

DEVELOPMENT SERVICES STAFF REPORT

TO: PLANNING COMMISSION
FILE NO.: CA2023-106

PREPARED BY: MATTHEW HOWIE
MEETING DATE: JAN 24, 2024

GENERAL INFORMATION:

APPLICANT: CITY OF RICHLAND CA2023-106

REQUEST: TEXT AMENDMENT TO RMC 27.08.040(A)(2) PERMITTING FREESTANDING SIGNAGE WITH PARKS AND PUBLIC FACILITIES LAND USE DISTRICT FOR ELEMENTARY AND MIDDLE SCHOOLS.

LOCATION: CITYWIDE

REASON FOR REQUEST

Richland School District [RSD] is proposing to amend the Richland Municipal Code [RMC] by amending RMC 27.08.040(A)(2) to permit all public school district campuses, not just high schools, the benefit of the provisions of that Code section.

TEXT CHANGE

For the purposes of review, Staff have included the following text of RMC 27.08.040, 27.08.040(A), and 27.08.040(A)(2), with demonstrated change inserted in **bold** and removed with ~~striketrough~~:

27.08.040 Special provisions.

The following special provisions are provided to address situations posing unique signage requirements:

A. Signs Subject to Approval by the Planning Commission. The following signs may be approved by the planning commission, provided they meet the criteria listed, unless waived by the commission:

2. Freestanding signs on **school district campuses** ~~high school~~ or college campuses may be allowed in addition to those signs permitted under Table 27.10.020(A), subject to the following criteria:

- a. Only one sign, not exceeding 64 square feet in area, may be permitted.
- b. The sign shall not exceed 20 feet in height.
- c. The sign shall meet minimum building setback requirements so that it will not obstruct either pedestrian or automobile traffic.
- d. The sign shall be oriented so that it does not directly face adjacent residential properties.
- e. If the sign contains an electronic reader board or is otherwise illuminated, all lighting shall be turned off between the hours of 10:00 p.m. and 7:00 a.m.

f. Notice of the public meeting held to review an application for a freestanding sign shall be provided through posting of the site at the proposed sign location.

ANALYSIS

Public primary and secondary public education institutions in the City of Richland are typically located within the Parks and Public Facilities [PPF] land use district. However, the table within Title 27, which usually directs the amount of signage (square footage and number of signs) within the various land use zones does not have an included category dedicated to the PPF land use district. See RMC Table 27.10.020(A). As such, it is only RMC 27.08.040 that provides relevant instructions for Planning Staff to reference when sign applications are put forward within PPF areas. Conspicuously absent from 27.08.040(A)(2) are elementary and middle school locations, which has precipitated the Code amendment request at issue here.

When a recent permanent sign application to replace an existing elementary school sign was rejected (since per Code, that existing freestanding sign is non-conforming), Planning Staff recommended to the School District a Code Amendment request.

Planning Staff have no objection to the request by the School District. After all, the locational and informational needs of students, parents, and the public at large, do not materially change in the transition between middle and high school. The Code has deemed high schools as worthy of the special provisions enumerated in RMC 27.08.040(A)(2) and Planning cannot justify withholding these benefits to elementary and middle schools.

PUBLIC NOTICE/ COMMENTS

Staff provided notice of the proposed amendment to local and state agencies via SEPA review on December 27, 2023 and via separate Notice of Application on January 3, 2023. Notice of Application and Public Hearing was also published in the Tri-Cities Herald on January 10, 2024 and on the city's official website. Staff provided notice to the Washington State Dept. of Commerce and other state agencies as required by RCW 36.70A on December 27, 2023. See *Exhibit 3*.

As of the date this Staff Report, there had been no received public comment on this matter. Of Staff and Agency sources, only three substantive comments from Public Works have been received (as a part of the SEPA EA2023-131 comment period) and included as *Exhibit 5*.

SEPA

The proposal is subject to environmental review. The City of Richland issued a Determination of Non-Significance (DNS) for the proposal on December 27, 2023, no appeals of the City's DNS were received. See *Exhibit 6*.

FINDINGS OF FACT

1. City planning staff is proposing to amend RMC 27.08.040(A)(2).
2. The purpose of the amendments is to permit all public school district campuses, not just high schools, the benefit of the provisions of that Code section.
3. Notice of the proposed amendment was provided to local and state agencies. Notice

was also published in the Tri-Cities Herald, posted at the official posting places and on the city's official website. Notice was provided to the Washington State Dept. of Commerce and other state agencies as required by RCW 36.70A.

4. The Washington State Department of Commerce received the 60-day Notice of Intent to Adopt Amendment and granted expedited review. *See Exhibit 4.*
5. The City issued a SEPA Threshold Determination of Non-Significance on November 2, 2023. No appeals of the DNS were received. *See Exhibit 6*

CONCLUSIONS OF LAW

1. The Planning Commission has jurisdiction to hold an open record public hearing and issue a recommendation on the proposed ordinance amendment to the City Council.
2. The proposed code amendment is consistent with the goals and policies of the City's Comprehensive Plan.

