

1. CALL TO ORDER:

- a. Roll Call/Pledge of Allegiance

2. CONSENT AGENDA: All matters listed within the Consent Agenda have been distributed to each member of the Kennewick Planning Commission for reading and study. They are considered routine and will be enacted by the one motion of the Commission with no separate discussion. If separate discussion is desired, that item may be removed from the Consent Agenda and placed on the regular agenda by request.

- a. Approval of the Minutes dated December 2, 2019
- b. Approval of Agenda
- c. Motion to enter Staff Report(s) into Record

3. PUBLIC HEARING:

- a. Change of Zone (COZ) #19-07 proposing to change the zoning district for 5.53 acres located at 6230 Ridgeline Drive from Residential, Low Density (RL) to Residential, Medium (RM). Applicant and owner is KDS Development, Inc., 32814 SE 110th St., Issaquah, WA 98027.
- b. Zoning Ordinance Amendment (ZOA) #19-08 proposing to change the following Kennewick Municipal Code Sections: 17.04.940 – Advance Notice to Amend, 18.09.150 – Automobile Oriented Uses, 18.09.1610 – Public/Quasi Public Uses, 18.12.010B.1 – Table of Non-Residential Uses, 18.12.010B.2 – Table of Non-Residential Site Development Standards, 18.24.050 – Regulation by Sign Type, 18.36.060 – Specific Parking Requirements.

4. VISITORS NOT ON AGENDA:**5. OLD BUSINESS:**

- a. City Council Action Updates

6. NEW BUSINESS:**7. REPORTS, COMMENTS, OR DISCUSSION OF COMMISSIONERS AND STAFF:****8. ADJOURNMENT:**

**KENNEWICK PLANNING COMMISSION
DECEMBER 2, 2019
MEETING MINUTES**

CALL TO ORDER

Vice Chairman Morris called the meeting to order at 6:30 p.m.

Commissioner Rettig led the Pledge of Allegiance.

Recorder Melinda Didier called the roll and found the following:

Present: Commissioners Rob Rettig, Clark Stolle, Thomas Helgeson, Vice Chairman Morris.

Excused: Commissioner James Hempstead, Anthony Moore, Chairman Ed Pacheco (resigned).

Unexcused: None

Staff Present: Greg McCormick, AICP Planning Director; Anthony Muai, AICP Senior Planner; Melinda Didier, Community Planning Administrative Assistant/Recorder

CONSENT AGENDA

- a. Approval of Agenda
- b. Approval of the October 21, 2019 Meeting Minutes
- c. Motion to enter Staff Reports into the Record

Commissioner Helgeson moved to accept the consent agenda. Commissioner Stolle seconded the motion. The motion carried unanimously.

PUBLIC HEARINGS

Vice Chairman Morris opened the public hearing at 6:33 p.m. for Change of Zone (COZ) No. 19-04 proposing to change 0.27 acres from Residential, High Density (RH) to Public Facility (PF), located at 5801 W. Hildebrand Blvd., Kennewick, WA 99338. Applicant and owner is Kennewick School District, 5501 W. Metaline Avenue, Kennewick, WA 99336.

Mr. Muai gave a brief overview of the staff report, and presented a Power Point of the staff report; Staff recommends that the Planning Commission concur with the Findings and Conditions of the staff report COZ 19-04, and recommend to City Council approval of the request.

Planning Commission questions included: None

Testimony of Applicant/Applicant's Representative:

Brandon Potts
Kennewick School District
5501 W Metaline Ave
Kennewick 99336

Main reason for zone change is to move bus loop and will ease congestion for student drop off to the northwest corner.

Testimony in favor:

None

Testimony neutral or against:

None

Staff final comments: None

Public Testimony for COZ 19-04 closed at 6:38 p.m.

Vice Chairman Morris asked for a motion.

Commissioner Rettig moved to accept the Findings and Conditions in staff report COZ 19-04 and forward a recommendation to City Council APPROVAL of the request.

Commissioner Helgeson seconded the motion.

Planning Commission discussion included:

The motion passed unanimously.

Vice Chairman Morris opened the public hearing at 6:39 p.m. for Change of Zone (COZ) # 19-05 proposing to change 30.02 acres located at 3500 S. Vancouver Street from Residential, Suburban Density (RS) to Public Facility (PF). Applicant and owner is Kennewick School District, 5501 W. Metaline Avenue, Kennewick, WA 99336.

Mr. Muai gave a brief overview of the staff report, and presented a Power Point of the staff report; Staff recommends that the Planning Commission concur with the Findings and Conditions of the staff report COZ 19-05, and recommend to City Council approval of the request.

Planning Commission questions included: None

Testimony of Applicant:

Brandon Potts
Kennewick School District
5501 W. Metaline Ave
Kennewick WA 99336

The genesis for this was a parcel consolidation; the Horse Heaven Hills Middle School site was for a track storage building, was on property line, so had to move the track building; completed parcel combination and got the zoning in line.

Testimony in favor: None

Testimony neutral or against: None

Staff final comments: Commissioner Morris asked if during the comp plan process if the email comment was the only thing received from the public. Mr. Muai said yes.

Public Testimony for COZ 19-05 closed at 6:45 p.m.

Vice Chairman Morris asked for a motion.

Commissioner Rettig moved to concur with the findings and conclusions in staff report COZ 19-05 and forward a recommendation to City Council APPROVAL of the request.

Commissioner Stolle seconded the motion.

Planning Commission discussion included: None

The motion passed unanimously.

Vice Chairman Morris opened the public hearing at 6:46 p.m. for Change of Zone (COZ) # 19-06 proposing to change 4.48 acres located at 3605 S. Zintel Way from Commercial, Community (CC) to Residential, Medium (RM). Applicant is Knutzen Engineering, 5401 Ridgeline Dr., Kennewick, WA 99338. Owner is Circle One Properties, LLC, 18706 S. Clodfelter Rd., Kennewick, WA 99338.

Mr. Muai gave a brief overview of the staff report, and presented a Power Point of the staff report; Staff recommends that the Planning Commission concur with the Findings and Conditions of the staff report COZ 19-06, and recommend to City Council approval of the request.

Planning Commission questions included: None

Testimony of Applicant:

Nathan Machiela
Knutzen Engineering
5401 Ridgeline Dr.
Kennewick 99338

During the comp plan change process, the client had struggled with zone for mixed use on the property; residential best fit and use of property.

