



04/20/2015

PLANNING COMMISSION AGENDA

7:00 p.m.

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 March 2, 2015
- b. Approval of Agenda
- c. Motion to enter Staff Report(s) into Record

3. **PUBLIC HEARING:**

- a. Zoning Ordinance Amendment (ZOA) #15-01 reducing minimum lot width requirement in Residential, Medium (RM) zoning district.

4. **VISITORS NOT ON AGENDA:**

5. **OLD BUSINESS:**

6. **NEW BUSINESS:**

7. **REPORTS, COMMENTS, OR DISCUSSION OF COMMISSIONERS AND STAFF:**

8. **ADJOURNMENT:**

**KENNEWICK PLANNING COMMISSION
MARCH 2, 2015
MEETING MINUTES**

CALL TO ORDER

Chairman Ruff called the meeting to order at 7:00 p.m.

Recorder Melinda Didier called the roll and found the following:

Present: Commissioners Bobbie Littrell, Fraser Hawley, Raymond Hui, Victor Morris, Anthony Moore, Vice Chairman Eduardo Pacheco, and Chairman Ruff.

Excused: None

Unexcused: None

Ms. Littrell led the Pledge of Allegiance.

Staff: Gregory McCormick, AICP Planning Director, Anthony Muai, AICP Planner and Melinda Didier, Administrative Assistant/Recorder.

CONSENT AGENDA

- a. Approval of Minutes dated December 15, 2014
- b. Approval of Amended Agenda
- c. Motion to enter Staff Reports into the Record

Commissioner Morris moved to accept the consent agenda. Vice Chairman Pacheco seconded the motion. The motion carried unanimously.

PUBLIC HEARINGS

Chairman Ruff read the procedures for public hearing testimony. Chairman Ruff asked to address each of the five sections of the proposed hillside regulations separately, beginning with retaining walls.

Chairman Ruff then opened the public hearing at 7:02 p.m. for Zoning Ordinance Amendment (ZOA) #14-04, which proposes hillside development regulations.

Mr. Muai entered 2 recent Exhibits into record tonight: Exhibits A-11, A-12; an additional Exhibit A-13 is a letter from Jeff Losey with the Home Builders that will be entered into record tonight with his testimony; there is a correction to addendum to staff report it should be ZOA 14-04 instead of ZOA 14-02. Mr. Muai gave an overview of the staff report including background; in 2014 council directed staff to review housing standards for hillside development, and come back to them with options; starting out of order with manmade slopes. Chairman Ruff asked to skip to retaining walls, since that is the one area staff has recommendations.

RETAINING WALLS: Mr. Muai said recommended current max height of terraced walls is 5 feet; it is recommended not mandatory. Staff reviewed other jurisdictions and read recommendations. Retaining walls over 4 feet need engineering; abutting sidewalk width

increased to seven feet; landscaping on all terraces under 7 feet in height; changes contained in addendum to staff report. He also covered slope stability, heights, sidewalk widths when abutting retaining walls, and design considerations. Mr. Muai stated staff has conducted an analysis of the proposals for retaining walls and staff recommends the Planning Commission concur with the findings contained in the addendum to the staff report ZOA #14-04, and forward a recommendation of APPROVAL to the City Council.

Questions of staff:

Vice Chairman Pacheco asked if a geo tech report is required in current code.
Mr. Muai said yes. Vice-Chair Pacheco asked about any problems with walls failing.
Mr. Muai said no, not currently that he was aware of.

Commissioner Hui asked if any properties now not compliance. Mr. Muai said none that he can think of, but yes probably some. The existing non-conforming grandfathered. Commissioner Hui asked what triggered this is it structural or aesthetics. Mr. Muai said aesthetics. Commissioner Hui asked what triggered this. Mr. Muai said there was a proposal for 20 foot retaining walls, but none now. Walls in excess of 10 feet are there that wouldn't meet. Commissioner Hui asked going forward focus for new development or existing. Mr. Muai said new development and any changes to existing non-conforming. Commissioner Morris asked how long the existing regs have been in place. Mr. Muai stated Council adopted with design standards in 2005. Commissioner Morris asked if was there one before that. Mr. Muai said no. Commissioner Morris asked if this was prompted by more slope development now. Mr. Muai said yes, directed by council.

Testimony in favor of request:

Ed Frost
609 W. Albany Ave
Kennewick

Commend council and staff for looking at hillside and excellent that they provide options and a framework for more standards. Don't see anything that protects our ridgelines; we see ridgelines instead of buildings; look at lot size etc., advertised in legal notice in the newspaper not up to standards for City; do better notifying public for such important issue.

Testimony either neutral or against request:

Jeff Losey, HBA
10001 W. Clearwater Ave
Kennewick

Met with HBA and developers about the hillside regs; appreciate attempt but with what is already being done hillsides are covered vis-a-vis engineering, so HBA can't support due to aesthetic nature; re Canyon Lakes etc. Has staff considered budget for City for roads, etc.

Terri Hash
2706 Timberline Dr
West Richland

Our landscaping at our development satisfies code and when developing hillside only so much space; these regs would have killed our project. Mostly slopes left in south Kennewick; costly for city, developers, the end result to consumer; adamantly against – taking of land, etc. Commissioner Hui asked is land grandfathered. Ms. Hash said 400 acres. Commissioner Hui asked what concerns would have killed Southcliffe. Ms. Hash said the height and types of materials used for retaining walls. Commissioner Hui asked for a ballpark figure for the extra costs. Ms. Hash said hundreds of thousands.

