



AGENDA

Planning Commission
City Council Chambers- Municipal Services Facility
3100 Belmont Blvd., West Richland
Thursday, February 13, 2020 – 6:00 p.m.

**Planning
Commission
Members:**

Chad Utecht
Nancy Aldrich
Kathleen Smith
Trini Garibay
Michael Peterson
Marv Bohling
Jerry Surdyk

Staff:

Tobie Webb, Staff Recorder
Emily Weimer, Senior Planner
Nicole Stickney, Contract Planner
Eric Mendenhall, Community Development Manager

1. Call to order / attendance:

2. Approval of the agenda: *(Approved by Motion)*

3. Approval of minutes: *(Approved by Motion)*

- January 9, 2020 Regular Meeting

4. Old Business:

5. New Business:

- A. Public Hearing to consider File No. AD 2020-01 Zoning Code Amendments (Misc.)
- B. Public Hearing to consider File No. RZ 2019-04

6. Citizen Public Comments:

7. Announcements, Reports and Comments:

8. Adjourn:

Upcoming Meetings and Events:

March 12, 2020
March 26, 2020

1. **Call to order / attendance:** Senior Planner E. Weimer called the meeting to order at 6:01pm.

Members Present:

Chad Utecht, Commissioner
Marv Bohling, Commissioner
Nancy Aldrich, Commissioner
Michael Peterson, Commissioner

Members Absent:

Trini Garibay, Commissioner
– Excused
Kathleen Smith, Commissioner
– Not Excused

Staff Present:

Emily Weimer, Senior Planner
Roscoe Slade, Public Works & Community Development Director
Eric Mendenhall, Community Development Manager
Jessica Bates, Staff Recorder
Tobie Webb, Staff Recorder
Rachel Rocheck, Staff Recorder

Commissioner N. Aldrich moved to excuse Commissioner T. Garibay, seconded by Commissioner C. Utecht. The motion carried unanimously.

2. **Election of Officers:** Commissioner N. Aldrich nominated C. Utecht to Planning Commission Chair, he accepted the nomination. Commissioner M. Peterson seconded the nomination and it carried unanimously.

Chair C. Utecht nominated N. Aldrich to Planning Commission Vice Chair. Commissioner N. Aldrich accepted and stated that she will only be Vice Chair for one year. Commissioner M. Peterson seconded the nomination and it carried unanimously.

3. **Approval of the agenda:** Vice Chair N. Aldrich moved to approve the agenda, seconded by Commissioner M. Bohling. The motion carried unanimously.
4. **Approval of the minutes of December 12th:** Vice Chair N. Aldrich moved to approve the December 12, 2019 minutes, with an amendment to list commissioners as “excused” or “not excused” to the attendance section. Commissioner M. Peterson seconded and the motion carried unanimously.

5. **Old Business:** There was no old business.

6. **New Business:**

- A. **Open Record Quasi-Judicial Public Hearing: CUP-2019-09 Shannon’s Pet Services**

Chair C. Utecht opened the public hearing at 6:07 p.m.

Recorder T. Webb swore in those planning to provide testimony.

Recorder T. Webb announced that *this hearing is quasi-judicial in nature and therefore the appearance of fairness and conflict of interest rules apply. Quasi-judicial actions determine legal rights, duties or privileges of specific parties in a hearing. The public hearing must be fair in three respects: form, substance and appearance.* She asked the following questions:

Do any Planning Commissioners have an interest in this property or issue, or stand to gain or lose any financial benefit as a result of the outcome of this hearing, or have any disclosures to make?
There were none.

Is there anyone in the audience who objects to any Planning Commission member's participation in these proceedings? There were none.

Senior Planner E. Weimer gave a presentation and noted that staff recommends approval of Conditional Use Permit No. 2019-09, authorizing Shannon's Pet Services, a grooming parlor, with four conditions. Those conditions being: no animals shall be kept outside of the building; animals may not be kept on-site for extended periods of time, including boarding; staff shall take action to minimize barking at this facility through use of appropriate techniques; and the business shall conform to all applicable local, state and federal regulations.

No comments in favor of, or in objection to, the proposed conditional use permit were received from other departments or citizens. The Bonnewille Power Administration Commented that they do not have any objections to the proposal.

The owner of Shannon's Pet Services was not present.

Commissioner M. Bohling asked a clarifying question about the proposed CUP condition of approval, and Senior Planner E. Weimer answered.

Chair C. Utecht closed the public hearing at 6:17 p.m.

Vice Chair N. Aldrich moved to approve the staff-report and recommended approval of CUP 2019-06, with the four recommended conditions of approval, based on the Findings of Fact and Conclusions of Law, as detailed in the staff report. Commissioner M. Peterson seconded the motion and it carried unanimously.

B. Open Record Quasi-Judicial Public Hearing: CUP 2019-10 Roasters

Chair C. Utecht opened the public hearing at 6:17 p.m.

Recorder T. Webb swore in those planning to provide testimony.

Recorder T. Webb announced that *this hearing is quasi-judicial in nature and therefore the appearance of fairness and conflict of interest rules apply. Quasi-judicial actions determine legal rights, duties or privileges of specific parties in a hearing. The public hearing must be fair in three respects: form, substance and appearance.* She asked the following questions:

Do any Planning Commissioners have an interest in this property or issue, or stand to gain or lose any financial benefit as a result of the outcome of this hearing, or have any disclosures to make?
There were none.

Is there anyone in the audience who objects to any Planning Commission member's participation in these proceedings? There were none.

Senior Planner E. Weimer gave a presentation and noted that staff recommends approval of Conditional Use Permit No. 2019-07 Roasters with three conditions. Those conditions being: the mitigation requirements under the SEPA O-DNA decision issued on January 2, 2020 shall apply; roasting activities are permitted up to 300,000 pounds per year; the applicant/operator is required to either (1) obtain a permit from the Benton Clean Air Agency, provide a copy of the permit to the West Richland Community Development Department, and comply with all conditions of said permit or (2) provide documentation to the Community Development Department showing that a permit from the Benton Clean Air Agency is not required. Senior Planner E. Weimer noted that Planning Commission shall make a judgement call on whether coffee roasting is a conditional use, as coffee roasting is not addressed in the West Richland Municipal Code.

The city received one comment opposing the proposed CUP; Matthew Pattillo, of Anderson and Pattillo LLC, an adjacent property owner, had concerns about odors and chemicals being released. The Bonneville Power Administration (BPA) commented that the proposal will not directly impact any BPA facilities and does not have any objections to the proposal. The department of Health commented that the SEPA checklist listed the site as within the one-year Wellhead Protection Area time of travel, but the site is actually located within the six-month time of travel.

Paul Knutzen of 5401 Ridgeline Dr. Kennewick, WA from Knutzen Engineering, summarized what Roasters is planning and made a comment on how they are also trying to get into the Spokane, WA area.

Jarred Gillam of 5303 Concordia Ct. Pasco, WA the manager of the Aaron Drive Roasters, commented on how they plan to increase roasting by 10% each year.

Derek Stricker of 3709 W 48th Ave Kennewick, WA commented on the great culture Roasters has created and how the owner Wes Heyden has been able to grow his business in such a short time.

Commissioners asked some clarifying questions about the proposed CUP.

Chair C. Utecht closed the public hearing at 6:39 p.m.

Commissioner M. Peterson moved to approve the staff report and recommended approval of the proposed CUP 2019-10, with the three recommended conditions of approval, based upon the prepared Findings of Fact and Conclusions of Law, as detailed in the staff report. Chair C. Utecht seconded the motion and it carried unanimously.

7. **Citizen Public Comment:** There were none.
8. **Announcements, Reports, and Comments:** Senior Planner E. Weimer introduced the new Community Development Manager Eric Mendenhall. E. Mendenhall spoke on his background. Director R. Slade commented on the number of meetings that a commissioner can miss before a member may be asked to step down. Senior Planner E. Weimer said February 13th is the next meeting.
9. **Adjourn:** Chair C. Utecht adjourned the Planning Commission Meeting at 6:44 p.m.

DRAFT

WEST RICHLAND PLANNING COMMISSION AGENDA ACTION ITEMS					
AGENDA	5a	TYPE OF ACTION NEEDED			
MEETING DATE:	February 13, 2020	Open Record Hearing	X		
SUBJECT:	Public Hearing to consider File No. AD 2020-01 Zoning Code Amendments (Misc.)	Recommend to Council	X	Final Decision	
Prepared by:	Nicole Stickney, Contract Planner	1st Discussion		Other	
Reviewed by:	Eric Mendenhall, Community Development Manager	2nd Discussion			

The Mission of the Community Development Department is to proactively manage and facilitate enhanced vitality of the City’s neighborhoods, business districts, and parks. We are committed to attracting and incentivizing high-quality development, creation of new jobs, diversity of housing opportunities, city financial growth to support quality services, and to the prevention of decay and degradation of neighborhoods, business districts, and parks.

AMENDMENTS TO THE WEST RICHLAND MUNICIPAL CODE ARE SUBJECT TO THE CITY’S TYPE VII REVIEW PROCESS (LEGISLATIVE ACTION). THE RECOMMENDATION MADE BY THE PLANNING COMMISSION WILL BE FORWARDED TO THE CITY COUNCIL FOR THEIR REVIEW AND CONSIDERATION.

Attachments: 1) Draft Ordinance; 2) SEPA DNS and non-project SEPA Checklist; 3) Public Notice and Comments

DESCRIPTION OF PROPOSAL:

The City is proposing to adopt an ordinance amending the West Richland Municipal Code as follows:

- (1) Amending Section 17.09.070 “F definitions” to add a definition for Food and beverage product manufacturing, small scale;
- (2) Amending Section 17.51.020, adding vehicle and vessel body shops as a permitted use in the Combined Commercial / Light Industrial Use District (CLI);
- (3) Amending Section 17.48.030, adding small-scale food and beverage product manufacturing in the Commercial General Use District (C-G);
- (4) Amending Section 17.48.050, adding “Lumber or building material storage yards, secondary to an on-site retail use” as a conditional use in the Commercial General Use District (C-G); and
- (5) Repealing Section 17.54.430 “Garage and filling stations – Plan approval required.”