RECOMMENDATION

Staff recommends the Planning Commission concur with the findings and conclusions set forth in Staff Report (CA2023-106) and recommend to the City Council adoption of the proposed amendments to Title 27, Signs, as provided in the draft ordinance attached to this report.

ALTERNATIVES

1. Recommend approval of the amendments as proposed.
2. Recommend approval of the amendments, as modified by the Planning Commission.
3. Recommend denial of the amendments.

RECOMMENDED MOTION – PLANNING COMMISSION

"I move that the Planning Commission recommend approval of the proposed amendments to RMC Title 27 as identified in the draft ordinance. This recommendation is based upon the listed Findings of Fact and Conclusions of Law."

EXHIBITS

1. Application Materials
2. Draft Ordinance
3. SEPA DNS & SEPA Checklist
4. Department of Commerce Expedited Review
5. Staff and Agency Comments
6. Public Notice



Exhibit I

Application Materials



Code Amendment Application

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

APPLICANT		<input type="checkbox"/> Contact Person
Company: Richland School District #400	UBI#:	
Contact: Richard Krasner		
Address: 6972 Keene Road, West Richland, WA 99353		
Phone: 509-967-6112	Email: Richard.Krasner@rsd.edu	

DESCRIPTION OF PROPOSED AMENDMENT
RSD proposes to have the sign code amended to allow for a freestanding electronic reader board sign on school district properties. Current code allows for signs at high schools (27.08.040) but does not include other schools. RSD respectfully request the code be amended to extend the special provisions to all school district properties.

APPLICATON MUST INCLUDE:
<ol style="list-style-type: none"> Completed application and filing fee SEPA Checklist (if necessary) Other information as determined by the Administrator

ANSWER THE FOLLOWING AS COMPLETELY AS POSSIBLE:
<p>Section(s) of code proposed to be amended (include code citation):</p> <p>27.08.040 Special Provisions.</p> <p>2. Freestanding signs on high school or college campuses may be allowed in addition to those signs permitted under Table 27.10.020(A), subject to the following criteria:</p> <ol style="list-style-type: none"> Only one sign, not exceeding 64 square feet in area, may be permitted. The sign shall not exceed 20 feet in height. The sign shall meet minimum building setback requirements so that it will not obstruct either pedestrian or automobile traffic. The sign shall be oriented so that it does not directly face adjacent residential properties. If the sign contains an electronic reader board or is otherwise illuminated, all lighting shall be turned off between the hours of 10:00 p.m. and 7:00 a.m. Notice of the public meeting held to review an application for a freestanding sign shall be provided through posting of the site at the proposed sign location.
<p>Summary of requested code amendment(s):</p> <p>27.08.040 Special Provisions.</p> <p>2. Freestanding signs on school district campuses or college campuses may be allowed in addition to those signs permitted under Table 27.10.020(A), subject to the following criteria:</p> <ol style="list-style-type: none"> Only one sign, not exceeding 64 square feet in area, may be permitted. The sign shall not exceed 20 feet in height. The sign shall meet minimum building setback requirements so that it will not obstruct either pedestrian or automobile traffic. The sign shall be oriented so that it does not directly face adjacent residential properties. If the sign contains an electronic reader board or is otherwise illuminated, all lighting shall be turned off between the hours of 10:00 p.m. and 7:00 a.m.
<p>Reason(s) for code amendment(s):</p> <p>Current language limits freestanding electronic reader board signs at all RSD sites except high schools. RSD would like to replace older signs with new signs similar to ones at newly constructed school campuses.</p>

Is the proposed amendment consistent with the applicable provisions of the Comprehensive Plan? Is a Comprehensive Plan amendment necessary to implement the proposed amendment?

Yes, the amendment is consistent with the Comprehensive Plan.
No, an amendment to the Comprehensive Plan is not necessary.

Does the proposed amendment bear a substantial relation to the public health, safety, welfare and protection of the environment? Please explain:

No, the amendment will not substantially impact the public health, safety, welfare, and protection of the environment.

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. The information provided in this application contains no misstatement of fact.
2. I am an owner(s), authorized agent(s) of an owner(s), or I am currently a licensed contractor or specialty contractor under Chapter 18.27 RCW, or I am exempt from the requirements of Chapter 18.27 RCW.

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: Richard Krasner

Applicant Signature: _____ Date 10/11/2023



Exhibit 2

Draft Ordinance

ORDINANCE NO. 2023-XX

AN ORDINANCE OF THE CITY OF RICHLAND, WASHINGTON, AMENDING CHAPTER 27.08 OF THE RICHLAND MUNICIPAL CODE RELATED TO SIGNS. TO AMEND SUBSECTION 27.08.040(A)(2) INCLUDING ELEMENTARY AND MIDDLE SCHOOLS TO PROVISIONS CURRENTLY ONLY PROVIDED FOR HIGH SCHOOL AND COLLEGE CAMPUSES

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

WHEREAS, critical areas ordinances commonly include a variance provision that allows the City's quasi-judicial decision-maker to grant legally allowable deviations from the strict letter of established land use regulations; and

WHEREAS, the City's Code Provisions for its Sign Ordinance, codified as Chapter 22.08 RMC, contains special provisions for high school and college campuses but not elementary and middle school campuses; and

WHEREAS, public educational institutions do not substantially differ in terms of the public's informational and locational needs and expectations.