Steve Mallory
5822 W Yellowstone
Kennewick

Local architect, in favor of, retaining walls new regs are well designed, have built in Seattle, where land left is sloped. Reasonable to have low walls; one issue on sidewalks is retaining walls only feasible to put sidewalk tight to the street, last year changed to alternative versus approved option.

Ken Poletski
Tri-Cities Association of Realtors
42303 E Carlsbad Ct

750 members of association; biggest concern affordability; regulated or constricted adds to costs; setbacks limit etc., want everyone to afford a home; builders will hop around to less restricted areas. Cosmetic only leave to professional builders/engineers; for city to go outside for aesthetics will affect affordability. Commissioner Hui said he agrees with points; real, serious. He asked if the TCAR has compared to Pasco, Richland slope requirements. Mr. Poletski said no. Commissioner Hui asked if the new regs would cause developers to gravitate to other cities. Mr. Poletski said yes.

Kerry Watts
68 Canyon St

If not able to develop property to density creates urban sprawl, pushes out, utilities, road, extra response time for emergency. Need people closer together to enjoy open spaces. City has enough restrictions for engineering design, etc.; height of conceit for people to come in and force their ideas of beauty.

Chair Ruff asked if staff had any final comments, there were none.

Testimony for Retaining Walls closed at 7:46 pm.

Commissioner Littrell moved to recommend approval of the proposed development regulations governing retaining walls outlined in the addendum to the City Council. Chair Ruff stated there was no second, so that motion fails. Chair Ruff asked for another motion. Commissioner Hui stated that he is inclined to make a motion to deny all of it, not each portion separately.

Commissioner Hui moved to deny the regulations on retaining walls. Commissioner Moore seconded the motion.

Commissioner Morris asked how are we to make recommendation to city council at all if we make a motion for each issue, because they are looking at it as a whole. Chair Ruff said he is trying to limit discussion and controversy by addressing each issue singly.

The motion passed 5-1, with Chair Ruff abstaining.

Chair Ruff said there are four more issues to go through; for each of the four the City has no recommendation. Mr. Muai said that is correct, it is up to the Planning Commission to decide which of them to recommend to Council. Chair Ruff asked if the Planning Commission wants to decide on recommendations collectively or individually. Commissioner Morris stated he would like to address individually. Chair Ruff said he will continue addressing sections individually.

MANMADE SLOPES:

Muai went over staff report as to manmade slopes; final effect of illustration show manmade slopes that fall with topography; as well as showing options for minor cut and major cut slopes etc.

Questions for staff: None.

Testimony in favor:

Steve Mallory
5822 W. Yellowstone

Outline by staff is good urban design; recommend city adopt.

Chair Ruff asked of the city's several options, any you favor. Mr. Mallory said no.

Testimony against:

Ken Poletski
Tri City Association of Realtors
42303 E. Carlsbad Ct

Our comments earlier addressed regulations as a whole; also for property rights, 3:1 slope more than rest of Tri-Cities, homeowner restricted; does not allow private property rights.

Terri Hash
Timberline Dr
W Richland

Picture 2:1; if 3:1 we would have lost 8 lots; expensive. Riprap on slope common ground cover economical, beautiful. Irrigation vegetation enemy on slopes, soil is structural.

Nathan Machiela
Hayden Homes
2464 SW Glacier Dr.
Bend, OR

Worked in area grew up here; professional engineer; 3:1 slope extends slope with no real benefit; 2:1 if you extend to 3:1 you lose 1/3 of your lots, will affect cost and have direct effect in limiting development. Should resources we have in town; I'm opposed. Commissioner Hui said you're based in Bend OR you develop everywhere, have you compared our ordinance to other areas. Mr. Machiela, yes a lot of them just refer to the IBC; can terrace but not consistent with other sloped areas. Commissioner Hui asked if Hayden Homes would pass on sloped development in Kennewick if ordinance passed. Mr. Machiela said yes; with the recent regulations in Pasco as well and increase in fees the amount of land purchased there for development has been significantly limited; we've passed on two lots in West Richland due to costs associated with slope regulations.

Kerry Watts
68 Canyon St
Richland

3:1 slope chosen for no erosion; nature picked the 2:1 slope; seems to be the one that will work. Ms. Hash mentioned add water, water will create additional problems. Natural look of 2:1 slope looks great.

Staff final comments: None

Public testimony for Manmade Slopes closed 8:08 pm.

Chair Ruff asked for a motion.

Commissioner Moore moved to disapprove proposed development regulations for Manmade Slopes outlined in the amendment to City Council. Commissioner Hui seconded.

Discussion: Commissioner Littrell questioned whether you want to pick through or throw whole thing out; no help to council out if you throw out everything. Chair Ruff asked Commissioner Hui if he wished to change his motion. Commissioner Hui stated he didn't make the motion; Chair Ruff asked Commissioner Moore if he wanted to change motion; Commissioner Moore declined.

Commissioner Morris asked what the Planning Commission is recommending to City Council; question is more procedural.

Chair Ruff said that the proposal is not to recommend any of the options.

Commissioner Hui stated the message to Council should be all will be denied; tough to pass all segments with one motion.

Motion carried with 6 yes votes; Chair Ruff abstained.

BUILDING PLACEMENT & HEIGHTS:

Chair Ruff asked for staff report.

Mr. Muai reviewed standards for building placement and heights on slopes; showed examples of stepped foundations, building into the hillside on the overhead; and discussed driveways, haven't heard about percentages but issues with steepness of driveways; provide option of curb tight sidewalks to address slopes – driveway not exceed 10% slope.