Testimony in favor: None

Testimony neutral or against: None

Staff final comments: None

Public Testimony for COZ 19-06 closed at 6:50 p.m.

Vice Chairman Morris asked for a motion.

Commissioner Rettig moved to concur with the findings and conclusions in staff report COZ 19-06 and forward a recommendation to City Council APPROVAL of the request.

Commissioner Helgeson seconded the motion.

Planning Commission discussion included: None

The motion passed unanimously.

VISITORS NOT ON AGENDA:

James Martin and Kimberley Tavertini Martin, 1112 W. 53rd Avenue, Kennewick, WA 99337, spoke about last year's Bofer Canyon Fire, with debris, tumbleweeds, etc., handed out pictures; needs help from public works and code enforcement, property owners from top of hill need to take on prevention of weeds growing; can't burn due to burn ban – it's dangerous, clearing takes hours and it fills up again; agreement for access when wind blows.

Mr. McCormick said Public Works Department is supposed to maintain the right-of-way, and Code Enforcement is supposed to alleviate the problem at the source; Planning side doesn't have any mechanisms to enforce.

Ms. Tavertini-Martin said it's partly a County issue, needs coordination to address between County and City; Mr. McCormick says it would involve County intervention as well, doesn't know what that would involve; the Fire Department doesn't do weed control, should be Public Works for the public right-of-way and Code Enforcement for the source.

Ms. Martin said an old timer said he used to call County and they would spray back there.

Clark Stolle asked what Ms. Martin did with them; use pitchfork and throws them in the street, a lot end up in Olympia Street; have elderly people that can't do the work, not a good situation.

OLD BUSINESS:

- a. **City Council Action Updates** – Urban Growth Area realignment; Mr. Muai and Mr. McCormick went before the Board in November and provided testimony, Planning recommended to Commissioners approval, hoping for positive outcome from Commissioners most likely will be appealed by Future Wise; Commissioner Stolle asked if boundary area is same, Mr. McCormick said no its smaller. Decision December 3rd.

Mr. McCormick announced that Chairman Pacheco resigned, had conflicts and job had changed, travelling more; Mr. McCormick will ask Jackie Aman to advertise Chairman Pacheco's position.

NEW BUSINESS:

None

REPORTS, COMMENTS, OR DISCUSSION OF COMMISSIONERS AND STAFF:

Code Enforcement issue has come up several times, and very difficult to get to the scene of the issues; can Planning Commission encourage any resources for Code Enforcement to be more proactive, can Planning Commission have any effect on that conversation. is there anything this group can do to make that process easier and be better equipped to patrol and take assessments. Mr. McCormick said the City's approach is complaint based, has been the general approach, if you are going to be active you need 3-4 more officers to be effective; two officers respond to 1500 nuisance calls per year.

ADJOURNMENT:

The meeting was adjourned at 7:15 p.m.



COMMUNITY PLANNING DEPARTMENT

STAFF REPORT AND RECOMMENDATION TO THE PLANNING COMMISSION

FILE NO: COZ 19-07/PLN-2019-03160

Report Date:	December 9, 2019
Hearing Date & Location:	December 16, 2019, Kennewick City Hall
Report Prepared By:	Anthony Muai, AICP Senior Planner
Report Reviewed By:	Gregory McCormick, AICP Planning Director
Summary Recommendation:	The City of Kennewick Planning Staff RECOMMENDS that Change of Zone 19-07 be APPROVED.
Summary of Proposal:	A Change of Zone from Residential, Low (RL) to Residential, Medium (RM) for 1 parcel of land 7.77 acres in size.
Proposal Location:	6230 Ridgeline Dr.
Legal Description:	Parcel No. 117891012221001 Lot 1, Short Plat No. 2221, according to the survey thereof recorded under Auditors's File No. 95-25046, records of Benton County, Washington
Property Owners:	KDS Development, LLC 32814 SE 110th St. Issaquah, WA 98027
Applicant:	KDS Development, LLC 32814 SE 110th St. Issaquah, WA 98027
Regulatory Controls:	Comprehensive Plan – Land Use KMC Title 4 – Administrative Procedures KMC Title 18 – Zoning Washington State Environmental Policy Act

COZ Key Application Processing Dates:

Pre-Application/Feasibility Meeting	N/A
Application Submittal	October 28, 2019
Determination of Completeness Issued	November 4, 2019
Notice of Application Posted	November 5, 2019
SEPA Determination (Adoption of DNS for CPA 19-04)	July 11, 2019
Date of Mailed Notice of Public Hearing	November 27, 2019
Property Posting Sign for Public Hearing	November 5, 2019
Date of Published Notice of Public Hearing	December 1, 2019

Exhibits:

1. Staff Report
2. Application/Supplemental Information
3. Maps
4. Environmental Determination 19-11
5. Affidavit of Mailing/Mailing List dated November 27, 2019

The site is adjacent to the following zoning districts:

North: Residential, Low (RL) (*proposed change to RM to Council on 12/17*)
 East: Residential, Low (RL) (*proposed change to RM to Council on 12/17*)
 South: Residential, Medium (RM)
 West: Residential, Medium (RM)

Applicable Goals and Policies of the Comprehensive Plan:

Residential Goal 3: Promote a variety of residential densities with a minimum density target of 3 units per acre as averaged throughout the urban area.
 Residential Policy 3.3: Residential Medium Density – Place areas that can support high-quality, compact, urban development with access to urban services, transit, and infrastructure, whether through new development or through infill.
 Residential Goal 4: Provide more housing opportunities near commercial, transit and employment.
 Residential Policy 4.2: Encourage residential development within commercial areas.

Kennewick Municipal Code Findings:

The following findings are required to be made in order to approve a change of zone:

KMC 18.51.070(2): Findings:

Findings Required. In order to amend the zoning map, the City Council must find that:

1. *The proposed amendment conforms with the comprehensive plan; and*

Staff Response: This site is designated Medium Density Residential in the City's comprehensive plan. The Residential, Medium (RM) zone is an implementing zone of the Medium Density Residential land use designation.

2. *Promotes the public necessity, convenience and general welfare; and*

Staff Response: The applicant states that the proposal promotes the public necessity, convenience and general welfare because it conforms to the comprehensive plan land. (Exhibit 2) The proposal implements goals and policies of the comprehensive plan, specifically Residential Goals 3 and 4 and Residential Policies 3.3 and 4.2.

