



## **Agenda**

### **RICHLAND PLANNING COMMISSION MEETING NO. 7-2012**

Richland City Hall - 505 Swift Boulevard - Council Chamber

**WEDNESDAY, August 22, 2012**

**7:00 p.m.**

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**COMMISSION MEMBERS:** Marianne Boring, Chair; James Utz, Vice-Chair; Debbie Berkowitz; Clifford Clark; Stanley Jones; Carol Moser; Kent Madsen, Amanda Wallner and James Wise

**LIAISONS:** Rick Simon, Planning and Development Services Manager  
Jeff Rolph, Senior Planner  
Phil Lemley, City Council

**Regular Meeting, 7:00 p.m.**

**Welcome and Roll Call**

**Approval of the Agenda**

**Approval of July 25, 2012 Meeting Minutes**

**Public Hearing Explanation**

#### **Unfinished Business – Closed Record**

##### **1. TMT HOMES, LLC (Z2012-101)**

**Request:** ADOPTION OF FINDINGS OF FACT IN SUPPORT OF PREVIOUS COMMISSION DECISION TO APPROVE A PROPOSED ZONE CHANGE FROM SINGLE FAMILY RESIDENTIAL 10,000 (R1-10) AND SINGLE FAMILY RESIDENTIAL 12,000 (R1-12) TO PLANNED UNIT DEVELOPMENT (PUD) AND APPROVAL OF A PRELIMINARY PUD PLAN TO ALLOW FOR THE DEVELOPMENT OF A 44-UNIT CONDOMINIUM COMPLEX (MEADOW HILLS III PUD).

**Location:** ALONG MEADOW HILLS DRIVE, ADJACENT TO AND WEST OF THE PLAT OF MEADOW HILLS PHASE TWO AND EAST OF THE PLATS OF CRESTED HILLS NO. 3 AND CRESTED HILLS NO. 10.

#### **New Business – Public Hearings**

##### **1. INNOVATION CENTER, LLC (SUP2012-101)\***

**Request:** APPROVAL OF A SPECIAL USE PERMIT TO ALLOW FOR CONSTRUCTION OF TWO APARTMENT COMPLEXES IN THE BUSINESS RESEARCH PARK (B-RP) ZONING DISTRICT

**Location:** NORTH OF UNIVERSITY DRIVE, SOUTH OF 3<sup>RD</sup> STREET, GENERALLY WEST OF GEORGE WASHINGTON WAY AND EAST OF STEVENS DRIVE.

**\*Quasi-Judicial Hearing Item**



Planning Commission Workshop Meeting, Wednesday, September 12, 2012

Planning Commission Regular Meeting – Wednesday, September 26, 2012

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**2. KENNEWICK SCHOOL DISTRICT (Z2012-103)**

**Request: AMENDMENT TO THE COMPREHENSIVE PLAN TO CHANGE THE LAND USE DESIGNATION ON 4.8 ACRES FROM PUBLIC FACILITY TO LOW DENSITY RESIDENTIAL**

**Location: NORTH OF REATA ROAD, EAST OF MATA ROAD AND SOUTH OF THE LAPIERRE BASEBALL FIELD.**

**3. CITY OF RICHLAND (Z2012-104)**

**Request: AMENDMENT TO THE COMPREHENSIVE PLAN TO UPDATE THE HOUSING ELEMENT OF THE PLAN**

**Location: CITYWIDE**

**Communications**

**Commission/Staff/Liaison Comments**

**Adjournment**

Planning Commission Workshop Meeting, Wednesday, September 12, 2012

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## MINUTES

### **RICHLAND PLANNING COMMISSION MEETING No. 06-2012**

Richland City Hall – 550 Swift Boulevard – Council Chamber

**WEDNESDAY, July 25, 2012**

**7:00 p.m.**

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#### **Call to Order:**

Chairman Boring called the meeting to order at 7:00 p.m.

#### **Attendance:**

Present: Chairman Boring, Commission Members Berkowitz, Clark, Jones, Madsen, Moser, Utz and Wise. Also present were City Council Liaison Phil Lemley, Planning Manager Rick Simon, Senior Planner Jeff Rolph and Recorder Pam Bykonen.

#### **Approval of Agenda:**

Chairman Boring presented the July 25, 2012 meeting agenda for approval.

**A motion was made by Commissioner Moser and seconded by Commissioner Berkowitz to approve the agenda as presented.**

**The motion carried, 8-0.**

#### **Approval of Minutes**

Chairman Boring presented the meeting minutes of the June 27, 2012 regular meeting for approval.

**A motion was made by Commissioner Clark and seconded by Commissioner Madsen to approve the meeting minutes of the June 27, 2012 regular meeting as presented.**

**The motion carried, 8-0.**

#### **PUBLIC HEARING**

**Public Hearing Explanation:** Pam Bykonen explained the public hearing notice and appeal process and asked Commissioners to identify any conflicts of interest, ex-parte contact or any other appearance of fairness issues. **Vice-Chairman Utz** asked to recuse himself on Agenda Item 1 on an appearance of fairness issue.

#### **New Business:**

##### **1. TMT Homes (Z2012-101)**

The first item before the Commission was an approval for a zone change from R1-10 (single-family residential 10,000) and R1-12 (single-family residential 12,000) to a Planned Unit Development (PUD), and approval of a preliminary PUD plan to allow for the development of a 44-unit condominium complex. The proposed development would be located along Meadow Hills Drive near the plats of Crested Hills (Phases 3 and 10) and Meadow Hills (Phase 2). **Jeff Rolph, Senior Planner** presented the staff report on the proposed development. He reviewed the zoning history of the property which was annexed to the City of Richland in 1991 with a preliminary plat for single-family residential lots approved by Benton County prior to the annexation. In 2010, the applicant had requested a rezone from R1-10 to a PUD to accommodate a 60-unit condominium development on 12+ acres. The proposal had been rejected by the Planning Commission and the applicant withdrew the application before it was forwarded to City Council. The current proposal consists of four seven-story buildings with 11 units in each building on a 10.24-acre site.

Based on the Findings and Conclusion, staff recommended denial of the rezone from R1-10 and R1-12 to PUD and the proposed construction of a 44-unit condominium development due to the density of the project, the steep slopes located on the subject property and the size and mass of the proposed structures. The Technical Advisory Committee (TAC) had provided recommendations for a scaled-back project if the Planning Commission felt the PUD was appropriate for the location.

**Chairman Boring** opened the Public Hearing at 7:19 PM and invited the applicant to make a presentation.

**Elizabeth Tellessen, Winston & Cashatt** [attorney for the applicant], (601 W Riverside Avenue, Spokane, WA): "We are pleased to be here today to ask you to vote for recommending approval of this new application for the clustered townhomes in this third phase of Meadow Hills.

First, I wanted to, very briefly, take a couple of issues off the table that I don't think really warrant consideration here today. First and foremost, this is a new application. There are a number of materials in the record that relate to the prior application and TMT Homes has worked very hard to address the concerns that were raised at that time and have submitted this application for the purpose of having it approved because it is consistent with the PUD requirements found in the Richland code, and it's consistent with Richland's Comprehensive Plan. It is compatible with neighboring uses and in no way constitutes an illegal spot-zone. You may hear about those things later on, and if they come up, I'm happy to discuss them more with you, but at this point what I really want to focus on is this application and this project because I think it's suitable, not only for the area, but for the City of Richland and its planning going forward, and its dedication is identified in the Comp Plan of having a variety of densities, a variety of living options for its citizens of all ages, of all economic means.

The neighboring homeowners first will complain that this comes, maybe, as a surprise to them. I'd like to remind you today, and you have in the packet I submitted earlier, the complete CCRs for Meadow Hills Phases 2 and 3, which states at minimum five times that the developer – the declarant – reserves the right in its sole discretion to build multi-family units in this area. Those became notice to the world, and particularly to those people who took an interest in the property in 2002. It's ten years later. TMT Homes has worked very hard to put forward a plan and an application that's suitable for this area and for this neighboring uses.

The density seems to be the primary focus, and I'll remind you that at [RMC] 23.50.060 the density is based on gross density, the acreage of the parcel and the total number of living units. Considering that, the density this particular parcel is 4.7. The density that's allowed in the low-density residential area is anywhere from zero to five units per acre. The Comprehensive Plan urges its citizens and its Council to achieve an average 3.5 density in low-density residential. Now, as you all know, an average takes more than one analysis; statistically, at least three. When you take the neighboring projects, Crested Hills and Meadow Hills, and average those developments with their detached dwellings with this, you end up with an average density of less than three units per acre. Particularly with just Meadow Hills by itself, considering its three phases, you're down to about 2.0 units per acre.

Now, the purpose of a PUD is to allow some flexibility in design to accommodate the resources in this instance, particularly open space water conservation. A prior question was raised, 'Well, why not build just single-families? Why not build detached buildings?' Because it will take up that whole ten acres. It will require irrigation of about 35 individual lots. The plan for this is xeriscaping. Minimum irrigation requirements, minimum landscaping requirements. The construction, as you saw, and Mr. Thornhill will be presenting later, sinks into the hillside leaving at minimum, just the very minimum, five acres of open space with the intent that trails will come down. The Ridges to Rivers open space network has a trail established, I believe, further up the hill and TMT Homes' intent is to allow that to connect into the trails that could be built on this property. An open space is a public benefit; it's recognized all over the Comprehensive Plan, it's recognized across the state. In clustering developments together so that open space remains so that people have a place to recreate, viewscapes are protected, and other natural resources aren't encumbered by the built environment.

Particularly in regard to the PUD requirements and purposes: As I've mentioned, this is a flexible tool that you guys have in your toolbox to allow a developer, allow the land use to change with the needs of the people. To recognize the priorities of having open space and not having 35 individual landscaped yards that are going to deplete resources, they're going to take up the viewcape much like the neighboring developments have. The countywide plan discourages sprawl. It encourages clustering these types of developments together. This fits with that. It wants to ensure privacy. These structures, once built, will not be any closer than 280 feet to the nearest house.

That's almost, I'm totally guessing here, but I would say at least four or five times the distance between two neighbors right now. There is a lot of space around this development and will ensure the privacy, more so than likely having houses stacked on top of each other. Usable open space is a whole five acres, you all know and I suppose get outside probably as much as I do hiking, biking, walking around, just enjoying not having to be on streets all the time. That exists here, and the opportunity for it exists. The pedestrian and vehicular circulation will be enhanced by the final completion of Meadow Hills Drive, and the extension through this development to connect with the existing developments, and the compatibility – these are still just houses. They look different, and they're situated a little different than what we're used to, but the purpose is the same: to favor the resources; to favor the purposes of the PUD code; and to allow a different kind of opportunity for the citizens of Richland.

Here with me today are Anthony Wolf, Tony Tahvilli, and Terrence Thornhill, the architect that has done all the renderings that you'll see today. Each of them have some short additional comments to make and then we would, I think, entertain questions at the end as they come up. We want to really thank you for your time – we know that you dedicate a lot of your personal time to being commissioner and that this is important to you, and just know that it's important to us as well and we ask that you vote to recommend approval of this application. Thank you all so much.”

**Anthony Wolf** (8903 W Bruneau Avenue, Kennewick, WA): “We’re asking today for this Planning Commission to recommend approval of the 44-dwelling Planned Unit Development as it meets all four of the City’s criteria for approval of a Planned Unit Development as set forth in Richland Municipal Code 23.50.040(b). Specifically, that code states that the PUD district will be compatible with nearby developments and uses, peripheral treatment ensures proper transition between PUD uses and nearby external uses, and the development will be consistent with the Comprehensive Plan, and the purpose of the PUD district and the development can be completed within a reasonable period of time.

So first, the proposal is compatible with the nearby developments and uses. The neighboring developments surrounding the PUD are all low-density residential developments, just like the PUD. The only difference, as we mentioned before, is the surrounding developments are comprised of single-family detached houses, and the other big difference is they don't include any open, natural space. While the PUD zoning code does not provide specific parameters for buffer zones, I think you can glean from Richland Municipal Code 23.18.020 which deals with multi-family housing adjacent or immediately abutting single-family housing, that code addresses specific height and setback restrictions. We took those into consideration when working with our architect, Terrence Thornhill, who will come up a little bit later to talk more about the scope of the project and show you more of the vision of the plan, but specifically focusing on making sure that we provided that adequate buffer zone and provided trail – given the size of the buildings, that being a 79-foot buffer zone is the minimum requirement between Phase 1 of the development and then between Phase 4 of the development, a 65-foot

buffer. And again if you look at the buffer zones as presented they're well within those means.

Really, when it comes to the compatibility of the developments, I've brought just three examples I want to share with this group [Mr. Wolf displayed an aerial photo of the Meadow Brook Patio Homes located on Greenbrook Place, adjacent to Greenbrook Boulevard]. One of the things I thought was interesting about this development and why I wanted to point it out to you when it comes to thinking about compatibility because this is an example of something that was deemed compatible in the past. These high-density residential developments are separated only by a city street from the low-density single-family houses across the street from them. Also, this Greenbrook Boulevard is – puts the high-density residential development in the middle of the low-density residential development meaning that vehicle egress has to travel through these low-density residential developments for the residents within the high-density.

This example, here, is another image taken off of Bing.com. [Mr. Wolf displayed an image of the Village @ Meadow Springs apartment complex on Gage Boulevard.] This is the apartments on Gage Boulevard. This is an example of a high-density development that has been approved in the South Richland area that immediately abuts a medium-density single-family detached houses. What I thought was really interesting about this particular development is these are four-story buildings towering over top of these single-family homes and the only thing that separates them is this small walking path.

The third of many examples I could have brought to you today is an example of a low-density multi-family dwellings immediately adjacent to low-density single-family detached houses. [Mr. Wolf displayed an aerial photo of the Birchfield Meadows development located on Rosemary Street, east of Penny Royal Avenue.] So, again, there's numerous circumstances of numerous instances within the City of Richland where you'll see residential adjacent to residential as being deemed compatible.

Second, peripheral treatments have been provided to create a proper transition between the PUD uses and external uses and developments and, again, we talked about the buffer zones as gleaming instead since the PUD district isn't specific in requiring minimum buffer zones, gleaming instead from Richland code where it pertains to multi-family adjacent to single-family residences. The other thing that we also focused on was screening as it comes to landscape plantings. One of the things we really wanted to focus on in this particular development is water conservation. Washington State University's Department of Horticulture, they provide a list of hardy plants for waterwise landscape suitable in the USDA Zone 5 area, and so that's really where we went to look to be able to find appropriate trees and shrubs that we could use within this development to provide some additional peripheral landscaping screening techniques to be able to allow these buildings to more seamlessly transition from the single-family developments into the multi-family developments.

As Elizabeth had mentioned, we're estimating the open space conservation at somewhere between five and seven acres; seven acres would be about 69% of the total development that would be preserved with natural open space.

The third bullet point we wanted to focus on is the development is consistent with the Comprehensive Plan. Again, when you look at the Comprehensive Plan and comprehensive planning map, it shows this area as yellow. The color code indicates that yellow means low-density residential which is defined by the City of Richland as zero to five dwellings per acre. It allows for an average density of 3.5 dwellings per acre. When you look at this particular development, 44 townhouses on 10.24 acres, that really equates to 4.3 dwellings per acre. If you subtract out the land underneath the road extension and use a net density, it's still 4.7. Again, if you average the density between this development, Meadow Hills Phase 3, with the rest of the short plat for Phase 1 and 2, you end up with an average of two dwellings per acre, again, all below the City's minimum requirements or minimum standards of 3.5 dwellings per acre. One of the groups I'm sure you're familiar is the Ridges to Rivers Open Space Network. They've presented their vision for open space conservation and trail connectivity [sic] in the mid-west and one of the appendices in their book, they use a process of growing greener in conservation by design. [Mr. Wolf showed examples of increased density developments that provided more open space than standard residential lots and discussed each example.]

If you look at this particular development, it's currently zoned R1-10/R1-12. There's 10.24 acres. Richland Municipal Code dictates under 23.18.040 that the minimum lot area for R1-12 – for the average – is 12,000 square feet with a minimum 10,000 square feet, and R-10 being average of 10,000 square feet with an average at 8[,000]. So at 10.24 acres, we have over 450,000 square feet of land. If you divide that into 12, it comes out to about 36 single-family home sites that could potentially be developed under its current zoning. Obviously with the steep slopes, it's going to be restricted on how we can divide roads within that area. So even if you just take an extension of Meadow Hills Drive, you've got roughly 1,400 extension of Meadow Hills Drive. That same code, 23.18.040, dictates that the minimum lot width is 90 feet for R1-12 and 70 feet for R1-10. So if you take the 1,400 foot roadway extension, you could presumably put 18 houses on the downhill side of the street and 18 houses on the uphill side of the street, meeting that minimum lot requirement. So again, coming in at about 35, 36 houses.

At 44 units is what we're asking for; 44 is a 25% increase in that 35 dwellings which we could do if we were doing it under single-family homes which is consistent with what's been presented to the City in the past as something to consider for adoption when it comes to encouraging developers to be more conservation efforted [sic] in their use of creating more open space. If you look back at the City's plan, the City's plan goal that the second paragraph of the [Comprehensive Plan] Housing Element talks about the fact that the City of Richland in its efforts to increase multi-family and single-family homes, and encouraging single-family homes in the outer areas. [Mr. Wolf read the



section.] So again, when we're looking at this particular development, we went to the City of Richland's Comprehensive Plan; we looked at the various goals and policies that the City of Richland has adopted in trying to achieve and saw where this plan meets many of those goals and purposes to be able to increase densification to be able to provide a variety of housing types and, again, these four clusters of eleven townhouses totaling 44 dwellings on the 10.24 acres certainly is consistent with the City of Richland's Comprehensive Plan. With that, again, we just really want you to look at this plan, see it as it is – it's compatible with the area in meeting the four requirements of the PUD district and the recommending a vote in favor of the 44-unit development."

**Terrence Thornhill** (4005 Riverhaven, Pasco, WA): "I think Jeff did a great job of explaining things architecturally. He's been doing this a long time so he's pretty experienced at it, but I'll go over a view additional details – not in great detail, as much as I could do, we all have time constraints – but I did want to touch a couple of additional items. I met with Phil Pinard, your Director of Parks and Recreation, on April 23<sup>rd</sup> (my birthday) this year, and in that meeting we talked extensively – I wanted to query him about trail connectivity because that's a real important thing that we really wanted to try to do. He explained to me the litany of deals that you're all trying to put together to enhance and to make that trail connection more than just Badger Mountain, and maybe it can flow through the ridge above this area. He explained to me in that meeting that the most that our property could hope for was connections to the main trail. So what I'm representing on the plan [Mr. Thornhill placed a site plan on the document projector], as Jeff also pointed out, I'm showing connections through and around the project. Those are, at this point, absolutely hypothetical. They don't exist; we don't know what the connections are going to be – Phil didn't know – so I'm representing a concept more than anything there. I wanted to make that clear. Along that trail would be the xeriscape landscape that we talked about that would probably need some degree of drip irrigation for the first couple of years until it got established, then it's on its own from the natural habitat standpoint.

We're also trying to promote the idea of connection between units. I just talked about trail connectivity, but I'm also trying to establish the idea of linking between units from a neighborhood perspective. So let's say, someone from the fifth floor of this building is good friends with someone that's on the second floor of this building [indicated two different buildings on the rendering]. They wouldn't have to go down through the central core - which I'll show you in a moment - go down to the lobby, down the road, into another lobby, up, and then into the second floor. They could walk down a trail-type system that would connect the buildings between the buildings so that there's sort of a macro-connectivity and a micro-connectivity. I think, as far as the rest of the site plan, I think Jeff did a great job of explaining things. We do have our buffers, basically, on the ends of the project, and of course, the area adjacent to the canal across the street is completely undeveloped with the exception of potential trails.

Briefly, I wanted to share with you some detail on the floor plans. [Referring to images on the document projector, Mr. Thornhill reviewed the garage level and floors two and

seven and discussed the amenities, similarities and differences of each level, as well as cross sections and profiles of the proposed structures.]

I am available, also, for additional questions, when we get to that point, if you have any. Thank you for your time."

**Chairman Boring** asked if there were any other comments in support of the project. Seeing none, she asked for comments opposing the project.

**Dale Atkinson** (244 Meadow Ridge Loop, Richland, WA): "Appreciate the opportunity to speak to you. I think you may recall that I was here last time and here we are again. I guess I'd like to point out first that we've been spending a fair bit of time as non-professionals in the zoning business trying to figure out how all this works, and appreciate the support, the educational opportunities with your staff. Fundamentally, though, what I'm here to discuss is that we do support the staff's recommendations to deny. Recall, we were here last time, there was a recommendation to deny and at that time the buildings were proposed to be shorter than these. Admittedly, they were above and below the road before but now they are concentrated above and now they're seven stories, even if they are 'caressing the landscape'. I have to feel that we likely may be here again if this isn't approved, the next time – by this trend, they'll be one 28-story building or something. The logic just doesn't make sense that's being portrayed here. The idea that by creating these things - which are obviously inconsistent with the surrounding homes at which now it's on all four sides – that these somehow are compatible; it's in the eye of the beholder from that regard, but clearly I can tell you the folks around there don't see it that way.

We've also had a lot of talks as neighbors and there's not a push to prevent development there. We all moved there expecting that area to be developed, and in fact we've had a problem in the past where we had a fire in that area from fireworks from folks that were utilizing it inappropriately. We also understand the motivation to build a road and, great – but the problem is not at any cost, and it just seems like what's happened here is the developer has come in, trying to come up with a more economical way to make additional margin on the construction at the expense of the folks around it.

We brought up last time – the last time, we brought a lawyer; we do have a lawyer again but we decided to give our own talk here this time and we'll engage him as appropriate, but the discussion last time was around whether or not this constituted illegal spot zoning. I don't know – the lawyer that we used tend to think so – but as a layman I just go back to what appears to be the fundamental purpose for the PUD and I guess I'd cite your own staff's observations from last time. What they had in the report of October 21, 2010, in the memo to the Planning Commission wrapped up with a final sentence that said, 'A fundamental question in the entire matter is does the rezone application request an action that primarily serves a private interest and not the community as a whole.' The last time you denied it, we actually think this is, again, instead of being the smaller units that were proposed before, they're even larger now. We think it's clearly just an

economy of construction scale that's driving this whole issue. There've been a lot of other characterizations about, kind of 'good ones' sort of characterizations: the trails and the water usage and all that. I heard the young lady earlier talking about some trails at the top of the hill. Well, I've been at the top of the hill; there's not a trail up there. There's another development of single-family homes at the top of the hill, but immediately above this, it's not up there.

As homeowners, yes, we had covenants; we moved in and we looked at this. I can tell you personally that the expression by the folks selling the property, Tony's representation, was that this was going to be built in single-family homes consistent with the other construction. I understand the wording in the covenants that suggests that something else can be done, but it's not done at the builder's discretion; it's done through a process like this. The creation of multi-units at seven stories high is – it doesn't pass a reasonableness test.

Since we were here last time, not only were, at that time, there were single-family homes on three sides – now they're on four sides, above as well – and we think that just strengthens the argument that this is a spot zoning; it's stuffing some high-density individual units that are seven stories tall adjacent to single-family homes that are typically one or two stories tall.

The fundamental circumstances that were – we discussed last time, resulted in a denial – it hasn't changed. There's nothing fundamentally changed except, perhaps, the buildings are even taller now. I've also heard some of the discussion about water conservation and all, and honestly, if that were the goodness argument, then build that into the covenants for Phase 3 – it might be a good idea there.

So, fundamentally, what I wanted to just build on here is, we've kind of been down this road before. We, as the neighbors, are not anti-development; we're all for it. We think, right now, the right solution is single-family homes, and the only thing that's been represented to us is the drive to build these really large structures is economy and to make money for the builder. I'll go back to that previous statement, the memo to the Planning Commission, and remind you that the recommendation you've received from your staff is not to approve this, is that does this application primarily serve a private interest? I'll tell you it does. It's not there because there're a whole bunch of people asking for it. It's there because a developer is trying to get the highest margin possible on his land. I actually don't begrudge him that; as a developer he ought to be able to make a buck on his development. But this is over the top, and so I guess I'd just like to leave you with that vision. We think that this is actually taller, even more dense in the very finite area that it's located in. We understand the discussion about its proximity to the neighbors and some margin being provided there. But it's not reasonable.

I looked at how this whole process works; there's a lot of advocating about the strict compliance with requirements. I've heard the arguments on both sides of the long-range plan and the density and all that, and it's all math so you figure out how much

land you want to include when you do the math. But when you really look at it, these are four very large buildings, entirely inconsistent with the neighborhood on all four sides, and is a change from what was originally applied for. I'd like to leave it at that and please request that you do as you did last time and deny this. If the builder wants to talk about something that's not going to get neighborhood opposition, I'd invite him to come talk to us about it. Thank you."

**Mike Fleming** (2348 Morency Drive): "Me and my wife, we moved into – we built a new house on Morency and we moved in this February. One of the reasons we moved into this neighborhood was because the type of neighborhood that it is; it's single-family dwellings and it just has a really great feel. One of the things we don't like about the neighborhood is that there's an awful lot of traffic right now on Morency down through Gage; that's the only way in and out of that neighborhood right now is down Gage through Morency. If this is passed, the connection there, it's going to increase the amount of traffic that goes through there, and we've seen quite a bit of traffic increase just due to the construction on Falcon Ridge (is that what that's called?) to the point where we've got concrete trucks running down in front of my house doing 35-40 [mph] in a 25. That's another topic. I'm curious what the increase in traffic is going to be, both for Meadow Hills Drive which is another small, sloped road just like Morency. Additionally, I think Mr. Atkinson touched on this a little bit, but I believe single-family dwellings will help retain the value of all of the neighborhoods around. Plus, there's variety; there's a variety of neighborhoods around and the gentleman had some examples of other neighborhoods in south Richland where they have high-density and low-density mixed, and I would say that just because you have that doesn't mean necessarily what the neighborhood needs and what Richland needs. It's a good thing to have variety where you have a certain area that is segregated; a lot of people like that. And a lot of people that live in that neighborhood, that's why they live there."

**Talmadge Jones** (2274 Morency Drive): "The first woman who spoke in behalf of in favor for it, she spoke about how circulation would be going up and one of the problems is Gage Boulevard is the only exit to our subdivision. As we've seen from long-boarders and the concrete trucks which are currently passing my house every day, which are quite loud, there's the problem with adding 44 more people with, probably two cars a family. That's 88 cars passing through that subdivision every day. And that will increase traffic on a small subdivision road which is incapable of handling this. The problem with this is it really doesn't handle the fact that Gage is not big enough for this. It is a single-family homes where my little sister goes out in the street with her friends and plays soccer there every day. Kids are just constantly walking off and going over to the park across the street. With this many more cars going through because of a huge, well, as they say, it is small family and it is not necessarily high-density. It does add a lot more circulation there and it wouldn't be beneficial to the safety of the subdivision in that, Gage is not large enough to handle this much traffic. That's all I really had to say."

**Chairman Boring** asked if there were any other comments. Seeing none, she invited the applicant to rebut testimony given in opposition.

**Elizabeth Telleson:** "To hit some of the concerns, first and foremost this is not high-density. High-density is a definition that's found in your Comprehensive Plan and it's found in your zoning code, and this isn't it. This is 44 units on 10 acres. This is low-density. The purpose is to have open space and that is accomplished and it is favored because it is for the public benefit. People have preferences, there's no question about that, but your city, the city that this development's being proposed within, has identified what those preferences are for low-density residential, and that's zero to five units per acre. This is less than that; and on average, it's far less than that. The level of service issue as far as traffic is concerned has not been a concern of the staff, has not been a concern of the Technical Advisory Committee, and Mr. Wolf will address it in a little bit more detail with you. Those changes will happen regardless of what this development looks like; there are going to be people moving on to this property. And in this instance, Anthony will have some information for you from the Urban Land Institute that studies built environments across the nation and educates people on how best to infill and how best to construct these developments, and their research shows that in multi-family clustered developments, most families that reside there have one car or less. They aren't two car families. So these concerns, they're nothing but concerns – there are no facts establish for this record and for this application that those are detriments that can be actually proven. The benefits are shown, the public benefits are recognized repeatedly in the Comprehensive Plan and we won't bore you unless you want us to, on each portion of the Comprehensive Plan that favors this development. This isn't a reasonableness standard.

You guys have four considerations to make: Is it compatible? In a recent case involving the City of Richland, plaintiff Vogel complained about a higher-density townhouse being constructed next to single-family residential – detached dwellings. And the Court of Appeals concluded that those are compatible uses. They may not like them – the Vogels didn't like it one bit and they took it all the way to the Court of Appeals, and the Court of Appeals said, 'They're the same.' These uses are the same. The City of Richland has identified six different land uses – I won't rattle them off, they're [RMC] 23.14 through 23.30, I believe, and only one of them is residential. The Comprehensive Plan clusters residential developments together; clusters low-density residential development together, and encourages a 3.5 [du/acre] average. This addition to Meadow Hills still is consistently below that.

This issue of fundamental change – I think there may be a common misconception that the applicant's burden is to establish that there has been some change in circumstance that justifies this application, or prevents it from being a illegal spot-zone [sic]. Presuming first that this Preliminary Plat was approved in 1989, there have been changes. There have been changes to the City of Richland, there have been changes to the Tri-Cities, and there have been changes to the State on how we develop our property, and this fits. This acknowledges those changes, and this is consistent with those changes as is replete through your Comprehensive Plan. But when a proposed Planned Unit Development is consistent with the Comprehensive Plan, that analysis isn't necessary, and the [Supreme] Court in *Anderson* [*Anderson vs. Island County*,

1972] recognized that and that was back in the 1970s. The Court in *Anderson* reminds us that an illegal spot-zone - and why they are so terrible, because they are - is a cement mixing plant in the middle of a neighborhood - nobody, and not even the Court, is going to find that that is a compatible use. That's not what we're dealing with here. We're dealing with a different type of residence that falls within your Comprehensive Plan, is following the purposes of the PUD code, and we ask that you vote for approval. The density is satisfied. It's a four-year build-out to accommodate the absorption, which is reasonable and consistent with the construction industry.

