



# City of West Richland

Community Development Department  
3100 Belmont Blvd., Suite 104, West Richland, WA 99353  
Phone (509) 967-5902 Fax (509) 967-2419

## NOTICE OF DECISION

File No: PLAT-001-2022

Date of Complete Application: 05/17/2022	Date of Decision: 08/16/2022
Date Decision Posted/Mailed: 08/18/2022	Deadline for Appeal: 09/08/2022

### Application For:

Preliminary Plat Approval—Watermark

### Description of Proposal:

7HA Ventures LLC, applicant, together with JF Engineering, submitted a Preliminary Plat application to divide approximately 71 acres into 198 single-family residential lots and one tract to be dedicated to the City of West Richland for a reservoir. Utilities will include domestic water, storm water, and sewer (City of West Richland), electric services (Benton REA), and telecommunications. The submittal was deemed complete for processing on May 17, 2022.

### Applicant:

7HA Ventures LLC, owner, with JF Engineering, submitted a Preliminary Plat application.

### Location of Proposal:

The project site is located generally between Paradise Way and Belmont Blvd. The legal description is lots 2 and 3 of Record of Survey 5453 and Section 1 Township 9 Range 27 Southeast Southwest subject to Easements and Restriction of Record, except That Portion for Road Right Of Way, parcel numbers 1-0197-300-0009-000, 1-0197-300-0010-000, and 1-0197-300-0003-000.

### Date of Open Record Hearing:

07/14/2022

### Hearing Before:

Planning Commission

### Date of Closed Record Hearing:

08/16/2022

### Hearing Before:

City Council

### Decision:

Approved with Conditions.

### FINDINGS OF FACT

1. All submittal and processing requirements are met:
  - a. 7HA Ventures LLC, owner, with JF Engineering, submitted a Preliminary Plat application in order to divide approximately 71 acres into 198 residential lots.
  - b. The City of West Richland deemed the application complete for processing on May 17, 2022. The project is vested to that date.
  - c. In accordance with WRMC Chapter 14.03, notice of the public hearings were posted

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to the City's website, at the three official posting places, and mailed to property owners within 600 feet of the subject property on June 21, 2022. Public notice was posted to the subject site on June 21, 2022.

- d. On June 30, 2022, the City of West Richland Community Development Department issued a SEPA Threshold of Mitigated Determination of Non-Significance (MDNS) with a comment period that concluded on July 14, 2022. There were no appeals of the SEPA (see attachment 4).
  - e. Two written comment letters were submitted by July 7, 2022 when the staff report was prepared (see attachment 2).
  - f. The City's Planning Commission held an open record public hearing on July 14, 2022 where the project proponent and members of the public were provided the opportunity to testify and provide comments on the proposal. The Planning Commission subsequently voted to recommend approval of the preliminary plat.
2. The development's site location, features and characteristics have been considered:
- a. The site is lots 2 and 3 of Record of Survey 5453 and Section 1 Township 9 Range 27 Southeast Southwest subject to Easements and Restriction of Record, except That Portion for Road Right Of Way, parcel numbers 1-0197-300-0009-000, 1-0197-300-0010-000, and 1-0197-300-0003-000.
  - b. The site is designated by the City's Comprehensive Plan as MD-RES (Medium Density Residential) and the proposed use is consistent with that designation.
  - c. The site is zoned RM-10 Medium Density Residential. The RM-10 zoning district requires a minimum lot area of 10,000 sf. The average residential lot area proposed is 12,229 sf. The proposed uses and lot sizes are consistent with the zoning code requirements.
  - d. The steepest areas of the project site are 30-35 percent slope.
  - e. The Benton County soil survey indicates that the property contains BbC, HeE, and QuE (Burbank loamy fine sand, Hezel loamy fine sand, and Quincy loamy sand).
  - f. The site is currently vacant with hydroseeding after initial grading.
  - g. A portion of the subject property is located in a Geologic Hazard Area, Habitat Area, and Critical Aquifer Recharge Area and is subject to the City's Critical Areas Ordinance. The site does not contain any other areas that are designated for protection or consideration by the city's Critical Areas Ordinance.
  - h. Domestic water mains are available within 500 feet of the parcel to be subdivided (in Paradise Way running east-west through the subject property and at the end of Belmont Blvd in the northeast corner).
  - i. Public sanitary sewer is available within 500 feet of the parcel to be subdivided (on the eastern boundary of the subject property in Belmont Blvd and Paradise Way).
  - j. Extension of Belmont Blvd is necessary for orderly development and to accommodate increase trips generated by the development.
  - k. Measures will be in place for the purposes of assuring the public use and public interest is supported, addressing the proper and necessary timing of requirements and improvements needed for orderly and sensible neighborhood development.
3. Development impacts and necessary measures to address impact mitigation have been considered:
- a. Measures necessary to mitigate any real and/or perceived noise and visual impacts from the arterial roadways to single family development areas have been determined.
  - b. The plat is estimated to accommodate 565 residents at build-out that would directly and negatively impact the City's adopted level of service standard for parks, trails and open space as a consequence of the proposed development without mitigation.

