will likely include housing. It is unknown if the housing will be targeted for high, middle, or low-income consumers.*

b. **Approximately how many units, if any, would be eliminated? Indicate whether high, middle, or low-income housing.** *None.*

c. **Proposed measures to reduce or control housing impacts, if any:** *There will not be a housing impact.*

## 10. Aesthetics

Find help answering aesthetics questions[13]

a. **What is the tallest height of any proposed structure(s), not including antennas; what is the principal exterior building material(s) proposed?** *The non-project action will allow a maximum building height of 100 feet.*

b. **What views in the immediate vicinity would be altered or obstructed?** *The north view from the northmost townhouse units located adjacent and south will be impacted. The south view from hotel units facing south will be impacted. The west view from the public recreational riverfront trail will be impacted for trail users. The east view from the public golf course and Columbia Point Drive will be impacted.*

c. **Proposed measures to reduce or control aesthetic impacts, if any:** *Future, specific site and building proposals following this non-project action will be subject to adherence to the City of Richland Zoning Code and the Columbia Point Design Guidelines, administered by the Columbia Point Master Association.*

## 11. Light and glare

Find help answering light and glare questions[14]

a. **What type of light or glare will the proposal produce? What time of day would it mainly occur?** *Specific site and building proposals will likely include urban levels of lighting for buildings, walkways and parking areas.*

[13] https://ecology.wa.gov/Regulations-Permits/SEPA/Environmental-review/SEPA-guidance/SEPA-checklist-guidance/SEPA-Checklist-Section-B-Environmental-elements/Environmental-elements-10-Aesthetics
[14] https://ecology.wa.gov/Regulations-Permits/SEPA/Environmental-review/SEPA-guidance/SEPA-checklist-guidance/SEPA-Checklist-Section-B-Environmental-elements/Environmental-elements-11-Light-glare

b. **Could light or glare from the finished project be a safety hazard or interfere with views?** *Site lighting for future specific site and building proposals will be subject to adherence to the City of Richland Zoning Code and the Columbia Point Design Guidelines. The guidelines include specific lighting performance standards to address glare and light trespass.*

c. **What existing off-site sources of light or glare may affect your proposal?** *None.*

d. **Proposed measures to reduce or control light and glare impacts, if any:** *Performance standards in the Columbia Point Design Guidelines and the Richland Municipal Code will address light and glare impacts.*

## 12. Recreation

Find help answering recreation questions

a. **What designated and informal recreational opportunities are in the immediate vicinity?** *The site includes the "Riverfront Trail", an urban public recreational, multipurpose pathway and Columbia River frontage.*

b. **Would the proposed project displace any existing recreational uses? If so, describe.** *Future, specific projects implementing this non-project action will be expected to preserve the Riverfrtont Trail in addition to creating a new public waterfront park and open space amenity. Public recreational amenities will improve by implementing this non-project action.*

*c.* **Proposed measures to reduce or control impacts on recreation, including recreation opportunities to be provided by the project or applicant, if any:** *Recreational amenities will improve and expand by implementing this non-project action. The City of Richland owns the site location and will retain ownership of the waterfront and will operate and maintain enhanced recreational amenities.*

## 13. Historic and cultural preservation

Find help answering historic and cultural preservation questions[15]

a. **Are there any buildings, structures, or sites, located on or near the site that are over 45 years old listed in or eligible for listing in national, state, or local preservation registers? If so, specifically describe.** *No.*

[15] https://ecology.wa.gov/Regulations-Permits/SEPA/Environmental-review/SEPA-guidance/SEPA-checklist-guidance/SEPA-Checklist-Section-B-Environmental-elements/Environmental-elements-13-Historic-cultural-p

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.** *Yes. Cultural resource surveys have been performed in the Columbia Point area. There are no known, identified specific sites within the proposed geography of this non-project action, but given the knowledge of specific sites in the general area, appropriate qualified surveys will be completed with any specific site or building proposal that implements this non-project action.*

c. **Describe the methods used to assess the potential impacts to cultural and historic resources on or near the project site. Examples include consultation with tribes and the department of archeology and historic preservation, archaeological surveys, historic maps, GIS data, etc.** *Qualified cultural resource surveys will be commissioned for future specific projects. The City of Richland maintains a government-to-government (G2G) relationship with the Confederated Tribes of the Umatilla Indian Reservation (CTUIR) including expectations for early consultation in excess of what is additional required and will be performed under SHPO expectations.*

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.** *It is premature to determine such measures at this point in a non-project action. SHPO and CTUIR G2G requirements will govern these outcomes when specific site or building proposals advance forward.*

## 14. Transportation

Find help with answering transportation questions[16]

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.** *Bradley Boulevard, a two-lane city street, and Comstock, a three-lane city street each serve the subject site.*

b. **Is the site or affected geographic area currently served by public transit? If so, generally describe. If not, what is the approximate distance to the nearest transit stop?** *Yes, the site is served by Ben Franklin Transit, although a transit stop is not*

[16] https://ecology.wa.gov/Regulations-Permits/SEPA/Environmental-review/SEPA-guidance/SEPA-checklist-guidance/SEPA-Checklist-Section-B-Environmental-elements/Environmental-elements-14-Transportation

*presently within the non-project action specific geography. BFT evaluates routes on an annual or as-needed basis.*

c. **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).** *Future, specific project proposals will likely require improvements to the intersection of Bradley Boulevard and Comstock street likely resulting in a roundabout condition.*

d. **Will the project or proposal use (or occur in the immediate vicinity of) water, rail, or air transportation? If so, generally describe.** *No.*

e. **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?** *The proposal is a non-project action and specific vehicle trips for future development proposals implementing this action are presently unknown. When known, the data will be included in specific SEPA project proposals and used by the City of Richland to determine impact to the City's street network. The likely outcome will be a roundabout condition at the intersection of Bradley Boulevard and Comstock Street.*

f. **Will the proposal interfere with, affect, or be affected by the movement of agricultural and forest products on roads or streets in the area? If so, generally describe.** *No.*

g. **Proposed measures to reduce or control transportation impacts, if any:** *Future, specific proposals will mitigate their impacts as determined by the City of Richland at the time of project submittal.*

## 15. Public services

Find help answering public service questions[17]

a. **Would the project result in an increased need for public services (for example: fire protection, police protection, public transit, health care, schools, other)? If so, generally describe.** *Yes. These impacts will be evaluated by the City of Richland and the time of specific site or building proposal. Anticipated impacts will be consistent with the*

[17] https://ecology.wa.gov/regulations-permits/sepa/environmental-review/sepa-guidance/sepa-checklist-guidance/sepa-checklist-section-b-environmental-elements/environmental-elements-15-public-services

*City of Richland Comprehensive Land Use Plan and are included in City of Richland capital planning and operational budget projections.*

**b. Proposed measures to reduce or control direct impacts on public services, if any.** *This non-project action is within expectation of the City of Richland Comprehensive Plan and any impacts to services will be mitigated, if any, during permit issuance for specific projects or through implementation of long-range utility, transportation, and public service capital plans.*

## 16. Utilities

Find help answering utilities questions[18]

**a. Circle utilities currently available at the site: electricity, natural gas, water, refuse service, telephone, sanitary sewer, septic system, other:** *stormwater & fiber.*

**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.** *All utilities identified in 16a are needed and presently available at the subject site.*

# C.Signature

Find help about who should sign[19]

**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.**

9/7/2024

X Joseph Schiessl

Signed by: Schiessl, Joe

**Type name of signee:** Joseph Schiessl

**Position and agency/organization**: Deputy City Manager, City of Richland

**Date submitted**: **9-7-2024**

[18] https://ecology.wa.gov/regulations-permits/sepa/environmental-review/sepa-guidance/sepa-checklist-guidance/sepa-checklist-section-b-environmental-elements/environmental-elements-16-utilities
[19] https://ecology.wa.gov/Regulations-Permits/SEPA/Environmental-review/SEPA-guidance/SEPA-checklist-guidance/SEPA-Checklist-Section-C-Signature

# D.Supplemental sheet for nonproject actions

Find help for the nonproject actions worksheet[20]

**Do not** use this section for project actions.

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

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

1. **How would the proposal be likely to increase discharge to water; emissions to air; production, storage, or release of toxic or hazardous substances; or production of noise?** *The proposal will not increase discharges, emissions, or releases described in the question. The proposal could result in increased production of noise as maximum building height will increase from 55 to 100 feet and result in greater density.*

    - **Proposed measures to avoid or reduce such increases are:** *The project will be subject to adherence to the City of Richland noise ordinance.*

2. **How would the proposal be likely to affect plants, animals, fish, or marine life?** *There is no known listed plants on the subject site. Ferrruginous Hawk territory includes the subject site and will be considered by future specific project proposals.*

    - **Proposed measures to protect or conserve plants, animals, fish, or marine life are:** *The Columbia River shoreline will be enhanced by the City of Richland parallel with specific project proposals by removing non-native vegetation and replacing with native vegetation, while also improving shoreline access and recreation opportunities. The shoreline is owned by the U.S. Army Corps of Engineers (Corps) and will be subject to federal regulation in addition to internal Corps land management expectations.*

3. **How would the proposal be likely to deplete energy or natural resources?** *The City of Richland as utility provider including electricity, in addition to private utilities including Cascade Natural Gas, manage adequate energy supplies to serve this subject site.*

    - **Proposed measures to protect or conserve energy and natural resources are:** *State energy code will govern future, specific building proposals.*

[20] https://ecology.wa.gov/regulations-permits/sepa/environmental-review/sepa-guidance/sepa-checklist-guidance/sepa-checklist-section-d-non-project-actions

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?** *Columbia River shoreline (waterfront designation) will be managed consistent with the State Shoreline Management Act.*

    - **Proposed measures to protect such resources or to avoid or reduce impacts are:** *The Columbia River shoreline will be improved by the City of Richland by removing non-native vegetation and installing native vegetation concurrent with development projects that implement this non-project action.*

5. **How would the proposal be likely to affect land and shoreline use, including whether it would allow or encourage land or shoreline uses incompatible with existing plans?** *Public access to the shoreline will improve by implementing this non-project action because the City of Richland will improve the shoreline, including adding public recreational access concurrent with anticipated future development projects.*

    - **Proposed measures to avoid or reduce shoreline and land use impacts are:** *The City of Richland will avoid and reduce shoreline and land use impacts by retaining ownership of the shoreline environment and implementing a shoreline restoration and park and open space project.*

6. **How would the proposal be likely to increase demands on transportation or public services and utilities?** *Impacts to transportation, public services and utilities are anticipated to be within expectation of associated long-range plans. If not, future projects will be expected to mitigate impacts identified during the project submittal and review process.*

    - **Proposed measures to reduce or respond to such demand(s) are:** *The City of Richland implements a capital improvement plan and operational budget implementing a variety of long-range plans consistent with the expectations of the Growth Management Act.*

7. **Identify, if possible, whether the proposal may conflict with local, state, or federal laws or requirements for the protection of the environment.** *The project is consistent with local, state, federal laws, and the requirements for the protection of the environment.*

Exhibit 4

# 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:**<br>Select the Type of Submittal listed.<br>(Select One Only) | ☐ **60-Day Notice** of Intent to Adopt Amendment.<br>☒ **Request of Expedited Review** / Notice of Intent to Adopt Amendment.<br>☐ **Supplemental Submittal** for existing Notice of Intent to Adopt Amendment.<br>☐ **Notice of Final Adoption** of Amendment. |
| **3. Amendment Type:**<br>Select Type of Amendment listed.<br>(Select One Only) | ☐ **Comprehensive Plan** Amendment.<br>☒ **Development Regulation** Amendment.<br>☐ **Critical Areas Ordinance** Amendment.<br>☐ **Combined Comprehensive and Development Regulation** Amendments.<br>☐ **Countywide Planning Policy**. |
| **4. Description**<br>Enter a brief description of the amendment.<br><br>Begin your description with "Proposed" or "Adopted", based on the type of Amendment you are submitting.<br><br>Examples: *"Proposed comprehensive plan amendment for the GMA periodic update."* or *"Adopted Ordinance 123, adoption amendment to the sign code."*<br>**(Maximum 400 characters).** | Proposed City of Richland request to amend the Richland Municipal Code [RMC] within Chapters RMC 23.22 to establish a new overlay district (Columbia Point North) and to increase the building height limit from 55 feet to 100 feet within this area. |

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**<br>☒ **No** |
| **6. Proposed Dates:** Enter the anticipated public hearing date(s) for your Planning Commission/Planning Board or for your Council/Commission. | Planning Commission: October 23, 2024<br>City Council: November 19, 2024 (First Reading)<br>Proposed / Date of Adoption: December 3, 2024 |
| **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*

10/03/2024

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--2024-S-7566--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.

**Proposed City of Richland request to amend the Richland Municipal Code [RMC] within Chapters RMC 23.22 to establish a new overlay district (Columbia Point North) and to increase the building height limit from 55 feet to 100 feet within this area.**

We received your submittal on 10/03/2024 and processed it with the Submittal ID 2024-S-7566. Please keep this letter as documentation that you have met this procedural requirement. Your 60-day notice period ends on 12/02/2024.

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 Deanah Watson, (509) 290-4754.

Sincerely,

Review Team
Growth Management Services

**Stevens, Mike**

**From:** COM GMU Review Team <reviewteam@commerce.wa.gov>
**Sent:** Thursday, October 17, 2024 7:54 AM
**To:** Stevens, Mike
**Subject:** City of Richland - Expedited Review Request Granted for Submittal ID: 2024-S-7566

**[EXTERNAL EMAIL]** Exercise caution before clicking links or opening attachments.

Dear Mr. Stevens,

Your request for an Expedited Review has been granted for: Proposed City of Richland request to amend the Richland Municipal Code [RMC] within Chapters RMC 23.22 to establish a new overlay district (Columbia Point North) and to increase the building height limit from 55 feet to 100 feet within this area.