I don't suppose you'll have questions at this point, but I would just ask you to, I know, give this your thoughtful consideration, I know that you guys are skilled in these applications; you've reviewed many these over your period of service on the Commission, and I ask that you do the same here. The staff has recommended denial based on a relatively arbitrary analysis of the required density. They don't like the 4 - they don't like the 4.7 [du/acre]. They can't say - and they won't say - it's not allowed because it is. And the average is just that - an average. There's no guidance on how you take that average, but we know it has to be more than one project; we know it has to be more than one parcel, and the averages we suggest all lead to a conclusion of under three, under three units per acre. We believe that this application has addressed the concerns of the prior application quite handily and we ask that you consider these regardless of the prior conclusions and find that this is consistent with your code and consistent with your Comprehensive Plan and a beneficial and useful development for this area. Thank you very much."

**Anthony Wolf:** "Elizabeth did a good job, I thought, in addressing some of the traffic issues. When it comes to the public benefits, there's obviously innumerable representations of the public benefit associated with open space. We look at the City of Richland's Comprehensive Plan and you look at the Planning Use Goals, there's a number of benefits that this does to achieve and work through those goals. I'm not going to focus on that, but I am going to address the question or the concern about meeting with the homeowners. We've had several meetings with homeowners, both in a public forum at the Meadow Springs Country Club where we've met and we discussed our vision for this project, getting their feedback and that's really why the project has evolved from what you saw in the initial application with 60 dwellings down to where we have it now at 44 dwellings. Obviously we're not able to please everybody but if you look at the Atkinson's letter and a lot of the individuals that they reference in that letter and the supporting documents from that letter are all based on the 2010 application which, of course, was a different application from this by including no buffer zone, by including no screening techniques, by putting these multi-family dwellings immediately adjacent to the single-family homes. Again, we've addressed those concerns thanks to numerous meetings with the individuals, both on a one-on-one basis and in those public forums at the Meadow Springs Country Club.

With that, again, I just really want to focus on - [Mr. Wolf place an excerpt of the Comprehensive Plan on the document projector and read UD Goal 3]. Again, focusing



on the different policies with hillside development should blend with the natural shape and texture of the land. And with these developments, again, with these buildings mirroring the contour of the hillside; with these buildings mirroring the low-density residential nature of the developments immediately abutting it; and with this development embracing the ability to maximize the preservation of open space, we again ask that you recommend approval of our application for 44 dwellings on this 10.24-acre site as a low-density residential development PUD. Thank you.'

**Terrence Thornhill:** "I just wanted to touch on the comment that was made that this was a developer going an inexpensive route trying to maximize profits. The nature of this building in that it's a multi-story type structure exceeds the height requirements where we can use standard timber frame construction. Timber frame construction is what you see on a single-family residence – two-by-sixes, two-by-fours, wood roof trusses - and we can't do those things on this project because of the IBC, the International Building Code, that we're bound to uphold and design to. In addition to that, the building will be fully sprinklered from a life/safety standpoint. It will be NFPA 13R, which is a residential standard for the residential areas, but it will be a full-blown NFPA 13 system in the garage area which is a cast iron pipe, pre-fabricated system. Building 11 units at one time is a more costly approach and it will be a financial burden to the contractor, developer in this case, so it is not an inexpensive way to go necessarily. And it employs more people, and in this day and age that's an important consideration. Thank you."

**Chairman Boring** asked if there were any other comments. Seeing none, she closed the public hearing at 8:14 PM.

#### **Commission Discussion:**

**Commissioner Wise** asked those who spoke in opposition if they were representing the homeowners association or speaking as individuals. **Mr. Fleming** and **Mr. Jones** spoke as individuals; **Mr. Atkinson** explained that, while he spoke on behalf of several residents in the Meadow Hills area, he was not speaking in any capacity for the homeowners association. **Commissioner Wise** asked if the homeowners association had taken a vote or an official position on the proposed development. **Mr. Atkinson** said they had not as the HOA did not feel it was appropriate since Mr. Tahvilli was also a member of the HOA and the Architectural Committee.

Regarding the examples shown of other neighborhoods with single-family units abutting multi-family units, **Commissioner Moser** asked how tall the multi-family structures were. **Mr. Rolph** said they were two-story structures.

**Commissioner Jones** asked staff if a traffic analysis for this project had been completed. **Jeff Peters, City Engineer**, explained that a previous traffic study for Crested Hills had been completed and was included in the Technical Advisory Committee report for this project. It was estimated that the proposed project would add

26 trips per day to Gage Boulevard. **Commissioner Madsen** confirmed with staff that there were two exit points from the proposed development.

**Commissioner Madsen** commented the current application addressed concerns that arose from the original application in 2010 and complied with Richland's current codes and definitions. He also questioned staff's recommendation to deny the application and the alternative of reducing the number of floors since the proposed structures are built into a hillside. As a homeowner in a neighborhood that abuts a four-story building, Commissioner Madsen found it difficult to deny this application based on density requirements or implied spot-zoning.

**Commissioner Clark** acknowledged that everyone involved in the project will have a perception, positive or negative. He noted that the buildings will "stand out" against the hillside and thought something could be done to lessen the visual impact.

**Chairman Boring** commented that she did not see this proposal as spot-zoning and is consistent with Richland's goals and policies. She asked the applicant when the extension of Meadow Hills Drive would occur. **Mr. Thornhill** explained how the extension of Meadow Hills Drive would be built in phases as the construction of the buildings are constructed to utilize fill material excavated from the construction site to build up the road bed. Construction is estimated to take four years to complete.

**Chairman Boring** noted a reference to an improperly installed water main. **Mr. Wolf** explained that the existing water easement is located on the proposed construction site but the developer is amicable to redirecting the easement to accommodate the water main.

**Commissioner Wise** expressed concern about the emphasis on xeriscaping as a benefit, the potential for increased traffic, and the form and mass of the proposed buildings. He also felt there were too many units in the proposed project and could not support the project without reducing the number of units.

**Commissioner Moser** thanked the developer for addressing the Commission's concerns that arose from the application submitted in 2010. She noted that Richland's lack of hillside development standards could create a negative visual impact. She agreed with Commissioner Wise's comments regarding size, scale and number of units as well as concerns about neighborhood compatibility.

**Commissioner Berkowitz** asked if a large structure similar to what has been proposed would be as affected by seismic activity as a wood structure. **Mr. Simon** explained that there are strict seismic requirements that multi-story buildings must conform to.

**Commissioner Berkowitz** asked about trails and trail connections on the north side of Little Badger Mountain. **Mr. Simon** said that Milo Bauder had discussed setting aside open space on the north side of Little Badger but no plans for trail construction have



been made as yet. **Commissioner Berkowitz** noted that the slope had been deemed by the Friends of Badger Mountain as too steep to construct trails and asked the developer if he was aware of additional information. **Mr. Thornhill** responded that the trails shown on the site plan were hypothetical illustrations as he did not have definite information regarding trail/future trail locations. He added that the drawings of the buildings that were presented were representations of what the buildings would look like along a hillside and not an actual photograph or replica of the site.

**Commissioner Madsen** asked where the starting point would be for the road extension. **Mr. Wolf** said it would be at the east end of the development and would include a turn-around for emergency access.

**Commissioner Madsen** commented that a lack of hillside development standards should not be used as a reason to deny a development application that has met other requirements. He urged commission members to consider the current application and not get sidetracked by trails, landscaping, etc.

**Commissioner Clark** asked if there were plans to develop the downhill side of the road extension. **Mr. Wolf** explained that the area in question would be designated open space.

**Commissioner Clark** questioned the response of "sandy loam" for soil type on the SEPA and asked how the developer planned to mitigate the impact created by the excavation of rock. **Mr. Wolf** explained that the geotech report determined that the site was primarily sandy loam. Each building will have a separate geotech report and will give more detail as to how much of the site is sandy loam and how much is rock. The developer understands the need to mitigate construction noise and traffic.

**Commissioner Berkowitz** took exception to the claim that the development was preserving open space, noting that the construction site is planned in an area of shrub/steppe habitat and the designated open space contains weeds. She also expressed concern about the lack of connectivity to other open spaces. Commissioner Berkowitz commented that the lack of hillside development standards should not preclude the commission from discussing what Richland's hillsides should look like and suggested the developer return with a project that is of a smaller scale.

**Commissioner Madsen** asked staff if there were any plans for developing the land above the proposed condominium site. **Mr. Simon** said there were none at this time adding that the property in question belongs to Mr. Bauder who had discussed designating it open space but is under no obligation to do so.

**Commissioner Jones** commented that he liked the design of the proposed buildings and the energy conservation measures used.

**Commissioner Moser** acknowledged that development of residences and a road will occur on the proposed site but felt that the TAC recommendation of fewer units was preferable over what was proposed and suggested postponing the decision; Commissioner **Clark** agreed with her comments.

**Commissioner Wise** expressed concern about privacy for homeowners located further down the hillside from the proposed development as well as potential contrast with the ridgeline behind the buildings.

**Commissioner Madsen** restated his support for the proposal as presented.

**A motion was made by Commissioner Jones and seconded by Commissioner Madsen to accept the design as presented.**

**Discussion: None.**

**Called for a vote: Commissioner Berkowitz: No; Commissioner Clark: No; Commissioner Jones: Yes; Commissioner Madsen: Yes; Commissioner Moser: No; Commissioner Wise: No; Chairman Boring: Yes.**

**MOTION FAILED 3-4.**

**A motion was made by Commissioner Moser and seconded by Commissioner Clark to recommend to City Council that, if the Council adopts the proposed development, they use the recommendations contained in the Technical Advisory Committee report dated July 19, 2012 to determine the number of units to be built.**

**Discussion: None.**

**Called for a vote: Commissioner Berkowitz: Yes; Commissioner Clark: Yes; Commissioner Jones: Yes; Commissioner Madsen: No; Commissioner Moser: Yes; Commissioner Wise: Yes; Chairman Boring: No.**

**MOTION CARRIED 5-2.**

## **2. CITY OF RICHLAND - CONSIDERATION OF APPROPRIATE ZONING (Z2012-102)**

**Mr. Simon** presented the staff report on the consideration for appropriate zoning of approximately 137 acres located within a proposed annexation area south of Reata Road, north of I-182, west of Leslie Road and east of the Kennewick Irrigation Canal. An adoption of zoning classifications is necessary for the annexation process to move forward. The subject property is within Richland's Urban Growth Area and is included in the Comprehensive Plan and is designated as low-density residential on the west portion of the property and commercial on the east portion. Much of the property is undeveloped, but there are several small businesses and a church. Mr. Simon added that a Comprehensive Plan amendment has been submitted by the property owner to

designate a portion their residential parcel as commercial but the request will not come before the Planning Commission until later in the year.

Based on the Findings and Conclusions, staff recommends assigning interim zoning of C-3, General Business, C-1, Neighborhood Business and R1-10, Single-Family Residential zoning to the subject property.

**Chairman Boring** opened the Public Hearing at 9:26 PM and invited the public to provide comments on the proposal. Seeing none, she closed the public hearing at 9:26 PM.

**Commission Discussion:**

**Commissioner Clark** asked staff if a drive-through restaurant would be allowed in the C-1 zone. **Mr. Simon** said it would be allowed with the approval of a Special Use Permit.

**Commissioner Moser** commented that the proposed zoning was comparable to information provided in a study completed several years ago.

**Commissioner Madsen** agreed with Commissioner Moser's comments. He asked for clarification on the city limits to determine if the proposed annexation would create a "doughnut hole" of county property surrounded by city. **Mr. Simon** said it would not create a hole.

**Commissioner Jones** asked if there had been any opposition to the proposed annexation. **Mr. Simon** explained that it was early in the process but he has no knowledge of any opposition.

Noting the number of commercial uses currently on the site, **Vice-Chairman Utz** asked if there would be a need to amend the Comprehensive Plan first if the Commission made a recommendation for zoning other than what is currently listed in the Comprehensive Plan. **Mr. Simon** said that was correct.

**Commissioner Berkowitz** commented that more gradation was needed between the commercial and residential zones. She commented that her preference was to have more land designated commercial than what was proposed.

**Commissioner Clark** suggested creating a buffer near the freeway and between the commercial and residential zones. **Mr. Simon** proposed moving forward with the interim zoning to allow the annexation process to continue and revisit the more specific zoning issues at a later date after polling the property owners.

**Commissioner Berkowitz** stated she would like to amend the proposal to include transitional zoning between C-1 and low-density residential.

**Commissioner Wise** expressed concern regarding the sound impacts from the freeway on the homes near it.

**Commissioner Moser** asked for clarification on how the zones were determined by staff. **Mr. Simon** explained that the interim zoning must conform to the Comprehensive Plan; the Comprehensive Plan would need to be amended in order to assign different types of zoning.

**Vice-Chairman Utz** commented that the designated zoning should be as economically intensive as possible. He suggested zoning the entire area commercial and down zone it as necessary. **Mr. Simon** again referred to the need to conform to the Comprehensive Plan, acknowledging that lower intensity interim zoning that differed from the Comprehensive Plan had been used in a prior annexation as a place holder until the property owner was ready to change the use and zoning to commercial.

**Commissioner Clark** asked a property owner in the audience to come forward and give his input on this item.

**Todd Wilkerson** (2998 Karlee Drive) explained that the drive behind the annexation and zoning designation was to build a church and begin the process to form an LID. He has worked to collect signatures for the annexation and has spoken to many property owners in the area and believes that there would be no opposition to commercial zoning. Mr. Wilkerson has been working on an annexation proposal for 18 months and would not like to have the process delayed because of interim zoning that does not conform to the Comprehensive Plan.

**Vice-Chairman Utz** asked to amend the proposed motion to include an assurance that the Commission will revisit zoning the entire area commercial after gathering more information from the property owners that are part of the annexation; **Commissioner Madsen** agreed with Vice-Chairman Utz' comments.

A motion was made by **Commissioner Clark** and seconded by **Commissioner Madsen** accept the staff recommendations and concur with the Findings and Conclusions set forth in Staff Report Z2012-102 and recommend to the City Council assignment of C-3 General Business, C-1, Neighborhood Retail and R1-10, Single-Family Residential zoning. Further there is a Comprehensive Plan amendment application that is pending on a parcel within the proposed annexation area which may result in changes to this zoning plan. Until the completion of the 2012 Comprehensive Plan amendment cycle, the recommended zoning for this annexation area should be viewed as an interim plan.

**Discussion: None**

A motion was made by **Vice-Chairman Utz** and seconded by **Commissioner Madsen** to amend the original motion to include review the low-density residential

area in both the Comprehensive Plan and this interim zoning with the purpose of rezoning to commercial zoning and amend the Comprehensive Plan as same, subject to the desires of the property owners.

Called for a vote to amend the original motion: Commissioner Berkowitz: Yes; Commissioner Clark: Yes; Commissioner Jones: Yes; Commissioner Madsen: Yes; Commissioner Moser: Yes; Commissioner Utz: Yes; Commissioner Wise: Yes; Chairman Boring: Yes.

**MOTION CARRIED 8-0.**

Called for a vote on the amended motion: Commissioner Berkowitz: Yes; Commissioner Clark: Yes; Commissioner Jones: Yes; Commissioner Madsen: Yes; Commissioner Moser: Yes; Commissioner Utz: Yes; Commissioner Wise: Yes; Chairman Boring: Yes.

**MOTION CARRIED 8-0.**

A motion was made by Vice-Chairman Utz and seconded by Commissioner Berkowitz to revise the agenda item order so the last item, M2012-108, Surplus of City Park Property, would be heard next to accommodate members of the audience.

**MOTION CARRIED 8-0.**

#### **Other New Business**

##### **1. CITY OF RICHLAND – SURPLUS OF CITY PARK PROPERTY (M2012-108)**

**Mr. Simon** presented the staff report for the proposed surplus of park property. The park property is located in Trailhead Park which abuts the Badger Mountain Preserve area. The request is for the exchange of 11,747 square feet of park property for \$4,000.00 plus 9,180 square feet of private property (lot 31 of The Plateau subdivision) with the purpose of enlarging that building site for a single-family residence. The property owner would be required to rezone the parcel from PPF (Parks/Public Facilities) to R1-10 (Single-Family Residential) if the land exchange is approved.

Mr. Simon noted that recommendations to City Council from the Planning Commission, the Parks & Recreation Commission (PRC) and the Economic Development Committee (EDC) are part of the park land surplus process. The PRC has recommended denial of the request and the EDO recommended approval of the request.

**Phil Pinard, Acting Director, Parks & Recreation**, gave a brief history of Trailhead Park and explained the park's main purpose of providing parking and trail access to those visiting the preserve. He explained the PRC's opposition to the land exchange:

the exchange would create an irregular border between the park and the subdivision and the PRC's desire to keep all park lands intact. Mr. Pinard noted that the land exchange would provide additional parking and buffer areas and the \$4,000.00 payment could be applied to other park projects in need of funding.

**Chairman Boring** opened the Public Hearing at 10:12 PM and invited the public to provide comments on the proposal.

**Shane Gentry** (84016 Summit View Drive, Kennewick): "I'm the proponent for this. I thank you guys for your time, as late as it is. I just want to say I'm for it. I think it's a really nice area and I'd really like to make something work there. It's kind of hard, difficult, with the shape of the land. I know a lot of people have looked at it and, I'm just - hopefully you guys will see that I'm trying to put something nice there and utilize the space as best as can."

**Chairman Boring** asked if there were any other comments. Seeing none she closed the Public Hearing at 10:13 PM.

Several commissioners asked staff to clarify parcel locations, uses and setbacks.

**Commissioner Madsen** commented that lots that are difficult to build on often are left vacant and can become an eyesore. He recommended approving the land exchange to avoid that scenario.

**Commissioner Wise** disagreed. He commented that Lot 31 was considered buildable by the City but would likely require creative design to accommodate the lot's limitations.

**Vice-Chairman Utz** relayed his observations of the PRC regarding this item. He remarked that, once Trailhead Park is fully developed, the exchanged parcel would then be a home site surrounded by a park which would add considerable value to the property. Vice-Chairman Utz felt the proposed exchange was not in line with the true value of the property and stated his support of the PRC's recommendation.

**Commissioner Moser** agreed with Vice-Chairman Utz' comments. She expressed concern that this action may set a precedent for selling small pieces of park property. Commissioner Moser questioned whether the property was truly valued at \$.16 (sixteen cents) per square foot and added her agreement with the PRC's recommendation.

**Commissioner Berkowitz** remarked that the private property offered in exchange for the park property was currently listed for sale for \$75,000.00; other parcels in the area are each listed for sale for \$80,000.00 or more. She reminded the Commission of a prior developer's vision of smaller, higher-end houses in that area, not "mansions". She supports the PRC's recommendation to preserve park land.

While acknowledging the need to reduce the number of “orphaned” lots, Commissioner Madsen agreed that creative design could produce desirable homes on challenging lots.

**A motion was made by Vice-Chairman Utz and seconded by Commissioner Clark to concur with the Parks and Recreation Commission’s recommendation to deny the request to surplus Trailhead Park land.**

**Discussion: None.**

**Called for a vote: Commissioner Berkowitz: Yes; Commissioner Clark: Yes; Commissioner Jones: Yes; Commissioner Madsen: Yes; Commissioner Moser: Yes; Commissioner Utz: Yes; Commissioner Wise: Yes; Chairman Boring: Yes.**

**MOTION CARRIED 8-0.**

**New Business (Continued):**

### **3. CITY OF RICHLAND AMENDMENTS TO TITLE 19 (M2012-107)**

**Mr. Simon** presented the staff report for the final item on the agenda to amend Title 19 of the Richland Municipal Code, Development Regulation Administration. The proposed amendments are meant to clarify permit procedures and notification requirements, categorize different land use permit types, and general housekeeping items.

Mr. Simon noted a significant change to Type I permits regarding notification of the right to appeal a decision. Currently only the applicant is notified. The amendment would require the City to notify property owners within 300 feet of the subject property of the decision and their right to appeal. Mr. Simon also discussed a change to Planning Commission items that require approval by City Council that would allow citizens who had testified before the Planning Commission to summarize their comments at the council meeting, as long as they did not provide new information.

Based on the Findings and Conclusion, staff recommended adoption of the proposed amendments.

**Chairman Boring** opened the Public Hearing at 10:42 PM and invited the public to provide comments on the proposal. Seeing none, she closed the public hearing at 10:42 PM.

#### **Commission Discussion:**

There was general discussion regarding typographical errors and formatting issues. It was suggested to list add Type IV permits to the list on page 3/22.

**A motion was made by Commissioner Moser and seconded by Commissioner Clark that the Planning Commission concurs with the Findings and Conclusions set forth in Staff Report M2012-107 and recommend to the City Council adoption of the proposed amendments to Title 19 of the Richland Municipal Code as further amended at this meeting.**

**Discussion: None**

**Called for a vote: Commissioner Berkowitz: Yes; Commissioner Clark: Yes; Commissioner Jones: Yes; Commissioner Madsen: Yes; Commissioner Moser: Yes; Commissioner Utz: Yes; Commissioner Wise: Yes; Chairman Boring: Yes.**

**MOTION CARRIED 8-0.**

**Communications:**

**Mr. Simon:**

- Reminded Commissioners of the citywide tour at the next workshop meeting on August 8, 2012.

**Commissioner Moser:**

- Reminded everyone of the Community Health Needs Survey.

**Chairman Boring:**

- Interviews for the Planning Commission vacancy have been completed and the panel's recommendation will go before City Council for approval on August 7, 2012.

**ADJOURNMENT:**

The July 25, 2012, Richland Planning Commission Regular Meeting 06-2012 was adjourned at 10:53 PM. The next regular meeting of the Planning Commission will be held on August 22, 2012.

**PREPARED BY:** Pam Bykonen, Secretary, Planning & Development

**REVIEWED BY:**

\_\_\_\_\_  
Rick Simon, Secretary  
Richland Planning Commission



## MEMORANDUM

Community and Development Department  
Planning & Development Services Division

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**TO: PLANNING COMMISSION**

**FROM: RICK SIMON, DEVELOPMENT SERVICES MANAGER**

**DATE: AUGUST 22, 2012**

**RE: TMT CONSTRUCTION (Z2012-101)**

At its meeting on July 25<sup>th</sup>, the Planning Commission held a public hearing to consider the application submitted by TMT Construction for a zone change from Single Family Residential 10,000 (R-1-10) and Single Family Residential 12,000 (R-1-12) to Planned Unit Development (PUD) and approval of a preliminary PUD plan to allow for the development of a 44-unit condominium complex (Meadow Hills III PUD). The project site is located along Meadow Hills Drive, adjacent to and west of the plat of Meadow Hills Phase Two and east of the plats of Crested Hills No. 3 and Crested Hills No. 10.

At the conclusion of that hearing, the majority of the Commission voted to recommend approval of a scaled back version of the project. In passing the motion, the Commission attached the conditions listed in the Technical Advisory Committee Report, but did not cite any specific findings of fact. RMC section 23.50.040 sets forth the requirements for the Commission's consideration of a PUD application. Subsection C, in pertinent part states:

*The planning commission's recommendation shall be by recorded motion which shall incorporate the findings of fact of the commission with due consideration to all issues raised pro and con, and the reasons for its action, referring expressly to the maps, and other documents constituting the proposed plan and program, and matters of record. Such recorded motion together with findings, maps, staff recommendation and related documents shall be submitted to the city clerk.*

Without written findings of fact to submit to the City Council for its consideration, the terms of RMC 23.50.040(C) have not been fulfilled and Council does not have the full benefit of the Commission's work on this matter. The Commission may and should now take action to adopt findings to support its earlier recommendation.

The Commission's task in adopting findings must be guided by the City codes and the factors that the Commission found to be relevant in making its recommendation. The adoption of findings of fact is not intended to reopen the merits of the previous

recommendation and no further comment from the public or the applicant should be allowed.

Staff has developed a list of draft findings of fact based on the discussion held by the Commission at its July 25<sup>th</sup> hearing. A copy of both these draft findings and the meeting minutes are attached.

Those Commissioners who participated in the July 25<sup>th</sup> hearing should review and vote on the adoption of the draft findings, after making any modifications to them that the Commission deems necessary or appropriate. Following adoption of findings of fact, the City Council will be able to review the Commission's full recommendation at its upcoming September 4<sup>th</sup> regular meeting.

## **DRAFT FINDINGS AND CONCLUSIONS FOR Z2012-101 – TMT HOMES, LLC**

August 22, 2012

1. The Richland Comprehensive Land Use Plan Map designates the site as Low Density Residential (0-5 Dwellings/Acre).
2. The subject property is currently zoned for single family residential uses (Single Family Residential 12,000 and Single Family Residential 10,000) and was included within the boundaries of the approved preliminary plat of Meadow Hills that provided for the phased development of a 50-acre site with 70 single family residential lots. The first two phases have been approved and developed with 56 single family residential lots on approximately 38 acres with a gross density of approximately 1.47 dwelling units per acre.
3. The third phase of the original Meadow Hills preliminary plat development which includes the subject property has not been submitted but maintains development rights to 14 additional single family homes on the remaining acreage within the original preliminary plat boundaries. Development pursuant to the existing approved preliminary plat of Meadow Hills would result in development of the subject property with an overall gross density of approximately 1.4 dwelling units per acre.
4. The applicant has submitted an application to rezone the approximately 10-acre subject property that is currently zoned Single Family Residential 12,000 (R1-12) and Single Family Residential 10,000 (R1-10) to Planned Unit Development (PUD) to allow for development of a 44-unit condominium complex with an overall gross density of approximately 4.3 dwelling units per acre.
5. Development of the subject property either pursuant to the existing approved Meadow Hills preliminary plat or pursuant to the proposed Meadow Hills III PUD plans would be consistent with the type (residential) and within the range of density (0-5 Dwellings/Acre) of development envisioned for the property in the City's adopted Comprehensive Land Use Plan Map.
6. Development of the proposed condominium project relies on the requested zone change to PUD. RMC Section 23.50.010 sets forth the purpose of the PUD zoning classification and RMC Section 23.50.040(B) includes the basis for the Richland Planning Commission to review and formulate a recommendation to the City Council on a proposed PUD application.
7. The purpose of the PUD zoning classification is to achieve economics in development and maintenance while providing privacy, usable open space, safe pedestrian and vehicular circulation, and compatible relationships between different uses.
8. The basis for a Planning Commission recommendation to City Council as to whether to approve or deny an application for PUD includes consideration of

whether the proposal is compatible with nearby development and uses and whether it is consistent with the comprehensive plan and the purpose of the PUD district.

9. The subject property is bordered by the plats of Crested Hills No. 3 and Crested Hills No. 10 to the west. Those two developments consist of 27 residential lots on approximately 15.35 acres with a combined gross density of approximately 1.8 dwelling units per acre.
10. The subject property is bordered by the Plat of Meadow Hills Phase Two to the east which was developed with 33 single family residential lots on 21 acres with an overall gross density of approximately 1.57 dwelling units per acre.
11. The lots in the adjoining subdivisions have been developed with primarily one story and two story detached single family homes.
12. The proposed development would include four buildings, each building being 7 stories high with 11 dwelling units per building which are significantly larger than the adjacent single family homes and with an overall gross density that is over 2.5 times greater than the density of the adjacent residential developments.
13. The proposed development would result in an overall gross density of development of approximately 4.3 dwelling units per acre which exceeds the average gross density of 3.5 dwelling units per acre that is envisioned for the Low Density Residential (LDR) land use classification set forth in the adopted Richland Comprehensive Land Use Plan.
14. While maintaining consistency with type of use (residential) and within the range of density (0-5 Dwellings/Acre) depicted on the Comprehensive Land Use Plan Map and potentially achieving economics in development and providing for safe pedestrian and vehicular circulation, the proposed PUD plans with 44 condominium units in four 7-story buildings would allow for development of the subject parcel at a density greater than would otherwise be allowed on the subject property if developed per the provisions of the existing R1-10 and R1-12 zoning district without demonstrating off-setting increase in provision of privacy or otherwise demonstrating compatible relationships between the proposed condominium development and adjoining lower density residential uses as set forth in RMC Section 23.50.010.
15. With conditions limiting the number of dwelling units and limiting the overall number and/or size and massing of the proposed buildings as recommended by the Technical Advisory Committee Report dated July 19, 2012, the development could be considered to demonstrate a compatible relationship with the surrounding lower density residential development while maintaining consistency with the City's adopted Comprehensive Plan and compliance with the purpose and intent of the Planned Unit Development zoning classification as set forth in RMC Section 23.50.010.

16. As required by State law and City Code, the applicant has submitted a State Environmental Policy Act (SEPA) environmental checklist.
17. City staff and other agencies have reviewed the proposal and should the proposal be approved have recommended specific conditions of approval as set forth in the Technical Advisory Committee report, dated July 19, 2012.
18. The City reviewed the submitted checklist and considered the proposal in light of the checklist, the recommended TAC conditions of approval and other information available to the City and determined that, as conditioned approval of the request for the proposed development would not have significant adverse environmental impacts.
19. The City further reviewed the environmental information submitted for the similar request submitted by the applicant in 2010 and determined that the previously issued Determination of Non-Significance (EA20-2010) issued by the City on September 16, 2010 met the environmental review standards for this revised development proposal.
20. On July 19, 2012 the City issued a Notice of Adoption of Existing Environmental Document (EA12-2012) for the proposal.
21. Based on the above findings and conclusions approval of the request for rezone from R1-10 and R1-12 to PUD and approval of the associated preliminary PUD plans as amended by the conditions set forth in the Technical Advisory Committee Report dated July 19, 2012 is warranted as the conditioned development proposal would demonstrate conformance with the purpose, intent and criteria for approval of a PUD per the provisions of the City's PUD ordinance as codified in RMC Chapter 23.50.

## STAFF REPORT

TO: PLANNING COMMISSION  
FILE NO.: SUP2012-101

PREPARED BY: JEFF ROLPH  
MEETING DATE: AUGUST 22, 2012

### GENERAL INFORMATION:

APPLICANT: INNOVATION CENTER, LLC (SUP2012-101)

REQUEST: APPROVAL OF A SPECIAL USE PERMIT TO ALLOW FOR CONSTRUCTION OF TWO APARTMENT COMPLEXES IN THE BUSINESS RESEARCH PARK (B-RP) ZONING DISTRICT.

LOCATION: NORTH OF UNIVERSITY DRIVE, SOUTH OF 3<sup>RD</sup> STREET  
GENERALLY WEST OF GEORGE WASHINGTON WAY AND  
EAST OF STEVENS DRIVE.

### REASON FOR REQUEST

Residential uses, including apartments, are allowed in the Business Research Park (B-RP) zoning district if approved as a special use by the Planning Commission. The application is being submitted pursuant to procedures set forth in Richland Municipal Code (RMC) Title 23 Zoning and Title 19 Development Regulation Administration.

