

STAFF REPORT

TO: PLANNING COMMISSION
FILE NO.: ANX2022-101

PREPARED BY: MIKE STEVENS
MEETING DATE: JANUARY 25, 2023

GENERAL INFORMATION:

APPLICANT: CITY OF RICHLAND ECONOMIC DEVELOPMENT DEPARTMENT ON BEHALF OF THE CITY OF RICHLAND, PORT OF BENTON AND ENERGY NORTHWEST (ANX2022-101).

REQUEST: CONSIDERATION OF APPROPRIATE ZONING FOR A PROPOSED ANNEXATION.

LOCATION: THE PROPERTIES ARE DESCRIBED AS ASSESSOR'S TAX PARCEL NOS. 110081000001003, 110081000001004, 103084000001000, 134183000001000, 103081000001000 AND 134183000002000 IN SECTIONS 3, 4, 9, 10, 15 & 16, TOWNSHIP 10 NORTH, RANGE 28 EAST W.M., BENTON COUNTY, WASHINGTON AND SECTIONS 33 AND 34, TOWNSHIP 11 NORTH, RANGE 28 EAST. W.M., BENTON COUNTY, WASHINGTON.

REASON FOR REQUEST:

The City is currently considering the annexation of approximately 1,643 acres of land previously owned by the US Dept. of Energy and provided to the City of Richland, Port of Benton and Energy Northwest. City Council authorized the annexation process to begin through the adoption of Resolution No. 2022-111, which directed the Planning Commission to consider what zoning would be appropriate for this site.

SITE DATA

Size: Approximately 1,643 acres.

Ownership: The proposed annexation site is approximately 1,643 acres in size and is currently owned by the City of Richland, Port of Benton and Energy Northwest.

Current Use: The proposed annexation site is currently undeveloped.

Comprehensive Plan: The site is within the City of Richland's adopted Urban Growth Area (UGA) boundary and is designated as Industrial (I) based on the Richland Comprehensive Plan.

Utilities: City water, city sewer and city electrical services are available in the vicinity to serve the proposed annexation area.

Existing County Zoning: Light Industrial.

SURROUNDING LAND USES

Properties located south of the proposed annexation area that are within the City of Richland are zoned Heavy Manufacturing (M-2) and Medium Industrial (I-M). Properties located to the west and to the north, which are located within unincorporated Benton County are currently zoned Light Industrial and Unclassified (Hanford Nuclear Reservation). Properties located east of the site within the City of Richland are owned by the U.S. Department of Energy and are zoned Business Research Park (BR-P).

PROPOSED ZONING

There are only two zoning districts that can be applied to the property that would implement the Industrial land use designation of the proposed annexation area: Medium Industrial (I-M) and Heavy Manufacturing (M-2). When this land was given to the City, Port of Benton and Energy Northwest, it was done so under the condition that the area be zoned for heavy industrial use. As a result, staff recommends that the site be zoned Heavy Manufacturing (M-2).

ANALYSIS

As indicated above, the Planning Commission has no choice but to recommend one of the two industrial zoning districts for the site. Staff strongly recommends that the Planning Commission recommend that the site be zoned Heavy Manufacturing (M-2) to the City Council as that will effectuate the intent of the Comprehensive Plan Land Use Map designation as well as result in a zoning designation that has been intended for the site.

SUMMARY

Application of the Heavy Manufacturing (M-2) zoning represents the most appropriate zoning designation for the proposed annexation area as it would be consistent with the City's Comprehensive Plan and existing development pattern within the proposed annexation area and consistent with the intent of the properties being given to the various entities.

FINDINGS OF FACT

1. The site is within the City of Richland's Urban Growth Area boundary as those boundaries were established with the adoption of the Benton County Comprehensive Plan in 1998 and subsequent periodic updates;
2. The City's comprehensive plan designates the proposed annexation area as suitable for industrial uses, especially those which fall under the Heavy Manufacturing (M-2) classification;

3. There are only two zoning districts that can be applied to the property that would implement the Industrial land use classification of the area;
4. The Heavy Manufacturing (M-2) zoning classification allows industrial uses and/or activities that are best located away from residentially owned areas, which this site represents.
5. The Medium Industrial (I-M) zoning classification allows industrial uses and/or activities that are less intense in regards to impacts to residential areas.
6. The approximately 1,643 acres of land subject to the proposed annexation request are currently undeveloped;
7. Properties located south of the proposed annexation area that are within the City of Richland are zoned Medium Industrial (I-M) and Heavy Manufacturing (M-2);
8. Properties located to the west and to the north, which are located within unincorporated Benton County are currently zoned Light Industrial and Unclassified (Hanford Nuclear Reservation).

CONCLUSIONS OF LAW:

1. Based on the above findings of fact, assignment of Heavy Manufacturing (M-2) zoning would be in the best interest of the City of Richland.

RECOMMENDATION

Staff recommends the Planning Commission concur with the findings and conclusions set forth in Staff Report (ANX2022-101) and recommend to the City Council assignment of Heavy Manufacturing (M-2) zoning.

EXHIBITS

1. Annexation Application/Request Letter
2. Resolution No. 2022-111
3. Chapter 23.26 of the Richland Municipal Code – Industrial Zoning
4. Maps

Exhibit 1



City of Richland
Development Services

625 Swift Blvd. MS-35
Richland, WA 99352
☎ (509) 942-7794
☎ (509) 942-7764

Application for Annexation

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

PROPERTY OWNER INFORMATION

☐ Contact Person

Owner: City of Richland, Port of Benton, Energy Northwest

Address: North Horn Rapids Industrial Park

Phone: 509.942.7591

Email: darrasmith@ci.richland.wa.us

APPLICANT INFORMATION (if different)

☐ Contact Person

Company: City of Richland - Office of Business & Economic Development

UBI#

Contact: Darin Arrasmith, Planner

Address: 625 Swift Blvd., MS-19

Phone: 509.942.7591

Email: darrasmith@ci.richland.wa.us

DESCRIPTION OF REQUEST

The City of Richland's Office of Business & Economic Development is seeking to annex approximately 1,643 acres of land comprising the North Horn Rapids Industrial Park. The land is located north of Horn Rapids Road and is within the City of Richland's Urban Growth Area, and involves six properties owned, respectively, by the City of Richland, Port of Benton and Energy Northwest.