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

Section 1. Subsection 27.08.040(A)(2) of the Richland Municipal Code, entitled Special Provisions, as first enacted by Ordinance No. 3-89, and last amended by Ordinance No. 08-19 § 4, is hereby amended to read as follows:

27.08.040 Special provisions.

2. Freestanding signs on school district campuses or college campuses may be allowed in addition to those signs permitted under Table 27.10.020(A), subject to the following criteria:

- a. Only one sign, not exceeding 64 square feet in area, may be permitted.
- b. The sign shall not exceed 20 feet in height.
- c. The sign shall meet minimum building setback requirements so that it will not obstruct either pedestrian or automobile traffic.
- d. The sign shall be oriented so that it does not directly face adjacent residential properties.
- e. If the sign contains an electronic reader board or is otherwise illuminated, all lighting shall be turned off between the hours of 10:00 p.m. and 7:00 a.m.
- f. Notice of the public meeting held to review an application for a freestanding sign shall be provided through posting of the site at the proposed sign location.

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

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

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

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

Mayor

Attest:

Approved as to Form:

Jennifer Rogers, City Clerk

Heather Kintzley, City Attorney

First Reading: _____

Second Reading: _____

Date Published: _____

DRAFT



Exhibit 3

SEPA DNS & SEPA Checklist



File No. EA2023-131

CITY OF RICHLAND
Determination of Non-Significance

Description of Proposal: The project is to remove and install freestanding reader board signs at various school district properties.

Proponent: Richland School District #400
6972 Keene Rd
West Richland, WA 99353

Location of Proposal: Citywide

Lead Agency: City of Richland

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

() There is no comment for the DNS.

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

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

Responsible Official: Mike Stevens

Position/Title: Planning Manager

Address: 625 Swift Blvd., MS #35, Richland, WA 99352

Date: December 27, 2023

Comments Due: January 10, 2023

Signature 

SEPA ENVIRONMENTAL CHECKLIST

Purpose of checklist

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

Instructions for applicants

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

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

Instructions for lead agencies

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

Use of checklist for nonproject proposals

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

A. Background [Find help answering background questions](#)

1. **Name of proposed project, if applicable:**
Richland School District #400, Signage

2. **Name of applicant:**
Richland School District #400

3. **Address and phone number of applicant and contact person:**
6972 Keene Road, West Richland, WA 99353
(509) 967-6112
richard.krasner@rsd.edu

4. **Date checklist prepared:**
10/11/2023

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

6. **Proposed timing or schedule (including phasing, if applicable):**
As soon as the text code amendment is approved, RSD will proceed in replacing signs at various school district properties.

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

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

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.**
A sign permit application for replacement signs has been submitted to the City of Richland.

10. **List any government approvals or permits that will be needed for your proposal, if known.**
Approval of Sign Permit application.

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

The project is to remove and install freestanding reader board signs at various school district properties.

13. Location of the proposal. Give sufficient information for a person to understand the precise location of your proposed project, including a street address, if any, and section, township, and range, if known. If a proposal would occur over a range of area, provide the range or boundaries of the site(s). Provide a legal description, site plan, vicinity map, and topographic map, if reasonably available. While you should submit any plans required by the agency, you are not required to duplicate maps or detailed plans submitted with any permit applications related to this checklist.

The site locations vary depending on the need for sign replacement. All locations are school district owned properties within the City of Richland.

B. Environmental Elements

1. Earth [Find help answering earth questions](#)

a. General description of the site:

Typically, the sites are relatively flat where signs are located.

Circle or highlight one: **Flat**, rolling, hilly, steep slopes, mountainous, other:

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

Typical locations have less than 2% slope.

c. What general types of soils are found on the site (for example, clay, sand, gravel, peat, muck)? If you know the classification of agricultural soils, specify them, and note any agricultural land of long-term commercial significance and whether the proposal results in removing any of these soils.

Sites contain sand/gravel soil types.

d. Are there surface indications or history of unstable soils in the immediate vicinity? If so, describe.

There are no indications or history of unstable soils in the immediate vicinity.

e. Describe the purpose, type, total area, and approximate quantities and total affected area of any filling, excavation, and grading proposed. Indicate source of fill.

No filling or grading is proposed with the projects, except footings for structural sign post installation, if need.

f. Could erosion occur because of clearing, construction, or use? If so, generally describe.

Minor wind and water erosion may occur at sign replacement and installation site.

g. About what percent of the site will be covered with impervious surfaces after project construction (for example, asphalt or buildings)?

At sign locations, existing surrounding materials (sod, asphalt or concrete) will be replaced at base of sign post areas if disturbed less than 36sf.

h. Proposed measures to reduce or control erosion, or other impacts to the earth, if any.

None proposed.

2. Air [Find help answering air questions](#)

a. What types of emissions to the air would result from the proposal during construction, operation, and maintenance when the project is completed? If any, generally describe and give approximate quantities if known.

Construction vehicle emissions.

b. Are there any off-site sources of emissions or odor that may affect your proposal? If so, generally describe.

None known.

c. Proposed measures to reduce or control emissions or other impacts to air, if any.

