



## **NOTICE OF DECISION**

**PURSUANT TO RICHLAND MUNICIPAL CODE SECTION 19.60.080 NOTICE IS HEREBY GIVEN THAT THE CITY OF RICHLAND BOARD OF ADJUSTMENT, ON SEPTEMBER 19, 2019 CONSIDERED THE SPECIAL USE APPLICATION AND VARIANCE APPLICATION FILED BY MORGAN NEAL, OWNER OF TRI-CITIES EQUESTRIAN CENTER, LOCATED AT 1530 HALL ROAD AND APPROVED THE REQUESTS (CITY FILE NOS. SUP 2019-102 AND BA2019-102) SUBJECT TO THE CONDITIONS LISTED BELOW:**

**DESCRIPTION OF ACTION:** After-the-fact establishment of a public horse stable facility and after-the-fact zoning variance authorizing the construction of two (2) horse stalls and 11 hay barns/sheds within 75' of the site's northern property line.

**APPROVED.** The variance approval is subject to the following Findings of Fact and Conditions of Approval.

### **FINDINGS OF FACT**

1. Morgan Neal, owner of Tri-Cities Equestrian Center, LLC has applied for a Special Use Permit and a Zoning Variance in order to authorize the after-the-fact establishment of a public stable facility and to allow for after-the-fact construction of thirteen (13) 12' x 12' tack room/hay storage sheds within 75' of the side (North) property line at 1530 Hall Road, Richland, WA.
2. The subject property is located at 1530 Hall Road, Richland, WA and is described as Assessor's Parcel Number 104984000004000.
3. The subject property is approximately 7.9 acres in size and is trapezoidal in shape.
4. Richland Code Enforcement received a complaint regarding the Tri-Cities Equestrian Center on May 2, 2019. The complaint referenced the installation of additional horse pens and additional horse manure.
5. On June 10, 2019, Planning Manager, Mike Stevens, met with the owner of the facility at the site to discuss the complaint and to determine what approvals, if any, were needed from the Planning Department.
6. The City informed Mr. Neal that a Special Use Permit would be necessary to continue to use the site as a public horse boarding facility.
7. The City decided to "grandfather" the 14 horse stall structures and pens (and one shed) that were in existence along the northern property line in 2004, as the 75 foot building setback and 35 foot setback for any corrals, exercise yards/rings requirements were adopted in 2005.
8. Pursuant to RMC 19.20.040, Joint public hearings, the City has determined that the Board of Adjustment is the authorized review body for the Special Use Permit and Variance review proceedings.

9. The site is zoned Agriculture by the City's official zoning map and is designated as Agricultural by the City's Comprehensive Plan.
10. The site is not located within the jurisdiction of the City's Shoreline Master Program and does not contain any critical areas regulated by RMC 22.10.
11. All public notification requirements were met.
12. Five (5) comments from public agencies were received.
13. Two (2) public comments from citizens were received.
14. The Land Use Table contained within Section 23.14.030 indicates that Public Stables are allowed as a Special Use Permit within the Agricultural Zoning District provided they comply with the provisions of RMC 23.42.190, Public stables and riding academies.
15. Section RMC 23.46.040.C provides criteria for the Board of Adjustment to consider in the evaluation of a special use permit application.
16. The requirement for the granting of a variance are set forth in Richland Municipal Code (RMC) Sections 23.70.110, Applications and 23.70.140, Findings.
17. Establishment of the public stable facility, as conditioned, meets the requirements for a Special Use Permit.

**CONDITIONS OF APPROVAL:**

1. This Special Use Permit and Variance approves a total of 46 horse stall/pen areas. The public stable facility shall not be further expanded or substantially altered without written approval from the City of Richland Development Services Department (Planning Division).
2. The 13 sheds requested by the variance application shall be located as shown on the approved site plan/property survey.
3. The pasture areas located along the western and southern property lines shall be reconfigured to meet the 35 foot setback requirement by May 1, 2020.
4. All other existing horse stalls and tack room/hay storage sheds, with exception of the 14 "grandfathered" horse stalls (and one storage shed) and 13 tack room/hay storage sheds, shall be relocated to meet the 75 foot setback requirement by May 1, 2020.
5. For emergency vehicle access and maneuvering, an unobstructed driving aisle no less than 26 feet in width shall be provided from the entrance (NW property corner) across the center of the site and to the southern property line.
6. Manure bins shall be emptied at an adequate rate and the owner shall contact the City of Richland for additional pick-ups (as necessary) when manure bins become full.

7. The owner/applicant shall provide an as-built site plan to the Development Services Department (Planning Division) by July 1, 2020. The as-built site plan shall be survey accurate and demonstrate the compliance of all conditions of approval.

**DATE OF DECISION:** September 20, 2019  
**PROJECT LOCATION:** 1530 Hall Road

**APPEAL PROCEDURES:** Appeals of the Special Use Permit action may be made to the Richland City Council and appeals of the Variance may be made to Benton County Superior Court by any party of record. Said appeals shall be in accordance with the provisions of Richland Municipal Code (RMC) Sections 19.70.040, 19.70.060 and Revised Code of Washington (RCW) 36.70C. An appeal of the Special Use Permit must be filed within 10 business days following the issuance of this notice. An appeal of the Variance must be filed within 21 days of date of issuance of this notice. This notice is issued as of September 23, 2019.



Mike Stevens  
Planning Manager

Sept. 23, 2019  
Date