PROPERTY INFORMATION

Parcel #: [See attached Notice of Intent]

Legal Description: [See attached Record Survey No. 5069]

Current Comp. Plan: Industrial

Requested Zoning: Heavy Manuf. M-2

Size of Property: 1,643 acres

Domestic Water Supply: ☐ City ☐ Private Well

Sewage Disposal: ☐ City ☐ Septic

Irrigation Source: ☐ City ☐ Private Well ☐ Columbia Irrig. District ☐ Kennewick Irrig. District ☐ BMID

APPLICATION MUST INCLUDE

1. Completed application and filing fee
2. A "Notice of Intent" form requesting annexation to the City of Richland
3. Full legal description of the proposed annexation area
4. A map showing all of the following: general vicinity of proposed annexation in relation to the City of Richland, the proposed boundaries of the annexation, and all public roads near the annexation area
5. Other information as determined by the Administrator

ANSWER QUESTIONS BELOW AS COMPLETELY AS POSSIBLE – USE ADDITIONAL SHEET(S) IF NECESSARY

Why are you requesting annexation into the City of Richland?

The Intent of annexing the North Horn Rapids Industrial Park is to locate the entire site under City jurisdiction as planned development of the industrial park will be dependent on City services such as water, sewer and electrical power.

What use, building or structure is intended for the property?

The North Horn Rapids Industrial Park is a planned industrial area envisioned as an employment center with industrial, manufacturing and research & development related land uses. It is intended that the industrial park will provide the necessary land base for industrial sites ranging in 150-500 acres in size.

What changes have occurred in the area that justify the requested annexation?

Both the City of Richland and Port of Benton are receiving greater interest for large industrial development projects that the City's Horn Rapids Industrial Park cannot accommodate. By annexing the North Horn Rapids Industrial Park, the City and Port of Benton will be able to improve and market the site for mega-industrial projects.

Are there any other properties in your neighborhood that could be part of your annexation request? If so, have you spoken to the owners about joining your annexation request?

The majority of the neighboring property surrounding the North Horn Rapids Industrial Park is owned by the U.S. Dept. of Energy, is vacant, and there are no current or immediate plans for development of these areas. A portion of the property along the east side of the North Horn Rapids Industrial Park has already been annexed into the City of Richland.

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

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

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

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

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

Applicant Printed Name: Amanda Wallner

Applicant Signature:  Date 4/19/22



Thursday, April 14, 2022

Mr. Mike Stevens, Planning Manager
City of Richland Development Services Dept.
625 Swift Boulevard, MS-35
Richland, Washington 99352

RE: CITY OF RICHLAND OFFICE OF BUSINESS AND ECONOMIC DEVELOPMENT – SUBMITTAL OF
APPLICATION FOR ANNEXATION OF NORTH HORN RAPIDS INDUSTRIAL PARK

Dear Mr. Stevens:

Please accept this Notice of Intent from the City's Office of Business and Economic Development as a formal request to annex 1,643 acres of land owned (respectively) by the City of Richland, the Port of Benton and Energy Northwest within the North Horn Rapids Industrial Park. The property is located north of Horn Rapids Road and is within the City of Richland's Urban Growth Area, and consists of six parcels identified as follows:

- 1) 1-1008-100-0001-003 – 581.20 acres (City of Richland)
- 2) 1-1008-100-0001-004 – 257.70 acres (Port of Benton)
- 3) 1-0308-400-0001-000 – 219.36 acres (Port of Benton)
- 4) 1-3418-300-0001-000 – 285.20 acres (Port of Benton)
- 5) 1-0308-100-0001-000 – 155.84 acres (Energy Northwest)
- 6) 1-3418-300-0002-000 – 144.16 acres (Energy Northwest)

The Record Survey of the North Horn Rapids Industrial Park properties is attached.

If you have any questions or comments, you may contact the Office of Economic Development at (509) 942-7583.

Sincerely,

Amanda Wallner
Economic Development Manager
Office of Economic Development

Cc: file

HANFORD PATROL TRAINING ACADEMY

U.S. DEPARTMENT OF ENERGY HANFORD SITE

| LINE | DIRECTION | LENGTH |
|------|---------------|--------|
| 1 | N 07°15'00" W | 377.97 |
| 2 | S 66°21'12" E | 181.32 |
| 3 | S 5°45'03" E | 375.66 |
| 4 | S 66°21'12" E | 423.01 |
| 5 | N 11°16'02" E | 409.57 |
| 6 | N 08°46'43" E | 77.08 |
| 7 | S 68°59'57" W | 360.33 |
| 8 | N 11°16'31" W | 700.42 |
| 9 | N 07°14'07" E | 168.67 |
| 10 | N 07°16'01" E | 143.06 |
| 11 | N 10°14'3" W | 50.70 |
| 12 | N 69°53'33" W | 82.01 |
| 13 | N 08°19'20" E | 74.21 |
| 14 | N 06°01'07" E | 446.43 |
| 15 | N 11°04'12" W | 381.98 |
| 16 | N 07°15'31" W | 359.72 |
| 17 | S 08°11'38" W | 360.76 |