None proposed.

3. Water [Find help answering water questions](#)

a. Surface Water: [Find help answering surface water questions](#)

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

There are no surface water bodies on the site or in the immediate vicinity.

2. Will the project require any work over, in, or adjacent to (within 200 feet) the described waters? If yes, please describe and attach available plans.

No.

3. Estimate the amount of fill and dredge material that would be placed in or removed from surface water or wetlands and indicate the area of the site that would be affected. Indicate the source of fill material.

None.

4. Will the proposal require surface water withdrawals or diversions? Give a general description, purpose, and approximate quantities if known.

No.

5. Does the proposal lie within a 100-year floodplain? If so, note location on the site plan.

No.

6. Does the proposal involve any discharges of waste materials to surface waters? If so, describe the type of waste and anticipated volume of discharge.

No.

b. Ground Water: [Find help answering ground water questions](#)

1. Will groundwater be withdrawn from a well for drinking water or other purposes? If so, give a general description of the well, proposed uses and approximate quantities withdrawn from the well. Will water be discharged to groundwater? Give a general description, purpose, and approximate quantities if known.

No.

2. Describe waste material that will be discharged into the ground from septic tanks or other sources, if any (domestic sewage; industrial, containing the following chemicals...; agricultural; etc.). Describe the general size of the system, the number of such systems, the number of houses to be served (if applicable), or the number of animals or humans the system(s) are expected to serve.

None.

c. Water Runoff (including stormwater):

1. Describe the source of runoff (including storm water) and method of collection and disposal, if any (include quantities, if known). Where will this water flow? Will this water flow into other waters? If so, describe.

No stormwater runoff is anticipated.

2. Could waste materials enter ground or surface waters? If so, generally describe.

No.

3. Does the proposal alter or otherwise affect drainage patterns in the vicinity of the site? If so, describe.

No.

4. Proposed measures to reduce or control surface, ground, and runoff water, and drainage pattern impacts, if any.

None.

4. Plants [Find help answering plants questions](#)

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

- deciduous tree: alder, maple, aspen, other
- evergreen tree: fir, cedar, pine, other
- shrubs
- grass
- pasture
- crop or grain
- orchards, vineyards, or other permanent crops.
- wet soil plants: cattail, buttercup, bullrush, skunk cabbage, other
- water plants: water lily, eelgrass, milfoil, other
- other types of vegetation

b. What kind and amount of vegetation will be removed or altered?

[On some sites, sod will be removed and replaced around sign post base.](#)

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

[None known.](#)

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

[If sod is removed during installation it will be replaced.](#)

e. List all noxious weeds and invasive species known to be on or near the site.

[None known.](#)

5. Animals [Find help answering animal questions](#)

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

Examples include:

- Birds: hawk, heron, eagle [songbirds](#), other:
- Mammals: deer, bear, elk, beaver, other:
- Fish: bass, salmon, trout, herring, shellfish, other:

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

[None known.](#)

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

[Pacific Flyway](#)

d. Proposed measures to preserve or enhance wildlife, if any.

[None proposed.](#)

e. List any invasive animal species known to be on or near the site.

[None known.](#)

6. Energy and Natural Resources [Find help answering energy and natural resource questions](#)

- a. What kinds of energy (electric, natural gas, oil, wood stove, solar) will be used to meet the completed project's energy needs? Describe whether it will be used for heating, manufacturing, etc.
On school site that currently do not have electronic reader board signs, electric power will be added.
- b. Would your project affect the potential use of solar energy by adjacent properties? If so, generally describe.
No.
- c. What kinds of energy conservation features are included in the plans of this proposal? List other proposed measures to reduce or control energy impacts, if any.
The electronic reader boards are LED. Following the RMC requirements will be turned off as required by code.

7. Environmental Health [Find help with answering environmental health questions](#)

- a. Are there any environmental health hazards, including exposure to toxic chemicals, risk of fire and explosion, spill, or hazardous waste, that could occur because of this proposal? If so, describe.
No.
1. Describe any known or possible contamination at the site from present or past uses.
None known.
 - a. Describe existing hazardous chemicals/conditions that might affect project development and design. This includes underground hazardous liquid and gas transmission pipelines located within the project area and in the vicinity.
None known.
 - b. Describe any toxic or hazardous chemicals that might be stored, used, or produced during the project's development or construction, or at any time during the operating life of the project.
None known.
 - c. Describe special emergency services that might be required.
Only services already provided by City of Richland.
 - d. Proposed measures to reduce or control environmental health hazards, if any.
None proposed.

b. Noise

1. What types of noise exist in the area which may affect your project (for example: traffic, equipment, operation, other)?
None.
2. What types and levels of noise would be created by or associated with the project on a short-term or a long-term basis (for example: traffic, construction, operation, other)? Indicate what hours noise would come from the site)?
Short-term construction noise.
Long-term no change.
3. Proposed measures to reduce or control noise impacts, if any.
Construction will only occur during normal business hours.