Questions of staff:

Commissioner Moore asked currently no restrictions now. Mr. Muai said no standard for residential driveway slopes. Commissioner Littrell asked Mr. Muai to explain process that was followed with Southridge plan, long process that involved citizen and developer participation; explain why we're bring issue up again and why it wasn't codified. Mr. Muai said between 2002-2005 City did study with Southridge Subarea land that addressed hillside and other development standards; it started 2002, extensive public participation; adopted 2005, plan and SEPA review, but was not put into KMC don't know reason; guess that people thought adopting plan gave it legal standing but were never codified; it's been brought up before, Council hasn't given direction for plan.

Testimony in favor:

Steve Mallory
5822 W. Yellowstone
Kennewick

Ridgeline work depicted here being done by staff good urban design.

Testimony against:

Jeff Losey HBA
10001 W. Clearwater Ave
Kennewick

Building placement and use of basements to build into slopes; location in Canyon Lakes, they want to bring fill dirt in, stairs not good, elevator for bottom floor, 55 and older, no basement, most square feet in basement, dictate what builders to build, leave it market driven. Commissioner Hui asked if this regulation is more aesthetically pleasing. Mr. Losey said you have to make it look good and be affordable.

Staff final comments: None.

Public testimony for Building Placement and Heights closed at 8:24 pm.

Chair Ruff asked for a motion.

Commissioner Hui moved to deny approval for proposed regulations governing Building Placement in the amendment to City Council.

Chair Ruff said with no second, the motion fails.

Chair Ruff asked for another motion; hearing none put item on table for discussion:

Commissioner Hui said don't think we should limit development; the developers will make something that will sell.

Commissioner Littrell said having endured all public meetings for this process, everyone was in favor of it; can't see throwing it away; it was adopted thinking it was codified. You can sit here and say developers will do the best thing, we all know communities where that did not happen; the purpose of this Board and Council is to make guidelines.

Chair Ruff asked if Commissioner Littrell would like to make a motion.

Commissioner Littrell moved that the regulations within the Southridge Plan be approved and recommended to the Council. Commissioner Morris seconded the motion.

Chair Ruff asked Commissioner Littrell, of all the recommendations for building placement and heights, are those five recommendations your motion.

Commissioner Littrell said those that were in the Southridge Plan, staff could identify.

Chair Ruff asked if staff can assist with that.

Mr. Muai said in the staff report on page four where building placement starts at number one, two three and four are on page five, those are four regulations from Southridge Plan; were listed as examples in staff report, relate to building placement.

Chair Ruff asked if it is two, three and four.

Mr. Muai said one and two, three and four; number five comes from New Hampshire planning techniques.

Chair Ruff asked for a roll call vote on the motion; motion passed on a 4-2 vote, with Chair Ruff abstaining.

BUILDING HEIGHT:

Mr. Muai gave examples of distance of grade to highest point on slope and building heights; measured from highest point on slope to top of highest point on structure; reviewed alternated measuring methods for slopes.

Questions for staff:

Chair Ruff asked between two choices which one is current code and which is proposed. Mr. Muai said the first one is current code.

Testimony in favor:

Steve Mallory
5822 W. Yellowstone
Kennewick

Would like to forward another option; would look at maximum height of buildings 35' above mean ground height to top of structure; that will control overall height of building

Testimony against:

Ken Poletski
Tri-Cities Realtors
42303 E. Carlsbad Ct

Aesthetic regulation again; rationale for that don't see disadvantage for 15 million home with heights over 35', don't see issue. Commissioner Hui said Canyon Lakes HOA, other HOA's put regs on heights for buildings, maximize aesthetics. Mr. Poletski said developers do take into consideration; for views, etc. when city gets involved can't see why just aesthetics.

Kerry Watts
68 Canyon St
Richland

Agree with Ken just aesthetics. Most other cities measure from highest; don't taper down as you go down hillside.

Staff final comments: None.

Public testimony closed at 8:40pm.

Commissioner Hui moved to not recommend approval of proposed development regulations governing Building Height outlined in the addendum to City Council. Vice Chair Pacheco seconded.

Chair Ruff asked for roll call vote; it was a tie vote 3 to 3, with Chair Ruff abstaining. Chair Ruff declared the motion failing due to tie.

Commissioner Littrell stated point of order; since Chair Ruff is the tie breaker, not legal for Chair to abstain from vote and asked staff to verify. Chair Ruff clarified that he announced intention to abstain from voting on these regulations at previous meeting, which was continued to today.

Chair Ruff called a five minute break at 8:44 pm for staff to consult Robert's Rules of Order.

Meeting reconvened at 8:51pm.

Mr. McCormick said Roberts Rules of Order does not require Chair to vote. Motion is failed due to tie.

Chair Ruff said he would entertain another motion; then asked staff if that was even necessary. Mr. McCormick said no, that no recommendation would be forwarded to Council on Building Heights since the motion to deny failed.

ROAD AND LOT LAYOUT:

Mr. Muai showed depiction of road, designed to follow natural contours; existing wording exits responsive to topography causing minimal impact; roads generally follow contours, easier to grade them.

Questions of staff:

None

Testimony in favor:

None

Testimony against:

Nathan Machiela
2464 SW Glacier
Bend, OR

Wording very general, discretion of planner/engineer of city as to opinion of reviewer; additional level of review; submit grading plan, not specific enough. Current wording is adequate; leave to engineer to decide; more cost effective. Generally agree property line should be at top; can be instances where it isn't feasible; needs more review and design.