ORIGINAL

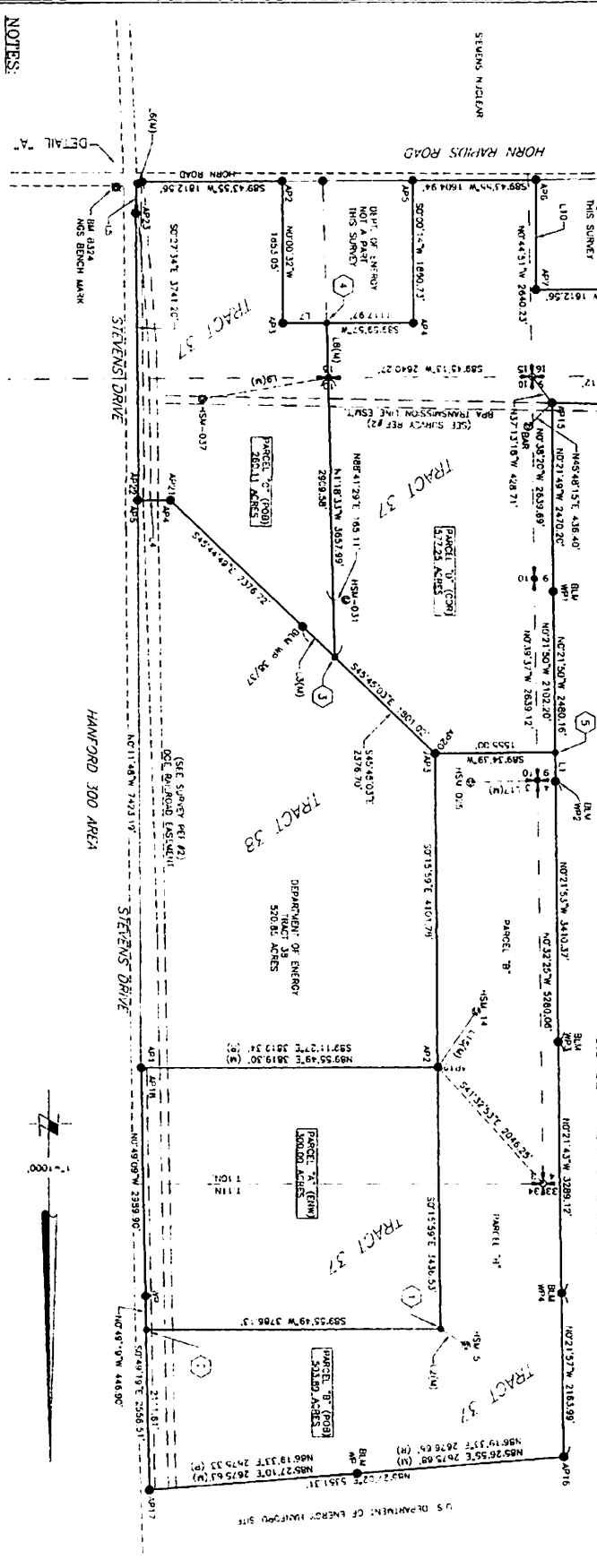
RECORD SURVEY

PORTIONS OF SECTIONS 3, 4, 9, 10, 15 & 16
 TOWNSHIP 10 NORTH, RANGE 28 EAST, W.M.
 AND PORTIONS OF SECTIONS 33 & 34
 TOWNSHIP 11 NORTH, RANGE 28 EAST, W.M.
 BENTON COUNTY, WASHINGTON

SURVEY REFERENCES

1. BLM DEPENDENT RESURVEY OF TOWNSHIPS 10 AND 11 NORTH, RANGE 28 EAST, W.M. ACCORDING TO THE OFFICIAL PLAT WHERE APPROVED FEB. 5, 2018 ON FILE WITH THE BLM OFFICE OF CADASTRAL SURVEY HORTLAND, OREGON.
2. FIRST AMENDMENT OF CADASTRAL DEED, RECORDED IN AUDITOR'S FILE NO. 2018-029107, BENTON COUNTY, WASHINGTON.

(SEE SHEET 2 OF 2 FOR LEGAL DESCRIPTIONS & SURVEYOR'S WARRANTY)



NOTES:

1. BASIS OF BEARING: MAGNETIC STATE PLANE (SOUTH ZONE) MAG. 03 (2011) DATA. DISTANCES ARE GROUND, SCALED FROM STATE PLANE GRID USING A CORRECTION FACTOR OF 0.999906741 CALCULATED FROM DATUM: 4672722.887' N LONGITUDE: 121°02'29.72" W.
2. (U) = MONUMENT WITH THIS SURVEY. (R) = RECORD WITH BLM SURVEY REFERENCED IN SURVEYOR'S WARRANTY.
3. THIS SURVEY WAS PERFORMED TO ESTABLISH SOME OR ALL OF THE BOUNDARIES AND CORNERS OF THE TRACTS OF LAND DESCRIBED HEREON. ANY EXISTING RESERVATIONS OR RESERVATIONS WHICH WOULD BE OBSOLETE BY A CURRENT TITLE REPORT MAY EXIST BUT ARE NOT SHOWN ON THIS SURVEY.
4. EQUIPMENT AND PROCEDURES: THIS SURVEY WAS PERFORMED WITH A TRIMBLE 5604 GPS SYSTEM USING STATIC AND REAL TIME KINEMATIC METHODS. PROJECT COORDINATES ARE BASED ON OUR OWN DEFERRED POSITIONING AT CORNER POINTS 51 & 52 SHOWN CENTER VERSION 2.4.

MONUMENT LEGEND

- DENOTES SET 3-1/2" BRASS CAP IN 4" DIAL x 24" CONCRETE PVC CANNON STAMPED AS SHOWN ON SHEET 2
- DENOTES FOUND BLM ALUM. MONUMENT AS DESCRIBED IN OFFICIAL BLM FIELD NOTES PER REFERENCE NO. 1
- DENOTES USGC GEODETIC CONTROL MONUMENT AS DESCRIBED IN OFFICIAL BLM FIELD NOTES
- DENOTES BLM BRASS CAP SECTION CORNER POINT PER SURVEY REFERENCE NO. 1
- DENOTES BLM BRASS CAP 1/4" SECTION CORNER POINT PER SURVEY REFERENCE NO. 1



SURVEYOR'S CERTIFICATE

I, the undersigned, being a duly licensed Surveyor in the State of Washington, do hereby certify that the foregoing is a true and correct copy of the original survey record as the same appears in the records of the Surveying and Mapping Department of the State of Washington, and that the same is a true and correct copy of the original survey record as the same appears in the records of the Surveying and Mapping Department of the State of Washington.

DATE: 9/24/18
 SIGNATURE: [Signature]
 NAME: [Name]

AUDITOR'S CERTIFICATE

I, the undersigned, being a duly licensed Auditor in the State of Washington, do hereby certify that the foregoing is a true and correct copy of the original survey record as the same appears in the records of the Auditor's Office of the State of Washington, and that the same is a true and correct copy of the original survey record as the same appears in the records of the Auditor's Office of the State of Washington.

DATE: 9/24/18
 SIGNATURE: [Signature]
 NAME: [Name]

ROGERS SURVEYING INC., P.S.
 1446 COLUMBIA PLAZA TRAIL
 RICHLAND, WA 99352
 PHONE (509) 783-4141
 FAX (509) 783-8899
 www.rogerssurveying.com

| CLIENT | PORT OF BENTON |
|----------|----------------|
| PROJECT | TRACED PARCELS |
| DATE BY | DATE |
| BY | DATE |
| SCALE | 1" = 1000' |
| F.B. NO. | NO. 4 |
| DATE | 01/22/17 |
| FILE NO. | 15117299 |
| SHEET | 1 OF 2 |

RECORD SURVEY

PORTIONS OF SECTIONS 3, 4, 9, 10, 15 & 16
TOWNSHIP 10 NORTH, RANGE 28 EAST, W.M.
AND PORTIONS OF SECTIONS 33 & 34
TOWNSHIP 11 NORTH RANGE 28 EAST, W.M.
BENTON COUNTY, WASHINGTON

SURVEYOR'S NARRATIVE

THE PURPOSE OF THIS SURVEY IS TO METACONFORM THE LEGAL DESIGNATIONS AND MONUMENTS ESTABLISHED BY THE STATE OF CALIFORNIA TO THE 1982 BLM PERSONNEL RECORDS OF PLACEMENTS AND MONUMENTS. THE SURVEY WAS CONDUCTED BY THE BLM OFFICE OF COASTAL SURVEYS, PORTLAND, OREGON FEBRUARY 6, 2018 ON FILE IN THE BLM OFFICE OF COASTAL SURVEYS.

