



## **NOTICE OF DECISION**

PURSUANT TO RICHLAND MUNICIPAL CODE SECTIONS 19.60.080 & 23.46.050, NOTICE IS HEREBY GIVEN THAT THE RICHLAND PLANNING COMMISSION HELD A PUBLIC HEARING ON FEBRUARY 26, 2025 TO CONSIDER A REQUEST SUBMITTED BY REDEEMER LUTHERAN CHURCH FOR A SITE SIZE REDUCTION TO ALLOW FOR THE CONSTRUCTION OF A PRIVATE SCHOOL ON A LOT THAT IS LESS THAN THE REQUIRED SITE AREA (SIX ACRES) AS ESTABLISHED IN RMC 23.42.250.

**REQUEST:** Request a site size reduction to allow for the construction of a private school on a lot that is less than the required site area (six acres) as established in RMC 23.42.250.

**LOCATION:** 520 Thayer Drive

**DESCRIPTION OF ACTION:** Request approved subject to the following findings of fact and conditions of approval.

### **FINDINGS OF FACT**

1. The subject site is located within the Single-Family Residential use district (R-1-12), a school is approved use within this zone type.
2. RMC Chapter 23.42.250 designates the Planning Commission to conduct the review of a School on a Small Site application.
3. A School on a Small Site application is classified as a Type II application under RMC 19.20.010.
4. The proposal has sufficient parking available for an elementary school.
5. The playground area is oriented away from residences to minimize noise impacts.
6. Required findings for Type II applications are found under 19.60.095 and this application appears to be in the best interest of the public, providing additional schooling opportunities and mitigating potential impacts.
7. General criteria for review by the Planning Commission review are outlined in RMC 23.42.250.
8. Public notice of the application and hearing was provided via mail to surrounding landowners within 300 feet of the site; through the posting of a sign on-site and through a legal advertisement in the Tri-City Herald, all in accordance with the notice provisions contained in RMC 19.40.010.
9. There are existing power, water, sewer and stormwater facilities near the site, all of which have adequate capacity to serve the proposed development.
10. The proposed site is not impacted by the City's Critical Areas regulations or Shoreline Master Program.
11. City staff and other utility providers reviewed the project and have recommended specific conditions of approval as set forth in this report.
12. As conditioned, the project meets the criteria for the issuance of a School on a Small Site.
13. The proposed school on a small site conforms to the requirements of title 23 and 19 of the Richland Municipal Code.

### **CONDITIONS OF APPROVAL:**

1. The applicant shall obtain approval from the local health officer that the proposed development site presents no health problems. A comprehensive site assessment must be completed on the site and submitted to the Benton-Franklin Health District for review, along with the required applications. It must be demonstrated that the school is a size sufficient to provide for the health and safety of school enrollment.
2. The applicant shall conduct a noise assessment that measures noises from all sources during the hours that school is normally in session must be conducted, and results submitted to the Benton-Franklin Health District. Noise must not exceed an hourly average of 55 dBA (Leq 60 minutes) and shall not exceed an hourly maximum (Lmax) of 75 dBA during the time of day the school is in session; except sites exceeding these sound levels are acceptable if a plan for sound reduction is included in the new construction proposal and the plan for sound reduction is approved by the health officer.
3. The applicant shall apply for all necessary building permits and meet all relevant building code requirements.
4. The applicant shall direct users to the appropriate drop-off and pickup zones.
5. If drop off and pickup activities related to any school functions begin to affect traffic flow on Thayer Drive based on documented complaints received by the city, then the applicant shall contact the City of Richland Public Works Department to determine possible mitigation measures.

**APPEAL PROCEDURES:** This Permit is a Type II Permit action under RMC 19.20.010.B.9. RMC 19.70.010 explains that project permit applications shall be appealable as provided in the framework in RMC 19.20.030, which provides that Type II Permit decisions may be appealed to Superior Court. RMC 19.70.060, captioned "Judicial appeals", reads as follows:

*Except in the event of legal authority providing for a different appeal process, the city's final decision on an application may be appealed by a party of record with standing to file a land use petition in Benton County superior court. Such petition must be filed within 21 days of issuance of the decision, as provided in Chapter 36.70C RCW.*



Mike Stevens,  
Planning Manager

February 26, 2025  
Date