



City Council Meeting Schedule October 2017

October 3, 2017
Tuesday, 6:30 p.m. REGULAR COUNCIL MEETING

October 10, 2017
Tuesday, 6:30 p.m. WORKSHOP MEETING
1. Affordable Housing Update
2. Way Finding Implementation
3. Code Amendment Updates

October 17, 2017
Tuesday, 6:30 p.m. REGULAR COUNCIL MEETING

October 24, 2017
Tuesday, 6:30 p.m. WORKSHOP MEETING
1. TPA 2018 Budget & Marketing Plan
2. Transportation System Plan Update
3. Workplace Safety Update

October 31, 2017
Tuesday, 6:30 p.m. NO MEETING

To assure disabled persons the opportunity to participate in or benefit from City services, please provide twenty-four (24) hour advance notice for additional arrangements to reasonably accommodate special needs.

Please be advised that all Kennewick City Council Meetings are Audio Taped

October 2017
Updated 10/12/17



CITY COUNCIL REGULAR MEETING AGENDA

**Tuesday, October 17, 2017 at 6:30 p.m.
City Hall Council Chambers | 210 W. 6th Ave**

1. CALL TO ORDER

Roll Call/Pledge of Allegiance/Welcome

HONORS & RECOGNITIONS

- Community Planning Month Proclamation
- Retiree Recognition – Greg Hardy and Kelly Williamson

2. APPROVAL OF AGENDA

3. CONSENT AGENDA

All matters listed within the Consent Agenda have been distributed to each member of the Kennewick City Council for reading and study, are considered to be routine, and will be enacted by one motion of the Council with no separate discussion.

- a. Minutes of Regular Meeting of October 3 2017.
- b. Motion to approve Claims Roster - None.
- c. Motion to approve Payroll Roster for September 30, 2017.
- d. Motion to accept the work of Moreno & Nelson Construction for Contract P1516-17, Columbia Park East Bike/Pedestrian Enhancements, in the amount of \$157,597.14.

4. VISITORS

5. ORDINANCES/RESOLUTIONS

- a. (1) Ordinance 5710: Zoning Code Amendment (ZOA) 17-05 amending Sections 18.03.030 and 18.03.040 relating to Zoning of the Kennewick Municipal Code.
(2) Ordinance 5711: Zoning Code Amendment (ZOA) 17-05 amending Section 18.06.010 relating to Classification of Zones of the Kennewick Municipal Code.
(3) Ordinance 5712: Zoning Code Amendment (ZOA) 17-05 amending Sections 18.12.010 A.1, 18.12.010 A.2, 18.12.010 B.1, 18.12.010 B.2, 18.12.030, 18.12.040, 18.12.250, 18.12.270, and 18.12.280 relating to Zoning of the Kennewick Municipal Code.
(4) Ordinance 5713: Zoning Code Amendment (ZOA) 17-05 amending Section 18.21.030 and adding a new Section 18.21.075 relating to Landscaping of the Kennewick Municipal Code.
(5) Ordinance 5714: Zoning Code Amendment (ZOA) 17-05 amending Sections 18.24.030, 18.24.050 and 18.24.070 relating to Signs of the Kennewick Municipal Code.

To assure disabled persons the opportunity to participate in or benefit from City services, please provide twenty-four (24) hour advance notice for additional arrangements to reasonably accommodate special needs.

Please be advised that all Kennewick City Council Meetings are Audio Taped



CITY COUNCIL REGULAR MEETING AGENDA

**Tuesday, October 17, 2017 at 6:30 p.m.
City Hall Council Chambers | 210 W. 6th Ave**

(6) Ordinance 5715: Zoning Code Amendment (ZOA) 17-05 amending Sections 18.27.030 and 18.27.070 relating to Accessory Buildings, Structures and Uses of the Kennewick Municipal Code.

(7) Ordinance 5716: Zoning Code Amendment (ZOA) 17-05 amending Sections 18.36.060, 18.36.080, 18.36.090, and 18.36.100 and adding a new Section 18.36.067 relating to Off-Street Parking of the Kennewick Municipal Code.

(8) Ordinance 5717: Zoning Code Amendment (ZOA) 17-05 amending Section 18.75.030 relating to Residential Design Standards of the Kennewick Municipal Code.

(9) Ordinance 5718: Zoning Code Amendment (ZOA) 17-05 amending Section 18.78.030 relating to Commercial Design Standards of the Kennewick Municipal Code.

(10) Ordinance 5719: Zoning Code Amendment (ZOA) 17-05 and adding a new Chapter 18.80 relating to Urban Mixed Use Design Standards of the Kennewick Municipal Code.

(11) Ordinance 5723: Bridge to Bridge/River to River Implementation Area-Wide Rezone.

6. PUBLIC HEARINGS/MEETINGS

- a. Resolution 17-23: Vacation of a 10' utility easement located at 7 W. 19th Ave.

7. NEW BUSINESS

8. UNFINISHED BUSINESS

9. COUNCIL COMMENTS/DISCUSSION

10. ADJOURNMENT

To assure disabled persons the opportunity to participate in or benefit from City services, please provide twenty-four (24) hour advance notice for additional arrangements to reasonably accommodate special needs.

Please be advised that all Kennewick City Council Meetings are Audio Taped



Proclamation



WHEREAS, change is constant and affects all cities, towns, suburbs, counties, boroughs, townships, rural areas, and other places; and

WHEREAS, community planning and plans can help manage this change in a way that provides better choices for how people work and live; and

WHEREAS, community planning provides an opportunity for all residents to be meaningfully involved in making choices that determine the future of their community; and

WHEREAS, the full benefits of planning requires public officials and citizens who understand, support, and demand excellence in planning and plan implementation; and

WHEREAS, the month of October is designated as National Community Planning Month throughout the United States of America and its territories, and

WHEREAS, American Planning Association and its professional institute, the American Institute of Certified Planners, endorse National Community Planning Month as an opportunity to highlight the contributions sound planning and plan implementation make to the quality of our settlements and environment; and

WHEREAS, the celebration of National Community Planning Month gives us the opportunity to publicly recognize the participation and dedication of the members of planning commissions and other citizen planners who have contributed their time, energy and expertise to the improvement of the City of Kennewick and surrounding areas; and

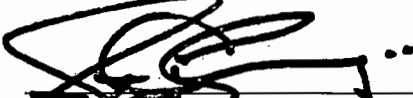
WHEREAS, we recognize the many valuable contributions made by professional community and regional planners of the City of Kennewick, Port of Kennewick and Benton County and extend our heartfelt thanks for the continued commitment to public service by these professionals; NOW, THEREFORE,

I, STEVE C. YOUNG, Mayor of the City of Kennewick, Washington, do hereby proclaim the month of October, as

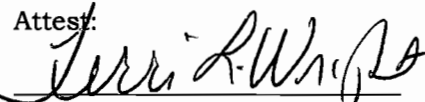
COMMUNITY PLANNING MONTH

in the City of Kennewick, Washington, in conjunction with the celebration of National Community Planning Month.

IN WITNESS WHEREOF, I have hereunto set my hand and caused the official seal of the City of Kennewick to be hereunto affixed this 17th day of October, 2017.


STEVE C. YOUNG, Mayor

Attest:


TERRI L. WRIGHT, City Clerk



CITY OF KENNEWICK
CITY COUNCIL
Regular Meeting
October 3, 2017

1. CALL TO ORDER

Mayor Pro Tem Don Britain called the meeting to order at 6:30 p.m.

City Council and Staff Present:

Mayor Pro Tem Don Britain	Greg McCormick	Vince Beasley
Matt Boehnke	Christina Palmer	Ken Hohenberg
Greg Jones	Lisa Beaton	Evelyn Lusignan
Paul Parish	Cary Roe	Scott Child
Bob Parks	Terri Wright	
John Trumbo	Dan Legard	
Marie Mosley	Terry Walsh	

Excused absence: Mayor Steve Young.

Mr. Jones led the Pledge of Allegiance.

2. APPROVAL OF AGENDA

Mr. Jones moved, seconded by Mr. Parks to approve the Agenda as presented. The motion passed unanimously.

3. APPROVAL OF CONSENT AGENDA

- a. Minutes of Regular Meeting of September 19, 2017.
- b. (1) Motion to approve Claims Roster for September 22, 2017.
(2) Claims Roster for Columbia Park Golf Course Account for August 2017.
- c. Motion to approve Payroll Roster for September 15, 2017.
- d. Motion to award Contract P1712-17 City-Wide Arterial Pavement Preservation to Granite Construction Company in the amount of \$1,783,505.00.
- e. Motion to authorize the Mayor (or in his absence Mayor Pro Tem) to sign the final plat of Apple Valley Phase I contingent upon bonding for incomplete street and landscape work.
- f. Motion to reappoint Ron Hue to the Tri-Cities Regional Public Facilities Board of Directors, expiring October 1, 2020.

Mr. Jones moved, seconded by Mr. Mr. Boehnke to approve the Consent Agenda. The motion passed unanimously.

4. VISITORS

Dean Hane, 2802 S. Kent St, Kennewick
Posie LaDow, 6 W. 6th Ave #706, Kennewick

5. ORDINANCE/RESOLUTIONS

- a. Ordinance 5709: Change of Zone (COZ 17-03) from Residential, Suburban (RS) to Residential, Manufactured Home (RMH) at 2652 W 15th Ave. Greg McCormick, Planning Director reported.

ORDINANCE NO. 5709

AN ORDINANCE AMENDING THE ZONING CLASSIFICATION OF CERTAIN REAL PROPERTY WITHIN THE CITY OF KENNEWICK LOCATED AT 2652 WEST 15TH AVENUE FROM RESIDENTIAL, SUBURBAN (RS) TO RESIDENTIAL, MANUFACTURED HOME (RMH) (COZ 17-03, MCKAY)

Mr. Parish moved, seconded by Mr. Parks to adopt Ordinance No. 5709. The motion passed unanimously.

6. PUBLIC HEARINGS/MEETINGS - None
7. NEW BUSINESS - None
8. UNFINISHED BUSINESS - None
9. COUNCIL COMMENTS/DISCUSSION

Council members reported on their respective activities.

10. AJOURNMENT

Meeting was adjourned at 6:48 p.m.

Terri L. Wright, CMC
City Clerk

Council Agenda Coversheet



Agenda Item Number	3.c.	Council Date	10/17/2017
Agenda Item Type	General Business Item		
Subject	Payroll Roster (PPE 9/30/17)		
Ordinance/Reso #		Contract #	
Project #		Permit #	
Department	Finance		

Consent Agenda	☒
Ordinance/Reso	☐
Public Mtg / Hrg	☐
Other	☐
Quasi-Judicial	☐

Recommendation

That council approve the payroll roster.

Motion for Consideration

I move to approve the payroll roster in the amount of \$1,714,522.29 for the period ended 9/30/2017, comprised of check numbers 71639 through 71665 and direct deposit numbers 152678 through 153089.

Summary

None.

Alternatives

None.

Fiscal Impact

Total \$1,714,522.29.

Through

Phil Bleazard
Oct 04, 12:00:53 GMT-0700 2017

Dept Head Approval

Dan Legard
Oct 04, 13:08:24 GMT-0700 2017

City Mgr Approval

Marie Mosley
Oct 13, 09:14:22 GMT-0700 2017

Attachments: Roster

☐ Recording
Required?

October 17, 2017

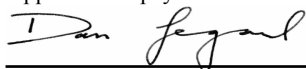
All Departments:

September 30, 2017

ADMINISTRATIVE TEAM	1,903.00
CITY COUNCIL	3,621.00
CITY MANAGER	11,601.11
COMMUNITY PLANNING & ECONOMIC DEVELOPMENT	38,551.10
EMPLOYEE & COMMUNITY RELATIONS	55,315.09
ENGINEERING	47,997.31
FACILITIES & GROUNDS	70,664.72
FINANCE	43,297.22
FIRE	265,699.54
LEGAL SERVICES	21,201.66
MANAGEMENT SERVICES	75,793.29
POLICE	421,768.38
Subtotal General Fund	1,057,413.42
STREETS	13,499.10
TRAFFIC	19,761.63
Subtotal Street Fund	33,260.73
BI-PIN	6,012.49
BUILDING SAFETY	36,508.94
COMMUNITY DEVELOPMENT	3,846.48
CRIMINAL JUSTICE	63,193.30
EQUIPMENT RENTAL	8,297.11
MEDICAL SERVICES	131,554.48
RISK MANAGEMENT	3,132.68
STORMWATER UTILITY	18,001.10
WATER & SEWER	115,131.91
Subtotal Other Funds	385,678.49
Total Salaries and Wages	1,476,352.64
<u>Benefits:</u>	
Industrial Insurance	26,876.74
Medical Retirement Account	2,887.50
Retirement	125,855.66
Social Security (FICA)	82,549.75
Total Benefits	238,169.65
Grand Total	<u>\$1,714,522.29</u>

I, Dan Legard, Finance Director, at the direction of the Council, do hereby certify that the Payroll hereinabove specified is approved for payment in the amount of \$1,714,522.29 comprised of check numbers 71639 through 71665 and direct deposit numbers 152678 through 153089.

Approved for payment:



Dan Legard, Finance Director

Council Agenda Coversheet 	Agenda Item Number	3.d.	Council Date	10/17/2017	Consent Agenda	☒
	Agenda Item Type	Contract/Agreement/Lease			Ordinance/Reso	☐
	Subject	Columbia Park East Bike/Pedestrian Enhancements			Public Mtg / Hrg	☐
	Ordinance/Reso #		Contract #		Other	☐
	Project #	P1516-17	Permit #		Quasi-Judicial	☐
	Department	Public Works				

Recommendation

Staff recommends that council accept the work of Moreno & Nelson Construction for Contract P1516-17, Columbia Park East Bike/Pedestrian Enhancements.

Motion for Consideration

I move to accept the work of Moreno & Nelson Construction for Contract P1516-17, Columbia Park East Bike/Pedestrian Enhancements, in the amount of \$157,597.14.

Summary

Original Contract \$164,185.00
Change Orders \$ 0.00
Quantity Changes (\$ 6,587.86)
Total: \$157,597.14

This project was funded by the Washington State Pedestrian & Bicycle Program and was for the improvement of the existing roadway at the east end of Columbia Park. The project altered the existing pavement markings and signage, widened the path under the existing bridge and installed rectangular rapid flash beacons.

No change orders were identified for this project. The project was under bid due to decreases in quantities for other traffic control labor, flaggers and spotters, and 2-Inch HMA Patching with 6-Inch Top Course.

Alternatives

None recommended.

Fiscal Impact

Washington State Pedestrian & Bicycle Program grant (State Funds) - \$320,000
103.010.595.62.63.08 \$ 157,597.14

Through	Bruce Beauchene Oct 10, 13:13:19 GMT-0700 2017	Attachments:  ☐ Recording Required?
Dept Head Approval	Cary Roe Oct 10, 19:31:30 GMT-0700 2017	
City Mgr Approval	Marie Mosley Oct 13, 09:15:21 GMT-0700 2017	

Council Agenda Coversheet	Agenda Item Number	5.a.(1)	Council Date	10/17/2017	Consent Agenda	☐
	Agenda Item Type	Ordinance			Ordinance/Reso	☒
	Subject	Bridge to Bridge Implementation #1			Public Mtg / Hrg	☐
	Ordinance/Reso #	5710	Contract #		Other	☐
	Project #	ZOA 17-05	Permit #	AMD-2017-02598	Quasi-Judicial	☐
	Department	Planning				

Recommendation

The Planning Commission concurs with the findings and conclusions of the staff report and recommends that the City Council approve the proposed code amendments to create the Urban Mixed Use zone and the Commercial Auto Row zone.

Motion for Consideration

I move to adopt Ordinance 5710.

Summary

In October 2015, City Council adopted the Bridge to Bridge-River to Railroad Revitalization (BBRR) Plan. Adoption of the plan included a change to the Comprehensive Plan land use map and incorporated the plan as part of Kennewick's Comprehensive Plan. A major component of the BBRR plan is the focus on creating a mixed use, pedestrian oriented neighborhood that focuses more on design and form than compatibility of uses in a traditional Euclidean zoning sense. To achieve that end, a new mixed use zone (Urban Mixed Use) was proposed in the plan. The plan also called for a new zone specific to vehicle related businesses (Commercial-Auto Row). This zone is proposed for the area along Columbia Drive between N. Fruitland St. and the US 395/SR 240 interchange. The creation of these two zones to implement the plan also require that land be rezoned to these new zones in accordance with the plan.

The Planning Commission held a public hearing on the proposed changes to Kennewick Municipal Code Title 18 and the area-wide rezone on August 21, 2017. At the hearing nine people spoke in favor of the proposal, one person spoke in opposition and one submitted a letter in opposition. One person spoke in favor of the Urban Mixed Use zone and in opposition of the Commercial-Auto Row zone.

The Planning Commission voted unanimously to recommend approval of the proposal by a 4-0 vote. Chairman Pacheco abstained.

This item is a companion item to 10 others. The proposed changes to the zoning code are contained in 10 ordinances. The areawide rezone is its own ordinance.

Alternatives

None recommended

Fiscal Impact

Potential fiscal impact will vary depending on when and what type of development takes place. The full impact will increase over time as development occurs.

Through	Anthony Muai Oct 10, 09:53:32 GMT-0700 2017	Attachments: Planning Commission minutes Ordinance 5710 Presentation Staff Report
Dept Head Approval	Gregory McCormick Oct 10, 13:50:28 GMT-0700 2017	
City Mgr Approval	Marie Mosley Oct 13, 09:18:49 GMT-0700 2017	
		☐ Recording Required?

CITY OF KENNEWICK
ORDINANCE NO. 5710

AN ORDINANCE RELATING TO ZONING AND AMENDING SECTIONS
18.03.030 AND 18.03.040 OF THE KENNEWICK MUNICIPAL CODE

THE CITY COUNCIL OF THE CITY OF KENNEWICK, WASHINGTON, DO ORDAIN AS FOLLOWS:

Section 1. Section 18.03.030 of the Kennewick Municipal Code, be, and the same hereby is, amended to read as follows:

18.03.030: Establishment of Districts: For the purposes of this Title, the City is divided into zones as provided hereafter:

District Type	Zoning District Name	Symbol
Residential:	Residential – Suburban	RS
	Residential – Low Density	RL
	Residential – Medium Density	RM
	Residential – High Density	RH
	Residential – Manufactured Home	RMH
	Residential – Trailer Park	RTP
	Historic, Mixed Use	HMU
	Commercial – Neighborhood	CN
	Commercial – Office	CO
Commercial:	Commercial – Central Business District	CBD
	Commercial – Community	CC
	Commercial – Regional	CR
	<u>Commercial – Auto Row</u>	<u>CAR</u>
	Commercial – General	CG
	Commercial – Marina	CM
	Historic, Mixed Use	HMU
	Business Park	BP
	Industrial Park	IP
Industrial:	Industrial, Light	IL
	Industrial, Heavy	IH
	Business Park	BP
<u>Mixed Use</u>	<u>Urban Mixed Use</u>	<u>UMU</u>
Other Districts:	Justice Facilities	JF
	Public Facilities	PF
	Parking	P
	Open Space	OS

(Ord. 5710 Sec. 1, 2017; Ord. 5434 Sec. 1, 2012; Ord. 5180 Sec. 1, 2007)

Section 2. Section 18.03.040 of the Kennewick Municipal Code, be, and the same hereby is, amended to read as follows:

18.03.040: Zone Purposes: Consistent with the City Comprehensive Plan, the general purposes of the zones are:

(1) RS – The purpose of the RS district is to establish areas for low-density single-family residential buildings, to stabilize and protect residential districts, and to promote and encourage a suitable environment for family life in a semi-rural setting.

(2) RL - The purpose of the RL district is to establish areas for low density, single-family, residential buildings, to stabilize and protect residential districts, and to promote and encourage a suitable environment for family life in an urban setting.

(3) RM - 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.

(4) RH - The purpose of RH district is to establish areas for multiple residential buildings and promote a suitable residential environment. The district is a transitional use between commercial and low and medium density residential uses.

(5) RMH – The purpose of RMH district is to establish areas for low density, single-family life, protect residential districts, and to promote and encourage a suitable environment for family life in an urban setting.

(6) RTP - The purpose of the RTP district is to establish areas for two (2) or more manufactured homes on a single parcel in a manner that protects existing residential land uses and creates good neighborhood design.

(7) CN - The purpose of the CN district is to establish areas for day-to-day convenience shopping and services. Such facilities must harmonize with the surrounding residential area and provide only those services, which are intended for it. Generally, one of each use is adequate to serve a given neighborhood.

(8) CO - The purpose of the CO district is to provide areas for professional and business offices, medical clinics, and research laboratories. The district is primarily intended for non-retail sale commercial uses and restricted retail sale uses in compatible areas as transitions between more intensive uses and other commercial districts and residential districts.

(9) CBD – The purpose of the CBD district is to accommodate a wide variety of commercial activity (particularly those that are pedestrian-oriented) together with compatible residential life styles which will result in the most intensive and attractive use of the City's Central Business District. In order to preserve the public health, safety and welfare in central business district redevelopment, protect public and private investment in property and infrastructure improvements and stabilize declining property values, certain uses of the land may be restricted or prohibited.

(10) CC - The purpose of the CC district is to stabilize, improve and protect commercial areas, and to provide for orderly growth in new commercial areas in accord with the Comprehensive Plan. CC districts are intended for a wide range of uses to serve the community area to which they are appurtenant.

(11) CR - The purpose of the CR district is to provide areas for a wide range of commercial uses to serve the entire region.

(12) CAR – The purpose of the CAR district is to provide areas for automobile dealerships and most automobile related uses.

(~~12~~13) CG - The purpose of the CG district is to provide areas for heavy commercial use, wholesaling and warehousing, services supporting the primary activities of the other commercial and industrial districts, and uses which are not compatible with retail commercial zoning districts.

(~~13~~14) CM - The purpose of the CM District is to provide areas for water-oriented recreational uses such as marinas and docks, and to allow for multi-family residential development in addition to overnight accommodations, and to allow for a variety of commercial uses, including offices and retail establishments.

(~~14~~15) HMU - The purpose of the HMU District is to provide for a stable living environment for residents and proprietors choosing to locate in a historic setting, which includes limited small-scale commercial retail and non-retail uses within walking distance of those residents. The impact of these commercial uses will be compatible with the surrounding neighborhoods in size and scale, realizing that they will generate traffic from outside of the immediate neighborhood. Special design and parking requirements are used to ensure the area's unique attributes for early twentieth century architecture are not lost.

(~~15~~16) BP - The BP District is established to provide lands for and encourage the development of technological/industrial parks which will accommodate certain light industrial, technological, professional offices, and other similar activities. Building massing should be sensitive to human scale. High standards of architecture, landscaping, and site planning are encouraged, as is the creation of well-defined building entries with features such as canopies or recessed entries.

(~~16~~17) IP - The IP district is designed to accommodate modern, large-scale administrative facilities, research institutions, laboratories and specialized manufacturing organizations which may have unusual requirements for space, light and air, but the operation of which is clean and quiet.

(~~17~~18) IL - The purpose of the IL district is to provide areas for less intensive manufacturing and industrial uses, warehousing, and distribution operations to serve the district.

(~~18~~19) IH - The purpose of the IH district is to provide areas for general industrial processing and manufacturing subject only to the protection of nearby uses and the required quality of the air and water.

(~~19~~20) JF - The purpose of the JF district is to establish areas for uses that have regional significance, but may possess objectionable operational characteristics and may adversely affect adjacent areas and neighborhoods. This district will establish standards to ensure compatibility with adjacent and planned uses, and will enable institutions of regional significance to locate in project sites of an appropriate size and scale relative to their service area. This district will also establish design standards necessary to achieve and distribute benefits associated with such facilities.

(~~20~~21) PF - The purpose of the PF district is to provide areas for public and quasi-public facilities, publicly-owned or controlled parks and recreation facilities, and governmental buildings and facilities.

(~~21~~22) OS - The purpose of the OS district is to offer areas for those types of activities which require open space such as critical area environments, schools, parks, other outdoor recreation, and similar compatible uses.

(23) UMU - The purpose of the Urban Mixed Use district is to accommodate a wide variety of commercial and residential activity (particularly those that are pedestrian oriented) in a dense urban setting which will result in the most intensive and vibrant of the City's zoning districts. In order to preserve the public health, safety and welfare in the urban district, protect

public and private investment in property and infrastructure improvements, certain uses of land may be prohibited. Conversely in many instances the Urban Mixed Use district intentionally allows combinations of uses and development patterns allowed in no other City zoning district.
(Ord. 5710 Sec. 2, 2017: Ord. 5434 Sec. 2, 2012: Ord. 5180 Sec. 1, 2007)

Section 3. This ordinance shall be in full force and effect five days from and after its passage, approval and publication as required by law.

PASSED BY THE CITY COUNCIL OF THE CITY OF KENNEWICK, WASHINGTON, this 17th day of October, 2017, and signed in authentication of its passage this 17th day of October, 2017.

Attest:

STEVE C. YOUNG, Mayor

LINDA C. SPIER, Deputy City Clerk

ORDINANCE NO. 5710 filed and recorded
in the office of the City Clerk of the City of
Kennewick, Washington this 18th day of
October, 2017.

Approved as to Form:

LISA BEATON, City Attorney

LINDA C. SPIER, Deputy City Clerk

DATE OF PUBLICATION_____

**KENNEWICK PLANNING COMMISSION
AUGUST 21, 2017
MEETING MINUTES**

CALL TO ORDER

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

Commissioner Torelli led the Pledge of Allegiance.

Recorder Melinda Didier called the roll and found the following:

Present: Commissioners Rob Rettig, Fraser Hawley, Charles Torelli, Vice Chairman Morris and Chairman Ed Pacheco

Excused: None

Unexcused: None

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

CONSENT AGENDA

- a. Approval of Minutes dated July 19, 2017
- b. Approval of Agenda
- c. Motion to enter Staff Reports into the Record

Commissioner Rettig moved to accept the consent agenda. Commissioner Torelli seconded the motion. The motion carried unanimously.

PUBLIC HEARINGS

Chairman Pacheco has conflict and mentioned he has a personal property interest in the Bridge to Bridge River to Railroad Revitalization Plan area that does not benefit regardless of the Planning Commission's decision; if no objections he stated that he will proceed as Chair. No objections were forthcoming.

Chairman Pacheco opened the public hearing at 6:34 p.m. for the Bridge to Bridge – River to Railroad Revitalization Plan.

Mr. McCormick gave a brief overview of the staff report and presented a Power Point of the staff report. Mr. Muai gave an overview of the two zone changes within the revitalization plan, Urban Mixed Use (UMU) and Commercial, Auto Row (CAR); Mr. McCormick went over the timeline of events for the Bridge to Bridge Revitalization Plan from beginning to Council adoption.

Staff recommends that the Planning Commission concur with the findings and conclusions contained in staff report Bridge to Bridge – River to Railroad Revitalization Plan and recommend to City Council approval of the request.

Questions from Planning Commissioners of staff included: The new auto row zoning designation exclusive to this area, are there other zones currently used as auto sales use areas; why two new zones designated for Bridge to Bridge area; can current zoning designations cover the auto/other uses; unique plan for this area; minimum width of sidewalks (10"); can 15' sidewalks be recommended to council; who regulates parking lot lighting; in CAR district if they don't have landscaping now do they have to bring it up to code; maximum parcel size in commercial zones; commercial design standards; UMU and CAR acreage minimums.

Mr. Muai read into record Exhibit 13: Email comment letter from Dennis Poland on behalf of the Poland family business; mixed feelings over the proposal, however with re-zone cannot expand lay-down yard or build bigger shop; for those reasons opposed to the re-zone.

Testimony in favor:

Larry Peterson
Port of Kennewick
350 Clover Island Dr. Ste. 200
Kennewick

Port of Kennewick in support of BBRR Plan, UMU takes many residential and commercial land uses in City; completely different from traditional Tri-City development; can apply similar plan to Vista Field area – plan will work wonderfully for BBRR and Vista Field area; opportunity to bring vibrancy back to waterfront area.

Eleanor Owen
966 Shelby SE
Seattle, WA

Owns property on N. Everett St.; in support of plan; impatient to move forward.

Vince Rundhaug
306 W. Kennewick Ave
Kennewick, WA

In conjunction with the Downtown Kennewick partnership; plan is going in the right direction; support zoning changes.

Tyrone Brooks, Columbia Basin College
6757 Marble Street
W. Richland, WA

In approval and supports plan on behalf of community.

Tim Arntzen, Director
Port of Kennewick
350 Clover Island Dr
Kennewick, WA

In support of Plan; recognition and understanding for existing businesses to stay and expand; appropriate fashion to have mixed uses; healthy neighborhood transition; investing in area for number of years; 10 million dollar investment for CBC culinary school partnership; need plan to go forward with the Port investment; applaud efforts of staff and hopes Planning Commission recommends to City Council.

Jay Freeman
Downtown Kennewick Association
16 W. Kennewick Ave
Kennewick, WA

Applaud efforts of BBRR plan and support this to help community and businesses grow.

Tom Moak, Port Commissioner
Port of Kennewick
418 W. Kennewick Avenue
Kennewick, WA

Initially visionary plan but lacked support from City and the Port; today with the ups and downs with the BBRR project; now seeing support from City, Port, CBC, County and private sector for positive movement forward with this plan; applaud Greg & Anthony efforts; good for community and vision going forward.

Eric Weinheimer
2220 SLI Road
Sunnyside, WA

Representing clients Steve West, Doug Overturf; in support of plan; would like their properties included in the new mixed use zone; Exhibit 14 (Doug Overturf letter) and Exhibit 15 (Steve and Judy West Letter).

Ken Williamson
Kennewick, WA

Supports the plan.

Testimony neutral or against:

Dara Foster
525 N. Mayfield
Kennewick, WA

Supports the mixed use zoning but does not support the auto row zone.

Augustan Kitson, KIE
3004 W. 46th Avenue
Kennewick, WA

Planning Commissioners violated rules by allowing three speakers from one organization; staff has made mistakes on maps and areas of the rezone with regard to Industrial zones; his

property violation of non-conforming use building is distribution center; majority of sales to contractor considered distributor; provide services to people; have lighting showrooms, plumbing showrooms; City trying to drive him out of business; three wineries built there won't employ 65 people; must look at what has been there, and what is affected.

Staff final comments:

None

Further questions from Planning Commissioners of staff:

Is this appropriate time to suggest sidewalk standard be modified to wider sidewalk.

Public Testimony for the Bridge to Bridge – River to Railroad Revitalization Plan closed at 7:35 p.m.

Chairman Pacheco asked for a motion.

Commissioner Torelli moved to concur with the findings and conclusions in staff report regarding the Urban Mixed Use Zoning District and the Commercial Auto Row Zoning District and associate area regulations and area-wide re-zone to implement the Bridge to Bridge – River to Railroad Revitalization Plan and forward a recommendation to City Council of APPROVAL of the request. Commissioner Rettig seconded the motion.

Mr. McCormick asked Commissioner Torelli if the motion would include the change the Commission recommended. Commissioner Torelli said yes, as amended to include the recommendation for wider sidewalks.

Planning Commission discussion: Vice Chairman Morris said it is not the intention of the Planning staff or the Planning Commission to push out long-standing business, it has been difficult; frequent customer of KIE; confused that Poland & Sons has concerns after renovations; plan to vote in favor for overall good of city.

The motion passed with four Commissioners in favor and one abstention on a roll call vote.

VISITORS NOT ON AGENDA:

None

OLD BUSINESS:

None

NEW BUSINESS:

None

REPORTS, COMMENTS, OR DISCUSSION OF COMMISSIONERS AND STAFF:

First meeting in September is cancelled for Labor Day Holiday; next meeting is September 18th.

ADJOURNMENT:

The meeting was adjourned at 7:40 p.m.



STAFF REPORT

BRIDGE TO BRIDGE – RIVER TO RAILROAD REVITALIZATION PLAN IMPLEMENTATION

Date: August 21, 2017

To: City of Kennewick Planning Commission

From: Community Planning Department, Anthony Muai-AICP, Senior Planner

HISTORY

Kennewick is situated along the banks of the Columbia River. The majority of Kennewick's riverfront is contained in Columbia Park. The remainder has been walled off by flood protection levees that were constructed with the McNary Dam during the 1940's and 50's. Since that occurred development in Kennewick has turned from the River and moved inland. In recent years, as early as the 1990's, the community has been trying to reconnect with the river through different planning efforts.

The most recent efforts began in 2003 when the Urban Design Assistance Team was brought to Kennewick through the efforts of the Downtown Kennewick and Columbia Drive Association and the City of Kennewick. The goal of the visit was to provide Kennewick with a "blueprint" for the future of the area located between the Blue Bridge and the Cable Bridge and between the Columbia River and railroad lines. This area has been referred to as the Bridge to Bridge-River to Railroad area.

In 2009 City Council established the Bridge to Bridge-River to Railroad (BBRR) area as a priority area within the City. Staff was charged with completing a subarea plan for this area to guide its growth and to aid in its revitalization. Kennewick hired a consultant to assist in this planning effort and to lead the community outreach efforts.

The Bridge to Bridge-River to Railroad Revitalization Plan was crafted based on the input gained from nine public workshops, two internet surveys and input from the Task Force and comments from other agencies and stakeholders that took place from 2009 to 2010. Once the plan was prepared and presented to the Planning Commission, community partners found that there were certain aspects that would be difficult to implement. This led to the additional work between the City and other agencies, particularly the Port of Kennewick. This work spanned four years as the City and Port worked with the community to solidify the vision for the redevelopment of Vista Field, and how that would affect the community's vision for the BBRR area. After additional work with the Port and agency partners, two additional open houses and a public hearing, the City Council adopted the Bridge to Bridge-River to Railroad Revitalization Plan by Ordinance 5611 in 2015.

Once the BBRR plan was adopted, staff continued working with the Port of Kennewick. Through the planning efforts led by the Port for the redevelopment of Vista Field, the community formulated a similar vision as was identified for the BBRR area. Due to this, the City and Port decided to work together of development regulations

that would serve the purpose of implementing the vision in both the BBRR and Vista Field areas. Several stakeholder meetings and additional open houses have been held speaking specifically to the development regulations and the zoning that is being proposed in the BBRR area. Also, additional workshops with the Planning Commission and City Council have been held to ensure that what is being proposed is in line with the vision of the community as a whole.

PROPOSAL

The plan proposes mixed use development as the prominent type of future development but also highlights the automobile sales and service sector that dominates the western end of Columbia Drive. To address this, the plan proposes two new zoning districts. The Urban Mixed Use (UMU) district is proposed with corresponding development regulations to implement the vision of the BBRR Plan. The Commercial – Auto Row (CAR) district is proposed with development standards to implement its purpose.

Urban Mixed Use (UMU)

Currently mixed use development is permitted in all commercial districts as an optional type of development. While allowed, it comes with a specific set of development regulations that, at times, have caused some hesitation on the part of developers. In particular are the requirements for a minimum density and the requirement that a minimum of 20% of the development be either commercial or residential. There is flexibility on how this could occur within the current code. Mixed use development can be integrated vertically (multistory building with commercial uses on the bottom and residential on the top) or horizontally (commercial built along the street with residential uses behind). A master plan is required to show the integration of the uses and how they will be laid out. In addition, these developments in Commercial zones are limited to the uses allowed in that particular zone with the addition of residential uses being allowed.

The proposed UMU district will allow for a wide range of uses including residential, retail, personal services and other compatible uses, many more than any one commercial zone. In addition, these uses will be allowed to stand alone instead of having to provide a minimum of 20% of the use be commercial or residential or having to go through as site master planning process to show the integration. This will allow residential development to occur alongside commercial development independently, with the design and development standards providing the framework to tie the uses and buildings together. Standards and guidelines are proposed to guide this type of development and are contained in a proposed new chapter of the Municipal Code, KMC 18.80: *Urban Mixed Use Design Standards*.

Amendments to 18.12: *Zone Districts and Standards* are being proposed to identify uses that are permitted and general development standards such as setbacks and height limits. These standards differ widely from the standards held in the other zones within Kennewick. For example, there are no height limits within the UMU zone. This is significant because while there are no height restrictions in commercial zones in Kennewick, there are restrictions in each of the residential zones. In the UMU district, there will not be a restriction on heights for residential buildings. In addition, rather than minimum front yard setbacks, proposed are maximum street frontage setbacks that aim to keep buildings at the street and create a pedestrian scale environment.

Amendments to KMC 18.36: *Off Street Parking* are being proposed to implement the parking concepts contained in the plan.

Another new chapter, KMC 18.80: *Urban Mixed Use Design Standards* is being proposed to guide the design and development within the BBRR Area. The chapter proposes standards for Street Frontage, Block, Site Design and Building Design to enhance development and to implement the community's vision as outlined in the BBRR Plan.

Commercial – Auto Row (CAR)

The Commercial – Auto Row (CAR) district is proposed to cater to the existing automobile sales and service sector along Columbia Drive and to focus them into one area rather than the length of the entire corridor. This will allow the remainder of the corridor to develop a pedestrian oriented look and feel in line with the community's vision as contained in the BBRR plan. The proposed district lies between N. Fruitland St. and US 395/SR 240 interchange. The properties that front Columbia Dr. in this area constitute the bulk of this proposed district.

Amendments to 18.12: *Zone Districts and Standards* are proposed to identify permitted uses and site design standards within the zone.

Amendments to 18.21: *Landscaping* make up the biggest difference in standards when comparing the proposed CAR district to other commercial districts. Automobile dealers have different needs when it comes to site design. In particular, the City's standard landscaping requirements for commercial districts can be a cause for concern due to the nature of car sales. Unlike typical retail establishments that display goods within their building, automobile dealers display their product outside. Traditional landscaping requires call for trees and plants along the street as well as in the parking lot. This blocks the dealer's product and can increase costs required to keep vehicles clean from byproducts of the trees and the animals that use them. The proposed amendment removes the requirement for trees along the street and in the parking lot. Instead, it requires a portion of the landscaping that would normally be required to be placed around the building.

Area-Wide Rezone

To implement the vision of the community as captured in the BBRR Plan, the UMU and CAR zoning districts were created. The Plan also identifies where these zones should be implemented. Therefore, an area-wide rezone is proposed to rezone those areas identified to either the UMU or CAR zones. The Plan also identified areas of industrial and high density residential lands that were to remain. While the bulk of the area-wide rezone will change parcels from Commercial – Community, Commercial – General, Residential – High and Industrial – Light to UMU and Commercial – Community, Commercial – General and Residential – High to CAR, there are three small changes that are proposed to create consistency. These are the rezone of a single parcel from Residential – Low to Residential – High, a single parcel from Commercial – General to Commercial – Neighborhood and a single parcel from Commercial – General to Commercial – Neighborhood. These proposed changes will bring these three parcels into conformance with the plan and make them compatible with the properties surrounding them.

CONCLUSION

The Bridge to Bridge/River to Railroad Subarea Action Plan has integrated the majority of ideas and concepts laid out in the original UDAT study and has followed its counsel to “*refine the UDAT B2/R2 Plan and develop strategies to implement the guts of the Plan*”. The proposed development regulations and area-wide rezone will implement the plan and guide the revitalization of this important area of the Tri-Cities.

Regulatory Controls and Policies

- City of Kennewick Comprehensive Plan
- Kennewick Municipal Code Title 4
- Kennewick Municipal Code Title 18

Findings of Fact

1. The Bridge to Bridge/River to Railroad Revitalization Plan was developed between 2009 and 2010. City Council adopted the plan on October 5, 2015 by Ordinance 5611.
2. The proposed code amendments will create two new zoning districts: Urban Mixed Use and Commercial – Auto Row, and development regulations to implement each zone.
3. The proposed amendments will amend Chapters 18.03, 18.06, 18.12, 18.21, 18.24, 18.27, 18.36, 18.75 and 18.78 of the Kennewick Municipal Code.
4. The proposed amendments will create a new chapter, Chapter 18.80: *Urban Mixed Use Design Standards*.
5. The Bridge to Bridge/River to Railroad Subarea planning process included numerous agencies and individuals including several workshops and open houses used to obtain information to formulate policies, concepts and implementation strategies contained in the Plan.
6. A Draft Environmental Impact Statement for the Bridge to Bridge/River to Railroad Subarea Plan was issued for public comment and review on October 20, 2010. The comment period on the draft EIS concluded on December 3, 2010. The Final EIS was issued on December 17, 2010.
7. Notices of the Public Hearing were mailed to all property owners within the BBRR Area on August 4, 2017, emailed to all parties of interest on August 7, 2017 and published in the newspaper on August 6, 2017.
8. Notice was sent to the WA State Department of Commerce requesting expedited review of the proposed amendments on May 2, 2017.

Conclusions of Law

1. Approval will amend Chapters 18.03, 18.06, 18.12, 18.21, 18.24, 18.27, 18.36, 18.75 and 18.78 of Title 18: *Zoning* of the Kennewick Municipal Code.
2. Approval will create a new chapter in Title 18: *Zoning* of the Kennewick Municipal Code.
3. Approval will implement Comprehensive Plan Urban Area Policies 2.3 and 5.1.
4. Approval will implement Comprehensive Plan Critical Areas and Shoreline Goal 4.
5. Approval will implement Comprehensive Plan Residential Goals 1 and 4 and Policies 1.2, 1.3, 1.5, 4.1 and 4.2.
6. Approval will implement Comprehensive Plan Commercial Goals 1, 2, 3 and Policies 1.1, 1.2, 2.1, 2.2, 2.3, 2.4, 2.5, 3.1, 3.4 and 3.5.
7. Approval will implement Comprehensive Plan Urban Design Goals 1, 2, 3, 5 and Policies 1.1, 1.4, 1.5, 2.1, 2.4, 3.1, 3.2, 5.1 and 5.2.
8. Approval will implement Comprehensive Plan Housing Goals 1, 3 and Policies 1.3, 1.5, 1.6 and 3.1.
9. Approval will implement Comprehensive Plan Transportation Goals 2, 4 and Policies 2.2, 2.4 and 4.1.
10. Approval will implement Comprehensive Plan Economic Development Goal 3 and Policies 3.1 and 3.2.
11. Approval will not negatively impact the public necessity, convenience or general welfare of the public.

Recommendation

Staff has recommends that the Planning Commission concur with the findings and conclusions contained in the staff report regarding the creation of the Urban Mixed Use zoning district and the Commercial – Auto Row zoning district, associated development regulations and area-wide rezone to implement the Bridge to Bridge-River to Railroad Revitalization Plan and recommend approval to the City Council.

Motion

I move that the Planning Commission concur with the findings and conclusions in the staff report regarding the creation of the Urban Mixed Use zoning district and the Commercial – Auto Row zoning district, associated

development regulations and area-wide rezone to implement the Bridge to Bridge-River to Railroad Revitalization Plan and recommend approval to the City Council.

Exhibits

1. KMC 18.03
2. KMC 18.06
3. KMC 18.12
4. KMC 18.21
5. KMC 18.24
6. KMC 18.27
7. KMC 18.36
8. KMC 18.75
9. KMC 18.78
10. KMC 18.80
11. Existing Zoning Map
12. Proposed Zoning Map

CHAPTER 18.03

GENERAL PROVISIONS

SECTION:

- 18.03.010: Title
- 18.03.020: Title Purpose
- 18.03.030: Establishment of Districts
- 18.03.040: Zone Purposes
- 18.03.050: Zoning Map
- 18.03.060: Zone Boundaries
- 18.03.070: Scope
- 18.03.080: Maintenance of Minimum Requirements
- 18.03.090: Conflicting Provisions
- 18.03.100: Penalties
- 18.03.110: Measurement of Distance

18.03.010: Title: This Title shall be known as the “Zoning Ordinance of the City of Kennewick.” (Ord. 5180 Sec. 1, 2007)

18.03.020: Title Purpose: The purpose of this Title is:

(1) To promote the health, safety, morals, convenience, comfort, prosperity, and the general welfare within the City and its immediate environs; to promote the orderly, compatible use of land; and to promote the City's growth consistent with the City's adopted Comprehensive Plan;

(2) To establish specific zones and regulations necessary for the proper development of utilities, schools, parks, housing, essential light, air, privacy and open spaces; to lessen the congestion on streets and to promote the safe movement of traffic; to stabilize and protect property values; to prevent overcrowding and slums; to promote an environmentally and aesthetically sound city; to promote the community's economic development and the prosperity and welfare of its citizens and to establish an attractive city within which to live; and

(3) To establish various zones respecting the location, height, and use of buildings, the use of land, the size of yards, off-street parking and loading zones, and other necessary spaces; and other such regulations of the use of land, reasonable or necessary within their respective zones, which promote the general welfare and are necessary for the proper police and sanitary regulation of the City. (Ord. 5180 Sec. 1, 2007)

18.03.030: Establishment of Districts: For the purposes of this Title, the City is divided into zones as provided hereafter:

District Type	Zoning District Name	Symbol
Residential:	Residential – Suburban	RS
	Residential – Low Density	RL
	Residential – Medium Density	RM
	Residential – High Density	RH
	Residential – Manufactured Home	RMH
	Residential – Trailer Park	RTP
	Historic, Mixed Use	HMU
Commercial:	Commercial – Neighborhood	CN
	Commercial – Office	CO
	Commercial – Central Business District	CBD
	Commercial – Community	CC
	Commercial – Regional	CR
	Commercial – Auto Row	CAR
	Commercial – General	CG
	Commercial – Marina	CM
	Historic, Mixed Use	HMU
	Business Park	BP
Industrial:	Industrial Park	IP
	Industrial, Light	IL
	Industrial, Heavy	IH
	Business Park	BP
Mixed Use	Urban Mixed Use	UMU
Other Districts:	Justice Facilities	JF
	Public Facilities	PF
	Parking	P
	Open Space	OS

(Ord. 5434 Sec. 1, 2012; Ord. 5180 Sec. 1, 2007)

18.03.040: Zone Purposes: Consistent with the City Comprehensive Plan, the general purposes of the zones are:

(1) RS – The purpose of the RS district is to establish areas for low-density single-family residential buildings, to stabilize and protect residential districts, and to promote and encourage a suitable environment for family life in a semi-rural setting.

(2) RL - The purpose of the RL district is to establish areas for low density, single-family, residential buildings, to stabilize and protect residential districts, and to promote and encourage a suitable environment for family life in an urban setting.

(3) RM - 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.

(4) RH - The purpose of RH district is to establish areas for multiple residential buildings and promote a suitable residential environment. The district is a transitional use between commercial and low and medium density residential uses.

(5) RMH – The purpose of RMH district is to establish areas for low density, single-family life, protect residential districts, and to promote and encourage a suitable environment for family life in an urban setting.

(6) RTP - The purpose of the RTP district is to establish areas for two (2) or more manufactured homes on a single parcel in a manner that protects existing residential land uses and creates good neighborhood design.

(7) CN - The purpose of the CN district is to establish areas for day-to-day convenience shopping and services. Such facilities must harmonize with the surrounding residential area and provide only those services, which are intended for it. Generally, one of each use is adequate to serve a given neighborhood.

(8) CO - The purpose of the CO district is to provide areas for professional and business offices, medical clinics, and research laboratories. The district is primarily intended for non-retail sale commercial uses and restricted retail sale uses in compatible areas as transitions between more intensive uses and other commercial districts and residential districts.

(9) CBD – The purpose of the CBD district is to accommodate a wide variety of commercial activity (particularly those that are pedestrian-oriented) together with compatible residential life styles which will result in the most intensive and attractive use of the City's Central Business District. In order to preserve the public health, safety and welfare in central business district redevelopment, protect public and private investment in property and infrastructure improvements and stabilize declining property values, certain uses of the land may be restricted or prohibited.

(10) CC - The purpose of the CC district is to stabilize, improve and protect commercial areas, and to provide for orderly growth in new commercial areas in accord with the Comprehensive Plan. CC districts are intended for a wide range of uses to serve the community area to which they are appurtenant.

(11) CR - The purpose of the CR district is to provide areas for a wide range of commercial uses to serve the entire region.

(12) CAR – The purpose of the CAR district is to provide areas for automobile dealerships and most automobile related uses.

~~(12)~~ (13) CG - The purpose of the CG district is to provide areas for heavy commercial use, wholesaling and warehousing, services supporting the primary activities of the other commercial and industrial districts, and uses which are not compatible with retail commercial zoning districts.

~~(13)~~ (14) CM - The purpose of the CM District is to provide areas for water-oriented recreational uses such as marinas and docks, and to allow for multi-family residential development in addition to overnight accommodations, and to allow for a variety of commercial uses, including offices and retail establishments.

~~(14)~~ (15) HMU - The purpose of the HMU District is to provide for a stable living environment for residents and proprietors choosing to locate in a historic setting, which includes limited small-scale commercial retail and non-retail uses within walking distance of those residents. The impact of these commercial uses will be compatible with the surrounding neighborhoods in size and scale, realizing that they will generate traffic from outside of the immediate neighborhood. Special design and parking requirements are used to ensure the area's unique attributes for early twentieth century architecture are not lost.

(15) BP - The BP District is established to provide lands for and encourage the development of technological/industrial parks which will accommodate certain light industrial, technological, professional offices, and other similar activities. Building massing should be

sensitive to human scale. High standards of architecture, landscaping, and site planning are encouraged, as is the creation of well-defined building entries with features such as canopies or recessed entries.

(1617) IP - The IP district is designed to accommodate modern, large-scale administrative facilities, research institutions, laboratories and specialized manufacturing organizations which may have unusual requirements for space, light and air, but the operation of which is clean and quiet.

(1718) IL - The purpose of the IL district is to provide areas for less intensive manufacturing and industrial uses, warehousing, and distribution operations to serve the district.

(1819) IH - The purpose of the IH district is to provide areas for general industrial processing and manufacturing subject only to the protection of nearby uses and the required quality of the air and water.

