



City Council Meeting Schedule May 2017

May 2, 2017
Tuesday, 6:30 p.m.

WORKSHOP MEETING

1. 2016 Police Department Annual Report
 - Retiree Recognition

Tuesday, TBD*

REGULAR COUNCIL MEETING *(to begin immediately following conclusion of the workshop).

May 9, 2017
Tuesday, 6:30 p.m.

WORKSHOP MEETING

1. Kennewick Public Facilities District Update
2. Parks & Recreation, Arts Commission and Planning Commission Work Plans
3. Park Mitigation Fees
4. Comprehensive Plan Amendment Update – Land Use Element (Part 1)
5. EXECUTIVE SESSION (RCW 42.30.110(1)(g) – Collective Bargaining Contract (15 minutes)

May 16, 2017
Tuesday, 6:30 p.m.

REGULAR COUNCIL MEETING

May 23, 2017
Tuesday, 6:30 p.m.

WORKSHOP MEETING

1. Legislative Update
2. Workplace Safety Update
3. High Strength Waste
4. Comprehensive Plan Amendment Update – Land Use Element (Part 2)

May 30, 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

Council Workshop Coversheet



Agenda Item Number	1.	Meeting Date	05/09/2017
Agenda Item Type	Presentation		
Subject	KPF/D/VenuWorks 2016 Annual Presentation		
Ordinance/Reso #		Contract #	
Project #		Permit #	
Department	Finance		

Info Only	☒
Policy Review	☐
Policy DevMnt	☐
Other	☐

Summary

At the May 9, 2017 City Council workshop, the Kennewick Public Facilities District and VenuWorks will be providing City Council with their 2016 annual report for the Three Rivers Campus.

Through

Dept Head Approval

City Mgr Approval

Dan Legard
May 03, 08:00:31 GMT-0700 2017

Marie Mosley
May 04, 21:42:22 GMT-0700 2017

Attachments: Presentation



2017

Yearend Presentation

May 9, 2017

Home of the...



Three Rivers Convention Center

Regional Conferences:

- Washington/ Oregon Potato Growers Association
- Washington Hay Growers Association
- Washington Association of Wine Grape Growers
- Northwest Nazarene
- Association of Public Communications Operators
- Pacific Northwest Vegetable Association
- Pacific Northwest Direct Seed Association
- Washington Finance Officers Association
- Washington Horticultural Association
- Washington State Self Insurers Association

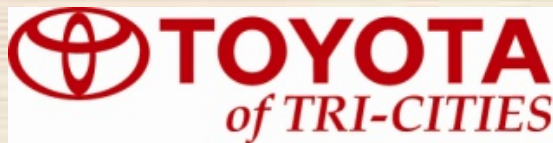
Three Rivers Convention Center Annual Conferences

These **10** Conferences
Account for:

16,500

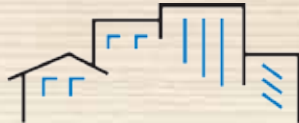
Visitors in our Hotels,
Restaurants and Stores

Toyota Center Partners



Toyota Center Suite Owners

Retter & Company | Sotheby's
INTERNATIONAL REALTY


KENMORE TEAM, LLC
RESIDENTIAL DIVISION



 **TOYOTA**
of TRI-CITIES

Apollo



KING BEVERAGE INC.

 **CARR FARMS**



Many Faces of the Campus



2016 Sold Out Events



Dierks Bentley
Snoop Dogg
KISS



Three Rivers Convention Center Sold Out



Toyota Center Celebrates 28 Years!

Over 11,007,964 Visitors!



2016 Attendance

Toyota Center
365,903

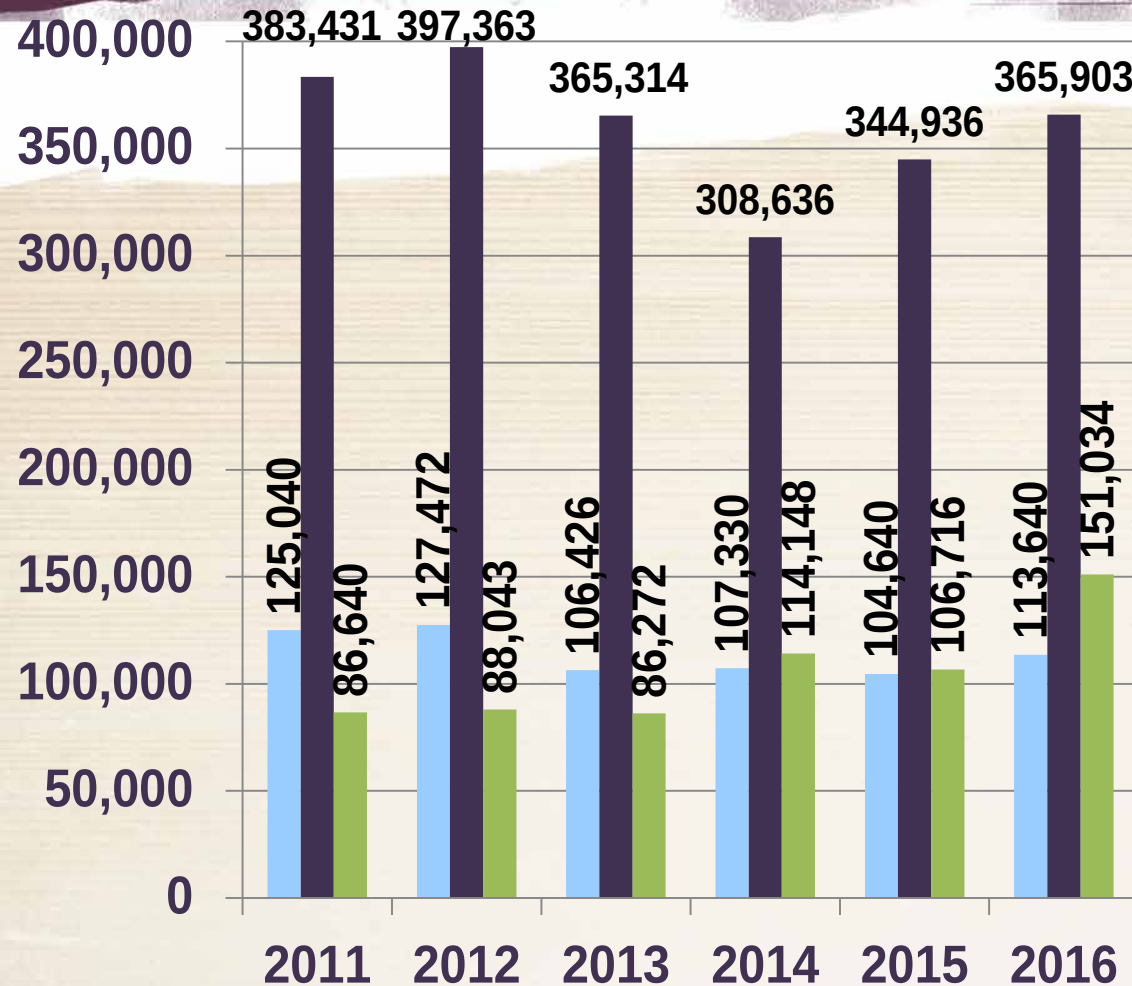
**Three Rivers
Convention Center**
113,640

Toyota Arena
151,034

TOTAL ATTENDANCE
660,577



Three Rivers Campus 2011-2015 Attendance



Three Rivers
Convention Center

Toyota Center

Toyota Arena



Toyota Center 2016 Yearend

Income = \$3,071,398

Cost of Goods Sold = \$323,082

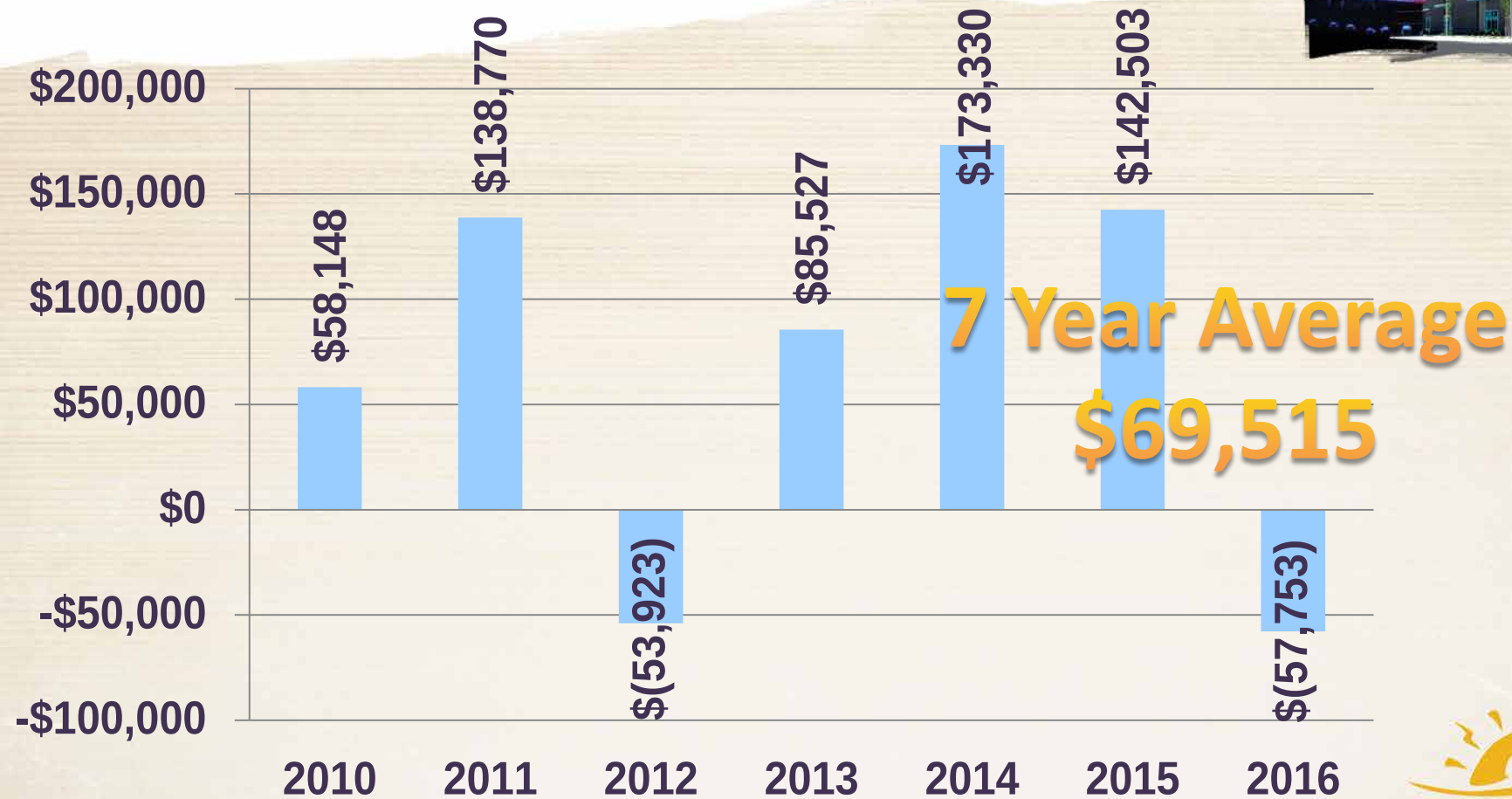
Expenses = \$3,027,364

Net Income = \$(279,048)



Net Contribution from City's General Fund

Toyota Center and Toyota Arena



2015 Economic Impact – Three Rivers Campus

Factor =1.3

	Attendance	Factor/per	Direct Spending	Economic Impact
Conventions	65,925	\$175	\$11,536,875	\$14,997,938
Meetings/Conferences	37,522	\$30	\$1,125,660	\$1,463,358
Sporting/Spectator Shows	298,218	\$20	\$5,964,360	\$7,753,668
Consumer/Trade Shows	31,368	\$75	\$2,352,600	\$3,058,380
Banquets/Receptions	35,533	\$30	\$88,325	\$1,154,823
Internal/Tenant Use	20,883	\$0	\$0	\$0
Youth Skating	133,428	\$5	\$667,140	\$867,282
Community Use	37,700	\$15	\$565,500	\$735,150
Three Rivers Campus Operational Impact			\$5,360,851	\$5,360,851
	660,577		\$23,100,460	\$30,030,598