PAST PROCESSING

The following are dates and milestones of the staff, Planning Commission, City Council, and other action and processing related to this code amendment:

- January 22, 2020: Notice of Public Hearing on the proposed amendments published in newspaper, posted at the three official posting sites, and on the City’s website.

- January 22, 2020: SEPA DNS issued and notice of the proposed amendments were transmitted to interested agencies
- January 22, 2020: Notice of Intent to Adopt 60-day review sent to Department of Commerce with a request for expedited review (*Expedited review was granted on February 4, 2020*)
- February 4, 2020: The proposed amendments were presented to a city council subcommittee, and the members present showed support for the proposed amendments to be referred to the Planning Commission.

ANALYSIS:

The proposed zoning code text amendments address some inconsistencies.

The first amendment would allow small scale food and beverage product manufacturing uses as a Conditional Use (CUP) in the Commercial General (CG) zone. Recently, a coffee roasting operation received approval to locate in this zone via a CUP approval. While staff was able to justify the use to the Planning Commission to be allowed as a CUP, the proposed amendment provides better guidance for the city going forward for these types of uses. Staff believe that a small scale roaster, brewer or similar would foster innovation of startup businesses in the city that isn't as impactful as larger food processing plants that are more typically located in industrial districts.

Next, a change to the CG zone is proposed, to allow a lumber yard that would be accessory to a retail use. There is a proposed user in the CG zone and staff would like to support the retail business.

The amendment to allow vehicle and vessel body shops in the CLI zone is based on interest by a business who wants to locate such a business in the area. The city has been in negotiations to sell property for such a use and this would facilitate the business and economic growth associated with such a business.

Finally, the repeal of Section 17.54.430 is proposed, to remove an extra process that is not needed and results in unnecessary staff time and delay in permit processing. It is in the public interest to streamline the municipal code and processes for unnecessary, additional review.

PUBLIC NOTICE/ COMMENTS

The end of the public comment period for comments to be included in the staff report was Wednesday, February 5, 2020. No comments in favor of or in objection to the proposed code amendments were received from other departments, agencies or citizens. The Bonneville Power Administration commented that they do not have any objections to the approval of the request.

ENVIRONMENTAL REVIEW

The proposal is subject to environmental review. The West Richland Community Development Department is the lead agency for the proposal under the State Environmental Policy Act (SEPA) and reviewed the proposed non-project action for probable adverse environmental impacts and issued a determination of non-significance (DNS) for this proposal on January 22, 2020 (filed under SEPA register No. 202000402).

PROJECTED TIMELINE

The following is the proposed timeline for adoption of the code amendments:

- February 13, 2020 – Planning Commission Public Hearing and issuance of a recommendation to City Council

RECOMMENDATION / REQUESTED ACTION

The Planning Commission should hold a public hearing, as advertised, for the proposed changes to the zoning code, to hear comment and testimony from the public. Staff recommends that the Planning Commission forward the item to the City Council with a recommendation of approval.

ATTACHMENT 1

Draft Ordinance

2/13/20 Planning Commission Packet
AD 2020-01 Zoning Code Amendments (Misc.)



DRAFT
CITY OF WEST RICHLAND
ORDINANCE NO. ____-20

AN ORDINANCE OF THE CITY OF WEST RICHLAND, WASHINGTON, AMENDING THE WEST RICHLAND MUNICIPAL CODE TO INCLUDE (1) SECTION 17.09.070, “F DEFINITIONS” TO ADD A DEFINITION FOR FOOD AND BEVERAGE PRODUCT MANUFACTURING, SMALL SCALE; (2) AMENDING SECTION 17.51.020, ADDING VEHICLE AND VESSEL BODY SHOPS AS A PERMITTED USE IN THE COMBINED COMMERCIAL / LIGHT INDUSTRIAL USE DISTRICT (CLI); (3) AMENDING SECTION 17.48.030, ADDING SMALL-SCALE FOOD AND BEVERAGE PRODUCT MANUFACTURING IN THE COMMERCIAL GENERAL USE DISTRICT (C-G); AND (4) AMENDING SECTION 17.48.050, ADDING “LUMBER OR BUILDING MATERIAL STORAGE YARDS, SECONDARY TO AN ON-SITE RETAIL USE” AS A CONDITIONAL USE IN THE COMMERCIAL GENERAL USE DISTRICT (C-G) AND (5) REPEALING SECTION 17.54.430 “GARAGE AND FILLING STATIONS – PLAN APPROVAL REQUIRED.”

WHEREAS, the City Council finds that it is in the public interest to regulate the establishment and uses of *vehicle and vessel body shops* and *small-scale food and beverage product manufacturing* in the City; and

WHEREAS, the City Council finds that it is in the public interest to remove the requirements for the Planning Commission and City Council to approve a site plan for garage and filling stations; and

WHEREAS, the City Council finds that it is in the public interest to expand the locations where lumber yards can locate within the City; and

WHEREAS, the City Council supports economic and commercial development within the City; and

WHEREAS, on January 22, 2020, the City’s Community Development Department issued a State Environmental Policy Act (SEPA) threshold determination of DNS (Determination of Non-significance) on the proposed changes; and

WHEREAS, in accordance with RCW 36.70A.160, on **XX**, the City’s Community Development Department transmitted the proposed text changes to the State Department of Commerce and request expedited review and the request was granted on February 4, 2020; and

WHEREAS, on February 12, 2020 the Planning Commission held a duly noticed public hearing to receive public testimony on the proposed changes and accepted all testimony from anyone wishing to speak for or against changes, and deliberated on the proposed changes; and

WHEREAS, on February 12, 2020, the Planning Commission voted to accept the staff’s recommended findings, conclusions, and recommendations on the proposed amendments and rescission; and **recommend approval** of the proposed amendments and rescission; and

WHEREAS, the City Council reviewed the proposed amendments in a duly noticed

public hearing on **March 3, 2020**; and

WHEREAS, all parties wishing to comment on the proposed amendments were given an opportunity to do so;

WHEREAS, on **March 3, 2020**, the City Council voted to approve the zoning code amendments; and

WHEREAS, the City Council finds it prudent and in the public interest to adopt the proposed amendments by ordinance;

NOW THEREFORE, THE CITY COUNCIL OF THE CITY OF WEST RICHLAND, WASHINGTON, does hereby ordain as follows:

SECTION 1: Adoption: The West Richland Municipal Code is hereby amended as set forth in Exhibit A, attached hereto.

Section 2. Severability / Validity. The provisions of this ordinance are declared separate and severable. If any section, paragraph, subsection, clause or phrase of this ordinance is for any reason held to be unconstitutional or invalid, such decision shall not affect the validity of the remaining portion of this ordinance.

Section 3. Effective Date. This ordinance shall take effect and be in force five (5) days after passage and publication of a summary thereof consisting of the title.

Section 4. Transmittal to State. Pursuant to RCW 36.70A.106, a complete and accurate copy of this ordinance shall be transmitted to the Department of Commerce within ten (10) days of adoption.

PASSED BY THE CITY COUNCIL OF THE CITY OF WEST RICHLAND, WASHINGTON, this **3rd day of March, 2020.**

Brent Gerry, Mayor

ATTEST:

Julie Richardson, City Clerk

APPROVED AS TO FORM:

Bronson Brown, City Attorney

EXHIBIT A

17.09.070 F definitions.

Family. See "Household."

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

"Filling station, public gasoline" means any area of land including any structure or part thereof that could be or is used or designed to be used for the supply of gasoline and includes any area or structure used or designed to be used for polishing, greasing, washing, spraying (other than paint), dry cleaning or otherwise cleaning or servicing such motor vehicle.

"Floor area" or "floorspace" means the sum of the gross horizontal areas of the several floors of the building or buildings measured from the exterior faces or exterior walls or from the centerline of walls separating two buildings. In particular, the floor area of a building or buildings includes but is not limited to:

1. Basement space;
2. Floorspace for mechanical equipment, with structural headroom of seven feet and six inches or more;
3. Elevator shafts and stairwells at each floor;
4. Penthouses;
5. Attic space, whether or not a floor has actually been laid, providing structural headroom of seven feet and six inches or more;
6. Interior balcony and mezzanines;
7. Enclosed porches;
8. Accessory uses not including space for accessory off-street parking; providing, however, that the floor area or floorspace of the building shall not include:
 - a. Cellar space, except that the cellar space used for retailing shall be included for the purposes of calculating requirements for accessory off-street parking spaces, and accessory off-street loading spaces;
 - b. Elevator and stair bulkheads, accessory water tanks and cooling towers;
 - c. Attic space, whether or not a floor has actually been laid, providing structural headroom of less than seven feet and six inches;
 - d. Uncovered steps;
 - e. Terraces, breezeways, and open spaces;
 - f. Accessory off-street parking spaces.

"Floor area" or "floorspace ratio" of a building means a quotient of the floor area or floorspace of a building divided by its lot area.

"Food and beverage product manufacturing, small-scale" means uses such as micro-wineries, small-scale craft production, micro-breweries, coffee roasting facilities, and the like, where products are produced, fermented, roasted and/or otherwise prepared for retail or wholesale production. These uses are small-scale in nature and are limited to the annual production of up to 15,000 gallons of spirits; production of up to 6,000 barrels of beer, or the production up to 50,000 liters of wine.