EXISTING SURVEY MONUMENTS ESTABLISHED BY THE BLM SURVEY REFERENCED ABOVE ARE 3-1/2" DIAMETER ALUMINUM CAPS ENGRAVED ON A 2-7/8" DIAMETER ALUMINUM OR REBAR/SPACER. NEW SURVEY MONUMENTS ESTABLISHED BY THIS SURVEY ARE 3-1/2" DIAMETER CAPS ON 1/2" DIAMETER REBAR ENGRAVED BY A BLM STILL LEVELING POS.

NEW SURVEY MONUMENTS ESTABLISHED BY THIS SURVEY ARE 3-1/2" ALUMINUM CAPS ON 5/8" DIAMETER REBAR WITNESSED BY A 6" STEEL FENCE POST.

[illegible]

ORIGINAL

SUBJECT TO EASEMENTS, RESTRICTIONS AND RESERVATIONS DESCRIBED IN FIRST AMENDMENT OF SUTCLIFF OIL DEED RECORDED IN AUDITOR'S FILE NO. 2018-023863. RECORDS OF BENTON COUNTY CONTAINING 577.25 ACRES MORE OR LESS.

IN

SUBJECT TO EASEMENTS, RESTRICTIONS AND RESERVATIONS DESCRIBED IN FIRST AMENDMENT OF SUTCLIFFMAN DEED RECORDED IN AUDITOR'S FILE NO. 2018-023863, RECORDS OF BENTON COUNTY, CONTAINING 577.25 ACRES MORE OR LESS.

IN

AUDITOR'S CERTIFICATE

FILED FOR RECORD THIS 4th DAY OF October, 2013 A.D., AT el
 MINUTES PAST 9 A. M. AND RECORDED IN VOLUME 1 OF SURVEY
 PAGE 5009. AT THE REQUEST OF ROBERTS SURVEYING.

2018-029107
FEL NUMBER

RECORD SURVEY NUMBER: 5669
CLIENT: PART OF BENTON
REV: 9/14/18 DAC

| | |
|---------------------------|--|
| TRIDEC PARCELS PROJECT | AVALON OF DENVER P.S. TRAIL PARK TRAIL INC., P.S. |
|---------------------------|--|

DOE LAND TRANSFER SURVEY

| | | |
|---------|-----------------|-----------------|
| DATE BY | SCALE 1"= 1000' | F. B. NO. TSC-8 |
| URIV | | ACID FER -2017 |

7/13-7/14/19
783-8994
www.doeva.org.com
N.A. 93352

APPROVED CBW DATE 01/22/17 FILE: JS117.dwg

James B. Warner
JAMES B. WARNER USA0042
DATE 9/26/18

RST
ROGERS
SURVEYING INC., P.S.
1465 COLUMBIA PARK TRAIL
MILLINGTON, TN 38053
PHONE (506) 763-4141
FAX: (609) 763-6984
www.rogerssurveying.com

| | | |
|----------|--------------------------|-----------------|
| CLIENT | PORT OF BENTON | JOE |
| | | 35117 |
| PROJECT | TRIDEC PARCELS | |
| | DOE LAND TRANSFER SURVEY | |
| DRY BR | SCALE 1" = 1000' | F. B. NO. RS-6 |
| UBR | | ACD RES-2017 |
| APPROVED | DATE 01/22/17 | FILE: 35117.dwg |
| | | SHEET 2 |
| | | OF 2 |

Exhibit 2

RESOLUTION NO. 2022-111

A RESOLUTION OF THE CITY OF RICHLAND, WASHINGTON, ACCEPTING A REQUEST FOR ANNEXATION OF 1,643 ACRES, TO BE KNOWN AS THE NORTH HORN RAPIDS INDUSTRIAL PARK, LOCATED WITHIN PORTIONS OF SECTIONS 3, 4, 9, 10, 15 & 16, TOWNSHIP 10 NORTH, RANGE 28 EAST AND PORTIONS OF SECTIONS 33 & 34, TOWNSHIP 11 NORTH, RANGE 28 EAST, W.M., BENTON COUNTY, WASHINGTON.

WHEREAS, the City received a written request for the annexation of 1,643 acres located in what will be known as the North Horn Rapids Industrial Park from the City of Richland Development Services Department; and

WHEREAS, on August 16, 2022, Richland City Council was presented with the request for annexation and passed Resolution No. 2022-104, establishing September 6, 2022 as the date for Council to meet with the proponent of the annexation; and

WHEREAS, as required by RCW 35.13.125, Richland City Council met with the annexation proponent on September 6, 2022 and reviewed the proposed annexation.

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

Section 1. The City of Richland hereby accepts the request for annexation subject to the following conditions:

1. That the annexation be accepted as proposed.
2. That simultaneous adoption of the City's Comprehensive Plan for the proposed annexation is required.
3. That the City requires the assumption of an appropriate share of all existing City indebtedness by the area to be annexed.
4. That adequate health/safety infrastructure and/or improvements required by the Richland Municipal Code are installed at owner expense to serve any existing structures.

Section 2. The Richland Planning Commission is hereby directed to review the proposal and forward a recommendation to City Council as to the most appropriate zoning designation(s) for the area proposed for annexation.

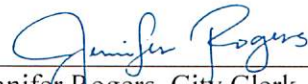
BE IT FURTHER RESOLVED that this Resolution shall take effect immediately.

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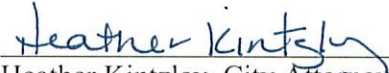
ADOPTED by the City Council of the City of Richland, Washington, at a regular meeting on the 6th day of September, 2022.