(1920) JF - The purpose of the JF district is to establish areas for uses that have regional significance, but may possess objectionable operational characteristics and may adversely affect adjacent areas and neighborhoods. This district will establish standards to ensure compatibility with adjacent and planned uses, and will enable institutions of regional significance to locate in project sites of an appropriate size and scale relative to their service area. This district will also establish design standards necessary to achieve and distribute benefits associated with such facilities.

(2021) PF - The purpose of the PF district is to provide areas for public and quasi-public facilities, publicly-owned or controlled parks and recreation facilities, and governmental buildings and facilities.

(2122) OS - The purpose of the OS district is to offer areas for those types of activities which require open space such as critical area environments, schools, parks, other outdoor recreation, and similar compatible uses.

(23) UMU - The purpose of the Urban Mixed Use district is to accommodate a wide variety of commercial and residential activity (particularly those that are pedestrian oriented) in a dense urban setting which will result in the most intensive and vibrant of the City's zoning districts. In order to preserve the public health, safety and welfare in the urban district, protect public and private investment in property and infrastructure improvements, certain uses of land may be prohibited. Conversely in many instances the Urban Mixed Use district intentionally allows combinations of uses and development patterns allowed in no other City zoning district.

(Ord. 5434 Sec. 2, 2012; Ord. 5180 Sec. 1, 2007)

18.03.050: Zoning Map: The boundaries of the established zones will be drawn on a map entitled, "Zoning Map of the City of Kennewick." A certified copy of the adopted map and its current amendments shall be maintained in the office of the City Clerk. (Ord. 5180 Sec. 1, 2007)

18.03.060: Zone Boundaries: Unless otherwise specified, zone boundaries will follow section lines, subdivision lines, lot lines, centerlines of streets, alleys, or railroad rights-of-way, or such lines extended. (Ord. 5180 Sec. 1, 2007)

18.03.070: Scope: No building, use or structure may be erected, reconstructed, altered, enlarged, or relocated, and no building, structure, or plan may be used within any zoning district except in accord with this Title and then only after securing and complying with all required permits and licenses. This Title does not allow any use which is in violation of any local, state, or federal laws, regulations, codes, and/or ordinances. (Ord. 5476 Sec. 2, 2012; Ord. 5180 Sec. 1, 2007)

18.03.080: Maintenance of Minimum Requirements: No existing lot dimension, yard, or off-street parking area may be reduced below the minimum requirements of this Title without approval of a variance in accord with Section 18.42.120 or 18.54, whichever is applicable. (Ord. 5180 Sec. 1, 2007)

18.03.090: Conflicting Provisions: If any provision of this Title conflicts with any other, the more restrictive applies. (Ord. 5180 Sec. 1, 2007)

18.03.100: Penalties: Any person who violates any provision of this Title, fails to comply with any condition of a permit, license, or other approval, or fails to obtain any license, permit or other approval is guilty of a misdemeanor. (Ord. 5180 Sec. 1, 2007)

18.03.110: Measurement of Distance: The measurement of distances called for in this Title and Title 17 shall mean the straight line distance from the structure or property line. (Ord. 5180 Sec. 1, 2007)

CHAPTER 18.06

DISTRICTS AND MAPS

SECTION:

18.06.010: Classification of Zones

18.06.020: Zoning Map

18.06.010: Classification of Zones:

- (1) The following zoning districts are established:
 - (a) RS-Residential, Suburban;
 - (b) RL-Residential, Low Density;
 - (c) RM-Residential, Medium Density;
 - (d) RH-Residential, High Density;
 - (e) RMH-Residential, Manufactured Home (existing prior to 2007);
 - (f) RTP-Residential, Trailer Park;
 - (g) HMU-Historical, Mixed Use;
 - (h) CO-Commercial, Office;
 - (i) CN-Commercial, Neighborhood;
 - (j) CBD – Commercial, Central Business District
 - (k) CC-Commercial, Community;
 - (l) CR-Commercial, Regional;
 - (m) CAR-Commercial, Auto Row;
 - ~~(mn)~~ CG-Commercial, General;
 - ~~(no)~~ CM-Commercial, Marina;
 - (p) UMU-Urban Mixed Use;
 - ~~(eq)~~ BP-Business Park;
 - ~~(pr)~~ IP-Industrial, Park;
 - ~~(qs)~~ IL-Industrial, Light;
 - ~~(rt)~~ IH-Industrial, Heavy;
 - ~~(su)~~ PF-Public Facility;
 - ~~(tv)~~ JF-Justice Facility;
 - ~~(tw)~~ OS-Open Space;
 - ~~(vx)~~ P-Parking.

(2) Any zoning classification to which has been added any special condition or limitation not generally applicable to property within the same zone, will be designated by the suffix “L” to indicate that a special limitation or condition is applicable to that property. Overlay districts established in accord with Chapter 18.69 are designated by the suffix “OD” to indicate that a special overlay district has been established for a particular area.

(3) Additional conditions to mitigate adverse environmental impacts may be imposed in addition to or in place of those set out in this title. See RCW 43.21C. (Ord. 5434 Sec. 3, 2012; Ord. 5204 Sec. 1, 2007; Ord. 5180 Sec. 1, 2007)

18.06.020: Zoning Map: The boundaries of the established zones will be drawn on a map entitled “Zoning Map of the City of Kennewick.” A certified copy of the adopted map and

its current amendments shall be maintained in the office of the City Clerk. (Ord. 5180 Sec. 1, 2007)

CHAPTER 18.12

ZONE DISTRICTS AND STANDARDS

SECTION:

- 18.12.010: Use and Standards Table
 - A.1: Residential Use Table
 - A.2: Table of Residential Site Development Standards
 - B.1: Table of Non-Residential Uses
 - B.2: Table of Non-Residential Site Development Standards
- 18.12.020: Accessory Dwelling Units (ADUs)
- 18.12.030: Adult Concessions
- 18.12.040: Animal Keeping
- 18.12.050: Automobile-Oriented Uses
- 18.12.055: Car Washes, Vehicular Access/Circulation/Fencing/Operation
- 18.12.060: Day Care Centers and Mini-Day Care Centers
- 18.12.070: Family Day Care Home
- 18.12.080: Health Facilities
- 18.12.100: Junk
- 18.12.110: Kennels
- 18.12.120: Manufactured Housing Display Areas
- 18.12.130: Mini-Storage Development Standards
- 18.12.140: Motels
- 18.12.150: Outdoor Theaters
- 18.12.160: Public Parks and Playgrounds
- 18.12.165: Prohibited Marijuana Uses
- 18.12.170: Recreational Vehicle Park
- 18.12.180: Recreational Vehicle Storage
- 18.12.190: Rooming Houses and Boarding Houses
- 18.12.200: Satellite Dishes
- 18.12.210: Stables, Corrals, and Riding Academies
- 18.12.220: Storing of Commercial Vehicles
- 18.12.230: Subdivision Sales Area, Equipment, and Material Yards
- 18.12.240: Swimming Pools
- 18.12.250: Temporary and Parking Lot Businesses
- 18.12.260: Trailers, Boats, Camper Tops, Travel Trailers, and Recreational Vehicles
- 18.12.270: Transportable Units
- 18.12.280: Trash Containers
- 18.12.290: Veterinary Clinic or Hospital
- 18.12.300: Volatile Toxic and Volatile Flammable Material Storage
- 18.12.305: Wineries
- 18.12.310: Wireless Communication Facilities
- 18.12.320: Planning Director Interpretation of Unlisted Uses
- 18.12.350: Additional Conditions

18.12.010: Use and Standards Tables:

18.12.010 A.1: Residential Use Table: The following table lists uses allowed by zone and the applicable City review process as follows: Review Process I = Staff review, Review Process II = Conditional Use Permit. If a use is listed with a blank, it shall be prohibited in that zone. For certain categories of uses, additional requirements are also noted:

Residential Use Table	RMH	RS	RL	RM	RH	RTP	UMU	CN	CO	CBD	CC	CR	CAR	CG	CM	HMU	BP	IP	IL	IH	JF	PF	OS
Accessory Dwelling Units (See Title 18.12.020)	I	I	I	I	I		<u>I</u>			I						I							
Accessory uses and structures	I	I	I	I	I	I	<u>I</u>	I	I	I	I	I		I	I	I	I	I	I	I	I	I	I
Animal Keeping (See Title 18.12.040)	I	I	I	I	I	I										I							
Bed and breakfast inns (5 guest rooms or less)	I	I	I	I	I		<u>I</u>			II						I							
Churches or religious places of worship	II	II	II	II	II	II	<u>II</u>		I		I	I		I	I	II							
Day Care Centers (See Section 18.12.060)				II	I		<u>I</u>	I	I		I	I		I		I	I	I	I	I		I	I
Family Day Care Home (see Section 18.12.070 and footnotes)	(1)	(1)	(1)	(1)	(1)	(1)	<u>(1)</u>	(1)	(1)	(1)	(1)	(1)		(1)	(1)	(1)	(1)	(1)	(1)	(1)	(1)	(1)	(1)
Farm Animals (see footnote 9)		I																					
Group Living I (See footnote 5)																							
Group Living II (See footnote 6)				I	I				I		I	I		I									
Home occupation	I	I	I	I	I	I	<u>I</u>	I	I	I	I	I		I	I	I							
Mini-Day Care Center (Located in Family Abode – Section 18.12.060)	II	II	II	I	I	II	<u>I</u>	I	I	I	I	I		I	I	I	I	I	I	I	I	I	I
Mini-Day Care Center (Not located in Family Abode – See 18.12.060)				I	I		<u>I</u>	I	I		I	I		I	I	I	I					I	I
Mini Storage (See 18.12.130)					I						I	I		I					I	I			
Motels (See Title 18.12.140)					II					I	I	I		I	I								
Mixed Use (see footnote 11)								I	I	I	I	I		I									
Nursing homes and congregate care facilities (over 10 residents)				II	II				I		I	I		I									
Nursing homes and congregate care facilities (up to 10 residents)	II	II	II	II	II		<u>I</u>		I		I	I		I		I							
Recreational vehicle park, transient (up to 30-day stay) (See Title 18.12.170, 180) (see also, footnote 7)																						I	I
Residences, multi-family (see footnote 8)				I	I		<u>I</u>	<u>I</u> (8)	<u>I</u> (8)		<u>I</u> (8)	<u>I</u> (8)		<u>I</u> (8)	<u>I</u> (8)	<u>I</u> (8)							

Residential Use Table	RMH	RS	RL	RM	RH	RTP	UMU	CN	CO	CBD	CC	CR	CAR	CG	CM	HMU	BP	IP	IL	IH	JF	PF	OS
Residences, single-family (see footnote 8)	I	I	I	I	I	I	I	I (8)	I (8)		I (8)	I (8)		I (8)	I (8)	I (8)							
Rooming Houses and Boardinghouses (See Title 18.12.190)				II	II		I																
Swimming Pools (See Title 18.12.240) (see footnote 10)							I															I	I
Trailers, Boats, Camper Tops, Travel Trailers, Recreational Vehicles (See Title 18.12.260)	I	I	I	I	I																		

FOOTNOTES for Table 18.12.010 A-1 Residential Use Table:

(1) No permit required for a family day care home (up to six charges). Per 18.12.070, if alterations are made a building permit will be required. A state license and city business license is required.

(2) Not used.

(3) Not used.

(4) Not used.

(5) Residential Care Homes, state or federally approved, with six (6) or fewer residents and any required on-site residential staff permitted by right; all larger group living uses prohibited.

(6) Residential Care Centers are permitted outright, subject to all of the applicable provisions of this title.

(7) Recreational vehicle storage in R districts shall refer to Title 18.12.180 and shall be subject to special provisions applicable to Master Planned subdivisions.

(8) ~~In Commercial zones residential use is not allowed on ground (grade level) floor, s~~ Subject to [KMC 18.42](#) and ~~horizontal mixed use regulations contained in the Commercial Design Standards~~ [KMC 18.78](#).

(9) In “RS” zones, agriculture and animal husbandry are permitted including keeping of farm animals such as horses, cows, and sheep, but maintained only on lots of at least 30,000 square feet. The keeping of farm animals must not exceed one animal per half acre.

(10) Swimming pools considered an accessory use.

~~(11) According to Land Use Permits, KMC 18.42 and the mixed use design standards, KMC 18.78.~~ (Ord. 5558 Sec. 2, 2014: Ord. 5528 Sec. 2, 2013: Ord. 5462 Sec. 3, 2012: Ord. 5434 Sec. 4, 2012: Ord. 5309 Sec. 8, 2010: Ord. 5262 Sec. 2, 2009: Ord. 5204 Sec. 5, 2007: Ord. 5180 Sec. 1, 2007)

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

	RS ⁵	RL ⁵	RM ^{3, 4, 5, 6, 7}	RH ^{3, 4, 5, 6, 7}	RTP ^{3, 4, 5}	RMH ⁶	UMU ^{3, 7}
Max. Density ¹	N/A	N/A	13	27	13	4	N/A
Min. Lot Size	10,500	7,500	4,000	4,000	1 acre	7,500	N/A
Min. Lot Size (Rowhouse/ Townhouse)	N/A	N/A	1,800	1,600	N/A	N/A	N/A
Min. Lot Width ²	60'	60'	50'	N/A	N/A	60'	N/A
Min. Lot Width ² (Rowhouse/ Townhouse)	N/A	N/A	24'	24'	N/A	N/A	N/A
Min. Front Yard/ Street Setback ²	15'	15'	15'	15'	15'	20'	See KMC 18.80
Min. Garage Setback ²	20'	20'	20'	20'	20'	20'	N/A
Min. Side Yard Setback ²	5'	5'	5'	5'	5'	5'	0'
Min. Rear Yard Setback ²	15'	15'	15'	15'	15'	15'	5'
Max. Height	30'	30'	30'	45'	N/A	30'	N/A
Min. Lot Frontage ²	30'	30'	30'	30'	30'	30'	20'
Min. Lot Frontage ² (Rowhouse/ Townhouse)	N/A	N/A	20'	20'	N/A	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/[units](#).

(2) Yards:

(a) Street: Building setback lines will be measured from the back of the sidewalk. Where no sidewalk exists [and in the UMU district](#), 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.

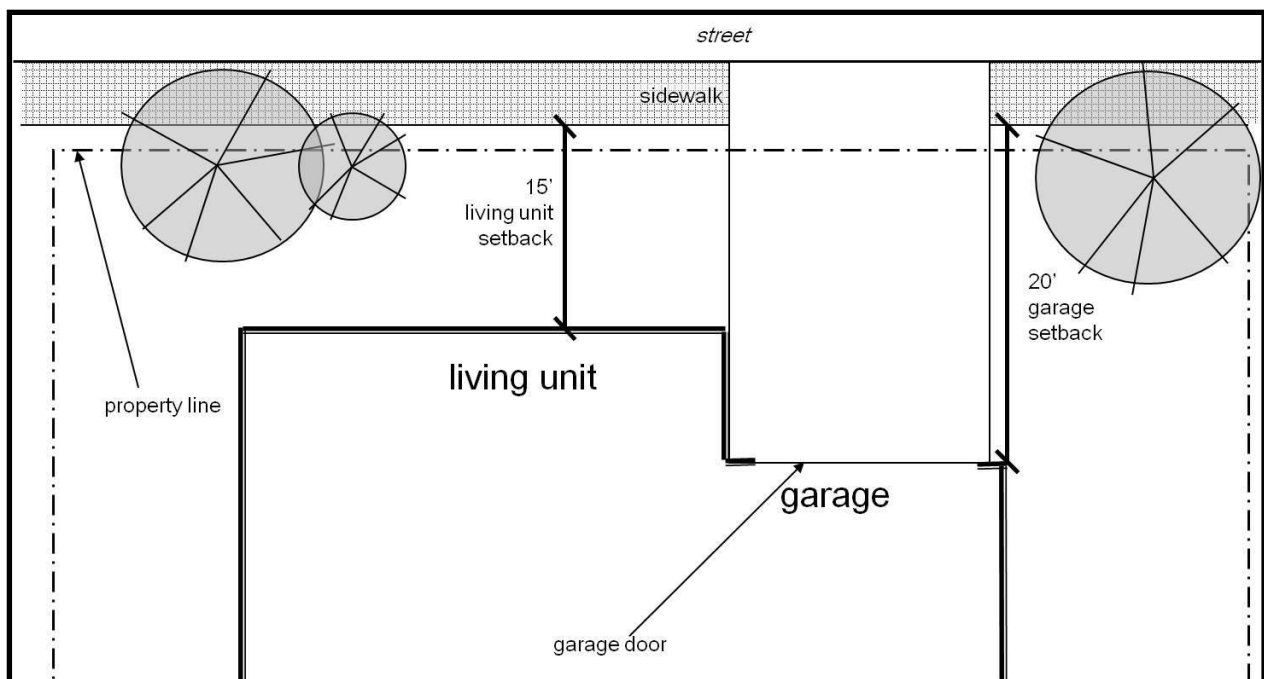


Fig. 1.a

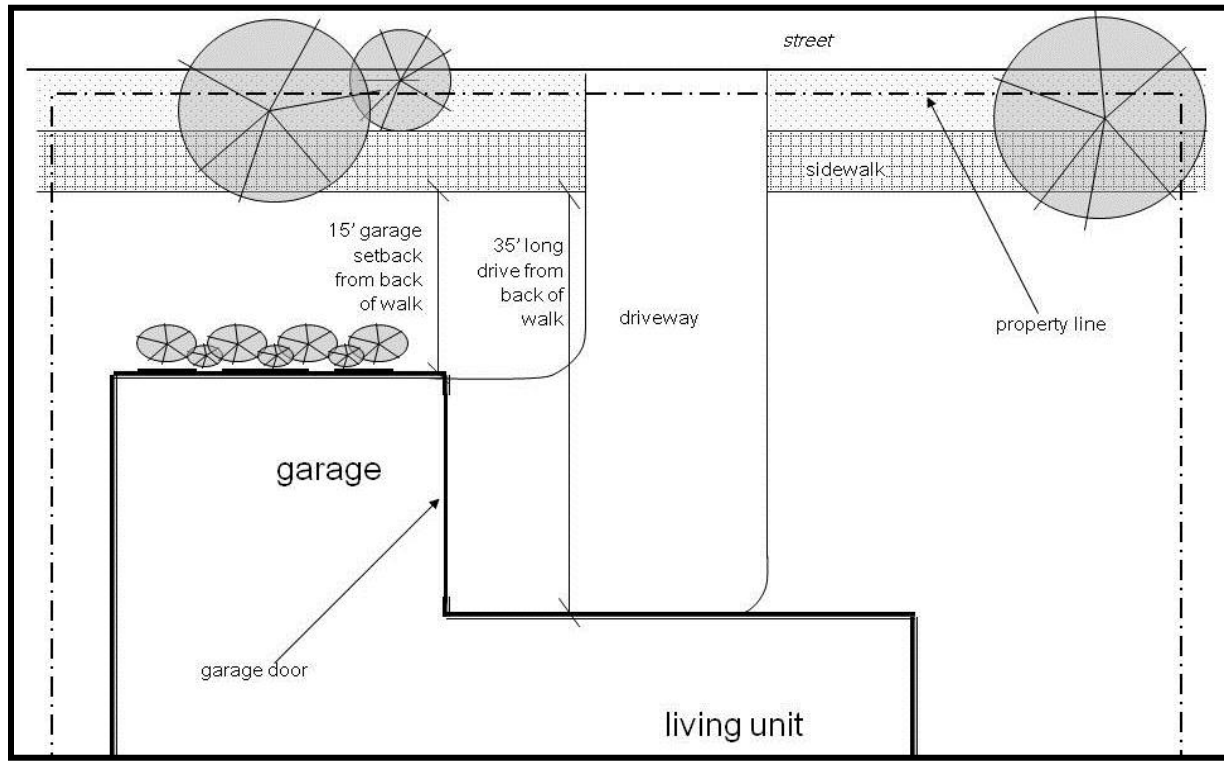


Fig. 2.a.

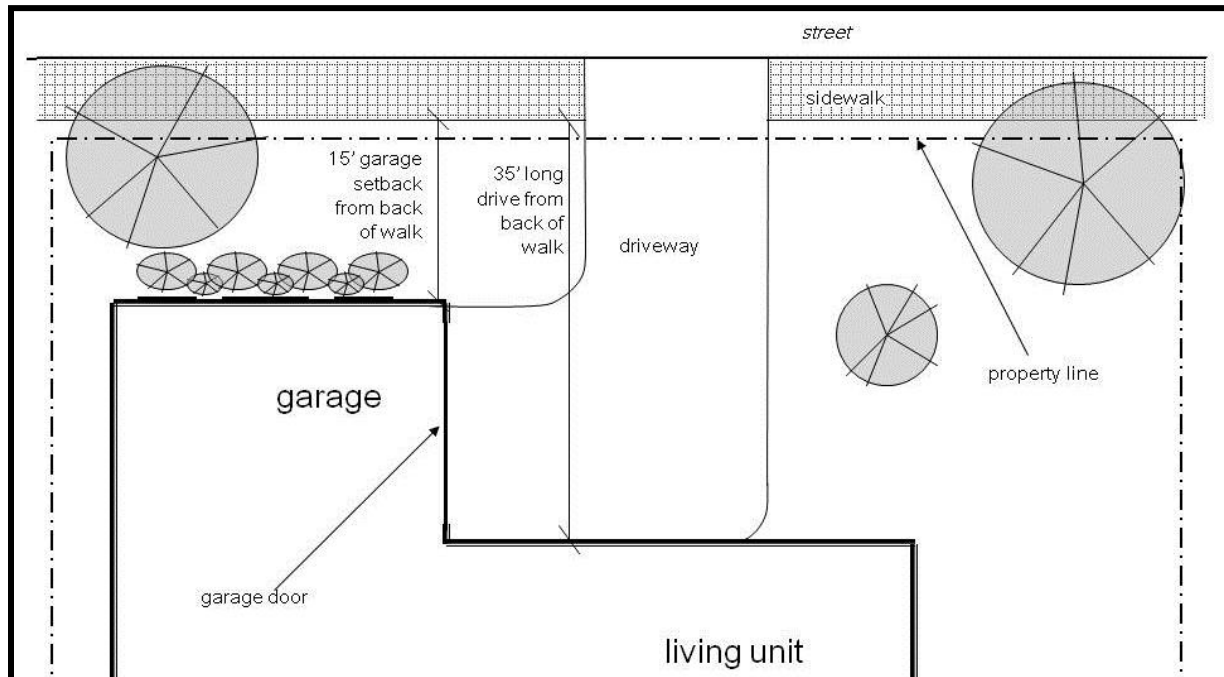


Fig. 2.b.

- (3) Open space calculations.
- (a) In multi-family developments, where the density exceeds seven (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.
- (ai) 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.
- (b) Within the UMU district, new developments with a lot area of more than 20,000 square feet shall provide a pedestrian-oriented space (plaza, courtyard or similar space) of at least 1% of the site area as described below. Buildings that front on a public sidewalk and have a pedestrian-oriented commercial use facing that sidewalk are exempt from this open space requirement.
- (i) Pedestrian-oriented space must include:
- (A) Visual and pedestrian access including barrier-free access to the abutting structures from the public right-of-way or a non-vehicular courtyard.
 - (B) Paved walking surfaces of either concrete or approved unit paving in areas intended for foot traffic.
 - (C) On-site or building mounted lighting providing at least 0.6 foot-candles (average) on the ground.
 - (D) At least 3 feet of seating area (bench, ledge, etc.) or one individual seat per 60 square feet of plaza area or open space.
 - (E) Landscaping to enhance the area.
 - (F) At least 25% of the plaza or courtyard must be shaded by structure or tree canopy (at least 10 years after planting)
- (ii) Outdoor pedestrian-oriented space shall not include:
- (A) Asphalt or gravel pavement (Exception: decomposed granite & other architectural surface treatments).
 - (B) Adjacent unscreened parking lots

- (C) Adjacent chain link fences
 - (D) Adjacent “blank walls”
 - (E) Adjacent dumpsters or service areas
 - (F) Outdoor storage or retail sales (shopping carts, potting soil bags, firewood, etc.) that do not contribute to the pedestrian environment.
- (iii) In-Lieu Provisions – Pedestrian-Oriented Space Requirement in Urban Mixed Use (UMU) District: Provided all of the following requirements are met, required publicly-accessible open space in the Urban Mixed Use (UMU) District will be provided on the site containing the permitted land use.
 - (A) The proposing owner or developer shall improve and may, at their and the city’s discretion, dedicate land to provide the pedestrian-oriented space requirement in accordance with the approval of the planning official, or shall pay a fee in lieu of such improvement and dedication if the planning official determines that the dedication and improvement of land is not feasible or desirable due to the physical characteristics of the site.
 - (B) The property owner or developer shall either:
 - 1. Provide and construct (and optionally dedicate) the on-site pedestrian-oriented space requirement to city design and construction standards subject to city approval or:
 - 2. Enter a voluntary agreement with the city to pay an amount equal to the city’s cost of acquiring and constructing the pedestrian-oriented space requirement in another location within the same UMU District as identified and approved by the planning official.
- (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 two (2) moving lanes of traffic and a three (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.
 - (7) Urban Mixed Use District:
 - (a) Legal lots of record existing as of June 1, 2017 shall be deemed to be in compliance with the lot size restrictions, however after June 1, 2017 no lot intended for single family use shall be created in excess of 5,000 square feet.
 - (b) Setbacks for all residential uses shall be measured from property lines.
 - (c) Building setback from front and side property lines are not required, except as mandated by the applicable local, state and federal codes. (Ord. 5647 Sec. 1, 2016: 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)

18.12.010 B.1: Table of Non-Residential Uses: The following table list uses allowed by zone and the applicable City review process as follows: Review Process I = Staff review, Review Process II = Conditional Use Permit. If a use is listed with a blank, it shall be prohibited in that zone. For certain categories of uses, additional requirements are also noted.

NON-RESIDENTIAL USES	RS	RL	RM	RH	RMH	RTP	UMU	CN	CO	CBD	CC	CR	CAR	CG	CM	HMU	BP	IP	IL	IH	JF	PF	OS
Academy							I		I		I	I		I			I						
Adult Entertainment (1) (See Title 18.12.030)																							
Adult Retail (1) (See Title 18.12.030).											II	II		II					II	II			
Agricultural Processing, heavy																				I			
Agricultural Processing, light																			I	I			
Airports and airfields																			I			I	
Alcoholic beverage sale (packaged)							I	I	I	I	I	I		I	I	I	I						
Accessory uses	I	I	I	I	I	I	I	I	I	I	I	I		I	I	I	I	I	I	I	I	I	I
Art Gallery							I	I	I	I	I	I		I	I	I	I						
Automobile-Oriented Uses (See Title 18.12.050)							(6)	I			I	I	I	I	I								
Auto-Wrecking Yard																				I			
Aviation Storage and Service												I										I	
Bakeries, retail							I	I	I	I	I	I		I									
Bakeries, wholesale										II				I				I	I	I			
Banks and financial institutions							I		I	I	I	I	I	I	I		I						
Barbers, beauty shops, and tanning salons							I	I	I	I	I	I		I	I	I							
Bars and taverns							I			II	I	I		I	I								
Battery Charging Station	I	I	I	I	I	I	I	I	I	I	I	I	I	I	I	I	I	I	I	I	I	I	I
Battery Exchange Station							I	I	I	I	I	I	I	I	I		I	I	I	I			
Boat building and repair, commercial														I	I				I	I			
Boat marinas														I	I				I	I			
Body Art Studios							I	I			I	I		I	I	I							
Brewpub							I			I	I	I		I									
Breweries, micro							I				I	I		I					I				
Business School							I		I		I	I		I			I						
Bus stations and terminals							II				II	II		II									
Car washes (See Title 18.12.050 and 18.12.055 if CN zone)							(6)	I	II		I	I	I	I									
Casino and/or Cardroom											I	I		I									

Exhibit 3

NON-RESIDENTIAL USES	RS	RL	RM	RH	RMH	RTP	UMU	CN	CO	CBD	CC	CR	CAR	CG	CM	HMU	BP	IP	IL	IH	JF	PF	OS
Cemeteries	II	II	II																				
Clinics							I		I	I	I	I		I		I	I						
Commercial Amusement											I	I		I									
Commercial amusement, recreation											I	I		I									
Construction yards														I					I	I			
Convenience stores							I	I		I	I	I	I	I									
Correctional institutions																					I		
Distilleries, craft							I			I	I	I		I					I				
Dry cleaners and laundries							I	I	II	I	I	I		I		II							
Energy facilities	II	II	II	II	II	II		II	II		II	II		II	II	II	II	II	II	II	II	II	II
Equipment Rental											I	I		I				I	I				
Espresso stands							I	I	I	I	I	I		I	I	I	I	I	I	I			
Essential public facilities and utilities	II	II	II	II	II	II	II	II	II	II	II	II	II	II	II	II	II	II	II	II	II	II	II
Event Center							I		II		I	I		I									
Gas stations							I (6)	I	II	I	I	I	I	I	I				I	I			
Golf Course											I											I	I
Golf: driving range, miniature golf,							I				I	I		I	I								
Grocery stores							I	I	II	I	I	I		I									
Hardware stores							I	I		I	I	I		I									
Hazardous waste storage facilities – off site																				II			
Hazardous waste storage facilities – on site									II		II			II					II	II			
Health Facilities, see 18.12.080			I	I			I		I		I	I		I									
Hospitals and sanitariums (except animal clinics, hospitals)				I			I		I		I	I		I								I	
Industrial uses, heavy																				I			
Industrial uses, light																			I	I			
Junk (See Title 18.12.100)																							
Kennels (See Title 18.12.110)											I	I		I					I	I			
Laboratories for research and testing							I		I		I	I		I			I	I	I	I			
Library	II	II	II	II	II	II	I	II	I		I	I		I	I	II	I					I	I
Lock and gunsmiths							I	I		II	I	I		I		I							
Lumber yards														I					I	I			
Manufactured Housing Display Areas (See Title 18.12.120)											I	I		I					I	I			

Exhibit 3

NON-RESIDENTIAL USES	RS	RL	RM	RH	RMH	RTP	UMU	CN	CO	CBD	CC	CR	CAR	CG	CM	HMU	BP	IP	IL	IH	JF	PF	OS
Mini-storage				I	I						I	I		I					I	I			
Mixed Use (See KMC 18.42 and 18.78)							I	I	I	I	I	I		I									
Museums	II	II	II	II	II	II	I	II	I	I	I	I		I	I	II	I					I	I
Nursery											I	I		I									
Offices, including professional offices, agencies and services							I		I	I	I	I		I	I	I	I	I	I	I	I		
Outdoor commercial driving ranges											I												
Parking garages and lots							I			II		I	I	I									
Pawnshop														I									
Pet grooming							I	I	I	I	I	I		I		I							
Pharmacy, dispensing							I	I	I		I	I		I			I						
Photographic studios							I	I	I	I	I	I		I	I	I	I						
Plumbing shops and yards														I					I	I			
Printing, publishing and reproduction establishments							I		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	II	II	II	II	II	II	II	II	II	II	II	II	II	II	II	II	II	II	II	II	II	II	II
Radio, television and small electronics repair and service							I		I	I	I	I		I									
Radio, television broadcasting stations (excluding antenna)							I			II	I	I		I									
Rapid Charging Station	I	I	I	I	I	I	I	I	I	I	I	I	I	I	I	I	I	I	I	I	I	I	I
Recreational Vehicle Storage (See Note 4) (See Title 18.12.180)	I	I	I	I	I	I					I	I		I									
Recreational Vehicle Park																						I	I
Recycling, high intensity																			II	II		II	
Recycling, low intensity							I											I	I	I		I	
Repair shops (not auto)							I		II	I	I	I		I			I		I	I			
Restaurants							I	I	I	I	I	I		I	I		I	I	I				
Restaurants, fast food							I		II	I	I	I		I	I		I	I	I				
Retail stores not otherwise named in this list including department stores.							I	I	II	I	I	I		I		I (1)	I (1)						
Satellite Dishes (See Title 18.12.200)																							
Schools, private and public	I	I	I	I	I	I	II	I	I		I	I		I	I	I	I	I	I	I	I	I	I
Second Hand/Consignment Store							I			I	I	I		I									

NON-RESIDENTIAL USES	RS	RL	RM	RH	RMH	RTP	UMU	CN	CO	CBD	CC	CR	CAR	CG	CM	HMU	BP	IP	IL	IH	JF	PF	OS
Sign manufacture, painting and maintenance														I					I	I			
Skating rink							II					I											
Stables, Corrals, Riding Academies (See Title 18.12.210)	II																						
Storing of Commercial Vehicles (See Title 18.12.220)												I	I	I			I	I	I	I			
Subdivisions, Sales Area, Equipment and Material Yards (See Title 18.12.230)	I	I	I	I	I	I																	
Temporary and Parking Lot Businesses (See Title 18.12.250)							I						I										
Theaters movie							I		II	I	I	I		I									
Towers, antennas, and supporting structures, including amateur radio towers, 55 feet or less	II	II	II	II	II	II	I	II	I		I	I	I	I	I	I	I	I	I	I	I	I	
Transient accommodations (including hotels and motels)				I			I		I	II	I	I		I	I	I	I						
Transportable Units (See Title 18.12.270)																							
Truck stops														I					I	I			
Undertaking establishments (Mortuary)									I		I	I		I									
Vehicle sales, incidental repair and service											I	I	I	I									
Vehicle rental and leasing											I	I	I	I									
Vehicle repair and service, body and fender shops													I	I					I	I			
Veterinary Clinic or Hospital (See Title 18.12.290)							I			I	I	I		I					I				
Vocational School							I			II				I			I		I				
Volatile Toxic and Volatile Flammable Material Storage (See Title 18.12.300)																				II			
Warehousing														I					I	I			
Wholesale, which may include incidental retail outlets for only such merchandise as is handled at wholesale														I					I	I			
Wineries Type A (See Title 18.12.305)							I			I	I	I		I									
Wineries Type B (See Title 18.12.305)							I (5)				II	II		II					II				
Wineries Type C (See Title 18.12.305)																			I				
Wireless Communication Facilities (See Title 18.12.310)																							

FOOTNOTE for Table 18.12.010 B.1 Non-Residential Use Table:

- (1) For HMU see limitations at Title 18.12.335.
- (2) For the Clearwater Master Plan Area and BP zoning districts see Title 18.12.340.

(3) For Rental Equipment, all items must be contained within a completely enclosed building or screened from view by a sight-obscuring fence or wall.

(4) Allowed in RS, RL, RM, RMH, and RTP only as part of a planned development or subdivision and only for the use by residents of the development consistent with Recreational Vehicle Storage provisions and limitations of the Kennewick Residential Design Standards KMC 18.75.

(5) Winery Type B under 50,000 case annual production and located within a structure less than 20,000 square feet in size are allowed outright. The Conditional Use Process identified in Title 18.42. 100 is applicable to Winery Type B uses exceeding either the 50,000 case annual production or 20,000 square foot structure size threshold.

(6) Not Allowed in the ~~Bridge to Bridge/River to Rail area, but prohibited in the Vista Field area.~~ (Ord. 5670 Sec. 1, 2016: Ord. 5572 Sec. 1, 2014: Ord. 5542 Sec. 2, 2014: Ord. 5462 Sec. 4, 2012; Ord. 5434 Sec. 5, 2011: Ord. 5309 Sec. 10, 2010: Ord. 5262 Sec. 3, 2009: Ord. 5244 Sec. 3, 2008: Ord. 5204 Sec. 7, 2007: Ord. 5180 Sec. 1, 2007)

18.12.010 B.2: Table of Non-Residential Site Development Standards: Minimum and maximum non-residential use standards are identified in the following table. Additional site design standards are included under 18.12.340, below and in the *Site Design Guidelines for Commercial, Office and Industrial Uses*:

Table of Commercial/Industrial Standards	Maximum District Size	Maximum Minimum Parcel 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	20 acres	See (17) Below	None	None	See (18) 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 Title 18.12.335 & 18.12.010(5))			See (6) Below	30'	45%	
BP-Business Park District	5 Acres	None	See 18.12.340	35'	50%	See 18.12.340
IP-Industrial Park District	20 Acres	None	See (7) Below	None	None	See (8) Below

Table of Commercial/Industrial Standards	Maximum District Size	Maximum Minimum Parcel Dist rict Size	Yards	Maximum Building Height	Maximum Lot Coverage	Outdoor Storage
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 <i>City of Kennewick Commercial Design Standards manual</i>						

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

- (1) Street frontage: 20 feet, except for fuel island canopies, which may encroach up to five feet from the street property line with the outer edge of the canopies, provided that the canopy support pillars are at least 15 feet from the nearest street property line.
- (a) Non-street frontage: None; unless the use abuts an R or HMU district, in which case 20 feet.
- (2) All activity, other than off-street parking, loading, or gasoline sales must be kept within a completely enclosed building. However, live plant material may be stored outside if parking is not affected.
- (3) Street Frontage: Only that necessary to comply with Chapters 13.12, 18.21, and 18.27. The right-of-way is determined in accord with Section 5.56.51.
- (a) View obstruction setbacks must be improved with asphalt, concrete, or some other comparable dust-free and weed free material, or landscaped to prevent dust and weeds with adequate irrigation or otherwise maintained to prevent weeds, dust and rubbish.
- (b) Side and Rear: None; but 20 feet on sides abutting R or HMU districts.
- (4) All service, processing and storage areas abutting any R district at ground floor level or within 20 feet and 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.
- (5) HMU-Historic, Mixed Use District Development Standards:
 - (a) Floor area ratio (the amount of building surface expressed as a ratio to lot surface) is a maximum of .45;
 - (b) New construction of dwellings, business buildings, and exterior remodeling of existing structures (including re-roofing, re-siding, additions and similar exterior changes) require conformance with the following criteria:
 - (i) Maximum building height - 30 feet;
 - (ii) Roof pitch - not less than 4:12;
 - (iii) Orientation - main entranceways oriented directly or as near directly to the street as possible;
 - (iv) Openings - blank walls must be avoided. A combination of windows, doors, balconies, alcoves, bay windows, porches or similar architectural features must comprise a minimum of 25% of the total street wall area and a minimum of 20% of the total area of each of the remaining walls, with the exception of the rear wall;
 - (v) Windows - mirror or mirror-like composition or exterior finishes are prohibited;
 - (vi) Siding and roofing - metal, vinyl or plastic siding or roofing is allowed, provided the finish is not reflective, and in the case of metal, is anodized;
 - (c) The structure shall be similar in character to the surrounding residential structures.
 - (d) Yards:
 - (i) Street frontage - (see 18.12.335);
 - (ii) Side yards - (see 18.12.335);
 - (iii) Rear yards - None, provided that the Floor Area Ratio ("F.A.R.") and other setbacks are observed;
 - (e) Accessory structures must conform to 18.27.030;
 - (f) Signage shall conform with Section 18.24 with the following changes:

- (i) A maximum height limit of 15 feet for freestanding signs;
 - (ii) The maximum sign area for all signs is 24 square feet. Included in this total is an eight square foot maximum for signage that is attached, drawn, or installed on the structure or any portion of the structure;
 - (iii) Internally lit signage and signage utilizing flashing lights is prohibited. Lighting shall be by indirect methods;
 - (iv) Non-conforming signs having a replacement value of less than \$2,500 shall be made conforming by June 30, 2000;
 - (v) Multi-tenant businesses are permitted 24 square feet of signage for the initial business and eight (8) square feet per additional business to a maximum of 48 square feet;
- (g) Parking requirements in this district shall conform with Section 18.36, with the following exceptions:
 - (i) Parking requirements for unlisted uses is one space per 250 square feet of building space devoted to business activities. This formula takes into account space used for retail activity, record storage, office and clerical space, or other areas normally and primarily used for business purposes;
 - (ii) Total number of off-street parking stalls required may be reduced one space for each 20 feet of linear frontage along a public street that is legal for parking purposes;
- (h) Landscaping requirements in this district shall conform with Section 18.21, with the following exceptions:
 - (i) Landscaping must incorporate street frontage setback landscaping per the design requirements of Section 18.21.060(1)(a); this requirement does not use side and rear yard ratios in its calculation;
- (i) Public hours of operation for commercial uses must begin at or after 7:00 a.m. and end at or before 8:30 p.m., with the exception of Bed & Breakfasts, which by nature require 24-hour service.
- (j) Retail sales incident to the uses listed in 18.12.010 B-1: Table of Non-Residential Uses are permitted, provided that such incidental sales do not occupy more than 25% of the gross street floor area of the primary structure. For purposes of this calculation, retail activity is that portion of the gross street floor located in one designated area of such street floor used for goods transactions. It does not include storage or record keeping space.
- (6) Yard requirements: (see Section 18.12.330 for City location-related standards).
 - (a) Front: 15 feet;
 - (b) Corner/flanking street: 10 feet;
 - (c) Side: 0 feet for the interior non-perimeter lot lines of a parent parcel. Once a parent parcel is platted or subdivided, only the internal lot lines shall be allowed to have zero foot side yards. All perimeter lot lines of the parent parcel have a ten-foot side yard setback requirement. Buildings constructed with side yards less than 10 feet shall not be longer than 300 feet. A property owner's association must be formed and a maintenance agreement executed, as approved by the Planning Director, providing for perpetual maintenance common of landscaped areas for developments with buildings with side yards of less than 10 feet. The maintenance agreement shall be recorded and run with land and shall provide for the City of Kennewick to arrange for maintenance of landscaped or common areas in the event the property owners fail to maintain

these areas or their association dissolves. The agreement must be recorded prior to the land division;

- (d) Side yards abutting R or HMU zones must be a minimum of 20 feet;
- (e) Rear: 10 feet, unless abutting an R zone, in which case the minimum setback is 25 feet;
- (f) Minimum street frontage: 30 feet.
- (7) Yards: (see Section 18.12.330 for City location-related standards).
- (a) Street frontage yards: 15 feet. View obstruction setbacks must be improved with asphalt, concrete, or some other comparable dust-free and weed-free material, or landscaped to prevent dust and weeds with adequate irrigation or otherwise maintained to prevent weeds, dust and rubbish.
- (b) Side and rear yards: 25 feet.
- (8) All service, processing and storage areas abutting any R district at ground floor level or within 20 feet and 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.
- (9) Street Frontage: Only that necessary to comply with Chapter 13.12 and Section 18.12.010 A-2 and B-1. The right-of-way is determined in accord with Section 5.56.51.
- (a) View obstruction setbacks must be improved with asphalt, concrete, or some other comparable dust-free and weed-free material, or landscaped to prevent dust and weeds with adequate irrigation or otherwise maintained to prevent weeds, dust, and rubbish.
- (b) Side and Rear: None; but 25 feet on sides abutting R or HMU districts.
- (10) All service, processing, and storage areas abutting any R or HMU districts at ground floor level must be within a completely enclosed building or screened by a permanently maintained sight-obscuring fence at least six feet high.
- (11) All yards must be a minimum of 20 feet, unobstructed by structures or accessory uses.
- (12) Street frontage: 20 feet if adjacent to an R District; Non-street frontage: none unless the use abuts an R or HMU district or use, in which case, 20 feet.
- (13) All storage areas visible from any street abutting a site or from any abutting R district at ground floor level, 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 and rolling equipment, no storage shall extend above the fence.
- (14) Building heights in the CM district shall be 35 feet except for the height limits provided in Chapter 18.68, Appendix A-6-3, Clover Island – Height Limitation Exhibit.
- (15) Aviation uses shall be no closer than seventy-five (75) feet from the curbline of West Rio Grande Avenue or West Grandridge Boulevard.
- (16) Development in the Central Business District (CBD) zoning district is subject to the following development standards:
 - (a) A single architectural style is not required for new or remodeled buildings, but a building's style shall be consistent throughout; details from different eras shall not be mixed on a single building. Traditional detailing is required.
 - (b) A building's elevation and mass must be modulated to match or replicate the narrow commercial façades typical of original development, and give a sense of human scale. Reuse original façades where possible and economically feasible.
 - (c) New construction shall be consistent with the height, scale, setbacks or massing of nearby historic buildings.

- (d) Appropriate building facing materials include: brick, wood, stucco, stone, and cast iron storefronts. Building materials for new buildings shall support the existing character of older buildings, by having a projected physical life cycle of 100+ years.
- (e) The following street front siding materials are prohibited:
 - (i) Plain concrete masonry unit;
 - (ii) Unfinished tilt-up concrete slab;
 - (iii) Corrugated metal; or
 - (iv) Vinyl or plastic siding.
- (f) Unpainted brick may not be painted, except for clear graffiti preventing finishes.
- (g) Building entries shall be located on the street side of the building. If the building does not front on a public street then the entry must be visible from a public street.
- (h) Buildings located on street corners shall have additional architectural detailing to emphasize the street corner, which may include, for example: corner entry, balcony, integrated signage, public art, and pedestrian amenities. Buildings or public amenities located on corners shall abut the property line on each side of the corner.
- (i) Blank façades shall not be visible to public spaces or rights-of-way. Treatments to alleviate blank façades may include windows, architectural detail, or materials with texture (e.g. brick, siding, etc.) or artwork such as sculpture.
- (j) Vestibules, entries, windows, and other architectural features shall provide further visual definition and reduce the visual mass of larger buildings. Façades shall reflect the scale and massing of historic structures and achieve proportions that give a sense of human scale.
- (k) First floor ceiling heights shall be taller than upper stories to reflect the historical pattern of construction. (First floor ceiling heights are a minimum of 10 feet to accommodate transom windows.)
- (l) Awnings create visual interest and protect pedestrians from sun and rain and are encouraged in the CBD district subject to the following:
 - (i) Awnings may be provided along the entire frontage of commercial buildings. They shall be of a size, scale and shape appropriate to the specific building, window and door trim. The underside of all awnings shall be enclosed to prevent birds from roosting or nesting.
 - (ii) Awnings or canopies shall be supported solely by the building and be hung above the display window space at least eight (8) feet above the public walkway.
 - (iii) Awnings may extend four (4) feet over the walkway from the building's face provided there is no obstruction of street trees and/or street lights as approved by the City.
- (m) Windows provide a visual entry into a business and the goods and services offered while providing security. Windows shall meet the following standards:
 - (i) Display windows on the ground floor of retail and commercial buildings shall be the predominant surface on the first story, typical of original downtown Kennewick commercial buildings.

- (ii) New commercial construction shall provide a minimum of fifty percent (50%) of the first floor wall surface in windows that face the street based upon a minimum of ten (10) feet of first floor height.
- (iii) No more than twenty-five percent (25%) of the gross square footage of display windows may be used for temporary or permanent signage for advertizing, promotion or community service announcements.
- (iv) Windows shall not be permanently darkened by use of applied films at street level. First story windows shall not be covered but shall provide visual access from street and sidewalks. Windows located above the street level may be covered by curtains, shades, or other temporary coverings that do not distract from the historic relevance of the area.

(17) Commercial, Auto Row District

(a) Yards

(i) Front: 25 feet

(ii) Side: None, unless abutting an R district, then 10 feet

(iii) Rear: None, unless abutting an R district, then 10 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.

_(Ord. 5542 Sec. 3, 2014: Ord. 5434 Sec. 6, 2012: Ord. 5366 Sec. 2, 2011: Ord. 5309 Sec. 11, 2010: Ord. 5212 Sec. 3, 2008: Ord. 5180 Sec. 1, 2007)

18.12.020: Accessory Dwelling Units (ADUs): Attached and detached ADUs are permitted in single-family residential zoning districts, shall adhere to the appearance of single-family residences and be subject to the following development standards:

(1) Attached Accessory Dwelling Units: A portion of a single-family dwelling unit may be converted to one accessory apartment which may have a bathroom and kitchen. An attached ADU must comply with the following standards:

- (a) One additional improved off-street parking space must be provided for the residents of the accessory apartment and if an attached garage is converted to an accessory unit, additional parking spaces must be improved elsewhere on the site to replace those lost.
- (b) One unit must be owner-occupied. The property owner shall record a deed restriction with the Benton County Auditor's Office. The document shall be in a form prescribed by the Planning Director and include a description of the location and size of the ADU and a covenant that one (1) of the dwelling units is, and will continue to be, occupied by the owner of the property as the owner's principal and permanent residence for as long as the other unit is being rented or otherwise occupied. The owner shall maintain residency at least six (6) months out of the year and at no time receive rent for, or otherwise allow to occupy the owner unit when absent the remainder of the year. Falsely certifying owner occupancy shall be considered a violation of the zoning ordinance and is subject to enforcement action.