Ken Poletski
Tri-Cities Association of Realtors

Causes developers to design layout with mandatory wording; developers look at best possible use, least cost construction; have to hire engineer for best plan for topography; several subdivisions do both methods; case by case basis.

Jeff Losey
Home Builders Association

Overstepping bounds letting this go through; recommendation road and lot layout; each development different; leave at developer's discretion not a mandate.

Steve Mallory
5822 W. Yellowstone

More work needs to be done on this issue; said follow contours as best as possible; not a mandate it's a direction.

Kerry Watts
68 Canyon St

Roads following contours of hillside natural for developers to follow; suggestion will work just fine, developer put it way that's best for their customers; fence should be at bottom of house, should be up to developer; city has requirements to maintain lots.

Public testimony closed at 9:08 pm

Final staff comments: None

Chair Ruff called for a motion.

Commissioner Hui moved to not recommend approval of the proposed development regulations regarding road and lot layout outlined in the addendum to City Council. Commissioner Moore seconded the motion.

Planning Commission discussion:

Commissioner Littrell said we have heard a lot of leaving at discretion of builder, he knows best. Prime example of what happens when builders are left to decide what happens; need guidance.

Motion carried on a 4 to 2 vote, with Chair Ruff abstaining.

Chair Ruff stated it is 9:10pm and we have Applicability and election of officers; should we continue meeting. Commissioner Hui yes to continue meeting, needs to leave soon. Commissioner Morris questioned the applicability; there are several options for determining recommendations to City Council. Chair Ruff asked if should we call it a night and reconvene in a few weeks; any preferences.

Commissioner Hui needs to leave at 9:12 pm.

APPLICABILITY:

Mr. Muai said first critical area; one option have standards apply to all projects slope greater than 15%; second is only apply to residential projects; third and fourth mirror two previous, either all projects with specified percentage, or only residential projects. Chair Ruff said tonight we only passed one recommendation to Council, Building Placement in conjunction with Southridge Plan; can we decide to narrow or broaden applicability from Southridge Plan; recommend to Council to apply citywide. Mr. Muai said Applicability recommendation is for citywide, not just Southridge Plan, so you would have to state in your motion if just for Southridge Plan.

Questions of staff:

None

Testimony in favor:

Steve Mallory
5822 W. Yellowstone
Kennewick

Support building and residential; support development; does not see ridgeline protection and methods of evaluating project and how they relate to ridgeline itself; City goals 4 and 6, are policies being followed or is it just what's good for developers; all for construction, but have seen lots of other cities have good planning standards and developers did better with guidelines rather than just cut it up to maximize number of lots.

Testimony against:

Ken Poletski
Tri-Cities Realtors

For motion the passed for building placement, wants clarification; items 1-4 address slope; staff hasn't consulted with professional; broader area would be stretching intended use; targeted if you get outside of that are you reaching, etc.

Jeff Losey
Home Builders Association

Completely confusing and not everything has been covered; applicability if we're taking the Southridge plan if that was the intent, applying Southridge plan to entire city would be mistake; totally not for any of this.

Final staff comments:

Mr. Muai said the standards from Southridge Plan 1-4 there are standards in there that are addressed that they are applicable based on slope as was already pointed out.

Public testimony for all purposes closed at 9:26 pm.

Chair Ruff asked for a motion.

Commissioner Littrell stated that given that the Planning Commission has not adopted anything except the standards pertaining to the Southridge Plan, I recommend that the standards adopted apply to the Southridge Plan only. Vice Chair Pacheco seconded the motion.

Planning Commission Discussion:

Commissioner Moore asked which one is being recommended; asked clarify the motion is that the applicability just as stated in Southridge Plan and just to the Southridge area, and nothing more as applies to slope. Mr. Muai said there are many other items that apply to the Southridge Plan, and are not any part of this report. Commissioner Morris asked for clarification; the motion is that the applicability is just as stated in the Southridge Plan and nothing more as far as slopes. Commissioner Littrell said yes.

Motion carried on a 5-0 vote with Chair Ruff abstaining.

VISITORS NOT ON AGENDA:

OLD BUSINESS:

NEW BUSINESS:

Election of officers:

Vice Chair Pacheco moved to nominate Beau Ruff as Chair. Commissioner Morris seconded the motion.

Commissioner Littrell nominated Eduardo Pacheco as Vice Chair. Commissioner Morris seconded the motion.

Motions passed unanimously.

REPORTS, COMMENTS, OR DISCUSSION OF COMMISSIONERS AND STAFF:

Commissioner Morris will be out of town for business on March 16, 2015.

ADJOURNMENT:

The meeting was adjourned at 9:32 p.m.

STAFF REPORT**ZOA 15-01**

Community Planning
City of Kennewick

Anthony Muai, AICP
Planner

To: Planning Commission

Date: April 20, 2015

Minimum Lot Width in Residential, Medium (RM) Zones

Request

Hayden Homes, LLC has applied for an amendment to the Kennewick Municipal Code Title 18 "Zoning" proposing to reduce the minimum lot width in the Residential, Medium (RM) from 50 feet to 30 feet.

Background

The current minimum lot width requirement in the RM zone is 50 feet. The minimum lot size requirement is 4,000 square feet. To meet this requirement, lots in the RM zone must be at least 80 feet in depth. The applicant states in their application that "The current 50' requirement can only obtain approx. 4DU/acre and restricts the best and intended use of properties with this zoning". The applicant goes on to state that "Hayden Homes and other developers have created smaller, more efficient plans that are 20' wide to provide an alternative to apartment renting" and "would allow builders to get closer to the 13 DU/acre that is allowed in the RM zone."