**WHAT'S
NEXT?!?!?**

The LINK



Toyota Center Improvements



New Arena Seating

Concession Stand Upgrades

New Sound System

Aisle Lighting added to Arena Seating

New Video Boards

Hand Rails added to Arena

Additional ADA Seating

New 4 Group Suites

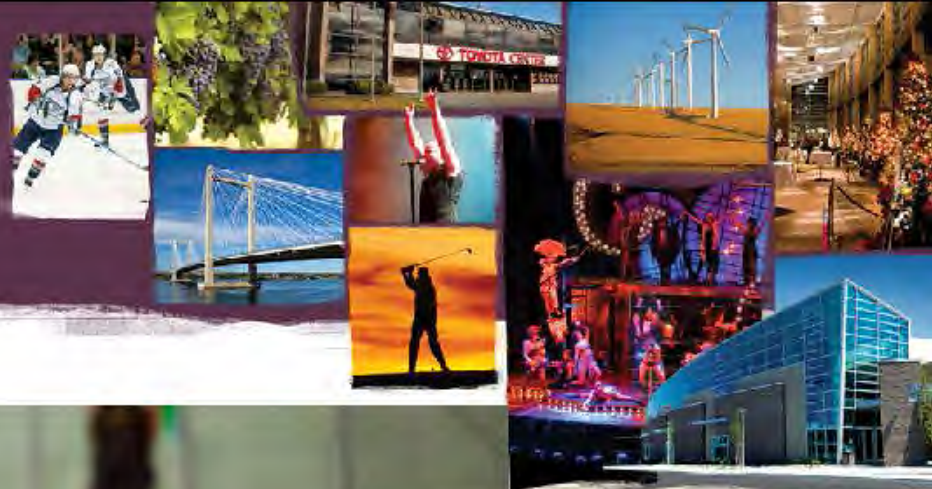
15,000 sq. ft. Added Lobby Space





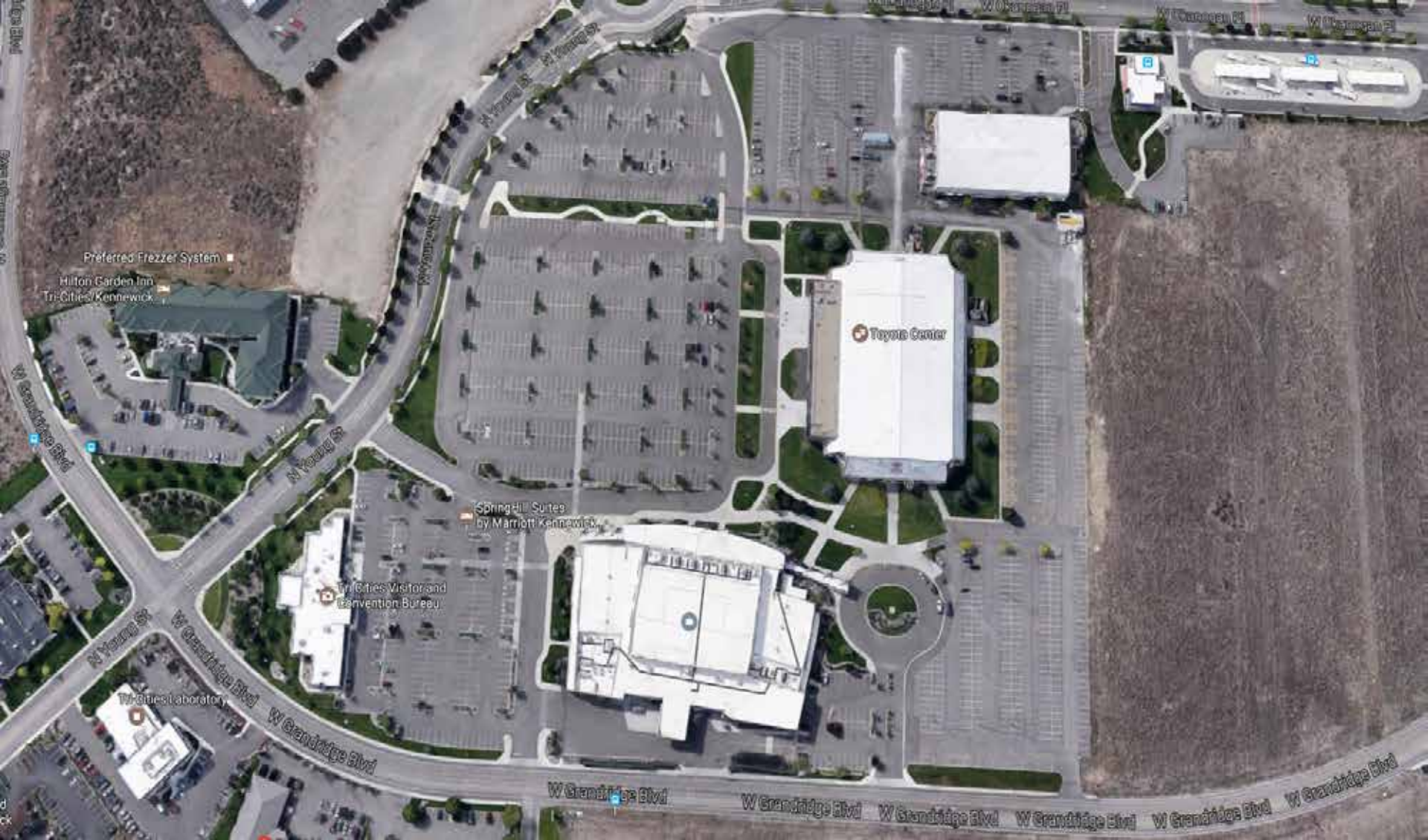




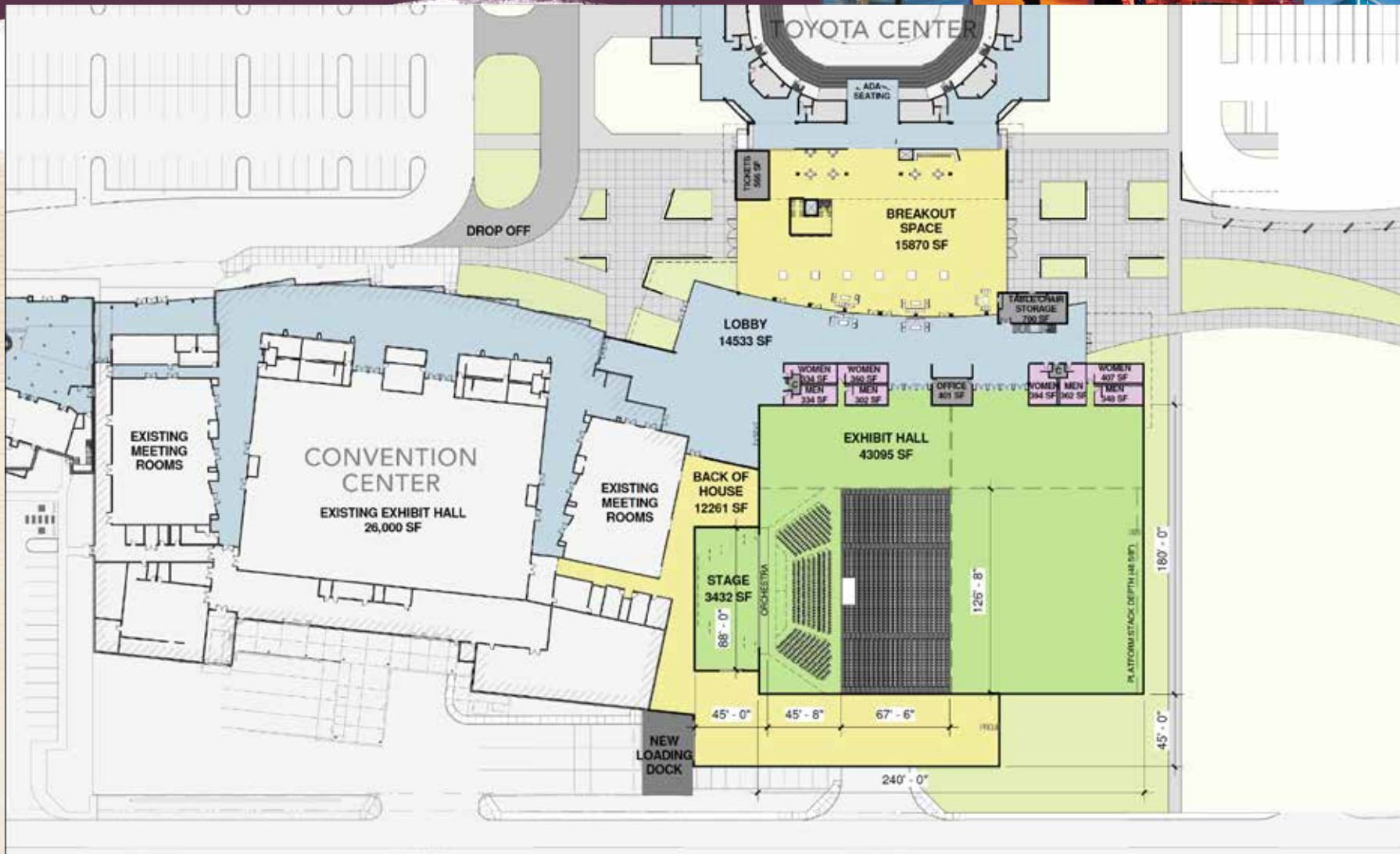




The LINK



The LINK



THANK YOU

On Behalf of the Kennewick Public Facilities District,
VenuWorks and **282** Staff Members
of the Three Rivers Convention Center,
Toyota Center and Toyota Arena

YOU MAKE THIS POSSIBLE



Council Workshop Coversheet



Agenda Item Number	2.	Meeting Date	05/09/2017
Agenda Item Type	Reports/Plans		
Subject	Commission Work plans		
Ordinance/Reso #		Contract #	
Project #		Permit #	
Department	Employee & Community Relations		

Info Only	☒
Policy Review	☐
Policy DevMnt	☐
Other	☐

Summary

The Planning, Parks & Recreation and Arts Commissions have prepared work plans for the biennial budget. Staff will review the work plans with City Council, highlighting projects and activities which align with council's five priority goals.

Through

Terry Walsh
May 03, 08:41:38 GMT-0700 2017

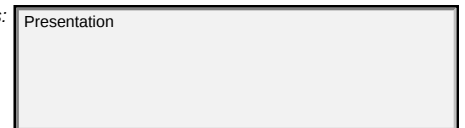
Dept Head Approval

Terry Walsh
May 03, 08:41:40 GMT-0700 2017

City Mgr Approval

Marie Mosley
May 04, 21:44:47 GMT-0700 2017

Attachments: Presentation



PLANNING COMMISSION PARK & RECREATION ARTS COMMISION

WORK PLANS

May 9, 2017

Council Workshop



KENNEWICK
WASHINGTON

Planning Commission

- Planning Commissions authorized by RCW 35.63
- Powers of the Commission:
 - Act as a fact-finding board
 - Make recommendations on development proposals
 - Make recommendations on long range planning issues
 - Comp Plan, code revisions
 - Integrating land use planning and transportation planning
 - Conducts required public hearings for certain land use and long range planning proposals
- Meet on 1st and 3rd Mondays & Special Meetings as needed



Planning Commission

Meeting Date	Agenda Items
01/02/17	MEETING CANCELLED – NEW YEARS DAY HOLIDAY
01/16/17	MEETING CANCELLED - MLK HOLIDAY
01/23/17	SPECIAL MEETING – - Public Hearing: Comp Plan Update - Capital Facilities Element - Public Hearing: Comp Plan Update - Utilities Element
02/06/17	Regular Meeting Agenda - Public Hearing: Comp Plan Update - Land Use Element - Public Hearing: Comp Plan Update – Housing Element
02/15/17	SPECIAL MEETING – - Public Hearing: Comp Plan Update – Transportation Element - Public Hearing: Comp Plan Update – Economic Development Element
02/20/17	MEETING CANCELLED – President's Day Holiday
03/06/17	Regular Meeting Agenda Public Hearing: Comp Plan Update – final hearing & PC deliberations
03/20/17	Regular Meeting Agenda - Public Hearing: Rezone COZ 16-02 - Public Hearing: Rezone COZ 17-01
04/03/17	Regular Meeting Agenda
04/17/17	Regular Meeting Agenda - Workshop: Sign Code Update (Town of Gilbert Federal Supreme Court case) - Public Hearing: Rezone COZ 17-02
05/01/17	Regular Meeting Agenda Workshop: Appearance of Fairness & Open Public Meetings Act
05/15/17	Regular Meeting Agenda - Public Hearing: Rezone COZ 17-02 (re-hearing) - Public Hearing: Comp Plan – KID Text Amendments

Planning Commission

06/05/17	Regular Meeting Agenda • Public Hearing: Binding Site Plan Code Amendment (bonding for improvements) • Public Hearing: Sign Code Update
06/19/17	Regular Meeting Agenda • Open House – Bridge-to-Bridge Plan Implementation ◦ Urban Mixed Use Zone ◦ Auto Row Commercial Zone • Area-Wide Rezone to Urban Mixed Use (UMU)
07/03/17	Regular Meeting Agenda •
07/17/17	Regular Meeting Agenda • Workshop: Bridge-to-Bridge Plan Implementation ◦ Urban Mixed Use (UMU) Zoning District, ◦ Auto Row Commercial Zoning District • Bridge-to-Bridge Area-wide Rezone
08/07/17	Regular Meeting Agenda • Public Hearing: Bridge-to-Bridge Plan Implementation ◦ Urban Mixed Use (UMU) Zoning District, ◦ Auto Row Commercial Zoning District, • Bridge-to-Bridge Area-wide Rezone
08/21/17	Regular Meeting Agenda •
09/04/17	Labor Day Holiday – MEETING CANCELLED DUE TO HOLIDAY
09/18/17	Regular Meeting Agenda • Workshop: Batch 10 Code Revisions
10/02/17	Regular Meeting Agenda • Public Hearing: Batch 10 Code Revisions
10/16/17	Regular Meeting Agenda • Workshop: Residential & Commercial Design Standards Codification
11/06/17	Regular Meeting Agenda • Public Hearing: Residential & Commercial Design Standards Codification
11/20/17	Regular Meeting Agenda •
12/04/17	Regular Meeting Agenda •
12/18/17	Regular Meeting Agenda •

Economic development

Both commissions: *Host a joint meeting to discuss public art in right-of-ways and reduction of maintenance and operations*

- **Park & Recreation Commission**

- Sustainability strategies for growth and operations



- **Arts Commission**

- Art map update for tourism
- Work with Developers and builders on art
- Vista Arts Center partnerships



INFRASTRUCTURE & GROWTH

Parks & Recreation

- Conveyance
 - Preliminary development of vision for Columbia Park
- Park Audits
 - Commission audits of parks
- Comprehensive plan
 - Update 6 year plan

Continuing to grow our community resources

Arts Commission

- 4th & Columbia Center Blvd. Project
 - Work with Parks and volunteers
- Art Repository Creation
 - Create a place where developers and builders can find art and artists
- Roundabout retrofits
 - Identify Top 3 for budget/program request

Making Art a unique focus of Kennewick



QUALITY OF LIFE

Parks & Recreation

- Playground of Dreams
 - Commission and public participation in the design, funding, and construction of an inclusive playground.

Arts Commission

- Playground of Dreams
 - Outline: Strategies, Budget, Funding for maintenance and New art.



Continuing to reinvent ourselves to enhance Quality of Life in Kennewick

Making Kennewick unique through Art



TOURISM

Parks & Recreation

- Recreation Program strategy
- Present Marketing Strategy to Commission to include Commissioner roles/duties
- Representation of Commissioner at January Family Expo Night & August National Night Out
- Conduct 3 community presentations
- Year-End Presentation to Commission and Council on outcome of marketing plan

Arts Commission

- Creative arts district – legislation
- Art Awards
- People's choice award



*Continuing to reinvent ourselves to enhance
Quality of Life in Kennewick*

Making Kennewick unique through Art



RESPONSIBLE GOVERNMENT

Parks & Recreation

- Earn the Commission for Accreditation of Parks and Recreation Agencies (CAPRA) accreditation



Arts Commission

- Revenue Generation
 - Brainstorm strategy and funding for maintenance and new art.
- Budget review and development plan for maintenance



Maintaining and Growing amenities while maintaining Operations & Maintenance Costs



CAPITAL PROJECTS

Parks & Facilities

- Lawrence Scott Park
- Hansen Park Design & Improvements
- Sunset Park – Sunset Fitness
- Columbia Park Golf Clubhouse
- KSD Park and Lot
- Playground of Dreams



Maintaining and Growing amenities while maintaining Operations & Maintenance Costs



KENNEWICK
WASHINGTON

QUESTIONS?



Council Workshop Coversheet



Agenda Item Number	3.	Meeting Date	05/09/2017
Agenda Item Type	Ordinance		
Subject	Park Mitigation Fees		
Ordinance/Reso #		Contract #	
Project #		Permit #	
Department	City Attorney		

Info Only	☐
Policy Review	☐
Policy DevMnt	☒
Other	☐

Summary

The purpose of this workshop item is to review research findings and discuss code amendment alternatives regarding mixed use development and park mitigation fees. When Council extended the moratorium in January, a work plan was adopted wherein staff committed to complete research regarding park mitigation fees and mixed use development. Attached to this item are the two alternative code amendments which staff will be discussing with Council. The moratorium expires July 4th. Upon receiving Council direction, a public hearing will be held by the Planning Commission in June, then this item will be presented to Council for formal adoption at the second meeting in June prior to the expiration of the moratorium.

Through

Bonnie Lanning
May 03, 12:13:53 GMT-0700 2017

Dept Head Approval

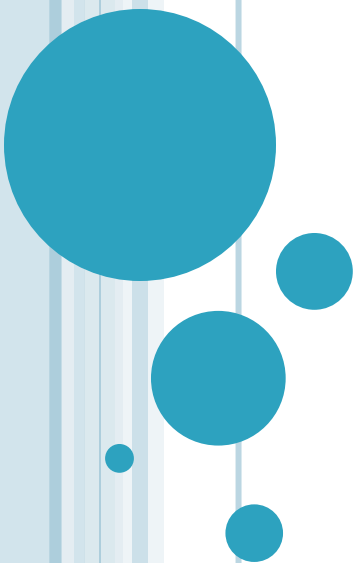
Lisa Beaton
May 03, 15:27:55 GMT-0700 2017

City Mgr Approval

Marie Mosley
May 04, 21:50:38 GMT-0700 2017

Attachments:

Presentation
Ordinance 5694
Ordinance 5695
Ordinance 5694A
Ordinance 5695A



PARK MITIGATION FEES AND MIXED USE DEVELOPMENT

Proposed Code Amendments

City Council Workshop
May 9, 2017

MORATORIUM

- Council extended a 180-day moratorium prohibiting the assessment of park mitigation fees on mixed use development January 3, 2017;
- A work plan was adopted as a part of the ordinance extending the moratorium;
- Purpose of the workshop is to discuss research findings and review proposed code amendment alternatives.



CURRENT CODE

- KMC 17.100 – “Dedications” require residential development to either dedicate park land or if the park area size is less than five acres, to pay a park fee in lieu of dedication;
- KMC 18.42.140(3) specifies that park mitigation fees or park land dedications required under KMC 17.100 are applicable to mixed use developments.



CURRENT CODE – CONTINUED

- KMC 17.100.010(2) specifies that park mitigation fees are set by determining park land area required using the level of service of one (1) acre of neighborhood park for every 334 persons; the average number of units per acre; and the current assessed value of the property to be developed;
- Presently mixed use development is only allowed on property zoned commercial; assessed value of commercial property is significantly higher than most residential.



AUTHORITY

- Authority to require dedication of land for park purposes or a fee in lieu of dedication is found at RCW 82.02.020 and RCW 58.17.110;
- Case Law interpreting RCW 82.02.020 as it applies to mitigation fees in lieu of dedication of land require that if a fee is imposed in lieu of dedication, the City must demonstrate the amount of the fee is directly related to the value of the land the City could require the developer to dedicate. *Trimen v. King County*, 124 Wash.2d 261 (1994); *Vintage Construction v. City of Bothell*, 83 Wash.App. 605 (1996).



CASE LAW

- In *Trimen v. King County*, State Supreme Court specifically upheld the King County fee in lieu of dedication because it was based upon “zoning, projected population, and the assessed value of the land that would have been dedicated,” therefore, the fee was directly related to the site and, therefore, lawful under RCW 82.02.020;
- As long as Kennewick continues to impose a “mitigation fee” in lieu of dedication of park land, we must comply with RCW 82.02.020 and case law interpreting that statute, therefore, our fee calculation must continue to factor in the assessed value of the land.



OPTIONS

- Council has two options:
 - (1) Continue to impose a park mitigation fee using only the residential units in a mixed use development to calculate the fee, still factoring in the assessed value of the land; or
 - (2) Exempt mixed use development from the imposition of a park mitigation fee.



EXAMPLE

- Current Formula for amount of land to be dedicated and fees in lieu of dedication if the mixed use development contained 68 residential units:
 - 68 units (#of units) x 1.9 (Population per household from Comprehensive Plan ÷ 334 from Comprehensive Park Plan) = .39 acres;
 - \$10,453.09 (per unit land value – assessed value) x 27 (average number of units per acre) = \$282,233.43 (land value per acre);
 - \$282,233.43 (land value per acre) x .39 (amount of land to be dedicated) = **\$110,071.04 Total Park Fees.**



ALTERNATIVES

- Resulting fee is cost prohibitive;
- Most cities in Washington have moved to a Park Impact Fee system under RCW 82.02.050 as it is easier to administer and more predictable for the developer;
- The Park Department will be working with a consultant to review the City's park plan; during the interim, the park mitigation fees will continue to be in force;
- See attached proposed ordinances which provide Council the two alternatives.



ORDINANCE 5694

KMC 17.100.010: Dedication of Land for Park Purposes:

...

(2) In the event that the property proposed to be subdivided is insufficient in size to provide for adequate recreational facilities for the residents in the proposed division, park fees in lieu of dedication of park land will be required unless other measures which will reasonably protect the public's need for adequate recreational areas can be agreed upon between the subdivider and the City. Park fees in lieu of dedication of park land will be calculated with a formula based on area of park land to be dedicated, average number of units per acre, and the current assessed value of the property. **For mixed use developments, only the residential units associated with the development will be considered in determining the park fee in lieu of dedication of park land.**



ORDINANCE 5695

KMC 18.42.140: Mixed Use Site Plan:

...