8. Land and Shoreline Use [Find help answering land and shoreline use questions](#)

- a. What is the current use of the site and adjacent properties? Will the proposal affect current land uses on nearby or adjacent properties? If so, describe.
All sites are schools and/or school district facilities. No effect on nearby properties is anticipated.
- b. Has the project site been used as working farmlands or working forest lands? If so, describe. How much agricultural or forest land of long-term commercial significance will be converted to other uses because of the proposal, if any? If resource lands have not been designated, how many acres in farmland or forest land tax status will be converted to nonfarm or nonforest use?
No.
 1. Will the proposal affect or be affected by surrounding working farm or forest land normal business operations, such as oversize equipment access, the application of pesticides, tilling, and harvesting? If so, how?
No.
- c. Describe any structures on the site.
Structures include buildings and features normally found on school sites.
- d. Will any structures be demolished? If so, what?
Depending on need, some signs will be fully demolished.
- e. What is the current zoning classification of the site?
PPF
- f. What is the current comprehensive plan designation of the site?
PF

- g. If applicable, what is the current shoreline master program designation of the site?**
Not applicable.
- h. Has any part of the site been classified as a critical area by the city or county? If so, specify.**
No.
- i. Approximately how many people would reside or work in the completed project?**
The same as currently established on school sites.
- j. Approximately how many people would the completed project displace?**
None.
- k. Proposed measures to avoid or reduce displacement impacts, if any.**
None proposed.
- l. Proposed measures to ensure the proposal is compatible with existing and projected land uses and plans, if any.**
Submit plans and applications to City for staff review.
- m. Proposed measures to reduce or control impacts to agricultural and forest lands of long-term commercial significance, if any.**
Not applicable.

9. Housing [Find help answering housing questions](#)

- a. Approximately how many units would be provided, if any? Indicate whether high, middle, or low-income housing.**
None. Not applicable for sign replacement and installation.
- b. Approximately how many units, if any, would be eliminated? Indicate whether high, middle, or low-income housing.**
None. Not applicable for sign replacement and installation.
- c. Proposed measures to reduce or control housing impacts, if any.**
None proposed.

10. Aesthetics [Find help answering aesthetics questions](#)

- a. What is the tallest height of any proposed structure(s), not including antennas; what is the principal exterior building material(s) proposed?

Height is regulated by RMC.

- b. What views in the immediate vicinity would be altered or obstructed?

None as regulated by RMC.

- c. Proposed measures to reduce or control aesthetic impacts, if any.

Compliance with zoning and code requirements.

11. Light and Glare [Find help answering light and glare questions](#)

- a. What type of light or glare will the proposal produce? What time of day would it mainly occur?

Electronic Reader Board lighting during the daytime.

- b. Could light or glare from the finished project be a safety hazard or interfere with views?

Sign is designed for minimal impact of site and RMC regulations will be followed.

- c. What existing off-site sources of light or glare may affect your proposal?

None.

- d. Proposed measures to reduce or control light and glare impacts, if any.

Lighting and controls in accordance with RMC.

12. Recreation [Find help answering recreation questions](#)

- a. What designated and informal recreational opportunities are in the immediate vicinity?

School playgrounds and green fields at most sites.

- b. Would the proposed project displace any existing recreational uses? If so, describe.

No.

- c. Proposed measures to reduce or control impacts on recreation, including recreation opportunities to be provided by the project or applicant, if any.

None proposed.

13. Historic and Cultural Preservation [Find help answering historic and cultural preservation questions](#)

- a. Are there any buildings, structures, or sites, located on or near the site that are over 45 years old listed in or eligible for listing in national, state, or local preservation registers? If so, specifically describe.

None known.

- b. Are there any landmarks, features, or other evidence of Indian or historic use or occupation? This may include human burials or old cemeteries. Are there any material evidence, artifacts, or areas of cultural importance on or near the site? Please list any professional studies conducted at the site to identify such resources.

None known.

- c. Describe the methods used to assess the potential impacts to cultural and historic resources on or near the project site. Examples include consultation with tribes and the department of archeology and historic preservation, archaeological surveys, historic maps, GIS data, etc.

Not applicable

- d. Proposed measures to avoid, minimize, or compensate for loss, changes to, and disturbance to resources. Please include plans for the above and any permits that may be required.

None needed.

14. Transportation [Find help with answering transportation questions](#)

- a. Identify public streets and highways serving the site or affected geographic area and describe proposed access to the existing street system. Show on site plans, if any.

Various school sites located throughout City of Richland street systems.
No new access is needed.

- b. Is the site or affected geographic area currently served by public transit? If so, generally describe. If not, what is the approximate distance to the nearest transit stop?

Ben Franklin Transit is routed throughout the City of Richland and includes stops along or near most school district sites.

- c. Will the proposal require any new or improvements to existing roads, streets, pedestrian, bicycle, or state transportation facilities, not including driveways? If so, generally describe (indicate whether public or private).

No.

- d. Will the project or proposal use (or occur in the immediate vicinity of) water, rail, or air transportation? If so, generally describe.

No.

- e. How many vehicular trips per day would be generated by the completed project or proposal? If known, indicate when peak volumes would occur and what percentage of the volume would be trucks (such as commercial and nonpassenger vehicles). What data or transportation models were used to make these estimates?