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 Deanah Watson at (509) 290-4754 or by email at deanah.watson@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
~~~

Richland

Exhibit 5

# CITY OF RICHLAND
# COMBINED NOTICE OF APPLICATION, NOTICE OF PUBLIC HEARING AND REQUEST FOR COMMENT
# (PLN-T4-2024-00002 & PLN-T1-2024-00086)

The City of Richland is proposing to adopt an ordinance amending section 23.22 of the Richland Municipal Code to establish a new overlay district (Columbia Point North) and to increase the building height limit from 55 feet to 100 feet within this area.

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, October 23, 2024 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.

**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. A Determination of Non-Significance (DNS) was issued by the City on October 3, 2024. Comments regarding the SEPA Checklist and DNS are due by 5:00 PM, Thursday, October 17, 2024.

Any person desiring to express his/her views regarding the proposed text amendment 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 planning@ci.richland.wa.us. Written comments should be received no later than 5:00 p.m. on Thursday, October 17, 2024 to be incorporated into the staff report. Comments received after that date will be entered into the record at the hearing.

Copies of the Staff Report and recommendation will be available on the City of Richland website www.ci.richland.wa.us beginning Friday, October 18, 2024.

Please publish the following:

| | |
|---|---|
| Type of Legal Ad: | Notice of Application, Public Hearing |
| Date(s) of Publication: | Sunday, October 13, 2024 |
| Richland's TCH Account: | AP36823 |
| **For Invoice Text Box on TCH Invoice** (Richland MUNIS Description) | PLN-T4-2024-00002 & PLN-T1-2024-00086 |
| **For PO Box on TCH Invoice** (Richland Account No. - MUNIS) | D2586000 4401 |
| Attention: | Jen Anderson (TC) |

**********

**CITY OF RICHLAND**
**NOTICE OF APPLICATION, PUBLIC HEARING AND OPTIONAL DNS**
**(PLN-T4-2024-00002 & PLN-T1-2024-00086)**

**Notice** Zoning text amendment to establish a new overlay zone within the Waterfront Zoning District (Columbia Point North) and to increase the maximum building height to 100 feet within this area.
**Project Site:** The properties are located in the northwest corner of the Plat of Columbia Point upon Assessor's Parcel Numbers 114981013234001, 114981013224002, 114981013234003 and 114981013234004
.**Public Hearing:** 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, October 23, 2024 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.
**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. A Determination of Non-Significance (DNS) was issued by the City on October 3, 2024. Comments regarding the SEPA Checklist and DNS are due by 5:00 PM, Thursday, October 17, 2024.
**Public Comment:** Any person desiring to express his/her views regarding the proposed text amendment 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 planning@ci.richland.wa.us. Written comments should be received no later than 5:00 p.m. on Thursday, October 17, 2024 to be incorporated into the staff report. Comments received after that date will be entered into the record at the hearing.

Date Published: Sunday, October 13, 2024

Please publish the following:

| | |
|---|---|
| Type of Legal Ad: | SEPA Determination Notice |
| Date(s) of Publication: | Sunday, October 13, 2024 |
| Richland's TCH Account: | AP36823 |
| **For Invoice Text Box on TCH Invoice** (Richland MUNIS Description) | PLN-T1-2024-0086 |
| **For PO Box on TCH Invoice** (Richland Account No. - MUNIS) | D2586000 4401 |
| Attention: | Jen Anderson (TC) |

**********

**CITY OF RICHLAND**
**NOTICE OF SEPA DETERMINATION**

**Date Notice Issued:** October 3, 2024, per WAC 197-11-340(2)
**File #:** PLN-T1-2024-0086
**Proponent:** City of Richland, Joe Schiessl, Deputy City Manager, 625 Swift Blvd, Richland, WA 99352
**Proposal:** Zoning text amendment to establish a new overlay zone within the Waterfront Zoning District (Columbia Point North) and to increase the maximum building height to 100 feet within this area.
**Location of Proposal(s):** The properties are located in the northwest corner of the Plat of Columbia Point upon Assessor's Parcel Numbers 114981013234001, 114981013224002, 114981013234003 and 114981013234004.
**Determination:** The City has reviewed the project for environmental impacts and has issued a determination of non-significance using the process outlined in WAC 197-11-340(2). This may be the only opportunity to comment on the environmental impacts of the proposal.
**Public Comments Due:** October 17, 2024
**Contact:** Mike Stevens, Planning Manager
625 Swift Boulevard, MS-35
Richland, WA 99352
mstevens@ci.richland.wa.us

Date Published: Sunday October 13, 2024

Exhibit 6

State of Washington
DEPARTMENT OF FISH AND WILDLIFE
South Central Region • Region 3 • 1701 South 24th Avenue, Yakima, WA 98902-5720
Telephone: (509) 575-2740 • Fax: (509) 575-2474

October 10, 2024

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

SUBJECT: WDFW COMMENTS CITY OF RICHLAND PLN-T4-2024-00002

Dear Mr. Stevens,

Thank you for the opportunity to comment on the City of Richland proposal to establish a new overlay district (Columbia Point North). The Washington Department of Fish and Wildlife (WDFW) has reviewed the document and proposed changes. Our comments are regarding the proposal's impact on priority fish and wildlife habitats.

While WDFW recognizes that this proposal is not site specific and is only to create the overlay zone, this area has potential impacts to fish and wildlife species, and we want to ensure that future proposals incorporate habitat impacts both on the site and the surrounding area. The surrounding landscape is heavily developed with adjacent properties having incursions into the shoreline environment. There are likely opportunities to restore some or all the shoreline area on these overlay parcels to riparian habitat. WDFW would recommend as the planning for this overlay zone commences, to involve WDFW for ideas on habitat restoration.

Thank you again for the opportunity to comment and look forward to discussing these topics further with the City of Richland. Please contact me at 509-607-3578 or Scott.Downes@dfw.wa.gov to discuss these concerns.

Sincerely,

Scott Downes
Regional Land Use Lead

Cc:
Troy Maikis, WDFW

## Stevens, Mike

**From:** Whittier, John
**Sent:** Thursday, October 17, 2024 4:41 PM
**To:** Planning
**Subject:** RE: PLN-T4-2024-00002 & PLN-T1-2024-00086 Public Notice and SEPA DNS
**Attachments:** PLN-T4-2024-00002 - Public Works Comments.doc

Good afternoon,

Attached are the Public Works comments for the SEPA DNS associated with PLN-T4-2024-00002.

If you have any questions, please let me know.

Best,
John

**John T. Whittier, P.E.**
Civil Engineer 1
625 Swift Blvd., MS-26 | Richland, WA 99352
509.942.7649

---

**From:** Planning <planning@ci.richland.wa.us>
**Sent:** Thursday, October 3, 2024 11:46 AM
**To:** accastle@bpa.gov <accastle@bpa.gov>; admin@basindisposal.com; Ashley Morton <AshleyMorton@ctuir.org>; Badger Mountain Irrigation District <bmidmanager@badgermountainirrigation.com>; BC Planning - Michelle Cooke <Michelle.Cooke@co.benton.wa.us>; Benton County - Segregations <Segregations@co.benton.wa.us>; Benton County Planning <Planning.Department@co.benton.wa.us>; Benton PUD, Broadband <osp@noanet.net>; Benton PUD, Electrical <engservice@bentonpud.org>; Carrie Thompson <carrie.thompson@bnsf.com>; Casey Barney, Yakama Nation <Casey_Barney@Yakama.com>; city@basindisposal.com; Corrine Camuso, Yakama Nation <Corrine_Camuso@Yakama.com>; Hamilton, Craig <C.Hamilton@bces.wa.gov>; Crosepa@ecy.wa.gov <Crosepa@ecy.wa.gov>; DAHP SEPA Reviews <sepa@dahp.wa.gov>; DAlessandro, Carlo <cdalessandro@CI.RICHLAND.WA.US>; deanah.watson@commerce.wa.gov; Davis, Deanna <d.davis@bces.wa.gov>; Deborah Rodgers <dxrodgers@bpa.gov>; Deskins, John <jdeskins@CI.RICHLAND.WA.US>; Eric Mendenhall <emendenhall@westrichland.org>; Erin Hockaday <erin.hockaday@bfhd.wa.gov>; Former Orchards <FormerOrchards@ecy.wa.gov>; GIS <gis@co.benton.wa.us>; Greg Wendt <greg.wendt@co.benton.wa.us>; Hill, Kelly <khill@CI.RICHLAND.WA.US>; Hogan, Jodi <jhogan@CI.RICHLAND.WA.US>; Homero.Gonzalez@ziply.com; ian_gray@yakama.com; Jack Howard <jack.howard@bfhd.wa.gov>; Jason McShane <jmcshane@kid.org>; Jessica Lally, Yakama Nation <Jessica_Lally@Yakama.com>; JLKinch@bpa.gov; Jodeer@bfhd.wa.gov; John Lyle <john.lyle@bentoncleanair.org>; Jordon, Joshua <jojordon@CI.RICHLAND.WA.US>; Junior Campos <junior.campos@charter.com>; Katherine Cichy <katherine.cichy@ziply.com>; Kelly Cooper <kelly.cooper@doh.wa.gov>; Kevin Knodel <kevin.knodel@rsd.edu>; Kevin Sliger <KSliger@bft.org>; KID Development <development@kid.org>; KID Webmaster <webmaster@kid.org>; M. Deklyne <mjdeklyne@bpa.gov>; Map BCES <map@bces.wa.gov>; Mattheus, Pamela <pmattheus@CI.RICHLAND.WA.US>; Michael Tovey <michael.tovey@ziply.com>; Acevedo, Mizael <macevedo@CI.RICHLAND.WA.US>; NMCummings@bpa.gov; Noah Lee <noah.lee@bentoncleanair.org>; Noah Oliver, Yakama Nation <Noah_Oliver@Yakama.com>; Orr, Bruce <borr@CI.RICHLAND.WA.US>; Paul Gonseth <gonsetp@wsdot.wa.gov>; PublicWorks@co.benton.wa.us; Quentin Wright <QWright@portofbenton.com>; Reathaford, Jason <JReathaford@CI.RICHLAND.WA.US>; Review Team <reviewteam@commerce.wa.gov>; rgoede@noanet.net; Richard Krasner <richard.krasner@rsd.edu>; USPS Richland

Postmaster <99352RichlandWA-Postmaster@usps.gov>; Ryan Anderson <rand461@ECY.WA.GOV>; Sanchez, Juan <jsanchez@CI.RICHLAND.WA.US>; Schiessl, Joe <JSchiessl@CI.RICHLAND.WA.US>; SEPA BFHD <SEPA@bfhd.wa.gov>; 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>; WA Dept of Fish & Wildlife <rittemwr@dfw.wa.gov>; WDFW <R3Planning@dfw.wa.gov>; Westphal, Nichole <nwestphal@ci.richland.wa.us>; Whittier, John <jwhittier@CI.RICHLAND.WA.US>; WSDOT Aviation <AviationLandUse@wsdot.wa.gov>
**Subject:** PLN-T4-2024-00002 & PLN-T1-2024-00086 Public Notice and SEPA DNS

Hello Everybody,

The City of Richland is proposing to adopt an ordinance creating a new zoning overlay district to be located within the Waterfront Zoning District. The proposed code amendment would also increase the building height within this new area to 100 feet. Please review the attached materials relative to your agency's regulations and submit any comments no later than 5:00 PM, Thursday, October 17. Comments may be submitted via e-mail to planning@ci.richland.wa.us or mailed to: Richland Development Services Department, 625 Swift Boulevard, MS #35, Richland, WA 99352.

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

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

## Stevens, Mike

**From:** Daniel Tissell <DTissell@kid.org>
**Sent:** Friday, October 11, 2024 7:07 AM
**To:** Planning
**Subject:** RE: PLN-T4-2024-00002 & PLN-T1-2024-00086 Public Notice and SEPA DNS

You don't often get email from dtissell@kid.org. Learn why this is important

**[EXTERNAL EMAIL]** Exercise caution before clicking links or opening attachments.

KID has no comment regarding this matter.

Thanks,

Daniel Tissell, P.E.
Engineering Manager
Kennewick Irrigation District
2015 S. Ely Street
Kennewick, WA 99337
(509) 586-6012 ext. 116




**From:** Planning <planning@ci.richland.wa.us>
**Sent:** Thursday, October 3, 2024 11:46 AM
**To:** accastle@bpa.gov <accastle@bpa.gov>; admin@basindisposal.com; Ashley Morton <AshleyMorton@ctuir.org>; Badger Mountain Irrigation District <bmidmanager@badgermountainirrigation.com>; BC Planning - Michelle Cooke <Michelle.Cooke@co.benton.wa.us>; Benton County - Segregations <Segregations@co.benton.wa.us>; Benton County Planning <Planning.Department@co.benton.wa.us>; Benton PUD, Broadband <osp@noanet.net>; Benton PUD, Electrical <engservice@bentonpud.org>; Carrie Thompson <carrie.thompson@bnsf.com>; Casey Barney, Yakama Nation <Casey_Barney@Yakama.com>; city@basindisposal.com; Corrine Camuso, Yakama Nation <Corrine_Camuso@Yakama.com>; Hamilton, Craig <C.Hamilton@bces.wa.gov>; Crosepa@ecy.wa.gov <Crosepa@ecy.wa.gov>; DAHP SEPA Reviews <sepa@dahp.wa.gov>; DAlessandro, Carlo <cdalessandro@CI.RICHLAND.WA.US>; deanah.watson@commerce.wa.gov; Davis, Deanna <d.davis@bces.wa.gov>; Deborah Rodgers <dxrodgers@bpa.gov>; Deskins, John <jdeskins@CI.RICHLAND.WA.US>; Eric Mendenhall <emendenhall@westrichland.org>; Erin Hockaday <erin.hockaday@bfhd.wa.gov>; Former Orchards <FormerOrchards@ecy.wa.gov>; GIS <gis@co.benton.wa.us>; Greg Wendt <greg.wendt@co.benton.wa.us>; Hill, Kelly <khill@CI.RICHLAND.WA.US>; Hogan, Jodi <jhogan@CI.RICHLAND.WA.US>; Homero.Gonzalez@ziply.com; ian_gray@yakama.com; Jack Howard <jack.howard@bfhd.wa.gov>; Jason McShane <JMcShane@kid.org>; Jessica Lally, Yakama Nation <Jessica_Lally@Yakama.com>; JLKinch@bpa.gov; Jodeer@bfhd.wa.gov; John Lyle <john.lyle@bentoncleanair.org>; Jordon, Joshua <jojordon@CI.RICHLAND.WA.US>; Junior Campos <junior.campos@charter.com>; Katherine Cichy <katherine.cichy@ziply.com>; Kelly Cooper <kelly.cooper@doh.wa.gov>; Kevin Knodel <kevin.knodel@rsd.edu>; Kevin Sliger <KSliger@bft.org>; Development <development@kid.org>; Matthew Berglund <MBerglund@kid.org>; M. Deklyne <mjdeklyne@bpa.gov>; Map BCES <map@bces.wa.gov>; Mattheus, Pamela <pmattheus@CI.RICHLAND.WA.US>; Michael Tovey <michael.tovey@ziply.com>; Acevedo, Mizael <macevedo@CI.RICHLAND.WA.US>; NMCummings@bpa.gov; Noah Lee <noah.lee@bentoncleanair.org>; Noah Oliver, Yakama Nation <Noah_Oliver@Yakama.com>; Orr, Bruce

<borr@CI.RICHLAND.WA.US>; Paul Gonseth <gonsetp@wsdot.wa.gov>; PublicWorks@co.benton.wa.us; Quentin Wright <QWright@portofbenton.com>; Reathaford, Jason <JReathaford@CI.RICHLAND.WA.US>; Review Team <reviewteam@commerce.wa.gov>; rgoede@noanet.net; Richard Krasner <richard.krasner@rsd.edu>; USPS Richland Postmaster <99352RichlandWA-Postmaster@usps.gov>; Ryan Anderson <rand461@ECY.WA.GOV>; Sanchez, Juan <jsanchez@CI.RICHLAND.WA.US>; Schiessl, Joe <JSchiessl@CI.RICHLAND.WA.US>; SEPA BFHD <SEPA@bfhd.wa.gov>; 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>; WA Dept of Fish & Wildlife <rittemwr@dfw.wa.gov>; WDFW <R3Planning@dfw.wa.gov>; Westphal, Nichole <nwestphal@ci.richland.wa.us>; Whittier, John <jwhittier@CI.RICHLAND.WA.US>; WSDOT Aviation <AviationLandUse@wsdot.wa.gov>
**Subject:** PLN-T4-2024-00002 & PLN-T1-2024-00086 Public Notice and SEPA DNS

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.

Hello Everybody,

The City of Richland is proposing to adopt an ordinance creating a new zoning overlay district to be located within the Waterfront Zoning District. The proposed code amendment would also increase the building height within this new area to 100 feet. Please review the attached materials relative to your agency's regulations and submit any comments no later than 5:00 PM, Thursday, October 17. Comments may be submitted via e-mail to planning@ci.richland.wa.us or mailed to: Richland Development Services Department, 625 Swift Boulevard, MS #35, Richland, WA 99352.

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

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

STATE OF WASHINGTON
**DEPARTMENT OF ECOLOGY**
Central Region Office
1250 West Alder St., Union Gap, WA 98903-0009 • 509-575-2490

October 15, 2024

Mike Stevens
City of Richland
625 Swift Blvd.
Richland, WA 99352

**RE: 202404437, PLN-T1-2024-0086**

Mike Stevens:

Thank you for the opportunity to comment on the Determination of Nonsignificance for Columbia Point North Waterfront Zoning Overlay. We have reviewed the documents and have the following comments.

**Shorelands and Environmental Assistance Program**

A portion of the identified area appears to be located in shoreline jurisdiction. Please be aware that the City of Richland Shoreline Master Program and RCW 90.58.320 limit the height of structures to 35' in shoreline jurisdiction. If you have questions, please reach out to Chelsea Wilson at (509) 571-4155 or Chelsea.Wilson@ecy.wa.gov.

Sincerely,

Amber Johnson
SEPA Coordinator, Central Region Office
509-723-5677 | crosepacoordinator@ecy.wa.gov

**MINUTES**
**PLANNING COMMISSION MEETING**
**WEDNESDAY, OCTOBER 23, 2024**
**City Hall – 625 Swift Boulevard – Council Chamber**
**6:00 p.m.**

## Call to Order:

Chair Richardson called the meeting to order at 6:00 p.m.

## Attendance:

Present: Chair Richardson, Vice-Chair Townsend, Members Lambert, Miller, and Samuel.

Also present were Councilmember VanDyke, Development Services Director Jensen, Planning Manager Stevens, Economic Development Manager Wallner, CDBG/HOME Administrator Lehman and Administrative Assistant II Kirkpatrick.

## Approval of Agenda:

Chair Richardson presented the meeting agenda for review and approval.

**COMMISSIONER TOWNSEND MOVED AND COMMISSIONER SAMUEL SECONDED THE MOTION TO APPROVE AGENDA AS PUBLISHED. THE MOTION PASSED 5-0.**

## Approval of Minutes:

Chair Richardson presented the minutes for the September 25, 2024 Planning Commission Meeting, and the October 9, 2024 Planning Commission Workshop.

**COMMISIONER SAMUEL MOTIONED AND COMMISIONER TOWNSEND SECONDED THE MOTION TO APPROVE THE MINUTES OF THE SEPTEMBER 25, 2024 PLANNING COMMISSION MEETING, AND THE OCTOBER 9, 2024 PLANNING COMMISSION WORKSHOP. THE MOTION PASSED 5-0.**

## Public Comments:

Chair Richardson opened public comment at 6:05 pm. With no public comments, he closed the comment period at 6:05 pm.

## New Business – Public Hearing:

### 2. 2025 Community Development Block Grant (CDBG) Application Presentation

CDBG/HOME Administrator Lehman provided the Commission with an overview of the 2025 CDBG applications and went over that there is approximately $44,250.00 available for Public Services and $197,750.00 available for Public Facilities/Rehabilitation.

The applications for Public Service total $80,350.0 with 5 applicants. The following representatives gave a presentation outlining their public service project and amount of grant funding requested.

Elijah Family Homes – Christine Stacy ($10,000)
Senior Life Resources – Steven Davis ($20,000)
ARC of Tri-Cities – Donna and Wayne ($10,450)
Support, Advocacy and Resource Center – Rosanna and Anna ($20,000)
Domestic Violence Services of Benton and Franklin Counties – Shannon ($19,900)

At the conclusion of each presentation, commissioners asked questions of applicants. At the conclusion of Public Services presentations, commissioners discussed priorities and provided rankings to CDBG and HOME Administrator Lehman. After providing priority rankings, Commissioners debated funding amounts and strategies due to the lower amount of funding.

**VICE-CHAIR TOWNSEND MOVED TO FORWARD THE AMOUNTS AS INDICATED IN THE SPREADSHEET TO CITY COUNCIL AS THE RECOMMENDED DISTRIBUTION OF THE AVAILABLE GRANT FUNDS WITH THE OVER OR UNDER FUNDING TO BE DISTRIBUTED EQUALLY AMONG THE APPLICANTS AND COMMISSIONER SAMUEL SECONDED THE MOTION. MOTION CARRED 5-0.**

Councilmember VanDyke requested Mrs. Lehman to inform commissioners and applicants what the next steps are and the timeline of when they will see the funding. Chair Richardson requested that moving forward the Planning Commission packets include the applicants operating budgets, tax returns and page 8 of 990 form be included.

The Public Facilities/Rehabilitation applications total $298,000.00 and $191,750.00 in funding is available. The following representatives gave presentations outlining their Public Facility project and amount of grant funding requested.

Sheldon Williams – Public Works ($198,000)
Toni Lehman – CDBG & HOME for Owner Occupied Rehab ($100,000)

At the conclusion of Public Facilities/Rehabilitation presentations, commissioners asked questions and discussed their appreciation of Owner-Occupied Rehabilitations and funding amounts. Commissioners debated funding amounts and strategies due to the lower amount of funding

**COMMISSIONER MILLER MOTIONED TO GIVE ONE HUNDRED PERCENT OF WHAT CITY OF RICHLAND DEVELOPMENT SERVICES IS REQUESTING AND FOR THE REMAINDER TO GO TO THE CITY OF RICHLAND PUBLIC WORKS WITH ANY OVERAGE GETTING ADDED TO THE OWNER OCCUPIED REHABILIATION AND ANY**

**UNDER FUNDING TAKEN FROM PUBLIC WORKS ADA PROJECTS. VICE-CHAIR TOWNSEND SECONDED. MOTION CARRIED 5-0.**

### 3. Proposed Code Amendment – Horn Rapids Employment Overlay

Planning Manager Stevens gave a brief overview of the proposed code amendment regarding mini-storage units within the Horn Rapids Industrial Park. This is a region that has been dedicated to being an employment center, and the Economic development staff would like to keep it as it was intended to be used.

Economic Development Manager Wallner gave a brief review of the application with the purpose being to preserve the intention of the Industrial Park.

Vice-Chair Townsend discussed current amounts of mini storage in the area, and what happens with applicants, current. Further discussion amongst staff and planning commission occurred, and with no further discussion, Chair Richardson moved for a motion.

**AT 7:50 P.M. CHAIR RICHARDSON OPENED THE PUBLIC HEARING. HAVING NO ONE PRESENT FOR THE PUBLIC HEARING HE CLOSED IT AT 7:50 P.M.**

**COMISSIONER NICHOLSON MOTIONED THAT THE PLANNING COMMISSION RECOMMEND APPROVAL OF CA2024-102 TO CITY COUNCIL AND COMMISSIONER SAMUEL SECONDED. THE MOTION PASSED 5-0.**

### 4. Proposed Amendment to RMC Title 23.22 – Overlay District (Columbia Point North)

Planning Manager Stevens gave a brief overview of the proposed amendment to the RMC 23.22 to the waterfront zoning district that would first establish the Columbia Point North District and would also allow for an increase in building height within the district. At the conclusion of the presentation Mr. Stevens answered questions from the Commission.

**AT 7:55 P.M. CHAIR RICHARDSON OPENED THE PUBLIC HEARING.**

Economic Development Manager Wallner spoke as the applicant and gave her appreciation of the compromise with Planning Commission and the developer and appreciates the Planning Commissions time. Commissioner Samuel asked for next steps and timelines with this moving forward.

**CHAIR RICHARDSON CLOSED THE PUBLIC HEARING AT 7:57 PM**

**COMISSIONER NICHOLSON MOTIONED THAT THE PLANNING COMMISSION RECOMMEND APPROVAL OF T4-2024-00002 TO THE CITY COUNCIL FOR ADOPTION COMMISSIONER SAMUEL SECONDED. THE MOTION PASSED 5-0.**

**Communications:**

Vice-Chair Townsend thanked staff for their diligence and patience with the Planning Commission with comments and concerns and looks forward to a more comprehensive

address of height restrictions in the future.

Councilmember VanDyke topics included:

- Code enforcement
- Waving permitting fees and getting staff feedback
- Cascadia update
- ADA ramps
- Planning Commission Involvement

Planning Manager Stevens and Economic Development Manager Wallner both expressed that they have positions that are open and need to be filled.

**Adjournment:**

Chair Richardson ended the meeting at 8:04 P.M.

PREPARED BY: _____
Carly Kirkpatrick, Administrative Assistant

REVIEWED BY: _____
Mike Stevens, Planning Manager

APPROVED BY: _____
Jet Richardson, Chair

DRAFT

# COUNCIL AGENDA ITEM COVERSHEET

Council Date: 12/3/2024 Agenda Category: Items of Business

Strategic Priority 1 - High Performance Government

Subject:
Ordinance No. 2024-41, Adopting the 2024 Comprehensive Plan Amendments into the existing 2017 Comprehensive Plan (First Reading)

| Department/Office | Ordinance/Resolution Number: | Document Type: |
|---|---|---|
| Development Services | 2024-41 | Ordinance |

Recommended Motion:
Give first reading to Ordinance No. 2024-41, adopting the 2024 Comprehensive Plan Amendments into the existing 2017 Comprehensive Plan.

Summary:
The Washington State Growth Management Act requires cities and counties to adopt comprehensive plans that set policy, coordinate infrastructure and service levels, and provide adequate public services to accommodate future growth and development. The City's plan is a ten-year document that may be amended once annually. On June 4, 2024, in accordance with RMC 19.90.060, Richland City Council adopted Resolution No. 2024-71, approving the docket of 2024 Comprehensive Plan amendment applications to be considered by the Planning Commission. There are two (2) items on the 2024 Docket and both affect the land use map.

The Comprehensive Plan amendments are RMC 19.20.010 Type IV permit applications requiring open-record public hearings by the Planning Commission and Richland City Council. The Planning Commission conducted a public hearing on September 25, 2024, after which it recommended that City Council approve both applications as presented. Richland City Council is conducting a public hearing on tonight's agenda (December 3, 2024).

Staff recommends approval of Ordinance No. 2024-41 for first reading.

Fiscal Impact: None.

Attachments:
1. Ordinance No. 2024-41
2. Planning Commission Meeting Minutes - September 25, 2024
3. 2024 Comprehensive Plan Amendment Staff Report

**WHEN RECORDED RETURN TO**:
Richland City Clerk's Office
625 Swift Boulevard, MS-07
Richland, WA 99352

**ORDINANCE NO. 2024-41**

**AN ORDINANCE OF THE CITY OF RICHLAND, WASHINGTON, ADOPTING THE 2024 COMPREHENSIVE PLAN AMENDMENTS INTO THE EXISTING 2017 COMPREHENSIVE PLAN AND ADOPTING THE RESULTING DOCUMENT.**

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

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

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

**WHEREAS**, through Ordinance No. 41-21, the City updated its Comprehensive Plan on January 4, 2022; and

**WHEREAS**, through Ordinance No. 2024-07, the City updated its Comprehensive Plan on March 19, 2024; and

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

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

**WHEREAS**, Chapter 19.90 of the Richland Municipal Code, titled Comprehensive Plan and Development Regulation Amendments, establishes procedures for comprehensive plan or development regulation amendments as required by RCW 36.70A.470(2); and

**WHEREAS**, the City of Richland accepted applications suggesting comprehensive plan or development regulation amendments between March 2, 2023 and March 1, 2024; and

**WHEREAS**, two (2) proposed amendments were received; and

**WHEREAS**, on April 23, 2024, Richland City Council held a workshop to review the proposed 2024 Comprehensive Plan Policies, Maps and Zoning Code Amendments Docket; and

**WHEREAS**, on June 4, 2024, Richland City Council passed Resolution No. 2024-71, authorizing the 2024 Comprehensive Plan Policies, Maps and Zoning Code Amendments Docket; and

**WHEREAS**, the Richland Planning Commission held a duly advertised public hearing on September 25, 2024 to accept testimony from anyone wishing to speak for or against the proposed changes; and

**WHEREAS**, on September 25, 2024, the Richland Planning Commission voted to recommend both (2) of the proposed amendments as evidenced in the Planning Commission's meeting minutes; and

**WHEREAS**, on December 3, 2024, Richland City Council held a public hearing to consider the proposed amendments and the recommendation of the Planning Commission. All testimony from anyone wishing to speak for or against the changes was accepted, after which Council deliberated on the proposed changes; and

**WHEREAS**, the Richland City Council finds it prudent to adopt the updated 2024 Comprehensive Plan of the City of Richland by ordinance.

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

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

Section 2. Richland City Council acknowledges that the Planning Commission conducted appropriate investigation and study and held a public hearing on the proposed amendments to the Comprehensive Plan. Consistent with the Planning Commission's recommendation, Council hereby approves the two (2) proposed amendments to the Comprehensive Plan map and/or text as

follows: CPA2024-101 and CPA2024-102. City Council has read and considered the Planning Commission's findings, and hereby makes the following findings for the record:

1. Chapter 19.90 RMC provides that City Council will consider each comprehensive plan amendment and forward those selected to the Planning Commission for processing. Plan amendment applications may be submitted via private application and/or proposed by staff or Council.

2. The deadline for submittal of private party applications for consideration as part of the 2024 Comprehensive Plan Policies, Maps and Code Amendments Docket was March 1, 2024.

3. Two (2) applications were received and deemed complete and are identified herein as numbers 12 (CPA2024-101) and 13 (CPA2024-102) in this Ordinance.

4. City Council conducted a workshop on April 24, 2024 to review the proposed 2024 Comprehensive Plan Policies, Maps and Zoning Code Amendments Docket.

5. City Council, after holding a public hearing on June 4 2024, established the 2024 Comprehensive Plan Policies, Maps and Zoning Code Amendments Docket through adoption of Resolution No. 2024-71.

6. On August 6, 2024, the City of Richland Community Development Department issued a SEPA Threshold Determination of Non-Significance for the proposed 2024 Comprehensive Plan Policies, Maps and Zoning Code Amendments Docket.

7. On August 6 2024, the City of Richland provided, as required by RCW 36.70A.106, the required sixty (60) day notification to the State of Washington of the City's proposed 2024 Comprehensive Plan Policies, Maps and Zoning Code Amendments Docket and intent to adopt.

8. By August 12, 2024, Public Hearing Notice signs were posted on, or near, the two (2) parcels under consideration for amendment.

9. On August 26, 2024, the City of Richland provided notice of a public hearing to affected parcels and neighboring properties within a 300-foot radius of parcels under consideration.

10. On September 8, 2024, the Tri-City Herald published a Notice of SEPA Determination on the upcoming Comprehensive Plan Docket.

11. All public notification requirements for the public workshops and public hearings have been met.

12. Darral Moore, PE, J-U-B Engineers, Inc., on behalf of HP Pasco, LLC, Tom Fisher, owner, is proposing to change the Comprehensive Plan Land Use designation for approximately 2.13 acres of land from High-Density Residential to Waterfront, to be accompanied by a rezone of the 2.13 acres from Commercial Limited Business (C-LB) to Waterfront (WF). Assessor's Parcel Number 115982011748012, located at 2599 Duportail Street. Known as File Numbers: CPA2024-101 & Z2024-102 – HP Pasco, LLC.

13. Richland Properties, LLC is proposing to change the Comprehensive Plan Land Use designations upon property that is approximately 12.62 acres in size by relocating/swapping the locations of the existing commercial and low-density residential comprehensive plan designations. Assessor's Parcel Number 134983000001009, located at 560 Bermuda Road. Known as File Numbers: CPA2024-102 & Z2024-103 – Richland Properties, LLC.

14. Based upon the application materials submitted and upon presentation by the applicants, the proposed amendments will not adversely impact the City's ability to provide sewer and water, and will not adversely affect adopted levels of service standards for other public facilities and services such as parks, police, fire, emergency medical services and governmental services.

15. Adequate infrastructure, facilities and services are available to serve the proposed or potential development expected as a result of these amendments.

16. The proposed amendments are consistent with the goals, policies, and objectives of the City of Richland's Comprehensive Plan.

17. The proposed Comprehensive Plan amendments will not result in probable significant adverse impacts to the transportation network, capital facilities, utilities, parks, or environmental features.

18. The subject parcels being re-designated are physically suitable for the allowed land uses in the designation being requested.

19. The proposed amendments are consistent with the Washington State Growth Management Act, Benton County planning policies, and other applicable local and state policies, agreements, and laws.

20. The proposed amendments will not have a cumulative adverse effect on the planning area.

21. The State of Washington's Growth Management Act (RCW 36.70A) requires that Comprehensive Plans be effectuated by various development regulations such as subdivision regulations, critical areas and zoning.

22. The proposed area-wide rezoning of the properties in question is dependent upon a change in the land-use designation of the Comprehensive Plan.

Section 3. The 2024 amendments to the 2017 Richland Comprehensive Plan as identified in **Exhibit A** and depicted in **Exhibit B** are hereby adopted and incorporated into the Comprehensive Plan of the City of Richland.

Section 4. The City Clerk is directed to file with the Auditor of Benton County, Washington, a copy of this Ordinance and the attached exhibits, duly certified by the City Clerk as a true copy.

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

Section 6. Should any section or provision of this Ordinance be declared by a court of competent jurisdiction to be invalid, that decision shall not affect the validity of the Ordinance as a whole or any part thereof, other than the part so declared to be invalid.

Section 7. The City Clerk and the codifiers of this Ordinance are authorized to make necessary corrections to this Ordinance, including but not limited to the correction of scrivener's errors/clerical errors, section numbering, references, or similar mistakes of form.

**PASSED** by the City Council of the City of Richland, Washington, at a regular meeting on the ___ day of _____, 2024.

_____
Theresa Richardson, Mayor

Attest:

_____
Jennifer Rogers, City Clerk

Approved as to Form:

_____
Heather Kintzley, City Attorney

First Reading: _____
Second Reading: _____
Date Published: _____

**EXHIBIT A to Ordinance No. 2024-41**

**2024 DOCKET**

**File Number: CPA2024-101 & Z2024-102**
**Applicant: Darral Moore, J-U-B Engineers, Inc. on behalf of Tom Fisher, HP Pasco, LLC (owner)**

Darral Moore, J-U-B Engineers, Inc. on behalf of Tom Fisher, HP Pasco, LLC, is proposing to change the Comprehensive Plan Land Use designation for approximately 2.13 acres of land from High-Density Residential to Commercial and rezone the site from C-LB (Commercial Limited Business) to WF (Waterfront). Assessor's Parcel Number 115982011748012, located at 2599 Duportail Street.

**File Number: CPA2024-102 & Z2024-103**
**Applicant: Richland Properties, LLC**

Richland Properties, LLC is proposing to change the Comprehensive Plan Land Use designations upon property that is approximately 12.62 acres in size by relocating/swapping the locations of the existing commercial and low-density residential comprehensive plan designations. Assessor's Parcel Number 134983000001009, located at 560 Bermuda Road.

**2024 Docket Schedule (Tentative).**

- **March 1, 2024 = Application Deadline**
- **April 23, 2024 = City Council Workshop**
- **May 21, 2024 = City Council Establishes Docket**
- **June 10, 2024 = Initiate Public Hearing and Dept. of Commerce 60-Day Review and SEPA Process**
- **August 14, 2024 = Planning Commission Workshop**
- **August 28, 2024 = Planning Commission Public Hearing.**
- **September 17, 2024 = City Council Adoption Hearing – First Reading.**
- **October 1, 2024 = City Council Adoption Hearing – Second Reading.**

# Proposed Land Use Map

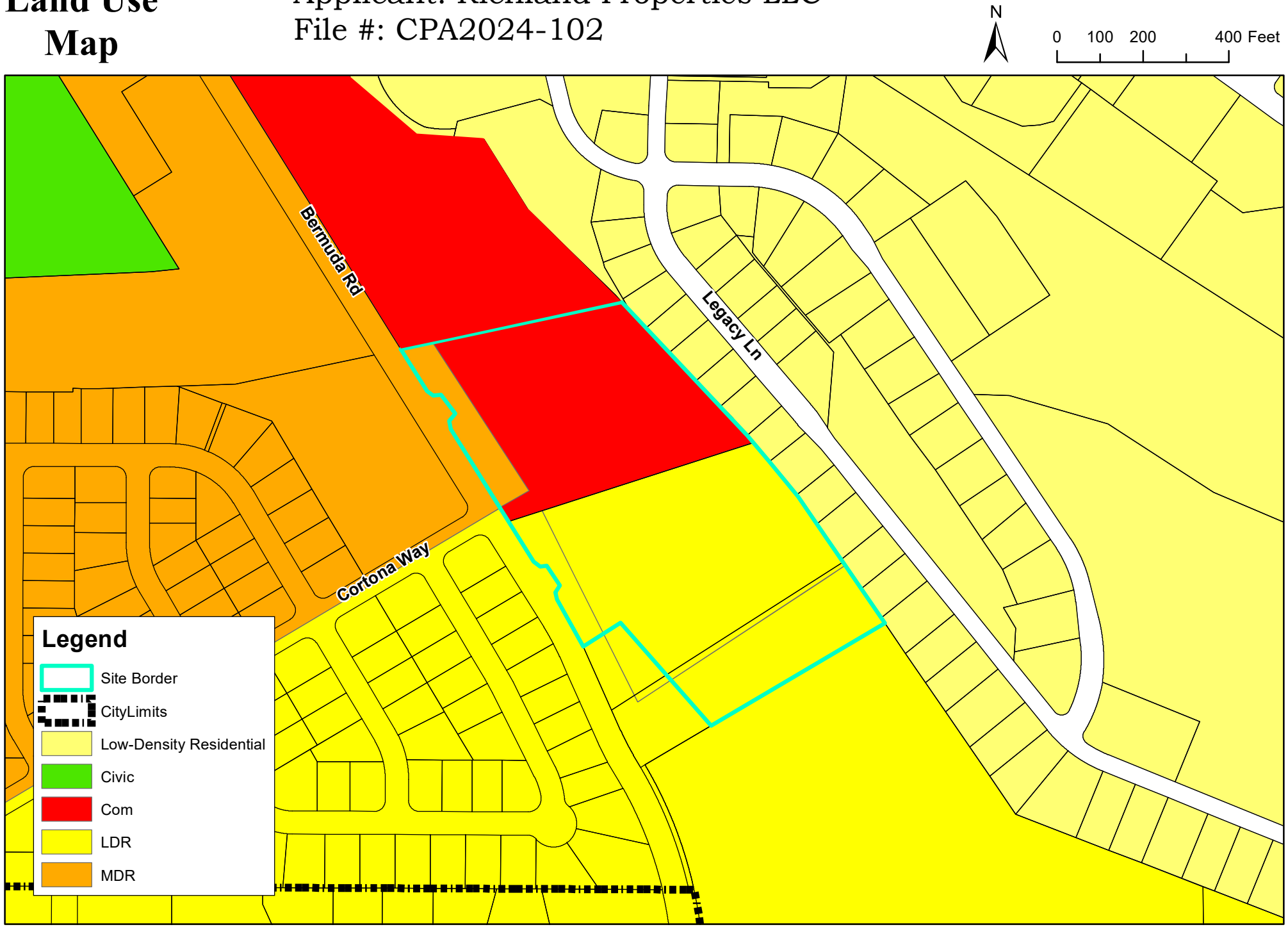
Item: 2599 Duportail St
Applicant: J-U-B Engineers
File #: CPA2024-101

Exhibit B to Ordinance No. 2024-41



# Proposed Land Use Map

Item: 560 Bermuda Road
Applicant: Richland Properties LLC
File #: CPA2024-102



Docusign Envelope ID: 2CB9D314-8B47-4351-8523-879C24E23C23

**MINUTES**
**PLANNING COMMISSION MEETING**
**WEDNESDAY, SEPTMEBER 25, 2024**
**City Hall – 625 Swift Boulevard – Council Chamber**
**6:00 p.m.**

## Call to Order:

Vice-Chair Townsend called the meeting to order at 6:00 p.m.

## Attendance:

Present: Vice-Chair Townsend, Members Hernandez, Lambert, Miller, and Samuel.

Also present were Councilmember VanDyke, Development Services Director Jensen, Planning Manager Stevens, CDBG/HOME Administrator Lehman and Administrative Assistant II Kirkpatrick.

## Approval of Agenda:

Vice-Chair Townsend presented the meeting agenda for review and approval.

**COMMISSIONER HERNANDEZ MOVED AND COMMISSIONER SAMUEL SECONDED THE MOTION TO APPROVE AGENDA AS PUBLISHED. THE MOTION PASSED 5-0.**

## Approval of Minutes:

Vice-Chair Townsend presented the minutes for the August 28, 2024 Planning Commission Meeting.

**COMMISIONER SAMUEL MOTIONED AND COMMISIONER MILLER SECONDED THE MOTION TO APPROVE THE MINUTES OF AUGUST 28, 2024 PLANNING COMMISION MEETING AS PRESENTED. THE MOTION PASSED 5-0.**

## Public Comments:

Vice-Chair Townsend opened public comment at 6:04 pm. With no public comments, he closed the comment period at 6:04 pm.

## New Business – Public Hearing:

### 2. Public Hearing to Accept Comments on 2025 Community Development Block Grant and Housing Funds

CDBG/HOME Administrator Lehman provided the Commission with an overview of the annual process and the purpose of the public hearing to accept comment. She went over the amount asked by applicants and the anticipated amount that will be awarded. Applicants will be coming to the next Planning Commission meeting. Vice-Chair asked Ms. Lehman to

Docusign Envelope ID: 2CB9D314-8B47-4351-8523-879C24E23C23

confirm that proper notice was given, and she confirmed because it was part of the HOME consortium that it had also been posted on the City of Pasco and Kennewick's websites.

**AT 6:08 P.M. VICE-CHAIR TOWNSEND OPENED THE PUBLIC HEARING. HAVING NO ONE PRESENT FOR THE PUBLIC HEARING HE CLOSED IT AT 6:08 P.M.**

**3. 2024 Comprehensive Plan and Development Regulations Annual Amendments**

Planning Manager Stevens gave a brief overview of the 2024 Comprehensive Plan Amendment process and confirmed that proper notice was given. There were two applications this year. The first one was for J-U-B Engineers on behalf of HP Pasco, LLC to amend the Comprehensive Plan map for approximately 2.13 acres of land from High-Density Residential to Commercial with staff recommendation is to have it rezoned to waterfront. The property is currently zoned for High Density Residential which allows for both R-3 zones and Commercial Limited Business district. The second application is from Richland Properties, LLC, and they are proposing to change the Comprehensive Plan Land Use designations upon property that is approximately 12.62 acres in size by relocating/swapping the locations of the existing commercial and low-density residential comprehensive plan designations to create one larger commercial zone. The difference in size of the two parcels are 3000 square feet apart in size and zoning would match adjacent properties.

Jason Madoxx, on behalf of PBS Engineering & Environmental spoke to commission regarding Richland Properties LLC and their proposal to swap properties to consolidate into one single commercial section.

**AT 6:22 P.M. VICE-CHAIR TOWNSEND OPENED THE PUBLIC HEARING. HAVING NO ONE PRESENT FOR THE PUBLIC HEARING HE CLOSED IT AT 6:22 P.M.**

Commissioner Samuel asked why staff is recommending waterfront zoning. Planning Manager Stevens went overuses and reason staff is recommending waterfront zoning including the small footprint of the property, and a brief history of the Shoreline Master Program that also would be included in this property. Further discussion amongst staff and planning commission occurred regarding the first application, and with no further discussion, Vice-Chair moved for a motion.

**COMISSIONER SAMUEL MOTIONED THAT THE PLANNING COMMISSION ADOPT THE FINDINGS, CONCLUSIONS, AND RECOMMENDATION FOUND IN THE STAFF REPORT AND RECOMMEND THAT THE CITY COUNCIL APPROVE THE 2024 COMPREHENSIVE PLAN POLICY AND MAP, AND CODE AMENDMENT DOCKET AND COMMISSIONER LAMBERT SECONDED. THE MOTION PASSED 5-0.**

**COMISSIONER SAMUEL MOTIONED THAT THE PLANNING COMMISSION ADOPT THE FINDINGS, CONCLUSIONS, AND RECOMMENDATION FOUND IN THE STAFF REPORT AND RECOMMEND THAT THE CITY COUNCIL APPROVE THE ASSOCIATED REZONES AND COMMISSIONER LAMBERT SECONDED. THE MOTION PASSED 5-0.**

Docusign Envelope ID: 2CB9D314-8B47-4351-8523-879C24E23C23

**Communications:**

Councilmember VanDyke spoke regarding a workshop that Council had the night before where the Veteran Affairs (VA) proposed a cemetery at the end of Horn Rapids that could come forward to the Planning Commission.

Development Services Director Jensen reminded the Planning Commission about the upcoming Boards and Commission Appreciation Reception that the city is hosting.

Planning Manager Stevens informed the Commission that staff is on its fourth month with not being fully staffed. They are continuing their effort to fill positions and appreciate the Planning Commission's patience. Hoping to have someone on board by end of month.

Vice-Chair Townsend spoke about being more proactive and holding additional workshops to be more supportive to the overall city goals. Councilmember VanDyke gave a few examples of topics that could be workshopped, and how other committees engage.

**Adjournment:**

Vice-Chair Townsend ended the meeting at 6:39 P.M.

PREPARED BY: Carly Kirkpatrick
Carly Kirkpatrick, Administrative Assistant

REVIEWED BY: Mike Stevens
Mike Stevens, Planning Manager

APPROVED BY:
Jet Richardson, Chair

DocuSign

## Certificate Of Completion

Envelope Id: 2CB9D3148B4743518523879C24E23C23
Status: Completed
Subject: ACTION REQUIRED: Planning Commission Meeting Minutes Approved at the October 23, 2024 Meeting
Source Envelope:
Document Pages: 5
Signatures: 6
Certificate Pages: 5
Initials: 0
AutoNav: Enabled
EnvelopeId Stamping: Enabled
Time Zone: (UTC-08:00) Pacific Time (US & Canada)

Envelope Originator:
Carly Kirkpatrick
625 Swift Boulevard
Richland, WA 99352
ckirkpatrick@ci.richland.wa.us
IP Address: 10.131.119.39

## Record Tracking

Status: Original
11/15/2024 12:56:03 PM
Holder: Carly Kirkpatrick
ckirkpatrick@ci.richland.wa.us
Location: DocuSign

| Signer Events | Signature | Timestamp |
|---|---|---|
| Carly Kirkpatrick<br>ckirkpatrick@ci.richland.wa.us<br>Administrative Assistant II<br>City of Richland<br>Security Level: Email, Account Authentication (None)<br><br>**Electronic Record and Signature Disclosure:**<br>Not Offered via DocuSign |  <br>Signature Adoption: Pre-selected Style<br>Using IP Address: 10.131.119.39 | Sent: 11/15/2024 12:57:32 PM<br>Viewed: 11/15/2024 12:57:39 PM<br>Signed: 11/15/2024 12:57:46 PM |
| Mike Stevens<br>MStevens@ci.richland.wa.us<br>Planning Manager<br>City of Richland<br>Security Level: Email, Account Authentication (None)<br><br>**Electronic Record and Signature Disclosure:**<br>Not Offered via DocuSign |  <br>Signature Adoption: Pre-selected Style<br>Using IP Address: 10.131.119.162 | Sent: 11/15/2024 12:57:47 PM<br>Viewed: 11/18/2024 7:47:11 AM<br>Signed: 11/18/2024 7:47:18 AM |
| Jet Richardson<br>jrichardson@habitat-tcp.org<br>Executive Director<br>Jet Richardson, Tri-County Partners Habitat for Humanity<br>Security Level: Email, Account Authentication (None)<br>**Electronic Record and Signature Disclosure:**<br>Accepted: 11/18/2024 9:40:50 AM<br>ID: 9329326a-ab06-41d4-a336-3551881fa295 |  <br>Signature Adoption: Drawn on Device<br>Using IP Address: 68.116.12.130 | Sent: 11/18/2024 7:47:19 AM<br>Viewed: 11/18/2024 9:40:50 AM<br>Signed: 11/18/2024 9:41:13 AM |

| In Person Signer Events | Signature | Timestamp |
|---|---|---|

| Editor Delivery Events | Status | Timestamp |
|---|---|---|

| Agent Delivery Events | Status | Timestamp |
|---|---|---|

| Intermediary Delivery Events | Status | Timestamp |
|---|---|---|

| Certified Delivery Events | Status | Timestamp |
|---|---|---|

| Carbon Copy Events | Status | Timestamp |
|---|---|---|

| Witness Events | Signature | Timestamp |
|---|---|---|

| Notary Events | Signature | Timestamp |
|---|---|---|

| Envelope Summary Events | Status | Timestamps |
|---|---|---|
| Envelope Sent | Hashed/Encrypted | 11/15/2024 12:57:32 PM |
| Certified Delivered | Security Checked | 11/18/2024 9:40:50 AM |
| Signing Complete | Security Checked | 11/18/2024 9:41:13 AM |
| Completed | Security Checked | 11/18/2024 9:41:13 AM |

| Payment Events | Status | Timestamps |
|---|---|---|

| Electronic Record and Signature Disclosure |
|---|

## ELECTRONIC RECORD AND SIGNATURE DISCLOSURE

From time to time, City of Richland (we, us or Company) may be required by law to provide to you certain written notices or disclosures. Described below are the terms and conditions for providing to you such notices and disclosures electronically through the DocuSign system. Please read the information below carefully and thoroughly, and if you can access this information electronically to your satisfaction and agree to this Electronic Record and Signature Disclosure (ERSD), please confirm your agreement by selecting the check-box next to 'I agree to use electronic records and signatures' before clicking 'CONTINUE' within the DocuSign system.

### Getting paper copies

At any time, you may request from us a paper copy of any record provided or made available electronically to you by us. You will have the ability to download and print documents we send to you through the DocuSign system during and immediately after the signing session and, if you elect to create a DocuSign account, you may access the documents for a limited period of time (usually 30 days) after such documents are first sent to you. After such time, if you wish for us to send you paper copies of any such documents from our office to you, you will be charged a $0.00 per-page fee. You may request delivery of such paper copies from us by following the procedure described below.

### Withdrawing your consent

If you decide to receive notices and disclosures from us electronically, you may at any time change your mind and tell us that thereafter you want to receive required notices and disclosures only in paper format. How you must inform us of your decision to receive future notices and disclosure in paper format and withdraw your consent to receive notices and disclosures electronically is described below.

### Consequences of changing your mind

If you elect to receive required notices and disclosures only in paper format, it will slow the speed at which we can complete certain steps in transactions with you and delivering services to you because we will need first to send the required notices or disclosures to you in paper format, and then wait until we receive back from you your acknowledgment of your receipt of such paper notices or disclosures. Further, you will no longer be able to use the DocuSign system to receive required notices and consents electronically from us or to sign electronically documents from us.

### All notices and disclosures will be sent to you electronically

Unless you tell us otherwise in accordance with the procedures described herein, we will provide electronically to you through the DocuSign system all required notices, disclosures, authorizations, acknowledgements, and other documents that are required to be provided or made available to you during the course of our relationship with you. To reduce the chance of you inadvertently not receiving any notice or disclosure, we prefer to provide all of the required notices and disclosures to you by the same method and to the same address that you have given us. Thus, you can receive all the disclosures and notices electronically or in paper format through the paper mail delivery system. If you do not agree with this process, please let us know as described below. Please also see the paragraph immediately above that describes the consequences of your electing not to receive delivery of the notices and disclosures electronically from us.

**How to contact City of Richland:**

You may contact us to let us know of your changes as to how we may contact you electronically, to request paper copies of certain information from us, and to withdraw your prior consent to receive notices and disclosures electronically as follows:
To contact us by email send messages to: tclark@ci.richland.wa.us

**To advise City of Richland of your new email address**

To let us know of a change in your email address where we should send notices and disclosures electronically to you, you must send an email message to us at tclark@ci.richland.wa.us and in the body of such request you must state: your previous email address, your new email address. We do not require any other information from you to change your email address.

If you created a DocuSign account, you may update it with your new email address through your account preferences.

**To request paper copies from City of Richland**

To request delivery from us of paper copies of the notices and disclosures previously provided by us to you electronically, you must send us an email to tclark@ci.richland.wa.us and in the body of such request you must state your email address, full name, mailing address, and telephone number. We will bill you for any fees at that time, if any.

**To withdraw your consent with City of Richland**

To inform us that you no longer wish to receive future notices and disclosures in electronic format you may:

i. decline to sign a document from within your signing session, and on the subsequent page, select the check-box indicating you wish to withdraw your consent, or you may;

ii. send us an email to tclark@ci.richland.wa.us and in the body of such request you must state your email, full name, mailing address, and telephone number. We do not need any other information from you to withdraw consent.. The consequences of your withdrawing consent for online documents will be that transactions may take a longer time to process..

**Required hardware and software**

The minimum system requirements for using the DocuSign system may change over time. The current system requirements are found here: https://support.docusign.com/guides/signer-guide-signing-system-requirements.

**Acknowledging your access and consent to receive and sign documents electronically**

To confirm to us that you can access this information electronically, which will be similar to other electronic notices and disclosures that we will provide to you, please confirm that you have read this ERSD, and (i) that you are able to print on paper or electronically save this ERSD for your future reference and access; or (ii) that you are able to email this ERSD to an email address where you will be able to print on paper or save it for your future reference and access. Further, if you consent to receiving notices and disclosures exclusively in electronic format as described herein, then select the check-box next to 'I agree to use electronic records and signatures' before clicking 'CONTINUE' within the DocuSign system.

By selecting the check-box next to 'I agree to use electronic records and signatures', you confirm that:

- You can access and read this Electronic Record and Signature Disclosure; and
- You can print on paper this Electronic Record and Signature Disclosure, or save or send this Electronic Record and Disclosure to a location where you can print it, for future reference and access; and
- Until or unless you notify City of Richland as described above, you consent to receive exclusively through electronic means all notices, disclosures, authorizations, acknowledgements, and other documents that are required to be provided or made available to you by City of Richland during the course of your relationship with City of Richland.

**CITY OF RICHLAND DEVELOPMENT SERVICES DIVISION**
**STAFF REPORT**

TO: PLANNING COMMISSION — PREPARED BY: MIKE STEVENS
FILE NO.: PLN-T4-2024-00001 — HEARING DATE: SEPTEMBER 25, 2024

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

- Background
- Processing Timeline
- Notes on Next Steps for Processing
- Overview of Proposed Comprehensive Plan Amendments
- Analysis of CPA2024-101 – HP Pasco, LLC (Darral Moore, J-U-B Engineers, Applicant)
- Analysis of CPA2024-102 – Richland Properties, LLC (Taylor Merrill, Applicant)
- Rezone Analysis
- SEPA Threshold Determination
- Staff Recommendation
- Suggested Conclusions of Law and Suggested Findings of Fact
- Recommended Motion
- List of Exhibits

## BACKGROUND

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

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

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

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

## PROCESSING COMPLETED UNTIL NOW

The following key dates and milestones describe action and processing taken by staff, the Planning Commission, and Council to date on the 2024 Comprehensive Plan Docket.

- March 1, 2024: Deadline for Private Party Application submission
    - Two (2) private party applications were received and deemed complete

- April 23, 2024: City Council Workshop to review the 2024 Comprehensive Plan Amendment Docket
- June 4, 2024: City Council Public Hearing Establishing the 2024 Comprehensive Plan Amendment Docket and forwarding the Docket to the Planning Commission for processing
- August 6, 2024: SEPA Threshold Determination of Non-Significance issued by the City's Development Services Department (PLN-T1-2024-00071)
- August 6, 2024: Notice of Intent to Adopt Amendment 60 Days Prior to Adoption sent to the Department of Commerce by the City's Development Services Department
- August 26, 2024: Notice of the September 25th Planning Commission Public Hearing was mailed to affected parcels and those neighboring properties within 300-feet of parcels under consideration
- September 8, 2024: Notice of Public Hearing was published in the newspaper and posted at City Hall and the City's website
- August 12, 2024: Pending Land Use Action signs were posted at the properties

## NEXT STEPS REQUIRED FOR PROCESSING

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

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

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

## OVERVIEW OF PROPOSED COMPREHENSIVE PLAN AMENDMENTS

The 2024 Comprehensive Plan Docket includes the following changes:
S*taff evaluation including findings and conclusions are provided later in this report*.

| **Summary Review of 2024 Applications** | |
|---|---|
| **APPLICANT:**<br>**Darral Moore, J-U-B Engineers on behalf of HP Pasco, LLC**<br><br>Change the Comprehensive Plan Map:<br>Amend the Comprehensive Plan map for approximately 2.13 acres of land from High-Density Residential to Commercial (Staff recommends that the Comprehensive Plan map be changed to Waterfront). | **FILE NO.:**<br>**CPA2024-101 & Z2024-102**<br><br>Staff Recommends:<br>Map change should be accompanied by an associated rezone of the site from Commercial Limited Business [C-LB] to Waterfront [WF]. |
| **APPLICANT:**<br>**Richland Properties, LLC**<br><br>Change the Comprehensive Plan Map: | **FILE NO.:**<br>**CPA2024-102 & Z2024-103**<br><br>Staff Recommends: |

| | |
|---|---|
| Amend the Comprehensive Plan map for approximately 12.62 acres by relocating/swapping the locations of the existing Commercial and Low-Density Residential land use designations. | Map change should be accompanied by an associated rezone of the site relocating/swapping the locations of the existing Commercial Limited Business [C-LB] and Single-Family Residential [R-1-10] zoning districts. |

## ANALYSIS

HP PASCO LLC MAP UPDATE (CPA2024-101 & Z2023-102)

Description of Proposal

Darral Moore, PE, J-U-B Engineers, Inc., on behalf of HP Pasco, LLC, Tom Fisher, owner, is proposing to change the Comprehensive Plan Land Use designation for approximately 2.13 acres of land from High-Density Residential to Commercial, to be accompanied by a rezone of the 2.13 acres from Commercial Limited Business [C-LB] to Waterfront [WF].

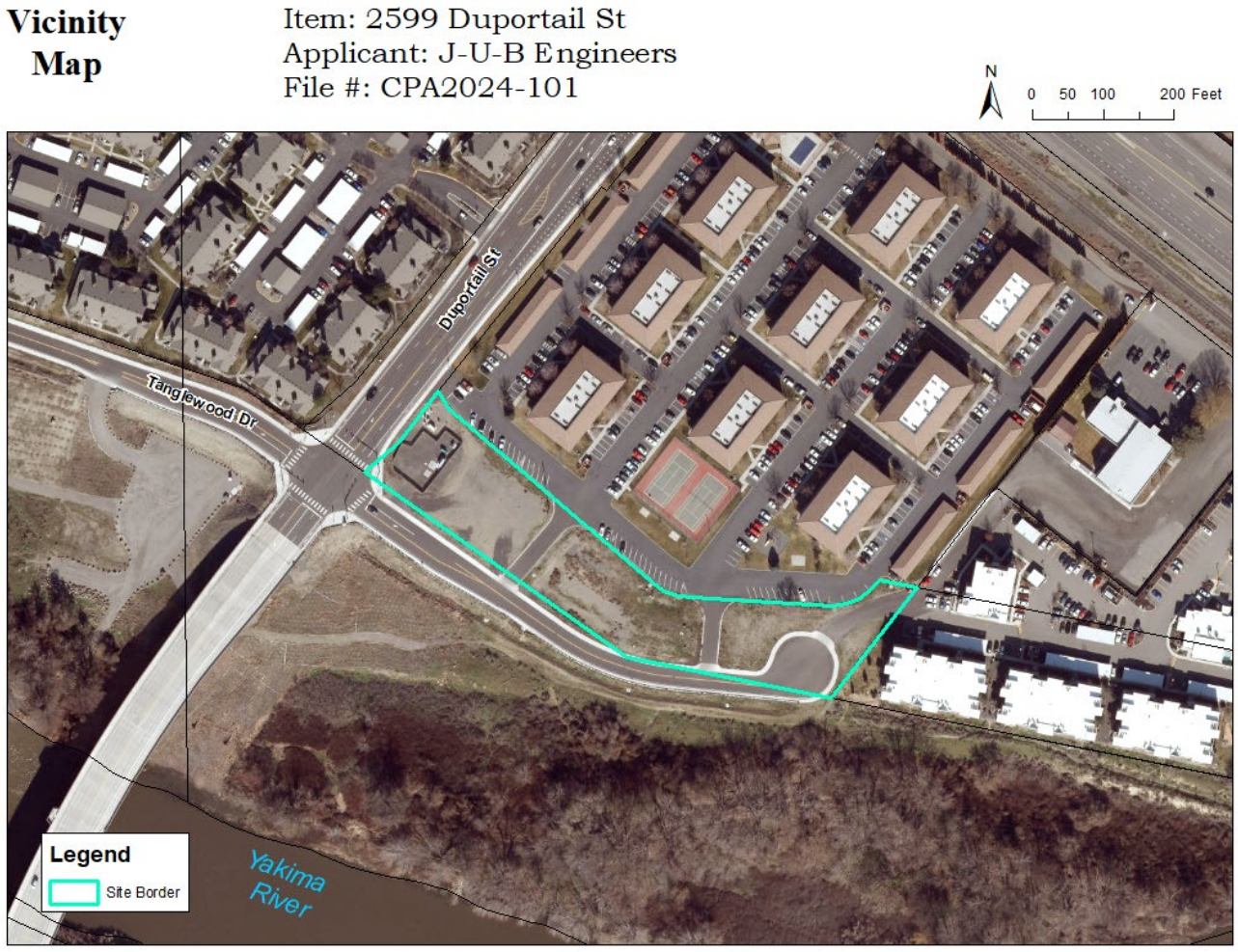



**Figure 1 – Vicinity Map**

Site Description & Adjacent Land Uses

The subject site consists of one 2.13-acre parcel (Parcel #115982011748012) located at the northwest corner of the intersection of Duportail Street and Tanglewood Drive.

The subject site is relatively flat and contains approximately 750 lineal feet of frontage along

Tanglewood Drive. The site is divided into three (3) building sites via the existence several existing driveways which access the multi-family apartments located to the north and east of the subject site. Given the relatively small amount of buildable space on the site, the property owner is proposing to change the land use and zoning designations of the site to Waterfront in order to match the City's Shoreline jurisdiction designation for the site. Changing the land use and zoning classification to waterfront will afford the property owner the opportunity to develop each of the smaller building footprints into commercial businesses that will provide goods and/or services to the nearby multi-family apartments.

*Surrounding Zoning and Land Uses:*

**North:** High-Density Residential [HDR], Commercial Limited Business [C-LB]
Private multi-family apartments

**East:** High-Density Residential [HDR], Commercial Limited Business [C-LB]
Private multi-family apartments

**South:** Natural Open Space [NOS], Natural Open Space [NOS]
US Army Corps of Engineers

**West:** High-Density Residential [HDR], Commercial Limited Business [C-LB]
Private multi-family apartments

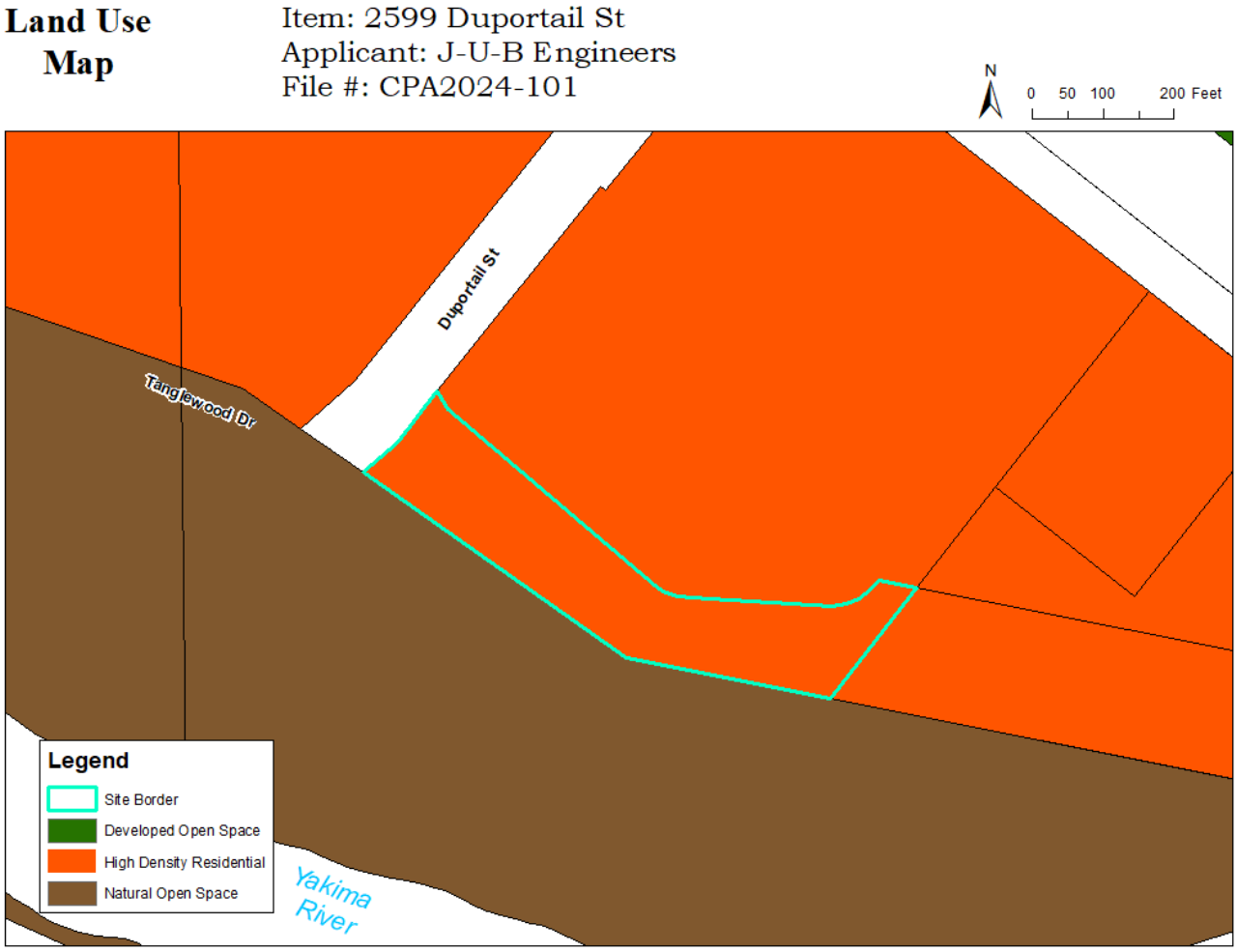



**Figure 2 – Comprehensive Plan Land Use Designations**

Comprehensive Plan