### FINDINGS AND CONCLUSIONS

Staff has completed its review of the application for special use permit approval (SUP2012-101) and subject to the recommended conditions submits that:

1. The Comprehensive Plan designates the subject site as Business Research Park and the site is zoned Business Research Park (B-RP).
2. Development of the apartments will provide for a use that is in conformance with City's adopted Comprehensive Plan and subject to special use permit approval would be in conformance with the allowable uses in the underlying B-RP zoning district.
3. The Planning Commission is empowered to consider the request for special use permit pursuant to RMC Section 23.46.025(A)(2).
4. RMC Chapter 23.46 sets forth the procedural and legal provisions for review of requests for special use permits.
5. RMC Section 23.28.020(B) sets forth specific requirements for establishment of residential uses within the B-RP zoning district including requirements for an

overall average density of at least 8 units per acre, exclusively residential uses cannot exceed 15 % of the total acreage of any specific business park and may not exceed 10-acres in size, the residential uses must be designed to connect to the surrounding businesses through trails, shared open space and/or communication links and the project must be reviewed and approved by Benton County Emergency Services.

6. The proposed apartment complexes will have a density of approximately 40-units per acre, will comprise less than 9% of the B-RP zoned property under the ownership of the applicant and combined will be less than ten acres in size.
7. The proposed apartment complexes have been designed and incorporated into the planned Innovation Center business park development that includes bicycle lane and walking path connectivity between the residential units and other existing and planned mixed use developments within the park as well as planned connectivity to the other surrounding employment and educational facilities.
8. The development plans for the apartment complexes were reviewed by Benton County Emergency Services and deemed acceptable subject to assurance that there will be ongoing capability of providing emergency notifications to the apartment occupants either through on-site management or other acceptable methods.
9. As conditioned the proposal demonstrates conformance with the applicable requirements of RMC Section 23.28.020(B) for establishment of residential uses in the B-RP zoning district and the procedural and legal provisions for issuance of a special use permit as set forth in RMC Chapter 23.46 have been met.
10. The proposed apartment complexes will provide for use of the property in a manner compatible with and supportive of the surrounding zoning and land uses.
11. As required by State law and City Code, the applicant has submitted a State Environmental Policy Act (SEPA) environmental checklist dated July 17, 2012.
12. The City reviewed the submitted checklist and considered the proposal in light of the submitted information and other environmental information available to the City and determined that as conditioned approval of the request for the proposed development would not have significant adverse environmental impacts.
13. On August 16, 2012 the City issued a Determination of Non-Significance for the proposal.
14. Based on the above findings and conclusions, conditional approval of the request for a special use permit would be in the best interest of the community of Richland.

## RECOMMENDATION

Staff recommends that the Planning Commission concur with the findings and conclusions set forth in Staff Report (SUP2012-101) and approve the request for special use permit to allow for construction of two apartment complexes in a B-RP zoning district, subject to the conditions set forth in the Technical Advisory Committee Report dated August 16, 2012.

## ATTACHMENTS

- A - Supplemental Information
- B - Technical Advisory Committee Report
- C - Notice of Public Hearing and Vicinity Map
- D - RMC Chapter 23.46 and RMC Section 23.28.020(B)
- E - Application
- F - SEPA Checklist and Determination of Non-Significance
- G - Comment Letters
  - Benton County Emergency Services Dept. (7-19-12)
  - Richland Police Dept. Community Services Division (8-3-12)
- H - Site Development Plans and Renderings





SUPPLEMENTAL INFORMATION

PROPOSED DEVELOPMENT

The proposal is for the phased construction of two apartment complexes within the area identified as the Richland Innovation Center that encompasses the PNNL facilities on the north, the Stevens Center Office complex on the south and the WSU Tri-Cities campus on the east. A total of 318 apartment units would be developed in the two complexes.

The first complex (Block 2 Apartments) would consist of four 3 story buildings containing a total of 160 apartment units located on the block bounded by 3<sup>rd</sup> Street to the north, Davinci Street on the south, Innovation Boulevard on the west and Pauling Street on the east. The second complex (Block 3 Apartments) would consist of two 4-story buildings constructed on piers with grade level under building parking with a total of 158 apartment units located on the north side of University Drive, west of Pauling Street and east of Salk Avenue.

Overall on-site parking would be provided for 441 vehicles. The projects rely on the adjacent on-street parking to meet the minimum 477 parking stalls (1.5 spaces per dwelling unit) that are required by City zoning regulations. As the adjoining streets are private streets owned and maintained by the developer, the on-street parking can be counted toward meeting the minimum parking requirements for the apartments.

The developer currently anticipates starting construction on the first complex this fall with construction of the second complex starting sometime in the next two years depending on market conditions.

The applicant has previously completed some major infrastructure improvements in the vicinity of the proposed apartment buildings, including the private streets with provision for on street parking, sidewalks, bike lanes and paths and landscaping as part of the larger Innovation Center project.

SPECIFIC CODE REQUIREMENTS (Attachment D)

RMC Section 23.28.030 allows for development of apartments and other multiple family uses in the B-RP zoning district subject to issuance of a special use permit and conformance to the criteria set forth in RMC Section 23.28.020(B).

RMC Chapter 23.46 sets forth the procedural and legal provisions for special use permits.

SITE DATA

**Size:** Block 2 Apartments - Approximately 4.4-acres  
Block 3 Apartments - Approximately 3.3-acres

**Physical features:** The undeveloped sites are relatively flat with existing ground cover consisting primarily of grasses and weeds.

**Access:** Access into both apartment complexes will be from the adjoining private streets with the Block 2 Apartments having one main access point from Pauling Avenue and the Block 3 Apartments having access from Pauling Avenue on the east and Salk Avenue from the west.

### SURROUNDING ZONING AND LAND USE

The proposed apartment complexes are surrounded on the north, east and west by property zoned B-RP the majority of which is owned by the applicant, with property owned by PNNL located to the northwest. Nearby development includes an office building constructed by the applicant to the west fronting on University Drive that is currently occupied by PNNL and an office and laboratory building constructed by the applicant at the northeast corner of 3<sup>rd</sup> Street and Pauling Avenue a portion of which is currently occupied by WSU Tri-Cities. An office/laboratory building owned and occupied by PNNL is located across 3<sup>rd</sup> Street to the north.

The property to the south across University Drive is zoned Parks and Public Facilities (PPF) under the ownership of WSU Tri-Cities with a research and testing facility currently under construction.

### ANALYSIS

**Compliance with Zoning:** The B-RP zoning district is intended to provide for a variety of office and research and development facilities in a planned business park type of setting. The district regulations recognize the supportive role of limited commercial and residential uses within the district. Higher density residential uses, averaging at least 8-dwelling units per acre are considered special permitted uses in the B-RP zoning district subject to the review and approval by the Planning Commission after public hearing and determination that the location is compatible with the surrounding uses.

The site plan and other supporting materials submitted with the application for special use permit demonstrate compliance with the specific provisions of RMC Section 23.28.020(B) for residential development in the B-RP zoning district and more specifically:

- The apartments will have an overall density of approximately 40-units per acre (minimum average of 8 units per acre required by code).
- The combined total area of both apartment sites is approximately 7.72-acres which is approximately 8.7% of the 89 acres that is zoned B-RP and owned by the applicant which is under the 15% maximum allowable area of a business park that can be developed exclusively for residential use.
- The area of each apartment complex (Block 2 Apartments +/- 4.41-acres and Block 3 Apartments +/- 3.31-acres) is less than the 10-acre maximum area allowed per individual residential complex in the B-RP zoning district.

- The two apartment complexes are not contiguous to each other being separated by a private street and proposed mixed use retail and office buildings.
- Provisions have been made to connect the proposed apartment complexes to the surrounding North Richland employment centers and the WSU Tri-Cities campus via sidewalks and bicycle lanes to potentially minimize vehicular trips; and,
- The projects have been reviewed by Benton County Emergency Services (BCES) and deemed acceptable subject to provisions being made for on-going emergency notifications of apartment residents either by on-site management or other method acceptable to BCES.

**Compatibility with Surrounding Land Uses:** The larger 89-acre Innovation Center development under the ownership of the applicant is planned to provide a mix of uses including office, retail sales and services and residential uses that would be compatible with and supportive of the surrounding employment centers including the Port of Benton properties to the east and west, the PNNL campus to the north and the WSU Tri-Cities campus to the east. The proposed apartments represent an integral part of the plan to create a live/work/learn setting in North Richland and provide a 24/7 presence in the area.

Both apartment complexes will have direct access to the recently constructed Innovation Boulevard that was designed as a centrally located open space/greenbelt tying together the surrounding office, commercial and residential uses. The apartment complexes themselves have been designed to minimize the visual impact of the large parking lots by locating the majority of the required parking in the center of the complex in the case of the Block 2 Apartments and by locating the parking under the building in the case of the Block 3 Apartments.

### **SUMMARY**

Subject to the recommended conditions of approval the proposed apartments will be in compliance with the requirements for residential development in the B-RP zoning district and will be compatible with and supportive of the existing and proposed surrounding land uses.



**RICHLAND PLANNING COMMISSION  
TECHNICAL ADVISORY COMMITTEE REPORT  
AUGUST 22, 2012**

APPLICANT: INNOVATION CENTER, LLC

REQUEST: APPROVAL OF A SPECIAL USE PERMIT TO ALLOW FOR CONSTRUCTION OF TWO APARTMENT COMPLEXES IN THE BUSINESS RESEARCH PARK (B-RP) ZONING DISTRICT.

LOCATION: NORTH OF UNIVERSITY DRIVE, SOUTH OF 3<sup>RD</sup> STREET GENERALLY WEST OF GEORGE WASHINGTON WAY AND EAST OF STEVENS DRIVE.

TECHNICAL ADVISORY COMMITTEE RECOMMENDATIONS

The Technical Advisory Committee conducted a review of the subject request and recommends that if the special use permit is approved, such approval be subject to the following conditions:

1. Development shall be substantially as shown on the preliminary site plans Sheets A0.2 and A0.3 prepared by TVA Architects, Inc., dated July 18, 2012.
2. A secondary emergency vehicle access into the central parking area of the proposed Block 2 Apartment complex shall be provided in conformance with the requirements of the Richland Fire and Emergency Services Department.
3. Detailed plans for the interior parking lot landscaping shall be submitted to the Development Services Division for review and approval and required landscaping installed prior issuance of a final certificate of occupancy for both apartment complexes.
4. Park impact fees as required by Richland Municipal Code (RMC) Section 22.12.020 shall be paid prior to issuance of a certificate of occupancy. Any requests for credit towards the required impact fees for existing or planned private recreational facilities shall be processed as set forth in RMC Section 22.12.070.
5. The apartment complexes shall maintain on-site management and/or an alternative method acceptable to Benton County Emergency Services (BCES) that will ensure the capability to provide emergency notification to the apartment occupants in case of an emergency on a 24 hour 7 day per week schedule.

6. Special use permit approval is subject to the conditions of approval set forth in the attached memorandum from the Civil and Utility Engineering Division dated August 10, 2012.

**CITY OF RICHLAND  
CIVIL AND UTILITY ENGINEERING  
DEVELOPMENT COMMENTS**

DATE: August 10, 2012

TO: JEFF ROLPH, SENIOR PLANNER

PLAN REVIEW BY: JASON REATHAFORD, ENGINEERING TECH 4  
PETE ROGALSKY, PUBLIC WORKS DIRECTOR

PROJECT NAME: INNOVATION CENTER BLOCK 2 & 3 APARTMENTS

PROJECT LOCATION: UNIVERSITY DRIVE & 3<sup>RD</sup> STREET

The Civil and Utility Engineering Division has reviewed the Special Use Permit received in this office on August 1, 2012, for the above referenced property and has the following conditions.

**General Conditions:**

1. All final plans for public improvements shall be submitted prior to pre-con on a 24" x 36" hardcopy format and also electronically in .dwg format compatible with the City's standard CAD software. Addendums are not allowed, all information shall be supplied in the specified 24 x 36 (and electronic) format. When construction of the infrastructure has been substantially completed, the applicant shall provide 3 mil mylar and electronic record drawings to the City. The electronic as-built record drawings shall be submitted in a AutoCAD format compatible with the City's standard CAD software. Electronic copies of the construction plans are required prior to the pre-con meeting, along with the multiple sets of paper drawings. The record drawings shall be submitted and approved by the City before the final punchlist inspection will be performed. All final punchlist items shall be completed or financially guaranteed prior to acceptance of the project.
2. Any work within the public right-of-way or easements or involving public infrastructure will require the applicant to obtain a right-of-way permit prior to construction. A plan review and inspection fee in the amount equal to 5% of the construction costs of the work within the right-of-way or easement will be collected at the time the permit is issued. A stamped, itemized Engineers estimate (Opinion of probable cost) and a copy of the material submittals shall be submitted along with the final plan submittal.
3. Public utility infrastructure located on private property will require recording of a City standard form easement prior to acceptance of the infrastructure and release of a certificate of occupancy. The City requires preparation of the easement legal description by the developer two weeks prior to the scheduled date of occupancy. Once received, the City will prepare the easement document and provide it to the developer. The developer shall record the easement at the Benton County Assessor and return a recorded original document to the City prior to application for occupancy.
4. A pre-construction conference will be required prior to the start of any work within the public right-of-way or easement. Contact the Civil and Environmental Engineering Division at 942-7500 to schedule a pre-construction conference.
5. Site plan drawings which involve the construction of public infrastructure shall be drawn on a standard 24" x 36" drawing format to a scale which shall not be less than 1"= 40'.



6. All plan sheets involving construction of public infrastructure shall have the stamp of a current Washington State licensed professional engineer.
7. All construction plan sheets shall include the note "CALL TWO WORKING DAYS BEFORE YOU DIG 1-800-424-5555 (or "811")." Or: <http://www.call811.com/>
8. Any and all necessary permits that may be required by jurisdictional entities outside of the City of Richland shall be the responsibility of the developer to obtain.
9. A copy of the construction drawings shall be submitted for review to the appropriate jurisdictions by the developer and his engineer. All required comments / conditions shall be incorporated into one set of drawings and resubmitted (if necessary) for final permit review and issuance.
10. A copy of the project shall be supplied to the Post Office and all locations of future mailbox clusters approved prior to final acceptance.

### **Design Standards:**

11. Public improvement design shall follow the following general format:
  - A. Any sewer or storm manholes that are installed outside of public Right of Way shall have an acceptable 12-foot wide gravel access road (minimum) provided from a public street for maintenance vehicles.
  - B. 10-foot horizontal spacing shall be maintained between domestic water and sanitary sewer mainlines and service lines.
  - C. Watermains larger than 8-inches in diameter shall be ductile iron.
  - D. Watermains installed outside of the City Right of Way or in very rocky native material, shall be ductile iron and may need restrained joints.
  - E. All watermains outside areas zoned R1 shall be ductile iron.
  - F. Fire hydrant location shall be reviewed and approved by the City Fire Marshal.
  - G. Sewer mains over 15-feet deep shall be constructed out of SDR26 PVC, C900 PVC or ductile iron. The entire main from manhole to manhole shall be the same material. Private sewer service lines over 15-feet deep shall also be constructed of the same material, then transition to regular sewer piping above 15-feet.
  - H. Valves and manholes installed on private property shall be placed so as to avoid parked cars whenever feasible.
  - I. Trash compactors (high capacity dumpsters) shall be plumbed to the sanitary sewer system.
  - J. All utilities shall be extended to the adjacent property (properties) at the time of construction.
  - K. Any filling of low areas that may be required within the public Right of Way shall be compacted to City standards.
  - L. A overall, composite utility plan shall be included in the submitted plan set if the project is phased. This comprehensive utility plan benefits all departments and maintenance groups involved in the review and inspection of the project.
  - M. A detailed grading plan shall be included in the submitted plan set.
  - N. For public utilities not located within public street rights-of-way the applicant shall provide maintenance access acceptable to the City and the applicant shall provide an exclusive 10-foot wide public utility easement (minimum) to be conveyed to the City of Richland.
  - O. Final design of the public improvements shall be approved at the time of the City's issuance of a Right-of-way Construction Permit for the proposed construction.
  - P. All public improvements shall comply with the State of Washington and City of Richland requirements, standards and codes.
  - Q. All cul-de-sacs shall have a minimum radius of 45-feet to the face of curb to allow for adequate turning radius of fire trucks and solid waste collection vehicles.

- R. Curb returns at minor intersections shall have a minimum radius of 25-feet. Curb returns at major intersections should have minimum radius of 30-feet but should be evaluated on a case by case basis.
  - S. All intersections with public streets shall meet horizontal, vertical and intersectional design requirements for sight distance (A.K.A. the Vision Clearance Triangle).
  - T. All driveways for commercial projects shall construct City standard commercial driveways. Radius-style driveways are not allowed.
  - U. The final engineered construction plans shall identify locations for irrigation system, street lighting, gas service, power lines, telephone lines, cable television lines, street trees and mail boxes. All electrical appurtenances such as transformers, vaults, conduit routes, and street lights (including their circuit) need to be shown in the plan view.
  - V. Construction plans shall provide or reference all standard drawings or special details that will be necessary to construct all public improvements which will be owned, operated, maintained by the City or used by the general public (Commercial Driveway, Curb, Gutter, Sidewalk, Water, Sewer, Storm, Street and Street lighting etc.).
  - W. The developer of record shall maintain the public storm drainage system for one year from the date of final acceptance by The City of Richland (as determined by the issuance of the "Letter of Final Acceptance"). Said developer shall also thoroughly clean the entire system, including structures, pipelines and basins prior to the City warranty inspection, conducted 11 months after the Letter of Final Acceptance.
  - X. The contractor shall be responsible for any and all public infrastructure construction deficiencies for a period of one year from the date of the letter of acceptance by the City of Richland.
12. If the project will be built in phases the applicant shall submit a master plan for the sanitary sewer, domestic water, storm drainage, electrical, street lighting and irrigation system for the entire project prior to submitting plans for the first phase to assure constructability of the entire project. This includes the location and size of any storm retention ponds that may be required to handle runoff.
13. If the City Fire Marshal requires a secondary emergency vehicle access, it shall be included in the construction plan set and be designed to the following standards:
- A. 2-inches compacted gravel, minimum (temp. SEVA only).
  - B. 2% cross-slope, maximum.
  - C. 5% slope, maximum. Any access road steeper than 5% shall be paved or be approved by the Fire Marshal.
  - D. Be 20-feet in width.
  - E. Have radii that are accommodating with those needed for City Fire apparatus.

Secondary emergency vehicles accesses (SEVA's) shall be 20-feet wide, as noted. Longer secondary accesses can be built to 12-feet wide with the approval of the City of Richland Fire Marshal, however turn-outs are required at a spacing acceptable to the Fire Dept. Temporary SEVA's shall be constructed with 2-inches of compacted gravel, at a minimum. Permanent SEVA's shall be paved with 2-inches of asphalt over 4-inches of gravel, at a minimum.

14. SURVEY MONUMENT DESTRUCTION:

All permanent survey monuments existing on the project site shall be protected. If any monuments are destroyed by the proposed construction, the applicant shall retain a professional land surveyor to replace the monuments and file a copy of the record survey with the City.

- A. No survey monument shall be removed or destroyed (*the physical disturbance or covering of a monument such that the survey point is no longer visible or readily accessible*) before a permit is obtained from the Department of Natural Resources (DNR). WAC 332-120-030(2) states "It shall be the responsibility of the governmental agency or others performing construction work or other activity (including road or street resurfacing projects) to adequately search the records and the physical area of the proposed construction work or

other activity for the purpose of locating and referencing any known or existing survey monuments." (RCW 58.09.130).

- B. Any person, corporation, association, department, or subdivision of the state, county or municipality responsible for an activity that may cause a survey monument to be removed or destroyed shall be responsible for ensuring that the original survey point is perpetuated. (WAC 332-120-030(2)).
- C. Survey monuments are those monuments marking local control points, geodetic control points, and land boundary survey corners. (WAC 332-120-030(3)).

***When a monument must be removed during an activity that might disturb or destroy it, a licensed Engineer or Land Surveyor must complete, sign, seal and file a permit with the DNR.***

It shall be the responsibility of the designing Engineer to identify the affected monuments on the project plans and include a construction note directing them to the DNR permit.

### **Traffic & Streets:**

- 15. Sidewalks shall be installed along all public Right of Way frontages that building lots do not front on during construction of those phases (e.g., storm drainage ponds, parks, etc.).
- 16. The existing access points onto University Drive are acceptable for this project, but any proposed changes to said driveways will be subject to approval by the City Engineer.
- 17. If the project is to be constructed in phases, all dead-end streets longer than 150-feet that will be continued later need to have temporary turn-arounds built at the end of them. The radius of these turn-arounds shall be 45-feet minimum, and shall be constructed of 2-inches of compacted top course gravel for slopes less than 5%, or of 2-inches of asphalt atop 2-inches of gravel for slopes greater than 5%. If the temporary turn around is not located within the property an easement with a 50-foot radius will be required.
- 18. The private drives within this project are fire lanes and parking is restricted. The required no-parking signs shall be installed by the developer where applicable. Any private roads narrower than 34-feet shall have parking restricted on one side, and any roads 28-feet or narrower shall have parking restricted on both sides. Street signs indicating restricted parking shall be installed prior to final occupancy at the developers expense.

### **Domestic Water:**

- 19. The developer will be required to demonstrate that all phases are capable of delivering adequate fire flows prior to construction plans being accepted for review. This may require looping of the watermain from off-site locations.
- 20. The fire hydrant layout shall be approved by the City Fire Marshal.
- 21. In accordance with RMC Chapter 18.13 and WAC 246-290 regarding Cross Connections, premise isolation backflow assemblies are required to be installed on the domestic water services of all new commercial/industrial buildings, and also of all buildings undergoing a tenant improvement, remodel, addition, etc., immediately downstream of the City's water meter. This will be a requirement on the construction plans. Please note this on the plans, and indicate where the backflow device is to be installed. Yearly test reports shall be provided to the City's Water Quality Inspector. The backflow device shall be on the state approved list, available through the Washington State Dept. of Health.

### **Storm Water:**

22. This project may require coverage under the Washington State General NPDES Permit for Construction projects. The Developer shall be responsible for compliance with the permit conditions. The City intends to adopt revised standards affecting the construction of new stormwater facilities in order to comply with conditions of its NPDES General Stormwater Permit program. This project, and each phase thereof, shall comply with the requirements of the City's stormwater program in place at the time each phase is engineered.
23. The proposed storm drainage and grading of all areas within the proposed development shall be shown on the plans (most grading and drainage plans must be prepared by a licensed civil engineer). If site contains at least 1,000 sq.ft. of new asphalt, and/or contains 30% or more impervious surfaces, storm drainage calculations from a licensed civil Engineer are required. The storm sewer system shall be designed to contain a 25-year storm. Provide storm drainage calculations based on a 25-year storm using the Benton County Hydrology Manual. Calculations shall be stamped by a professional Civil Engineer. Prior to discharging any storm drainage waters from paved surfaces into drainage ditches, groundwater or a public system, an oil/water separator must be installed. The applicant's design shall provide runoff protection to downstream property owners. The project will require detailed erosion control plans.

### **Final Project Acceptance Requirements:**

24. Public utility infrastructure located on private property will require recording of a City standard form easement prior to acceptance of the infrastructure and release of a certificate of occupancy. The City requires preparation of the easement legal description by the developer two weeks prior to the scheduled date of occupancy. Once received, the City will prepare the easement document and provide it to the developer. The developer shall record the easement at the Benton County Assessor and return a recorded original document to the City prior to application for final occupancy.
25. Any off-site easements or permits necessary for this project shall be obtained and secured by the applicant and supplied to the City at the time of construction and prior to final acceptance by the City.
26. All landscaped areas that a part of this project that are within the public Right of Way shall be the responsibility of the property owners to maintain.
27. Property with an unpaid L.I.D. assessment towards it must be paid in full or segregated per Richland Municipal Code 3.12.095.

# **CITY OF RICHLAND**

## **NOTICE OF APPLICATION**

### **AND PUBLIC HEARING (SUP2012-101)**

Notice is hereby given that Innovation Center, LLC, on July 20, 2012 filed application for a special use permit (SUP2012-101) to allow for the construction of two apartment complexes, one being a three-story 160 unit complex (Block 2 Apartment Building) and one being a four-story 158 unit complex (Block 3 Apartment Building). Both apartment complexes would be located on the north side of University Drive, south of 3<sup>rd</sup> Street, generally west of George Washington Way and east of Stevens Drive. Pursuant to Richland Municipal Code (RMC) Section 19.30.030 the City of Richland has determined the application complete for processing on July 25, 2012.

The Richland Planning Commission, on Wednesday August 22, 2012, will conduct a public hearing and review of the application at 7:00 p.m. in the Council Chamber at the Richland City Hall, 505 Swift Boulevard. All interested parties are invited to attend and give testimony at the public hearing.

Any person desiring to express his views or to be notified of any decisions pertaining to this application should notify Rick Simon, Development Services Manager, 840 Northgate Avenue, P.O. Box 190, Richland, WA 99352. Comments may also be faxed to (509) 942-7764 or e-mailed to [rsimon@ci.richland.wa.us](mailto:rsimon@ci.richland.wa.us). Written comments should be received no later than 5:00 p.m. on August 13, 2012. Copies of the Staff Report and recommendation will be available in the Development Services Division Office (840 Northgate Drive) and the Richland Public Library beginning Friday August 17, 2012.

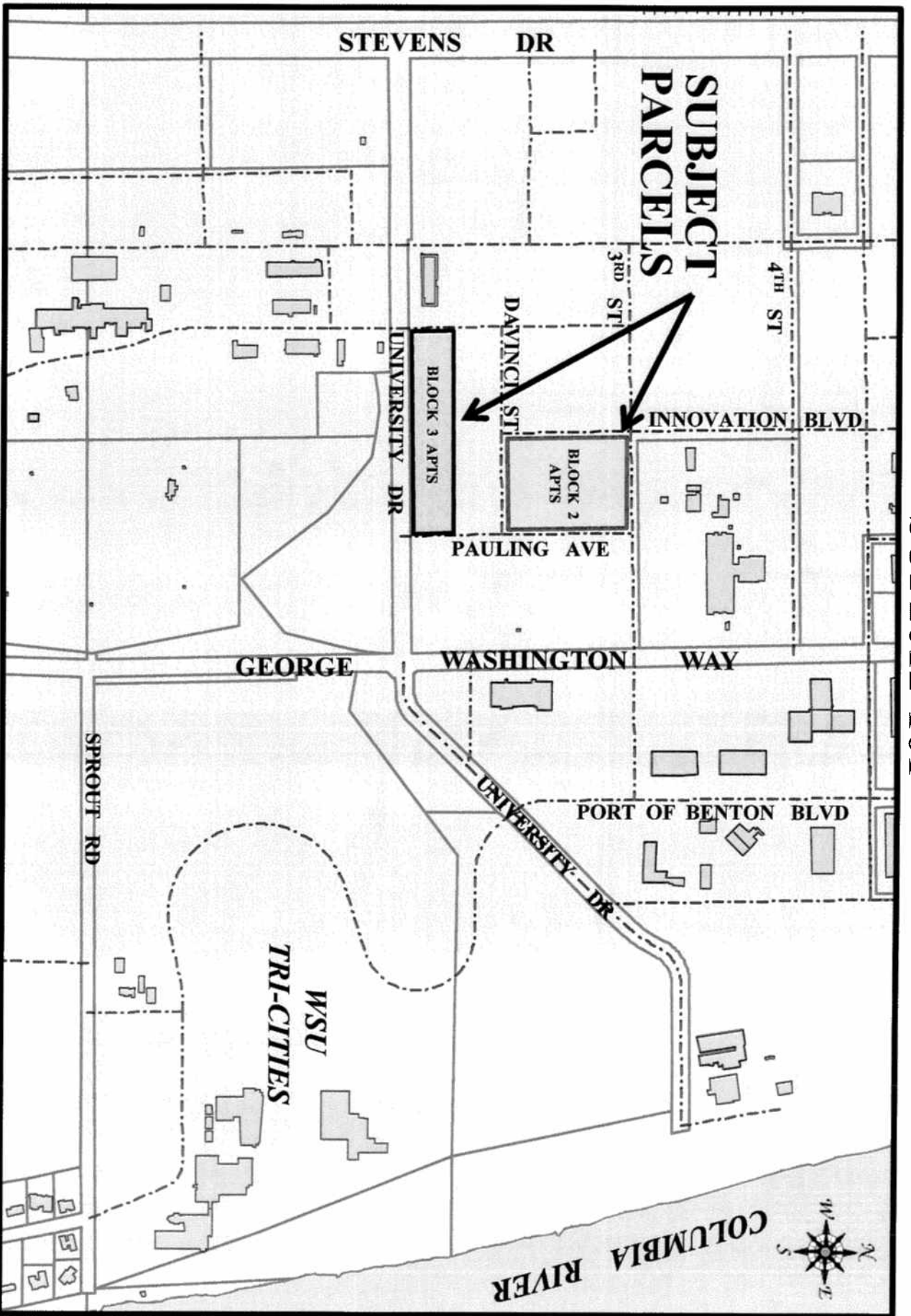
Notice is further given that the applicant has filed an environmental checklist as required by the State Environmental Policy Act (SEPA). Copies of the SEPA document, the proposed development plans and other information related to the application are available for review at the Richland Development Services Center at 840 Northgate Drive, Richland, Washington.

The proposed application will be reviewed in accordance with the regulations in RMC Title 19 Development Regulation Administration and RMC Title 23 Zoning. Appeal procedures of decisions related to the above referenced application are set forth in RMC Chapter 19.70. Contact the Richland Development Services Division at the above referenced address with questions related to the available appeal process.

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Rick Simon,  
Development Services Manager

SUP2012-101



VICINITY MAP

## **Chapter 23.46 SPECIAL USE PERMITS**

### **Sections:**

23.46.010	Purpose.
23.46.020	Applications.
23.46.025	Hearing body.
23.46.030	Notice of hearing.
23.46.040	Hearings – Findings – Conditions.
23.46.050	Notification of action.
23.46.060	Commission or board action.
23.46.070	Appeals.
23.46.075	Modification of special use permits.
23.46.080	Resubmission of application.
23.46.090	Change of property ownership.
23.46.100	Existing conditional uses.
23.46.110	Rights conferred.