Analysis

Below is a comparison of minimum lot widths in similar zones in neighboring jurisdictions in the Tri-Cities.

Comparison of Minimum Lot Width Requirements Throughout the Tri-Cities, WA

City	Zone	Min. Lot Size	Minimum Lot width
Kennewick	RM	4,000 sq. ft.	50 feet
Pasco	R-4	5,000 sq. ft.	60 feet of frontage except cul-de-sacs, then 35 feet of frontage and 50 feet of width at setback line.
Richland	R-2S & R-3	4,000 sq. ft.	Single-family detached: 42 feet
West Richland	MR-2	4,000 sq. ft.	40 feet

As is shown in the table, Kennewick's current standard is similar to the other jurisdictions with Pasco's minimum lot width set at 10 feet wider than Kennewick's and Richland and West Richland being 8 feet and 10 feet more narrow respectively.

The proposed change will increase buildable area of a lot. The current setbacks in all residential zones are 15 feet in the rear, 5 feet on the sides and 15 feet in the front with the garage required to be at least 20 feet from the rear of the sidewalk. Utilizing the current standard of 50 feet of minimum width, lots created have a dimension of 50'x80'. Applying the required setbacks leaves a building area with dimensions of 40'x45' and 1,800 square feet to work with. With a smaller lot width of 30 feet, lot dimensions would be 133.34'x30' with buildable area dimensions of 98.34'x20' and buildable area of 1,966.8 square feet to work with. That's an increase of 166.8 square feet.

Other differences will be in the look of the development. The setbacks will remain the same, so spacing of structures will not change, but there will be additional flexibility in the size and shape of lots and homes that either does not currently exist in the Zoning Code or is impractical due to the lot width requirement.

Conclusion

The proposed change to the minimum lot width in the RM zone will create flexibility in lot shape and subdivision configuration. Variety in the combination of lot shapes and sizes that can be developed under the proposed amendment will allow for an increased variety of housing types and styles and providing a variety of ways to achieve the maximum density of 10 units per acre for detached single-family dwelling units in the RM zone.

Regulatory Controls and Policies

- Kennewick Municipal Code Title 18: Zoning
- Kennewick Comprehensive Plan

Findings of Fact

1. The proposed amendments will reduce the minimum lot width requirement in Residential, Medium (RM) zones from 50 feet to 30 feet.
2. The City fulfilled the requirements under the State Environmental Policy Act by issuing a determination of non-significance (DNS) on March 22, 2015 for this proposal.
3. Notice of the proposed code revision (expedited review requested) was sent on March 9, 2015 to the Washington State Department of Commerce (DOC) pursuant to RCW 36.70A.106. On March 24, 2015 the City received notice that expedited review was granted and that the City met the Growth Management Act notice to state agency requirements for this amendment.

Exhibits

Exhibit A-1: Application

Exhibit A-2: KMC 18.12.010 A.2 "Table of Residential Site Development Standards"

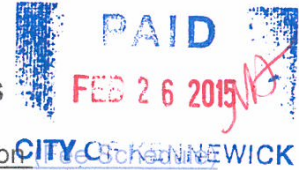
Exhibit A-3: DNS



**CITY OF KENNEWICK
COMMUNITY PLANNING & DEVELOPMENT SERVICES
REQUEST FOR ZONING ORDINANCE AMENDMENT**

Applicable Filing Fee and SEPA Review Fee are due at the time of application

ZO 15-01
AMD - 2015-00536



Applicant Hayden Homes LLC

Address 2464 SW Glacier Place, Suite 110, Redmond, OR 97756

Telephone 5419236607 Cell 5095540858 Fax - E-mail nmachiela@hayden-homes.com

The amendment, if adopted, will not be restricted to the applicant's particular situation, but will apply to any future situation that may fall under the amendment, regardless of location or other circumstances. Therefore, please state how, in your opinion, the requested amendment will be to the best interests of the City. Use additional paper if needed.

Requested Amendment: Amend RM zone to allow 30' wide detached single family lots. The current code allows 24' wide attached lots with 8-plex units but only 50' wide residential lots. This does not seem to be consistent with the intent of this zone since the code also allows 13 DU/acre and 4000 SF lots. The current 50' requirement can only obtain approx 4 DU/acre and restricts the best and intended use of properties with this zoning simply due to the lot width dimension noted on table 18.12.010 A.2. Hayden Homes and other developers have created smaller, more efficient plans that are 20' wide to provide an alternative to apartment renting but it can not be built in the City of Kennewick due to this restriction. Aesthetically, 20' wide single family homes on 30' lots would look similar, if not better, than a multiplex unit on the same property and would allow builders to get closer to the 13 DU/acre that is allowed in the RM zone. Allowing this change would align Kennewick's zone code more closely with Pasco and Richland's zoning code and allow increased density for SFR and
and take advantage of efficiencies with utilities and emergency services.

Signature

2/26/2015

Date

Checklist:

Application & fee \$1,000

State Environmental Policy Act checklist (SEPA) & fee \$250

18.12.010 A.2: Table of Residential Site Development Standards: Minimum and maximum residential standards are identified in the following table.