The site is currently designated as High-Density Residential [HDR] under the City's current Comprehensive Plan, while the request is to re-designate the site from High-Density Residential to Commercial .

The Comprehensive Plan defines High-Density Residential [HDR] lands as follows:

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

The Comprehensive Plan defines Commercial [C] lands as follows:

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

The Comprehensive Plan identifies the following goals and policies that pertain to this amendment request:

**Land Use Goal 2:** Establish land uses that are sustainable and create a livable and vibrant community.

**Land Use Goal 4:** Promote commercial and industrial growth that supports the City's economic development goals.

> *Policy 1:* Accommodate a variety of commercial land uses including retail and wholesale sales and services, and research and professional services.

Zoning

The site is currently zoned Commercial Limited Business [C-LB], while the request is to rezone the site to Waterfront [WF].

The Richland Municipal Code [RMC] defines the Commercial Limited Business district as follows:

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

The Richland Municipal Code [RMC] defines the Waterfront [WF] district as follows:

> *The waterfront use district (WF) is a special commercial and residential zoning classification providing for the establishment of such uses as marinas, boat docking facilities, resort motel and hotel facilities, offices and other similar commercial, apartment, and multifamily uses which are consistent with waterfront-oriented development, and which are in conformance with RMC Title 26, Shoreline Management, and with applicable U.S. Corps of Engineers requirements. This zoning classification encouraged mixed special commercial and high-*

*density residential uses to accommodate a variety of lifestyles and housing opportunities. Any combination of listed uses may be located in one building or one development (i.e., related buildings on the same lot or site). This zoning classification is intended to be applied to those portions of the city that are designated waterfront under the city of Richland comprehensive plan.*

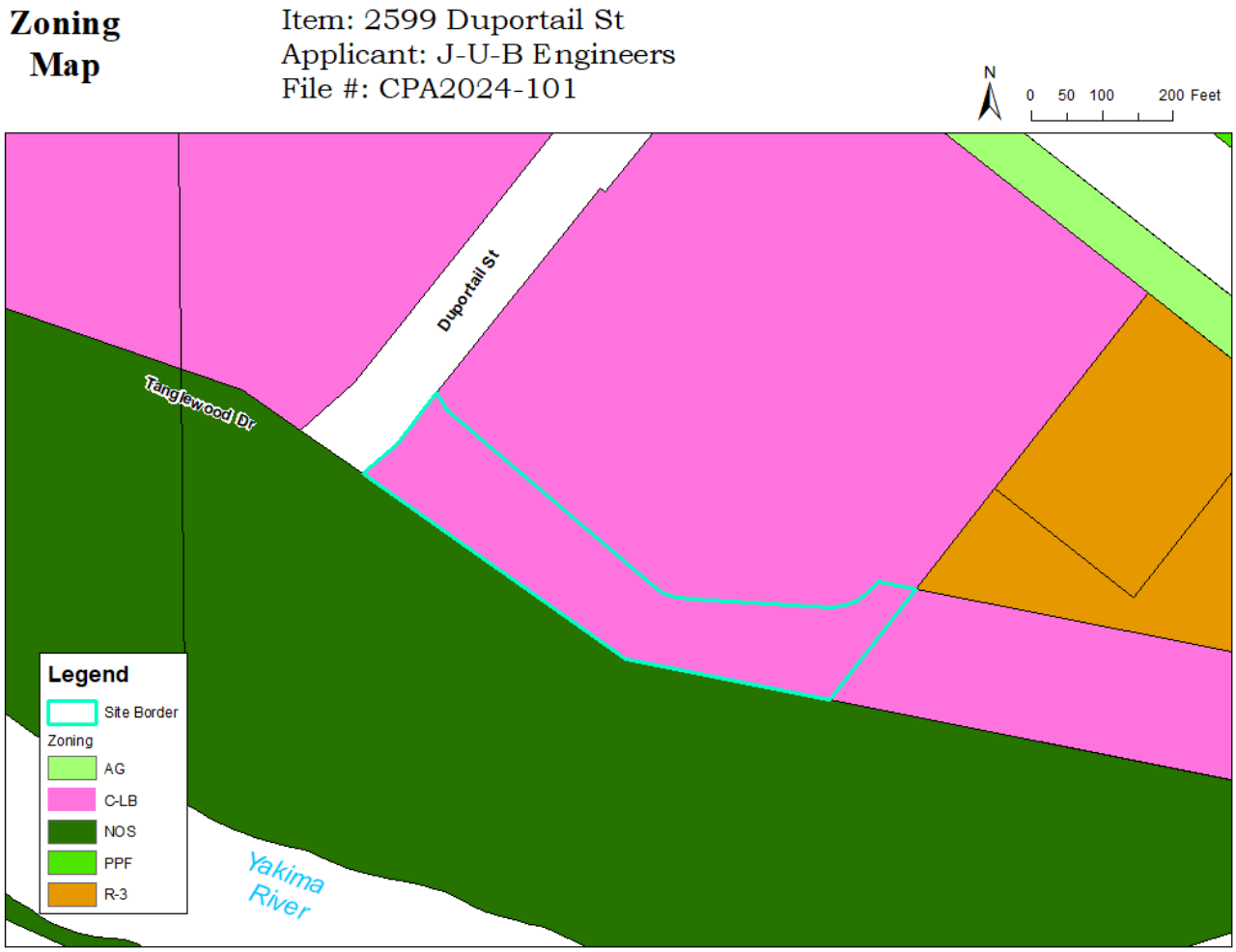



**Figure 3 – Zoning Land Use Categories**

Utility Availability

There are existing domestic water, sewer and electrical power line connections in place, available within existing rights-of-way and/or easements on or near the site with adequate capacity to supply anticipated development.

Transportation & Access

Primary access into the site will come from Tanglewood Drive, which extends easterly from Duportail Street, which is classified by the City as a "Major Collector". This area is largely characterized by multi-family residential development to the north, east and west and open space/natural area associated with the Yakima River to the south.

Schools

The subject site falls within the boundaries of the Richland School District. The closest schools to this site are approximately one mile away.

Parks

While the majority of land in the nearby vicinity is zoned Parks & Public Facilities [PPF], there most of the land associated with this zoning category is in use either as educational or other public facilities, and not traditional park land. To that end, the most substantial, park-like asset near the subject site is the Columbia River trail some three-quarters of mile to the east.

Environmental Review

The applicants have submitted an environmental checklist. Planning staff reviewed the documents and issued a Determination of Non-Significance for the entire 2024 Comprehensive Plan Docket on August 6, 2024 (PLN-T1-2024-00071). No appeals or challenges to the city's Determination of Non-Significance were received. A copy of the checklist and determination of non-significance is attached.

Analysis

The proposed Comprehensive Plan map amendment proposes to provide commercial opportunities for the site that would provide additional services for the adjacent multi-family residential neighborhood.

Unfortunately, the applicant has applied for a request to amend the Comprehensive Plan Land Use designation to Commercial, rather than Waterfront, as necessary in order to rezone the site to the Waterfront zoning district. This likely occurred due to the fact that the zoning table for Commercial zoning districts lists the Waterfront zone as one of the zoning districts in which commercial uses may occur. As a result, staff recommends that the Comprehensive Plan Land Use designation be changed to Waterfront rather than Commercial. The only zoning district allowed within the Waterfront Land Use designation is the Waterfront zone, while the Waterfront zone is not an allowable zoning district within the Commercial Land Use designation. Staff contends that the impacts of having the site zoned Waterfront would be less than if the site were designated as Commercial and then ultimately re-zoned to one of the more intensive commercial zoning districts. Ultimately, given the size of the site and the proposed uses, the Waterfront zoning district is likely the most appropriate zoning district for that location.

Approval Criteria

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

   The subject site has remained largely vacant over the preceding decades due to its relatively small size, irregular/elongated shape and other inherent limitations which did not make the lot especially ripe for multi-family residential development interest. This parcel has potential to be developed in a way appropriate to its location and the adjacent land uses.

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

   The assumptions on which the current Comprehensive Plan is based took into consideration the property's location adjacent to other multi-family residential development. However, as indicated above, the size and shape of the site, and the fact that two (2) access easements cross the site make multi-family development of the site extremely limited and unlikely. As a result, Planning Staff currently believes that the highest and best use of the site is for small commercial developments, such as drive-thru coffee stands or other smaller sized commercial uses that would be accessory to the neighboring high-density residential development.

Summary

Approval of the proposed Comprehensive Plan amendment would provide areas for commercial development which could serve the nearby multi-family residential developments with various commercial opportunities.

RICHLAND PROPERTIES, LLC MAP UPDATE (CPA2024-102 & Z2024-103)

Description of Proposal

Richland Properties, LLC is proposing to change the Comprehensive Plan Land Use designations upon property that is approximately 12.62 acres in size by relocating/swapping the locations of the existing commercial and low-density residential comprehensive plan designations. Assessor's Parcel Number 134983000001009, located at 560 Bermuda Road.

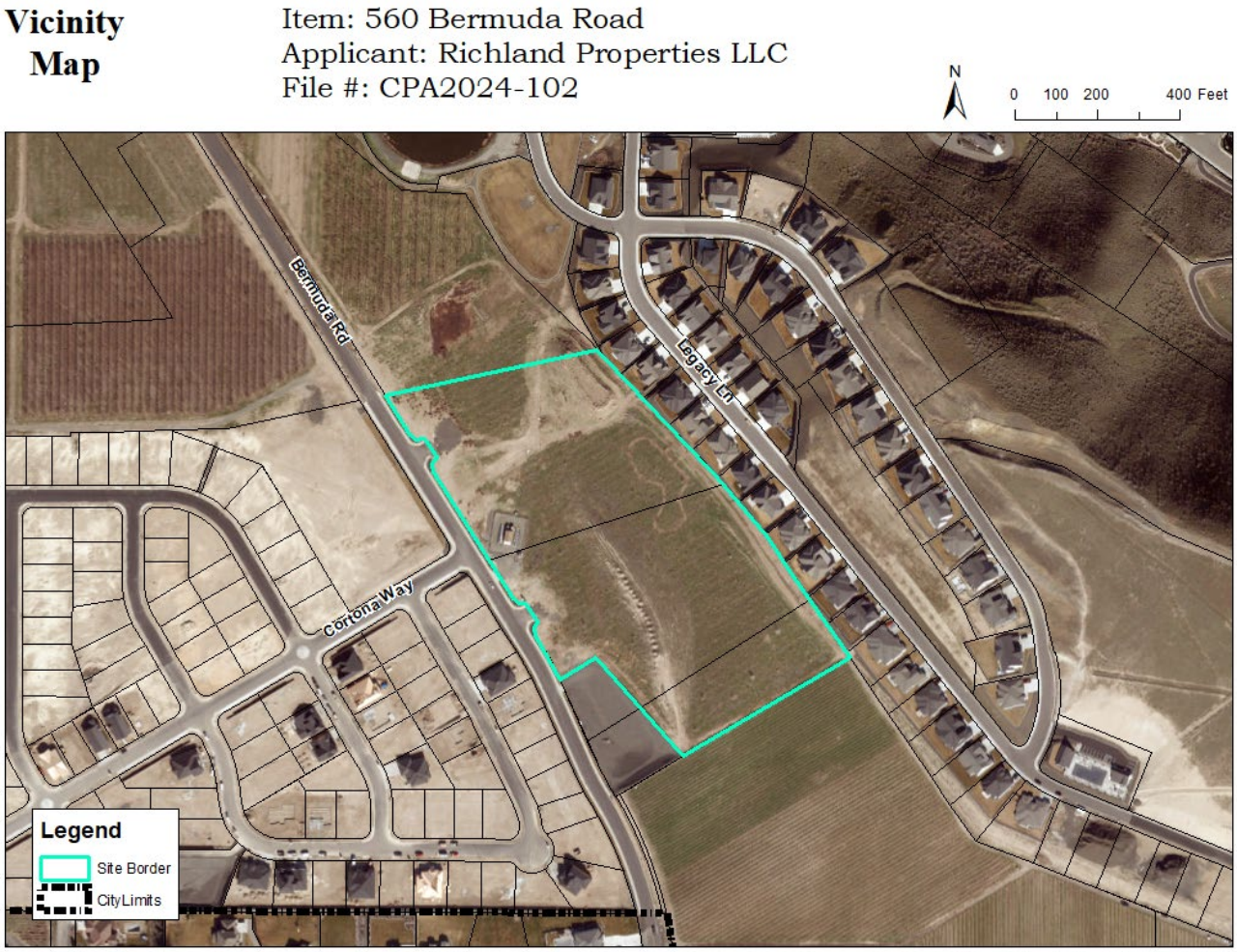



**Figure 7 – Vicinity Map**

Site Description & Adjacent Land Uses

The site is approximately 12.62 acres in size and is located along the east side of Bermuda Road upon parcel 134983000001009 (highlighted in turquoise, above).

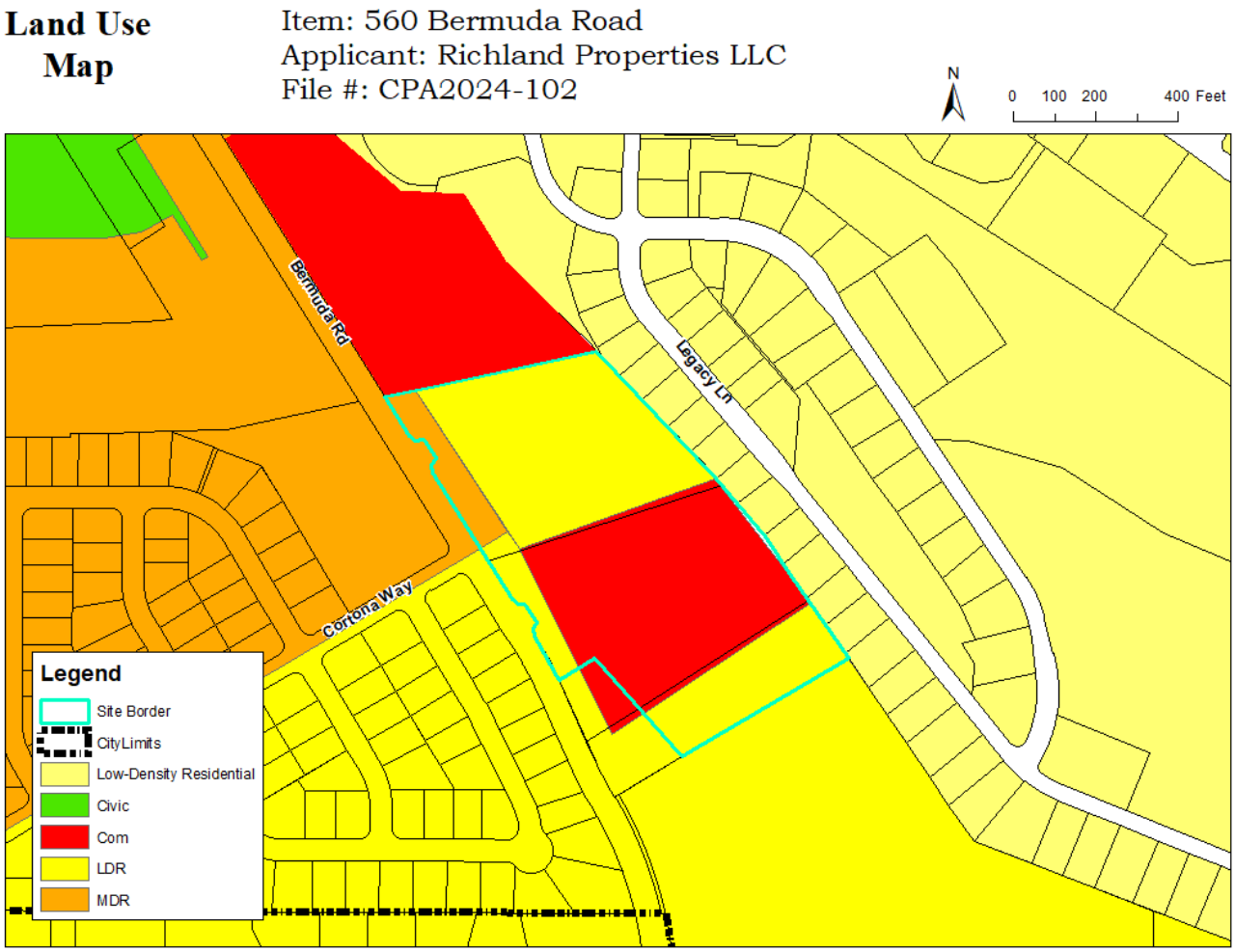



**Figure 8 – Badger Mountain Subarea Land Use Designations**

Comprehensive Plan

The site is currently designated as Commercial [COM] and Low-Density Residential [MDR] under the City's current Badger Mountain Subarea Plan. The intent of the proposed "swap" is to create a larger commercial node (when taken into consideration with the property to the north) with residential on either side, rather than have commercial areas separating residential areas.

The Badger Mountain South Subarea Plan Low-Density Residential land use category is described as follows:

> *The Badger Mountain Low-Density Residential (BMLDR) designation includes the existing and vested low-density subdivisions within the Subarea while also accommodating the development of new low-density dwellings. It is intended to accommodate a variety of housing types and sizes. It supports the idea that housing choice and opportunities for homeownership responds best when a mixture of price ranges are available within the new neighborhoods of the Badger Mountain Subarea.*
>
> *The BMLDR designation also provides a transition between the existing Badger Mountain Plateau and El Rancho Reata neighborhoods with the new, denser neighborhoods proposed within the Badger Mountain South development.*

The Badger Mountain South Subarea Plan Commercial land use category is described as follows:

*The Commercial (C) designation would allow retail business and service uses that provide products and services. It is found in future commercial nodes in areas outside of Badger Mountain South. The Commercial designation may include areas that provide limited retail business for the convenience of nearby neighborhoods or areas that provide a wider array of business and service uses.*

The Comprehensive Plan identifies the following goals and policies that pertain to this amendment request:

**Land Use Goal 1:** Plan for growth within the urban growth area and promote compatible land use.
*Policy 2:* Facilitate planned growth and infill developments within the City.

**Land Use Goal 3:** Maintain a broad range of residential land use designations to accommodate a variety of lifestyles and housing opportunities.
*Policy 1:* Distribute residential uses and densities throughout the urban growth area consistent with the City's vision.

**Land Use Goal 8:** Address unique land use situations in the urban area with policies specific to those situations that ensure compatibility between land uses without infringing on private property rights.

Zoning

The subject property is currently split between the Commercial Limited Business zone [C-LB] and Single-Family Residential [R-1-10]. The requested Comprehensive Plan map amendment and associated rezone will not change the zoning classifications of the property, rather, it will just swap the locations resulting in a larger area of commercially designated property when looked at in conjunction with the land use designation of the property located to the northwest. The proposal will also remove the separation between single-family residentially zoned land on the subject property.

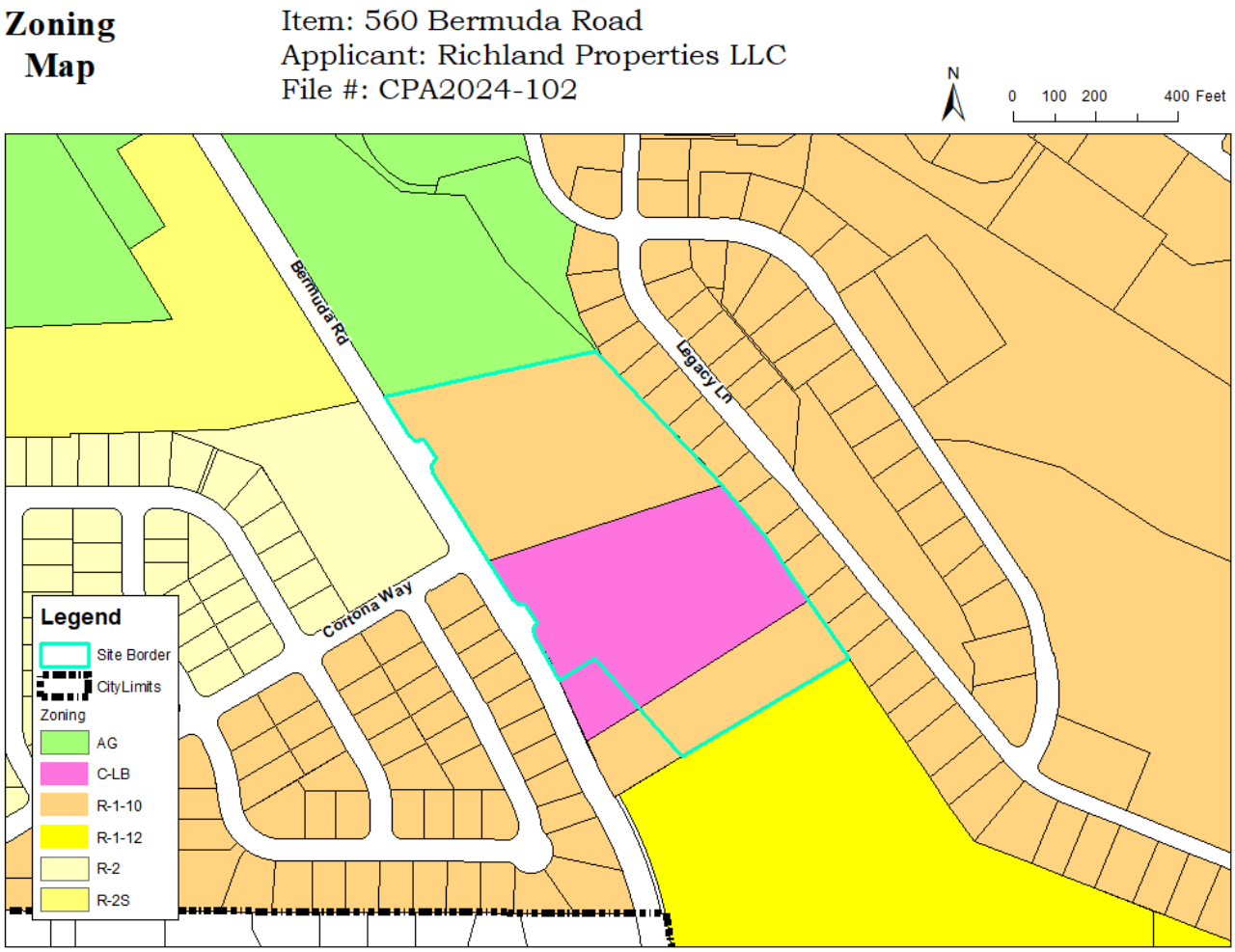



**Figure 9 – Zoning Land Use Categories**

Utility Availability

There are existing domestic water, sewer, natural gas, fiber, and electrical power line connections in place, available within existing rights-of-way or otherwise on property near the site with adequate capacity to supply anticipated development.

Transportation & Access

Primary access into the site will come from Bermuda Road, classified by the City as a "Major Collector". This area is largely characterized as single-family housing in transition from undeveloped and agricultural uses. As such, there are currently no significant nodes of employment or shopping amenities via suburban scale commercial, office or industrial development within close proximity. This proposal, along with the establishment of a commercial area to the north will ultimately result in a relatively large commercial node that will help create jobs and provide commercial services to this area of the city.

Schools

The plat falls within the boundaries of the Richland School District. The school district anticipates the siting of a future elementary school in this area. Recent land actions have contemporized the District's land holdings in preparation for future phases of this development. Secondary education is not in the immediate vicinity of this proposed development.

Parks

Other than the existing private park within the Siena Hills development, immediately west, there are no other parks planned at this time. Crested Hills Park is one-half mile due east and the Badger Mountain Centennial Preserve is 0.8-miles to the northwest. Of these, the latter is a more significant asset to future residents, but as of yet, there are no formal connections to the Preserve from areas southeast, though at least two separate connections are proposed.

Environmental Review

The applicants have submitted an environmental checklist. Planning staff reviewed the documents and issued a Determination of Non-Significance for the entire 2024 Comprehensive Plan Docket on August 6, 2024 (PLN-T1-2024-00071). No appeals or challenges to the city's Determination of Non-Significance were received. A copy of the checklist and determination of non-significance is attached.

Analysis

The requested Comprehensive Plan amendment and associated rezone request will not result in any new land use designations or zoning districts. Rather, the current land use and zoning designations will just be "swapped" in their locations to help facilitate a more congruent development pattern on that side of Bermuda Road. The current size of the residential area is approximately 5.42 acres, while the current size of the commercial area is approximately 5.34 acres, a difference of approximately 3,350 square feet.

Approval Criteria

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

The property to the northwest was re-designated via the City's Comprehensive Plan update in 2023 to create a commercial area, where previous low-density residential existed. The proposed map amendment will simply "swap" locations of the residential and commercial designations on the subject property so that the commercial area will be immediately adjacent to the commercially designated area on the neighboring property, thus creating a larger commercial node, rather than two (2) separate commercial areas.

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

The Comprehensive Plans original assumptions are correct, but the specific bounds of the land use designations need to be updated based on recent changes.

Summary

Approval of the proposed Comprehensive Plan amendment will simply swap the locations of the existing low-density residential and commercial designations on the subject property. The "swap" results in an overall loss of approximately 3,350 s.f. of low-density residential area. This amount is negligible and does not create any significant loss of residentially designated land.

## ASSOCIATED REZONE ANALYSIS

The State of Washington's Growth Management Act (RCW 36.70A) requires that Comprehensive Plans be effectuated by various development regulations such as subdivision regulations, critical areas, and zoning. As a result, any time land use designations are changed, the underlying zoning district must be brought into conformance with the Comprehensive Plan. The City is requesting that the Planning Commission authorize an area-wide rezone in order to bring the zoning into compliance with the change of land-use designation authorized by the passage of the two (2) above listed Comprehensive Plan amendment applications.

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

In determining whether an area shall be rezoned, the Planning Commission and City Council should consider how the proposed area-wide rezone implements the Comprehensive Plan, growth management act and benefits the community:

1. *The manner in which the proposed rezone conforms to patterns in adjacent zones;*
   The proposed rezones would not result in any non-conformities as it would just effectuate the intent of the already approved Comprehensive Plan changes. Denial of the rezoning would result in a situation in which the zoning districts are out of compliance with, and do not effectuate, the Comprehensive Plan.
2. *The benefits or detriments accruing to the city which would result from the approval of the associated rezones; and,*
   Benefits to the city as a result of the granting of the associated rezones come primarily in the form of additional tax revenue due to the creation of additional housing and additional commercial development, though there are ancillary benefits of significance as well.
3. *The impacts on the environment and public safety.*
   Both the change in land-use designation and subsequent area-wide rezonings have been reviewed by the City of Richland and other local and state agencies for compliance with the State of Washington's Growth Management Act and State Environmental Policy Act (SEPA). Development Review Staff will likewise condition future projects to meet Code and other applicable safety and sanitary standards.

## SEPA THRESHOLD DETERMINATION

The City of Richland issued a Determination of Non-Significance (DNS) for the proposed Comprehensive Plan amendment and associated rezoning on August 6, 2024 (PLN-T1-2024-00071). No challenges or appeals to the SEPA Determination of Non-Significance (DNS) were filed.

## RECOMMENDATION

1. Staff recommends that all text and map amendments included in the 2024 Comprehensive Plan Docket (as amended by staff during the public hearing) be incorporated into the City's official Comprehensive Plan Document.
2. Staff recommends that the associated rezoning be approved, on condition of approval of the Comprehensive Plan amendments.

*Commission Alternatives:*

a. Recommend approval of the amendments and subsequent associated rezones as proposed.
b. Hold additional public hearings.
c. Modify the proposed changes before forwarding the document to City Council.

**SUGGESTED CONCLUSIONS OF LAW**

1. The Planning Commission has a legal obligation to hold an open record public hearing and issue a recommendation to the City Council that meets the requirements of Chapter 36.70A RCW.
2. The City Staff, Planning Commission and City Council have involved the public in this planning exercise.
3. The Docket is deemed complete and ready for action by the Planning Commission.
4. For areas that are incorporated into the associated rezoning: future development of any property will be reviewed for consistence and compliance with applicable development regulations in effect at the time of future development. Approval of these zoning map amendments do not vest or imply approval of subsequent developments.
5. The 2017 City of Richland Comprehensive Plan (as amended in 2018-2019, 2020, 21 and again in 2023) and the associated environmental review comply with the goals and requirements of Chapter 36.70A RCW, Chapter 365-195 WAC, Chapter 43.21C RCW, Chapter 197-11 WAC, and City of Richland Municipal Code Chapter 22.09.
6. The Washington State Growth Management Act (GMA), Chapter 36.70A RCW, mandates that Counties and Cities required or choosing to plan under the authority of the Growth Management Act must adopt development regulations consistent with the jurisdictional Comprehensive Plan and state law.
7. The 2024 Comprehensive Plan Amendment Docket will produce no probable significant adverse environmental impacts. A determination of non-significance (DNS) under the State Environmental Policy Act (SEPA) is appropriate for this Comprehensive Plan amendment and Zoning Ordinance Map changes.

**SUGGESTED FINDINGS OF FACT**

1. RMC 19.90 indicates that the City Council shall consider each Comprehensive Plan amendment and forward those selected to the Planning Commission for processing. Plan amendment applications may be submitted via private application and/or proposed by City Staff and the Council.
2. The deadline for the submittal of Private Party Applications for the consideration as part of the 2024 Comprehensive Plan Docket Policy and Map, and Code Amendments Docket was March 1, 2024.
3. Two (2) applications were received and deemed complete.
4. The City Council conducted a Workshop on April 23, 2024 to review the 2024 Comprehensive Plan Policy and Map, and Code Amendment Docket.
5. The City Council conducted a Public Hearing on June 4, 2024 establishing the 2024 Comprehensive Plan Policy and Map, and Code Amendment Docket.
6. The City of Richland Community Development Department issued a SEPA Threshold Determination of Non-Significance on August 6, 2024 for the proposed 2024 Comprehensive Plan Policy and Map, and Code Amendment Docket (PLN-T1-2024-00071).
7. On August 6, 2024 the City of Richland provided the required sixty (60) day notification under RCW 36.70A.106 to the State of Washington of the City's proposed Comprehensive Plan Policy and Map, and Code Amendment Docket and intent to adopt.
8. On August 26, 2024 the City of Richland provided Notice of Public Hearing to affected parcels and neighboring properties within a 300-foot radius of parcels under consideration.
9. Public Hearing Notice signs were posted on, or near, the two (2) physical properties which had submitted applications for consideration on August 12, 2024.
10. On August 11, 2024 the Tri-City Herald newspaper published notice of SEPA determination on upcoming Comprehensive Plan Docket.
11. All public notification requirements for the public workshops and public hearings were met.
12. On September 8, 2024 the Tri-City Herald newspaper published notice of upcoming

Comprehensive Plan Docket public hearing (September 25, 2024).

13. Darral Moore, J-U-B Engineers, Inc. on behalf of Tom Fisher, HP Pasco, LLC, is proposing to change the Comprehensive Plan Land Use designation for approximately 2.13 acres of land from High-Density Residential to Commercial and rezone the site from C-LB (Commercial Limited Business) to WF (Waterfront). Assessor's Parcel Number 115982011748012, located at 2599 Duportail Street.
14. Richland Properties, LLC is proposing to change the Comprehensive Plan Land Use designations upon property that is approximately 12.62 acres in size by relocating/swapping the locations of the existing commercial and low-density residential comprehensive plan designations. Assessor's Parcel Number 134983000001009, located at 560 Bermuda Road.
15. Based upon the application materials submitted and upon presentation by the applicants, the proposed amendments will not adversely impact the city's ability to provide sewer and water, and, will not adversely affect adopted levels of service standards for other public facilities and services such as parks, police, fire, emergency medical services and governmental services.
16. Adequate infrastructure, facilities and services are available to serve the proposed or potential development expected as a result of these amendments.
17. The proposed amendments are consistent with the goals, policies, and objectives of the Comprehensive Plan.
18. The proposed Comprehensive Plan amendments will not result in probable significant adverse impacts to the transportation network, capital facilities, utilities, parks, and environmental features.
19. The subject parcels being re-designated are physically suitable for the allowed land uses in the designation being requested.
20. The proposed amendments are consistent with the Washington State Growth Management Act, the Benton County planning policies and other applicable local and state policies, agreements, and laws.
21. The proposed amendments will not have a cumulative adverse effect on the planning area.
22. The State of Washington's Growth Management Act (RCW 36.70A) requires that Comprehensive Plans be effectuated by various development regulations such as subdivision regulations, critical areas and zoning.
23. The proposed area-wide rezoning of the properties in question is dependent upon a change in the land-use designation of the Comprehensive Plan.
24. The City is requesting that the Planning Commission authorize the associated rezones in order to bring the zoning into compliance with the change of land-use designations authorized by the passage of the two (2) applications.

## RECOMMENDED MOTION

1. "I move that the Planning Commission adopt the findings, conclusions, and recommendation found in the staff report and recommend City Council approve the 2024 Comprehensive Plan Policy and Map, and Code Amendment Docket as amended by staff during the Public Hearing."

2. "I move that the Planning Commission adopt the findings, conclusions and recommendation found in the staff report and recommend City Council approval of the associated rezones."

## EXHIBITS

1. Notice of Intent to Adopt Amendment (60-Days Prior to Adoption)
2. PLN-T1-2024-00071 - SEPA Determination of Non-Significance – 2024 Docket
3. CPA2024-101 & Z2024-102 – HP Pasco, LLC
4. CPA2024-102 & Z2024-103 – Richland Properties, LLC
5. Public Notice
6. Agency/Public Remarks and Comments

Exhibit 1

# Department of Commerce

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

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

| | |
|---|---|
| **1. Jurisdiction Name:** | City of Richland – Development Services Dept. |
| **2. Select Submittal Type:**<br>Select the Type of Submittal listed.<br>(Select One Only) | ☒ **60-Day Notice** of Intent to Adopt Amendment.<br>☐ **Request of Expedited Review** / Notice of Intent to Adopt Amendment.<br>☐ **Supplemental Submittal** for existing Notice of Intent to Adopt Amendment.<br>☐ **Notice of Final Adoption** of Amendment. |
| **3. Amendment Type:**<br>Select Type of Amendment listed.<br>(Select One Only) | ☐ **Comprehensive Plan** Amendment.<br>☐ **Development Regulation** Amendment.<br>☐ **Critical Areas Ordinance** Amendment.<br>☒ **Combined Comprehensive and Development Regulation** Amendments.<br>☐ **Countywide Planning Policy**. |
| **4. Description**<br>Enter a brief description of the amendment.<br><br>Begin your description with "Proposed" or "Adopted", based on the type of Amendment you are submitting.<br><br>Examples: *"Proposed comprehensive plan amendment for the GMA periodic update."* or *"Adopted Ordinance 123, adoption amendment to the sign code."*<br>**(Maximum 400 characters).** | Proposed 2024 Comprehensive Plan Annual Amendment and associated Rezones. |

Department of Commerce

| | |
|---|---|
| **5. Is this action part of your 8-year periodic update required under RCW 36.70A.130 of the Growth Management Act (GMA)?** | ☐ **Yes**<br>☒ **No** |
| **6. Proposed Dates:** Enter the anticipated public hearing date(s) for your Planning Commission/Planning Board or for your Council/Commission. | **Planning Commission: October 23, 2024**<br>**City Council: November 19, 2024**<br>**Proposed / Date of Adoption: December 3, 2024** |
| **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*

08/07/2024

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--2024-S-7321--60-day Notice of Intent to Adopt Amendment

Dear Mr. Stevens:

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

**2024 Comprehensive Plan and Development Regulations annual amendment**

We received your submittal on 08/06/2024 and processed it with the Submittal ID 2024-S-7321. Please keep this letter as documentation that you have met this procedural requirement. Your 60-day notice period ends on 10/05/2024.

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

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

If you have any questions, please contact Growth Management Services at reviewteam@commerce.wa.gov, or call Deanah Watson, (509) 290-4754.

Sincerely,

Review Team
Growth Management Services

# Exhibit 2

File No. PLN-T1-2024-00071

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

**Description of Proposal:** City of Richland 2024 Comprehensive Plan Amendment Docket and Associated Rezones. The City received two (2) applications and SEPA Checklists for map and/or text amendments. The items have been consolidated into the 2024 Docket of Comprehensive Plan Policies, Maps and Zone Code Amendments (as established by City Council on June 4, 2024) and is file number PLN-T4-2024-00001. Staff has prepared a SEPA Checklist to consolidate environmental review and consider the cumulative effects of the docketed proposals.

**The SEPA Checklist and related information can be found by visiting the City of Richland website at https://www.ci.richland.wa.us/departments/development-services/planning/2024-land-use**

**File Number: CPA2024-101 & Z2024-102**
**Applicant: Darral Moore, J-U-B Engineers, Inc. on behalf of Tom Fisher, HP Pasco, LLC (owner)**

Darral Moore, J-U-B Engineers, Inc. on behalf of Tom Fisher, HP Pasco, LLC, is proposing to change the Comprehensive Plan Land Use designation for approximately 2.13 acres of land from High-Density Residential to Commercial and rezone the site from C-LB (Commercial Limited Business) to WF (Waterfront). Assessor's Parcel Number 115982011748012, located at 2599 Duportail Street.

**File Number: CPA2024-102 & Z2024-103**
**Applicant: Richland Properties, LLC**

Richland Properties, LLC is proposing to change the Comprehensive Plan Land Use designations upon property that is approximately 12.62 acres in size by relocating/swapping the locations of the existing commercial and low-density residential comprehensive plan designations. Assessor's Parcel Number 134983000001009, located at 560 Bermuda Road.

**Lead Agency:** City of Richland

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

completed environmental checklist and other information on file with the lead agency. This information is available to the public on request.

( ) There is no comment for the DNS.

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

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

**Responsible Official:** Mike Stevens
**Position/Title:** Planning Manager
**Address:** 625 Swift Blvd., MS #35, Richland, WA 99352
**Date:** August 6, 2024
**Comments Due:** August 21, 2024

**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 Find help answering background questions

1. **Name of proposed project, if applicable:** 2024 Docket of Comprehensive Plan Policies, Maps and Zoning Code Amendments (CPA2024-103), consisting of two (2) map and/or text amendment applications.

2. **Name of applicant:** City of Richland, Development Services Department

3. **Address and phone number of applicant and contact person:**
   City of Richland
   Attn: Kyle Hendricks, Planner
   625 Swift Blvd. MS-35
   Richland, WA 99352
   (509)942-7683

4. **Date checklist prepared:** 08/01/2024

5. **Agency requesting checklist:** City of Richland, Development Services Department

6. **Proposed timing or schedule (including phasing, if applicable):** Fall 2024

7. **Do you have any plans for future additions, expansion, or further activity related to or connected with this proposal? If yes, explain.** The city is allowed to amend its Comprehensive Plan and associated development regulations once per year. The landowners who have submitted private-party applications may have future plans to develop their properties.

8. **List any environmental information you know about that has been prepared, or will be prepared, directly related to this proposal.**
   City of Richland Comprehensive Plan Integrated Non-project Final Environmental Impact Statement, September 12, 2017.

   Individual SEPA Checklists and related information prepared by applicants and submitted for File Numbers CPA2024-101 & Z2024-102 (2599 Duportail Street) and CPA2024-102 & Z2024-103 (560 Bermuda Road).

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

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

9. **Do you know whether applications are pending for governmental approvals of other proposals directly affecting the property covered by your proposal? If yes, explain.** The rezone applications will be acted upon subsequent to the Comprehensive Plan Amendments.

10. **List any government approvals or permits that will be needed for your proposal, if known.**
SEPA review, City of Richland
Comprehensive Plan Amendment, City of Richland
Rezone, City of Richland
Future development will need additional permitting based upon the Richland Municipal Code

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

11. **Give a brief, complete description of your proposal, including the proposed uses and the size of the project and site. There are several questions later in this checklist that ask you to describe certain aspects of your proposal. You do not need to repeat those answers on this page. (Lead agencies may modify this form to include additional specific information on project description.)**
The proposal consists of two (2) map amendments (Comprehensive Plan & Zoning).

| Site | Parcel # | Size (Acres) | Current Land Use Designation | Requested Land Use Designation | Current Zoning | Requested Zoning |
|---|---|---|---|---|---|---|
| 2599 Duportail Street | 115982011748012 | 2.13 acres | High-Density Residential (HDR) | Commercial | Commercial Limited Business (C-LB) | Waterfront (WF) |
| 560 Bermuda Road | 134983000001009 | 12.62 | Commercial and Low-Density Residential (LDR) | Swap the locations | Low Density Residential (R-1-10) and Commercial Limited Business (C-LB) | Swap the locations |

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

See attached maps.

## B. Environmental Elements

### 1. Earth Find help answering earth questions

**a. General description of the site:**

**Circle or highlight one: Flat, rolling, hilly, steep slopes, mountainous, other:**
N/A. Non-project Action.

**b. What is the steepest slope on the site (approximate percent slope)?**
N/A. Non-project Action.

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

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

None known.

**e. Describe the purpose, type, total area, and approximate quantities and total affected area of any filling, excavation, and grading proposed. Indicate source of fill.**

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

**f. Could erosion occur because of clearing, construction, or use? If so, generally describe.**

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

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

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

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

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

## 2. Air Find help answering air questions

**a. What types of emissions to the air would result from the proposal during construction, operation, and maintenance when the project is completed? If any, generally describe and give approximate quantities if known.**
N/A. Non-project action. Future development of each specific site could result in an increase of emissions. To be reviewed at project time.

**b. Are there any off-site sources of emissions or odor that may affect your proposal? If so, generally describe.**
N/A. Non-project action.

**c. Proposed measures to reduce or control emissions or other impacts to air, if any.**
N/A. Non-project action.

## 3. Water Find help answering water questions

### a. Surface Water: Find help answering surface water questions

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

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

3. **Estimate the amount of fill and dredge material that would be placed in or removed from surface water or wetlands and indicate the area of the site that would be affected. Indicate the source of fill material.**
   N/A. Non-project action.

4. **Will the proposal require surface water withdrawals or diversions? Give a general description, purpose, and approximate quantities if known.**
   N/A. Non-project action.

5. **Does the proposal lie within a 100-year floodplain? If so, note location on the site plan.**
   None of the proposed map amendment sites are located within the 100-year floodplain.

6. **Does the proposal involve any discharges of waste materials to surface waters? If so, describe the type of waste and anticipated volume of discharge.**
   N/A. Non-project action.

### b. Ground Water: Find help answering ground water questions

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 a general description, purpose, and approximate quantities if known.**
   No. Future development will have access to city water.

2. **Describe waste material that will be discharged into the ground from septic tanks or other sources, if any (domestic sewage; industrial, containing the following chemicals…; agricultural; etc.). Describe the general size of the system, the number of such systems, the number of houses to be served (if applicable), or the number of animals or humans the system(s) are expected to serve.**
   N/A. Non-project action. Future development is unknown at this time.

### c. Water Runoff (including stormwater):

1. **Describe the source of runoff (including storm water) and method of collection and disposal, if any (include quantities, if known). Where will this water flow? Will this water flow into other waters? If so, describe.**
   N/A. Non-project action. Future development may need stormwater management.

2. **Could waste materials enter ground or surface waters? If so, generally describe.**
   N/A. Non-project action. Future development proposals are unknown at this time.

3. **Does the proposal alter or otherwise affect drainage patterns in the vicinity of the site? If so, describe.**
   N/A. Non-project action. Future site-specific development proposals are unknown at this time.

4. **Proposed measures to reduce or control surface, ground, and runoff water, and drainage pattern impacts, if any.**
   N/A. Non-project action.

## 4. Plants Find help answering plants questions

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

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

b. **What kind and amount of vegetation will be removed or altered?**
   N/A. Non-project action.

**c. List threatened and endangered species known to be on or near the site.**
   N/A/ Non-project action.

**d. Proposed landscaping, use of native plants, or other measures to preserve or enhance vegetation on the site, if any.**
   N/A/ Non-project action.

**e. List all noxious weeds and invasive species known to be on or near the site.**
   N/A/ Non-project action.

## 5. Animals Find help answering animal questions

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

**Examples include:**

- **Birds: hawk, heron, eagle, songbirds, other:**
- **Mammals: deer, bear, elk, beaver, other:**
- **Fish: bass, salmon, trout, herring, shellfish, other:**

Birds and animals in the general area of each specific site include species that are

commonly found in developed environments, such as squirrels, raccoons, small rodents, etc.

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

c. **Is the site part of a migration route? If so, explain.**
Yes, all of Richland is within the Columbia Flyway.

**d. Proposed measures to preserve or enhance wildlife, if any.**
None proposed.

**e. List any invasive animal species known to be on or near the site.**
N/A. Non-project action.

## 6. Energy and Natural Resources Find help answering energy and natural resource questions

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

b. **Would your project affect the potential use of solar energy by adjacent properties? If so, generally describe.**
N/A. Non-project action.

c. **What kinds of energy conservation features are included in the plans of this proposal? List other proposed measures to reduce or control energy impacts, if any.**
N/A. Non-project action.

## 7. Environmental Health Find help with answering environmental health questions

**a. Are there any environmental health hazards, including exposure to toxic chemicals, risk of fire and explosion, spill, or hazardous waste, that could occur because of this proposal? If so, describe.**
N/A. Non-project action.

1. **Describe any known or possible contamination at the site from present or past uses.**
N/A. Non-project action.

a. **Describe existing hazardous chemicals/conditions that might affect project development and design. This includes underground hazardous liquid and gas transmission pipelines located within the project area and in the vicinity.**
N/A. Non-project action.

b. **Describe any toxic or hazardous chemicals that might be stored, used, or produced during the project's development or construction, or at any time during the operating life of the project.**
N/A. Non-project action.

c. **Describe special emergency services that might be required.**
N/A. Non-project action.

d. **Proposed measures to reduce or control environmental health hazards, if any.**
None.

## b. Noise

1. **What types of noise exist in the area which may affect your project (for example: traffic, equipment, operation, other)?**
N/A. Non-project action.

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

3. **Proposed measures to reduce or control noise impacts, if any.**
N/A. Non-project action.

## 8. Land and Shoreline Use Find help answering land and shoreline use questions

a. **What is the current use of the site and adjacent properties? Will the proposal affect current land uses on nearby or adjacent properties? If so, describe.**
N/A. Non-project action.

b. **Has the project site been used as working farmlands or working forest lands? If so, describe. How much agricultural or forest land of long-term commercial significance will be converted to other**

**uses because of the proposal, if any? If resource lands have not been designated, how many acres in farmland or forest land tax status will be converted to nonfarm or nonforest use?**
N/A. Non-project action. However, none of the specific map amendment sites are known to have been used as working farmlands.

1. **Will the proposal affect or be affected by surrounding working farm or forest land normal business operations, such as oversize equipment access, the application of pesticides, tilling, and harvesting? If so, how?**
   N/A. Non-project action.

**c. Describe any structures on the site.**
N/A. Non-project action. See site-specific files for further details.

**d. Will any structures be demolished? If so, what?**
N/A. Non-project action.

**e. What is the current zoning classification of the site?**
2599 Duportail = Commercial Limited Business (C-LB). 560 Bermuda = Low Density Residential (R-1-10) and Commercial Limited Business (C-LB).

**f. What is the current comprehensive plan designation of the site?**
2599 Duportail = High Density Residential. 560 Bermuda = Badger Mountain South Commercial and Low-Density Residential.

**g. If applicable, what is the current shoreline master program designation of the site?**
One of the specific sites is located within the shoreline jurisdiction (2599 Duportail St). It is to be located within the Waterfront shoreline use classification.

**h. Has any part of the site been classified as a critical area by the city or county? If so, specify.**
N/A. Non-project action.

**i. Approximately how many people would reside or work in the completed project?**
N/A. Non-project action.

**j. Approximately how many people would the completed project displace?**
N/A. Non-project action.

**k. Proposed measures to avoid or reduce displacement impacts, if any.**
N/A. Non-project action.

**l. Proposed measures to ensure the proposal is compatible with existing and projected land uses and plans, if any.**
N/A. Non-project action.

**m. Proposed measures to reduce or control impacts to agricultural and forest lands of long-term commercial significance, if any.**
N/A. Non-project action.

## 9. Housing Find help answering housing questions

**a. Approximately how many units would be provided, if any? Indicate whether high, middle, or low-income housing.**
N/A. Non-project action. See site-specific files for further details.

**b. Approximately how many units, if any, would be eliminated? Indicate whether high, middle, or low-income housing.**
N/A. Non-project action.

**c. Proposed measures to reduce or control housing impacts, if any.**
N/A. Non-project action.

## 10. Aesthetics Find help answering aesthetics questions

**a. What is the tallest height of any proposed structure(s), not including antennas; what is the principal exterior building material(s) proposed?**
N/A. Non-project action.

**b. What views in the immediate vicinity would be altered or obstructed?**
N/A. Non-project action.

**c. Proposed measures to reduce or control aesthetic impacts, if any.**
N/A. Non-project action.

## 11. Light and Glare Find help answering light and glare questions

**a. What type of light or glare will the proposal produce? What time of day would it mainly occur?**
N/A. Non-project action.

**b. Could light or glare from the finished project be a safety hazard or interfere with views?**
N/A. Non-project action.

**c. What existing off-site sources of light or glare may affect your proposal?**
N/A. Non-project action.

**d. Proposed measures to reduce or control light and glare impacts, if any.**
N/A. Non-project action.

## 12. Recreation Find help answering recreation questions

**a. What designated and informal recreational opportunities are in the immediate vicinity?**
Golf courses, city parks, movie theaters, Columbia River, Rattlesnake Mountain, Yakima River are all within/near the City of Richland.

**b. Would the proposed project displace any existing recreational uses? If so, describe.**
N/A. Non-project action.

**c. Proposed measures to reduce or control impacts on recreation, including recreation opportunities to be provided by the project or applicant, if any.**
N/A. Non-project action.

## 13. Historic and Cultural Preservation Find help answering historic and cultural preservation questions

a. **Are there any buildings, structures, or sites, located on or near the site that are over 45 years old listed in or eligible for listing in national, state, or local preservation registers? If so, specifically describe.**
N/A. Non-project action. Future projects will be required to comply with all applicable regulations.

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

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

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

## 14. Transportation Find help with answering transportation questions

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

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

**c. Will the proposal require any new or improvements to existing roads, streets, pedestrian, bicycle, or state transportation facilities, not including driveways? If so, generally describe (indicate whether public or private).**
N/A. Non-project action.

**d. Will the project or proposal use (or occur in the immediate vicinity of) water, rail, or air transportation? If so, generally describe.**
N/A. Non-project action. Future development of the various sites may require traffic improvements. See site specific files for additional information regarding traffic.

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

f. **Will the proposal interfere with, affect, or be affected by the movement of agricultural and forest products on roads or streets in the area? If so, generally describe.**
N/A. Non-project action. See site specific files for additional information regarding traffic.

**g. Proposed measures to reduce or control transportation impacts, if any.**
N/A. Non-project action.

## 15. Public Services Find help answering public service questions

**a. Would the project result in an increased need for public services (for example: fire protection, police protection, public transit, health care, schools, other)? If so, generally describe.**
N/A. Non-project action. Future development may result in the need for increased public services. Each site specific development will be reviewed for impacts to public services at time of application.

**b. Proposed measures to reduce or control direct impacts on public services, if any.**
N/A. Non-project action.

## 16. Utilities Find help answering utilities questions

**a. Circle utilities currently available at the site: electricity, natural gas, water, refuse service, telephone, sanitary sewer, septic system, other:**
All typical municipal utiliites are located within the City of Richland.

**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.**
N/A. Non-project action.

## C. Signature Find help about who should sign

**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.**

**Type name of signee: Kyle Hendricks**



**Position and agency/organization: Planner**

**Date submitted: 8/1/2024**

## D. Supplemental sheet for nonproject actions Find help for the nonproject actions worksheet

**IT IS NOT REQUIRED** to use this section for project actions.

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

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

**1. How would the proposal be likely to increase discharge to water; emissions to air; production, storage, or release of toxic or hazardous substances; or production of noise?**
The proposed amendments to the Comprehensive Plan and Zoning Code will not likely have any significant impacts to the items specified above.

- **Proposed measures to avoid or reduce such increases are:**
  None.

2. **How would the proposal be likely to affect plants, animals, fish, or marine life?**
   The proposed amendments will not likely have any impacts to plants, animals, fish or marine life.

   - **Proposed measures to protect or conserve plants, animals, fish, or marine life are:**
     None.

3. **How would the proposal be likely to deplete energy or natural resources?**
   The proposed mapping amendments will not result in a depletion of energy or natural resources.

   - **Proposed measures to protect or conserve energy and natural resources are:**
     None.

4. **How would the proposal be likely to use or affect environmentally sensitive areas or areas designated (or eligible or under study) for governmental protection, such as parks, wilderness, wild and scenic rivers, threatened or endangered species habitat, historic or cultural sites, wetlands, floodplains, or prime farmlands?**
   The proposed mapping amendments will not affect environmentally sensitive areas or areas under governmental protection. The proposed amendments are a non-project action.

   - **Proposed measures to protect such resources or to avoid or reduce impacts are:**
     None.

5. **How would the proposal be likely to affect land and shoreline use, including whether it would allow or encourage land or shoreline uses incompatible with existing plans?**
   The proposed amendments will not affect shoreline uses and will only result in changes to land uses that are deemed acceptable by the city (if approved).

   - **Proposed measures to avoid or reduce shoreline and land use impacts are:**
     None.

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

- **Proposed measures to reduce or respond to such demand(s) are:**
  None.

7. **Identify, if possible, whether the proposal may conflict with local, state, or federal laws or requirements for the protection of the environment.**
   The proposed mapping amendments will not result in any conflicts with other local, state or federal laws related to protection of the environment.

Exhibit 3

City of Richland
Development Services

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

# Comprehensive Plan Amendment Application

☑ Comprehensive Plan Land Use Map ☐ Text of Comprehensive Plan

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

| **PROPERTY OWNER INFORMATION** | ☐ Contact Person |
|---|---|
| Owner: HP Pasco LLC c/o Tom Fisher | |
| Address: PO Box 752 Richland, WA 99352 | |
| Phone: 509-438-1816 | Email: tomfisher121@hotmail.com |

| **APPLICANT/CONTRACTOR INFORMATION (if different)** | ☑ Contact Person |
|---|---|
| Company: J-U-B Engineers, Inc. | UBI#: |
| Contact: Darral Moore, P.E. | |
| Address: 3611 S. Zintel Way, Kennewick, WA 99337 | |
| Phone: 509-783-2144 | Email: dmoore@jub.com |

| **PROPERTY INFORMATION** | |
|---|---|
| Legal Description: Lot 2 of Record of Survey 4182 | |
| Parcel Number: 115982011748012 | |
| Current Zoning: C-LB | Current Land Use Designation: High Density Residential |

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

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

v. The location of existing utilities serving the subject parcels, including electrical, water, and sewer;
vi. The location and uses of existing structures located on the subject parcel(s);

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

I authorize employees and officials of the City of Richland the right to enter and remain on the property in question to determine whether a permit should be issued and whether special conditions should be placed on any issued permit. I have the legal authority to grant such access to the property in question.
I also acknowledge that if a permit is issued for land development activities, no terms of the permit can be violated without further approval by the permitting entity. I understand that the granting of a permit does not authorize anyone to violate in any way any federal, state, or local law/regulation pertaining to development activities associated with a permit.
I hereby certify under penalty of perjury under the laws of the State of Washington that the following is true and correct:

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

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

Applicant Printed Name: Darral Moore

Applicant Signature: eSigned via SeamlessDocs.com Darral Moore Key: 62e6b5f0794ad0c8364e675742f989b8 Date March 01, 2024

City of Richland
Development Services

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

# Zoning Map Amendment Application

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

| **PROPERTY OWNER INFORMATION** | ☐ Contact Person |
|---|---|
| Owner: HP Pasco LLC c/o Tom Fisher | |
| Address: PO Box 752, Richland, WA 99352 | |
| Phone: 509-438-1816 | Email: tomfisher121@hotmail.com |

| **APPLICANT/CONTRACTOR INFORMATION (if different)** | ☑ Contact Person |
|---|---|
| Company: J-U-B ENGINEERS, Inc. | UBI# |
| Contact: Darral Moore, P.E. | |
| Address: 3611 S. Zintel Way, Kennewick, WA 99337 | |
| Phone: (509) 783-2144 | Email: dmoore@jub.com |

**DESCRIPTION OF WORK**

Amend the City's Zoning Map for a property currently zoned C-LB and rezone to Waterfront

**PROPERTY INFORMATION**

| | | |
|---|---|---|
| Parcel #: 1-1598-201-1748-012 | | |
| Legal Description: See attachment A. | | |
| Current Zoning: C-LB | Current Comp Plan: HDR | Requested Zoning: Waterfront |
| Current Use: UNDEVELOPED | Proposed Use: Commercial | Area of Property: 1.6 acres |

**APPLICATION MUST INCLUDE**

1. Completed Application and Filing Fee
2. Title Report showing ownership, easements, restrictions, and accurate legal description of the property involved
3. Other information as determined by the Administrator

**ANSWER QUESTIONS AS COMPLETELY AS POSSIBLE**

The unique characteristics, if any, of the property or circumstances of the owner:

The property owner has a variety of successful commercial properties in the Tri-Cities area.

Any hardship that may result in the event the rezone is not granted:

The property owner will not be able to develop the land for its proposed use

The manner in which the proposed rezone conforms to patterns in adjacent zones:

The site plan for the rezone property will meet all City standards and be cohesive with the adjacent zones.

Any beneficial or adverse effects the granting or denial of the rezone would have on adjacent or surrounding zones:

With the approval of this zone change, the surrounding properties (predominately residential) will have more access to commercial use within walking distance.

Any beneficial or adverse effects the granting or denial of the rezone would have in relation to the overall purpose and intent of the comprehensive plan and this title:

The approval of this rezone will encourage economic diversification and create additional jobs in the area.

The benefits or detriments accruing to the city which would result from the granting or denial of this special permit:

The approval of the rezone will provide commercial development opportunities.

Whether the proposed rezone represents a better use of the land from the standpoint of the comprehensive plan than the original zone:

The comprehensive plan currently has the property identified as High Density Residential. With a land use change to Commercial, it will create jobs and economic diversification in a predominately residential area, creating mixed-uses.

Whether the proposed rezone represents spot zoning and whether a larger area should be considered:

The approval of the rezone will provide commercial flexibility for uses and services compatible to the core of the City.

Identify impacts on the environment and public safety:

There will be no environmental or public safety impacts.

I authorize employees and officials of the City of Richland the right to enter and remain on the property in question to determine whether a permit should be issued and whether special conditions should be placed on any issued permit. I have the legal authority to grant such access to the property in question.
I also acknowledge that if a permit is issued for land development activities, no terms of the permit can be violated without further approval by the permitting entity. I understand that the granting of a permit does not authorize anyone to violate in any way any federal, state, or local law/regulation pertaining to development activities associated with a permit.
I hereby certify under penalty of perjury under the laws of the State of Washington that the following is true and correct:

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

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

Applicant Printed Name: Darral Moore

Applicant Signature:  Date 3/1/2024

Attachment A.

15-9-28

# RECORD SURVEY NO. 4485

## FOR A BOUNDARY LINE ADJUSTMENT

WEST 1/2 OF, SEC. 15, T.9 N., R.28 E., W.M.