Michael Alvarez, Mayor

Attest:


Jennifer Rogers, City Clerk

Approved as to Form:


Heather Kintzley, City Attorney

Chapter 23.26 INDUSTRIAL ZONING DISTRICTS

Sections:

[23.26.010 Purpose of industrial use districts.](#)

[23.26.020 Industrial performance standards and special requirements.](#)

[23.26.025 Enforcement of performance standards.](#)

[23.26.030 Industrial use districts permitted land uses.](#)

[23.26.040 Site requirements for industrial use districts.](#)

[23.26.050 Parking standards for industrial use districts.](#)

[23.26.060 Landscaping standards for industrial districts.](#)

23.26.010 Purpose of industrial use districts.

A. The medium industrial use district (I-M) is a zone providing for limited manufacturing, assembly, warehousing and distribution operations and retail and wholesale sales of products manufactured on the premises or products allied thereto; and administrative and research and development facilities for science-related activities and commercial uses that are supportive and compatible with other uses allowed in the district. Regulations are intended to prevent frictions between uses within the district, and also to protect nearby residential districts. This zoning classification is intended to be applied to some portions of the city that are designated industrial under the city of Richland comprehensive plan.

B. The heavy manufacturing district (M-2) is intended primarily for heavy manufacturing and closely related uses. To avoid burdensome regulations on heavy manufacturing, regulations for this district are intended to provide protection principally against effects harmful to other districts. This zoning classification is intended to be applied to some portions of the city that are designated industrial under the city of Richland comprehensive plan. [Ord. 28-05 § 1.02].

23.26.020 Industrial performance standards and special requirements.

A. I-M – Medium Industrial and M-2 – Heavy Manufacturing. The maximum permissible limits of the detrimental effects specified in this chapter shall be as defined in this section:

1. Smoke. The emission of smoke or particulate matter of a density greater than No. 2 on the Ringlemann Chart as published by the U.S. Bureau of Mines is prohibited, except that Ringlemann No. 3 will be permitted for three minutes during any eight-hour period for the purpose of building fires or soot blowing.

2. Dust and Other Particulate Matter. The total net rate of emission from all sources within the boundaries of a lot in the I-M or M-2 district shall not exceed one pound per acre of lot area during any one hour. The emission from all sources within any lot area of particulate matter containing more than 10 percent by weight of particles having a diameter larger than 44 microns is prohibited. Dust and other types of air pollution carried by a wind from such sources as storage yards, piled materials, yards, roads, etc., shall be included in particulate matter measurements and limitations, and shall be kept to a minimum by appropriate screening, design, landscaping, paving, oiling, sprinkling, or other acceptable means. Measurements shall be taken at the source of the emission.

3. Method of Measuring Emission of Particulate Matter from All Sources. Determination of the total net rate of emission of all particulate matter within the boundaries of any lot shall be made as follows:

- a. Determine maximum emission in pounds per hour from each source of emission and divide this figure by acres of lot area, obtaining the gross hourly rate of emission in pounds per acre.
- b. For each gross hourly rate of emission, deduct the height of emission correction factor from the following table, interpolating as necessary for heights not given:

| ALLOWANCE FOR HEIGHT OF EMISSION | |
|--|--|
| Height of Emission Above Grade (feet) | Correction Pounds per Hour per Acre |
| 50 | 0.01 |
| 100 | 0.06 |
| 150 | 0.10 |
| 200 | 0.16 |
| 300 | 0.30 |
| 400 | 0.50 |

The result is the net hourly rate of emission in pounds per acre from each source of emission.

Adding together individual net rates of emission gives the total net rate of emission from all sources of emission within the boundaries of the lot.

4. Noise. In the I-M and M-2 districts, the sound pressure level resulting from any activity shall not exceed the maximum decibel level set forth in Chapter 173-60 WAC, Maximum Environmental Noise Levels for Class C Industrial Zones.

5. Vibration. Every use shall be so operated that the ground vibration inherently and recurrently generated from equipment other than vehicles is not perceptible without instruments at any point on or beyond any lot line of the property on which the use is located.

6. Odor. All measurements of odor for purposes of this standard shall be made according to the "dilution method" as prescribed in ASTM D1391-57. The following odor restrictions apply to this medium industrial use district:

- a. At the district boundary, the odor from any source within the district must not exceed one odor unit per cubic foot, as measured by the procedures in ASTM D1391-57.
- b. Within the district, the odor from any source within a given property or lot must not exceed 10 odor units per cubic foot at the boundary of the property, again measured by the procedures in ASTM D1391-57, except that uses existing prior to the effective date of the ordinance codified in this chapter shall be required to comply with only this subsection (A)(6)(b).

For the purposes of estimating the dilution of odors by the atmosphere between their point of origin and either the property boundary or the district boundary, the method of Pasquill ("The Estimation of the Dispersion of Windborne Material," Meteorol. Mag., 90, 1063, 33-49, 1961) as modified by Gifford ("Uses of Routine Meteorological Observations for Estimating Atmospheric Dispersion," Nuclear Safety, 2, 47-51, 1961) shall be used.

The atmospheric conditions to be assumed for this calculation are:

- i. Stability Category F, moderately stable air;
- ii. Surface wind speed of one meter/second (about two mph).

A procedure and necessary graphs for making this estimate are given in D. Bruce Turner's "Workbook of Atmospheric Dispersion Estimates," Dept. HEW, Environmental Health Series, Public Health Service Publication No. 999-AP-26, Revised 1969.

7. Toxic and Noxious Gases. No emission which would be demonstrably injurious to human health, animals or plant life common to the region, on the ground at or beyond any lot line on which the use is located will be permitted. Where such emission could be produced as a result of accident or equipment malfunction, adequate safeguards standard for safe operation in the industry involved shall be taken. This shall not be construed to prohibit spraying of pesticides on public or private property.

8. Heat, Glare and Humidity (Steam). In the I-M or M-2 districts any activity producing humidity in the form of steam or moist air, or producing heat or glare shall be carried on in such a manner that the heat, glare or humidity is not perceptible at any lot line on which the use is located. Building materials with high light

reflective qualities shall not be used in the construction of buildings in such a manner that reflected sunlight will throw intense glare on areas surrounding the I-M or M-2 district. Artificial lighting shall be hooded or shaded so that direct light of high intensity lamps will not result in glare when viewed from areas surrounding the I-M or M-2 district.

9. Industrial Wastes. The disposal of industrial wastes shall be subject to the regulations of the state Health Department and shall comply with the requirements of the Washington Pollution Control Commission.