(2) Detached Accessory Dwelling Units: Detached ADUs shall be subject to the following standards:

- (a) No more than one ADU per legal lot. A lot occupied by two or more dwellings shall not be permitted to have an ADU;

- (b) Minimum lot size – 10,000 square feet;
- (c) Detached accessory structures are subject to the provisions of Chapter 18.27;
- (d) Total floor area: The total gross floor area of an ADU shall not exceed forty (40) percent of the living area of the primary dwelling unit or 800 square feet, whichever is less. In calculating living area, uninhabited floor areas such as garages and unheated storage areas are excluded;
- (e) Number of bedrooms: ADUs are limited to one (1) bedroom;
- (f) Occupancy: No more than three (3) people, of which no more than two (2) are 16 years of age or older, shall reside in an ADU;
- (g) Parking: An ADU shall have a minimum of one (1) off-street parking space, which is in addition to the two (2) off-street parking spaces required for the primary dwelling unit;
- (h) Architectural design: The exterior appearance of an ADU shall be architecturally compatible with the primary dwelling unit. Compatible includes coordination of architectural style, exterior building materials, color, roofing material, form and pitch; window style and placement; other architectural features and landscaping;
- (i) Entrances: Only one (1) entrance may be located on the front of the house, unless the front of the house already has more than one (1) entrance, or in the case of a detached ADU;
- (j) Connection charges and impact fees shall be as specified by the applicable ordinances and resolutions;
- (k) Owner Occupancy: Prior to the issuance of a building permit establishing an ADU, the property owner shall record a deed restriction with the Benton County Auditor's Office. The document shall be in a form prescribed by the Planning Director and include a description of the location and size of the ADU and a covenant that one (1) of the dwelling units is, and will continue to be, occupied by the owner of the property as the owner's principal and permanent residence for as long as the other unit is being rented or otherwise occupied. The owner shall maintain residency at least six (6) months out of the year and at no time receive rent for, or otherwise allow to occupy the owner unit when absent the remainder of the year. Falsely certifying owner occupancy shall be considered a violation of the zoning ordinance and is subject to enforcement action;
- (l) Grace Period: At no time prior to the adoption of this section has the City of Kennewick zoning ordinance permitted detached ADUs. Nevertheless, for up to twelve (12) months from the effective date of this section, a home or lot which has had a detached ADU established prior to the adoption of this section, but which cannot comply with above items (h) and/or (i), or the setback requirements of this section, may be considered through a conditional use permit process. All other ADU provisions and applicable building code requirements shall apply when legalizing the detached ADU. (Ord. 5528 Sec. 1, 2013; Ord. 5204 Sec. 8, 2007; Ord. 5180 Sec. 1, 2007)

18.12.030: Adult Concessions (Entertainment and Retail):

(1) Adult Entertainment and Retail taken together as "Concession," and defined by Section 18.09.070, are recognized as being uses that may prove detrimental in certain circumstances to its surrounding neighborhoods and thereby the following regulations are imposed:

- (2) No adult concessions, shall be located:
 - (a) Within 500 feet of any Residential or Urban Mixed Use zone;
 - (b) Within 500 feet of any public or private school, or any trade or vocational school that on a regular basis has at least one student under the age of eighteen (18) years;
 - (c) Within 500 feet of any church or other religious facility or institution;
 - (d) Within 500 feet of any park or any public facility or open space zone;
 - (e) Within 1500 feet of another adult concession.
- (3) No person owning, operating or managing an adult concession or their employee or agent shall invite, allow, or permit any person under the age of 18 years to enter or remain on the premises of any adult concession.
- (4) There shall be no window, marquee, or other display of any matter depicting or portraying specified anatomical areas, or specified sexual activities.
- (5) Violation of the use provisions of this section is declared to be a public nuisance perse, which shall be abated by a civil action only and not by criminal prosecution.
- (6) Adult Retail establishments shall be identified on the exterior of the establishment with a sign baring text only and using such terms as would be expected among the general public. No advertising, text, pictures or depictions shall be permitted anywhere in the windows, on the street (tent signs), store-front, marquee, or anywhere else other than on the approved signage. Terms such as “sale” etc. and other such advertising, as associated with mainstream advertising, will be accepted, subject to the interpretation of the Planning Director or an appointed official.
- (7) Nothing in this section is intended to authorize, legalize, or permit the establishment, operation, or maintenance of any business, building or use which violates any ordinance or statute of the City of Kennewick, County of Benton, State of Washington or the United States. (Ord. 5180 Sec. 1, 2007)

18.12.040: Animal Keeping: In R, ~~and~~ HMU and UMU districts, dogs and cats of the age of 10 weeks or older, rabbits, guinea pigs, fowl, pigeons, chickens (excluding roosters) and similar small animals may be kept so long as no more than three of each kind or a combined total of six are kept. All cages, pens, and runs must be maintained in a clean and sanitary condition and meet setbacks. Animals and birds must not roam or fly to adjacent properties. Animals and birds and their surroundings must be maintained to prevent a nuisance due to noise or smell. An increase in the allowable number will be permitted upon issuance of a Land Use Permit in accord with Section 18.42. (Ord. 5542 Sec. 4, 2014; Ord. 5180 Sec. 1, 2007)

18.12.050: Automobile-Oriented Uses: No vehicle service apparatus may be within 15 feet of a public way. Except for necessary access, automatic washing equipment, hydraulic hoists, pits, lubricating equipment, food preparation and washing equipment and the like must be kept within a completely enclosed building. All washing residue must be biodegradable and drained in accord with applicable public works standards. (Ord. 5180 Sec. 1, 2007)

18.12.055: Car Washes, Vehicular Access/Circulation/Fencing/Operation: In CN zones, car washes shall be subject to the following:

- (1) The total number of bays shall be limited to three (3).
- (2) Noise:
 - (a) Manufacturer’s specifications clearly indicating level of noise submitted to City for review.

- (b) Noise shall be measured at receiving property in dBA to be conducted and approved by qualified professional acceptable to City.
- (c) Abutting residential property shall receive noise level not to exceed 57 dBA (KMC 9.52).
- (d) Noise generated by all associated equipment on site including vacuums must be designed, oriented and soundproofed to the extent that noise does not exceed that allowed in KMC 9.52.
- (3) Vehicular Access and Circulation:
 - (a) The business must front an arterial or collector street. The same access shall be used for the convenience store and the car wash.
 - (b) Stacking length shall provide at least two (2) vehicle spaces per wash line. All maneuvering area, stacking lanes, and exit aprons shall be located within the car wash parcel itself. Public streets and alleys shall not be used for maneuvering or parking by vehicles to be serviced by the car wash.
- (4) Fencing (when abutting residential property):
 - (a) Minimum six-foot tall sight obscuring fence is required in conjunction with solid (visual) screen landscaping.
 - (b) The “Solid Screen” must be on the car wash side of the fence.
 - (c) The fence shall be constructed of masonry, wood, or tight-boards with the support on the car wash (site) side of the fence.
 - (d) The fence, solid landscape screen and other landscaping shall be permanently maintained and shall be kept structurally sound and safe.
 - (5) Operation: Business hours shall be limited to between 6:00 a.m. through 8:00 p.m., except if automated and unmanned, a car wash would be available at all times.
 - (6) All other applicable site planning standards and as required by the Kennewick Municipal Code shall apply. (Ord. 5657 Sec. 1, 2016: Ord. 5309 Sec. 12, 2010: Ord. 5180 Sec. 1, 2007)

18.12.060: Day Care Centers and Mini-Day Care Centers: Day Care Centers and Mini-Day Care Centers are allowed upon approval of a Land Use Permit for Site Approval and the following additional conditions:

- (1) A Washington State day care or mini-day care license is required.
- (2) Comply with all building, fire safety, health code, and business licensing requirements.
- (3) Setbacks, screening, landscaping, lot size, building site, and lot coverage must conform with the regulations of the applicable Zoning District.
- (4) Parking requirements must conform to Chapter 18.36.
- (5) Mini-Day Care Centers located in the family abode are only allowed in RMH, RS, RL, and RTP zoning districts upon approval of a Conditional Use Permit in accord with Chapter 18.42.
- (6) A six-foot high solid board fence, masonry wall, or screened chain link fence must surround the outdoor play area. Note: a see-through fence of stout construction may be approved by the Planning Director (Review II) if special conditions such as good security, quiet setting and visual/aesthetic conditions merit. The site must be landscaped in a manner compatible with adjacent residences.
- (7) Any license required by the State or County must be obtained before issuance of a Business License.
- (8) No structural or decorative alteration is allowed which will alter the residential character of an existing residential structure used for a mini-day care center. Any new or

remodeled structure must be designed to be compatible with the residential character of the surrounding neighborhood.

(9) **Limitations in Use of Family Residence.** No mini-day care center shall be located in a private family residence unless the portion of the residence where the children have access is used exclusively for the children during the hours the center is in operation, or is separate from the usual living quarters of the family.

(10) Land use permits are not required for day care centers and mini-day care centers when established in conjunction with a church, school or similar public or quasi-public residential use. A six-foot (6') high solid board fence, masonry wall, or screened chain link fence must surround the outdoor play area. Any license required by the State or County must be obtained before issuance of a business license.

(11) **Accessory Use.** A day care center or mini-day care center, if sited on the premises of a public or quasi-public use (18.09.370) shall be considered accessory to the principal use of the property concerned. (Ord. 5462 Sec. 1, 2012; Ord. 5180 Sec. 1, 2007)

18.12.070: Family Day Care Home: A family day care home shall be permitted by right in all zoning districts permitting residences and shall be subject to the following requirements:

- (1) A Washington State family day care home license is required.
- (2) Comply with all building, fire safety, health code, and business licensing requirements.
- (3) Lot size, building size, setbacks, and lot coverage conform to the standards of the zoning district except if the structure is a legal nonconforming structure.
- (4) A safe passenger loading area must be provided.
- (5) No structural or decorative alternative, which will alter the single-family character of an existing or proposed residential structure or be incompatible with surrounding residences is permitted.
- (6) A residential use sign is permitted. (Ord. 5462 Sec. 2, 2012; Ord. 5180 Sec. 1, 2007)

18.12.080: Health Facilities: Rest homes, nursing homes, congregate care, and convalescent homes, hospitals, and similar health facilities must have any required State or County license before occupancy. (Ord. 5180 Sec. 1, 2007)

18.12.100: Junk: The storage or collection of junk, scrap, licensed or unlicensed, wrecked or inoperative vehicles, and equipment or parts thereof, or abandoned sheds, buildings or the like, are not permitted in any district. (Ord. 5204 Sec. 9, 2007; Ord. 5180 Sec. 1, 2007)

18.12.110: Kennels: Commercial kennels and animal shelters must be located on a parcel so that all runs, pens, and cages are at least 150 feet from a residential zoning district. The kennel must be developed and maintained in accord with the provisions of Section 18.42.080 with the following additional requirements:

- (1) Kennels and animal shelters must be fully enclosed without open runs, and have interior walls, ceilings, and floors which are resistant to absorption of moisture and odors. Kennels in IH zoned areas may have open runs.
- (2) Kennels and animal shelters must provide for a minimum of three air changes per hour and must be constructed so that noise from the kennels meet standards contained in Section 9.52.060. (Ord. 5180 Sec. 1, 2007)

18.12.120: Manufactured Housing Display Areas:

(1) Manufactured housing display areas are sales areas for living units that are constructed in a factory and transported to the residential setup location. Units in the display area must be used for display purposes only and must not be moved from the site except for replacement. Areas not used for parking, and a five-foot landscaped strip along all street frontages, must be improved with any combination of lawn, shrubs, decorative rock, etc. No portion of the display area, except pedestrian walkways, may be graveled. Storage areas for trade-ins must be graveled and kept weed free. Storage areas must be surrounded by a six-foot high sight-obscuring fence. A site plan is required as is a building permit for all permanent structures and sales offices. The display units need not be installed in accord with Chapter 15.60. All units must be skirted. Site improvements must conform with Chapters 13.12 and 18.27.

(2) HUD-approved manufactured housing or Washington State Department of Labor and Industries-approved commercial coaches may be used as an office for a period not to exceed 36 months. The office must be skirted and blocked to the manufacturer's specifications and a building permit will be required. The office must be integrated into the site's overall design, including landscaping. After three years, the office must be relocated to another HUD-approved current year model or replaced by a permanent structure in conformance with the International Building Code.

(3) A statewide association representing manufactured housing dealers may use a manufactured home as an office so long as it complies with other applicable building codes, zoning, and other land use regulations. (Ord. 5180 Sec. 1, 2007)

18.12.130: Mini-Storage Development Standards: The following requirements are applicable to all new mini-storage complexes and to expansions of existing facilities:

(1) Access driveways to all storage units shall be paved and shall include a storm water drainage system designed by a professional engineer or architect licensed in the State of Washington and be in conformance with the adopted City of Kennewick standards.

(2) Each doorway shall be lighted with a minimum of one (1) foot candle of luminance. Automatic photocell or motion-activated lights can fulfill this requirement.

(3) Exterior lighting shall be shielded or hooded so that direct light does not spill to adjacent properties.

(4) Mini-storage complexes shall be screened from view from adjacent Commercial and Residential zones. Screening shall be accomplished in one or a combination of the following manners:

(a) A six-foot (6') masonry wall with one tree planted every fifty (50) feet along the side and rear yards, with trees to reach a height of at least thirty (30) feet at maturity; or

- (b) A six-foot (6') fence with a solid landscape screen as defined in KMC 18.21.030(2) and one tree planted every fifty (50) feet along the side and rear yards with trees to reach a height of at least thirty (30) feet at maturity.
- (c) Open style wrought iron fencing with masonry columns or similar may be used along street abutting property lines when complimentary landscaping and building design comparable to the commercial design standards is used along the street.
- (5) All buildings shall have an eave of at least one (1) foot.
- (6) In Commercial and Residential zones all buildings shall have a minimum of four feet of masonry wainscoting on the building exterior if visible from a public street.
- (7) Mini-storage complexes shall meet the requirements of KMC 18.21 for the office and parking lot areas as well as street frontage landscaping requirements.
- (8) Roofing materials shall be non-reflective to minimize glare on adjacent properties and public ways.
- (9) Barbed wire, razor wire and electric fences are not permitted.
- (10) Setbacks:
 - (a) Front: fifteen (15) feet;
 - (b) Side: five (5) feet;
 - (c) Rear: fifteen (15) feet;
 - (d) Primary entry gate: fifty (50) feet.
 - (e) When located in commercial zoning districts, mini-storage complexes shall be located a minimum of 150 feet from a street frontage property line. (Ord. 5647 Sec. 2, 2016; Ord. 5407 Sec. 7, 2012; Ord. 5180 Sec. 1, 2007)

18.12.140: Motels: If the motel is in an RH district, the motel must maintain a street frontage yard that is not used for parking and must be landscaped with at least a ten-foot (10') wide strip across the entire front yard. The landscaping must be any combination of lawn, shrubs, decorative rock, trees, etc. Except for such yard, a six-foot (6') high board fence or masonry wall must separate the property from any adjoining use. (Ord. 5180 Sec. 1, 2007)

18.12.150: Outdoor Theaters: Outdoor theaters must have ingress and egress which minimizes traffic congestion. The screen must be at least 400 feet from any R district and so situated that light and noise in no way disturbs residential property. (Ord. 5180 Sec. 1, 2007)

18.12.160: Public Parks and Playgrounds: Ball courts and similar play areas adjoining developed residential property must be fenced or screened with an appropriate barrier to prevent interference with the residential uses. (Ord. 5180 Sec. 1, 2007)

18.12.165: Prohibited Marijuana Uses: The production, processing and retail sales of marijuana and marijuana-infused products, all as defined in Initiative Measure No. 502, as codified in Revised Code of Washington Chapter 69, and implementing regulations in Chapter 314-55 of the Washington Administrative Code, are each prohibited and not allowed in any zone in the City of Kennewick. (Ord. 5566 Sec. 3, 2014)

18.12.170: Recreational Vehicle Park: Where allowed, such use shall meet the following requirements:

- (1) The minimum size of the recreational vehicle park shall be ten (10) acres.
- (2) The maximum gross density allowed shall be one recreational vehicle space per each 2,000 square feet of land area.

(3) No less than ten percent (10%) of the total site area shall be provided as defined recreation space. The recreation space shall be easily accessible and shall be improved and maintained in such a manner so as to provide adequate recreational facilities for the residents of the recreational vehicle park. Any three of the following list of recreational amenities must be included in the development of a recreational vehicle park:

- (a) Basketball court;
- (b) Tot lot/playground;
- (c) Barbecue pit;
- (d) Horseshoe pits;
- (e) Shuffleboard court; or
- (f) Pool.

(4) When more than three of these amenities are provided and approved by the Planning Director, the recreation space requirement may be reduced by a total of ten percent.

(5) Each recreational vehicle space shall have a minimum width of 25 feet.

(6) Interior private streets shall observe the following minimums:

- (a) Twenty feet of width per each travel lane and eight feet of width per each parking lane;
- (b) Improvement with paved surface treatment in accordance with the specifications of the city engineer. In addition, all streets shall be well drained, well lighted, and continuously maintained in operable condition.
- (c) A minimum turning radius of 35 feet.

(7) Spacing Between Units. There shall be a minimum side-to-side dimension of 12 feet between units and a minimum end-to-end dimension of 10 feet between units.

(8) Minimum Setbacks Required. The following setback requirements shall apply:

- (a) Twenty-five feet from a public street;
- (b) Fifteen feet from the park boundary.

(9) Off-street Parking. A minimum of one off-street parking space shall be required for each recreational vehicle space. It shall be located within the recreational vehicle space. In addition, one off-street parking space per each eight recreational vehicle spaces shall be required for guest parking. The guest parking spaces shall be grouped and distributed evenly throughout the park.

(10) Pedestrian Walkways. Pedestrian walkways having a width of not less than three feet shall be provided from the recreational vehicle spaces to all service buildings and facilities, including guest parking areas, refuse collection areas, and along all interior streets and recreation areas. The walkways shall be hard-surfaced, designed to drain storm water from the walkway and prevent pooling of water, and be well lighted.

(11) Landscaping. On-site landscaping to enhance and beautify the recreational vehicle park as well as minimize noise and visual impact of the park shall be provided in accordance with KMC 18.21. Additionally, one two-inch caliper shade tree is required per space. Shade tree planting must include at least three species.

(12) Limit of Stay. No recreational vehicle shall remain in place in a recreational vehicle park for more than 120 days in any calendar year period.

(13) Solid Waste Disposal. The storage, collection, and disposal of solid waste in recreational vehicle parks shall be so conducted as to create no health hazards, rodent harborage, insect breeding areas, or accident, or fire hazards. Individual or grouped refuse containers must be screened from view except on collection day. All solid waste receptacles shall be enclosed with a fence of masonry wall of at least six feet in height.

(14) Utilities. The following requirements for utilities shall apply:

- (a) A water supply system shall be provided in the recreational vehicle park for each recreational vehicle space designed to accommodate the park user occupying a self-contained recreational vehicle or a dependent recreational vehicle and shall be connected to a public water supply system.
- (b) The water system shall be constructed and maintained in accordance with all applicable state and local codes and regulations.
- (c) Watering Stations. Each recreational vehicle park shall be provided with one or more easily accessible water supply outlets for filling recreational vehicle water storage tanks.
- (d) Sewage Disposal System. An adequate and safe sewage disposal system shall be provided in a recreational vehicle park for each recreational vehicle space designed to accommodate the park user occupying a self-contained vehicle and shall be connected to public sewerage system. The sewage disposal system in a recreational vehicle park shall be constructed and maintained in accordance with all applicable state and local codes and regulations.
- (e) Sanitary Stations. Each recreational vehicle park shall be provided with sanitary dumping stations in the ratio of one for every one hundred recreational vehicle spaces or fractional part thereof. Sanitary stations shall consist of at least a trapped four-inch sewer riser pipe with a two-inch screened grate connected to the sewage disposal system and surrounded at the inlet end by a concrete apron sloped to the drain and provided with a suitable lockable cover; and, a water outlet, with the necessary appurtenances connected to the water supply system to permit periodic wash-down of the immediate adjacent areas. A sign shall be posted near the water outlet indicating that this water is for flushing and cleaning purposes only. Sanitary stations shall be screened from other activities by a visual barrier such as fences, walls, or natural growth and shall be separated from any recreational vehicle space by a distance of not less than 50 feet.
- (f) Electrical Supply System. Each recreational vehicle space shall be provided with an underground electrical system providing a minimum of fifty (50) amperes and shall be installed and maintained in accordance with all applicable state and local codes and regulations.
- (g) Other Utility Systems. If other utility systems such as natural gas, television cable, or telephone are installed in a recreational vehicle park, such installation shall be in accordance with state and local codes and regulations.
- (15) All recreational vehicle parks shall comply with rules and regulations of the Washington State Board of Health.
- (16) All recreational vehicle spaces shall be marked and numbered in conformance with KMC Title 15.
- (17) Direct light from the interior of the park cannot be visible from outside the park. Interior lighting shall be shielded or hooded to prevent light spillage outside the park. Interior streetlights shall be no higher than eight feet above ground. One interior streetlight is required for every two spaces.
- (18) An eight-foot high vegetative landscape buffer in accordance with KMC 18.21.030 (2) is required on all sides of the park that abut property with a less intense zoning district.
- (19) All spaces must be within 300 feet of an ash disposal receptacle.
- (20) Storage sheds are not permitted.
- (21) There may be a dwelling for the park manager on site.

- (22) Campfires are not allowed, except in established barbecue pits.
- (23) Enclosed bathroom/laundry/shower facilities are required.
- (24) All non-impervious (non-concrete/asphalt) areas in a space shall be planted with irrigated lawn or landscape stone and native plantings.
- (25) Cable and telephone service are required on at least 50% of sites in a park.
- (26) Campers detached from pickup trucks must be lowered and blocked, and may only be detached for periods not exceeding five days.
- (27) Tents are permitted only if an area has been set aside for their use and is supported by dedicated parking and permanent shower and restroom facilities. The total area for such secondary use may not be more than 10% of the total gross site.
- (28) Recreational Vehicle Park Site Plan Requirements:
 - (a) Application Fee. The application for approval of a recreational vehicle park shall be accompanied by a site plan review application fee in accordance with the City's fee schedule;
 - (b) Site Plan. The application shall be accompanied by the number of copies dictated at the permit counter of a site plan, which shall contain, but not necessarily be limited to the following:
 - (i) Name of the owner and operator, with address and phone numbers; and the name of the proposed recreational vehicle park;
 - (ii) Legal description of the subject tract of land;
 - (iii) Name, address, and phone number of the person or firm preparing the site plan;
 - (iv) Scale of the drawing and north arrow;
 - (v) The area and dimensions of the tract of land;
 - (vi) The number, size, and location of all recreational vehicle spaces;
 - (vii) The number, location, and size of all off-street automobile parking spaces;
 - (viii) The location and width of all streets and walkways;
 - (ix) The location of service buildings, sanitary stations, recreation area, and any other proposed facilities or structures;
 - (x) Location of all utility lines and easements;
 - (xi) Specifications of the water supply, sewage disposal, electrical supply, and refuse collection systems;
 - (xii) Specifications of all buildings, recreation uses, and other facilities to be constructed;
 - (xiii) Landscaping specifications of sufficient detail to assure effectiveness of purpose;
 - (xiv) Topography at five 15-foot contour intervals;
 - (xv) A vicinity map indicating the names and location of all streets within at least a quarter-mile radius of the subject site;
 - (xvi) Location and specifications of the manager's office and dwelling unit; and
 - (xvii) The site plan map shall be drawn at a scale of not larger than 30 feet to the inch, nor smaller than 100 feet to the inch, and shall be clear and precise. If necessary the site plan can consist of more than one drawing. (Ord. 5180 Sec. 1, 2007)

18.12.180: Recreational Vehicle Storage: The following requirements are applicable to all new recreational vehicle storage areas and to expansions of existing facilities:

(1) Access driveways shall be paved; and storage areas shall be paved or prepared with three inches of 5/8 minus gravel topped by one-inch of one-inch rolled rock and shall include a storm water drainage system designed by a professional engineer or architect licensed in the State of Washington; maintained in a weed free condition; be regravelled as necessary to eliminate dust; and must be subject to a designated and approved customer parking plan that includes physical markers for storage areas and barriers for access drives.

(2) Exterior lighting shall be shielded or hooded so that direct light does not spill to adjacent properties.

(3) In addition to the requirements of KMC 18.21, Landscaping, all storage complexes shall have a minimum five (5) foot landscaped area meeting KMC 18.21.060(1)(a) when adjacent to a residential zoning district.

(4) Roofing materials shall be non-reflective to minimize glare on adjacent properties and public ways.

(5) All outdoor storage areas shall be screened with an eight (8) foot high sight-obscuring fence.

(6) Barbed wire, razor wire, and electric fences are not permitted.

(7) When located in CC and CG zoning districts, recreational vehicle complexes shall be located a minimum of 150 feet from a street frontage property line. (Ord. 5180 Sec. 1, 2007)

18.12.190: Rooming Houses and Boarding Houses:

(1) A rooming house or boarding house must have at least one and one-half (1½) off-street parking spaces for each individual unit bedroom.

(2) Only one sign not exceeding six square feet, indicating the name of the establishment, and a one square foot sign indicating room for rent are permitted.

(3) Cooking and sanitary facilities for all rooming houses and boarding houses must be in accord with regulations of the Benton-Franklin District Health Department. (Ord. 5180 Sec. 1, 2007)

18.12.200: Satellite Dishes: Satellite dishes must observe all setbacks. The setback will be measured to the nearest point on the satellite structure. (Ord. 5180 Sec. 1, 2007)

18.12.210: Stables, Corrals, and Riding Academies: Public and private stables, corrals, and riding academies must be located on a parcel of at least five acres in a Residential, Suburban (RS) zone. Stables and barns may be no closer than 75 feet to the property line or to a dwelling unit on abutting property. Corrals, exercise yards and riding rings, and open-air storage of hay, straw, shavings, and other such material must be at least 35 feet from the property line or 45 feet from a dwelling unit on abutting property. (Ord. 5180 Sec. 1, 2007)

18.12.220: Storing of Commercial Vehicles: No commercial vehicles may be parked overnight or routinely, in any R district except as allowed in a home occupation permit issued in accord with Section 18.42.090 and if the commercial vehicle does not exceed 10,000 pounds gross weight. (Ord. 5558 Sec. 1, 2014: Ord. 5407 Sec. 8, 2012: Ord. 5180 Sec. 1, 2007)

18.12.230: Subdivision Sales Areas, Equipment, and Material Yards: Neat and orderly subdivision sales areas, equipment and material yards and other appurtenant uses are permitted for not more than one year. The Planning Director may grant extensions or limit this time for good cause shown. (Ord. 5180 Sec. 1, 2007)

18.12.240: Swimming Pools: Swimming pools may not be within five feet of a property line nor have less than three feet of continuous unobstructed access. Water from a swimming pool may not drain onto adjacent property. The swimming pool, or the property on which it is located, must be enclosed by a four-foot fence or wall to prevent uncontrolled access from the street or adjacent properties. (Ord. 5180 Sec. 1, 2007)

18.12.250: Temporary and Parking Lot Businesses:

- (1) General requirements:
 - (a) A City of Kennewick business license is required;
 - (b) The use of City property requires approval of a lease, background check, a hold harmless agreement and an insurance policy naming the City of Kennewick as an additional insured in the amount of one million dollars; or
 - (c) The use of City property requires approval of a lease, background check, a hold harmless agreement, and an insurance policy naming the City of Kennewick as an additional insured in an amount approved by the City Attorney;
 - (d) Operation in a city park also requires approval of a concessionaires permit;
 - (e) Any business-related discharge into the sanitary or storm sewer systems requires the written approval of the Public Works Director;
 - (f) Written approval from the Benton-Franklin County Health District is required if food is served or if restrooms are required;
 - (g) Buildings must be on a permanent perimeter foundation or otherwise fastened and designed to secure the structure for a minimum of a 70-mile per hour wind load;
 - (h) The Fire Marshall must review and approve the use of a tent for applicable requirements of the Uniform Fire Code;
 - (i) No structure or temporary use may be within five feet of any right-of-way. Sight distance triangles must be observed;
 - (j) There must be adequate off-street parking provided in accord with KMC 18.36. The site must be paved or graveled;
 - (k) If on the same parcel as an existing business the minimum off-street parking for the primary business must be maintained;
 - (l) The temporary business must submit an accurate site plan drawn to scale depicting the following:
 - (i) The parcel lines and right-of-way lines;
 - (ii) The boundaries of the portion of the property to be used by the temporary business;
 - (iii) The parking area, which is to be used by the temporary business and the driveways to be used for access;
 - (iv) Drive areas must remain open and all pedestrian walkways must remain passable;

- (v) The location and dimension of existing structures as well as the location and dimension of all structures, vehicles, and signs to be used by the temporary business;
- (vi) How any temporary on-site residency and sanitation is to be accommodated;
- (vii) Proposed operating hours.
- (m) The business license must list the Washington state tax number including the City's location code number;
- (n) All signs, circulars, and other advertising material must be removed within three days of the termination of the business;
- (o) There must be adequate provisions made for dust and litter control;
- (p) The applicant must submit the property owner's written consent for the use of premises;
- (q) All electrical facilities must be inspected and approved by the Washington State Department of Labor and Industries;
- (r) Temporary businesses must conform to the noise standards set forth in KMC 9.52;
- (s) The applicant must show evidence of any required State licenses with the application for a business license;
- (t) No business shall be located in the parking area immediately adjacent to the entrance to another business without the written permission of the affected business owner;
- (u) All temporary and parking lot businesses that cannot demonstrate legal non-conforming status must be in compliance with the requirements of the section within one year from the date of adoption;
- (v) No vision obstructions within the vision clearance triangle are permitted.
- (2) Permanent small building businesses:
 - (a) Must meet all applicable regulations including but not limited to: parking, landscaping, and signage;
 - (b) Businesses with drive through windows must have a minimum of six (6) stacking stalls per KMC 18.36.060;
 - (c) Businesses with outdoor (or under-tent) seating must meet the applicable requirements of the International Building Code for employee and customer restrooms;
 - (d) The business must be connected to public water and sewerage systems.
- (3) Long term temporary stands:
 - (a) Shall locate in Kennewick for a maximum of 180 consecutive days annually;
 - (b) The structure used must be removed within 10 days of the business closing for the year;
 - (c) The business must operate from a structure;
 - (d) Shall locate only in the CC, [CAR](#), CG, CR, [UMU](#) and IL zoning districts.
- (4) Short term temporary stands:
 - (a) The business must operate from a structure;
 - (b) The structure used must be removed within three days of the business closing for the year;
 - (c) The business shall locate for no more than two non-consecutive 30-day periods within one calendar year at any one location;
 - (d) All short term temporary businesses must be on the same parcel and secondary to a principle permitted use, locate within a zone that allows public and quasi-

public uses and must comply with all regulations, including permitted use, appertaining to that district except as modified by this section.

- (5) Vehicle based food businesses:
 - (a) Allowed in CO, CBD, CC, [CAR](#), CG, CM, CR, [UMU](#), BP, IL, IH, OS, and PF zoning districts;
 - (b) Standing. No vehicle based business operator shall stand or allow their vehicle to stand upon any public way for more than one hour in any one place, except as otherwise permitted;
 - (c) Outdoor seating is not permitted, except as stated in subsection (f) below;
 - (d) Except as stated in subsection (f) below, a vehicle based business shall operate in the same location for a maximum of 30 days in addition to the requirements of subsection (b) above;
 - (e) The business shall not function as a drive-through.
 - (f) The following standards apply to operation within the Bridge to Bridge River to Rail subarea.
 - (i) Vehicle based food businesses may operate without a maximum time limit and have outdoor seating;
 - (ii) In determining whether or not the proposed location would be permitted, the following criteria shall be considered:
 - (A) The type and intensity of the proposed use and the type and intensity of existing uses;
 - (B) The width of the sidewalk, pedestrian plaza or parking lot in which it is to be located;
 - (C) The proximity and location of existing street furniture, including but not limited to signposts, lampposts, bus shelters, benches, phone booths, trees, newsstands, as well as the presence of bus stops and truck loading areas;
 - (D) Established or proposed pedestrian and vehicular traffic patterns;
 - (E) The number of vehicle based food businesses in a given area;
 - (F) Other factors deemed relevant by the approving authority, consistent with the purpose of this chapter and intent of the subarea zone proposed for the use.
 - (G) The vehicle based food business shall be placed in a parking area that must be surfaced with asphalt or Portland cement binder pavement to provide a durable and dustless surface.
 - (iii) In addition to the requirements to establish compliance with KMC “Temporary and Parking Lot Business” General Requirement 18.12.250(1) and other codes as applicable, the following items specific to Vehicle Based Food Businesses are required:
 - (A) Site plan including outdoor seating layout.
 - (B) Restroom agreement.
 - (C) Discharge plan for used oils and graywater.
 - (iv) Vehicles must be currently licensed, operable, and able to leave a site at any time under their own power.
 - (v) No vehicle based food vendor shall locate his or her vehicle or other conveyance in such a manner as to cause a traffic hazard.
 - (vi) No vehicle based food vendor shall obstruct or cause to be obstructed the passage of a sidewalk, street, avenue, alley or any other public place

by causing people to congregate at or near the place where food is being sold or offered for sale.

- (vii) The vending site shall be kept clean and orderly at all times, and the vendor must provide a refuse container and is encouraged to provide containers for recycling. Refuse, debris, and liquid spills by any person using the business location shall be cleaned up daily, and refuse containers emptied on a regular basis.
- (viii) Support equipment and accessories shall generally be self-contained within the vendor unit and site. Support equipment and accessories, including accessory seating and tables, must not be placed so as to impede pedestrian or vehicular traffic or distract from the pedestrian experience.
- (ix) Outdoor equipment shall be low maintenance and cleanable, durable, and preferably painted or of noncorrosive metal.
- (x) No portion of a vendor's inventory, sales equipment, or any other structure or equipment used in the sales or solicitation process shall be left overnight upon any unenclosed portion of any lot or site within the City, nor upon any public street or right-of-way.
- (xi) The City reserves the right to limit the number of vehicle based food vendors in any given area of the Bridge to Bridge River to Rail Subarea. City review may consider the needs of the public, diversity of products offered for sale, the smooth flow of pedestrian and vehicular traffic, number of complaints, and locations where vendors are located.
- (xii) At the conclusion of business activities at a given location, the vehicle, ancillary equipment, and debris generated by the vendor's business activities shall be removed and the site and public area surrounding it cleaned.

(6) Cart businesses:

- (a) The cart must be stored indoors or off-site when not open for business;
- (b) Allowed in CN, CO, CBD, CC, [CAR](#), CG, CM, CR, [UMU](#), BP, IL, IH, OS, and PF zoning districts;
- (c) Operation in a city park also requires approval of a concessionaires permit;
- (d) Standing. No cart-based business operator shall stand or allow their vehicle to stand upon any public way for more than two hours in any one place;
- (e) The business shall not function as a drive through.

(7) Trade shows, circuses, carnivals, outdoor concerts, bazaars, festivals, or similar temporary uses including religious meetings, rallies, and revival tents must obtain a permit in accord with Chapter 6.47. The use must comply with the following:

- (a) The use will be allowed for no more than two non-consecutive ten (10) day periods annually;
- (b) No structure or activity shall be within 300 feet of a residential district. The activity must not seriously interfere with traffic, emergency services, or other normal City operations. Adequate off-street parking as well as access must be provided;
- (c) Residential districts must be shielded from disruptive sounds and noises;
- (d) Provisions must be made for the control of dust and litter;
- (e) Parking Facilities. The applicant shall submit a plan showing adequate parking facilities on or adjacent to the location where the event is to be held. At least

- one (1) parking space for every four (4) persons expected to attend shall be provided. All parking facilities shall be off the public right-of-ways and adequate ingress and egress shall be provided to and from the area to facilitate the movement of vehicles. If non-adjacent parking facilities are approved, the permittee shall provide shuttle bus service on a no-charge basis;
- (f) Traffic Control. The License Officer shall ensure that adequate traffic and crowd control has been provided.
 - (g) Traffic and crowd control personnel shall be approved by the License Officer. One (1) traffic control officer and one (1) crowd control officer may be required if more than two hundred (200) people can reasonably be expected to attend the event, and more may be required if conditions warrant. The cost of crowd and traffic control must be borne by the permittee. If at any time the size of the crowd exceeds by twenty percent (20%) the number of people represented by the permittee to be in attendance, the License Officer may require the permittee to limit further attendance;
 - (h) Temporary Accommodations. If temporary campsites, trailer parks, or other accommodations are provided, adequate sanitary facilities must be provided and minimum fire safety standards must be met. Adequate access and parking must be established, and provisions made for the maintenance of order and security at all times; and
 - (i) No outdoor musical assembly or similar activity shall be conducted between the hours of 12:00 A.M. and 9:00 A.M., nor circus or carnival between 2:00 A.M. and 9:00 A.M., and permittee shall clear the licensed area no later than 1:00 A.M. or 3:00 A.M. respectively.
- (8) Seasonal and non-seasonal merchandise in conjunction with an existing business:
- (a) Outdoor display and sales of general merchandise are allowed for no more than three non-consecutive ten (10) day periods annually when conducted in the parking area;
 - (b) Outdoor display and sales of automobiles, recreational vehicles, boats, and similar vehicles are allowed for no more than twelve (12) non-consecutive five (5) day periods annually when conducted in the parking area;
 - (c) Where vehicles are displayed for sale the transaction must occur within the City of Kennewick;
 - (d) Outdoor display and sales of seasonal merchandise is allowed for a maximum of 90 consecutive days annually; and
 - (e) Merchandise display areas must meet minimum required setbacks in conformance with the Uniform Fire Code. (Ord. 5671 Sec. 1, 2016: Ord. 5663 Sec. 1, 2016: Ord. 5434 Sec. 7, 2012: Ord. 5431 Sec. 1, 2012: Ord. 5180 Sec. 1, 2007)

18.12.260: Trailers, Boats, Camper Tops, Travel Trailers, and Recreational Vehicles:

- (1) Trailers, boats, camper tops, travel trailers, recreational vehicles and the like owned by a person residing on the premises may be stored in an R (all), and HMU district but not within a public way. All such storage must comply with street frontage setbacks.
- (2) Construction offices may be located on any premises for which a building permit is issued and may remain in place up to the time the applicable building permit expires.
- (3) Temporary quarters for laborers on construction sites for the duration of construction may be permitted in any zoning district except for residential construction and

except in “CN”, “CO”, “CM”, “IP”, “PF”, and “OS” zones, through approval of a Land Use Permit (18.42.110).

(4) Any structures placed under this Title must comply with Single Family design standards. (Ord. 5180 Sec. 1, 2007)

18.12.270: Transportable Units: ~~Transportable units may be used for storage purposes when ancillary to a permitted use in C, I, PF, and OS zones, provided, that all setbacks and access requirements are met.~~

(1) Transportable units that are uniformly painted and in good repair may be used for temporary storage in subdivision sales areas and equipment yards (18.12.270) and in C, I, PF, and OS zones for storage during construction and/or remodeling after a building permit has been issued. The units shall be removed from the site once the permit expires or at the end of twelve months, whichever occurs first. Screening is not required in these instances.

(2) Transportable units may ~~also~~ be used for temporary storage in “R” and “HMU” zones for new residential construction or remodeling after a building permit has been issued. The units shall be removed from the site at the expiration of the building permit. In no case shall the units remain on the site for more than twelve months. (Ord. 5180 Sec. 1, 2007)

(3) Transportable units, railroad boxcars and freight cars in “R” districts that are visible and less than 125 feet from a public street must be completely surrounded by a sight-proof fence and/or landscaping (18.21.060(2)) or removed before October 31, 2004.

(4) Transportable units that are in good repair may be utilized for business activities, other than storage, in the UMU zone. (Ord. 5180 Sec. 1, 2007)

18.12.280: Trash Containers: All garbage cans, bins, dumpsters, containers and other garbage receptacles within UMU, C, I, BP, PF, and OS Districts or serving multi-family dwellings must be within a completely enclosed building or screened from view by a sight-obscuring wall or fence at least six feet high and with a gate or door or similar sight-obscuring material to provide access. All enclosures must be at least 20 feet from any residential use. No garbage, trash, waste or other refuse may be allowed to accumulate around or within the enclosure. (Ord. 5309 Sec. 14, 2010; Ord. 5180 Sec. 1, 2007)

18.12.290: Veterinary Clinic or Hospital: All animals must be confined inside the veterinary clinic or hospital; except animals may be kept in exterior pens and runs upon approval of a Land Use Permit for a conditional use issued in accord with Section 18.42. Dead animals must be disposed of in accord with all applicable regulations. (Ord. 5180 Sec. 1, 2007)

18.12.300: Volatile Toxic and Volatile Flammable Material Storage: The bulk storage, as defined by the Uniform Fire Code, of such material will only be permitted in the IH district upon approval of a conditional use in accord with Section 18.42.100. Such storage must be provided with adequate safety devices to guard against the hazard of over-pressurization or heating caused by sunlight, fire or heating equipment. Adequate fire suppression and firefighting equipment and devices are to the approval of the City Fire Chief. Review of the conditional use will include a review of all routes for transport of the material. (Ord. 5180 Sec. 1, 2007)

18.12.305: Wineries: In addition to the general review criteria in 18.42.100 for Conditional Uses and 18.42.110 for Site Plans, the following standards shall apply:

(1) Wineries with primary processing and on-site fermentation (Type B) are permitted in the CC, CR and CG zones only when it can be shown that they significantly contribute to the continuing pedestrian-oriented commercial development of the area.

(2) Traffic and material handling activities are of a scale typical of commercial deliveries in the area and zone within which the use is proposed.

(3) Traffic and material handling activities do not disrupt vehicle and pedestrian traffic operations normally conducted in the area and zone within which the use is proposed.

(4) Crushing and fermentation operations shall be managed such that by-products are contained and disposed of in a manner that does not generate spillover effects onto adjacent property, public spaces, or public right-of-way. A waste management plan needs to be submitted for approval that specifies the storage, collection and disposal of wine by-products. Approval of connection to the City sanitary sewer system including any required pre-treatment system shall be submitted as part of the Conditional Use or Site Plan applications.

(5) Mitigation of environmental effects including but not limited to noise, odors, insects, and reuse of water resources shall be addressed.

(6) If events are planned within the winery, they shall be specified during the permit approval process with regards to proposed hours, days and frequency of events. Maximum number of participants shall be restricted according to the capacity of the building, available parking and street improvements. (Ord. 5244 Sec. 2, 2008)

18.12.310: Wireless Communication Facilities: The purpose of this section is to provide predictability to service providers in the permitting process and to allow for site development issues to be addressed through clear and objective siting criteria and development standards. Collocation on existing structures is strongly encouraged to allow for the increased need for wireless communication facilities while minimizing the adverse visual impacts of such facilities.

(1) Collocation of wireless antennas on existing structures is allowed in all zoning districts. The parent structure can be a cellular tower, building, public power line, light pole, other public utility structure, or any multiple-family structure of four units or more. Approval is subject to the following:

- (a) The addition of a wireless facility with antenna cannot extend more than 20 feet above the highest point of the parent structure.
- (b) The property owner must provide written permission and the total height of the parent structure must be provided to and approved by the city.
- (c) Location on single family, duplex and triplex dwellings is not permitted.
- (d) License agreements must be obtained if in a public right-of-way.
- (e) All antennas must be painted a neutral, non-reflective color that will blend with the surrounding landscaping and parent facility. Recommended shades are gray, beige, sand, taupe, or light brown. A color chip or other sample of the proposed color must be approved by the Planning Director.
- (f) All collocations of wireless antenna must comply with the noise standards contained in KMC 9.52.
- (g) The parent structure shall have been occupied or completed at least six (6) months prior to installation of the subject wireless facility and/or antenna.
- (2) Applications for collocations must include:
 - (a) The type and dimensions of proposed antenna.
 - (b) Written confirmation that upon abandonment of the site, the City of Kennewick will receive a copy of the notice supplied to FCC. The owner of the

wireless facility will be responsible for removing the facility and accessory structures within 60 days of the receipt of that notice by the city. Written confirmation for each operational site is required by February 1st of every calendar year

(3) New wireless communication facilities, as defined in KMC 18.09.2220 up to 55 feet in height, are permitted uses in all Commercial, Industrial, and Public Facility Districts except “CN” (Commercial, Neighborhood) Districts. The only type of tower allowed for wireless communication facilities are monopoles. New guyed towers or latticed towers are prohibited. New wireless communication facilities, other than collocated facilities, are prohibited in all other zoning districts. A site plan must be approved in accord with KMC 18.42.

(4) An application for site plan approval of a new wireless telecommunication facility must include the following information in addition to that required as per KMC 18.42.110:

- (a) The type and dimensions of proposed antenna.
 - (b) Written confirmation that upon abandonment of the site, the City of Kennewick will receive a copy of the notice supplied to FCC. The owner of the wireless facility will be responsible for removing the facility and accessory structures within 60 days of the receipt of that notice by the city. Written confirmation for each operational site is required by February 1st of every calendar year.
 - (c) A hold harmless agreement indemnifying the City of Kennewick from damage caused by structure failure of a wireless communication facility must be filed with the City for each new wireless communication facility site by the telecommunication provider.
- (5) The following development standards are required for site plan approval for new monopoles. These development standards do not apply to collocated facilities:
- (a) No wireless communication facility may be located within 100 feet of any residential zoning district as measured from the base of the monopoles. Monopoles in Commercial, Industrial and Public Facility zones need only to comply with the setbacks required in the specific zone.
 - (b) All mechanical and technical appurtenances visible from a public street must be screened with a sight-obscuring fence at least six feet in height. Fencing must be provided around the base of the facility and any accessory buildings. The fencing material must be wood or masonry. Chain link fencing with inserted slats does not fulfill the sight-obscuring requirement. Electric fences and barbed wire are not permitted. A locking gate is required.
 - (c) When wireless communication facilities are located on parcels of land that abut residentially-zoned parcels, a five-foot landscaped area is required outside of the fenced area of the site when there is an above-ground accessory building provided. Trees are to be provided at the ratio of one for each ten feet of fencing distance. Climbing evergreen shrubs or vines can be substituted for the required trees and must be planted at the ratio of one for each three feet of fencing distance. The ground cover must be live vegetative planting. All landscaping must be maintained as per KMC 18.21.
 - (d) All wireless facilities must comply with the noise standards contained in KMC 9.52. (Ord. 5180 Sec. 1, 2007)

18.12.320: Planning Director Interpretation of Unlisted Uses: If a proposed use is not specifically listed in table 18.12.010 in a specific zone, the Planning Director may promulgate an interpretation as to whether or not such use is to be a permitted use. The Planning Director shall determine whether it closely resembles another listed use. Any use which is determined not to fit in the zone shall not be permitted. In determining whether a proposed use closely resembles a use expressly authorized in the applicable zoning district(s), the Planning Director shall determine whether the proposed use meets the following criteria:

- (1) The use resembles or is of the same basic nature as a use or uses expressly authorized in the applicable zoning district or districts in terms of the following:
 - (a) The activities involved in or equipment or materials employed in the use;
 - (b) The effects of the use on the surrounding area, such as traffic impacts, noise, dust, odors, vibrations, lighting and glare, and aesthetic appearance;
 - (c) The use is consistent with the stated purpose of the applicable district or districts; and;
 - (d) The use is compatible with the goals and policies of the Kennewick Comprehensive Plan.
- (2) The Planning Director's determination may be appealed as provided for in this title. (Ord. 5180 Sec. 1, 2007)

18.12.350: Additional Conditions: Additional conditions to mitigate adverse environmental impacts and to provide consistency with the City of Kennewick Comprehensive Plan Goals and Policies may be imposed in addition to or in place of those set out in this title, as determined by the Planning Director where conflicts arise. (Ord. 5180 Sec. 1, 2007)

CHAPTER 18.21

LANDSCAPING

SECTION:

- 18.21.010: Purpose
- 18.21.020: Applicability
- 18.21.030: Definitions
- 18.21.040: Application Requirements
- 18.21.050: Maintenance
- 18.21.060: Landscaping Requirements
- 18.21.070: Alternative Landscaping Options
- 18.21.080: Delays
- 18.21.090: Landscaping Materials

18.21.010: Purpose: This Chapter establishes minimum requirements and standards for landscaping and screening; promotes safety, privacy, and public well-being; protects and preserves the appearance, character, and value of property and surrounding neighborhoods; provides for temperature modification and shading; provides elements of wind protection; provides a method to mitigate adverse climatic and visual effects associated with intense urban development; and provides an effective manner to achieve the above objectives. (Ord. 5180 Sec. 1, 2007)

18.21.020: Applicability: This Chapter applies to all new structures and parking lots, and expanded structures when the cost of such expansion (as determined by the Building Inspector) is equal to or exceeds 50% of the current assessed value of the structure, but excludes single family uses and structures. (Ord. 5180 Sec. 1, 2007)

18.21.030: Definitions: Unless the context requires otherwise, the following definitions apply throughout this Chapter.

(1) **Intensity of Zones.** The juxtaposition of the various zoning districts in order of intensity with the most intense district listed first. The order of intensity is as follows: IH (Industrial, Heavy); IL (Industrial, Light); CG (Commercial, General); [CAR \(Commercial, Auto Row\)](#); CR (Commercial, Regional); CC (Commercial, Community); CM (Commercial, Marina); JF (Justice Facilities); PF (Public Facility); IP (Industrial, Park); [BP \(Business Park\)](#); [UMU \(Urban Mixed Use\)](#); CBD (Commercial, Central Business District); CN (Commercial, Neighborhood); CO (Commercial, Office); OS (Open Space); R (Residential).

(2) **Solid Landscape Screen.** An evergreen or nearly evergreen mixture (minimum of 65% evergreen) of shrubs, bushes, or trees that produce a dense, sight-obscuring screen at least six feet in height within three years of planting. Berms may be included in this definition as long as the maximum height of the berm is five feet; both sides of the berm are planted with evergreen or nearly evergreen shrubs or bushes so that the total height of landscaping and berm will be at least six feet within three years of planting; and the top of the berm plantings form a dense, sight-obscuring screen within the same three-year period.

(3) Well-Branched. At least three well formed and distinct branches originated from the main trunk. (Ord. 5434 Sec. 8, 2012; Ord. 5204 Sec. 11, 2007; Ord. 5180 Sec. 1, 2007)

18.21.040: Application Requirements: The following information is required in addition to that required by KMC 18.42.110.

(1) Detailed landscape plan showing specie name, planting method, size and location of planted materials, and method of irrigation. If non-living material is used in accord with Section 18.21.060(1)(a) or 18.21.060(4)(f), the type and design must be specified.

(2) Show existing trees or significant plant groupings, those that are to remain, and illustrate the method of tree protection and protection of landscaped area.

(3) Total landscaped area in square feet. (Ord. 5180 Sec. 1, 2007)

18.21.050: Maintenance:

(1) All landscaped areas and plants required by this Chapter must be permanently maintained in a healthy growing condition in order to accomplish the purpose for which it was required.

(2) Dead or diseased plants, as determined by the Planning Department, must be replaced within 30 days of notification, or as soon as practical in regard to freezing weather, or complex situations involving removal and replacement of large trees.

(3) All plantings must be fertilized, irrigated, and pruned at such intervals necessary to promote optimum growth. All landscaped areas must be kept free of debris and weeds.

(4) Plant material must not interfere with public utilities, restrict pedestrian or vehicular access, or constitute a traffic hazard.

(5) All planting areas must be irrigated. An underground system equipped with an automatic timer is strongly recommended.