EXHIBIT A

17.48.050 Conditional uses.

The following uses are permitted in the C-G district, subject to review in accordance with Chapter 17.66 WRMC and other applicable provisions of this code, and the issuance of a conditional use permit:

- A. Landscape gardening and storage area for equipment and materials;
- B. Car washes, automatic, full-service, and self-service;
- C. New and used car sales lots, mobile home sales, and recreational vehicle sales;
- D. Precision development machine shops;
- E. Massage parlors or sauna baths;
- F. Heavy machinery sales and service;
- G. Residential use secondary to a business enterprise provided:
 - 1. Dwelling units are constructed in compliance with the Uniform Fire Code and Uniform Building Code and all applicable laws and ordinances;
 - 2. Shall be within the same building as the principal use and not less than 750 square feet per unit;
 - 3. If the dwelling units are located on the ground floor, the dwelling units shall not exceed 40 percent of the gross floor area of the structure and shall have bathroom and kitchen facilities separate from the businesses;
 - 4. Dwelling located on the second floor or above, the dwelling units must meet the building and fire code requirements for combined use structures;
- H. On-site hazardous waste treatment and storage facilities as a subordinate use to a permitted or other conditional use; provided, that such facilities comply with the Washington State criteria adopted in accordance with Chapter 70.105 RCW;
- I. Processing or handling of hazardous substances provided such facilities comply with the Washington State criteria adopted in accordance with Chapter 70.105 RCW;
- J. Storage units/mini-storage; except parcels bordering and/or fronting on arterial roadways as identified in the transportation element of the comprehensive plan;
- K. Adult use businesses, provided they meet all of the special location conditions as set forth in WRMC 17.54.450;

EXHIBIT A

L. Major utility facilities, subject to WRMC 17.54.452;

M. Family day care home when within a residential use secondary to a business enterprise (subsection G of this section);

N. Amusement parks;

O. Animal control facilities (indoor);

P. Accessory buildings (including, but not limited to: shops, garages, gazebos, pergolas, cabanas, patio covers, decks 30 inches or more above grade, and similar structures) for personal use upon properties that contain existing single-family residences. The review authority shall have the discretion to regulate such items as setbacks from property lines or other structures, building height and architectural design (siding material, color, 12-inch eaves, etc.) to ensure that the proposal is consistent with the overall purpose of the commercial general zoning district. Along with the application materials required under Chapter 17.66 WRMC, applications for accessory building conditional use permits shall also include, at minimum, elevation drawings that clearly indicate building height and architectural design;

Q. Care facilities for small animals, such as veterinary clinics, grooming parlors, training and boarding;

R. Wireless communication facilities subject to Chapter 17.16 WRMC;

S. Small-scale food and beverage product manufacturing.

T. Lumber or building material storage yards, secondary to an on-site retail use.

17.51.020 Permitted uses. *[Combined Commercial – Light Industrial]*

The permitted uses of these districts are:

A. Commercial Uses.

1. Stores and shops for the conduct of retail business;
2. Banks;
3. Restaurants, delicatessens, espresso/juice bar establishments;
4. Bakeries;

EXHIBIT A

5. Spas, beauty shops, and barbershops;
6. Hotels and motels;
7. Taverns and cocktail lounges;
8. Day care centers and mini-day care centers;
9. Growing fruits, vegetables, grains, flowers, and field crops;
10. Wine tasting/sales;
11. Bookstores;
12. Movie theaters;
13. Recreation buildings/facilities;
14. Theaters of performing arts;
15. Art studios;
16. Amusement parks;
17. Minor utility facilities;
18. Small-scale home occupation, subject to WRMC 17.54.047;
19. Clinics. These uses are only allowed upon those properties zoned combined commercial/light industrial use district (CLI) within the plat of Belmont Business District and upon Lot 4 and that portion of Lot 2 located south of Keene Road of Short Plat No. 3449;
20. Wireless communication facilities – co-location with an existing facility (co-location is allowed on towers that were existing prior to adoption of Ordinance No. 6-19) subject to Chapter 17.16 WRMC.

B. Light Industrial/Manufacturing Uses, When Located According to WRMC 17.51.040.

1. Warehousing and distributing;
2. Wholesale businesses;
3. Wineries;

EXHIBIT A

4. Food processing;
5. Offices;
6. Minor utility facilities;
7. Large-scale home occupation, subject to WRMC 17.54.048;

8. Vehicle and vessel body shops

C. Public safety facilities.

17.54.430 ~~Garage and filling stations – Plan approval required.~~ Repealed.

~~In a C-L or C-G district, plans for the erection or structural alteration of any garage for more than five motor vehicles, or a filling station, shall be submitted to the planning commission and city council for approval for changes relative to yards, location of pumps and buildings, and construction of buildings as may be deemed best suited to ensure safety, to minimize traffic difficulties, and to safeguard adjacent properties.~~

ATTACHMENT 2

SEPA DNS and non-project SEPA Checklist

2/13/20 Planning Commission Packet
AD 2020-01 Zoning Code Amendments (Misc.)



**CITY OF WEST RICHLAND
DETERMINATION OF NON-SIGNIFICANCE**

File Number: ER 2020-01 (AD 2020-01)

Applicant: City of West Richland

Location of Proposal: City-wide

Description of Proposal: Amendments to WRMC Title 17 (Zoning). The City is proposing to adopt an ordinance amending several sections of the West Richland Municipal Code in Title 17, Zoning. The proposed changes are: 1) Amending Section 17.09.070 “F definitions” to add a definition for Food and beverage product manufacturing, small scale; (2) Amending Section 17.51.020, adding vehicle and vessel body shops as a permitted use in the Combined Commercial / Light Industrial Use District (CLI); (3) Amending Section 17.48.030, adding small-scale food and beverage product manufacturing in the Commercial General Use District (C-G); (4) Amending Section 17.48.050, adding “Lumber or building material storage yards, secondary to an on-site retail use” as a conditional use in the Commercial General Use District (C-G) and (5) Repealing Section 17.54.430 “Garage and filling stations – Plan approval required.”

Lead Agency: West Richland Community Development Department

Responsible Official: Eric Mendenhall
City of West Richland
Community Development Department
3100 Belmont Blvd., Suite 104
West Richland, WA 99353
Phone: (509) 967-5902

Findings:

1. The City finds that the non-project action will not result in adverse impacts to the environment. No mitigation measures are required at this time.

Threshold Determination:

The lead agency for this proposal has determined that this proposal will not have a probable significant adverse impact on the environment that cannot be mitigated through compliance with the conditions of the West Richland Municipal Code and other applicable regulations. 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. The responsible official finds this information reasonably sufficient to evaluate the environmental impacts of this proposal. This information is available to the public upon request.

This DNS is issued under WAC 197-11-340(2); the lead agency will not act on this proposal for 14 days from the date of issuance. You may submit comments on this proposal to the address below before 5:00 PM, **February 6, 2020**.

Staff Contact: For information on this proposal, contact Emily Weimer, AICP, Senior Planner, at (509) 967-5902 or eweimer@westrichland.org.

Date: 1/22/2020

Signature: 

Appeal:

Any agency or person may appeal the lead agency's environmental determination as set forth in WRMC 18.04.260. Appeals of this decision will be accepted until 5:00pm, **February 6, 2020**.



SEPA ENVIRONMENTAL CHECKLIST

Purpose of checklist:

Governmental agencies use this checklist to help determine whether the environmental impacts of your proposal are significant. This information is also helpful to determine if available avoidance, minimization or compensatory mitigation measures will address the probable significant impacts or if an environmental impact statement will be prepared to further analyze the proposal.

Instructions for applicants:

This environmental checklist asks you to describe some basic information about your proposal. Please answer each question accurately and carefully, to the best of your knowledge. You may need to consult with an agency specialist or private consultant for some questions. You may use "not applicable" or "does not apply" only when you can explain why it does not apply and not when the answer is unknown. You may also attach or incorporate by reference additional studies reports. Complete and accurate answers to these questions often avoid delays with the SEPA process as well as later in the decision-making process.

The checklist questions apply to all parts of your proposal, even if you plan to do them over a period of time or on different parcels of land. Attach any additional information that will help describe your proposal or its environmental effects. The agency to which you submit this checklist may ask you to explain your answers or provide additional information reasonably related to determining if there may be significant adverse impact.

Instructions for Lead Agencies:

Please adjust the format of this template as needed. Additional information may be necessary to evaluate the existing environment, all interrelated aspects of the proposal and an analysis of adverse impacts. The checklist is considered the first but not necessarily the only source of information needed to make an adequate threshold determination. Once a threshold determination is made, the lead agency is responsible for the completeness and accuracy of the checklist and other supporting documents.

Use of checklist for nonproject proposals:

For nonproject proposals (such as ordinances, regulations, plans and programs), complete the applicable parts of sections A and B plus the [SUPPLEMENTAL SHEET FOR NONPROJECT ACTIONS \(part D\)](#). Please completely answer all questions that apply and note that the words "project," "applicant," and "property or site" should be read as "proposal," "proponent," and "affected geographic area," respectively. The lead agency may exclude (for non-projects) questions in Part B - Environmental Elements –that do not contribute meaningfully to the analysis of the proposal.

A. Background

1. Name of proposed project, if applicable:

Amendment to West Richland Municipal Code Title 17 (File #AD 2020-01). *This is a non-project action.*

2. Name of applicant:

City of West Richland, Community Development Department

3. Address and phone number of applicant and contact person:

C/O Emily Weimer, Senior Planner

(509)967-5902
3100 Belmont Blvd.
West Richland, WA 99353

4. Date checklist prepared:
1/22/2020

5. Agency requesting checklist:
City of West Richland

6. Proposed timing or schedule (including phasing, if applicable):
Following review by the Planning Commission in February, the ordinance is anticipated to be considered for final action by the City Council in March 2020.

7. Do you have any plans for future additions, expansion, or further activity related to or connected with this proposal? If yes, explain.
City staff is anticipating many further changes to Title 17, which were initiated some time ago, to be processed and completed in 2020.