### **23.46.010 Purpose.**

The purpose of a special use permit is to provide opportunities to accommodate certain uses, which, by nature of use, intensity, or general impact on an area, cannot be considered as a use of right within a zoning district. Where special conditions and regulations can be complied with, and such use is authorized as a special use within the zoning district for which application is made, such uses may be found to be permissible. [Ord. 28-05 § 1.02].

### **23.46.020 Applications.**

Any request for a special use permit shall not be considered by the hearing body unless and until a completed application for a special use permit is submitted indicating the section of this code under which the special use is sought, and further stating the grounds upon which it is requested. Such application shall be accomplished by the following:

A. A title insurance company report showing ownership of record of the property involved, an accurate legal description of the property involved, and a list of the names and addresses of all owners of record of property within a radius of 300 feet of the exterior boundaries of the subject property, or within the distance specified within the appropriate section of this chapter relating to the special use being proposed. In addition, the report shall be accompanied by an accurate key map showing the property involved and delineating the property within 300 feet or other specified distance of the subject property. Each parcel falling wholly or partly within the specified distance shall be numbered to correspond with the ownership report;

B. A plot plan showing the following:

1. Boundaries and dimensions of property;
2. Location and width of boundary streets;
3. Size and location of existing or proposed buildings, structures or activities on the site;
4. Roadways, walkways, off-street parking, loading facilities and emergency vehicle access;
5. Fencing, screening or buffering with reference to location, type, dimension and character;
6. Required setbacks, yards and other open spaces; and
7. Easements, rights-of-way, etc.;

In addition, architect's sketches showing elevations of proposed buildings or structures, complete plans, and any other information needed by the commission or board may also be required;

C. Written assurance from all applicable federal, state or local regulatory agencies indicating that the applicant has complied with at least one of the following requirements:

1. Made initial contact with those agencies having jurisdiction over the proposed project;
2. Applied for the necessary permits and/or licenses from those agencies having jurisdiction over the proposed project;

3. Received the necessary permits and/or licenses from those agencies having jurisdiction over the proposed project;

D. State Environmental Policy Act (SEPA) checklist as required;

E. Standard fee as set forth in RMC 19.80.020. [Ord. 28-05 § 1.02].

#### **23.46.025 Hearing body.**

A. The planning commission shall be the hearing body to conduct the review of special use permit applications for the following uses:

1. Outdoor commercial recreation in the AG – agricultural and I-M – medium industrial districts;
2. Dormitories, fraternities, sororities, hotels and motels and residential development in the B-RP – business research park district;
3. Businesses with drive-through window service in the C-1 neighborhood retail and WF – waterfront districts;
4. Landscaping material sales and plant nurseries in the AG – agricultural district;
5. Manufactured home parks in the R-2 – medium-density residential and R-3 – multifamily residential districts;
6. Monopoles and lattice towers in the PPF – parks and public facilities, B-C – business commerce, CBD – central business district, C-2 – retail business, C-3 – general business, B-RP – business research park, I-M – medium industrial and M-2 – heavy manufacturing districts;
7. Recreational vehicle campgrounds and recreational vehicle parks in the AG – agricultural and C-3 – general business districts;
8. Sit down restaurants in the C/R-T – commercial/residential transition district;
9. Parking lots in the NOS – natural open space district;
10. Single retail businesses operating within a building space in excess of 15,000 square feet in area in the C-1 – neighborhood retail business district;
11. Telemarketing services in the B-RP – business research park district;
12. Automobile repair minor, automobile repair specialty shop, automobile service station, auto parts sales, car wash-automatic or self service, vehicle leasing/renting, vehicle sales and restaurant/drive-through in the CBD – central business district.

B. The board of adjustment shall be the hearing body to conduct the review of special use permit applications for the following uses:

1. Animal shelters, commercial kennels and animal clinics in the AG – agricultural, C-2 – central business, C-3 – general business, and I-M – medium industrial districts;
2. Automobile wrecking and the storage or sale of junk, unlicensed autos or salvage materials in the M-2 – heavy manufacturing district;
3. Bed and breakfast facilities in the single-family residential (R-1-12, R-1-10, R-2), SAG – suburban agricultural and AG – agricultural districts;
4. Day care centers in the residential (R-1-12, R-1-10, R-2, R-3), SAG – suburban agricultural, AG – agricultural, I-M – medium industrial and B-RP – business research park districts;
5. The excavating, processing, removal of topsoils, sand, gravel, rock or similar deposits in the AG – agricultural, I-M – medium industrial and M-2 – heavy manufacturing districts;
6. Public stables and riding academies in the FP – floodplain, AG – agricultural and C-3 – general business districts; and
7. Towing and vehicle impound lots in the C-3 – general business district. [Ord. 28-05 § 1.02; Ord. 07-06; Ord. 23-11 § 1.02; Ord. 32-11 § 16].

#### **23.46.030 Notice of hearing.**

Written notice of public hearings consistent with the requirements of Chapter 19.40 RMC shall be addressed through the United States mail to the owner of the property of which the special use is sought and to the owners of record of all properties within a radius of 300 feet of the exterior boundaries of the subject property, pursuant to the title insurance company report required by RMC 23.46.020, or within the distance specified within the appropriate section of Chapter 23.42 RMC relating to the special use being proposed. Such notice of hearing shall also be published at least once in the official newspaper of the city. Both published and mailed notices shall be given at least 10 days in advance of the public hearing. [Ord. 28-05 § 1.02].



**23.46.040 Hearings – Findings – Conditions.**

The hearing body shall conduct an open record public hearing on an application for special use permit as required by RMC Title 19 for a Type III permit application.

A. Any person may appear at the public hearing in person, or by agent or attorney.

B. The hearing body shall make a finding that it is empowered under the section of this code described in the application to consider the application for the special use permit.

C. The hearing body shall approve, approve with conditions or deny an application for a special use permit based on findings of fact with respect to the following criteria:

1. The size and dimensions of the site provide adequate area for the proposed use;
2. The physical conditions of the site, including size, shape, topography, and drainage, are suitable for the proposed development;
3. All required public facilities necessary to serve the project have adequate capacity to serve the proposed project;
4. The applicable requirements of this zoning regulation (RMC Title 23), the city comprehensive plan, the city sensitive area regulations (RMC Title 20), the city shoreline management regulations (RMC Title 26) and the city sign regulations (RMC Title 27) have been met; and
5. Identified impacts on adjacent properties, surrounding uses and public facilities have been adequately mitigated.

D. The hearing body may impose conditions on the approval of a special use permit in addition to or above and beyond those required elsewhere in this title, which are found necessary to ensure the use is compatible with the public interest. These conditions may include, but are not limited to, the following:

1. Limiting the hours, days, place and/or manner of operation;
2. Requiring design features which minimize environmental impacts such as noise, vibration, air pollution, glare, odor and/or dust;
3. Requiring additional setback areas, lot area and/or lot depth or width;
4. Limiting the building height, size or lot coverage, and/or location on the site;
5. Designating the size, number, location and/or design or vehicle access points;
6. Requiring street right-of-way dedication and/or street improvement;
7. Requiring additional landscaping, berms and/or screening of the proposed use and/or its parking or loading areas and designating the required size, height, type and/or location of fencing and landscaping materials;
8. Limiting the number, size, location, height and/or lighting of signs.

E. Violation of any conditions, requirements, and safeguards, when made a part of the terms under which the special use permit is granted, shall be deemed a violation of this code and punishable under RMC 23.70.270.

F. The hearing body may prescribe a time limit within which the action for which the special use permit is required shall be begun and/or completed. Failure to begin and/or complete such action within the time limit set shall void the special use permit. The time limits may be extended by the hearing body for good cause shown. In the event that no specific time limit to begin or complete a special use permit is identified, then the special use permit shall remain valid for a period of two years from the date that the permit was issued. The hearing body may authorize issuance of a special use permit for a specified probationary period of time, at the termination of which the applicant must resubmit a new application in accordance with the provisions of RMC 23.46.020. [Ord. 28-05 § 1.02].

**23.46.050 Notification of action.**

A. A written notice of action shall be addressed through the United States mail to the applicant within three days after any action by the hearing body on a special use permit application.

B. If the special use permit application is approved, the notice shall contain findings of fact, a list of conditions of approval, if any, that must be complied with prior to special use permit issuance, and a list of requirements which have been made conditions of special use permit approval and which must be complied with after special permit issuance.

C. If the special use permit is tabled, the notice shall contain a list of requirements or information that must be complied with or provided prior to further consideration by the hearing body.

D. If the special use permit application is denied, the notice shall contain findings of fact that were the basis for the denial. [Ord. 28-05 § 1.02].

**23.46.060 Commission or board action.**

A decision on a special use permit by the planning commission or board of adjustment shall be by the affirmative vote of not less than a majority of the quorum of the commission or board. The approval shall be a recorded motion which shall incorporate findings of fact and refer expressly to the ordinance, or sections thereof, upon which the commission's or board's actions are based. Approval of a special use permit application shall authorize the administrative official to issue a special use permit. Conditions may be attached to authorization by the commission or board that must be complied with prior to the issuance of the permit. [Ord. 28-05 § 1.02].

**23.46.070 Appeals.**

Any decision by the hearing body shall be final unless written notice of appeal to the city council, together with such fees as are required by RMC 19.80.020, is filed with the city clerk within 10 days from the date of the order, requirement, decision or determination by the hearing body. Such appeal shall be consistent with the requirements set forth in Chapter 19.70 RMC for appeal of decisions on Type II permit applications. The city council shall review the official record of the special use permit application, including the notice of appeal, and shall consider testimony pertinent to the official record. If new evidence is received that is not part of the official record, the city council shall not use the new evidence as a basis of reversing a decision, but instead shall remand the application to the hearing body for reconsideration. The city council may, so long as such action is in conformity with the terms of this code, reverse or affirm, wholly or in part, or may modify the order, requirement, decision or determination appealed from, and may make such order, requirement, decision or determination as the city council deems appropriate. [Ord. 28-05 § 1.02].

**23.46.075 Modification of special use permits.**

A. Major changes to a previously approved special use permit shall be considered as a new application as set forth in RMC 23.46.020. Major changes include the following:

1. An increase in the approved floor area of 10 percent or more for any nonresidential building;
2. An increase in the density of a residential project of 10 percent or more;
3. A reduction of 10 percent or more of the open space area, or required landscaping areas;
4. A reduction of an approved setback of 20 percent or more;
5. A change in the amount of off-street parking of 10 percent or more; or
6. A change in any operational condition specified in the original conditions of approval of the

special use permit that the administrative official deems to result in a possible adverse impact to adjacent properties.

B. Any modification to a previously approved special use permit that does not meet the definition of a major modification shall be considered a minor modification. Minor modifications shall be approved, approved with conditions or denied by the administrative official based on the finding that the proposed development complies with all applicable requirements of this title. [Ord. 28-05 § 1.02; amended during 2011 recodification].

**23.46.080 Resubmission of application.**

A. Except as provided in subsection (B) of this section, any application for issuance of a special use permit which has been disapproved by the hearing body and/or city council shall not be resubmitted to the hearing body for a period of two years from the date of disapproval.

B. The hearing body may waive the two-year waiting period for a previously disapproved application when it can be reasonably demonstrated that conditions in the area of the request have substantially changed since disapproval, or that the nature of the application has changed sufficiently to remedy the reasons for disapproval. In either case, it shall be the burden of the applicant to show such change. [Ord. 28-05 § 1.02].

**23.46.090 Change of property ownership.**

A. The validity of any special use permit shall be contingent upon exercise of the special use, as granted, and the special use permit shall run with the property regardless of a change in ownership of the property.

B. The hearing body may require, as a condition of approval for granting of the special use, that the special use permit be recorded with the Benton County auditor's office as a special covenant which shall run with the property regardless of a change in ownership of the property.

C. Any change in the special use for which the original permit was issued which is determined to be substantial by the administrative official shall void the original permit and necessitate the submission of a new application. [Ord. 28-05 § 1.02].

**23.46.100 Existing conditional uses.**

A. Any conditional use lawfully existing prior to December 6, 1976, and/or prior to the effective date of the mandatory ordinance codified in this title shall be considered an existing nonconforming special use, subject to the provisions and requirements of Chapter 23.66 RMC, and further subject to the conditions of issuance of the permit issued for such use.

B. Any such nonconforming special use considered to be terminated by virtue of the requirements specified in Chapter 23.66 RMC shall require the issuance of a special use permit in order to be continued. [Ord. 28-05 § 1.02].

**23.46.110 Rights conferred.**

Granting of a special use permit confers upon the property only such use or uses specifically enumerated in the approved special use permit, and subject to any and all conditions, requirements and safeguards established in the approved permit. [Ord. 28-05 § 1.02].

**23.28.020 Business performance standards and special requirements.****B. B-RP Residential, Day Care and Preschool Standards.**

1. Residential development is permitted in the B-RP zone at an average density of eight dwellings per acre within a business park. Average density shall be determined by a calculation of the total land area (in acres) within a business park that are both developed and proposed for development with residential uses divided by the total number of dwelling units that are both developed and proposed for development. Any residential development approved through a special use permit must maintain a minimum density of six dwelling units per acre. Construction of residential units shall proceed as identified or conditioned in a special use permit approved by the Richland planning commission;

2. Detached single-family dwellings are prohibited unless:

a. Detached single-family dwellings are part of a residential development as approved through the special use permit process, in which no more than 25 percent of the total number of dwelling units approved through the special use permit are detached single-family dwellings; and

b. Detached single-family dwellings are a part of a common maintenance program, such as a homeowners' association, with attached conditions, covenants and restrictions to be approved by the city at the time of development and recorded by deed to run in perpetuity to the individual properties;

3. Dwelling units may be incorporated into a building occupied by a nonresidential use;

4. No more than 15 percent of the total number of acres in the B-RP zone or within a specific business park or master planned area shall be developed exclusively for residential uses. The applicant for a residential use project shall identify the properties that he/she is relying upon to comply with this requirement. In the event that the applicant is relying upon property(ies) that are not under the ownership of the applicant, then the applicant shall submit a written statement from the affected property owners consenting to the application for an exclusive residential use;

5. No site developed exclusively for residential uses shall exceed 10 acres in area;

6. No parcel or parcels of property developed exclusively for residential uses shall be contiguous to any other parcel or parcels of property developed exclusively for residential uses, if the combined total of all contiguous parcels developed exclusively for residential uses exceeds 10 acres in area;

7. Mixed use buildings that contain permitted uses (as identified in RMC 23.26.030) on the main floor of the building and residential uses on the upper floors of the building are permitted without regard to subsections (B)(4) through (6) of this section. All other provisions regulating the placement of residential uses in the B-RP zone shall apply;

8. Day care and preschool uses are permitted without regard to subsections (B)(4) through (6) of this section. All other provisions regulating the placement of day care and preschool uses in the B-RP zone shall apply;

9. Residential projects in the B-RP zone shall include provisions to connect with permitted uses in the zone which have the effect of minimizing the need for automotive commutes. Such connections may include shared open space, pedestrian trails, computer and/or communication links between buildings, or other similar features. Residential projects should also be designed to be compatible with the architectural character of existing, adjacent business parks;

10. Parking for residential structures shall be required in addition to any requirement for other permitted uses on the site; and

11. The applicant shall ensure that an emergency response plan is prepared by Benton County emergency services and that such emergency response plan is implemented prior to or simultaneously with the issuance of a certificate of occupancy for a project.

a. Prior to the submittal of a special use permit, the applicant shall consult with Benton County emergency services to determine the following:

i. The specific hazards to residential, day care and/or preschool populations that exist in the vicinity of the project site resulting from existing industrial land uses in the general area. Such hazards shall be determined and assessed through the review of risk management hazard plans that are on file with Benton County emergency services;

ii. The parameters of the emergency services plan that are necessary to support the proposal. Such plan will at a minimum address the following:

(A) Provisions for emergency notification;

(B) Identification of evacuation routes;

(C) Identification of special populations that may reside or be located within the proposed project (small children, seniors, individuals with mobility restrictions, etc.) for identification of specific provisions to address the safety of these special populations;

iii. Identification of any plans for sheltering residential populations during an emergency event and any specific building or site design features to be incorporated into the project to mitigate potential hazards created by nearby industrial facilities; and

iv. Identification of plans to inform the future residents of the residential project of the specific emergency notification procedures and actions that would be taken during an emergency event.

b. Following completion of the consultation process, the applicant shall obtain a written statement from Benton County emergency services that either:

i. Indicates that the proposed project site is located outside of any known hazard area which represents a threat to residential, day care or preschool populations as identified in the risk management plans on file with Benton County emergency services and that the requirement for a specific emergency response plan is waived; or

ii. Identifies the known hazards to residential, day care or preschool populations that are known to exist in or near the project site. Such report shall identify the specific mitigation measures that will be included in the emergency response plan. The applicant shall sign a statement acknowledging and agreeing to the mitigation measures included in the emergency response plan.

iii. The applicant is required to provide any information requested by Benton County emergency services for the preparation of an emergency response plan.

**Planning & Development Services Division • Current Planning Section**  
**840 Northgate Drive • Richland, WA 99352**  
**General Information: 509/942-7794 • Fax: 509/942-7764**

**SPECIAL USE PERMIT APPLICATION**

<b>Applicant's Section</b>			
Applicant Rick Parsons			
Address 1986 Greenbrook Blvd.		City Richland	State WA Zip 99352
Phone Number 509.554.9857	Fax Number		Other
Address and/or Location of Property None (Bounded by Stevens Drive, University Drive, George Washington Way, 3rd Street & 4th Street)			
Legal Description (including lot, block, and plat) Tax Parcel 12308000001001		Present Zoning B-RP	
Request to use the above-described property for the following purpose (use this space to identify the intended use involved). Also include the title and section of the Richland Municipal Code under which the special use is sought.			
Two apartment developments, including 318 (160 + 158) apartment units and 441 (205 + 236) parking spaces and one on-site rental office			

Explanation of use. Please complete the information below, selecting the items that apply to the proposed use, in order that the Physical Planning Commission and City Council may ascertain whether the intended use on the proposed site would conform to the stated purposes of Title 23, Zoning, Richland Municipal Code, and be compatible with the permitted uses in the zone.

What are the products resulting from the operations?

NONE

What supplies and materials are to be kept or used on the premises? Raw materials:

NONE

Finished products:

NONE

What are the type, amount, and location of storage to be provided?

Small rentable storage closets within the apartment buildings and 40 private garages

If any of the materials used and stored in connection with this activity are hazardous, what is the nature of the hazard? What precautionary means will be employed to provide safety both to employees, customers, and adjoining properties?

How many people will be employed? 2 onsite staff In the manufacture of the product? \_\_\_\_\_

In the sale of the product? NONE In any other capacity? \_\_\_\_\_

What do you estimate will be the greatest number of persons on the premises at any one time, excluding employees?  
800-900 residents and guests

What type of volume of trucking is involved? NONE, except for construction

What are the hours of peak loading and unloading? NONE, except for construction during normal business hours

What other type and volume of traffic would be generated? Daily coming/going of residents & guests

Would the activity normally attract the public to the premises? Yes ☐ No ☒

Number of visitors daily? \_\_\_\_\_ Number of patrons daily? \_\_\_\_\_

Will this activity be carried on outside of daylight working hours? If so, what are the hours? Full-time residential use

What type of power would be employed? Electric ☒ Gas ☒ Oil ☐ Steam ☐  
(Pool heater)  
or Internal Combustion Engine ☐

What type and volume of noise results from operations on premises? NONE

Have you any evidence of the decibel rating of sound emanating from this or similar operations? If so, what is it?

What odors, fumes, smoke, or dust result from the operations?

NONE

Is there any sewage from the processes involved that would sterilize or overload existing wastewater (sewer) facilities?

Yes ☐ No ☒ What are they? \_\_\_\_\_

What are the demands of this activity upon available public facilities and utilities?

Electricity Residential use by occupants & site lighting

Water Residential use by occupants & landscape irrigation from an existing on-site well

Wastewater (Sewer) Disposal Residential use by occupants

Refuse Disposal Residential use by occupants

Transportation (railroad and streets) Daily coming/going of residents and guests

Explain in detail why this particular site is especially suited, if it is, for the intended purpose:

The Innovation Center property is unique in its adjacency to the Pacific Northwest National Lab as well as to the Hanford facilities. This proximity to two of the region's largest employment centers is one reason that this site is especially suited to residential uses. In addition, the site has proximity to Hanford High School and to WSUTC. These adjacencies, along with the stated goals of the Innovation Center to create live/learn/work/play synergies, make this an ideal place for multi-family housing.

The sites will promote active lifestyles, the ability to access nearby educational, employment, retail, and recreational facilities with minimal commute time, if not on foot or bicycle.

Describe how the proposed use and improvements are designed and arranged to fit into the development of adjacent property and the neighborhood:

The Innovation Center is designed with on-street parking, paved bike lanes, and paver sidewalks, much of which has already been constructed, which will augment the connections to adjacent business, educational, and recreational facilities. By utilizing University Avenue and Innovation Boulevard as the major axes for this multi-family housing product, we are reinforcing connections, physically and architecturally, to PNNL as well as WSUTC. Both parcels are directly connected to the newly-constructed Innovation Boulevard, the center of which is a 2+ acre green space which will be utilized by the residents of these apartments, the occupants of adjacent and future office buildings, and for activities such as farmers' markets and festivals. The housing on Block 2, in particular, is designed to overlook the new boulevard and the buildings are intentionally pulled closer to the street edge, in a departure from typical 'suburban' apartment planning, so that a more densified, vibrant lifestyle can be promoted. On Block 2, pulling the buildings to the street edge will not only benefit the area by increasing visibility ('eyes on the street') but has the added benefit of concealing parking in the interior of the block. Similarly, on Block 3, the building is elevated one level above grade so that the site footprint can be minimized along with the visual effect of a large numbers of cars.

These projects, while different in scale and articulation, are both specifically designed to meld into an evolving multi-use development which will benefit all of the surrounding properties and property owners and will bring a new vitality along with 24/7 occupancy to the north of Richland.

I have examined and am familiar with the regulations covered in Title 23 of the Richland Municipal Code, as they pertain to the application



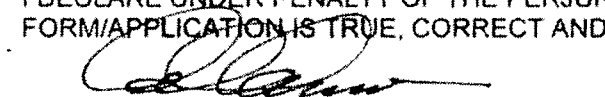
Signature of Applicant or Authorized Agent

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Signature of Applicant or Authorized Agent

I have read and consent to the filing of this application as the owner of record of the property for which the Special Use Permit is being requested.

I DECLARE UNDER PENALTY OF THE PERJURY LAWS THAT THE INFORMATION I HAVE PROVIDED ON THIS FORM/APPLICATION IS TRUE, CORRECT AND COOMplete.



Owner's Name

2730 NW NIGHTHAWK CIR

Address

BEND

City

OR 97701

State

Zip

541-410-6000

Phone No.

Other No.



Owner's Signature

Owner's Name

Address

City

State

Zip

Phone No.

Other No.

Owner's Signature



**A. BACKGROUND**

1. Name of proposed project, if applicable:  
**Innovation Center – Block 2 Apartments**
2. Name of applicant:  
**Innovation Center, LLC**
3. Address and phone number of applicant and contact person:  
**Rick Parsons**  
**1986 Greenbrook Blvd.**  
**Richland, Washington 99352**
4. Date checklist prepared: **July 17, 2012**
5. Agency requesting checklist:  
**City of Richland, Planning & Development Services**
6. Proposed timing or schedule (including phasing, if applicable):  
**The project is planned for a construction start in Fall 2012, with phased construction over the next two years.**
7. Do you have any plans for future additions, expansion, or further activity related to or connected with this proposal? If yes, explain.  
**The remaining areas of the site are intended for future development as office, retail and additional housing.**
8. List any environmental information you know about that has been prepared, or will be prepared, directly related to this proposal.  
**2006 Level I Environmental Site Assessment and Level II Environmental Assessment by EMG**
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 Special Use Permit**  
**City of Richland Building Permit**
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.)  
**This proposed multi-family housing development has two distinct components: Block 2 (160 One BR and Two BR Units in three-story 'walk-up' apartment buildings) and Block 3 (158 One BR and Two BR units in a four-story elevator building which is elevated above grade-level parking). Both projects are situated to take advantage of the Innovation Centers existing network of vehicular, pedestrian, and bicycle infrastructure, and both have easy access to the area's major employment centers as well as to Washington State University Tri-Cities.**
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.  
**Tax Parcel #123083000001001; Section 23, Township 10 North, Range 28 East, Willamette Meridian**

**Bounded by Stevens Drive, University Drive, George Washington Way, 3rd Street, and 4th Street, Richland, Washington.**

## B. ENVIRONMENTAL ELEMENTS

### 1. Earth

- a. General description of the site (circle one): Flat, rolling, hilly, steep slopes, mountainous, other . . . . .  
**Flat**
- b. What is the steepest slope on the site (approximate percent slope)?  
**2%**
- c. What general types of soils are found on the site (for example, clay, sand, gravel, peat, muck)? If you know the classification of agricultural soils, specify them and note any prime farmland.  
**Kennewick Silt Loam per Environmental Assessment referenced in A,8 above**  
**Silty-sand with gravel overlying sandy-gravel with cobbles per geotechnical report**
- d. Are there surface indications or history of unstable soils in the immediate vicinity? If so, describe.  
**None**
- e. Describe the purpose, type, and approximate quantities of any filling or grading proposed. Indicate source of fill.  
**None**
- f. Could erosion occur as a result of clearing, construction, or use? If so, generally describe.  
**Minimal erosion during site clearing and earthwork. All grading will be completed in conformance to the Stormwater General Permit (CSWGP), Permit #WAR-124686.**
- g. About what percent of the site will be covered with impervious surfaces after project construction (for example, asphalt or buildings)?  
**Total site area = 89.00A; current site impervious area = 5.09A = 5.7%.**  
**Block 2 adds 3.02A and Block 3 adds 5.94A, for a total of 14.05A = 15.8% .**
- h. Proposed measures to reduce or control erosion, or other impacts to the earth, if any:  
**Erosion control measures during construction. Reference CSWGP #WAR-124686.**

### 2. Air

- a. What types of emissions to the air would result from the proposal (i.e., dust, automobile, odors, industrial wood smoke) during construction and when the project is completed? If any, generally describe and give approximate quantities if known.  
**None**
- b. Are there any off-site sources of emissions or odor that may affect your proposal? If so, generally describe.  
**None**
- c. Proposed measures to reduce or control emissions or other impacts to air, if any: **None**

### 3. Water

- a. Surface:
- 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.  
**Does not apply**
  - 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.  
**Does not apply**
  - 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.  
**None**  
Indicate the source of fill material.  
**Does not apply**
  - 4) Will the proposal require surface water withdrawals or diversions? Give general description, purpose, and approximate quantities if known.  
**None**
  - 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.  
**None**

b. Ground:

- 1) Will ground water be withdrawn, or will water be discharged to ground water? Give general description, purpose, and approximate quantities if known.  
**No discharge to groundwater will be made. Groundwater will be withdrawn for irrigation purposes through an existing City of Richland owned and operated well.**
- 2) Describe waste material that will be discharged into the ground from septic tanks or other sources, if any (for example: Domestic sewage; industrial, containing the following chemicals. . . ; agricultural; etc.). Describe the general size of the system, the number of such systems, the number of houses to be served (if applicable), or the number of animals or humans the system(s) are expected to serve.  
**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?  
**Stormwater from roofs will be piped from downspouts to drywells for infiltration into subsoils. Storm drainage from hard surface areas will be directed to surface infiltration swales or subsurface infiltration via permeable pavers.**  
Will this water flow into other waters? If so, describe.  
**No**
- 2) Could waste materials enter ground or surface waters? If so, generally describe.  
**No. Surface runoff from trash enclosures will be directed to surface infiltration swales. Native sandy soils will provide natural filtration barriers to ground waters.**

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

**Construction activities will be completed in conformance to CSWGP #WAR-124686. Site improvements will be designed to conform to the requirements of the City of Richland standards and specifications for stormwater collection and disposal.**

4. Plants

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

\_\_\_\_\_ deciduous tree: alder, maple, aspen, other

\_\_\_\_\_ evergreen tree: fir, cedar, pine, other

☒ shrubs (Early succession sagebrush steppe)

☒ grass

\_\_\_\_\_ pasture

\_\_\_\_\_ crop or grain

\_\_\_\_\_ 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?

**The proposed project will remove all existing vegetation due to proposed site coverage.**

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

**None**

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

**The proposed landscape will include restoration with native plant species to mitigate habitat impacts. Additionally stormwater will infiltrate on-site adjacent to planting areas, allowing proposed plantings to take up additional water.**

**5. Animals**

- a. Circle any birds and animals which have been observed on or near the site or are known to be on or near the site:

**None identified**

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

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

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

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

**None**

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

**No**

- d. Proposed measures to preserve or enhance wildlife, if any: **None**

**6. Energy and natural resources**

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

**Electricity will be used for residential uses such as heating, cooling, water heating and cooking**

**Gas will be used for pool heating at the Block 3 pool**

- 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?

**Low-e glazing, reflective single-ply roofing**

List other proposed measures to reduce or control energy impacts, if any: **None**

**7. Environmental health**

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

**None**

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

**None required**

- 2) Proposed measures to reduce or control environmental health hazards, if any: **None required**

- b. Noise

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

**None**

- 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.

**Minor noise from excavation and construction, limited to normal business hours**

- 3) Proposed measures to reduce or control noise impacts, if any: **None**

**8. Land and shoreline use**

- a. What is the current use of the site and adjacent properties?

**Unoccupied**

- b. Has the site been used for agriculture? If so, describe.

**No**

- c. Describe any structures on the site.