10. Fire and Explosive Hazards. The storage, manufacture, use, or processing of flammable liquids or materials which produce flammable or explosive vapors or gases shall be permitted in accordance with the regulations of the fire prevention code and the building code of the city of Richland. [Ord. 28-05 § 1.02; Ord. 04-09; Ord. 32-11 § 7].

23.26.025 Enforcement of performance standards.

It is the intent of this section that:

A. If in the opinion of the administrative official a violation of the performance standards in RMC [23.26.020](#) has occurred, the administrative official shall send a written notice of the violation to the owners of the property and the manager of the operation involved by certified mail. The manager or responsible person shall have 30 days to correct the violation, unless in the opinion of the administrative official there is imminent peril to the life and property of persons adjacent to the alleged violation, in which case the violation shall be corrected immediately.

B. Where determinations of violation can be made by the administrative official using equipment normally available to the city or obtainable without extraordinary expense, such determination shall be so made before notice of violation is issued.

C. Where technical complexity or extraordinary expense make it unreasonable for the city to maintain the personnel or equipment necessary to make the determination of violation, then the city shall call in properly qualified experts to make the determination. If expert findings indicate a violation of the performance standards, the costs of the determination shall be assessed against the properties or persons responsible for the violation in addition to the other penalties prescribed by this title. If no violation is found, cost of the determination shall be paid entirely by the city. [Ord. 28-05 § 1.02].

23.26.030 Industrial use districts permitted land uses.

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

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

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

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

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

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

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

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

| | | |
|---|----------------|----------------|
| Laundry and Cleaning Plants | P | P |
| General Manufacturing Uses | P | P |
| Heavy Manufacturing Uses | | P |
| Light Manufacturing Uses | P | P |
| Research, Development and Testing Facilities | P | P |
| Warehousing, Storage and Distribution | P | P |
| Wholesale Facilities and Operations | P | P |
| Office Uses | | |
| Financial Institutions | P | |
| Medical, Dental and Other Clinics | P | |
| Office – Consulting Services | P | |
| Office – Corporate | P | |
| Office – General | P | |
| Office – Research and Development | P | P |
| Public/Quasi-Public Uses | | |
| General Park Operations and Maintenance Activities | P | P |
| Passive Open Space Use | P | P |
| Power Transmission and Irrigation Wasteway Easements and Utility Uses | P ⁸ | P ⁸ |
| Public Agency Buildings | P ⁸ | P ⁸ |
| Public Agency Facilities | P ⁸ | P ⁸ |
| Public Parks | P | |
| Special Events Including Concerts, Tournaments and Competitions, Fairs, Festivals and Similar Public Gatherings | P | P |
| Trail Head Facilities | P | P |
| Trails for Equestrian, Pedestrian, or Nonmotorized Vehicle Use | P | P |
| Recreational Uses | | |
| Commercial Recreation, Outdoor | S ⁹ | |
| Residential Uses | | |

| | | |
|---|-----------------|-----------------|
| Accessory Dwelling Unit | A | |
| Day Care Center | S ¹⁰ | |
| Dwelling Units for a Resident Watchman or Custodian | A | A |
| Emergency Housing | S | S |
| Emergency Shelters | S | S |
| Hotels or Motels | S | S |
| Permanent Supportive Housing | S | S |
| Temporary Residence | p ¹¹ | p ¹¹ |
| Transitional Housing | S | S |
| Retail Uses | | |
| Adult Use Establishments | p ¹² | |
| Airport, Commercial | P | |
| Parking Lot or Structure | P | P |
| Miscellaneous Uses | | |
| Bus Station | P | |
| Bus Terminal | P | |
| Bus Transfer Station | P | P |
| Community Festivals and Street Fairs | P | P |
| Farming of Land | P | P |
| Macro-Antennas | P | P |
| Monopole | p ¹³ | p ¹³ |
| On-Site Hazardous Waste Treatment and Storage | P | P |
| Outdoor Storage | p ¹⁴ | p ¹⁴ |
| Storage in an Enclosed Building | P | P |

1. RMC 23.42.290
2. RMC 23.42.270
3. RMC 23.42.320
4. RMC 23.42.040

5. RMC 23.42.170
6. RMC 23.42.047
7. RMC 23.42.070
8. RMC 23.42.200
9. RMC 23.42.175
10. RMC 23.42.080
11. RMC 23.42.110
12. RMC 23.42.030
13. Chapter 23.62 RMC
14. RMC 23.42.180

[Ord. 28-05 § 1.02; Ord. 04-09; Ord. 13-11 § 1.01; Ord. 32-11 § 8; Ord. 07-19 § 7; Ord. 60-19 § 1; Ord. 2022-19 § 5].

23.26.040 Site requirements for industrial use districts.

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

| Standard | I-M | M-2 |
|---|----------------------|---------------------|
| Minimum Lot Area | None | None |
| Minimum Front Yard Setback | 0 feet ¹ | 0 feet ¹ |
| Minimum Side Yard Setback | None | None |
| Minimum Rear Yard Setback | None | None |
| Maximum Building Height – Main Building | 55 feet ² | None |

-
1. No setback required if street right-of-way is at least 80 feet in width. Otherwise, a minimum setback of 40 feet from street centerline is required.
 2. Except as otherwise provided in this section, the maximum building height in the I-M district shall be 55 feet:
 - a. Any building or structure located within 300 feet of any residential use district shall be limited to 24 feet in height.
 - b. Any building further than 300 feet but less than 600 feet from districts described in note (2)(a) of this section shall not exceed 55 feet in height.
 - c. Except as provided in notes (2)(a) and (b) of this section, buildings may exceed the maximum height in accordance with the provisions of RMC 23.38.090.

[Ord. 28-05 § 1.02; Ord. 04-09; amended during 2011 recodification; Ord. 32-11 § 9].

23.26.050 Parking standards for industrial use districts.

Off-street parking space shall be provided in all industrial zones in compliance with the requirements of Chapter 23.54 RMC. [Ord. 28-05 § 1.02].