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The developer must enter into a Parks and Recreation Impact Mitigation Agreement with the City to address such impacts.

- c. Public health will not be negatively impacted by this proposal as the development will be served by municipal sewer and water.
  - d. The significant impacts of the development on the surrounding transportation system or other public facilities can be mitigated through improvements and dedications as identified in the SEPA MDNS, and will be subject to impact mitigation fees per WRMC 16.14.200. The development agreements will provide sufficient mitigation such that park impact fees will not need to be paid for developed property within the plat.
  - e. The development is not expected to result in any public health, safety, or general welfare impacts that are not sufficiently mitigated by the conditions of this recommendation or through the SEPA determination.
  - f. The proposed preliminary plat is designed in a manner that is compatible with the physical characteristics of the subject property and the proposed preliminary plat contributes to the orderly development and land use patterns in the area.
4. Utilities, public services and community needs have been properly addressed:
- a. The project will result in an increase demand for fire protection and policing. Police protection is provided by the West Richland Police Department and Fire protection is provided by Benton County Fire District #4.
  - b. The project will result in an increase demand to the public school system. The development is located within the Richland School District.
  - c. The City's water and sewer systems will be extended to the development and service connections will be provided to each lot. Conditions for the systems, including the placement and design of water mains and fire hydrants are necessary to ensure orderly development.
  - d. Public health, safety, or welfare requires the connection of an electrical system to each lot. Written conditions for the system ensure orderly development.
  - e. Public health, safety, or welfare requires connection to a communication system to each lot with telephone service. Written conditions for the system ensure orderly development.
  - f. The developer has the option of providing a complete communication system with cable TV, internet and telephone service.
  - g. The developer has the option of providing a complete Cascade Natural Gas (CNG) natural gas system serving each lot.
5. Approval of the plat is in the public interest:
- a. Development and approval of the final plat(s) will conform to the standards, requirements and regulations contained in City Code, including those ordinances codified in Title 15, Title 16, Title 17 and Title 18.
  - b. The developer will complete public improvements, such as roads, city water extension, city sewer extension, creation of an irrigation system, installation of fire hydrants, and parks/open space/trail improvements, all to benefit the public use and interest of this area.
  - c. The proposed plat will provide for additional housing in the City.
  - d. The proposed plat, with mitigation as outlined in this report's conditions and through the MDNS, is consistent with the City's Comprehensive Plan and current zoning regulations, and the public interest will be served by the subdivision and dedications. Specifically, appropriate provisions are made for public health, safety and general welfare, for open spaces, drainage ways, streets, alleys, other public ways, water supplies, sanitary waste, parks, playgrounds, schools and school

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grounds.