(3) All mixed-use plans shall run with the land unless modified as approved by the City. **For mixed use developments, only the residential units associated with the development will be subject to** Park fees or park land dedication ~~shall be required~~ according to KMC 17.100.010. All other applicable regulations in the Kennewick Municipal Code shall apply. (Ord. 5262 Sec. 1, 2009)



ORDINANCE 5694A – EXEMPTS MIXED USE

17.100.010: Dedication of Land for Park Purposes:

...

(2) In the event that the property proposed to be subdivided is insufficient in size to provide for adequate recreational facilities for the residents in the proposed division, park fees in lieu of dedication of park land will be required unless other measures which will reasonably protect the public's need for adequate recreational areas can be agreed upon between the subdivider and the City. Park fees in lieu of dedication of park land will be calculated with a formula based on area of park land to be dedicated, average number of units per acre, and the current assessed value of the property. **Mixed use developments that contain residential units are exempt from either dedicating land or paying a fee in lieu of dedication.**



ORDINANCE 5695A – EXEMPTS MIXED USE

18.42.140: Mixed Use Site Plan:

...

(3) All mixed-use plans shall run with the land unless modified as approved by the City.

Mixed used developments containing residential units are exempt from either dedicating land for park purposes or paying a park fee in lieu of dedication. ~~Park fees or park land dedication shall be required according to KMC 17.100.010.~~ All other applicable regulations in the Kennewick Municipal Code shall apply. (Ord. 5262 Sec. 1, 2009)



QUESTIONS



CITY OF KENNEWICK
ORDINANCE NO. 5694

AN ORDINANCE RELATING TO DEDICATION OF LAND FOR PARK
PURPOSES AND AMENDING SECTION 17.100.010 OF THE KENNEWICK
MUNICIPAL CODE

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

Section 1. Section 17.100.010 of the Kennewick Municipal Code, be, and the same hereby is,
amended to read as follows:

17.100.010: Dedication of Land for Park Purposes:

(1) The City will require the dedication of land for park purposes as a condition of approval for any division or redivision that will be used for residential purposes. The adopted Comprehensive Plan, and adopted Comprehensive Parks and Recreation Plan, will be used as the basis for determining the location and size of a proposed park site. The requirement for dedication of land will be based on the following:

- (a) That the land will assist in serving the park and recreation needs of the residents within the proposed division;
- (b) That the amount and location of land to be dedicated will bear a reasonable relationship to the use of the open area and recreational facilities by the future inhabitants of the division;
- (c) Dedication of land for neighborhood parks and playgrounds will be based on the ratio of one acre of land for every three hundred thirty-four (334) persons in the proposed division, using the average population per dwelling unit, as shown in the City Comprehensive Plan;
- (d) Dedications will be examined as a system in relationship to the current network of parks within the City. Park location and size for dedications should be reviewed in terms of benefitting the system and be able to integrate into the network, promoting connectivity and multi-modal access.

(2) In the event that the property proposed to be subdivided is insufficient in size to provide for adequate recreational facilities for the residents in the proposed division, park fees in lieu of dedication of park land will be required unless other measures which will reasonably protect the public's need for adequate recreational areas can be agreed upon between the subdivider and the City. Park fees in lieu of dedication of park land will be calculated with a formula based on area of park land to be dedicated, average number of units per acre, and the current assessed value of the property. For mixed use developments, only the residential units associated with the development will be considered in determining the park fee in lieu of dedication of park land.

(3) In the event that the City does accept the dedication of an area for park purposes, that dedication may include the designation of the name for the park in honor of a deceased individual of good character.

(4) If dedication of park land is not possible, the City will accept the following proposals in exchange for credit towards the amount of required park land to be dedicated. All proposals submitted to obtain credit towards park fees and park land dedication shall be designed

and constructed to the satisfaction of, and be approved by the City. The following proposals may be accepted for review for the specified credit ratio:

- (a) 1/3 credit towards park land dedication for the following considerations:
 - (i) Dedication of natural open space that is not suitable for development (i.e. steep slopes, critical areas, etc.).
 - (ii) Development of a landscaped stormwater tract. A landscaping plan shall be submitted for review. Landscaping shall meet the satisfaction of the Planning Official.
 - (iii) Development of a stormwater tract or critical area that can be used for passive recreation.
- (b) One-half credit towards park land dedication for the following considerations:
 - (i) Dedication of natural open space where an all-weather multi-use trail system is constructed by the developer to City specifications.
 - (ii) Development of a private park that serves the residents of the development. (Ord. 5540 Sec. 1, 2014; Ord. 5280 Sec. 1, 2010)

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 ____ day of _____, 2017, and signed in authentication of its passage this ____ day of _____, 2017.

Attest:

STEVE C. YOUNG, Mayor

TERRI L. WRIGHT, City Clerk

ORDINANCE NO. 5694 filed and recorded
in the office of the City Clerk of the City of
Kennewick, Washington this ____ day of
_____, 2017.

Approved as to Form:

LISA BEATON, City Attorney

TERRI L. WRIGHT, City Clerk

DATE OF PUBLICATION _____

CITY OF KENNEWICK
ORDINANCE NO. 5694A

AN ORDINANCE RELATING TO DEDICATION OF LAND FOR PARK
PURPOSES AND AMENDING SECTION 17.100.010 OF THE KENNEWICK
MUNICIPAL CODE

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

Section 1. Section 17.100.010 of the Kennewick Municipal Code, be, and the same hereby is,
amended to read as follows:

17.100.010: Dedication of Land for Park Purposes:

(1) The City will require the dedication of land for park purposes as a condition of approval for any division or redivision that will be used for residential purposes. The adopted Comprehensive Plan, and adopted Comprehensive Parks and Recreation Plan, will be used as the basis for determining the location and size of a proposed park site. The requirement for dedication of land will be based on the following:

- (a) That the land will assist in serving the park and recreation needs of the residents within the proposed division;
- (b) That the amount and location of land to be dedicated will bear a reasonable relationship to the use of the open area and recreational facilities by the future inhabitants of the division;
- (c) Dedication of land for neighborhood parks and playgrounds will be based on the ratio of one acre of land for every three hundred thirty-four (334) persons in the proposed division, using the average population per dwelling unit, as shown in the City Comprehensive Plan;
- (d) Dedications will be examined as a system in relationship to the current network of parks within the City. Park location and size for dedications should be reviewed in terms of benefitting the system and be able to integrate into the network, promoting connectivity and multi-modal access.

(2) In the event that the property proposed to be subdivided is insufficient in size to provide for adequate recreational facilities for the residents in the proposed division, park fees in lieu of dedication of park land will be required unless other measures which will reasonably protect the public's need for adequate recreational areas can be agreed upon between the subdivider and the City. Park fees in lieu of dedication of park land will be calculated with a formula based on area of park land to be dedicated, average number of units per acre, and the current assessed value of the property. Mixed use developments that contain residential units are exempt from either dedicating land or paying a fee in lieu of dedication.

(3) In the event that the City does accept the dedication of an area for park purposes, that dedication may include the designation of the name for the park in honor of a deceased individual of good character.

(4) If dedication of park land is not possible, the City will accept the following proposals in exchange for credit towards the amount of required park land to be dedicated. All proposals submitted to obtain credit towards park fees and park land dedication shall be designed

and constructed to the satisfaction of, and be approved by the City. The following proposals may be accepted for review for the specified credit ratio:

- (a) 1/3 credit towards park land dedication for the following considerations:
 - (i) Dedication of natural open space that is not suitable for development (i.e. steep slopes, critical areas, etc.).
 - (ii) Development of a landscaped stormwater tract. A landscaping plan shall be submitted for review. Landscaping shall meet the satisfaction of the Planning Official.
 - (iii) Development of a stormwater tract or critical area that can be used for passive recreation.
- (b) One-half credit towards park land dedication for the following considerations:
 - (i) Dedication of natural open space where an all-weather multi-use trail system is constructed by the developer to City specifications.
 - (ii) Development of a private park that serves the residents of the development. (Ord. 5540 Sec. 1, 2014; Ord. 5280 Sec. 1, 2010)

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 ____ day of _____, 2017, and signed in authentication of its passage this ____ day of _____, 2017.

Attest:

STEVE C. YOUNG, Mayor

recorded

TERRI L. WRIGHT, City Clerk

ORDINANCE NO. 5694A filed and

in the office of the City Clerk of the City of
Kennewick, Washington this ____ day of
_____, 2017.

Approved as to Form:

LISA BEATON, City Attorney

TERRI L. WRIGHT, City Clerk

DATE OF PUBLICATION_____

CITY OF KENNEWICK
ORDINANCE NO. 5695

AN ORDINANCE RELATING TO LAND USE PERMITS AND AMENDING
SECTION 18.42.140 OF THE KENNEWICK MUNICIPAL CODE

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

Section 1. Section 18.42.140 of the Kennewick Municipal Code, be, and the same hereby is,
amended to read as follows:

18.42.140: Mixed Use Site Plan:

(1) Single Mixed-Use Project (Vertical and Horizontal). A mixed-use project that is either vertical or horizontal and contained within a single building and single parcel shall be reviewed through the Site Plan process.

(2) Multiple Building / Multiple Site Mixed-Use Development Projects. If the project is horizontally-integrated on more than one parcel and/or in more than one building, a Mixed-Use Master Site Plan is required to ensure that the buildings are functionally and physically integrated.

- (a) Mixed-Use Master Site Plan Requirements. Initial development of a multiple building mixed use site or phased development of a mixed use site shall require submittal and approval of a Mixed Use Master Plan. The following requirements shall apply:
- (i) Required components. Mixed-Use Master Site Plans shall contain the following:
 - A. All submittals according to the Site Plan requirements.
 - B. Mapping and written description of all proposed uses and use types.
 - C. A maintenance agreement between the City and the property owner's association.
 - D. If applicable, description of proposed future phasing.
 - E. Written description of proposal's consistency with transportation and other service requirements.
 - F. Compliance with the City's land use plan and policies.
 - G. A parking plan with written descriptions and graphics describing how residential and non-residential uses can provide sufficient and coordinated parking to avoid impacts to adjacent off-site residential.
 - (ii) Approval Criteria. Approval or approval with conditions shall be granted upon findings that:
 - A. The Master Site Plan and associated conditions of approval ensure future development will meet all applicable criteria of this chapter;
 - B. If phasing is proposed, the phase boundary must be outlined in the Master Site Plan. The total floor area proposed in each phase and the percentage of residential and commercial mix in each phase must also be indicated;

- C. There is or will be sufficient capacity within the transportation system and public sewer, water, police, fire, and stormwater services to adequately serve all portions of the site at the time of development; and
- D. The Master Plan is in compliance with Comprehensive Plan policies and any other relevant Sub-Area plan(s).
- (iii) Modifications. Proposed modifications to previously approved Mixed-Use Master Plans shall require review and approval by the City.
- (iv) Final Plan Approval. No single phase may contain more than 50% of the total square footage for any one major use type (commercial, office or residential) envisioned by the Master Site Plan unless 25% of the total square footage of all major use types envisioned by the Master Plan are included in the proposed phase or were included in previous phases. This requirement may be waived by the Director of Community Planning, if the applicant provides a security or other form of binding assurance that the remaining major use types contemplated in the Master Plan will be built.

(3) All mixed-use plans shall run with the land unless modified as approved by the City. For mixed use developments, only the residential units associated with the development will be subject to Park fees or parkland dedication ~~shall be required~~ according to KMC 17.100.010. All other applicable regulations in the Kennewick Municipal Code shall apply. (Ord. 5262 Sec. 1, 2009)

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 _____ day of _____, 2017, and signed in authentication of its passage this _____ day of _____, 2017.

Attest:

STEVE C. YOUNG, Mayor

TERRI L. WRIGHT, City Clerk

ORDINANCE NO. 5695 filed and recorded
in the office of the City Clerk of the City of
Kennewick, Washington this _____ day of
_____, 2017.

Approved as to Form:

LISA BEATON, City Attorney

TERRI L. WRIGHT, City Clerk

DATE OF PUBLICATION _____

CITY OF KENNEWICK
ORDINANCE NO. 5695A

AN ORDINANCE RELATING TO LAND USE PERMITS AND AMENDING
SECTION 18.42.140 OF THE KENNEWICK MUNICIPAL CODE

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

Section 1. Section 18.42.140 of the Kennewick Municipal Code, be, and the same hereby is, amended to read as follows:

18.42.140: Mixed Use Site Plan:

(1) Single Mixed-Use Project (Vertical and Horizontal). A mixed-use project that is either vertical or horizontal and contained within a single building and single parcel shall be reviewed through the Site Plan process.

(2) Multiple Building/Multiple Site Mixed-Use Development Projects. If the project is horizontally-integrated on more than one parcel and/or in more than one building, a Mixed-Use Master Site Plan is required to ensure that the buildings are functionally and physically integrated.

(a) Mixed-Use Master Site Plan Requirements. Initial development of a multiple building mixed use site or phased development of a mixed use site shall require submittal and approval of a Mixed Use Master Plan. The following requirements shall apply:

(i) Required components. Mixed-Use Master Site Plans shall contain the following:

- A. All submittals according to the Site Plan requirements.
- B. Mapping and written description of all proposed uses and use types.
- C. A maintenance agreement between the City and the property owner's association.
- D. If applicable, description of proposed future phasing.
- E. Written description of proposal's consistency with transportation and other service requirements.
- F. Compliance with the City's land use plan and policies.
- G. A parking plan with written descriptions and graphics describing how residential and non-residential uses can provide sufficient and coordinated parking to avoid impacts to adjacent off-site residential.

(ii) Approval Criteria. Approval or approval with conditions shall be granted upon findings that:

- A. The Master Site Plan and associated conditions of approval ensure future development will meet all applicable criteria of this chapter;
- B. If phasing is proposed, the phase boundary must be outlined in the Master Site Plan. The total floor area proposed in each phase and the percentage of residential and commercial mix in each phase must also be indicated;

- C. There is or will be sufficient capacity within the transportation system and public sewer, water, police, fire, and stormwater services to adequately serve all portions of the site at the time of development; and
- D. The Master Plan is in compliance with Comprehensive Plan policies and any other relevant Sub-Area plan(s).
- (iii) Modifications. Proposed modifications to previously approved Mixed-Use Master Plans shall require review and approval by the City.
- (iv) Final Plan Approval. No single phase may contain more than 50% of the total square footage for any one major use type (commercial, office or residential) envisioned by the Master Site Plan unless 25% of the total square footage of all major use types envisioned by the Master Plan are included in the proposed phase or were included in previous phases. This requirement may be waived by the Director of Community Planning, if the applicant provides a security or other form of binding assurance that the remaining major use types contemplated in the Master Plan will be built.

(3) All mixed-use plans shall run with the land unless modified as approved by the City. Mixed used developments containing residential units are exempt from either dedicating land for park purposes or paying a park fee in lieu of dedication. Park fees or parkland dedication shall be required according to KMC 17.100.010. All other applicable regulations in the Kennewick Municipal Code shall apply. (Ord. 5262 Sec. 1, 2009)

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 ____ day of _____, 2017, and signed in authentication of its passage this ____ day of _____, 2017.

Attest:

STEVE C. YOUNG, Mayor

recorded

ORDINANCE NO. 5695A filed and

TERRI L. WRIGHT, City Clerk

in the office of the City Clerk of the City of Kennewick, Washington this ____ day of _____, 2017.

Approved as to Form:

LISA BEATON, City Attorney

TERRI L. WRIGHT, City Clerk

DATE OF PUBLICATION _____

Council Workshop Coversheet



Agenda Item Number	4.	Meeting Date	05/09/2017
Agenda Item Type	Presentation		
Subject	Comp Plan Update - Land Use Element		
Ordinance/Reso #		Contract #	
Project #		Permit #	
Department	Planning		

Info Only	☐
Policy Review	☐
Policy DevMnt	☒
Other	☐

Summary

The Washington State Growth Management Act (GMA) requires Kennewick to review and update, if necessary, its comprehensive plan June 30, 2017. In 2016, Kennewick contracted with BERK Consulting to assist with public outreach and public participation and to aid city staff with reviewing the comprehensive plan for consistency with existing plans, development regulations, county-wide planning policies and changes to state law and to address changes in land use and population growth.

This is the 4th in a series of 5 scheduled Council workshops on the required elements of the Comprehensive Plan. The May 9th workshop will cover the portions of the Land Use Element including Urban Design, Residential, Commercial, and Urban Areas. The Growth Management Act (RCW 36.70A) requires Land Use Elements to designate the general distribution, location and extent of land uses within the City; insuring adequate land for housing, commerce, industry, recreation, open spaces, public utilities, public facilities and other land uses. Land Use Elements must also contain population densities, building intensities and future population growth (20 year time horizon). The City's 20 year population estimate comes from Benton County, based on the Washington State Office of Financial Management's population forecast. The second part of the Land Use Element will be presented to Council at the May 23, 2017 workshop. State law requires Plan updates to be adopted no later than June 30, 2017; staff intends to bring an ordinance for Council consideration on June 6, 2017 adopting the updated Plan. Included in this Council packet is a strike through/underline version of the Land Use Element for Council's review. City staff will provide a clean, reformatted Comprehensive Plan in the May 23rd Council packet.

As part of the development of the draft plan, the City conducted a significant public outreach effort which has been summarized in earlier presentations. The Planning Commission conducted numerous workshops over the past several months and conducted a series of four public hearings (1/23/17, 2/6/17, 2/15/17, 3/6/17) at the conclusion of which the Commission recommended unanimously to adopt the revised Comprehensive Plan.