CITY OF RICHLAND
BENTON COUNTY, WASHINGTON

2/2

## ORIGINAL DESCRIPTIONS

PARCEL 2, RS#1-4149:
TRACT 4 OF RECORD SURVEY RECORDED IN VOLUME 1 OF SURVEYS AT PAGE 2917 LYING IN THE WEST HALF OF SECTION 15, TOWNSHIP 9 NORTH, RANGE 28 EAST, WILLAMETTE MERIDIAN, CITY OF RICHLAND, BENTON COUNTY, WASHINGTON, DESCRIBED AS FOLLOWS:

COMMENCING AT THE INTERSECTION OF DUPORTAIL STREET AND STATE ROUTE 240 (BYPASS HIGHWAY) AS SHOWN ON THE PLAT OF RICHLAND; THENCE SOUTH 38°08'18" WEST ALONG THE CENTERLINE OF DUPORTAIL STREET 185.18 FEET TO THE INTERSECTION OF SAID CENTERLINE WITH THE BOUNDARY OF SAID PLAT OF RICHLAND; THENCE SOUTH 51°51'18" EAST ALONG SAID PLAT BOUNDARY 1313.45 FEET TO THE TRUE POINT OF BEGINNING;

THENCE CONTINUING SOUTH 51°51'18" EAST ALONG SAID PLAT BOUNDARY 268.83 FEET TO A POINT ON THE WEST LINE OF A 30 FOOT WIDE GAS LINE EASEMENT AS SHOWN ON SHORT PLAT 1748; THENCE SOUTH 44°53'14" WEST ALONG THE WEST LINE OF SAID GAS LINE EASEMENT 120.64 FEET; THENCE NORTH 68°19'21" WEST 10.00 FEET TO A POINT ON A LINE PARALLEL TO THE CORPS OF ENGINEERS TAKING LINE PER RECORD SURVEY 1-1405 AND 177.00 FEET PERPENDICULAR THEREFROM; THENCE NORTH 78°45'16" WEST ALONG SAID PARALLEL LINE 274.81 FEET; THENCE NORTH 38°08'42" EAST 246.97 FEET TO A POINT ON SAID PLAT BOUNDARY AND THE TRUE POINT OF BEGINNING.

TOGETHER WITH THAT PORTION OF TRACT 3 OF RECORD SURVEY RECORDED IN VOLUME 1 OF SURVEYS AT PAGE 2917 LYING IN THE WEST HALF OF SECTION 15, TOWNSHIP 9 NORTH, RANGE 28 EAST, WILLAMETTE MERIDIAN, CITY OF RICHLAND, BENTON COUNTY, WASHINGTON, DESCRIBED AS FOLLOWS:

COMMENCING AT THE NORTHWEST CORNER OF ABOVE SAID TRACT 3 THENCE SOUTH 51°51'18" EAST ALONG THE NORTHERLY LINE OF SAID TRACT 250.00 FEET TO THE TRUE POINT OF BEGINNING;

THENCE CONTINUING SOUTH 51°51'18" EAST ALONG SAID LINE 310.24 FEET TO THE NORTHWEST CORNER OF TRACT 4 OF SAID SURVEY;
THENCE SOUTH 38°08'42" WEST 246.97 FEET TO THE SOUTHEAST CORNER OF SAID TRACT;
THENCE NORTH 78°45'16" WEST ALONG THE SOUTHERLY LINE OF SAID TRACT 3 A DISTANCE OF 628.21 FEET TO THE SOUTHWEST CORNER OF SAID TRACT;
THENCE NORTH 38°08'42" EAST ALONG THE WESTERLY LINE OF SAID TRACT 181.19 FEET;
THENCE SOUTH 51°51'18" EAST 250.00 FEET;
THENCE NORTH 38°08'42" EAST 350.00 FEET TO THE SAID TRUE POINT OF BEGINNING.

CONTAINING 4.08 ACRES

TOGETHER WITH AND SUBJECT TO EASEMENTS, COVENANTS, RESERVATIONS AND RESTRICTIONS OF RECORD AND IN VIEW.

TRACT 2, RS#1-3572:
THAT PORTION OF THE WEST HALF OF SECTION 15, TOWNSHIP 9 NORTH, RANGE 28 EAST, WILLAMETTE MERIDIAN, CITY OF RICHLAND, BENTON COUNTY, WASHINGTON, DESCRIBED AS FOLLOWS:

COMMENCING AT THE INTERSECTION OF DUPORTAIL STREET AND STATE ROUTE 240 (BYPASS HIGHWAY) AS SHOWN ON THE PLAT OF RICHLAND; THENCE SOUTH 38°08'18" WEST ALONG THE CENTERLINE OF DUPORTAIL STREET 185.18 FEET TO THE INTERSECTION OF SAID CENTERLINE WITH THE BOUNDARY OF SAID PLAT OF RICHLAND; THENCE SOUTH 51°51'18" EAST ALONG SAID PLAT BOUNDARY 1582.28 FEET TO A POINT ON THE WEST LINE OF A 30 FOOT WIDE GAS LINE EASEMENT AS SHOWN ON SHORT PLAT 1748; THENCE SOUTH 44°53'14" WEST ALONG THE WEST LINE OF SAID GAS LINE EASEMENT 120.64 FEET TO THE TRUE POINT OF BEGINNING;

THENCE SOUTH 03°56'59" EAST ALONG THE WEST LINE OF SAID GAS LINE EASEMENT 181.54 FEET TO A POINT ON THE CORPS OF ENGINEERS TAKING LINE PER RECORD OF SURVEY 1-1405; THENCE NORTH 78°45'16" WEST ALONG SAID TAKING LINE 1342.76 FEET; THENCE NORTH 54°59'11" WEST CONTINUING ALONG SAID TAKING LINE 455.73 FEET TO A POINT ON THE SOUTHERLY RIGHT-OF-WAY LINE OF DUPORTAIL STREET; THENCE NORTH 48°10'35" EAST ALONG SAID SOUTHERLY RIGHT-OF-WAY LINE 65.08 FEET; THENCE NORTH 38°18'04" EAST ALONG SAID SOUTHERLY RIGHT-OF-WAY LINE 91.54 FEET; THENCE SOUTH 32°36'35" EAST 29.67 FEET; THENCE SOUTH 44°11'12" EAST 30.63 FEET; THENCE SOUTH 49°52'56" EAST 351.89 FEET TO THE BEGINNING OF A CURVE TO THE LEFT THE RADIUS POINT OF WHICH BEARS NORTH 40°07'04" EAST 80.00 FEET; THENCE EASTERLY ALONG SAID CURVE 51.64 FEET; THENCE SOUTH 86°52'12" EAST 198.20 FEET TO THE BEGINNING OF A CURVE TO THE LEFT THE RADIUS POINT O WHICH BEARS NORTH 3°07'48" EAST 80.00 FEET; THENCE EASTERLY ALONG SAID CURVE 65.01 FEET; THENCE NORTH 46°34'01" EAST 20.45 FEET; THENCE SOUTH 78°45'16" EAST 955.82 FEET; THENCE SOUTH 68°19'21" EAST 10.00 FEET TO A POINT ON THE WEST LINE OF SAID GAS LINE EASEMENT AND THE SAID TRUE POINT OF BEGINNING.

CONTAINING 6.116 ACRES

TOGETHER WITH AND SUBJECT TO EASEMENTS, COVENANTS, RESERVATIONS AND RESTRICTIONS OF RECORD AND IN VIEW.

## TRANSFER PARCEL

THAT PORTION OF TRACT 2 OF RECORD SURVEY RECORDED IN VOLUME 1 OF SURVEYS AT PAGE 3572 LYING IN THE WEST HALF OF SECTION 15, TOWNSHIP 9 NORTH, RANGE 28 EAST, WILLAMETTE MERIDIAN, CITY OF RICHLAND, BENTON COUNTY, WASHINGTON, DESCRIBED AS FOLLOWS:

COMMENCING AT THE INTERSECTION OF DUPORTAIL STREET AND STATE ROUTE 240 (BYPASS HIGHWAY) AS SHOWN ON THE PLAT OF RICHLAND; THENCE SOUTH 38°08'18" WEST ALONG THE CENTERLINE OF DUPORTAIL STREET 185.18 FEET TO THE INTERSECTION OF SAID CENTERLINE WITH THE BOUNDARY OF SAID PLAT OF RICHLAND; THENCE SOUTH 51°51'18" EAST ALONG SAID PLAT BOUNDARY 1582.28 FEET TO A POINT ON THE WEST LINE OF A 30 FOOT WIDE GAS LINE EASEMENT AS SHOWN ON SHORT PLAT 1748; THENCE SOUTH 44°53'14" WEST ALONG THE WEST LINE OF SAID GAS LINE EASEMENT 120.64 FEET TO THE TRUE POINT OF BEGINNING;

THENCE SOUTH 03°56'59" EAST ALONG THE WEST LINE OF SAID GAS LINE EASEMENT 181.54 FEET TO A POINT ON THE CORPS OF ENGINEERS TAKING LINE PER RECORD OF SURVEY 1-1405; THENCE NORTH 78°45'16" WEST ALONG SAID TAKING LINE 1050.23 FEET; THENCE NORTH 38°08'42" EAST 198.47 FEET TO THE SOUTHEAST CORNER OF TRACT 1 OF ABOVE SAID RECORD SURVEY; THENCE SOUTH 78°45'16" EAST ALONG THE SOUTHERLY LINE OF PARCEL 2 OF RECORD SURVEY RECORDED IN VOLUME 1 OF SURVEYS AT PAGE ~~4149~~ 903.02 FEET; THENCE SOUTH 68°19'21" EAST ALONG SAID SOUTHERLY LINE 10.00 FEET TO THE SAID TRUE POINT OF BEGINNING.

CONTAINING 3.99 ACRES

TOGETHER WITH AND SUBJECT TO EASEMENTS, COVENANTS, RESERVATIONS AND RESTRICTIONS OF RECORD AND IN VIEW.

## NEW PARCEL

LOT 2:
THAT PORTION OF TRACT 2 OF RECORD SURVEY RECORDED IN VOLUME 1 OF SURVEYS AT PAGE 3572 LYING IN THE WEST HALF OF SECTION 15, TOWNSHIP 9 NORTH, RANGE 28 EAST, WILLAMETTE MERIDIAN, CITY OF RICHLAND, BENTON COUNTY, WASHINGTON, DESCRIBED AS FOLLOWS:

COMMENCING AT THE INTERSECTION OF DUPORTAIL STREET AND STATE ROUTE 240 (BYPASS HIGHWAY) AS SHOWN ON THE PLAT OF RICHLAND; THENCE SOUTH 38°08'18" WEST ALONG THE CENTERLINE OF DUPORTAIL STREET 185.18 FEET TO THE INTERSECTION OF SAID CENTERLINE WITH THE BOUNDARY OF SAID PLAT OF RICHLAND; THENCE SOUTH 51°51'18" EAST ALONG SAID PLAT BOUNDARY 1582.28 FEET TO A POINT ON THE WEST LINE OF A 30 FOOT WIDE GAS LINE EASEMENT AS SHOWN ON SHORT PLAT 1748; THENCE SOUTH 44°53'14" WEST ALONG THE WEST LINE OF SAID GAS LINE EASEMENT 120.64 FEET; THENCE SOUTH 03°56'59" EAST ALONG THE WEST LINE OF SAID GAS LINE EASEMENT 181.54 FEET TO A POINT ON THE CORPS OF ENGINEERS TAKING LINE PER RECORD OF SURVEY 1-1405; THENCE NORTH 78°45'16" WEST ALONG SAID TAKING LINE 1050.23 FEET TO THE TRUE POINT OF BEGINNING;

THENCE CONTINUING NORTH 78°45'16" WEST ALONG SAID LINE 292.52 FEET; THENCE NORTH 54°59'11" WEST CONTINUING ALONG SAID TAKING LINE 455.73 FEET TO A POINT ON THE SOUTHERLY RIGHT-OF-WAY LINE OF DUPORTAIL STREET; THENCE NORTH 48°10'35" EAST ALONG SAID SOUTHERLY RIGHT-OF-WAY LINE 65.08 FEET; THENCE NORTH 38°18'04" EAST ALONG SAID SOUTHERLY RIGHT-OF-WAY LINE 91.54 FEET; THENCE SOUTH 32°36'35" EAST 29.67 FEET; THENCE SOUTH 44°11'12" EAST 30.63 FEET; THENCE SOUTH 49°52'56" EAST 351.89 FEET TO THE BEGINNING OF A CURVE TO THE LEFT THE RADIUS POINT OF WHICH BEARS NORTH 40°07'04" EAST 80.00 FEET; THENCE EASTERLY ALONG SAID CURVE 51.64 FEET; THENCE SOUTH 86°52'12" EAST 198.20 FEET TO THE BEGINNING OF A CURVE TO THE LEFT THE RADIUS POINT OF WHICH BEARS NORTH 3°07'48" EAST 80.00 FEET; THENCE EASTERLY ALONG SAID CURVE 65.01 FEET; THENCE NORTH 46°34'01" EAST 20.45 FEET; THENCE SOUTH 78°45'16" EAST 52.80 FEET; THENCE SOUTH 38°08'42" WEST 198.47 FEET TO THE SAID TRUE POINT OF BEGINNING.

CONTAINING 2.13 ACRES

TOGETHER WITH AND SUBJECT TO EASEMENTS, COVENANTS, RESERVATIONS AND RESTRICTIONS OF RECORD AND IN VIEW.

## NEW PARCEL

LOT 1:
PARCEL 2, RS#1-4149:
TRACT 4 OF RECORD SURVEY RECORDED IN VOLUME 1 OF SURVEYS AT PAGE 2917 LYING IN THE WEST HALF OF SECTION 15, TOWNSHIP 9 NORTH, RANGE 28 EAST, WILLAMETTE MERIDIAN, CITY OF RICHLAND, BENTON COUNTY, WASHINGTON, DESCRIBED AS FOLLOWS:

COMMENCING AT THE INTERSECTION OF DUPORTAIL STREET AND STATE ROUTE 240 (BYPASS HIGHWAY) AS SHOWN ON THE PLAT OF RICHLAND; THENCE SOUTH 38°08'18" WEST ALONG THE CENTERLINE OF DUPORTAIL STREET 185.18 FEET TO THE INTERSECTION OF SAID CENTERLINE WITH THE BOUNDARY OF SAID PLAT OF RICHLAND; THENCE SOUTH 51°51'18" EAST ALONG SAID PLAT BOUNDARY 1313.45 FEET TO THE TRUE POINT OF BEGINNING;

THENCE CONTINUING SOUTH 51°51'18" EAST ALONG SAID PLAT BOUNDARY 268.83 FEET TO A POINT ON THE WEST LINE OF A 30 FOOT WIDE GAS LINE EASEMENT AS SHOWN ON SHORT PLAT 1748; THENCE SOUTH 44°53'14" WEST ALONG THE WEST LINE OF SAID GAS LINE EASEMENT 120.64 FEET; THENCE NORTH 68°19'21" WEST 10.00 FEET TO A POINT ON A LINE PARALLEL TO THE CORPS OF ENGINEERS TAKING LINE PER RECORD SURVEY 1-1405 AND 177.00 FEET PERPENDICULAR THEREFROM; THENCE NORTH 78°45'16" WEST ALONG SAID PARALLEL LINE 274.81 FEET; THENCE NORTH 38°08'42" EAST 246.97 FEET TO A POINT ON SAID PLAT BOUNDARY AND THE TRUE POINT OF BEGINNING

TOGETHER WITH THAT PORTION OF TRACT 3 OF RECORD SURVEY RECORDED IN VOLUME 1 OF SURVEYS AT PAGE 2917 LYING IN THE WEST HALF OF SECTION 15, TOWNSHIP 9 NORTH, RANGE 28 EAST, WILLAMETTE MERIDIAN, CITY OF RICHLAND, BENTON COUNTY, WASHINGTON, DESCRIBED AS FOLLOWS:

COMMENCING AT THE NORTHWEST CORNER OF ABOVE SAID TRACT 3 THENCE SOUTH 51°51'18" EAST ALONG THE NORTHERLY LINE OF SAID TRACT 250.00 FEET TO THE TRUE POINT OF BEGINNING;

THENCE CONTINUING SOUTH 51°51'18" EAST ALONG SAID LINE 310.24 FEET TO THE NORTHWEST CORNER OF TRACT 4 OF SAID SURVEY;
THENCE SOUTH 38°08'42" WEST 246.97 FEET TO THE SOUTHEAST CORNER OF SAID TRACT;
THENCE NORTH 78°45'16" WEST ALONG THE SOUTHERLY LINE OF SAID TRACT 3 A DISTANCE OF 628.21 FEET TO THE SOUTHWEST CORNER OF SAID TRACT;
THENCE NORTH 38°08'42" EAST ALONG THE WESTERLY LINE OF SAID TRACT 181.19 FEET;
THENCE SOUTH 51°51'18" EAST 250.00 FEET;
THENCE NORTH 38°08'42" EAST 350.00 FEET TO THE SAID TRUE POINT OF BEGINNING.

TOGETHER WITH TRACT 5 OF RECORD SURVEY RECORDED IN VOLUME 1 OF SURVEYS AT PAGE 2917 LYING IN THE WEST HALF OF SECTION 15, TOWNSHIP 9 NORTH, RANGE 28 EAST, WILLAMETTE MERIDIAN, CITY OF RICHLAND, BENTON COUNTY, WASHINGTON, DESCRIBED AS FOLLOWS:

COMMENCING AT THE INTERSECTION OF DUPORTAIL STREET AND STATE ROUTE 240 (BYPASS HIGHWAY) AS SHOWN ON THE PLAT OF RICHLAND; THENCE SOUTH 38°08'18" WEST ALONG THE CENTERLINE OF DUPORTAIL STREET 185.18 FEET TO THE INTERSECTION OF SAID CENTERLINE WITH THE BOUNDARY OF SAID PLAT OF RICHLAND; THENCE SOUTH 51°51'18" EAST ALONG SAID PLAT BOUNDARY 1582.28 FEET TO A POINT ON THE WEST LINE OF A 30 FOOT WIDE GAS LINE EASEMENT AS SHOWN ON SHORT PLAT 1748 AND THE TRUE POINT OF BEGINNING;

THENCE CONTINUING SOUTH 51°51'18" EAST ALONG SAID PLAT BOUNDARY 166.28 FEET TO THE NORTHEAST CORNER OF LOT 3 AS SHOWN ON SAID SHORT PLAT; THENCE SOUTH 11°14'44" WEST ALONG THE EAST LINE OF SAID LOT 3 A DISTANCE OF 200.39 TO THE SOUTHEAST CORNER OF SAID LOT 3 AND A POINT ON THE CORPS OF ENGINEERS TAKING LINE PER THAT RECORD SURVEY 1-1405; THENCE NORTH 78°45'16" WEST ALONG SAID CORPS OF ENGINEERS TAKING LINE 167.54 FEET TO A POINT ON THE WEST LINE OF SAID GAS LINE EASEMENT; THENCE NORTH 03°56'59" WEST ALONG THE WEST LINE OF SAID GAS LINE EASEMENT 181.54 FEET; THENCE NORTH 44°53'14" EAST ALONG THE WEST LINE OF SAID GAS LINE EASEMENT 120.64 FEET TO A POINT ON THE BOUNDARY OF SAID PLAT OF RICHLAND AND THE TRUE POINT OF BEGINNING.

AND TOGETHER WITH THAT PORTION OF TRACT 2 OF RECORD SURVEY RECORDED IN VOLUME 1 OF SURVEYS AT PAGE 3572 LYING IN THE WEST HALF OF SECTION 15, TOWNSHIP 9 NORTH, RANGE 28 EAST, WILLAMETTE MERIDIAN, CITY OF RICHLAND, BENTON COUNTY, WASHINGTON, DESCRIBED AS FOLLOWS:

COMMENCING AT THE INTERSECTION OF DUPORTAIL STREET AND STATE ROUTE 240 (BYPASS HIGHWAY) AS SHOWN ON THE PLAT OF RICHLAND; THENCE SOUTH 38°08'18" WEST ALONG THE CENTERLINE OF DUPORTAIL STREET 185.18 FEET TO THE INTERSECTION OF SAID CENTERLINE WITH THE BOUNDARY OF SAID PLAT OF RICHLAND; THENCE SOUTH 51°51'18" EAST ALONG SAID PLAT BOUNDARY 1582.28 FEET TO A POINT ON THE WEST LINE OF A 30 FOOT WIDE GAS LINE EASEMENT AS SHOWN ON SHORT PLAT 1748; THENCE SOUTH 44°53'14" WEST ALONG THE WEST LINE OF SAID GAS LINE EASEMENT 120.64 FEET TO THE TRUE POINT OF BEGINNING;

THENCE SOUTH 03°56'59" EAST ALONG THE WEST LINE OF SAID GAS LINE EASEMENT 181.54 FEET TO A POINT ON THE CORPS OF ENGINEERS TAKING LINE PER RECORD OF SURVEY 1-1405; THENCE NORTH 78°45'16" WEST ALONG SAID TAKING LINE 1050.23 FEET; THENCE NORTH 38°08'42" EAST 198.47 FEET TO THE SOUTHEAST CORNER OF TRACT 1 OF ABOVE SAID RECORD SURVEY; THENCE SOUTH 78°45'16" EAST ALONG THE SOUTHERLY LINE OF PARCEL 2 OF RECORD SURVEY RECORDED IN VOLUME 1 OF SURVEYS AT PAGE 4149 903.02 FEET; THENCE SOUTH 68°19'21" EAST ALONG SAID SOUTHERLY LINE 10.00 FEET TO THE SAID TRUE POINT OF BEGINNING.

CONTAINS 9.13 ACRES

TOGETHER WITH AND SUBJECT TO EASEMENTS, COVENANTS, RESERVATIONS AND RESTRICTIONS OF RECORD AND IN VIEW.

## SURVEYOR'S CERTIFICATE

THIS MAP CORRECTLY REPRESENTS A SURVEY MADE BY ME OR UNDER MY DIRECTION IN CONFORMANCE WITH THE REQUIREMENTS OF THE SURVEY RECORDING ACT AT THE REQUEST OF TERRY BLANKENSHIP IN SEPT. OF 2010.

12/22/2010
DATE

STATE OF WASHINGTON — 36081 — REGISTERED PROFESSIONAL LAND SURVEYOR

## SURVEY FOR

*TERRY BLANKENSHIP*

## INDEX

| ¼ ¼ | SEC | T. | R. |
|---|---|---|---|
| | 15 | 9 N | 28E |

## AUDITOR'S CERTIFICATE

FILED FOR RECORD THIS 19 DAY OF March, 2011 AT 2:27 MINUTES PAST 2 P.M. AND RECORDED IN VOLUME 21 OF SURVEYS PAGE 4485 AT THE REQUEST OF AARON A. DYCK, P.L.S.

Brenda Chilton
BENTON COUNTY AUDITOR

Lucille Moon
DEPUTY

INDEX NO. 150928 1XX01

FEE NO. 2011-008089


STRATTON SURVEYING & MAPPING, PC
7525 W. DESCHUTES PL. UNIT 1C
KENNEWICK, WA 99336
(509) 735-7364
FAX: (509) 735-6560
stratton@strattonsurvey.com


| | |
|---|---|
| 3010RS8.DWG | © 2010 |
| DATE: 09/16/10 | SHT. 2 OF 2 |
| DRAWN BY: DCI | JOB # 3010 |

Parcel: 1-1598-201-1748-012 **Attachment B**
Date: 2/27/2024

# COMPREHENSIVE PLAN AMENDMENT APPLICATION

1. The purpose of the proposed amendment;
   ***The purpose of this amendment is to rezone the property currently zoned C-LB (Limited Business). The future zoning is proposed to be Waterfront.***

2. Describe how the amendment is consistent with Washington State Growth Management Act-RCW 36.70A (The goals and the Act for listed in 36.70A.020);
   ***The amendment is consistent Washington State Growth Management Act-RCW 36.70A because the parcel to be rezoned will encourage economic growth and provide opportunities for citizens in the surrounding area, all within the capacities of the state's public facilities.***

3. How the amendment is consistent with the adopted countywide planning policies;
   ***Rezoning to Waterfront is consistent with county wide policies creating urban growth. This will encourage development where adequate public facilities exist or can be provided.***

4. How the amendment furthers the purpose of the city's comprehensive plan;
   ***Community Goal 2 of the City of Richland Comprehensive Plan states, "Create a vibrant, progressive, and physically, socially, economically, and culturally diverse community providing chooses of jobs, housing, and recreational opportunities to its residents of all ages." The rezone will further the goal to create more economic diversity in the area and increase in jobs for the nearby residents.***

5. How the amendment is internally consistent with the city's comprehensive plan, as well as other adopted city plans and codes;
   ***Land Use Goal 2: Establish land uses that are sustainable and create livable and vibrant community encourages a variety of land use designations to accommodate commercial uses that will take advantage of the existing infrastructure network. With the new Duportail Bridge, traffic will increase, therefore the need for retail businesses arises.***

6. If applicable, how the project will meet concurrency requirements for transportation;
   ***The proposed use will include sidewalks, improved shoulders, and pedestrian friendly signage.***

7. As necessary, supplemental environmental review and/or critical areas review, as determined by the Administrator;
   ***The property is located within the Aquifer Recharge Area. Per Richland Municipal Code 22.10.350 Uses prohibited in critical aquifer recharge areas (CARA), the following activities and uses are prohibited: landfills, underground injection wells, mining, wood treatment facilities, and storage, processing, or disposal of radioactive substances. The proposed use of the property may include a drive-thru coffee shop and small strip building for convenient store, permitted uses.***

8. Comprehensive Plan TEXT AMEDNMENT application must also include;

a. The proposed element, chapter, section and page number of the comp plan to be amended; ***N/A***
b. The proposed text change, with new underlined and deleted text crossed out; ***N/A***

9. Comprehensive Plan MAP AMENDMENT applications must also include;
    a. The current land use map designation for the subject parcel(s).
    ***The current land use for the parcel is High Density Residential.***

    b. The land use map designation requested.
    ***The amendment is asking for the land use to change to Waterfront.***

    c. A complete legal description describing the combined area of the subject parcel(s)
    ***See Record Survey No. 4185 – New Parcel, Lot 2 (attached).***

    d. A vicinity map showing:
    ***See attachment C.***

        i. All land use designation within 300 feet of the subject parcel(s);
        ii. All parcels within 300 feet of the subject parcel and all existing uses of those parcels;
        iii. All road abutting and/or providing access to the subject parcel(s) including information on road classification (arterial, collector, access) and improvements to such roads;
        iv. Location of shorelines and critical areas on or within 300 feet of the site, if application; ***The site is completely within the Aquifer Recharge Area.***
        v. The location of existing utilities serving the subject parcels including electrical, water, and sewer'
        vi. The location and uses of existing structures location on the subject parcel(s); ***None.***

    e. Topographical map of the subject parcels and abutting properties at a scale of a minimum of one inch represents 200 feet (1:200);
    ***See attachment D.***

    f. The current official zoning map designation for the subject parcel(s);
    ***The property is currently zoned C-LB (Limited Business).***

g. A detailed plan within indicates any proposed improve
   i. Paved streets;
   ii. Storm drainage control and detention facilities;
   iii. Public water supply'
   iv. Public sanitary sewers;
   v. Circulation and traffic patterns for the development and the surrounding neighborhoods;

   ***See attachment E.***

h. A corresponding zoning map amendment application, where necessary to maintain consistency between the land use and zoning maps. The rezone application will be processed separately from, and after, the comprehensive plan amendment;

   ***A zoning map amendment application is attached.***

i. A description of any associated development proposals. Development proposals shall not be processed concurrent with comprehensive plan amendment, but the development proposals may be submitted for consideration of the comprehensive plan amendments to limit consideration of all proposed uses and densities of the property under the city's SEPA, zoning and comprehensive land use plan. If no proposed development description is provided, the city will assume that the applicant intends to develop the property with the most intense development allowed under the proposed land use designation. The city shall assume the maximum impact, unless the applicant submits with the comprehensive plan amendment a development agreement to ameliorate the adverse impact(s) of the proposed development.

   ***The proposed rezone design plan has taken the surrounding zones into consideration. The property owner(s) proposes to rezone C-LB to Waterfront, with the ability for commercial use that may include drive-thru restaurant.***

   ***The Waterfront zone will give the community opportunities for economic diversification and employment opportunities. The potential uses for the parcel to be rezoned to Waterfront may include a drive-thru coffee shop, restaurant/bar, small convenient store or other similar uses.***

   ***The current lot is undeveloped and not improving economic or employment opportunities. The rezone will encourage growth and continue to develop the community with landscaping and streetscape design.***




J-U-B ENGINEERS, INC.

# Attachment C - Vicinity Map

200 Feet

1 inch = 200 feet

Date: 2/10/2020

N




Document Path: \\jub.com\Central\Clients\WA\HFPasco\Projects\30-20-014 Tanglewood\GIS\Projects\TanglewoodPropertyTopo.mxd

Username: eridley

J·U·B ENGINEERS, INC.

# Attachment D - Topography Map

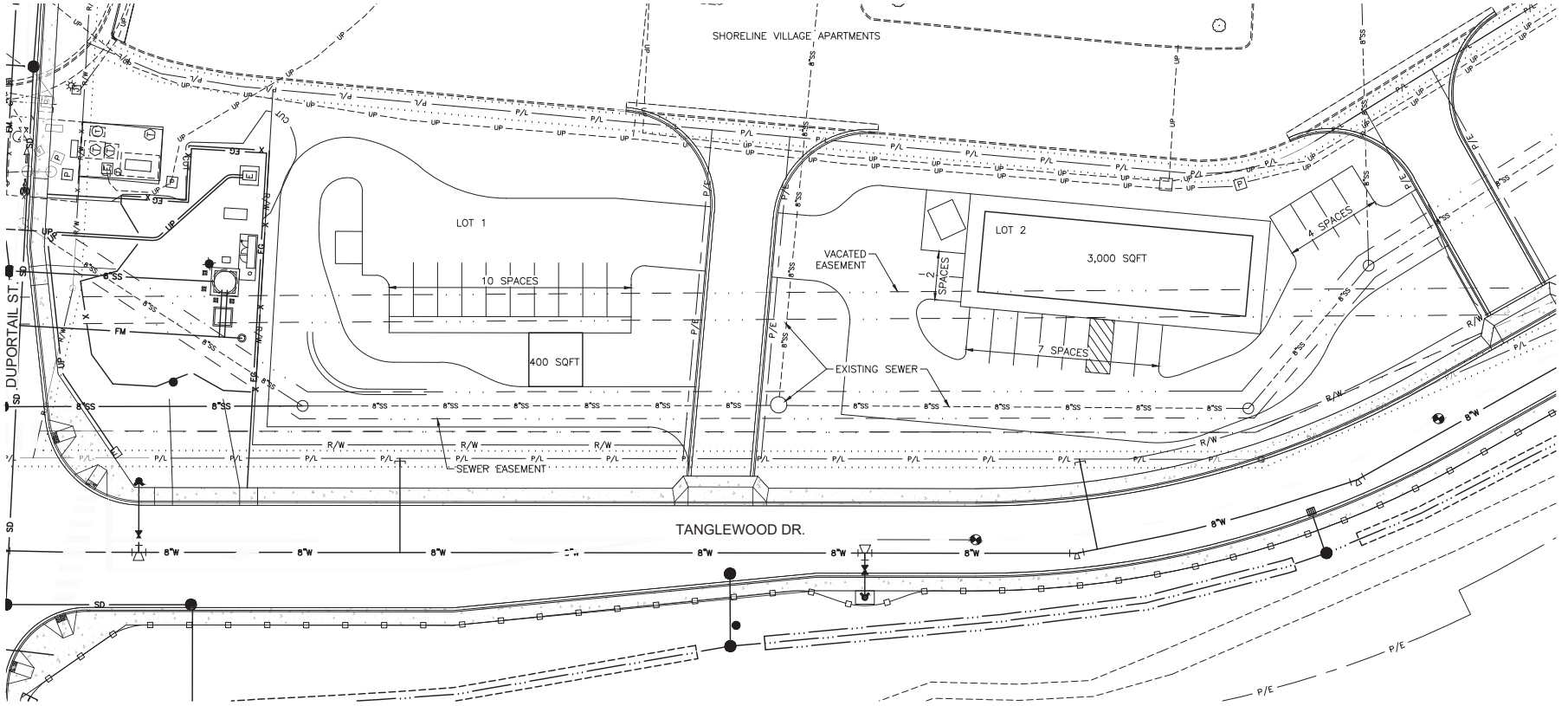
200 Feet

1 inch = 200 feet

Date: 2/10/2020

N

ATTACHMENT E




## LOT 1 SUMMARY

| | |
|---|---|
| AREA | 20,249 SQFT (0.46 AC) |
| BLDG | 400 SQFT |
| PARKING | 10 SPACES |

## LOT 2 SUMMARY

| | |
|---|---|
| AREA | 25,973 SQFT (0.60 AC) |
| BLDG | 3,000 SQFT |
| PARKING | 13 SPACES |


J-U-B ENGINEERS, INC.
2810 W. Clearwater Ave.
Suite 201
Kennewick, WA 99336
Phone: 509.783.2144
www.jub.com



REUSE OF DRAWINGS
J-U-B SHALL RETAIN ALL COMMON LAW, STATUTORY, COPYRIGHT AND OTHER RESERVED RIGHTS OF THESE DRAWINGS, AND THE SAME SHALL NOT BE REUSED WITHOUT J-U-B'S PRIOR WRITTEN CONSENT AND J-U-B SHALL BE INDEMNIFIED AND HELD HARMLESS BY USER'S SOLE RISK AND WITHOUT LIABILITY OR LEGAL EXPOSURE TO J-U-B.


| NO. | DESCRIPTION | BY | APP'D | DATE |
|---|---|---|---|---|
| | REVISION | | | |

TANGLEWOOD
RICHLAND, WA

CONCEPTUAL SITE PLAN

FILE: EXHIBIT 1
JUB PROJ. # 30-20-014
DRAWN BY: JGC
DESIGN BY: DSM
CHECKED BY: DSM
ONE INCH
AT FULL SIZE. IF NOT ONE INCH, SCALE ACCORDINGLY
LAST UPDATED: 2/7/2020

SHEET NUMBER:
EXB 1

Plot Date:2/7/2020 10:27 AM Plotted By: Jason Coulting
Date Created:2/7/2020 J:\JUB.COM\CENTRAL\CLIENT\SWA-WPP\DOCS\PROJECTS\30-20-014_TANGLEWOOD\DESIGN\CAD\RESKETCH\EXB1.DWG

ATTACHMENT F

2018-036389 DT
12/12/2018 11:37:24 AM Page 1 of 14 Fees: $113.00
Brenda Chilton, County Auditor, Benton County, WA

**RETURN ADDRESS:**
**NUMERICA CREDIT UNION**
**ATTN: LOAN ADMINISTRATION**
**PO BOX 4000**
**SPOKANE VALLEY, WA 99037**

3164681 113

# DEED OF TRUST

**DATE: December 6, 2018**

Reference # (if applicable): _____ Additional on page ____
Grantor(s):
1. HF PASCO, LLC

Grantee(s)
1. NUMERICA CREDIT UNION
2. FIRST AMERICAN TITLE INSURANCE COMPANY, Trustee

Legal Description: Portion of Lot 2, Record Survey No. 3572
Additional on page ____

Assessor's Tax Parcel ID#: 115982011748012

**THIS DEED OF TRUST is dated December 6, 2018, among HF Pasco, LLC, a Washington limited liability company ("Grantor"); NUMERICA CREDIT UNION, whose mailing address is LOAN ADMINISTRATION, PO BOX 4000, SPOKANE VALLEY, WA 99037 (referred to below sometimes as "Lender" and sometimes as "Beneficiary"); and FIRST AMERICAN TITLE INSURANCE COMPANY, whose mailing address is 8109 W GRANDRIDGE BLVD SUITE 110, KENNEWICK, WA 99336 (referred to below as "Trustee").**

Unofficial Copy

**CONVEYANCE AND GRANT. For valuable consideration, Grantor conveys to Trustee in trust with power of sale, right of entry and possession and for the benefit of Lender as Beneficiary,** all of Grantor's right, title, and interest in and to the following described real property, together with all existing or subsequently erected or affixed buildings, improvements and fixtures; all easements, rights of way, and appurtenances; all water, water rights and ditch rights (including stock in utilities with ditch or irrigation rights); and all other rights, royalties, and profits relating to the real property, including without limitation all minerals, oil, gas, geothermal and similar matters, **(the "Real Property") located in BENTON County, State of Washington:**

**See EXHIBIT A, which is attached to this Deed of Trust and made a part of this Deed of Trust as if fully set forth herein.**

**The Real Property or its address is commonly known as 2595 DUPORTAIL ST, RICHLAND, WA 99352. The Real Property tax identification number is 115982011748012.**

Grantor hereby assigns as security to Lender, all of Grantor's right, title, and interest in and to all leases, Rents, and profits of the Property. This assignment is recorded in accordance with RCW 65.08.070; the lien created by this assignment is intended to be specific, perfected and choate upon the recording of this Deed of Trust. Lender grants to Grantor a license to collect the Rents and profits, which license may be revoked at Lender's option and shall be automatically revoked upon acceleration of all or part of the Indebtedness. In addition, Grantor grants to Lender a Uniform Commercial Code security interest in the Personal Property and Rents.

**THIS DEED OF TRUST, INCLUDING THE ASSIGNMENT OF RENTS AND THE SECURITY INTEREST IN THE RENTS AND PERSONAL PROPERTY, IS GIVEN TO SECURE (A) PAYMENT OF THE INDEBTEDNESS AND (B) PERFORMANCE OF ANY AND ALL OBLIGATIONS UNDER THE NOTE, THE RELATED DOCUMENTS, AND THIS DEED OF TRUST. THIS DEED OF TRUST IS GIVEN AND ACCEPTED ON THE FOLLOWING TERMS:**

**PAYMENT AND PERFORMANCE.** Except as otherwise provided in this Deed of Trust, Grantor shall pay to Lender all amounts secured by this Deed of Trust as they become due, and shall strictly and in a timely manner perform all of Grantor's obligations under the Note, this Deed of Trust, and the Related Documents.

**POSSESSION AND MAINTENANCE OF THE PROPERTY.** Grantor agrees that Grantor's possession and use of the Property shall be governed by the following provisions:

**Possession and Use.** Until the occurrence of an Event of Default, Grantor may (1) remain in possession and control of the Property; (2) use, operate or manage the Property; and (3) collect the Rents from the Property (this privilege is a license from Lender to Grantor automatically revoked upon default). The following provisions relate to the use of the Property or to other limitations on the Property. The Real Property is not used principally for agricultural purposes.

**Duty to Maintain.** Grantor shall maintain the Property in tenantable condition and promptly perform all repairs, replacements, and maintenance necessary to preserve its value.

**Nuisance, Waste.** Grantor shall not cause, conduct or permit any nuisance nor commit, permit, or suffer any stripping of or waste on or to the Property or any portion of the Property. Without limiting the generality of the foregoing, Grantor will not remove, or grant to any other party the right to remove, any timber, minerals (including oil and gas), coal, clay, scoria, soil, gravel or rock products without Lender's prior written consent.

**Removal of Improvements.** Grantor shall not demolish or remove any Improvements from the Real Property without Lender's prior written consent. As a condition to the removal of any Improvements, Lender may require Grantor to make arrangements satisfactory to Lender to replace such Improvements with Improvements of at least equal value.

**Lender's Right to Enter.** Lender and Lender's agents and representatives may enter upon the Real Property at all reasonable times to attend to Lender's interests and to inspect the Real Property for purposes of Grantor's compliance with the terms and conditions of this Deed of Trust.

**Compliance with Governmental Requirements.** Grantor shall promptly comply, and shall promptly cause compliance by all agents, tenants or other persons or entities of every nature whatsoever who rent, lease or otherwise use or occupy the Property in any manner, with all laws, ordinances, and regulations, now or hereafter in effect, of all governmental authorities applicable to the use or occupancy of the Property, including without limitation, the Americans With Disabilities Act. Grantor may contest in good faith any such law, ordinance, or regulation and withhold compliance during any proceeding, including appropriate appeals, so long as Grantor has notified Lender in writing prior to doing so and so long as, in Lender's sole opinion, Lender's interests in the Property are not jeopardized. Lender may require Grantor to post adequate security or a surety bond, reasonably satisfactory to Lender, to protect Lender's interest.

Unofficial Document

**Duty to Protect.** Grantor agrees neither to abandon or leave unattended the Property. Grantor shall do all other acts, in addition to those acts set forth above in this section, which from the character and use of the Property are reasonably necessary to protect and preserve the Property.

**DUE ON SALE - CONSENT BY LENDER.** Lender may, at Lender's option, (A) declare immediately due and payable all sums secured by this Deed of Trust or (B) increase the interest rate provided for in the Note or other document evidencing the Indebtedness and impose such other conditions as Lender deems appropriate, upon the sale or transfer, without Lender's prior written consent, of all or any part of the Real Property, or any interest in the Real Property. A "sale or transfer" means the conveyance of Real Property or any right, title or interest in the Real Property; whether legal, beneficial or equitable; whether voluntary or involuntary; whether by outright sale, deed, installment sale contract, land contract, contract for deed, leasehold interest with a term greater than three (3) years, lease-option contract, or by sale, assignment, or transfer of any beneficial interest in or to any land trust holding title to the Real Property, or by any other method of conveyance of an interest in the Real Property. However, this option shall not be exercised by Lender if such exercise is prohibited by federal law or by Washington law.

**TAXES AND LIENS.** The following provisions relating to the taxes and liens on the Property are part of this Deed of Trust:

**Payment.** Grantor shall pay when due (and in all events prior to delinquency) all taxes, special taxes, assessments, charges (including water and sewer), fines and impositions levied against or on account of the Property, and shall pay when due all claims for work done on or for services rendered or material furnished to the Property. Grantor shall maintain the Property free of all liens having priority over or equal to the interest of Lender under this Deed of Trust, except for the lien of taxes and assessments not due and except as otherwise provided in this Deed of Trust.

**Right to Contest.** Grantor may withhold payment of any tax, assessment, or claim in connection with a good faith dispute over the obligation to pay, so long as Lender's interest in the Property is not jeopardized. If a lien arises or is filed as a result of nonpayment, Grantor shall within fifteen (15) days after the lien arises or, if a lien is filed, within fifteen (15) days after Grantor has notice of the filing, secure the discharge of the lien, or if requested by Lender, deposit with Lender cash or a sufficient corporate surety bond or other security satisfactory to Lender in an amount sufficient to discharge the lien plus any costs and attorneys' fees, or other charges that could accrue as a result of a foreclosure or sale under the lien. In any contest, Grantor shall defend itself and Lender and shall satisfy any adverse judgment before enforcement against the Property. Grantor shall name Lender as an additional obligee under any surety bond furnished in the contest proceedings.

**Evidence of Payment.** Grantor shall upon demand furnish to Lender satisfactory evidence of payment of the taxes or assessments and shall authorize the appropriate governmental official to deliver to Lender at any time a written statement of the taxes and assessments against the Property.

**Notice of Construction.** Grantor shall notify Lender at least fifteen (15) days before any work is commenced, any services are furnished, or any materials are supplied to the Property, if any mechanic's lien, materialmen's lien, or other lien could be asserted on account of the work, services, or materials. Grantor will upon request of Lender furnish to Lender advance assurances satisfactory to Lender that Grantor can and will pay the cost of such improvements.

**PROPERTY DAMAGE INSURANCE.** The following provisions relating to insuring the Property are a part of this Deed of Trust.

**Maintenance of Insurance.** Grantor shall procure and maintain policies of fire insurance with standard extended coverage endorsements on a fair value basis for the full insurable value covering all Improvements on the Real Property in an amount sufficient to avoid application of any coinsurance clause, and with a standard mortgagee clause in favor of Lender. Grantor shall also procure and maintain comprehensive general liability insurance in such coverage amounts as Lender may request with Trustee and Lender being named as additional insureds in such liability insurance policies. Additionally, Grantor shall maintain such other insurance, including but not limited to hazard, business interruption, and boiler insurance, as Lender may reasonably require. Policies shall be written in form, amounts, coverages and basis reasonably acceptable to Lender and issued by a company or companies reasonably acceptable to Lender. Grantor, upon request of Lender, will deliver to Lender from time to time the policies or certificates of insurance in form satisfactory to Lender, including stipulations that coverages will not be cancelled or diminished without at least ten (10) days prior written notice to Lender. Each insurance policy also shall include an endorsement providing that coverage in favor of Lender will not be impaired in any way by any act, omission or default of Grantor or any other person. Should the Real Property be located in an area designated by the Administrator of the Federal Emergency Management Agency as a special flood hazard area, Grantor agrees to obtain and maintain Federal Flood Insurance, if available, for the full unpaid principal balance of the loan and any prior liens on the property securing the loan, up to the maximum policy limits set under the National Flood Insurance Program, or as otherwise required by Lender, and to maintain such insurance for the term of the loan.

**Application of Proceeds.** Grantor shall promptly notify Lender of any loss or damage to the Property. Lender may

make proof of loss if Grantor fails to do so within fifteen (15) days of the casualty. Whether or not Lender's security is impaired, Lender may, at Lender's election, receive and retain the proceeds of any insurance and apply the proceeds to the reduction of the Indebtedness, payment of any lien affecting the Property, or the restoration and repair of the Property. If Lender elects to apply the proceeds to restoration and repair, Grantor shall repair or replace the damaged or destroyed Improvements in a manner satisfactory to Lender. Lender shall, upon satisfactory proof of such expenditure, pay or reimburse Grantor from the proceeds for the reasonable cost of repair or restoration if Grantor is not in default under this Deed of Trust. Any proceeds which have not been disbursed within 180 days after their receipt and which Lender has not committed to the repair or restoration of the Property shall be used first to pay any amount owing to Lender under this Deed of Trust, then to pay accrued interest, and the remainder, if any, shall be applied to the principal balance of the Indebtedness. If Lender holds any proceeds after payment in full of the Indebtedness, such proceeds shall be paid without interest to Grantor as Grantor's interests may appear.

**Grantor's Report on Insurance.** Upon request of Lender, however not more than once a year, Grantor shall furnish to Lender a report on each existing policy of insurance showing: (1) the name of the insurer; (2) the risks insured; (3) the amount of the policy; (4) the property insured, the then current replacement value of such property, and the manner of determining that value; and (5) the expiration date of the policy. Grantor shall, upon request of Lender, have an independent appraiser satisfactory to Lender determine the cash value replacement cost of the Property.

**LENDER'S EXPENDITURES.** If any action or proceeding is commenced that would materially affect Lender's interest in the Property or if Grantor fails to comply with any provision of this Deed of Trust or any Related Documents, including but not limited to Grantor's failure to discharge or pay when due any amounts Grantor is required to discharge or pay under this Deed of Trust or any Related Documents, Lender on Grantor's behalf may (but shall not be obligated to) take any action that Lender deems appropriate, including but not limited to discharging or paying all taxes, liens, security interests, encumbrances and other claims, at any time levied or placed on the Property and paying all costs for insuring, maintaining and preserving the Property. All such expenditures incurred or paid by Lender for such purposes will then bear interest at the rate charged under the Note from the date incurred or paid by Lender to the date of repayment by Grantor. All such expenses will become a part of the Indebtedness and, at Lender's option, will (A) be payable on demand; (B) be added to the balance of the Note and be apportioned among and be payable with any installment payments to become due during either (1) the term of any applicable insurance policy; or (2) the remaining term of the Note; or (C) be treated as a balloon payment which will be due and payable at the Note's maturity. The Deed of Trust also will secure payment of these amounts. Such right shall be in addition to all other rights and remedies to which Lender may be entitled upon Default.

**WARRANTY; DEFENSE OF TITLE.** The following provisions relating to ownership of the Property are a part of this Deed of Trust:

**Title.** Grantor warrants that: (a) Grantor holds good and marketable title of record to the Property in fee simple, free and clear of all liens and encumbrances other than those set forth in the Real Property description or in any title insurance policy, title report, or final title opinion issued in favor of, and accepted by, Lender in connection with this Deed of Trust, and (b) Grantor has the full right, power, and authority to execute and deliver this Deed of Trust to Lender.

**Defense of Title.** Subject to the exception in the paragraph above, Grantor warrants and will forever defend the title to the Property against the lawful claims of all persons. In the event any action or proceeding is commenced that questions Grantor's title or the interest of Trustee or Lender under this Deed of Trust, Grantor shall defend the action at Grantor's expense. Grantor may be the nominal party in such proceeding, but Lender shall be entitled to participate in the proceeding and to be represented in the proceeding by counsel of Lender's own choice, and Grantor will deliver, or cause to be delivered, to Lender such instruments as Lender may request from time to time to permit such participation.

**Compliance With Laws.** Grantor warrants that the Property and Grantor's use of the Property complies with all existing applicable laws, ordinances, and regulations of governmental authorities.

**Survival of Representations and Warranties.** All representations, warranties, and agreements made by Grantor in this Deed of Trust shall survive the execution and delivery of this Deed of Trust, shall be continuing in nature, and shall remain in full force and effect until such time as Grantor's Indebtedness shall be paid in full.

**CONDEMNATION.** The following provisions relating to condemnation proceedings are a part of this Deed of Trust:

**Proceedings.** If any proceeding in condemnation is filed, Grantor shall promptly notify Lender in writing, and Grantor shall promptly take such steps as may be necessary to defend the action and obtain the award. Grantor may be the nominal party in such proceeding, but Lender shall be entitled to participate in the proceeding and to be represented in the proceeding by counsel of its own choice all at Grantor's expense, and Grantor will deliver or cause to be delivered to Lender such instruments and documentation as may be requested by Lender from time to time to permit such participation.

Unofficial Copy

**Assignment of Proceeds.** Grantor hereby assigns to Beneficiary all right, title and interest of Grantor in any award, settlement, sale or purchase, claim for damages (direct, incidental or consequential) or any other proceeds due in connection with any condemnation or other taking of all or part of the Property or for conveyance in lieu of condemnation, all whether now or hereafter existing (hereinafter referred to as "Condemnation").

**Application of Net Proceeds.** Upon any Condemnation, Lender may at its election require that all or any portion of the net proceeds of the Condemnation be applied to the Indebtedness or the repair or restoration of the Property. The net proceeds of the Condemnation shall mean the amount after payment of all reasonable costs, expenses, and attorneys' fees incurred by Trustee or Lender in connection with the Condemnation.

**IMPOSITION OF TAXES, FEES AND CHARGES BY GOVERNMENTAL AUTHORITIES.** The following provisions relating to governmental taxes, fees and charges are a part of this Deed of Trust:

**Current Taxes, Fees and Charges.** Upon request by Lender, Grantor shall execute such documents in addition to this Deed of Trust and take whatever other action is requested by Lender to perfect and continue Lender's lien on the Real Property. Grantor shall reimburse Lender for all taxes, as described below, together with all expenses incurred in recording, perfecting or continuing this Deed of Trust, including without limitation all taxes, fees, documentary stamps, and other charges for recording or registering this Deed of Trust.

**Taxes.** The following shall constitute taxes to which this section applies: (1) a specific tax upon this type of Deed of Trust or upon all or any part of the Indebtedness secured by this Deed of Trust; (2) a specific tax on Grantor which Grantor is authorized or required to deduct from payments on the Indebtedness secured by this type of Deed of Trust; (3) a tax on this type of Deed of Trust chargeable against the Lender or the holder of the Note; and (4) a specific tax on all or any portion of the Indebtedness or on payments of principal and interest made by Grantor.

**Subsequent Taxes.** If any tax to which this section applies is enacted subsequent to the date of this Deed of Trust, this event shall have the same effect as an Event of Default, and Lender may exercise any or all of its available remedies for an Event of Default as provided below unless Grantor either (1) pays the tax before it becomes delinquent, or (2) contests the tax as provided above in the Taxes and Liens section and deposits with Lender cash or a sufficient corporate surety bond or other security satisfactory to Lender.

**SECURITY AGREEMENT; FINANCING STATEMENTS.** The following provisions relating to this Deed of Trust as a security agreement are a part of this Deed of Trust:

**Security Agreement.** This instrument shall constitute a Security Agreement to the extent any of the Property constitutes fixtures, and Lender shall have all of the rights of a secured party under the Uniform Commercial Code as amended from time to time.

**Security Interest.** Upon request by Lender, Grantor shall take whatever action is requested by Lender to perfect and continue Lender's security interest in the Rents and Personal Property. In addition to recording this Deed of Trust in the real property records, Lender may, at any time and without further authorization from Grantor, file executed counterparts, copies or reproductions of this Deed of Trust as a financing statement. Grantor shall reimburse Lender for all expenses incurred in perfecting or continuing this security interest. Upon default, Grantor shall not remove, sever or detach the Personal Property from the Property. Upon default, Grantor shall assemble any Personal Property not affixed to the Property in a manner and at a place reasonably convenient to Grantor and Lender and make it available to Lender within three (3) days after receipt of written demand from Lender to the extent permitted by applicable law.

**Addresses.** The mailing addresses of Grantor (debtor) and Lender (secured party) from which information concerning the security interest granted by this Deed of Trust may be obtained (each as required by the Uniform Commercial Code) are as stated on the first page of this Deed of Trust.

**FURTHER ASSURANCES; ATTORNEY-IN-FACT.** The following provisions relating to further assurances and attorney-in-fact are a part of this Deed of Trust:

**Further Assurances.** At any time, and from time to time, upon request of Lender, Grantor will make, execute and deliver, or will cause to be made, executed or delivered, to Lender or to Lender's designee, and when requested by Lender, cause to be filed, recorded, refiled, or rerecorded, as the case may be, at such times and in such offices and places as Lender may deem appropriate, any and all such mortgages, deeds of trust, security deeds, security agreements, financing statements, continuation statements, instruments of further assurance, certificates, and other documents as may, in the sole opinion of Lender, be necessary or desirable in order to effectuate, complete, perfect, continue, or preserve (1) Grantor's obligations under the Note, this Deed of Trust, and the Related Documents, and (2) the liens and security interests created by this Deed of Trust as first and prior liens on the Property, whether now owned or hereafter acquired by Grantor. Unless prohibited by law or Lender agrees to the contrary in writing, Grantor shall reimburse Lender for all costs and expenses incurred in connection with the matters referred to in this paragraph.

**Attorney-in-Fact.** If Grantor fails to do any of the things referred to in the preceding paragraph, Lender may do so

for and in the name of Grantor and at Grantor's expense. For such purposes, Grantor hereby irrevocably appoints Lender as Grantor's attorney-in-fact for the purpose of making, executing, delivering, filing, recording, and doing all other things as may be necessary or desirable, in Lender's sole opinion, to accomplish the matters referred to in the preceding paragraph.

**FULL PERFORMANCE.** If Grantor pays all the Indebtedness when due, and otherwise performs all the obligations imposed upon Grantor under this Deed of Trust, Lender shall execute and deliver to Trustee a request for full reconveyance and shall execute and deliver to Grantor suitable statements of termination of any financing statement on file evidencing Lender's security interest in the Rents and the Personal Property. Any reconveyance fee shall be paid by Grantor, if permitted by applicable law. The grantee in any reconveyance may be described as the "person or persons legally entitled thereto", and the recitals in the reconveyance of any matters or facts shall be conclusive proof of the truthfulness of any such matters or facts.

**EVENTS OF DEFAULT.** Each of the following, at Lender's option, shall constitute an Event of Default under this Deed of Trust:

**Payment Default.** Grantor fails to make any payment when due under the Indebtedness.

**Other Defaults.** Grantor fails to comply with or to perform any other term, obligation, covenant or condition contained in this Deed of Trust or in any of the Related Documents or to comply with or to perform any term, obligation, covenant or condition contained in any other agreement between Lender and Grantor.

**Compliance Default.** Failure to comply with any other term, obligation, covenant or condition contained in this Deed of Trust, the Note or in any of the Related Documents.

**Default on Other Payments.** Failure of Grantor within the time required by this Deed of Trust to make any payment for taxes or insurance, or any other payment necessary to prevent filing of or to effect discharge of any lien.

**Default in Favor of Third Parties.** Should Grantor default under any loan, extension of credit, security agreement, purchase or sales agreement, or any other agreement, in favor of any other creditor or person that may materially affect any of Grantor's property or Grantor's ability to repay the Indebtedness or Grantor's ability to perform Grantor's obligations under this Deed of Trust or any of the Related Documents.

**False Statements.** Any warranty, representation or statement made or furnished to Lender by Grantor or on Grantor's behalf under this Deed of Trust or the Related Documents is false or misleading in any material respect, either now or at the time made or furnished or becomes false or misleading at any time thereafter or is found not to be as represented. This includes the use of the Note proceeds for a purpose other than the purposes stated in Grantor's loan application.

**Defective Collateralization.** This Deed of Trust or any of the Related Documents ceases to be in full force and effect (including failure of any collateral document to create a valid and perfected security interest or lien) at any time and for any reason.

**Death or Insolvency.** The dissolution of Grantor's (regardless of whether election to continue is made), any member withdraws from the limited liability company, or any other termination of Grantor's existence as a going business or the death of any member, the insolvency of Grantor, the appointment of a receiver for any part of Grantor's property, any assignment for the benefit of creditors, any type of creditor workout, or the commencement of any proceeding under any bankruptcy or insolvency laws by or against Grantor.

**Creditor or Forfeiture Proceedings.** Commencement of foreclosure or forfeiture proceedings, whether by judicial proceeding, self-help, repossession or any other method, by any creditor of Grantor or by any governmental agency against any property securing the Indebtedness. This includes a garnishment of any of Grantor's accounts, including deposit accounts, with Lender. However, this Event of Default shall not apply if there is a good faith dispute by Grantor as to the validity or reasonableness of the claim which is the basis of the creditor or forfeiture proceeding and if Grantor gives Lender written notice of the creditor or forfeiture proceeding and deposits with Lender monies or a surety bond for the creditor or forfeiture proceeding, in an amount determined by Lender, in its sole discretion, as being an adequate reserve or bond for the dispute.

**Breach of Other Agreement.** Any breach by Grantor under the terms of any other agreement between Grantor and Lender that is not remedied within any grace period provided therein, including without limitation any agreement concerning any indebtedness or other obligation of Grantor to Lender, whether existing now or later.

**Events Affecting Guarantor.** Any of the preceding events occurs with respect to any Guarantor of any of the Indebtedness or any Guarantor dies or becomes incompetent, or revokes or disputes the validity of, or liability under, any Guaranty of the Indebtedness.

**Adverse Change.** A material adverse change occurs in Grantor's financial condition, or Lender believes the prospect of payment or performance of the Indebtedness is impaired.

**Insecurity.** Lender in good faith believes itself insecure.

**RIGHTS AND REMEDIES ON DEFAULT.** If an Event of Default occurs under this Deed of Trust, at any time thereafter, Trustee or Lender may exercise any one or more of the following rights and remedies:

**Election of Remedies.** Election by Lender to pursue any remedy shall not exclude pursuit of any other remedy, and an election to make expenditures or to take action to perform an obligation of Grantor under this Deed of Trust, after Grantor's failure to perform, shall not affect Lender's right to declare a default and exercise its remedies.

**Accelerate Indebtedness.** Lender shall have the right at its option to declare the entire Indebtedness immediately due and payable, including any prepayment penalty which Grantor would be required to pay.

**Foreclosure.** With respect to all or any part of the Real Property, the Trustee shall have the right to exercise its power of sale and to foreclose by notice and sale, and Lender shall have the right to foreclose by judicial foreclosure, in either case in accordance with and to the full extent provided by applicable law.

**UCC Remedies.** With respect to all or any part of the Personal Property, Lender shall have all the rights and remedies of a secured party under the Uniform Commercial Code.

**Collect Rents.** Lender shall have the right, without notice to Grantor to take possession of and manage the Property and collect the Rents, including amounts past due and unpaid, and apply the net proceeds, over and above Lender's costs, against the Indebtedness. In furtherance of this right, Lender may require any tenant or other user of the Property to make payments of rent or use fees directly to Lender. If the Rents are collected by Lender, then Grantor irrevocably designates Lender as Grantor's attorney-in-fact to endorse instruments received in payment thereof in the name of Grantor and to negotiate the same and collect the proceeds. Payments by tenants or other users to Lender in response to Lender's demand shall satisfy the obligations for which the payments are made, whether or not any proper grounds for the demand existed. Lender may exercise its rights under this subparagraph either in person, by agent, or through a receiver.

**Appoint Receiver.** Lender shall have the right to have a receiver appointed to take possession of all or any part of the Property, with the power to protect and preserve the Property, to operate the Property preceding or pending foreclosure or sale, and to collect the Rents from the Property and apply the proceeds, over and above the cost of the receivership, against the Indebtedness. The receiver may serve without bond if permitted by law. Lender's right to the appointment of a receiver shall exist whether or not the apparent value of the Property exceeds the Indebtedness by a substantial amount. Employment by Lender shall not disqualify a person from serving as a receiver.

**Tenancy at Sufferance.** If Grantor remains in possession of the Property after the Property is sold as provided above or Lender otherwise becomes entitled to possession of the Property upon default of Grantor, Grantor shall become a tenant at sufferance of Lender or the purchaser of the Property and shall, at Lender's option, either (1) pay a reasonable rental for the use of the Property, or (2) vacate the Property immediately upon the demand of Lender.

**Other Remedies.** Trustee or Lender shall have any other right or remedy provided in this Deed of Trust or the Note or available at law or in equity.

**Notice of Sale.** Lender shall give Grantor reasonable notice of the time and place of any public sale of the Personal Property or of the time after which any private sale or other intended disposition of the Personal Property is to be made. Reasonable notice shall mean notice given at least ten (10) days before the time of the sale or disposition. Any sale of the Personal Property may be made in conjunction with any sale of the Real Property.

**Sale of the Property.** To the extent permitted by applicable law, Grantor hereby waives any and all rights to have the Property marshalled. In exercising its rights and remedies, the Trustee or Lender shall be free to sell all or any part of the Property together or separately, in one sale or by separate sales. Lender shall be entitled to bid at any public sale on all or any portion of the Property.

**Attorneys' Fees; Expenses.** If Lender institutes any suit or action to enforce any of the terms of this Deed of Trust, Lender shall be entitled to recover such sum as the court may adjudge reasonable as attorneys' fees at trial and upon any appeal. Whether or not any court action is involved, and to the extent not prohibited by law, all reasonable expenses Lender incurs that in Lender's opinion are necessary at any time for the protection of its interest or the enforcement of its rights shall become a part of the Indebtedness payable on demand and shall bear interest at the Note rate from the date of the expenditure until repaid. Expenses covered by this paragraph include, without limitation, however subject to any limits under applicable law, Lender's attorneys' fees and Lender's legal expenses, whether or not there is a lawsuit, including attorneys' fees and expenses for bankruptcy proceedings (including efforts to modify or vacate any automatic stay or injunction), appeals, and any anticipated post-judgment collection services, the cost of searching records, obtaining title reports (including foreclosure reports), surveyors' reports, and appraisal fees, title insurance, and fees for the Trustee, to the extent permitted by applicable law. Grantor also will pay any court costs, in addition to all other sums provided by law.

**Rights of Trustee.** Trustee shall have all of the rights and duties of Lender as set forth in this section.

Unofficial Copy