**CONDITIONS OF APPROVAL**

1. WRMC 16.04.030 B) requires that each lot within a subdivision shall adjoin a public street that is improved to City Standards by the landowner / developer.
  - a. The developer shall dedicate 50' Road ROW with 12' utility easements on both sides of roadway for all local city roadways within the development to the City. Cul-de-sac shall have 60' Road ROW radius, with 12' utility easements on both sides of roadway within the development to the City. The developer is responsible for constructing all local city roadways within the development as 36' wide asphalt pavement roadway (3" HMA and 8" of CSTC) with curb and gutter, storm drainage, streetlights, ADA handicap ramps, etc. per City standards. Per WRMC 16.16.090, minor street grades not to exceed 10 percent slope and have a 2% cross slope (centerline of roadway 2% down to curb line).
  - b. Per Resolution 03-09, West Richland's Urbanized Area Functional Classification System designates Belmont Blvd as a minor arterial. Developer has already dedicated ROW and easements for Belmont Blvd. The developer is responsible for constructing Belmont Blvd within the development as a 46' wide asphalt pavement roadway (3" HMA, 4" CSTC, 10") with separated 5' concrete sidewalk on the south side of the street and a separated 10' HMA pathway on the north side of Belmont Blvd, landscape rock in ROW between pathway/sidewalk and curb, concrete curb and gutter, storm drainage, streetlights, etc. per City standards. Developer shall install a rectangular rapid flashing beacon on Belmont Blvd (location to be determined by City Engineer). The construction of Belmont Blvd, including sidewalk, pathway and landscape rock, shall be completed prior to approval of phase 1.
  - c. Per WRMC 10.24, Paradise Way and Belmont Blvd are designated as a limited access facility and as such lots will have no right or easement of access to Paradise Way and Belmont Blvd (Note to be placed on face of plat). Lot 16 of preliminary plat shall only be permitted access through the private access easement shown off Lane G.
  - d. The developer shall install street lights per City Standard Detail 6-2; Type II poles with 300' spacing for local streets and local intersections, or as determined by City Engineer.
  - e. To mitigate any real and/or perceived noise and visual impacts from the arterial roadways to the single family residential development, the developer/owner shall construct a 6-foot tall CMU block wall or approved equal (color and material to be approved by the City Engineer) along Paradise Way and Belmont Blvd plat frontage.
    - i. The construction must be completed for each phase, along its specific frontage, prior to the phased final plat approval or concurrently with the construction of Paradise Way and Belmont Blvd, whichever occurs first.
    - ii. The top of the 6-foot tall CMU block wall shall be a minimum of 6-feet above the center line elevation of the abutting roadway.
    - iii. The CMU block wall shall have a height of 8-feet along Belmont Blvd

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frontage of Tract A.