Through

Dept Head Approval

City Mgr Approval

Gregory McCormick
May 03, 14:21:04 GMT-0700 2017

Marie Mosley
May 04, 21:58:21 GMT-0700 2017

Attachments: Updated Land Use Element
Presentation

City of Kennewick

City Council

10 Year Comprehensive Plan Update

Workshop: Land Use Element - 1

May 9, 2017



Land Use Element Review – Urban Design

Community Engagement - Results

- **Public Input Identified Priorities:**
 - Promote the development of unique areas that people want to spend time in, with attractive, well-designed neighborhoods and centers
 - Promote employment in arts and culture
 - Encourage multimodal connections between areas easier to travel between, such as downtown, neighborhoods, parks, public/private attractions, and other amenities
 - Protect and emphasize the unique natural and physical features of Kennewick

Current Goals – Urban Design

- Create an attractive, lively, pedestrian friendly and visually cohesive urban environment for Kennewick
- Improve connectivity with an efficient and multimodal circulation pattern
- Create public and semi-public places for public use and interaction
- Protect the City's natural assets - canyons, ridgelines, hilltops, waterfront and view corridors that give Kennewick its unique identity
- Strengthen residential neighborhoods, downtown, commercial and industrial districts

Current Policies – Urban Design

- Provide a strong role for good design in new and redeveloped projects
- Promote strong and diverse neighborhoods that offer a mix of various uses, and linkages with other neighborhoods, shopping areas and public facilities
- Improve streetscape and corridor design for safe and pedestrian friendly environments
- Develop a multimodal network of bike, pedestrian and vehicular system
- Promote, improve and preserve public places in the form of urban plazas, parks, and open spaces
- Improve pedestrian and vehicular accessibility to Kennewick's waterfront and recreational areas
- Promote public arts programs
- Use public projects as demonstrations of good design and catalysts for development

Current Policies – Urban Design

- Encourage green building design, energy efficient construction, xeriscape landscaping, utility conservation and other sustainable development measures
- Enhance the appearance, image and design character of the downtown. Apply Main Street and historic preservation principles for downtown improvements
- Establish and enhance the positive attributes of residential, commercial and other districts with appropriate transition between them; encourage distinctive architectural features in the districts and gateways
- Support sub-area plans to achieve planned and quality development
- Support and implement the Vista Entertainment District goals and policies contained in the Memorandum of Understanding with the Kennewick Irrigation District
- Undertake a subarea planning process for the Bridge-to-Bridge River-to-Railroad area
- Partner with both public and private stakeholders in the sub-area planning processes

Proposed Goals & Policies - Urban Design

Goal 1: Create an attractive, lively, pedestrian friendly and visually cohesive urban environment for Kennewick. (Goal 1)

Policy 1: Provide a strong role for good design, addressing streetscape, landscape and building design in new and redeveloped projects through design guidelines and code. (Policy 1 modified)

Policy 2: Promote public arts programs through education, artwork in public places and private partnerships. (Policy 7 modified)

Policy 3: Use public projects as demonstrations of good design and catalysts for development. (Policy 8)

Proposed Goals & Policies – Urban Design

Policy 4: Enhance the appearance, image and design character of the downtown. Apply Main Street and historic preservation principles for downtown improvements. (Policy 10)

Policy 5: Establish and enhance unique ~~the positive attributes of~~ residential, commercial and other districts with appropriate transition between them; encourage distinctive architectural features in the districts and gateways (Policy 11 modified)

Policy 6: Ensure safety and cleanliness of public spaces. (new goal)

Policy 7: Use signage and wayfinding to enhance the urban environment. (new goal)

Proposed Goals & Policies - Urban Design

Goal 2: Improve connectivity with an efficient and multimodal circulation pattern and pedestrian-friendly design of streetscapes. (Goal 2 modified)

Policy 1: Improve streetscape and corridor design for safe and pedestrian- friendly environments. (Policy 3)

Policy 2: Develop a multimodal network of bike, pedestrian and vehicular system. (Policy 4)

Policy 3: Include clearly visible and accessible walkways and parking areas to building entrances and within and between developments as a part of site design. (new)

Policy 4: Reduce the visual impact of parking lots and service docks to public areas using architectural design, site design, landscaping, screening and appropriate lighting. (new)

Proposed Goals & Policies - Urban Design

Goal 3: Create public and semi-public places for public use and interaction. (Goal 3)

Policy 1: Promote, improve and preserve public places in the form of urban plazas, parks, and open spaces. (Policy 5)

Policy 2: Improve pedestrian and vehicular accessibility to Kennewick's waterfront and recreational areas. (Policy 6)

Policy 3: Pursue strategic public/private partnerships with large developments to leverage high quality public space integrated with new development. (new)

Proposed Goals & Policies - Urban Design

Goal 4: Protect the City's natural assets - canyons, ridgelines, hilltops, waterfront and view corridors that give Kennewick its unique identity. (Goal 4)

Policy 1: Encourage green building design, energy efficient construction, xeriscape landscaping, utility conservation and other sustainable development measures. (Policy 9)

Policy 2: Encourage the creation of iconic visual reference points in the community through innovative site and building designs. (new)

Policy 3: Use environmental and urban design review of development projects to avoid or mitigate impacts to identified scenic features. (new)

Proposed Goals & Policies - Urban Design

Goal 5: Strengthen residential neighborhoods, downtown, commercial and industrial districts. (Goal 5)

Policy 1: Promote strong and diverse neighborhoods that offer a mix of various uses, and linkages with other neighborhoods, shopping areas and public facilities. (Policy 2)

Policy 2: Support sub-area plans to achieve planned and quality development including the Bridge-to-Bridge River-to-Railroad area. (Policy 12 modified)

Policy 3: Partner with both public and private stakeholders in the sub-area planning processes. (Policy 15)

Land Use Element Review – Residential Community Engagement - Results

- **Public Input Identified Priorities**
 - Adequate housing supply near transit, employment, shopping areas, and schools
 - Housing affordability, especially for home ownership
 - A variety of housing types
 - Housing quality and design

In addition, there were mixed opinions on density, with some wanting less density in their neighborhood and others wanting more density in specific areas, such as downtown

Residential - Trends

- Kennewick's population is projected to grow by 33,000 people (43%) between 2015 and 2037
- Approximately 25% of Kennewick households are housing cost-burdened, meaning they spend over 30% of their income on housing and are low- to moderate-income. This includes 4,400 renter households and 2,400 owner households
- Of approximately 30,000 total housing units, about 63% are single-family, 30% are multifamily, and 7% are mobile home

Current Goals – Residential

- Guide the design of new residential developments to be compatible with adjacent residential areas
- Provide appropriate public facilities supporting residential areas
- Promote a variety of residential densities with a minimum density target of 3 units per acre as averaged throughout the urban area
- Encourage residential development only in urban areas where services can be provided

Current Policies – Residential

- Maintain residential zoning regulations that offer a similar graduation in building scale and bulk.
- Use natural and man-made features to separate different residential densities
- Incorporate residential design standards into new residential developments
- Locate higher density residential areas close to shopping facilities, transit facilities, schools, public facilities, and arterials
- Provide provisions for parks, schools, drainage, transit, water, sanitation, infrastructure, pedestrian, and aesthetic considerations in new residential developments
- Ensure internal consistency with proposed residential developments
- Encourage irrigation service throughout residential areas, when available, to support and maintain healthy landscaping
- Deny residential developments if concurrency is not met for transportation, water, and sewer, or appropriately condition
- Establish and implement minimum and maximum densities in the City's residential zoning categories

Proposed Goals & Policies - Residential

Goal 1: Provide for attractive, walkable, and well-designed residential neighborhoods, with differing densities and compatible with neighboring areas. (new)

Policy 1: Maintain residential zoning regulations that offer a similar graduation in building scale and bulk. (Policy 1)

Policy 2: Require multi-family housing to incorporate architectural forms and features compatible with the surrounding neighborhood. Features that promote compatibility include landscaping, setbacks, rooflines and building forms that reduce the appearance of bulk. (new)

Policy 3: Require that multi-family structures be located near a collector street with transit, or near an arterial street, or near a neighborhood center. (new)

Policy 4: Use natural and man-made features to separate different residential densities. (Policy 2)

Policy 5: Encourage adequate pedestrian connections with nearby neighborhood and transit facilities in all residential site development. (new)

Proposed Goals & Policies - Residential

Goal 2: Provide appropriate public facilities supporting residential areas. (Goal 2)

Policy 1: ~~Provide provisions~~ Ensure provision of for parks, schools, drainage, transit, water, sanitation, infrastructure, and pedestrian, and aesthetic considerations in new residential developments. (Policy 5 modified)

Policy 2: Encourage irrigation service throughout residential areas, when available, to support and maintain healthy landscaping. (Policy 7)

Policy 3: Deny residential developments if concurrency is not met for transportation, water, and sewer, or appropriately condition. (Policy 8)

Proposed Goals & Policies - Residential

Goal 3: Promote a variety of residential densities with a minimum density target of 3 units per acre as averaged throughout the urban area. (Goal 3)

Policy 1: Establish and implement ~~minimum and~~ maximum densities in the City's residential zoning categories. (Policy 9 modified)

Policy 2: Residential Low Density: Place lands constrained by sensitive areas, those intended to provide transition to the rural area, or those appropriate for larger lot housing within the Residential Low Density land use designation to allow for a range of lifestyles. (new)

Policy 3: Residential Medium Density – Place areas that can support high-quality, compact, urban development with access to urban services, transit, and infrastructure, whether through new development or through infill. (new)

Policy 4: Residential High Density – Designate land for Residential High Density (HD) where access, topography, and adjacent land uses create conditions appropriate for a variety of unit types, or where there is existing multi-family development (new)

Proposed Goals & Policies - Residential

Goal 4: Provide more housing opportunities near commercial, transit and employment. (new)

Policy 1: Locate the highest density residential areas close to shops and services and transportation hubs. (new)

Policy 2: Encourage residential development within commercial areas. (new)

Land Use Element Review – Commercial Community Engagement - Results

■ Public Input Identified Priorities

- Variety of housing types near employment and shopping areas
- More variety of retail and other businesses, and more entertainment options
- More job opportunities in arts and culture
- Implementation of mixed-use development at Vista Field

Current Goals – Commercial

- Revitalize declining commercial areas
- Sustain and enhance viable commercial areas
- Create a balanced system of commercial facilities reflecting neighborhood, community, and regional needs

Current Policies – Commercial

- Provide technical and financial support to commercial areas using CDBG funds
- Provide commercial areas sized and scaled appropriately for the neighborhood or community
- Enhance compatibility with adjacent residential neighborhoods with landscaping, screening, and superior building design
- Minimize strip commercial development through innovative design and site layout
- Encourage compatible commercial activities to concentrate near each other
- Encourage joint-use internal and external access

Proposed Goals & Policies - Commercial

Goal 1: Revitalize declining commercial areas. (Goal 1)

Policy 1: Provide technical and financial support to declining commercial areas ~~using CDBG funds~~. (Policy 1 modified)

Policy 2: Monitor trends in Kennewick's job centers and consider land use changes, if needed, to maintain the vitality of these centers. (new)

Proposed Goals & Policies - Commercial

Goal 2: Sustain and enhance viable commercial areas. (Goal 2)

Policy 1: Encourage a mixture of commercial, office, and residential uses within commercial centers to support day and evening activities for all ages. (new)

Policy 2: Encourage the integration of inviting publicly accessible open spaces that enhance the character and livability of commercial and mixed use centers. (new)

Policy 3: Integrate pathways and trails that improve linkages between Downtown and surrounding neighborhoods. (new)

Policy 4: Encourage compatible commercial activities to concentrate near each other. (Policy 5)

Policy 5: Encourage joint-use internal and external access. (Policy 6)

Proposed Goals & Policies - Commercial

Goal 3: Create a balanced system of commercial facilities reflecting neighborhood, community, and regional needs. (Goal 3)

Policy 1: Provide commercial areas sized and scaled appropriately for the neighborhood or community. (Policy 2)

Policy 2: Enhance compatibility with adjacent residential neighborhoods with landscaping, screening, and superior building design. (Policy 3)

Policy 3: Provide for Neighborhood Commercial centers in strategic locations to serve surrounding neighborhoods, while minimizing impacts to the surrounding residential uses. (new)

Policy 4: Support mixed residential/commercial development in all Commercial districts in a manner that is compatible with nearby uses. (new)

Policy 5: Vertical mixed use should be encouraged; the location of retail sales and services should predominately be on the ground floor with residential or more retail or services above.(new)

Land Use Element Review – Urban Areas Community Engagement - Results

Public Input Identified Priorities

- Strong desire for “quality infrastructure,” “maintaining city services,” and “quality of roads/ road maintenance” in the online survey
- A variety of opinions on density, with some supporting more infill within developed areas and others opposing increased density
- On the issue of parks and recreation, highest support for improving “access to parks” and support for “neighborhood and small parks”

Current Goals – Urban Areas

- Phase out existing agricultural zoning within the City and urban growth boundary
- Encourage growth within the Urban Growth Area
- Analyze the SW and SE directions of the existing UGA for future expansion
- Add parkland, open space, recreational trails, and green-belts as the City develops
- Coordinate land uses and development regulations between the City and other jurisdictions. Increase interaction with other agencies and Benton County as we continue to fill out the UGA
- Discourage incompatible land uses from locating near or adjacent to each other

Current Policies – Urban Areas

- **Initiate pre-zone and zone changes to eliminate agricultural zoning within the City and UGA**
- **Prioritize extension of utilities and capital improvements within the UGA using the Capital Facilities Plan**
- **Promote new growth consistent with the Comprehensive Land Use Map, the Capital Facilities Plan and the Capital Improvement Plan**
- **Improve accessibility to public schools by locating at a convenient site**
- **Locate new city parks adjacent to public schools**

Current Policies – Urban Areas

- **Analyze the eastern direction of the UGA for the possibility of expanding the industrial land base**
- **Analyze a variety of methods for using infill properties within the UGA, such as residential or commercial use, community parks or gardens**
- **Provide additional regulatory tools (e.g. sub-area plans, flexible development standards, infrastructure financing tools, latecomers agreements) to accommodate unique circumstances that arise as the City grows**
- **Pursue efforts to fully implement the City's development regulations within the UGA**

Proposed Goals & Policies – Urban Areas

Goal 1: Phase out existing agricultural zoning within the City and urban growth boundary. (Goal 1)

Policy 1: Initiate pre-zone and zone changes to eliminate agricultural zoning within the City and UGA. (Policy 1)

Goal 2: Encourage growth within the Urban Growth Area.(Goal 2)

Policy 1: Support annexation where infrastructure and services allow for urban densities. (new policy)

Policy 2: Promote new growth consistent with the Comprehensive Land Use Map, the Capital Facilities Plan and the Capital Improvement Plan. (Policy 3)

Policy 3: Encourage compact development patterns within the UGA that can be efficiently served by public facilities. (new policy)

Proposed Goals & Policies – Urban Areas

Goal 3: Analyze the SW and SE directions of the existing UGA for future expansion (Goal 3 modified)

Policy 1: Analyze ~~the eastern direction~~ the area south of Interstate 82 ~~of the UGA~~ for the possibility of expanding the industrial land base. (Policy 6 modified)

Goal 4: Add parkland, open space, recreational trails, and green-belts as the City develops. (Goal 4)

Policy 1: Whenever possible, locate new city parks adjacent to public schools. (Policy 5 modified)

Proposed Goals & Policies – Urban Areas

Goal 5: Coordinate land uses and development regulations between the City and other jurisdictions. Increase interaction with other agencies and Benton County as we continue to fill out the UGA (Goal 5)

Policy 1: Provide additional regulatory tools (e.g. ~~sub-area plans~~, flexible development standards , infrastructure financing tools, latecomers agreements) to accommodate unique circumstances that arise as the City grows. (Policy 8 modified)

Policy 2: Pursue efforts to fully implement the City's development regulations within the UGA. (Policy 9)

Policy 3: Discourage incompatible land uses from locating near or adjacent to each other in the UGA. (Policy 6)

Next Steps

- **5/23/17 – Council Workshop – Land Use Element 2**
- **June 2017 - Council Adoption**

Questions?



TEXT – Original text from Technical Document
TEXT – Original text from Executive Document

LAND USE INTRODUCTION

The purpose for the Land Use Element of the Comprehensive Plan is to identify the general distribution of the diverse land uses within Kennewick and its urban growth area. The accompanying Land Use Map shows the existing and proposed land areas for residential, commercial, industrial, open space, and public facility use. Kennewick implements various land uses through zoning designations as shown in the table below.

A major component of the Growth Management Act (GMA) and the Comprehensive Plan is the designation of urban growth areas. These are areas currently beyond the City boundaries but within defined geographical areas in which the City is expected to grow. Planning does not stop at the urban growth areas but continues with appropriate provisions for build-out scenarios. Kennewick's urban growth areas should not be thought of in terms of "boundaries" or "limits to growth", but in terms of "timing". Services will need to be planned for these areas at an acceptable level and in a financially responsible manner.

The Capital Improvement Plan (CIP) is the document used to prioritize the needs of the City for infrastructure and other capital needs, both within the City and beyond. The City must walk a delicate line between the financial ability to provide services at an urban density level and providing an appropriate supply of land uses for new development. The desired result is to provide a greater market choice in lands for development while allowing for the maximum accountability for public funds needed to provide for existing and planned urban areas.

The Land Use element of the Comprehensive Plan addresses urban areas, critical areas and shorelines, residential lands, ~~housing~~, commercial lands, industrial lands, ~~and~~ property rights, ~~urban design and essential public facilities~~.