**POWERS AND OBLIGATIONS OF TRUSTEE.** The following provisions relating to the powers and obligations of Trustee (pursuant to Lender's instructions) are part of this Deed of Trust:

**Powers of Trustee.** In addition to all powers of Trustee arising as a matter of law, Trustee shall have the power to take the following actions with respect to the Property upon the written request of Lender and Grantor: (a) join in preparing and filing a map or plat of the Real Property, including the dedication of streets or other rights to the public; (b) join in granting any easement or creating any restriction on the Real Property; and (c) join in any subordination or other agreement affecting this Deed of Trust or the interest of Lender under this Deed of Trust.

**Obligations to Notify.** Trustee shall not be obligated to notify any other party of a pending sale under any other trust deed or lien, or of any action or proceeding in which Grantor, Lender, or Trustee shall be a party, unless required by applicable law, or unless the action or proceeding is brought by Trustee.

**Trustee.** Trustee shall meet all qualifications required for Trustee under applicable law. In addition to the rights and remedies set forth above, with respect to all or any part of the Property, the Trustee shall have the right to foreclose by notice and sale, and Lender shall have the right to foreclose by judicial foreclosure, in either case in accordance with and to the full extent provided by applicable law.

**Successor Trustee.** Lender, at Lender's option, may from time to time appoint a successor Trustee to any Trustee appointed under this Deed of Trust by an instrument executed and acknowledged by Lender and recorded in the office of the recorder of BENTON County, State of Washington. The instrument shall contain, in addition to all other matters required by state law, the names of the original Lender, Trustee, and Grantor, the book and page or the Auditor's File Number where this Deed of Trust is recorded, and the name and address of the successor trustee, and the instrument shall be executed and acknowledged by Lender or its successors in interest. The successor trustee, without conveyance of the Property, shall succeed to all the title, power, and duties conferred upon the Trustee in this Deed of Trust and by applicable law. This procedure for substitution of Trustee shall govern to the exclusion of all other provisions for substitution.

**NOTICES.** Subject to applicable law, and except for notice required or allowed by law to be given in another manner, any notice required to be given under this Deed of Trust, including without limitation any notice of default and any notice of sale shall be given in writing, and shall be effective when actually delivered, when actually received by telefacsimile (unless otherwise required by law), when deposited with a nationally recognized overnight courier, or, if mailed, when deposited in the United States mail, as first class, certified or registered mail postage prepaid, directed to the addresses shown near the beginning of this Deed of Trust. All copies of notices of foreclosure from the holder of any lien which has priority over this Deed of Trust shall be sent to Lender's address, as shown near the beginning of this Deed of Trust. Any party may change its address for notices under this Deed of Trust by giving formal written notice to the other parties, specifying that the purpose of the notice is to change the party's address. For notice purposes, Grantor agrees to keep Lender informed at all times of Grantor's current address. Subject to applicable law, and except for notice required or allowed by law to be given in another manner, if there is more than one Grantor, any notice given by Lender to any Grantor is deemed to be notice given to all Grantors.

**MISCELLANEOUS PROVISIONS.** The following miscellaneous provisions are a part of this Deed of Trust:

**Amendments.** This Deed of Trust, together with any Related Documents, constitutes the entire understanding and agreement of the parties as to the matters set forth in this Deed of Trust. No alteration of or amendment to this Deed of Trust shall be effective unless given in writing and signed by the party or parties sought to be charged or bound by the alteration or amendment.

**Annual Reports.** If the Property is used for purposes other than Grantor's residence, Grantor shall furnish to Lender, upon request, a certified statement of net operating income received from the Property during Grantor's previous fiscal year in such form and detail as Lender shall require. "Net operating income" shall mean all cash receipts from the Property less all cash expenditures made in connection with the operation of the Property.

**Caption Headings.** Caption headings in this Deed of Trust are for convenience purposes only and are not to be used to interpret or define the provisions of this Deed of Trust.

**Merger.** There shall be no merger of the interest or estate created by this Deed of Trust with any other interest or estate in the Property at any time held by or for the benefit of Lender in any capacity, without the written consent of Lender.

**Governing Law. This Deed of Trust will be governed by federal law applicable to Lender and, to the extent not preempted by federal law, the laws of the State of Washington without regard to its conflicts of law provisions. This Deed of Trust has been accepted by Lender in the State of Washington.**

**Choice of Venue.** If there is a lawsuit, Grantor agrees upon Lender's request to submit to the jurisdiction of the courts of SPOKANE County, State of Washington.

**No Waiver by Lender.** Lender shall not be deemed to have waived any rights under this Deed of Trust unless such waiver is given in writing and signed by Lender. No delay or omission on the part of Lender in exercising any right

shall operate as a waiver of such right or any other right. A waiver by Lender of a provision of this Deed of Trust shall not prejudice or constitute a waiver of Lender's right otherwise to demand strict compliance with that provision or any other provision of this Deed of Trust. No prior waiver by Lender, nor any course of dealing between Lender and Grantor, shall constitute a waiver of any of Lender's rights or of any of Grantor's obligations as to any future transactions. Whenever the consent of Lender is required under this Deed of Trust, the granting of such consent by Lender in any instance shall not constitute continuing consent to subsequent instances where such consent is required and in all cases such consent may be granted or withheld in the sole discretion of Lender.

**Severability.** If a court of competent jurisdiction finds any provision of this Deed of Trust to be illegal, invalid, or unenforceable as to any circumstance, that finding shall not make the offending provision illegal, invalid, or unenforceable as to any other circumstance. If feasible, the offending provision shall be considered modified so that it becomes legal, valid and enforceable. If the offending provision cannot be so modified, it shall be considered deleted from this Deed of Trust. Unless otherwise required by law, the illegality, invalidity, or unenforceability of any provision of this Deed of Trust shall not affect the legality, validity or enforceability of any other provision of this Deed of Trust.

**Successors and Assigns.** Subject to any limitations stated in this Deed of Trust on transfer of Grantor's interest, this Deed of Trust shall be binding upon and inure to the benefit of the parties, their successors and assigns. If ownership of the Property becomes vested in a person other than Grantor, Lender, without notice to Grantor, may deal with Grantor's successors with reference to this Deed of Trust and the Indebtedness by way of forbearance or extension without releasing Grantor from the obligations of this Deed of Trust or liability under the Indebtedness.

**Time is of the Essence.** Time is of the essence in the performance of this Deed of Trust.

**Waive Jury. All parties to this Deed of Trust hereby waive the right to any jury trial in any action, proceeding, or counterclaim brought by any party against any other party.**

**Waiver of Homestead Exemption.** Grantor hereby releases and waives all rights and benefits of the homestead exemption laws of the State of Washington as to all Indebtedness secured by this Deed of Trust.

**DEFINITIONS.** The following capitalized words and terms shall have the following meanings when used in this Deed of Trust. Unless specifically stated to the contrary, all references to dollar amounts shall mean amounts in lawful money of the United States of America. Words and terms used in the singular shall include the plural, and the plural shall include the singular, as the context may require. Words and terms not otherwise defined in this Deed of Trust shall have the meanings attributed to such terms in the Uniform Commercial Code:

**Beneficiary.** The word "Beneficiary" means NUMERICA CREDIT UNION, and its successors and assigns.

**Borrower.** The word "Borrower" means HF PASCO, LLC and includes all co-signers and co-makers signing the Note and all their successors and assigns.

**Deed of Trust.** The words "Deed of Trust" mean this Deed of Trust among Grantor, Lender, and Trustee, and includes without limitation all assignment and security interest provisions relating to the Personal Property and Rents.

**Default.** The word "Default" means the Default set forth in this Deed of Trust in the section titled "Default".

**Event of Default.** The words "Event of Default" mean any of the events of default set forth in this Deed of Trust in the events of default section of this Deed of Trust.

**Grantor.** The word "Grantor" means HF PASCO, LLC.

**Guarantor.** The word "Guarantor" means any guarantor, surety, or accommodation party of any or all of the Indebtedness.

**Guaranty.** The word "Guaranty" means the guaranty from Guarantor to Lender, including without limitation a guaranty of all or part of the Note.

**Improvements.** The word "Improvements" means all existing and future improvements, buildings, structures, mobile homes affixed on the Real Property, facilities, additions, replacements and other construction on the Real Property.

**Indebtedness.** The word "Indebtedness" means all principal, interest, and other amounts, costs and expenses payable under the Note or Related Documents, together with all renewals of, extensions of, modifications of, consolidations of and substitutions for the Note or Related Documents and any amounts expended or advanced by Lender to discharge Grantor's obligations or expenses incurred by Trustee or Lender to enforce Grantor's obligations under this Deed of Trust, together with interest on such amounts as provided in this Deed of Trust.

**Lender.** The word "Lender" means NUMERICA CREDIT UNION, its successors and assigns.

**Note.** The word "Note" means the promissory note dated December 6, 2018, **in the original principal amount of $168,500.00** from Grantor to Lender, together with all renewals of, extensions of, modifications

of, refinancings of, consolidations of, and substitutions for the promissory note or agreement.

**Personal Property.** The words "Personal Property" mean all equipment, fixtures, and other articles of personal property now or hereafter owned by Grantor, and now or hereafter attached or affixed to the Real Property; together with all accessions, parts, and additions to, all replacements of, and all substitutions for, any of such property; and together with all issues and profits thereon and proceeds (including without limitation all insurance proceeds and refunds of premiums) from any sale or other disposition of the Property.

**Property.** The word "Property" means collectively the Real Property and the Personal Property.

**Real Property.** The words "Real Property" mean the real property, interests and rights, as further described in this Deed of Trust.

**Related Documents.** The words "Related Documents" mean all promissory notes, credit agreements, loan agreements, security agreements, mortgages, deeds of trust, security deeds, collateral mortgages, and all other instruments, agreements and documents, whether now or hereafter existing, executed in connection with the Indebtedness; provided, that guaranties and environmental indemnity agreements are not "Related Documents" and are not secured by this Deed of Trust.

**Rents.** The word "Rents" means all present and future rents, revenues, income, issues, royalties, profits, and other benefits derived from the Property.

**Trustee.** The word "Trustee" means FIRST AMERICAN TITLE INSURANCE COMPANY, whose mailing address is 8109 W GRANDRIDGE BLVD SUITE 110, KENNEWICK, WA 99336 and any substitute or successor trustees.

**GRANTOR ACKNOWLEDGES HAVING READ ALL THE PROVISIONS OF THIS DEED OF TRUST, AND GRANTOR AGREES TO ITS TERMS.**

**GRANTOR:**

**HF PASCO, LLC**

**By:** _____
**THOMAS G FISHER, Member of HF PASCO, LLC**

**By:** _____
**MOLLY D FISHER, Member of HF PASCO, LLC**

**By:** _____
**MARCUS J HALL, Member of HF PASCO, LLC**

Unofficial Copy

## LIMITED LIABILITY COMPANY ACKNOWLEDGMENT

STATE OF Washington )
) SS
COUNTY OF Benton )

This record was acknowledged before me on December 11th, 2018 by **THOMAS G FISHER, Member of HF PASCO, LLC; MOLLY D FISHER, Member of HF PASCO, LLC; and MARCUS J HALL, Member of HF PASCO, LLC.**

(Signature of notary public)

ASHLEY WALLIS
Notary Public
State of Washington
My Appointment Expires
Nov 30, 2021

Notary
(Title of office)

My commission expires:
Nov. 30th, 2021
(date)

## REQUEST FOR FULL RECONVEYANCE

To: _____, Trustee

The undersigned is the legal owner and holder of all indebtedness secured by this Deed of Trust. You are hereby requested, upon payment of all sums owing to you, to reconvey without warranty, to the persons entitled thereto, the right, title and interest now held by you under the Deed of Trust.

**Date:** _____ **Beneficiary:** _____

**By:** _____

**Its:** _____

LaserPro, Ver. 18.4.10.002 Copr. Finastra USA Corporation 1997, 2018. All Rights Reserved. - WA
L:\CFI\LPL\G01.FC TR-2212 PR-2

Unofficial Copy

# EXHIBIT A

THE LAND REFERRED TO HEREIN BELOW IS SITUATED IN THE COUNTY OF BENTON, STATE OF WA, AND IS DESCRIBED AS FOLLOWS:

THAT PORTION OF TRACT 2 OF RECORDS SURVEY RECORDED IN VOLUME 1 OF SURVEYS AT PAGE 3572 LYING IN THE WEST HALF OF SECTION 15, TOWNSHIP 9 NORTH, RANGE 28 EAST, W.M. CITY OF RICHLAND, BENTON COUNTY, WASHINGTON, DESCRIBED AS FOLLOWS;

COMMENCING AT THE INTERSECTION OF DUPORTAIL STREET AND STATE ROUTE 240 (BYPASS HIGHWAY) AS SHOWN ON THE PLAT OF RICHLAND; THENCE SOUTH 38°08'18" WEST ALONG THE CENTERLINE OF DUPORTAIL STREET 185.18 FEET TO THE INTERSECTION OF SAID CENTERLINE WITH THE BOUNDARY OF SAID PLAT OF RICHLAND; THENCE SOUTH 51°51'18" EAST ALONG SAID PLAT BOUNDARY 1582.28 FEET TO A POINT ON THE WEST LINE OF A 30 FOOT WIDE GAS LINE EASEMENT AS SHOWN ON SHORT PLAT 1748; THENCE SOUTH 44°53'14" WEST ALONG THE WEST LINE OF SAID GAS LINE EASEMENT 120.64 FEET; THENCE SOUTH 03°56'59" EAST ALONG THE WEST LINE OF SAID GAS LINE EASEMENT 181.54 FEET TO A POINT ON THE CORPS OF ENGINEERS TAKING LINE PER RECORD OF SURVEY 1-1405; THENCE NORTH 78°45'16" WEST ALONG SAID TAKING LINE 1050.23 FEET TO THE TRUE POINT OF BEGINNING; THENCE CONTINUING NORTH 78°45'16" WEST ALONG SAID LINE 292.52 FEET; THENCE NORTH 54°59'11" WEST CONTINUING ALONG SAID TAKING LINE 455.73 FEET TO A POINT ON THE SOUTHERLY RIGHT OF WAY LINE OF DUPORTAIL STREET;
THENCE NORTH 48°10'35" EAST ALONG SAID SOUTHERLY RIGHT OF WAY LINE 65.08 FEET; THENCE NORTH 38°18'04" EAST ALONG SAID SOUTHERLY RIGHT OF WAY LINE 91.54 FEET; THENCE SOUTH 32°36'35" EAST 29.67 FEET; THENCE SOUTH 44°11'12" EAST 30.63 FEET; THENCE SOUTH 49°52'56" EAST 351.89 FEET TO THE BEGINNING OF A CURVE TO THE LEFT THE RADIUS POINT OF WHICH BEARS NORTH 40°07'04" EAST 80.00 FEET; THENCE EASTERLY ALONG SAID CURVE 51.64 FEET; THENCE SOUTH 86°52'12" EAST 198.20 FEET TO THE BEGINNING OF A CURVE TO THE LEFT THE RADIUS POINT OF WHICH BEARS NORTH 3°07'48" EAST 80.00 FEET; THENCE EASTERLY ALONG SAID CURVE 65.01 FEET; THENCE NORTH 46°34'01" EAST 20.45 FEET; THENCE SOUTH 78°45'16" EAST 52.80 FEET; THENCE SOUTH 38°08'42" WEST 198.47 FEET TO THE SAID TRUE POINT OF BEGINNING;

(Also shown as Lot 2 of Survey No. 4185)

EXCEPT that portion described as follows;

THAT PORTION OF TRACT 2 AS SHOWN ON RECORD SURVEY NO. 3572 AND A PORTION OF LOT 2 AS SHOWN ON RECORD SURVEY NO. 4185 (RECORDS OF BENTON COUNTY, WASHINGTON) LOCATED IN THE WEST HALF OF SECTION 15, TOWNSHIP 9 NORTH, RANGE 28 EAST, W.M., WILLAMETTE MERIDIAN, BENTON COUNTY, WASHINGTON, AND MORE PARTICULARLY DESCRIBED AS FOLLOWS;

Beginning at a 5/8" diameter Street Pin with a plastic cap marked PLS 14120 on the Easterly right-of-way of Duportail Street and also on the Westerly boundary of said Tract 2 from which the Northwest corner of said Tract 2 bears North 38°17'29" East, 91.54 feet;

Thence South 48°10'35" West, 64.64 feet to the Northerly boundary of the McNary lock and Dam Project shown on Amended Map of Record recorded in Book 1 of Surveys at Page 2316 (Records of Benton County, Washington):

Unofficial Document

Thence along said Northerly boundary, South 54°58'11" East, 241.63 feet:

Thence leaving said Northerly boundary, North 40°02'11" East, 5.02 feet

Thence North 54°58'11" West, 160.56 feet;

Thence North 38°17'29" East, 132.23 feet to the Northerly boundary of said Tract 2;

Thence North 49°48'32" West, along the Northerly boundary of said Tract 2 for a distance of 12.46 feet;

Thence North 45°48'54" West, 29.71 feet;

Thence North 32°14'07" West, 29.69 feet to the Easterly right-of-way of Duportail Street said point also being the Northwest corner of said Tract 2;

Thence South 38°17'29" West along the Easterly right-of-way of Duportail Street and the Westerly boundary of said Tract 2 for a distance of 91.54 feet to the POINT OF BEGINNING.

AND EXCEPT that portion described as follows;

THAT PORTION OF TRACT 2 AS SHOWN ON RECORD SURVEY NO. 3572 AND A PORTION OF LOT 2 AS SHOWN ON RECORD SURVEY NO. 4185 (RECORDS OF BENTON COUNTY, WASHINGTON) LOCATED IN THE WEST HALF OF SECTION 15, TOWNSHIP 9 NORTH, RANGE 28 EAST, W.M., WILLAMETTE MERIDIAN, BENTON COUNTY, WASHINGTON, AND MORE PARTICULARLY DESCRIBED AS FOLLOWS;

Commencing at a 5/8" diameter Steel pin with a plastic cap marked PLS 14120 on the Easterly right-of-way of Duportail Street and also on the Westerly boundary of said Tract 2 from which the Northwest corner of said Tract 2 bears North 38°17'29" East, 91.54 feet;

Thence South 48°10'35" West, 64.64 feet to the Northerly boundary of the McNary Lock and Dam Project shown on Amended Map of Record recorded in Book 1 of Surveys at Page 2316 (Records of Benton County, Washington);

Thence along said Northerly boundary, South 54°58'11" East, 407.35 feet to the POINT OF BEGINNING.

Thence leaving said Northerly boundary 109.87 feet along the arc of a curve to the left having a radius of 325.00 feet, a delta of 19°22'08" and a long chord that bears South 74°43'03" East a chord distance of 109.34 feet;

Thence South 84°24'07" East, 108.02 feet;

Thence 24.90 feet along the arc of a curve to the left having a radius of 20.00 feet, a delta of 71°20'19" and a long chord that bears North 59°55'43" East a chord distance of 23.32 feet;

Thence North 24°15'33" East, 10.57 feet;

Thence 56.06 feet along the arc of a curve to the right having a radius of 53.50 feet, a delta of 60°02'11" and a long chord that bears North 54°16'39" East a chord distance of 53.53 feet;

Thence North 05°10'08" West, 35.43 feet to the Northerly boundary of said Tract 2;

Thence along said Northerly boundary the following (4) courses:

South 86°47'36" East, 44.62 feet;

Unofficial Copy

65.01 feet along the arc of a curve to the left having a radius of 80.00 feet, a delta of 46°33'36" and a long chord that bears North 69°55'36" East a chord distance of 63.24 feet;

Thence North 46°38'48" East, 20.45 feet;

Thence South 78°45'17" East, 52.80 feet to the Northeast corner of said Lot 2, also being the Easterly boundary of said Tract 2;

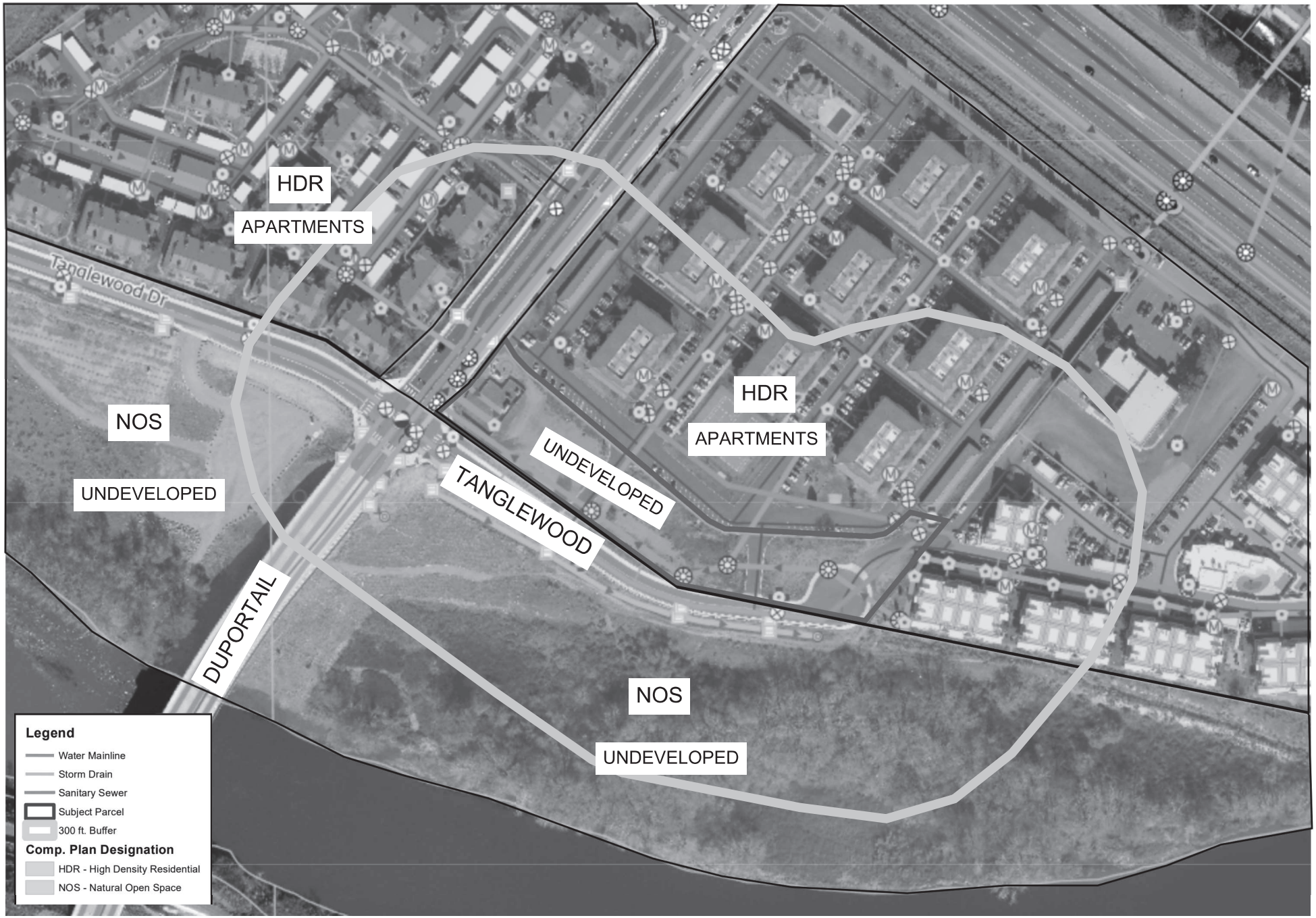
Thence leaving the Northerly boundary of said Tract 2, along said easterly boundary South 38°12'42" West, 199.10 feet to the Northerly boundary of said McNary Lock and Dam Project;

Thence along said Northerly boundary the following (2) courses:

North 78°44'46" West, 290.45 feet to Army Corp of Engineers monument U-6;

North 54°58'11" West, 49.29 feet to the POINT OF BEGINNING.

Unofficial Copy




J-U-B ENGINEERS, INC.

# Attachment C - Vicinity Map

200 Feet

1 inch = 200 feet

Date: 2/10/2020

N

Attachment A.

15-9-28

# RECORD SURVEY NO. 4485

## FOR A BOUNDARY LINE ADJUSTMENT

WEST 1/2 OF, SEC. 15, T.9 N., R.28 E., W.M.
CITY OF RICHLAND
BENTON COUNTY, WASHINGTON

2/2

## ORIGINAL DESCRIPTIONS

PARCEL 2, RS#1-4149:
TRACT 4 OF RECORD SURVEY RECORDED IN VOLUME 1 OF SURVEYS AT PAGE 2917 LYING IN THE WEST HALF OF SECTION 15, TOWNSHIP 9 NORTH, RANGE 28 EAST, WILLAMETTE MERIDIAN, CITY OF RICHLAND, BENTON COUNTY, WASHINGTON, DESCRIBED AS FOLLOWS:

COMMENCING AT THE INTERSECTION OF DUPORTAIL STREET AND STATE ROUTE 240 (BYPASS HIGHWAY) AS SHOWN ON THE PLAT OF RICHLAND; THENCE SOUTH 38°08'18" WEST ALONG THE CENTERLINE OF DUPORTAIL STREET 185.18 FEET TO THE INTERSECTION OF SAID CENTERLINE WITH THE BOUNDARY OF SAID PLAT OF RICHLAND; THENCE SOUTH 51°51'18" EAST ALONG SAID PLAT BOUNDARY 1313.45 FEET TO THE TRUE POINT OF BEGINNING;

THENCE CONTINUING SOUTH 51°51'18" EAST ALONG SAID PLAT BOUNDARY 268.83 FEET TO A POINT ON THE WEST LINE OF A 30 FOOT WIDE GAS LINE EASEMENT AS SHOWN ON SHORT PLAT 1748; THENCE SOUTH 44°53'14" WEST ALONG THE WEST LINE OF SAID GAS LINE EASEMENT 120.64 FEET; THENCE NORTH 68°19'21" WEST 10.00 FEET TO A POINT ON A LINE PARALLEL TO THE CORPS OF ENGINEERS TAKING LINE PER RECORD SURVEY 1-1405 AND 177.00 FEET PERPENDICULAR THEREFROM; THENCE NORTH 78°45'16" WEST ALONG SAID PARALLEL LINE 274.81 FEET; THENCE NORTH 38°08'42" EAST 246.97 FEET TO A POINT ON SAID PLAT BOUNDARY AND THE TRUE POINT OF BEGINNING.

TOGETHER WITH THAT PORTION OF TRACT 3 OF RECORD SURVEY RECORDED IN VOLUME 1 OF SURVEYS AT PAGE 2917 LYING IN THE WEST HALF OF SECTION 15, TOWNSHIP 9 NORTH, RANGE 28 EAST, WILLAMETTE MERIDIAN, CITY OF RICHLAND, BENTON COUNTY, WASHINGTON, DESCRIBED AS FOLLOWS:

COMMENCING AT THE NORTHWEST CORNER OF ABOVE SAID TRACT 3 THENCE SOUTH 51°51'18" EAST ALONG THE NORTHERLY LINE OF SAID TRACT 250.00 FEET TO THE TRUE POINT OF BEGINNING;

THENCE CONTINUING SOUTH 51°51'18" EAST ALONG SAID LINE 310.24 FEET TO THE NORTHWEST CORNER OF TRACT 4 OF SAID SURVEY;
THENCE SOUTH 38°08'42" WEST 246.97 FEET TO THE SOUTHEAST CORNER OF SAID TRACT;
THENCE NORTH 78°45'16" WEST ALONG THE SOUTHERLY LINE OF SAID TRACT 3 A DISTANCE OF 628.21 FEET TO THE SOUTHWEST CORNER OF SAID TRACT;
THENCE NORTH 38°08'42" EAST ALONG THE WESTERLY LINE OF SAID TRACT 181.19 FEET;
THENCE SOUTH 51°51'18" EAST 250.00 FEET;
THENCE NORTH 38°08'42" EAST 350.00 FEET TO THE SAID TRUE POINT OF BEGINNING.

CONTAINING 4.08 ACRES

TOGETHER WITH AND SUBJECT TO EASEMENTS, COVENANTS, RESERVATIONS AND RESTRICTIONS OF RECORD AND IN VIEW.

TRACT 2, RS#1-3572:
THAT PORTION OF THE WEST HALF OF SECTION 15, TOWNSHIP 9 NORTH, RANGE 28 EAST, WILLAMETTE MERIDIAN, CITY OF RICHLAND, BENTON COUNTY, WASHINGTON, DESCRIBED AS FOLLOWS:

COMMENCING AT THE INTERSECTION OF DUPORTAIL STREET AND STATE ROUTE 240 (BYPASS HIGHWAY) AS SHOWN ON THE PLAT OF RICHLAND; THENCE SOUTH 38°08'18" WEST ALONG THE CENTERLINE OF DUPORTAIL STREET 185.18 FEET TO THE INTERSECTION OF SAID CENTERLINE WITH THE BOUNDARY OF SAID PLAT OF RICHLAND; THENCE SOUTH 51°51'18" EAST ALONG SAID PLAT BOUNDARY 1582.28 FEET TO A POINT ON THE WEST LINE OF A 30 FOOT WIDE GAS LINE EASEMENT AS SHOWN ON SHORT PLAT 1748; THENCE SOUTH 44°53'14" WEST ALONG THE WEST LINE OF SAID GAS LINE EASEMENT 120.64 FEET TO THE TRUE POINT OF BEGINNING;

THENCE SOUTH 03°56'59" EAST ALONG THE WEST LINE OF SAID GAS LINE EASEMENT 181.54 FEET TO A POINT ON THE CORPS OF ENGINEERS TAKING LINE PER RECORD OF SURVEY 1-1405; THENCE NORTH 78°45'16" WEST ALONG SAID TAKING LINE 1342.76 FEET; THENCE NORTH 54°59'11" WEST CONTINUING ALONG SAID TAKING LINE 455.73 FEET TO A POINT ON THE SOUTHERLY RIGHT-OF-WAY LINE OF DUPORTAIL STREET; THENCE NORTH 48°10'35" EAST ALONG SAID SOUTHERLY RIGHT-OF-WAY LINE 65.08 FEET; THENCE NORTH 38°18'04" EAST ALONG SAID SOUTHERLY RIGHT-OF-WAY LINE 91.54 FEET; THENCE SOUTH 32°36'35" EAST 29.67 FEET; THENCE SOUTH 44°11'12" EAST 30.63 FEET; THENCE SOUTH 49°52'56" EAST 351.89 FEET TO THE BEGINNING OF A CURVE TO THE LEFT THE RADIUS POINT OF WHICH BEARS NORTH 40°07'04" EAST 80.00 FEET; THENCE EASTERLY ALONG SAID CURVE 51.64 FEET; THENCE SOUTH 86°32'12" EAST 198.20 FEET TO THE BEGINNING OF A CURVE TO THE LEFT THE RADIUS POINT O WHICH BEARS NORTH 3°07'48" EAST 80.00 FEET; THENCE EASTERLY ALONG SAID CURVE 65.01 FEET; THENCE NORTH 46°34'01" EAST 20.45 FEET; THENCE SOUTH 78°45'16" EAST 955.82 FEET; THENCE SOUTH 68°19'21" EAST 10.00 FEET TO A POINT ON THE WEST LINE OF SAID GAS LINE EASEMENT AND THE SAID TRUE POINT OF BEGINNING.

CONTAINING 6.116 ACRES

TOGETHER WITH AND SUBJECT TO EASEMENTS, COVENANTS, RESERVATIONS AND RESTRICTIONS OF RECORD AND IN VIEW.

## TRANSFER PARCEL

THAT PORTION OF TRACT 2 OF RECORD SURVEY RECORDED IN VOLUME 1 OF SURVEYS AT PAGE 3572 LYING IN THE WEST HALF OF SECTION 15, TOWNSHIP 9 NORTH, RANGE 28 EAST, WILLAMETTE MERIDIAN, CITY OF RICHLAND, BENTON COUNTY, WASHINGTON, DESCRIBED AS FOLLOWS:

COMMENCING AT THE INTERSECTION OF DUPORTAIL STREET AND STATE ROUTE 240 (BYPASS HIGHWAY) AS SHOWN ON THE PLAT OF RICHLAND; THENCE SOUTH 38°08'18" WEST ALONG THE CENTERLINE OF DUPORTAIL STREET 185.18 FEET TO THE INTERSECTION OF SAID CENTERLINE WITH THE BOUNDARY OF SAID PLAT OF RICHLAND; THENCE SOUTH 51°51'18" EAST ALONG SAID PLAT BOUNDARY 1582.28 FEET TO A POINT ON THE WEST LINE OF A 30 FOOT WIDE GAS LINE EASEMENT AS SHOWN ON SHORT PLAT 1748; THENCE SOUTH 44°53'14" WEST ALONG THE WEST LINE OF SAID GAS LINE EASEMENT 120.64 FEET TO THE TRUE POINT OF BEGINNING;

THENCE SOUTH 03°56'59" EAST ALONG THE WEST LINE OF SAID GAS LINE EASEMENT 181.54 FEET TO A POINT ON THE CORPS OF ENGINEERS TAKING LINE PER RECORD OF SURVEY 1-1405; THENCE NORTH 78°45'16" WEST ALONG SAID TAKING LINE 1050.23 FEET; THENCE NORTH 38°08'42" EAST 198.47 FEET TO THE SOUTHEAST CORNER OF TRACT 1 OF ABOVE SAID RECORD SURVEY; THENCE SOUTH 78°45'16" EAST ALONG THE SOUTHERLY LINE OF PARCEL 2 OF RECORD SURVEY RECORDED IN VOLUME 1 OF SURVEYS AT PAGE ~~4999~~ 903.02 FEET; THENCE SOUTH 68°19'21" EAST ALONG SAID SOUTHERLY LINE 10.00 FEET TO THE SAID TRUE POINT OF BEGINNING.

CONTAINING 3.99 ACRES

TOGETHER WITH AND SUBJECT TO EASEMENTS, COVENANTS, RESERVATIONS AND RESTRICTIONS OF RECORD AND IN VIEW.

## NEW PARCEL

LOT 2:
THAT PORTION OF TRACT 2 OF RECORD SURVEY RECORDED IN VOLUME 1 OF SURVEYS AT PAGE 3572 LYING IN THE WEST HALF OF SECTION 15, TOWNSHIP 9 NORTH, RANGE 28 EAST, WILLAMETTE MERIDIAN, CITY OF RICHLAND, BENTON COUNTY, WASHINGTON, DESCRIBED AS FOLLOWS:

COMMENCING AT THE INTERSECTION OF DUPORTAIL STREET AND STATE ROUTE 240 (BYPASS HIGHWAY) AS SHOWN ON THE PLAT OF RICHLAND; THENCE SOUTH 38°08'18" WEST ALONG THE CENTERLINE OF DUPORTAIL STREET 185.18 FEET TO THE INTERSECTION OF SAID CENTERLINE WITH THE BOUNDARY OF SAID PLAT OF RICHLAND; THENCE SOUTH 51°51'18" EAST ALONG SAID PLAT BOUNDARY 1582.28 FEET TO A POINT ON THE WEST LINE OF A 30 FOOT WIDE GAS LINE EASEMENT AS SHOWN ON SHORT PLAT 1748; THENCE SOUTH 44°53'14" WEST ALONG THE WEST LINE OF SAID GAS LINE EASEMENT 120.64 FEET; THENCE SOUTH 03°56'59" EAST ALONG THE WEST LINE OF SAID GAS LINE EASEMENT 181.54 FEET TO A POINT ON THE CORPS OF ENGINEERS TAKING LINE PER RECORD OF SURVEY 1-1405; THENCE NORTH 78°45'16" WEST ALONG SAID TAKING LINE 1050.23 FEET TO THE TRUE POINT OF BEGINNING;

THENCE CONTINUING NORTH 78°45'16" WEST ALONG SAID LINE 292.52 FEET; THENCE NORTH 54°59'11" WEST CONTINUING ALONG SAID TAKING LINE 455.73 FEET TO A POINT ON THE SOUTHERLY RIGHT-OF-WAY LINE OF DUPORTAIL STREET; THENCE NORTH 48°10'35" EAST ALONG SAID SOUTHERLY RIGHT-OF-WAY LINE 65.08 FEET; THENCE NORTH 38°18'04" EAST ALONG SAID SOUTHERLY RIGHT-OF-WAY LINE 91.54 FEET; THENCE SOUTH 32°36'35" EAST 29.67 FEET; THENCE SOUTH 44°11'12" EAST 30.63 FEET; THENCE SOUTH 49°52'56" EAST 351.89 FEET TO THE BEGINNING OF A CURVE TO THE LEFT THE RADIUS POINT OF WHICH BEARS NORTH 40°07'04" EAST 80.00 FEET; THENCE EASTERLY ALONG SAID CURVE 51.64 FEET; THENCE SOUTH 86°32'12" EAST 198.20 FEET TO THE BEGINNING OF A CURVE TO THE LEFT THE RADIUS POINT OF WHICH BEARS NORTH 3°07'48" EAST 80.00 FEET; THENCE EASTERLY ALONG SAID CURVE 65.01 FEET; THENCE NORTH 46°34'01" EAST 20.45 FEET; THENCE SOUTH 78°45'16" EAST 52.80 FEET; THENCE SOUTH 38°08'42" WEST 198.47 FEET TO THE SAID TRUE POINT OF BEGINNING.

CONTAINING 2.13 ACRES

TOGETHER WITH AND SUBJECT TO EASEMENTS, COVENANTS, RESERVATIONS AND RESTRICTIONS OF RECORD AND IN VIEW.

## NEW PARCEL

LOT 1:
PARCEL 2, RS#1-4149:
TRACT 4 OF RECORD SURVEY RECORDED IN VOLUME 1 OF SURVEYS AT PAGE 2917 LYING IN THE WEST HALF OF SECTION 15, TOWNSHIP 9 NORTH, RANGE 28 EAST, WILLAMETTE MERIDIAN, CITY OF RICHLAND, BENTON COUNTY, WASHINGTON, DESCRIBED AS FOLLOWS:

COMMENCING AT THE INTERSECTION OF DUPORTAIL STREET AND STATE ROUTE 240 (BYPASS HIGHWAY) AS SHOWN ON THE PLAT OF RICHLAND; THENCE SOUTH 38°08'18" WEST ALONG THE CENTERLINE OF DUPORTAIL STREET 185.18 FEET TO THE INTERSECTION OF SAID CENTERLINE WITH THE BOUNDARY OF SAID PLAT OF RICHLAND; THENCE SOUTH 51°51'18" EAST ALONG SAID PLAT BOUNDARY 1313.45 FEET TO THE TRUE POINT OF BEGINNING;

THENCE CONTINUING SOUTH 51°51'18" EAST ALONG SAID PLAT BOUNDARY 268.83 FEET TO A POINT ON THE WEST LINE OF A 30 FOOT WIDE GAS LINE EASEMENT AS SHOWN ON SHORT PLAT 1748; THENCE SOUTH 44°53'14" WEST ALONG THE WEST LINE OF SAID GAS LINE EASEMENT 120.64 FEET; THENCE NORTH 68°19'21" WEST 10.00 FEET TO A POINT ON A LINE PARALLEL TO THE CORPS OF ENGINEERS TAKING LINE PER RECORD SURVEY 1-1405 AND 177.00 FEET PERPENDICULAR THEREFROM; THENCE NORTH 78°45'16" WEST ALONG SAID PARALLEL LINE 274.81 FEET; THENCE NORTH 38°08'42" EAST 246.97 FEET TO A POINT ON SAID PLAT BOUNDARY AND THE TRUE POINT OF BEGINNING.

TOGETHER WITH THAT PORTION OF TRACT 3 OF RECORD SURVEY RECORDED IN VOLUME 1 OF SURVEYS AT PAGE 2917 LYING IN THE WEST HALF OF SECTION 15, TOWNSHIP 9 NORTH, RANGE 28 EAST, WILLAMETTE MERIDIAN, CITY OF RICHLAND, BENTON COUNTY, WASHINGTON, DESCRIBED AS FOLLOWS:

COMMENCING AT THE NORTHWEST CORNER OF ABOVE SAID TRACT 3 THENCE SOUTH 51°51'18" EAST ALONG THE NORTHERLY LINE OF SAID TRACT 250.00 FEET TO THE TRUE POINT OF BEGINNING;

THENCE CONTINUING SOUTH 51°51'18" EAST ALONG SAID LINE 310.24 FEET TO THE NORTHWEST CORNER OF TRACT 4 OF SAID SURVEY;
THENCE SOUTH 38°08'42" WEST 246.97 FEET TO THE SOUTHEAST CORNER OF SAID TRACT;
THENCE NORTH 78°45'16" WEST ALONG THE SOUTHERLY LINE OF SAID TRACT 3 A DISTANCE OF 628.21 FEET TO THE SOUTHWEST CORNER OF SAID TRACT;
THENCE NORTH 38°08'42" EAST ALONG THE WESTERLY LINE OF SAID TRACT 181.19 FEET;
THENCE SOUTH 51°51'18" EAST 250.00 FEET;
THENCE NORTH 38°08'42" EAST 350.00 FEET TO THE SAID TRUE POINT OF BEGINNING.

TOGETHER WITH TRACT 5 OF RECORD SURVEY RECORDED IN VOLUME 1 OF SURVEYS AT PAGE 2917 LYING IN THE WEST HALF OF SECTION 15, TOWNSHIP 9 NORTH, RANGE 28 EAST, WILLAMETTE MERIDIAN, CITY OF RICHLAND, BENTON COUNTY, WASHINGTON, DESCRIBED AS FOLLOWS:

COMMENCING AT THE INTERSECTION OF DUPORTAIL STREET AND STATE ROUTE 240 (BYPASS HIGHWAY) AS SHOWN ON THE PLAT OF RICHLAND; THENCE SOUTH 38°08'18" WEST ALONG THE CENTERLINE OF DUPORTAIL STREET 185.18 FEET TO THE INTERSECTION OF SAID CENTERLINE WITH THE BOUNDARY OF SAID PLAT OF RICHLAND; THENCE SOUTH 51°51'18" EAST ALONG SAID PLAT BOUNDARY 1582.28 FEET TO A POINT ON THE WEST LINE OF A 30 FOOT WIDE GAS LINE EASEMENT AS SHOWN ON SHORT PLAT 1748 AND THE TRUE POINT OF BEGINNING;

THENCE CONTINUING SOUTH 51°51'18" EAST ALONG SAID PLAT BOUNDARY 166.28 FEET TO THE NORTHEAST CORNER OF LOT 3 AS SHOWN ON SAID SHORT PLAT; THENCE SOUTH 11°14'44" WEST ALONG THE EAST LINE OF SAID LOT 3 A DISTANCE OF 200.39 TO THE SOUTHEAST CORNER OF SAID LOT 3 AND A POINT ON THE CORPS OF ENGINEERS TAKING LINE PER THAT RECORD SURVEY 1-1405; THENCE NORTH 78°45'16" WEST ALONG SAID CORPS OF ENGINEERS TAKING LINE 167.54 FEET TO A POINT ON THE WEST LINE OF SAID GAS LINE EASEMENT; THENCE NORTH 03°56'59" WEST ALONG THE WEST LINE OF SAID GAS LINE EASEMENT 181.54 FEET; THENCE NORTH 44°53'14" EAST ALONG THE WEST LINE OF SAID GAS LINE EASEMENT 120.64 FEET TO A POINT ON THE BOUNDARY OF SAID PLAT OF RICHLAND AND THE TRUE POINT OF BEGINNING.

AND TOGETHER WITH THAT PORTION OF TRACT 2 OF RECORD SURVEY RECORDED IN VOLUME 1 OF SURVEYS AT PAGE 3572 LYING IN THE WEST HALF OF SECTION 15, TOWNSHIP 9 NORTH, RANGE 28 EAST, WILLAMETTE MERIDIAN, CITY OF RICHLAND, BENTON COUNTY, WASHINGTON, DESCRIBED AS FOLLOWS:

COMMENCING AT THE INTERSECTION OF DUPORTAIL STREET AND STATE ROUTE 240 (BYPASS HIGHWAY) AS SHOWN ON THE PLAT OF RICHLAND; THENCE SOUTH 38°08'18" WEST ALONG THE CENTERLINE OF DUPORTAIL STREET 185.18 FEET TO THE INTERSECTION OF SAID CENTERLINE WITH THE BOUNDARY OF SAID PLAT OF RICHLAND; THENCE SOUTH 51°51'18" EAST ALONG SAID PLAT BOUNDARY 1582.28 FEET TO A POINT ON THE WEST LINE OF A 30 FOOT WIDE GAS LINE EASEMENT AS SHOWN ON SHORT PLAT 1748; THENCE SOUTH 44°53'14" WEST ALONG THE WEST LINE OF SAID GAS LINE EASEMENT 120.64 FEET TO THE TRUE POINT OF BEGINNING;

THENCE SOUTH 03°56'59" EAST ALONG THE WEST LINE OF SAID GAS LINE EASEMENT 181.54 FEET TO A POINT ON THE CORPS OF ENGINEERS TAKING LINE PER RECORD OF SURVEY 1-1405; THENCE NORTH 78°45'16" WEST ALONG SAID TAKING LINE 1050.23 FEET; THENCE NORTH 38°08'42" EAST 198.47 FEET TO THE SOUTHEAST CORNER OF TRACT 1 OF ABOVE SAID RECORD SURVEY; THENCE SOUTH 78°45'16" EAST ALONG THE SOUTHERLY LINE OF PARCEL 2 OF RECORD SURVEY RECORDED IN VOLUME 1 OF SURVEYS AT PAGE 4149 903.02 FEET; THENCE SOUTH 68°19'21" EAST ALONG SAID SOUTHERLY LINE 10.00 FEET TO THE SAID TRUE POINT OF BEGINNING.

CONTAINS 9.13 ACRES

TOGETHER WITH AND SUBJECT TO EASEMENTS, COVENANTS, RESERVATIONS AND RESTRICTIONS OF RECORD AND IN VIEW.

## SURVEYOR'S CERTIFICATE

THIS MAP CORRECTLY REPRESENTS A SURVEY MADE BY ME OR UNDER MY DIRECTION IN CONFORMANCE WITH THE REQUIREMENTS OF THE SURVEY RECORDING ACT AT THE REQUEST OF TERRY BLANKENSHIP IN SEPT. OF 2010.

12/22/2010
DATE

AARON A. DYCK 38081 REGISTERED PROFESSIONAL LAND SURVEYOR

## SURVEY FOR

*TERRY BLANKENSHIP*

## INDEX

| ¼ ¼ | SEC | T. | R. |
|---|---|---|---|
| | 15 | 9 N | 28E |

## AUDITOR'S CERTIFICATE

FILED FOR RECORD THIS 18 DAY OF MARCH, 2011 AT 27 MINUTES PAST 9 A.M. AND RECORDED IN VOLUME 21 OF SURVEYS PAGE 4485 AT THE REQUEST OF AARON A. DYCK, P.L.S.

Brenda Chilton 150928/XX01
BENTON COUNTY AUDITOR INDEX NO.

Lucille Moon 2011-008089
DEPUTY FEE NO.


STRATTON SURVEYING & MAPPING, PC
7525 W. DESCHUTES PL. UNIT 1C
KENNEWICK, WA 99336
(509) 735-7364
FAX: (509) 735-6560
stratton@strattonsurvey.com


| | |
|---|---|
| 3010RS6.DWG | © 2010 |
| DATE: 09/16/10 | SHT. 2 OF 2 |
| DRAWN BY: DCI | JOB # 3010 |

# 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 Find help answering background questions

1. **Name of proposed project, if applicable:**

   Tanglewood Development

2. **Name of applicant:**

   HP Pasco LLC - Tom Fisher

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

   Tom Fisher
   PO Box 752
   Richland, WA 99352

   Phone: 509-438-1816
   Email: tomfisher121@hotmail.com

4. **Date checklist prepared:**

   2-27-24

5. **Agency requesting checklist:**

   City of Richland

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

   2024/2025

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

   None

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

   None

9. **Do you know whether applications are pending for governmental approvals of other proposals directly affecting the property covered by your proposal? If yes, explain.**

   Comprehensive Plan Amendment, Zone Change, LOMAR Updates

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

    Comprehensive Plan Amendment, Zone Change, Building Permit, Right of Way Permit

**12. Give a 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.)**

Develop undeveloped property into a commercial use in compliance with City code requirements. Commercial uses could include but not be limited to a drive-through coffee stand, drive-through/sit-in restaurant/bar, convenience store or other commercial use. This is a non-project proposal to change the City Comprehensive Plan to a Waterfront designation.

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

Project is located just east of the Duportail/Tanglewood intersection and just north of the Yakima river. The address is 2595 Duportail Street. The Parcel # is 115982011748012. Legal description is Lot 2 of Record of Survey 4182.

## B. Environmental Elements

### 1. Earth Find help answering earth questions

**a. General description of the site:**

The site is generally flat and is undeveloped with minimal vegetation.

**Circle or highlight one: Flat, rolling, hilly, steep slopes, mountainous, other:**

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

2-3%

**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.**

Gravely soils

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

No

**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.**

Overall development area is approximately 1.6 acres. Earthworks is anticipated to be minimal.

**f. Could erosion occur because of clearing, construction, or use? If so, generally describe.**

Erosion caused by wind may cause airborne dust to occur during construction activities.

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

85%

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

Best management practices will be used to reduce and control erosion. Local and state laws will be followed. Silt fence, construction entrance, inlet protection.

## 2. Air Find help answering air questions

**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.**

Dust and machinery exhaust from construction activities. Anticipate additional vehicular trips to occur in the general area as the area develops.

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

No

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

Dust control would be enacted during construction activities. Construction machinery and vehicles are required to satisfy current State emissions requirements.

## 3. Water Find help answering water questions

**a. Surface Water:** Find help answering surface water questions

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.**

   Yakima River near the site.

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

   No

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

   None

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

   No

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

   No

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

   No

**b. Ground Water:** Find help answering ground water questions

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 a general description, purpose, and approximate quantities if known.**

   No

2. **Describe waste material that will be discharged into the ground from septic tanks or other sources, if any (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.**

   None anticipated.

**c. Water Runoff (including stormwater):**

1. **Describe the source of runoff (including storm water) and method of collection and disposal, if any (include quantities, if known). Where will this water flow? Will this water flow into other waters? If so, describe.**
   Stormwater will be collected from impervious surfaces throughout the development. Stormwater will be retained in below grade stormwater facilities. Stormwater is planned to be infiltrated into the ground.
2. **Could waste materials enter ground or surface waters? If so, generally describe.**
   Stormwater runoff can contain sediments, oils, and metals. The stormwater collection system will be designed in accordance with the Stormwater Management Manual for Eastern Washington.
3. **Does the proposal alter or otherwise affect drainage patterns in the vicinity of the site? If so, describe.**

   No

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

   Areas will be graded to various stormwater collection points and to director stormwater runoff to onsite stormwater systems.

## 4. Plants Find help answering plants questions

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

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

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

Existing vegetation will be removed for overall project development.

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

None known.

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

Project area will be landscaped in accordance with local jurisdiction landscaping requirements.

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

None known.

## 5. Animals Find help answering animal questions

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

**Examples include:**

- **Birds: hawk, heron, eagle, songbirds, other:**
- **Mammals: deer, bear, elk, beaver, other:**
- **Fish: bass, salmon, trout, herring, shellfish, other:**

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

None known.

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

Pacific Flyway Migration

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

None

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

None known.

## 6. Energy and Natural Resources Find help answering energy and natural resource questions

**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.**

Electrical power and natural gas will be needed for heating and cooling.

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

No

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

Energy conservation as required by local and state energy codes.

## 7. Environmental Health Find help with answering environmental health questions

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

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

None known

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

None known

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

None known

**c. Describe special emergency services that might be required.**

None known

**d. Proposed measures to reduce or control environmental health hazards, if any.**

None

## b. Noise

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

   Existing vehicular and train traffic

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

   Short term – construction noise generally 6 am to 8 pm
   Long term – vehicular generally 6 am to 10pm

3. **Proposed measures to reduce or control noise impacts, if any.**

   As required by local code requirements

## 8. Land and Shoreline Use Find help answering land and shoreline use questions

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.**

   Site is undeveloped. Adjacent areas are multi-family apartment complexes.

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 because of the proposal, if any? If resource lands have not been designated, how many acres in farmland or forest land tax status will be converted to nonfarm or nonforest use?**

   No

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

      No

c. **Describe any structures on the site.**

   None

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

   No

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

   Site is zoned as C-LB

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

   HDR

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

Recreation Conservancy

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

No

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

Not yet determined

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

None

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

None

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

By complying with Richland zoning code requirements.

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

None

## 9. Housing Find help answering housing questions

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

None

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

None

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

None

## 10. Aesthetics Find help answering aesthetics questions

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

To be in compliance with City code requirements.

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

None

**c. Proposed measures to reduce or control aesthetic impacts, if any.**

Compliance with City code requirements.

## 11. Light and Glare Find help answering light and glare questions

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

Overall development will include additional lighting for security and safety. Lighting would generally occur from sunset to sunrise.

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

No

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

None

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

Compliance with City code requirements.

## 12. Recreation Find help answering recreation questions

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

Yakima River public access area

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

No

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

None

## 13. Historic and Cultural Preservation Find help answering historic and cultural preservation questions

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

No

**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.**

No

**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.**

Area was recently developed as a part of the Duportail Bridge project and no findings of artifacts were discovered during that project.

**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.**

If applicable, Inadvertent Discovery Plan during construction activities.

## 14. Transportation Find help with answering transportation questions

**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.**

HWY 240, Duportail and Tanglewood.

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

No. Approximately 1,500 feet to the nearest stop

**c. 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).**

No

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

Will occur in the vicinity of rail.

**e. 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?**

It is unknown what the project may consist of so vehicle trips per day is unknown at this time.

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

No

**g. Proposed measures to reduce or control transportation impacts, if any.**

None

## 15. Public Services Find help answering public service questions

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

Yes, an increase in the need for fire and police protection.

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

None

## 16. Utilities Find help answering utilities questions

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

Electricity, natural gas, water, telephone, sanitary sewer

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

The project will require domestic water services, sanitary sewer services, electrical power and communications.

## C. Signature Find help about who should sign

**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.**

X 

SEPA Responsible Offical

**Type name of signee:** Darral Moore, J-U-B Engineers, Inc.

**Position and agency/organization:** Project Manager, J-U-B Engineers, Inc.

**Date submitted:** 3/1/2024

## D. Supplemental sheet for nonproject actions Find help for the nonproject actions worksheet

**IT IS NOT REQUIRED** to use this section 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?**

   Increase in emission to include dust and exhaust from machinery during construction activities. Additional vehicular trips to occur in the general area as the project develops.

   - **Proposed measures to avoid or reduce such increases are:**

   Dust control would be enacted during construction activities. Construction machinery and vehicles are required to satisfy current State emissions requirements.

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

   Existing vegetation to be removed to accommodate development.

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

   Project area will be landscaped in accordance with local jurisdiction landscaping requirements. All disturbed areas will be hydro-seeded with an arid dry land grass mix.

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

   Proposal will require electrical power demand.

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

   Energy conservation as required by local and state energy codes.

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?**

   Project area does not contain sensitive areas.

   - **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?**

   Project is located on the north side of Tanglewood Drive and would not impact shoreline uses.

   - **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 development will have a slight increase vehicular traffic throughout the general area.

- **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.**

None known

February 29, 2024

Mike Stevens, Planning Manager
City of Richland
625 Swift Blvd, MS-35
Richland, WA 99352

RE: Tanglewood Comprehensive Plan Amendment – Traffic Analysis

Dear Mr. Stevens:

This letter is prepared to discuss traffic issues associated with the proposed Comprehensive Plan Amendment and Zoning request for the property situated on the north side of Tanglewood Drive east of Duportail Street. The parcel address is 2595 Duportail Street, Richland, WA. The Benton County Tax Parcel is #115982011748012.

The current land use designation in the Comprehensive Plan is High Density Residential, with the zoning of the 1.38-acre parcel being C-LB Limited Business. The owner of the property is seeking for a Comprehensive Plan amendment to Waterfront with zoning designation of WF, Waterfront.

To determine the potential traffic impacts of the proposed Comprehensive Plan amendment and zoning change, a comparison of trips under the allowed zoning with the highest trip making land use allowed under the Waterfront zone. This will be done by assuming development similar to the adjacent apartment complex for the existing zoning, since it shares the C-LB zoning.

In the C-LB zone one apartment is allowed for every 1500 sq ft of parcel size, subject to a height limitation of 55', which would amount to 40 units on the 1.38 acres. According to the Institute of Transportation Engineers Trip Generation Manual 11th Edition, Land Use 220 Multi-Family housing, 40 apartments would typically generate 332 average weekday trips with 35 during the AM peak hour (8 in/27 out) and 38 during the PM peak hour (24 in/14 out).

The Richland Zoning Code section 23.22.030 was examined to determine the land uses allowed under the proposed Waterfront zoning. There are several land uses allowed in the Waterfront Zone that are not allowed in the existing C-LB zone, namely: marina uses, health spa, video rental store, drinking establishment, microbrewery, restaurants – drive-thru, lounge or take-out, vehicle-based food services and wineries. The highest trip making of any of these uses in the ITE Trip Generation Manual is land use 934, Fast Food with Drive-thru window which typically generates 467.48 per 1,000 sq ft of floor area on a typical weekday, with 44.61 trips during the AM peak hour (51% in, 49% out) and 33.03 trips during the PM peak hour (52% in, 48% out). Assuming that two 2,000 sq ft fast food restaurants with drive-

thru could be accommodated on the parcel, in between the two existing access easements to the apartments, combined they could generate approximately 1,870 trips on a weekday, with 178 during the AM peak hour (91 inbound and 87 outbound) and 120 Pm peak hour trips (62 in, 58 out). This is an increase of 1,538 daily trips and 143 during the AM peak hour and 82 during the PM peak hour.

The potential increase in traffic initially may appear to be a lot of vehicles. When considering the transportation network that will serve the parcel and the fact that the intersection of Tanglewood Drive/Duportail Street has a traffic signal as well as exclusive left turn lanes on each approach, the intersection is well suited to serve the additional traffic. With approximately half of the traffic inbound and half outbound, there will be approximately 1-2 more vehicles per signal cycle approaching from the east leg which will use very little of the capacity of the signal cycle. Duportail Street will continue to dominate the intersection and it is unlikely that the traffic signal cycle will need to be modified to give additional green time to the Tanglewood approach. Inbound trips to any development on the parcel will not take green time away from the main traffic flow on Duportail Street.

From a traffic perspective the proposed zoning is unlikely to have a significant impact on the transportation system when compared to the existing zoning. The proposed zoning is likely to generate additional traffic, but the parcel is not significant is size, and the street network is already built to accommodate this level of traffic.

We hope this answers any questions there may be regarding the transportation network serving the subject parcel. Please feel free to contact me at (509) 783-2144 or dmoore@jub.com if there are any questions.

Sincerely,

Darral Moore, PE
Land Development Manager

Spencer Montgomery
Transportation Planner

DARRAL S. MOORE
STATE OF WASHINGTON
37991
REGISTERED
PROFESSIONAL ENGINEER

# Invoice

Cascade Title Company of Benton-Franklin Counties
8203 W. Quinault Ave. Ste 10
Kennewick, WA. 99336

| Date | Invoice # |
|---|---|
| 2/21/2024 | 17943 |

**Bill To**

Tom Fisher
PO Box 752
Richland, WA 99352
tomfisher121@hotmail.com
509-438-1816

**Reference**

HF Pasco, LLC
2595 Duportail Street

| Due Date | Terms |
|---|---|
| 3/22/2024 | Net 30 |

| Description | Amount |
|---|---|
| Limited Liability Report | 250.00T |
| Check No. Received 1781 | -271.75 |

| | |
|---|---|
| **Sales Tax (8.7%)** | $21.75 |
| **Total** | $0.00 |

CASCADE TITLE COMPANY
OF BENTON-FRANKLIN COUNTIES

8203 West Quinault Ave, Suite 10, Kennewick, WA 99336
Phone: 509-783-0660 Fax: 509-783-6612

**DISTRIBUTION LIST**

**Our Order No.:** **CBF17943**
**Reference No:**
**Re:** **HF PASCO, LLC/**
**Property Address:** **2595 DUPORTAIL ST**
**RICHLAND, WA 99352**

This Preliminary Commitment has been prepared and distributed to the following parties:

| | |
|---|---|
| | **Lender** |
| Tom Fisher<br>PO Box 752<br>Richland, WA 99352<br>509-438-1816<br>Email: Tomfisher121@hotmail.com | |
| **Selling Agent** | **Listing Agent** |
| | |
| **Additional Selling Agent** | **Additional Listing Agent** |
| | |
| **Buyer's Attorney** | **Seller's Attorney** |
| | |
| **Mortgage Broker** | **Additional Lender** |
| | |
| | |
| | |

**LIMITED LIABILITY REPORT**

**SCHEDULE A**

| Office File Number | Effective Date | Premium |
|---|---|---|
| **CBF17943** | **February 15, 2024** | **$250.00** |
| Ref. No.: | at 8:00 a.m. | |

THE ASSURED REFERRED TO ON THE FACE PAGE ARE: **TOM FISHER**

THAT ACCORDING TO THE COMPANY'S PROPERTY RECORDS RELATIVE TO THE FOLLOWING DESCRIBED REAL PROPERTY (BUT WITHOUT EXAMINATION OF THOSE COMPANY RECORDS MAINTAINED AND INDEXED BY NAME):

**SEE ATTACHED EXHIBIT "A"**

A. THE LAST RECORDED INSTRUMENT PURPORTING TO TRANSFER TITLE TO SAID REAL PROPERTY INDICATES THAT TITLE WAS CONVEYED TO:

**HF PASCO, LLC, A WASHINGTON LIMITED LIABILITY COMPANY**

B. THERE ARE NO MORTGAGES OR DEEDS OF TRUST WHICH PURPORT TO AFFECT SAID PROPERTY, OTHER THAN THOSE SHOWN BELOW UNDER EXCEPTIONS.

NO GUARANTEE IS MADE REGARDING (A) MATTERS AFFECTING THE BENEFICIAL INTEREST OF ANY MORTGAGE OR DEED OF TRUST WHICH MAY BE SHOWN HEREIN AS AN EXCEPTION, OR (B) OTHER MATTERS WHICH MAY AFFECT ANY SUCH MORTGAGE OR DEED OF TRUST.

NO GUARANTEE IS MADE REGARDING ANY LIENS, CLAIMS OF LIEN, DEFECTS OR ENCUMBRANCES OTHER THAN THOSE SPECIFICALLY PROVIDED FOR ABOVE, AND, IF INFORMATION WAS REQUESTED BY REFERENCE TO A STREET ADDRESS, NO GUARANTEE IS MADE THAT SAID REAL PROPERTY IS THE SAME AS SAID ADDRESS.

**EXCEPTIONS:**

1. **GENERAL TAXES FOR THE YEAR 2024. THE FIRST HALF THEREOF MUST BE PAID ON OR BEFORE APRIL 30, 2024, TO AVOID INTEREST AND PENALTIES;**
   **AMOUNT BILLED: $2,560.81**
   **AMOUNT DUE: $1,280.46**
   **TAX ACCOUNT NO.: 1-1598-201-1748-012**

2. **TERMS AND CONDITIONS CONTAINED IN PROPERTY USE AND DEVELOPMENT AGREEMENTS DISCLOSED BY CITY OF RICHLAND;**
   **ORDINANCE NO. 53-79**
   **RECORDED: AUGUST 20, 1979**
   **RECORDING NO.: 800290 (INCLUDES OTHER PROPERTY)**

   **ORDINANCE NO.24-92**
   **RECORDED: AUGUST 31, 1992**
   **RECORDING NO.: 92-21216 (INCLUDES OTHER PROPERTY)**

**CONTINUED**

ORDINANCE NO. 34-01
RECORDED: JANUARY 9, 2002
RECORDING NO.: 2002-000734 (INCLUDES OTHER PROPERTY)

3. COVENANTS, CONDITIONS AND RESTRICTIONS CONTAINED IN INSTRUMENT;
RECORDED: April 30, 1991