- iv. The terminus of the 6-foot tall CMU block wall shall extend perpendicularly away from the roadway frontage along the residential lot's boundary by a minimum of one lot's boundary (excluding roadway intersections) or as directed by City Engineer. The terminus of the block wall at roadway intersections shall be determined by City Engineer.
  - v. The 6-foot tall CMU block wall shall be located on the outside edge of the 12' utility easement and not at the right-of-way / property line.
  - vi. Developer shall be responsible for installing landscaping between the CMU block wall and the edge of curb and gutter. No trees may be planted within the 12' utility easement (combination of rock, lawn and shrubs acceptable).
- f. Temp turnarounds shall be constructed to meet Appendix D of International Fire Code.
  - g. Easements for temporary turn arounds, meeting Appendix D of International Fire Code, located outside of the plat boundaries will be required prior to the final of the phase associated with the turn around.
  - h. Landowner/developer will be required to design pedestrian facilities within this preliminary plat to meet the United States Access Board's Accessibility Guidelines for Public Right of Way (PROWAG). When pedestrian facility designs cannot be constructed to full PROWAG design requirements they shall be built to conform to the maximum extent possible. Developer's engineer shall draft an engineering report identifying the location(s) this occurs and justify why full PROWAG compliance is not possible (utilizing WSDOT templates for documenting these instances) for the City Engineer's review and approval).
  - i. All roadway construction plans to be designed by a Washington State licensed engineer and submitted to the City Engineer for approval
  - j. Stormwater from the development shall be collected and treated on-site with a piped emergency overflow when required by City Engineer. Said system shall still be required to meet Department of Ecology's NPDES Phase II requirements and City of West Richland regulations and Design Guidelines.
  - k. Factor of safety of 3 shall be used for design of all stormwater facilities
  - l. Developer shall remove existing fill placed within Paradise Way utility easement to meet the maximum 8:1 slope per City of West Richland's standards.
2. WRMC 16.04.040 requires the landowner/developer to connect to the sanitary sewer system if the sanitary sewer is within 500' of the parcel to be subdivided.
- a. There is currently an 8" sewer stub at the end of each existing roadway stubbed to into the development at Whitestone Street, Marble Street, Belmont Blvd to the east, Belmont Blvd to the north. There is also an 8" sewer stub at the western boundary of the lot between proposed lots 88 and 89 into the development. Developer shall be responsible for providing subdivision with a complete sanitary sewer system serving each proposed lot, including a service to the park. Sanitary sewer shall be constructed

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- a minimum 10' away from a parallel domestic waterline
- b. Sewer main construction plans to be designed by a Washington State licensed engineer and submitted to the City Engineer for approval.
  - c. Provide dedicated 20' minimum water easement centered over sewer mains not located within road ROW.
  - d. The developer shall be responsible for payment of the developer's portion of the Sewer System Development Fee per City's Master Fee Schedule for the proposed development prior to the City's approval of the construction plans
3. WRMC 16.04.050 requires the landowner / developer to connect to the water system if the water system is within 500' of the parcel to be subdivided with fire hydrants at each intersection and every 400'.
- a. There is currently a 12" water stub at both edges of existing Belmont Blvd on the east and north boundary of the lot. There is an 8" PVC water main stub at the end of the existing roadway at Whitestone Street and Marble Street. There are two 12" water stub off Paradise Way both south and north at Lane F. Landowner/Developer is responsible for extending the water mains and providing a water service to each lot, including the park, per City of West Richland's Standards consistent with City's Water System Plan. Hydrants shall be installed at every intersection and every 400' meeting a minimum fire flow of 1,500psi. Developer shall be responsible for looping water system, acquiring necessary easements and or increasing water line size, as needed, to meet required fire flow requirement.
  - b. Developer shall install Zone 3, 12" PVC watermain from an existing stub in Paradise Way to the future water reservoir location within the Plat of Watermark. The depth of Zone 3 waterline shall be deeper than the developments Zone 4 waterline to ensure services do not interfere with the line. Construction of the Zone 3 waterline, in its entirety, will be covered under the Water Mitigation Agreement. Construction of this line will be required in phase 1.
  - c. Developer shall be responsible for installing a 12" PVC watermain in Lane F, from Paradise Way to Belmont Blvd. Per WRMC 16.16.300, capacity for future developments, the City may share in the cost of these improvements to the extent of the difference in cost between the capacity needed to service the development and the capacity required by the City's Water System Plan. Construction of this line will be required by phase 3 or as required by the water model, whichever is sooner.
  - d. Developer shall be responsible for installing a 12" PVC watermain in Belmont Blvd within the Plat of Watermark. Per WRMC 16.16.300, capacity for future developments, the City may share in the cost of these improvements to the extent of the difference in cost between the capacity needed to service the development and the capacity required by the City's Water System Plan.
  - e. The Developer shall deed over the proposed Tract "A" as shown in preliminary Plat of Watermark to the City of West Richland for a future water reservoir. The Developer shall be responsible for grading the future water reservoir site, installing an 8' masonry block wall along the property line, excluding the parcels local roadway frontage, and installing concrete sidewalk along the frontage of Belmont Blvd, or as

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amended by the City Engineer. Developer shall install a drain line from the reservoir lot to a location determined by City Engineer in Belmont Blvd. Work related to the future reservoir will be covered under the Water Mitigation Agreement.