23.26.060 Landscaping standards for industrial districts.

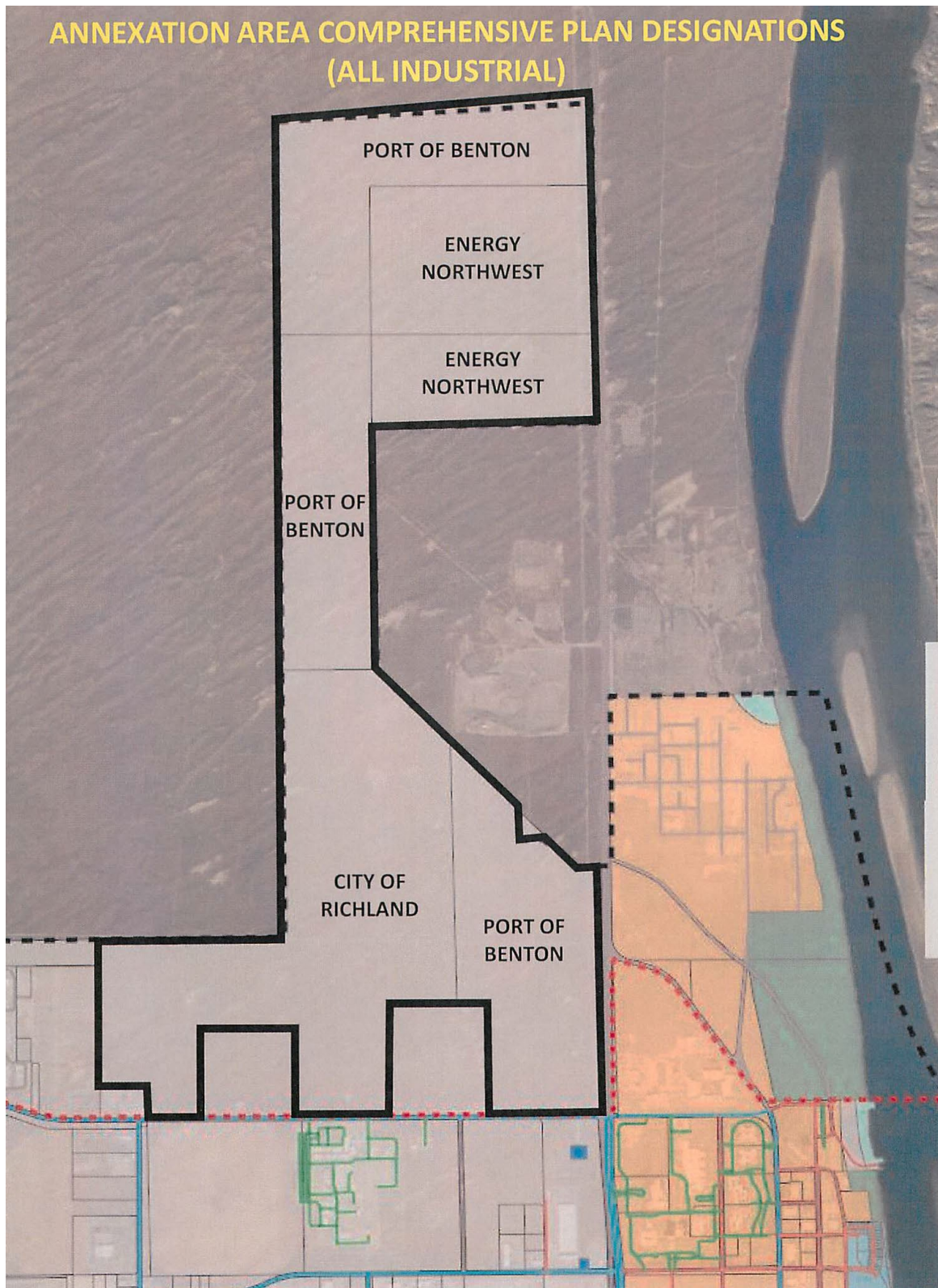
A. In the I-M and M-2 zoning districts, perimeter landscaping shall be required of all new industrial facilities and developments proposed in accordance with RMC 23.54.160.

B. In the I-M or M-2 zoning districts, any use adjacent to a residential or PPF – parks and public facilities use district shall provide sight screening as follows:

1. In the case of buildings, structures, or parking lots, a six-foot-high sight-obscuring fence or evergreen planting shall be provided along the entire length of the use.
2. Required sight-screening fences shall be of masonry, wood, or slatted chain link construction and shall be maintained in a good condition. Required sight-screening plantings shall be installed so that such plantings can reasonably be expected to provide the desired screening within three years of planting, and shall be constantly maintained in a healthy, growing condition. [Ord. 28-05 § 1.02].