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

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

10. List any government approvals or permits that will be needed for your proposal, if known.
City of West Richland City Council Approval and adoption of an Ordinance. There is also a 60-day review period with the Department of Commerce (expedited review is being requested to shorten the time period).

11. Give brief, complete description of your proposal, including the proposed uses and the size of the project and site. There are several questions later in this checklist that ask you to describe certain aspects of your proposal. You do not need to repeat those answers on this page. (Lead agencies may modify this form to include additional specific information on project description.)

The City is proposing to adopt an ordinance amending several sections of the West Richland Municipal Code in Title 17, Zoning. The proposed changes are:

- (1) Amending Section 17.09.070 "F definitions" to add a definition for ***Food and beverage product manufacturing, small scale***;
- (2) Amending Section 17.51.020, adding ***Vehicle and vessel body shops*** as a permitted use in the Combined Commercial / Light Industrial Use District (CLI);
- (3) Amending Section 17.48.030, adding ***Small-scale food and beverage product manufacturing*** in the Commercial General Use District (C-G);
- (4) Amending Section 17.48.050, adding ***Lumber or building material storage yards, secondary to an on-site retail use*** as a conditional use in the Commercial General Use District (C-G) and
- (5) Repealing Section 17.54.430 "Garage and filling stations – Plan approval required."

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.

City-wide, these changes only impact non-residential zoning districts.

B. Environmental Elements

Section B is excluded from this checklist, since this proposal is for a non-project action.

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: Emily Weimer

Name of signee Emily Weimer

Position and Agency/Organization City of West Richland

Date Submitted: 1/21/20

D. Supplemental sheet for nonproject actions

(IT IS NOT NECESSARY to use this sheet for project actions)

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

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

1. How would the proposal be likely to increase discharge to water; emissions to air; production, storage, or release of toxic or hazardous substances; or production of noise?

Changing the development regulations in West Richland for the proposed amendments is not anticipated to lead to *increased* discharges to water, emissions to air, etc., However, the code change may facilitate that additional uses be established in the city as compared to what is currently allowed, and development of additional related uses and businesses could contribute to increased emissions to air and/or production of noise, which is dependent on the use.

Proposed measures to avoid or reduce such increases are:

None proposed.

2. How would the proposal be likely to affect plants, animals, fish, or marine life?

Changing the development regulations in West Richland for as proposed is not anticipated to negatively affect plants, animals, fish or marine life. The changes under this proposal will not change any aspects of the city's protection of these items under the Critical Areas Ordinance.

Proposed measures to protect or conserve plants, animals, fish, or marine life are:

None proposed.

3. How would the proposal be likely to deplete energy or natural resources?

Changing the development regulations in West Richland as proposed is not anticipated to deplete energy or natural resources. However, the code change may facilitate that additional uses be established in the city as compared to what is currently allowed, and development of additional related uses and businesses could contribute to increased use of energy and natural resources, which is dependent on the use.

Proposed measures to protect or conserve energy and natural resources are:

None proposed.

4. How would the proposal be likely to use or affect environmentally sensitive areas or areas designated (or eligible or under study) for governmental protection; such as parks, wilderness, wild and scenic rivers, threatened or endangered species habitat, historic or cultural sites, wetlands, floodplains, or prime farmlands?

The proposal does not have any likely affect as building applications are reviewed for compliance with the city's critical areas ordinance.

Proposed measures to protect such resources or to avoid or reduce impacts are:

None proposed.

5. How would the proposal be likely to affect land and shoreline use, including whether it would allow or encourage land or shoreline uses incompatible with existing plans?

The proposal will affect land use inasmuch as additional uses will be allowed in the CG and CLI districts. Any proposed use or development within shoreline jurisdiction is subject to the City's Shoreline Master Program.

Proposed measures to avoid or reduce shoreline and land use impacts are:

None proposed.

6. How would the proposal be likely to increase demands on transportation or public services and utilities?

The proposal will not have any influence on demands for transportation, public services or utilities. However, the code change may facilitate additional uses to be established in the city as compared to what is currently allowed, and establishment of such uses could contribute to increased emissions demand on transportation / public services / utilities.

Proposed measures to reduce or respond to such demand(s) are:

None proposed.

7. Identify, if possible, whether the proposal may conflict with local, state, or federal laws or requirements for the protection of the environment.

None known.

ATTACHMENT 3

Public Notice and Comments

2/13/20 Planning Commission Packet
RZ 2019-04





3100 Belmont Blvd. Suite 104 West Richland, WA 99353 www.westrichland.org
Community Development Department (509) 967-5902

January 15, 2020

TO: General Public and Various Government Agencies
FROM: West Richland Community Development Department
SUBJ: Zoning Code Amendment Administrative File No.: AD 2020-01
Notice of Application, Notice of Completeness, Notice of SEPA DNS, Request for Comment, and Notice of Public Hearing

DESCRIPTION OF PROPOSAL

The City is proposing to adopt an ordinance amending several sections of the West Richland Municipal Code in Title 17, Zoning. The proposed changes are: 1) Amending Section 17.09.070 "F definitions" to add a definition for Food and beverage product manufacturing, small scale; (2) Amending Section 17.51.020, adding vehicle and vessel body shops as a permitted use in the Combined Commercial / Light Industrial Use District (CLI); (3) Amending Section 17.48.030, adding small-scale food and beverage product manufacturing in the Commercial General Use District (C-G); and (4) Rescinding Section 17.54.430 "Garage and filling stations – Plan approval required."

ENVIRONMENTAL REVIEW

The proposal is subject to environmental review. The West Richland Community Development Department is the lead agency for the proposal under the State Environmental Policy Act (SEPA) and reviewed the proposed non-project action for probable adverse environmental impacts and issued a determination of non-significance (DNS) for this proposal on January 22, 2020. Comments on the SEPA DNS are due by **5:00 p.m., February 6, 2020**.

REQUEST FOR WRITTEN COMMENT & STAFF CONTACT

You may request information on, and provide written comments regarding the proposed amendments to the West Richland Municipal Code. Send written requests or comments to the Community Development Department at 3100 Belmont Blvd., Suite 104, West Richland, WA 99353. Written comments must be received by **5:00 p.m., February 6, 2020** to be included in the staff report. The staff contact for this project is Emily Weimer, Senior Planner, at (509) 967-5902 or eweimer@westrichland.org.

NOTICE OF PUBLIC HEARING

Public hearings for this legislative matter will be held before the West Richland Planning Commission and City Council. A public hearing before the Planning Commission will be held on **February 13, 2020 at 6:00 p.m.** A public hearing before the City Council, with final action on the ordinance, is tentatively scheduled for **March 12, 2020 at 6:00 p.m.** The hearings will be held in the City Council Chambers located at 3100 Belmont Blvd., West Richland, WA. A copy of the staff report will be available prior to the meeting. All interested parties are invited to attend and participate in the hearings. At the hearings, comments may be made verbally or in writing.

NOTICE OF DECISION

The application and other information on file may be examined at the Community Development Department. If you wish to obtain notice of the final decision for the proposed code amendments, you will need to contact the Community Development Department with your name and address.

Emily Weimer

From: Weyl, Linda (COM) <linda.weyl@commerce.wa.gov>
Sent: Wednesday, February 5, 2020 6:59 AM
To: Emily Weimer
Subject: City of West Richland - Expedited Review Request Granted for Submittal ID: 2020-S-1149

Dear Ms. Weimer,

Your request for an Expedited Review has been granted for: Proposed update to several sections of the zoning code.

As of receipt of this email, you have met the Growth Management notice to state agency requirements in RCW 36.70A.106 for this submittal. Please keep this email as confirmation.