Land Use Implementation by Zoning

Land Use Category – Comprehensive Plan	Zoning to Implement Land Use Category - Title 18
Low Density Residential (3-45 units per acre max)	RS, RL, RMH, RTP
Medium Density Residential (4-1 to 13 units per acre max)	RM, RMH , HMU, RTP
High Density Residential (13-1 to 27 units per acre max)	RH
Mixed Use	UMU
Commercial	CN, CO, CBD, CAR , CC, CR, CG, CM, HMU, BP
Industrial	BP, IP, IL, IH
Public Facility	PF, JF
Open Space	OS, PF

STATUTORY REQUIREMENTS UNDER GMA

The Growth Management Act (GMA) establishes Land Use as a mandatory element of a comprehensive plan, per Chapter 36.70A.070(1) RCW, which must include the following primary components:

TEXT – Original text from Technical Document

TEXT – Original text from Executive Document

- Population densities;
- Building intensities; and
- Estimates of future population growth.

Additionally, GMA states that the Land Use Element should:

- Provide for protection of the quality and quantity of groundwater used for public water supplies;
- Consider utilizing urban planning approaches that promote physical activity;
- Identify lands useful for public purposes;
- Identify open space corridors within and between urban growth areas;
- Review drainage, flooding, and stormwater run-off in the area; and
- Include policies to designate and protect critical areas.

The Growth Management Act creates a mandatory framework for several other planning principles and techniques used in the Land Use Element, which include:

- Establishment of a City of Kennewick Urban Growth Area;
- Consistency with the Countywide Planning Policies for Benton County;
- Consistency between the Land Use Element and the City's land use and development regulations.

These requirements are met in this Element within the background information, goals and policies, and/or the Land Use map. More specific policies for various topics are found in later chapters of the Comprehensive Plan.

GMA also contains 13 statewide planning goals in RCW 36.70A.020. Several of those goals relate to the City's Land Use Element and include the following:

(1) Urban growth. Encourage development in urban areas where adequate public facilities and services exist or can be provided in an efficient manner.

(2) Reduce sprawl. Reduce the inappropriate conversion of undeveloped land into sprawling, low-density development.

(12) Public facilities and services. Ensure that those public facilities and services necessary to support development shall be adequate to serve the development at the time the development is available for occupancy and use without decreasing current service levels below locally established minimum standards.

(13) Historic preservation. Identify and encourage the preservation of lands, sites, and structures, that have historical or archaeological significance.

COUNTYWIDE PLANNING POLICIES

According to WAC 36.70A.150, the county and jurisdictions within it are required to work together to identify areas of shared needs for public facilities. This would also include lands for public purposes.

TEXT – Original text from Technical Document
TEXT – Original text from Executive Document

The Benton Countywide Planning Policies (CPPs) contain several policies to promote continuous and orderly development. The provision of public services to development requires the use of future population estimates to determine the future facilities and land requirements needed. The City of Kennewick, working in cooperation with Benton County created a formula for identifying land area per capita for uses ranging from residential to industrial and commercial when sizing UGAs. A process to determine the projected population for the next 20 years is also contained in the CPPs. This follows the policy of Benton County – Planning Policy No. 2 - requiring that countywide projected populations shall be allocated among jurisdictions for purposes of land use planning.

URBAN AREAS

RCW 36.70A.130(3); RCW 35.13; RCW 35A.14.300; WAC 365-195-420

INTRODUCTION

A major portion of the Comprehensive Plan and the Growth Management Act is the provision and designation of Urban Growth Areas. Urban Growth Areas (UGAs) are those areas beyond a city's jurisdictional boundaries that have been designated by the City and the County, in consultation with the City, for future growth and future eventual annexation into the City.

The function of an urban growth area is to allow the City to accommodate its 20-year population projection so that financial resources are spent in the most effective way as the city expands and services are provided. Population growth should occur in urban areas. Urban growth areas should be thought of as boundaries that regulate timing for City services.

UGAs~~These areas~~ require urban governmental services such as water, sewer, transportation, and other infrastructure to be available at the time of annexation or prior to development. The City of Kennewick has to walk a delicate line between the ability of its financial base to adequately serve certain urban densities with adequate services while providing an appropriate supply of land for new growth. Priorities for the extension and provision of utilities and capital improvements will be established based on the Capital Improvement Plan and the Capital Facilities Plan. Parkland, open space, trails, green belts, and schools are necessary ingredients for quality of life issues and need to be planned for and included as the City develops.

Several topics are pertinent to the entire urban area and are discussed in this section.

STATUTORY REQUIREMENTS UNDER GMA

Every ten years the cities and counties in Washington are required to review their urban growth areas and to amend them if necessary for anticipated future growth pursuant to RCW 36.70A.130(3). Kennewick last did this in 2002, with a population of 85,541 projected for 2025.

Comment [GJM1]: Is this covered in the discussion above? And, this really doesn't say much – do we need it at all?

AGRICULTURAL LANDS

Agricultural lands are those devoted to commercial production of a variety of crops or products. They are incompatible with urban areas, especially the developed urban areas within existing

TEXT – Original text from Technical Document

~~TEXT~~ – Original text from Executive Document

~~City limits, and also those within the urban growth boundary that will eventually be included in the city limits of Kennewick.~~

~~Pre-Zones are the zoning designations that will be applied to lands upon annexation to the City. They are established by resolution and are shown on maps in the Community Planning office.~~

~~The City is a provider of urban services and in conformance with GMA the agricultural zoning designations are being phased out of our zoning code.~~

ANNEXATIONS

~~State law establishes the process for annexations in RCW 35A.14. Within these guidelines, the City has established procedures to follow for processing annexations. Annexations can be initiated by petition from residents or by initiation of the City Council; and can only originate from within the Urban Growth Areas.~~

~~Each annexation proposal requires the City to systematically review the service demands and expected revenues of the area. The City will carefully evaluate each proposal in the light of the City's adopted Level of Service standards.~~

~~A four year schedule for City initiated annexations was reviewed and adopted by City Council on August 2, 2005. The areas on this schedule were islands of County land surrounded by the City. Most of these annexations have been completed. In the future, the City will be working with property owners living in the remaining islands as it tries to those remove islands.~~

NATURAL OPEN SPACE, TRAILS, AND PARKS

Natural open space, trails, and parks add to the amenities of urban living. To offer varied recreational opportunities while providing additional parkland per capita, the City requests that all new developments address the issue of providing open space. This can be accomplished with parkland dedication, designation of lands for open space, or the availability of open space areas in commercial areas. Master planned areas such as Hansen Park and Southridge have identified land for open space and parks as a method to protect critical areas and provide this necessary requirement.

OPEN SPACE CORRIDORS

Kennewick's open space corridors connect with those of Richland in two locations: at the Columbia River shoreline at the western end of Columbia Park and at the Amon Wasteway on W. Clearwater Avenue. The open space corridors in Kennewick include lands that can be used for recreation, such as parks and golf courses, wildlife habitat areas, trails, lands unsuitable for development, and identified critical areas and the connections between them.

INVENTORY OF OPEN SPACE CORRIDORS

Open space corridors throughout Kennewick and the urban growth area include lands currently designated Open Space on the Comprehensive Plan land use map, with other identified critical areas such as wetlands, steep slopes, and fish and/or wildlife habitat conservation areas that are identified as residential, industrial, or commercial on the land use map. Various segments of the primary open space corridor, approximately 15 miles in length, are identified starting at the northwest corner of Kennewick:

TEXT – Original text from Technical Document

TEXT – Original text from Executive Document

- East in Columbia Park along the Columbia River from the Richland/Kennewick shared boundary to the Cable Bridge (Gum St/SR-397);
- South from Hwy 395 and Canal Drive through the Tri-City Country Club Golf Course to S. Vancouver Street;
- Southwest through the Zintel Canyon pathway starting at the southwest corner of S. Vancouver Street and W. 7th Avenue past W. 10th Avenue, W. 27th Avenue, and through Canyon Lakes Golf Course to Hwy. 395, south of W. 36th Avenue;
- West of Hwy 395 through the Southridge Subarea Planning region generally east-west on parallel paths of linear parkways connected by north-south linear parks aligned with the steep slopes;
- Northwest from Southridge through S. Clodfelter Road to Amon Wasteway; and
- North along Amon Wasteway across W. Clearwater Avenue to Richland's shared boundary with Kennewick located south of the Burlington Northern and Santa Fe railroad track.

Additional, shorter branches of open space corridors lead away from the primary open space corridor identified above. Most of these branch corridors are composed of steep slopes south, southeast and southwest of the City.

Additional open space corridors will be added to the City inventory.

MAP OF OPEN SPACE CORRIDORS

An Open Space Corridors map has been prepared showing the corridors listed above in the inventory. It was prepared using the Comprehensive Plan land use map to identify areas presently designated as Open Space. The maps prepared for the Critical Area Ordinance, identifying the locations of wetlands, aquifer recharge areas, steep slopes, habitat conservation areas, and frequently flooded areas, were layered on the Comprehensive Plan map. It was expected that there would be a distinct correlation between those areas designated as Open Space on the land use map and one or more of the defined critical areas. Steep slopes correlated more precisely with the areas already identified as Open Space. The accompanying map shows the Open Space Corridors in green, highlighted with brown indicating areas with steep slopes.

CITY AND SCHOOL COORDINATION

As the City grows and population increases, more school capacity will be needed. Land use applications for residential development are routinely sent to Kennewick School District #17 for their review and comments. This gives District #17 the opportunity to respond regarding anticipated future school enrollments, bussing, or other issues that will impact their operations. Early acquisition of school sites is desirable to both the School District and the City in order to identify concurrency with transportation and other infrastructure needs. New City parks and schools should be encouraged to locate adjacent to each other for more versatility with larger spaces and efficiency of maintenance.

Bussing has altered the perception that schools define a neighborhood. It still is desirable for school sites to be easily and safely accessible within a neighborhood. It is preferred that elementary schools serve a half-mile radius and middle schools serve a one-mile radius from the school site.

LAND USE ~~INVENTORY WITH DEVELOPED/UNDEVELOPED RATIOS~~

~~Kennewick's land use inventory is based on an inventory of the Comprehensive Plan designations and their developed totals within the Kennewick's UGA Urban Growth Area. This data was derived using~~

TEXT – Original text from Technical Document

TEXT – Original text from Executive Document

geographical information systems to view the City's land use and building data. By overlaying the City's current Comprehensive Plan designations with parcel level data, a truer representation of how the City's land is being used could be portrayed. Once this was complete, the building permit data was used to determine the development status of each parcel. Those parcels containing structures were considered developed, while parcels lacking structures were considered undeveloped regardless of percentage of the parcel the structure covered. Aerial photographs taken in March of 2012 and historic building permit data were then used to verify and make corrections to the work that had been done up to that point.

Kennewick's land use inventory is based on the Benton County Countywide Planning Policies (CPPs) formula for determining urban growth area (UGA) sizes. The formula uses the following nine (9) different land use types:

- Residential land per capita; (or DU)
- Parks and Recreational area per capita;
- Public Facilities lands (fire stations, jails, etc..) per capita;
- Schools lands per capita;
- Commercial lands per capita, or per employee;
- Industrial/Manufacturing lands per capita;
- Open Space (golf courses, etc.) per capita;
- Public Service lands required for transportation network, easements and R.O.W.s per DU;
- Undevelopable lands (critical areas including steep slopes, wetlands, habitat, etc.)

These land use types are further broken down into two basic categories: "developed lands" and "buildable lands". Kennewick defines these categories are defined in the following manner:

Developed lands: Parcels with assessed improvement value greater than \$10,000 not classified as underdeveloped or Public.

Buildable lands: Parcels that are classified as "Vacant" or "Underdeveloped" with the market factor applied.

- Vacant lands: Parcels that have no structures or have improvement values under \$10,000 (not including lands that are identified as having mobile homes).
- Underdeveloped lands: Parcels with structures and improvement value that could be furthered developed or redeveloped.
 - o Low Density Residential parcels – Parcels larger than four times the minimum lot size.
 - o Medium and High Density Residential/Commercial/Industrial/ Mixed Use – Parcels with an assessed improvement value to land value ratio (ILR) less than 0.5

Formatted: No underline

Land Use Inventory

<u>Use Category</u>	<u>Total Acres</u>	<u>Developed Lands (acres)</u>	<u>Buildable Lands (acres)</u>	<u>Acres Needed to Accommodate 2037 Pop. Projection</u>	<u>Deficit/ Surplus (acres)</u>
<u>Residential</u>	<u>10,477.5</u>	<u>6,356.4</u>	<u>4,121.1</u>	<u>2645.1</u>	<u>1,476.0</u>
<u>Low Density Residential</u>	<u>8,206.1</u>	<u>4,815.2</u>	<u>3,390.9</u>	<u>2,003.7</u>	<u>1,387.2</u>
<u>Medium Density Residential</u>	<u>1,842.7</u>	<u>1,126.0</u>	<u>716.7</u>	<u>468.6</u>	<u>248.1</u>
<u>High Density Residential</u>	<u>428.6</u>	<u>415.1</u>	<u>13.5</u>	<u>172.7</u>	<u>-159.2</u>

TEXT – Original text from Technical Document

TEXT – Original text from Executive Document

Commercial	1,982.1	1,335.1	647.0	1,982.1	-100.7
Industrial	787.5	462.3	325.2	1,099.7	-135.0
Parks and Recreation	241.9	241.9	0.0	100.7	-37.5
Public Facilities	324.5	324.5	0.0	135.0	91.4
Schools	237.5	194.2	43.3	80.8	-774.5
Open Space	1,564.1	1,564.1	0.0	650.9	-650.9
Public Service	77.2	77.2	0.00	12.4	-12.4
Subtotal	15,692.3	10,555.7	5,136.6	5,280.1	-143.5
Market Factor (25%)	---	---	-1,284.2	---	-1,284.2
Critical Areas Credit	---	---	0	259.0	-259.0
Total	15,692.3	10,555.7	3,852.4	6,859.1	-1,686.7

These inventories include the explanation that roadways total 16% of the developed land.

Table 2: Residential Acres Developed & Undeveloped 2013 (does not include roads for 10-25%)

Low Density Residential		Medium Density Residential		High Density Residential	
Developed	Vacant/ Underdeveloped	Developed	Vacant/ Underdeveloped	Developed	Vacant/ Underdeveloped
3,061 Acres	5,672 Acres	796 Acres	1,000 Acres	517 Acres	131 Acres
8,733 Total		1,796 Total		648 Total	
35% Developed		44% Developed		80% Developed	

Table 3: Acres Developed & Undeveloped 2013 (Does not include roads 5-10%)

Commercial		Industrial		Open Space		Public Facility	
Developed	Vacant/ Underdeveloped	Developed	Vacant/ Underdeveloped	Developed	Vacant/ Underdeveloped	Developed	Vacant/ Underdeveloped
537 Acres	1,634 Acres	388 Acres	456 Acres	1,075 acres	191 Acres	484 Acres	40 Acres
2,166 Total		844 Total		1,266 Total		524 Total	
25% Developed		46% Developed		95% Developed		92% Developed	

LANDS FOR PUBLIC PURPOSES

Lands for public purposes are broadly defined as those lands needed to accommodate public facilities and to provide the public with government services. These government services may be funded by a government entity, such as a city or county, or provided by private companies with public service contracts or franchises. Lands for public purposes are specifically defined as utility corridors, transportation corridors, landfills, sewage treatment facilities, storm water management facilities, recreation, schools, and any other public uses.

Lands for public purposes also include lands defined for essential public facilities such as solid waste facilities, jails, state educational facilities, and transportation facilities. Separate guidelines are established for the provision of such facilities since they are often difficult to site and have unique siting requirements.

STATUTORY REQUIREMENTS UNDER GMA

According to WAC 365-195-430, each city and county preparing a comprehensive land use plan under GMA is required to identify lands useful for public purposes. RCW 36.70A.150 requires a jurisdiction to establish a list of acquisitions that is needed with a timeframe and budget for acquiring such lands. The six-year Capital Improvement Program for the City of Kennewick is used to establish priorities and revenue sources and is updated on a biennial basis. All projects identified in the CIP are located within the adopted urban growth boundaries of the city. All projects are in conformance with land uses shown on the City's adopted land

TEXT – Original text from Technical Document

~~TEXT~~ – Original text from Executive Document

use planning map. [Additional information regarding capital facilities can be found in the Capital Facilities Element of the Comprehensive Plan.](#)

~~LANDS FOR PUBLIC PURPOSES, CAPITAL FACILITIES, AND ESSENTIAL PUBLIC FACILITIES~~

Many jurisdictions in Washington have chosen to address lands for public purposes under the umbrella of capital facilities or essential public facilities since lands for public purposes also fall under these categories of GMA mandated elements. Because these definitions are overlapping, there is confusion about the differences between lands for public purposes and essential public facilities. The following table is designed to illustrate the overlap.