AUDITOR'S FILE NO.: 91-6922
(COPY IS HERETO ATTACHED)

SAID COVENANTS, CONDITIONS AND RESTRICTIONS HAVE BEEN MODIFIED BY INSTRUMENT;
RECORDED: February 10, 1994 AND June 10, 2010
AUDITOR'S FILE NO.: 94-6264 AND 2010-012642
(COPY IS HERETO ATTACHED)

4. AGREEMENT AND THE TERMS AND CONDITIONS THEREOF:
BETWEEN: CITY OF RICHLAND AND FOUNTAIN OF LIFE CHRISTIAN , ET AL
REGARDING: PROPERTY USE AGREEMENT
RECORDED: August 11, 1992
AUDITOR'S FILE NO.: 92-21217 (INCLUDES OTHER PROPERTY)

5. EXCEPTIONS AND RESERVATIONS CONTAINED IN DEED;
FROM: DESERT STREAMS BIBLE CHURCH (GRANTOR)
TO: JAMES R. HALFORD, A SINGLE MAN
RECORDED: AUGUST 20, 2001
RECORDING NO.: 2001-025797

AS FOLLOWS:
SEE DEED ATTACHED FOR ALL RESERVATIONS AND EASEMENTS

6. EASEMENT AND THE TERMS AND CONDITIONS THEREOF:
GRANTEE: DESERT STREAMS BIBLE CHURCH
PURPOSE: RIGHT OF WAY EASEMENT AND WELLHOUSE ACCESS
RECORDED: August 30, 2001
AUDITOR'S FILE NO.: 2001-027096
AREA AFFECTED: INCLUDES OTHER PROPERTY

7. EASEMENT AND THE TERMS AND CONDITIONS THEREOF:
GRANTEE: DESERT STREAMS BIBLE CHURCH AND JAMES R. HALFORD
PURPOSE: RIGHT OF WAY EASEMENT AND IRRIGATION LINES
RECORDED: August 30, 2001
AUDITOR'S FILE NO.: 2001-027097
AREA AFFECTED: INCLUDES OTHER PROPERTY

CONTINUED

8. EASEMENT AND THE TERMS AND CONDITIONS THEREOF:
   GRANTEE: GTE NORTHWEST INCORPORATED
   PURPOSE: RIGHT OF WAY EASEMENT AND COMMUNICATION SERVICES
   RECORDED: May 23, 2002
   AUDITOR'S FILE NO.: 2002-020160

9. AGREEMENT AND THE TERMS AND CONDITIONS THEREOF:
   BETWEEN: CITY OF RICHLAND, A WASHINGTON MUNICIPAL CORPORATION AND SHORELINE LLC, A LIMITED LIABILITY WASHINGTON CORPORATION
   REGARDING: FOR IMPLEMENTATION OF A RAILROAD CROSSING SYSTEM UPGRADE
   RECORDED: May 29, 2003
   AUDITOR'S FILE NO.: 2003-024853

10. EASEMENT AND THE TERMS AND CONDITIONS THEREOF:
    GRANTEE: RIVER TRAILS CLUB, LLC, A WASHINGTON LIMITED LIABILITY COMPANY
    PURPOSE: EMERGENCY VEHICLE ACCESS
    RECORDED: March 16, 2011
    AUDITOR'S FILE NO.: 2011-007985

11. EASEMENT AND THE TERMS AND CONDITIONS THEREOF:
    GRANTEE: CITY OF RICHLAND
    PURPOSE: UTILITY EASEMENT
    RECORDED: April 27, 2011
    AUDITOR'S FILE NO.: 2011-011974

12. EASEMENT, INCLUDING THE TERMS, COVENANTS AND PROVISIONS THEREOF;
    RECORDED: May 5, 2017
    RECORDING NO.: 2017-011984
    IN FAVOR OF: CITY OF RICHLAND
    FOR: ACCESS
    AFFECTS: PORTION OF SUBJECT PROPERTY

13. EASEMENTS SHOWN ON THE FACE OF SURVEY NO. 1405 FOR ACCESS, UITLITY, OVERHEAD POWER LINE AND ALSO DISCLOSING A PUMP HOUSE.

14. ANY QUESTION THAT MAY ARISE DUE TO SHIFTING OR CHANGE IN THE COURSE OF THE YAKIMA RIVER DUE TO SAID YAKIMA RIVER HAVING CHANGED ITS COURSE.

15. PARAMOUNT RIGHTS AND EASEMENTS IN FAVOR OF THE UNITED STATES OF AMERICA TO REGULATE COMMERCE, NAVIGATION, FISHING AND PRODUCTION OF POWER.

16. ANY PROHIBITION OR LIMITATION ON THE USE, OCCUPANCY OR IMPROVEMENT OF THE LAND RESULTING FROM THE RIGHTS OF THE PUBLIC OR RIPARIAN OWNERS TO USE ANY WATERS WHICH MAY COVER THE LAND OR TO USE ANY PORTION OF THE LAND WHICH IS NOW OR MAY FORMERLY HAVE BEEN COVERED BY WATER.

17. UNRECORDED TELEPHONE EASEMENT AS DISCLOSED BY SURVEY 2917 UNDER JOB NO. 3010 CONDUCTED BY STRATTON SURVEYING.

**END OF SCHEDULE A EXCEPTIONS.**

NOTES:

a. THE ADDRESS OF THE SUBJECT PROPERTY IS:

2595 DUPORTAIL ST
RICHLAND, WA 99352

b. ACCORDING TO THE RECORDS OF BENTON COUNTY ASSESSOR, THE CURRENT VALUE OF SAID PREMISES IS AS FOLLOWS:

| | |
|---|---|
| TAX ACCOUNT NO.: | 1-1598-201-1748-012 |
| LAND: | $274,680.00 |
| IMPROVEMENTS: | $0.00 |
| TOTAL: | $274,680.00 |

c. THE FOLLOWING ABBREVIATED LEGAL DESCRIPTION IS PROVIDED AS A COURTESY TO ENABLE THE DOCUMENT PREPARER TO CONFORM WITH THE REQUIREMENTS OF RCW 65.04.045, PERTAINING TO STANDARDIZATION OF RECORDED DOCUMENTS.

ABBREVIATED LEGAL DESCRIPTION:

PTN W2 OF 15-9-28

**EXHIBIT "A"**

THAT PORTION OF TRACT 2 OF RECORD SURVEY RECORDED IN VOLUME 1 OF SURVEYS AT PAGE 3572 LYING IN THE WEST HALF OF SECTION 15, TOWNSHIP 9 NORTH, RANGE 28 EAST, WILLAMETTE MERIDIAN, CITY OF RICHLAND, BENTON COUNTY. WASHINGTON, DESCRIBED AS FOLLOWS:

COMMENCING AT THE INTERSECTION OF DUPORTAIL STREET AND STATE ROUTE 240 (BYPASS HIGHWAY) AS SHOWN ON THE PLAT OF RICHLAND;
THENCE SOUTH 38°08'18" WEST ALONG THE CENTERLINE OF DUPORTAIL STREET 185.18 FEET TO THE INTERSECTION OF SAID CENTERLINE WITH THE BOUNDARY OF SAID PLAT OF RICHLAND;
THENCE SOUTH 51°51'18" EAST ALONG SAID PLAT BOUNDARY 1582.28 FEET TO A POINT ON THE WEST LINE OF A 30 FOOT WIDE GAS LINE EASEMENT AS SHOWN ON SHORT PLAT 1748;
THENCE SOUTH 44°53'14" WEST ALONG THE WEST LINE OF SAID GAS LINE EASEMENT 120.64 FEET;
THENCE SOUTH 03°56'59" EAST ALONG THE WEST LINE OF SAID GAS LINE EASEMENT 181.54 FEET TO A POINT ON THE CORPS OF ENGINEERS TAKING LINE PER RECORD OF SURVEY 1-1405;
THENCE NORTH 78°45'16" WEST ALONG SAID TAKING LINE 1050.23 FEET TO THE TRUE POINT OF BEGINNING;
THENCE CONTINUING NORTH 78°45'16" WEST ALONG SAID LINE 292.52 FEET;
THENCE NORTH 54°59'11" WEST CONTINUING ALONG SAID TAKING LINE 455.73 FEET TO A POINT ON THE SOUTHERLY RIGHT-OF-WAY LINE OF DUPORTAIL STREET;
THENCE NORTH 48°10'35" EAST ALONG SAID SOUTHERLY RIGHT-OF-WAY LINE 65.08 FEET;
THENCE NORTH 38°18'04" EAST ALONG SAID SOUTHERLY RIGHT-OF-WAY LINE 91.54 FEET:
THENCE SOUTH 32°36'35" EAST 29.67 FEET;
THENCE SOUTH 44°11'12" EAST 30.63 FEET;
THENCE SOUTH 49°52'56" EAST 351.89 FEET TO THE BEGINNING OF A CURVE TO THE LEFT THE RADIUS POINT OF WHICH BEARS NORTH 40°07'04" EAST 80.00 FEET;
THENCE EASTERLY ALONG SAID CURVE 51.64 FEET; THENCE SOUTH 86°52'12" EAST 198.20 FEET TO THE BEGINNING OF A CURVE TO THE LEFT THE RADIUS POINT OF WHICH BEARS NORTH 3°07'48" EAST 80.00 FEET:
THENCE EASTERLY ALONG SAID CURVE 65.01 FEET;
THENCE NORTH 46°34'01" EAST 20.45 FEET;
THENCE SOUTH 78°45'16" EAST 52.80 FEET;
THENCE SOUTH 38°08'42" WEST 198.47 FEET TO THE SAID TRUE POINT OF BEGINNING.
EXCEPTING THEREFROM THAT PORTION CONVEYED TO THE CITY OF RICHLAND BY STATUTORY WARRANTY DEED RECORDED May 5, 2017, UNDER RECORDING NO. 2017-011983.
(ALSO KNOWN AS LOT 2 OF SURVEY NO. 4185 RECORDED March 18, 2011, UNDER RECORDING NO. 2011-008089)

**Cascade Title Company of Benton-Franklin Counties**

**Privacy Policy Notice**

**PURPOSE OF THIS NOTICE**

Title V of the Gramm-Leach-Bliley Act (GLBA) generally prohibits any financial institution, directly or through its affiliates, from sharing nonpublic personal information about you with a nonaffiliated third party unless the institution provides you with a notice of its privacy policies and practices, such as the type of information that it collects about you and the categories of persons or entities to whom it may be disclosed. In compliance with the GLBA, we are providing you with this document, which notifies you of the privacy policies and practices of **Cascade Title Company of Benton-Franklin Counties**

We may collect nonpublic personal information about you from the following sources:

Information we receive from you such as on applications or other forms.
Information about your transactions we secure from our files, or from [our affiliates or] others.
Information we receive from a consumer reporting agency.
Information that we receive from others involved in your transaction, such as the real estate agent or lender.

Unless it is specifically stated otherwise in an amended Privacy Policy Notice, no additional nonpublic personal information will be collected about you.

We may disclose any of the above information that we collect about our customers or former customers to our affiliates as permitted by law.

WE DO NOT DISCLOSE ANY NONPUBLIC PERSONAL INFORMATION ABOUT YOU WITH ANYONE FOR ANY PURPOSE THAT IS NOT SPECIFICALLY PERMITTED BY LAW.

We restrict access to nonpublic personal information about you to those employees who need to know that information in order to provide products or services to you. We maintain physical, electronic, and procedural safeguards that comply with federal regulations to guard your nonpublic personal information.

Exhibit 4

## Memorandum

DATE: February 28, 2024

TO: Mike Stevens, Planning Manager
City of Richland
625 Swift Boulevard, MS-35
Richland, Washington, 99352

FROM: Jason Mattox, PE, PBS Engineering and Environmental Inc. Engineering Department Manager

PROJECT: 66150.004

REGARDING: Siena Hills Comprehensive Plan Amendment Application

---

Richland Properties, LLC is respectfully requesting a Comprehensive Plan Amendment to reclassify portions of parcel ID number 134983000001009. The applicant proposed a mix of low-density residential and commercial for the site. The proposal will join similar Land Uses to adjacent Land Uses to eliminate spot Land Uses.

The project site is part of the Siena Hills subdivision. Siena Hills is a planned low- and medium- density residential development located in Richland, Washington on the south side of the Bermuda Road and Legacy Lane intersection. The site had undeveloped land to the west and single-family homes on three of its sides. The adopted comprehensive land use designations for the site include medium density residential (MDR), commercial (COM), and low density residential (LDR).

We believe our application is consistent with the submittal requirements set forth by the City. If you are in need of additional information or clarification, please advise as soon as possible.

Thank you for your review of this application. We look forward to working with you toward approval of our application.

Attachment(s):
*Comprehensive Plan Map Amendment Application*
*Narrative for Comprehensive Plan Map Amendment*
*Legal Descriptions*
*Exhibits*
*SEPA Checklist*
*Rezone Map Amendment Application*
*Title Reports*

cc: Taylor Merrill, Richland Properties, LLC

City of Richland
Development Services

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

# Comprehensive Plan Amendment Application

☑ Comprehensive Plan Land Use Map ☐ Text of Comprehensive Plan

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

| PROPERTY OWNER INFORMATION | ☐ Contact Person |
|---|---|
| Owner: Richland Properties, LLC c/o: Greg Johnson | |
| Address: 2436 E. Gala St. Ste. 120, Meridian, ID 83642 | |
| Phone: 208-888-9946 | Email: |

| APPLICANT/CONTRACTOR INFORMATION (if different) | ☒ Contact Person |
|---|---|
| Company: Richland Properties, LLC | UBI#: |
| Contact: Taylor Merrill | |
| Address: 2463 E. Gala St. Ste. 120, Meridian, ID 83642 | |
| Phone: 208-870-3432 | Email: Taylor@westparkco.com |

| PROPERTY INFORMATION | |
|---|---|
| Legal Description: See Attached legal description | |
| Parcel Number: 134983000001009 | |
| Current Zoning: C-LB and R-1-10 | Current Land Use Designation: BMS: Commercial, Low Density Residential |

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

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

v. The location of existing utilities serving the subject parcels, including electrical, water, and sewer;
vi. The location and uses of existing structures located on the subject parcel(s);

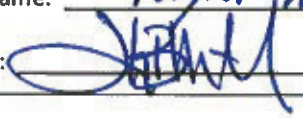
e. Topographical map of the subject parcels and abutting properties at a minimum scale of one inch represents 200 feet (1:200);
f. The current official zoning map designation for the subject parcel(s);
g. A detailed plan which indicates any proposed improvements to:
   i. Paved streets;
   ii. Storm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

I authorize employees and officials of the City of Richland the right to enter and remain on the property in question to determine whether a permit should be issued and whether special conditions should be placed on any issued permit. I have the legal authority to grant such access to the property in question.
I also acknowledge that if a permit is issued for land development activities, no terms of the permit can be violated without further approval by the permitting entity. I understand that the granting of a permit does not authorize anyone to violate in any way any federal, state, or local law/regulation pertaining to development activities associated with a permit.
I hereby certify under penalty of perjury under the laws of the State of Washington that the following is true and correct:

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

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

Applicant Printed Name: Taylor Merrill

Applicant Signature:  Date Feb 26th 2024

City of Richland
Development Services

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

# Zoning Map Amendment Application

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

| PROPERTY OWNER INFORMATION | ☐ Contact Person |
|---|---|
| Owner: Richland Properties, LLC c/o: Greg Johnson | |
| Address: 2436 E. Gala St. Ste. 120, Meridian, ID 83642 | |
| Phone: 208-888-9946 | Email: |

| APPLICANT/CONTRACTOR INFORMATION (if different) | ☒ Contact Person |
|---|---|
| Company: Richland Properties, LLC | UBI#: |
| Contact: Taylor Merrill | |
| Address: 2463 E. Gala St. Ste. 120, Meridian, ID 83642 | |
| Phone: 208-870-3432 | Email: Taylor@westparkco.com |

**DESCRIPTION OF WORK**

Rezone of commercial and low density residential to group zoning of similar types surrounding parcel.

**PROPERTY INFORMATION**

| | | |
|---|---|---|
| Parcel #: 134983000001009 | | |
| Legal Description: See Attached legal description | | |
| Current Zoning: C-LB and R-1-10 | Current Comp Plan: BMS: COM & LDR | Requested Zoning: C-LB and R-1-10 |
| Current Use: undeveloped | Proposed Use: single family residential and neighborhood business | Area of Property: 12.62 acre |

**APPLICATION MUST INCLUDE**

1. Completed application and filing fee
2. Title Report showing ownership, easements, restrictions, and accurate legal description of the property involved
3. Other information as determined by the Administrator

**ANSWER THE FOLLOWING AS COMPLETELY AS POSSIBLE**

The unique characteristics, if any, of the property or circumstances of the owner:

None

Any hardship that may result in the event the rezone is not granted:

Low density residential will be surrounded by commercial properties. With the rezone, commercial properties will be continuous.

| |
|---|
| The manner in which the proposed rezone conforms to patterns in adjacent zones:<br>The proposed rezone matches corresponding zones in the area. |
| Any beneficial or adverse effects the granting or denial of the rezone would have on adjacent or surrounding zones:<br>No adverse effects on the surrounding zones. |
| Any beneficial or adverse effects the granting or denial of the rezone would have in relation to the overall purpose and intent of the comprehensive plan and this title:<br>No adverse effects on the overall purpose and intent of the comprehensive plan. |
| The benefits or detriments accruing to the City which would result from the granting or denial of this special permit:<br>None. |
| Whether the proposed rezone represents a better use of the land from the standpoint of the comprehensive plan than the original zone:<br>None |
| Whether the proposed rezone represents spot zoning and whether a larger area should be considered:<br>Proposed rezone is not a spot rezone and is consistent with surrounding zoning. |
| Identify impacts on the environment and public safety:<br>No impacts on the environment or public safety. |

I authorize employees and officials of the City of Richland the right to enter and remain on the property in question to determine whether a permit should be issued and whether special conditions should be placed on any issued permit. I have the legal authority to grant such access to the property in question.
I also acknowledge that if a permit is issued for land development activities, no terms of the permit can be violated without further approval by the permitting entity. I understand that the granting of a permit does not authorize anyone to violate in any way any federal, state, or local law/regulation pertaining to development activities associated with a permit.
I hereby certify under penalty of perjury under the laws of the State of Washington that the following is true and correct:

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

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

Applicant Printed Name: Taylor Merrell

Applicant Signature: _____ Date 2/28/24

# Narrative for Comprehensive Plan Map Amendment

Siena Hills
Richland, Washington

Prepared for:
Richland Properties, LLC
2436 E. Gala St. Ste. 120
Meridian, ID 83642

February 29, 2024
PBS Project 66150.004

PBS
400 BRADLEY BOULEVARD, SUITE 106
RICHLAND, WA 99352
509.942.1600 MAIN
866.727.0140 FAX
PBSUSA.COM

# Table of Contents

**Project Summary** ..... **1**
Introduction ..... 1
Site Information ..... 1
Surrounding Uses and Zones ..... 1
Project Description ..... 1
**Purpose of Proposed Amendment** ..... **2**
**Growth Management Act Consistency** ..... **2**
**How the Amendment Is Consistent with the Adopted County's Planning Policies** ..... **5**
**How The Amendment Furthers the Purpose of the City's Comprehensive Plan** ..... **9**
**How the Amendment Is Internally Consistent with the City's Comprehensive Plan** ..... **14**
**If Applicable, How the Project Will Meet Concurrency Requirements for Transportation** ..... **15**
**Description of Any Associated Development Proposals** ..... **15**

©2024 PBS Engineering and Environmental Inc.

## PROJECT SUMMARY

### Introduction

This narrative accompanies the comprehensive plan map amendment application for Richland Properties, LLC (applicant). The application package was submitted to the City of Richland (City) in accordance with Title 19 of the Richland Municipal Code (RMC).

### Site Information

The project site comprises of a single tax lot, totaling 12.62 acres. The site is identified by the Benton County Assessor as Parcel ID numbers 134983000001009.

The project site is part of the Sinea Hills subdivision. Siena Hills is a planned low and medium-density residential development located in Richland on the south side of the Bermuda Road and Legacy Lane intersection. The site has single family homes on three of its sides—parcel number 134984000002002 to its southern boundary is cultivated agriculture land. See Figure 1 for the vicinity map.

The adopted comprehensive land use designations for the site include commercial (COM) and low density residential (LDR). The site is currently zoned as commercial (COM) and low density residential (LDR). The current comprehensive land use designations map can be found on Figure 2.

### Surrounding Uses and Zones

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

**Table 1. Surrounding Uses and Zones**

| Direction | Land Uses | Zone |
|---|---|---|
| North | Low Density Residential (LDR), City of Richland | AG – Agriculture, City of Richland |
| South | Low Density Residential (LDR), City of Richland | Single Family Residential (R-1-12), City of Richland |
| East | Low Density Residential (LDR), City of Richland | Single Family Residential (R-1-10), City of Richland |
| West | Low Density Residential (LDR) and Medium Density Residential (MDR), City of Richland | Single Family Residential (R-1-10) and Medium Density Residential (R-2), City of Richland |

### Project Description

The applicant proposes to amend the Land Use Map for approximately 12.62 acres from COM and LDR to LDR and COM on the comprehensive plan map, and to apply comprehensive plan land use designations to the entire project area as shown on Figure 3. The proposal will unify the commercial availability, providing for a variety of housing at different price points. In addition, the proposal will provide complete streets and multi-use paths to ensure residents have multimodal accessibility to the future elementary school and neighborhood friendly retail establishments.

The proposed land use designations include COM and LDR.

**Table 2. Proposed Land Use Designations**

| | Site 1 – Low Density Residential | Site 2 – Commercial |
|---|---|---|
| Existing Acres | 7.25 acres | 5.36 acres |
| Proposed Acres | 7.21 acres | 5.40 acres |
| Current Zoning | R-1-10 – Single Family Residential | C-LB – Limited Business |
| Parcel ID Numbers | 134983000001009 | 134983000001009 |
| Current Land Use Designation | COM and LDR | COM and LDR |
| Proposed Land Use Designation | COM and LDR | COM and LDR |

## PURPOSE OF PROPOSED AMENDMENT

The Badger Mountain Subarea Plan (BMSP) is consistent with the City of Richland Comprehensive Plan, the Benton County-Wide Planning Policies, and the Washington State Growth Management Act (GMA). The BMSP further implements those goals in an identified area where the City's growth will occur, accommodating its future land use needs.

The purpose of the proposed comprehensive plan map amendment is to reclassify portions of parcel ID number 134983000001009. The applicant proposes a mix of low-density residential and commercial for the site. The proposed comprehensive plan land use designation can be found on Figure 3.

## GROWTH MANAGEMENT ACT CONSISTENCY

Response: The GMA identifies planning goals in the Revised Code of Washington (RCW) 36.70A.020. The table below lists each goal and explains how the proposed land use map amendment is consistent with each goal.

**Table 3. Consistency with GMA Planning Goals**

| GMA Planning Goal | Project Consistency |
|---|---|
| ***Urban Growth***. *Encourage development in urban areas where adequate public facilities and services exist or can be provided in an efficient manner.* | The proposed site for reclassification is located in the defined urban setting and is located within both the city limits and its urban growth area of Richland. The site is or will be served by public facilities and services, including streets, water, sanitary sewer and stormwater systems, schools, fire protection, emergency, and police services.<br><br>The request does not seek an expansion of the urban growth area, nor does it seek to rescind the City's previous approval of the site as an area designated for urban growth. Rather, this action simply seeks to revise the site's prior-approved land use classification areas. |

| GMA Planning Goal | Project Consistency |
|---|---|
| ***Reduce Sprawl***. *Reduce the inappropriate conversion of undeveloped land into sprawling, low-density development.* | The site is designated in the City's current comprehensive plan, urban growth area, and city limits. The site area adjacent to developed and developing properties make this proposal a natural extension of the adjacent development. The proposed amendment could not be reasonably described as sprawl.<br><br>The vision is to create a development that provides a range of residential densities and supporting commercial uses to provide employment opportunities and services within walking distance or reduce the need for vehicles. |
| ***Transportation***. *Encourage efficient multimodal transportation systems that are based on regional priorities and coordinated with county and city comprehensive plans.* | The site will be served by Queensgate Drive/Bermuda Road, the extension of Gage Boulevard, and a series of to-be-constructed local streets. The concept of Siena Hills includes the incorporation of multi-use paths to connect greenbelts and parks with schools, neighborhoods, and retail centers.<br><br>The proposed amendment will not result in significant adverse impacts to the transportation network and will not place uncompensated burdens upon existing or planned services. |
| ***Housing***. *Encourage the availability of affordable housing to all economic segments of the population of this state, promote a variety of residential densities and housing types, and encourage preservation of existing housing stock.* | The proposed comprehensive plan amendment would not negatively impact housing affordability. If approved the proposal will increase the availability of middle housing types, diversifying the housing price point options. No decrease in the land area available for housing would result from approval of the application. |
| ***Economic Development***. *Encourage economic development throughout the state that is consistent with adopted comprehensive plans, promote economic opportunity for all citizens of this state, especially for unemployed and for disadvantaged persons, promote the retention and expansion of existing businesses and recruitment of new businesses, recognize regional differences impacting economic development opportunities, and encourage growth in areas experiencing insufficient economic growth, all within the capacities of the state's natural resources, public services, and public facilities.* | The proposed comprehensive plan amendment would neither increase or decrease the amount of land available for the expansion or retention of businesses and so it does not have an impact on this goal. |
| ***Property Rights***. *Private property shall not be taken for public use without just compensation having been made. The property rights of landowners shall be protected from arbitrary and discriminatory actions.* | The proposal does not involve the taking of private lands for public purposes. The proposed request is being submitted to the City for due and fair consideration through the appropriate process prescribed by city and state law. The prescribed process protects the property rights of landowners from arbitrary and discriminatory actions. Accordingly, the request is consistent with this goal. |

| GMA Planning Goal | Project Consistency |
|---|---|
| ***Permits**. Applications for both state and local government permits should be processed in a timely and fair manner to ensure predictability.* | This request for a comprehensive plan map amendment does not involve an application for a state permit. As per RMC 19.90.060, the required local government application will be considered during the current annual review period. Accordingly, the request is consistent with this goal. |
| ***Natural Resource Industries**. Maintain and enhance natural resource-based industries, including productive timber, agricultural, and fisheries industries. Encourage the conservation of productive forestlands and productive agricultural lands and discourage incompatible uses.* | The proposed site will not enhance or detract any natural resource industry such as timber, high producing agricultural lands, or fishery industries.<br><br>The site does not contain, nor is it adjacent to, any productive timber or fisheries industries. No productive forest lands will be removed since the site does not contain any forest lands. The site is presently in use for agricultural purposes, and that use will cease once the land is developed. However, it is noted that the site is within the city limits, is designated for development in the City's comprehensive plan, is within the urban growth area, and is not part of any area that has been designated for exclusive farm use. |
| ***Open Space and Recreation.** Retain open space, enhance recreational opportunities, conserve fish and wildlife habitat, increase access to natural resource lands and water, and develop parks and recreation facilities.* | The proposed application will not remove any existing or proposed recreational activities. Future applications for development of the site will include parks and multi-use trails. |
| ***Environment**. Protect the environment and enhance the state's high quality of life, including air and water quality, and the availability of water.* | The proposed application will reclassify one site from COM and LDR to COM and LDR. The site has been disturbed in the past and is surrounded by residential development. Consequently, it lacks natural vegetation and viable wildlife habitat.<br><br>The proposed comprehensive plan amendment would not negatively impact the environment. The proposed plan would not result in either impacts to air or water quality. Any future development of, on, or to the site will comply with all state and federal environmental regulations |
| ***Citizen Participation and Coordination**. Encourage the involvement of citizens in the planning process and ensure coordination between communities and jurisdictions to reconcile conflicts.* | The site will be subject to several public hearings if the application is approved to move forward. The public will have the opportunity to comment on the Comprehensive Plan Amendment, and the State Environmental Policy Act (SEPA) application. The City's Planning Commission will hold a public hearing and make a recommendation, followed by the City Council's review and consideration of the request during a regular City Council hearing. Accordingly, the request is consistent with this goal. |
| ***Public Facilities and Services**. Ensure that those public facilities and services necessary to support development shall be adequate to serve the development at the time the development is available for occupancy and use without decreasing current service levels below locally established minimum standards.* | Collectively, the proposed comprehensive plan amendment would not result in increased demands for City water, sewer, or power. A future development proposal will provide details regarding Siena Hills demands on the City's water and sewer.<br><br>As part of the review process of future development actions and applications, utilities plans will be submitted for review and approval. |

| GMA Planning Goal | Project Consistency |
|---|---|
| ***Historic Preservation.*** *Identify and encourage the preservation of lands, sites, and structures, which have historical or archaeological significance.* | There are no known historical or archaeological resources on the site. This request does not entail any ground disturbance.<br><br>Development will comply with all applicable state rules and regulations that are in place to protect historical or archaeological resources. A cultural report will be completed as part of the planned action Environmental Impact Statement (EIS). |

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

## HOW THE AMENDMENT IS CONSISTENT WITH THE ADOPTED COUNTY'S PLANNING POLICIES

The county-wide planning policies serve as guidelines and principles used by all cities within Benton County (County) to ensure regional coordination and smart growth. It is also used to avoid inconsistencies or incompatible strategies, particularly transportation networks, public services, and provisions for affordable housing. Specifically, pertinent to land use, page 13 of the Comprehensive Plan states that the land use element "is written with the intent to be harmonious with the policies set forth in Benton County's Countywide Planning Policies, which is intended to serve as a framework for this Comprehensive Plan." On page 28, the Comprehensive Plan states: "In accordance with Benton Countywide Planning Policy #2, the City plans for future population growth based on the published, official projections of the state Office of Financial Management, and the allocation for the city as provided by the County" and "the Benton Countywide Planning Policies apply to the City's planning efforts and are intended to provide a framework for development of the Comprehensive Plan." This narrative shows consistency with the City's comprehensive plan, thereby also showing consistency with the county-wide planning policies since the City's comprehensive plan was adopted as being "compatible" and "harmonious" with the county-wide planning policies.

Following is a brief statement identifying how the proposed comprehensive plan amendment relates to the adopted county-wide planning policies.

| County's Policies | Response |
|---|---|
| ***Policy 1:*** *The County shall allocate future projected populations through the use of the latest population projections published by the Washington State Office of Financial Management (OFM). Allocation of future populations shall be based on the following distribution: City of Kennewick 40% of total county population; City of Richland 28% of total county population, Benton County 19% of total county population; City of West Richland 8% of total county population; City of Prosser 3% of total county population and City of Benton City 2% of total county population. The County, in consultation with the Cities will review the OFM population projection ranges (Low, Medium, and High) and allocation percentages whenever OFM publishes new GMA population projections.* | The proposed comprehensive plan amendment would not have any direct impacts on population projections for either the County or the City and would not involve any changes to the population allocation formula. |

| County's Policies | Response |
|---|---|
| ***Policy 3:*** *The locating of Urban Growth Areas within the County shall be accomplished through the use of accepted planning practices which provide sufficient land and service capacity, up to the determined need, to meet project populations at urban densities and service standards within the Cities, and urban densities for those portions of the County located within the urban growth areas.* | The proposed comprehensive plan amendment would not alter population projections, urban densities, or service standards and therefore does not impact this policy. |
| ***Policy 4:*** *That Urban Growth Areas of each City shall be based upon official and accepted population projections for minimum of 20 years. The gross undeveloped and underdeveloped acreage within the city limits and the Urban Growth Area shall be sufficient to meet all the land requirements, for the following. Community and essential public facilities, population projection, commercial and industrial activities, employment projections, infill and to prevent inflation of land cost due to a limited land supply. (Note: The formula for identifying per capita land needs included in this policy has not been reprinted here.)* | The proposed comprehensive plan amendment would not impact population projections, nor the amount of land allocated for various future land uses. |
| ***Policy 5:*** *That within the urban growth area, urban uses shall be concentrated in and adjacent to existing urban services or where they are shown on a Capital Improvement Plan to be available within 6 years.* | The proposed comprehensive plan amendment occurs in an area where urban services and development already exist. |
| ***Policy 6:*** *That cities limit the extension of service district boundaries and water and sewer infrastructure to areas within each jurisdiction's urban growth area contained in their adopted Comprehensive Plan. Utility plans should attempt to reflect possible needs for 50 years.* | The proposed comprehensive plan amendment occurs in an area where urban services and development already exist. |
| ***Policy 7:*** *Within each Comprehensive Plan, the Land Use Plan for urban growth areas shall designate urban densities and indicate the general locations of greenbelt and critical areas.* | The proposed comprehensive plan amendment would not result in the change of any urban growth area boundaries, alter urban densities, or impact critical areas. |
| ***Policy 8:*** *Wherever possible, given consideration of all other variables, such as existing unused service infrastructure, the placement of an urban growth line into an area of existing commercial agriculture shall be avoided.* | The proposed comprehensive plan amendment does not involve either the movement of an urban growth boundary or the conversion of commercial agricultural lands. |
| ***Policy 9:*** *The appropriate directions for the expansion of urban growth areas are those which are unincorporated land with existing service infrastructure and lands adjacent to corporate limits.* | The proposed comprehensive plan amendment does not involve an expansion of an urban growth area boundary. The site is located within the existing urban growth area and falls within the limits of the City. |
| ***Policy 10:*** *All policies within each jurisdiction's Comprehensive Plans shall be modified to be consistent with adopted Countywide Policies.* | The proposed comprehensive plan amendment would not require the amendment of any policies within the City of Richland Comprehensive Plan. |

| County's Policies | Response |
|---|---|
| ***Policy 11:*** *The County and Cities, along with public participation shall develop a cooperative regional process to site essential public facilities of regional and statewide importance. The objective of the process shall be to ensure that such facilities are located so as to protect environmental quality, optimize access and usefulness to all jurisdictions, and equitably distribute economic benefits/burdens throughout the region or county.* | The proposed comprehensive plan amendment does not involve the siting of essential public facilities. |
| ***Policy 12:*** *Support the existing solid waste program that promotes and maintains a high level of public health and safety, protects the natural and human environment of Benton County, and encourages public involvement by securing representation of the public in the planning process.* | The proposed comprehensive plan amendment would not impact existing solid waste programs. |
| ***Policy 13:*** *Encourage and expand coordination and communication among all jurisdictions and solid waste agencies/firms in Benton and Franklin Counties in order to develop consistent and cost-effective programs that avoid duplication of effort and gaps in program activities.* | The proposed comprehensive plan amendment would not impact existing solid waste programs. |
| ***Policy 14:*** *Maintain active County-City participation in the Regional Transportation Planning Organization in order to facilitate City, County and State coordination in planning regional transportation facilities and infrastructure improvements to serve essential public facilities including Port District facilities and properties.* | The proposed comprehensive plan amendment would not impact existing City, County, or regional transportation plans. |
| ***Policy 15:*** *The County and Cities within shall work together to provide housing for all economic segments of the population. All jurisdictions shall seek to create the conditions necessary for the construction of affordable housing, at the appropriate densities within the cities and county. The following actions should be accomplished:*<br>*a. Jointly quantify and project total countywide housing needs by income level and housing type (i.e., rental, ownership, senior, farm worker housing, group housing.)*<br>*b. Establish a mechanism whereby the housing efforts/programs of each jurisdiction address the projected countywide need.*<br>*c. Address the affordable housing needs of very low-, low- and moderate-income households, and special needs individuals through the Comprehensive Housing Affordability Strategy (CHAS).*<br>*d. Develop design standards for implementation within the Comprehensive Plan with special attention to be given to the residential needs of low to moderate income families.* | The proposed comprehensive plan amendment would increase the availability of middle housing types in the area, diversifying the housing units' price point for future residents. |

| County's Policies | Response |
|---|---|
| ***Policy 16:*** *Urban growth areas may include territory located outside of a city if such territory may be characterized by urban growth or is adjacent to territory already characterized by urban growth. Within urban growth areas, only urban development may occur.* | The proposed comprehensive plan amendment is in an area that is incorporated within the City and is already part of Richland's Urban Growth Area. Therefore, the proposed amendment would not impact urban growth area boundaries. |
| ***Policy 17:*** *To encourage logical expansion of corporate boundaries into urban growth areas, and to enable the most cost-efficient expenditure of public funds for the provision of urban services into newly annexed areas. The County and each City shall jointly develop and implement development, land division and building standards, and coordinated permit procedures for the review and permitting of new subdivision within Urban Growth Areas.* | As the proposed comprehensive plan amendment site is located within the City, it does not impact City/County efforts to establish joint development standards. |
| ***Policy 18:*** *Consistent with the protection of public health, safety, welfare and the use of natural resources on a long-term sustainable basis, the ability of service capacity to accommodate demands, and the expressed desires of each community, Comprehensive Plans shall jointly and individually support the County and region's economic prosperity in order to promote employment and economic opportunity for all citizens.* | The proposed comprehensive plan amendment would not impact the region's economic prosperity or affect the use of natural resources on a sustainable basis. |
| ***Policy 19:*** *The County and Cities have historically partnered with each other as well as with other organizations to achieve economic development throughout the region. It is the intention of the County and Cities to continue to actively pursue mutually beneficial partnerships that promote growth in all sectors of business and industry, including but not limited to areas of agriculture, agri-business, industrial, commercial, public schools, recreation, and tourism. Key strategies will include promoting family wage jobs, increasing business formation, expansion, and retention, and creating jobs and financial investment to improve the economics of our communities.* | Neither the existing land use designation nor the proposed comprehensive plan amendment contemplate any economic related development of the site, so the application does not impact this policy. |
| ***Policy 20:*** *Capital Improvement Plans and Land Use Plans, shall conduct fiscal analyses which identify and refine the most cost-effective use of regional and local public services.* | The proposed comprehensive plan amendment would not impact regional and local public services. |
| ***Policy 21:*** *Support the development of public schools in areas where utilities are present or can be extended, is financially supportable at urban densities, where the extension of public infrastructure will protect health and safety and the school locations are consistent with the analysis recommended by WAC 365-196-425(3)(b).* | The proposed comprehensive plan amendment would support the development of public schools where utilities are present or can be extended. |

| County's Policies | Response |
|---|---|
| ***Policy 22:*** *The Growth Management Act requires counties planning under the Act to adopt a countywide planning policy in cooperation with the cities located in the county. The countywide planning policy is to be a written policy statement or statements used solely for establishing a countywide framework from which county and city comprehensive plans are developed and adopted pursuant to this (GMA) chapter. The purpose for the Benton County Wide Planning Policies is to meet this requirement of the Act. This document is a tool that will provide the necessary guidance to achieve consistency during the updating of comprehensive plans for the county and the cities.* | The proposed comprehensive plan amendment would not directly impact this county-wide planning policy. |

## HOW THE AMENDMENT FURTHERS THE PURPOSE OF THE CITY'S COMPREHENSIVE PLAN

The goals and policies of the City's comprehensive plan are below followed by a brief response describing how the application is consistent with the goals and policies.

| Comprehensive Plan Goal/Policy | Response |
|---|---|
| ***LU Goal 1:*** *Plan for growth within the urban growth area and promote compatible land use.*<br><br>*Policy 1: Revitalize areas that are already within the City, especially areas within the Central Business District, such as the Parkway and Uptown, and the Island View areas.*<br><br>*Policy 2: Facilitate planned growth and infill developments within the City.* | The proposed comprehensive plan amendment would facilitate planned growth and promote compatible land uses. As such, the application is compatible with existing development. |
| ***LU Goal 2:*** *Establish land uses that are sustainable and create a livable and vibrant community.*<br><br>*Policy 1: Maintain a variety of land use designations to accommodate appropriate residential, commercial, industrial, healthcare, educational, recreational, and open space uses that will take advantage of the existing infrastructure network.*<br><br>*Policy 2: Ensure that adequate public services are provided in a reasonable time frame for new developments.*<br><br>*Policy 3. Ensure that the intent of the land use and districts are maintained.* | The amendment would be a benefit to residents and would help to maintain a livable and vibrant neighborhood. |
| ***LU Goal 3:*** *Maintain a broad range of residential land use designations to accommodate a variety of lifestyles and housing opportunities.*<br><br>*Policy 1: Distribute residential uses and densities throughout the urban growth area consistent with the City's vision.*<br><br>*Policy 2: Encourage higher residential densities especially in and near the Central Business District area.* | The proposed comprehensive plan amendment will expand the variety of housing opportunities available in the City. |

| Comprehensive Plan Goal/Policy | Response |
|---|---|
| *Policy 3: Innovative and non-traditional residential developments can occur through the use of planned unit developments, density bonuses, new types of housing, and multi-use or mixed-use developments.* | |
| ***LU Goal 4:*** *Promote commercial and industrial growth that supports the City's economic development goals.*<br><br>*Policy 1: Accommodate a variety of commercial land uses including retail and wholesale sales and services, and research and professional services.*<br><br>*Policy 2: Promote developments such as business and research parks, office parks, technology centers, manufacturing and processing facilities, and other types for high- tech uses.*<br><br>*Policy 3: Locate neighborhood-oriented commercial land uses in Neighborhood Retail Business areas.*<br><br>*Policy 4: Encourage the use of buffers or transition zones between non-compatible land uses.*<br><br>*Policy 5: In areas where residential uses are in close proximity to industrial or commercial lands, adequate development standards should be used in industrial or commercial developments to mitigate the impacts on residential uses.*<br><br>*Policy 6: Support industrial developments on lands previously owned by the Department of Energy and transferred to the City and the Port of Benton.* | The proposed comprehensive plan amendment unifies commercial land uses in a single area of Neighborhood Retail Business area per Policy 3. |
| ***LU Goal 5:*** *Ensure connectivity that enhances community access and promotes physical, social, and overall well-being so residents can live healthier and more active lives.*<br><br>*Policy 1: Locate commercial uses so that they conveniently serve the needs of residential neighborhoods, workplaces, and are easily accessible via non-motorized modes of transport.*<br><br>*Policy 2: Promote pedestrian and bicycle circulation throughout the community by connecting with the infrastructure and the City's network of parks and trail system.* | The proposed comprehensive plan amendment would allow for multiuse paths throughout the development and therefore will promote the overall well-being of neighborhood residents. These paths will provide a safe place for homeowners to walk and ride their bikes. |
| ***LU Goal 6:*** *Develop an attractive and vibrant Central Business District that displays the unique character of Richland.*<br><br>*Policy 1: Revitalize declining commercial areas by promoting clean, safe, and pedestrian- and bicycle- friendly environments.*<br><br>*Policy 2: Designate land use and zoning for higher-density residential uses, mixed-use, and business uses within and adjacent to the Central Business District.*<br><br>*Policy 3: Encourage infill development and redevelopment in the Central Business District.* | This proposed comprehensive plan amendment is not located near the existing central business district. However, the proposal will incorporate mixed-used development, using the allowable land uses under the central business district land use designation to showcase and display the unique characters of the Badger Mountain South development and specifically Siena Hills. |

| Comprehensive Plan Goal/Policy | Response |
|---|---|
| ***LU Goal 7:*** *Encourage efficient use and location of public facilities such as transit centers, utility facilities, schools, parks, and other public uses.*<br><br>*Policy 1: Locate municipal facilities within their service areas and ensure the grouping of facilities within neighborhoods, whenever feasible.*<br><br>*Policy 2: Ensure that the scale, and location of public facilities are compatible with or buffered from existing and planned surrounding areas.*<br><br>*Policy 3: Wherever possible, the City will locate park and school facilities together for efficient use of public facilities.*<br><br>*Policy 4: Encourage the development of private and public regional sports and recreational facilities of a size and quality to attract significant numbers of users and spectators.* | The unique circumstances addressed in these land use policies do not apply to this application, as the site is not near a Ben Franklin Transit route. |
| ***LU Goal 8:*** *Address unique land use situations in the urban area with policies specific to those situations that ensure compatibility between land uses without infringing on private property rights.*<br><br>*Policy 1: Ensure that lands designated Urban Reserve remain in this holding category to serve future demand for land.*<br><br>*Policy 2: Apply the Agricultural designation in the Yakima River floodplain.*<br><br>*Policy 3: At designated Waterfront land use locations, encourage an active mix of commercial, residential, and marine uses as allowed in the SMP.*<br><br>*Policy 4: Identify and encourage the preservation of lands, sites, and structures that have historical or archaeological significance.*<br><br>*Policy 5: Define and identify mineral resource lands located within its boundaries that are not already compromised by on-site, immediate, or adjacent urban growth and that have long-term significance for the extraction of minerals on a commercially viable basis.*<br><br>*Policy 6: Property and/or mineral rights owners should work with the City and appropriate agencies for protection of these sites. Designate mineral resource lands located in the City of Richland that meet the Criteria for Classification of Mineral Resources (WAC 365-190-070).*<br><br>*Policy 7: Ensure that land uses surrounding the Richland Airport are compatible with existing and future airport operations and do not restrict the airport's ability to maintain or expand its existing and future aviation demands. Coordinate with the Port of Benton to restrict land uses in airport areas that would create conflict or negatively impact the safe and effective airport operations.* | The unique circumstances addressed in these land use policies do not apply to this application, as the site is not used for agricultural production; is not near the waterfront; is without any known historical or archeological significance; is not a mineral resource area; or near the Richland Airport. |

| Comprehensive Plan Goal/Policy | Response |
|---|---|
| ***LU Goal 9:*** *Within Island View, the City will implement a Single-Family Overlay land use designation for clusters of property that are currently used as single-family residences which have high probability of being redeveloped with non-residential land uses.*<br><br>*Policy 1: The city will use the Single-Family Overlay concept only in those instances where the majority of property owners have expressed a preference for its use.*<br><br>*Policy 2: Areas designated as Single-Family Overlay will be zoned for single-family residential uses, as identified in the city's R-2 Medium Density Residential zoning district.*<br><br>*Policy 3: Areas designated as Single-Family Overlay will remain as such until property owner(s) bring forward a request to remove the overlay and change the zoning to the designation contained in the Island View Subarea Plan. In such cases, an amendment to the comprehensive plan is not necessary.*<br><br>*Policy 4: Applicants bringing forward a request to change the zoning of property designated Single Family Overlay should demonstrate that the land proposed for amendment is a) large enough to support redevelopment for non-single family residential land uses; and b) will have sufficient access to City streets and utility systems to support redevelopment.*<br><br>*Policy 5: Whenever properties designated with the Single-Family Overlay are rezoned for non-single family residential uses in accordance with Policy 4 above, the Single Family Overlay designation should be removed from the subject property.* | The site is not located within the Island View area, so these land use policies do not apply. |
| ***LU Goal 10:*** *Follow controlling law and constitutional requirements, both state and federal, to ensure the appropriate protection of private property rights.*<br><br>*Policy 1: Monitor evolving state and federal statutory amendments and judicial precedent so that timely amendments or changes can be made in the process of implementing the comprehensive plan policies and development regulations.*<br><br>*Policy 2: Process comprehensive plan amendments and development regulations using a fair and open hearing process, with adequate public notice and opportunities to participate to ensure the protection of all due process rights.*<br><br>*Policy 3: Process timely, fair, and predictable processing and review of land use permit applications in conformance with applicable federal and state legal and regulatory requirements.* | The application has been prepared and filed in compliance with City regulations that are in place to facilitate a fair and open hearing process and provide the public with adequate notice. |

| Comprehensive Plan Goal/Policy | Response |
|---|---|
| ***Natural Environment NE Goal 1****: Promote the protection, conservation, and restoration of natural areas, shorelines, and critical areas as unique assets to the community, and provide public access for enjoyment of such facilities based on the ability of the resource to support the use.*<br><br>*Policy 1: Use the critical areas ordinance, SMP, the state environmental policy act (SEPA), and other ordinances, as applicable, to designate and protect the critical areas and natural environment.*<br><br>*Policy 2: Consider the goals and policies of the SMP as part of this Comprehensive Plan. Encourage development of water-oriented recreational, cultural, and commercial facilities in certain Columbia River locations, consistent with the SMP and its criteria of no net loss of ecological functions, to enhance and diversify Richland's community recreational resources and its attractiveness to tourists.*<br><br>*Policy 3: Ensure public access to shorelines on public land, subject to regulations protecting public safety, sensitive habitat areas, and wildlife.*<br><br>*Policy 4: Encourage the public and/or private acquisition of the prominent ridges in the south Richland area to preserve views, protect shrub- steppe habitat, and to provide public access. Consider the preservation of the ridges and hillside areas through various standards.*<br><br>*Policy 5: Develop an integrated pedestrian trail system to provide access through the City's important natural features, such as prominent ridges and Rivershore areas and provide necessary trail linkages between these natural features.* | Shoreline policies do not apply to the site. This site does not include prominent ridges, shrub-steppe habitat, sensitive habitat areas, or wildlife habitat areas. The site has not been identified as a critical area on City critical areas maps. The future development does provide for future multi-use paths across the site and would provide expansion of pedestrian trails within the neighborhood. |
| ***Historic and Cultural Resources HP Goal 1:*** *Preserve significant historic structures, districts, and cultural resources that are unique to Richland.*<br><br>*Policy 1: Encourage preservation and promotion of adaptive reuse of historic "Alphabet Homes "of Richland.*<br><br>*Policy 2: Coordinate with local tribes, federal, state, and local agencies to protect historic and cultural resources.* | The existing structure on site is to be preserved and no known historic or cultural resources are present. |
| ***UD Goal 1:*** *Create a physically attractive and culturally vibrant, pedestrian- and bicycle-friendly environment in the City.*<br><br>*Policy 1: Establish and enhance the positive attributes of residential, commercial, central business, and other districts with appropriate transition between them.*<br><br>*Policy 2: Encourage redevelopment and upgrade of suitable commercial areas.*<br><br>*Policy 3: Improve streetscape and connectivity for safe and pedestrian-friendly environments.*<br><br>*Policy 4: Promote public arts, museums, and interpretive centers in coordination with public plazas and community spaces that reflect the unique history and culture of Richland.* | The proposed plan amendment for future development provides multiuse paths across the site and so would make the Siena Hills more and active transportation friendly. |