3. *The proposed amendment does not impose a burden upon public facilities beyond their capacity to serve or reduce such services to lands, which are deemed unacceptable by the City; and*

Staff Response: The proposal will not impose a burden upon public facilities beyond their capacity to serve, nor will it reduce service to the service area below the City's established levels of service.

4. *The proposed amendment is consistent with all applicable provisions of the Kennewick Municipal Code, including those adopted by reference from the Comprehensive Plan; and*

Staff Response: The proposed amendment is consistent with the applicable provisions of the Kennewick Municipal Code and the Comprehensive Plan. The RM zone implements the Comprehensive Plan's Medium Density Residential land use designation.

5. *Single Family Residential zoned properties only; Property is adjacent and contiguous (which shall include corner touches and property located across a public right-of-way) to property of the same proposed zoning classification or higher zoning classification.*

Staff Response: Not applicable to the proposed change of zone.

Staff Analysis of Proposal & Discussion:

The proposed Change of Zone (COZ 19-07) is a request to change the zone of 1 parcel of land, approximately 7.77 acres in size located at 6230 Ridgeline Dr., from Residential, Low (RL) to Residential, Medium (RM). The applicant has requested the change of zone in order to implement a recently approved Comprehensive Plan Amendment (CPA 19-04) that changed the land use designation from Low Density Residential to Medium Density Residential.

The Comprehensive Plan Land Use Designation for the subject property is Medium Density Residential. Pursuant to Table 1 of the Comprehensive Plan, the RM zone is an implementing zoning district of the Medium Density Residential Land Use Designation.

Per KMC 18.03.040(3), "The purpose of the RM district is to establish areas for medium density single and multiple-family residential buildings and to establish regulations for their development. The district is for more intensive residential use where necessary or desirable to achieve good neighborhood design and stabilize land use."

This proposal will implement the existing Medium Density Residential land use designation as well as promote the goals and policies of the comprehensive plan.

KMC 18.51.070(2) requires findings be made to support a change in zoning. The appropriate findings have been made to support this proposed rezoning.

Findings:

1. The applicant is KDS Development, LLC, (32814 SE 110th St., Issaquah, WA 98027).

2. The property owner is KDS Development, LLC (32814 SE 110th St., Issaquah, WA 98027).
3. The proposed change of zone is for parcel number 117891012221001 (6230 Ridgeline Dr.).
4. The request is to change the zoning from Residential, Low (RL) to Residential, Medium (RM).
5. The City's Comprehensive Plan Land Use Designation for the subject property is Medium Density Residential.
6. The Residential, Medium (RM) zoning district is an implementing zone of the Medium Density Residential Comprehensive Plan Land Use Map designation.
7. The application was submitted on October 28, 2019 and declared complete for processing on November 4, 2019.
8. The application was routed for review to City Departments and outside agencies for comment on November 4, 2019.
9. Access to the site is currently provided from Ridgeline Dr.
10. The City of Kennewick Critical Area maps indicate that there are no critical areas on the site.
11. A Determination of Non-Significance issued for CPA 19-04/PLN-2019-00980 was adopted for this proposal on July 11, 2019.
12. The Property Posting sign for the public hearing was posted on site November 5, 2019.
13. Notice of the public hearing for this application was published in the Tri-City Herald on December 1, 2019. Notices were mailed to property owners within 300 feet of the site on November 27, 2019.
14. The proposed amendment conforms to the comprehensive plan.
15. The proposed amendment promotes the public necessity, convenience and general welfare.
16. The proposed amendment does not impose a burden upon public facilities beyond their capacity to serve or reduce such services to lands, which are deemed unacceptable by the City.
17. The proposed amendment is consistent with all applicable provisions of the Kennewick Municipal Code, including those adopted by reference from the Comprehensive Plan.

Conclusions:

1. Approval will implement the Medium Density Residential land use designation of the City of Kennewick Comprehensive Plan.
2. Approval promotes the public necessity, convenience and general welfare by implementing the Comprehensive Plan.
3. Approval of the proposal will not impose a burden upon public facilities beyond their capacity to serve, nor will it reduce service to the service area below the City's established levels of service.
4. The proposed amendment is consistent with the applicable provisions of the Kennewick Municipal Code and the Comprehensive Plan. The RM zone implements the Comprehensive Plan's Medium Density Residential land use designation.

Recommendation:

Staff has reviewed the application and recommends that the Planning Commission concur with the findings and conclusions contained in staff report COZ 19-07 and recommend APPROVAL to City Council.

Motion:

I move that the Planning Commission concur with the findings and conclusions in staff report COZ 19-07 and recommend APPROVAL to City Council approval of the request.

**CITY OF KENNEWICK
COMMUNITY PLANNING & DEVELOPMENT SERVICES
APPLICATION (general form)**

PROJECT # 002-19-07 PLN-2019-03160 FEE \$ 1,063.⁰⁰

Please completely fill out this form and return it to Community Planning & Development Services, PO Box 6108, Kennewick, WA 99336, along with the application fee (see fee schedule). Attach a copy of the checklist for the land use application you are submitting. The application submittal must contain all of the information requested on the checklist in order to be processed. **Incomplete applications will not be accepted.**

Check one of the following for the type of application you are submitting:

Site Plan Tier 1 ☐ Tier 2 ☐ Tier 3 ☐ Binding Site Plan ☐
Short Plat ☐ Conditional Use ☐ Other Zone Change

Environmental Determination PLN-2019-00981 Pre Application Meeting PLN-____-____

Applicant: KDS Development, Inc.

Address: 32814 SE 110th St. Issaquah WA 98027

Telephone: 206-948-4455 Cell Phone: _____ Fax: _____ E-mail: _____

Property Owner (if other than applicant): KDS Development Inc. (Dan Swanson)

Address: Same

Telephone: _____ Cell Phone: _____ E-mail: _____

SITE INFORMATION

Parcel No. 117891012221001 Acres 5.526 Zoning: RL

Address of property: 6230 Ridgeline Rd.

Number of Existing Parking Spaces _____ Number of Proposed (New) Parking Spaces _____

Present use of property Vacant

Size of existing structure: _____ sq. ft. Size of Proposed addition/New structure: _____ sq. ft.

Height of building: _____ Cubic feet of excavation: _____ Cost of new construction _____

Benton County Assessor Market Improvement Value: \$266,540

Description of Project: Change Zone to RM to be consistant with Comp Plan

I, the undersigned, do hereby certify that, to the best of my knowledge, the information provided above is true and correct.