**None**

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

**None**

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

**B-RP Business Research Park**

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

**Business Research Park**

- g. If applicable, what is the current shoreline master program designation of the site?  
**Does not apply**
- h. Has any part of the site been classified as an "environmentally sensitive" area? If so, specify.  
**No**
- i. Approximately how many people would reside or work in the completed project?  
**600-750**
- 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:  
**City of Richland review**

#### **9. Housing**

- a. Approximately how many units would be provided, if any? Indicate whether high, middle, or low-income housing.  
**Block 2 Apartments of middle-income housing – 160 units totaling 260 bedrooms**  
**Block 3 Apartments of middle-income housing – 158 units totaling 258 bedrooms**
- 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**

- a. What is the tallest height of any proposed structure(s), not including antennas; what is the principal exterior building material(s) proposed?  
**Block 2 – 40'; Block 3 – 60'**  
**Architectural ribbed metal panels, cementitious siding, vinyl windows, cable guardrails**
- b. What views in the immediate vicinity would be altered or obstructed?  
**No significant views**
- c. Proposed measures to reduce or control aesthetic impacts, if any:  
**None**

#### **11. Light and glare**

- a. What type of light or glare will the proposal produce? What time of day would it mainly occur?  
**None**
- 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:  
**None**

#### **12. Recreation**

- a. What designated and informal recreational opportunities are in the immediate vicinity?  
**None**
- b. Would the proposed project displace any existing recreational uses? If so, describe.  
**None**
- c. Proposed measures to reduce or control impacts on recreation, including recreation opportunities to be provided by the project or applicant, if any:  
**A swimming pool is planned on Block 3 for the use of residents**

### 13. Historic and cultural preservation

- a. Are there any places or objects listed on, or proposed for, national, state, or local preservation registers known to be on or next to the site? If so, generally describe.  
**None**
- b. Generally describe any landmarks or evidence of historic, archaeological, scientific, or cultural importance known to be on or next to the site.  
**None**
- c. Proposed measures to reduce or control impacts, if any: **None**

### 14. Transportation

- a. Identify public streets and highways serving the site, and describe proposed access to the existing street system. Show on site plans, if any.  
**Block 2 – along 3<sup>rd</sup> Street to/from George Washington Way**  
**Block 3 – along University to/from Stevens Drive and George Washington Way**
- b. Is site currently served by public transit? If not, what is the approximate distance to the nearest transit stop?  
**Approximately 650' to transit stop(s) along George Washington Way (service between 7-9AM and 4-6PM)**
- c. How many parking spaces would the completed project have? How many would the project eliminate?  
**Block 2 Apartments – 205 parking spaces**  
**Block 3 Apartments – 235 parking spaces**  
**No parking would be eliminated by this project.**
- d. Will the proposal require any new roads or streets, or improvements to existing roads or streets, not including driveways? If so, generally describe (indicate whether public or private).  
**None**
- e. Will the project use (or occur in the immediate vicinity of) water, rail, or air transportation? If so, generally describe.  
**None**
- f. How many vehicular trips per day would be generated by the completed project? If known, indicate when peak volumes would occur.  
**Approximately 500-600 in-&-out trips at full occupancy (PM peak = 200 per ITE trip rate of 0.62)**
- g. Proposed measures to reduce or control transportation impacts, if any: **None**

### 15. Public services

- a. Would the project result in an increased need for public services (for example: fire protection, police protection, health care, schools, other)? If so, generally describe.  
**All public services will be impacted by the addition of 600-750 additional residents**
- b. Proposed measures to reduce or control direct impacts on public services, if any: **None**

### 16. Utilities

- a. Circle utilities currently available at the site: electricity, natural gas, water, refuse service, telephone, sanitary sewer, septic system, other.  
**Electricity, natural gas, water, refuse service, telephone, and 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.  
**Power - Richland Energy Services; Gas - Cascade Natural Gas; Phone – Frontier; Cable TV - Charter Communications; Water - City of Richland; Sanitary sewer - City of Richland; Refuse service - Richland Solid Waste.**  
**Standard utility service construction will be needed for connections to existing backbone franchise utility mains.**

## C. SIGNATURE

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

Signature:  TVA Architects, Inc.

Date Submitted: July 18, 2012



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

**Description of Proposal** Phased construction of two apartment complexes containing a total of 318 apartments with associated recreational facilities, parking, landscaping and utility extensions (Innovation Center Block 2 and Block 3 Apartments).

**Proponent** Innovation Center, LLC

**Location of Proposal** North of University Drive, south of 3<sup>rd</sup> Street, generally west of George Washington Way and east of Stevens Drive.

**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.

- ☒ [X] There is no comment for the DNS.
- ☐ [ ] This DNS is issued under WAC 197-11-340(2); the lead agency will not act on this proposal for 15 days from the date below. **Comments must be submitted by** \_\_\_\_\_.
- ☐ [ ] 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** Rick Simon

**Position/Title** Development Services Manager

**Address** P.O. Box 190, Richland, WA 99352

**Date** 8/16/12

**Signature** \_\_\_\_\_



**Comments/Conditions** \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_



## BENTON COUNTY EMERGENCY SERVICES

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651 Truman Avenue  
Richland, Washington 99352  
(509) 628-2600

July 19, 2012

Jeff Rolph  
Senior Planner  
City of Richland  
Community and Development Services  
840 Northgate Drive  
Richland, WA 99352

Re: Innovation Center Apartments

Dear Jeff,

This letter is in response for comments from Benton County Emergency Management concerning the proposed construction of apartments in an area north of University Drive and east of Stevens Drive. These comments will be limited to the technological hazards that may impact the area of the proposed contraction.

The major technological hazards that could potentially impact the area are related to the food processing facilities to the southwest involving the storage and use of Anhydrous Ammonia, the processing of Uranium Hexafluoride into fuel rods for nuclear power plants to the northwest, the continued cleanup of research facilities at the 300 Area to the north, the use of Chlorine for purification of municipal water to the east, and the operation of a commercial nuclear power plant approximately 10 miles to the north. However, Benton County Emergency Management does not consider these potential risks to be of sufficient concern to deny approval of the project.

The main concern is the ability to alert and warn individuals who live in the apartment complex in the event of an emergency at one of the mentioned facilities. As long as the Innovation Center Apartments have an on-site manager and maintain a 24/7 capability to receive emergency notification through the manager's office and residence, and the manager then alerts apartment occupants of the emergency there shouldn't be any real concern about proceeding with this project.

Even though the area between Battelle Boulevard and University Drive and between Stevens Drive and the Columbia River is not currently inside the Plume Emergency Planning Zone for the Columbia Generating Station, it has been determined through discussions with the Federal Emergency Management Agency and with Energy Northwest, that the Plume Emergency Planning Zone will be redrawn following construction of the apartments. This will shrink the exemption area that is within ten miles of the nuclear power plant but excluded from the Plume Emergency Planning Zone. The redrawing of the planning zone will result in the Innovation Center Apartments and the Children's World Day Care facility being included in the plume emergency planning zone and possibly additional facilities north of University Drive and east of Stevens Drive.

Benton County Emergency Management appreciates the opportunity to review and comment on the construction of the Innovation Center Apartments and looks forward to working with apartment management to facilitate emergency notifications for apartment residents.

Sincerely,

Jeremy S. Beck  
Interim Emergency Manager  
Benton County Emergency Management

## **Rolph, Jeff**

---

**From:** Kane, Richard  
**Sent:** Friday, August 03, 2012 10:33 AM  
**To:** Rolph, Jeff  
**Cc:** Ver Steeg, Carmen  
**Subject:** Plan review.  
**Attachments:** Kiemle Hagood No Trespassing Signs for Richland.pdf; No Trespassing Instructions.doc; TRESPASS ENFORCEMENT LETTER.doc; Trespass Program Info letter.doc; MINIMUM SECURITY REQUIREMENTS TEMPLATE.doc

Jeff I completed my review of the plans submitted to me by your office. Since I will not be at the meeting I decided to discuss my review in writing.

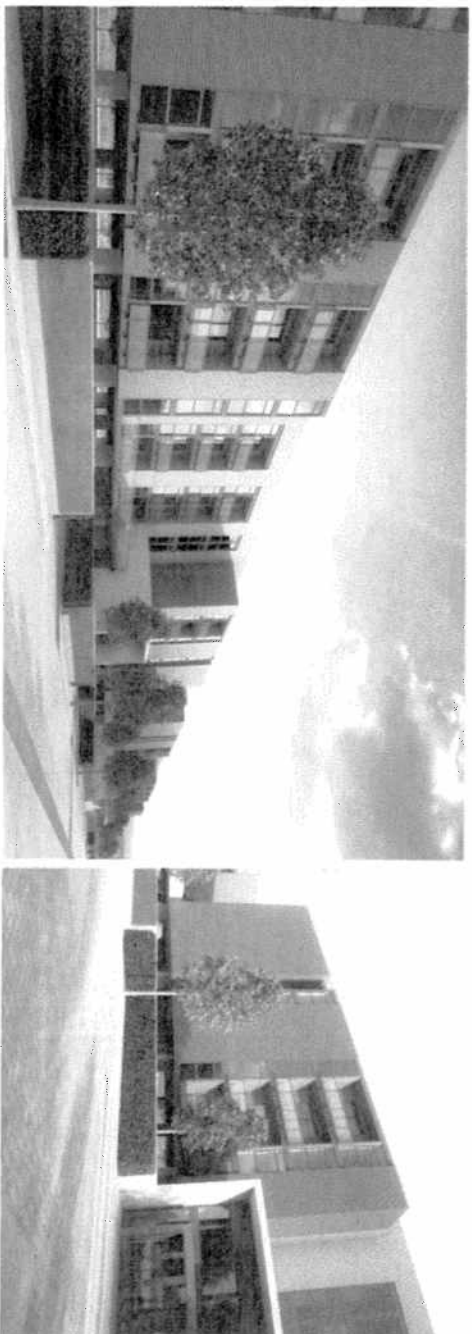
I completed a review of the plans using CPTED principles I have been trained on and I use as part of my property review with our Crime Resistant Community Living Program. I reviewed the plans taking the following basic ideas into consideration: lighting, landscaping and building design, which can be combined to create an environment where burglars and other criminals won't feel comfortable. I considered whether the property is built so that it is difficult for a burglar to break in, are likely escape routes closed off, and are public areas designed so that they can be easily observed by people as they enjoy the property. Thus giving the feeling of a safe environment.

There are other things I look at when doing these inspections that I cannot with this property since I do not have the spec sheets. I will mention them here as a recommendation and have included the minimum security requirements form KPD and RPD use. I recommend all windows be double locking windows. I recommend heavy duty striker plates on the doors with the use of 2 inch minimum screws in the striker plate & standard height eye viewers in all solid core doors that lead to the outside. In individual apartments closing likely escape routes can be accomplished by installing deadbolt locks, & security pins in the windows and sliding glass doors. I also recommend having no trespassing signs posted at entry points with the RMC listed on them. I have included a copy of the sign the City Attorney has approved for our CRCL and No Trespassing program.

In reviewing the plans I see no issues. The vegetation being used in the plan appears to be planted in such a way that anyone in the area can see everything that is going on in the common areas. I recommend trees allow for viewing at ground level-at least 4 feet, and that shrubs be kept at 3 ft. maximum or as to not obstruct windows or doors. This will help hinder anyone from hiding behind them and give a clear view for officers as they drive through the property. Consider low thorny bushes to help vulnerable first floor windows. As for lighting it is best to install lighting that works best for the environment. Again without a spec sheet I cannot make recommendations as to whether there is a better lighting available for the intended purpose. Lighting should be done to effectively light an area, but also not to over saturate an area. Proper lighting can make a property inviting and give a feeling of safety because people feel like they can be seen while enjoying the area. This includes walkways, activity areas and parking lots. Lighting near the front, back and other outside entry points are generally always installed and a necessity in regards to safety. Addresses for each apartment should also be posted clearly.

It is recommended that before building a property design it so that it has a strong sense of community. The ideas I discussed above can be integrated into building plans to help design a safer rental unit from the start. It is also recommended, for apartment complexes in particular, that building plans should be designed so as to help foster a sense of community. Reading the intended purpose and plan appears to be addressing this important concept.

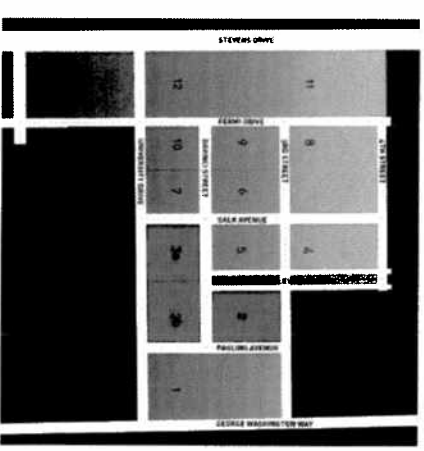
**Ofc. Rick Kane**  
**Community Services Division**  
**Richland PD**



# INNOVATION CENTER

BLOCK 2 + BLOCK 3 APARTMENTS  
special use application documents

18 JULY 2012



tva architects, inc.  
920 sw sixth avenue suite 1500 portland, oregon 97204  
phone: 503 220 0668 [www.tvaarchitects.com](http://www.tvaarchitects.com)

**pacific  
northwest  
national  
laboratory**

**battelle**

**innovation  
center**

**university  
square**

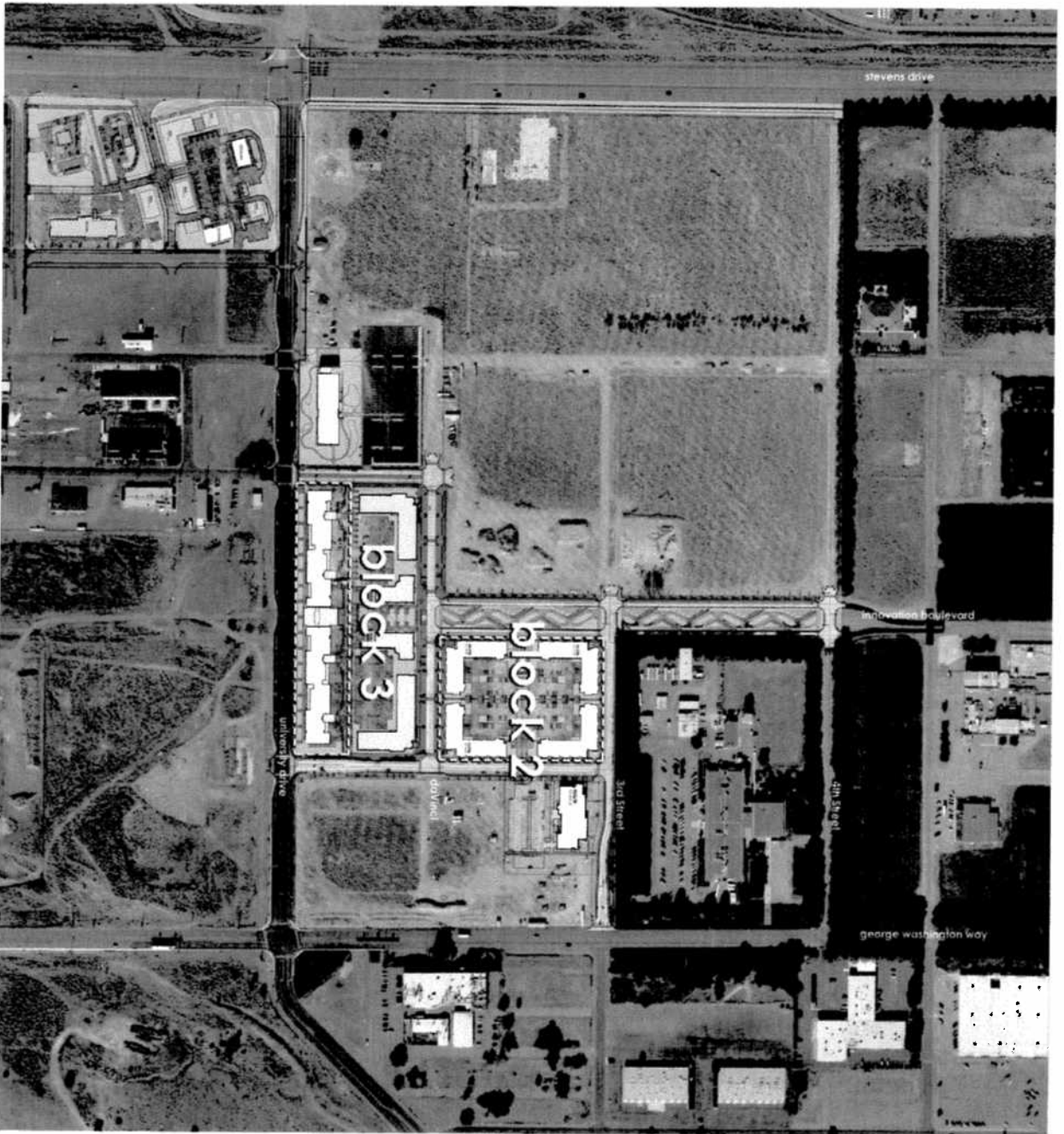
**port of  
benton**



**INNOVATION CENTER  
BLOCK 2 + BLOCK 3 APARTMENTS**

**overall site plan**  
(February + May 2022)

**A0.0**

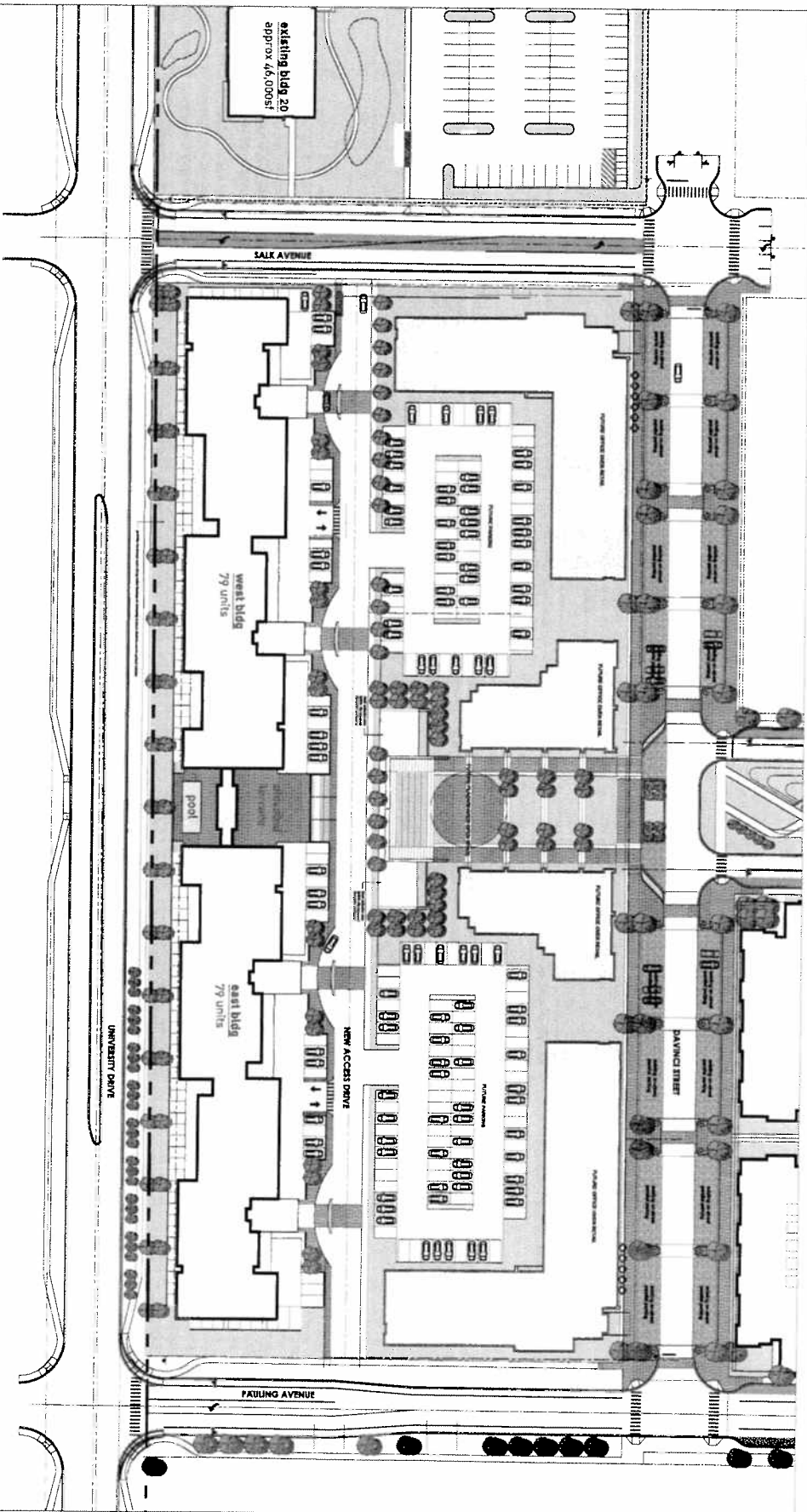


INNOVATION CENTER  
BLOCK 2 + BLOCK 3 APARTMENTS  
overall site plan  
11/20/2012

A0.1







**NOTES:**

1. ALL NEW CONSTRUCTION SHALL BE IN ACCORDANCE WITH THE LATEST EDITIONS OF THE CALIFORNIA BUILDING CODE, CALIFORNIA MECHANICAL CODE, CALIFORNIA ELECTRICAL CODE, AND CALIFORNIA FIRE CODE.
2. ALL NEW CONSTRUCTION SHALL BE IN ACCORDANCE WITH THE LATEST EDITIONS OF THE CALIFORNIA BUILDING CODE, CALIFORNIA MECHANICAL CODE, CALIFORNIA ELECTRICAL CODE, AND CALIFORNIA FIRE CODE.
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**lva**  
**INNOVATION CENTER**  
**BLOCK 3 APARTMENTS**  
**site plan**  
 1/19/2017

**A0.3**





**RICHLAND PLANNING COMMISSION MEETING NO. 7-2012**  
Richland City Hall—505 Swift Boulevard—Council Chambers  
**WEDNESDAY, August 22, 2012**  
**7:00 PM**

## **New Business—Public Hearings**

### **1. INNOVATION CENTER, LLC (SUP2012-101)**

**Due to the size of the file, the complete  
architectural renderings for this agenda item can  
be viewed during normal business hours at:**

**840 Northgate Drive**

**Richland, WA 99352**

## **STAFF REPORT**

TO: PLANNING COMMISSION  
FILE NO.: Z2012-103

PREPARED BY: RICK SIMON  
MEETING DATE: AUGUST 22, 2012

### **GENERAL INFORMATION:**

APPLICANT: KENNEWICK SCHOOL DISTRICT

REQUEST: AMENDMENT TO THE COMPREHENSIVE PLAN TO  
CHANGE THE LAND USE DESIGNATION OF 4.8 ACRES  
FROM PUBLIC FACILITY TO LOW DENSITY  
RESIDENTIAL

LOCATION: NORTH OF REATA ROAD, EAST OF MATA ROAD AND  
SOUTH OF THE LAPIERRE BASEBALL FIELD.

### **REASON FOR REQUEST:**

The Kennewick School District is the owner of a 4.8 acre site that they have declared surplus and made available for sale to private parties. The current land use designation of Public Facility does not provide for the private development of the site.

### **FINDINGS AND CONCLUSIONS**

Staff has completed its review of the proposed amendments to the land use and map included in the comprehensive plan (Z2012-103) and submits that:

1. In 1997, the City of Richland adopted a comprehensive plan that addressed community needs for public facilities in compliance with the Growth Management Act;
2. The Kennewick School District previously acquired the subject site for the purpose of constructing a school facility. The District's has acquired other properties for future schools and has determined that this site is no longer needed for District purposes.
3. The Kennewick School District proposes to sell the land for private development; however; the existing Public Facilities land use designation that is in place on the property severely limits the options for private development of the site.

4. Adjacent properties to the east and west, as well as properties to the north, abutting the adjacent LaPierre Baseball Field are designated for low density residential land uses and in fact have been developed with single family residential neighborhoods.
5. The proximity of single family residential neighborhoods and the designation of the adjacent properties as Low Density Residential make the Low Density Residential land use designation the logical choice for the subject property.
6. Designation of the subject property as suitable for Low Density Residential land uses is consistent with goals 1 – 3 as set forth in the Housing Element of the comprehensive plan, in that the amendment would provide additional land for housing thereby increasing land supply for future housing, and will help to maintain existing neighborhoods by ensuring that future development in the neighborhood will remain compatible with the existing residential development.
7. The City adopted the Draft and Final Environmental Impact Statement prepared for the 1997 comprehensive plan adoption to satisfy the environmental review requirements of the State Environmental Policy Act.
8. Staff has prepared a Growth Management Act Goals analysis which concludes that the proposed comprehensive plan amendment is consistent with the provisions of the Growth Management Act.
9. Based upon the above findings and conclusions, the adoption of the proposed amendment to the land use map of the comprehensive plan to designate the use of the 4.8 acre site for Low Density Residential purposes is in the best interests of the community of Richland.

#### RECOMMENDATION

Staff recommends that the Planning Commission concur with the findings and conclusions set forth in Staff Report (Z2012-103) and recommend to the City Council adoption of the proposed amendment to the Land Use Map of the City's comprehensive plan.

#### ATTACHMENTS

- A. Supplemental Information
- B. Application Materials
- C. Public Notice
- D. GMA Goals Analysis
- E. Existing Comprehensive Plan Map

ATTACHMENT A  
(Z2012-103)

SUPPLEMENTAL INFORMATION

BACKGROUND

The project site was originally acquired by the Kennewick School District as a future school site. In recent years the district has built the Cottonwood Elementary School approximately 1.3 miles south and east of the project site. Additionally, they have acquired a future school site located within the Badger Mountain South Walkable and Sustainable Community that is located approximately 2 miles west of the site. The District has determined that it no longer has a need for this property and so is marketing the property for sale.

SITE DATA

**Size:** Approximately 4.8 acres.

**Current Use:** The site is undeveloped except for a small shed located near the western border of the site. The land is generally covered with native vegetation.

**Site Characteristics:** The property is bordered by Reata Road to the south and is elevated several feet above the road. The site itself consists of gently sloping terrain from the southeast to the northwest, with the southeast corner being the highest point on the site.

**Property Status:** The site, while located within the City's Urban Growth Area (UGA) is located outside of City limits. The City is responsible for developing a comprehensive plan for its UGA, but actual zoning and development of this site would be subject to Benton County regulation and permit procedures.

SURROUNDING LAND USES

**North:** Property is developed with the LaPierre Baseball Field.

**South:** Property immediately south of the site is Reata Road. Beyond Reata Road, properties are generally vacant, but there are some scattered commercial land uses.

**East &:** Properties are developed with single family residential neighborhoods.

**West** Lots are generally at least 1/3 of an acre or larger to accommodate on-site septic systems, as public sewer service is not available in this area.

EXISTING COMPREHENSIVE PLAN

The site is currently designated as “Public Facility”. The plan states that: *“This category includes a variety of public and institutional uses including facilities operated by federal, state, county, municipal, or other government agencies; public educational institutions; public libraries; hospitals; cemeteries; and some developed parks.”*

Policies within the plan include the following goals related to housing:

*Goal 1:* Encourage the maintenance and preservation of existing housing stock and residential neighborhoods.

*Goal 2:* Provide a range of housing types for all economic segments of the Richland community.

*Goal 3:* Accommodate growth and maintain affordability.

### PROPOSED COMPREHENSIVE PLAN DESIGNATION

The proposed “Low Density Residential” category includes: *“single family residential uses with an average density of 3.5 dwelling units per acre.”*

Adjacent properties with the exception of the LaPierre Baseball Field are designated as Low Density Residential. The ball field is designated as Public Facility.

### ANALYSIS

The site with its current designation is only suitable when owned by a public agency for the development of a public facility. Since the District has indicated that they no longer need this property for a public purpose, re-designation of the property is appropriate. Given the location of the site in an existing residential neighborhood and surrounded by other low density residential land, the requested amendment to the low density residential land use category is both logical and appropriate.

### RECOMMENDATION

Staff recommends approval of the proposed map change to the Land Use Plan Map to designate the site as suitable for low density residential land uses.



Planning & Development Services Division • Long-Range Planning Section  
840 Northgate Drive • Richland, WA 99352  
General Information: 509/942-7794 • Fax: 509/942-7764

**PETITION TO AMEND COMPREHENSIVE PLAN**  
(Including City Staff Comprehensive Plan Amendment Checklist)

Applicant or Sponsor <i>Kennewick School District (Doug Carl)</i>			
Address <i>622 N. Kellogg</i>		City <i>Kennewick</i>	State <i>WA</i> Zip <i>99338</i>
Phone Number <i>509-222-7667</i>		Fax Number	Other/E-Mail Address
<b>Engineer/Architect Information (if applicable)</b>			
Engineer/Architect		Registration/License Number	
Address		City	State Zip
Phone Number		Fax Number	Other/E-Mail Address

**Proposed Plan Amendment:** Please indicate type of amendment and its location within the Comprehensive Plan:

- ☐ Text Amendment: Element \_\_\_\_\_ Section \_\_\_\_\_ Subsections \_\_\_\_\_
- ☐ Map Amendment: Element \_\_\_\_\_ Map Number \_\_\_\_\_

**Describe your Proposed Amendment (provide suggested new language):** use additional sheets as necessary.

*To change the Land use category from  
Public Facility to Low Density Residential (LDR)*

**Describe why the amendment should be made and why it is in the public interest (e.g., correcting an error, improving consistency, addressing a need that is currently lacking, etc.)**

*Kennewick School District has no use for  
the property and LDR will align the use  
to neighboring parcels and provide KSD with ability  
to sell.*

**Describe how the current language or map designation affects you or your property.**

I DECLARE UNDER PENALTY OF THE PERJURY LAWS THAT THE INFORMATION I HAVE PROVIDED ON THIS FORM/APPLICATION IS TRUE, CORRECT AND COMPLETE.