- f. Due to varying topography, some homes to be constructed within the western boundary of the plat are at, or above, the City's Water System pressure zone four's service area. The City recommends that home builders/property owners install individual pumps, bladder tanks and backflow protection on each home to provide a minimum of 40 psi during average daily demand (ADD). The following note shall be placed on the face of the plat:

*"NOTICE OF LOW WATER PRESSURE:"*

*"The City of West Richland is providing this Notice as a courtesy to provide general information about the water pressure in a specific area of West Richland which includes portions of this subdivision. The water pressure in this area is at the lower end of the water pressure range to provide you with water pressure for multiple water uses. To increase the water pressure, the City of West Richland recommends the installation of a private booster pump system with the construction of each house. Please be advised that previous owners of this house may or may not have followed the City's recommendation and may not have installed a private booster pump station to increase the water pressure to this home.*

*The Washington Department of Health requires that the City's water system maintain a minimum of 30 psi during peak water demands and a minimum of 20 psi during fire-fighting activities. These water pressures are measured at the home's water meter service and not the plumbing fixtures within a house which can be substantially lower depending on the plumbing pipe size and design used by the home builder during construction of the house.*

*If you have questions or concerns about this Notice, or how to obtain a City Plumbing Permit to install a private booster pump station, please contact the City of West Richland's Building Department."*

- g. Developer is responsible for the cost for a consultant to hydraulically model proposed water main system for the development (this cost is in addition to the plan review fee).
- h. Water main construction plans to be designed by a Washington State licensed engineer and submitted to the City Engineer for approval.
- i. The developer shall be responsible for payment of the developer's portion of the Water System Development Fee per City's Master Fee Schedule for the proposed development prior to the City's approval of the construction plans.
- j. Provide dedicated 10' minimum water easement centered over water main, fire hydrants and water services not located within road ROW.
4. WRMC 16.04.060 requires that the landowner/developer install an irrigation system whether or not the parcel is in an irrigation district. Parcel is not located within an irrigation district, but shall be required to install a dry irrigation system and service to each lot meeting CID standards and City Engineer requirements.

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**Public Works Director recommends the Community Development Director approve a deviation for the irrigation system construction requirements of WRMC 16.04.060 conditioned on the landowner executing and recording with Benton County Auditor a City Waiver of Right to Protest Local Improvement District for said irrigation system improvements for a period of ten years (waiver of protest agreement to be provided by City Attorney) and dedicating a 10' irrigation easement in the back of lot to serve each lot.**