| Comprehensive Plan Goal/Policy | Response |
|---|---|
| ***UD Goal 2:*** *Revitalize commercial areas, such as areas in the Central Business District including the Uptown retail area and the Island View area.*<br><br>*Policy 1: Enhance the appearance, image, and design character of the Central Business District.*<br><br>*Policy 2: Ensure adequate public transit, bicycle, and pedestrian access in the commercial centers along with parking and landscaping.*<br><br>*Policy 3: Enhance the welcoming experience into the community through well-designed gateway features in prominent locations.*<br><br>*Policy 4. Design the public realm, including streetscapes, parks, plazas, and civic amenities for the community to gather and interact.*<br><br>*Policy 5: Provide continuity among adjacent uses by using cohesive landscaping, decorative paving, street furniture, public art, and integrated infrastructure elements.* | This urban design goal is not directly applicable to the proposed plan amendment. |
| ***UD Goal 3****: Development through appropriate design, should protect natural features such as rivers, shorelines, ridgelines, steep slopes, and archaeological and historical resources.*<br>*Policy 1: Development should be sensitive to existing topography and landscape and should minimize environmental impacts.*<br><br>*Policy 2: Hillside development should, as much as practical, blend with the natural shape and texture of the land.*<br><br>*Policy 3: Lighting should be designed so as to promote public safety as well as promote "Dark Sky" principals.* | The site of the proposed plan amendment does not contain shorelines, steep slopes, or ridgelines and there are no known archeological or historical resources on-site. Therefore, this urban design goal is not directly applicable to this proposed plan amendment. |
| ***UD Goal 4:*** *Promote community beautification by enhancing public spaces and thoroughfares and encouraging private property beautification.*<br><br>*Policy 1: Improve the appearance of all city- owned space and major thoroughfares.*<br><br>*Policy 2. Promote programs to improve landscaping. Encourage xeriscaping and use of native plants.*<br><br>*Policy 3: Promote more attractive signage throughout the City, especially in commercial districts.* | The proposed plan amendment would provide opportunities for landowners to make investments to beautify their private property. |

**HOW THE AMENDMENT IS INTERNALLY CONSISTENT WITH THE CITY'S COMPREHENSIVE PLAN**

Consistency with the City's Comprehensive Plan is detailed in this narrative on pages 9 through 11. Other adopted city plans and codes, including the BMSP and the Capital Improvements Plan, were adopted to meet and satisfy goals, policies, and objectives outlined in the City's Comprehensive Plan. Accordingly, consistency with the Comprehensive Plan also means consistency with the plans and codes adopted to meet the Comprehensive Plan requirements.

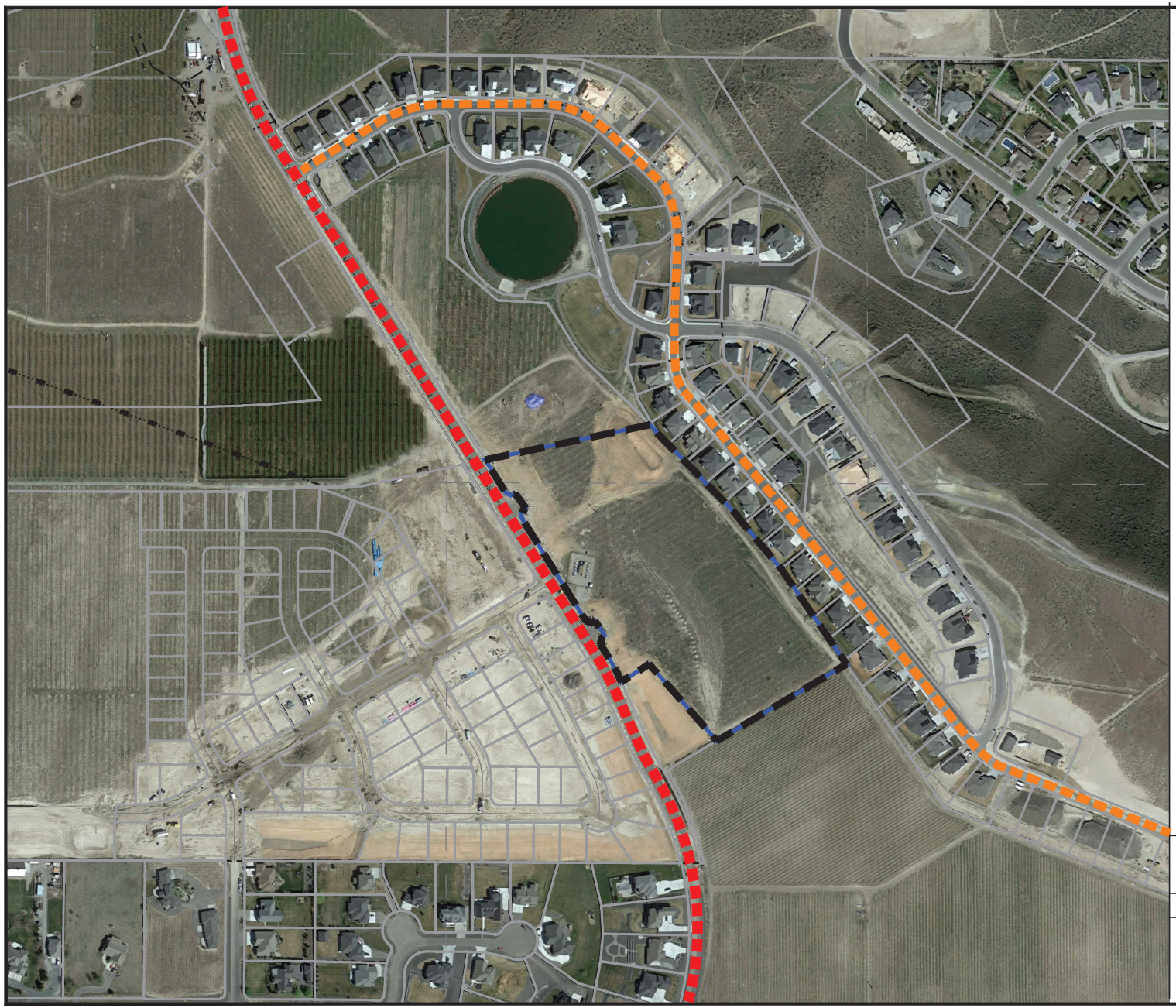
## IF APPLICABLE, HOW THE PROJECT WILL MEET CONCURRENCY REQUIREMENTS FOR TRANSPORTATION

The proposed amendment will not result in significant adverse impacts to the transportation network, capital facilities, utilities, parks, and environmental features which cannot be mitigated and will not place uncompensated burdens upon existing or planned services.

Future development of the site will complete public improvements including streets, city water extension, city sewer extension, installation of fire hydrants, installation of required stormwater systems, and parks/opens/trail improvements for the benefit of the site. Such improvements will be designed and reviewed as part of future development applications and will be installed once appropriate approvals have been received.

## DESCRIPTION OF ANY ASSOCIATED DEVELOPMENT PROPOSALS

There are no associated development proposals with this application. If Comprehensive Plan Map Amendment is accepted, the applicant would like to move forward with a preliminary plat application for Peach Tree Estates.



## PROJECT BOUNDARY

PROJECT BOUNDARY

PROJECT PARCELS

PROPERTY BOUNDARY

## ROADWAY CLASSIFICATION

MAJOR COLLECTOR

MINOR COLLECTOR

Scale 1" = 300'

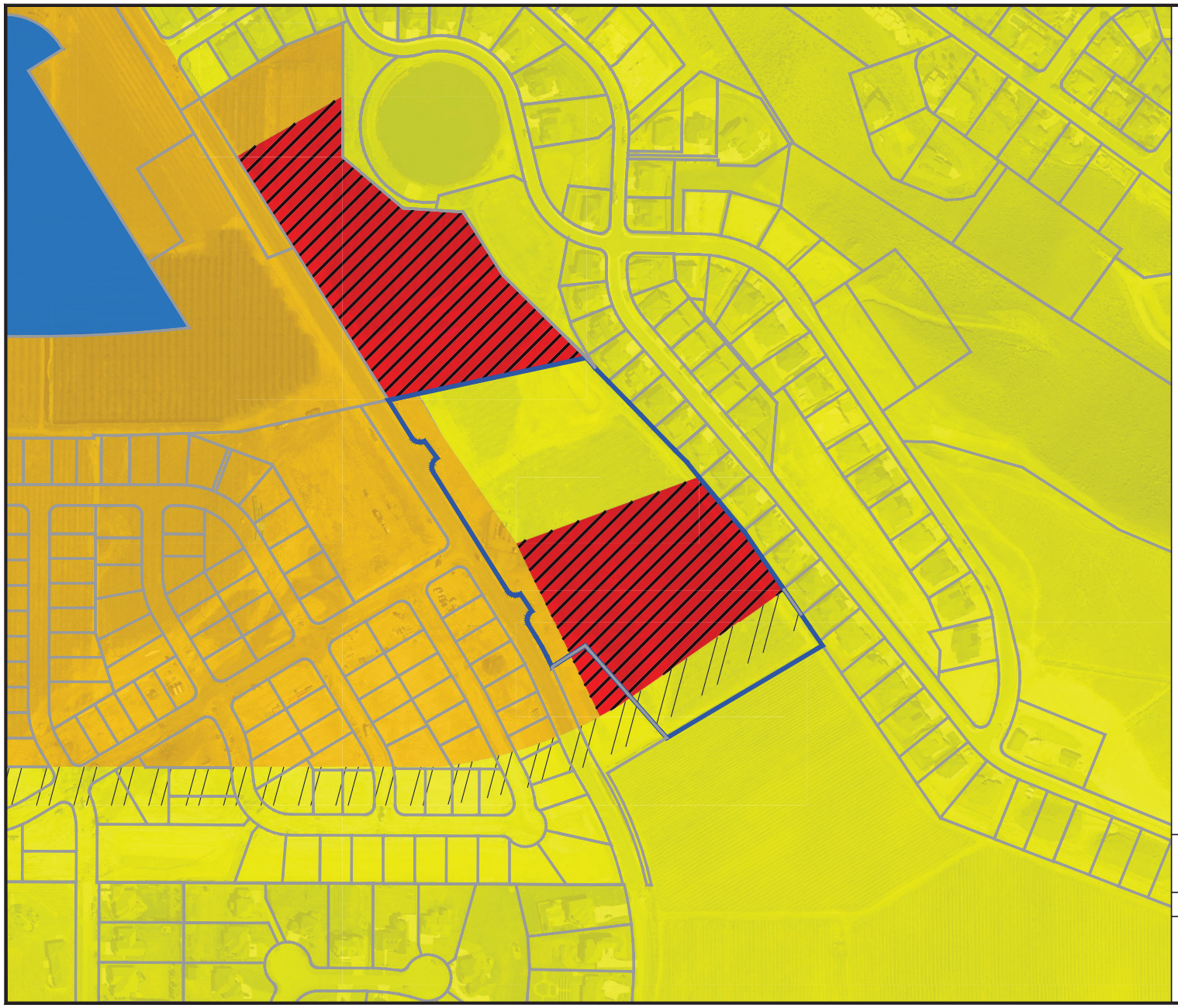
0 150 300 600

# SIENA HILLS
# VICINITY MAP EXHIBIT

DATE: FEB 2024 - PROJECT: 66150.004

PBS

FIGURE
1



## PROJECT BOUNDARY

- PROJECT BOUNDARY
- PROJECT PARCELS

## BMS SUBAREA LAND USE

- COMMERCIAL
- MEDIUM DENSITY RESIDENTIAL
- LOW DENSITY RESIDENTIAL
- CIVIC (PARKS, TRAILS, OPEN SPACE)
- CIVIC SCHOOLS

N

Scale 1" = 250'

0 125 250 500

**SIENA HILLS**

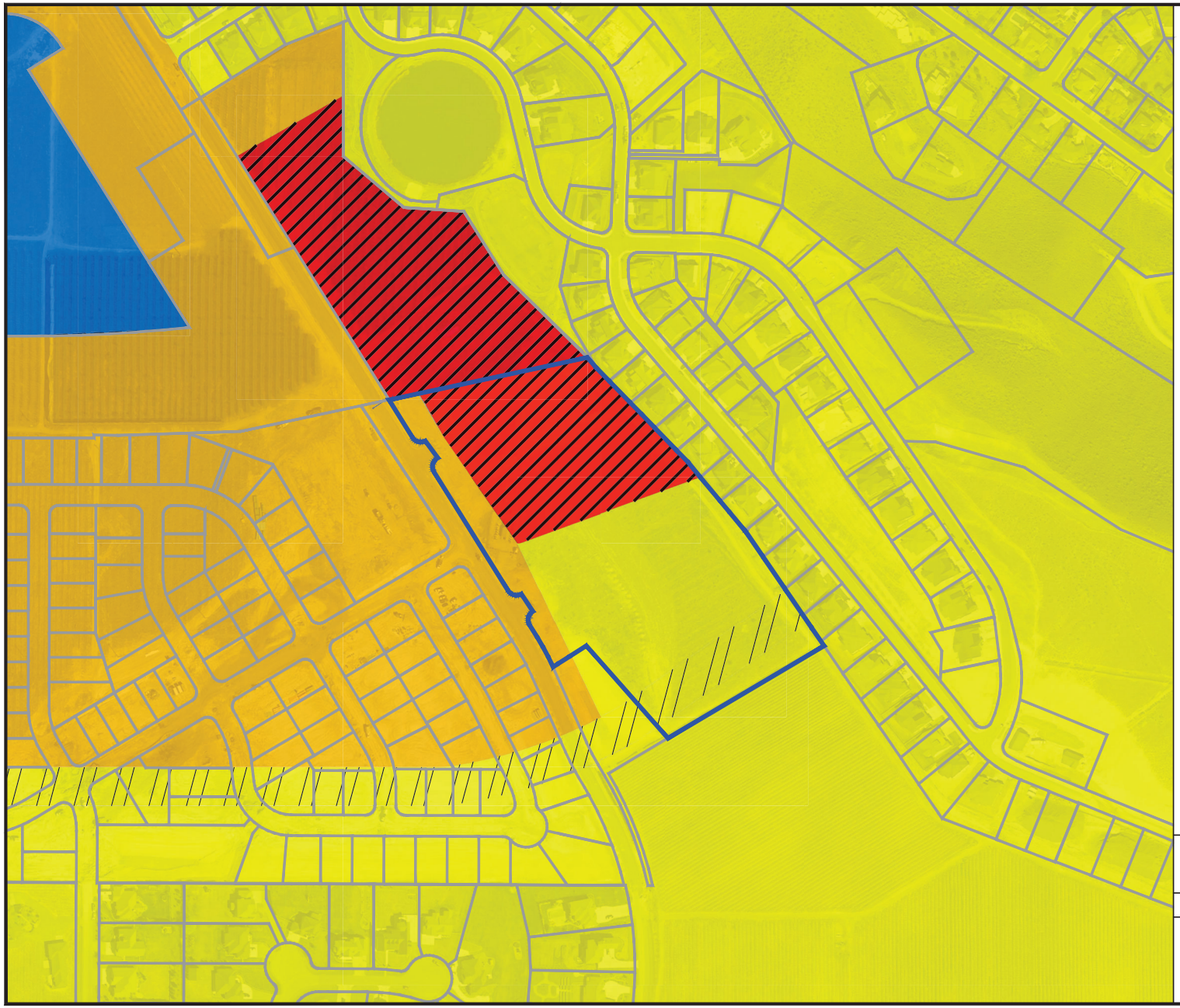
**CURRENT LAND USE**

DATE: FEB 2024 - PROJECT: 66150.004

PBS

FIGURE

**2**



## PROJECT BOUNDARY

- PROJECT BOUNDARY
- PROJECT PARCELS

## BMS SUBAREA LAND USE

- COMMERCIAL
- MEDIUM DENSITY RESIDENTIAL
- LOW DENSITY RESIDENTIAL
- CIVIC (PARKS, TRAILS, OPEN SPACE)
- CIVIC SCHOOLS

N

Scale 1" = 250'

0 125 250 500

# SIENA HILLS

## PROPOSED LAND USE

DATE: FEB 2024 - PROJECT: 66150.004

PBS

FIGURE
3




## PROJECT BOUNDARY

PROJECT BOUNDARY

PROJECT PARCELS

## LINE TYPE LEGEND

EXISTING MAJOR CONTOURS

EXISTING MINOR CONTOURS

N

Scale 1" = 200'

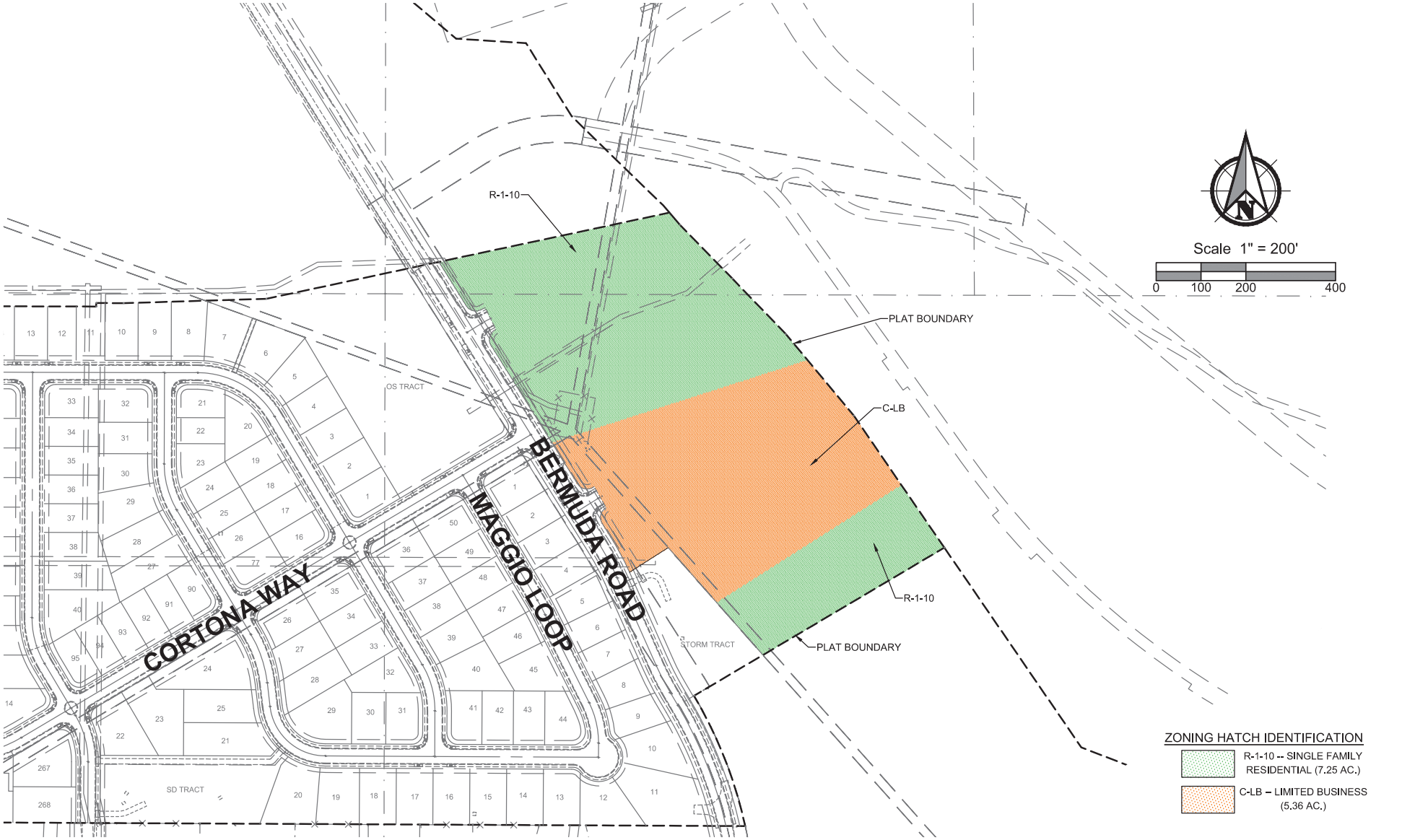
0 100 200 400

# SIENA HILLS
# TOPOGRAPHY EXHIBIT

DATE: FEB 2024 - PROJECT: 66150.004

PBS

FIGURE
**4**




# SIENA HILLS - CURRENT ZONING

Drawing: L:\PROJECTS\66000\66150\66150-004\CIVIL\CAD\WORKING\EXHIBITS\COMPPLAN\66150004_CURRENTZONINGUSE.DWG




# SIENA HILLS - PROPOSED ZONING

Drawing: L:\PROJECTS\66000\66150\66150-004\CIVIL\CAD\WORKING\EXHIBITS\COMPPLAN\66150004_PROPOSEDZONINGUSE2.DWG

# EXHIBIT A

LEGAL DESCRIPTION FOR DESCRIPTION AREA 1

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

COMMENCING AT THE SOUTHEAST CORNER OF SECTION 34 MARKED BY A "X" CUT IN CULVERT, THENCE NORTH 00°33'09" WEST ALONG THE EAST LINE OF THE SOUTHEAST QUARTER A DISTANCE OF 2641.77 FEET TO THE EAST QUARTER CORNER OF SAID SECTION 34 MARKED BY A WASHINGTON STATE RECLAMATION SERVICES BRASS CAP, THENCE NORTH 89°51'31" WEST ALONG THE NORTH LINE OF THE SOUTHEAST QUARTER A DISTANCE OF 1819.02 FEET TO A POINT ON THE EAST BOUNDARY OF PARCEL 3 OF THE RECORD OF SURVEY FOR PLAT EXEMPTION RECORDED IN VOLUME 1 OF SURVEYS AT PAGE 5494 UNDER BENTON COUNTY AUDITOR'S FILE NUMBER 2021–021122 AND THE TRUE POINT OF BEGINNING;

THENCE SOUTH 43°56'19" EAST ALONG SAID EAST BOUNDARY A DISTANCE OF 121.12 FEET;
THENCE SOUTH 39°48'17" EAST A DISTANCE OF 70.10 FEET;
THENCE SOUTH 72°06'15" WEST A DISTANCE OF 598.52 FEET TO THE EASTERLY RIGHT–OF–WAY OF BERMUDA ROAD DEDICATED PER THE FINAL PLAT OF SIENA HILLS PHASE 1 RECORDED IN VOLUME 15 OF PLATS AT PAGE 0728 UNDER BENTON COUNTY AUDITOR'S FILE NUMBER 2021–051239;

THENCE ALONG THE EASTERLY RIGHT–OF–WAY OF SAID BERMUDA ROAD THE FOLLOWING COURSES:

THENCE NORTH 31°58'33" WEST A DISTANCE OF 249.53 FEET TO A POINT OF CURVATURE WITH A TANGENT CURVE TURNING TO THE RIGHT, HAVING A RADIUS OF 25.00 FEET; THENCE ALONG SAID CURVE, HAVING AN ARC LENGTH OF 42.03 FEET, WITH A DELTA ANGLE OF 96°18'44", A CHORD BEARING OF NORTH 16°10'49" EAST, AND A CHORD LENGTH OF 37.25 FEET;
THENCE NORTH 36°32'48" WEST A DISTANCE OF 54.76 FEET TO A POINT ON THE ARC OF A NON TANGENT CURVE TURNING TO THE RIGHT, HAVING A RADIUS OF 25.00 FEET; THE RADIUS POINT OF WHICH BEARS NORTH 28°16'25" WEST; THENCE ALONG SAID CURVE, HAVING AN ARC LENGTH OF 37.66 FEET, WITH A DELTA ANGLE OF 86°17'52", A CHORD BEARING OF NORTH 75°07'29" WEST, AND A CHORD LENGTH OF 34.20 FEET;
THENCE NORTH 31°58'33" WEST A DISTANCE OF 115.42 FEET TO THE NORTH BOUNDARY OF PARCEL 3 OF SAID RECORD OF SURVEY FOR PLAT EXEMPTION;

THENCE LEAVING SAID EASTERLY RIGHT–OF–WAY NORTH 77°55'39" EAST ALONG SAID NORTH BOUNDARY A DISTANCE OF 525.70 FEET TO THE EAST BOUNDARY OF SAID PARCEL 3;
THENCE SOUTH 40°37'06" EAST ALONG SAID EAST BOUNDARY A DISTANCE OF 36.09 FEET;
THENCE SOUTH 44°19'57" EAST A DISTANCE OF 166.89 FEET;
THENCE SOUTH 43°56'19" EAST A DISTANCE OF 50.44 FEET
TO THE TRUE POINT OF BEGINNING.

HAVING AN AREA OF 235,249 SQUARE FEET, 5.40 ACRES, MORE OR LESS.

SUBJECT TO EASEMENTS, RESERVATIONS AND RESTRICTIONS OF RECORD.




PRELIMINARY

02/28/2024

| | | | |
|---|---|---|---|
| PBS Engineering and Environmental Inc. pbsusa.com | DRAWN BY: BCH | SCALE: N/A | DATE: 02/28/2024 |
| | CHECKED BY: ADM | PROJECT NO.: 66150.004 | SHEET 1 OF 3 |

# EXHIBIT A

LEGAL DESCRIPTION FOR DESCRIPTION AREA 2

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

COMMENCING AT THE SOUTHEAST CORNER OF SECTION 34 MARKED BY A "X" CUT IN CULVERT, THENCE NORTH 00°33'09" WEST ALONG THE EAST LINE OF THE SOUTHEAST QUARTER A DISTANCE OF 2641.77 FEET TO THE EAST QUARTER CORNER OF SAID SECTION 34 MARKED BY A WASHINGTON STATE RECLAMATION SERVICES BRASS CAP, THENCE NORTH 89°51'31" WEST ALONG THE NORTH LINE OF THE SOUTHEAST QUARTER A DISTANCE OF 1819.02 FEET TO A POINT ON THE EAST BOUNDARY OF PARCEL 3 OF THE RECORD OF SURVEY FOR PLAT EXEMPTION RECORDED IN VOLUME 1 OF SURVEYS AT PAGE 5494 UNDER BENTON COUNTY AUDITOR'S FILE NUMBER 2021-021122 AND THE TRUE POINT OF BEGINNING;
THENCE SOUTH 43°56'19" EAST ALONG SAID EAST BOUNDARY A DISTANCE OF 121.12 FEET;
THENCE SOUTH 39°48'17" EAST A DISTANCE OF 70.10 FEET TO THE TRUE POINT OF BEGINNING;

THENCE SOUTH 39°48'17" EAST CONTINUING ALONG SAID EAST BOUNDARY A DISTANCE OF 167.21 FEET;
THENCE SOUTH 34°25'31" EAST A DISTANCE OF 357.52 FEET;
THENCE SOUTH 59°22'36" WEST A DISTANCE OF 470.10 FEET TO THE EASTERLY RIGHT-OF-WAY OF BERMUDA ROAD DEDICATED PER THE FINAL PLAT OF SIENA HILLS PHASE 1 RECORDED IN VOLUME 15 OF PLATS AT PAGE 0728 UNDER BENTON COUNTY AUDITOR'S FILE NUMBER 2021-051239;

THENCE ALONG THE EASTERLY RIGHT-OF-WAY OF SAID BERMUDA ROAD THE FOLLOWING COURSES:

THENCE NORTH 41°23'22" WEST A DISTANCE OF 319.51 FEET;
THENCE SOUTH 57°27'31" WEST A DISTANCE OF 102.48 FEET TO A POINT ON THE ARC OF A NON TANGENT CURVE TURNING TO THE LEFT, HAVING A RADIUS OF 630.07 FEET; THE RADIUS POINT OF WHICH BEARS SOUTH 66°00'41" WEST; THENCE ALONG SAID CURVE, HAVING AN ARC LENGTH OF 87.83 FEET, WITH A DELTA ANGLE OF 07°59'14", A CHORD BEARING OF NORTH 27°58'56" WEST, AND A CHORD LENGTH OF 87.76 FEET;
THENCE NORTH 31°58'33" WEST A DISTANCE OF 37.29 FEET TO A POINT OF CURVATURE WITH A TANGENT CURVE TURNING TO THE RIGHT, HAVING A RADIUS OF 25.00 FEET; THENCE ALONG SAID CURVE, HAVING AN ARC LENGTH OF 40.23 FEET, WITH A DELTA ANGLE OF 92°12'05", A CHORD BEARING OF NORTH 14°07'29" EAST, AND A CHORD LENGTH OF 36.03 FEET;
THENCE NORTH 33°24'48" WEST A DISTANCE OF 54.08 FEET TO A POINT ON THE ARC OF A NON TANGENT CURVE TURNING TO THE RIGHT, HAVING A RADIUS OF 25.00 FEET; THE RADIUS POINT OF WHICH BEARS NORTH 31°04'06" WEST; THENCE ALONG SAID CURVE, HAVING AN ARC LENGTH OF 38.88 FEET, WITH A DELTA ANGLE OF 89°05'32", A CHORD BEARING OF NORTH 76°31'20" WEST, AND A CHORD LENGTH OF 35.08 FEET;
THENCE NORTH 31°58'33" WEST A DISTANCE OF 114.27 FEET;

THENCE LEAVING SAID EASTERLY RIGHT-OF-WAY NORTH 72°06'15" EAST A DISTANCE OF 598.52 FEET TO THE TRUE POINT OF BEGINNING.

HAVING AN AREA OF 314,268 SQUARE FEET, 7.21 ACRES, MORE OR LESS.

SUBJECT TO EASEMENTS, RESERVATIONS AND RESTRICTIONS OF RECORD.



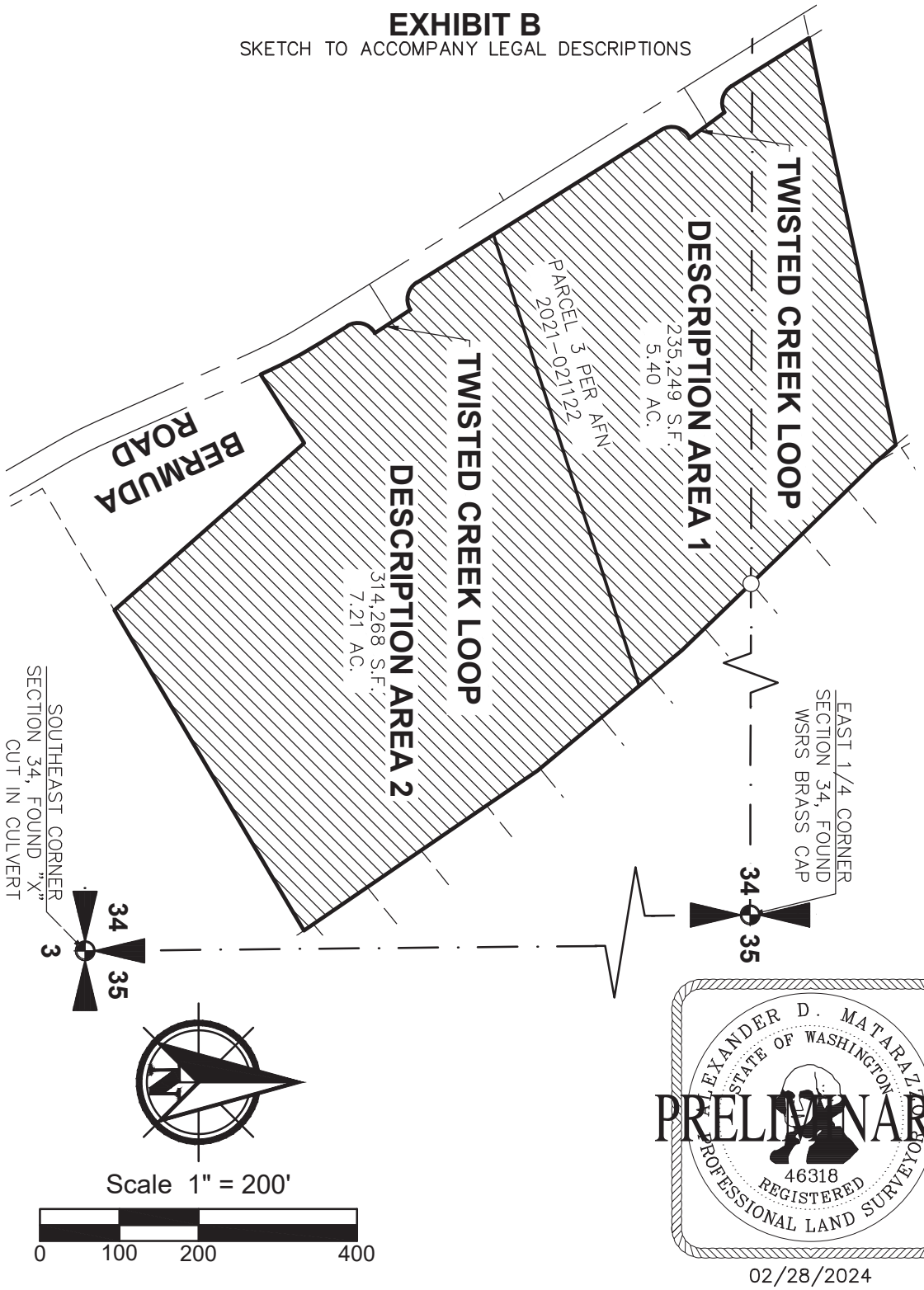

PRELIMINARY

02/28/2024

| | | | |
|---|---|---|---|
| PBS Engineering and Environmental Inc. pbsusa.com | DRAWN BY: BCH | SCALE: N/A | DATE: 02/28/2024 |
| | CHECKED BY: ADM | PROJECT NO.: 66150.004 | SHEET 2 OF 3 |

# EXHIBIT B

SKETCH TO ACCOMPANY LEGAL DESCRIPTIONS




ALEXANDER D. MATARAZZO
STATE OF WASHINGTON
46318
REGISTERED
PROFESSIONAL LAND SURVEYOR

PRELIMINARY

02/28/2024

| | | | |
|---|---|---|---|
| PBS Engineering and Environmental Inc. pbsusa.com | DRAWN BY: BCH | SCALE: 1" = 200' | DATE: 02/28/2024 |
| | CHECKED BY: ADM | PROJECT NO.: 66150.004 | SHEET 3 OF 3 |

March 1, 2024

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

Via email: mstevens@ci.richland.wa.us

Regarding: Rational for not including a Traffic Study
Siena Hills Comprehensive Plan Land Use Map Amendment Application
Bermuda Road and Cortona Way
Richland, WA 99352
PBS Project 66150.004

Dear Mr. Stevens:

The applicant believes that a traffic study is not warranted in order to make a map amendment in this instance, due to the negligible changes in land use and zoning acreages currently in effect on the site.

The applicant proposes to amend the Land Use Map for the existing commercial (COM) use from 5.36 acres to a proposed 5.40 acres and low density residential (LDR) use from 7.25 acres to a proposed 7.21 acres. This equates to a difference of 0.04 acres (1,742 square feet) which is negligible from the perspective of trip generation.

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

Sincerely,

Jason Mattox, PE
Engineering Department Manager

cc: Taylor Merrill, Richland Properties, LLC

# 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 Find help answering background questions

1. **Name of proposed project, if applicable:**
   Siena Hills Comprehensive Plan Amendment

2. **Name of applicant:**
   Richland Properties, LLC

3. **Address and phone number of applicant and contact person:**
   Taylor Merrill
   2463 E. Gala St. Ste. 120, Meridian, ID 83642
   208-870-3432

4. **Date checklist prepared:**
   February 23, 2024

5. **Agency requesting checklist:**
   City of Richland

6. **Proposed timing or schedule (including phasing, if applicable):**
   This is a non-project proposal. It addresses proposed comprehensive plan map amendments. No construction is proposed at this time.

7. **Do you have any plans for future additions, expansion, or further activity related to or connected with this proposal? If yes, explain.**
   The future plans include development of th project. This will include extension of public facilities to and within the project. Development of a street system to support the development for commercial and residential uses.

8. **List any environmental information you know about that has been prepared, or will be prepared, directly related to this proposal.**
   Soil testing and a geologic engineering report were done for the area.

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, there are no known projects in the project area currently seeking government approval that would directly affect this project.

10. **List any government approvals or permits that will be needed for your proposal, if known.**
    This SEPA checklist is a non-project checklist; when the area within the Comprehensive Plan is developed, the projects will seek the required approvals and permits. The requested comprehensive plan map amendments and the requested zoning map requires approval by the City of Richland of an ordinance adopting the proposed amendments.

**12. Give a 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 applicant proposed to modify the approved Badger Mountain Subarea Comprehensive Plan. All portions of this SEPA Checklist submittal are non-project at this time. Any future projects will provide project related SEPA Checklist information, as required.

**13. 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 area within the adopted Badger Mountain Subarea Plan can be generally described as;

Property lying east of the intersection Bermuda Drive and Cortona Way.

Further described as: A PORTION OF THOSE LAND DESCRIBED IN DEED RECORDED UNDER BENTON COUNTY AUDITOR'S FILE NUMBER 2019-001554 AND SHOWN AS NEW PARCEL 1 ON SURVEY FOR BOUNDARY LINE ADJUSTMENT RECORDED IN VOLUME 1 OF SURVEYS AT PAGE 5031

# B. Environmental Elements

## 1. Earth Find help answering earth questions

**a. General description of the site:**
Topography ranges from nearly rolling to hilly.

**Circle or highlight one: Flat, rolling, hilly, steep slopes, mountainous, other:**

**b. What is the steepest slope on the site (approximate percent slope)?**
According to the PBS Engineering and Environmental survey, the slopes within the proposed commercial project areas are mapped as 5% to 10% with a portion reaching 15% slope. the slopes within the proposed residential area are mapped as 10% to 15% with a portion reaching 50% slope.

**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.**
HeE - Hezel loamy fine sand, 0 to 30 percent slopes
WfC2 - Warden silt loam, 0 to 5 percent slopes
WdAB - Warden very fine sandy loam, 0 to 15 percent sloaps

**d. Are there surface indications or history of unstable soils in the immediate vicinity? If so, describe.**
There are no known indications or history of unstable soils.

**e. Describe the purpose, type, total area, and approximate quantities and total affected area of any filling, excavation, and grading proposed. Indicate source of fill.**

This is a non-project application. The application is for amendments to the Badger Mountain Subarea Plan. No construction is proposed at this time.

**f. Could erosion occur because of clearing, construction, or use? If so, generally describe.**

This is a non-project application. The application is for amendments to the Badger Mountain Subarea Plan. No construction is proposed at this time.

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

This is a non-project application. The application is for amendments to the Badger Mountain Subarea Plan. No construction is proposed at this time.

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

This is a non-project application. The application is for amendments to the Badger Mountain Subarea Plan. No construction is proposed at this time.

## 2. Air Find help answering air questions

**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.**

This is a non-project application. The application is for amendments to the Badger Mountain Subarea Plan. No construction is proposed at this time.

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

This is a non-project application. The application is for amendments to the Badger Mountain Subarea Plan. No construction is proposed at this time.

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

This is a non-project application. The application is for amendments to the Badger Mountain Subarea Plan. No construction is proposed at this time.

## 3. Water Find help answering water questions

### a. Surface Water: Find help answering surface water questions

1. **Is there any surface water body on or in the immediate vicinity of the site (including year-round and seasonal streams, saltwater, lakes, ponds, wetlands)? If yes, describe type and provide names. If appropriate, state what stream or river it flows into.**
   There are no surface waterbodies on or in the immediate vicinity of the site.

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.**
   The project will not require any work within 200 feet of waterbodies.

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.**
   This is a non-project SEPA Checklist - no development is planned at this time.

4. **Will the proposal require surface water withdrawals or diversions? Give a general description, purpose, and approximate quantities if known.**
   This is a planning related project, and no surface water withdrawls are planned.

5. **Does the proposal lie within a 100-year floodplain? If so, note location on the site plan.**
   The site is not located within the 100-year floodplain.

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

   No waste materials will be discharged to surface waters.

### b. Ground Water: Find help answering ground water questions

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 a general description, purpose, and approximate quantities if known.**

   The project will not involve any groundwater withdrawls.

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

   No waste material will be discharged into the ground.

### c. Water Runoff (including stormwater):

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

   This is a planning related project, and no grading or development to change runoff patterns is proposed.

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

   There are no known opportunities for waste materials to enter ground or surface waters.

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

   The project will not affect drainage patterns within the surrounding area.

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

   None.

## 4. Plants Find help answering plants questions

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

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

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

This is a planning related project, and no vegetation removal will occur.

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

There are no known ESA listed plant species on or within close proximity to the site.

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

This is a planning related project, and no landscaping is proposed at the site.

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

No known noxious weeds are known to be on-site.

## 5. Animals Find help answering animal questions

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

**Examples include:**

- **Birds: hawk, heron, eagle, songbirds, other:**
- **Mammals: deer, bear, elk, beaver, other:**
- **Fish: bass, salmon, trout, herring, shellfish, other:**

Wildlife is limited to common passerine songbirds and small rodents.

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

There are no threatened or endangered species known to occur within the project area or general vicinity.

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

The site is part of the Pacific Flyway for migratory birds.

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

No measures are proposed at this time.

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

No invasive animal species are known to occur on or near the site.

## 6. Energy and Natural Resources Find help answering energy and natural resource questions

**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.** This is a non-project SEPA Check - no development is planned at this time.

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

This is a non-project SEPA Check - no development is planned at this time.

**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.**

This is a non-project SEPA Check - no development is planned at this time.

## 7. Environmental Health Find help with answering environmental health questions

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

The Washington Department of Ecology Database shows no known spills or potential contaminants within the project area.

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

The Washington Department of Ecology Database shows no known spills or potential contaminants within the project area.

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

None. The Washington Department of Ecology Database shows no known spills or potential contaminants within the project area.

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

No construction activities are planned at this time so no hazardous or toxic chemicals will be utilized.

**c. Describe special emergency services that might be required.**

None.

**d. Proposed measures to reduce or control environmental health hazards, if any.**

None.

## b. Noise

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

   This is a non-project application. There are no known noise generators in the area that would impact the project.

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

   This is a non-project application. Future development on the site will generate construction-associated noise. As development occurs, traffic and noise associated with the residential and commercial uses would be expected.

3. **Proposed measures to reduce or control noise impacts, if any.**

   This is a non-project application. At this time, no measures to reduce or control noise are being considered.

## 8. Land and Shoreline Use Find help answering land and shoreline use questions

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.**

   This is a non-project application. The application is for amendments to the Badger Mountain Subarea Plan. No construction is proposed at this time.

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 because of the proposal, if any? If resource lands have not been designated, how many acres in farmland or forest land tax status will be converted to nonfarm or nonforest use?**

   The area has been used as working farmlands. this is a non-project application. The application is for amendments to the Badger Mountain subarea Plan. As no construction is proposed at this time the acreage of converted land cannot be accurately calculated.

   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?**

      This is a non-project application. The application is for amendments to the Badger Mountain Subarea Plan. As no construction is proposed at this time, the impact on surrounding working farmland cannot be accurately calculated.

c. **Describe any structures on the site.**

   There is a Badger Mountain Irrigation District pump house on the property.

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

   Not applicable at this time, as this is a non-project SEPA Checklist.

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

   C-LB and R-1-10

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

   Current land use designation is commercial and low density residential.

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

Not applicable. There is no shoreline within the project area.

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

According to the WDFW mapping, there are no critical areas in the non-project areas. There are areas of Benton County Presumptive Shrubsteppe to the east of the site.

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

Not applicable at this time, as this is a non-project SEPA Checklist. Future design and zoning code would determine the number of people.

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

To the applicant's knowledge, future projects will not cause displacement.

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

To the applicant's knowledge, future projects will not cause displacement.

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

Any future projects will be required to comply with the underlying zoning codes as enforced by the City of Richland.

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

None proposed at this time. Impacts to these land uses are not anticipated.

## 9. Housing Find help answering housing questions

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

Not applicable at this time, as this is a non-project SEPA Checklist. Housing design would be considered with future projects.

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

Not applicable at time, as this is a non-project SEPA Checklist. Housing design would be considered with future projects.

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

Not applicable at time, as this is a non-project SEPA Checklist. Housing design would be considered with future projects.

## 10. Aesthetics Find help answering aesthetics questions

**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 at time, as this is a non-project SEPA Checklist. Building height would be considered during future design and would follow zoning regulations.

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

Not currently applicable, as this is a non-project SEPA Checklist. Views would be considered during future designs.

**c. Proposed measures to reduce or control aesthetic impacts, if any.**

Not applicable, as this is a non-project SEPA Checklist. Aesthetics would be considered during future design.

## 11. Light and Glare Find help answering light and glare questions

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

Not applicable at time, as this is a non-project SEPA Checklist. When the projects occur in the future, the glare will likely come from the residences and commercial areas, along with the accompanying transit areas.

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

The lighting in the project will likely come from the single family houses to the east and the south, along with the accompanying transit areas. Most of the glare would occur during darkness.

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

When future development occurs, there could be ambient light from the developed portions of Richland to the north and to the southeast.

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

When the future projects occur, along with the applicable regulations, the proposed lighting would be directed downward to reduce glare.

## 12. Recreation Find help answering recreation questions

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

Badger Mountain Trail, Chamna Natural Preserve, Claybell Park Trail, Brookstone Park have recreational opportunities around the general area.

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

No recreational uses would be displaced.

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

This is a non-project SEPA Checklist - future projects will follow State and local guidelines to reduce or control impacts on recreation.

## 13. Historic and Cultural Preservation Find help answering historic and cultural preservation questions

**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.**

There are no building, sites, or structures listed or eligible for listing in any preservation registers.

**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.**

This is a non-project SEPA Checklist - the applicant will follow State and local guidelines regarding protocol prior to future project construction.

**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.**

This is a non-project SEPA Checklist - the applicant will follow State and local guidelines regarding protocol prior to future project construction. When future projects do occur, assessment of potential impacts include the use of Google Earth imagery and the Washington Information System for Architectural and Archaeological Records Data (WISSARD) from the Washington State Department of Archeology and Historic Preservation.

**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.**

This is a non-project SEPA Checklist, as such, there are no plans or permits at this time. The applicant will follow State and local guidelines regarding protocol prior to future project construction.

## 14. Transportation Find help with answering transportation questions

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

The area is served by Queensgate Drive/Bermuda Road, Interstate 182, Interstate 82, and North Bermuda road, and Cortona Drive.

**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?**

There is not currently bus service offered in this area. At this time, the nearest service is rout 123, which runs along Keene road and Gage Boulevard.

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

Yes, the future projects will look to dedicate right of way and install public streets, as required.

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

None of the above listed transportation modes occur within the general vicinity.

**e. 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?**

As this is a non-project SEPA Checklist, this information is not currently available. When the future projects are designed the transportation demands will be studied as required. Any new development is anticipated to increase trips per day.

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

No, the project is not expected to interfere with agricultural equipment.

**g. Proposed measures to reduce or control transportation impacts, if any.**

As this is a non-project SEPA Checklist, this information is not currently available. When future projects are designed, the transportation demands will be studied, as required.

## 15. Public Services Find help answering public service questions

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

Yes, the future projects would require additional need for fire protection, police protection, public transit, and schools. The site is seeking to provide housing and commercial uses to the project area.

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

The completed project would be subject to property tax value increases and levies upon completion to pay toward public services.

## 16. Utilities Find help answering utilities questions

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

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

It is assumed that public water, sewer, industrial sewer service will be extended with road construction and will be provided by the City of Richland. Electricity will be provided by Benton REA. Cable, Internet, and telephone would be provided by Spectrum.

# C. Signature Find help about who should sign

**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.**

X _____

SEPA Responsible Offical

**Type name of signee:** Click or tap here to enter text.

**Position and agency/organization:** Click or tap here to enter text.

**Date submitted:** Click or tap to enter a date.

## D. Supplemental sheet for nonproject actions Find help for the nonproject actions worksheet

**IT IS NOT REQUIRED** to use this section for project actions.

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

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

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

    - **Proposed measures to avoid or reduce such increases are:**

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

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

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

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

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

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

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

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

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

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

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

Exhibit 5

# CITY OF RICHLAND
# NOTICE OF PUBLIC HEARING FOR THE 2024 CITY OF RICHLAND ANNUAL COMPREHENSIVE PLAN AND DEVELOPMENT REGULATIONS UPDATE

Notice is hereby given that the Richland Planning Commission will conduct a public hearing on Wednesday, September 25, 2024 at 6:00 p.m. to consider proposed amendments to the City's adopted comprehensive plan and zoning ordinance. You are receiving this notice because you own property located within 300 feet of one of the proposed amendment locations. The proposed amendments are as follows:

**File Number: CPA2024-101 & Z2024-102**
**Applicant: Darral Moore, J-U-B Engineers, Inc. on behalf of Tom Fisher, HP Pasco, LLC (owner)**

Darral Moore, J-U-B Engineers, Inc. on behalf of Tom Fisher, HP Pasco, LLC, is proposing to change the Comprehensive Plan Land Use designation for approximately 2.13 acres of land from High-Density Residential to Commercial and rezone the site from C-LB (Commercial Limited Business) to WF (Waterfront). Assessor's Parcel Number 115982011748012, located at 2599 Duportail Street.

**File Number: CPA2024-102 & Z2024-103**
**Applicant: Richland Properties, LLC**

Richland Properties, LLC is proposing to change the Comprehensive Plan Land Use designations upon property that is approximately 12.62 acres in size by relocating/swapping the locations of the existing commercial and low-density residential comprehensive plan designations. Assessor's Parcel Number 134983000001009, located at 560 Bermuda Road.

**Environmental Review:** The proposals are subject to environmental review. As lead agency, the City of Richland reviewed the project(s) for probable adverse environmental impacts and issued a determination of non-significance (DNS) for these amendments on August 6, 2024. The end of the SEPA comment period was August 21, 2024.

**Application materials can be found by visiting the City of Richland website at https://www.ci.richland.wa.us/departments/development-services/planning/2024-land-use .**

Any person desiring to express their views or to be notified of any decisions pertaining to any of these amendment requests should notify Mike Stevens, Planning Manager, 625 Swift Boulevard, Richland, WA 99352. Comments may also be emailed to mstevens@ci.richland.wa.us. Written comments should be received no later than 5:00 p.m. on Wednesday, September 18, 2024 to be incorporated into the staff report. Comments received after that date will be entered into the record at the hearing. The

requested amendment materials are available to the public and can be viewed at www.ci.richland.wa.us . The staff report and recommendation will be available on the city's website beginning Friday, September 20, 2024.

McClatchy

The Beaufort Gazette
The Belleville News-Democrat
Bellingham Herald
Centre Daily Times
Sun Herald
Idaho Statesman
Bradenton Herald
The Charlotte Observer
The State
Ledger-Enquirer

Durham | The Herald-Sun
Fort Worth Star-Telegram
The Fresno Bee
The Island Packet
The Kansas City Star
Lexington Herald-Leader
The Telegraph - Macon
Merced Sun-Star
Miami Herald
El Nuevo Herald

The Modesto Bee
The Sun News - Myrtle Beach
Raleigh News & Observer
Rock Hill | The Herald
The Sacramento Bee
San Luis Obispo Tribune
Tacoma | The News Tribune
Tri-City Herald
The Wichita Eagle
The Olympian

# AFFIDAVIT OF PUBLICATION

| Account # | Order Number | Identification | Order PO | Amount | Cols | Depth |
|---|---|---|---|---|---|---|
| 36823 | 587525 | Print Legal Ad-IPL01915250 - IPL0191525 | PC PHN-CPA2024-101-102 | $250.66 | 2 | 42 L |

**Attention:** (company)
CITY OF RICHLAND/LEGALS
625 SWIFT BLVD. MS-05
RICHLAND, WA 99352

janderson@ci.richland.wa.us

**CITY OF RICHLAND**
**NOTICE OF PUBLIC HEARING**

Notice is hereby given that the Richland Planning Commission will conduct a public hearing on **Wednesday, September 25, 2024 at or after 6:00 p.m.** to consider proposed amendments to the City's adopted comprehensive plan and zoning ordinance. The proposed amendments are as follows:

**CPA2024-101 & Z2024-102:** Darral Moore, J-U-B Engineers, Inc. on behalf of Tom Fisher, HP Pasco, LLC, is proposing to change the Comprehensive Plan Land Use designation for approximately 2.3 acres of land from the High-Density Residential to Commercial and rezone the site from C-LB (Commercial Limited Business) to WF (Waterfront). Assessor's Parcel Number 115982011748012, located at 2599 Duportail St.

**CPA2024-102 & Z2024-103:** Richland Properties, LLC is proposing to change the Comprehensive Plan Land Use designations upon property that is approximately 12.62 acres in size by relocating/swapping the locations of the existing commercial and low-density residential comprehensive plan designations. Assessor's Parcel Number 134983000001009, located at 560 Bermuda Rd.

**Environmental Review:** The proposals are subject to environmental review. As lead agency, the City of Richland reviewed the project(s) for probable adverse environmental impacts and issued a determination of non-significance (DNS) for these amendments on August 6, 2024. The end of the SEPA comment period was August 21, 2024.

Any person desiring to express their views or to be notified of any decisions pertaining to any of these amendment requests should notify Mike Stevens, Planning Manager, 625 Swift Boulevard, Richland, WA 99352. Comments may also be emailed to mstevens@ci.richland.wa.us. Written comments should be received no later than 5:00 p.m. on Wednesday, September 18, 2024, to be incorporated into the staff report. Comments received after that date will be entered into the record at the hearing. The requested amendment materials are available to the public and can be viewed at www.ci.richland.wa.us. The staff report and recommendation will be available on the city's website beginning Friday, September 20, 2024.

Date Published: September 8, 2024
IPL0191525
Sep 8 2024

COUNTY OF BENTON)
SS
STATE OF WASHINGTON)

Mary Castro, 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 09/08/2024, and ending on 09/08/2024 and that said newspaper was regularly distributed to its subscribers during all of this period.

1 insertion(s) published on:
09/08/24

Mary Castro

(Signature of Legals Clerk)

Sworn to and subscribed before me this 9th day of September in the year of 2024

Stephanie Hatcher

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!**

# Exhibit 6

**Stevens, Mike**

**From:** Sears, Tricia (DNR) <Tricia.Sears@dnr.wa.gov>
**Sent:** Friday, August 9, 2024 11:04 AM
**To:** Stevens, Mike
**Cc:** Sears, Tricia (DNR); Watson, Deanah (COM)
**Subject:** Richland's comprehensive plan and development regulations update (Commerce ID# 2024-S-7321): WGS comments

You don't often get email from tricia.sears@dnr.wa.gov. Learn why this is important

**[EXTERNAL EMAIL]** Exercise caution before clicking links or opening attachments.

8/9/24

Hello Mike,

In keeping with the interagency correspondence principles, I am providing you with comments on Richland's comprehensive plan and development regulations update (Commerce ID# 2024-S-7321).

For this proposal submitted via Planview, I looked at the proposal and focused on areas related to WGS work. Of note, but not limited to, I look for language around the geologically hazardous areas, mineral resource lands, mining, climate change, and natural hazards mitigation plans.

Specifically in this proposal, I reviewed the document, 2024 Comp Plan Docket 60-Day Review Packet.
.
WGS has no comments on the proposed changes.

Recognizing the limitations of the current proposals, I want to mention that it would be great for you to consider these in future work, be it in your comprehensive plan, development code, and SMP updates, and in your work in general:

- Consider adding a reference to WAC 365-190-120 geologically hazardous areas for definitions in other areas besides the CAO. In addition, consider adding a reference to WAC 365-196-480 for natural resource lands.
- Consider adding a reference to the WGS Geologic Information Portal in other areas besides the CAO. If you have not checked our interactive database, the WGS Geologic Information Portal, lately, you may wish to do so. Geologic Information Portal | WA - DNR
- If you have not checked out our Geologic Planning page, you may wish to do so. Geologic Planning | WA - DNR

Thank you for considering our comments. If you have any questions or need additional information, please contact me. For your convenience, if there are no concerns or follow-up discussion, you may consider these comments to be final as of the 60-day comment deadline of 10/5/24.

Cheerio,
Tricia

Tricia R. Sears (she/her/hers)
**Geologic Planning Liaison**
Washington Geological Survey (WGS)
Washington Department of Natural Resources (DNR)

Cell: 360-628-2867 | Email: tricia.sears@dnr.wa.gov

# COUNCIL AGENDA ITEM COVERSHEET

Council Date: 12/3/2024 Agenda Category: Items of Business

Strategic Priority 1 - High Performance Government

Subject:
Ordinance No. 2024-42, Amending Richland Municipal Code Title 23: Zoning Regulations and the City's Official Zoning Map to Conform to the Updated 2017 Comprehensive Plan (First Reading)

| Department/Office | Ordinance/Resolution Number: | Document Type: |
|---|---|---|
| Development Services | 2024-42 | Ordinance |

Recommended Motion:
Give first reading to Ordinance No. 2024-42, amending Richland Municipal Code Title 23: Zoning Regulations and the City's Official Zoning Map to conform to the updated 2017 Comprehensive Plan.

Summary:
In coordination with the 2024 Comprehensive Plan updates (considered under Ordinance No. 2024-41 on this same agenda), the City is obligated to implement changes to its development regulations as part of the annual update process. There are two (2) proposed applications to amend the Comprehensive Plan Land Use Map. Accordingly, Ordinance No. 2024-42 considers two (2) applications to amend the City's Official Zoning Map consistent with the 2024 updates to the Comprehensive Plan Land Use Map.

Amendments to the Official Zoning Map are RMC 19.20.010 Type IV permit applications requiring open-record public hearings by the Planning Commission and City Council. The Planning Commission conducted a public hearing on September 25, 2024, after which it recommended approval of both proposed amendments to City Council. City Council will hold an open-record public hearing on December 3, 2024 prior to deliberation on this item.

The Planning Commission material generated in connection with the 2024 Comprehensive Plan amendments process is applicable to both ordinances (2024-41 and 2024-42) and is viewable under the staff report for Ordinance No. 2024-41.

Staff recommends approval of Ordinance No. 2024-42 for first reading.

Fiscal Impact: None.

Attachments:
1. Ordinance No. 2024-42

**WHEN RECORDED RETURN TO**:
Richland City Clerk's Office
625 Swift Boulevard, MS-07
Richland, WA 99352

**ORDINANCE NO. 2024-42**

**AN ORDINANCE OF THE CITY OF RICHLAND, WASHINGTON, AMENDING RICHLAND MUNICIPAL CODE TITLE 23: ZONING REGULATIONS AND THE OFFICIAL ZONING MAP OF THE CITY OF RICHLAND TO CHANGE ZONING ON CERTAIN PARCELS OR PORTIONS OF PARCELS TO CONFORM TO THE UPDATED COMPREHENSIVE PLAN OF THE CITY OF RICHLAND.**

**WHEREAS**, this area-wide rezone includes reclassifying all, or portions of, parcels as indicated in Section 1 herein and depicted in **Exhibit A**; and

**WHEREAS**, on April 23, 2024, Richland City Council held a workshop to review the proposed 2024 Comprehensive Plan Policies, Maps and Zoning Code Amendments Docket; and

**WHEREAS**, on June 4, 2024, Richland City Council passed Resolution No. 2024-71, authorizing the 2024 Comprehensive Plan Policies, Maps and Zoning Code Amendments Docket; and

**WHEREAS**, the Richland Development Services Department completed an environmental review (SEPA) for the land use changes and issued a Threshold Determination of Non-Significance (DNS) on August 6, 2024, which was not appealed; and

**WHEREAS**, on September 25, 2024, the Richland Planning Commission held a duly advertised public hearing to accept testimony from anyone wishing to speak for or against the proposed changes; and

**WHEREAS**, on September 25, 2024, the Richland Planning Commission voted to recommend approval of two (2) proposed zoning map amendments as evidenced in the Planning Commission's meeting minutes; and

**WHEREAS**, on December 3, 2024, Richland City Council held a duly advertised public hearing to consider the proposed amendments and the recommendation of the Planning Commission. All testimony from anyone wishing to speak for or against the changes was accepted, after which Council deliberated on the proposed changes; and

**WHEREAS**, Richland City Council reviewed the application materials, staff report, and comments concerning the proposed rezoning action; and

**WHEREAS**, on December 3, 2024, by approval of Ordinance No. 2024-41 for first reading, Richland City Council voted to amend the City of Richland Comprehensive Plan and change the land use designations for the two (2) parcels that were recommended for zoning map change approval by the Planning Commission; and

**WHEREAS**, Richland City Council finds the proposed amendments to be in compliance with the Comprehensive Plan of the City of Richland as amended by Ordinance No. 2024-41 and area-wide rezone criteria of the Richland Municipal Code.

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

Section 1. Change in Zones. To implement the 2024 amendments to the Comprehensive Plan of the City of Richland as adopted by Ordinance No. 2024-41, the property listed below is rezoned as follows:

- Parcel No. 1-1598-201-1748-012 (2.13 Acres) is rezoned from Commercial Limited Business (C-LB) to Waterfront (WF).

- Parcel No. 1-3498-300-0001-009 is rezoned by relocating/swapping the locations of the existing Commercial Limited Business (C-LB) and Single-Family Residential (R-1-10) zoning districts.

Section 2. Title 23 of the Richland Municipal Code and the Official Zoning Map of the City of Richland as adopted by RMC 23.08.040 are hereby amended by amending Sectional Map Nos. 12, 13 and 22, which are three (3) of a series of maps constituting said Official Zoning Map of the City of Richland, as shown on the attached **Exhibit A** and bearing the number and date of passage of this Ordinance, and by reference made a part of this Ordinance and of the Official Zoning Map of the City of Richland.

Section 3. The City Clerk is directed to file with the Auditor of Benton County, Washington a copy of this Ordinance and the attached amended Sectional Map Nos. 12, 13 and 22 (**Exhibit A**), duly certified by the City Clerk as a true copy.

Section 4. This Ordinance shall take effect the day following its publication in the official newspaper of the City of Richland.

Section 5. Should any section or provision of this Ordinance be declared by a court of competent jurisdiction to be invalid, that decision shall not affect the validity of the Ordinance as a whole or any part thereof, other than the part so declared to be invalid.

Section 6. The City Clerk and the codifiers of this Ordinance are authorized to make necessary corrections to this Ordinance, including but not limited to the correction of scrivener's errors/clerical errors, section numbering, references, or similar mistakes of form.

**PASSED** by the City Council of the City of Richland, Washington, at a regular meeting on the ___ day of _____, 2024.

_____
Theresa Richardson, Mayor

Attest:

_____
Jennifer Rogers, City Clerk

Approved as to Form:

_____
Heather Kintzley, City Attorney

First Reading: _____
Second Reading: _____
Date Published: _____

Exhibit A - Pg.1 to Ordinance No. 2024-42 passed 12/__/2024

Commercial Limited Business (C-LB) to Waterfront (WF)

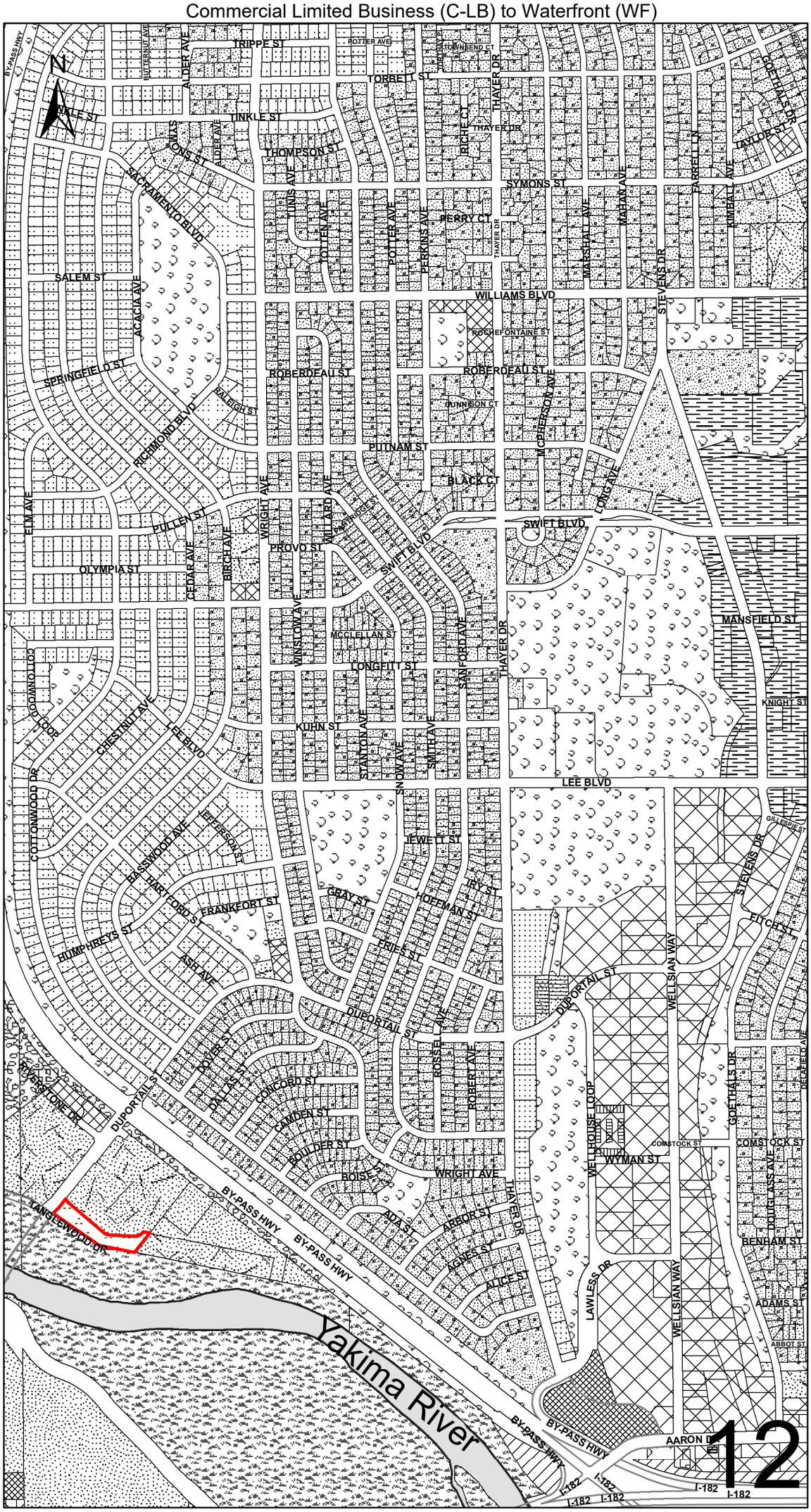
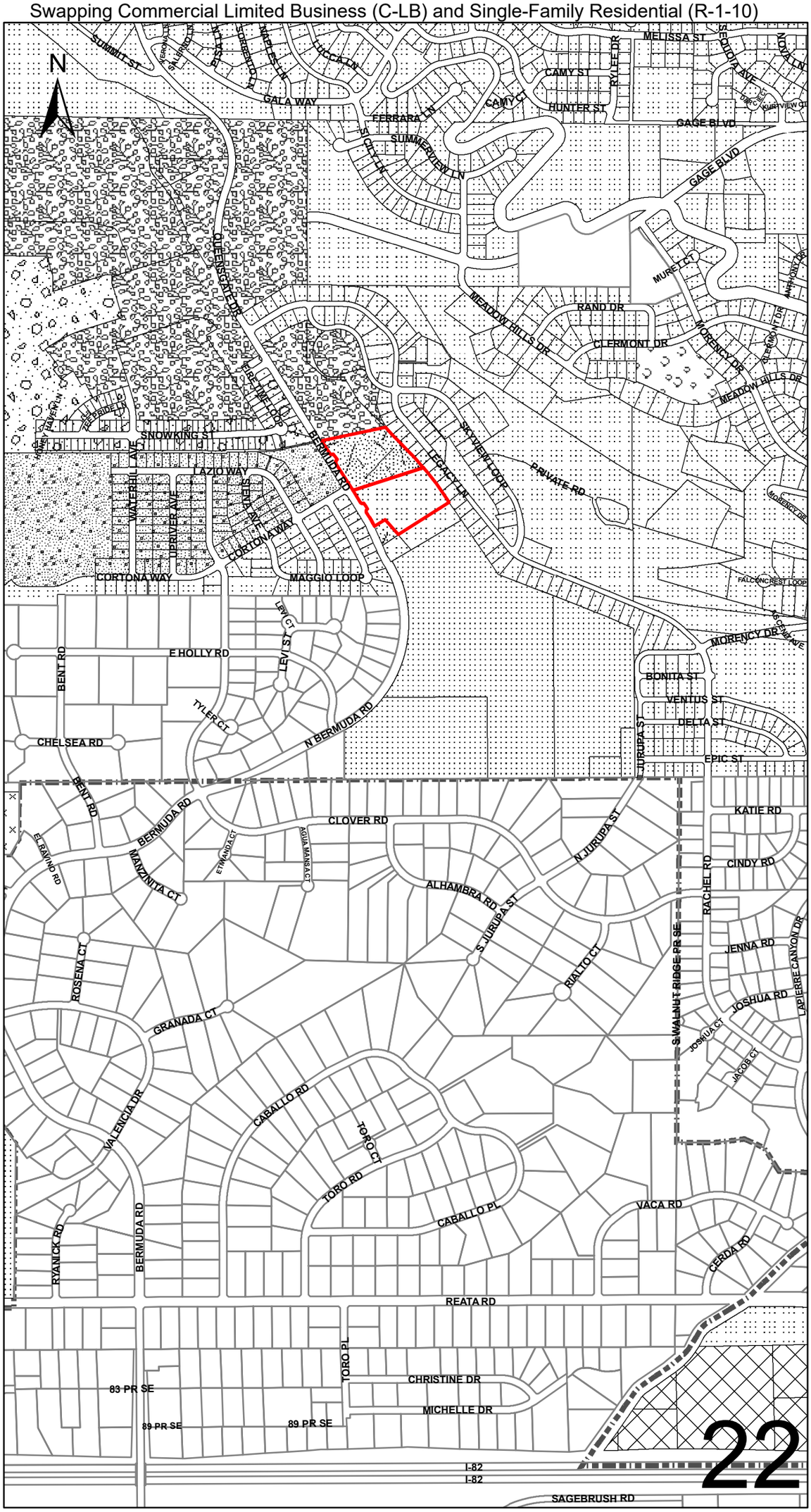


Exhibit A - Pg. 2 to Ordinance No. 2024-42 passed 12/__/2024
Commercial Limited Business (C-LB) to Waterfront (WF)



Exhibit A - Pg. 3 to Ordinance No. 2024-42 passed 12/__/2024

Swapping Commercial Limited Business (C-LB) and Single-Family Residential (R-1-10)



# COUNCIL AGENDA ITEM COVERSHEET

Council Date: 12/3/2024 Agenda Category: Items of Business

Strategic Priority 1 - High Performance Government

Subject:
Ordinance No. 2024-43, Vacating a Portion of Robertson Drive Right-of-Way (First Reading)

| Department/Office | Ordinance/Resolution Number: | Document Type: |
|---|---|---|
| Public Works | 2024-43 | Ordinance |

Recommended Motion:
Give first reading to Ordinance No. 2024-43, authorizing vacation of a portion of Robertson Drive right-of-way as provided therein.

Summary:
An existing small segment of Robertson Drive right-of-way in the Horn Rapids Industrial Park is no longer needed for the future city street network. The City's best interests are served by vacating the right-of-way. Upon vacation of this unneeded right-of-way, staff will record public utility and emergency vehicle easements to protect existing utilities and emergency access to an adjacent privately owned parcel.

On November 5, 2024, Richland City Council adopted Resolution No. 2024-139, setting December 3, 2024 at 6:00 p.m. as the time and place for a public hearing to consider this right-of-way vacation action. On November 13, 2024, notice was published that a public hearing would be held on December 3, 2024 to take public testimony on the proposed right-of-way vacation action. Barring any compelling public testimony to the contrary, staff recommends vacating this segment of unneeded Robertson Drive right-of-way.

Staff recommends approval of Ordinance No. 2024-43 for first reading.

Fiscal Impact: None.

Attachments:
1. Ordinance No. 2024-43

**WHEN RECORDED RETURN TO**:
Richland City Clerk's Office
625 Swift Boulevard, MS-07
Richland, WA 99352

# ORDINANCE NO. 2024-43

## AN ORDINANCE OF THE CITY OF RICHLAND, WASHINGTON, VACATING A PORTION OF THE ROBERTSON DRIVE RIGHT-OF-WAY.

**WHEREAS**, the City has a section of the Robertson Drive right-of-way in the Horn Rapids Industrial Park that will not connect to the future city street network; and

**WHEREAS**, the right-of-way, as depicted on **Exhibit B**, is no longer needed for public road purposes since it will not connect to the street network and no properties are addressed or take access from this section of the street; and

**WHEREAS**, easements for public infrastructure and secondary emergency vehicle access are drafted and will be recorded within the proposed vacated right-of-way; and

**WHEREAS**, on November 5, 2024, Richland City Council adopted Resolution No. 2024-139, setting December 3, 2024 at 6:00 p.m. in the City Hall Council Chambers as the time and place for a public hearing as required prior to a right-of-way vacation action; and

**WHEREAS**, on November 17, 2024, notice was published that a public hearing would be held on December 3, 2024 to take public testimony on the proposed right-of-way vacation action; and

**WHEREAS**, on December 3, 2024, a public hearing was held by Richland City Council to receive public testimony

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

Section 1. The portion of Robertson Drive, as legally described in **Exhibit A** and depicted on **Exhibit B**, is hereby vacated.

Section 2. Easements for existing utilities and secondary emergency vehicle access within the vacated portion of the Robertson Drive right-of-way shall be filed with the Auditor of Benton County, Washington concurrently with the filing of this Ordinance.

Section 3. The City Clerk is directed to file with the Auditor of Benton County, Washington, a copy of this Ordinance and the attached exhibits, duly certified by the Clerk as a true copy.

Section 4. This Ordinance shall take effect the day following its publication in the official newspaper of the City of Richland.

Section 5. Should any section or provision of this Ordinance be declared by a court of competent jurisdiction to be invalid, that decision shall not affect the validity of the Ordinance as a whole or any part thereof, other than the part so declared to be invalid.

Section 6. The City Clerk and the codifiers of this Ordinance are authorized to make necessary corrections to this Ordinance, including but not limited to the correction of scrivener's errors/clerical errors, section numbering, references, or similar mistakes of form.

**PASSED** by the City Council of the City of Richland, Washington, at a regular meeting on the ___ day of _____, 2024.

_____
Theresa Richardson, Mayor

Attest:

_____
Jennifer Rogers, City Clerk

Approved as to Form:

_____
Heather Kintzley, City Attorney

First Reading: _____
Second Reading: _____
Date Published: _____

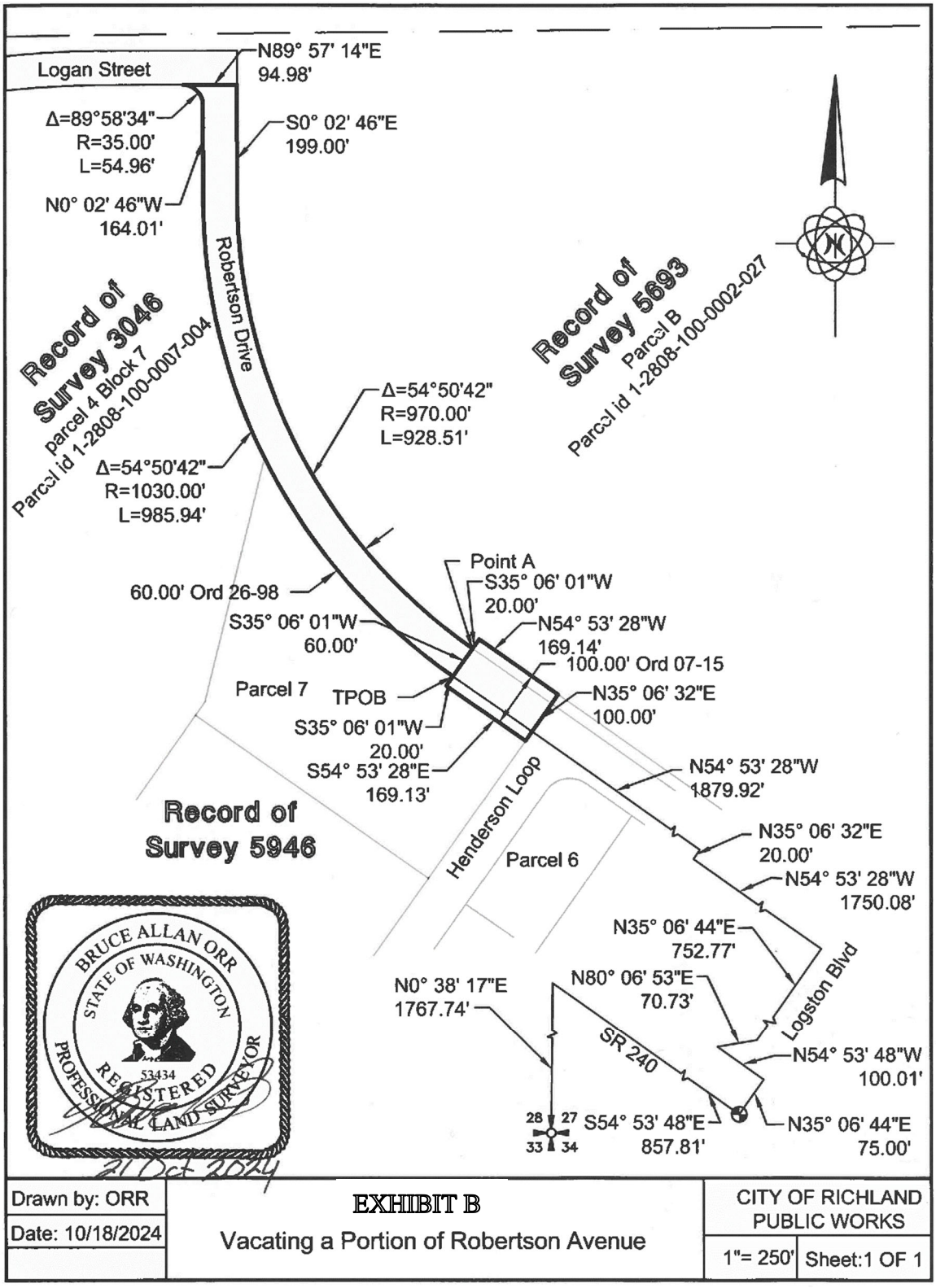
**EXHIBIT A**
**ROBERTSON DRIVE VACATION**

A partial vacation of a 60 foot and 100 foot right of way for Robertson Drive as recorded in, City of Richland Ordinance 26-98, Auditor's File Number 2007-022732 and altered by City of Richland Ordinance 07-15, Auditor's File Number 2015-008673 records of Benton County, Washington, situate in the Northwest Quarter of the Northeast Quarter of Section 28 Township 10 North, Range 28 East, Willamette Meridian, of said county being more particularly described follows:

Commencing at the Southeast corner of said Section 28; Thence North 0°38'17" East, 1767.74 feet along the East line of said section 28 to a point on the centerline of State Highway no. 240; Thence South 54°53'48" East, 857.81 feet along the centerline of said highway to the intersection with the centerline of Logston Boulevard; Thence North 35°06'44" East, 75.00 feet along the centerline of said Logston Boulevard to the Northeast right of way of said highway 240; Thence North 54°53'48" West, 100.01 feet along said Northeast right of way; Thence North 80°06'53" East, 70.73 feet to a point on the Northwest right of way of Logston Boulevard; Thence North 35°06'44" East, 752.77 feet; Thence North 54°53'28" West, 1750.08 feet; Thence North 35°06'32" East, 20.00 feet; Thence North 54°53’28” West 1879.92 feet to a curve concave to the northeast with a radius of 1030.00 feet and the **True Point of Beginning** for partial vacation of said Ordinance 26-98; Thence northerly 985.94 feet along curve though a central angle of 54°50’42”(long cord North 27°28’07” West 948.73 feet) Thence North 0°02’46’ West 164.01 to a curve concave to the southwest with a radius of 35.00 feet; Thence northwesterly 54.96 feet along curve though a central angle 89°58’34” (long cord North 45°02’03” West 49.49 feet; Thence North 89°57’14” East 94.98 feet; Thence South 0°02’46” East 199.00 feet to a curve concave to the northeast with a radius of 970.00 feet; Thence southeasterly 928.51 feet along curve though a central angle 54°50’42” (long cord South 27°28’07” East 893.46 feet to a point herein after called Point A; Thence South 35°06’01” 60.00 feet West to the **True point of Beginning.**

**Together with** partial vacation of said Ordinance 07-15, a 100 foot right of way, named Robertson Drive, described as follows;

Beginning at the aforementioned Point A; Thence South 35°06’01” West 60.00 feet; Thence continuing South 35°06’01” West 20.00 feet to the Southwesterly boundary of herein above 100’ right of way; Thence along said right of way South 54°53’28” East 169.13 feet; Thence along the prolongation of the Northwesterly right of way of Henderson Loop, dedicated on Record of Survey 5946, Auditor's File Number 2024-000769 of said county North 35°06’32” East 100 feet to the Northeasterly right of way of said 100 foot right of way; Thence along said right of way North 54°53’28” West 169.14 feet; Thence South 35°06’01” West 20.00 feet to Point A and **Terminus of Vacation.**