If you have any questions, please contact William Simpson at (509) 280-3602 or by email at william.simpson@commerce.wa.gov.

~~~ ONLINE TRACKING SYSTEM AVAILABLE ~~~~

Log into our new PlanView system at <https://secureaccess.wa.gov/com/planview> where you can keep up with this submittal status, reprint communications and update your contact information.

Don't have a user account? Reply to this email to request one and attach a completed PlanView User Request Form.

Have questions about using PlanView? Use the PlanView User Manual for assistance at <https://www.commerce.wa.gov/serving-communities/growth-management/washington-department-of-commerce-growth-management-submitting-materials/>.

Sincerely,

Review Team  
Growth Management Services

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**This is an external email and did not originate from the City of West Richland's email system.**



## Department of Energy

Bonneville Power Administration  
2211 North Commercial Avenue  
Pasco, WA 99301

TRANSMISSION SERVICES

February 6, 2020

In reply refer to: ER 2020-01 (AD 2020-01)  
Located in West Richland, W.M., Benton County, Washington

Emily Weimer, Senior Planner  
City of West Richland  
3100 Belmont Blvd.  
West Richland, WA 99353

Dear Emily:

Bonneville Power Administration (BPA) has had the opportunity to review ER 2020-01 (AD 2020-01) to adopt amendments to the City of the West Richland Municipal Code, Title 17 Zoning.

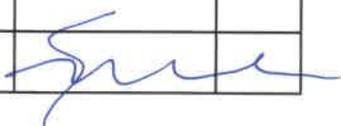
This amendment will not directly impact BPA facilities. BPA does not have any objections to the approval of this request at this time.

Thank you for the opportunity to review this application. If you have any questions regarding this request or need additional information, please feel free to contact me. I can be reached at (503) 230-5510 or by email at [mjdeklyen@bpa.gov](mailto:mjdeklyen@bpa.gov).

Sincerely,

A handwritten signature in blue ink, appearing to read "Mike DeKlyen".

Mike DeKlyen  
BPA Field Realty Specialist

| <b>WEST RICHLAND PLANNING COMMISSION AGENDA ACTION ITEMS</b> |                                                                                                                                                           |                              |   |                       |                                                                                     |
|--------------------------------------------------------------|-----------------------------------------------------------------------------------------------------------------------------------------------------------|------------------------------|---|-----------------------|-------------------------------------------------------------------------------------|
| <b>AGENDA</b>                                                | 5b                                                                                                                                                        | <b>TYPE OF ACTION NEEDED</b> |   |                       |                                                                                     |
| <b>MEETING DATE:</b>                                         | February 13, 2020                                                                                                                                         | <b>Open Record Hearing</b>   | X |                       |                                                                                     |
| <b>SUBJECT:</b>                                              | Public Hearing to consider File No. RZ 2019-04, Rezone Parcel Number 1-0197-300-0007-000 from Combined Light Industrial (CLI) to Commercial General (CG). | <b>Recommend to Council</b>  | X | <b>Final Decision</b> |                                                                                     |
| <b>Prepared by:</b>                                          | Emily Weimer, Nicole Stickney                                                                                                                             | <b>1st Discussion</b>        |   | <b>Other</b>          |                                                                                     |
| <b>Reviewed by:</b>                                          | Eric Mendenhall                                                                                                                                           | <b>2nd Discussion</b>        |   |                       |  |

**SUPPORTING POLICIES AND STATE LAW:**

- Comprehensive Plan – Land Use Element, GOAL 3, Policy 4: Encourage the use of previously passed-over parcels within areas characterized by urban growth.
- Comprehensive Plan – Economic Development Element, GOAL 4, Policy 2: Encourage the infill and rehabilitation of existing commercial areas.

The Mission of the Community Development Department is to proactively manage and facilitate enhanced vitality of the city’s neighborhoods, business districts, and parks. We are committed to attracting and incentivizing high-quality development, creation of new jobs, diversity of housing opportunities, city financial growth to support quality services, and to the prevention of decay & degradation of neighborhoods, business districts, and parks.

***SITE-SPECIFIC REZONE REQUESTS ARE SUBJECT TO THE CITY’S TYPE IV REVIEW PROCESS. (SEE WRMC 14.05.030, 14.050.040, and 14.05.050 FOR CONFLICT OF INTEREST, EX PARTE COMMUNICATIONS, AND DISQUALIFICATION INFORMATION). PLEASE, NO EX-PARTE COMMUNICATION REGARDING THIS ITEM.***

## Staff Report

### Hearing before the City of West Richland Planning Commission Rezone Application No. 2019-04

#### **ATTACHMENTS:**

1) Application Materials; 2) Public Notice and Comments

#### **APPLICANT:**

CB Group LLC

#### **DATE AND LOCATION OF PUBLIC HEARING:**

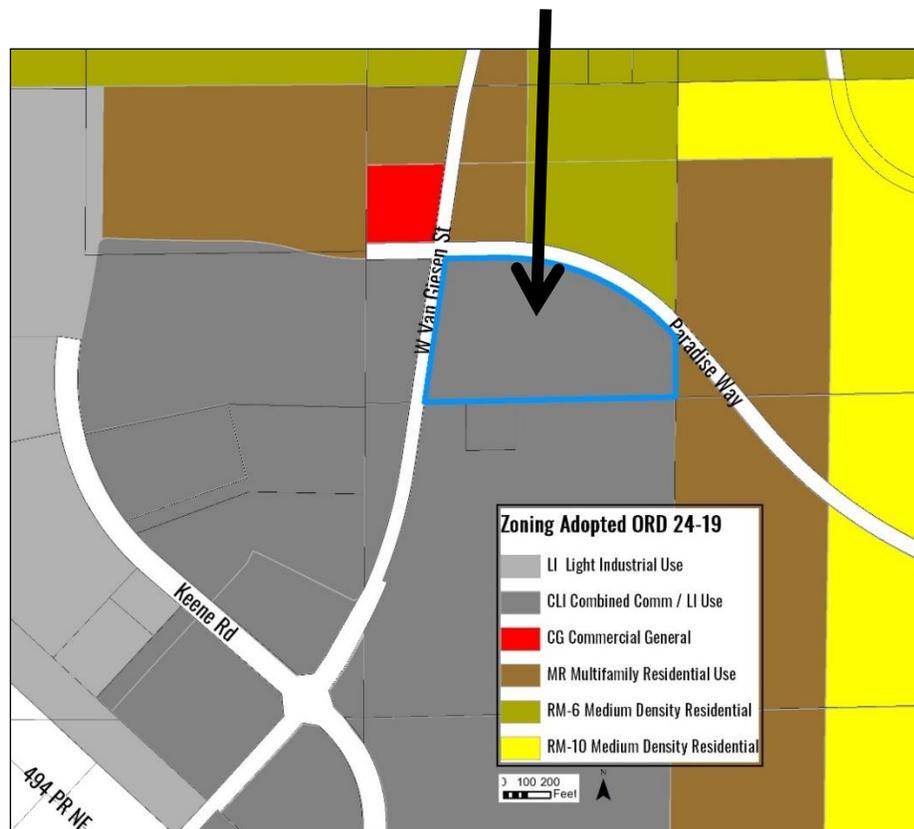
The meeting will be held at 6:00 pm, February 13, 2020 in the City Council Chambers located at 3100 Belmont Blvd., West Richland, WA.

#### **PROJECT DESCRIPTION:**

Rezone application to change the zoning of Parcel Number 1-0197-300-0007-000 from Combined Light Industrial (CLI) to Commercial General (CG).

#### **PROJECT SITE:**

The property is located at the southeast corner of the Paradise Way and W. Van Giesen intersection, and does not have an assigned address. The legal description of the site is: that portion of the northwest quarter of the southwest quarter of Section 1, Township 9 N., Range 27 E., W. M., Benton County, Washington, lying easterly of SR 224 and lying southerly of Paradise way (created under AFN #2005-038745).



**Zoning:**

The subject property is currently zoned CLI (Combined Commercial / Light Industrial Use)

Surrounding Zoning Districts and Land uses:

North: Multifamily Residential Use District (MR) and Medium-Density Residential Use District (RM-6); a portion of the land has an approved preliminary plat that is under development (Western Ridge Phase 1) and it is anticipated that the remaining land will be subdivided in the near future

West: CLI; the state highway (SR-224/ Van Giesen) is to the immediate west and further west is undeveloped land

South: CLI; the City's industrial treatment facility (I-plant) is located on a 1-acre parcel of land to the south, and the remaining land is undeveloped.

East: Multifamily Residential Use District (MR); the land is undeveloped

**Comprehensive Plan:**

The Comprehensive Plan Land Use Map indicates that the property is designated for Commercial use.

**Public Notice:**

- Community Development staff mailed technical review requests to technical agencies on December 18, 2019.
- Community Development staff mailed notices to property owners within 600 feet of the subject property on December 18, 2019.
- The public notice was posted to the City's website and three official posting locations on December 18, 2019.

**Environmental Review:**

Pursuant to WAC 197-11-800 (6)(iii), the proposal is exempt from environmental review under SEPA. The site is mapped as a Critical Habitat Area. Per the Washington Department of Fish and Wildlife Priority Habitats and Species (PHS) program map, the site is a breeding area for the Ferruginous Hawk, and hosts a regular concentration of the Townsend's Ground Squirrel. City of West Richland protects Critical Fish and Wildlife Habitat Conservation Areas under Chapter 18.25.250 of the West Richland Municipal Code. The site is not within any other mapped critical area, and is not located within the shoreline jurisdiction.

**Analysis:**

Britt Creer, representing CB Group LLC (property owner) submitted an application to change the City's zoning map, re-designating parcel number 1-0197-300-0007-000 from Combined Light Industrial (CLI) to Commercial General (CG). The site is 12.34 acres in size, according to assessor's records. There are no structures or other known improvements on the site. The land's terrain rises progressively toward the east. If a rezone is approved, the types of allowed uses and development for the property (both as permitted uses and as conditional uses) will change.

The CLI and CG zoning districts both implement the "Commercial" land use classification, which is assigned to the parcel in question, on the City's Comprehensive Plan Land use map.

The CG and CLI districts have identical area and dimensional regulations (WRMC 17.54.050). A comparison between the CLI and CG district uses is summarized in the Table below (also see WRMC 17.50 and 17.48 for further detail):

| <b>CURRENT ZONING:</b><br>COMBINED COMMERCIAL / LIGHT INDUSTRIAL USE (CLI)                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                      | <b>PROPOSED ZONING:</b><br>COMMERCIAL – GENERAL USE (CG)                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                   |
|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| <b>Purpose / Essential Uses</b>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                 |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                            |
| <p>Provide areas where products are processed, manufactured, warehoused, distributed, wholesaled, and retailed, in concentrated proximity to support an industry or trade, for example: wineries, tasting/sales rooms, and wine related industries; specialty foods processors with retail sales; artisan centers; and business incubators with a retail component. Because many of the uses in the district are often tourist attractions, tourist support uses such as restaurants, shops and boutiques, hotels, and recreational facilities are also permitted. The zone is located along major transportation corridors, such as Van Giessen and Keene Road.</p> <p>Except as provided in WRMC 17.51.040, development on the front portion of those parcels immediately along the major transportation corridor is to be devoted to retail/commercial use, while the portions of the buildings or lots removed from the major roadway is primarily reserved for processing, manufacturing, storage, and other nonretail uses, but may also include commercial uses. The light industrial component is limited to uses that will not be noxious or injurious due to the production of excessive dust, smoke, refuse, odor, fumes, noise, vibration or harmful emissions.</p> | <p>Provide land for a full range of commercial uses that require extensive retail contact and serve the community and regional commercial markets.</p> <p>The essential uses of this district are intensive retail business, financial, professional and personal service establishments; and cultural or entertainment enterprises.</p>                                                                                                                                                                                                                                                                                                                                                   |