	RS ⁶	RL ⁶	RM ^{2, 3, 4, 6, 7}	RH ^{2c, 3, 4, 6, 7}	RTP ^{3, 5}	RMH ⁶
Max. Density ¹	N/A	N/A	13	27	13	4
Min. Lot Size	10,500	7,500	4,000	4,000	1 acre	7,500
Min. Lot Size (Rowhouse/ Townhouse)	N/A	N/A	1,800	1,600	N/A	N/A
Min. Lot Width ²	60'	60'	50' 30'	N/A	N/A	60'
Min. Lot Width ² (Rowhouse/ Townhouse)	N/A	N/A	24'	24'	N/A	N/A
Min. Front Yard/ Street Setback ²	15'	15'	15'	15'	15'	20'
Min. Garage Setback ²	20'	20'	20'	20'	20'	20'
Min. Side Yard Setback ²	5'	5'	5'	5'	5'	5'
Min. Rear Yard Setback ²	15'	15'	15'	15'	15'	15'
Max. Height	30'	30'	30'	45'	N/A	30'
Min. Lot Frontage ²	30'	30'	30'	30'	30'	30'
Min. Lot Frontage ² (Rowhouse/ Townhouse)	N/A	N/A	20'	20'	N/A	N/A

FOOTNOTES for Table 18.12.010 A.2 Residential Standards Table:

(1) Maximum Density – The maximum permitted number of lots/units is determined by dividing the gross area of the parcel in square feet by 43,560 square feet, multiplied by the allowed maximum density under table 18.12.010. The closest whole number is the permitted maximum number of lots.

(2) Yards:

(a) Street: Building setback lines will be measured from the back of the sidewalk. Where no sidewalk exists, building setback lines will be measured from the right-of-way line. (See fig. 1a-b)

(i) For garages that face a no-street abutting property line (side-entry garages,) the garage setback may be reduced to 15' from the back of the sidewalk. The street facing façade of the garage shall be treated with windows, modulations and/or architectural design elements and features that mimic the remainder of the house. Landscaping shall also be required along the street-facing façade. (See fig. 2a-b)

- (ii) In no instance shall a vehicle or any other object be allowed to obstruct a pedestrian walkway/sidewalk.
- (b) Rear: As measured from an existing lot line or alleyway.
- (c) Side: Shall be five (5) feet from the nearest side yard property line.
 - (i) Single-family attached and zero-lot line housing shall have no setback on the side where the property line follows a common or zero-lot line wall.
 - (ii) End units shall have a five (5) foot setback from the nearest side yard property line and no setback on the common wall side.
- (d) Lot Frontage: Lot frontage lines will be measured from the right-of-way line.
- (e) Where no street frontage exists, building setback and lot frontage lines will be addressed during the site plan or plat review process and must be approved by the Planning Director.