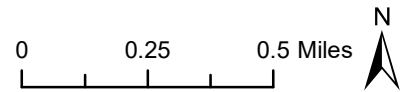
Exhibit 4

VICINITY MAP ANX2022-101






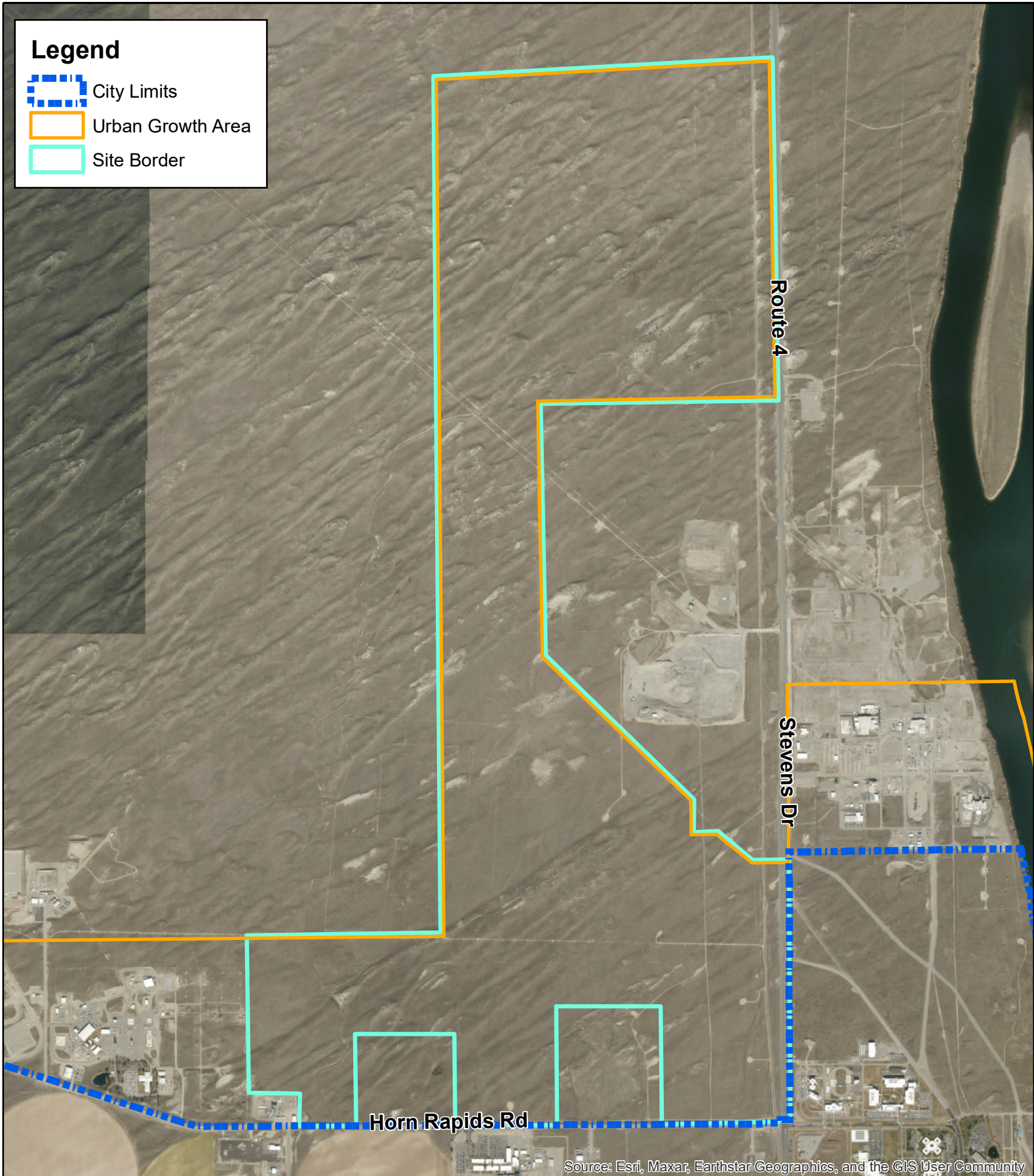
Vicinity Map

Item: North Horn Rapids Industrial Park Annexation
Applicant: City of Richland Economic
Development Division
File #: ANX2022-101

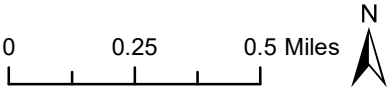


Legend

-  City Limits
-  Urban Growth Area
-  Site Border



Land Use Map



Legend

City Limits

Urban Growth Area

Site Border

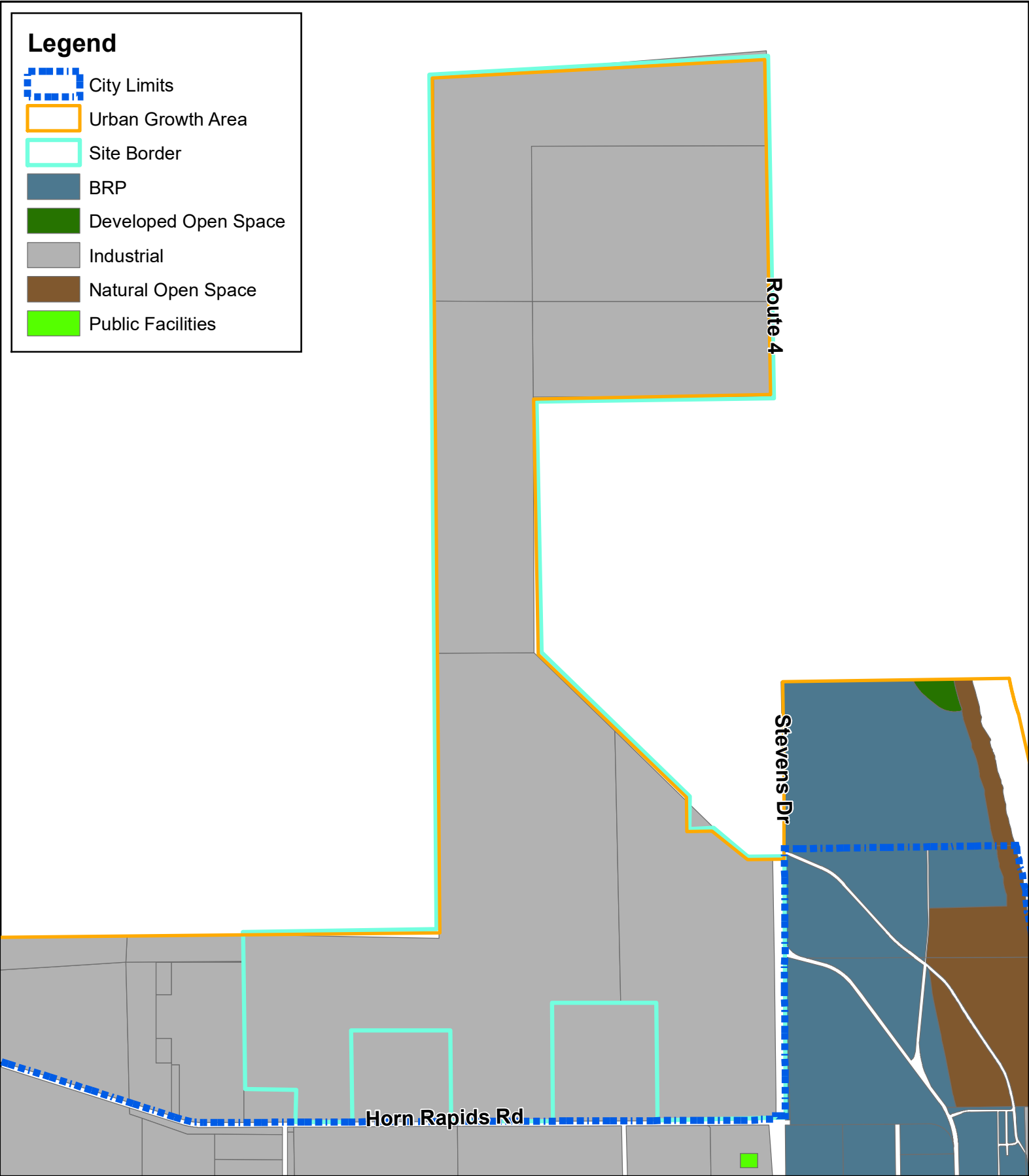
BRP

Developed Open Space

Industrial

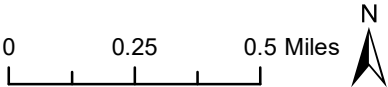
Natural Open Space

Public Facilities



Zoning Map

Item: North Horn Rapids Industrial Park Annexation
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Legend

City Limits

Urban Growth Area

Site Border

B-RP

I-M

M-2

NOS