5. Transportation Mitigation: The project proponent will need to execute a **Transportation Impacts Development Agreement** with the City. The developer / owner shall provide, dedicate, and improve the City's Transportation System in accordance with Transportation Impacts Development Agreement. The Transportation Impacts Development Agreement will specify necessary road right-of-way dedications and transportation system improvements, and address the specific phasing and timing of such dedication and improvements. The agreement will further detail how the goals, policies and minimum Level of Service standards of the Transportation Element of the City's Comprehensive Plan will be met in lieu of payment of the City's Transportation Impact Fee. The development agreement will be subject to approval by City Council as a part of their preliminary plat review process.
  - a. The mitigation under the Transportation Impacts Development Agreement will be based on attaining: minimum Level of Service requirements, consistency with the City's Six-Year Transportation Improvement Program, and consistency with Transportation Element of the City's Comprehensive Plan. The agreement will not be primarily based on the value of land or improvements, or the cost to furnish and construct such improvements.
  - b. The mitigation under the Transportation Impacts Development Agreement will outline the specific phasing of the road right-of-way dedications and adjacent 12' utility easements.
  - c. The mitigation under the Transportation Impacts Development Agreement will outline the specific roadway construction phasing, roadway widths and roadway sections for Belmont Blvd, and other roadway improvements to be consistent with the City's Six-Year Transportation Improvement Program, Complete Streets Policies, Transportation Element of the City's Comprehensive Plan, ADA requirements, and International Fire Code.
  - d. The mitigation under the Transportation Impact Development Agreement will outline the specific improvements including, but not limited to the construction of a 10' separated asphalt multi-purpose pathway along north side of Belmont Blvd, and the installation of Rectangular Rapid Flash Beacons at a minimum of one location on Belmont Blvd (location to be determined by City Engineer) to facilitate safe crossing locations, and accessibility to park and regional pathway.
6. The preliminary plat is estimated to accommodate 565 residents at build-out (198 single-family residential units) that will directly and negatively impact the City's adopted level of service standard for parks, trails and open space as a consequence of the proposed development without the requirement of mitigation. To mitigate the direct impacts to the City's parks, trails and open spaces (in-lieu of payment of Park Impact Fees to the City), the developer shall be required to develop approximately 3.24 acres of parks, 0.57 miles of trails and 0.57 acres of open space with City approved amenities (or similar combination with amenities as recommended by the Park Board and approved by the City Council).
7. Prior to final plat, the developer and the City shall execute a Parks and Recreation Development Agreement or Park Impact Fee Mitigation Agreement. Said agreement shall



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outline park improvements and amenities, address specific phasing and timing of such improvements and amenities, and detail how said mitigation measures meet or exceed the City's minimum level of service standards in-lieu of payment of Park Impact Fees. The mitigation under the agreement will be based on meeting or exceeding minimum level of service standards and will not be based on the value of land or improvements, or cost to furnish and construct said improvements.

8. The Parks and Recreation Development Agreement or Park Impact Fee Mitigation Agreement (PRDA) will include more specific details but the following shall be core requirements within said agreement:
  - a. The mitigation under the PRDA will be based on attaining minimum Level of Service requirements, and will not be based on the value of land or improvements, or cost to furnish and construct such improvements.
  - b. The mitigation measures under the PRDA will be completed on the land previously deeded to the City under AFN 2021-021619.
  - c. The mitigation under the PRDA will outline the specific minimum improvements and features for the community park which shall include, but is not limited to: off-street parking with lighting (off of Belmont Blvd or as determined by the City), restroom facility, bicycle track, benches, fencing, landscaping and associated underground sprinkler system, on-site pathways, and pavilion.
  - d. The mitigation under the PRDA will outline the specific minimum improvements and features for paths.
  - e. Pathways shall include a 10' HMA pathway along the frontage of Belmont Blvd and a connection from Athens Dr to the park.
9. The City has determined that public health, safety or welfare requires connection to an electrical system, the development shall be provided with a complete electrical transmission and distribution system serving each lot. Design of electrical system shall require the approval of the City Engineer and comply with Benton Rural Electric Association's Franchise Agreement (Ordinance 09-15) and provisions of any applicable city and or Benton Rural Electric Associate codes, ordinances, regulations, standards, procedures, policies, permits, approvals, as from time to time amended; provided, however, that in the event of a conflict or inconsistency between any such provision and said Franchise Agreement, the express terms and conditions of the Franchise Agreement shall govern.
10. The City has determined that public health, safety or welfare requires connection to a communication system, the development shall be provided with a complete communication system serving each lot with cable TV, internet and telephone service. Design of communication system shall require the approval of the City Engineer and comply with Charter's Franchise Agreement (Ordinance 08-96) and provisions of any applicable city and or Charter codes, ordinances, regulations, standards, procedures, policies, permits, approvals, as from time to time amended; provided, however, that in the event of a conflict or inconsistency between any such provision and said Franchise Agreement, the express terms and conditions of the Franchise Agreement shall govern.
11. Developments shall have the option of providing a complete Zipl communication system and/or complete Cascade Natural Gas natural gas system serving each lot. If the