Applicant's Signature

Date: 10-28-19

Signature of owner or owner's authorized representative

Change-of-Zone Supplemental Information

The following questions will be reviewed by both the Planning Commission and City Council as a means of assisting in their consideration of change-of-zone requests. Use additional pages if necessary.

1. Does the public necessity, convenience, and general welfare require the adoption of the proposed amendment? Please explain:

Yes. The request conforms with the current comp plan and promotes the public necessity and convenience and general welfare, which is the intent of the rezone.

2. Are there sites presently available on the market which are correctly zoned for the proposed use? Are these sites within a 1/2 mile of the proposed site? Within 1 mile of the proposed site? If yes, please indicate the general location of the site(s) and the reasons why these sites are not proposed to be utilized:

Yes, there are parcels we investigated in the area that are either not for sale or cost prohibited.

3. Is the proposed amendment consistent with the existing land use pattern in the area? Please explain

Yes, several parcels in the immediate area are currently zoned the same zone as requesting, medium residential.

4. Are the existing uses, in the area, in conformance with the area's zoning classification? If no, please explain the differences:

Yes.

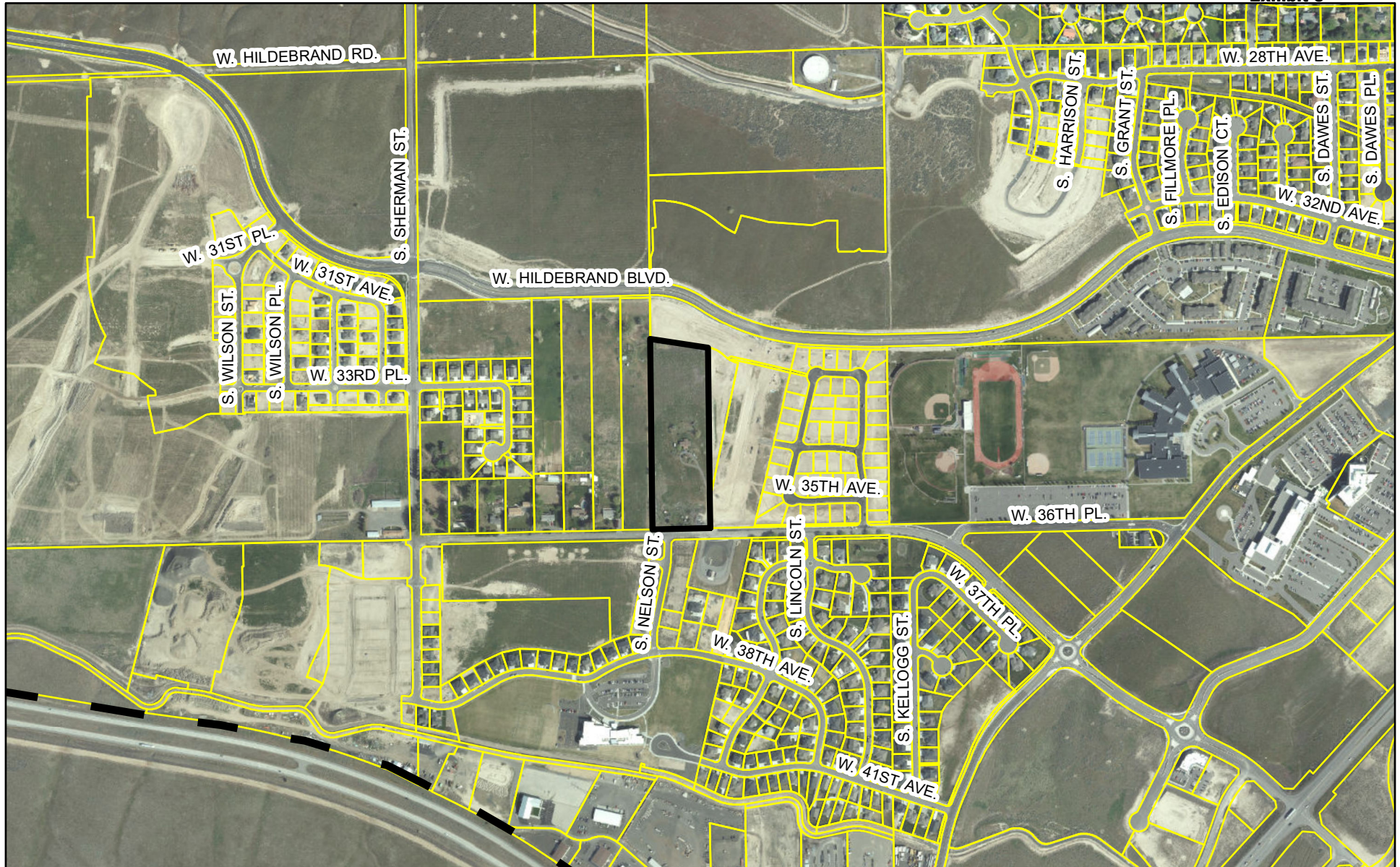
5. Will the proposed amendment create an isolated district, or introduce a more intense land use to the area? Please explain.

No, the parcel to the west is the same zoning as requested.