No more than currently established.

f. Will the proposal interfere with, affect, or be affected by the movement of agricultural and forest products on roads or streets in the area? If so, generally describe.

No.

g. Proposed measures to reduce or control transportation impacts, if any.

None proposed.

15. Public Services [Find help answering public service questions](#)

a. Would the project result in an increased need for public services (for example: fire protection, police protection, public transit, health care, schools, other)? If so, generally describe.

No.

b. Proposed measures to reduce or control direct impacts on public services, if any.

None proposed.

16. Utilities [Find help answering utilities questions](#)

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

All of the above except septic system.

b. Describe the utilities that are proposed for the project, the utility providing the service, and the general construction activities on the site or in the immediate vicinity which might be needed.

No additional utilities needed.

C. Signature [Find help about who should sign](#)

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

X

SEPA Responsible Official

Type name of signee: Richard Krasner

Position and agency/organization: Executive Director of Support Services & Operations

Date submitted: 10/12/2023

D. Supplemental sheet for nonproject actions [Find help for the nonproject actions worksheet](#)

IT IS NOT REQUIRED to use this section for project actions.

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

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

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

- **Proposed measures to avoid or reduce such increases are:**

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

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

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

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

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

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

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

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

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

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

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



Exhibit 4

Department of Commerce Notice



Department of Commerce

Notice of Intent to Adopt Amendment / Notice of Adoption Cover Sheet

Pursuant to RCW 36.70A.106, the following jurisdiction provides the following required state agency notice.

1. Jurisdiction Name:	City of Richland – Development Services Dept.
2. Select Submittal Type: Select the Type of Submittal listed. (Select One Only)	<input type="checkbox"/> 60-Day Notice of Intent to Adopt Amendment. <input checked="" type="checkbox"/> Request of Expedited Review / Notice of Intent to Adopt Amendment. <input type="checkbox"/> Supplemental Submittal for existing Notice of Intent to Adopt Amendment. <input type="checkbox"/> Notice of Final Adoption of Amendment.
3. Amendment Type: Select Type of Amendment listed. (Select One Only)	<input type="checkbox"/> Comprehensive Plan Amendment. <input checked="" type="checkbox"/> Development Regulation Amendment. <input type="checkbox"/> Critical Areas Ordinance Amendment. <input type="checkbox"/> Combined Comprehensive and Development Regulation Amendments. <input type="checkbox"/> Countywide Planning Policy .



Department of Commerce

<p>4. Description</p> <p>Enter a brief description of the amendment.</p> <p>Begin your description with “Proposed” or “Adopted”, based on the type of Amendment you are submitting.</p> <p>Examples: <i>“Proposed comprehensive plan amendment for the GMA periodic update.”</i> or <i>“Adopted Ordinance 123, adoption amendment to the sign code.”</i> (Maximum 400 characters).</p>	<p>Proposed Richland School District [RSD] request to amend the Richland Municipal Code [RMC] within RMC 27.08.040(A) to permit all public school district campuses, not just high schools, the benefit of the provisions of that Code section, which states that:</p> <p>“27.08.040 Special provisions. The following special provisions are provided to address situations posing unique signage requirements: A. Signs Subject to Approval by the Planning Commission. The following signs may be approved by the planning commission, provided they meet the criteria listed, unless waived by the commission: 2. Freestanding signs on high school or college campuses may be allowed in addition to those signs permitted under Table 27.10.020(A)...”</p> <p>Amend RMC 27.08.040(A)(2) to read: “Freestanding signs on school district campuses or college campuses may be allowed in addition to those signs permitted under Table 27.10.020(A)...”</p>
<p>5. Is this action part of your 8-year periodic update required under RCW 36.70A.130 of the Growth Management Act (GMA)?</p>	<p><input type="checkbox"/> Yes</p> <p><input checked="" type="checkbox"/> No</p>
<p>6. Proposed Dates:</p> <p>Enter the anticipated public hearing date(s) for your Planning Commission/Planning Board or for your Council/Commission.</p>	<p>Planning Commission: January 24, 2024</p> <p>City Council: February 20, 2024 (First Reading)</p> <p>Proposed / Date of Adoption: March 5, 2024</p>
<p>7. Contact Information:</p>	
<p>A. Prefix/Salutation: (Examples: “Mr.,” “Ms.,” or “The Honorable” (elected official))</p>	<p>Mr.</p>
<p>B. Name:</p>	<p>Matthew Howie</p>
<p>C. Title:</p>	<p>Senior Planner</p>
<p>D. Email:</p>	<p>mhowie@ci.richland.wa.us</p>



Department of Commerce

E. Work Phone:	(509) 942-7587
F. Cell/Mobile Phone: <i>(optional)</i>	
Consultant Information:	
G. Is this person a consultant?	<input type="checkbox"/> Yes
H. Consulting Firm name?	
8. Would you like Commerce to contact you for Technical Assistance regarding this submitted amendment?	<input type="checkbox"/> Yes

REQUIRED: Attach or include a copy of the proposed amendment text or document(s). We do not accept a website hyperlink requiring us to retrieve external documents. Jurisdictions must submit the actual document(s) to Commerce. If you experience difficulty, please email the reviewteam@commerce.wa.gov

Questions? Call the review team at (509) 725-3066.