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Development chooses to provide a complete Ziply communication system, the design of the communication system shall require the approval of the City Engineer and comply with provisions of any applicable city and or Ziply codes, ordinances, regulations, standards, procedures, policies, permits, approvals, as from time to time amended. If the Development chooses to provide a complete Cascade Natural Gas natural gas system, the design of the natural gas system shall require the approval of the City Engineer and comply with Cascade Natural Gas's Franchise Agreement (Ordinance 37-13) and provisions of any applicable city and or Cascade Natural Gas codes, ordinances, regulations, standards, procedures, policies, permits, approvals, as from time to time amended; provided, however, that in the event of a conflict or inconsistency between any such provision and said Franchise Agreement, the express terms and conditions of the Franchise Agreement shall govern.

12. Plat's survey to be tied into a minimum of two City control monuments shown on Record of Survey #3910 and established per Washington South (3602) State plane (NAD 83/91) coordinates and NAVD 88 elevations.
13. Plat Map information – all lines require bearings, curve require all pertinent information, tie survey into monumentation, basis of bearing and basis of elevation.
14. Street Signs to be purchased and installed by the City. City Engineer to determine type, location and when signs will be installed. Developer to reimburse the City for said work prior to Final Plat.
15. Developer responsible for purchasing and installing mailbox cluster units, or as amended by City Engineer. Developer to coordinate this work and the location of the mailbox cluster units with the US Postal Office. Contact West Richland Post Office. Mailbox cluster is not permitted on Belmont Blvd or Paradise Way.
16. The developer shall construct roads, clear and grub property, backfill trenches, grade the site, prepare the site, and conduct other related activities in accordance to and consistent with the recommendations and conclusions contained in the January 2021 Critical Areas Report by GN Northern, Inc and subsequent addenda dated April 21, 2021 and May 10, 2021 unless amended by the City Engineer or City's Building Official.
17. Landowner/developer shall be required to comply with the City of West Richland's Public Infrastructure Construction Plan Requirements and Design Guidelines dated July 2018, or as revised by the City Engineer. Copy of document is available on the City's website, [www.westrichland.org](http://www.westrichland.org).
18. Native vegetation removal shall be minimized, by avoiding grading outside of right-of-way and utilities. Vegetation that is scrubbed from the land shall be removed from the site and disposed of at an authorized facility. Scrubbed vegetation shall not be buried on site.
19. No grading, excavating and or filling on the proposed plat property shall occur until the Developer has approved construction plans and or a grading permit issued by the City.
20. The placement of fill materials on lots exceeding 24" shall be placed and compacted in accordance with the latest version of the International Building Code (IBC). The developer shall be responsible for hiring an independent materials testing company to complete and document compaction tests and a licensed professional engineer to certify that the fill placed on lots is buildable meeting the latest version of the IBC. A copy of this certification shall be provided to the City Engineer and Building Inspector prior to final plat approval.