DATED THIS 1 DAY OF May, 2012

Doug L. Carl  
Applicant's Signature

\_\_\_\_\_  
Applicant's Signature

622 N. Kellogg  
Address  
Kennewick, WA 99338  
City, State, Zip  
509-222-7667  
Phone

\_\_\_\_\_  
Address  
\_\_\_\_\_  
City, State, Zip  
\_\_\_\_\_  
Phone

#### FOR OFFICE USE ONLY

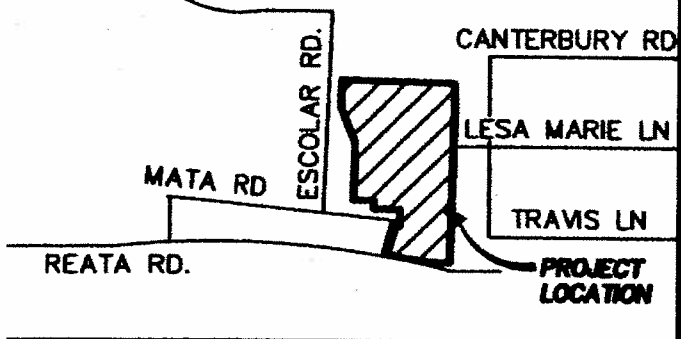
**Please provide the following with your Comprehensive Plan Amendment Application:**

- Ownership Report from Title Company Listing Owners Within 300' of the subject property
- SEPA Checklist, if applicable
- Complete Legal Description of Affected Property
- Application Fee

UTILITY ESM'T

## VICINITY MAP

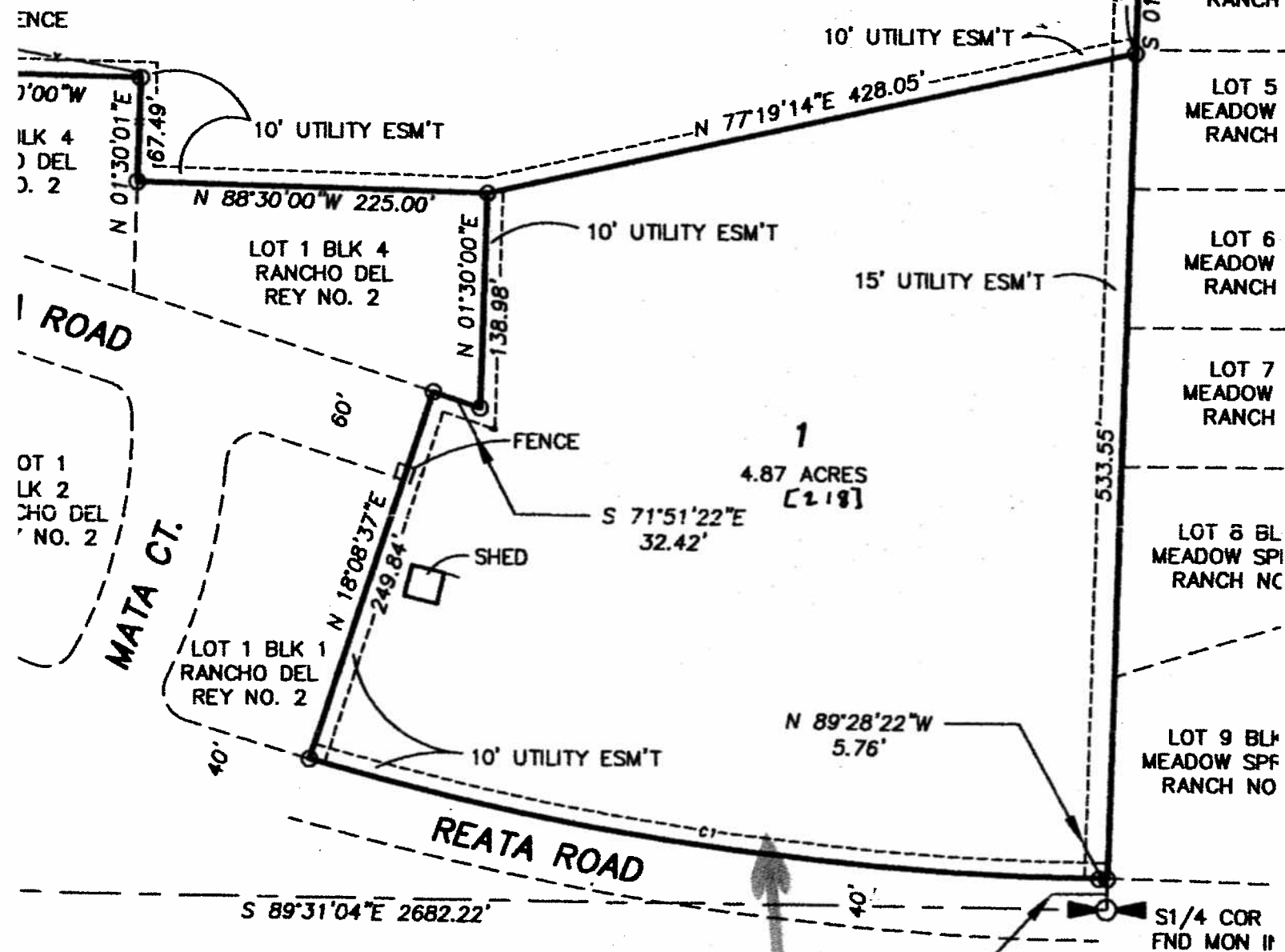
N.T.S.



↑ N This plat is for your aid in locating your land with reference to streets and other parcels. While this plat is believed to be correct, the company assumes no liability for any loss occurring by reason of reliance thereon.

15' BENTON P.U.D. ESM'T  
A.F. 94-32085

- LOT 1 MEADOW RANCH
- LOT 2 MEADOW RANCH
- LOT 3 MEADOW RANCH
- LOT 4 MEADOW RANCH
- LOT 5 MEADOW RANCH
- LOT 6 MEADOW RANCH
- LOT 7 MEADOW RANCH
- LOT 8 BL MEADOW SPI RANCH NC
- LOT 9 BL MEADOW SPF RANCH NO



AND SURVEYOR, HEREBY CERTIFY THAT  
SED UPON AN ACTUAL FIELD SURVEY OF  
S, DISTANCES AND COURSES ARE  
INERS HAVE BEEN STAKED, ON THE



## **CITY OF RICHLAND NOTICE OF PUBLIC HEARING**

The Richland Planning Commission, on Wednesday August 22, 2012, will conduct a public hearing and review of the Kennewick School District's application to amend the City Comprehensive Plan. The proposal is to amend the City's land use map on 4.8 acres from a Public Facilities land use designation to a Low Density Residential land use designation. The property is located north of and adjacent to Reata Road and east of Mata Road and south of the Lapierre Baseball Field.

The meeting will be held at 7:00 p.m. in the Council Chamber at the Richland City Hall, 505 Swift Boulevard. All interested parties are invited to attend and give testimony at the public hearing.

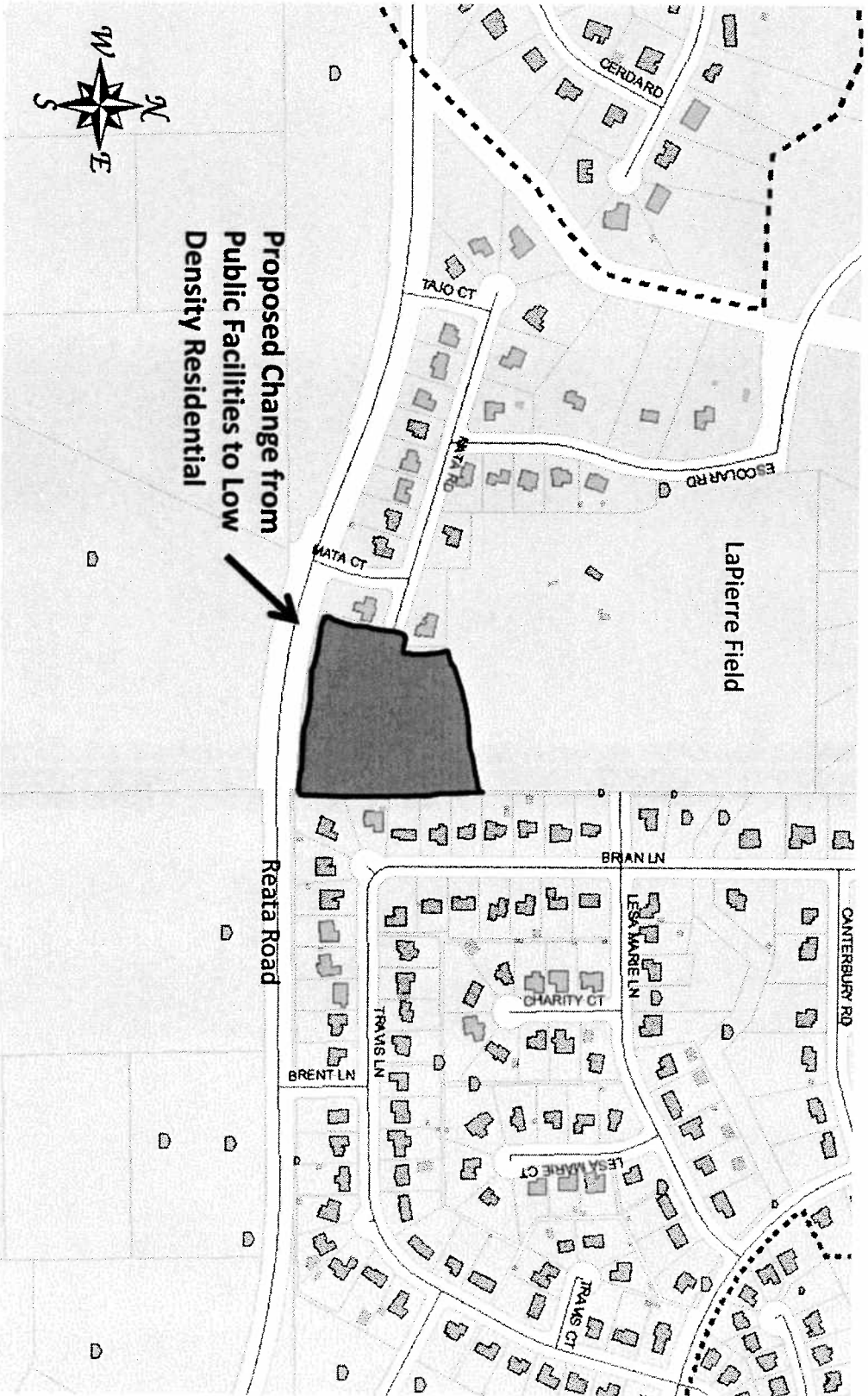
Any person desiring to express his views or to be notified of any decisions pertaining to this application should notify Rick Simon, Planning Manager, 840 Northgate Avenue, P.O. Box 190, Richland, WA 99352. Comments may also be faxed to (509) 942-7764.

Copies of the application are available for review at the Development Services Office at 840 Northgate Avenue, Richland, Washington. Copies of the staff report and recommendation will be available in the Development Services Office and the Richland Public Library beginning Friday, August 17, 2012.



---

Rick Simon,  
Development Services Manager



## Proposed Comprehensive Plan Amendment

## I. PUBLIC PARTICIPATION

The Growth Management Act requires the city to establish and broadly disseminate to the public a public participation program identifying procedures whereby proposed amendments or revisions of the comprehensive plan are considered by the governing body.

**Review:** The City of Richland has an established public participation program to ensure early and continuous public participation in comprehensive plan amendments. The following outlines the program as it applies to this comprehensive plan amendment:

- (1) Communication programs and information services. The City of Richland informed the public about the proposed plan amendment by publishing notice of the amendment in the Tri-City Herald, by mailing notice to property owners within 300 feet of the subject site and by posting notice on the City web page.
- (2) Broad dissemination of proposals and alternatives. The City of Richland distributed the proposed plan amendment in the following manner to ensure that information on the amendment was available prior to discussion at public hearings:
  - (a) Copy was available at the City library.
  - (b) Copies were available at the Planning and Development Services Division.
  - (c) A copy was posted on the City web page.
  - (d) Copies were available at the public hearing held by the Planning Commission.
- (3) Public meeting after effective notice. The City of Richland publicized public hearings in the following manner to ensure the broadest cross-section was made aware of the opportunity to become involved in the planning process:
  - (a) Public hearings before the Planning Commission and City Council were scheduled to allow for public comment.
  - (b) Public hearing notices were published in the Tri-City Herald at least 10 days before the scheduled date.
  - (c) Meeting summaries will be prepared and available to the public shortly after the public hearing through the Planning and Development Services Division.
  - (d) All public hearings will be cablecast on the City's cable channel.
- (4) Provision for open discussion. The City of Richland took the following actions to ensure that the public had an opportunity to actually take part and have their opinion heard:
  - (a) Agendas are written that clearly define the purpose of the hearing, the item to be considered, and actions that may take place.
  - (b) All public hearings will be scheduled during the weekday in the evenings to encourage the greatest number of people to attend.
  - (c) The chairman presiding over the hearing shall allow the public an opportunity to comment on the amendment.
  - (d) All hearings will be tape recorded for public access and review.
- (5) Opportunity for Written Comments. The City of Richland provided the public an opportunity to submit written comment any time during the comprehensive plan amendment review process. These written comments will be made part of the record to allow the governing body to consider them in their decision making process.

## II. PLANNING GOALS

The Growth Management Act (GMA) requires the city to consider and be guided by the 13 goals established in RCW 36.70A.020 when adopting comprehensive plans and development regulations. Staff carefully considered and weighed each goal in the light of the relevant information to achieve its desired goal. The following outlines staffs review process to ensure that the 13 goals were properly considered in guiding the city in its final recommendation.

**GOAL 1: URBAN GROWTH.** *City should encourage development in urban areas where adequate public facilities and services exist or can be provided in an efficient manner.*

**Review.** The property is located within the City's existing Urban Growth Area as set forth by the Benton County comprehensive plan. The City's comprehensive plan includes provisions for the extension of utilities and services to lands located within the Urban Growth Area. The proposed amendment is consistent with this GMA goal.

---

**GOAL 2: REDUCE SPRAWL.** *City should try to reduce the inappropriate conversion of undeveloped land into sprawling, low-density development.*

**Review.** The proposed amendment would provide for additional housing in an area that is already devoted to low density residential development and does not represent an expansion of the City's Urban Growth Area Boundary. Rather, it represents an opportunity for infilling a small parcel located in the midst of an already developed area. The proposed amendment would be consistent with this GMA goal.

---

**GOAL 3: TRANSPORTATION:** *City should encourage efficient multimodal transportation systems that are based on regional priorities and coordinate with county and city comprehensive plans.*

**Review.** The City of Richland's comprehensive plan policies state that the city will coordinate planning and operation of transportation facilities with programs to optimize multimodal transportation systems. Additionally, the plan designates Reata Road, which is immediately adjacent to the subject site as an Arterial Collector Street.

---

**GOAL 4: HOUSING:** *City should 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.*

**Review.** Goals within the Housing Element of the City's plan speak to encouraging the maintenance and preservation of existing housing stock and residential neighborhoods. The proposed plan amendment would designate the subject site in a manner that is consistent with the adjacent neighborhoods and would help to preserve this existing housing stock by ensuring that the site develops with compatible uses. Other City plan goals speak to accommodating growth to maintain housing affordability. This proposal would increase the supply of residential land within the Urban Growth Boundary by 4.8 acres and so is supportive of that housing goal.

---

**GOAL 5: ECONOMIC DEVELOPMENT.** *City should 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, and encourage growth in areas experiencing insufficient economic growth, all within the capacities of the state's natural resources, and public services, and public facilities.*

**Review.** The proposed plan amendment would not directly impact economic development within the City, other than to provide additional land for future housing, which will have some economic benefit to the community when development occurs through the creation of construction jobs and over time through generation of property taxes.

---

**GOAL 6. PROPERTY RIGHTS.** *City should consider that private property should not be taken for public use without just compensations having been made. The property rights of landowners shall be protected from arbitrary and discriminatory action.*

**Review.** The City's existing plan includes policies concerning the protection of private property rights. The proposed amendment would not impact this GMA goal.

---

**GOAL 7: PERMITS.** *Applications for both state and local government permits should be processed in a timely and fair manner to ensure predictability.*

**Review.** The proposed amendment does not directly impact the goal of processing permits in a fair and timely manner.

---

**GOAL 8: NATURAL RESOURCE INDUSTRIES.** *City should maintain and enhance natural resources-based industries, including productive timber, agricultural, and fisheries industries. Encourage the conservation of productive forest lands and productive agricultural lands, and discourage incompatible uses.*

**Review.** The proposed amendment does not involve any designated natural resource lands and so does not impact the goal of conserving and enhancing natural resource industries.

---

**GOAL 9: OPEN SPACE.** *City should encourage the retention of open space and development of recreational opportunities, conserve fish and wildlife habitat, increase access to natural resource lands, and water, and develop parks.*

**Review.** The City's plan does designate areas for both active recreational use and open space preservation. This proposed plan amendment would not reduce the amount of open space that is designated within the City's plan and therefore does not impact this GMA goal.

---

**GOAL 10: ENVIRONMENT.** *City should protect the environment and enhance the state's high quality of life, including air and water quality, and the availability of water.*

**Review.** The City's plan identifies environmentally sensitive areas throughout the Urban Growth Area. The subject site is not considered a sensitive area. Any development occurring on the subject property would be subject to the environmental review procedures mandated through the State Environmental Policy Act. The amendment is not inconsistent with the GMA goal of protecting the environment.

---

**GOAL 11: CITIZENS PARTICIPATION AND COORDINATION.** *City should encourage the involvement of citizens in the planning process and ensure coordination between communities and jurisdictions to reconcile conflicts.*

**Review.** The City of Richland has an established public participation program to ensure early and continuous public participation in comprehensive plan amendments. The outline of that plan can be found in Section I: Public Participation. The review of this proposed amendment followed the City's adopted public participation plan.

---

**GOAL 12: PUBLIC FACILITIES & SERVICES.** *City should 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.*

**Review.** The existing plan designates the subject site as Public Facility land because the Kennewick School District has previously acquired the parcel for a future school site. The District has since built a new school (Cottonwood Elementary) in the vicinity and acquired a future school site within the Badger Mountain South community, negating the need for a school on the subject site. These provisions for public schools on other sites adequately provide for the community's need for schools. Therefore, the proposed plan amendment is consistent with this GMA goal.

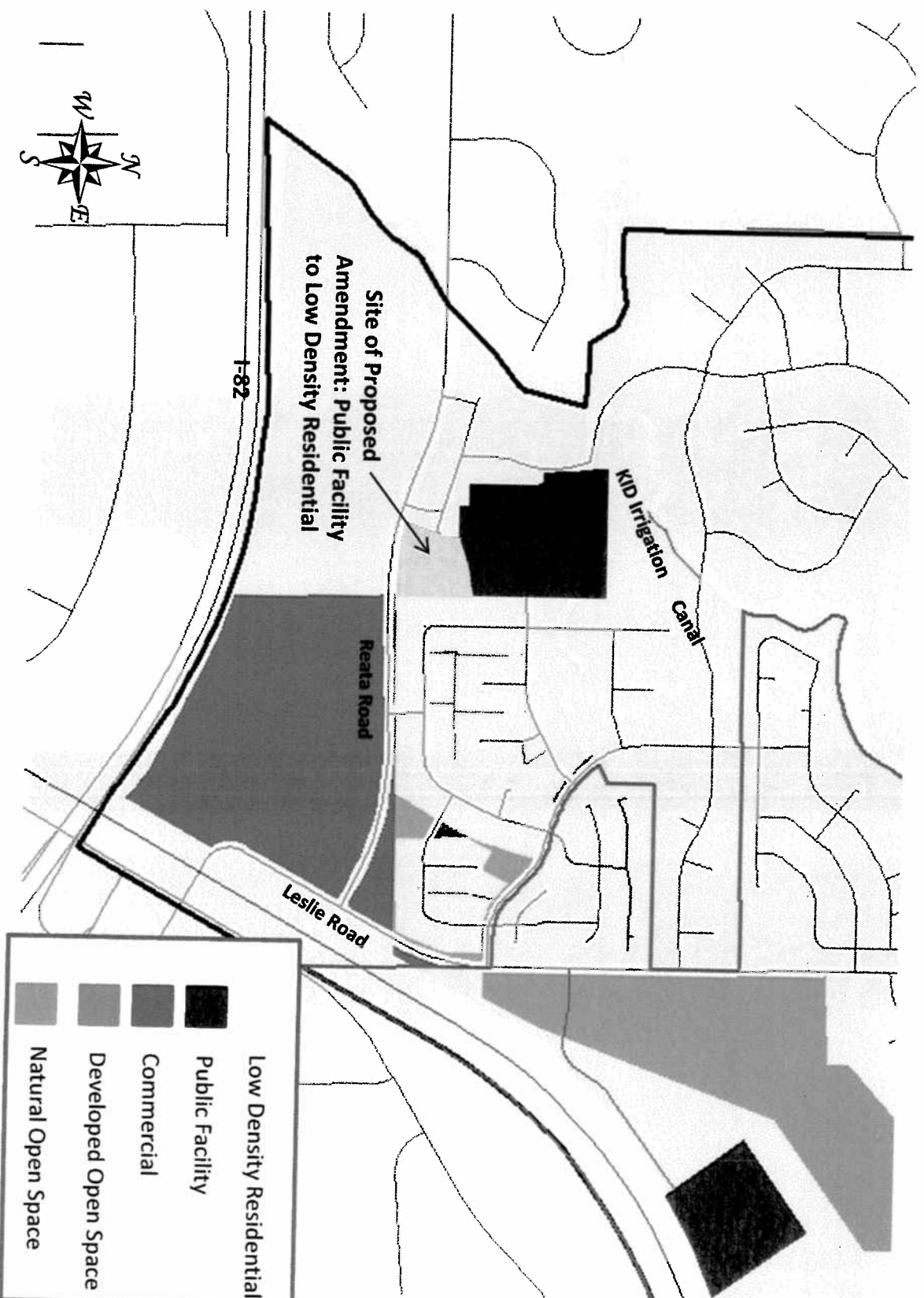
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**GOAL 13: HISTORIC PRESERVATION.** *City should identify and encourage the preservation of lands, sites, and structures that have historical or archaeological significance.*

**Review.** There are no known historical buildings or sites of historical or archaeological significance known to exist within or near the subject site.

### III. CONCLUSION

The proposed plan amendment would reclassify 4.8 acres of Public Facility land to Low Density Residential land. This amendment is consistent with the goals of the Growth Management Act.



Kennewick School District Proposed Amendment to Land Use Map

## STAFF REPORT

TO: PLANNING COMMISSION  
FILE NO.: Z2012-104

PREPARED BY: RICK SIMON  
MEETING DATE: AUGUST 22, 2012

### GENERAL INFORMATION:

APPLICANT: CITY OF RICHLAND

REQUEST: AMENDMENT TO THE COMPREHENSIVE PLAN TO  
UPDATE THE HOUSING ELEMENT OF THE PLAN

LOCATION: CITYWIDE.

### REASON FOR REQUEST:

The Housing Element of the City's plan has not been updated since 2005. Staff has brought forward updates to reflect the policies contained in the 2010-2014 Consolidated Community Development and Affordable Housing Plan for Richland, Kennewick and Pasco.

### FINDINGS AND CONCLUSIONS

Staff has completed its review of the proposed amendments to the land use and map included in the comprehensive plan (Z2012-104) and submits that:

1. In 1997, the City of Richland adopted a comprehensive plan that addressed community needs for housing in compliance with the Growth Management Act;
2. The Housing Element of the Plan was amended in 2005, with updates to both Housing policies and the narrative of the plan;
3. The Growth Management Act mandates that Cities include a housing element within their comprehensive plans to comply with the Statewide goal set forth in RCW 36.70A.020(4), which reads as follows:

*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;*

4. The housing element of the comprehensive plan includes policies to accommodate planned growth and encourages the availability of



affordable housing to all economic segments of the community. The proposed update to the plan incorporates the strategies identified in the Consolidated Community Development and Affordable Housing Plan for Richland, Kennewick and Pasco.

5. The City adopted the Draft and Final Environmental Impact Statement prepared for the 1997 comprehensive plan adoption to satisfy the environmental review requirements of the State Environmental Policy Act.
6. Staff has prepared a Growth Management Act Goals analysis which concludes that the proposed comprehensive plan amendment is consistent with the provisions of the Growth Management Act.
7. Based upon the above findings and conclusions, the adoption of the proposed amendments to Housing Element of the comprehensive plan is in the best interests of the community of Richland.

#### RECOMMENDATION

Staff recommends that the Planning Commission concur with the findings and conclusions set forth in Staff Report (Z2012-104) and recommend to the City Council adoption of the proposed amendments to the Housing Element of the City's comprehensive plan.

#### ATTACHMENTS

- A. Supplemental Information
- B. GMA Goals Analysis
- C. Draft Housing Element

SUPPLEMENTAL INFORMATION

BACKGROUND

The Growth Management Act requires cities to include a housing element in their comprehensive plans. RCW 36.70A.070(2) requires that:

*(2) A housing element ensuring the vitality and character of established residential neighborhoods that: (a) Includes an inventory and analysis of existing and projected housing needs that identifies the number of housing units necessary to manage projected growth; (b) includes a statement of goals, policies, objectives, and mandatory provisions for the preservation, improvement, and development of housing, including single-family residences; (c) identifies sufficient land for housing, including, but not limited to, government-assisted housing, housing for low-income families, manufactured housing, multifamily housing, and group homes and foster care facilities; and (d) makes adequate provisions for existing and projected needs of all economic segments of the community.*

The City's existing plan was last updated in 2005. Since then the Consolidated Community Development and Affordable Housing Plan for Richland, Kennewick and Pasco was updated in 2010. This is a document required by the federal government for communities receiving federal block grant monies. The policies contained within that plan are reflected in the updated Housing Element. Additionally, the data included in the narrative of the plan has been updated to include the 2010 Census Data.

Earlier this spring, the City's Housing and Community Development Advisory Committee reviewed the draft plan and have recommended its adoption. The Planning Commission reviewed the draft housing element materials at their workshop on July 11<sup>th</sup>.

RECOMMENDATION

Staff recommends approval of the proposed update to the Housing Element of the comprehensive plan.

## I. PUBLIC PARTICIPATION

The Growth Management Act requires the city to establish and broadly disseminate to the public a public participation program identifying procedures whereby proposed amendments or revisions of the comprehensive plan are considered by the governing body.

**Review:** The City of Richland has an established public participation program to ensure early and continuous public participation in comprehensive plan amendments. The following outlines the program as it applies to this comprehensive plan amendment:

- (1) Communication programs and information services. The City of Richland informed the public about the proposed plan amendment by publishing notice of the amendment in the Tri-City Herald and by posting notice on the City web page.
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  - (a) Copy was available at the City library.
  - (b) Copies were available at the Planning and Development Services Division.
  - (c) A copy was posted on the City web page.
  - (d) Copies were made available to the City's Housing and Community Development Advisory Committee.
  - (e) Copies were available at the public hearing held by the Planning Commission.
- (3) Public meeting after effective notice. The City of Richland publicized public hearings in the following manner to ensure the broadest cross-section was made aware of the opportunity to become involved in the planning process:
  - (a) Public hearings before the Planning Commission and City Council were scheduled to allow for public comment.
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  - (b) All public hearings will be scheduled during the weekday in the evenings to encourage the greatest number of people to attend.
  - (c) The chairman presiding over the hearing shall allow the public an opportunity to comment on the amendment.
  - (d) All hearings will be tape recorded for public access and review.
- (5) Opportunity for Written Comments. The City of Richland provided the public an opportunity to submit written comment any time during the comprehensive plan

amendment review process. These written comments will be made part of the record to allow the governing body to consider them in their decision making process.

## II. PLANNING GOALS

The Growth Management Act (GMA) requires the city to consider and be guided by the 13 goals established in RCW 36.70A.020 when adopting comprehensive plans and development regulations. Staff carefully considered and weighed each goal in the light of the relevant information to achieve its desired goal. The following outlines staffs review process to ensure that the 13 goals were properly considered in guiding the city in its final recommendation.

**GOAL 1: URBAN GROWTH.** *City should encourage development in urban areas where adequate public facilities and services exist or can be provided in an efficient manner.*

**Review.** The housing element of the City's plan only applies within the established Urban Growth Area boundaries. Policies within the plan promote housing at increased densities and so the proposed plan amendments are consistent with this GMA goal.

---

**GOAL 2: REDUCE SPRAWL.** *City should try to reduce the inappropriate conversion of undeveloped land into sprawling, low-density development.*

**Review.** The proposed amendment would be consistent with this GMA goal.

---

**GOAL 3: TRANSPORTATION:** *City should encourage efficient multimodal transportation systems that are based on regional priorities and coordinate with county and city comprehensive plans.*

**Review.** The City of Richland's comprehensive plan policies state that the city will coordinate planning and operation of transportation facilities with programs to optimize multimodal transportation systems. Policies within the housing element speak to increasing housing densities in areas located near transportation links.

---

**GOAL 4: HOUSING:** *City should 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.*

**Review.** The proposed update to the Housing element is specifically designed to address this GMA goal.

---

**GOAL 5: ECONOMIC DEVELOPMENT.** *City should 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, and encourage growth in areas experiencing insufficient economic growth, all within the capacities of the state's natural resources, and public services, and public facilities.*

**Review.** The proposed updates to the Housing Element encourage the provision of affordable housing, which would provide economic benefit to the community. The housing plan is consistent with this GMA goal.

---

**GOAL 6: PROPERTY RIGHTS.** *City should consider that private property should not be taken for public use without just compensations having been made. The property rights of landowners shall be protected from arbitrary and discriminatory action.*

**Review.** The proposed update to the Housing Element would not impact this GMA goal.

---

**GOAL 7: PERMITS.** *Applications for both state and local government permits should be processed in a timely and fair manner to ensure predictability.*

**Review.** The proposed update to the Housing Element does not directly impact the goal of processing permits in a fair and timely manner.

---

**GOAL 8: NATURAL RESOURCE INDUSTRIES.** *City should maintain and enhance natural resources-based industries, including productive timber, agricultural, and fisheries industries. Encourage the conservation of productive forest lands and productive agricultural lands, and discourage incompatible uses.*

**Review.** The proposed update to the Housing element does not impact the goal of conserving and enhancing natural resource industries.

---

**GOAL 9: OPEN SPACE.** *City should encourage the retention of open space and development of recreational opportunities, conserve fish and wildlife habitat, increase access to natural resource lands, and water, and develop parks.*

**Review.** The City's plan does designate areas for both active recreational use and open space preservation. This proposed update to the Housing Element would not reduce the amount of open space that is designated within the City's plan and therefore does not impact this GMA goal.

---

**GOAL 10: ENVIRONMENT.** *City should protect the environment and enhance the state's high quality of life, including air and water quality, and the availability of water.*

**Review.** The proposed update to the Housing Element is not inconsistent with the GMA goal of protecting the environment.

---

**GOAL 11: CITIZENS PARTICIPATION AND COORDINATION.** *City should encourage the involvement of citizens in the planning process and ensure coordination between communities and jurisdictions to reconcile conflicts.*

**Review.** The City of Richland has an established public participation program to ensure early and continuous public participation in comprehensive plan amendments. The outline of that plan can be found in Section I: Public Participation. The review of this proposed amendment followed the City's adopted public participation plan.