(6) The owners, their agents and assigns, are responsible for providing, protecting, and maintaining all landscaping material in a healthy and growing condition, replacing it when necessary, and keeping it free of refuse and debris.

(7) The Planning Director may require a guarantee equal to the cost of installation, and maintenance for a period not to exceed two growing seasons. This requirement may be applied to situations involving landscape variances (Section 18.21.070); complex landscaping schemes involving diverse or exotic plant species; landscaping installed during severe (high or low temperatures) weather; or in cases where the public's best interest will be served by financially guaranteeing the success of the landscaping required by this Chapter. (Ord. 5180 Sec. 1, 2007)

18.21.060: Landscaping Requirements:

(1) Side and rear yard areas within Commercial and Public Facility Districts.

(a) Adjacent to properties with a less intense zoning designation: 10 feet minimum, and must be planted with trees at the ratio of at least one per every 50 feet of side and rear yard, and may be planted in groups or singularly - as long as there is no less than one grouping or one tree per side and rear yard. The remainder of the side and rear yard area must be planted with groundcover or shrubbery, not more than one-half of the required area is used

for non-living landscape material. Groundcover or shrubbery must provide minimum ground coverage of 50 percent within three years of initial planting.

- (b) Adjacent to properties with the same zoning designation: None required. However, an area equal to one-fourth of that which would have been required must be relocated to other portions of the site.

(2) Adjacent to Residential Districts: Side and rear yard landscaping must contain a minimum six-foot high continuous solid landscape screen, as defined in Section 18.21.030(2), when adjacent to any Residential District.

(3) Street yards adjacent to minor and major arterials as shown on the Comprehensive Plan:

- (a) Commercial and Open Space Districts: A minimum five-foot landscaped area meeting established vision triangle requirements that is designed and planted in accord with KMC 18.21.060(1)(a).

- (b) Industrial and Public Facility Districts: A minimum 10-foot landscaped area meeting established vision triangle requirements that is designed and planted with the same requirements as contained in Section 18.21.060(1)(a).

(4) Parking areas. All Commercial, Industrial, Open Space, and Public Facility Districts are required to have the following parking area landscaping required in this Section.

- (a) Lots having 50 or less, but more than five stalls: A minimum of 6% of the gross parking area must be landscaped.

- (b) Lots having 51 to 99 stalls: A minimum of 7% of gross parking area must be landscaped.

- (c) Lots having 99 or more stalls: A minimum of 8% of gross parking area must be landscaped.

- (d) Landscaped areas must be adequately protected from damage by vehicles. The overhang of a vehicle may project over a landscaped area a maximum of one foot when such area is at least five feet in depth per each abutting parking space. Landscaped areas must be protected by wheel stops or curbing.

- (e) No parking stall shall be located more than 75 feet from the edge of any landscaped area.

- (f) Trees, which provide shade or are capable of providing shade at maturity, at a rate of one per 200 square feet of required landscaped area, with a one-tree minimum, shall be the primary landscaping material. Shrubbery and hedges or living groundcover may also be used to compliment tree landscaping as long as not more than 75% of the required landscaped area will be used for non-living material.

- (g) Parking lots that utilize trees in excess of those required will be allowed to reduce the total square footage of required street or side/rear yard landscaping at the following rates:

- (i) 50 percent increase in required trees - 20 percent.

- (ii) 60 percent increase in required trees - 30 percent.

- (iii) 70 percent increase in required trees - 40 percent.

- (iv) 80 percent increase in required trees - 50 percent.

- (5) Two, three, four, and multi-family structures.

- (a) Parking, setback and open space areas must be landscaped meeting the following minimum requirements for each four required parking spaces:

- (i) 10 or less units: two trees.

- (ii) 11-30 units: 1.75 trees.
 - (iii) 30 or more units: 1.25 trees.
- (b) The design of the planted areas must be as specified in Section 18.21.060(1)(a).
- (c) Developments must be in conformance with applicable provisions of Chapters 18.75 and 18.78. (Ord. 5648 Sec. 1, 2016; Ord. 5573 Sec. 1, 2014; Ord. 5204 Sec. 12, 2007; Ord. 5180 Sec. 1, 2007)

18.21.070: Alternative Landscaping Options:

- (1) The Planning Director may approve a modification of these requirements if:
 - (a) The proposed alternate meets the purpose of this Chapter; and,
 - (b) The landscaping better accommodates the existing physical conditions of the property or provides significant elements for wind protection, solar access and shading, and the proposed landscaping represents an equal or superior result than would be achieved if the requirements of this Chapter were strictly followed; or
 - (c) The proposed alternate incorporates a distinct coloring scheme utilizing the planting of annuals in areas of high visibility, and otherwise meeting Section 18.21.010.
- (2) The City Council may authorize the City's participation in the installation of landscaping and landscaping improvements required by this Chapter in any Commercial or Industrial district when it is in the City's best interest. (Ord. 5180 Sec. 1, 2007)

18.21.075: Automobile and Vehicle Sales Lots

- (1) For automobile or vehicle sales uses that include vehicle display located along street frontage, the landscape area in front of the vehicle display area may be reduced to a 5 foot strip planted with a combination of low shrubs and groundcovers;
- (2) Abutting R districts – A solid landscape screen as defined in Section 18.21.030(2) with 10 feet of living or non-living groundcover;
- (3) Parking lot landscaping is not required, however landscaping around the building shall be required at 15% of what would be required if not an automobile or vehicle sales lot;

(4) Trees shall be provided in accord with KC 18.21.060(3)(a) however they may be relocated to areas that are located more than 75' feet from a display area, as well as the perimeter of the lot that does not front a street.

18.21.080: Delays: In no instance will compliance with this Chapter be delayed more than one year from the date of initial occupancy as determined by the Director. (Ord. 5180 Sec. 1, 2007)

18.21.090: Landscaping Materials:

(1) No landscape material may be used unless approved in conformance with this Section. Species may be approved for use if it can be determined that such species will not cause adverse impacts to public improvements, such as sidewalk heave or root infiltration of utility pipes or lines, and will not adversely affect private property (weeping on vehicles, malodorous fruits or flowers, and similar effects). A suggested planting list is on file with the Department of Planning.

(2) All deciduous trees must be a minimum of eight feet in overall height upon planting, or with a minimum caliper of 1¼" measured six inches above grade, and shall attain an average mature height of at least 20 feet. All evergreen trees must be a minimum of five feet in overall height upon planting. Trees not meeting these standards may be used in special or unique situations with the approval of the Planning Director provided that the trees used meet the standards outlined in: *American Standard for Nursery Stock*; American Association of Nurserymen, May 2, 1986; copy of which is on file at the Department of Planning.

(3) Planting and staking must conform to the standards contained in: "Planting Landscape Plants"; EB #1505; Washington State University, College of Agriculture and Home Economics." (Ord. 5180 Sec. 1, 2007)

CHAPTER 18.24

SIGNS

SECTION:

- 18.24.010: Purpose
- 18.24.020: Definitions
- 18.24.030: Sign Table
- 18.24.040: General Provisions
- 18.24.050: Regulation by Sign Type
- 18.24.060: Administration
- 18.24.070: Permit Applications
- 18.24.090: Change In Use

18.24.010: Purpose: The purpose of this Chapter is to improve business in Kennewick; increase the City's attractiveness; promote a business person's right to identify their business through reasonable and effective methods; encourage the design and placement of signs in a manner which promotes the noticeability of Kennewick's scenic views and emphasizes Kennewick's street-side landscaping; minimize the dangerous conflicts between unregulated signage and traffic-control devices; minimize the distraction to motorists, bicyclists, and pedestrians from signs because of their shape, motion and competition for attention; and promote and protect the health, safety, property values, and general welfare of the citizens of Kennewick. (Ord. 5180 Sec. 1, 2007)

18.24.020: Definitions:

- (1) "Auxiliary Sign." Auxiliary sign is a sign that provides information such as direction, time and temperature displays, hours of operation, or warning; auxiliary signs are intended for the convenience of the public. An auxiliary sign may include the business name and/or logo, but may not include its product or services.
- (2) "Awning." Awning is a covering structure that projects horizontally from, and is attached to a building. An awning provides protection from the weather for persons or properties underneath it.
- (3) "Awning Sign." Awning sign is a nonilluminated or illuminated sign which is usually painted or screen printed onto the surface of an awning and which does not extend vertically or horizontally beyond the limits of the awning.
- (4) "Banner Sign." Banner sign is a sign made of lightweight material such as cloth, paper or flexible plastic with or without a rigid frame.
- (5) "Business." Business means any person, partnership, association, corporation, joint venture, or similar group whether operating for profit or not, and any governmental agency.
- (6) "Canopy." Canopy is an ornamental or protective roof-like structure that may be attached or detached from the main building and usually providing protection from the elements to objects or people underneath. Structures over gas pump islands and over entrances of theaters or hotels are both examples of canopies.

(7) “Common Ownership.” Common ownership means groups of two (2) or more businesses when such businesses are located on one or more parcels of land or share public parking or maintenance facilities or when they conduct advertising on a regular basis; or when they function as a single entity in practical or business matters.

(8) “City, State, Federal, and Community Sponsored Events.” City, State, Federal, and Community Sponsored Events are nonprofit events or activities open to the public and associated with common interests or characteristics of the community. Examples of such events are: the elections, Water Follies, Benton-Franklin Fair and Rodeo, Little League Baseball, 4th of July parades or celebrations, and the like.

(9) “Construction Sign.” Construction sign is a sign installed in conjunction with construction or remodeling of a building.

(10) “Copy.” Copy is the medium by which the message or idea of a sign is communicated.

(11) “Development Sign.” Development sign is a sign, which through symbols or names identifies a development. Signs advertising residential or commercial properties “For Sale” or that identify an apartment complex, are examples of development signs.

(12) “Directional Sign.” Directional sign is an off-premise sign that directs attention by name and/or logo to a business, group of businesses, or a business area.

(13) “Electronic Message Sign or Center.” Electronic message sign or center is a sign on which differing copy is shown through an electronic or electrically controlled device, which may also display time and temperature or other messages.

(14) “Freestanding Sign.” Freestanding sign is a single or multiple face sign attached to or supported by columns, uprights, braces, standards, or other type of base in or on the ground and not attached to the building.

(a) “Temporary, Freestanding Sign.” Temporary, freestanding signs are signs which can be moved from structure to structure, or site to site, and which are not anchored to the ground in accord with the International Building Code. Examples of such signs are “grass-hopper” signs, sandwich board/A-frame signs, small price signs, and similar portable signs.

(b) “Permanent, Freestanding Sign.” Permanent, freestanding signs are anchored to the ground in accord with the International Building Code. The method of anchoring may need to be confirmed by a professional engineer, as determined by the Building Inspector.

(15) “Graphic Sign.” Graphic sign is a window sign or a sign, which is an integral part of a building's facade. The sign may be painted, carved, or permanently imbedded.

(16) “Integrated.” Integrated means a sign in which all elements of the sign are incorporated into a single design, but including attachments or projections not part of a single motif.

(17) “Mobile Sign.” Mobile sign is any sign mounted on a vehicle, trailer, or boat; or fixed or attached to a device for the purpose of transporting from site-to-site. This definition includes all vehicles placed or parked for the purpose of drawing attention to a service, product, object, person, organization, institution, business, event, location or message, but not signs or lettering installed on vehicles, trailers or boats operating during the normal course of business.

(18) “Monument Sign.” Monument sign is a freestanding sign, not over six feet high and attached to the ground for a minimum of 66 percent of the length of the sign.

(19) “Off-Premises Signs.” Off-premises signs are signs that advertise a service, product, object, person, organization, institution, business, event, location or message that is not available on the property upon which the sign is located. This includes mobile signs if their placement constitutes an off-premises sign.

(20) “Pictorial Sign.” Pictorial sign is a sign that conveys the service, product, or activity of a site without words, company or product emblem, or numbers or letters. Pictorial signs display a message through color, shape, and spatial relations, and are appropriate in context and taste with recognized standards of the community. Colored neon tubing and murals are examples of appropriate medium for display of a pictorial sign.

(21) “Political Sign.” Political sign is a sign promoting or publicizing candidates for public office or issues that are to be voted upon in a primary, general, or special election.

(22) “Product-Sponsored Sign.” Product-sponsored sign is a sign, which identifies, displays or attracts attention to a product sold or available, but may or may not identify the on-site organization, institution, person, object, business service or event.

(23) “Projecting Sign.” Projecting sign is a sign, other than a wall sign, which is attached to and projects more than eighteen inches (18”) from a structure, usually in a perpendicular manner. Projection defined as the distance by which a sign extends over public property or beyond the building line.

(24) “Readerboard Sign.” Readerboard sign is a sign on which copy is designated so that it can be changed manually. It usually consists of a panel on which individual letters or pictorials are mounted, or displayed.

(25) “Rooftop Sign.” Rooftop sign is a sign erected over or on the roof of a building, and is wholly or partially supported by the building.

(26) “Sign.” Sign is any object, device, display, structure or part thereof, situated indoors or out which is used to identify, display, advertise, direct or attract attention to an object, person, organization, institution, business, product, service, event, location or message by any means including words, letters, figures, designs, symbols, fixtures, colors, illumination, or projected images.

(27) “Sign Area.” Sign area is the smallest circle(s), triangle(s) or rectangle(s), which will enclose the individual actual sign face. The supporting structure, which does not contain any part of the sign face, is not included in this definition. If a sign has back-to-back display faces, the area of only one face will be considered the sign area. If a sign has more than one face, all areas, which can be viewed simultaneously will be considered the sign area.

(28) “Sign Height.” Sign height is the distance from the grade, or the top of the curb of the nearest street to the top of the sign or any projection thereon, whichever is higher.

(29) “Street Frontage.” Streets, alleys, or public rights of way parallel to the property line used to compute the area of the sign(s) intended to be located in such a manner to have primary exposure on that street or right of way.

(30) “Subdivision Directional Sign.” Subdivision directional sign is a sign advertising the direction to a subdivision by naming the subdivision and furnishing a directional arrow.

(31) “Temporary Sign.” Temporary sign is a sign intended for use for a short period of time. Examples of such signs include: grand opening signs, open house signs, special sale signs, sandwich board/A-frame signs, small price signs, pennants, and other similar signs. Banner signs are specifically excluded from this definition.

(32) “Wall Sign.” Wall sign is a sign mounted parallel to a building facade or vertical building surface, which does not extend beyond the edge of any wall or surface to which it is mounted. Wall signs project no more than eighteen inches (18”) from the surface.

(33) “Window Sign.” Window sign is a sign located on or within three feet of a window of a building, and visible from the exterior of a building. Window signs are graphic signs unless they qualify as auxiliary signs. (Ord. 5180 Sec. 1, 2007)

18.24.030: Sign Table: Signs shall comply with the applicable standards of Table A. Table A does not apply to the CBD or UMU zoning district. See Table B for CBD and UMU district sign regulations.

SIGN TABLE A

Sign Type	Maximum Height	Maximum Sign Area Per Sign	Maximum Permitted Number of Signs	Special Considerations
Freestanding single business	60'	Based on height of sign 0'-30' ht. up to 150 sq. ft. 31'-50' ht. up to 300 sq. ft. 51'-60' ht. up to 400 sq. ft.	Two per frontage	Grandfather all existing signs prior to passage of ordinance
Freestanding group of businesses	60'	90 sq. ft. per business or the same maximum area per freestanding sign as the single business requirement, whichever is greater.	Based on frontage 0'-200' = Up to 2 signs 201' - 400' = Up to 4 signs 401'-600' = Up to 5 signs over 601' = Up to 6 signs	
Wall	Not beyond the top or ends of wall	25% of applicable wall area	See 18.24.040(1)	
Projecting	Not more than 5” above or beyond the attaching wall	75 square feet or 1/2 frontage whichever is greater	See 18.24.040(1)	
Graphic-window	Maximum building height	33% of applicable wall area or applicable window area		
Pictorial	Maximum building	33% of applicable wall area		

	height			
Awning	18' or two stories	25% of available wall area		
Banner	None	None	See 18.24.060.2(i)	
Off-premises (existing)	30'	125 square feet	See 18.24.050(7)	Grandfather existing off premises signs except bill boards
Temporary	None	None	See 18.24.050(6)	
Rooftop		See 18.24.050(13)	One	Grandfather existing signs prior to passage of ordinance

SIGN TABLE B

Sign Type	Maximum Height	Maximum Sign Area Per Sign	Maximum Permitted Number of Signs	Special Considerations
Freestanding single business	13'	32 square feet*	One	* Per sign face Grandfather all existing signs prior to passage of ordinance
Freestanding group of businesses	13'	64 square feet*	One	
Wall	Not beyond the top or ends of wall	25% of applicable wall area	N/A	
Projecting	10'	24 square feet*	One	
Graphic-window	Maximum building height	33% of applicable wall area or applicable window area	N/A	
Pictorial	Maximum building height	33% of applicable wall area	N/A	
Awning	8'	25% of available wall area	One	
Banner	None	None	N/A	
Off-Premises (existing)	Prohibited	N/A	N/A	Grandfather existing off-

				premises signs except bill boards
Temporary	None	None	See 18.24.050(16)	
Rooftop	Prohibited	N/A		Grandfather existing signs prior to passage of ordinance

(Ord. 5434 Sec. 9, 2012) Ord. 5180 Sec. 1, 2007)

18.24.040: General Provisions:

(1) Number: Each permitted use within a commercial or industrial district may have a total of two (2) freestanding signs per street frontage and any combination but not to exceed four (4) of the following signs: projecting, wall, graphic, or pictorial. Auxiliary signs are permitted if the combined square footage of such auxiliary signs does not exceed the allowed total of the user's other permitted signs. Auxiliary signs located on windows or entirely within a structure are permitted without limitation.

(2) Area, Height, and Lighting: Sign area, height, and lighting are regulated by the standards contained in Table A.

(3) Structure: The structural components of signs are regulated by the currently adopted edition of Uniform Sign Code.

(4) Electrical: The electrical components of signs are regulated by the currently adopted edition of the National Electric Code. All electrical signs must bear the U.L. label.

(5) Illumination: The illumination of signs must be shielded, shaded, reduced or directed so that the light remains on the property and does not constitute a nuisance by distracting pedestrians and motorists. Strobe or strobe-like devices are prohibited from use where they are visible from the exterior of a building or location. Illumination of outdoor signs must comply with Chapter 15.26 KMC.

(6) Maintenance: All signs shall be maintained in a state of security and repair. If a sign is not so maintained, it must be removed or repaired within 30 days of notification by the Department. The owner, his agents, or assigns, are responsible for such maintenance and compliance with this Section.

(7) Sight Obstructions: All signs must be in conformance with Chapter 13.12 and Section 18.27.060 of the Kennewick Municipal Code (view obstruction and clearance triangle).

(8) Removal: When a business or business site is vacated, the applicable freestanding, wall, projecting, auxiliary, and street signs face must be removed within thirty (30) days of notification by the Department.

(9) Freestanding: All freestanding signs must be integrated. (Ord. 5180 Sec. 1, 2007)

18.24.050: Regulation by Sign Type:

(1) Awning Signs: Awning copy is exempt from this Section if no more than 100% of the maximum, available freestanding sign area is used for such copy. If more than

100% is used for the awning copy, then the other sign or signs for which the business is entitled must be reduced by an area equal to that exceeding 100% of the available freestanding sign area.

(2) Commercial ~~and~~ Industrial and Urban Mixed Use districts -

Development/Sale Signs: Signs advertising commercial or industrial sites or properties “For Sale” or “For Rent” must be placed wholly on the applicable property and may not exceed 32 square feet in sign area. The height of such signs are limited to 10 feet overall. Any such sign greater than 16 square feet in area must obtain a building permit and be installed to the approval of the Building Inspector.

(3) Construction Signs: Construction signs are allowed until occupancy of the applicable building or completion of the structure or remodeling, whichever occurs first.

(4) Directional Signs: Direction signs may be permitted in “C”, ~~or~~ “I” or UMU zones after approval of a Land Use Permit for a Conditional Use in accord with Section 18.42.100. The criteria for approval for such land use permits for conditional uses (variances) will be as follows: The business, group of businesses or business area must not have arterial street frontage available for free standing signage; special circumstances are necessary because of the location, size, shape or topography of the property of the business, group of businesses or business area to provide it with signage privileges typical of other properties in the vicinity or zoning district; the design of the directional sign can be conditioned to account for aesthetics, lighting, safety, compatibility with surrounding properties, and other factors necessary to meet the purpose (18.24.010) of this Chapter. Directional signs shall be further conditioned by the following:

- (a) The directional sign must be located as close to the business, group of businesses, or business area as is practical.
 - (b) A single business is limited to one directional sign. Groups of businesses and business areas are limited to two directional signs.
 - (c) The preferred means to implement directional signage shall be ground mounted or monument style signs. In cases where this is impractical, the maximum height is limited to 20 feet.
 - (d) Directional signs shall be limited to a maximum area of 32 square feet.
 - (e) If applicable the directional signs shall further the goals and guidelines of any adopted neighborhood or sub area plan and/or overlay zone.
- (5) Electronic Message Signs or Centers: Electronic message signs or centers are regulated per its applicable sign type, i.e., freestanding or wall-mounted.

(6) Existing Off-Premises Signs in all Districts: All existing off-premises signs installed in conjunction with a building permit as of the effective date of the ordinance codified herein are considered conforming, except billboards which are considered nonconforming. Such signs must be brought into full compliance with provisions of Section 18.24.040 herein for height, area, lighting, structural, and electrical regulations and Sign Table “A” of this Chapter. All existing off-premises temporary signs not installed with a building permit must be brought into full compliance with this Chapter within 180 days of notification by the Department.

(7) Off-Premise Signs for Community Sponsored Events. Off-Premise signs associated with community sponsored events on property other than the event site shall be exempt from this Chapter but must be approved by the Department of Planning for sight visibility and structural safety. Such signs are allowed for no more than 14 days prior to the event and must be removed within three days of the conclusion of the event season.

(8) Signs For City, State, Federal and Community Sponsored Events: Signs associated with City, State, Federal or community sponsored events shall be exempt from this Chapter but must be placed to not obstruct sight visibility and be structurally safe.

(a) Such signs must be removed within seven days following the event. It is the responsibility of the candidate and campaign chairmen to remove political signs, and event chairman in the case of nonpolitical events.

(b) Event signs are not allowed on public property or buildings, sidewalks, public roads, utility poles, or public facilities. However event signs will be allowed in the space between the curb and sidewalk provided there is no traffic visibility obstruction, and the abutting owners' permission has been granted.

(9) Product-Sponsored Signs: All outdoor product-sponsored signs must devote at least 75% of the sign area to the on-site business.

(10) Prohibited Signs: Except as provided elsewhere, the following signs are prohibited in all districts: off-premises signs, except as provided in subsection 18.24.050(7) above; off-premises mobile signs; abandoned signs; signs imitating or resembling official traffic or government signs or signals; signs attached to trees, utility poles, public benches, light poles or any other public property or right of way; and other signs not permitted by this Chapter. Signs on public transit benches and shelters and on and within public transit vehicles, when installed in conformance with a City franchise, are exempt from this Chapter.

(11) Readerboard Signs: Readerboard signs are regulated per applicable sign type, i.e., freestanding or wall-mounted. Portable reader board signs are regulated as temporary signs and a building permit is required for each location.

(12) Residential Properties - Development/Sale Signs: Signs advertising residential properties "For Sale," "Rent," or "Sold" must be placed wholly on the applicable property, and shall not exceed eight square feet in sign area. The height of such signs is limited to eight feet. If the property is not on an arterial street, a single directional sign may be placed at the nearest arterial with the permission of the owner upon whose property the directional sign is placed, and the directional sign can be no larger than six square feet. Any manufactured home park or multi-family residence containing at least five living units may have one freestanding sign per abutting street frontage, which shall not exceed 10 feet in height, or 32 square feet in area and must not move or give the illusion of movement. All development signs in residential areas shall be lit only by existing surrounding lights or by lights shining directly onto the sign. Signage in the single-family subdivisions and multi-family developments must be in conformance with Chapter 18.24.

(13) Schools in Residential Zoning Districts' Signs: Schools located in any Residential zoning district shall be allowed the following signs:

(a) One (1) freestanding sign per public street frontage that does not exceed sixteen (16) feet in height and a maximum of forty (40) square feet in area; and

(b) One (1) wall sign per street facing building façade that does not exceed fifty (50) square feet in size. Each school facility is permitted one (1) electronic message center that can either be incorporated into an allowed freestanding or wall-mounted sign.

(14) Rooftop Signs: Rooftop signs are only allowed in CG, CC, [UMU](#), IL, or IH zoning districts after approval of a land use permit for conditional uses in accord with 18.42.110 KMC. The criteria for approval of such land use permits for conditional uses will be based on the following:

- (a) The property requesting the rooftop sign must not have street frontage available for freestanding signage;
- (b) Wall signs would be inadequate because of restricted visibility from arterial street frontage;
- (c) Any approved rooftop sign must be consistent with the sign table.
- (15) Signs Advertising a Group of Businesses: A group of two or more businesses when located on one land parcel of common ownership or abutting land parcels so as to function as if of common ownership, which are located along a major or minor arterial as designated on the comprehensive plan, shall comply with Sign Table A of this Chapter to determine allowed freestanding signage along said arterial frontage.
- (16) Subdivision Directional Signs: Signs may display the direction to a subdivision by naming the subdivision and furnishing a directional arrow. The sign may not display the name of a realtor or developer, and must be removed within 24 months of its installation. The sign area is limited to 16 square feet, and sign height is limited to six feet overall height. The location of such signs must be approved by the City, and any subdivision utilizing such signs is limited to a maximum of three of these directional signs.
- (17) Temporary Signs: Temporary signs are allowed for a maximum of 60 days within any calendar year. They may be placed for no more than 20 consecutive days and they must be removed for 30 days. Banners are specifically exempt from this Section. (Ord. 5559 Sec. 1, 2014; Ord. 5180 Sec. 1, 2007)

18.24.060: Administration:

- (1) Administration of this Chapter is the responsibility of the Department of Planning. The owners, their assign, or agents are responsible for compliance with the requirements contained in this Chapter.
- (2) All signs must comply with the requirements of this Chapter. All sign owners must obtain a building permit prior to installation, with the exception of the following:
 - (a) Exempt signs as listed in:
 - (i) Home occupations and signs for family day care homes.
 - (ii) Subsection 18.24.050(8): City, State, Federal and community sponsored events.
 - (iii) Subsection 18.24.050(12): Residential properties - development/sale signs.
 - (iv) Subsection 18.24.050(15): Subdivision directional signs.
 - (b) Signs four square feet or less in area.
 - (c) Development and “For Sale” or “For Rent” signs.
 - (d) Changing sign copy, when such change consists of re-lettering, replacing or changing the sign face, repainting, cleaning, or other similar and nonstructural changes.
 - (e) Seasonal and holiday decorating within an appropriate holiday season.
 - (f) Official public notices or signs relating to an emergency.
 - (g) National, State or local governmental unit flags.
 - (h) Construction signs.
 - (i) Banners.
 - (j) Window signs.
 - (k) Auxiliary signs.
 - (l) Signs that are required by law.

- (m) Signs installed in conjunction with new structure; provided that the construction of the structure is regulated by a current building permit, and the sign complies with this Chapter.
- (n) Signs relaying information or warning such as “No Trespassing,” “No Dumping,” “Private,” provided such signs do not exceed 16 square feet in area. (Ord. 5180 Sec. 1, 2007)

18.24.070: Permit Applications: Applications for building permits for signs shall contain the name of the sign owner and user of the sign; address of the property in which the sign is located; location of the sign structure on such property; drawings of the sign showing design, dimensions, structural calculations and method of lighting, if applicable, and other pertinent information necessary to ensure compliance with this Chapter. ~~Fees for freestanding, wall, projecting, awning and rooftop signs shall be in accord with the fee schedule of the International Building Code; fees for all other signs will be twenty dollars (\$20.00).~~ (Ord. 5180 Sec. 1, 2007)

18.24.090: Change in Use: Any change in building use or classification requiring submittal of a land use permit for site plan approval, KMC 18.42.110; or any new sign structure installation will be cause of applicable signage to conform with provisions of this Section. Copy modifications are exempt. (Ord. 5180 Sec. 1, 2007)

CHAPTER 18.27

ACCESSORY BUILDINGS, STRUCTURES, AND USES

SECTION:

- 18.27.010: Generally
- 18.27.020: Detached Accessory Building - Conformance Required
- 18.27.030: Accessory Building - Setback - Dimensions
- 18.27.040: Fence Standards
- 18.27.050: Fences, Hedges, Walls - Height Requirements
- 18.27.060: View Obstruction Prohibited
- 18.27.070: Dwelling Groups

18.27.010: Generally: In any R district, recreation shelters, storage shelters, covered patios, private garages, carports, and similar structures are permitted as accessory structures and must be in conformance with applicable provisions of Chapter 18.12. (Ord. 5180 Sec. 1, 2007)

18.27.020: Detached Accessory Building - Conformance Required: Any accessory building, which is detached or only connected by a breezeway, must comply with this Chapter. An accessory building, which is an integral part of or has a common wall with the main structure, must comply with all provisions of this Title applicable to the main structure. (Ord. 5180 Sec. 1, 2007)

18.27.030: Accessory Building - Setback - Dimensions: Accessory buildings must comply with applicable setbacks. Except in C, I, PF, [UMU](#), and OS districts, detached accessory buildings may not be over 16 feet high. In all R and HMU districts, no accessory building may be closer than 10 feet from any building on the same lot unless the accessory structure is constructed in accord with the International Building Code, in which case the separation can be reduced to four feet. In addition, no accessory structure may be within a radius of 10 feet from the vertical centerline of a window in a dwelling on the same or an adjacent lot. It may not be within five feet of a side or rear property line but it may abut a rear property line adjacent to an alley, canal right-of-way or railroad right-of-way. (Ord. 5180 Sec. 1, 2007)

18.27.040: Fence Standards:

(1) All fences must conform to the provisions of Title 15 and Chapters 18.12, 18.75 and 18.78.

(2) All fences in excess of 36 inches in height must be constructed with steel posts or with pressure-treated wood posts. Wooden posts must be set in gravel and compacted by earth. Steel posts must be set in concrete. Fences must be adequate to withstand a minimum windload of 80 miles per hour.

(3) All fences in residential zones except Residential, Suburban shall be constructed of material commonly used in residential fence construction, such as chain link, wood slat, masonry walls, ornamental iron, wood pickets, and similar material. Fences of synthetic materials that have the functional equivalence of natural or traditional material may

be substituted. The Planning Director may adopt rules and regulations to implement this subsection.

(4) Fences in Residential Suburban districts shall comply with provisions of this section. Fences for the containment of animals or the protection of crops, made from wood, barbwire, and electric wire are permitted. The Planning Director may adopt rules and regulations to implement this subsection.

(5) Nothing in this section is intended to prohibit or restrict fences appropriate for a permitted use within any district, such as fences for protecting swimming pools, confining animals, protecting agricultural crops and the like. (Ord. 5180 Sec. 1, 2007)

18.27.050: Fences, Hedges, Walls - Height Requirements:

(1) Fences, hedges, walls and the like in “R” districts may not be higher than 30 inches above the top of curb grade within a sight triangle as specified in 18.27.060, 36 inches above the top of curb grade in a required front yard or six feet above grade on other parts of the site. Chain link fences over six feet high are permitted around basketball courts, tennis courts, and similar activities if all setbacks are met.

(2) Fences, sloping yards, retaining walls, or terraces may be constructed with a combined total elevation no greater than that of the adjacent foundation or existing grade of the lot line, whichever is higher. Walls, fences, and hedges may be added to this height if they do not exceed the height limits of this section as measured from the established finish grade.

(3) If a retaining wall is 60 inches or more above the adjacent grade and is located along a lot line, a guardrail or fence not less than 36 inches high must be placed along the top of the wall. (Ord. 5407 Sec. 10, 2012; Ord. 5180 Sec. 1, 2007)

18.27.060: View Obstruction Prohibited:

(1) Whenever streets intersect, walls, fences, sign faces, foliage, rocks, mounds, parked vehicles, boats, campers, or similar view obstructions must be in accord with the setback and height requirements of Chapter 13.12.

(2) In any R district where a driveway intersects a street right-of-way, there shall be no wall, fence, sign face, foliage, rock, mound, parked vehicle, boat, camper, or similar view obstruction between 30 inches and 84 inches above the top of curb grade within two triangular areas on both sides of said driveway, each of which has legs measured ten feet from and perpendicular to the street right-of-way from the intersection points of the drive and street right-of-way on both sides of said driveways.

(3) In any district, other than R districts, where a driveway intersects a street right-of-way, there shall be no wall, fence, sign face, foliage, rock, mound, parked vehicle, boat, camper, or similar view obstruction higher than 30 inches or lower than 84 inches above curb grade within two triangular areas on both sides of said driveway. The two triangular areas have a common leg, which extends fifteen feet along the centerline of the drive beginning at and perpendicular to the curb line. The left triangle, when facing the street, has a second leg, which extends 140 feet along the street curb line from the centerline of the drive. The triangle to the right has a comparable leg, which extends 75 feet from the centerline of the drive. (Ord. 5407 Sec. 11, 2012; Ord. 5180 Sec. 1, 2007)

18.27.070: Dwelling Groups: Each building in a dwelling group must be separated by at least 10 feet. Buildings over 30 feet high must be separated by at least one foot for each three

feet of building height. [The UMU district is exempt from the provisions in this subsection.](#) |
(Ord. 5180 Sec. 1, 2007)

CHAPTER 18.36

OFF-STREET PARKING

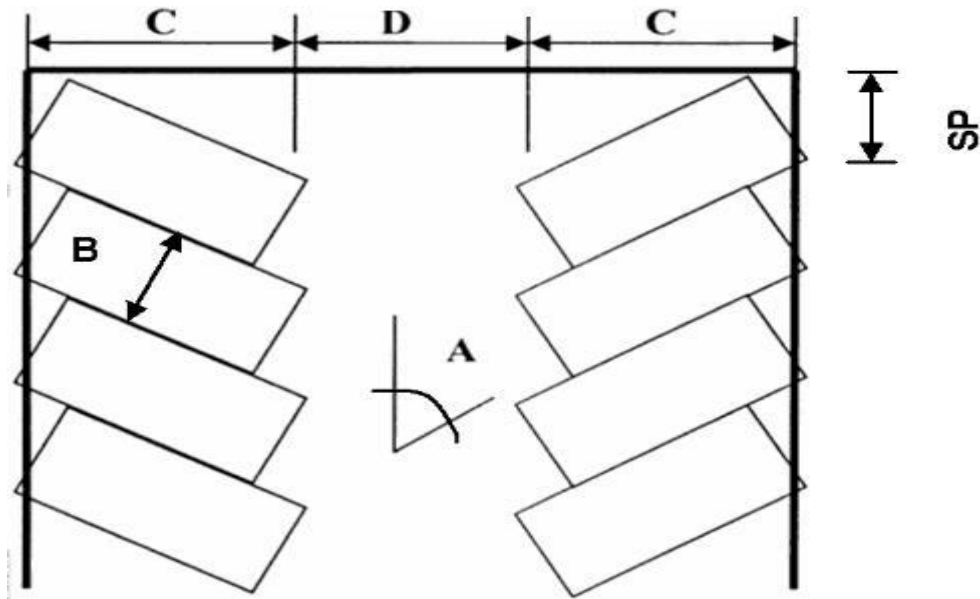
SECTION:

- 18.36.010: Purpose
- 18.36.020: Applicability
- 18.36.030: Dimensional Standards
- 18.36.040: Access
- 18.36.050: Minimum Parking Requirements - General
- 18.36.060: Specific Parking Requirements
- 18.36.065: Parking Requirements for the CBD Zoning District
- [18.36.067: Parking Requirements for the UMU Zoning District](#)
- 18.36.070: Mixed or Separate Occupancies
- 18.36.080: In-Lieu Provisions
- 18.36.090: Exceptions
- 18.36.100: Development and Maintenance of Parking Areas
- 18.36.110: Loading Space Requirements
- 18.36.120: Parking for Handicapped
- 18.36.130: Compact Car Spaces

18.36.010: Purpose: This Chapter sets forth special conditions and requirements for parking and applies to all permitted and additional uses. (Ord. 5180 Sec. 1, 2007)

18.36.020: Applicability: Except as provided elsewhere in this Title, all buildings, structures or uses must have adequate off-street parking in accord with this Chapter and applicable construction standards. (Ord. 5180 Sec. 1, 2007)

18.36.030: Dimensional Standards: Parking areas shall meet the following minimum standards:



Parking Angle (in degrees)	Standards				
	Stall Projection	Minimum Stall Width	Minimum Stall Depth	Minimum Aisle Width D ¹	
A	SP	B	C	One-Way	Two-Way
0 (parallel)	8'6"	22'	8'	20'	20'
30	17'	8'6"	17'	20'	20'
45	12'	8'6"	17'6"	20'	20'
50	11'1"	8'6"	18'	20'	20'
55	10'5"	8'6"	18'6"	20'	20'
60	9'6"	8'6"	19'	20'	20'
65	9'5"	8'6"	19'6"	20'	21'
70	9'1"	8'6"	19'6"	20'	21'6"
75	8'10"	8'6"	19'	20'	22'
90	8'6"	8'6"	18'	20'	22'6"

¹Fire lanes must meet applicable standards for width and turning radius.

(Ord. 5359 Sec. 1, 2011; Ord. 5180 Sec. 1, 2007)

18.36.040: Access:

(1) There must be adequate access to all parking and loading spaces. If a parking lot does not abut a public street or easement to a public street, an unobstructed easement at least 20 feet wide to a public way must be maintained. The Planning Director may require a

wider easement, if necessary, for safety and efficiency. Except in R districts, egress must be such that no vehicle backs out onto a public way.

(2) Multi-family developments must be in conformance with applicable provisions of Chapter 18.75. (Ord. 5180 Sec. 1, 2007)

18.36.050: Minimum Parking Requirements - General: Off-street parking is required as follows or with a specific use, in accord with Section 18.36.060: R district: Two spaces per dwelling unit, which may be unenclosed, or within a garage or carport. CN district: One space for every 200 square feet of gross floor area; CC, CR, CG, and CO districts: One space for every 400 square feet of gross floor area: minimum parking requirements do not apply in the CM zoning district: I districts: One space per employee on the maximum working shift. (Ord. 5212 Sec. 1, 2008: Ord. 5180 Sec. 1, 2007)

18.36.060: Specific Parking Requirements: Except for the CBD [and UMU](#) zoning districts, off-street parking is as follows for the uses indicated in the following table:

Uses	Required Parking
Agricultural processing plant, warehouse	1 per employee
Ambulance service	1 per ambulance plus 1 per employee on the largest shift
Animal clinic/veterinary	1 per 250 square feet of gross indoor floor area
Animal processing facility	1 per employee
Appliance and furniture sales/service	1 per 1,000 square feet of display area
Assisted living facility	1 per 4 residents plus 1 per staff on largest shift
Auction yard (excluding livestock)	1 per 300 gross square feet
Auditoria, theatres, stadia (including religious sanctuaries)	1 per 4 fixed seats or 1 per 150 square feet of floor area
Automobile impound yard	1 per 500 gross square feet of building area plus 1 per 5,000 gross square feet of outdoor storage area
Automobile sales/rental	1 per 400 gross square feet of inside display area, 1 per 2,000 gross square feet of outside display area
Automobile/truck/RV/motor-cycle service, painting, repair, body and fender works	1 per 300 gross square feet plus 2 per service bay (each space in a service bay counts as a parking space)

Uses	Required Parking
Bank, savings/loan and other financial institutions	1 per 300 gross square feet; if a drive-through window is provided may be reduced to 1 per 400 gross square feet
Barber/beauty shop	1 per chair and 1 per employee
Bed and breakfast	1 per guest room
Bowling alley	4 per lane plus additional required spaces for other uses
Brewery, winery and/or distillery	1 per each employee on the maximum shift plus 1 space per 4 seats in any tasting room or other visitor facility
Building supply and home improvement	1 per 300 gross square feet of retail area, 1 per 1,000 gross square feet of warehouse area, 1 per 600 gross square feet of assembly or light manufacturing area
Call center, telephone	1 per employee
Carnival, circus	1 per 400 gross square feet lot area
Carpenter shop	1 per 600 gross square feet
Carwash, self-service	2 spaces for drying and cleaning purposes per stall, plus 3 reservoir spaces in front of each stall
Casino	1 per 50 gross square feet of dining, bar, gaming and dance space, plus 1 per 2 employees
Church or other place of worship	1 per 4 seats or 8 lineal feet of bench seating; plus additional required spaces for other uses
College or university	1 per 600 gross square feet of classroom and 1 per 5 seats in principal assembly room
Community hall, club or lodge	1 per 200 gross square feet
Community recreational facility	1 per 200 gross square feet
Community residential facility	2 plus 1 per employee on maximum shift
Composting storage/processing, commercial	3 plus 1 per employee
Contractor's yard	1 per employee
Convalescent home, nursing home	1 per 2 beds
Convenience store	1 per 350 gross square feet, plus 2 for every 2.5 seats of on-site seating, but not less than 10. Service area at gas pumps shall not be counted as parking spaces
Dance, exhibition and assembly halls	1 per 75 square feet of gross floor area of main assembly room
Day care, child and adult	1 per employee, plus 1 per 10 children or adults

Uses	Required Parking
Dry cleaning, retail	The greater of 3 spaces or 1 per 300 square feet except where located in a shopping center.
Dry cleaning, laundry, linen supply plant, commercial	1 per 600 gross square feet
Dwelling, accessory apartments	1 per dwelling unit
Dwelling, congregate	1 per sleeping room
Dwelling, elderly or handicapped (two or more units)	1 per 1.5 units; a reduction of the number of parking to 1 per 2 units allowed if: a) Public transportation directly available; and b) Essential services, specifically shopping, is available within ½ mile of site; and c) A notarized agreement to provide additional off-street parking in conformance with applicable regulations if all or portion of complex converts to complex not restricted to elderly or handicapped
Dwelling, multifamily	
Studio and 1 bedroom	1 per dwelling unit, plus 5% of total for guests
Two or more bedrooms	1.5 per dwelling unit, plus 5% of total for guests
Dwelling, one- and two-family, townhouse	2 per dwelling unit
Electrical/electronic/computer component and system manufacturing/assembly	1 per 600 gross square feet
Entertainment/recreation facilities, indoor	1 per 250 gross square feet for areas not covered below, except when located in a shopping center
Skating rink	1 per 200 gross square feet
Swimming pool/jacuzzi	1 per 100 gross square feet of water surface area
Tennis, racquetball and similar courts	2 per court
Entertainment/recreation facilities, outdoor	
Golf course	4 per hole
Golf driving range/ training center	2 per designated driving station on driving range and 1 per 500 square feet of putting/chipping green
Skating rink	1 per 200 gross square feet
Sports field	20 per acre of site

Uses	Required Parking
Swimming pool/jacuzzi	1 per 100 gross square feet of water surface area
Tennis, racquetball and similar courts	2 per court
Equipment rental shop	1 per 300 gross square feet of retail, office or shop use, 1 per 1,000 gross square feet of outdoor storage or display area
Equipment sales, repair, and maintenance	3 plus 1 per employee
Espresso/latte stand (no seating)	1 plus 1 per employee
Exercise facility/gym athletic club	1 per 100 gross square feet
Fire station	1 space per employee on the maximum shift
Freight forwarding	1 per 2,000 square feet
Fueling station	1 per 4 pumps
Funeral home	1 per 4 seats or 8 feet of lineal bench in chapel area
Greenhouse/nursery, commercial	1 per 400 gross square feet of indoor retail, 1 per 1,000 gross square feet of outdoor display or storage area
Hospital	1 per 4 patient beds; plus one space per doctor; plus 1 per each 3 additional employees
Hotel/motel	1 per guest room; plus additional required spaces for other uses
Kennel/animal boarding/shelter	3 plus 1 per each employee
Laboratories	1 per 600 gross square feet of office, 1 per 600 gross square feet of laboratory or shop area
Landscape materials sales	3 plus 1 per employee
Laundromat	1 per 250 square feet
Manufactured (mobile) home park	2 per dwelling unit plus 5% total for guest parking
Manufacturing	1 per employee on the maximum shift
Medical/dental clinic	5 per each doctor or dentist
Model home sales	1 per 2,000 gross square feet of sales area
Motor vehicle parts sales/service	1 per 300 square feet
Museum, libraries	1 per 800 gross square feet
Office, professional and	1 per 250 gross square feet

Uses	Required Parking
general	
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
Restaurant with drive-through window service	6 stacking stall spaces plus 1 for every 4 seats outside the vehicle
Retail sales, indoor	1 per 200 gross square feet, except when located in a shopping center
Retail sales, outdoor	1 per 5,000 gross square feet of retail sales area in addition to any parking requirements for buildings, except when located in a shopping center
Schools, professional, vocational and trade	1 per each 3.5 seats in classroom area
Schools, public and private, 7 through 12	1 per teacher; plus 1 per each other employee; plus 1 per 6 students
Schools, public and private, K through 7	1 per teacher; plus 1 per other employee
Services, retail	1 per 250 square feet except when located in a shopping center
Shopping centers	4.5 per 1,000 square feet of gross leasable area (GLA) for centers having GLA less than 400,000 gross square feet, and 5 per 1,000 gross square feet of GLA for centers having a GLA of over 400,000 gross square feet
Showroom, industrial	1 per 500 gross square feet of display area
Solid waste recycling/transfer site	3 plus 1 per each employee
Specialized training/learning schools or studios	1 per 300 gross square feet
Storage, general – indoors, warehousing	1 per each 3,500 gross square feet

Uses	Required Parking
Storage, general – outdoors, display	3 plus 1 per each employee
Personal services	1 per 250 square feet
Tavern	1 per 4 seats, except when located in a shopping center
Transit center	1 per each 200 gross square feet
Warehousing	1 per each 3,500 gross square feet
Wrecking, recycling, junk and salvage yards	1 per each employee plus 3 visitor spaces

(1) Unlisted uses: The Planning Director shall determine parking requirements for any use not specifically included in the table above based on similarities with listed uses.

(2) Single and multi-family developments must conform to the applicable provisions of Chapter 18.75 KMC.

(3) Commercial developments must conform to the applicable provisions of Chapter 18.78 KMC. (Ord. 5434 Sec. 10, 2012; Ord. 5359 Sec. 2, 2011; Ord. 5180 Sec. 1, 2007)

18.36.065: Parking Requirements for the CBD Zoning District: The following parking standards shall apply to properties zoned Central Business District:

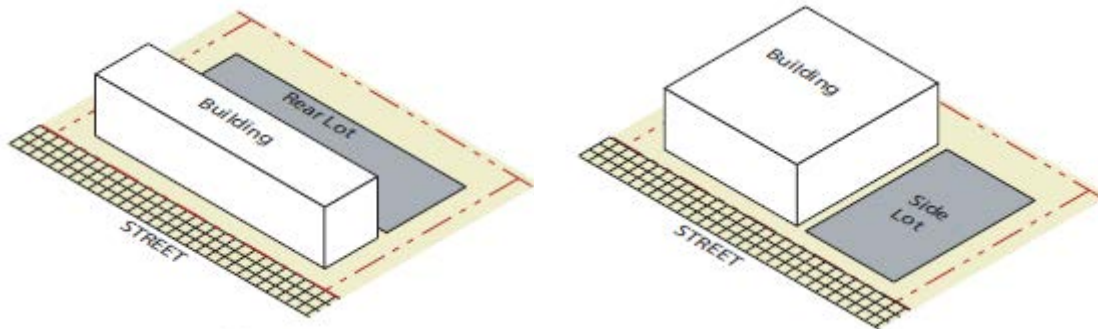
(1) Any business with 3,000 square feet of gross floor area or less is exempt from off-street parking requirements;

(2) Businesses with more than 3,000 square feet of gross floor area shall provide one off-street parking stall per 1,000 square feet of gross floor area. Adjacent on-street parking may be used to meet this requirement.

(3) The following land use shall supply off-street parking consistent with KMC 18.36.060:

(a) Vocational schools.

(i) Off-street parking lots shall not be located between streets and buildings but shall be located either behind buildings (preferred) or to the side of buildings.



(Ord. 5434 Sec. 11, 2012)

18.36.067: Parking Requirements for the UMU Zoning District: In the UMU district both on-street and off-street parking stalls shall be credited towards the applicable parking space requirements. The following parking standards shall apply to properties zoned Urban Mixed Use:

(1) Any business with 3,000 square feet of gross floor area or less is exempt from parking requirements;

(2) Businesses with more than 3,000 square feet of gross floor area shall provide one parking stall per 1,000 square feet of gross floor area. Adjacent on-street parking may be used to meet this requirement.

(3) The following land use shall supply off-street parking consistent with KMC 18.36.060:

(a) Dwelling, accessory apartments;

(b) Dwelling, elderly or handicapped (two or more units); and

(c) Dwelling, multi-family.

(4) One- and two-family dwelling and townhomes shall provide at least one (1) parking space per unit.

18.36.070: Mixed or Separate Occupancies: In the case of mixed or separate uses on the same parcel, the total off-street parking will be the total required for the various uses computed separately. A 15 percent off-street reduction may be permitted for parking areas greater than 16,000 square feet. Off-street parking for one use does not provide parking for any other use except for cooperative uses. (Ord. 5180 Sec. 1, 2007)

18.36.080: In-lieu Provisions: On any parcel which because of the size, shape or location will not have adequate parking, parking requirements may be satisfied as follows:

(1) In C, UMU or I districts parking may be located within 500 feet on other property:

(a) Section 18.36.080 applies;

(i) If the parking facility is under different ownership, a written agreement or lease is required; and

(ii) The parking area shall be designated as P on the zoning map and not used for other than off-street parking.

(2) If the Planning Director finds that parking demands on the use may be sporadic or seasonal, he may reduce the required parking by 50 percent if the decreased parking is available when needed within 500 feet.