| <b>Permitted Uses</b><br>(Similar items are shown in gray to emphasis distinctions)                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                             |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                            |
| <p>The permitted uses of these districts are:</p> <p><u>A. Commercial Uses.</u></p> <ol style="list-style-type: none"> <li>1. Stores and shops for the conduct of retail business;</li> <li>2. Banks;</li> <li>3. Restaurants, delicatessens, espresso/juice bar establishments;</li> <li>4. Bakeries; (*)</li> <li>5. Spas, beauty shops, and barbershops; (*)</li> <li>6. Hotels and motels;</li> <li>7. Taverns and cocktail lounges;</li> <li>8. Day care centers and mini-day care centers;</li> <li>9. Growing fruits, vegetables, grains, flowers, and field crops;</li> <li>10. Wine tasting/sales;</li> <li>11. Bookstores; (*)</li> <li>12. Movie theaters;</li> <li>13. Recreation buildings/facilities;</li> </ol>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                  | <ol style="list-style-type: none"> <li>A. Stores and shops for the conduct of retail business;</li> <li>B. Banks;</li> <li>C. Restaurants;</li> <li>D. Specialty schools operated for profit;</li> <li>E. Shops for repair and similar services;</li> <li>F. Laundromats;</li> <li>G. Locksmith shops;</li> <li>H. Offices;</li> <li>I. Membership clubs;</li> <li>J. Laundries and dry-cleaning establishments employing not more than five persons;</li> <li>K. Hotels and motels;</li> <li>L. Taverns and cocktail lounges;</li> <li>M. Undertaking establishments;</li> <li>N. Express offices;</li> <li>O. Convenience stores or mini-markets;</li> <li>P. Movie theaters;</li> </ol> |

|                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                           |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                       |
|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| <p>14. Theaters of performing arts;<br/>15. Art studios;<br/>16. Amusement parks;<br/>17. Minor utility facilities;<br/>18. Small-scale home occupation, subject to WRMC 17.54.047;<br/>19. Clinics. <i>(Does not apply to this location –see code)</i><br/>20. Wireless communication facilities; co-location with an existing facility –<i>see code</i><br/><u>B. Light Industrial/Manufacturing Uses, When Located According to WRMC 17.51.040.</u><br/>1. Warehousing and distributing;<br/>2. Wholesale businesses;<br/>3. Wineries;<br/>4. Food processing;<br/>5. Offices;<br/>6. Minor utility facilities;<br/>7. Large-scale home occupation, subject to WRMC 17.54.048.<br/><u>C. Public safety facilities.</u><br/><br/><i>(*) Starred items would likely fit into the “Stores and shops for the conduct of retail business” category.</i></p> | <p>Q. Wholesale businesses;<br/>R. Theaters of performing arts;<br/>S. Art studios;<br/>T. Public safety facilities, municipal buildings or facilities;<br/>U. Minor utility facilities;<br/>V. Churches and similar places of worship where off-street parking is provided in compliance with Chapters 17.54 and 17.57 WRMC;<br/>W. Public or private nursery schools;<br/>X. Public or private museums and libraries;<br/>Y. Hospitals and clinics;<br/>Z. Adult family homes;<br/>AA. Day care centers and mini-day care centers;<br/>BB. Growing fruits, vegetables, grains, flowers, and field crops;<br/>CC. Retirement centers/convalescent homes, assisted living centers;<br/>DD. Wireless communication facilities – co-location with an existing facility (co-location is allowed on towers that were existing prior to adoption of Ordinance No. 6-19) subject to Chapter 17.16 WRMC.</p> |
| <p><b>Secondary permitted uses</b><br/><i>(Similar items are shown in gray to emphasis distinctions)</i></p>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                              |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                       |
| <p>(None)</p>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                             | <p>The following uses are permitted in the C-G district in conjunction with, but subordinate to, a permitted or conditional use:<br/>A. Accessory buildings;<br/>B. Outdoor display;<br/>C. Automobile parking as required by Chapter 17.57 WRMC;<br/>D. Parks and plazas;<br/>E. Drive-up or drive-thru services;<br/>F. Garage, filling station or service stations, or any sales of gasoline; provided they meet all requirements of Chapter 17.54 WRMC;<br/>G. Small-scale home occupation, subject to WRMC 17.54.047.</p>                                                                                                                                                                                                                                                                                                                                                                        |
| <p><b>Conditional Uses</b><br/><i>(Similar items are shown in gray to emphasis distinctions)</i></p>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                      |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                       |
| <p>A. A single-family dwelling secondary to a commercial use <i>(with provisions, see code)</i><br/>B. On-site hazardous waste treatment and storage facilities <i>(with provisions, see code)</i><br/>C. Major utility facilities, subject to WRMC 17.54.452;<br/>D. Wireless communication facilities subject to Chapter 17.16 WRMC.</p>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                | <p>A. Landscape gardening and storage area for equipment and materials;<br/>B. Car washes, automatic, full-service, and self-service;<br/>C. New and used car sales lots, mobile home sales, and recreational vehicle sales;<br/>D. Precision development machine shops;<br/>E. Massage parlors or sauna baths;<br/>F. Heavy machinery sales and service;<br/>G. Residential use secondary to a business enterprise <i>(with provisions, see code)</i><br/>H. On-site hazardous waste treatment and storage</p>                                                                                                                                                                                                                                                                                                                                                                                       |

|  |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                  |
|--|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
|  | <p>facilities (<i>with provisions, see code</i>)</p> <p>I. Processing or handling of hazardous substances (<i>with provisions, see code</i>)</p> <p>J. Storage units/mini-storage; except parcels bordering and/or fronting on arterial roadways as identified in the transportation element of the comprehensive plan;</p> <p>K. Adult use businesses (<i>with provisions, see code</i>)</p> <p>L. Major utility facilities, subject to WRMC 17.54.452;</p> <p>M. Family day care home (<i>with provisions, see code</i>)</p> <p>N. Amusement parks;</p> <p>O. Animal control facilities (indoor);</p> <p>P. Accessory buildings (<i>see code for details</i>)</p> <p>Q. Care facilities for small animals, such as veterinary clinics, grooming parlors, training and boarding;</p> <p>R. Wireless communication facilities subject to Chapter 17.16 WRMC.</p> |
|--|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|

Pursuant to WRMC Title 14 and 17.78, the Planning Commission is to hold an open record public hearing to consider the rezone proposal. The Planning Commission recommendation should include the factors considered at the hearing, and an analysis of findings the Planning Commission considers to be controlling. Appeals of decisions are limited to parties of record, and are processed per WRMC 14.06.

**Comments Received:**

One agency responded to the city’s notice of application. The Planning Engineer from the Washington State Department of Transportation South Central Region office, Paul Gonseth, provided a letter that was received by the City on January 13, 2020. In his letter, Gonseth stated that the department has no objections to the proposal. The letter included comments about access to the Class 3 management access highway, the speed limit, the presence of traffic noise, and the need for any signs along the highway to comply with the state’s Scenic Vistas Act. The letter also describes that any proposed lighting for future development should be directed down towards the site and away from the state facility. Finally, the letter describes that stormwater and surface runoff generated by any development must be retained and treated onsite, and may not flow to WSDOT rights-of-way.

Comments received after preparation of the staff report will be provided to the Planning Commission during the open record public hearing.

**Review Criteria:**

Pursuant to WRMC 17.60.020, when determining whether an area shall be rezoned, the Planning Commission must consider and be guided by the following nine criteria. Staff comment and analysis of the criteria are provided.

- A. The unique characteristics, if any, of the property and circumstances of the owner;

**Applicant’s Response:** Major corner property of future high traffic intersection of Paradise and Van Giesen.

**Staff comment:** The property fronts W. Van Giesen Street/ SR -224. The site is undeveloped,

and there are sewer and water lines available in the vicinity, or on, the property.

- B. Any hardship that may result in the event the rezone is not granted;

**Applicant's Response:** (No response was given.)

**Staff comment:** No hardship is known.

- C. The manner in which the proposed rezone conforms to patterns in adjacent zones;

**Applicant's Response:** This is high density commercial already and this property is too low to feed the city I Plant.

**Staff comment:** There are surrounding lands which are zoned for residential uses, but for the most part the alignment of Paradise Way (not yet constructed) will provide some separation between the parcel and those properties. There is approximately 2.36 acres of CG zoned land at the opposite corner of the W. Van Giesen / Paradise Way intersection (the NE corner).

- D. Any beneficial or adverse effects the granting or denial of the rezone would have on adjacent or surrounding zones;