6. Does the existing zoning prohibit reasonable use of the property? Please explain.

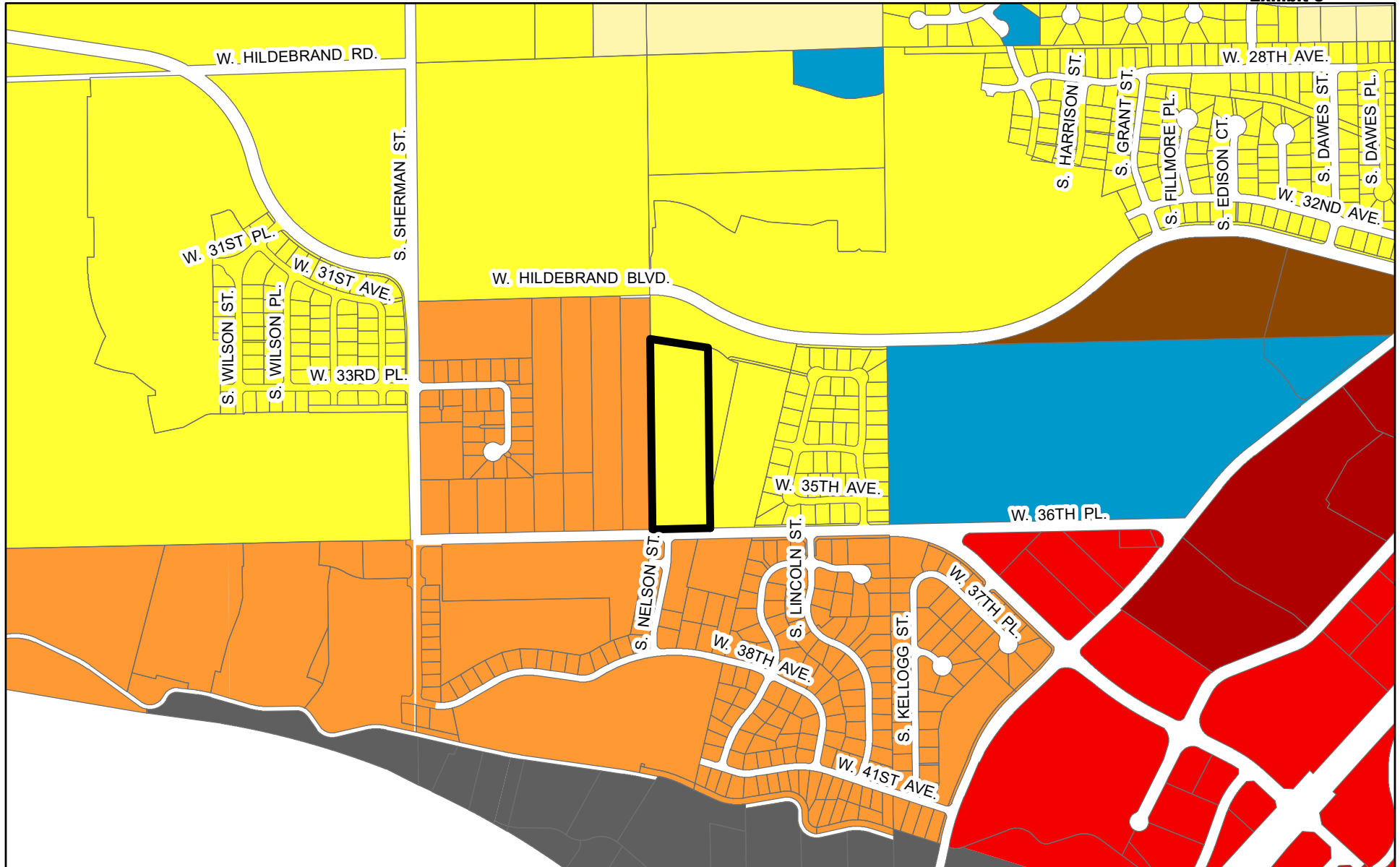
No, request is to meet current Comp Plan.

7. Will any residential character, in the immediate area, be adversely affected by the proposed amendment? If yes or maybe, please explain:
No.
8. Will property values in the vicinity be changed by the proposed amendment? If yes or maybe, please explain:
No, this requested zoning is already in the immediate area.
9. Will approval of the proposed amendment set a precedent for other similar proposals or uses? Will this deter the use, improvement or development of adjacent property in accordance with the existing Zoning Districts? Please explain:
No, the precedent is set by immediate property to the west.
10. Will the proposed amendment encourage more private investments which will be beneficial to the redevelopment of a deteriorated area? Please explain:
No, this area is not deteriorated.
11. Will the proposed amendment combat any economic segregation and allow greater choice in the market? Please explain.
Yes, this request will create an affordable product.
12. Will the proposed amendment create conflict between potential land uses and transportation patterns? Or safety concerns? Please explain:
No, we will be installing infrastructure that will improve transportation and safety within the area.

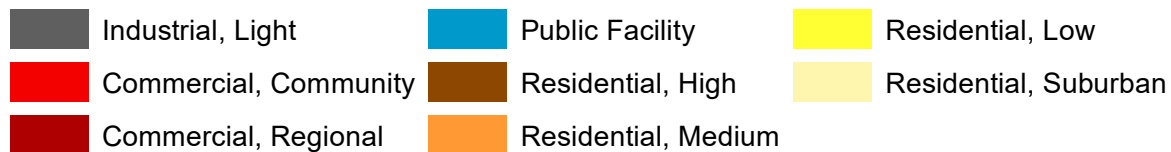


COZ 19-07/PLN-2019-03160 KDS Development
Residential, Low (RL) to Residential, Medium (RM)
6230 Ridgeline Dr.





COZ 19-07/PLN-2019-03160 KDS Development, LLC





**CITY OF KENNEWICK
DETERMINATION OF NON-SIGNIFICANCE**

FILE/PROJECT NUMBER: PLN-2019-00980, CPA 19-04

DESCRIPTION OF PROPOSAL: A comprehensive plan amendment from Residential, Low to Residential, Medium.

PROPOSER: KDS Development (Dan Swanson)

LOCATION OF PROPOSAL, INCLUDING STREET ADDRESS, IF ANY: 6230 Ridgeline Drive.

LEAD AGENCY: City of Kennewick

DETERMINATION: The City of Kennewick has determined that this proposal does not have a probable significant adverse impact on the environment. An Environmental Impact Statement (EIS) will not be 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 City. This information is available to the public on request. Application for other required permits may require further review under SEPA procedures.

☒ There is no comment period for this DNS.

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

☐ This DNS is issued under 197-11-340(2); the City will not act on this proposal for fifteen days from the date below. Comments must be submitted by _____. After the review period has elapsed, all comments received will be evaluated and the DNS will be retained, modified, or withdrawn as required by SEPA regulations.

RESPONSIBLE OFFICIAL: Gregory McCormick, AICP

POSITION/TITLE: Community Planning Director

ADDRESS: 210 W 6th Ave., P.O. Box 6108, Kennewick, WA 99336

PHONE: (509) 585-4463

☐ Changes, modifications and /or additions to the checklist have been made on the attached Environmental Checklist Review.

This DNS is subject to the attached conditions:

☒ No conditions.

☐ See attached condition(s).

Date: July 11, 2019

Signature: _____

Appeal: An appeal of this determination must be submitted to the Community Planning Department within fourteen (14) calendar days after the date issued. This appeal must be written and make specific factual objections to the City's threshold determination. Appeals shall be conducted in conformance with Section 4.12.090(9) of the Kennewick Municipal Code and the required fees pursuant to the City's adopted Fee Schedule shall be paid at time of appeal submittal.