Logan Street
N89° 57' 14"E
94.98'
Δ=89°58'34"
R=35.00'
L=54.96'
S0° 02' 46"E
199.00'
N0° 02' 46"W
164.01'
Robertson Drive
Record of Survey 3046
parcel 4 Block 7
Parcel id 1-2808-100-0007-004
Record of Survey 5693
Parcel B
Parcel id 1-2808-100-0002-027
Δ=54°50'42"
R=970.00'
L=928.51'
Δ=54°50'42"
R=1030.00'
L=985.94'
Point A
S35° 06' 01"W
20.00'
60.00' Ord 26-98
S35° 06' 01"W
60.00'
N54° 53' 28"W
169.14'
100.00' Ord 07-15
Parcel 7
TPOB
N35° 06' 32"E
100.00'
S35° 06' 01"W
20.00'
S54° 53' 28"E
169.13'
N54° 53' 28"W
1879.92'
Record of Survey 5946
Henderson Loop
Parcel 6
N35° 06' 32"E
20.00'
N54° 53' 28"W
1750.08'
N35° 06' 44"E
752.77'
N0° 38' 17"E
1767.74'
N80° 06' 53"E
70.73'
Logston Blvd
SR 240
N54° 53' 48"W
100.01'
28 27
33 34
S54° 53' 48"E
857.81'
N35° 06' 44"E
75.00'
BRUCE ALLAN ORR
STATE OF WASHINGTON
53434
REGISTERED
PROFESSIONAL LAND SURVEYOR
21 Oct 2024
Drawn by: ORR
Date: 10/18/2024
EXHIBIT B
Vacating a Portion of Robertson Avenue
CITY OF RICHLAND
PUBLIC WORKS
1"= 250'
Sheet:1 OF 1

# COUNCIL AGENDA ITEM COVERSHEET

Council Date: 12/3/2024 Agenda Category: Items of Business

Strategic Priority 1 - High Performance Government

Subject:
Ordinance No. 2024-44, Amending the 2024 Budget in the General Fund, Streets Maintenance Fund, Special Lodging Assessment Fund, Equipment Replacement Fund, Medical Services Fund, Parks Project Construction Fund and Community Development Block Grant Fund (First Reading)

| Department/Office | Ordinance/Resolution Number: | Document Type: |
|---|---|---|
| Finance | 2024-44 | Ordinance |

Recommended Motion:
Give first reading to Ordinance No. 2024-44, amending the 2024 Budget in multiple funds as provided therein.

Summary:
Ordinance No. 2024-44 includes amendments to the adopted 2024 Budget as follows:

- Tourism Promotional Area revenues collected in 2024 have exceeded budgeted amounts. As these revenues are passed through to the Tri-Cities Visitor & Convention Bureau, additional appropriations in the amount of $200,000 are required.
- Additional appropriations in the amount of $408,266 are needed in the Equipment Replacement Fund due to increased costs and long lead times for vehicles purchased over the last 2-3 years.
- Additional appropriations are needed for Fire and EMS overtime costs that are in excess of budget due to vacancies and coverage needs in the amount of $83,216 in the General Fund and $31,641 in the Medical Services Fund.
- Additional appropriations in the amount of $15,300 are required to authorize spending of three (3) library grants previously approved by Council.
- In order to align revenues and expenses for the Uptown Lighting CIP Project, additional appropriations in the amount of $135,221 are required in the CDBG Fund to transfer to the Parks Project Construction Fund.
- Additional appropriations are needed in the General Fund for unplanned investigative services in the amount of $19,058.
- Additional appropriations are needed in the Streets Maintenance Fund in the amount of $30,000 to fund additional plan review for the railroad crossing at Steptoe and Tapteal.
- In order to complete funding of Richland's share of the animal control shelter construction, additional appropriations in the amount of $665,317 are required in the General Fund. These funds were previously budgeted in prior years.
- The City's share of the 2024 Byrne Justice Assistance Grant (JAG) Program is $10,326, which will be used to purchase mobile radios for School Resource Officers (SROs).

Staff recommends approval of Ordinance No. 2024-44 for first reading.

Fiscal Impact: Ordinance 2024-44 will add $1,733,566 in appropriations to the 2024 Budget. Of this amount, $360,847 is from new revenue sources and $1,372,719 is from unappropriated fund balance.

Attachments:
1. Ordinance No. 2024-44

**ORDINANCE NO. 2024-44**

**AN ORDINANCE OF THE CITY OF RICHLAND, WASHINGTON, AMENDING THE 2024 BUDGET TO PROVIDE FOR ADDITIONAL APPROPRIATIONS IN THE CITY'S GENERAL FUND, STREETS MAINTENANCE FUND, SPECIAL LODGING ASSESSMENT FUND, EQUIPMENT REPLACEMENT FUND, MEDICAL SERVICES FUND, PARKS PROJECT CONSTRUCTION FUND AND COMMUNITY DEVELOPMENT BLOCK GRANT FUND AND DECLARING THAT A PUBLIC EMERGENCY EXISTS IN CERTAIN OF THESE FUNDS.**

**WHEREAS**, on November 21, 2023, Richland City Council approved Ordinance No. 2023-29 adopting the 2024 Budget; and

**WHEREAS**, certain additional revenue sources have been identified that were not anticipated when the 2024 Budget was approved, the expenditure of which is not included in current appropriations; and

**WHEREAS**, certain additional expenditures have been identified as necessary or desirable in the current year that do not have a specific new revenue source and no funds were appropriated for these expenditures; and

**WHEREAS**, sufficient unappropriated funds necessary to support the required budget adjustment are available; and

**WHEREAS**, a public hearing was held on December 3, 2024 regarding the proposed increase in appropriations from beginning fund balance as required by RCW 35.33.091.

**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 2024 Budget was adopted.

Section 2. Declaration of Public Emergency. Due to circumstances described above, the City Council declares that a public emergency exists in the General Fund, Streets Maintenance Fund, Equipment Replacement Fund, Medical Services Fund and Community Development Block Grant Fund.

Section 3. Amendment of the 2024 Budget. The 2024 Budget is hereby amended to provide additional appropriations in the following funds, and from the following sources, as indicated:

BUDGET AMENDMENTS

| Fund | Fund Title | Current Appropriations | Change In Appropriations | Amended Appropriations | Source | |
|---|---|---|---|---|---|---|
| | | | | | Fund Balance | New Revenue |
| 001 | GENERAL FUND | $ 82,184,836 | $ 793,217 | $ 82,978,053 | $ 767,591 | $ 25,626 |
| 101 | STREETS MAINTENANCE FUND | $ 4,441,682 | $ 30,000 | $ 4,471,682 | $ 30,000 | |
| 151 | SPECIAL LODGING ASSESSMENT FUND | 611,250 | 200,000 | 811,250 | - | 200,000 |
| 153 | COMMUNITY DEVELOPMENT BLOCK GRANT FUND | 1,248,884 | 135,221 | 1,384,105 | 135,221 | |
| 380 | PARK PROJECT CONSTRUCTION FUND | 14,964,428 | 135,221 | 15,099,649 | | 135,221 |
| 407 | MEDICAL SERVICES FUND | 9,327,454 | 31,641 | 9,359,095 | 31,641 | |
| 503 | EQUIPMENT REPLACEMENT FUND | 11,507,096 | 408,266 | 11,915,362 | 408,266 | |
| | **TOTAL** | $ 124,285,630 | $ 1,733,566 | $ 126,019,196 | $ 1,372,719 | $ 360,847 |

Section 4. This Ordinance shall take effect the day following its publication in the official newspaper of the City of Richland.

**PASSED** by the City Council of the City of Richland, Washington, at a regular meeting on the ___ day of _____, 2024.

_____
Theresa Richardson, Mayor

Attest:

_____
Jennifer Rogers, City Clerk

Approved as to Form:

_____
Heather Kintzley, City Attorney

First Reading: _____
Second Reading: _____
Date Published: _____

# COUNCIL AGENDA ITEM COVERSHEET

Council Date: 12/3/2024 Agenda Category: Items of Business

Strategic Priority 1 - High Performance Government
Strategic Priority 2 - Financial Sustainability

Subject:
Resolution No. 2024-162, Amending Exhibit A of the Compensation Plan for Unaffiliated Employees - 2024 and Continuing

| Department/Office | Ordinance/Resolution Number: | Document Type: |
|---|---|---|
| Human Resources | 2024-162 | Resolution |

Recommended Motion:
Adopt Resolution 2024-162, amending Exhibit A of the Compensation Plan for Unaffiliated Employees - 2024 and Continuing.

Summary:
Routine adjustments to the City's compensation schedule for unaffiliated employees are necessary to keep employee pay aligned with the market. This effort is critical to recruiting and retaining top talent. These adjustments, along with other housekeeping updates such as aligning positions based on internal restructuring, eliminating obsolete job titles, and incorporating newly created positions, typically occur at the end of each calendar year.

In 2024, a consultant was engaged to review and evaluate the classification of eighty exempt-level non-union job descriptions in accordance with the Fair Labor Standards Act (FLSA). All classifications passed the duties test. Four (4) job classifications will be moved to non-exempt (eligible for overtime) status in 2025 due to no longer meeting the minimum salary threshold required for exempt-level positions in 2025.

To keep the City's compensation schedule updated, staff recommends amending the existing Compensation Plan for Unaffiliated Employees - 2024 and Continuing by replacing the existing Exhibit A with an updated Exhibit A for 2025. The update will take effect on December 16, 2024, which is the start of the 2025 payroll year. The exhibit includes a market adjustment of 2.0%, which aligns with the City's analysis of internal and external comparators as well as other current economic factors.

Adjusting the compensation schedule by 2.0% does not have the effect of increasing employee pay by 2.0%. Instead, it builds capacity for pay increases for those employees who have reached the top of the pay scale due to longevity, and aligns mid-range compensation with market rates for similar work. Individual pay increases occur separately as a part of the City's pay-for-performance program, and percentage increases are awarded on an individual basis based on performance.

Consistent with Article VI, Section 6.03 of the Richland City Charter, a public hearing was held on December 3, 2024 to take public testimony on the proposed action.

Staff recommends adoption of Resolution No. 2024-162.

Fiscal Impact: The fiscal impact of the proposed amendments to Exhibit A were included in the City's 2025 Budget.

Attachments:
1. Resolution No. 2024-162

**RESOLUTION NO. 2024-162**

**A RESOLUTION OF THE CITY OF RICHLAND, WASHINGTON, AMENDING EXHIBIT A OF THE COMPENSATION PLAN FOR UNAFFILIATED EMPLOYEES – 2024 AND CONTINUING.**

**WHEREAS**, Chapter 2.28 of the Richland Municipal Code (RMC) provides for regular review and adoption of the City of Richland Compensation Plan for Unaffiliated Employees; and

**WHEREAS**, the City previously contracted with Springsted, Inc. to complete a Classification and Compensation Study to determine the appropriate classification of positions based on an established objective evaluation process; and

**WHEREAS**, **Exhibit A,** attached hereto, reflects an updated alignment of positions based on internal restructuring, eliminates obsolete titles, incorporates new positions created since the last comprehensive update was performed, and establishes a new market competitive pay structure; and

**WHEREAS**, the City Manager recommends amending the Compensation Plan for Unaffiliated Employees – 2024 and Continuing, effective December 16, 2024 (the beginning of the 2025 payroll year), by replacing the existing Exhibit A with the attached **Exhibit A**.

**NOW, THEREFORE, BE IT RESOLVED** by the City Council of the City of Richland that **Exhibit A** attached hereto is hereby adopted effective December 16, 2024, which exhibit shall supersede the previously existing Exhibit A of the Compensation Plan for Unaffiliated Employees – 2024 and Continuing.

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

**ADOPTED** by the City Council of the City of Richland, Washington, at a regular meeting on the 3rd day of December 2024.

_____
Theresa Richardson, Mayor

Attest:

_____
Jennifer Rogers, City Clerk

Approved as to Form:

_____
Heather Kintzley, City Attorney

## 2025 Exhibit A - Article XIV, Section 14.01
## City of Richland
## Classification, Pay Grades and Salaries for Unaffiliated Employees

**(Alphabetical)**

***Effective December 16, 2024***

| Class Code | Classification Title | Pay Grade | Minimum Hourly | Midpoint Hourly | Maximum Hourly | Classification Status | EE0-4 Group Status | FLSA Status | Non-Match Def. Comp. |
|---|---|---|---|---|---|---|---|---|---|
| 7000 | Accountant | 21 | $38.76 | $46.51 | $54.26 | Classified | Professionals | Professional | 1% |
| 7004 | Accounting Specialist | 14 | $27.54 | $33.05 | $38.56 | Classified | Administrative Support | Non-Exempt | |
| 7197 | Administrative Assistant | 13 | $26.23 | $31.48 | $36.72 | Classified | Administrative Support | Non-Exempt | |
| 7198 | Administrative Assistant II | 15 | $28.92 | $34.70 | $40.49 | Classified | Administrative Support | Non-Exempt | |
| 7207 | Aquatics Head Lifeguard | Based on market assessment of current minimum wage | | | | Classified | Paraprofessional | Non-Exempt | |
| 7208 | Aquatics Lifeguard /Swim Instructor /Coach | Based on market assessment of current minimum wage | | | | Classified | Paraprofessional | Non-Exempt | |
| 7206 | Aquatics Pool Manager | Based on market assessment of current minimum wage | | | | Classified | Paraprofessional | Non-Exempt | |
| 7144 | Assistant City Manager | 34 | $73.08 | $87.69 | $102.31 | Unclassified | Officials - Administrators | Executive | 4% |
| 7011 | BCES Communications Manager | 24 | $44.86 | $53.84 | $62.81 | Unclassified | First/Mid Offs & Mgrs. | Executive | 3% |
| 7012 | BCES Communications Supervisor | 20 | $36.91 | $44.29 | $51.67 | Classified | First/Mid Offs & Mgrs. | Executive | 1% |
| 7015 | BCES Emergency Management Manager | 24 | $44.86 | $53.84 | $62.81 | Unclassified | First/Mid Offs & Mgrs. | Executive | 3% |
| 7018 | BCES Emergency Planner | 17 | $31.88 | $38.26 | $44.64 | Classified | Professionals | Non-Exempt | |
| 7014 | BCES Executive Director | 33 | $69.60 | $83.52 | $97.44 | Unclassified | Officials - Administrators | Executive | 4% |
| 7153 | BCES Geographic Information System Analyst | 21 | $38.76 | $46.51 | $54.26 | Classified | Technicians | Executive | 1% |
| 7148 | BCES Information Systems Manager | 27 | $51.94 | $62.32 | $72.71 | Unclassified | First/Mid Offs & Mgrs. | Executive | 3% |
| 7152 | BCES IT Systems Administrator | 22 | $40.69 | $48.83 | $56.97 | Classified | Professionals | Professional | 1% |
| 7240 | BCES Public Records Specialist | 14 | $27.54 | $33.05 | $38.56 | Classified | Administrative Support | Non-Exempt | |
| 7244 | BCES Records Specialist | 13 | $26.23 | $31.48 | $36.72 | Classified | Administrative Support | Non-Exempt | |
| 7024 | Building Inspector I | 17 | $31.88 | $38.26 | $44.64 | Classified | Professionals | Non-Exempt | |
| 7217 | Building Inspector II | 19 | $35.15 | $42.18 | $49.21 | Classified | Professionals | Non-Exempt | |
| 7023 | Building Official | 25 | $47.11 | $56.53 | $65.95 | Unclassified | First/Mid Offs & Mgrs. | Executive | 3% |
| 7027 | Buyer | 17 | $31.88 | $38.26 | $44.64 | Classified | Professionals | Non-Exempt | |
| 7022 | CDBG/HOME Administrator | 19 | $35.15 | $42.18 | $49.21 | Classified | Professionals | Admin. | 1% |
| 7029 | Chief Electrical Engineer | 30 | $60.12 | $72.15 | $84.17 | Unclassified | First/Mid Offs & Mgrs. | Executive | 3% |
| 7110 | Chief of Police | 34 | $73.08 | $87.69 | $102.31 | Unclassified | Officials - Administrators | Executive | 4% |
| 7030 | City Attorney | 34 | $73.08 | $87.69 | $102.31 | Unclassified | Officials - Administrators | Executive | 4% |
| 7164 | City Clerk | 22 | $40.69 | $48.83 | $56.97 | Classified | Professionals | Executive | 1% |
| 7078 | City Surveyor | 22 | $40.69 | $48.83 | $56.97 | Classified | Professionals | Executive | 1% |

## 2025 Exhibit A - Article XIV, Section 14.01
## City of Richland
## Classification, Pay Grades and Salaries for Unaffiliated Employees

**(Alphabetical)**

***Effective December 16, 2024***

| Class Code | Classification Title | Pay Grade | Minimum Hourly | Midpoint Hourly | Maximum Hourly | Classification Status | EE0-4 Group Status | FLSA Status | Non-Match Def. Comp. |
|---|---|---|---|---|---|---|---|---|---|
| 7034 | Civil Engineer I | 18 | $33.48 | $40.17 | $46.87 | Classified | Professionals | Non-Exempt | |
| 7035 | Civil Engineer II | 24 | $44.86 | $53.84 | $62.81 | Classified | Professionals | Professional | 1% |
| 7038 | Code Enforcement Officer | 17 | $31.88 | $38.26 | $44.64 | Classified | Protective Service | Non-Exempt | |
| 7117 | Communications and Marketing Manager | 24 | $44.86 | $53.84 | $62.81 | Unclassified | First/Mid Offs & Mgrs. | Executive | 3% |
| 7177 | Communications and Marketing Specialist | 17 | $31.88 | $38.26 | $44.64 | Classified | Professionals | Non-Exempt | |
| 7196 | Communications Graphic Designer | 18 | $33.48 | $40.17 | $46.87 | Classified | Professionals | Non-Exempt | |
| 7236 | Community Relations Specialist | 17 | $31.88 | $38.26 | $44.64 | Classified | Professionals | Non-Exempt | |
| 7246 | Community Resources Navigator | 17 | $31.88 | $38.26 | $44.64 | Classified | Paraprofessional | Non-Exempt | |
| 7211 | Contracts Administrator | 18 | $33.48 | $40.17 | $46.87 | Classified | Administrative Support | Non-Exempt | |
| 7175 | Crime Analyst | 18 | $33.48 | $40.17 | $46.87 | Classified | Technicians | Non-Exempt | |
| 7242 | Customer Experience Manager | 25 | $47.11 | $56.53 | $65.95 | Unclassified | First/Mid Offs & Mgrs. | Executive | 3% |
| 7248 | Customer Service Associate - Solid Waste | 13 | $26.23 | $31.48 | $36.72 | Classified | Administrative Support | Non-Exempt | |
| 7214 | Customer Service Lead | 17 | $31.88 | $38.26 | $44.64 | Classified | Administrative Support | Non-Exempt | |
| 7021 | Customer Service Representative | 14 | $27.54 | $33.05 | $38.56 | Classified | Administrative Support | Non-Exempt | |
| 7003 | Customer Service Supervisor | 20 | $36.91 | $44.29 | $51.67 | Classified | Administrative Support | Executive | 1% |
| 7222 | Deputy Chief of Police | 31 | $63.13 | $75.75 | $88.38 | Unclassified | Officials - Administrators | Executive | 3% |
| 7229 | Deputy City Manager | 35 | $76.73 | $92.08 | $107.43 | Unclassified | Officials - Administrators | Executive | 4% |
| 7219 | Deputy Fire Chief | 31 | $63.13 | $75.75 | $88.38 | Unclassified | Officials - Administrators | Executive | 3% |
| 7251 | Deputy Public Works Director | 30 | $60.12 | $72.15 | $84.17 | Unclassified | Officials - Administrators | Executive | 3% |
| 7182 | Development Services Director | 32 | $66.28 | $79.54 | $92.80 | Unclassified | Officials - Administrators | Executive | 4% |
| 7025 | Economic Development Manager | 27 | $51.94 | $62.32 | $72.71 | Unclassified | First/Mid Offs & Mgrs. | Executive | 3% |
| 7091 | Economic Development Specialist | 18 | $33.48 | $40.17 | $46.87 | Classified | Professionals | Non-Exempt | |
| 7043 | Electrical Distribution Engineer I | 21 | $38.76 | $46.51 | $54.26 | Classified | Professionals | Professional | 1% |
| 7044 | Electrical Distribution Engineer II | 26 | $49.46 | $59.35 | $69.25 | Classified | Professionals | Professional | 1% |
| 7250 | Electrical Systems Manager | 28 | $54.53 | $65.44 | $76.35 | Unclassified | First/Mid Offs & Mgrs. | Executive | 3% |
| 7052 | Energy Efficiency Coordinator | 20 | $36.91 | $44.29 | $51.67 | Classified | Professionals | Admin. | 1% |
| 7172 | Energy Services Analyst | 19 | $35.15 | $42.18 | $49.21 | Classified | Professionals | Non-Exempt | |
| 7050 | Energy Services Director | 33 | $69.60 | $83.52 | $97.44 | Unclassified | Officials - Administrators | Executive | 4% |

## 2025 Exhibit A - Article XIV, Section 14.01
## City of Richland
## Classification, Pay Grades and Salaries for Unaffiliated Employees

**(Alphabetical)**

***Effective December 16, 2024***

| Class Code | Classification Title | Pay Grade | Minimum Hourly | Midpoint Hourly | Maximum Hourly | Classification Status | EE0-4 Group Status | FLSA Status | Non-Match Def. Comp. |
|---|---|---|---|---|---|---|---|---|---|
| 7186 | Energy Services Project Manager | 21 | $38.76 | $46.51 | $54.26 | Classified | Professionals | Professional | 1% |
| 7059 | Engineering Aide | Based on market assessment of current minimum wage | | | | Classified | Technicians | Non-Exempt | |
| 7053 | Engineering Technician I | 15 | $28.92 | $34.70 | $40.49 | Classified | Technicians | Non-Exempt | |
| 7054 | Engineering Technician II | 17 | $31.88 | $38.26 | $44.64 | Classified | Technicians | Non-Exempt | |
| 7055 | Engineering Technician III | 19 | $35.15 | $42.18 | $49.21 | Classified | Technicians | Non-Exempt | |
| 7056 | Engineering Technician IV | 20 | $36.91 | $44.29 | $51.67 | Classified | Technicians | Professional | 1% |
| 7190 | ERP Analyst | 24 | $44.86 | $53.84 | $62.81 | Classified | Professionals | Professional | 1% |
| 7173 | Evidence Technician | 16 | $30.37 | $36.44 | $42.51 | Classified | Technicians | Non-Exempt | |
| 7199 | Executive Assistant | 17 | $31.88 | $38.26 | $44.64 | Classified | Administrative Support | Admin. | 1% |
| 7191 | Field Engineer | 21 | $38.76 | $46.51 | $54.26 | Classified | Professionals | Professional | 1% |
| 7064 | Finance Director | 32 | $66.28 | $79.54 | $92.80 | Unclassified | Officials - Administrators | Executive | 4% |
| 7225 | Finance Manager | 26 | $49.46 | $59.35 | $69.25 | Unclassified | First/Mid Offs & Mgrs. | Executive | 3% |
| 7218 | Fire and Emergency Services Analyst | 19 | $35.15 | $42.18 | $49.21 | Classified | Professionals | Professional | 1% |
| 7066 | Fire Chief | 34 | $73.08 | $87.69 | $102.31 | Unclassified | Officials - Administrators | Executive | 4% |
| 7194 | Fire Logistics Technician | 16 | $30.37 | $36.44 | $42.51 | Classified | Technicians | Non-Exempt | |
| 7237 | Fire Plans Examiner | 19 | $35.15 | $42.18 | $49.21 | Classified | Professionals | Non-Exempt | |
| 7230 | Fleet and Equipment Maintenance Analyst | 19 | $35.15 | $42.18 | $49.21 | Classified | Administrative Support | Professional | 1% |
| 7220 | Fleet and Equipment Maintenance Manager | 25 | $47.11 | $56.53 | $65.95 | Unclassified | First/Mid Offs & Mgrs. | Executive | 3% |
| 7245 | Geographic Information System Analyst | 21 | $38.76 | $46.51 | $54.26 | Classified | Technicians | Executive | 1% |
| 7068 | GIS/CADD Technician | 17 | $31.88 | $38.26 | $44.64 | Classified | Technicians | Non-Exempt | |
| 7232 | HOME Program Specialist | 14 | $27.54 | $33.05 | $38.56 | Classified | Administrative Support | Non-Exempt | |
| 7073 | Human Resources Director | 33 | $69.60 | $83.52 | $97.44 | Unclassified | Officials - Administrators | Executive | 4% |
| 7072 | Human Resources Generalist | 21 | $38.76 | $46.51 | $54.26 | Classified | Professionals | Professional | 1% |
| 7074 | Human Resources Specialist | 17 | $31.88 | $38.26 | $44.64 | Classified | Professionals | Non-Exempt | |
| 7155 | Human Resources Supervisor | 24 | $44.86 | $53.84 | $62.81 | Classified | Professionals | Professional | 1% |
| 7075 | Information Technology Manager | 28 | $54.53 | $65.44 | $76.35 | Unclassified | First/Mid Offs & Mgrs. | Executive | 3% |
| 7127 | IT Applications Supervisor | 26 | $49.46 | $59.35 | $69.25 | Classified | First/Mid Offs & Mgrs. | Executive | 1% |
| 7169 | IT Business Analyst | 21 | $38.76 | $46.51 | $54.26 | Classified | Professionals | Professional | 1% |

## 2025 Exhibit A - Article XIV, Section 14.01
## City of Richland
## Classification, Pay Grades and Salaries for Unaffiliated Employees

**(Alphabetical)**

***Effective December 16, 2024***

| Class Code | Classification Title | Pay Grade | Minimum Hourly | Midpoint Hourly | Maximum Hourly | Classification Status | EE0-4 Group Status | FLSA Status | Non-Match Def. Comp. |
|---|---|---|---|---|---|---|---|---|---|
| 7092 | IT Customer Service Technician I | 16 | $30.37 | $36.44 | $42.51 | Classified | Technicians | Non-Exempt | |
| 7125 | IT Customer Service Technician II | 18 | $33.48 | $40.17 | $46.87 | Classified | Technicians | Non-Exempt | |
| 7165 | IT Data and Asset Management Supervisor | 25 | $47.11 | $56.53 | $65.95 | Classified | First/Mid Offs & Mgrs. | Executive | 1% |
| 7126 | IT Developer/Integrator (Applications) | 22 | $40.69 | $48.83 | $56.97 | Classified | Professionals | Professional | 1% |
| 7249 | IT Developer/Integrator (GIS and Database) | 22 | $40.69 | $48.83 | $56.97 | Classified | Professionals | Professional | 1% |
| 7093 | IT Network Administrator | 22 | $40.69 | $48.83 | $56.97 | Classified | Professionals | Professional | 1% |
| 7233 | IT Network Engineer | 22 | $40.69 | $48.83 | $56.97 | Classified | Professionals | Professional | 1% |
| 7094 | IT Operations and Services Supervisor | 26 | $49.46 | $59.35 | $69.25 | Classified | First/Mid Offs & Mgrs. | Executive | 1% |
| 7166 | IT Systems Administrator | 22 | $40.69 | $48.83 | $56.97 | Classified | Professionals | Professional | 1% |
| 7235 | IT Systems Analyst | 21 | $38.76 | $46.51 | $54.26 | Classified | Professionals | Professional | 1% |
| 7080 | Librarian I | 17 | $31.88 | $38.26 | $44.64 | Classified | Professionals | Non-Exempt | |
| 7083 | Library Assistant | 13 | $26.23 | $31.48 | $36.72 | Classified | Administrative Support | Non-Exempt | |
| 7085 | Library Manager | 25 | $47.11 | $56.53 | $65.95 | Unclassified | First/Mid Offs & Mgrs. | Executive | 3% |
| 7086 | Library Page | 6 | $18.64 | $22.37 | $26.10 | Classified | Administrative Support | Non-Exempt | |
| 7231 | Library Specialist | 13 | $26.23 | $31.48 | $36.72 | Classified | Administrative Support | Non-Exempt | |
| 7084 | Library Supervisor | 19 | $35.15 | $42.18 | $49.21 | Classified | First/Mid Offs & Mgrs. | Executive | 1% |
| 7154 | Library Technical Support Specialist | 15 | $28.92 | $34.70 | $40.49 | Classified | Technicians | Non-Exempt | |
| 7114 | Maintenance and Operations Supervisor | 26 | $49.46 | $59.35 | $69.25 | Classified | First/Mid Offs & Mgrs. | Executive | 1% |
| 7238 | Management Analyst | 20 | $36.91 | $44.29 | $51.67 | Classified | Professionals | Professional | 1% |
| 7147 | Multimedia Assistant | 14 | $27.54 | $33.05 | $38.56 | Classified | Technicians | Non-Exempt | |
| 7028 | Multimedia Coordinator | 18 | $33.48 | $40.17 | $46.87 | Classified | Professionals | Non-Exempt | |
| 7226 | Park Ranger | 13 | $26.23 | $31.48 | $36.72 | Classified | Service - Maintenance | Non-Exempt | |
| 7100 | Parks and Public Facilities Director | 33 | $69.60 | $83.52 | $97.44 | Unclassified | Officials - Administrators | Executive | 4% |
| 7096 | Parks and Public Facilities Supervisor | 22 | $40.69 | $48.83 | $56.97 | Classified | First/Mid Offs & Mgrs. | Executive | 1% |
| 7150 | Parks and Recreation Aide | 9 | $21.58 | $25.90 | $30.21 | Classified | Administrative Support | Non-Exempt | |
| 7098 | Parks and Recreation Assistant | 13 | $26.23 | $31.48 | $36.72 | Classified | Administrative Support | Non-Exempt | |
| 7099 | Parks and Recreation Coordinator | 18 | $33.48 | $40.17 | $46.87 | Classified | Administrative Support | Non-Exempt | |
| 7102 | Payroll Specialist | 17 | $31.88 | $38.26 | $44.64 | Classified | Administrative Support | Non-Exempt | |

## 2025 Exhibit A - Article XIV, Section 14.01
## City of Richland
## Classification, Pay Grades and Salaries for Unaffiliated Employees

**(Alphabetical)**

***Effective December 16, 2024***

| Class Code | Classification Title | Pay Grade | Minimum Hourly | Midpoint Hourly | Maximum Hourly | Classification Status | EE0-4 Group Status | FLSA Status | Non-Match Def. Comp. |
|---|---|---|---|---|---|---|---|---|---|
| 7104 | Permit Technician | 15 | $28.92 | $34.70 | $40.49 | Classified | Technicians | Non-Exempt | |
| 7212 | Permit Technician II | 16 | $30.37 | $36.44 | $42.51 | Classified | Administrative Support | Non-Exempt | |
| 7234 | Permit Technician III | 18 | $33.48 | $40.17 | $46.87 | Classified | Administrative Support | Non-Exempt | |
| 7105 | Planner | 19 | $35.15 | $42.18 | $49.21 | Classified | Professionals | Non-Exempt | |
| 7042 | Planning Manager | 25 | $47.11 | $56.53 | $65.95 | Unclassified | First/Mid Offs & Mgrs. | Executive | 3% |
| 7106 | Plans Examiner | 19 | $35.15 | $42.18 | $49.21 | Classified | Professionals | Non-Exempt | |
| 7241 | Police Professional Staff Manager | 26 | $49.46 | $59.35 | $69.25 | Unclassified | First/Mid Offs & Mgrs. | Executive | 3% |
| 7243 | Police Professional Staff Supervisor | 20 | $36.91 | $44.29 | $51.67 | Classified | First/Mid Offs & Mgrs. | Executive | 1% |
| 7228 | Police Public Records Specialist | 16 | $30.37 | $36.44 | $42.51 | Classified | Administrative Support | Non-Exempt | |
| 7227 | Police Public Records Supervisor | 19 | $35.15 | $42.18 | $49.21 | Classified | First/Mid Offs & Mgrs. | Executive | 1% |
| 7201 | Police Quartermaster | 16 | $30.37 | $36.44 | $42.51 | Classified | Administrative Support | Non-Exempt | |
| 7202 | Police Records Specialist | 13 | $26.23 | $31.48 | $36.72 | Classified | Administrative Support | Non-Exempt | |
| 7109 | Police Records Supervisor | 19 | $35.15 | $42.18 | $49.21 | Classified | First/Mid Offs & Mgrs. | Executive | 1% |
| 7221 | Power Operations Manager | 28 | $54.53 | $65.44 | $76.35 | Unclassified | First/Mid Offs & Mgrs. | Executive | 3% |
| 7188 | Professional Land Surveyor | 19 | $35.15 | $42.18 | $49.21 | Classified | Professionals | Non-Exempt | |
| 7253 | Public Records Analyst | 17 | $31.88 | $38.26 | $44.64 | Classified | Administrative Support | Non-Exempt | |
| 7223 | Public Records Officer | 19 | $35.15 | $42.18 | $49.21 | Classified | Professionals | Professional | 1% |
| 7120 | Public Works Budget and Contracts Analyst | 20 | $36.91 | $44.29 | $51.67 | Classified | Professionals | Professional | 1% |
| 7036 | Public Works Capital Projects Manager | 27 | $51.94 | $62.32 | $72.71 | Unclassified | First/Mid Offs & Mgrs. | Executive | 3% |
| 7118 | Public Works Director | 34 | $73.08 | $87.69 | $102.31 | Unclassified | Officials - Administrators | Executive | 4% |
| 7195 | Purchasing Agent | 20 | $36.91 | $44.29 | $51.67 | Classified | Professionals | Professional | 1% |
| 7121 | Purchasing Manager | 25 | $47.11 | $56.53 | $65.95 | Unclassified | First/Mid Offs & Mgrs. | Executive | 3% |
| 7204 | Recreation Attendant I | Based on market assessment of current minimum wage | | | | Classified | Administrative Support | Non-Exempt | |
| 7213 | Recreation Attendant II | Based on market assessment of current minimum wage | | | | Classified | Administrative Support | Non-Exempt | |
| 7122 | Recreation Manager | 22 | $40.69 | $48.83 | $56.97 | Unclassified | First/Mid Offs & Mgrs. | Executive | 3% |
| 7123 | Risk and Safety Program Administrator | 21 | $38.76 | $46.51 | $54.26 | Classified | Professionals | Professional | 1% |
| 7247 | Scale House Clerk | 9 | $21.58 | $25.90 | $30.21 | Classified | Administrative Support | Non-Exempt | |
| 7124 | Senior Planner | 22 | $40.69 | $48.83 | $56.97 | Classified | Professionals | Professional | 1% |

## 2025 Exhibit A - Article XIV, Section 14.01
## City of Richland
## Classification, Pay Grades and Salaries for Unaffiliated Employees

**(Alphabetical)**

***Effective December 16, 2024***

| Class Code | Classification Title | Pay Grade | Minimum Hourly | Midpoint Hourly | Maximum Hourly | Classification Status | EE0-4 Group Status | FLSA Status | Non-Match Def. Comp. |
|---|---|---|---|---|---|---|---|---|---|
| 7151 | Solid Waste Manager | 25 | $47.11 | $56.53 | $65.95 | Unclassified | First/Mid Offs & Mgrs. | Executive | 3% |
| 7128 | Solid Waste Supervisor | 21 | $38.76 | $46.51 | $54.26 | Classified | First/Mid Offs & Mgrs. | Executive | 1% |
| 7132 | Streets Supervisor | 21 | $38.76 | $46.51 | $54.26 | Classified | First/Mid Offs & Mgrs. | Executive | 1% |
| 7077 | Survey Technician | 16 | $30.37 | $36.44 | $42.51 | Classified | Professionals | Non-Exempt | |
| 7134 | Traffic Engineer | 24 | $44.86 | $53.84 | $62.81 | Classified | Professionals | Professional | 1% |
| 7176 | Transportation and Development Manager | 27 | $51.94 | $62.32 | $72.71 | Unclassified | First/Mid Offs & Mgrs. | Executive | 3% |
| 7137 | Wastewater/Stormwater Maintenance Supervisor | 22 | $40.69 | $48.83 | $56.97 | Classified | First/Mid Offs & Mgrs. | Executive | 1% |
| 7138 | Wastewater/Stormwater Manager | 25 | $47.11 | $56.53 | $65.95 | Unclassified | First/Mid Offs & Mgrs. | Executive | 3% |
| 7141 | Water Manager | 25 | $47.11 | $56.53 | $65.95 | Unclassified | First/Mid Offs & Mgrs. | Executive | 3% |
| 7139 | Water Operations Supervisor | 22 | $40.69 | $48.83 | $56.97 | Classified | First/Mid Offs & Mgrs. | Executive | 1% |

# COUNCIL AGENDA ITEM COVERSHEET

Council Date: 12/3/2024 Agenda Category: Items of Business

Strategic Priority 1 - High Performance Government
Strategic Priority 2 - Financial Sustainability

Subject:
Resolution No. 2024-164, Authorizing a Financing Agreement with the Cities of Pasco and Kennewick and the Counties of Benton and Franklin for Capital Financing on behalf of Benton County Emergency Services

| Department/Office | Ordinance/Resolution Number: | Document Type: |
|---|---|---|
| Benton County Emergency Services | 2024-164 | Resolution |

Recommended Motion:
Adopt Resolution 2024-164, authorizing a Capital Financing Agreement with the cities of Pasco and Kennewick and the counties of Benton and Franklin to fund the 800MHz Radio Project in support of Benton County Emergency Services.

Summary:
Benton County Emergency Services (BCES) is currently engaged in a project to replace failing public safety radio infrastructure across both Benton and Franklin counties. Included in this project is both infrastructure and mobile subscriber radios that collectively allow public safety personnel to communicate effectively across the bi-county area. The law enforcement agencies in the area predominantly utilize the 800MHz radio platform and solely use Motorola radios and equipment. Historically, the region's fire departments and districts have utilized a VHF radio platform which has been failing frequently and has reached the end of its useful life.

On behalf of BCES, Richland contracted with Federal Engineering to conduct a study to provide the best recommendation for replacing the failing VHF system. After significant study and interaction with the first responder stakeholder groups, the recommendation is for regional fire personnel to transition to the 800MHz system. To facilitate this, additional tower sites must be constructed to expand and reinforce system capabilities and interoperability.

The total cost of the project is expected to be approximately $30 million dollars, which will be split equally (one-fifth) between the cities of Richland, Pasco, and Kennewick and the counties of Benton and Franklin. As BCES's Administrative Jurisdiction, the City of Richland enters into agreements and contracts on behalf of BCES since BCES is not a separate legal entity and has no legal capacity to contract. The proposed Capital Financing Agreement requires each of the five listed agencies to commit to its respective one-fifth portion of the project cost. In addition, the project will be captured in a future updated interlocal agreement governing Benton County Emergency Services, which Council will consider at a later date.

Staff recommends adoption of Resolution No. 2024-164.

| | |
|---|---|
| Fiscal Impact: | Funding for this $30 million 800MHz Radio Project will be the shared responsibility of Richland, Pasco, Kennewick, Benton County and Franklin County. Each jurisdiction agrees to its one-fifth share to be paid consistent with the Motorola Finance Agreement and the future 4th Amended and Restated BCES Interlocal. The Motorola Finance Agreement will be brought to Richland City Council for approval only after all 5 agencies execute the Capital Financing Agreement. Substantial savings ($7-10 million dollars) will result if the Motorola Finance Agreement is executed prior to the end of 2024. |

Attachments:
1. Resolution No. 2024-164
2. Draft BCES Financing Agreement

**RESOLUTION NO. 2024-164**

**A RESOLUTION OF THE CITY OF RICHLAND, WASHINGTON, AUTHORIZING A FINANCING AGREEMENT WITH THE CITIES OF PASCO AND KENNEWICK AND THE COUNTIES OF BENTON AND FRANKLIN FOR CAPITAL FINANCING ON BEHALF OF BENTON COUNTY EMERGENCY SERVICES.**

**WHEREAS**, Benton County Emergency Services (BCES) is a local organizational created in 1996 pursuant to the Interlocal Cooperation Act (Ch. 39.34 RCW) and RCW 38.52.070 related to Emergency Management; and

**WHEREAS**, the current members of BCES have agreed that the City of Richland, as the Administrative Jurisdiction, shall continue to serve as the legal entity responsible for employing staff and providing necessary support services for BCES operations; and

**WHEREAS**, through establishment of the Southeast Communications Center ("SECOMM"), BCES provides communication and dispatching for public safety and emergencies for jurisdictions located in incorporated and unincorporated Benton and Franklin Counties, and for any agencies subscribing to BCES for such services; and

**WHEREAS**, regional public safety communications equipment is in dire need of replacement and upgrade; and

**WHEREAS**, the acquisition and ownership allocation of public safety radio equipment, specifically the 800Mhz Radio Project, is of regional concern, and the terms and conditions of the replacement system's acquisition and ownership will be addressed in the proposed Fourth Amended and Restated Interlocal Agreement for Benton County Emergency Services; and

**WHEREAS**, the cities of Richland, Pasco, and Kennewick, and the counties of Benton and Franklin will share the cost of the 800MHz Radio Project, with each jurisdiction responsible for one-fifth of the total cost; and

**WHEREAS**, the City of Richland, as the Administrative Jurisdiction for BCES, is responsible for entering into the Finance Agreement with Motorola on behalf of BCES for the total cost of the project; and

**WHEREAS**, the Capital Financing Agreement guarantees that each Financing Participant is responsible for its one-fifth portion of the total cost associated with the 800MHz Radio Project over the course of a 10-year period consistent with the terms of the Motorola Finance Agreement; and

**WHEREAS**, the Motorola Financing Agreement will be considered for approval by Richland City Council on behalf of BCES only if all five (5) jurisdictions named in the Capital Financing Agreement and the BCES Executive Board approves the 800MHz Radio Project to move forward.

**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 Capital Financing Agreement with the cities of Pasco and Kennewick and the counties of Benton and Franklin regarding financing of the 800MHz Project on behalf of Benton County Emergency Services.

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

**ADOPTED** by the City Council of the City of Richland, Washington, at a regular meeting on the 3rd day of December, 2024.

_____
Theresa Richardson, Mayor

Attest:

_____
Jennifer Rogers, City Clerk

Approved as to Form:

_____
Heather Kintzley, City Attorney

**FINANCING AGREEMENT**
**REGARDING CAPITAL FINANCING BY THE**
**CITY OF RICHLAND**
**ON BEHALF OF BENTON COUNTY EMERGENCY SERVICES (BCES)**
**For the 800 MHz Radio Project**
**Motorola Project Nos. WA-23P072 (infrastructure) and WA-24P073M (subscriber units)**

This Financing Agreement (the "Financing Agreement") is dated for reference purposes as of this _____ day of _____, 2024, and is entered into among the Capital Financing Member identified below, and each of the Financing Participants identified below, for the purpose of financing the 800MHz Radio Project (the "Project").

Pursuant to Revised Code of Washington (RCW) 38.52.070 and the Interlocal Agreement, the BCES Members have established a local organization for emergency management in accordance with the State Emergency Management Plan and Program. This Financing Agreement is entered into as a condition precedent to execution of the Fourth Amended and Restated Interlocal Agreement for Benton County Emergency Services (the "BCES Interlocal Agreement") by and among the following parties: Benton County, a political subdivision of the State of Washington; Franklin County, a political subdivision of the State of Washington; City of Kennewick, a Washington municipal corporation; City of Richland, a Washington municipal corporation; City of West Richland, a Washington municipal corporation; City of Prosser, a Washington municipal corporation; City of Benton City, a Washington municipal corporation; City of Pasco, a Washington municipal corporation; and Benton County Fire Protection District Nos. 1, 2, and 4, all of which are Washington special purpose districts (collectively, the "BCES Members").

For purposes of this Financing Agreement, the City of Richland is the "Capital Financing Member" and City of Kennewick, City of Pasco, Benton County, and Franklin County are referred to collectively as the "Financing Participants" and individually as "Financing Participant." No other members of BCES are participating in this Financing Agreement.

**Section 1. Definitions.**

Capitalized terms used in this Financing Agreement shall have the meanings given such terms in the recitals hereof and as follows:

"**Executive Board**" means the governing board of BCES created pursuant to the BCES Interlocal Agreement.

"**Bonds**" mean bonds, notes or other evidences of borrowing issued by a Capital Financing Member to finance and/or refinance capital assets on behalf of BCES and its Members.

"**Budget**" means the budget prepared by the BCES Director in consultation with the Administrative Jurisdiction, and submitted to the Executive Board for its approval in accordance with Section 4.F of the BCES Interlocal Agreement, which budget shall set forth (a) an estimate of the costs of capital improvements or acquisitions required to be made to BCES Capital Facilities and Assets within the applicable year, (b) on a line item basis, all anticipated revenues and

Draft

expenses for the operation and maintenance of existing BCES Capital Facilities and Assets for the applicable year, and (c) any information required by policies adopted by the Executive Board.

"**Capital Contribution**" means, for each Financing Participant, that Financing Participant's Capital Contribution Percentage multiplied by the Capital Project Cost, plus interest and administrative fees calculated in accordance with Section 2.1 of this Financing Agreement.

"**Capital Contribution Percentage**" means the percentage of the Capital Project Cost allocated to the Capital Financing Member and each Financing Participant, as follows:

| Participant | Contribution Percentage | Role |
|---|---|---|
| City of Richland | 20% | Capital Financing Member |
| City of Kennewick | 20% | Financing Participant |
| City of Pasco | 20% | Financing Participant |
| Benton County | 20% | Financing Participant |
| Franklin County | 20% | Financing Participant |
| Total | 100.00% | |

"**Capital Project Cost**" means the principal cost of the Project (not including interest) plus all costs of issuance, administrative expense, and similar costs incident to obtaining such financing, as described in Section 2.1 of this Financing Agreement.

"**Code**" means the Internal Revenue Code of 1986, as amended.

"**Costs of Maintenance and Operation**" means all reasonable expenses incurred by BCES in causing the Project to be operated and maintained in good repair, working order and condition over the financing period.

"**Designated Representative**" means the Mayor, City Manager, or other Executive or Finance Officer, as selected by each Financing Participant to act as its authorized representative for purposes of this Financing Agreement, or the designee of such person.

"**Effective Date**" has the meaning set forth in Section 4.7 of this Financing Agreement.

"**BCES Director**" means the director selected by the Administrative Jurisdiction and confirmed by the Executive Board pursuant to Section 3.A.2 of the BCES Interlocal Agreement.

"**Project**" means the expansion and upgrade of the existing Benton County ASTRO 25 800MHz trunking radio system by adding up to eleven (11) additional radio sites across Benton and Franklin counties to provide the required coverage, functionality and interoperability needed for effective public safety response. The Project includes the purchase and commissioning of necessary subscriber radios (mobiles and portables) for all users transitioning from the VHF system to the expanded 800MHz system.

## Section 2. Financing of the Project

**2.1. Responsibilities of Capital Financing Member.** The Capital Financing Member

Draft

agrees to obtain or provide financing for the Project, in the manner determined by it, in its sole discretion, as providing the most efficient method to finance the Project.

(a) **Capital Project Cost**. The Capital Project Cost shall be determined based on the actual Project cost, including all costs of issuance, administrative costs, reserves, or other expenses associated with such obtaining the financing.

(b) **Interest Determination and Calculation of Capital Contributions**. Each Financing Participant's Capital Contribution shall include its allocable share of the Capital Project Cost plus interest as identified in the agreement with Motorola for Project Nos. WA-23P072 (infrastructure) and WA-24P073M (subscriber units). The Capital Financing Member agrees not to charge the Financing Participants a separate administrative fee related solely to its role as Capital Financing Member. If the Capital Financing Member utilizes internal funds to provide such financing, the interest rate shall be equal to the rate earned on the Local Government Investment Pool (or other similar investment strategy utilized by the Capital Financing Member for the investment of idle funds). If the Capital Financing Member chooses, in its sole discretion, to finance the Project through the issuance of Bonds or another form of borrowing, the interest rate shall be equal to the interest rate owed on the borrowing.

### 2.2. Responsibilities of Financing Participants

(a) **Capital Contributions**. Each Financing Participant shall be obligated to pay an amount equal to its Capital Contribution without regard to the payment or lack thereof by any other Financing Participant. No Financing Participant shall be obligated to pay the Capital Contribution of any other Financing Participant, and each Financing Participant shall be obligated to budget for and pay its Capital Contribution. The obligation of each Financing Participant to pay its Capital Contribution shall be an irrevocable full faith and credit obligation of such Financing Participant, payable from property taxes levied within the constitutional and statutory authority provided without a vote of the electors of the Financing Participant on all of the taxable property within the Financing Participant and other sources of revenues available therefor. Each Financing Participant has or will set aside and include in its calculation of outstanding non-voted general obligation indebtedness an amount equal to the principal component of its outstanding Capital Contribution. Each Financing Participant's obligation to pay the Capital Contribution shall not be contingent on the receipt of any revenues from other sources.

Any Financing Participant may prepay its Capital Contribution. Any such prepayment of one or more Financing Participants shall not affect the Capital Contribution Percentages of the remaining Financing Participants. Any Financing Participant that elects to prepay its Capital Contribution shall be responsible for paying all costs associated with such prepayment, if any.

### 2.3. Reserved.

**2.4. Billing of Financing Participants.** Each Financing Participant shall be billed for its Capital Contribution, plus interest, based on the established repayment schedule in the contract(s) executed between Capital Financing Member and Motorola for Project Nos. WA-23P072 (infrastructure) and WA-24P073M (subscriber units), or more frequently as determined by the Executive Board, calculated as provided above, and due within 30 days of the receipt.

Draft

**2.5. Tax Exempt Financing.**

If the Capital Financing Member, in its sole discretion, determines to issue tax-exempt or tax-advantaged bonds, notes, or other obligations, to obtain financing or refinancing for the Project, the Financing Participants acknowledge that the Project will be subject to restrictions on private business use under Section 141 of the Internal Revenue Code of 1986, as amended, and applicable IRS thereunder. Each of the Financing Participants agrees that it will not provide to nongovernmental persons special legal entitlements to use the Project under contractual arrangements providing preferential or exclusive right to use all or part of the Project without the written consent of the Capital Financing Member.

A "nongovernmental person" means any person other than a State or local government unit, including the United States of America and any federal department or agency, an Indian tribal government not carrying out essential governmental functions, any nonprofit corporation (including any 501(c)(3) organization), any other private entity, such as a business corporation, partnership, limited liability company or association, and a natural person engaged in a trade or business activity. Another state or local government unit is *not* a nongovernmental person.

Under current IRS regulations, some use arrangements with nongovernmental persons result in "private business use" and others do not. For example, private business use would result from: a lease with a term longer than two hundred (200) days (including renewal options); a management or service contract, such as a concession contract, that does *not* meet the "safe harbor" conditions of IRS Revenue Procedure 2017-13; or a "naming rights" contract with a corporate sponsor whose value (measured by the present value of the corporate sponsor's payments to the issuer under the contract) exceeds ten percent (10%) of the cost of the bond-financed property. Other use arrangements with nongovernmental persons would not result in private business use, such as: an arrangement that is not available to the general public at generally applicable and uniformly applied rates but whose term of use is not longer than one hundred (100) days (including renewal options); a specially negotiated, arm's-length contract whose term of use is not longer than fifty (50) days and requires fair market value payment for use, such as contracts with special event sponsors; or a management or service contract that meets the "safe harbor" conditions of IRS Revenue Procedure 2017-13. All private business uses of bond-financed property must be aggregated to determine the total amount of private business use that must be taken into account under the federal tax law restriction that no more than ten percent (10%) of the proceeds of a tax-exempt bond issue (including the Project being refinanced with the issue) may be used for any "related" private business use, which restriction is reduced to five percent (5%) for any "unrelated" private business use.

If the Financing Participants would like to obtain the Capital Financing Member's consent to "private business use" of the Project, they must inform the Capital Financing Member in writing (addressed by mail and email to the Mayor and Finance Director of the Capital Financing Member) as to the proposed "private business use." The Capital Financing Member shall consult with its bond counsel as to whether such "private business use" will impact the tax-exempt status of any bonds issued to finance or refinance the Project. The Capital Financing Member shall provide written notice to the Financing Participants of the Capital Financing Member's bond counsel's conclusion within thirty (30) days of receiving the request. If the Capital Financing Member's bond counsel concludes that the "private business use" will adversely impact the tax-exempt status

Draft

of such financing or refinancing, the Financing Participants shall not allow such "private business use."

**Section 3. Ownership of the Project**

**3.1 Ownership Interests**. The 800MHz Radio System identified in this Financial Agreement shall be owned in equal shares of one-fifth (20%) by the following member agencies: Benton County, Franklin County, and the cities of Kennewick, Richland, and Pasco. Ownership is governed by the Interlocal Agreement. No non-participating members have an ownership interest.

**Section 4. Miscellaneous.**

**4.1. Interlocal Agreement.** The Capital Financing Member and the Financing Participants agree:

(a) This Financing Agreement is intended to supplement the BCES Interlocal Agreement only. It does not create any separate administrative entity within the meaning of RCW 39.34.030(3)(b) or a "joint board" within the meaning of RCW 39.34.030(4)(a).

(b) The Designated Representative of each Financing Participant is appointed as the "administrator" within the meaning of RCW 39.34.030(4)(a) responsible for administering the Financing Participant's rights and duties set forth in this Financing Agreement; and

(c) The parties will file or post this Financing Agreement as required by RCW 39.34.040.

**4.2. Governing Law.** This Financing Agreement shall be governed by and construed in accordance with the laws of the State of Washington. If any dispute arises between the Financing Participants under any of the provisions of this Financing Agreement, resolution of that dispute shall be available only through the jurisdiction, venue and rules of the Benton County Superior Court, Benton County, Washington.

**4.3. No Waiver of Breach.** The failure of any party hereto to insist upon strict performance of any provision of this Financing Agreement or to exercise any right based upon a breach thereof or the acceptance of any performance during such breach shall not constitute a waiver of any right hereunder.

**4.4. Compliance with all Laws.** The Capital Financing Member and the Financing Participants shall comply with all federal, state and local laws, rules, regulations, resolutions and ordinances applicable to the performance of this Financing Agreement.

**4.5. Continuation of Performance.** In the event that any dispute or conflict arises among the parties hereto while this Financing Agreement is in effect, the parties hereto agree that, notwithstanding such dispute or conflict, they shall continue to make a good faith effort to cooperate and continue work toward successful completion of assigned duties and responsibilities.

Draft

**4.6. Severability.** If any part, paragraph, section or provision of this Financing Agreement is adjudged to be invalid by any court of competent jurisdiction such adjudication shall not affect the validity of any remaining section, part or provision of this Financing Agreement.

**4.7. Effective Date; Supplemental Nature.** This Financing Agreement shall become effective on the date of the last signing party, (the "Effective Date") and shall be deemed a supplement to the BCES Interlocal Agreement.

**Section 5. Execution and Amendment.**

**5.1. Form of Execution.** This Financing Agreement shall be executed on behalf of each party hereto by its Designated Representative, or other authorized officer, and pursuant to an appropriate motion, resolution or ordinance of such party.

**5.2 Amendments.** This Financing Agreement may not be effectively amended, changed, modified or altered, except by an instrument in writing duly executed by the Designated Representative, or other authorized officer, of each party hereto and pursuant to an appropriate motion, resolution or ordinance of such party. Notwithstanding the foregoing, so long as any Bonds issued for the Project by the Capital Financing Member are outstanding, any such amendment shall not be permitted if, in the opinion of the Capital Financing Member and its counsel, it materially adversely affects the owners of the Bonds or affects the tax-exempt status of the interest paid on the Bonds.

**5.3 Execution in Counterparts.** This Financing Agreement may be executed in any number of counterparts, each of which shall be an original, but those counterparts will constitute one and the same instrument.

IN WITNESS WHEREOF, the parties hereto have executed this Financing Agreement as of the day and year first written above.

*[Signature pages to follow]*

Draft

CITY OF RICHLAND, WASHINGTON
as CAPITAL FINANCING MEMBER

By _____
Jon Amundson, ICMA-CM, City Manager

Attest:

_____
Jennifer Rogers, City Clerk

Approved as to form:

_____
Heather Kintzley, City Attorney

CITY OF KENNEWICK, WASHINGTON
as FINANCING PARTICIPANT

By _____
Erin Erdman, City Manager

Attest:

_____
Krystal Townsend, City Clerk

Approved as to form:

_____
Laurencio Sanguino, City Attorney

[*Signatures continue below*]

Draft

CITY OF PASCO, WASHINGTON as FINANCING PARTICIPANT

By _____
Adam Lincoln, City Manager

Attest:

_____
Debby Barham, City Clerk

Approved as to form:

_____
Eric Ferguson, City Attorney

COUNTY OF BENTON, WASHINGTON as FINANCING PARTICIPANT

By _____
Jerome Delvin, Chair Date
Benton County Commission

Attest:

By _____
Michael Alvarez, Pro Tem Date
Benton County Commission

_____
Clerk of the Board

By _____
William McKay, Member Date

Approved as to form:

_____
Jeff Aultman, Chief Deputy Prosecuting Attorney, Civil

[*Signatures continue below*]

Draft

COUNTY OF FRANKIN, WASHINGTON
as FINANCING PARTICIPANT

By _____
Rocky Mullen, Chair Date
Franklin County Commission

Attest:

By _____
Clint Didier, Pro Tem Date
Franklin County Commission

_____
Clerk of the Board

By _____
Steve Bauman, Member Date
Franklin County Commission

Approved as to form:

_____
Jeff Briggs, Franklin County Chief
Civil Deputy Prosecutor

Draft