Table 4: Lands for Public Purposes, Essential Public Facilities, & Capital Facilities

Lands for Public Purposes	Essential Public Facilities	Capital Facilities
Lands Needed to Accommodate Public Facilities	Facilities Needed to Provide Public Services Typically Difficult to Site	Lands & Facilities Owned by Public Entities
Examples: Utility Corridors Transportation Corridors Sewage Treatment Facilities Stormwater Management Facilities Recreational Lands Schools Other Public Uses	Examples: State & Local Correctional Facilities Airports Inpatient Facilities for Mental Health, Group Homes & Substance Abusers Solid Waste Management State Transportation Facilities	Examples: Water & Supporting Systems Sanitary Sewer Facilities Stormwater Facilities Parks & Recreation Facilities Solid Waste Management Police Protection Facilities Fire Protection Facilities Schools Libraries

~~Capital facilities are defined as those necessary infrastructure facilities that a jurisdiction must have in place to provide basic services and a resulting quality of life to the public. Capital facilities are owned and operated by public entities such as cities, but can also include school districts and library districts.~~

~~Essential Public Facilities are those facilities that are typically difficult to site, such as airports, state education facilities, state or regional transportation facilities, state and local correctional facilities, solid waste handling facilities, and in-patient facilities including substance abuse facilities, mental health facilities, group homes, and secure community transition facilities.~~

~~The Land Use Element of the Kennewick Comprehensive Plan includes the goals and policies regarding lands for public purposes.~~

~~LANDS FOR PUBLIC PURPOSES—INVENTORY OF CURRENT FACILITIES~~

~~Many of the lands for public purposes are owned by the City of Kennewick. Lands and facilities that are not owned by the city, such as utility companies and other service providers, operate with a franchise agreement with the City that is on file in the office of the City Clerk.~~

Table 5: Inventory of Ownership

Inventory	Facilities	Ownership
Utility Corridors:	Kennewick Irrigation District	KID
	Columbia Irrigation District	GID
	Electricity	Benton PUD & Bonneville Power Administration
	Natural Gas	Cascade Natural Gas
	Verizon Telephone	Verizon, Inc.

TEXT – Original text from Technical Document

TEXT – Original text from Executive Document

	Garbage	Waste Management of Kennewick
	Cable TV	Charter Communications
	Water & Sewer	City of Kennewick
Transportation Corridors	City Streets & Sidewalks	City of Kennewick
	State Highways	Washington State
Solid Waste Management	Transfer Station Solid Waste & Recycling	Waste Management of Kennewick
	Inert Landfill Decontamination Facility	City of Kennewick
Sewage Treatment Facility	Sewage Treatment Main Plant Aerated Pond #1 Aerated Pond #2 2 High rate treatment ponds 7 Secondary clarifiers	City of Kennewick
Stormwater Management Facilities	Stormwater Management	City of Kennewick
Recreation	City Parks: 23 developed 1 regional Swimming Pool Sports Complex	City of Kennewick
Public Schools (Education & Recreation)	School Grounds 13 Elementary 4 Middle Schools 3 High Schools 1 Skill Center	Kennewick School District

PROJECTED NEEDS

The Washington State Office of Financial Management estimates Kennewick's 2013 2016 population at 76,41079,120. The 203742037 population estimate of 102,529112,044 for Kennewick suggests that additional lands for public purposes are likely to be needed. According to the 20112016 land use table, 484-562 acres of land are developed and used for capital facilities (public-(capital) facilities and schools). There are 40-43.3 available acres of undeveloped land identified for capital facilities.

On a per capita basis, the 2013 population of 76,410 uses .007 acres each for capital facilities. This figure is derived by dividing 484 acres of developed capital facility land by the population figure of 76,410. Using the same per capita ratio, a 20-year growth in population of 26,119 from 2013 to 2034 (102,529 – 76,410 = 26,119) requires an additional 180 undeveloped acres to use for lands for public purposes if the current ratio applies.

There are forty acres of undeveloped land designated for public facilities in the Southridge Planning area. Using the ratio of land to population indicates that at the current per capita rate of use, there is presently not enough land for public purposes to accommodate the anticipated 20-year growth to 2034. To maintain the current per capita use, additional land for capital facilities will be needed or the per capita use will have to be less than the current use. Resolving this issue is a policy decision that will need to be made.

Table 6: Acres per Capita - Capital Facilities (public facilities and schools)

Year	City	Acres	Developed	Undeveloped	Per Capita Use:
------	------	-------	-----------	-------------	-----------------

Formatted: Normal, Justified

TEXT – Original text from Technical Document

TEXT – Original text from Executive Document

	Population	designated for Capital Facilities	Acres	Acres	Developed Acres
20132016	76,41079,120	524562	484518.7	4043.3	.0070066

Year	Population Increase from 2013-2034	Per Capita Use	Acres Needed for Development with Increased Population	Undeveloped Acres Remaining
20342037	26,11932,924	.0070066	+180215.9	0(-140172.6)

MINERAL RESOURCE LANDS

RCW 36.70A.040, RCW 36.70A.050, RCW 36.70A.060, RCW 36.70A.131, RCW 36.70A.170, WAC 365-190-070

STATUTORY REQUIREMENT

Mineral resource lands are natural resource lands primarily devoted to the extraction of minerals or that have known or potential long-term commercial significance for the extraction of minerals.

Each city and county planning under the Washington State Growth Management Act (GMA) is required to designate natural resource lands where appropriate, and adopt development regulations to assure the conservation of agricultural, forest, and mineral resource lands (RCW 36.70A.060, RCW 36.70A.170). Jurisdictions need to designate mineral resource lands that are not already characterized by urban growth and that have long-term significance for the extraction of minerals.

In order to classify mineral resource lands, cities and counties are required to consult with the Department of Natural Resources. Lands from which extraction of mineral occurs or can be anticipated shall be identified and classified as mineral resource lands (WAC 365-190-070).

Classification criteria shall be established according to the state guidelines in WAC 365-190-070. Areas shall be classified as mineral resource lands based on geologic, environmental, and economic factors, existing land uses, and land ownership. Cities and counties should classify lands with long-term commercial significance for extracting at least the following minerals: sand, gravel, and valuable metallic substances. Other minerals may be classified as appropriate. Classification should be based on the maps and information provided by the Washington State Department of Natural Resources and United States Bureau of Mines.

INVENTORY ANALYSIS

Benton County Comprehensive Plan mineral resource map designates mineral resource lands within Benton County. Two locations within and near Kennewick's urban growth boundary identified in this map contain major high-grade sand and gravel deposits. These locations are:

- South of Kennewick, south of 27th stretched as far as south Finley area.
- East Kennewick, east of Oak St., at the Benton Franklin fairground.

The south Kennewick gravel pit is located beyond the City's urban growth boundary. The northern portion of the Oak Street gravel pit at the fairground site is owned by the City. Benton County owns the southern portion of the gravel pit. It has been closed for mining. No other site in Kennewick is known to have long-term commercial significance for mining.

TEXT – Original text from Technical Document
TEXT – Original text from Executive Document

The Washington State Geological Survey (USGS) and Washington State Department of Natural Resources (DNR) index of Washington Mining Operations by County do not indicate any existence of mineral resource lands or mining operations within the City's urban growth boundary.

Based on this, the City determines not to allow mining within its UGA unless mineral resource lands of long-term commercial significance are identified by the Department of Natural Resources.

GOALS + POLICIES

GOAL 1: Phase out existing agricultural zoning within the City and urban growth boundary.

POLICIES

1. Initiate pre-zone and zone changes to eliminate agricultural zoning within the City and UGA.

GOAL 2: Encourage growth within the Urban Growth Area.

POLICIES

1. Support annexation where infrastructure and services allow for urban densities.

- 1.2. Promote new growth consistent with the Comprehensive Land Use Map, the Capital Facilities Plan and the Capital Improvement Plan.

Prioritize extension of utilities and capital improvements within the UGA using the Capital Facilities Plan.

Analyze a variety of methods for using infill properties within the UGA, such as residential or commercial use, community parks or gardens.

- 2.3. Encourage compact development patterns within the UGA that can be efficiently served by public facilities.

GOAL 3: Analyze the SW and SE directions of the existing UGA for future expansion.

POLICIES

1. Analyze the eastern direction area south of Interstate 82 of the UGA for the possibility of expanding the industrial land base.

GOAL 4: Add parkland, open space, recreational trails, and green-belts as the City develops.

POLICIES

1. Whenever possible, locate new city parks adjacent to public schools.

GOAL 5: Coordinate land uses and development regulations between the City and other jurisdictions. Increase interaction with other agencies and Benton County as we continue to fill out the UGA.

POLICIES

1. Provide additional regulatory tools (e.g. sub-area plans, flexible development standards, infrastructure financing tools, latecomers agreements) to accommodate unique circumstances that arise as the City grows.

Formatted: Normal

Formatted: Font: 11 pt

TEXT – Original text from Technical Document
TEXT – Original text from Executive Document

2. Pursue efforts to fully implement the City's development regulations within the UGA.

Formatted: Indent: Left: 0.25"

3.2.

Formatted: Font: 12 pt

Improve accessibility to public schools by locating at a convenient site.

4.3. Discourage incompatible land uses from locating near or adjacent to each other.

CRITICAL AREAS AND /SHORELINES

The City's existing Critical Area Ordinance (CAO) and Shoreline Master Plan (SMP) serve to protect and enhance Kennewick's environmentally critical areas and shoreline. have undergone major updates concurrently with the Comprehensive Plan document and other development regulations as required by the State Growth Management Act. They are vital to the ecological functioning of our region and are protected under GMA. This section reflects the City's major CAO and SMP policies. The detailed development regulations consistent with this section are to be adopted as part of the KMC Title 18.

Formatted: Space Before: 0 pt

Critical areas are wetlands, aquifer recharge areas, fish & wildlife habitat conservation areas, frequently flooded areas, and geologically hazardous areas. They are vital to the ecological functioning of our region and are protected under GMA.

Development in, or near, critical areas may poses a threats to the public health, safety, and general welfare, to clean water, and to vital fish and wildlife habitat and the public health, safety, and general welfare. It is the City's Kennewick has a responsibility to identify critical areas and to establish methods to protect their ecological functions using the Best Available Science.

The Columbia River is a natural resource shared not only by the Tri-Cities but the region, area, and adjacent states. It is the responsibility of the City to protect, restore, and preserve this valuable natural resource while enjoying the benefits of immediate proximity to the river. Public rights to navigation must be maintained, as well as two unique environmental objectives: no net loss of shoreline ecological functions, and restoration over time. To accomplish this, the Shoreline Master Plan is the primary resource and is supplemented with the Critical Areas Ordinance.

WAC 365 195 410; RCW 36.70A.170; RCW 36.70A.172; RCW 36.70A.480; WAC 365 195 900

CRITICAL AREAS

INTRODUCTION

Critical areas are defined as wetlands, areas of critical recharging effect on aquifers used for potable water (aquifer recharge areas), fish and wildlife habitat conservation areas, frequently flooded areas, and geologically hazardous areas. These critical areas represent a variety of ecosystems providing necessary biological and physical functions. At the same time, critical areas can present threats to human safety and to public and private property.

Some beneficial functions and values provided by critical areas include protection of water quality, protection of fish and wildlife habitat; ground water recharge, erosion control, support

TEXT – Original text from Technical Document

TEXT – Original text from Executive Document

of nutritional relationships for fish and wildlife, flood management, protection from landslide hazards, aesthetic opportunities, and recreation.

REQUIREMENT UNDER GMA

According to RCW 36.70A.170, each city preparing a comprehensive land use plan under GMA is required to identify critical areas within their jurisdiction and adopt regulations for protection while accommodating reasonable use of private property.

PURPOSE STATEMENT FOR CRITICAL AREAS ORDINANCE

The Critical Areas Ordinance is designed to implement the goals, policies, guidelines, and requirements of the City of Kennewick Comprehensive Plan and the Growth Management Act. The stated purpose is “to designate and classify ecologically sensitive and hazardous areas and to protect these areas and their functions and values, while also allowing for reasonable use of private property”.

BEST AVAILABLE SCIENCE USED

Counties and cities in Washington planning under GMA are required to use the Best Available Science (BAS) when developing policies and development regulations to protect the functions and values of critical areas (WAC 365-195). Determining what qualifies as the best available science is very often difficult. References for BAS are included in Appendix A of the Critical Areas Ordinance.

BAS involves adopting information from local, state, or federal natural resource agencies that are appropriate for local circumstances; consultation with a qualified scientific expert or team to assess applicability to the local critical area; and determination if a person is a qualified scientific expert. A qualified scientific expert has professional credentials or certifications, advanced degrees, years of experience in the specific field, and/or peer-reviewed publications or other professional publications.

A clearly defined process must be followed to determine if information meets the criteria of best available science. Following are characteristics of a valid scientific process:

- Peer review – Data is reviewed by people who are identified as qualified scientific experts in the specific field and have published in a refereed scientific journal.
- Methods – Methods to obtain information are clear, can be replicated, and are standard for that specific scientific field.
- Logical conclusions/reasonable inferences – Reasonable assumptions are used and supported by other studies, are logical, and support the data. Gaps have been adequately explained.
- Quantitative analysis – Statistical or other appropriate quantitative methods are used for analysis.
- Context – Assumptions, analytical techniques, data and conclusions are appropriately used in the correct context.
- References – Assumptions, techniques for analysis, and conclusions are referenced with citations to current, relevant, and credible literature in the specific scientific field.

Nonscientific information is sometimes presented as scientific. There are several sources of information that may be informative and applicable to a specific critical area but would not be considered scientific because they do not meet the above criteria. These sources are:

TEXT – Original text from Technical Document

TEXT – Original text from Executive Document

- Anecdotal information: Observations that are not part of a rigorous scientific process.
- Non-expert opinion: Opinion of a person who is not a qualified expert in the specific scientific field in question.
- Hearsay: Information repeated from others.

REVIEW PROCESS

NEAR CRITICAL AREAS IN IDENTIFIED BUFFERS

KMC 18.58.080 of the Critical Areas Ordinance establishes 200 feet from a critical area as the trip point for review by the City of Kennewick. This width is the maximum buffer size recommended for wetlands and shorelines by the Washington State Department of Ecology.

Specific buffer widths are established for other critical areas. Riparian habitat area buffers are recommended by the Washington State Department of Fish & Wildlife and are based on the stream type. Buffers for erosion or landslide hazard areas are established by the height of the adjacent slope, or 50 feet, whichever is greater. Recommended buffers for wetlands are based on the wetland category, the intensity of impacts, and the wetland functions.

The process for critical areas review is established in KMC 18.58.130(1). The Planning Director has the authority to waive the requirement for a report or other information when there are critical areas within or adjacent to the project area but will not be negatively affected by the project. This means that the functions or values of the critical area will not be disturbed. In order to receive the waiver, the proposal must comply with the requirements established in KMC 18.58.130(2). A summary of the decision by the Planning Director will be included in any staff report or decision made on the underlying permit for the proposed project.

REASONABLE USE OF LAND TO AVOID TAKINGS

If application of the Critical Areas Ordinance would deny all reasonable use of property, the owner may apply for an exception pursuant to KMC 18.58.120 of the Critical Areas Ordinance. This section is designed to provide for the reasonable use of private property when impacted by a critical area. The applicant has the responsibility to submit evidence in support of their application and to provide sufficient information to aid in decision-making by the Planning Director.

LIMITED EXEMPTIONS

Eleven exemptions to the Critical Areas Ordinance are allowed if they are otherwise consistent with local, state, and federal laws.

Table 1: Exempt Uses

USES	DEFINITION
1. Emergencies	Activities necessary to prevent immediate threat to public health, safety, or welfare, or pose immediate damage to private property
2. Operation, maintenance or repair	For existing structures, infrastructure improvements, utilities, public or private roads, dikes, levees, or drainage systems

TEXT – Original text from Technical Document

TEXT – Original text from Executive Document

3. Passive outdoor activities	Recreation, education, scientific research such as fishing, hiking, and viewing wildlife that does not degrade critical area
4. Permit requests with prior critical area review	Critical areas have been addressed in another approval, no changes in potential impact, no new information available, permit has not expired, & compliance with conditions on prior permit have been met
5. Modification to existing legal structures	Due to fire, flood, or act of nature within 6 months of such damage & issue of a building permit & do not extend further into critical area or buffer
6. Activities within improved right-of-way	Utility facilities, lines, piper, mains, equipment, etc. located within improved portion of public right-of-way or city authorized private roadway except those altering a wetland or watercourse such as culvert or bridge
7. Public & private pedestrian trails	Unless located in wetlands or fish & wildlife habitat conservation areas
8. Vegetation removal activities	Removing & controlling invasive plants or noxious weeds, removal of hazardous trees, or measures to control fire, halt disease or damaging insects
9. Chemical applications	Herbicides, pesticides, organic or mineral-derived fertilizers, or other hazardous substances in accordance with state & federal laws
10. Minor site investigative work	Necessary for land use submittals such as topographic surveys, soil work, percolation tests, etc.
11. Navigational aids and boundary markers	Construction or modification of navigational aids & boundary markers

WETLANDS DELINEATED USING DEPT. OF ECOLOGY MANUAL

Wetlands are land areas inundated or saturated with surface water or ground water at a frequency and duration to support vegetation adapted to life in saturated soil conditions. Wetlands in Kennewick are designated in accord with the *Washington State Wetland Identification and Delineation Manual*.

TEXT – Original text from Technical Document
 TEXT – Original text from Executive Document

Table 2: Wetland Rating Categories

Wetland Category	Definition	Criteria
Category I	Wetlands that meet one or more of the following criteria:	-Documented habitat for federal or state endangered or threatened fish, animal or plant species, -High quality native wetland communities, -Wetlands of exceptional local significance.
Category II	Wetlands not defined as Category I and meet one or more of the following criteria:	-Documented habitats for state sensitive plant, fish or animal species, -Wetlands containing plant, fish or animal species listed as priority species by Dept. of Fish and Wildlife, -Wetland types with significant functions that may not be replicated through creation or restoration, -Wetlands with significant habitat value of 22+ points on the habitat rating system, -Documented wetland of local significance.
Category III	Wetlands that do not satisfy Category I, II, or IV and show a moderate level of functions	-Vernal pools that are isolated, and wetlands with a moderate level of functions
Category IV	Wetlands with the lowest level of functions, are often heavily disturbed, and meet the following criteria:	-Hydrologically isolated wetlands less or equal to 1 acre in size, have only 1 wetland class, and are dominated (80% or more) by a single-non-native plant species, -Hydrologically isolated wetlands less or equal to 2 acres in size, have only 1 wetland class, and are covered (90% or more) by non-native plant species.
Category V	Wetlands found in ditches, ponds, canals, etc. intentionally constructed for agricultural uses; or wetlands accidentally created from irrigation water and meet all the following criteria:	-Located above the floodplain, -No primary association with rare, threatened, or endangered species, -Water only from irrigation runoff or leakage.