Copies of this DNS were mailed to:

- Dept. of Ecology
- WA Dept of Fish & Wildlife
- WSDOT
- Yakama Nation
- CTUIR
- Project File



NOTIFICATION OF MAILING

I, Melinda Didier, on 11/27, 2019
Mailed 5 copies of NOPH & map
for COZ 19-07
to property owners w/in 300'

as shown on the attached list.

Melinda Didier
Signature

COZ 19-07 / PLN-2019-03160
6230 RIDGELINE RD
RL TO RM
KDS DEVELOPMENT INC

**KENNEWICK PLANNING
COMMISSION NOTICE OF PUBLIC
HEARING**

December 16, 2019 6:30 p.m.

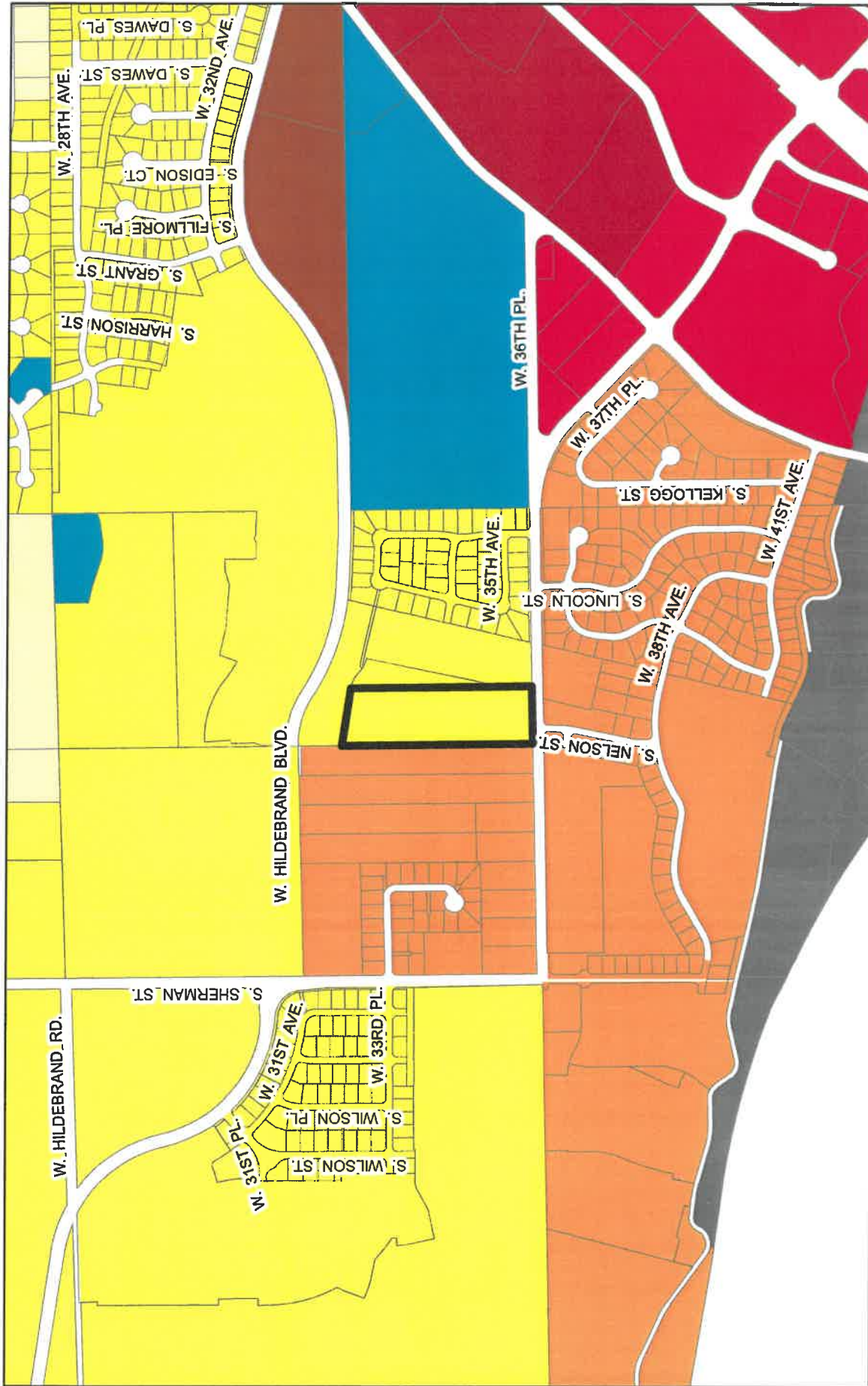
The Kennewick Planning Commission will hold a Public Hearing on December 16, 2019, at City Hall Council Chambers, 210 West 6th Avenue, at 6:30 p.m. or as soon as possible thereafter, to receive public comment on a proposed amendment to the Zoning Map. Staff will be presenting their analysis and the Planning Commission will make a recommendation to the City Council on the item.

Proposal – COZ 19-07/PLN-2019-03160 – Proposes to change the zoning of 5.53 acres from Residential, Low (RL) to Residential, Medium (RM). The site is located at 6230 Ridgeline Dr.

Proponent – KDS Development, LLC

Comment Period – Written comments may be submitted via email to Anthony Muai at amuai@ci.kennewick.wa.us. Comments may also be mailed to 210 W. 6th Ave., Kennewick, WA 99336 on or before the hearing date or presented at the hearing.

The City of Kennewick welcomes full participation in public meetings by all citizens. No qualified individual with a disability shall be excluded or denied the benefit of participating in such meetings. If you wish to use auxiliary aids or require assistance to comment at this public meeting, please contact Melinda Didier at (509) 585-4275 or TDD (509) 585- 4425 or through the Washington Relay Service Center TTY at #711 at least ten days prior to the date of the meeting to make arrangements for special needs.