**Applicant's Response:** CG allows for a wider range of commercial options. Limited CG in this area.

**Staff comment:** Rezoning the site from one commercially-oriented zoning district to another will likely have a moderate effect on the adjacent area. This is because the site is already zoned to allow various forms of commercial development, some of which could have higher impact from the standpoint of truck traffic, and due to the industrial nature of some of the uses allowed in CLI. Nonetheless, it is difficult to compare the two districts when likely future development scenarios are unknown. For example, some uses allowed in the CG zone could result in higher traffic volumes, noise, and light/ glare, as compared to some uses allowed in the CLI zone. There is a degree of uncertainty that will remain. In terms of economic development, a rezone will likely increase the development potential of this lot. The lot is across Paradise Way from a high-density single family and multifamily development currently under construction. This residential development will likely benefit from a rezone to commercial property. The rezoned property can provide needed services to the residential development.

- E. Any beneficial or adverse effects the granting or denial of the rezone would have in relation to the overall purpose and intent of the Comprehensive Plan and zoning title;

**Applicant's Response:** Already complies with comp plan.

**Staff comment:** As stated above, both zones will implement the Comprehensive Plan, and the likely outcome of the zoning change at the time of development is difficult to gauge. However, any commercial development will provide economic growth and would likely be less intrusive than light industrial uses.

- F. The benefits or detriments accruing to the City which would result from the granting or denial of

this special permit;

**Applicant's Response:** None.

**Staff comment:** The main benefit that would accrue to the City government as a result of the proposed rezone would likely be in the form of tax revenues and building permit fees. The potential benefit to local residents is the possible addition of desirable businesses and services.

- G. Whether the proposed rezone represents a better use of the land from the standpoint of the Comprehensive Plan than the original zone;

**Applicant's Response:** More options if granted which should benefit city and area.

**Staff comment:** Given the proximity to new high-density residential development, a rezone to commercial is likely a better use of the land. A rezone to commercial may serve as a buffer or transition between the residential development and the possibly more intensive CLI zoned property to the south of the site.

- H. Whether the proposed rezone represents "spot" zoning and whether a larger area should be considered;

**Applicant's Response:** This is a 12-acre parcel and can stand alone.

**Staff Comment:** Because the site is already identified by the West Richland Comprehensive Plan for commercial development, the proposal to rezone the site to a different commercial district does not result in the creation of a "spot zone." Although the zoning code specifies that the CG district "is generally not less than 20 acres of contiguous commercially zoned land located along major arterials and may serve as a transition between residential areas and more intensive industrial districts" staff does not recommend that a larger area be considered.

- I. Impacts on the environment and public safety;

**Applicant's Response:** None

**Staff Comment:** In regards to public safety, the site has been designated for some form of commercial development since 2016. At this time, the City has no specific comments regarding the proposal that would not otherwise be addressed through the building permit and development process.

**Suggested Findings of Fact:**

1. CB Group LLC, property owner, has submitted an application to change the zoning district of Parcel Number 1-0197-300-0007-000 from Combined Light Industrial (CLI) to Commercial General (CG).
  - a. The application was received on December 16, 2019 and determined complete for processing on December 18, 2019.
2. The site is undeveloped land and is unaddressed.
  - a. The site is located in the northwest quarter of the southwest quarter of Section 1,

- Township 9 North, Range 27 East, W.M., as created under Auditor's File #2005-038745.
- b. The site is located at the southeast corner of W. Van Giesen St. and Paradise Way.
  - c. The site is 12.34 acres.
3. The site is designated as High Intensity Commercial (H-COM) by the City's Comprehensive Plan.
    - a. The H-COM designation is implemented by four zoning districts: Commercial Limited District, Mixed Use District, Commercial General, and Combined Commercial / Light Industrial Use District.
    - b. The current and proposed zoning districts is consistent with the current Comprehensive Plan Land Use Map designation.
  4. Noticing requirements (Notice of Application, Notice of Public Hearings) have been met:
    - a. On December 18, 2019, City staff mailed the Notice to property owners within 600 feet of the subject property.
    - b. On December 18, 2019, City staff mailed the Notice to technical agencies for technical review.
    - c. On December 18, 2019, City staff posted the Notice to the City's website and three official posting locations.
  5. The public comment period concluded on February 3, 2020.
    - a. One comment was received by the conclusion of the public comment period. Paul Gonseth, a Planning Engineer from the Washington State Department of Transportation (WSDOT), submitted a comment letter. The letter stated that the department has no objections to the proposal, and provided comments.
  6. Pursuant to WAC 197-11-800 (6)(iii), the proposal is exempt from environmental review under SEPA.
    - a. The site is mapped as a Critical Habitat Area. Per the Washington Department of Fish and Wildlife Priority Habitats and Species (PHS) program map, the site is a breeding area for the Ferruginous Hawk, and hosts a regular concentration of the Townsend's Ground Squirrel.
    - b. The site is not within any other mapped critical area, and is not located within the shoreline jurisdiction.
  7. WRMC 17.60.020 provides nine (9) criteria that the Planning Commission and City Council must consider and be guided by when reviewing a rezone request. The proposed zone change is consistent and/pr complies with the nine (9) criteria.
  8. The proposed rezone request will not result in any beneficial or adverse effects on adjacent or surrounding zones that would not otherwise exist.
  9. The proposed rezone request will implement the overall purpose and intent of the comprehensive plan as it will result in a zoning classification that is consistent with the underlying Comprehensive Plan Land Use designation and likely more compatible with the physical characteristics of the property.
  10. It is unlikely that the proposed rezone would result in any detrimental impacts that would not otherwise occur at the site if it were to be developed with uses allowed in the CLI district.
  11. The proposed rezone is consistent with the comprehensive plan and is not out of character with the surrounding land zones or uses in the area.
  12. The proposed rezone request does not constitute a "spot" zone.
  13. Approval of the proposed rezone request will not result in any negative impacts to the environment or to public safety that cannot be adequately addressed by current West Richland Municipal Code requirements that would be placed upon future permits for development.

**Suggested Conclusions of Law:**

1. The Planning Commission has jurisdiction to hold an open record public hearing and issue a recommendation on this application to the City Council.

**Recommendation:**

Based on review of the rezone criteria and information submitted by the applicant, staff recommends approval of the rezone request from CLI to CG.

**Motion:**

I move that the Planning Commission recommend approval of file No. RZ 2019-04, to rezone Parcel Number 1-0197-300-0007-000 from Combined Light Industrial (CLI) to Commercial General (CG) based upon the conclusions and findings contained within the staff report.

# **ATTACHMENT 1**

## **Application Materials**

2/13/20 Planning Commission Packet  
RZ 2019-04





# Zoning Map/Text Amendment Application

Community Development Department  
 3100 Belmont Blvd. Suite 104, West Richland, WA 99353  
 509-967-5902 Fax 509-967-2419 Inspection Line 967-3518

|                                                       |                                        |                                                    |
|-------------------------------------------------------|----------------------------------------|----------------------------------------------------|
| <b>PROPERTY OWNER INFORMATION</b>                     |                                        | <input checked="" type="checkbox"/> Contact Person |
| Owner: <i>CB Group LLC</i>                            |                                        |                                                    |
| Address: <i>2204 Enterprises Dr Richland WA 99354</i> |                                        |                                                    |
| Phone: <i>509-554-2223</i>                            | Email: <i>britt@ranchlandhomes.com</i> |                                                    |

|                                                        |        |                                         |
|--------------------------------------------------------|--------|-----------------------------------------|
| <b>APPLICANT/CONTRACTOR INFORMATION (if different)</b> |        | <input type="checkbox"/> Contact Person |
| Company:                                               | UBI#   |                                         |
| Contact:                                               |        |                                         |
| Address:                                               |        |                                         |
| Phone:                                                 | Email: |                                         |

|                                      |
|--------------------------------------|
| <b>DESCRIPTION OF WORK</b>           |
| <i>Convert Parcel from CLI to CG</i> |

|                                                                              |                                            |                                      |
|------------------------------------------------------------------------------|--------------------------------------------|--------------------------------------|
| <b>PROPERTY INFORMATION</b>                                                  |                                            |                                      |
| Parcel #: <i>101973000007000</i>                                             |                                            |                                      |
| Legal Description: <i>NW 1/4 of the SW 1/4 of Section 1, T59N, Range 27E</i> |                                            |                                      |
| Current Zoning: <i>CLI</i>                                                   | Current Comp Plan: <i>High Density Com</i> | Requested Zoning: <i>CG</i>          |