(3) If adjoining facilities can be developed and designed efficiently and economically as one facility, and the total parking area will be 10,000 square feet or more, the total combined required parking may be reduced by 10 percent.

(4) In addition to any of the above, if any use in any district, except RS and RL districts, includes an improved, permanent on-site public bus stop, the required number of parking stalls may be reduced by 10%. Provided, however, the bus stop must be on a transit system route and be developed in accord with requirements of the Transit Authority. (Ord. 5180 Sec. 1, 2007)

18.36.090: Exceptions: The following are exceptions to the provisions of Chapter 18.36:

(1) An existing commercial structure in C or UMU districts may be replaced, altered or remodeled without adequate parking if the Planning Director finds that the use will not create additional parking demands and that the new remodeled structure will have a total floor area no more than the ground floor area of the previous structure. (Ord. 5359 Sec. 3, 2011; Ord. 5180 Sec. 1, 2007)

18.36.100: Development and Maintenance of Parking Areas: Every public and private parking area must be developed and maintained as follows (if an adjacent property is a parking area, this provision may be waived):

(1) **Surfacing.** The area must be surfaced with asphalt or Portland cement binder pavement to provide a durable and dustless surface, be graded and drained for the on-site disposal of all surface water; and be arranged and marked for the orderly and safe loading, unloading, parking and storage of vehicles and constructed to applicable construction standards. For residential zoning districts the driveway to the primary parking structure/area must be surfaced with asphalt or Portland cement binder pavement, or an alternative hard surface as approved by the Planning Director. The driveway for accessory structures not used for primary parking in residential zoning districts can be surfaced with a minimum three-inch (3") compacted gravel. The Planning Director may allow parking to be completed within six months after issuance of a certificate of occupancy for good cause. Any further extensions are to the approval of the Planning Commission.

(2) **Parking Area Lighting.** Lighting for off-street parking must be directed and shielded to not illuminate surrounding residential areas.

(3) **Other Improvements.** Barriers, curbs or tire stops must be installed if a parking area abuts a structure, adjacent properties – except when such property is a parking area, or public right-of-way. Traffic controls must be installed if deemed necessary by the City Engineer for public safety.

(4) When a parking lot is to be landscaped, the landscaped areas are to be surrounded by a minimum six-inch high curb, be serviced by a sprinkler-head water system, be maintained and kept free of all weeds and debris.

(5) **Screening from R Districts.** If an off-street parking lot abuts any R district, it must be screened by a masonry wall, tight board fence or screened chain link fence, at least three but not more than six feet high.

(6) **Driveways.** Driveways in C, UMU or I districts must be at least 28 feet from pedestrian crosswalks and surfaced with asphalt or Portland cement binder pavement, or an alternative hard surface as approved by the Planning Director. Driveway widths should not be less than 30 feet in width. (Ord. 5574 Sec. 1, 2014; Ord. 5463 Sec. 1, 2012; Ord. 5204 Sec. 13, 2007; Ord. 5180 Sec. 1, 2007)

18.36.110: Loading Space Requirements: Off-street loading spaces, accessible to a public way, are required for all uses with deliveries or shipments. The spaces must be adequate to accommodate the maximum number and size of vehicles simultaneously loading or unloading. No part of a vehicle using the loading space may project into a public way. (Ord. 5180 Sec. 1, 2007)

18.36.120: Parking for Handicapped: Parking for the handicapped shall be provided in accord with the American's with Disabilities Act and the edition of the International

Building Code most recently adopted by the City. (Ord. 5309 Sec. 16, 2010: Ord. 5204 Sec. 14, 2007: Ord. 5180 Sec. 1, 2007)

18.36.130: Compact Car Spaces: Any parking lot of four or more spaces, may have 25 percent of the required spaces marked for compact cars. Compact car spaces must be seven and one-half feet wide and 15 feet long with adequate back-up space to efficiently and safely negotiate the parking area. (Ord. 5180 Sec. 1, 2007)

CHAPTER 18.75

RESIDENTIAL DESIGN STANDARDS

SECTION:

18.75.010: Purpose

18.75.020: Definitions

18.75.030: General Requirements

18.75.040: Conflict with Other Statutes

18.75.010: Purpose:

(1) Design Standards for single-family and multi-family residential developments, which are on file in the Planning Department, implement the goals and policies of the City's Comprehensive Plan by promoting quality development using the best management practice in design, project review, and construction. This Chapter is to provide clear guidelines for single-family and multi-family residential developments in any applicable district. The standards are intended to offer flexibility and creativity and promote quality development.

(2) The underlying principles of the Design Standards are to ensure compatibility with the residential character of a neighborhood, promote sustainability, offer choices of living and movement, encourage variety and creativity in design, and provide a safe and pedestrian friendly streetscape for Kennewick. (Ord. 5180 Sec. 1, 2007)

18.75.020: Definitions:

(1) "Development Standards - Residential Multi-Family" means standards for multi-family development in accord with the Design Standards.

(2) "Development Standards - Residential Single-Family" means standards for single-family development in accord with the Design Standards. (Ord. 5309 Sec. 21, 2010; Ord. 5180 Sec. 1, 2007)

18.75.030: General Requirements:

(1) Standards in this Chapter are applicable to all new single-family and multi-family residential developments within the City [except for the Urban Mixed Use District which shall comply with KMC 18.80](#). The mandatory standards will be made available in the Kennewick Municipal Code. These standards shall take precedence in case there is a conflict in the KMC. The Planning Director shall have authority to resolve any conflicts in the standards in order to promote the City's objectives and goals.

(2) All mandatory standards are to be followed throughout subdivision design and platting and multi-family design and construction. Although a developer is not bound to follow the recommended standards, these allow more flexibility than the existing code, promote better aesthetics and design solutions and are often implemented through the site plan review process (18.42.110).

(3) Single-family and multi-family development must be in conformance with the contents of this Chapter and the Design Standards on file in the Community Planning Department. If a provision of the Kennewick Municipal Code is contrary or conflicts with

this Chapter, the provisions of this Chapter shall prevail. (Ord. 5309 Sec. 22, 2010: Ord. 5180 Sec. 1, 2007)

18.75.040: Conflict with Other Statutes: Where a provision of the Kennewick Municipal Code, the Revised Code of Washington, or the United States Code requires, for the purpose of health, welfare or public safety, a requirement contrary to the provision of this Chapter, said provision shall prevail over any or all requirements of this Chapter. (Ord. 5180 Sec. 1, 2007)

CHAPTER 18.78

COMMERCIAL DESIGN STANDARDS

SECTION:

- 18.78.010: Purpose
- 18.78.020: Definitions
- 18.78.030: General Requirements
- 18.78.040: Conflict with Other Statutes

18.78.010: Purpose:

(1) Design standards for commercial developments, which are on file in the Community Planning Department, implement the goals and policies of the City's Comprehensive Plan by promoting quality development using the best management practice in design, project review, and construction. This Chapter is to provide clear guidelines for commercial developments in any applicable district. The standards are intended to offer flexibility and creativity and promote quality development.

(2) The underlying principles of the Commercial Design Standards are to ensure compatibility with the surrounding character of a neighborhood, promote sustainability, offer flexibility, encourage variety and creativity in design, and provide a safe and pedestrian friendly streetscape for Kennewick. (Ord. 5180 Sec. 1, 2007)

18.78.020: Definitions: "Development Standards – Commercial" means standards for commercial development in accord with the Commercial Design Standards. (Ord. 5180 Sec. 1, 2007)

18.78.030: General Requirements:

(1) Standards in this Chapter are applicable to all new and remodeled commercial developments in the City's commercial zoning districts except for the ~~Downtown Commercial, Central Business District, and Commercial, Marina Clover Island and Urban Mixed Use District~~ areas when the cost of remodeling and/or expansion is equal to or exceeds 50% of the current assessed value of the structure as determined by the City's building official. The mandatory standards will be made available in the Kennewick Municipal Code. These standards shall take precedence in case there is a conflict in the KMC. The Planning Director shall have authority to resolve any conflicts in the standards in order to promote the City's objectives and goals.

(2) All mandatory standards are to be followed throughout commercial design and development. Although a developer is not bound to follow the recommended standards, recommended standards allow more flexibility than the existing code and promote better aesthetics and design solution.

(3) Commercial developments must be in conformance with the contents of this Chapter and the Design Standards on file in the Community Planning Department. If a provision of the Kennewick Municipal Code is contrary or conflicts with this Chapter, the provisions of this Chapter shall prevail. Commercial developments on Clover Island must be

in conformance with the Clover Island design standards on file in the Community Planning Department. (Ord. 5212 Sec. 2, 2008; Ord. 5180 Sec. 1, 2007)

18.78.040: Conflict with Other Statutes: Where a provision of the Kennewick Municipal Code, the Revised Code of Washington, or the United States Code requires, for the purpose of health, welfare, or public safety, a requirement contrary to the provisions of this Chapter, said provision shall prevail over any or all requirements of this Chapter. (Ord. 5180 Sec. 1, 2007)

CHAPTER 18.80

URBAN MIXED USE DESIGN STANDARDS

SECTION:

18.80.010: Purpose

18.80.020: Definitions

18.80.030: General Requirements

18.80.040: Design Standards

18.80.050: Conflict with Other Statutes

18.80.010: Purpose:

(1) Design standards for the Urban Mixed Use district, implement the goals and policies of the City's Comprehensive Plan by promoting quality development using the best management practice in design, project review, and construction. This Chapter is to provide clear guidelines for developments in the Urban Mixed Use district. The standards are intended to offer flexibility and creativity and promote quality development.

(2) The underlying principles of the Urban Mixed Use Design Standards are to ensure compatibility with the surrounding character of a neighborhood, promote sustainability, offer flexibility, encourage variety and creativity in design, and provide a safe and pedestrian friendly streetscape for Kennewick.

18.80.020: Definitions: "Development Standards – Urban Mixed Use Design Standards District" means standards for development in the Urban Mixed Use district in accord with the Urban Mixed Use Design Standards.

18.80.030: General Requirements:

(1) Standards in this Chapter are applicable to all new and remodeled developments in the City's Urban Mixed Use district when the cost of remodeling and expansion is equal to or exceeds 50% of the current assessed value of the structure as determined by the City's building official. These standards shall take precedence in case there is a conflict in the KMC. The Community Development Director shall have authority to resolve any conflicts in the standards in order to promote the City's objectives and goals.

(2) All standards are to be followed throughout design and development. These standards are not intended to prohibit creative design and development solutions by professional designers/developers that might generate a better quality development.

18.80.040: Design Standards

(1) STREET FRONTAGE DESIGN STANDARDS: Public streets with the Urban Mixed Use district are classified as either "A" or "B" streets. Each area designated as UMU shall have a map, prepared by and on file with the City Community Development Department which shall be made part of this chapter. The differentiation between "A" and "B" streets is created to focus building and site design towards crucial public corridors while understanding other public ways are necessary for circulation purposes, but less important from an aesthetic perspective.

(a) "A" Street Frontage Requirements:

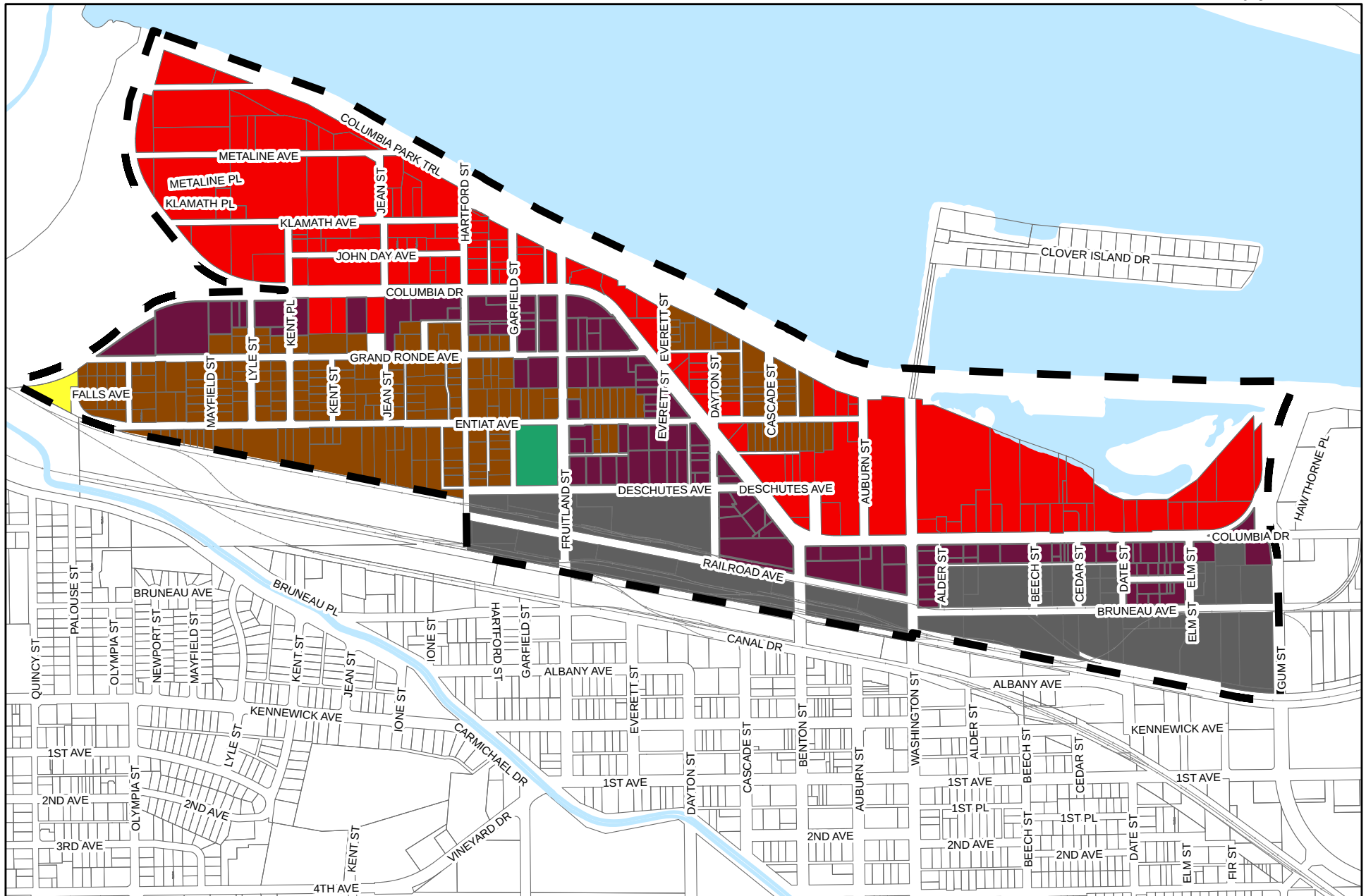
(i) No vehicular access shall be allowed except at intersections with

- alleys and private.
- (ii) Parking areas and drive isles must be setback at least 40 feet;
- (iii) Parking areas shall be screened by a wall or fence with materials consistent with the building and/or hedge at least 4 feet in height and no more than 6 feet in height. The use of chain link fencing is prohibited.
- (iv) Minimum linear building frontage shall be 75% of the right-of-way frontage;
- (v) At least 25% of the lot frontage must have a building façade within 15 feet of the right-of-way line.
- (vi) Measured linear per floor, buildings utilized for non-residential uses shall be designed with doors and windows of at least 100 square feet each spaced at intervals of no more than 20 feet on center along the building frontage;
- (vii) Measured linear per floor, buildings utilized for residential uses shall be designed with doors and windows of at least 10 square feet each spaced at intervals of no more than 10 feet on center along the building frontage;
- (b) "B" Street Frontage Requirements:
 - (i) Up to 100% of the right-of-way frontage may be utilized for vehicle parking, delivery zones, garage doors and other non-pedestrian oriented element
 - (ii) In situations where parking areas abut a "B" Street 75% of the frontage must have an edge treatment including a wall, fence or hedge at least 4 feet in height and no more than 6 feet in height together with a street tree spaced no more than every 50 feet;
 - (iii) Measured linear per floor, buildings utilized for non-residential uses shall be designed with doors and windows of at least 100 square feet each spaced at intervals of no more than 20 feet on center along the building frontage;
 - (iv) Measured linear per floor, buildings utilized for residential uses shall be designed with doors and windows of at least 10 square feet each spaced at intervals of no more than 10 feet on center along the building frontage;
- (2) BLOCK STANDARDS: Connectivity throughout the UMU district is a key element to assuring the vibrancy the City intends therefore maximum block size shall not exceed 10 acres. The following requirements are mandatory and apply to any development with the UMU district regardless of frontage on a public "A" or "B" or private street or alley.
 - (a) Boundaries for block size measurement shall be A & B streets as well as the boundary of the UMU district and the boundary of parcels held under separate ownership.
- (3) SITE DESIGN STANDARDS: The following requirements are mandatory and apply to any development with the UMU district regardless of frontage on a public "A" or "B" or private street or alley.
 - (a) Front, side and rear yard building setbacks shall not be required except as necessary to comply with visibility triangles.
 - (i) Front yard area surfaces shall be at least 50% hardscape consisting of

- concrete, pavers, brick, stone, compacted walkable gravel, or similar materials.
- (ii) Maximum of 20% non-native planting is permitted in the front yard area.
- (iii) Maximum height of a fence, wall or hedge in the front yard are is 4 feet and a wall or fence materials must be consistent with the building materials.
- (b) All off-street parking in the UMU district shall not be located between streets and buildings and at least 10 feet behind the front line of the building.
 - (i) Parking areas lots exceeding 50 spaces shall be broken into smaller areas through use of landscaping pedestrian connections. A landscaped area shall be within 75 feet of any parking stall.
- (c) Outdoor Lighting
 - (i) Comply with KMC 18.76.
 - (ii) Parking lots must have a minimum illumination of 0.6 foot-candles at ground level.
- (d) Loading and service areas, and trash receptacles must be located in the rear of the site and trash dumpsters or collectors must be in an enclosed area consistent with the overall architectural and site planning scheme. The use of chain link fencing is prohibited for trash dumpster enclosures.
- (e) Transit service is one of crucial element alternative transportation components within the UMU district and cohesive connections between buildings, parking areas and the public and private street network to existing and future Ben-Franklin Transit Authority routes and stops must be convenient and ADA compliant.
- (4) BUILDING DESIGN STANDARDS: The following requirements apply to any development within the UMU district regardless of frontage on a public "A" or "B" or private-street or alley.
 - (a) Building footprint shall not exceed 60,000 square feet.
 - (b) A single architectural style is not required for new or remodeled buildings, but a building's style shall be consistent throughout;
 - (i) Approved building facing materials include: brick, wood, stucco, stone, and metal. The following street front siding materials are prohibited:
 - (A) Plain concrete masonry unit;
 - (B) Unfinished tilt-up concrete slab; or
 - (C) Vinyl or plastic siding.
 - (ii) Unpainted brick may not be painted, except for clear graffiti preventing finishes.
 - (c) Building entries shall be located on the street side of the building. Buildings located on street corners shall have additional architectural detailing to emphasize the street corner, which may include, for example: corner entry, balcony, integrated signage, public art, and pedestrian amenities. Buildings or public amenities located on corners shall abut the property line on each side of the corner except when additional sidewalk is provided for outdoor seating or public use.

- (d) Vestibules, entries, windows, and other architectural features shall provide further visual definition and reduce the visual mass of buildings in excess of 5,000 square feet in floor area.
- (e) Buildings constructed for non-residential use on the ground must have first floor ceiling heights taller than upper stories. (First floor ceiling heights are a minimum of 10 feet to accommodate transom windows.)
- (f) Awnings may extend four (4) feet over the walkway from the building's face provided there is no obstruction of street trees and/or street lights as approved by the City.
- (g) Windows provide a visual entry into a business and the goods and services offered while providing security. Windows in buildings utilized for retail, wholesale, office and service uses shall meet the following standards:
 - (i) No more than twenty-five percent (25%) of the gross square footage of display windows may be used for temporary or permanent signage for advertising, promotion or community service announcements.
 - (ii) Windows shall not be permanently darkened by use of applied films at street level. First story windows shall not be covered but shall provide visual access from street and sidewalks. Windows located above the street level may be covered by curtains, shades, or other temporary coverings.
- (h) Entrance to the building must be made visible and prominent by using large entry doors, porches, protruding, or recessed entrances. Primary pedestrian entrances must face public streets, open spaces or plazas whenever available.
- (i) Backside of the building and service areas must not be located facing a public street.
- (j) Backside of the building shall be consistent with the front side of the building in terms of design style, building material and architectural features.
- (k) Electrical and mechanical equipment when placed on the rooftop shall be obscured from view (i.e. by using parapet).
- (l) Mechanical equipment when placed on the ground or through a wall shall not be located between the building front line and any public or private street.

18.80.050: Conflict with Other Statutes: Where a provision of the Kennewick Municipal Code, the Revised Code of Washington, or the United States Code requires, for the purpose of health, welfare, or public safety, a requirement contrary to the provisions of this Chapter, said provision shall prevail over any or all requirements of this Chapter.



Existing Zoning



 Commercial, Auto Row
 Urban Mixed Use
 Industrial, Light
 Commercial, Neighborhood
 Residential, High
 Open Space

From: [Dennis](#)
To: [Anthony Muai](#)
Cc: [Candy](#); [Melanie Cartwright](#); [Melissa](#); [Dennis W.](#)
Subject: FW: Bridge to Bridge plan
Date: Monday, August 07, 2017 4:19:33 PM

Anthony: We are very torn over the proposed rezoning that will take place in the near future. We want to see progress—or We never would have bought the old Motel, demolished it and build a new office building, where Our Family has been in business since 1947—however with the future rezoning I doubt that I could get a building permit to build a New shop (8,500 Sq Feet) that would have an area for fabrication and equipment maintenance. I understand what We have, can stay, but there will be no room for future expansion of our Facilities. The area I am concerned with is 525 West Grand Ronde, where our shop and old office is located. This is the South side of Grand Ronde from the Franz Bread Store to Fruitland Street. This rezone will force us to build our new shop and another Office on land that We currently have our recycle facility in Pasco, at 215 East Ainsworth. I would normally be at this meeting on August 21, 2017 but I will be out of town. I ask You to let the Planning commission and the City Council know our opposition to this rezone. Respectfully Dennis L. Poland and The Poland Family



OVERTURF

**VOLKSWAGEN KIA**

1016 W. Columbia Drive • Kennewick, WA 99336 • Phone (509) 586-3185 • Fax (509) 586-4136

August 21, 2017

Planning Department
City of Kennewick

Re; rezoning of Columbia Drive

I disagree with what the Planning Department and City of Kennewick are proposing concerning rezoning Columbia Drive. I believe changing all of the property along Columbia Drive to Urban Mixed Use would be much better in the long run. The gathering of Used Car lots (pot lots) along Columbia Drive deters from what I believe the City Officials are trying to do with this area.

I believe the City of Kennewick would like to add "Polish" to Columbia Drive. Bring new businesses in like modern fast food chains, upscale retail stores and possibly a Hotel or high rise Condominium facility or facilities. These types of businesses will never locate in this area until you remove the small used car lots and rundown businesses. The clientele that frequent the types of business you ultimately want along and around Columbia Drive will never locate here until the "undesirables" are removed. It is all about eye appeal. You are doing a great job of accomplishing that goal by removing the old vacant buildings, run down motels and trailer parks, and bringing the Wine Village in. Do not screw up your accomplishments by sending the wrong message that these "Pot Lots" are acceptable by changing the zoning to include "Auto Row". Urban Mixed Use sends the correct message to investors.

Don't get me wrong, you have some good used vehicle dealer along Columbia Drive that keep their places nice and handle clean merchandise. But the others detract from that, and unfortunately that is what investors see.

If you care to discuss this please give me a call.

Sincerely,

Doug Overturf
President

To: Kennewick Planning Commission

From: BW Land, LLC
Steve and Judy West, Managing Members
2699 Road 68 Pasco, WA
99301

Phone:(509) 538-0138

Date: August 21, 2017

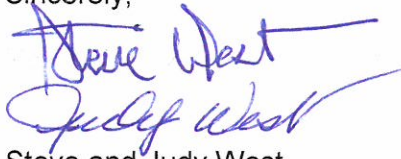
Re: Comments to Kennewick Planning Commission for August 21, 2017, Public Hearing.

Greetings:

We are the sole owners of BW Land, LLC. We are sending this letter with our comments for the Kennewick Planning Commission's August 21, 2017 Public Hearing. Steve and Judy West, as managing member of BW Land, LLC, request that the Kennewick Planning Commission include Benton County Tax Parcels #136993040014006, #136993030000014, and 136993030000013 as Urban Mixed Use. BW Land, LLC, owns the adjoining property(s) to the north and west and would like all of our property(s) near the Blue Bridge to have consistent Urban Mixed Use Zoning for future development.

Thank you for your consideration in this matter!

Sincerely,



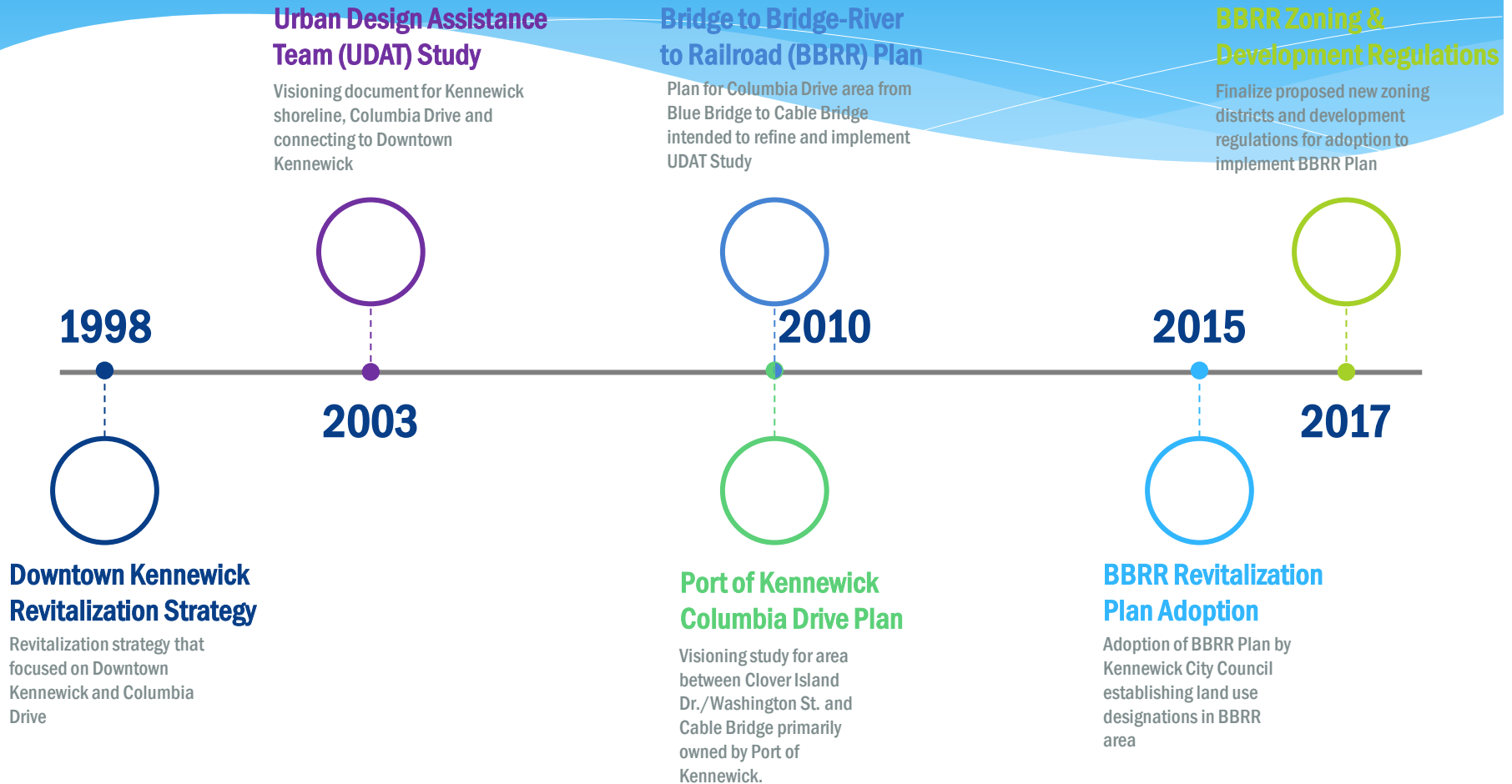
Steve and Judy West
Managing Members, BW Land, LLC

Bridge to Bridge River to Railroad

City Council Meeting
October 17, 2017



Timeline of Events



BBRR Background

Public Participation

Task Force (15 meetings)

Public Open Houses/Workshops (12 meetings)

On-Line Surveys

Planning Commission & Council workshops/study sessions

Environmental Impact Statement – 2010

Planned Action Ordinance

Planning Commission Review

Workshop – Plan: 11/15/10 – Implementation: 1/3/11

Pre-Decision Meeting – Plan: 12/6/10 – Implementation: 1/24/11

City Council Workshops – 2/10/15; 3/10/15; 3/24/15; 9/22/15

Follow-up Open Houses – 5/27/15; 6/15/15

Adoption – 10/6/15

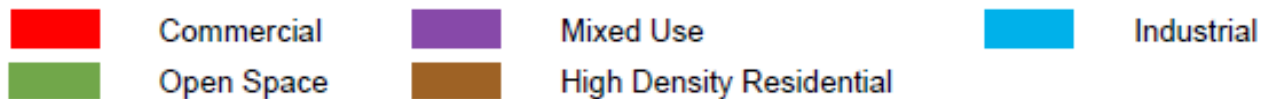
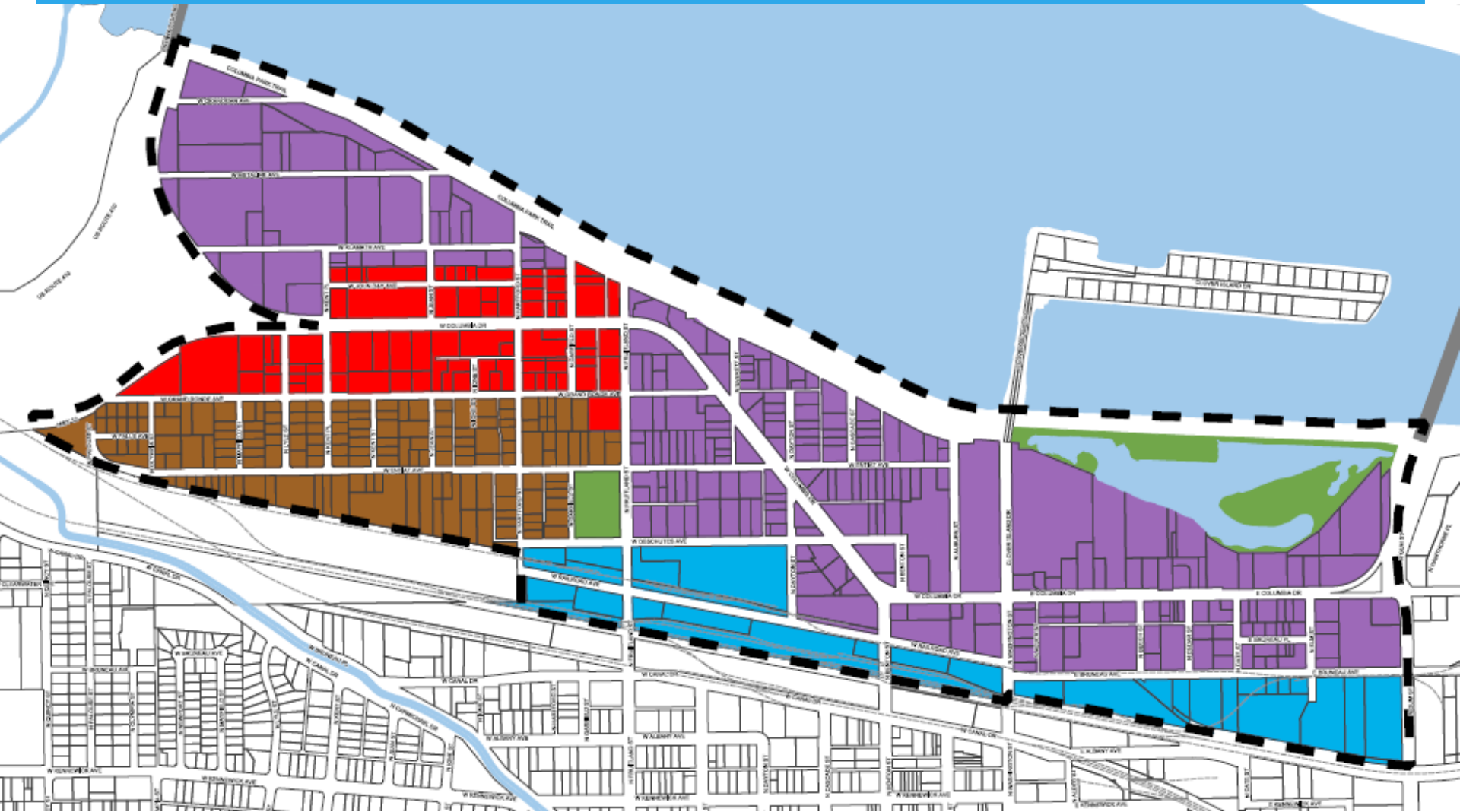
Implementation Measures

- * **Area-wide Rezone**
 - * **Consistent with the Comprehensive Plan**
- * **Create new zoning districts:**
 - * **Urban Mixed Use**
 - * **Auto Row Commercial**

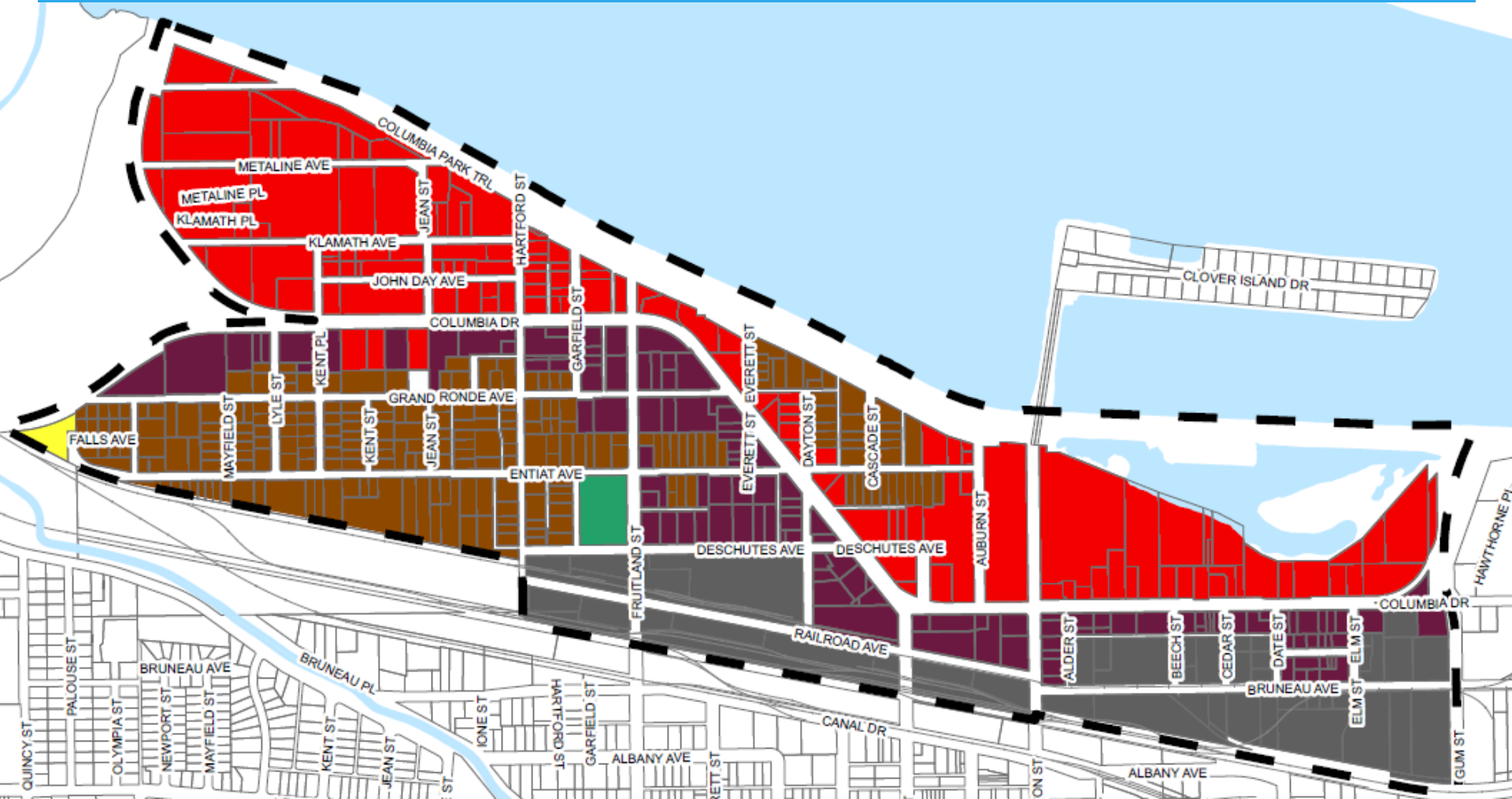
Implementation Measures

- * **Affected Chapters of the KMC**
 - * **18.03: General Provisions**
 - * **18.06: Districts and Maps**
 - * **18.12: Zone Districts and Standards**
 - * **18.21: Landscaping**
 - * **18.24: Signs**
 - * **18.27: Accessory Buildings, Structures and Uses**
 - * **18.36: Off-Street Parking**
 - * **18.75: Residential Design Standards**
 - * **18.78: Commercial Design Standards**
 - * **18.80: Urban Mixed Use Design Standards (NEW)**

Comprehensive Plan Map



Current Zoning



Proposed Zoning



- | | | | | | |
|--|--------------------------|---|-------------------|--|-------------------|
|  | Commercial, Auto Row |  | Urban Mixed Use |  | Industrial, Light |
|  | Commercial, Neighborhood |  | Residential, High |  | Open Space |

Urban Mixed Use (UMU)

- * UMU - The purpose of the Urban Mixed Use district is to accommodate a wide variety of commercial and residential activity (particularly those that are pedestrian oriented) in a dense urban setting which will result in the most intensive and vibrant of the City's zoning districts. In order to preserve the public health, safety and welfare in the urban district, protect public and private investment in property and infrastructure improvements, certain uses of land may be prohibited. Conversely in many instances the Urban Mixed Use district intentionally allows combinations of uses and development patterns allowed in no other City zoning district.
- * Emphasis: Pedestrian oriented
- * Allowed: Commercial, retail, service, residential
- * Not allowed: Industrial – e.g. manufacturing, warehouse, distribution, wholesale

UMU – KMC Affected Sections

- * 18.12: Zones Districts and Standards
 - * List of allowed uses specified
 - * Non-Residential uses – primarily retail, service and other pedestrian oriented uses.
 - * Residential uses – Single-family and multi-family allowed.
 - * Includes detached single-family, townhomes, condos, apartments, duplexes, etc.
 - * Maximum 5,000 square foot lot size for detached single-family
 - * Minimum 40 acre district size

UMU – KMC Affected Sections

- * 18.80: Urban Mixed Use Design Standards
 - * Dimensional Standards
 - * Maximum 10 acre block size
 - * Setbacks
 - * 15 foot maximum for buildings
 - * Parking lots
 - * minimum 10 feet behind face of building
 - * Not allowed between building and street
 - * No height restrictions
 - * Maximum 60,000 square foot building footprint

Commercial, Auto Row (CAR)

- * CAR – The purpose of the CAR district is to provide areas for automobile dealerships and most automobile related uses.
- * Focus Auto Related Uses
 - * New Auto Sales
 - * Used Auto Sales
 - * Auto Mechanical Repair
 - * Auto Body Repair
 - * Other Commercial Uses

CAR – KMC Affected Sections

- * 18.12: Zones Districts and Standards
 - * List of allowed uses specified
 - * Primarily vehicle related uses allowed with the exception of wrecking yards and tow yards
 - * Minimum 20 acre district size
- * 18.21: Landscaping
 - * Modified landscaping standards in and around vehicle display lots
- * Various other sections to add CAR to list of commercial zones

Non-Conforming Uses (aka – Grandfathering)

- * 18.09.1380: Nonconforming Structure or Use:
“Nonconforming Structure or Use” means an existing structure or use that was in conformance with effective existing code at the time or annexed prior to the adoption, revision, or amendment of the comprehensive plan and/or this Title, but which now does not conform to the requirements of the comprehensive plan and/or this Title and/or to the requirements of the zoning district in which it is located. (Ord. 5180 Sec. 1, 2007)

FAQ's about Non-conforming

- * *Can I continue to operate my business if it is non-conforming?*
 - * ANSWER: Yes, the Kennewick Municipal Code provides for continued operation of non-conforming uses indefinitely (KMC 18.15.010)
- * *Can I expand a non-conforming use?*
 - * ANSWER: Yes, with limits. KMC 18.15.060 limits expansion to 25% in building area, land area and/or parking area.
- * *Can I sell my non-conforming business?*
 - * ANSWER: Yes, a non-conforming business can be sold and the new owner continue the business as long as the business does not cease to operate for more than 6 months (KMC 18.15.020)
- * *Can I change my non-conforming use?*
 - * ANSWER: Yes, with limitations as provided in KMC 18.15.050.

Recommendation

The Planning Commission concurs with the findings and conclusions of the staff report and recommends that the City Council approve of the proposed Urban Mixed Use and Commercial – Auto Row zones and proposed area wide rezone to implement the Bridge to Bridge/River to Railroad Revitalization Plan.

Questions?

Council Agenda Coversheet



Agenda Item Number	5.a.(2)	Council Date	10/17/2017
Agenda Item Type	Ordinance		
Subject	Bridge to Bridge Implementation #2		
Ordinance/Reso #	5711	Contract #	
Project #	ZOA 17-05	Permit #	AMD-2017-02598
Department	Planning		

Consent Agenda	☐
Ordinance/Reso	☒
Public Mtg / Hrg	☐
Other	☐
Quasi-Judicial	☐

Recommendation

The Planning Commission concurs with the findings and conclusions of the staff report and recommends that the City Council approve the proposed code amendments to create the Urban Mixed Use zone and the Commercial Auto Row zone.

Motion for Consideration

I to adopt Ordinance 5711.

Summary

This is a companion ordinance #2 of 11.

Alternatives

None recommended

Fiscal Impact

Potential fiscal impact will vary depending on when and what type of development takes place. The full impact will increase over time as development occurs.

Through

Anthony Muai
Oct 10, 10:20:58 GMT-0700 2017

Dept Head Approval

Gregory McCormick
Oct 10, 13:51:19 GMT-0700 2017

City Mgr Approval

Marie Mosley
Oct 13, 09:22:35 GMT-0700 2017

Attachments: Ordinance 5711

☐ Recording
Required?

CITY OF KENNEWICK
ORDINANCE NO. 5711

AN ORDINANCE RELATING TO CLASSIFICATION OF ZONES AND
AMENDING SECTION 18.06.010 OF THE KENNEWICK MUNICIPAL CODE

THE CITY COUNCIL OF THE CITY OF KENNEWICK, WASHINGTON, DO ORDAIN AS
FOLLOWS:

Section 1. Section 18.06.010 of the Kennewick Municipal Code, be, and the same hereby is,
amended to read as follows:

18.06.010: Classification of Zones:

- (1) The following zoning districts are established:
 - (a) RS-Residential, Suburban;
 - (b) RL-Residential, Low Density;
 - (c) RM-Residential, Medium Density;
 - (d) RH-Residential, High Density;
 - (e) RMH-Residential, Manufactured Home (existing prior to 2007);
 - (f) RTP-Residential, Trailer Park;
 - (g) HMU-Historical, Mixed Use;
 - (h) CO-Commercial, Office;
 - (i) CN-Commercial, Neighborhood;
 - (j) CBD – Commercial, Central Business District
 - (k) CC-Commercial, Community;
 - (l) CR-Commercial, Regional;
 - (m) CAR-Commercial, Auto Row;
 - ~~(mn)~~ CG-Commercial, General;
 - ~~(no)~~ CM-Commercial, Marina;
 - (p) UMU-Urban Mixed Use;
 - ~~(oq)~~ BP-Business Park;
 - ~~(pr)~~ IP-Industrial, Park;
 - ~~(qs)~~ IL-Industrial, Light;
 - ~~(rt)~~ IH-Industrial, Heavy;
 - ~~(su)~~ PF-Public Facility;
 - ~~(tv)~~ JF-Justice Facility;
 - ~~(uw)~~ OS-Open Space;
 - ~~(vx)~~ P-Parking.

(2) Any zoning classification to which has been added any special condition or limitation not generally applicable to property within the same zone, will be designated by the suffix “L” to indicate that a special limitation or condition is applicable to that property. Overlay districts established in accord with Chapter 18.69 are designated by the suffix “OD” to indicate that a special overlay district has been established for a particular area.

(3) Additional conditions to mitigate adverse environmental impacts may be imposed in addition to or in place of those set out in this title. See RCW 43.21C. (Ord. 5711 Sec. 1, 2017: Ord. 5434 Sec. 3, 2012: Ord. 5204 Sec. 1, 2007: Ord. 5180 Sec. 1, 2007)

Section 2. This ordinance shall be in full force and effect five days from and after its passage, approval and publication as required by law.

PASSED BY THE CITY COUNCIL OF THE CITY OF KENNEWICK, WASHINGTON, this 17th day of October, 2017, and signed in authentication of its passage this 17th day of October, 2017.

Attest:

STEVE C. YOUNG, Mayor

LINDA C. SPIER, Deputy City Clerk

ORDINANCE NO. 5711 filed and recorded
in the office of the City Clerk of the City of
Kennewick, Washington this 18th day of
October, 2017.

Approved as to Form:

LISA BEATON, City Attorney

LINDA C. SPIER, Deputy City Clerk

DATE OF PUBLICATION_____

Council Agenda Coversheet



Agenda Item Number	5.a.(3)	Council Date	10/17/2017
Agenda Item Type	Ordinance		
Subject	Bridge to Bridge Implementation #3		
Ordinance/Reso #	5712	Contract #	
Project #	ZOA 17-05	Permit #	AMD-2017-02598
Department	Planning		

Consent Agenda	☐
Ordinance/Reso	☒
Public Mtg / Hrg	☐
Other	☐
Quasi-Judicial	☐

Recommendation

The Planning Commission concurs with the findings and conclusions of the staff report and recommends that the City Council approve the proposed code amendments to create the Urban Mixed Use zone and the Commercial Auto Row zone.

Motion for Consideration

I move to adopt Ordinance 5712.

Summary

This is a companion ordinance #3 of 11.

Alternatives

None recommended

Fiscal Impact

Potential fiscal impact will vary depending on when and what type of development takes place. The full impact will increase over time as development occurs.

Through

Anthony Muai
Oct 10, 10:25:36 GMT-0700 2017

Dept Head Approval

Gregory McCormick
Oct 10, 13:52:03 GMT-0700 2017

City Mgr Approval

Marie Mosley
Oct 13, 09:24:09 GMT-0700 2017

Attachments: Ordinance 5712

☐ Recording
Required?

CITY OF KENNEWICK
ORDINANCE NO. 5712

AN ORDINANCE RELATING TO ZONING AND AMENDING SECTIONS
18.12.010 A.1, 18.12.010 A.2, 18.12.010 B.1, 18.12.010 B.2, 18.12.030,
18.12.040, 18.12.250, 18.12.270, AND 18.12.280 OF THE KENNEWICK
MUNICIPAL CODE

THE CITY COUNCIL OF THE CITY OF KENNEWICK, WASHINGTON, DO ORDAIN
AS FOLLOWS:

Section 1. Section 18.12.010 A.1 of the Kennewick Municipal Code, be, and the same hereby
is, amended to read as follows:

18.12.010: Use and Standards Tables:

18.12.010 A.1: Residential Use Table: The following table lists uses allowed by zone and the applicable City review process as follows: Review Process I = Staff review, Review Process II = Conditional Use Permit. If a use is listed with a blank, it shall be prohibited in that zone. For certain categories of uses, additional requirements are also noted:

Residential Use Table	RMH	RS	RL	RM	RH	RTP	UMU	CN	CO	CBD	CC	CR	CAR	CG	CM	HMU	BP	IP	IL	IH	JF	PF	OS
Accessory Dwelling Units (See Title 18.12.020)	I	I	I	I	I		I			I						I							
Accessory uses and structures	I	I	I	I	I	I	I	I	I	I	I	I		I	I	I	I	I	I	I	I	I	I
Animal Keeping (See Title 18.12.040)	I	I	I	I	I	I										I							
Bed and breakfast inns (5 guest rooms or less)	I	I	I	I	I		I			II						I							
Churches or religious places of worship	II	II	II	II	II	II	II		I		I	I		I	I	II							
Day Care Centers (See Section 18.12.060)				II	I		I	I	I		I	I		I		I	I	I	I	I		I	I
Family Day Care Home (see Section 18.12.070 and footnotes)	(1)	(1)	(1)	(1)	(1)	(1)	(1)	(1)	(1)	(1)	(1)	(1)		(1)	(1)	(1)	(1)	(1)	(1)	(1)	(1)	(1)	(1)
Farm Animals (see footnote 9)		I																					
Group Living I (See footnote 5)																							
Group Living II (See footnote 6)				I	I				I		I	I		I									
Home occupation	I	I	I	I	I	I	I	I	I	I	I	I		I	I	I							
Mini-Day Care Center (Located in Family Abode – Section 18.12.060)	II	II	II	I	I	II	I	I	I	I	I	I		I	I	I	I	I	I	I	I	I	I
Mini-Day Care Center (Not located in Family Abode – See 18.12.060)				I	I		I	I		I	I			I	I	I	I					I	I
Mini Storage (See 18.12.130)					I						I	I		I					I	I			
Motels (See Title 18.12.140)					II					I	I	I		I	I								
Mixed Use (see footnote 11)								I	I	I	I	I		I									
Nursing homes and congregate care facilities (over 10 residents)				II	II				I		I	I		I									
Nursing homes and congregate care facilities (up to 10 residents)	II	II	II	II	II		I		I		I	I		I		I							
Recreational vehicle park, transient (up to 30-day stay) (See Title 18.12.170, 180) (see also, footnote 7)																						I	I
Residences, multi-family (see footnote 8)				I	I		I	I (8)	I (8)		I (8)	I (8)		I (8)	I (8)	I (8)							

Residential Use Table	RMH	RS	RL	RM	RH	RTP	UMU	CN	CO	CBD	CC	CR	CAR	CG	CM	HMU	BP	IP	IL	IH	JF	PF	OS
Residences, single-family (see footnote 8)	I	I	I	I	I	I	I	I (8)	I (8)		I (8)	I (8)		I (8)	I (8)	I (8)							
Rooming Houses and Boardinghouses (See Title 18.12.190)				II	II		I																
Swimming Pools (See Title 18.12.240) (see footnote 10)							I															I	I
Trailers, Boats, Camper Tops, Travel Trailers, Recreational Vehicles (See Title 18.12.260)	I	I	I	I	I																		

FOOTNOTES for Table 18.12.010 A-1 Residential Use Table:

(1) No permit required for a family day care home (up to six charges). Per 18.12.070, if alterations are made a building permit will be required. A state license and city business license is required.