COZ 19-07/PLN-2019-03160 KDS Development, LLC

	Industrial, Light		Public Facility		Residential, Low
	Commercial, Community		Residential, High		Residential, Suburban
	Commercial, Regional		Residential, Medium		

37
City of Kennewick
PO Box 6108
Kennewick WA 99338

37
Tri cities Development LLC
8205 N. Division
Spokane WA 99208

37 **DUP**
William Smith
15 SW Colorado, Ste 1
Bend OR 97702

37
Darrell Stocker
85026 Summit View Drive
Kennewick WA 99338

37
William Smith
15 SW Colorado, Ste 1
Bend OR 97702

37
KDS DEVELOPMENT INC
32814 SE 110TH ST
ISSAQUAH WA 98027

37
Southridge Village LLC
2816 W. 27th Ave
Kennewick WA 99337

37 **DUP**
Tri cities Development LLC
8205 N. Division
Spokane WA 99208

COZ 19-07 / PLN-2019-03160
6230 RIDGELINE RD
RL TO RM
KDS DEVELOPMENT INC



COMMUNITY PLANNING DEPARTMENT

STAFF REPORT AND RECOMMENDATION TO
THE PLANNING COMMISSION

FILE No: ZOA 19-08/AMD-2019-03050

Public Hearing Date: December 16, 2019

Proposal: Proposes to amend the following Kennewick Municipal Code Sections: 17.04.940 - Advance Notice to Amend, 18.09.150 - Automobile Oriented Uses, 18.09.1610 - Public/Quasi Public Uses, 18.12.010 B.1 - Table of Non-Residential Uses, 18.12.010 B.2 - Table of Non-Residential Site Development Standards, 18.24.050 - Regulation by Sign Type, 18.36.060 - Specific Parking Requirements.

Applicant: City of Kennewick – Community Planning Department

Staff Contact: Steve Donovan, Planner

Background:

Staff has maintained a list of code revisions either as directed by City Council or areas of the code staff has identified during the course of administering the code that are either outdated, inconsistent or are incorrect. Additionally, in some cases changes to Washington State law require changes to local zoning laws. The list of code revisions have been “batched” together in a series of code amendments that may or may not share some relationship(s) in order to make the code revision process more efficient.

The City of Kennewick has proposed the below amendments to various sections of the Kennewick Municipal Code (KMC) which will affect the following:

- Hearings for subdivisions.
- Specific Definitions
- Table of Non-Residential Uses.
- Table of Non-Residential Site Development Standards
- Sign Code
- Specific Parking Requirements

The City was granted Expedited Review for the proposed amendments by the Department of Commerce on November 4th.

Discussion and Analysis:

KMC Section 17.04.940 - Advance Notice to Amend

The proposed amendment will eliminate the requirement of a pre-decision meeting and replace it with a public hearing.

Staff is unaware why a pre-decision meeting would be held instead of a public hearing.

KMC Section 18.09.150 - Automobile Oriented Uses

Staff has proposed amending the definition to describe light vehicle maintenance instead of service oriented uses such as coffee stands and drive-thru restaurants.

It is staff's opinion that the code already has sufficient definitions of retail services in the municipal code.

KMC Section 18.09.1610 - Public/Quasi Public Uses

Staff has proposed adding churches to the definition of Public/Quasi Public Uses due to the fact that churches are open to the majority of the general public.

KMC Section 18.12.010 B.1- Table of Non-Residential Uses

Staff proposed removing public parks from the table because parks are listed as a use in the Public/Quasi Public Uses definition. Public/Quasi Public Uses are allowed in all zones via the conditional use permit process.

KMC Section 18.12.010 B.2 - Table of Non-Residential Site Development Standards

Staff has proposed changes to the table in order to provide clarification and ensure that the proper footnotes are cited.

KMC Section 18.24.050(12)(b) - Regulation by Sign Type

Staff has removed the specific reference to a school facility and changed the reference to a non-specific facility.

KMC Section 18.36.060 - Specific Parking Requirements

Staff has proposed Office, professional and general with drive-thru window services as a new use and its required parking specifications.

Regulatory Controls and Policies

- Kennewick Municipal Code Chapters 17.04, 18.09, 18.12, 18.24 and 18.36
- Kennewick Comprehensive Plan

Findings of Fact:

1. The applicant is City of Kennewick, Community Planning Department, 210 W 6th Avenue, Kennewick, WA 99336.
2. The processing of the proposed amendments was started on October 18, 2019.
3. The City fulfilled the State Environmental Policy Act requirements by issuing a Determination of Non-significance (DNS) on November 8, 2019.
4. Notice of the proposed code revision (expedited review request) was sent to the Washington State Department of Commerce on October 21, 2019 consistent with the requirements of RCW 36.70A.106.
5. The City received confirmation of expedited review and notice that the City has met the Growth Management Act notice to state agency requirements from the Washington State Department of Commerce on November 4, 2019.

Conclusions of Law:

1. The proposed amendments will promote the public health, safety, and general welfare by allowing additional access options.
2. The proposed amendments do not conflict with the goals and policies of the Comprehensive Plan.

Staff Recommendation:

Based on the above analysis of this request, staff recommends the Planning Commission forward a recommendation of APPROVAL to City Council for the following motion.

Motion:

I move that the Planning Commission concur with the findings and conclusions in the staff report ZOA 19-08 and recommend to City Council approval of the request to changes to KMC Sections 17.04.940, 18.09.150, 18.09.1610, 18.12.010 B.1, 18.12.010 B.2, 18.24.050 (12)(b), 18.36.060.

Exhibits:

1. Staff Report
2. Proposed Amendments
3. Environmental Determination of Non-significance ED 19-35.

Nonresidential Uses	RS	RL	RM	RH	RMH	RTP	UMU	CN	CO	CBD	CC	CR	CAR	CG	CM	HMU	BP	IP	LI	HJ	FP	OS	
Plumbing shops and yards																	I				I	I	
Printing, publishing and reproduction establishments														I	I	I	I	I		I			
Private gymnasiums, fitness centers, dance studios, body building, and martial arts, etc.														I	I	I	I	I		I			
Public Parks (See Title 18.12.160)														I		I							
Public/quasi public facilities and services												I	I	I	I	I	I	I	I	I	I	I	I
Radio, television and small electronics repair and service														I	I	I	I	I					
Radio, television broadcasting stations (excluding antenna)														I		I	I	I					
Rapid Charging Station		I	I	I	I							I	I	I	I	I	I	I	I	I	I	I	I
Vehicle sales, incidental repair and service																I	I	I					