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21. Prior to excavation and infrastructure development, a dust control plan shall be submitted to the city for approval by the City Engineer. Dust control during construction shall be closely monitored and utilized as necessary to minimize fugitive dust. At the completion of grading and road/utility construction, all disturbed soil areas shall be treated with tackifier.
  22. Prior to final plat approval, the developer shall provide a Maintenance Bond to the city to be held for one year from acceptance as a guarantee on materials and workmanship (5% of the value of improvements). The amount of the maintenance bond will be calculated by the City Engineer and is to be held for one year from the date of council or Public Works acceptance of the public improvements, whichever comes later.
  23. The construction plans and installations for all public improvements shall be reviewed, inspected, and approved by the Public Works Department, pursuant to WRMC 16.16.360. The plan review fee and construction inspection fee follows the master fee schedule found on our website: [www.westrichland.org](http://www.westrichland.org). Developer shall work with the Public Works Department to coordinate the review and inspection process for the public improvements required for this plat. Inspection fees will apply and must be paid prior to construction.
  24. The final plat(s) shall be submitted for City Council approval within five (5) years, unless extended by the process outlined in WRMC 16.04.130(A).
  25. The street address for each lot shall be indicated on the face of the final plat(s). The City reserves the right to confirm the actual address at the time a building permit is issued.
  26. Appropriate street name(s) for all public and private streets, approved by the City, shall be drafted on the face of the final plat(s). No street name shall be used which will duplicate or be confused with the names of existing streets in Benton or Franklin County, except extensions of existing streets may be permitted.
  27. Appropriate water, sewer, irrigation, and utility easements shall be indicated on copies of the proposed final plat. Franchise utility companies will be provided up to fifteen (15) days to review the proposed final plat map prior to City approval.
  28. Mitigation requirements under the SEPA MDNS decision issued June 30, 2022, shall apply as conditions to the plat.
  29. The developer shall be responsible for determining if the project needs to obtain coverage under a Construction Stormwater General Permit (CSWGP) from the Washington State Department of Ecology and obtaining said permit prior to beginning any grading and/or construction activities.
  30. Should archaeological materials (e.g. bones, shell, stone tools, beads, ceramics, old bottles, hearths, etc.) or human remains be observed during project activities, all work in the immediate vicinity shall stop. The State Department of Archaeology and Historic Preservation (360-586-3065), the City's Community Development Department, the City's Public Works Department, the affected Tribe(s) and the county coroner (if applicable) shall be contacted immediately in order to help assess the situation and determine how to preserve the resource(s). Compliance with all applicable laws pertaining to archaeological resources (RCW 27.53, 27.44 and WAC 25-48) is required.
  31. Construction equipment shall be properly maintained to meet emission standards.

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Construction vehicles shall be turned off when not in use to limit emissions caused by idling, and unnecessary noise.

32. All easements, rights-of-way, and encumbrances shall be shown and noted on the final plat(s) as identified in Benton Franklin Title Company's latest title report/subdivision guarantee report for said property.
33. Nothing in this approval shall limit the developer's ability to request to revise the plat under a plat revision, reducing the number of authorized residential lots, in order to sell property for primary and secondary permitted uses (i.e., churches/similar places of worship, schools, minor utility facilities, and uses allowed only under an approved conditional use permit) to enhance the neighborhood. All uses shall be limited to those allowed as primary or secondary permitted or conditional uses in the zoning district. Plat revisions are processed per WRMC 16.04.140.
34. The landowner/developer of the proposed plat may seek a variance from the requirements of WRMC Chapter 16 by submitting a written request to the Community Development Director stating the reason for a variance per WRMC 16.16.380. The basis for such a variance from the strict application of the requirements of this chapter is undue and unnecessary hardship on the property owner. No variance from these requirements shall be authorized by the Community Development Director unless the Director finds:
  - a. That exceptional or extraordinary circumstances or conditions exist to the division of the property or to the intended use of the property that do not apply generally to other properties similarly situated.
  - b. That the variance is necessary for the preservation and enjoyment of a substantial property right of the property owner /developer or is necessary for the reasonable and acceptable development of the property. Financial hardship is not a basis for variance from these requirements.
  - c. The authorization of the variance will not be materially detrimental to the public welfare or injurious to property in the vicinity.
  - d. That the variance from the provisions and requirements of this chapter do not grant a special privilege to the applicant.

***The Community Development Director approves a deviation for the irrigation system construction requirements of WRMC 16.04.060 conditioned on the landowner executing and recording with Benton County Auditor a City Waiver of Right to Protest Local Improvement District for said irrigation system improvements for a period of ten years (waiver of protest agreement to be provided by City Attorney) and dedicating a 10' irrigation easements connecting each lot in back of lots.***

**Right to Appeal:**

As the application was approved by the City Council, there is no local appeal option. Any appeal must be filed within 21 days with Benton County Superior Court per RCW 36.70C.

**City Staff Contact Person:**  
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