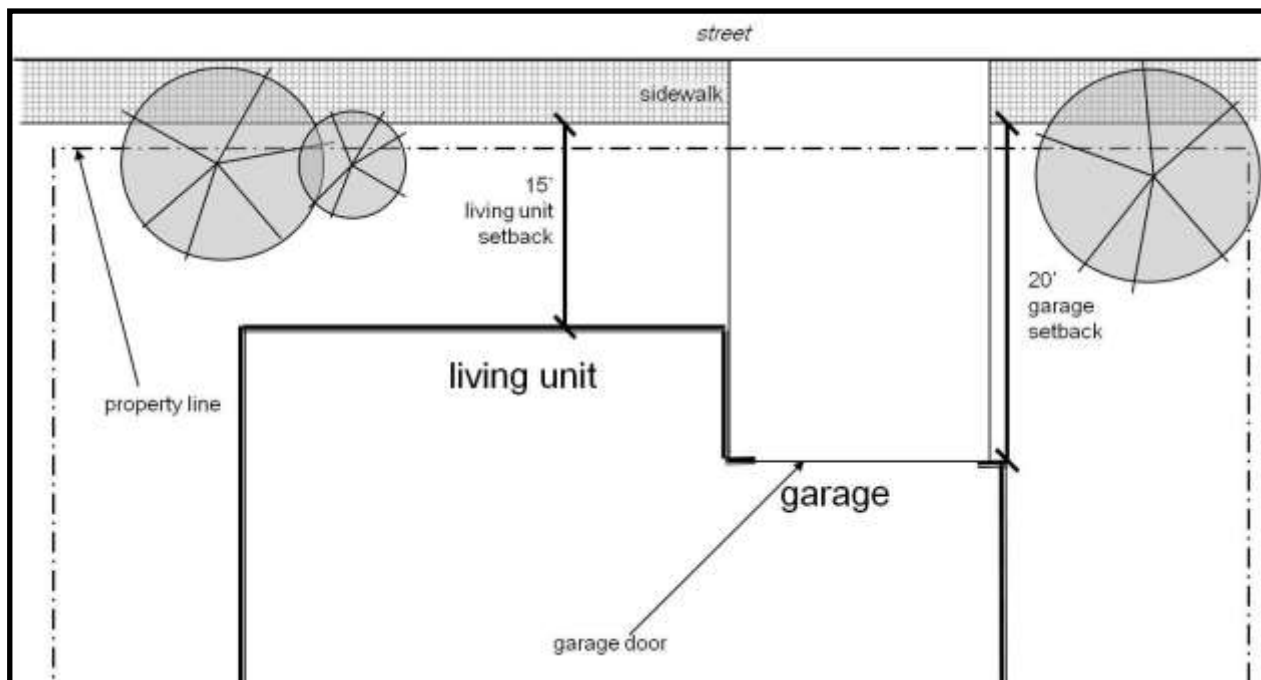


Fig. 1.a

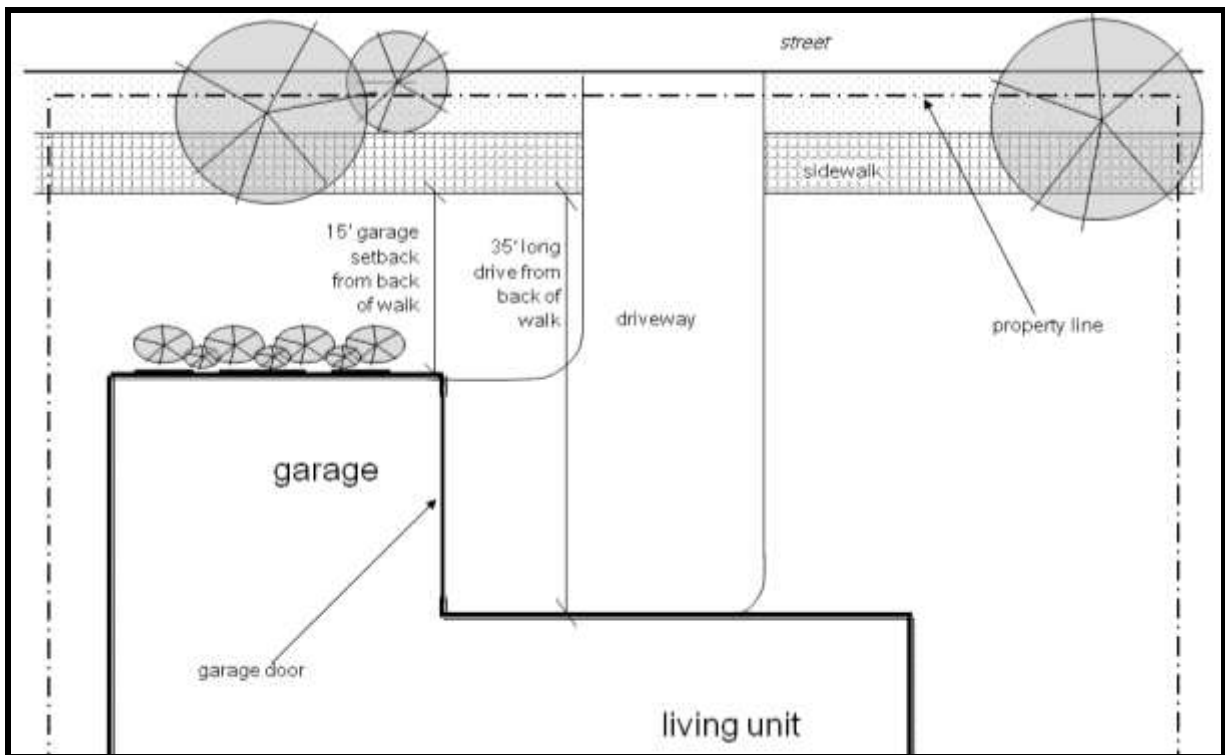


Fig. 2.a.

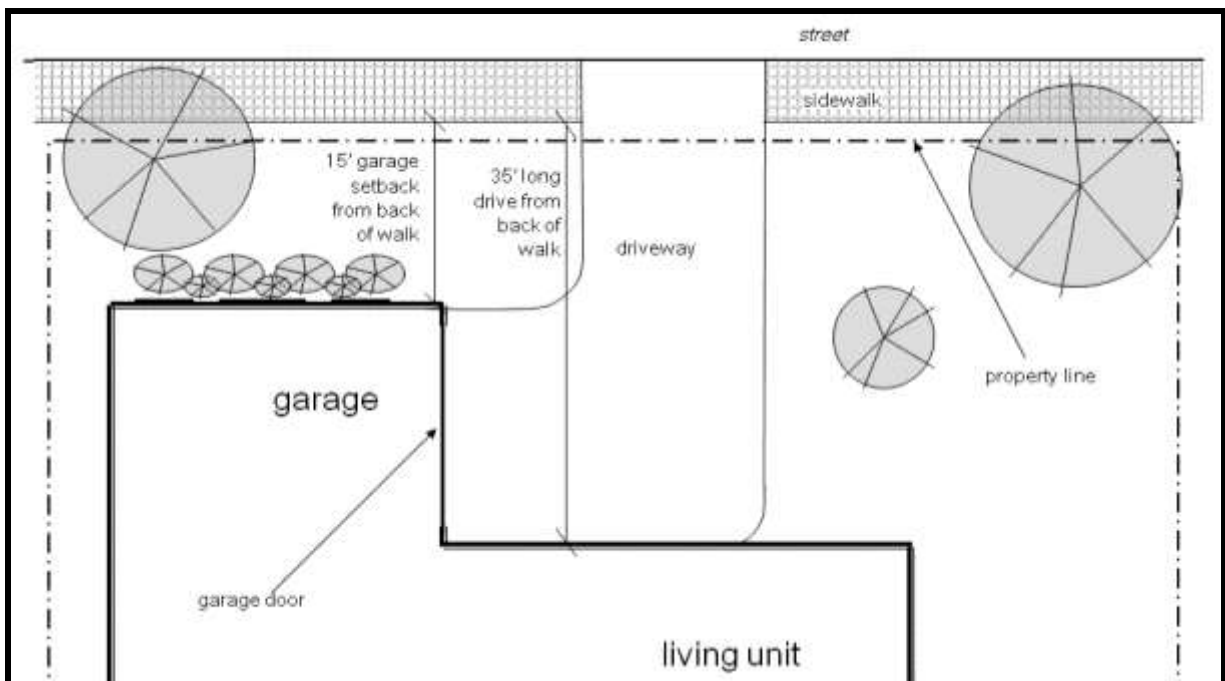


Fig. 2.b.