18.12.010 B.2: - Table of Non-Residential Site Development Standards

Table of Commercial/Industrial Standards	Maximum District Size	Maximum Parcel Size Minimum District Size	Yards	Maximum Building Height	Maximum Lot Coverage	Outdoor Storage
UMU - Urban Mixed-Use District	None	40 acres	See KMC 18.80	None	None	None
CN - Commercial Neighborhood District	5 Acres	None	See (1) Below	45'	None	See (2) Below
CO - Commercial Office District	None	None	See (3) Below	None	None	See (4) Below
CBD - Commercial Central Business District	None	None	See (16) Below	None	None	None
CC - Commercial Community District	None	None	See (3) Below	None	None	See (4) Below
CR - Commercial Regional District	None	None	See (3), (15) Below	None	None	See (4) Below
CAR - Commercial Auto Row District	See (17) Below None	20 acres	See (17) Below	None	None	See (18 <u>17</u>) Below
CG - Commercial General District	None	None	See (3) Below	None	None	See (4) Below
CM - Commercial Marina District	None	None	See (3) Below	See (14) Below	None	None
HMU - Historic, Mixed-Use District			See (5) Below	35'	See (5.a) Below	None
BP - Business Park District	5 Acres None	None 5 Acres	See (6) Below	35'	50%	None
IP - Industrial Park District	20 Acres None	None 20 Acres	See (7) Below	None	None	See (8) Below
IL - Industrial, Light District	None	None	See (9) Below	None	None	See (10) Below
IH - Industrial, Heavy District	None	None	See (9) Below	None	None	See (10) Below
JF - Justice Facilities	None	None	See (11) Below	85'	None	None
PF - Public Facilities District	None	None	See (12) Below	None	None	See (13) Below
OS - Open Space District	None	None	See (12) Below	None	None	See (13) Below

NOTE: *Additional site design and building standards may be included in the *City of Kennewick Commercial Design Standards manual*

FOOTNOTES for Table 18.12.010 B-2 Non-Residential Standards Table:

(17) Commercial, Auto Row District:

(a) Yards:

- (i) Front: 25 feet;
- (ii) Side: None, unless abutting an R district, then ten feet;
- (iii) Rear: None, unless abutting an R district, then ten feet.

- (b) All service, processing and storage areas abutting any R district at ground floor level or within 20 feet or visible from a street, must be within a completely enclosed building or screened from view by a permanently maintained, sight-obscuring fence at least six feet high. Except for vehicles, no storage shall extend above the fence.

18.24.050: - Regulation by Sign Type.

- (12) Public and Quasi-Public Uses in Residential Zoning Districts: Public and Quasi-Public Uses located in any Residential zoning district shall be allowed the following signs:

- (a) One freestanding sign per public street frontage that does not exceed 16 feet in height and a maximum of 40 square feet in area; and
- (b) One wall sign per street facing building façade that does not exceed 50 square feet in size. Each ~~school~~ facility is permitted one electronic message center that can either be incorporated into an allowed freestanding or wall-mounted sign.

18.36.060: - Specific Parking Requirements.

Except for the CBD zoning district, off-street parking is as follows for the uses indicated in the following table:

Uses	Required Parking
Motor vehicle parts sales/service	1 per 300 square feet
Museum, libraries	1 per 800 gross square feet
Office, professional and general	1 per 250 gross square feet
<u>Office, professional and general with drive-thru window service</u>	<u>3 staking stall spaces plus 1 per 250 gross square feet</u>
Post office, postal center	1 per 200 gross square feet of floor area plus 1 employee
Print shop	1 per 400 gross square feet
Racetrack	1 per each 4 fixed seats
Recreational vehicle park/campground	1 per RV park/campsite
Recreational vehicle sales and service	1 per 3,000 gross square feet of display area
Restaurant	1 per 4 seats, except when located in a shopping center
Restaurants with drive-in facilities	1 for each auto serving space plus 1 for every 4 seats outside the vehicle



CITY OF KENNEWICK DETERMINATION OF NON-SIGNIFICANCE

FILE/PROJECT NUMBER: ZOA 19-08/AMD-2019-03050/ED 19-35/PLN-2019-03051

DESCRIPTION OF PROPOSAL: The proposal is a Zoning Ordinance Amendment to the Kennewick Municipal Code Sections KMC 17.04.940 - Advance Notice to Amend, 18.09.150 - Automobile Oriented Uses, 18.09.1610 - Public/Quasi Public Uses, 18.12.010 B.1 - Table of Non-Residential Uses, 18.12.010 B.2 - Table of Non-Residential Site Development Standards, 18.24.050 - Regulation by Sign Type, 18.36.060 - Specific Parking Requirements 18.12.270(4).

PROPONENT: City of Kennewick, Community Planning, 210 W 6th Avenue, Kennewick, WA 99336

LOCATION OF PROPOSAL, INCLUDING STREET ADDRESS, IF ANY: Not a site specific proposal.

LEAD AGENCY: City of Kennewick

DETERMINATION: The City of Kennewick has determined that this proposal does not have a probable significant adverse impact on the environment. An Environmental Impact Statement (EIS) will not be 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 City. This information is available to the public on request. Application for other required permits may require further review under SEPA procedures.

- ☒ There is no comment period for this DNS.
- ☐ This DNS is issued after using the optional DNS process in WAC 197-11-355. There is no further comment period on the DNS.
- ☐ This DNS is issued under 197-11-340(2); the City will not act on this proposal for fifteen days from the date below. Comments must be submitted by _____. After the review period has elapsed, all comments received will be evaluated and the DNS will be retained, modified, or withdrawn as required by SEPA regulations.

RESPONSIBLE OFFICIAL: Gregory McCormick, AICP

POSITION/TITLE: Community Planning Director

ADDRESS: 210 W 6th Ave., P.O. Box 6108, Kennewick, WA 99336

PHONE: (509) 585-4463

☐ Changes, modifications and/or additions to the checklist have been made on the attached Environmental Checklist Review.

This DNS is subject to the attached conditions:

- ☒ No conditions.
- ☐ See attached condition(s).

Date: **November 8, 2019** Signature: _____

Appeal: An appeal of this determination must be submitted to the Community Planning Department within fourteen (14) calendar days after the date issued. This appeal must be written and make specific factual objections to the City's threshold determination. Appeals shall be conducted in conformance with Section 4.12.090(9) of the Kennewick Municipal Code and the required fees pursuant to the City's adopted Fee Schedule shall be paid at time of appeal submittal.

Copies of this DNS were mailed to:

Dept. of Ecology
WA Dept. of Fish & Wildlife
WSDOT
Yakama Nation
CTUIR
ZOA 19-08 File