Kennewick contains few wetlands and the most significant ones have been evaluated using the Ecology Rating System. ~~The following wetlands are classified as Category III wetlands:~~

- ~~Wetlands associated with Elliot Lake~~
- ~~Wetlands in the Zintel Canyon drainage way~~
- ~~Wetland on W. 36th Ave., west of S. Olympia St.~~
- ~~Wetlands at W. 27th Ave. and S. Washington St.~~
- ~~Wetlands within Columbia Park and Columbia River shoreline area~~

Formatted: No bullets or numbering

TEXT – Original text from Technical Document

~~TEXT~~ – Original text from Executive Document

~~Additional wetlands that may occur in the City of Kennewick will likely be ranked as Category III or Category IV wetlands.~~ A map showing the wetlands ~~that have been field verified by HDR, Engineering, Inc.,~~ is on file in the Community Planning Division of the City of Kennewick.

PRESERVATION OR ENHANCEMENT OF ANADROMOUS FISHERIES FISH AND WILDLIFE HABITAT AREAS

Conservation and management of priority habitats and species, including anadromous fisheries, is regulated through KMC 18.63 of the Critical Areas Ordinance. The priority habitats and species are identified by the Washington State Department of Fish and Wildlife. The priority habitats and species within the Kennewick area are listed in Appendix B of the Critical Areas Ordinance.

FREQUENTLY FLOODED AREAS

There are two types of flood areas in Kennewick. Floodways are defined as the channel of a stream and adjacent land areas which carry and discharge the floodwater or flood flows of any river or stream associated with a regulatory flood. Flood fringes are land outside the stream's floodway but subject to periodic inundation associated with a regulatory flood.

Regulatory floods have a peak discharge with a one percent (1%) probability of being equaled or exceeded in any given year, as calculated by the Department of Natural Resources (DNR) and the Federal Emergency Management Agency (FEMA). The regulatory flood shall include the "one-hundred-year flood" as shown on the flood insurance rate map prepared by FEMA.

The approximate locations of frequently flooded areas are shown on the Critical Areas Map, on file in the Community Planning Department of the City of Kennewick. This citywide map was prepared using the Flood Insurance Rate Maps (FIRM) prepared by FEMA.

Additional information regarding frequently flooded areas is found on community panel maps prepared by FEMA for the National Flood Insurance Program. These are available in the Community Planning Department and are used to identify flood zones. Zone A is an area of 100-year flood with base flood elevations and flood hazard factors undetermined. Zone B are areas between the 100-year flood and 500-year flood, or certain areas subject to 100-year flooding with average depths less than one foot, or where the contributing drainage area is less than one square mile, or areas protected by levees from the base flood.

KMC Chapter 18.66 Flood Damage Prevention is intended to prevent flood damage and maintain community eligibility in the National Flood Insurance Program. It is reviewed periodically by FEMA through the Washington State Department of Ecology.

CRITICAL AQUIFER RECHARGE AREAS

Potable water for the City of Kennewick comes from the Columbia River and two aquifer collectors located in Columbia Park. Critical aquifer recharge areas supplying the collectors contain specific geologic conditions affecting infiltration rates. Potential contamination of ground water requires that the wellheads will be protected. In Kennewick, the wellhead protection area is the ten-year time of ground water travel to the wellheads.

The location and extent of critical aquifer recharge areas are shown on the Critical Aquifer Recharge Areas Map on file in the Community Planning Department of the City of Kennewick. This map will be used as reference for the City, project applicants, and property owners.

TEXT – Original text from Technical Document

TEXT – Original text from Executive Document

General performance standards for aquifer recharge areas are included in the Critical Areas Ordinance. Activities may only be permitted if the proposed activity will not adversely affect recharging of the aquifer and contaminants will not enter. Proposed activities must comply with all water protection requirements and recommendations of Federal, State, and local agencies. Proposals must be designed and constructed for erosion control and surface and stormwater management requirements in the current City regulations.

Additional regulations for critical aquifer recharge areas are the City of Kennewick Construction Standards (KMC 5.56) and the City of Kennewick Wellhead Protection Plan.

Specific Performance Standards for critical aquifer recharge areas are also provided in the Critical Areas Ordinance. Storage tanks, vehicle repair and servicing, and water reuse projects must all conform to local building codes and specific requirements included in KMC Section 18.60.050.

Prohibited uses in the critical aquifer recharge areas are landfills and underground injection wells. Landfills include hazardous or dangerous waste, municipal solid waste, special waste, wood waste and inert and demolition waste landfills.

GEOLOGICALLY HAZARDOUS AREAS IDENTIFIED

Geologically hazardous areas are those areas that are susceptible to erosion, sliding, earthquakes, or other geological events. These areas pose a threat to the health and safety of citizens, and possibly to adjacent lands. There are five specific types of geologically hazardous areas.

Table 3: Geologically Hazardous Areas

Geologically Hazardous Areas	Identified or Mapped by Agency	Definition
Erosion hazards	U.S. Department of Agriculture-Natural Resources Conservation Service (USDA - NRCS)	Moderate to very severe rill and inter-rill erosion, Slopes greater than 15%
Landslide hazards	U.S. Department of Agriculture Natural Resources Conservation Service (USDA – NRCS) Department of Ecology Department of Natural Resources U.S. Geological Survey	Subject to landslides due to a combination of geologic, topographic, and hydrologic factors such as bedrock, soil, slopes, structures, or hydrology
Seismic hazards		Subject to severe risk of damage from ground shaking, slope failure, settlement, soil liquefaction, lateral spreading, or surface faulting
Extreme slope hazards	Southridge Master Plan - JUB	Severe erosion potential and high probability of slope failure & landslide occurrence, Slopes greater than 25%
Other geological events		Mass wasting, debris flows, rock

TEXT – Original text from Technical Document

TEXT – Original text from Executive Document

	falls, differential settlement.
--	---------------------------------

MITIGATION SEQUENCING

Proposed development should avoid impacting critical areas. Mitigation sequencing identifies preferred options to use when the proposed activity cannot be avoided or minimized to cause the least amount of impact. Mitigation sequencing is listed in the order of preference.

1. Avoiding the impact by not taking a certain action;
2. Minimizing the impact by limiting the degree of the action, by using appropriate technology, or by taking affirmative steps to avoid or reduce impacts;
3. Rectifying the impact by repairing, rehabilitating, or restoring the affected environment;
4. Minimizing or eliminating the hazard by restoring or stabilizing using approved engineering or other methods;
5. Reducing or eliminating the impact over time by preservation and maintenance operations during the life of the proposed action;
6. Compensating for the impact by replacing, enhancing, or providing substitute resources or environments; or
7. Monitoring the impact and taking appropriate corrective measures.

Specific mitigation measures for wetlands and geologically hazardous areas are included in the Critical Areas Ordinance.

SHORELINES

INTRODUCTION

The Shoreline Master Program, contained in KMC 18.68 *Shoreline Management*, protects Shorelines of the State. The Shoreline Master Program was prepared with two guiding premises; no net loss of ecological function of the shoreline and restoration of the shoreline functions over time.

REQUIREMENTS UNDER GMA

RCW 36.70A.480 requires that Shoreline Management Plan goals and policies are included in the Comprehensive Plan and that they are consistent with each other.

PURPOSE STATEMENT FOR SHORELINE MANAGEMENT PLAN

Unlike the Critical Areas Ordinance, there are separate purpose statements for each of the three Environmental Designations in the Shoreline Management Plan.

The purpose of the Aquatic environment is to protect, restore, and manage the unique characteristics and resources of the areas waterward of the ordinary high water mark. The purpose of the Clover Island High-Intensity environment, only applicable to Clover Island, is to provide for high-intensity water-oriented commercial, industrial, and transportation uses while at the same time, protecting and restoring existing ecological functions in degraded areas. The purpose of the Urban Conservancy environment is to protect and restore ecological functions of open space, flood plains and other sensitive lands when they exist in urban and developed settings, while allowing numerous compatible uses.

TEXT – Original text from Technical Document

TEXT – Original text from Executive Document

SPECIAL POLICY GOALS

Special policy goals for all Shorelines of the State have been established by the State and are applicable to the Kennewick shorelines. They are listed in the order of preference for implementing Kennewick's shoreline regulations.

1. Recognize and protect state-wide interest over local interest;
2. Preserve the natural character of the shoreline;
3. Result in long-term over short-term benefit;
4. Protect the resources and ecology of the shorelines;
5. Increase public access to publicly-owned areas of the shorelines;
6. Increase recreational opportunities for the public on the shorelines;
7. Promote and enhance public interest;
8. Protect public rights of navigation;
9. Preserve and protect culturally significant features; and
10. Provide, when feasible, all necessary accommodations to enhance the participation and enjoyment of persons with special needs.

ADDITIONAL GOALS TO GUIDE IMPLEMENTATION

Goals specific to Kennewick's Shoreline Management Plan have also been developed. These are in addition to the special policy goals for all Shorelines of Statewide Significance. They will be used to guide implementation of KMC 18.68 *Shoreline Management* and are as follows:

ECONOMIC DEVELOPMENT

Economic development will be encouraged in the shoreline. There will be an emphasis on water-oriented commercial and recreational uses that provide orderly development on Clover Island and adjacent areas that will accentuate and enhance the Columbia River.

PUBLIC ACCESS

Public access will be improved on Clover Island to designated areas of the Columbia River for recreational purposes. New areas along the dike and Duffy's Pond will be provided to the public for fishing and viewing purposes. Whenever feasible, new development should provide access to the dike with pedestrian and bicycle bridges across the drainage canal.

RECREATION

The recreational facilities of the shorelines will be enhanced. Recreational uses on Clover Island should be planned to complement existing and proposed developments. Develop recreational facilities along the dike areas to enhance the dike and provide recreational diversification.

CIRCULATION

Circulation to the dike areas, Duffy's Pond, and to the Clover Island causeway should be improved for ease of access and should include adequate off-street parking facilities to serve the people who will be using these areas for recreational and commercial purposes.

SHORELINE USE

Assure that the various land uses are compatible and aimed toward maximum utilization of the shoreline without diminishing the quality of the environment. Shorelines abutting the dike area

TEXT – Original text from Technical Document

TEXT – Original text from Executive Document

should take advantage of the Columbia River and should be oriented in a manner to coordinate waterfront uses.

CONSERVATION

Enhance the aesthetic characteristics of the dike, Duffy's Pond, and Clover Island areas and take necessary steps to conserve the natural setting of these shoreline areas.

HISTORY, SCIENTIFIC, AND CULTURAL

Establish certain areas on Clover Island and dike that will have a cultural, educational, historical or scientific value and protect these areas in a proactive and substantive way.

FLOOD PREVENTION

Assure that, whenever feasible, steps are taken to prevent and/or minimize the risk of flood and associated flood damages to property and land uses.

POLICIES FOR ENVIRONMENTAL DESIGNATIONS

Parallel shoreline environments of aquatic, urban conservancy and high-intensity use divide the shorelines into different sections generally running parallel to the shoreline. Specific management policies that apply to these environmental designations are listed in the following table.

Table 4: Management Policies

Environmental Designation	Management Policies
AQUATIC	1. New over-water structures are allowed only for water-dependent uses, public access, or ecological restoration.
	2. The size of the new over-water structures should be limited to the minimum necessary to support the structure's intended use.
	3. In order to reduce the impacts of shoreline development & increase effective use of water resources, multiple uses of over-water facilities are encouraged.
	4. All developments & uses on navigable waters or their beds shall be located & designed to minimize interference with surface navigation, to consider impacts to public views, & to allow for the safe, unobstructed passage of fish and wildlife, particularly those species dependent on migration.
	5. Shoreline uses shall be designed & managed to prevent degradation of water quality & alteration of natural hydrographic conditions.
URBAN CONSERVANCY	1. First priority in shorelines uses will be given to those uses that preserve the natural character of the area or promote preservation of open space, flood plain or sensitive lands either directly or over the long term. Uses that provide long-term benefit will be preferred over uses that provide short-term benefit. Uses that result in restoration of ecological functions will be allowed if the use is otherwise compatible with the purpose of the environment and the setting.

TEXT – Original text from Technical Document

TEXT – Original text from Executive Document

	2. No net loss of shoreline ecological functions as a result of new development shall be allowed. All new development shall comply with standards pertaining to shoreline modifications [KMC 18.68.120(3)], vegetation conservation [18.68.110(2)(f)(iii)] and water quality [18.68.110(2)(g)(iii)]. 3. All new development shall comply with all applicable standards set forth in KMC Chapters 15 (Buildings & Construction), Chapter 17 (Subdivisions) and Chapter 18 (Zoning) and all state and federal requirements. 4. The location & design of new development should provide for public access and public recreation opportunities whenever feasible & when significant ecological impacts can be mitigated. 5. Water-oriented uses shall be given priority over non water-oriented uses. For shoreline areas adjacent to commercially navigable waters, water-dependent uses shall be given highest priority.
HIGH-INTENSITY	1. First priority in shoreline uses shall be given to water-dependent uses. Second priority shall be given to water-related and water-enjoyment uses. Non water-oriented uses should not be allowed except as part of mixed-use developments. Non water-oriented uses may also be allowed in limited situations where they do not conflict with or limit opportunities for water-oriented uses or on sites where there is no direct access to the shoreline. 2. Full utilization of existing urban areas should, whenever feasible, be achieved before further expansion of intensive development is allowed. 3. Multi-family & multi-lot residential & recreational developments shall provide public access & joint use for community recreational facilities. 4. Access, utilities, & public services shall be made available & adequate to serve existing needs &/or future residential development. 5. No net loss of shoreline ecological functions as a result of new development shall be allowed. Where applicable, new development shall include environmental cleanup & restoration of the shoreline to comply in accordance with any relevant state & federal law. 6. Whenever feasible, visual & physical public access to shorelines shall be required as provided for in WAC 173-26-221(4)(d). Wherever feasible, the location, design & construction of development impacting the shorelines will take into consideration aesthetic objectives such as location & size of signage, appropriate development siting, screening & architectural standards, & maintenance of natural vegetative buffers. 7. All new development shall comply with all applicable standards set forth in KMC Chapters 15 (Buildings & Construction), Chapter 17 (Subdivisions) and Chapter 18 (Zoning) and all state and federal requirements.

TEXT – Original text from Technical Document

TEXT – Original text from Executive Document

GOALS + POLICIES

GOAL 1: Protect the public and personal property from effects of landslides, steep slope failures, erosion, or flooding.

POLICIES

1. [Continue to classify, designate and protect geologically hazardous areas as identified in the critical areas ordinance.](#)
2. [Protect life and property from flooding and erosion by directing development away from flood hazard areas.](#)

GOAL 2: Protect the unique environmental elements of the critical areas and shoreline.

POLICIES

1. Protect critical areas and the shoreline using the Critical Areas Ordinance and the Shoreline Master Plan.
2. Use Best Available Science (BAS) to protect critical areas and shorelines and their environmental functions.
3. Preserve and protect anadromous fish, and threatened, endangered and candidate species as identified by federal and state agencies.
4. [Existing natural resources should be conserved through regulatory and non-regulatory means that may include regulation of development within the shoreline jurisdiction, ecologically sound design, and restoration programs.](#)

GOAL 3: Regulate or mitigate activities in or adjacent to critical areas or the shoreline to avoid adverse environmental impacts.

POLICIES

1. Support no net loss of ecological function of the shoreline and require restoration over time.
2. Strengthen cooperation between agencies with jurisdictions over critical areas and shorelines.

GOAL 4: Encourage and support public access to the shoreline for recreational purposes.

POLICIES

1. [Provide physical and visual public access to shorelines and provide recreational and viewing areas where feasible.](#)
2. [Ensure that new developments along the shoreline are in compliance with public access requirements of Kennewick's Shoreline Master Program.](#)

[GOAL 5: Preserve and protect culturally significant features found at the shoreline or in critical areas](#)

POLICIES

1. [Identify, Preserve, and protect culturally significant features found at the shoreline or in critical areas.](#)

TEXT – Original text from Technical Document

TEXT – Original text from Executive Document

- 1-2. Ensure preservation of culturally significant features in collaboration with tribal, state, federal and local governments and private parties.

URBAN DESIGN ELEMENT

WAC 365-195-345

INTRODUCTION

Urban design is a key component for a community's livability. It guides the community's vision into a physical reality. Kennewick takes a holistic approach in urban design where elements of the Comprehensive Plan are consistent with urban design goals and policies, and every project is viewed with respect to the larger context of the community's vision. The Urban Design Element will apply to the three dimensional aspects of the built environment such as buildings, streets, sidewalks, open spaces, and plazas. It also addresses other urban issues such as circulation and connectivity, sustainability, neighborhoods and districts.