| Current Use: <i>Vacant</i>                                                   | Proposed Use: <i>Retail/Office</i>         | Area of Property: <i>12.33 Acres</i> |

|                                                                                                                                                                                                                                                                                                                                                                         |
|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| <b>APPLICATION MUST INCLUDE:</b>                                                                                                                                                                                                                                                                                                                                        |
| <ol style="list-style-type: none"> <li>1. Rezone criteria (page 2) of this application - N/A for text amendments.</li> <li>2. SEPA Checklist.</li> <li>3. Title Insurance company certificate - N/A for text amendments.</li> <li>4. Any other information the Community Development Director deems necessary to determine compliance with applicable codes.</li> </ol> |

|                                                                                                                                                                                 |
|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| <b>ANSWER QUESTIONS AS COMPLETELY AS POSSIBLE</b>                                                                                                                               |
| The unique characteristics, if any, of the property or circumstances of the owner:<br><i>Major Corner Property of future High traffic intersection of Paradise + Van Giesen</i> |

|                                                                      |
|----------------------------------------------------------------------|
| Any hardship that may result in the event the rezone is not granted: |
|----------------------------------------------------------------------|

|                                                                                                                                                                                          |
|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| The manner in which the proposed rezone conforms to patterns in adjacent zones:<br><i>This is high Density Commercial already and this property is too low to feed the city I plant.</i> |
|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|

Any beneficial or adverse effects the granting or denial of the rezone would have on adjacent or surrounding zones:

CG allows for a wider range of commercial options, limited CG in this area

Any beneficial or adverse effects the granting or denial of the rezone would have in relation to the overall purpose and intent of the comprehensive plan and this title:

Already complies with Comp Plan

The benefits of detriments accruing to the city which would result from the granting or denial of this special permit:

None

Whether the proposed rezone represents a better use of the land from the standpoint of the comprehensive plan than the original zone:

More options if granted which should benefit city and area

Whether the proposed rezone represents spot zoning and whether a larger area should be considered:

This is a 12 Acre parcel and can stand alone

Identify impacts on the environment and public safety:

None

I authorize employees and officials of the City of West Richland the right to enter and remain on the property in question to determine whether a permit should be issued and whether special conditions should be placed on any issued permit. I have the legal authority to grant such access to the property in question.

I also acknowledge that if a permit is issued for land development activities, no terms of the permit can be violated without further approval by the permitting entity. I understand that the granting of a permit does not authorize anyone to violate in any way any federal, state, or local law/regulation pertaining to development activities associated with a permit.

I hereby certify under penalty of perjury under the laws of the State of Washington that the following is true and correct:

1. I have read and examined this permit application and have documented all applicable requirements on the site plan.
2. The information provided in this application contains no misstatement of fact.
3. I am the owner(s), the authorized agent(s) of the owner(s) of the above referenced property, or I am currently a licensed contractor or specialty contractor under Chapter 18.27 RCW or I am exempt from the requirements of the Chapter 18.27 RCW.
4. I understand this permit is subject to all other local, state, and federal regulations.

Note: This application will not be processed unless the above certification is endorsed by an authorized agent of the owner(s) of the property in question and/or the owner(s) themselves. If the City of West Richland has reason to believe that erroneous information has been supplied by an authorized agent of the owner(s) of the property in question and/or by the owner(s) themselves, processing of the application may be suspended.

Applicant Printed Name: Britt Greer

Applicant Signature: [Signature]

Date 10/14/19

# **ATTACHMENT 2**

## **Public Notice and Comments**

2/13/20 Planning Commission Packet  
RZ 2019-04





3100 Belmont Blvd., Suite 104 \* West Richland, WA 99353 \* [www.westrichland.org](http://www.westrichland.org)

Community Development Department \* (509) 967-5902

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December 18, 2019

**TO: CB Group LLC, Owner**

**Nearby Property Owners** - *West Richland Municipal Code requires the City to send notice of Conditional Use Permit requests to properties that are within 600 feet of the subject site. If you are receiving this notice, it is because you fall within this area.*

**Affected and Interested Agencies**

**FROM: West Richland Community Development Department**

**SUBJ: Conditional Use Permit File No.: RZ 2019-04**

---

**Notice of Application, Notice of Completeness,  
Request for Comment, Notice of Public Hearing**

**DESCRIPTION OF PROPOSAL**

CB Group, LLC, owner, has submitted an application to change the zoning district of an unaddressed parcel from Combined Light Industrial (CLI) to Commercial General (CG). The land use designation of the site is High Intensity Commercial per the City's Comprehensive Plan. The project site is the southeast corner of the Paradise Way and W. Van Giesen intersection (Parcel Number 101973000007000). The legal description is: THAT PORTION OF THE NORTHWEST QUARTER OF THE SOUTHWEST QUARTER OF SECTION 1, TOWNSHIP 9 NORTH, RANGE 27 EAST, W.M. BENTON COUNTY, WASHINGTON, LYING EASTERLY OF SR 224 AND LYING SOUTHERLY OF PARADISE WAY, AS CREATED UNDER AUDITOR'S FILE #2005-038745.

The application was received on December 16, 2019 and determined complete for processing on December 18, 2019.

**ENVIRONMENTAL REVIEW**

Persuant to WAC 197-11-800 (6)(iii), the proposal is exempt from environmental review.

**REQUEST FOR WRITTEN COMMENT**

You may provide written comments on the proposed Conditional Use Permit. Send written comments to the Community Development Department at 3100 Belmont Blvd., Suite 104, West Richland, WA 99353. Written comments must be received **by 5:00 p.m., February 3, 2020**, in order to be included in the staff report to the Planning Commission.

**NOTICE OF PUBLIC HEARING**

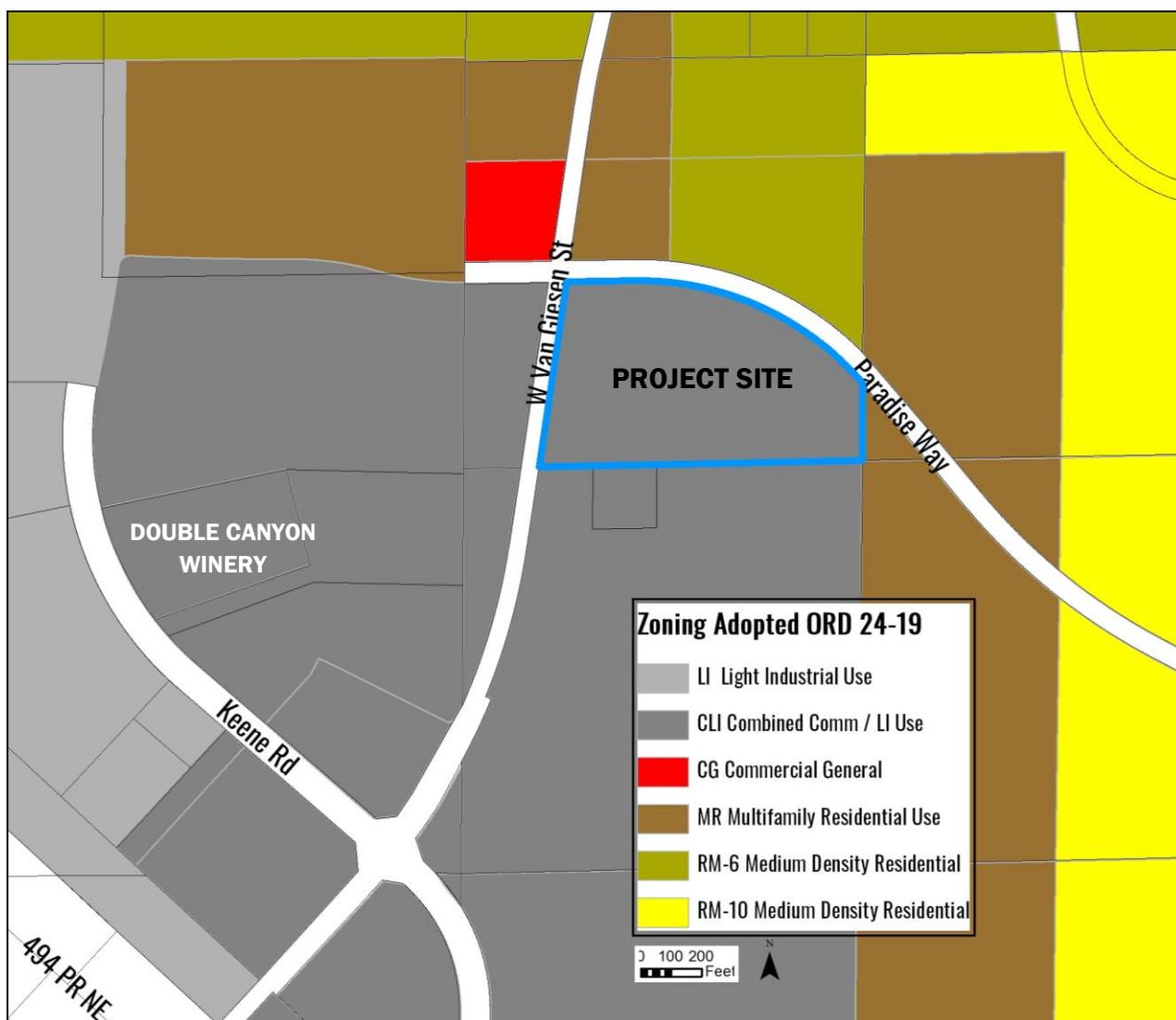
In accordance with West Richland Municipal Code, Chapter 17.78 and Title 14, an open record public hearing to consider the rezone request will be held before the West Richland Planning Commission on **Thursday, February 13, 2020**, at 6:00 p.m., and a closed record hearing is anticipated before the City Council on **March 3, 2020**. The

hearings will be held in the City Council Chambers located at 3100 Belmont Blvd., West Richland, WA. All interested parties are invited to attend and participate in the hearing. At the hearing, comments may be made verbally or in writing.

**NOTICE OF DECISION**

The application and other information on file may be examined at the Community Development Department. If you wish to obtain notice of the final decision on the Conditional Use Permit, you will need to contact the Community Development Department with your name and address. The staff contact for this project is Emily Weimer, Senior Planner, at (509) 967-5902 or [eweimer@westrichland.org](mailto:eweimer@westrichland.org).

**PROJECT SITE:**





January 9, 2020

**RECEIVED**

**JAN 13 2020**

City of West Richland  
3100 Belmont Blvd., Suite 104  
West Richland, WA 99353

**Attention:** Emily Weimer, AICP – Senior Planner

**Subject:** RZ 2019-04 – CB Group LLC  
State Route 224 Milepost 5.2 Vicinity, Right

We have reviewed the proposed rezone of 12 acres from Combined Light Industrial designation to General Commercial designation, have no objections to the proposal, and have the following comments.

The subject property is adjacent to State Route 224 (SR 224/Van Giesen Street), a Class 3 managed access highway with a posted speed limit of 55 miles per hour. Access control for this segment of SR 224 is under the authority of the City of West Richland in accordance with RCW 47.24.020 and 47.50.030. We recommend the City restrict direct access onto SR 224 /Van Giesen Street which would require access from Paradise Way, once construction of the street and intersection with SR 224 are completed.

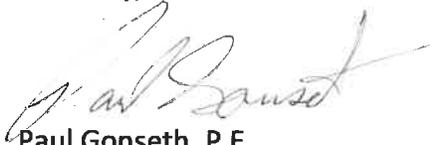
SR 224 is an existing facility. The proponent should be aware that they are proposing development in an area with traffic noise. They should also expect that traffic noise may continue to grow into the future, and, as an essential public facility, SR 224 may need to be expanded to accommodate future traffic growth. If the proponent is concerned with traffic noise affecting this development, it is the developer's responsibility to dampen or deflect any traffic noise for it.

Any signs that may be proposed as part of this project will need to comply with the state Scenic Vistas Act of 1971 (RCW 47.42 and WAC 468-66). Please contact Trevor McCain of the WSDOT Headquarters Traffic Office for specifics. He can be reached at (360) 705-7282. Any proposed lighting should be directed down towards the site, and away from SR 224.

Stormwater and surface runoff generated by this project must be retained and treated on site in accordance with regulating agencies' standards, and not be allowed to flow onto WSDOT rights-of-way.

Thank you for the opportunity to review and comment on this proposal. If you have any questions regarding this letter, please contact John Gruber at (509) 577-1636.

Sincerely,

A handwritten signature in black ink, appearing to read "Paul Gonseth". The signature is written in a cursive style with a large, sweeping initial "P".

Paul Gonseth, P.E.  
Planning Engineer

PG: jg/df

cc: SR 224, 2020-File #1  
Kara Shute, Area 3 Maintenance Superintendent