---

**GOAL 12: PUBLIC FACILITIES & SERVICES.** *City should 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.*

**Review.** The proposed update to the Housing Element includes several policies that support this GMA goal, including promoting energy conservation in housing construction (resulting in energy savings) and the improvement to or development of new parks, bike paths and walking paths. Therefore, the proposed plan amendment is consistent with this GMA goal.

---

**GOAL 13: HISTORIC PRESERVATION.** *City should identify and encourage the preservation of lands, sites, and structures that have historical or archaeological significance.*

**Review.** The proposed update to the Housing Element would not have any impact on this GMA goal.

### III. CONCLUSION

The proposed update to the Housing Element of the City's comprehensive plan is consistent with the goals of the Growth Management Act.

# HOUSING ELEMENT

## SECTION ONE

### INTRODUCTION

The Washington State Growth Management Act established Housing as one of the thirteen planning goals to be used exclusively for the purpose of guiding the development of comprehensive plans and development regulations. The Growth Management Act's adopted goal for Housing states:

*"Encourage the availability of affordable housing to all economic segments of the population of this state, promote a variety residential densities and housing types, and encourage preservation of existing housing stock."*

The Housing Element of the city's Comprehensive Plan is intended to provide policy background and broad direction for housing programs and decisions towards meeting the city's goals.

Similar to the other elements of the Comprehensive Plan, the Housing Element provides a framework for future planning decisions, and outlines goals and objectives the city plans to implement in meeting its housing needs.

The Housing Element does not modify land use, establish density or building structure requirements, propose specific controls for residential neighborhoods, nor does it implement any changes to the zoning code.

#### Why Housing is an Important Issue.

Richland's population is now estimated to be over 49,000 according to the State of Washington's *Office of Financial Management*, as the city continues to be a major employment hub for most of the Benton and Franklin Counties region. Despite the recent economic recession's impacts on many metropolitan areas throughout the country, many industries in Richland continue to thrive, namely through federal programs and in the research and development, medical services and hotel service industries. The rising employment opportunities these industries provide bring with it the increased demand for housing as more people move into the region.

Affordable housing is one of the most significant issues facing the region's housing needs. While rental housing is relatively less expensive than single-family housing, households at the lower income levels (50% of median income or less) are typically priced out of the single-family homeowner market and face limited opportunities without financial assistance (*2010-2014 Tri-Cities Consolidated Plan*).

Based on the city's continued population growth and rising employment opportunities, Richland must strive to improve affordable housing opportunities for low-income households

### Seeking Balance

The Housing Element must be consistent, both internally and externally, with other elements of the Comprehensive Plan. However, it may be found that tension exists between one or more Housing Element's goals with other goals throughout the plan. For example, the demand for more housing and the probable impact new development can have on neighborhoods. To comply with local and state growth management goals, more housing and greater density is required. However, a balance must be also achieved so that growth is shaped so that it is not accomplished at the expense of neighboring residential qualities.

Another area of tension is the relationship between housing and infrastructure. One of the city's goals is to encourage housing in areas where access to infrastructure and services exist. Yet, many properties throughout Richland large enough for affordable housing development are often located in undeveloped areas removed from needed services and employment centers, and require extensive improvement and extension of required infrastructure.

The purpose of the Housing Element is not to eliminate or resolve all areas where an imbalance of goals or policies exists. Rather, it is to provide a framework the city can use in its decision-making while striving to achieve its housing goals and needs.



# SECTION TWO

## GOALS AND POLICIES

### WASHINGTON STATE GROWTH MANAGEMENT ACT: HOUSING GOAL

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.

### BENTON COUNTY-WIDE PLANNING POLICIES

The Benton County-Wide Planning Policies have been developed as written policy statements for establishing a county-wide framework from which county and city comprehensive plans are to be developed and adopted. This framework will ensure that city and county comprehensive plans are consistent, as required by the GMA. Policies specific to housing consider the need for affordable housing for all economic segments of the population and parameters for its distribution (RESHB 1025 SEC.2,(3)e.) These policies include the following:

**Policy #15** - (to meet the requirements of RESHB 1025 Section 2(3)e): New housing within urban growth areas shall be compatible in character and standards with that of the adjacent city area.

**Policy #16** - (to meet the requirements of RESHB 1025 Section 2(3)e): Site-constructed, modular, and manufactured housing shall be recognized as needed and functional housing types.

**Policy #17** - (to meet the requirements of RESHB 1025 Section 2(3)e): 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 appropriate densities within the cities and County. The following actions should be accomplished:

- a** - Jointly quantify and project total county-wide housing needs by income level and housing type (rental, ownership, senior, farm worker housing, group housing)
- b** - Establish a mechanism whereby the housing effort and programs of each jurisdiction address the projected county-wide need
- c** - Address the affordable housing needs of very low, low, and moderate income households, and of special needs individuals, through the Comprehensive Housing Affordability Strategy
- d** - Develop design standards for implementation within the Comprehensive Plan with special attention given to the residential needs of low- to moderate-income families.

## GOALS POLICIES DEVELOPED FOR THE COMPREHENSIVE PLAN

**H E 1 Goal.** Encourage the improvement of existing housing stock and residential neighborhoods.

**Policy 1** - Encourage reinvestment in older residential neighborhoods.

**Policy 2** - Support the revitalization of older neighborhoods by keeping the streets and other municipal systems in good repair.

**a** - Encourage the formation of local improvement districts to upgrade streets and sidewalks.

**Policy 3** - Implement the City's affordable housing and weatherization programs.

**a** - Continue to participate in the Tri-Cities HOME Consortium.

**b** - Continue to utilize federal Community Development Block Grant and HOME funds for housing rehabilitation and first-time homebuyer opportunities.

**Policy 4** - Continue to allow accessory dwelling units in low-density residential districts.

**Policy 5** - Accommodate non-profit and public agencies' efforts to purchase, construct and rehabilitate housing to meet the affordable and other housing needs of the community.

**Policy 6** - Strive to increase the rate of owner-occupancy over time.

**Policy 7** - Aggressively implement the City's nuisance codes to address signals of neighborhood decline.

**Policy 8** - Conduct periodic assessments of the quality of neighborhood housing stock.

**Policy 9** - Encourage participation in the City's Crime Prevention Through Environmental Design (CPTED) program.

**Policy 10** - Update and implement the Richland Wye/Island View Master Plan to include mixed-use housing and multi-family residential rehabilitation and construction.

**Policy 11** - Continue participation in the City Police Department's *Crime Resistant Community Living (CRCL) Program*, which provides free training for property owners and landlords to help provide safe, crime resistant communities for all residents.

## H E 2 Goal. Provide a range of housing types for all economic segments of the Richland community.

**Policy 1** - Through the comprehensive plan, zoning code, and subdivision code, allow for a variety of housing types and lot configurations including multi-family housing, mixed use development, cluster development, live/work housing, accessory dwelling units, single room occupancy units, zero lot line and similar subdivisions, planned unit development, and non-traditional housing forms such as group homes as alternative means of accommodating residential growth and providing affordable housing options.

**a** - Allow for a variety of lot sizes in low density residential districts.

**b** - Allow and encourage a range of housing choices for seniors and special needs households, such as independent living, various degrees of assisted living, and skilled nursing care facilities. Strive to locate new housing along transit routes and near retail and professional service areas.

**Policy 2** – Promote and provide incentives (e.g. zoning/rezoning, revised regulations, provision of infrastructure) for infill development and redevelopment of the city’s central core to enhance community character, optimize city investments in infrastructure and community facilities, support increased transit use, promote pedestrian- and bicycle-friendly neighborhoods, increase housing diversity, ensure preservation of historic housing stock, and enhance economic vitality.

**a** - Promote higher density and infill housing located near transportation links.

**Policy 3** - Allow the use of modular housing, conforming to the standards of the State of Washington building and energy codes, and manufactured housing, built to standards established by the United States Department of Housing and Urban Development. Modular and manufactured houses shall be permitted on individual lots in any land use zone where residential uses are permitted.

**Policy 4** - Promote and foster, where appropriate, innovative and non-traditional housing types.

**Policy 5** – Where appropriate and feasible, allow waivers of development fees as a means of promoting the in-fill development of affordable housing.

**Policy 6** – Where redevelopment or infill opportunities arise, allow for increased housing density in residential-designated areas that immediately surround the Central Business District.

## H E 3 Goal. Accommodate growth and maintain affordability.

**Policy 1** - Plan for an adequate supply of land in appropriate land use designations and zoning categories to accommodate projected household growth.

**Policy 2** - Remove regulatory barriers.

**a** - Continue to implement an efficient plan review process as an effort to reduce time required to obtain necessary permit approvals.

**b** - Periodically examine the local housing market to evaluate housing cost, current demand and projected growth.

**c** - Promote fair and equal access to housing for all persons in accordance with local, state and federal law.

**d** - Encourage emerging construction and material technologies intended to reduce the cost of housing or to increase energy efficiency.

#### **H E 4 Goal.** Implement the Tri-Cities Consolidated Plan: the 2010-2104 Consolidated Community Development and Affordable Housing Plan for Richland, Kennewick and Pasco.

**Policy 1** – Improve Affordable Housing Opportunities for lower-income individuals and households.

**Policy 2** – Provide assistance to lower-income households that participate in local improvement districts for infrastructure projects. Assistance may be limited to selected neighborhoods or to the neediest households based upon a percentage of median income and fund availability.

**Policy 3** – Assist infrastructure activities that revitalize and stabilize older or declining neighborhoods, or areas in which the majority of households are lower-income.

**Policy 4** – Improve access for persons with disabilities and the elderly by improving streets and sidewalk systems.

**Policy 5** – Access new funding opportunities to revitalize neighborhoods and address other community needs.

**a** – Support the potential future use of funding options, including possible application for the Section 108 Loan Guarantee Program and/or Float Loans if needed, to complete economic development or related activities.

#### **H E 5 Goal.** Improve Public Facilities.

**Policy 1** – Support the revitalization of neighborhoods by improving and supporting public facilities that serve lower-income neighborhoods.

**Policy 2** – Improve parks and recreation facilities in targeted neighborhoods.

**a** – Support a range of improvements to existing or new parks such as building bike and walking paths, constructing water features or swimming pools, improving public restrooms, landscaping, or installing play equipment in lower-income neighborhoods.

**Policy 3** – Support beautification of communities by integrating art into public facilities as needed to address local policies.

**a** – Include artwork and beautification efforts in community facilities that serve lower-income neighborhoods.

## **H E 6 Goal . Improve affordable housing opportunities for lower-income individuals and households.**

**Policy 1** – Expand the supply of affordable units by developing owner- and renter-occupied housing in in-fill areas or targeted neighborhoods, consistent with comprehensive plan goals.

**Policy 2** – Promote the use of mixed-income housing development and mixed-use development that provide both affordable housing and economic opportunities.

**Policy 3** – Develop new single-family housing units that create permanent affordable housing, with priority given to projects in targeted areas.

**Policy 4** – Sustain or improve the quality of existing affordable housing stock.

**a** - Rehabilitate housing units for homebuyers, current owners, and renters, using the method of purchase/rehabilitation/resale.

# SECTION THREE

## EXISTING CONDITIONS

### POPULATION, EMPLOYMENT and INCOME

#### POPULATION

The 2010 Census counted 48,058 people living in Richland, while the state of Washington's *Office of Financial Management* has estimated that total to have risen to 49,050 in 2011; both indicating that Richland's population has been steadily rising since 1990 when the overall population actually declined by 1,263 people from the previous census count, as shown in Table H-1.

By the year 2020, the population of Richland is projected to rise to 61,496, amounting to an overall increase of about 12,400 people who will need housing over the next eight years.

**TABLE H-1 POPULATION AND HOUSEHOLD CHANGES (1980 - 2010)**

	Richland	Kennewick	Pasco	Benton County	Washington State
<b>Population</b>					
1980	33,578	34,397	17,944	109,444	4,132,156
1990	32,315	42,155	20,337	112,560	4,866,692
2000	38,708	54,693	32,066	142,475	5,894,121
2010	48,058	73,917	59,781	175,177	6,724,540
<b>Number of Households</b>					
1980	12,407	12,885	6,666	38,978	1,540,510
1990	13,162	16,074	6,842	42,227	1,872,431
2000	15,549	20,786	9,619	52,866	2,271,398
2010	19,707	27,266	17,983	65,304	2,620,076
<b>Average Household Size</b>					
1980	2.69	2.66	2.65	2.80	2.98
1990	2.44	2.61	2.91	2.65	2.53
2000	2.48	2.60	3.30	3.20	2.50
2010	2.42	2.67	3.30	2.66	2.51

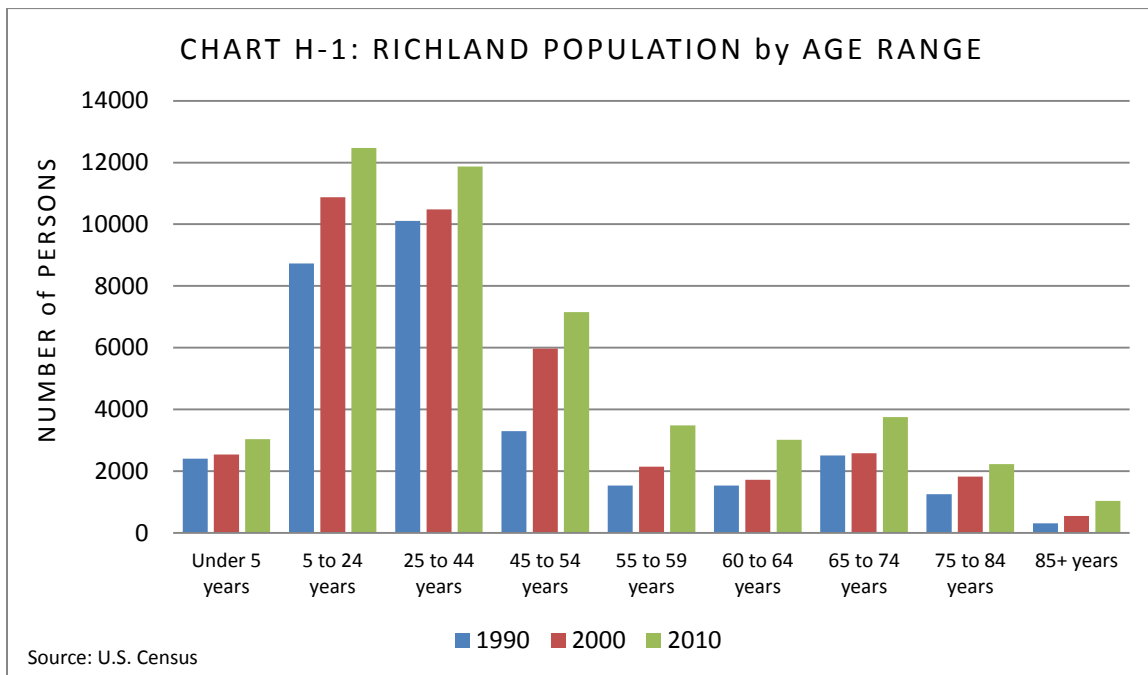
Source: U.S. Census

#### AGE

Similar to national trends, Richland's population is getting older as the *baby boom* generation ages. Chart H-2 shows the population trends by age range for the city over the past few Census events. The median age for Richland was estimated at 39.4 in the 2010 Census, up from 37.7 in 2000.

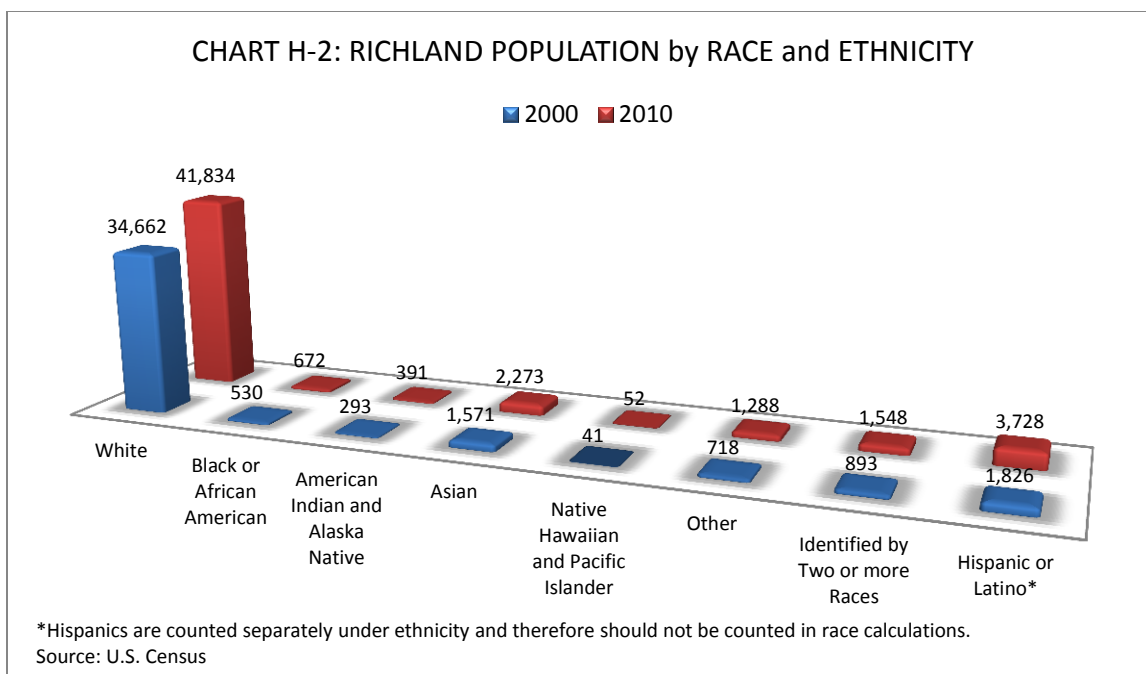
In 1990, residents under the age of 5 totaled 2,411, or 7.6% of the city's total population; by 2010 their total had climbed to 3,039; although their percentage of overall city population declined to 6.3% from 7.6% in 1990. The age groups of 5 to 24 and 25 to 44 comprised the smallest gains in population from the other age groups, adding 1,595 and 1,387 people, respectively between 2000 and 2010. As a percentage of overall city population, these age groups experienced the modest declines, falling from 28.1% to 25.9% for the 5 to 24 age group between 2000 and 2010; and from 27.1% to 24.7% for the 25 to 44 age group between 2000 and 2010.

The collective age groups between 55 and 85+ experienced gains in population between 2000 and 2010, rising from a combined total of 8,828 to 13,527 between 2000 and 2010. As a percentage of overall population, these age groups accounted for approximately 28% of the city's population in 2010, up from 22.5% in 1990.



## ETHNIC COMPOSITION

While Richland's population is less ethnically diverse than other areas in the Tri-Cities region, the 2010 Census has shown that the city has experienced a subtle shift in its racial/ethnic makeup, as shown in Chart H-2. All non-white racial affiliations increased as a percentage of overall population, growing from a collective 10.46% in 2000 to 12.95% in 2010; while white affiliation decreased by over two percentage points. The proportion of Richland residents identifying with Hispanic/Latino showed the greatest gains, more than doubling in population between 2000 and 2010.



## EMPLOYMENT

Richland's job growth remains strong as Hanford-related activities continue to have a major impact on regional employment, which directly affects demand for housing as new jobs attract new residents. Job growth in the next twenty years is expected to be strongest in the "Professional and Managerial Services," reflecting continued Hanford-related investments, and the "Health and Educational Services" industry through expansion and development of Kadlec Regional Medical Center, WSU Tri-Cities and Columbia Basin College facilities and programs.

The number of employed residents in Richland has also experienced positive trends in light of Hanford-related industries, and through medical and educational investments, as shown in Table H-2. Over the past twenty years, the unemployment rate of Richland has been relatively better than the state's unemployment rate.

**TABLE H-2 RICHLAND EMPLOYMENT TRENDS 1990 - 2012**

YEAR	LABOR FORCE	EMPLOYMENT	UNEMPLOYMENT	RICHLAND UNEMPLOYMENT RATE	STATE UNEMPLOYMENT RATE
1990	18,536	17,609	927	5.0%	5.7%
2000	20,742	20,030	712	3.4%	5.2%
2010	26,716	25,027	1,689	6.3%	9.7%
FEBRUARY 2008*	24,205	23,121	1,084	4.5%	4.6%
FEBRUARY 2010**	25,475	23,526	1,949	7.7%	10.2%
APRIL 2012	26,839	24,772	2,067	7.7%	8.1%

Source: Bureau of Labor Statistics

\*Start of recent employment recession in Washington state

\*\*End of recent employment recession in Washington state



## INCOME

The median household income for Richland in 2010 was \$65,502 (Table H-3), a 23% increase from 2000, and a 79% increase from 1990. Median family income rose considerably higher compared to overall household income, increasing by 96% between 1990 and 2010. Compared to state and national median household incomes, Richland was modestly better, comprising an \$8,000 and \$14,000 advantage, respectively; while median family income was \$11,000 and \$17,000 higher than the state and national incomes, respectively.

Median income for Owner-Occupied Households in Richland was \$50,000 more than that of Renter-Occupied Households, a significantly greater disparity compared to state and national estimates for 2010.

Richland's median earnings for female and male full-time workers overall showed similar disparity as the state and national estimates, with female and male earnings separated by more than \$28,000 – even though median income earnings for both females and males have increased more than 30% since 2000. For specific occupations, the disparity between male and female median earnings was even greater, especially in the business and financial management sector, with the median earnings for males outpacing the median earnings for females by nearly \$37,000.

**TABLE H-3 INCOME, 2010**

	RICHLAND		WASHINGTON		UNITED STATES	
Median Household Income	\$65,502		\$57,244		\$51,914	
Median Family Income	\$80,454		\$69,328		\$62,982	
Median Non-Family Income	\$41,436		\$36,369		\$31,305	
Per Capita Income	\$33,823		\$29,733		\$27,334	
Owner-Occupied Household Median Income	\$87,025		\$72,909		\$65,167	
Renter-Occupied Household Median Income	\$36,627		\$35,132		\$31,548	
Percentage of People below Poverty Level	9.2%		12.1%		13.8%	
Percentage of Families below Poverty Level	6.9%		8.2%		10.1%	
	MALE	FEMALE	MALE	FEMALE	MALE	FEMALE
Median Earnings, Full-Time, Year-Round Civilian Employees, by Occupation	\$69,688	\$40,715	\$52,291	\$39,428	\$46,478	\$36,040
Management, Business and Financial	\$101,763	\$64,783	\$80,498	\$57,041	\$75,338	\$54,801
Computer, Engineering, and Science	\$93,537	\$66,841	\$80,740	\$66,204	\$73,830	\$61,444
Education, Legal, Community Service, Arts, Media	\$63,100	\$48,300	\$58,127	\$46,393	\$55,019	\$43,196
Healthcare Practitioner and Technical	\$90,833	\$56,223	\$81,991	\$58,808	\$78,646	\$53,029

Source: U.S. Census 2010; U.S. Census 2006-2010 American Community Survey 5-Year Estimates (Table S2402)

## HOUSEHOLD CHARACTERISTICS

According to the 2010 Census, the number of Richland households grew from 13,162 in 1990 to 19,707, an increase of over 6,500, constituting a 49.7% growth (Table H-4).

The average household size in Richland has remained relatively constant at just over 2.4 persons per household, and this average is projected to remain constant through the year 2030.

**TABLE H-4 RICHLAND HOUSEHOLD GROWTH TRENDS, 1990 - 2010**

	1990	2000	2010
Number of Households	13,162	15,549	19,707
Growth		2,387	4,158
Average Annual Growth		238	415
Percentage Growth		18.1%	26.7%
Average Household Size	2.44	2.48	2.42

Source: U.S. Census

Family households continue to represent a significant majority of all households in Richland (Table H-5), comprising well over 60% of the households over the past twenty years. Family Household is defined by the Census Bureau as a household with people related to the householder by birth, marriage, or adoption.

The 19,707 households in the city equate to the number of occupied housing units. The 2010 Census estimated that the city had a total of 20,074 housing units, 1,169 of which were deemed vacant. The *Benton-Franklin Council of Governments 2010 Projections* estimates that the total number of dwelling units in Richland will grow to 25,150 by 2020, and to 31,636 by 2030, for an annual average of 597 new units over the next 20 years. The vacancy rate for *homeowner* units was 1.6 in 2010 and 5.6 for *rental* units; both down from the 2000 rate of 1.5 and 7.1, respectively.

**TABLE H-5 RICHLAND FAMILY and NON-FAMILY HOUSEHOLDS 1990 - 2010**

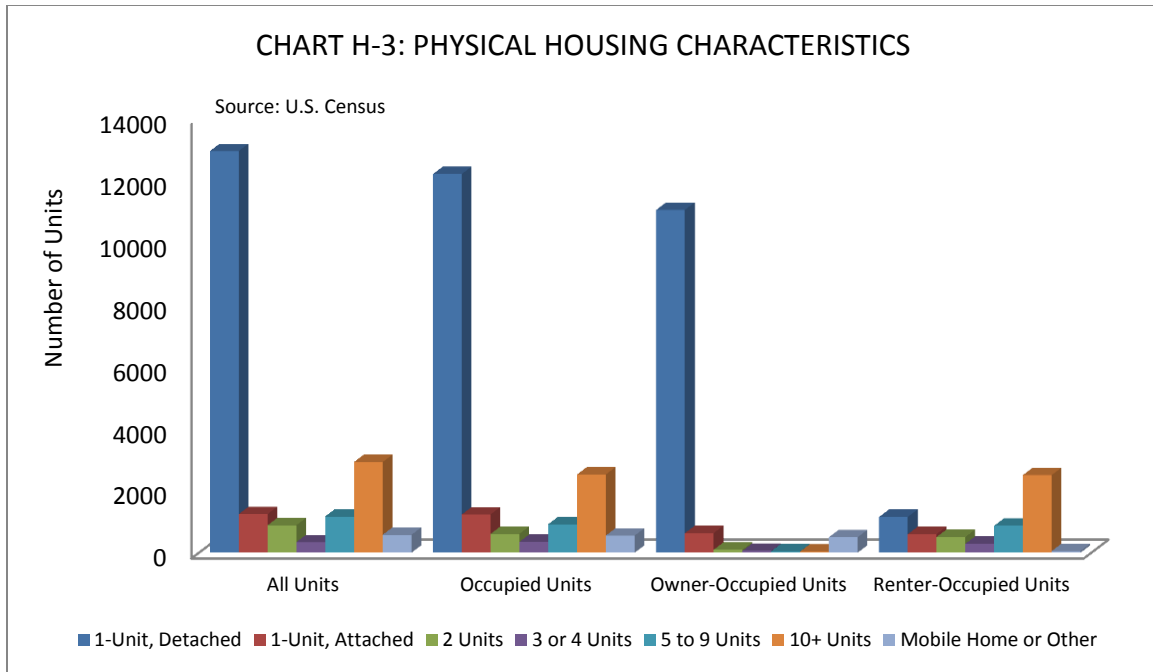
HOUSEHOLD CHARACTERISTIC	1990	2000	2010
All Households	13,162	15,549	19,707
Family Households	9,019	10,687	12,974
As a Percent of All Households	68.5%	68.7%	65.8%
Non-Family Households	4,143	4,862	6,733
As a Percent of All Households	31.5%	31.3%	34.2%
Householder Living Alone	3,679	4,230	5,559
As a Percent of All Households	27.9%	27.2%	28.2%

Source: U.S. Census

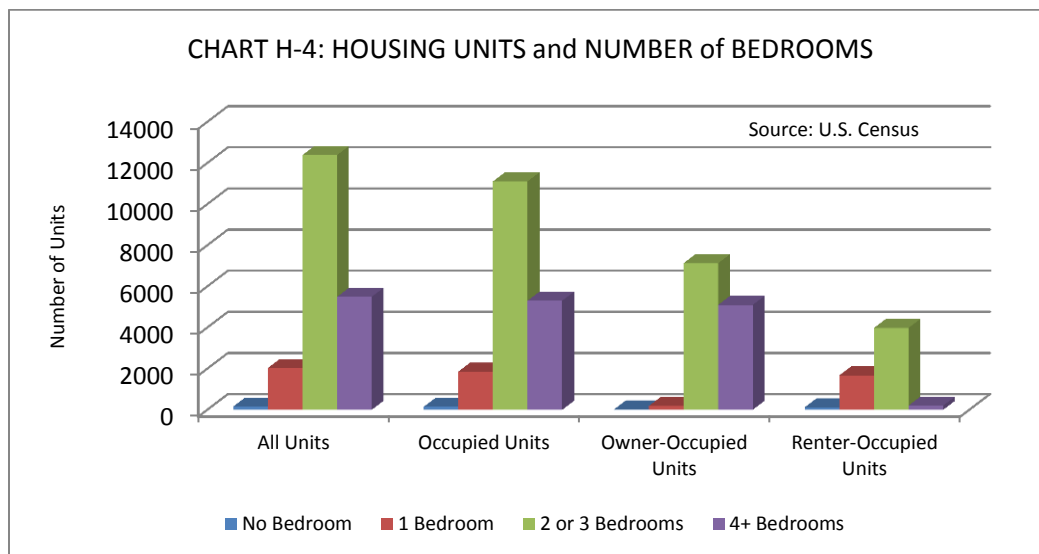
In 2010, almost 65% of all households in the city were comprised of one or two people. Non-family households in 2010 accounted for 34% (6,733) of the total households, up from 31% in 2000; while householders living alone climbed to 28.2% of all households, up from 27.2% in 2000.

## HOUSING STOCK

Totaling about 20,074 units (Census 2010), Richland's housing stock is primarily single family, comprising roughly 65% of all housing units in the city. Since 1990, 6,670 new housing units have been added to Richland's housing stock, with the majority of these units being constructed outside of Richland's central core south of the Yakima River and in the Horn Rapids area. Table H-6 provides a summary breakdown of Richland's housing characteristics between 2000 and 2010.



**Housing Unit Size and Bedrooms:** The 2010 Census showed that nearly 28% of all units in Richland had four or more bedrooms (Chart H-4), with only 11% having one or no bedroom. Renters, who make up more than one-third of all households in the city and tend to have smaller housing units, accounted for over a quarter of renter-occupied units containing one bedroom, compared to just 1.8% of owner-occupied units. 41% of all owner-occupied housing units have four or more bedrooms, compared to 27% of all housing units.