(2) Not used.

(3) Not used.

(4) Not used.

(5) Residential Care Homes, state or federally approved, with six (6) or fewer residents and any required on-site residential staff permitted by right; all larger group living uses prohibited.

(6) Residential Care Centers are permitted outright, subject to all of the applicable provisions of this title.

(7) Recreational vehicle storage in R districts shall refer to Title 18.12.180 and shall be subject to special provisions applicable to Master Planned subdivisions.

(8) ~~In Commercial zones residential use is not allowed on ground (grade level) floor, s~~Subject to [KMC 18.42 and horizontal mixed use regulations contained in the Commercial Design Standards](#)[KMC 18.78](#).

(9) In “RS” zones, agriculture and animal husbandry are permitted including keeping of farm animals such as horses, cows, and sheep, but maintained only on lots of at least 30,000 square feet. The keeping of farm animals must not exceed one animal per half acre.

(10) Swimming pools considered an accessory use.

~~(11) — According to Land Use Permits, KMC 18.42 and the mixed use design standards, KMC 18.78.~~ (Ord. 5712 Sec. 1, 2017: Ord. 5558 Sec. 2, 2014: Ord. 5528 Sec. 2, 2013: Ord. 5462 Sec. 3, 2012: Ord. 5434 Sec. 4, 2012: Ord. 5309 Sec. 8, 2010: Ord. 5262 Sec. 2, 2009: Ord. 5204 Sec. 5, 2007: Ord. 5180 Sec. 1, 2007)

Section 2. Section 18.12.010 A.2 of the Kennewick Municipal Code, be, and the same hereby is, amended to read as follows:

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

	RS ⁵	RL ⁵	RM ^{3, 4, 5, 6, 7}	RH ^{3, 4, 5, 6, 7}	RTP ^{3, 4, 5}	RMH ⁶	UMU ^{3,7}
Max. Density ¹	N/A	N/A	13	27	13	4	<u>N/A</u>
Min. Lot Size	10,500	7,500	4,000	4,000	1 acre	7,500	<u>N/A</u>
Min. Lot Size (Rowhouse/ Townhouse)	N/A	N/A	1,800	1,600	N/A	N/A	<u>N/A</u>
Min. Lot Width ²	60'	60'	50'	N/A	N/A	60'	<u>N/A</u>
Min. Lot Width ² (Rowhouse/ Townhouse)	N/A	N/A	24'	24'	N/A	N/A	<u>N/A</u>
Min. Front Yard/ Street Setback ²	15'	15'	15'	15'	15'	20'	<u>See KMC 18.80</u>
Min. Garage Setback ²	20'	20'	20'	20'	20'	20'	<u>N/A</u>
Min. Side Yard Setback ²	5'	5'	5'	5'	5'	5'	<u>0'</u>
Min. Rear Yard Setback ²	15'	15'	15'	15'	15'	15'	<u>5'</u>
Max. Height	30'	30'	30'	45'	N/A	30'	<u>N/A</u>
Min. Lot Frontage ²	30'	30'	30'	30'	30'	30'	<u>20'</u>
Min. Lot Frontage ² (Rowhouse/ Townhouse)	N/A	N/A	20'	20'	N/A	N/A	<u>N/A</u>

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/units.

(2) Yards:

(a) Street: Building setback lines will be measured from the back of the sidewalk. Where no sidewalk exists and in the UMU district, 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.

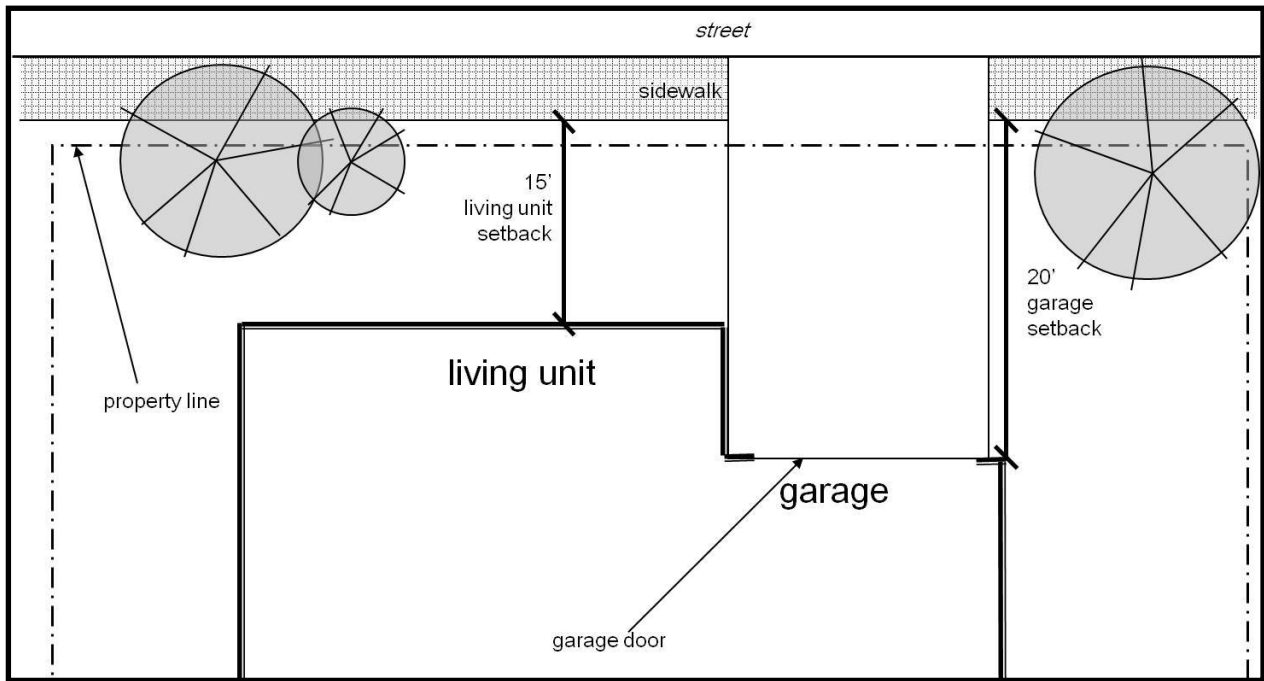


Fig. 1.a

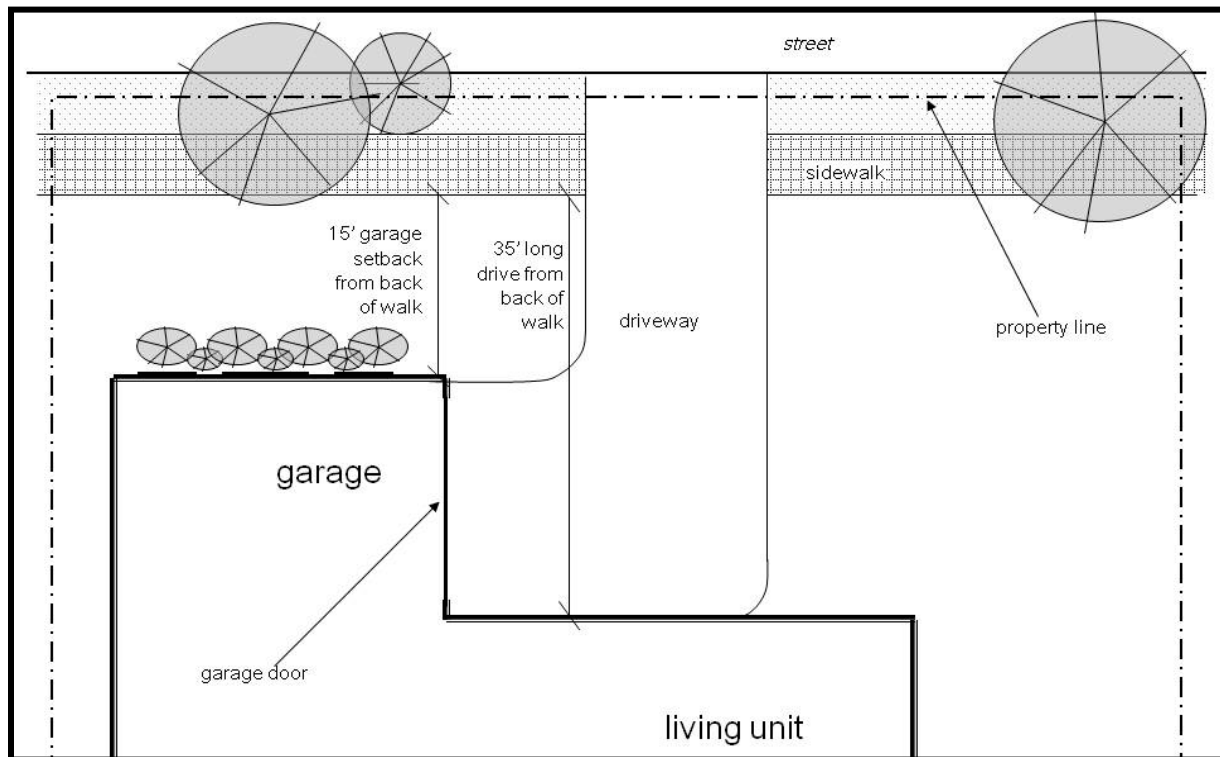


Fig. 2.a.

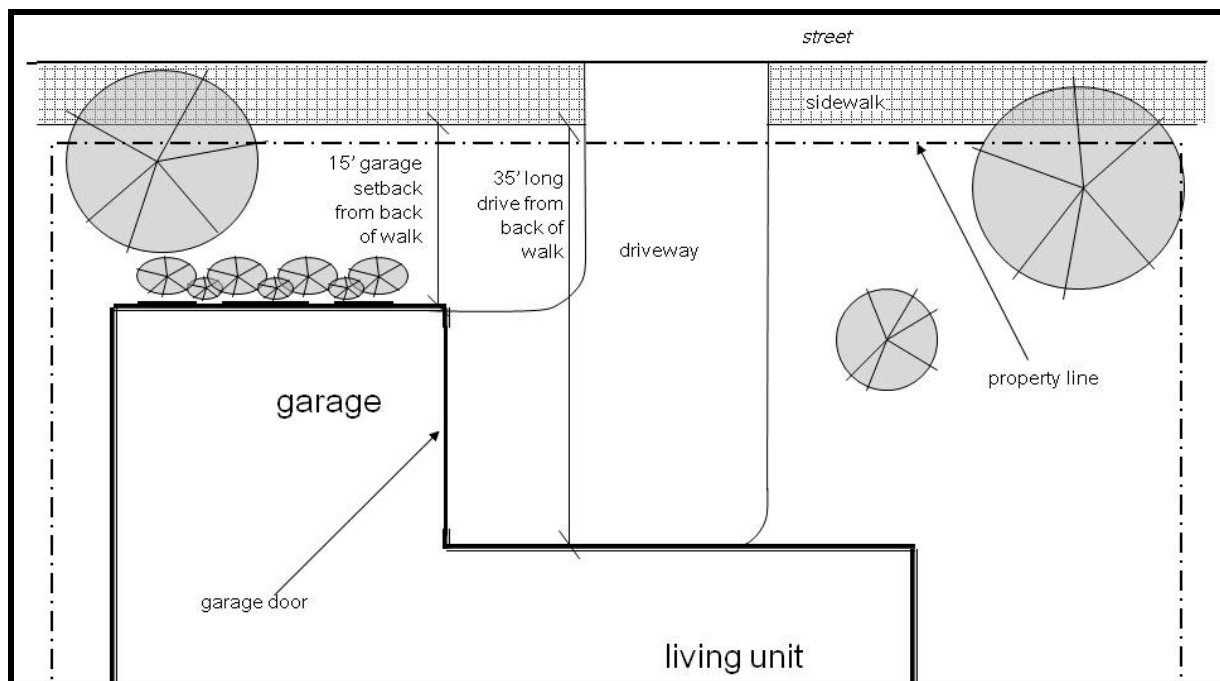


Fig. 2.b.

(3) Open space calculations.

(a) In multi-family developments, where the density exceeds seven (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.

(aj) 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.

(b) Within the UMU district, new developments with a lot area of more than 20,000 square feet shall provide a pedestrian-oriented space (plaza, courtyard or similar space) of at least 1% of the site area as described below. Buildings that front on a public sidewalk and have a pedestrian-oriented commercial use facing that sidewalk are exempt from this open space requirement.

(i) Pedestrian-oriented space must include:

- (A) Visual and pedestrian access including barrier-free access to the abutting structures from the public right-of-way or a non-vehicular courtyard.
- (B) Paved walking surfaces of either concrete or approved unit paving in areas intended for foot traffic.
- (C) On-site or building mounted lighting providing at least 0.6 foot-candles (average) on the ground.
- (D) At least 3 feet of seating area (bench, ledge, etc.) or one individual seat per 60 square feet of plaza area or open space.
- (E) Landscaping to enhance the area.
- (F) At least 25% of the plaza or courtyard must be shaded by structure or tree canopy (at least 10 years after planting)

(ii) Outdoor pedestrian-oriented space shall not include:

- (A) Asphalt or gravel pavement (Exception: decomposed granite & other architectural surface treatments).
- (B) Adjacent unscreened parking lots
- (C) Adjacent chain link fences
- (D) Adjacent "blank walls"
- (E) Adjacent dumpsters or service areas
- (F) Outdoor storage or retail sales (shopping carts, potting soil

bags, firewood, etc.) that do not contribute to the pedestrian environment.

(iii) In-Lieu Provisions – Pedestrian-Oriented Space Requirement in Urban Mixed Use (UMU) District: Provided all of the following requirements are met, required publicly-accessible open space in the Urban Mixed Use (UMU) District will be provided on the site containing the permitted land use.

(A) The proposing owner or developer shall improve and may, at their and the city's discretion, dedicate land to provide the pedestrian-oriented space requirement in accordance with the approval of the planning official, or shall pay a fee in lieu of such improvement and dedication if the planning official determines that the dedication and improvement of land is not feasible or desirable due to the physical characteristics of the site.

(B) The property owner or developer shall either:

1. Provide and construct (and optionally dedicate) the on-site pedestrian-oriented space requirement to city design and construction standards subject to city approval or:
2. Enter a voluntary agreement with the city to pay an amount equal to the city's cost of acquiring and constructing the pedestrian-oriented space requirement in another location within the same UMU District as identified and approved by the planning official.

(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 two (2) moving lanes of traffic and a three (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.
- (7) Urban Mixed Use District:
 - (a) Legal lots of record existing as of June 1, 2017 shall be deemed to be in compliance with the lot size restrictions, however after June 1, 2017 no lot intended for single family use shall be created in excess of 5,000 square feet.
 - (b) Setbacks for all residential uses shall be measured from property lines.
 - (c) Building setback from front and side property lines are not required, except as mandated by the applicable local, state and federal codes. (Ord. 5712 Sec. 2, 2017; Ord. 5647 Sec. 1, 2016; 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)

Section 3. Section 18.12.010 B.1 of the Kennewick Municipal Code, be, and the same hereby is, amended to read as follows:

18.12.010 B.1: Table of Non-Residential Uses: The following table list uses allowed by zone and the applicable City review process as follows: Review Process I = Staff review, Review Process II = Conditional Use Permit. If a use is listed with a blank, it shall be prohibited in that zone. For certain categories of uses, additional requirements are also noted.

NON-RESIDENTIAL USES	RS	RL	RM	RH	RMH	RTP	UMU	CN	CO	CBD	CC	CR	CAR	CG	CM	HMU	BP	IP	IL	IH	JF	PF	OS
Academy							I		I		I	I		I			I						
Adult Entertainment (1) (See Title 18.12.030)																							
Adult Retail (1) (See Title 18.12.030).											II	II		II					II	II			
Agricultural Processing, heavy																				I			
Agricultural Processing, light																			I	I			
Airports and airfields																			I			I	
Alcoholic beverage sale (packaged)							I	I	I	I	I	I		I	I	I	I						
Accessory uses	I	I	I	I	I	I	I	I	I	I	I	I		I	I	I	I	I	I	I	I	I	I
Art Gallery							I	I	I	I	I	I		I	I	I	I						
Automobile-Oriented Uses (See Title 18.12.050)							I (6)	I			I	I	I	I	I								
Auto-Wrecking Yard																				I			
Aviation Storage and Service												I										I	
Bakeries retail							I	I	I	I	I	I		I									
Bakeries, wholesale										II				I				I	I	I			
Banks and financial institutions							I		I	I	I	I	I	I	I		I						
Barbers, beauty shops, and tanning salons							I	I	I	I	I	I		I	I	I							
Bars and taverns							I			II	I	I		I	I								
Battery Charging Station	I	I	I	I	I	I	I	I	I	I	I	I	I	I	I	I	I	I	I	I	I	I	I
Battery Exchange Station							I	I	I	I	I	I	I	I	I		I	I	I	I			
Boat building and repair, commercial														I	I				I	I			
Boat marinas														I	I				I	I			
Body Art Studios							I	I			I	I		I	I	I							
Brewpub							I			I	I	I		I									
Breweries, micro							I				I	I		I					I				
Business School							I		I		I	I		I			I						
Bus stations and terminals							II				II	II		II									
Car washes (See Title 18.12.050 and 18.12.055 if CN zone)							I (6)	I	II		I	I	I	I									
Casino and/or Cardroom											I	I		I									

NON-RESIDENTIAL USES	RS	RL	RM	RH	RMH	RTP	UMU	CN	CO	CBD	CC	CR	CAR	CG	CM	HMU	BP	IP	IL	IH	JF	PF	OS
Cemeteries	II	II	II																				
Clinics							I		I	I	I	I		I		I	I						
Commercial Amusement											I	I		I									
Commercial amusement, recreation											I	I		I									
Construction yards														I					I	I			
Convenience stores							I	I		I	I	I	I	I									
Correctional institutions																					I		
Distilleries, craft							I			I	I	I		I					I				
Dry cleaners and laundries							I	I	II	I	I	I		I		II							
Energy facilities	II	II	II	II	II	II		II	II		II	II		II	II	II	II	II	II	II	II	II	II
Equipment Rental											I	I		I				I	I				
Espresso stands							I	I	I	I	I	I		I	I	I	I	I	I	I			
Essential public facilities and utilities	II	II	II	II	II	II	II	II	II	II	II	II	II	II	II	II	II	II	II	II	II	II	II
Event Center							I		II		I	I		I									
Gas stations							I (6)	I	II	I	I	I	I	I	I				I	I			
Golf Course											I											I	I
Golf: driving range, miniature golf,							I				I	I		I	I								
Grocery stores							I	I	II	I	I	I		I									
Hardware stores							I	I		I	I	I		I									
Hazardous waste storage facilities – off site																				II			
Hazardous waste storage facilities – on site									II		II			II					II	II			
Health Facilities, see 18.12.080			I	I			I		I		I	I		I									
Hospitals and sanitariums (except animal clinics, hospitals)				I			I		I		I	I		I								I	
Industrial uses, heavy																				I			
Industrial uses, light																			I	I			
Junk (See Title 18.12.100)																							
Kennels (See Title 18.12.110)											I	I		I					I	I			
Laboratories for research and testing							I		I		I	I		I			I	I	I	I			
Library	II	II	II	II	II	II	I	II	I		I	I		I	I	II	I					I	I
Lock and gunsmiths							I	I		II	I	I		I		I							
Lumber yards														I					I	I			
Manufactured Housing Display Areas (See Title 18.12.120)											I	I		I					I	I			

NON-RESIDENTIAL USES	RS	RL	RM	RH	RMH	RTP	UMU	CN	CO	CBD	CC	CR	CAR	CG	CM	HMU	BP	IP	IL	IH	JF	PF	OS
Mini-storage				I	I						I	I		I					I	I			
Mixed Use (See KMC 18.42 and 18.78)							I	I	I	I	I	I		I									
Museums	II	II	II	II	II	II	I	II	I	I	I	I		I	I	II	I					I	I
Nursery											I	I		I									
Offices, including professional offices, agencies and services							I		I	I	I	I		I	I	I	I	I	I	I	I		
Outdoor commercial driving ranges											I												
Parking garages and lots							I			II		I	I	I									
Pawnshop														I									
Pet grooming							I	I	I	I	I	I		I		I							
Pharmacy, dispensing							I	I	I		I	I		I			I						
Photographic studios							I	I	I	I	I	I		I	I	I	I						
Plumbing shops and yards														I					I	I			
Printing, publishing and reproduction establishments							I		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	II	II	II	II	II	II	II	II	II	II	II	II	II	II	II	II	II	II	II	II	II	II	II
Radio, television and small electronics repair and service							I		I	I	I	I		I									
Radio, television broadcasting stations (excluding antenna)							I			II	I	I		I									
Rapid Charging Station	I	I	I	I	I	I	I	I	I	I	I	I	I	I	I	I	I	I	I	I	I	I	I
Recreational Vehicle Storage (See Note 4) (See Title 18.12.180)	I	I	I	I	I	I					I	I		I									
Recreational Vehicle Park																						I	I
Recycling, high intensity																			II	II		II	
Recycling, low intensity							I											I	I	I		I	
Repair shops (not auto)							I		II	I	I	I		I			I		I	I			
Restaurants							I	I	I	I	I	I		I	I		I	I	I				
Restaurants, fast food							I		II	I	I	I		I	I		I	I	I				
Retail stores not otherwise named in this list including department stores.							I	I	II	I	I	I		I		I (1)	I (1)						
Satellite Dishes (See Title 18.12.200)																							
Schools, private and public	I	I	I	I	I	I	II	I	I		I	I		I	I	I	I	I	I	I	I	I	I
Second Hand/Consignment Store							I			I	I	I		I									

NON-RESIDENTIAL USES	RS	RL	RM	RH	RMH	RTP	UMU	CN	CO	CBD	CC	CR	CAR	CG	CM	HMU	BP	IP	IL	IH	JF	PF	OS
Sign manufacture, painting and maintenance														I					I	I			
Skating rink							II					I											
Stables, Corrals, Riding Academies (See Title 18.12.210)	II																						
Storing of Commercial Vehicles (See Title 18.12.220)												I	I	I			I	I	I	I			
Subdivisions, Sales Area, Equipment and Material Yards (See Title 18.12.230)	I	I	I	I	I	I																	
Temporary and Parking Lot Businesses (See Title 18.12.250)							I						I										
Theaters, movie							I		II	I	I	I		I									
Towers, antennas, and supporting structures, including amateur radio towers, 55 feet or less	II	II	II	II	II	II	I	II	I		I	I	I	I	I	I	I	I	I	I	I	I	I
Transient accommodations (including hotels and motels)				I			I		I	II	I	I		I	I	I	I						
Transportable Units (See Title 18.12.270)																							
Truck stops														I					I	I			
Undertaking establishments (Mortuary)									I		I	I		I									
Vehicle sales, incidental repair and service											I	I	I	I									
Vehicle rental and leasing											I	I	I	I									
Vehicle repair and service, body and fender shops													I	I					I	I			
Veterinary Clinic or Hospital (See Title 18.12.290)							I			I	I	I		I					I				
Vocational School							I			II				I			I		I				
Volatile Toxic and Volatile Flammable Material Storage (See Title 18.12.300)																				II			
Warehousing														I					I	I			
Wholesale, which may include incidental retail outlets for only such merchandise as is handled at wholesale														I					I	I			
Wineries Type A (See Title 18.12.305)							I			I	I	I		I									
Wineries Type B (See Title 18.12.305)							I (5)				II	II		II					II				
Wineries Type C (See Title 18.12.305)																			I				
Wireless Communication Facilities (See Title 18.12.310)																							

FOOTNOTE for Table 18.12.010 B.1 Non-Residential Use Table:

- (1) For HMU see limitations at Title 18.12.335.
- (2) For the Clearwater Master Plan Area and BP zoning districts see Title 18.12.340.

(3) For Rental Equipment, all items must be contained within a completely enclosed building or screened from view by a sight-obscuring fence or wall.

(4) Allowed in RS, RL, RM, RMH, and RTP only as part of a planned development or subdivision and only for the use by residents of the development consistent with Recreational Vehicle Storage provisions and limitations of the Kennewick Residential Design Standards KMC 18.75.

(5) Winery Type B under 50,000 case annual production and located within a structure less than 20,000 square feet in size are allowed outright. The Conditional Use Process identified in Title 18.42. 100 is applicable to Winery Type B uses exceeding either the 50,000 case annual production or 20,000 square foot structure size threshold.

(6) Not Allowed in the Bridge-to-Bridge/River-to-Rail area, but prohibited in the Vista Field area. (Ord. 5670 Sec. 1, 2016: Ord. 5572 Sec. 1, 2014: Ord. 5542 Sec. 2, 2014: Ord. 5462 Sec. 4, 2012; Ord. 5434 Sec. 5, 2011: Ord. 5309 Sec. 10, 2010: Ord. 5262 Sec. 3, 2009: Ord. 5244 Sec. 3, 2008: Ord. 5204 Sec. 7, 2007: Ord. 5180 Sec. 1, 2007)

Section 4. Section 18.12.010 B.2 of the Kennewick Municipal Code, be, and the same hereby is, amended to read as follows:

18.12.010 B.2: Table of Non-Residential Site Development Standards: Minimum and maximum non-residential use standards are identified in the following table. Additional site design standards are included under 18.12.340, below and in the *Site Design Guidelines for Commercial, Office and Industrial Uses*:

Table of Commercial/Industrial Standards	Maximum District Size	Maximum Minimum Parcel District Size	Yards	Maximum Building Height	Maximum Lot Coverage	Outdoor Storage
<u>UMU – Urban Mixed Use District</u>	<u>None</u>	<u>40 acres</u>	<u>See KMC 18.80</u>	<u>None</u>	<u>None</u>	<u>None</u>
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	<u>None</u>	<u>None</u>	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
<u>CAR-Commercial, Auto Row District</u>	<u>See (17) Below</u>	<u>20 acres</u>	<u>See (17) Below</u>	<u>None</u>	<u>None</u>	<u>See (18) Below</u>
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 Title 18.12.335 & 18.12.010(5))			See (6) Below	30'	45%	
BP-Business Park District	5 Acres	None	See 18.12.340	35'	50%	<u>See 18.12.340</u>
IP-Industrial Park District	20 Acres	None	See (7) Below	None	None	See (8) Below

Table of Commercial/Industrial Standards	Maximum District Size	Maximum Minimum Parcel District Size	Yards	Maximum Building Height	Maximum Lot Coverage	Outdoor Storage
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 <i>City of Kennewick Commercial Design Standards manual</i>						

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

- (1) Street frontage: 20 feet, except for fuel island canopies, which may encroach up to five feet from the street property line with the outer edge of the canopies, provided that the canopy support pillars are at least 15 feet from the nearest street property line.
 - (a) Non-street frontage: None; unless the use abuts an R or HMU district, in which case 20 feet.
- (2) All activity, other than off-street parking, loading, or gasoline sales must be kept within a completely enclosed building. However, live plant material may be stored outside if parking is not affected.
- (3) Street Frontage: Only that necessary to comply with Chapters 13.12, 18.21, and 18.27. The right-of-way is determined in accord with Section 5.56.51.
 - (a) View obstruction setbacks must be improved with asphalt, concrete, or some other comparable dust-free and weed free material, or landscaped to prevent dust and weeds with adequate irrigation or otherwise maintained to prevent weeds, dust and rubbish.
 - (b) Side and Rear: None; but 20 feet on sides abutting R or HMU districts.
- (4) All service, processing and storage areas abutting any R district at ground floor level or within 20 feet and 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.
- (5) HMU-Historic, Mixed Use District Development Standards:
 - (a) Floor area ratio (the amount of building surface expressed as a ratio to lot surface) is a maximum of .45;
 - (b) New construction of dwellings, business buildings, and exterior remodeling of existing structures (including re-roofing, re-siding, additions and similar exterior changes) require conformance with the following criteria:
 - (i) Maximum building height - 30 feet;
 - (ii) Roof pitch - not less than 4:12;
 - (iii) Orientation - main entranceways oriented directly or as near directly to the street as possible;
 - (iv) Openings - blank walls must be avoided. A combination of windows, doors, balconies, alcoves, bay windows, porches or similar architectural features must comprise a minimum of 25% of the total street wall area and a minimum of 20% of the total area of each of the remaining walls, with the exception of the rear wall;
 - (v) Windows - mirror or mirror-like composition or exterior finishes are prohibited;
 - (vi) Siding and roofing - metal, vinyl or plastic siding or roofing is allowed, provided the finish is not reflective, and in the case of metal, is anodized;
 - (c) The structure shall be similar in character to the surrounding residential structures.
 - (d) Yards:
 - (i) Street frontage - (see 18.12.335);
 - (ii) Side yards - (see 18.12.335);
 - (iii) Rear yards - None, provided that the Floor Area Ratio ("F.A.R.") and other setbacks are observed;
 - (e) Accessory structures must conform to 18.27.030;
 - (f) Signage shall conform with Section 18.24 with the following changes:

- (i) A maximum height limit of 15 feet for freestanding signs;
- (ii) The maximum sign area for all signs is 24 square feet. Included in this total is an eight square foot maximum for signage that is attached, drawn, or installed on the structure or any portion of the structure;
- (iii) Internally lit signage and signage utilizing flashing lights is prohibited. Lighting shall be by indirect methods;
- (iv) Non-conforming signs having a replacement value of less than \$2,500 shall be made conforming by June 30, 2000;
- (v) Multi-tenant businesses are permitted 24 square feet of signage for the initial business and eight (8) square feet per additional business to a maximum of 48 square feet;
- (g) Parking requirements in this district shall conform with Section 18.36, with the following exceptions:
 - (i) Parking requirements for unlisted uses is one space per 250 square feet of building space devoted to business activities. This formula takes into account space used for retail activity, record storage, office and clerical space, or other areas normally and primarily used for business purposes;
 - (ii) Total number of off-street parking stalls required may be reduced one space for each 20 feet of linear frontage along a public street that is legal for parking purposes;
- (h) Landscaping requirements in this district shall conform with Section 18.21, with the following exceptions:
 - (i) Landscaping must incorporate street frontage setback landscaping per the design requirements of Section 18.21.060(1)(a); this requirement does not use side and rear yard ratios in its calculation;
- (i) Public hours of operation for commercial uses must begin at or after 7:00 a.m. and end at or before 8:30 p.m., with the exception of Bed & Breakfasts, which by nature require 24-hour service.
- (j) Retail sales incident to the uses listed in 18.12.010 B-1: Table of Non-Residential Uses are permitted, provided that such incidental sales do not occupy more than 25% of the gross street floor area of the primary structure. For purposes of this calculation, retail activity is that portion of the gross street floor located in one designated area of such street floor used for goods transactions. It does not include storage or record keeping space.
- (6) Yard requirements: (see Section 18.12.330 for City location-related standards).
 - (a) Front: 15 feet;
 - (b) Corner/flanking street: 10 feet;
 - (c) Side: 0 feet for the interior non-perimeter lot lines of a parent parcel. Once a parent parcel is platted or subdivided, only the internal lot lines shall be allowed to have zero foot side yards. All perimeter lot lines of the parent parcel have a ten-foot side yard setback requirement. Buildings constructed with side yards less than 10 feet shall not be longer than 300 feet. A property owner's association must be formed and a maintenance agreement executed, as approved by the Planning Director, providing for perpetual maintenance common of landscaped areas for developments with buildings with side yards of less than 10 feet. The maintenance agreement shall be recorded and run with land and shall provide for the City of Kennewick to arrange for maintenance of landscaped or common areas in the event the property owners fail to maintain

- these areas or their association dissolves. The agreement must be recorded prior to the land division;
- (d) Side yards abutting R or HMU zones must be a minimum of 20 feet;
 - (e) Rear: 10 feet, unless abutting an R zone, in which case the minimum setback is 25 feet;
 - (f) Minimum street frontage: 30 feet.
 - (7) Yards: (see Section 18.12.330 for City location-related standards).
 - (a) Street frontage yards: 15 feet. View obstruction setbacks must be improved with asphalt, concrete, or some other comparable dust-free and weed-free material, or landscaped to prevent dust and weeds with adequate irrigation or otherwise maintained to prevent weeds, dust and rubbish.
 - (b) Side and rear yards: 25 feet.
 - (8) All service, processing and storage areas abutting any R district at ground floor level or within 20 feet and 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.
 - (9) Street Frontage: Only that necessary to comply with Chapter 13.12 and Section 18.12.010 A-2 and B-1. The right-of-way is determined in accord with Section 5.56.51.
 - (a) View obstruction setbacks must be improved with asphalt, concrete, or some other comparable dust-free and weed-free material, or landscaped to prevent dust and weeds with adequate irrigation or otherwise maintained to prevent weeds, dust, and rubbish.
 - (b) Side and Rear: None; but 25 feet on sides abutting R or HMU districts.
 - (10) All service, processing, and storage areas abutting any R or HMU districts at ground floor level must be within a completely enclosed building or screened by a permanently maintained sight-obscuring fence at least six feet high.
 - (11) All yards must be a minimum of 20 feet, unobstructed by structures or accessory uses.
 - (12) Street frontage: 20 feet if adjacent to an R District; Non-street frontage: none unless the use abuts an R or HMU district or use, in which case, 20 feet.
 - (13) All storage areas visible from any street abutting a site or from any abutting R district at ground floor level, 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 and rolling equipment, no storage shall extend above the fence.
 - (14) Building heights in the CM district shall be 35 feet except for the height limits provided in Chapter 18.68, Appendix A-6-3, Clover Island – Height Limitation Exhibit.
 - (15) Aviation uses shall be no closer than seventy-five (75) feet from the curbline of West Rio Grande Avenue or West Grandridge Boulevard.
 - (16) Development in the Central Business District (CBD) zoning district is subject to the following development standards:
 - (a) A single architectural style is not required for new or remodeled buildings, but a building's style shall be consistent throughout; details from different eras shall not be mixed on a single building. Traditional detailing is required.
 - (b) A building's elevation and mass must be modulated to match or replicate the narrow commercial façades typical of original development, and give a sense of human scale. Reuse original façades where possible and economically feasible.
 - (c) New construction shall be consistent with the height, scale, setbacks or massing of nearby historic buildings.

- (d) Appropriate building facing materials include: brick, wood, stucco, stone, and cast iron storefronts. Building materials for new buildings shall support the existing character of older buildings, by having a projected physical life cycle of 100+ years.
- (e) The following street front siding materials are prohibited:
 - (i) Plain concrete masonry unit;
 - (ii) Unfinished tilt-up concrete slab;
 - (iii) Corrugated metal; or
 - (iv) Vinyl or plastic siding.
- (f) Unpainted brick may not be painted, except for clear graffiti preventing finishes.
- (g) Building entries shall be located on the street side of the building. If the building does not front on a public street then the entry must be visible from a public street.
- (h) Buildings located on street corners shall have additional architectural detailing to emphasize the street corner, which may include, for example: corner entry, balcony, integrated signage, public art, and pedestrian amenities. Buildings or public amenities located on corners shall abut the property line on each side of the corner.
- (i) Blank façades shall not be visible to public spaces or rights-of-way. Treatments to alleviate blank façades may include windows, architectural detail, or materials with texture (e.g. brick, siding, etc.) or artwork such as sculpture.
- (j) Vestibules, entries, windows, and other architectural features shall provide further visual definition and reduce the visual mass of larger buildings. Façades shall reflect the scale and massing of historic structures and achieve proportions that give a sense of human scale.
- (k) First floor ceiling heights shall be taller than upper stories to reflect the historical pattern of construction. (First floor ceiling heights are a minimum of 10 feet to accommodate transom windows.)
- (l) Awnings create visual interest and protect pedestrians from sun and rain and are encouraged in the CBD district subject to the following:
 - (i) Awnings may be provided along the entire frontage of commercial buildings. They shall be of a size, scale and shape appropriate to the specific building, window and door trim. The underside of all awnings shall be enclosed to prevent birds from roosting or nesting.
 - (ii) Awnings or canopies shall be supported solely by the building and be hung above the display window space at least eight (8) feet above the public walkway.
 - (iii) Awnings may extend four (4) feet over the walkway from the building's face provided there is no obstruction of street trees and/or street lights as approved by the City.
- (m) Windows provide a visual entry into a business and the goods and services offered while providing security. Windows shall meet the following standards:
 - (i) Display windows on the ground floor of retail and commercial buildings shall be the predominant surface on the first story, typical of original downtown Kennewick commercial buildings.

- (ii) New commercial construction shall provide a minimum of fifty percent (50%) of the first floor wall surface in windows that face the street based upon a minimum of ten (10) feet of first floor height.
- (iii) No more than twenty-five percent (25%) of the gross square footage of display windows may be used for temporary or permanent signage for advertizing, promotion or community service announcements.
- (iv) Windows shall not be permanently darkened by use of applied films at street level. First story windows shall not be covered but shall provide visual access from street and sidewalks. Windows located above the street level may be covered by curtains, shades, or other temporary coverings that do not distract from the historic relevance of the area.

(17) Commercial, Auto Row District

(a) Yards

(i) Front: 25 feet

(ii) Side: None, unless abutting an R district, then 10 feet

(iii) Rear: None, unless abutting an R district, then 10 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. (Ord. 5712 Sec. 4, 2017: Ord. 5542 Sec. 3, 2014: Ord. 5434 Sec. 6, 2012: Ord. 5366 Sec. 2, 2011: Ord. 5309 Sec. 11, 2010: Ord. 5212 Sec. 3, 2008: Ord. 5180 Sec. 1, 2007)

Section 5. Section 18.12.030 of the Kennewick Municipal Code, be, and the same hereby is, amended to read as follows:

18.12.030: Adult Concessions (Entertainment and Retail):

(1) Adult Entertainment and Retail taken together as “Concession,” and defined by Section 18.09.070, are recognized as being uses that may prove detrimental in certain circumstances to its surrounding neighborhoods and thereby the following regulations are imposed:

(2) No adult concessions, shall be located:

(a) Within 500 feet of any Residential or Urban Mixed Use zone;

(b) Within 500 feet of any public or private school, or any trade or vocational school that on a regular basis has at least one student under the age of eighteen (18) years;

(c) Within 500 feet of any church or other religious facility or institution;

(d) Within 500 feet of any park or any public facility or open space zone;

(e) Within 1500 feet of another adult concession.

(3) No person owning, operating or managing an adult concession or their employee or agent shall invite, allow, or permit any person under the age of 18 years to enter or remain on the premises of any adult concession.

(4) There shall be no window, marquee, or other display of any matter depicting or portraying specified anatomical areas, or specified sexual activities.

(5) Violation of the use provisions of this section is declared to be a public nuisance perse, which shall be abated by a civil action only and not by criminal prosecution.

(6) Adult Retail establishments shall be identified on the exterior of the establishment with a sign baring text only and using such terms as would be expected among

the general public. No advertising, text, pictures or depictions shall be permitted anywhere in the windows, on the street (tent signs), store-front, marquee, or anywhere else other than on the approved signage. Terms such as “sale” etc. and other such advertising, as associated with mainstream advertising, will be accepted, subject to the interpretation of the Planning Director or an appointed official.

(7) Nothing in this section is intended to authorize, legalize, or permit the establishment, operation, or maintenance of any business, building or use which violates any ordinance or statute of the City of Kennewick, County of Benton, State of Washington or the United States. (Ord. 5712 Sec. 5, 2017; Ord. 5180 Sec. 1, 2007)

Section 6. Section 18.12.040 of the Kennewick Municipal Code, be, and the same hereby is, amended to read as follows:

18.12.040: Animal Keeping: In R, ~~and~~ HMU and UMU districts, dogs and cats of the age of 10 weeks or older, rabbits, guinea pigs, fowl, pigeons, chickens (excluding roosters) and similar small animals may be kept so long as no more than three of each kind or a combined total of six are kept. All cages, pens, and runs must be maintained in a clean and sanitary condition and meet setbacks. Animals and birds must not roam or fly to adjacent properties. Animals and birds and their surroundings must be maintained to prevent a nuisance due to noise or smell. An increase in the allowable number will be permitted upon issuance of a Land Use Permit in accord with Section 18.42. (Ord. 5712 Sec. 6, 2017; Ord. 5542 Sec. 4, 2014; Ord. 5180 Sec. 1, 2007)

Section 7. Section 18.12.250 of the Kennewick Municipal Code, be, and the same hereby is, amended to read as follows:

18.12.250: Temporary and Parking Lot Businesses:

- (1) General requirements:
 - (a) A City of Kennewick business license is required;
 - (b) The use of City property requires approval of a lease, background check, a hold harmless agreement and an insurance policy naming the City of Kennewick as an additional insured in the amount of one million dollars; or
 - (c) The use of City property requires approval of a lease, background check, a hold harmless agreement, and an insurance policy naming the City of Kennewick as an additional insured in an amount approved by the City Attorney;
 - (d) Operation in a city park also requires approval of a concessionaires permit;
 - (e) Any business-related discharge into the sanitary or storm sewer systems requires the written approval of the Public Works Director;
 - (f) Written approval from the Benton-Franklin County Health District is required if food is served or if restrooms are required;
 - (g) Buildings must be on a permanent perimeter foundation or otherwise fastened and designed to secure the structure for a minimum of a 70-mile per hour wind load;
 - (h) The Fire Marshall must review and approve the use of a tent for applicable requirements of the Uniform Fire Code;
 - (i) No structure or temporary use may be within five feet of any right-of-way. Sight distance triangles must be observed;

- (j) There must be adequate off-street parking provided in accord with KMC 18.36. The site must be paved or graveled;
- (k) If on the same parcel as an existing business the minimum off-street parking for the primary business must be maintained;
- (l) The temporary business must submit an accurate site plan drawn to scale depicting the following:
 - (i) The parcel lines and right-of-way lines;
 - (ii) The boundaries of the portion of the property to be used by the temporary business;
 - (iii) The parking area, which is to be used by the temporary business and the driveways to be used for access;
 - (iv) Drive areas must remain open and all pedestrian walkways must remain passable;
 - (v) The location and dimension of existing structures as well as the location and dimension of all structures, vehicles, and signs to be used by the temporary business;
 - (vi) How any temporary on-site residency and sanitation is to be accommodated;
 - (vii) Proposed operating hours.
- (m) The business license must list the Washington state tax number including the City's location code number;
- (n) All signs, circulars, and other advertising material must be removed within three days of the termination of the business;
- (o) There must be adequate provisions made for dust and litter control;
- (p) The applicant must submit the property owner's written consent for the use of premises;
- (q) All electrical facilities must be inspected and approved by the Washington State Department of Labor and Industries;
- (r) Temporary businesses must conform to the noise standards set forth in KMC 9.52;
- (s) The applicant must show evidence of any required State licenses with the application for a business license;
- (t) No business shall be located in the parking area immediately adjacent to the entrance to another business without the written permission of the affected business owner;
- (u) All temporary and parking lot businesses that cannot demonstrate legal non-conforming status must be in compliance with the requirements of the section within one year from the date of adoption;
- (v) No vision obstructions within the vision clearance triangle are permitted.
- (2) Permanent small building businesses:
 - (a) Must meet all applicable regulations including but not limited to: parking, landscaping, and signage;
 - (b) Businesses with drive through windows must have a minimum of six (6) stacking stalls per KMC 18.36.060;
 - (c) Businesses with outdoor (or under-tent) seating must meet the applicable requirements of the International Building Code for employee and customer restrooms;
 - (d) The business must be connected to public water and sewerage systems.
- (3) Long term temporary stands:

- (a) Shall locate in Kennewick for a maximum of 180 consecutive days annually;
- (b) The structure used must be removed within 10 days of the business closing for the year;
- (c) The business must operate from a structure;
- (d) Shall locate only in the CC, CAR, CG, CR, UMU and IL zoning districts.
- (4) Short term temporary stands:
 - (a) The business must operate from a structure;
 - (b) The structure used must be removed within three days of the business closing for the year;
 - (c) The business shall locate for no more than two non-consecutive 30-day periods within one calendar year at any one location;
 - (d) All short term temporary businesses must be on the same parcel and secondary to a principle permitted use, locate within a zone that allows public and quasi-public uses and must comply with all regulations, including permitted use, appertaining to that district except as modified by this section.
- (5) Vehicle based food businesses:
 - (a) Allowed in CO, CBD, CC, CAR, CG, CM, CR, UMU, BP, IL, IH, OS, and PF zoning districts;
 - (b) Standing. No vehicle based business operator shall stand or allow their vehicle to stand upon any public way for more than one hour in any one place, except as otherwise permitted;
 - (c) Outdoor seating is not permitted, except as stated in subsection (f) below;
 - (d) Except as stated in subsection (f) below, a vehicle based business shall operate in the same location for a maximum of 30 days in addition to the requirements of subsection (b) above;
 - (e) The business shall not function as a drive-through.
 - (f) The following standards apply to operation within the Bridge to Bridge River to Rail subarea.
 - (i) Vehicle based food businesses may operate without a maximum time limit and have outdoor seating;
 - (ii) In determining whether or not the proposed location would be permitted, the following criteria shall be considered:
 - (A) The type and intensity of the proposed use and the type and intensity of existing uses;
 - (B) The width of the sidewalk, pedestrian plaza or parking lot in which it is to be located;
 - (C) The proximity and location of existing street furniture, including but not limited to signposts, lampposts, bus shelters, benches, phone booths, trees, newsstands, as well as the presence of bus stops and truck loading areas;
 - (D) Established or proposed pedestrian and vehicular traffic patterns;
 - (E) The number of vehicle based food businesses in a given area;
 - (F) Other factors deemed relevant by the approving authority, consistent with the purpose of this chapter and intent of the subarea zone proposed for the use.
 - (G) The vehicle based food business shall be placed in a parking area that must be surfaced with asphalt or Portland cement binder pavement to provide a durable and dustless surface.

- (iii) In addition to the requirements to establish compliance with KMC “Temporary and Parking Lot Business” General Requirement 18.12.250(1) and other codes as applicable, the following items specific to Vehicle Based Food Businesses are required:
 - (A) Site plan including outdoor seating layout.
 - (B) Restroom agreement.
 - (C) Discharge plan for used oils and graywater.
- (iv) Vehicles must be currently licensed, operable, and able to leave a site at any time under their own power.
- (v) No vehicle based food vendor shall locate his or her vehicle or other conveyance in such a manner as to cause a traffic hazard.
- (vi) No vehicle based food vendor shall obstruct or cause to be obstructed the passage of a sidewalk, street, avenue, alley or any other public place by causing people to congregate at or near the place where food is being sold or offered for sale.
- (vii) The vending site shall be kept clean and orderly at all times, and the vendor must provide a refuse container and is encouraged to provide containers for recycling. Refuse, debris, and liquid spills by any person using the business location shall be cleaned up daily, and refuse containers emptied on a regular basis.
- (viii) Support equipment and accessories shall generally be self-contained within the vendor unit and site. Support equipment and accessories, including accessory seating and tables, must not be placed so as to impede pedestrian or vehicular traffic or distract from the pedestrian experience.
- (ix) Outdoor equipment shall be low maintenance and cleanable, durable, and preferably painted or of noncorrosive metal.
- (x) No portion of a vendor’s inventory, sales equipment, or any other structure or equipment used in the sales or solicitation process shall be left overnight upon any unenclosed portion of any lot or site within the City, nor upon any public street or right-of-way.
- (xi) The City reserves the right to limit the number of vehicle based food vendors in any given area of the Bridge to Bridge River to Rail Subarea. City review may consider the needs of the public, diversity of products offered for sale, the smooth flow of pedestrian and vehicular traffic, number of complaints, and locations where vendors are located.
- (xii) At the conclusion of business activities at a given location, the vehicle, ancillary equipment, and debris generated by the vendor’s business activities shall be removed and the site and public area surrounding it cleaned.
- (6) Cart businesses:
 - (a) The cart must be stored indoors or off-site when not open for business;
 - (b) Allowed in CN, CO, CBD, CC, CAR, CG, CM, CR, UMU, BP, IL, IH, OS, and PF zoning districts;
 - (c) Operation in a city park also requires approval of a concessionaires permit;
 - (d) Standing. No cart-based business operator shall stand or allow their vehicle to stand upon any public way for more than two hours in any one place;
 - (e) The business shall not function as a drive through.