(3) Open space calculations. In multi-family, townhouse and rowhouse developments, where the density exceeds 7 units per acre, the amount of required common open space shall equal or be greater than the minimum aggregate area of provided bedrooms based on the following formula: 300 square feet for the first bedroom and 200 square feet for each additional bedroom; exclusive of required street frontage setbacks and required parking

areas. "Open area" is an area with average dimensions of not less than 15 feet by not less than 500 square feet. More than one open area may be provided in a given development. Any interpretation of this Section will be made by the Director.

- (a) If a proposed project may have a significant adverse impact on the environment because of inadequate public park facilities in the area, and additional park land is required or indicated by an environmental impact statement, as a mitigating measure in lieu of an environmental impact statement, or by the Comprehensive Park and Recreation Plan, the developer must provide for parks in accord with Sections 17.100.010 to 17.100.040 inclusive. If the property is too small to accommodate adequate recreational facilities for the residents and the area has inadequate park facilities, the proposed development will, in most cases, be disapproved unless other measures, which will reasonably protect the public's needs for adequate recreational areas, can be agreed upon between the developer and the City. Such agreement may be cash in lieu of on-site facilities placed in a mitigation account established by the Parks Department for use toward a park or parks within walking distance (1/4 mile straight line) from said development. Under normal circumstances the City will not accept the dedication of a park site of less than five (5) acres.
- (4) Mobile Home Park Requirements:
 - (a) New Mobile Home Parks: For Residential Trailer Parks developed after January 1, 1998, the following spacing standards may be utilized:
 - (i) When each primary structure has a 20-foot front and rear yard (18.09.1950) or open space, the following spacing standards apply: side-by-side, end-to-end and parallel - 10 feet between each primary structure; accessory structures that meet provisions of the International Building Code must have a minimum four-foot setback between the primary structure unless attached to the primary structure, and must have a minimum six-foot setback between adjacent primary and accessory structures.
 - (b) 10 feet setback from all property lines; 20 feet from an existing right-of-way line or proposed right-of-way line whichever is greater.
 - (c) Spacing: 20 feet between mobile homes located side-by-side, end-to-end and parallel. End-to-end, 10 feet if the extended outside edge does not project beyond the extended centerline of the adjacent unit. There must be 20 feet between any mobile home and any permanent structure; 10 feet between any mobile home and any accessory structure unless attached to the mobile home in accord with the State of Washington and the International Building Code; 10 feet between any occupied travel trailer and any mobile home, accessory structure or permanent building. The average distance between adjacent, angular mobile homes must not be less than 20 feet with the closest point no less than 10 feet.
 - (d) Mobile Home Roadways: Each manufactured home must be served by at least one 30-foot wide roadway for 2 moving lanes of traffic and a 3 foot delineated, pedestrian walkway. If on-roadway parking is allowed, the roadway width must be increased accordingly. All roadways must be improved with asphalt, bituminous surface treatment or an equivalent.
 - (5) Single-Family Homes (attached and detached); Manufactured Homes:

- (a) Intent: It is the intent of the section to set forth the terms and conditions under which single-family homes may be sited, and to ensure that manufactured homes as defined herein may be sited in any zone where single-family homes are permitted. These regulations apply to all zones where single-family homes are permitted.
- (b) Minimum siting standards: The following standards apply to the siting of all single-family homes, whether site-built homes or manufactured homes. Where any conflict arises between these regulations and the adopted building code, the stricter standard shall apply.
 - (i) Foundation: all dwellings shall be placed on permanent foundations;
 - (ii) Minimum width: a dwelling shall not be less than 14 feet in width at the narrowest point of its first story;
 - (iii) Age of dwelling (for manufactured homes only): no manufactured home more than three years old on the date of installation or previously lived in shall be permitted on any lot;
 - (iv) Roof: minimum pitch for a roof on a dwelling shall either be flat or have a minimum four-inch vertical rise for each twelve inches of horizontal run (4:12 pitch);
 - (v) All units with a common wall must be constructed concurrently and be under the same ownership at the time of initial construction;
 - (vi) Common walls must follow property lines and have no openings.
- (6) Townhouse/Rowhouse Development:
 - (a) All townhouse or rowhouse development shall comply with the Residential Design Standards-Multi-Family;
 - (b) There must be at least 10 feet on end between groups. This space may either be end unit lots or common open space, and, if so, there may be openings in the end units;
 - (c) The number of connected units may not exceed eight;
 - (d) The Planning Director may approve up to a 10% deviation from all standards related to townhouse or rowhouse development. (Ord. 5542 Sec. 1, 2014: Ord. 5504 Sec. 1, 2013: Ord. 5407 Sec. 4, 2012: Ord. 5365 Sec. 3, 2011: Ord. 5309 Sec. 9, 2010: Ord. 5204 Sec. 6, 2007; Ord. 5180 Sec. 1, 2007)



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

FILE/PROJECT NUMBER: ZOA 15-01/AMD-2015-00536

DESCRIPTION OF PROPOSAL: Reduce minimum lot width in the RM zone from 50 feet to 30 feet

PROPONENT: Hayden Homes, LLC (2464 SW Glacier Pl., Suite 110, Redmond, OR 97756)

LOCATION OF PROPOSAL, INCLUDING STREET ADDRESS, IF ANY: City wide 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: March 22, 2015

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 emailed to:

- Benton Clean Air Authority
- Confederated Tribes of Umatilla Indian Reservation
- Department of Ecology SEPA Register
- Department of Fish & Wildlife
- Department of Natural Resources
- Washington State Department of Transportation