Department of Commerce

ORDINANCE NO. 2023-XX

AN ORDINANCE OF THE CITY OF RICHLAND, WASHINGTON, AMENDING CHAPTER 27.08 OF THE RICHLAND MUNICIPAL CODE RELATED TO SIGNS. TO AMEND SUBSECTION 27.08.040(A)(2) INCLUDING ELEMENTARY AND MIDDLE SCHOOLS TO PROVISIONS CURRENTLY ONLY PROVIDED FOR HIGH SCHOOL AND COLLEGE CAMPUSES

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

WHEREAS, critical areas ordinances commonly include a variance provision that allows the City's quasi-judicial decision-maker to grant legally allowable deviations from the strict letter of established land use regulations; and

WHEREAS, the City's Code Provisions for its Sign Ordinance, codified as Chapter 22.08 RMC, contains special provisions for high school and college campuses but not elementary and middle school campuses; and

WHEREAS, public educational institutions do not substantially differ in terms of the public's informational and locational needs and expectations.

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

Section 1. Subsection 27.08.040(A)(2) of the Richland Municipal Code, entitled Special Provisions, as first enacted by Ordinance No. 3-89, and last amended by Ordinance No. 08-19 § 4, is hereby amended to read as follows:

27.08.040 Special provisions.

2. Freestanding signs on school district campuses or college campuses may be allowed in addition to those signs permitted under Table 27.10.020(A), subject to the following criteria:

- a. Only one sign, not exceeding 64 square feet in area, may be permitted.
- b. The sign shall not exceed 20 feet in height.
- c. The sign shall meet minimum building setback requirements so that it will not obstruct either pedestrian or automobile traffic.
- d. The sign shall be oriented so that it does not directly face adjacent residential properties.
- e. If the sign contains an electronic reader board or is otherwise illuminated, all lighting shall be turned off between the hours of 10:00 p.m. and 7:00 a.m.
- f. Notice of the public meeting held to review an application for a freestanding sign shall be provided through posting of the site at the proposed sign location.

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



Department of Commerce

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

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

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

Mayor

Attest:

Approved as to Form:

Jennifer Rogers, City Clerk

Heather Kintzley, City Attorney

First Reading: _____

Second Reading: _____

Date Published: _____

From: [COM GMU Review Team](#)
To: [Howie, Matthew](#)
Subject: City of Richland - Expedited Review Request Granted for Submittal ID: 2023-S-6727
Date: Wednesday, January 10, 2024 7:22:58 AM

You don't often get email from reviewteam@commerce.wa.gov. [Learn why this is important](#)

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

Dear Mr. Howie,

Your request for an Expedited Review has been granted for: Proposed Richland School District [RSD] request to amend the Richland Municipal Code [RMC] within RMC 27.08.040(A)(2) to permit all public school district campuses, not just high schools, the benefit of the provisions of that Code section.

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 Steve Davenport at (360) 725-4023 or by email at steve.davenport@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



## Exhibit 5

# Staff and Agency Comments

**MEMORANDUM**

***PUBLIC WORKS  
CIVIL AND UTILITY ENGINEERING***

TO: MATTHEW HOWIE – SENIOR PLANNER  
FROM: JOHN WHITTIER – CIVIL ENGINEER 1  
DATE: January 9<sup>th</sup>, 2024  
SUBJECT: SEPA DNS APPLICATION #EA2023-131 – 930 LONG ST. – RICHLAND  
SCHOOL DISTRICT ELECTRONIC SIGN PROJECT

Hi Matthew,

Public Works has reviewed the submitted short plat application received on December 27<sup>th</sup>, 2023 and have the comments noted below.

1. During permit construction, all permanent structures shall remain outside of both existing City Right-of-Way and existing City-owned easements. Encroachments into City Right-of-Way or easements is prohibited.
2. Each individual sign that is placed in the future shall require a separate permit submission to review the location and any potential vision clearance triangle (VCT) issues, as defined in RMC 12.11.
3. If roadways, sidewalks, or shoulders are going to need to be obstructed for the installation of the new signs, then a traffic control plan will be required to be submitted for review by City staff at least one week prior to permit construction.

If you have any questions, please let me know.

Thank you,  
John W.  
x7649



## Exhibit 6

## Public Notice



The Beaufort Gazette  
 The Belleville News-Democrat  
 Bellingham Herald  
 Centre Daily Times  
 Sun Herald  
 Idaho Statesman  
 Bradenton Herald  
 The Charlotte Observer  
 The State  
 Ledger-Enquirer

Durham | The Herald-Sun  
 Fort Worth Star-Telegram  
 The Fresno Bee  
 The Island Packet  
 The Kansas City Star  
 Lexington Herald-Leader  
 The Telegraph - Macon  
 Merced Sun-Star  
 Miami Herald  
 El Nuevo Herald

The Modesto Bee  
 The Sun News - Myrtle Beach  
 Raleigh News & Observer  
 Rock Hill | The Herald  
 The Sacramento Bee  
 San Luis Obispo Tribune  
 Tacoma | The News Tribune  
 Tri-City Herald  
 The Wichita Eagle  
 The Olympian