(7) Trade shows, circuses, carnivals, outdoor concerts, bazaars, festivals, or similar temporary uses including religious meetings, rallies, and revival tents must obtain a permit in accord with Chapter 6.47. The use must comply with the following:

- (a) The use will be allowed for no more than two non-consecutive ten (10) day periods annually;
- (b) No structure or activity shall be within 300 feet of a residential district. The activity must not seriously interfere with traffic, emergency services, or other normal City operations. Adequate off-street parking as well as access must be provided;
- (c) Residential districts must be shielded from disruptive sounds and noises;
- (d) Provisions must be made for the control of dust and litter;
- (e) Parking Facilities. The applicant shall submit a plan showing adequate parking facilities on or adjacent to the location where the event is to be held. At least one (1) parking space for every four (4) persons expected to attend shall be provided. All parking facilities shall be off the public right-of-ways and adequate ingress and egress shall be provided to and from the area to facilitate the movement of vehicles. If non-adjacent parking facilities are approved, the permittee shall provide shuttle bus service on a no-charge basis;
- (f) Traffic Control. The License Officer shall ensure that adequate traffic and crowd control has been provided.
- (g) Traffic and crowd control personnel shall be approved by the License Officer. One (1) traffic control officer and one (1) crowd control officer may be required if more than two hundred (200) people can reasonably be expected to attend the event, and more may be required if conditions warrant. The cost of crowd and traffic control must be borne by the permittee. If at any time the size of the crowd exceeds by twenty percent (20%) the number of people represented by the permittee to be in attendance, the License Officer may require the permittee to limit further attendance;
- (h) Temporary Accommodations. If temporary campsites, trailer parks, or other accommodations are provided, adequate sanitary facilities must be provided and minimum fire safety standards must be met. Adequate access and parking must be established, and provisions made for the maintenance of order and security at all times; and
- (i) No outdoor musical assembly or similar activity shall be conducted between the hours of 12:00 A.M. and 9:00 A.M., nor circus or carnival between 2:00 A.M. and 9:00 A.M., and permittee shall clear the licensed area no later than 1:00 A.M. or 3:00 A.M. respectively.

(8) Seasonal and non-seasonal merchandise in conjunction with an existing business:

- (a) Outdoor display and sales of general merchandise are allowed for no more than three non-consecutive ten (10) day periods annually when conducted in the parking area;
- (b) Outdoor display and sales of automobiles, recreational vehicles, boats, and similar vehicles are allowed for no more than twelve (12) non-consecutive five (5) day periods annually when conducted in the parking area;
- (c) Where vehicles are displayed for sale the transaction must occur within the City of Kennewick;
- (d) Outdoor display and sales of seasonal merchandise is allowed for a maximum of 90 consecutive days annually; and

- (e) Merchandise display areas must meet minimum required setbacks in conformance with the Uniform Fire Code. (Ord. 5712 Sec. 7, 2017; Ord. 5671 Sec. 1, 2016; Ord. 5663 Sec. 1, 2016; Ord. 5434 Sec. 7, 2012; Ord. 5431 Sec. 1, 2012; Ord. 5180 Sec. 1, 2007)

Section 8. Section 18.12.270 of the Kennewick Municipal Code, be, and the same hereby is, amended to read as follows:

18.12.270: Transportable Units: ~~Transportable units may be used for storage purposes when ancillary to a permitted use in C, I, PF, and OS zones, provided, that all setbacks and access requirements are met.~~

(1) Transportable units that are uniformly painted and in good repair may be used for temporary storage in subdivision sales areas and equipment yards (18.12.270) and in C, I, PF, and OS zones for storage during construction and/or remodeling after a building permit has been issued. The units shall be removed from the site once the permit expires or at the end of twelve months, whichever occurs first. Screening is not required in these instances.

(2) Transportable units may ~~also~~ be used for temporary storage in “R” and “HMU” zones for new residential construction or remodeling after a building permit has been issued. The units shall be removed from the site at the expiration of the building permit. In no case shall the units remain on the site for more than twelve months. (Ord. 5180 Sec. 1, 2007)

(3) Transportable units, railroad boxcars and freight cars in “R” districts that are visible and less than 125 feet from a public street must be completely surrounded by a sight-proof fence and/or landscaping (18.21.060(2)) or removed before October 31, 2004.

(4) Transportable units that are in good repair may be utilized for business activities, other than storage, in the UMU zone. (Ord. 5712 Sec. 8, 2017; Ord. 5180 Sec. 1, 2007)

Section 9. Section 18.12.280 of the Kennewick Municipal Code, be, and the same hereby is, amended to read as follows:

18.12.280: Trash Containers: All garbage cans, bins, dumpsters, containers and other garbage receptacles within UMU, C, I, BP, PF, and OS Districts or serving multi-family dwellings must be within a completely enclosed building or screened from view by a sight-obscuring wall or fence at least six feet high and with a gate or door or similar sight-obscuring material to provide access. All enclosures must be at least 20 feet from any residential use. No garbage, trash, waste or other refuse may be allowed to accumulate around or within the enclosure. (Ord. 5712 Sec. 9, 2017; Ord. 5309 Sec. 14, 2010; Ord. 5180 Sec. 1, 2007)

Section 10. This ordinance shall be in full force and effect five days from and after its passage, approval and publication as required by law.

PASSED BY THE CITY COUNCIL OF THE CITY OF KENNEWICK, WASHINGTON, this 17th day of October, 2017, and signed in authentication of its passage this 17th day of October, 2017.

Attest:

STEVE C. YOUNG, Mayor

LINDA C. SPIER, Deputy City Clerk

Approved as to Form:

ORDINANCE NO. 5712 filed and recorded
in the office of the City Clerk of the City of
Kennewick, Washington this 18th day of
October, 2017.

LISA BEATON, City Attorney

LINDA C. SPIER, Deputy City Clerk

DATE OF PUBLICATION_____

Council Agenda Coversheet



Agenda Item Number	5.a.(4)	Council Date	10/17/2017
Agenda Item Type	Ordinance		
Subject	Bridge to Bridge Implementation #4		
Ordinance/Reso #	5713	Contract #	
Project #	ZOA 17-05	Permit #	AMD-2017-02598
Department	Planning		

Consent Agenda	☐
Ordinance/Reso	☒
Public Mtg / Hrg	☐
Other	☐
Quasi-Judicial	☐

Recommendation

The Planning Commission concurs with the findings and conclusions of the staff report and recommends that the City Council approve the proposed code amendments to create the Urban Mixed Use zone and the Commercial Auto Row zone.

Motion for Consideration

I move to adopt Ordinance 5713.

Summary

This is a companion ordinance #4 of 11.

Alternatives

None recommended

Fiscal Impact

Potential fiscal impact will vary depending on when and what type of development takes place. The full impact will increase over time as development occurs.

Through

Anthony Muai
Oct 10, 10:29:05 GMT-0700 2017

Dept Head Approval

Gregory McCormick
Oct 10, 13:52:21 GMT-0700 2017

City Mgr Approval

Marie Mosley
Oct 13, 09:26:33 GMT-0700 2017

Attachments: Ordinance 5713

☐ Recording
Required?

CITY OF KENNEWICK
ORDINANCE NO. 5713

AN ORDINANCE RELATING TO LANDSCAPING AND AMENDING
SECTION 18.21.030 AND ADDING A NEW SECTION 18.21.075 TO THE
KENNEWICK MUNICIPAL CODE

THE CITY COUNCIL OF THE CITY OF KENNEWICK, WASHINGTON, DO ORDAIN AS
FOLLOWS:

Section 1. Section 18.21.030 of the Kennewick Municipal Code, be, and the same hereby is,
amended to read as follows:

18.21.030: Definitions: Unless the context requires otherwise, the following definitions apply
throughout this Chapter.

(1) Intensity of Zones. The juxtaposition of the various zoning districts in order of
intensity with the most intense district listed first. The order of intensity is as follows: IH
(Industrial, Heavy); IL (Industrial, Light); CG (Commercial, General); CAR (Commercial, Auto
Row); CR (Commercial, Regional); CC (Commercial, Community); CM (Commercial, Marina);
JF (Justice Facilities); PF (Public Facility); IP (Industrial, Park); BP (Business Park); UMU
(Urban Mixed Use); CBD (Commercial, Central Business District); CN (Commercial,
Neighborhood); CO (Commercial, Office); OS (Open Space); R (Residential).

(2) Solid Landscape Screen. An evergreen or nearly evergreen mixture (minimum of
65% evergreen) of shrubs, bushes, or trees that produce a dense, sight-obscuring screen at least
six feet in height within three years of planting. Berms may be included in this definition as long
as the maximum height of the berm is five feet; both sides of the berm are planted with evergreen
or nearly evergreen shrubs or bushes so that the total height of landscaping and berm will be at
least six feet within three years of planting; and the top of the berm plantings form a dense, sight-
obscuring screen within the same three-year period.

(3) Well-Branched. At least three well formed and distinct branches originated from
the main trunk. (Ord. 5713 Sec. 1, 2017; Ord. 5434 Sec. 8, 2012; Ord. 5204 Sec. 11, 2007; Ord.
5180 Sec. 1, 2007)

Section 2. There is hereby added a new Section 18.21.075 to the Kennewick Municipal Code to
read as follows:

18.21.075: Automobile and Vehicle Sales Lots

(1) For automobile or vehicle sales uses that include vehicle display located along
street frontage, the landscape area in front of the vehicle display area may be reduced to a 5 foot
strip planted with a combination of low shrubs and groundcovers;

(2) Abutting R districts – A solid landscape screen as defined in Section 18.21.030(2)
with 10 feet of living or non-living groundcover;

(3) Parking lot landscaping is not required, however landscaping around the building
shall be required at 15% of what would be required if not an automobile or vehicle sales lot;

(4) Trees shall be provided in accord with KC 18.21.060(3)(a) however they may be
relocated to areas that are located more than 75' feet from a display area, as well as the perimeter
of the lot that does not front a street. (Ord. 5713 Sec. 2, 2017)

Section 3. This ordinance shall be in full force and effect five days from and after its passage, approval and publication as required by law.

PASSED BY THE CITY COUNCIL OF THE CITY OF KENNEWICK, WASHINGTON, this 17th day of October, 2017, and signed in authentication of its passage this 17th day of October, 2017.

Attest:

STEVE C. YOUNG, Mayor

LINDA C. SPIER, Deputy City Clerk

ORDINANCE NO. 5713 filed and recorded
in the office of the City Clerk of the City of
Kennewick, Washington this 18th day of
October, 2017.

Approved as to Form:

LISA BEATON, City Attorney

LINDA C. SPIER, Deputy City Clerk

DATE OF PUBLICATION _____

Council Agenda Coversheet



Agenda Item Number	5.a.(5)	Council Date	10/17/2017
Agenda Item Type	Ordinance		
Subject	Bridge to Bridge Implementation #5		
Ordinance/Reso #	5714	Contract #	
Project #	ZOA 17-05	Permit #	AMD-2017-02598
Department	Planning		

Consent Agenda	☐
Ordinance/Reso	☒
Public Mtg / Hrg	☐
Other	☐
Quasi-Judicial	☐

Recommendation

The Planning Commission concurs with the findings and conclusions of the staff report and recommends that the City Council approve the proposed code amendments to create the Urban Mixed Use zone and the Commercial Auto Row zone.

Motion for Consideration

I move to adopt Ordinance 5714.

Summary

This is a companion ordinance #5 of 11.

Alternatives

None recommended

Fiscal Impact

Potential fiscal impact will vary depending on when and what type of development takes place. The full impact will increase over time as development occurs.

Through

Anthony Muai
Oct 10, 10:31:20 GMT-0700 2017

Dept Head Approval

Gregory McCormick
Oct 10, 13:52:38 GMT-0700 2017

City Mgr Approval

Marie Mosley
Oct 13, 09:27:46 GMT-0700 2017

Attachments: Ordinance 5714

☐ Recording
Required?

CITY OF KENNEWICK
ORDINANCE NO. 5714

AN ORDINANCE RELATING TO SIGNS AND AMENDING SECTIONS
18.24.030, 18.24.050 AND 18.24.070 OF THE KENNEWICK MUNICIPAL
CODE

THE CITY COUNCIL OF THE CITY OF KENNEWICK, WASHINGTON, DO ORDAIN AS
FOLLOWS:

Section 1. Section 18.24.030 of the Kennewick Municipal Code, be, and the same hereby is,
amended to read as follows:

18.24.030: Sign Table: Signs shall comply with the applicable standards of Table A. Table A
does not apply to the CBD or UMU zoning district. See Table B for CBD and UMU district sign
regulations.

SIGN TABLE A

Sign Type	Maximum Height	Maximum Sign Area Per Sign	Maximum Permitted Number of Signs	Special Considerations
Freestanding single business	60'	Based on height of sign 0'-30' ht. up to 150 sq. ft. 31'-50' ht. up to 300 sq. ft. 51'-60' ht. up to 400 sq. ft.	Two per frontage	Grandfather all existing signs prior to passage of ordinance
Freestanding group of businesses	60'	90 sq. ft. per business or the same maximum area per freestanding sign as the single business requirement, whichever is greater.	Based on frontage 0'-200' = Up to 2 signs 201' - 400' = Up to 4 signs 401'-600' = Up to 5 signs over 601' = Up to 6 signs	
Wall	Not beyond the top or ends of wall	25% of applicable wall area	See 18.24.040(1)	

Projecting	Not more than 5" above or beyond the attaching wall	75 square feet or 1/2 frontage whichever is greater	See 18.24.040(1)	
Graphic-window	Maximum building height	33% of applicable wall area or applicable window area		
Pictorial	Maximum building height	33% of applicable wall area		
Awning	18' or two stories	25% of available wall area		
Banner	None	None	See 18.24.060.2(i)	
Off-premises (existing)	30'	125 square feet	See 18.24.050(7)	Grandfather existing off premises signs except bill boards
Temporary	None	None	See 18.24.050(6)	
Rooftop		See 18.24.050(13)	One	Grandfather existing signs prior to passage of ordinance

SIGN TABLE B

Sign Type	Maximum Height	Maximum Sign Area Per Sign	Maximum Permitted Number of Signs	Special Considerations
Freestanding single business	13'	32 square feet*	One	* Per sign face
Freestanding group of businesses	13'	64 square feet*	One	
Wall	Not beyond the top or ends of wall	25% of applicable wall area	N/A	Grandfather all existing signs prior to passage of ordinance
Projecting	10'	24 square feet*	One	

Graphic-window	Maximum building height	33% of applicable wall area or applicable window area	N/A	
Pictorial	Maximum building height	33% of applicable wall area	N/A	
Awning	8'	25% of available wall area	One	
Banner	None	None	N/A	
Off-Premises (existing)	Prohibited	N/A	N/A	Grandfather existing off-premises signs except bill boards
Temporary	None	None	See 18.24.050(16)	
Rooftop	Prohibited	N/A		Grandfather existing signs prior to passage of ordinance

(Ord. 5714 Sec. 1, 2017; Ord. 5434 Sec. 9, 2012) Ord. 5180 Sec. 1, 2007)

Section 2. Section 18.24.050 of the Kennewick Municipal Code, be, and the same hereby is, amended to read as follows:

18.24.050: Regulation by Sign Type:

(1) Awning Signs: Awning copy is exempt from this Section if no more than 100% of the maximum, available freestanding sign area is used for such copy. If more than 100% is used for the awning copy, then the other sign or signs for which the business is entitled must be reduced by an area equal to that exceeding 100% of the available freestanding sign area.

(2) Commercial ~~and~~ Industrial ~~and~~ Urban Mixed Use districts - Development/Sale Signs: Signs advertising commercial or industrial sites or properties "For Sale" or "For Rent" must be placed wholly on the applicable property and may not exceed 32 square feet in sign area. The height of such signs are limited to 10 feet overall. Any such sign greater than 16 square feet in area must obtain a building permit and be installed to the approval of the Building Inspector.

(3) Construction Signs: Construction signs are allowed until occupancy of the applicable building or completion of the structure or remodeling, whichever occurs first.

(4) Directional Signs: Direction signs may be permitted in "C", ~~or~~ "I" or UMU zones after approval of a Land Use Permit for a Conditional Use in accord with Section 18.42.100. The criteria for approval for such land use permits for conditional uses (variances) will be as follows: The business, group of businesses or business area must not have arterial street frontage available for free standing signage; special circumstances are necessary because of the location, size, shape or topography of the property of the business, group of businesses or business area to

provide it with signage privileges typical of other properties in the vicinity or zoning district; the design of the directional sign can be conditioned to account for aesthetics, lighting, safety, compatibility with surrounding properties, and other factors necessary to meet the purpose (18.24.010) of this Chapter. Directional signs shall be further conditioned by the following:

- (a) The directional sign must be located as close to the business, group of businesses, or business area as is practical.
- (b) A single business is limited to one directional sign. Groups of businesses and business areas are limited to two directional signs.
- (c) The preferred means to implement directional signage shall be ground mounted or monument style signs. In cases where this is impractical, the maximum height is limited to 20 feet.
- (d) Directional signs shall be limited to a maximum area of 32 square feet.
- (e) If applicable the directional signs shall further the goals and guidelines of any adopted neighborhood or sub area plan and/or overlay zone.
- (5) Electronic Message Signs or Centers: Electronic message signs or centers are regulated per its applicable sign type, i.e., freestanding or wall-mounted.
- (6) Existing Off-Premises Signs in all Districts: All existing off-premises signs installed in conjunction with a building permit as of the effective date of the ordinance codified herein are considered conforming, except billboards which are considered nonconforming. Such signs must be brought into full compliance with provisions of Section 18.24.040 herein for height, area, lighting, structural, and electrical regulations and Sign Table "A" of this Chapter. All existing off-premises temporary signs not installed with a building permit must be brought into full compliance with this Chapter within 180 days of notification by the Department.
- (7) Off-Premise Signs for Community Sponsored Events. Off-Premise signs associated with community sponsored events on property other than the event site shall be exempt from this Chapter but must be approved by the Department of Planning for sight visibility and structural safety. Such signs are allowed for no more than 14 days prior to the event and must be removed within three days of the conclusion of the event season.
- (8) Signs For City, State, Federal and Community Sponsored Events: Signs associated with City, State, Federal or community sponsored events shall be exempt from this Chapter but must be placed to not obstruct sight visibility and be structurally safe.
 - (a) Such signs must be removed within seven days following the event. It is the responsibility of the candidate and campaign chairmen to remove political signs, and event chairman in the case of nonpolitical events.
 - (b) Event signs are not allowed on public property or buildings, sidewalks, public roads, utility poles, or public facilities. However event signs will be allowed in the space between the curb and sidewalk provided there is no traffic visibility obstruction, and the abutting owners' permission has been granted.
- (9) Product-Sponsored Signs: All outdoor product-sponsored signs must devote at least 75% of the sign area to the on-site business.
- (10) Prohibited Signs: Except as provided elsewhere, the following signs are prohibited in all districts: off-premises signs, except as provided in subsection 18.24.050(7) above; off-premises mobile signs; abandoned signs; signs imitating or resembling official traffic or government signs or signals; signs attached to trees, utility poles, public benches, light poles or any other public property or right of way; and other signs not permitted by this Chapter. Signs on public transit benches and shelters and on and within public transit vehicles, when installed in conformance with a City franchise, are exempt from this Chapter.

(11) Readerboard Signs: Readerboard signs are regulated per applicable sign type, i.e., freestanding or wall-mounted. Portable reader board signs are regulated as temporary signs and a building permit is required for each location.

(12) Residential Properties - Development/Sale Signs: Signs advertising residential properties "For Sale," "Rent," or "Sold" must be placed wholly on the applicable property, and shall not exceed eight square feet in sign area. The height of such signs is limited to eight feet. If the property is not on an arterial street, a single directional sign may be placed at the nearest arterial with the permission of the owner upon whose property the directional sign is placed, and the directional sign can be no larger than six square feet. Any manufactured home park or multi-family residence containing at least five living units may have one freestanding sign per abutting street frontage, which shall not exceed 10 feet in height, or 32 square feet in area and must not move or give the illusion of movement. All development signs in residential areas shall be lit only by existing surrounding lights or by lights shining directly onto the sign. Signage in the single-family subdivisions and multi-family developments must be in conformance with Chapter 18.24.

(13) Schools in Residential Zoning Districts' Signs: Schools located in any Residential zoning district shall be allowed the following signs:

- (a) One (1) freestanding sign per public street frontage that does not exceed sixteen (16) feet in height and a maximum of forty (40) square feet in area; and
- (b) One (1) wall sign per street facing building façade that does not exceed fifty (50) square feet in size. Each school facility is permitted one (1) electronic message center that can either be incorporated into an allowed freestanding or wall-mounted sign.

(14) Rooftop Signs: Rooftop signs are only allowed in CG, CC, UMU, IL, or IH zoning districts after approval of a land use permit for conditional uses in accord with 18.42.110 KMC. The criteria for approval of such land use permits for conditional uses will be based on the following:

- (a) The property requesting the rooftop sign must not have street frontage available for freestanding signage;
- (b) Wall signs would be inadequate because of restricted visibility from arterial street frontage;
- (c) Any approved rooftop sign must be consistent with the sign table.

(15) Signs Advertising a Group of Businesses: A group of two or more businesses when located on one land parcel of common ownership or abutting land parcels so as to function as if of common ownership, which are located along a major or minor arterial as designated on the comprehensive plan, shall comply with Sign Table A of this Chapter to determine allowed freestanding signage along said arterial frontage.

(16) Subdivision Directional Signs: Signs may display the direction to a subdivision by naming the subdivision and furnishing a directional arrow. The sign may not display the name of a realtor or developer, and must be removed within 24 months of its installation. The sign area is limited to 16 square feet, and sign height is limited to six feet overall height. The location of such signs must be approved by the City, and any subdivision utilizing such signs is limited to a maximum of three of these directional signs.

(17) Temporary Signs: Temporary signs are allowed for a maximum of 60 days within any calendar year. They may be placed for no more than 20 consecutive days and they must be removed for 30 days. Banners are specifically exempt from this Section. (Ord. 5714 Sec. 2, 2017; Ord. 5559 Sec. 1, 2014; Ord. 5180 Sec. 1, 2007)

Section 3. Section 18.24.070 of the Kennewick Municipal Code, be, and the same hereby is, amended to read as follows:

18.24.070: Permit Applications: Applications for building permits for signs shall contain the name of the sign owner and user of the sign; address of the property in which the sign is located; location of the sign structure on such property; drawings of the sign showing design, dimensions, structural calculations and method of lighting, if applicable, and other pertinent information necessary to ensure compliance with this Chapter. ~~Fees for freestanding, wall, projecting, awning and rooftop signs shall be in accord with the fee schedule of the International Building Code; fees for all other signs will be twenty dollars (\$20.00).~~ (Ord. 5714 Sec. 3, 2017; Ord. 5180 Sec. 1, 2007)

Section 4. This ordinance shall be in full force and effect five days from and after its passage, approval and publication as required by law.

PASSED BY THE CITY COUNCIL OF THE CITY OF KENNEWICK, WASHINGTON, this 17th day of October, 2017, and signed in authentication of its passage this 17th day of October, 2017.

Attest:

STEVE C. YOUNG, Mayor

LINDA C. SPIER, Deputy City Clerk

ORDINANCE NO. 5714 filed and recorded
in the office of the City Clerk of the City of
Kennewick, Washington this 18th day of
October, 2017.

Approved as to Form:

LISA BEATON, City Attorney

LINDA C. SPIER, Deputy City Clerk

DATE OF PUBLICATION _____

Council Agenda Coversheet



Agenda Item Number	5.a.(6)	Council Date	10/17/2017
Agenda Item Type	Ordinance		
Subject	Bridge to Bridge Implementation #6		
Ordinance/Reso #	5715	Contract #	
Project #	ZOA 17-05	Permit #	AMD-2017-02598
Department	Planning		

Consent Agenda	☐
Ordinance/Reso	☒
Public Mtg / Hrg	☐
Other	☐
Quasi-Judicial	☐

Recommendation

The Planning Commission concurs with the findings and conclusions of the staff report and recommends that the City Council approve the proposed code amendments to create the Urban Mixed Use zone and the Commercial Auto Row zone.

Motion for Consideration

I move to adopt Ordinance 5715.

Summary

This is a companion ordinance #6 of 11.

Alternatives

None recommended

Fiscal Impact

Potential fiscal impact will vary depending on when and what type of development takes place. The full impact will increase over time as development occurs.

Through

Anthony Muai
Oct 10, 10:54:12 GMT-0700 2017

Dept Head Approval

Gregory McCormick
Oct 10, 13:52:57 GMT-0700 2017

City Mgr Approval

Marie Mosley
Oct 13, 09:28:21 GMT-0700 2017

Attachments: Ordinance 5715

☐ Recording
Required?

CITY OF KENNEWICK
ORDINANCE NO. 5715

AN ORDINANCE RELATING TO ACCESSORY BUILDINGS, STRUCTURES,
AND USES AND AMENDING SECTIONS 18.27.030 AND 18.27.070 OF THE
KENNEWICK MUNICIPAL CODE

THE CITY COUNCIL OF THE CITY OF KENNEWICK, WASHINGTON, DO ORDAIN AS
FOLLOWS:

Section 1. Section 18.27.030 of the Kennewick Municipal Code, be, and the same hereby is,
amended to read as follows:

18.27.030: Accessory Building - Setback - Dimensions: Accessory buildings must comply with applicable setbacks. Except in C, I, PF, UMU, and OS districts, detached accessory buildings may not be over 16 feet high. In all R and HMU districts, no accessory building may be closer than 10 feet from any building on the same lot unless the accessory structure is constructed in accord with the International Building Code, in which case the separation can be reduced to four feet. In addition, no accessory structure may be within a radius of 10 feet from the vertical centerline of a window in a dwelling on the same or an adjacent lot. It may not be within five feet of a side or rear property line but it may abut a rear property line adjacent to an alley, canal right-of-way or railroad right-of-way. (Ord. 5715 Sec. 1, 2017: Ord. 5180 Sec. 1, 2007)

Section 2. Section 18.27.070 of the Kennewick Municipal Code, be, and the same hereby is,
amended to read as follows:

18.27.070: Dwelling Groups: Each building in a dwelling group must be separated by at least 10 feet. Buildings over 30 feet high must be separated by at least one foot for each three feet of building height. The UMU district is exempt from the provisions in this subsection. (Ord. 5715 Sec. 2, 2017: Ord. 5180 Sec. 1, 2007)

Section 3. This ordinance shall be in full force and effect five days from and after its passage, approval and publication as required by law.

PASSED BY THE CITY COUNCIL OF THE CITY OF KENNEWICK, WASHINGTON, this
17th day of October, 2017, and signed in authentication of its passage this 17th day of October,
2017.

Attest:

LINDA C. SPIER, Deputy City Clerk

STEVE C. YOUNG, Mayor

ORDINANCE NO. 5715 filed and recorded
in the office of the City Clerk of the City of
Kennewick, Washington this 18th day of
October, 2017.

Approved as to Form:

LISA BEATON, City Attorney

LINDA C. SPIER, Deputy City Clerk

DATE OF PUBLICATION_____

Council Agenda Coversheet



Agenda Item Number	5.a.(7)	Council Date	10/17/2017
Agenda Item Type	Ordinance		
Subject	Bridge to Bridge Implementation #7		
Ordinance/Reso #	5716	Contract #	
Project #	ZOA 17-05	Permit #	AMD-2017-02598
Department	Planning		

Consent Agenda	☐
Ordinance/Reso	☒
Public Mtg / Hrg	☐
Other	☐
Quasi-Judicial	☐

Recommendation

The Planning Commission concurs with the findings and conclusions of the staff report and recommends that the City Council approve the proposed code amendments to create the Urban Mixed Use zone and the Commercial Auto Row zone.

Motion for Consideration

I move to adopt Ordinance 5716.

Summary

This is a companion ordinance #7 of 11.

Alternatives

None recommended

Fiscal Impact

Potential fiscal impact will vary depending on when and what type of development takes place. The full impact will increase over time as development occurs.

Through

Anthony Muai
Oct 10, 10:56:18 GMT-0700 2017

Dept Head Approval

Gregory McCormick
Oct 10, 13:53:14 GMT-0700 2017

City Mgr Approval

Marie Mosley
Oct 13, 10:48:44 GMT-0700 2017

Attachments: Ordinance 5716

☐ Recording
Required?

CITY OF KENNEWICK
ORDINANCE NO. 5716

AN ORDINANCE RELATING TO OFF-STREET PARKING AND
AMENDING SECTIONS 18.36.060, 18.36.080, 18.36.090, AND 18.36.100
AND ADDING A NEW SECTION 18.36.067 TO THE KENNEWICK
MUNICIPAL CODE

THE CITY COUNCIL OF THE CITY OF KENNEWICK, WASHINGTON, DO ORDAIN AS
FOLLOWS:

Section 1. Section 18.36.060 of the Kennewick Municipal Code, be, and the same hereby is,
amended to read as follows:

18.36.060: Specific Parking Requirements: Except for the CBD and UMU zoning districts, off-street parking is as follows for the uses indicated in the following table:

Uses	Required Parking
Agricultural processing plant, warehouse	1 per employee
Ambulance service	1 per ambulance plus 1 per employee on the largest shift
Animal clinic/veterinary	1 per 250 square feet of gross indoor floor area
Animal processing facility	1 per employee
Appliance and furniture sales/service	1 per 1,000 square feet of display area
Assisted living facility	1 per 4 residents plus 1 per staff on largest shift
Auction yard (excluding livestock)	1 per 300 gross square feet
Auditoria, theatres, stadia (including religious sanctuaries)	1 per 4 fixed seats or 1 per 150 square feet of floor area
Automobile impound yard	1 per 500 gross square feet of building area plus 1 per 5,000 gross square feet of outdoor storage area
Automobile sales/rental	1 per 400 gross square feet of inside display area, 1 per 2,000 gross square feet of outside display area
Automobile/truck/RV/motor-cycle service, painting, repair, body and fender works	1 per 300 gross square feet plus 2 per service bay (each space in a service bay counts as a parking space)
Bank, savings/loan and other financial institutions	1 per 300 gross square feet; if a drive-through window is provided may be reduced to 1 per 400 gross square feet
Barber/beauty shop	1 per chair and 1 per employee

Uses	Required Parking
Bed and breakfast	1 per guest room
Bowling alley	4 per lane plus additional required spaces for other uses
Brewery, winery and/or distillery	1 per each employee on the maximum shift plus 1 space per 4 seats in any tasting room or other visitor facility
Building supply and home improvement	1 per 300 gross square feet of retail area, 1 per 1,000 gross square feet of warehouse area, 1 per 600 gross square feet of assembly or light manufacturing area
Call center, telephone	1 per employee
Carnival, circus	1 per 400 gross square feet lot area
Carpenter shop	1 per 600 gross square feet
Carwash, self-service	2 spaces for drying and cleaning purposes per stall, plus 3 reservoir spaces in front of each stall
Casino	1 per 50 gross square feet of dining, bar, gaming and dance space, plus 1 per 2 employees
Church or other place of worship	1 per 4 seats or 8 lineal feet of bench seating; plus additional required spaces for other uses
College or university	1 per 600 gross square feet of classroom and 1 per 5 seats in principal assembly room
Community hall, club or lodge	1 per 200 gross square feet
Community recreational facility	1 per 200 gross square feet
Community residential facility	2 plus 1 per employee on maximum shift
Composting storage/processing, commercial	3 plus 1 per employee
Contractor's yard	1 per employee
Convalescent home, nursing home	1 per 2 beds
Convenience store	1 per 350 gross square feet, plus 2 for every 2.5 seats of on-site seating, but not less than 10. Service area at gas pumps shall not be counted as parking spaces
Dance, exhibition and assembly halls	1 per 75 square feet of gross floor area of main assembly room
Day care, child and adult	1 per employee, plus 1 per 10 children or adults
Dry cleaning, retail	The greater of 3 spaces or 1 per 300 square feet except where located in a shopping center.
Dry cleaning, laundry, linen supply plant, commercial	1 per 600 gross square feet

Uses	Required Parking
Dwelling, accessory apartments	1 per dwelling unit
Dwelling, congregate	1 per sleeping room
Dwelling, elderly or handicapped (two or more units)	1 per 1.5 units; a reduction of the number of parking to 1 per 2 units allowed if: a) Public transportation directly available; and b) Essential services, specifically shopping, is available within ½ mile of site; and c) A notarized agreement to provide additional off-street parking in conformance with applicable regulations if all or portion of complex converts to complex not restricted to elderly or handicapped
Dwelling, multifamily	
Studio and 1 bedroom	1 per dwelling unit, plus 5% of total for guests
Two or more bedrooms	1.5 per dwelling unit, plus 5% of total for guests
Dwelling, one- and two-family, townhouse	2 per dwelling unit
Electrical/electronic/computer component and system manufacturing/assembly	1 per 600 gross square feet
Entertainment/recreation facilities, indoor	1 per 250 gross square feet for areas not covered below, except when located in a shopping center
Skating rink	1 per 200 gross square feet
Swimming pool/jacuzzi	1 per 100 gross square feet of water surface area
Tennis, racquetball and similar courts	2 per court
Entertainment/recreation facilities, outdoor	
Golf course	4 per hole
Golf driving range/ training center	2 per designated driving station on driving range and 1 per 500 square feet of putting/chipping green
Skating rink	1 per 200 gross square feet
Sports field	20 per acre of site
Swimming pool/jacuzzi	1 per 100 gross square feet of water surface area
Tennis, racquetball and similar courts	2 per court

Uses	Required Parking
Equipment rental shop	1 per 300 gross square feet of retail, office or shop use, 1 per 1,000 gross square feet of outdoor storage or display area
Equipment sales, repair, and maintenance	3 plus 1 per employee
Espresso/latte stand (no seating)	1 plus 1 per employee
Exercise facility/gym athletic club	1 per 100 gross square feet
Fire station	1 space per employee on the maximum shift
Freight forwarding	1 per 2,000 square feet
Fueling station	1 per 4 pumps
Funeral home	1 per 4 seats or 8 feet of lineal bench in chapel area
Greenhouse/nursery, commercial	1 per 400 gross square feet of indoor retail, 1 per 1,000 gross square feet of outdoor display or storage area
Hospital	1 per 4 patient beds; plus one space per doctor; plus 1 per each 3 additional employees
Hotel/motel	1 per guest room; plus additional required spaces for other uses
Kennel/animal boarding/shelter	3 plus 1 per each employee
Laboratories	1 per 600 gross square feet of office, 1 per 600 gross square feet of laboratory or shop area
Landscape materials sales	3 plus 1 per employee
Laundromat	1 per 250 square feet
Manufactured (mobile) home park	2 per dwelling unit plus 5% total for guest parking
Manufacturing	1 per employee on the maximum shift
Medical/dental clinic	5 per each doctor or dentist
Model home sales	1 per 2,000 gross square feet of sales area
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
Post office, postal center	1 per 200 gross square feet of floor area plus 1 employee
Print shop	1 per 400 gross square feet

Uses	Required Parking
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
Restaurant with drive-through window service	6 stacking stall spaces plus 1 for every 4 seats outside the vehicle
Retail sales, indoor	1 per 200 gross square feet, except when located in a shopping center
Retail sales, outdoor	1 per 5,000 gross square feet of retail sales area in addition to any parking requirements for buildings, except when located in a shopping center
Schools, professional, vocational and trade	1 per each 3.5 seats in classroom area
Schools, public and private, 7 through 12	1 per teacher; plus 1 per each other employee; plus 1 per 6 students
Schools, public and private, K through 7	1 per teacher; plus 1 per other employee
Services, retail	1 per 250 square feet except when located in a shopping center
Shopping centers	4.5 per 1,000 square feet of gross leasable area (GLA) for centers having GLA less than 400,000 gross square feet, and 5 per 1,000 gross square feet of GLA for centers having a GLA of over 400,000 gross square feet
Showroom, industrial	1 per 500 gross square feet of display area
Solid waste recycling/transfer site	3 plus 1 per each employee
Specialized training/learning schools or studios	1 per 300 gross square feet
Storage, general – indoors, warehousing	1 per each 3,500 gross square feet
Storage, general – outdoors, display	3 plus 1 per each employee
Personal services	1 per 250 square feet

Uses	Required Parking
Tavern	1 per 4 seats, except when located in a shopping center
Transit center	1 per each 200 gross square feet
Warehousing	1 per each 3,500 gross square feet
Wrecking, recycling, junk and salvage yards	1 per each employee plus 3 visitor spaces

(1) Unlisted uses: The Planning Director shall determine parking requirements for any use not specifically included in the table above based on similarities with listed uses.

(2) Single and multi-family developments must conform to the applicable provisions of Chapter 18.75 KMC.

(3) Commercial developments must conform to the applicable provisions of Chapter 18.78 KMC. (Ord. 5716 Sec. 1, 2017: Ord. 5434 Sec. 10, 2012: Ord. 5359 Sec. 2, 2011: Ord. 5180 Sec. 1, 2007)

Section 2. Section 18.36.080 of the Kennewick Municipal Code, be, and the same hereby is, amended to read as follows:

18.36.080: In-lieu Provisions: On any parcel which because of the size, shape or location will not have adequate parking, parking requirements may be satisfied as follows:

(1) In C, UMU or I districts parking may be located within 500 feet on other property:

(a) Section 18.36.080 applies;

(i) If the parking facility is under different ownership, a written agreement or lease is required; and

(ii) The parking area shall be designated as P on the zoning map and not used for other than off-street parking.

(2) If the Planning Director finds that parking demands on the use may be sporadic or seasonal, he may reduce the required parking by 50 percent if the decreased parking is available when needed within 500 feet.

(3) If adjoining facilities can be developed and designed efficiently and economically as one facility, and the total parking area will be 10,000 square feet or more, the total combined required parking may be reduced by 10 percent.

(4) In addition to any of the above, if any use in any district, except RS and RL districts, includes an improved, permanent on-site public bus stop, the required number of parking stalls may be reduced by 10%. Provided, however, the bus stop must be on a transit system route and be developed in accord with requirements of the Transit Authority. (Ord. 5716 Sec. 2, 2017: Ord. 5180 Sec. 1, 2007)

Section 3. Section 18.36.090 of the Kennewick Municipal Code, be, and the same hereby is, amended to read as follows:

18.36.090: Exceptions: The following are exceptions to the provisions of Chapter 18.36:

(1) An existing commercial structure in C or UMU districts may be replaced, altered or remodeled without adequate parking if the Planning Director finds that the use will not create

additional parking demands and that the new remodeled structure will have a total floor area no more than the ground floor area of the previous structure. (Ord. 5716 Sec. 3, 2017: Ord. 5359 Sec. 3, 2011: Ord. 5180 Sec. 1, 2007)

Section 4. Section 18.36.100 of the Kennewick Municipal Code, be, and the same hereby is, amended to read as follows:

18.36.100: Development and Maintenance of Parking Areas: Every public and private parking area must be developed and maintained as follows (if an adjacent property is a parking area, this provision may be waived):

(1) **Surfacing.** The area must be surfaced with asphalt or Portland cement binder pavement to provide a durable and dustless surface, be graded and drained for the on-site disposal of all surface water; and be arranged and marked for the orderly and safe loading, unloading, parking and storage of vehicles and constructed to applicable construction standards. For residential zoning districts the driveway to the primary parking structure/area must be surfaced with asphalt or Portland cement binder pavement, or an alternative hard surface as approved by the Planning Director. The driveway for accessory structures not used for primary parking in residential zoning districts can be surfaced with a minimum three-inch (3”) compacted gravel. The Planning Director may allow parking to be completed within six months after issuance of a certificate of occupancy for good cause. Any further extensions are to the approval of the Planning Commission.

(2) **Parking Area Lighting.** Lighting for off-street parking must be directed and shielded to not illuminate surrounding residential areas.

(3) **Other Improvements.** Barriers, curbs or tire stops must be installed if a parking area abuts a structure, adjacent properties – except when such property is a parking area, or public right-of-way. Traffic controls must be installed if deemed necessary by the City Engineer for public safety.

(4) **When a parking lot is to be landscaped,** the landscaped areas are to be surrounded by a minimum six-inch high curb, be serviced by a sprinkler-head water system, be maintained and kept free of all weeds and debris.

(5) **Screening from R Districts.** If an off-street parking lot abuts any R district, it must be screened by a masonry wall, tight board fence or screened chain link fence, at least three but not more than six feet high.

(6) **Driveways.** Driveways in C, UMU or I districts must be at least 28 feet from pedestrian crosswalks and surfaced with asphalt or Portland cement binder pavement, or an alternative hard surface as approved by the Planning Director. Driveway widths should not be less than 30 feet in width. (Ord. 5716 Sec. 4, 2017: Ord. 5574 Sec. 1, 2014: Ord. 5463 Sec. 1, 2012: Ord. 5204 Sec. 13, 2007: Ord. 5180 Sec. 1, 2007)

Section 5. There is hereby added a new section 18.36.067 to the Kennewick Municipal Code to read as follows:

18.36.067: Parking Requirements for the UMU Zoning District: In the UMU district both on-street and off-street parking stalls shall be credited towards the applicable parking space requirements. The following parking standards shall apply to properties zoned Urban Mixed Use:

(1) Any business with 3,000 square feet of gross floor area or less is exempt from parking requirements;

(2) Businesses with more than 3,000 square feet of gross floor area shall provide one parking stall per 1,000 square feet of gross floor area. Adjacent on-street parking may be used to meet this requirement.

(3) The following land use shall supply off-street parking consistent with KMC 18.36.060:

(a) Dwelling, accessory apartments;

(b) Dwelling, elderly or handicapped (two or more units); and

(c) Dwelling, multi-family.

(4) One- and two-family dwelling and townhomes shall provide at least one (1) parking space per unit. (Ord. 5716 Sec. 5, 2017)

Section 6. This ordinance shall be in full force and effect five days from and after its passage, approval and publication as required by law.

PASSED BY THE CITY COUNCIL OF THE CITY OF KENNEWICK, WASHINGTON, this 17th day of October, 2017, and signed in authentication of its passage this 17th day of October, 2017.

Attest:

STEVE C. YOUNG, Mayor

LINDA C. SPIER, Deputy City Clerk

ORDINANCE NO. 5716 filed and recorded
in the office of the City Clerk of the City of
Kennewick, Washington this 18th day of
October, 2017.

Approved as to Form:

LISA BEATON, City Attorney

LINDA C. SPIER, Deputy City Clerk

DATE OF PUBLICATION_____

Council Agenda Coversheet



Agenda Item Number	5.a.(8)	Council Date	10/17/2017
Agenda Item Type	Ordinance		
Subject	Bridge to Bridge Implementation #8		
Ordinance/Reso #	5717	Contract #	
Project #	ZOA 17-05	Permit #	AMD-2017-02598
Department	Planning		

Consent Agenda	☐
Ordinance/Reso	☒
Public Mtg / Hrg	☐
Other	☐
Quasi-Judicial	☐

Recommendation

The Planning Commission concurs with the findings and conclusions of the staff report and recommends that the City Council approve the proposed code amendments to create the Urban Mixed Use zone and the Commercial Auto Row zone.

Motion for Consideration

I move to adopt Ordinance 5717.

Summary

This is a companion ordinance #8 of 11.

Alternatives

None recommended

Fiscal Impact

Potential fiscal impact will vary depending on when and what type of development takes place. The full impact will increase over time as development occurs.

Through

Anthony Muai
Oct 10, 10:58:39 GMT-0700 2017

Dept Head Approval

Gregory McCormick
Oct 10, 13:53:36 GMT-0700 2017

City Mgr Approval

Marie Mosley
Oct 13, 10:50:40 GMT-0700 2017

Attachments: Ordinance 5717

☐ Recording
Required?

CITY OF KENNEWICK
ORDINANCE NO. 5717

AN ORDINANCE RELATING TO RESIDENTIAL DESIGN STANDARDS
AND AMENDING SECTION 18.75.030 OF THE KENNEWICK MUNICIPAL
CODE

THE CITY COUNCIL OF THE CITY OF KENNEWICK, WASHINGTON, DO ORDAIN AS
FOLLOWS:

Section 1. Section 18.75.030 of the Kennewick Municipal Code, be, and the same hereby is,
amended to read as follows:

18.75.030: General Requirements:

(1) Standards in this Chapter are applicable to all new single-family and multi-family residential developments within the City except for the Urban Mixed Use District which shall comply with KMC 18.80. The mandatory standards will be made available in the Kennewick Municipal Code. These standards shall take precedence in case there is a conflict in the KMC. The Planning Director shall have authority to resolve any conflicts in the standards in order to promote the City's objectives and goals.

(2) All mandatory standards are to be followed throughout subdivision design and platting and multi-family design and construction. Although a developer is not bound to follow the recommended standards, these allow more flexibility than the existing code, promote better aesthetics and design solutions and are often implemented through the site plan review process (18.42.110).

(3) Single-family and multi-family development must be in conformance with the contents of this Chapter and the Design Standards on file in the Community Planning Department. If a provision of the Kennewick Municipal Code is contrary or conflicts with this Chapter, the provisions of this Chapter shall prevail. (Ord. 5717 Sec. 1, 2017; Ord. 5309 Sec. 22, 2010; Ord. 5180 Sec. 1, 2007)

Section 2. This ordinance shall be in full force and effect five days from and after its passage, approval and publication as required by law.

PASSED BY THE CITY COUNCIL OF THE CITY OF KENNEWICK, WASHINGTON, this 17th day of October, 2017, and signed in authentication of its passage this 17th day of October, 2017.

Attest:

STEVE C. YOUNG, Mayor

LINDA C. SPIER, Deputy City Clerk

ORDINANCE NO. 5717 filed and recorded
in the office of the City Clerk of the City of
Kennewick, Washington this 18th day of
October, 2017.

Approved as to Form:

LISA BEATON, City Attorney

LINDA C. SPIER, Deputy City Clerk

DATE OF PUBLICATION_____

Council Agenda Coversheet



Agenda Item Number	5.a.(9)	Council Date	10/17/2017
Agenda Item Type	Ordinance		
Subject	Bridge to Bridge Implementation #9		
Ordinance/Reso #	5718	Contract #	
Project #	ZOA 17-05	Permit #	AMD-2017-02598
Department	Planning		

Consent Agenda	☐
Ordinance/Reso	☒
Public Mtg / Hrg	☐
Other	☐
Quasi-Judicial	☐

Recommendation

The Planning Commission concurs with the findings and conclusions of the staff report and recommends that the City Council approve the proposed code amendments to create the Urban Mixed Use zone and the Commercial Auto Row zone.

Motion for Consideration

I move to adopt Ordinance 5718.

Summary

This is a companion ordinance #9 of 11.

Alternatives

None recommended

Fiscal Impact

Potential fiscal impact will vary depending on when and what type of development takes place. The full impact will increase over time as development occurs.

Through

Anthony Muai
Oct 10, 11:01:49 GMT-0700 2017

Dept Head Approval

Gregory McCormick
Oct 10, 13:53:50 GMT-0700 2017

City Mgr Approval

Marie Mosley
Oct 13, 10:52:46 GMT-0700 2017

Attachments: Ordinance 5718

☐ Recording
Required?

CITY OF KENNEWICK
ORDINANCE NO. 5718

AN ORDINANCE RELATING TO COMMERCIAL DESIGN STANDARDS
AND AMENDING SECTION 18.78.030 OF THE KENNEWICK MUNICIPAL
CODE

THE CITY COUNCIL OF THE CITY OF KENNEWICK, WASHINGTON, DO ORDAIN AS
FOLLOWS:

Section 1. Section 18.78.030 of the Kennewick Municipal Code, be, and the same hereby is,
amended to read as follows:

18.78.030: General Requirements:

(1) Standards in this Chapter are applicable to all new and remodeled commercial developments in the City's commercial zoning districts except for the ~~Downtown Commercial, Central Business District, and Commercial Marina and Urban Mixed Use District~~ Clover Island areas when the cost of remodeling and/or expansion is equal to or exceeds 50% of the current assessed value of the structure as determined by the City's building official. The mandatory standards will be made available in the Kennewick Municipal Code. These standards shall take precedence in case there is a conflict in the KMC. The Planning Director shall have authority to resolve any conflicts in the standards in order to promote the City's objectives and goals.

(2) All mandatory standards are to be followed throughout commercial design and development. Although a developer is not bound to follow the recommended standards, recommended standards allow more flexibility than the existing code and promote better aesthetics and design solution.

(3) Commercial developments must be in conformance with the contents of this Chapter and the Design Standards on file in the Community Planning Department. If a provision of the Kennewick Municipal Code is contrary or conflicts with this Chapter, the provisions of this Chapter shall prevail. Commercial developments on Clover Island must be in conformance with the Clover Island design standards on file in the Community Planning Department. (Ord. 5718 Sec. 1, 2017; Ord. 5212 Sec. 2, 2008; Ord. 5180 Sec. 1, 2007)

Section 2. This ordinance shall be in full force and effect five days from and after its passage, approval and publication as required by law.

PASSED BY THE CITY COUNCIL OF THE CITY OF KENNEWICK, WASHINGTON, this 17th day of October, 2017, and signed in authentication of its passage this 17th day of October, 2017.

Attest:

STEVE C. YOUNG, Mayor

LINDA C. SPIER, Deputy City Clerk

ORDINANCE NO. 5718 filed and recorded
in the office of the City Clerk of the City of
Kennewick, Washington this 18th day of
October, 2017.

Approved as to Form:

LISA BEATON, City Attorney

LINDA C. SPIER, Deputy City Clerk

DATE OF PUBLICATION_____

Council Agenda Coversheet



Agenda Item Number	5.a.(10)	Council Date	10/17/2017
Agenda Item Type	Ordinance		
Subject	Bridge to Bridge Implementation #10		
Ordinance/Reso #	5719	Contract #	
Project #	ZOA 17-05	Permit #	AMD-2017-02598
Department	Planning		

Consent Agenda	☐
Ordinance/Reso	☒
Public Mtg / Hrg	☐
Other	☐
Quasi-Judicial	☐

Recommendation

The Planning Commission concurs with the findings and conclusions of the staff report and recommends that the City Council approve the proposed code amendments to create the Urban Mixed Use zone and the Commercial Auto Row zone.

Motion for Consideration

I move to adopt Ordinance 5719.

Summary

This is a companion ordinance #10 of 11.