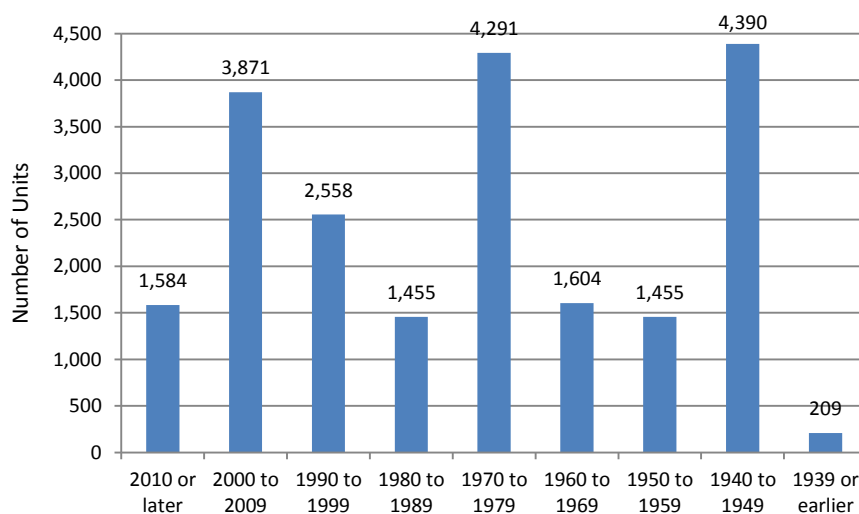


**Age of Housing Stock:** Nearly 60% of Richland's housing stock was built prior to 1980 (see Table H-6 below). New construction since 2000 already accounts for 21% of the housing stock up to 2010, with 33% of all units since 1990. Most of Richland's older housing stock, constructed during the build-up of the

Hanford Nuclear Reservation during World War II, has been preserved, and makes up a significant portion of the housing stock in the central core of the city.

TABLE H-6 RICHLAND HOUSING CHARACTERISTICS

CHARACTERISTIC	ALL UNITS		OCCUPIED UNITS		OWNER-OCCUPIED		RENTER-OCCUPIED	
	2000	2010	2000	2010	2000	2010	2000	2010
<b>STRUCTURE TYPE</b>								
1-Unit, Detached	62.7%	64.5%	64.8%	66.3%	86.4%	88.9%	22.2%	19.3%
1-Unit, Attached	7.3%	6.2%	7.2%	6.7%	4.9%	5.1%	11.6%	10.0%
2 Units	4.5%	4.4%	4.3%	3.3%	1.4%	0.8%	10.1%	8.5%
3 or 4 Units	3.7%	1.7%	3.4%	1.9%	0.2%	0.5%	9.7%	4.8%
5 to 9 Units	3.5%	5.8%	3.4%	5.0%	0.3%	0.4%	9.5%	14.6%
10 or more Units	13.5%	14.5%	12.5%	13.7%	0.7%	0.3%	35.6%	41.9%
Mobile Home	4.5%	2.9%	4.3%	3.0%	5.9%	4.0%	1.2%	0.9%
<b>TOTAL UNITS</b>	<b>16,454</b>	<b>20,074</b>	<b>15,530</b>	<b>18,420</b>	<b>10,295</b>	<b>12,436</b>	<b>5,235</b>	<b>5,984</b>
<b>UNIT SIZE</b>								
No Bedroom	2.1%	0.8%	2.3%	0.8%	0.2%	0.2%	6.3%	2.0%
1 Bedroom	10.5%	10.1%	9.8%	10.1%	2.2%	1.5%	24.9%	27.9%
2 or 3 Bedrooms	60.8%	61.7%	60.0%	60.3%	58.6%	57.3%	62.7%	66.5%
4 or more Bedrooms	26.6%	27.4%	27.9%	28.8%	39.0%	41.0%	6.0%	3.4%
<b>TOTAL</b>	<b>16,454</b>	<b>20,074</b>	<b>15,530</b>	<b>18,420</b>	<b>10,295</b>	<b>12,436</b>	<b>5,235</b>	<b>5,984</b>

**AGE OF HOUSING by YEAR BUILT****2010 CENSUS****TOTAL HOUSING UNITS****20,074**

Source: U.S. Census

**GROWTH of HOUSING STOCK, 2000 – 2010**

Over the past decade, new single family housing production in Richland seems to have been only slightly affected by the economic downturn at the beginning of the new millennium. The city witnessed a three year downward trend beginning in 2007 and ending in 2009 after a decade low 219 single family housing

units being constructed (see Table H-7). Production of single-family housing has remained constant on an annual basis, accounting for the vast majority of the new housing stock in Richland over the past decade with an annual average of 300 new units per year. New housing construction has added 5,455 total units – for an annual average of 420 units – since 2000 (see Table H-7).

In contrast to single family housing production, construction of multi-family housing of 5 units or more slowed considerably at the height of the economic downturn in the middle of the decade, with no new units being constructed in four of the past six years. Recent trends, however, seem to indicate that multi-family construction is improving as 320 units were constructed in 2010, 342 units in 2011, and the first half of 2012 already seeing 180 multi-family units constructed.

**TABLE H-7 NEW HOUSING CONSTRUCTION in RICHLAND, 2000 – 2012**

YEAR	Single Family Units	Two Family Units	Three-Four Family Units	Five or More Family Units	YEARLY TOTAL
2000	231	10	24	12	277
2001	383	8	24	122	537
2002	378	10	27	73	488
2003	321	0	0	93	414
2004	296	0	225	55	576
2005	340	0	0	0	340
2006	318	0	0	0	318
2007	296	0	0	176	472
2008	227	0	3	0	230
2009	219	0	0	0	219
2010	344	0	0	320	664
2011	265	0	0	342	607
2012	133	0	0	180	313
<b>Total</b>	<b>3,751</b>	<b>28</b>	<b>303</b>	<b>1,373</b>	<b>5,455</b>

SOURCE: U.S. Census

## CONDITION of HOUSING STOCK

Based on a field survey of four residential areas in Richland completed by Common Ground, Consultants for the development of the *2005-2009 Consolidated Community Development and Affordable Housing Plan for Richland, Kennewick, and Pasco, 2004*, most of the housing in Richland is found to be in reasonably good condition. Over one-half of all structures were categorized as being in “excellent” condition. Approximately 20% of the units fell into “fair” to “deteriorated” condition and 304 properties within four neighborhoods being rated “deteriorated” to “poor. The field survey also found a somewhat higher percentage of multi-family structures (25%) being in need of rehabilitation relative to single-family homes (20%). Three of the four neighborhoods are subsets of central Richland (U.S. Census tracts 102-106) and the fourth is contained in the Island View.

## HOUSING TENURE and AFFORDABILITY

## OWNER OCCUPIED HOUSING

Homeownership in Richland was estimated in the 2010 Census to be at a rate of 66.2%, virtually unchanged since the 2000 Census of 66.3%, and slightly higher than the national, state and regional rates, as shown in Table H-8.

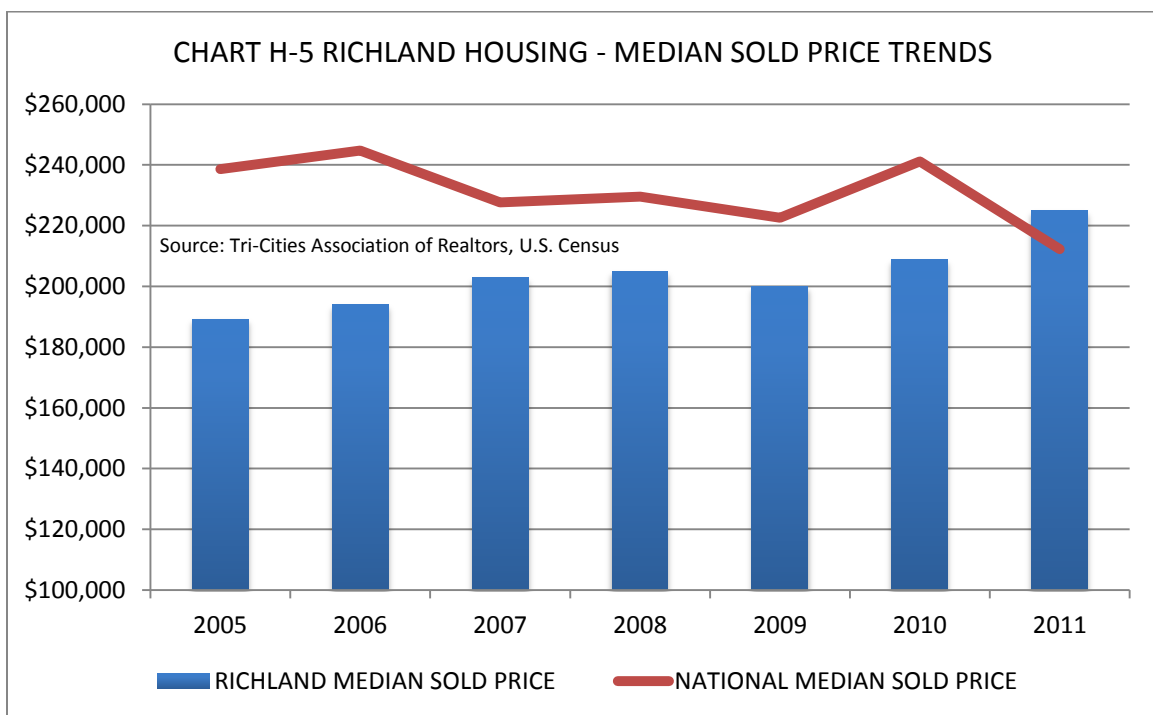
**TABLE H-8 RICHLAND RATE of  
HOMEOWNERSHIP, 2010**

GEOGRAPHIC REGION	
Richland	66.2%
Kennewick	61.3%
Pasco	64.9%
Washington	63.9%
United States	65.1%

Source: U.S. Census

The median price for a single family home in Richland was \$225,000 at the end of 2011, an increase from the \$189,250 median price in 2005.

Compared to other regions around the country that saw housing prices drop amid the national mortgage crisis in 2008, the impact of the mortgage crisis on prices in the Richland appears to have had a muted effect, with only a slight drop in median price occurring in 2009, dropping to \$199,950 from \$205,000 in the previous year, as indicated in Chart H-5 below.



Rising housing prices show that the Tri-Cities continues to own one of the healthiest housing markets in the nation, with some expectations anticipating home prices to grow by about 3.8% percent in 2012 from 2011.

### RENTER-OCCUPIED HOUSING

The 2010 Census estimated that renters accounted for about 34% of the 19,707 total occupied housing units in Richland, slightly less than Kennewick (39%) and Pasco (35%), but equivalent to the national rate. The rent rate for a two-bedroom apartment in March 2011 averaged \$892 a month. To afford this level of rent where no more than 30% of income is spent annually on housing and utility costs, a household would need to earn about \$2,974 a month, or \$35,680 annually. Typically, owner-occupied households earn more in annual income than renter-occupied households. The 2010 Census estimated that the median household income of renter-occupied units was \$36,627, just slightly above the annual income needed to afford a two-bedroom apartment.

According to Census 2010 estimates, approximately 2,240 of all renter-occupied units (nearly 39%) paid 30% or more of their income for rent and utilities (Table H-9).

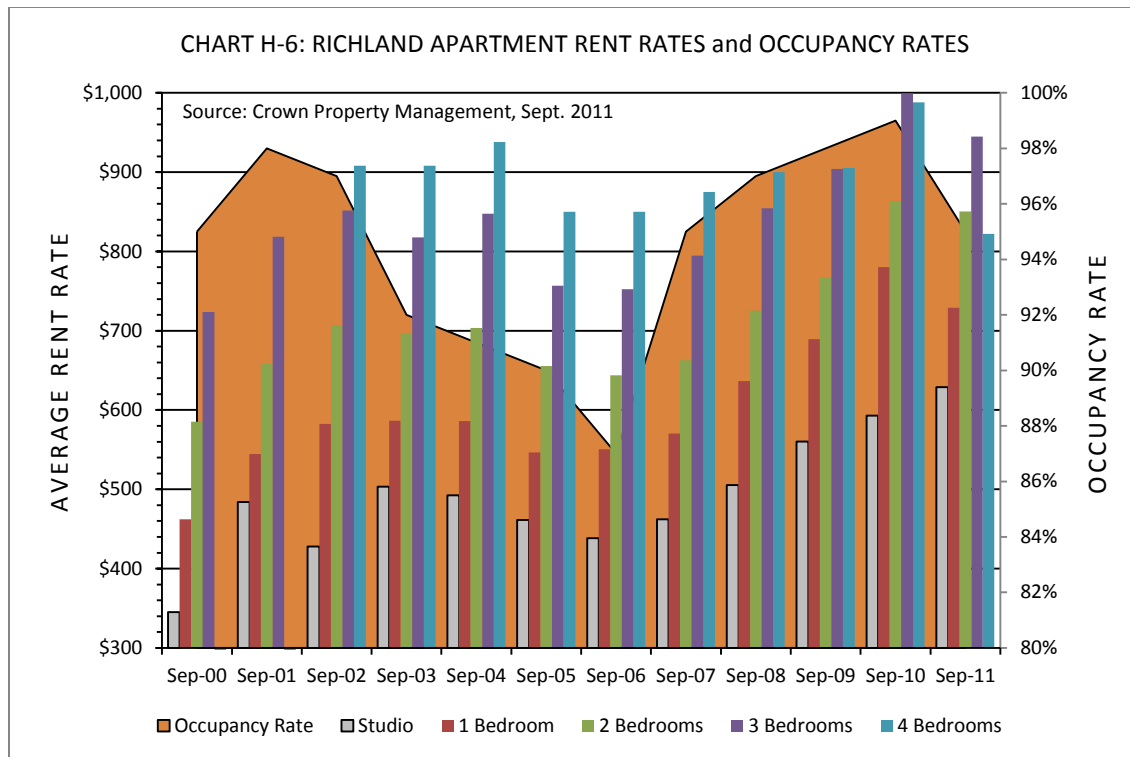
For low income households earning a minimum wage salary, rental affordability continues to be problematic as the rising demand for housing drives up prices, and the strain to afford rent becomes greater. A minimum wage worker earns \$9.04 an hour. To afford the \$892 monthly rent for a two-bedroom apartment, the minimum wage earner must work 76 hours per week, 52 weeks per year; or the household must include 1.9 minimum wage earners working 40 hours per week year-round in order to make the two-bedroom apartment at \$892 a month affordable (derived from National Low Income Housing Coalition, *Out of Reach* 2012).

**TABLE H-9 RICHLAND RENTER-OCCUPIED HOUSING  
UNITS – GROSS RENT AS A PERCENTAGE of HOUSEHOLD  
INCOME**

GROSS RENT AS PERCENTAGE OF INCOME	TOTAL OCCUPIED HOUSING UNITS PAYING RENT	PERCENT
Less than 15%	1,116	19.3%
15% – 19.9%	818	14.2%
20% – 24.9%	727	12.6%
25% – 29.9%	868	15.0%
30% – 34.9%	361	6.3%
35% or more	1,879	32.6%
Not computed	215	--
Total Units	5,769	100%

Source: U.S. Census, 2006-2010 American Community Survey 5-year Estimates

Chart H-6 below shows the comparison of average monthly rent rates to occupancy rate trends over the past decade. Apartments in Richland have maintained an occupancy rate of 95% or better since 2006, even though average rent rates for all apartment sizes have steadily climbed over the same period.



## MEETING HOUSING NEEDS

### RESIDENTIAL CAPACITY

Table H-10 outlines the potential residential development opportunity by land use designation, and provides the build-out capacities for housing development according to permitted residential densities. Within the city limits, there are over 3,800 acres of undeveloped land where 14,163 new housing units could potentially be constructed, plus the capacity for an additional 1,008 units on undeveloped parcels within the city's unincorporated urban growth area.

The high-range estimate of the potential number of residential units is based on allowable densities for the residential land designations in the Land Use Element of the Comprehensive Plan, and includes a 30% set-aside reduction representing a desired future land supply. An additional low-range estimate is provided and represents an additional 30% conservative reduction from the high-range estimate.

**TABLE H-10 RESIDENTIAL CAPACITY OF UNDEVELOPED PARCELS by LAND USE DESIGNATION, 2012**

Land Use Designation	Within Richland City Limits			In Unincorporated UGA		
	Vacant Acres	Potential Units <sup>1</sup>	Additional Population <sup>2</sup>	Vacant Acres	Potential Units	Additional Population
Agriculture	284	52	128	0	0	0
Low Density Residential	1,513	4,763	11,672	320	1,008	2,471
Medium Density Residential	351	2,246	5,504	0	0	0
High Density Residential	120	1,440	2,779	0	0	0
Waterfront	76	912	1,760	0	0	0
Badger Mountain South	1,480	4,750 <sup>3</sup>	10,658 <sup>4</sup>	0	0	0



	Total	3,824	14,163	32,228	320	1,008	2,471
High-Range Estimate*		3,824	9,914*	22,560*	320	706*	1,730*
Low-Range Estimate**		3,824	6,940**	15,791**	320	494**	1,211**

1 Assumes 10% of AGR and LDR, and 20% of MDR, HDR and WTF will be allocated to infrastructure.

2 Population based on 2.55 average household size for owner-occupied units with 0.961 occupancy rate, and 2.18 for renter-occupied units with 0.885 occupancy rate.

3 Potential dwelling units based on mid-point of density target range indicated in the Badger Mountain South LUDR.

4 Population based on mid-point of Target Density Units for MF and SF housing in Badger Mountain South LUDR.

\*Assumes full-build-out of available land minus 30% representing a minimum desired land supply.

\*\*Assumes full-build-out of available land minus an additional 30% from the High-Range estimate representing a minimum desired land supply.

Approximately 3,352 acres of Richland's undeveloped land, not including the Badger Mountain South Master Planned Community, is designated for residential use. A majority of the undeveloped acreage (94%) is designated for single-family and two-family unit housing, at a density range of up to five dwellings per acre in low density designated areas, and up to ten dwellings per acre for medium density designations. Higher density housing is permitted in the High Density Residential and Waterfront designated areas of the city, which presently accounts for 6% of the undeveloped acreage for residential uses, and allows for densities greater than ten dwellings per acre.

Additional residential development is planned for the Badger Mountain South Master Planned Community in south Richland. Current development target projections anticipate 65% of the residential development will be comprised of single-family units and 35% with multi-family units.

In 2011, the Washington State *Office of Financial Management's* population forecast for the state is estimated to reach 8,154,193 by the year 2030. Historically, Benton County's population has constituted approximately 2.4% of the state's population, amounting to a 2030 estimate of 195,701. For Growth Management Act urban growth area calculations, Richland's population has historically been 27% of the county population, which projects the city's 2030 population at approximately 52,839. Richland's capacity at full build-out of undeveloped land for future residential growth is estimated to accommodate an additional population of 32,228 people, amounting to a total city population estimate of 80,936.

Based on recent development trends and residential densities, Richland has projected its 2030 population to fall within the range of 69,000 – 78,000, well within the residential capacity of Richland's undeveloped land supply.

## HOMELESSNESS

An integral part of the city's housing strategy is to support a comprehensive approach to those programs that provide prevention, transitioning, and stabilization services aimed to decrease potential homelessness, stop recurring homelessness, and promote long-term self-sufficiency.

The *Tri-Cities Consolidated Plan for Richland, Kennewick and Pasco* serves as the city's ongoing, coordinated housing program that implements the policies, strategies, programs and resource allocations that effectively address the needs of the homeless throughout the Tri-Cities region, and functions as an ancillary housing element to this comprehensive plan.

## INFILL and REVITALIZATION OPPORTUNITIES

Richland has a very limited supply of vacant high density residential land within or surrounding the central core of the city. Most of the development potential of the Central Business District will consist of infill on vacant tracts, redevelopment of existing underdeveloped or under-utilized properties, and the conversion of the large parking lots. According to a recent city study of Richland's Civic Center, multi-family housing is one of the "bright spot" considerations for revitalizing the Central Business District. However, future multi-family development in central Richland will have to compete with the *"...nice, new, amenity rich garden-style apartments in other neighborhoods."* This will require that multi-family housing development keep rents equal to other developments and deliver equal or better on-site amenities, which may be a constraint for residents seeking affordable housing opportunities within the city's downtown.

To address the lack of affordable high density residential supply, the city will need to continue to encourage infill and redevelopment to provide housing opportunities in areas surrounding the Central Business District in proximity to employment centers, essential services and schools. In addition, the city will need to continue to encourage mixed use incentives and increased densities to promote the production of affordable housing for its residents.

### **INCLUSION of AFFORDABLE HOUSING**

The need for affordable housing is closely tied to jobs provided throughout the city. Planning for affordable housing requires a city-wide approach that reaches beyond just the primary employment centers in the central core of the city. The delicate balance between jobs and affordable housing is reliant upon workers being residents of nearby housing, and that housing costs are affordable to the nearby workforce. Provided that the type and cost of housing constructed are taken into account, housing strategies can address the housing needs of low-income residents while still contributing to the diversity of the city's neighborhoods.

The city encourages innovative market-based programs and practices that enable affordable housing opportunities in new residential development projects and infill of existing neighborhoods throughout the city. Developing housing units that are designed for greater affordability can assist in providing housing to low-income households. Design strategies that can reduce construction costs, such as prefabricated housing and other low-cost construction methods, can help make housing more affordable to low-income households through decreased overall housing costs.

## **CONSTRAINTS to INCREASING AFFORDABLE HOUSING SUPPLY**

Housing production in Richland is affected by a number of factors, both governmental and non-governmental – from local policies and codes, state and federal regulations, and environmental restrictions, to land and infrastructure costs, construction costs, and housing demand.

### **Non-Governmental Constraints**

#### LAND AVAILABILITY, COSTS and REDEVELOPMENT

Most of Richland's undeveloped residential land supply is located south of the Yakima River and in the Horn Rapids area, primarily allowing for low or moderately low residential densities of one or two unit housing. And while trends for housing affordability for first-time homebuyers has been increasing in the Tri-Cities area in recent years, affordable homeownership has been more challenging for households at

lower income levels. Much of the undeveloped supply of residential land lacks effective proximity to employment centers and public transit, further limiting the affordability of these sites for lower income households.

Another factor affecting the development of multi-family housing in the city's central core is the finite supply of land. Limited undeveloped areas lead to a strong sense of development pressure by the landowner, which may drive up the price for the parcels they own.

Under-developed areas within the city's central core that may be identified as suitable for multi-family housing can also face constraints for redevelopment as owners of these sites may be satisfied with the current state of their property's development; or there is direct competition with other potential developers proposing more profitable commercial projects, and will require complicated redevelopment approaches with increased time and project cost.

### **Governmental Constraints**

The development of housing, single-family or multi-family, is subject to a number governmental regulations, policies, and review procedures, all designed to balance citywide needs and address public concerns. New development is regulated to be consistent with the city's comprehensive plan goals and objectives; and to be compatible with its surrounding environs with respect to density, traffic, open space, and design requirements.

#### PERMIT PROCESSING

Project permit applications follow a streamlined process established in *RMC Title 19, Development Regulation Administration*. Development permit applications are classified as Type I, Type II, TYPE III or Type IV applications, each requiring a different set of review procedures for approval, ranging from administrative review to Planning Commission and City Council public hearings. All multi-family development proposals of 20 units or more (except for those within the Waterfront zoning district and outside of shoreline jurisdiction) require review before the Planning Commission, which can take six weeks for application review, agency comments, scheduling of meetings, and public notice. Timelines for approval of proposed development projects are also extended if they require an environmental impact statement.

The required processing times for project review can be a constraint to housing development, as additional conditions on development can drive up costs. The city follows an established protocol of application review and processing to ensure that all projects receive equitable treatment and consideration.

#### PERMIT APPLICATION FEES AND IMPACT FEES

Applications for proposed housing developments require fees for planning department review and building permits – which are based on a project's estimated construction costs. Depending on the location of the proposed development, applications may require additional permits and fees, such as shoreline development review and approval, demolition of existing structures, or further review for variances, zoning amendments or plat approval.

Proposed housing development is also subject to impact fees for roads and parks, which fund public infrastructure and support open space, both of which add to the cost of housing development.

In March 2012, the state legislature passed HB 1398, which allows local governments to exempt impact fees for the development of low-income housing. Under this law, developers may be granted a partial exemption of not more than 80% of the impact fee, in which case there is no explicit requirement to pay the exempted portion of the fee from public funds; or provide a full waiver, in which case the remaining percentage of the exempted fee must be paid from public funds. Developers receiving a waiver from the impact fee are required to record a covenant that prohibits using the property for any purpose other than low-income housing.

## MEASURING HOUSING ELEMENT GOALS

Below is a summary of how Richland has addressed the housing needs of its residents under the scope of adopted state and Benton County-wide Planning Goals and Policies. Many of the plans and programs implemented by the city to address low- and moderate-income resident's needs are programmatic in nature and are designed to increase access to, and development of, affordable housing.

### **Washington State Growth Management Act Housing Goal:**

*"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 housing stock."*

- Since the adoption of the Growth Management Act in 1990, the majority of new housing in the city has been single family residences, with over 6,600 new units being developed in that timeframe, mainly located in areas south of the Yakima River. However, the city has seen over 1,300 multi-family housing units developed since the year 2000, with many apartments coming on line in the Duportail Street-SR 240 region, and the condominium/townhouse-style houses at Columbia Point.
- In 2012, developers of the *Innovation Center* in north Richland will construct 150 apartment units as part of their 100-acre integrated campus in the *Tri-Cities Research District* that will also include offices, laboratories and retail uses, benefitting the city by reducing traffic-related impacts to surrounding and downtown neighborhoods.
- In 2009, the city adopted the *Central Business District* that allows for mixed use development in the city's downtown core. The new zoning district is designed to encourage the development of high-density housing that, in turn, may foster a more affordable cost of living option for downtown residents who will be in closer proximity to employment centers and needed services.
- In 2004, the city, through the State of Washington's Historic Preservation office, created the *Gold Coast Historic District*, with the intent of preserving a unique segment of Richland's housing stock. *The Gold Coast Historic District* preserves the Manhattan District-era "Alphabet Homes" in the northern portion of the city.
- The city's 2012 Strategic Plan outlines five goals for housing and neighborhoods in the city, which aims to increase safe, livable, and attractive neighborhoods; provide housing opportunities for all

age groups from young professionals to independent seniors; encourage the development of walk-able neighborhoods where needed services are accessible; and revitalize the neighborhoods surrounding the city central business district.

Conclusion: Through its comprehensive plan and zoning regulations, the city has permitted and fostered a variety of housing types to be developed within the city at various densities, while also striving to preserve and restore its older housing stock that provides a more affordable option to residents seeking single family housing. While numerous high density residential properties are scattered throughout the city, a greater supply will more likely be needed to accommodate the growing population of city residents in the future, especially in the areas near or surrounding the downtown core. Although the new *Central Business District* recently adopted for the city's downtown will help add to the variety of housing types through the development of mixed use residences, these housing options will most likely not be affordable to the low- and moderate-income resident. For existing housing stock, the city will need to continue securing funding for the maintenance, upgrade and replacement of its aging infrastructure in its older neighborhoods surrounding the city center; and maintain property values through other means, including crime prevention, code enforcement and housing redevelopment.

**Benton County-Wide Planning Policy # 15:**

*"New housing within urban growth areas shall be compatible in character and standards with that of the adjacent city area."*

- Through an agreement with the county, the city reviews proposed residential development projects that are within its unincorporated urban growth area for consistency with its adopted land use designation. Once annexed, residences utilizing an on-site septic system that needs replacing are required to hookup to the city's system if located within 300 feet of a sewer line.

Conclusion: The city and county should work together to develop a set of joint planning policies that govern the physical character of residential neighborhoods to ensure greater compatibility with other neighborhoods within the city upon annexation.

**Benton County-Wide Planning Policy # 16:**

*"Site-constructed, modular, and manufactured housing shall be recognized as needed and functional housing types."*

- The city permits accessory apartments, adult family homes, apartments/condominiums, assisted living facilities, manufactured housing/parks, single family residences, duplexes, and senior housing as allowable uses within its residential zoning districts.

Conclusion: The city currently permits a variety of housing types to be developed with varying densities. The city will strive to ensure that future innovations in housing supply and design are included in city plans and regulations to effectively address the housing needs of its citizens.

**Benton County-Wide Planning Policy # 17:**

*"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 appropriate densities with the cities and county. The following actions should be accomplished: **a** – jointly quantify and project total county-wide housing needs by income level and housing type (rental, ownership, senior, farm worker, group housing); **b** – establish a mechanism whereby the housing effort and programs of each jurisdiction address the projected county-wide need; **c** – address the affordable housing needs of very low-, low- and moderate-income households, and of special needs individuals, through the Comprehensive Housing Affordability Strategy; and **d** – develop design standards for implementation with the Comprehensive Plan with special attention given to residents needs of low- to moderate-income families."*

- The city participates with the cities of Kennewick and Pasco in addressing regional affordable housing needs and programs for each of the cities. Through the *Tri-Cities Consolidated Plan* (recently adopted for the 2010-2014 planning period), the three cities assess housing and community development issues that focus on the needs of low- and moderate-income residents, and review housing market conditions of the region. The plan then outlines goals and strategies to effectively address these identified needs.
- To address the needs of low- and moderate-income residents, the city has developed an *Affordable Homebuyer Assistance Program* that provides homeownership opportunities for low- and moderate-income and first-time homebuyers. The program strives to make homeownership more affordable by assisting in the preservation of the city's older neighborhoods, reducing monthly mortgage payments, and reducing the cash needed to purchase a home. The *Good Neighbor Next Door* and the *Infill Homeownership Gap Assistance* programs are also a part of the *Affordable Housing Program* designed to revitalize neighborhoods by offering deep discounts to public servants towards the purchase of eligible properties, and covering the gap in financing a mortgage for the purchase of a home.
- Through the *Infill Homeownership Program*, the city purchases dilapidated residential properties for redevelopment of new single-family housing, which are then sold to income-qualified families on the city's Infill Homeownership waiting list. Since the program's inception, eighteen properties have been redeveloped with new homes.

Conclusion: The city will continue to participate with the cities of Kennewick and Pasco to address the affordable housing needs of low- and moderate-income residents through mixed use development, worker housing options, and expansion of "urban villages" throughout the downtown in proximity to employment centers, transit connections and needed services.

## MAINTENANCE OF THE HOUSING ELEMENT

The Housing Element is intended to accommodate and encourage balanced housing growth in Richland through 2025. The goals, policies, objectives and data contained herein will require on-going monitoring and periodic maintenance. Changes will be made as warranted and allowed under the State of Washington Growth Management Act.