## AFFIDAVIT OF PUBLICATION

| Account # | Order Number | Identification                          | Order PO          | Amount   | Cols | Depth |
|-----------|--------------|-----------------------------------------|-------------------|----------|------|-------|
| 36823     | 507314       | Print Legal Ad-IPL01544980 - IPL0154498 | PC PHN-CA2023-106 | \$176.54 | 1    | 61 L  |

Attention: (company)  
 CITY OF RICHLAND/LEGALS  
 625 SWIFT BLVD. MS-05  
 RICHLAND, WA 99352

janderson@ci.richland.wa.us

**CITY OF RICHLAND  
 NOTICE OF APPLICATION,  
 PUBLIC HEARING**

**Notice:** The City of Richland is proposing to amend the Richland Municipal Code by amending RMC 27.08.040(A)(2) to permit all public school district campuses, not just high schools, the benefit of the provisions of that Code section.

Pursuant to Richland Municipal Code (RMC) Section 19.20, the Richland Planning Commission will conduct a public hearing and review of the proposed code amendment on **Wednesday, January 24, 2024, at or after 6:00 p.m.** in the Council Chambers, Richland City Hall, 625 Swift Blvd., Richland, WA. All interested parties are invited to attend and present testimony at the public hearing.

**Environmental Review:** The proposal is subject to environmental review. The City of Richland is lead agency for the proposal under the State Environmental Policy Act (SEPA) and has reviewed the proposed project for probable adverse environmental impacts. A Determination of Non-Significance (DNS) was issued by the City on December 27, 2023.

**Public Comment:** Any person desiring to express their views or to be notified of any decisions pertaining to this application should notify Matthew Howie, Senior Planner, 625 Swift Blvd., MS-35, Richland, WA 99352. Comments may also be emailed to mhowie@ci.richland.wa.us. Written comments should be received no later than 5:00 p.m. on Wednesday, January 16, 2024, to be incorporated into the staff report. Comments received after that date will be entered into the record at the hearing.

Copies of the staff report and recommendation will be available on the City of Richland's website at www.ci.richland.wa.us beginning Wednesday, January 17, 2024.  
 Date Published: Wednesday, January 10, 2024  
 IPL0154498  
 Jan 10 2024

COUNTY OF BENTON)

SS

STATE OF WASHINGTON)

Stefani Beard, being duly sworn, deposes and says, I am the Legals Clerk of The Tri-City Herald, a daily newspaper. That said newspaper is a local newspaper and has been approved as a legal newspaper by order of the superior court in the county in which it is published and it is now and has been for more than six months prior to the date of the publications hereinafter referred to, published continually as a daily newspaper in Benton County, Washington. That the attached is a true copy as it was printed in the regular and entire issue of the Tri-City Herald and not in a supplement thereof, ran 1 time (s) commencing on 01/10/2024, and ending on 01/10/2024 and that said newspaper was regularly distributed to its subscribers during all of this period.

1 insertion(s) published on:  
 01/10/24

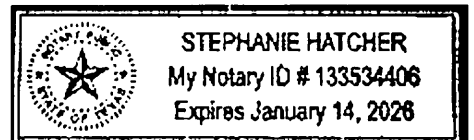
*Stefani Beard*

(Signature of Legals Clerk)

Sworn to and subscribed before me this 10th day of January in the year of 2024

*Stephanie Hatcher*

Notary Public in and for the state of Texas, residing in Dallas County



Extra charge for lost or duplicate affidavits.  
 Legal document please do not destroy!



The Beaufort Gazette  
 The Belleville News Democrat  
 Bellingham Herald  
 Centre Daily Times  
 Sun Herald  
 Idaho Statesman  
 Bradenton Herald  
 The Charlotte Observer  
 The State  
 Ledger-Enquirer

Durham | The Herald Sun  
 Fort Worth Star-Telegram  
 The Fresno Bee  
 The Island Packet  
 The Kansas City Star  
 Lexington Herald-Leader  
 The Telegraph - Macon  
 Merced Sun-Star  
 Miami Herald  
 El Nuevo Herald

The Modesto Bee  
 The Sun News - Myrtle Beach  
 Raleigh News & Observer  
 Rock Hill | The Herald  
 The Sacramento Bee  
 San Luis Obispo Tribune  
 Tacoma | The News Tribune  
 Tri-City Herald  
 The Wichita Eagle  
 The Olympian

## AFFIDAVIT OF PUBLICATION

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|-----------|--------------|-----------------------------------------|-------------------|----------|------|-------|
| 36823     | 507314       | Print Legal Ad-IPL01544980 - IPL0154498 | PC PHN-CA2023-106 | \$176.54 | 1    | 61L   |

**Attention:** Jennifer Anderson  
 CITY OF RICHLAND/LEGALS  
 625 SWIFT BLVD. MS-05  
 RICHLAND, WA 99352

janderson@ci.richland.wa.us

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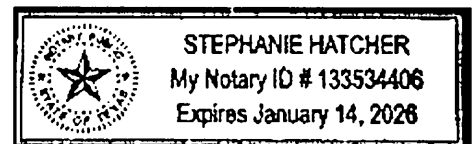
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