Alternatives

None recommended

Fiscal Impact

Potential fiscal impact will vary depending on when and what type of development takes place. The full impact will increase over time as development occurs.

Through

Anthony Muai
Oct 10, 11:29:14 GMT-0700 2017

Dept Head Approval

Gregory McCormick
Oct 10, 13:54:06 GMT-0700 2017

City Mgr Approval

Marie Mosley
Oct 13, 10:55:09 GMT-0700 2017

Attachments: Ordinance 5719

☐ Recording
Required?

CITY OF KENNEWICK
ORDINANCE NO. 5719

AN ORDINANCE RELATING TO URBAN MIXED USE DESIGN STANDARDS
AND ADDING A NEW CHAPTER 18.80 TO THE KENNEWICK MUNICIPAL
CODE

THE CITY COUNCIL OF THE CITY OF KENNEWICK, WASHINGTON, DO ORDAIN AS
FOLLOWS:

Section 1. There is hereby added a new Chapter 18.80 to the Kennewick Municipal Code to read
as follows:

CHAPTER 18.80

Formatted: Font: Times New Roman, 12 pt

URBAN MIXED USE DESIGN STANDARDS

SECTION:

18.80.010: Purpose

Formatted: Font: 12 pt

18.80.020: Definitions

Formatted: Font: Times New Roman, 12 pt

18.80.030: General Requirements

18.80.040: Design Standards

18.80.050: Conflict with Other Statutes

18.80.010: Purpose:

Formatted: Font: 12 pt

(1) Design standards for the Urban Mixed Use district, implement the goals and policies of the City's Comprehensive Plan by promoting quality development using the best management practice in design, project review, and construction. This Chapter is to provide clear guidelines for developments in the Urban Mixed Use district. The standards are intended to offer flexibility and creativity and promote quality development.

Formatted: Font: (Default) Times New Roman, 12 pt

(2) The underlying principles of the Urban Mixed Use Design Standards are to ensure compatibility with the surrounding character of a neighborhood, promote sustainability, offer flexibility, encourage variety and creativity in design, and provide a safe and pedestrian friendly streetscape for Kennewick. (Ord. 5719 Sec. 1 (part), 2017)

Formatted: Font: (Intl) Times New Roman

18.80.020: Definitions: "Development Standards – Urban Mixed Use Design Standards District" means standards for development in the Urban Mixed Use district in accord with the Urban Mixed Use Design Standards. (Ord. 5719 Sec. 1 (part), 2017)

Formatted: Font: Times New Roman, 12 pt

Formatted: Font: (Intl) Times New Roman

Formatted: Font: Times New Roman, 12 pt

18.80.030: General Requirements:

Formatted: Font: (Default) Times New Roman, 12 pt

(1) Standards in this Chapter are applicable to all new and remodeled developments in the City's Urban Mixed Use district when the cost of remodeling and expansion is equal to or exceeds 50% of the current assessed value of the structure as determined by the City's building official. These standards shall take precedence in case there is a conflict in the KMC. The

Community Planning Director shall have authority to resolve any conflicts in the standards in order to promote the City's objectives and goals.

(2) All standards are to be followed throughout design and development. These standards are not intended to prohibit creative design and development solutions by professional designers/developers that might generate a better quality development. (Ord. 5719 Sec. 1 (part), 2017)

Formatted: Font: (Intl) Times New Roman

Formatted: Font: Times New Roman, 12 pt

18.80.040: Design Standards

(1) STREET FRONTAGE DESIGN STANDARDS: Public streets with the Urban Mixed Use district are classified as either "A" or "B" streets. Each area designated as UMU shall have a map, prepared by and on file with the City Community Planning Department which shall be made part of this chapter. The differentiation between "A" and "B" streets is created to focus building and site design towards crucial public corridors while understanding other public ways are necessary for circulation purposes, but less important from an aesthetic perspective.

(a) "A" Street Frontage Requirements:

- (i) No vehicular access shall be allowed except at intersections with alleys and private.
- (ii) Parking areas and drive isles must be setback at least 40 feet;
- (iii) Parking areas shall be screened by a wall or fence with materials consistent with the building and/or hedge at least four feet in height and no more than six feet in height. The use of chain link fencing is prohibited.
- (iv) Minimum linear building frontage shall be 75% of the right-of-way frontage;
- (v) At least 25% of the lot frontage must have a building façade within 15 feet of the right-of-way line.
- (vi) Measured linear per floor, buildings utilized for non-residential uses shall be designed with doors and windows of at least 100 square feet each spaced at intervals of no more than 20 feet on center along the building frontage;
- (vii) Measured linear per floor, buildings utilized for residential uses shall be designed with doors and windows of at least 10 square feet each spaced at intervals of no more than 10 feet on center along the building frontage;

(b) "B" Street Frontage Requirements:

- (i) Up to 100% of the right-of-way frontage may be utilized for vehicle parking, delivery zones, garage doors and other non-pedestrian oriented element
- (ii) In situations where parking areas abut a "B" Street, 75% of the frontage must have an edge treatment including a wall, fence or hedge at least four feet in height and no more than six feet in height together with a street tree spaced no more than every 50 feet;
- (iii) Measured linear per floor, buildings utilized for non-residential uses shall be designed with doors and windows of at least 100 square feet each spaced at intervals of no more than 20 feet on center along the building frontage;

(iv) Measured linear per floor, buildings utilized for residential uses shall be designed with doors and windows of at least 10 square feet each spaced at intervals of no more than 10 feet on center along the building frontage.

Formatted: Right: 0.01", Widow/Orphan control, Keep with next

(2) BLOCK STANDARDS: Connectivity throughout the UMU district is a key element to assuring the vibrancy the City intends, therefore maximum block size shall not exceed 10 acres. The following requirements are mandatory and apply to any development with the UMU district regardless of frontage on a public "A" or "B" or private street or alley.

(a) Boundaries for block size measurement shall be A & B streets as well as the boundary of the UMU district and the boundary of parcels held under separate ownership.

(3) SITE DESIGN STANDARDS: The following requirements are mandatory and apply to any development with the UMU district regardless of frontage on a public "A" or "B" or private street or alley:

(a) Front, side and rear yard building setbacks shall not be required except as necessary to comply with visibility triangles.

(i) Front yard area surfaces shall be at least 50% hardscape consisting of concrete, pavers, brick, stone, compacted walkable gravel, or similar materials.

(ii) Maximum of 20% non-native planting is permitted in the front yard area.

(iii) Maximum height of a fence, wall or hedge in the front yard is four feet and a wall or fence materials must be consistent with the building materials.

(b) All off-street parking in the UMU district shall not be located between streets and buildings and at least 10 feet behind the front line of the building.

(i) Parking area lots exceeding 50 spaces shall be broken into smaller areas through use of landscaping pedestrian connections. A landscaped area shall be within 75 feet of any parking stall.

(c) Outdoor Lighting

(i) Comply with KMC 18.76.

(ii) Parking lots must have a minimum illumination of 0.6 foot-candles at ground level.

(d) Loading and service areas, and trash receptacles must be located in the rear of the site and trash dumpsters or collectors must be in an enclosed area consistent with the overall architectural and site planning scheme. The use of chain link fencing is prohibited for trash dumpster enclosures.

(e) Transit service is one of crucial element alternative transportation components within the UMU district and cohesive connections between buildings, parking areas and the public and private street network to existing and future Ben-Franklin Transit Authority routes and stops must be convenient and ADA compliant.

(4) BUILDING DESIGN STANDARDS: The following requirements apply to any development within the UMU district regardless of frontage on a public "A" or "B" or private-street or alley:

(a) Building footprint shall not exceed 60,000 square feet.

(b) A single architectural style is not required for new or remodeled buildings, but a building's style shall be consistent throughout.

(i) Approved building facing materials include: brick, wood, stucco, stone.

- and metal. The following street front siding materials are prohibited:
- (A) Plain concrete masonry unit;
 - (B) Unfinished tilt-up concrete slab; or
 - (C) Vinyl or plastic siding.
- (ii) Unpainted brick may not be painted, except for clear graffiti preventing finishes.
- (c) Building entries shall be located on the street side of the building. Buildings located on street corners shall have additional architectural detailing to emphasize the street corner, which may include, for example: corner entry, balcony, integrated signage, public art, and pedestrian amenities. Buildings or public amenities located on corners shall abut the property line on each side of the corner except when additional sidewalk is provided for outdoor seating or public use.
- (d) Vestibules, entries, windows, and other architectural features shall provide further visual definition and reduce the visual mass of buildings in excess of 5,000 square feet in floor area.
- (e) Buildings constructed for non-residential use on the ground must have first floor ceiling heights taller than upper stories. (First floor ceiling heights are a minimum of 10 feet to accommodate transom windows.)
- (f) Awnings may extend four feet over the walkway from the building's face, provided there is no obstruction of street trees and/or street lights as approved by the City.
- (g) Windows provide a visual entry into a business and the goods and services offered while providing security. Windows in buildings utilized for retail, wholesale, office and service uses shall meet the following standards:
- (i) No more than twenty-five percent (25%) of the gross square footage of display windows may be used for temporary or permanent signage for advertising, promotion or community service announcements.
 - (ii) Windows shall not be permanently darkened by use of applied films at street level. First story windows shall not be covered but shall provide visual access from street and sidewalks. Windows located above the street level may be covered by curtains, shades, or other temporary coverings.
- (h) Entrance to the building must be made visible and prominent by using large entry doors, porches, protruding, or recessed entrances. Primary pedestrian entrances must face public streets, open spaces or plazas whenever available.
- (i) Backside of the building and service areas must not be located facing a public street.
- (j) Backside of the building shall be consistent with the front side of the building in terms of design style, building material and architectural features.
- (k) Electrical and mechanical equipment when placed on the rooftop shall be obscured from view (i.e. by using parapet).
- (l) Mechanical equipment when placed on the ground or through a wall shall not be located between the building front line and any public or private street. (Ord. 5719 Sec. 1 (part), 2017)

18.80.050: Conflict with Other Statutes: Where a provision of the Kennewick Municipal Code, the Revised Code of Washington, or the United States Code requires, for the purpose of health,

Formatted: Font: Times New Roman, 12 pt

welfare, or public safety, a requirement contrary to the provisions of this Chapter, said provision shall prevail over any or all requirements of this Chapter. (Ord. 5719 Sec. 1 (part), 2017)

Formatted: Font: Times New Roman, 12 pt

Section 2. This ordinance shall be in full force and effect five days from and after its passage, approval and publication as required by law.

PASSED BY THE CITY COUNCIL OF THE CITY OF KENNEWICK, WASHINGTON, this 17th day of October, 2017, and signed in authentication of its passage this 17th day of October, 2017.

Attest:

STEVE C. YOUNG, Mayor

LINDA C. SPIER, Deputy City Clerk

ORDINANCE NO. 5719 filed and recorded
in the office of the City Clerk of the City of
Kennewick, Washington this 18th day of
October, 2017.

Approved as to Form:

LISA BEATON, City Attorney

LINDA C. SPIER, Deputy City Clerk

DATE OF PUBLICATION _____

Council Agenda Coversheet



Agenda Item Number	5.a.(11)	Council Date	10/17/2017
Agenda Item Type	Ordinance		
Subject	Bridge to Bridge Implementation #11		
Ordinance/Reso #	5723	Contract #	
Project #	ZOA 17-05	Permit #	AMD-2017-02598
Department	Planning		

Consent Agenda	☐
Ordinance/Reso	☒
Public Mtg / Hrg	☐
Other	☐
Quasi-Judicial	☐

Recommendation

The Planning Commission concurs with the findings and conclusions of the staff report and recommends that the City Council approve the proposed areawide rezone to implement the Bridge-to-Bridge/River-to-Railroad Revitalization Plan.

Motion for Consideration

I move to adopt Ordinance 5723.

Summary

This is a companion ordinance #11 of 11.

Alternatives

None recommended

Fiscal Impact

Potential fiscal impact will vary depending on when and what type of development takes place. The full impact will increase over time as development occurs.

Through

Anthony Muai
Oct 11, 10:37:19 GMT-0700 2017

Dept Head Approval

Gregory McCormick
Oct 11, 11:18:09 GMT-0700 2017

City Mgr Approval

Marie Mosley
Oct 13, 11:06:46 GMT-0700 2017

Attachments: Existing comprehensive land use map
Ordinance 5723
Proposed zoning map
Existing zoning map

☐ Recording
Required?

CITY OF KENNEWICK
ORDINANCE NO. 5723

AN ORDINANCE AMENDING THE ZONING CLASSIFICATION OF CERTAIN REAL PROPERTY WITHIN THE CITY OF KENNEWICK BOUNDED BY THE COLUMBIA RIVER TO THE NORTH; GUM STREET (SR 397) ON THE EAST; BNSF RAILROAD RIGHT OF WAY TO THE SOUTH; AND US 395 (BLUE BRIDGE) ON THE WEST FROM COMMERCIAL, GENERAL (CG), COMMERCIAL, COMMUNITY (CC), INDUSTRIAL, LIGHT (IL) AND RESIDENTIAL, HIGH DENSITY (RH) TO URBAN MIXED USE (UMU); COMMERCIAL, GENERAL (CG), COMMERCIAL, COMMUNITY (CC) AND RESIDENTIAL, HIGH DENSITY (RH) TO COMMERCIAL, AUTO ROW (CAR); RESIDENTIAL, LOW DENSITY (RL) AND COMMERCIAL, GENERAL (CG) TO RESIDENTIAL, HIGH DENSITY (RH); AND COMMERCIAL, GENERAL (CG) TO COMMERCIAL, NEIGHBORHOOD (CN) (ZOA 17-05, BRIDGE-TO-BRIDGE/ RIVER-TO-RAILROAD AREA-WIDE REZONE)

THE CITY COUNCIL OF THE CITY OF KENNEWICK, WASHINGTON, DO ORDAIN AS FOLLOWS:

Section 1. Ordinance No. 3001, as amended, the zoning ordinance of the City of Kennewick and the accompanying zoning map of the City of Kennewick being part of said ordinance shall be and hereby is changed from Commercial, General (CG), Commercial, Community (CC), Industrial, Light (IL) and Residential, High Density (RH) to Urban Mixed Use (UMU); Commercial, General (CG), Commercial, Community (CC) and Residential, High Density (RH) to Commercial, Auto Row (CAR); Residential, Low Density (RL) and Commercial, General (CG) to Residential, High Density (RH); and Commercial, General (CG) to Commercial, Neighborhood (CN) as shown on Exhibit 1 which is attached hereto and by this reference incorporated herein.

Section 2. The City Council finds the amendments described in Section 1 above are in conformance with the Comprehensive Plan of the City.

Section 3. Severability Clause. If any provision of this amendatory ordinance or its application to any persons or circumstances is held invalid, the remainder of the act or the application of the provision to other persons or circumstances is not affected.

Section 4. The Responsible Official for the State Environmental Policy Act has determined that the proposal will not have a probable significant adverse impact on the quality of the environment.

Section 5. This ordinance shall be in full force and effect five (5) days from and after its approval, passage and publication as required by law.

PASSED BY THE CITY COUNCIL OF THE CITY OF KENNEWICK, WASHINGTON, this 17th day of October, 2017, and signed in authentication of its passage this 17th day of October, 2017.

Attest:

STEVE C. YOUNG, Mayor

LINDA C. SPIER, Deputy City Clerk

ORDINANCE NO. 5723 filed and recorded
in the office of the City Clerk of the City of
Kennewick, Washington this 18th day of
October, 2017.

Approved as to form:

LISA BEATON, City Attorney

LINDA C. SPIER, Deputy City Clerk

DATE OF PUBLICATION_____

EXHIBIT 1

COMMERCIAL, GENERAL (CG), COMMERCIAL, COMMUNITY (CC), INDUSTRIAL, LIGHT (IL) AND RESIDENTIAL, HIGH DENSITY (RH) TO URBAN MIXED USE (UMU):

BEGINNING AT THE INTERSECTION OF N. FRUITLAND ST. AND W. DESCHUTES AVE.; THENCE EAST ALONG THE CENTERLINE OF W. DESCHUTES AVE. TO THE INTERSECTION OF N. DAYTON ST. AND W. DESCHUTES AVE.; THENCE SOUTH ALONG THE CENTERLINE OF N. DAYTON ST. TO THE INTERSECTION OF W. RAILROAD AVE. AND N. DAYTON ST.; THENCE SOUTHEAST ALONG THE CENTERLINE OF W. RAILROAD AVE. TO THE INTERSECTION OF N. WASHINGTON ST. AND W. RAILROAD AVE.; THENCE SOUTH ALONG THE CENTERLINE OF N. WASHINGTON ST. TO THE INTERSECTION OF N. WASHINGTON ST. AND E. BRUNEAU AVE.; THENCE EAST ALONG THE CENTERLINE OF E. BRUNEAU AVE. TO THE INTERSECTION OF E. BRUNEAU AVE. AND N. GUM ST.; THENCE NORTH ALONG THE CENTERLINE OF N. GUM ST. TO THE UNITED STATES ARMY CORP OF ENGINEERS TAKING LINE; THENCE WESTERLY ALONG THE UNITED STATES ARMY CORP OF ENGINEERS TAKING LINE TO THE CENTERLINE OF N. FRUITLAND ST.; THENCE SOUTH ALONG THE CENTERLINE OF N. FRUITLAND ST. TO THE POINT OF BEGINNING;

TOGETHER WITH THAT LAND LYING SOUTH OF THE UNITED STATES ARMY CORP OF ENGINEERS TAKING LINE, WEST OF THE CENTERLINE OF N. HARTFORD ST., NORTH OF THE CENTERLINE OF W. KLAMATH AVE. AND EAST OF THE EASTERN EDGE OF THE WSDOT RIGHT OF WAY; AND

TOGETHER WITH THAT LAND LYING SOUTH OF THE CENTERLINE OF W. KLAMATH AVE., WEST OF THE CENTERLINE OF N. KENT PL., AND NORTHEAST OF THE EASTERN EDGE OF THE WSDOT RIGHT OF WAY; AND

TOGETHER WITH NEELS ADDITION BLOCK 1, LOTS 1-6; AND

TOGETHER WITH HALLS ADDITION LOTS 2-7; AND

TOGETHER WITH HALLS ADDITION, LOT 1, TOGETHER WITH 25 FEET OF VACATED N KENT ST ON WEST AF# 368717 2-25-57. TOGETHER WITH LOT 2 AND THE EAST ONE-HALF OF LOT 13. ACCORDING TO THE PLAT THEREOF RECORDED IN VOLUME 3 OF PLATS, PAGE 65, RECORDS OF BENTON COUNTY, WASHINGTON. SWD, AF #2003-042494 (9/3/2003); AND

TOGETHER WITH KENNEWICK GARDENS, THE EAST 105 FEET OF THE NORTH 70 FEET OF TRACT 14. EXCEPT THE NORTH 10 FEET OF THE EAST 105 FEET, QUIT CLAIM DEED 12-5-56; AND

TOGETHER WITH KENNEWICK GARDENS, THE EAST 105 FEET OF THE SOUTH 30 FEET OF THE NORTH 100 FEET OF TRACT 14; AND

TOGETHER WITH DELMAR'S ADDITION TO KENNEWICK: LOT 4, PORTION OF LOTS 1, 2 AND 3 LYING SOUTHERLY OF A LINE WHICH LIES PARALLEL TO AND SOUTHERLY A DISTANCE OF 6 INCHES: WHEN MEASURED AT RIGHT ANGLE TO THE FOLLOWING DESCRIBED LINE: BEGINNING AT A POINT ON THE WASHINGTON COORDINATE SYSTEM, S ZONE, THE Y COORDINATE BEING NORTH 325,606.71' AND THE X COORDINATE BEING EAST 2,347,804.23' (SAID POINT LYING APPROXIMATELY 309 FEET NORTH AND 133 FEET WEST OF THE SOUTHEAST CORNER OF SAID DELMAR'S ADDITION); THENCE NORTH 60 DEGREES 53'51.4" WEST, A DISTANCE OF 344.78 FEET TO POINT OF TERMINUS OF THE ABOVE DESCRIBED LINE: VACATED EAST ONE-HALF OF ALLEY, ORDINANCE #1751, 3-21-74. TOGETHER WITH PORTION OF VACATED NORTH GARFIELD STREET, ADJACENT 3-12-82: AND ORD. 2648; AND

TOGETHER WITH THAT PORTION OF YAKIMA IRRIGATION AND IMPROVEMENT COMPANY'S PLAT OF KENNEWICK LYING WEST OF THE WESTERN BOUNDARY OF BLOCK 4; AND NORTH OF THE

SOUTHERN LOT LINE OF LOT 4, BLOCK 3; AND SOUTH OF THE US ARMY CORP OF ENGINEERS TAKING LINE.

COMMERCIAL, GENERAL (CG), COMMERCIAL, COMMUNITY (CC) AND RESIDENTIAL, HIGH DENSITY (RH) TO COMMERCIAL, AUTO ROW (CAR):

BEGINNING AT THE INTERSECTION OF N. FRUITLAND ST. AND UNITED STATES ARMY CORP OF ENGINEERS TAKING LINE; THENCE SOUTH ALONG THE CENTERLINE OF N. FRUITLAND ST. TO THE INTERSECTION OF N. FRUITLAND ST. AND W. GRAND RONDE AVE. THENCE WEST ALONG THE CENTERLINE OF W. GRAND RONDE AVE. TO THE WSDOT RIGHT OF WAY; THENCE NORTHEAST ALONG THE WSDOT RIGHT OF WAY TO THE CENTERLINE OF W. COLUMBIA DR.; THENCE EAST ALONG THE CENTERLINE OF W. COLUMBIA DR. TO THE INTERSECTION OF N. GARFIELD ST. AND W. COLUMBIA DR.; THENCE NORTH ALONG THE CENTERLINE OF N. GARFIELD ST. TO THE INTERSECTION OF N. GARFIELD ST. AND THE UNITED STATES ARMY CORP OF ENGINEERS TAKING LINE; THENCE SOUTHEAST ALONG THE UNITED STATES ARMY CORP OF ENGINEERS TAKING LINE TO THE INTERSECTION OF N. FRUITLAND ST. AND THE UNITED STATES ARMY CORP OF ENGINEERS TAKING LINE WHICH IS THE POINT OF BEGINNING;

TOGETHER WITH HALLS ADDITION, LOTS 8-28 AND THAT PORTION OF ADJACENT VACATED WEST JOHN DAY AVENUE PER ORDINANCE #5042 (AF#2004-034872); AND

TOGETHER WITH KENNEWICK GARDENS, TRACT 14, LESS THE WEST 323 FEET THEREOF, LESS STATE HIGHWAY AND LESS THE EAST 105 FEET OF THE NORTH 100 FEET 6-28-51. PUD EASEMENT 12-5-51 AND LESS PORTION TO CITY 4-21-55. ALSO EXCEPT THE SOUTH 220 FEET OF TRACT 14 OF KENNEWICK GARDENS, ACCORDING TO THE PLAT THEREOF RECORDED IN VOLUME 1, PAGE 16, RECORDS OF BENTON COUNTY, WASHINGTON, EXCEPT THE EAST 155 FEET AND EXCEPT THE WEST 323 FEET AND THE PORTION DEEDED TO THE STATE OF WASHINGTON FOR HIGHWAY PURPOSES. (per QCD for BLA, AF#97-25155, 10/1/97). ALSO EXCEPT A STRIP OF LAND SITUATED IN TRACT 14 OF KENNEWICK GARDENS, ACCORDING TO THE PLAT THEREOF RECORDED IN VOLUME 1, PAGE 16, RECORDS OF BENTON COUNTY, WASHINGTON, EXCEPT THE EAST 155 FEET AND EXCEPT THE WEST 323 FEET AND EXCEPT THE SOUTH 220 FEET (BLA per QCD AF#97-25156, 10/1/97); AND ALSO TOGETHER WITH THAT PORTION OF VACATED WEST JOHN DAY AVE PER ORDINANCE #5042 (Desc chng, AF#2004-034872, 9/30/04); AND

TOGETHER WITH NEELS ADDITION, BLOCK 1, LOTS 7-13 AND BLOCK 2, LOTS 1-14; AND

TOGETHER WITH YAKIMA IRRIGATION AND IMPROVEMENT COMPANY'S PLAT OF KENNEWICK, BLOCK 3, LOTS 5-16 TOGETHER WITH VACATED ALLEY LESS PORTION TO THE CITY OF KENNEWICK FOR STREET RIGHT OF WAY; AND

TOGETHER WITH DELMARS ADDITION TO KENNEWICK, LOTS 5-10.

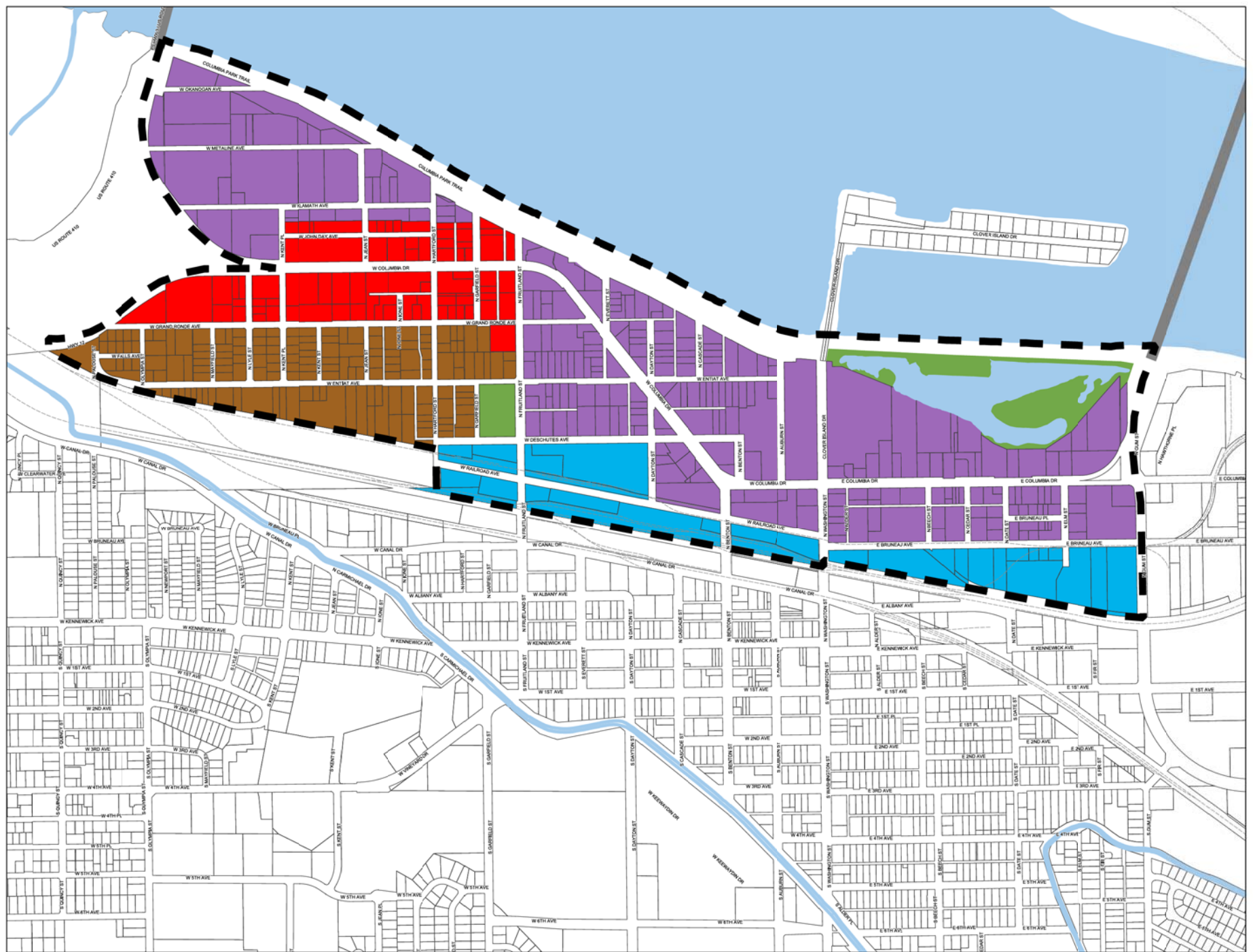
COMMERCIAL, GENERAL (CG) TO COMMERCIAL, NEIGHBORHOOD (CN):

N.P.I. CO'S AMENDED PLAT OF KENNEWICK: LOT C, PORTION OF TRACT C DEFINED AS FOLLOWS: BEGINNING AT THE SOUTHEAST CORNER OF TRACT C: THENCE NORTH 210 FEET TO THE TRUE POINT OF BEGINNING: THENCE NORTH 210 FEET TO THE NORTHEAST CORNER: THENCE WEST 402.5 FEET: THENCE SOUTH 210 FEET: THENCE EAST 402.5 FEET TO THE TRUE POINT OF BEGINNING: EXCEPT THE EAST 100.625 FEET OF THE WEST 308.125 FEET OF THE NORTH 210 FEET: LESS PORTION DEFINED AS FOLLOWS: THE WEST 100 FEET OF THE ABOVE DESCRIBED PROPERTY (PLATTED SHORTPLAT #149). LESS PORTION TO STATE 8-20-81. SUBJECT TO EASEMENTS AND RESTRICTIONS OF RECORD, 2-6-76.

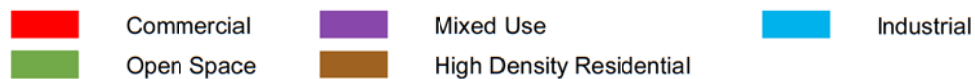
**RESIDENTIAL, LOW DENSITY (RL) AND COMMERCIAL, GENERAL (CG) TO
RESIDENTIAL, HIGH DENSITY:**

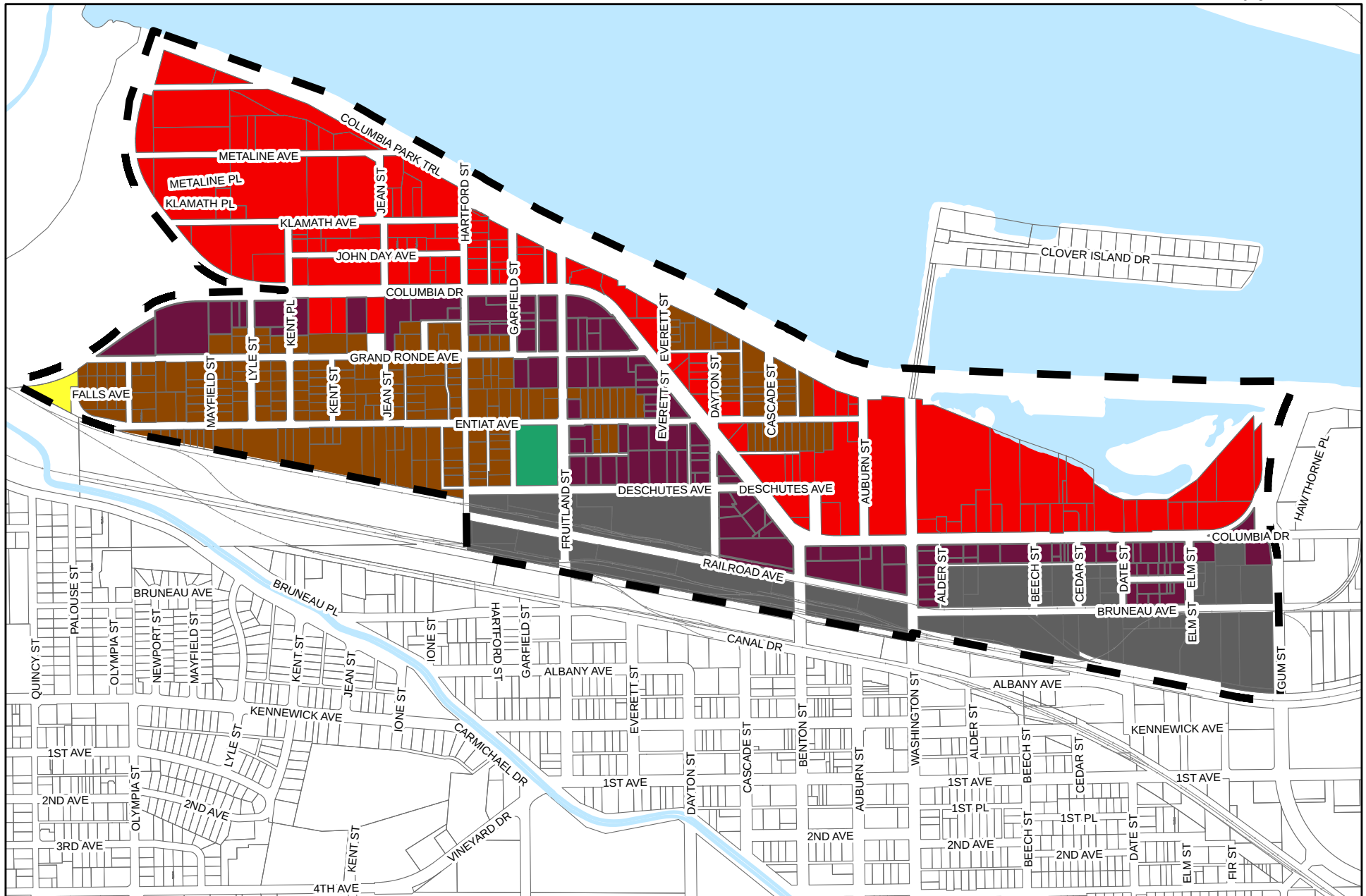
BEGINNING AT THE INTERSECTION OF N. FRUITLAND ST. AND W. GRAND RONDE AVE.; THENCE WEST ALONG THE CENTERLINE OF W. GRAND RONDE AVE. TO THE WSDOT RIGHT OF WAY; THENCE SOUTH ALONG THE WSDOT RIGHT OF WAY TO THE INTERSECTION OF RAILROAD RIGHT OF WAY AND WSDOT RIGHT OF WAY; THENCE SOUTHEAST ALONG THE RAILROAD RIGHT OF WAY TO THE CENTERLINE OF N HARTFORD ST.; THENCE NORTH TO THE INTERSECTION OF W. DESCHUTES AVE. AND N. HARTFORD ST.; THENCE EAST ALONG THE CENTERLINE OF W. DESCHUTES AVE. TO THE INTERSECTION OF W. DESCHUTES AVE. AND N. GARFIELD ST.; THENCE NORTH ALONG THE CENTERLINE OF N. GARFIELD ST. TO THE INTERSECTION OF N. GARFIELD ST. AND W. ENTIAT AVE.; THENCE EAST ALONG THE CENTERLINE OF W. ENTIAT AVE. TO THE INTERSECTION OF W. ENTIAT AVE. AND N. FRUITLAND ST.; THENCE NORTH ALONG THE CENTERLINE OF N. FRUITLAND ST. TO THE POINT OF BEGINNING;

EXCEPT THAT PORTION DESCRIBED AS FOLLOWS: N.P.I. CO'S AMENDED PLAT OF KENNEWICK: LOT C, PORTION OF TRACT C DEFINED AS FOLLOWS: BEGINNING AT THE SOUTHEAST CORNER OF TRACT C: THENCE NORTH 210 FEET TO THE TRUE POINT OF BEGINNING; THENCE NORTH 210 FEET TO THE NORTHEAST CORNER: THENCE WEST 402.5 FEET: THENCE SOUTH 210 FEET: THENCE EAST 402.5 FEET TO THE TRUE POINT OF BEGINNING; EXCEPT THE EAST 100.625 FEET OF THE WEST 308.125 FEET OF THE NORTH 210 FEET: LESS PORTION DEFINED AS FOLLOWS: THE WEST 100 FEET OF THE ABOVE DESCRIBED PROPERTY (PLATTED SHORTPLAT #149). LESS PORTION TO STATE 8-20-81. SUBJECT TO EASEMENTS AND RESTRICTIONS OF RECORD, 2-6-76.



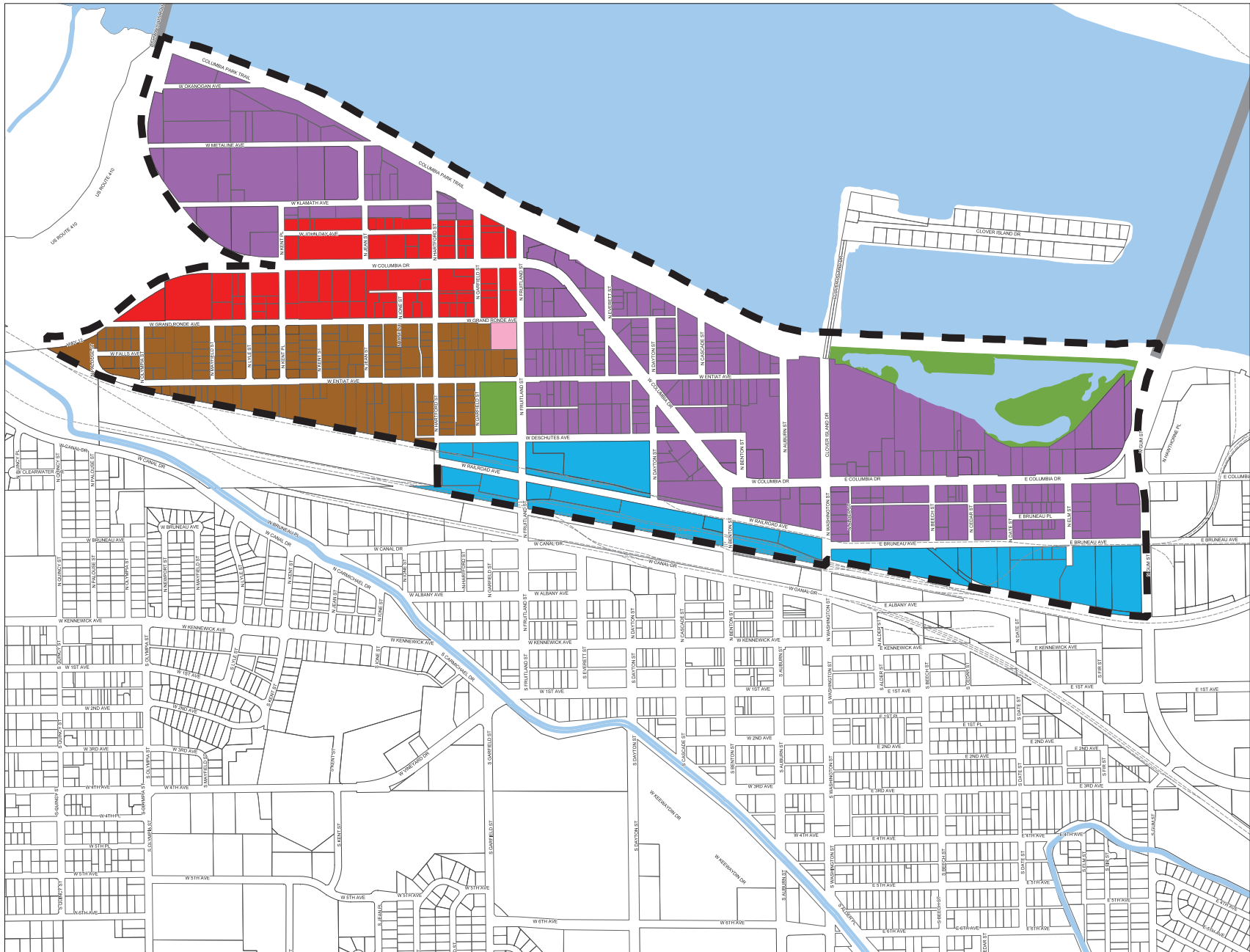
Current land use map





Existing Zoning





Proposed zoning

- | | | |
|---|---|--|
| Commercial, Auto Row | Urban Mixed Use | Industrial, Light |
| Commercial, Neighborhood | Residential, High | Open Space |

Council Agenda Coversheet



Agenda Item Number	6.a.	Council Date	10/17/2017
Agenda Item Type	Resolution		
Subject	Easement Vacation - 7 W. 19th Avenue		
Ordinance/Reso #	17-23	Contract #	
Project #		Permit #	ENG-2017-02491
Department	Public Works		

Consent Agenda	☐
Ordinance/Reso	☒
Public Mtg / Hrg	☒
Other	☐
Quasi-Judicial	☐

Recommendation

Staff recommends that Council consider the request to vacate a 10 ft utility easement located at 7 W. 19th Avenue.

Motion for Consideration

I move to adopt Resolution 17-23.

Summary

Notice of the October 17, 2017 public hearing to consider the request to vacate a 10 ft utility easement was published in the Tri-City Herald on Saturday, October 7, 2017.

Juan Garcia of Trinity Homes is requesting on behalf of Anthony & Jeanne Duerring the vacation of a 10 ft utility easement. The applicant is currently in the process of dividing a 1.21 acre vacant lot into two lots under SP 17-06. There are no utilities in the easement and the easement is being relocated to the west property line as apart of SP 17-06 for possible future needs. This vacation is needed in order to build two houses, one on each of the new lots under SP 17-06.

Affected utility companies and City staff have reviewed and have no objections to the proposed vacation.

Alternatives

None recommended.

Fiscal Impact

None.

Through	Bruce Beauchene Oct 10, 11:36:58 GMT-0700 2017
Dept Head Approval	Cary Roe Oct 10, 19:35:06 GMT-0700 2017
City Mgr Approval	Marie Mosley Oct 13, 11:00:45 GMT-0700 2017

Attachments:

Resolution
Deed
Drawing

☒ Recording
Required?

CITY OF KENNEWICK
RESOLUTION NO. 17-23

A RESOLUTION OF THE CITY OF KENNEWICK DECLARING SURPLUS A
PORTION OF CERTAIN UTILITY EASEMENT LYING WITHIN 7 WEST 19TH
AVENUE

WHEREAS, Anthony and Jeanne Duerring have requested the vacation of certain utility easements located on their property; and

WHEREAS, RCW 35.94.040 provides for the disposal of surplus property originally required for public utility purposes; and

WHEREAS, notice has been published on October 7, 2017, that a public hearing would be held on this date concerning disposal of this property; NOW, THEREFORE,

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF KENNEWICK, WASHINGTON that property originally acquired for the purpose of utility easement and described as follows:

THAT PORTION OF THE NORTHEAST QUARTER OF THE SOUTHEAST
QUARTER OF SECTION 12, TOWNSHIP 8 NORTH, RANGE 29 EAST,
WILLAMETTE MERIDIAN, BENTON COUNTY, WASHINGTON,
DESCRIBED AS FOLLOWS:

THE EAST 10.00 FEET OF LOT 2, SHORT PLAT NO. 91, ACCORDING TO
THE SURVEY THEREOF RECORDED JULY 24, 1975 UNDER AUDITOR'S
FILE NO. 685012, RECORDS OF BENTON COUNTY, WASHINGTON.
EXCEPT THE NORTH 10.00 FEET THEREOF,

is hereby found to be surplus to the City's needs and not required for the providing of continued services; and

BE IT FURTHER RESOLVED that the consideration to be paid for the release of this easement shall be \$50.00; and

BE IT FURTHER RESOLVED that the Mayor of the City of Kennewick is authorized to deed by quit claim to Anthony and Jeanne Duerring the above-described easement and deliver the same upon payment.

PASSED BY THE CITY COUNCIL OF THE CITY OF KENNEWICK, WASHINGTON, this 17th day of October, 2017, and signed in authentication of its passage this 17th day of October 2017.

STEVE C. YOUNG, Mayor

Attest:

LINDA C. SPIER, Deputy City Clerk

RESOLUTION NO. 17-23 filed and recorded in the
office of the City Clerk of the City of Kennewick,
Washington, this 18th day of October, 2017.

Approved as to Form:

LISA BEATON, City Attorney

LINDA C. SPIER, Deputy City Clerk

City of Kennewick
PO Box 6108
Kennewick, WA 99336

Tax Parcel ID # 1-1289-401-0091-007
COK Permit # ENG-2017-02491

THAT PORTION OF THE NORTHEAST QUARTER OF THE SOUTHEAST QUARTER
OF SECTION 12, TOWNSHIP 8 NORTH, RANGE 29 EAST, WILLAMETTE MERIDIAN,
BENTON COUNTY, WASHINGTON, DESCRIBED AS FOLLOWS:

THE EAST 10.00 FEET OF LOT 2, SHORT PLAT NO. 91, ACCORDING TO THE SURVEY THEREOF RECORDED JULY 24, 1975 UNDER AUDITOR'S FILE NO. 685012, RECORDS OF BENTON COUNTY, WASHINGTON. EXCEPT THE NORTH 10.00 FEET THEREOF,

CITY OF KENNEWICK, WASHINGTON

Attest:

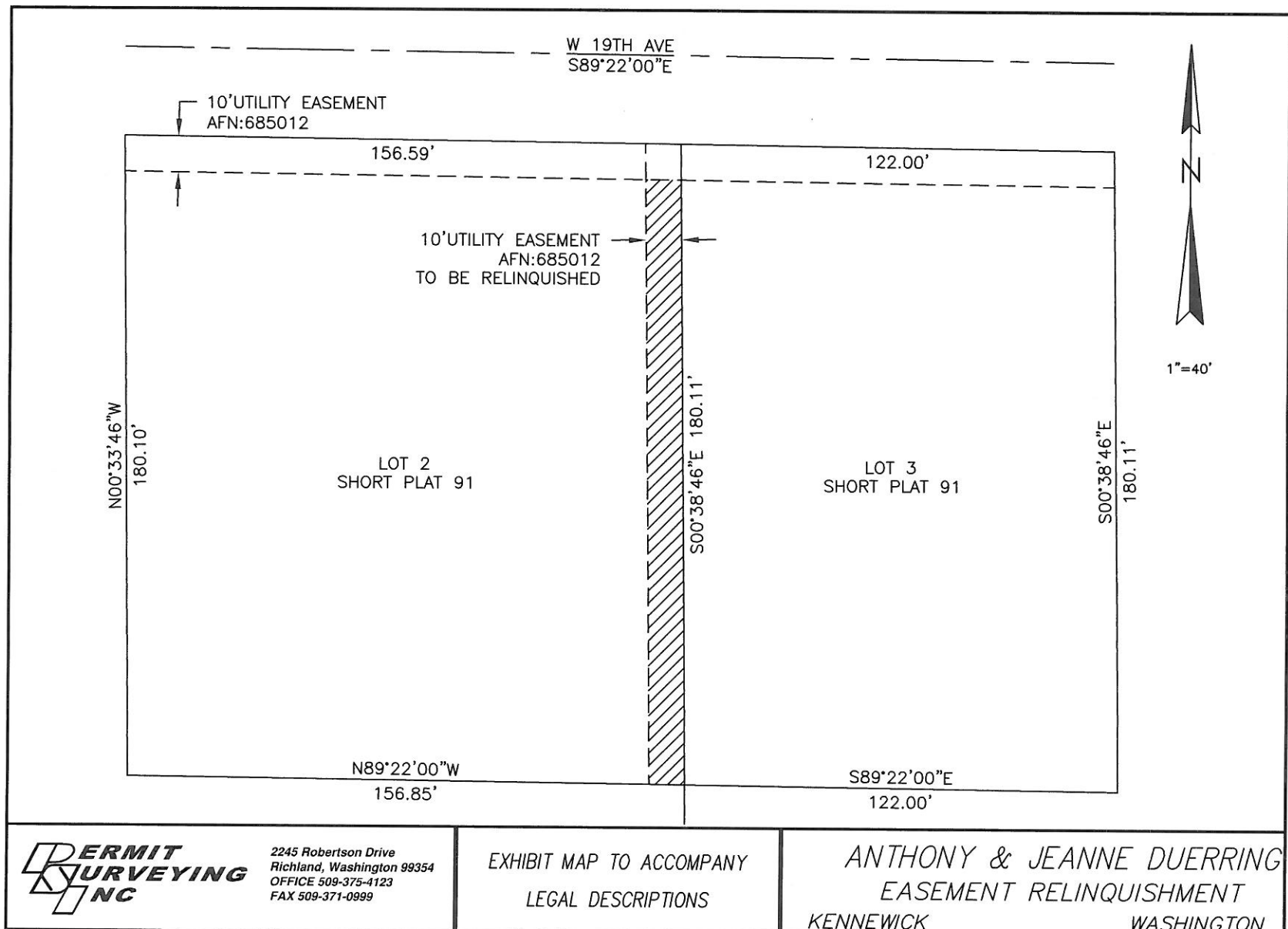
LINDA C. SPIER, Deputy City Clerk

STATE OF WASHINGTON)
)ss.
COUNTY OF BENTON)

I certify that on this 17th day of October, 2017, before me, the undersigned Notary Public in and for the State of Washington, duly commissioned and sworn, personally appeared Steve C. Young and Linda C. Spier to me known to be the Mayor and Deputy City Clerk, respectively, of the City of Kennewick, Washington, the corporation that executed the foregoing instrument and acknowledged said instrument to be the free and voluntary act and deed of said municipal corporation for the uses and purposes therein mentioned, and on oath stated that they are authorized to execute said instrument.

Witness my hand and official seal hereto affixed the day and year first above written.

Notary Public in and for the State of
Washington residing at _____
My Commission Expires: _____





City Council Meeting Schedule November 2017

November 7, 2017
Tuesday, 6:30 p.m.

REGULAR COUNCIL MEETING

November 14, 2017
Tuesday, 6:30 p.m.

WORKSHOP MEETING

1. Mid-Biennium Review
2. 2018 Property Tax Levy
3. Vista Field Master Plan

November 21, 2017
Tuesday, 6:30 p.m.

REGULAR COUNCIL MEETING

November 28, 2017
Tuesday, 6:30 p.m.

WORKSHOP MEETING

1. Park Impact Fees
2. Diversity Commission
3. Small Cell Facilities Code Amendments

To assure disabled persons the opportunity to participate in or benefit from City services, please provide twenty-four (24) hour advance notice for additional arrangements to reasonably accommodate special needs.

Please be advised that all Kennewick City Council Meetings are Audio Taped

November 2017
Updated 10/3/17