~~The Urban Design Element is not mandated by the CMA. It is an optional element pursuant to WAC 365-195-345 and RCW 36.70A.080. Kennewick acknowledges urban design as an importance tool for the community building and economic development processes. The City also recognizes the importance of smart growth principles for its livability and vitality. This Urban Design Element, and its goals and policies are based on smart growth principles that fit the City's vision.~~

~~Urban design guides the community's vision into physical reality. Kennewick's urban design element is geared towards creating a livable community where people would like to live, work and play. The City takes a holistic approach in urban design where all other elements of the Comprehensive Plan are consistent with the urban design goals and policies, and every project is viewed with respect to the larger context of the community's vision. This element addresses the major issues of urban design such as design, circulation and connectivity, public places, district, natural environment, sustainability and landscaping.~~

~~With the growth in the Tri-Cities area, it is important for Kennewick to become a vibrant and livable community so that it becomes a destination. As the City matures and grows, Kennewick seeks opportunities to create and maintain a "sense of place". Only a safe, physically appealing and functionally convenient environment can make this happen. Kennewick's Urban Design Element is geared towards creating a livable community where people would like to live, work and play. The urban design goals and policies apply to the three dimensional aspects of the built environment such as buildings, landscaping, streets, sidewalks, open spaces and plazas. It also addresses other urban issues such as vehicular and pedestrian circulation, connectivity, sustainability, neighborhoods and districts.~~

DESIGN

Kennewick strives to implement quality design through private and public projects. A quality design combines aspects of architecture, landscape architecture, and environmental design. It encourages creativity, safety, compatibility and sustainability in the design. Site and building design are the fundamental steps to create an attractive built environment. The City's adopted residential and commercial design standards provide basic guidelines for developers to achieve quality developments. In general, these standards offer direction in the following areas: building compatibility, location and orientation, access, parking, site landscaping, architectural features, environmental protection, safety and security, and streetscape design.

TEXT – Original text from Technical Document

TEXT – Original text from Executive Document

The City aims to achieve quality design in citywide civic projects such as, public buildings and plazas, streetscape and corridor development, public art, parks, and open spaces. High quality design in public projects will set the standards for Kennewick and will generate further quality developments by the private sector.

Public art is an important component of a designed environment. Public art such as sculptures, reliefs, murals, and art pieces can transform the character of an area. Kennewick promotes artworks of local artists in public places. Public art in Kennewick can be reflective of local history and culture, and should be consistent with the character of the area where it is being placed.

~~A quality design combines aspects of architecture, landscape architecture, and environmental design. Good aesthetics and composition are the basics of urban design principles as they apply to the built environment. A successful design creates a pedestrian friendly urban environment, which is important for the livability of Kennewick.~~

PEDESTRIAN FRIENDLY ENVIRONMENT

With the growth in the Tri-City area, it is important for Kennewick to become a vibrant and livable community in the region in order to make it the prime destination. While vehicular mode of transportation is important for the City's growth, a pedestrian-friendly environment would increase the City's livability. Comfortable and safe pedestrian movements will make Kennewick a more attractive place for living and working.

All urban design goals and policies, and the commercial and residential design standards are geared towards creating a pedestrian friendly community. Mix of uses, smaller block size, mid-block connection, safe walkways between businesses and parking lots, safe pedestrian crossing, network of paths and trails throughout the City, good transit system, building orientation and design for human scale, usable open spaces and plazas – are all major considerations for promoting an attractive pedestrian friendly environment in Kennewick.

Streetscape is one of the most important aspects for creating a pedestrian friendly environment. Separation of sidewalks from streets, wider sidewalks, street trees and landscaping, sidewalk paving pattern, lighting, and safe cross-street connections will promote a safe and pedestrian-friendly streetscape environment. Traffic calming measures such as landscaped medians, pedestrian crossings, roundabouts, and speed bumps also enhance the safety of pedestrian movements.

CIRCULATION AND CONNECTIVITY

Kennewick's circulation system is designed for vehicular, pedestrian, bike and transit traffic. It is composed of a network of streets, street-crossings, sidewalks, bike routes, pedestrian trails, and walkways. All of these are intended to connect with each other in order to create a continuous and cohesive circulation pattern throughout the city.

The goal for circulation and connectivity is aimed to increase accessibility to major destinations throughout the City for all sectors of people. It aims to offer more than a single choice of movement for people by including multi-modal connections of vehicular, bike, pedestrian, and transit system. Establishing connections between open spaces and parks through pedestrian and bike trails is also part of the City's connectivity goal.

TEXT – Original text from Technical Document

TEXT – Original text from Executive Document

One of the objectives for efficient circulation is to ensure that all arterial and collector streets run throughout the City without any discontinuity. It would also maintain the continuity of the sidewalks along with the roads. The City prioritizes the connectivity between the major destinations. This includes vehicular and pedestrian connections between neighborhoods and schools, between retail businesses, and between parks and other major public amenities. The City works closely with the private sector in order to create an efficient circulation pattern within the business and residential environment. This will be achieved by promoting transit, providing walkways, reducing block sizes, allowing through-block pedestrian connections for big blocks, and creating more thorough roads than cul-de-sacs and dead ends.

~~Kennewick's circulation and connectivity system is planned for all modes of movement, vehicular, pedestrian, bike and transit traffic. The City builds its connectivity through a network of streets, street crossings, sidewalks, bike routes, pedestrian trails, and walkways in order to offer people more than a single choice of movement.~~

PUBLIC PLACES

Public places in Kennewick include parks, plazas, playgrounds, sidewalks, and open spaces. It also includes private spaces that are dedicated for public use. The character of public spaces can be different based on their types and uses. Public places can be formal in urban plazas, semi-formal in urban parks, and informal in open spaces and passive parks. Public places offer important civic nodes for Kennewick. They offer places for recreation and interaction, thereby promoting the sense of community.

Kennewick maintains safety, usability and easy accessibility for all public places. The City aims to implement Crime Prevention through Environmental Design (CPTED) principles in public places to ensure safety. One way to implement the CPTED principles is to put more uses around the public places, and orient buildings towards public places in order to create an interactive, safe, "eyes on the street" environment. Paths and trails that connect with major streets should be designed to make them visible and easily identifiable. Access to the waterfront and other recreational areas will also be maintained and enhanced for public use.

Public plazas should be located near the major street intersections, gateways and business centers to serve as urban breathing spaces. In major locations, public places can be integrated with landmark structures, such as architecturally significant building design, sculpture, and art works. Public places should have amenities based on the types of usages. For instance, parks and plaza areas should have benches, lighting and similar amenities. Parks usually have additional amenities such as play areas, playgrounds, picnic areas, and public restrooms. Neighborhood parks are located near the residential neighborhoods and schools to meet the neighborhood demand for recreation.

~~Public spaces establish the identity for Kennewick, offering places for civic activities and amenities. In Kennewick, they are in the form of parks, plazas, playgrounds, sidewalks, and open spaces. Private spaces can also be dedicated for public use. Public places can be formal in urban plazas, semi-formal in urban parks, and informal in open spaces and passive parks.~~

DISTRICTS

Districts are generally created by peoples' perception which identifies the sense of being "inside of" an area, and where a person can associate him/herself with some common identifying features. Usually this perception is derived from some tangible features such as homogeneity of physical aspects, and non-tangible features such as ethnic mix or

TEXT – Original text from Technical Document

TEXT – Original text from Executive Document

demographic patterns. Kennewick recognizes the importance of intangible features in the neighborhoods, and seeks to establish the tangible aspects, such as physical characteristics and boundaries for the neighborhoods.

Districts in Kennewick are predominantly residential, commercial, or a mix of both. Even each residential district can be broken down into neighborhoods with each having its own unique characteristics. It is important to identify this uniqueness for each district. Kennewick's urban design policies encourage mixed-use developments and neighborhood-based retail to serve the residential neighborhoods. A cohesive existence of different districts needs to be maintained by creating appropriate transition between the districts. Transition from commercial to residential districts can be done by softening the district boundaries with adequate landscaping, open spaces and buffers.

Commercial districts in Kennewick are comprised of various retail and office activities. A vibrant, business-friendly commercial environment is important for Kennewick's economic vitality. This can be achieved by public and private investments and appropriate design. The City's Commercial Design Standards have been established to promote well-designed, pedestrian and business friendly commercial districts in Kennewick.

Preserving and establishing the characters of residential neighborhoods are given prime importance in Kennewick. The Residential Design Standards guide the general design criteria for both single and multi-family residential developments. Residential districts may be further enhanced and established through neighborhood planning processes.

Besides residential and commercial districts in Kennewick, others such as the Entertainment District and Downtown Historic District carry immense significance for Kennewick's economy. Kennewick works with other stakeholders to establish distinctive characteristics for each of these. The Convention Center, Coliseum and Ice arena in the Entertainment District have created a regional entertainment hub. Memorandum of Understanding between the City and Kennewick Irrigation District, the other major property holders in the area, has been adopted to identify the district's characteristics, design goals and objectives. The City is working with the Historic Downtown Kennewick Partnership (HDKP) to revitalize the downtown area. The City also takes part in the Main Street program to revitalize the Downtown area. The Bridge-to-Bridge River-to-Railroad area has been established north of Downtown. Some conceptual design and visioning was done for this area by the Urban Design Assistance Team in conjunction with some of the property owners and stake-holders in 2003. This consists of the waterfront area between the Blue Bridge to Cable Bridge west to east, and the railroad to the south. This effort was aimed to reconnect the Columbia River with the Downtown, and to add more riverfront amenities for Kennewick's Downtown. The City recognizes the importance of this area and the efforts that have been made in the visioning process. The City plans to take a closer look at this area and aims to partner with all public and private stakeholders in order to develop a subarea plan for this area.

Districts and neighborhoods create a sense of belonging or a sense of being "inside of" an area, where a person can associate him/herself with common identifying features. Preserving the characteristics of each district and neighborhood is important for Kennewick. A cohesive existence of different districts also needs to be maintained by creating appropriate transition between the districts.

ENVIRONMENT AND SUSTAINABILITY

TEXT – Original text from Technical Document

TEXT – Original text from Executive Document

Kennewick is rich in natural resources, having mountains to the south and west, the Columbia River to the north, and located in a three-river (Yakima, Snake and Columbia) basin. These natural features emphasize Kennewick's identity. The City recognizes the value of natural resources as a tool for quality development.

Kennewick maintains a balance between built and natural environment. The balance is implemented through the conservation of energy and utility consumption, efficiency in the construction, and sensitivity to the ecology. The urban design policy recognizes that economic development should not occur at the cost of environmental debilitation. In order to utilize environmental resources for development, consideration will be given to preserving important view corridors, creating visual and physical access to the Columbia River, and preserving critical areas, shorelines and open spaces.

Preserving natural resources is one of the major goals of the City. Kennewick recognizes its unique natural setting as a resource for the community's well-being and aims to preserve its natural environment. [Kennewick has developed a Sustainability Program to "Proactively make sustainability decisions as good stewards of the public and consider the long term effects of our business practices and how those decisions affect our citizens and the environment." \(City of Kennewick Sustainability Program, Mission Statement\)](#)

[Kennewick's Sustainability Program compiles policies and practices from various city plans into one document where Kennewick's sustainable practices can be viewed in whole.](#)

LANDSCAPING

Landscaping is one of the most important features for creating a nice urban environment. It should positively enhance the built environment and urban spaces, and integrate the man-made environment with the natural environment. It is important for landscaping to be reflective of local features, climate and vegetation. Given the hot-arid climate in the Tri-City area, native landscaping and planting is recommended. Since water conservation is important, selection of native plants that require less water for healthy maintenance is preferred. Xeriscape is highly encouraged in Kennewick as a method of landscaping. On one hand it represents the dry climate identity of the area, and on the other hand it conserves water. The City will implement these landscaping principles in the design of public parks and open spaces in order to encourage private property owners to implement similar landscaping principles.

Selection of trees that offer shade in hot summer days is important for this area. The City plans to emphasize street corridor characteristics with appropriate street trees and streetscape options. The residential and commercial design standards establish the streetscape standards for commercial and residential streets. These design standards and the Kennewick Municipal Code have also established the landscaping guidelines for residential and commercial developments, parking lots, walkways and open spaces.

GOALS + POLICIES

GOAL 1: Create an attractive, lively, pedestrian friendly and visually cohesive urban environment for Kennewick.

POLICIES

1. Provide a strong role for good design, [addressing streetscape, landscape and building design](#) in new and redeveloped projects [through design guidelines and code.](#)
2. Promote public arts programs [through education, artwork in public places and private partnerships.](#)

TEXT – Original text from Technical Document

TEXT – Original text from Executive Document

3. Use public projects as demonstrations of good design and catalysts for development.

4. Enhance the appearance, image and design character of the downtown. Apply Main Street and historic preservation principles for downtown improvements.

5. Establish and enhance the [positive attributes of unique](#) residential, commercial and other districts with appropriate transition between them; encourage distinctive architectural features in the districts and gateways.

6. [Ensure safety and cleanliness of public spaces.](#)

5-7. [Use signage and wayfinding to enhance the urban environment.](#)

GOAL 2: Improve connectivity with an efficient and multimodal circulation pattern.

POLICIES

1. Improve streetscape and corridor design for safe and pedestrian- friendly environments

2. Develop a multimodal network of bike, pedestrian and vehicular system.

3. [Include clearly visible and accessible walkways and parking areas to building entrances and within and between developments as a part of site design.](#)

2-4. [Reduce the visual impact of parking lots and service docks to public areas using architectural design, site design, landscaping, screening and appropriate lighting.](#)

GOAL 3: Create public and semi-public places for public use and interaction.

POLICIES

1. Promote, improve and preserve public places in the form of urban plazas, parks, and open spaces.

2. Improve pedestrian and vehicular accessibility to Kennewick's waterfront and recreational areas.

2-3. [Pursue strategic public/private partnerships with large developments to leverage high quality public space integrated with new development.](#)

Goal 4: Protect the City's natural assets - canyons, ridgelines, hilltops, waterfront and view corridors that give Kennewick its unique identity.

POLICIES

1. Encourage green building design, energy efficient construction, xeriscape landscaping, utility conservation and other sustainable development measures.

2. [Encourage the creation of iconic visual reference points in the community through innovative site and building designs.](#)

TEXT – Original text from Technical Document
TEXT – Original text from Executive Document

- 1-3. [Use environmental and urban design review of development projects to avoid or mitigate impacts to identified scenic features.](#)

GOAL 5: Strengthen residential neighborhoods, downtown, commercial and industrial districts.

POLICIES

1. Promote strong and diverse neighborhoods that offer a mix of various uses, and linkages with other neighborhoods, shopping areas and public facilities.
2. Support sub-area plans to achieve planned and quality development, [including the Bridge-to-Bridge River-to-Railroad area.](#)
3. Partner with both public and private stakeholders in the sub-area planning processes.
4. [Encourage green building design, energy efficient construction, xeriscape landscaping, utility conservation and other sustainable development measures.](#)
5. [Undertake a subarea planning process for the Bridge-to-Bridge River-to-Railroad area.](#)

PROPERTY RIGHTS

WAC 365-195-725; RCW 36.70A.370

INTRODUCTION

The protection of private property rights is a fundamental element of Washington State law. Numerous court cases have established a predictable path for municipalities to follow in the property rights issue. A further element of this discussion is the timely and fair processing of permits submitted for land use decisions. Kennewick currently enjoys a substantially reduced processing time relative to other communities within the State. The majority of land use applications are processed well within the time frames established in the Kennewick Administrative Code and in conformance with regulatory reform measures contained in ESHB 1724, adopted in 1995.

RCW 36.70A.370 states that there will be an orderly, consistent process that enables state and local governments to evaluate proposed actions to guarantee that they do not result in an unconstitutional taking of private property. Governments that are required to plan under GMA are to follow the process that has been established.

WAC 365-195-725 deals with the constitutional provisions of the comprehensive plan adoption process.

GUIDELINES FROM ATTORNEY GENERAL

[Five questions to be used for guidance in determining regulatory takings have been prepared by the Washington State Attorney General's office. These questions can be used as a test by agencies and governments to determine the potential of regulations or actions to impact regarding constitutional issues with private lands.](#)

[Table 1: Guideline Questions](#)

TEXT – Original text from Technical Document

TEXT – Original text from Executive Document

Question	Discussion
1. Does the regulation or action result in a permanent physical occupation of private property?	Permanent physical occupation of a portion or all of private property will generally be defined as a taking.
2. Does the regulation or action require a property owner to dedicate a portion of property or to grant an easement?	The dedication of property must be reasonable and proportional and specifically designed to prevent or compensate for any adverse impacts of the proposed development. Must address if the action advances a legitimate state interest.
3. Does the regulation or action deprive the owner of all economically viable uses of the property?	Regulation or action that prohibits all economically viable or beneficial uses of the property will generally be a taking.
4. Does the regulatory action have a severe impact on the landowner's economic interests?	Reviewing the value of property before and after an impact from a regulatory action will determine if it is a taking.
5. Does the regulation or action deny a fundamental attribute of ownership?	Regulations that deny the property owner the fundamental right of ownership to possess, exclude others, and dispose of all or a portion of the property are potential takings.

If the answers to these questions cause concern, the requirements may be considered a taking of property. A balancing test using government interest and the extent of the impact on private property rights should be applied by legal counsel to determine if a taking has occurred.

GOALS + POLICIES

GOAL 1: Use existing Washington State case law as a guide for protection of private property rights.

POLICIES

1. Follow the Attorney General's recommended process to avoid unconstitutional takings of private property.
2. Conform to applicable state and local law regarding timely processing; permit coordination and SEPA/land use permit integration.

RESIDENTIAL

WAC 36.70A.030(7); RCW 36.70A.020(1 & 2); RCW 58.17.110(c); WAC 365-195-825(4)

INTRODUCTION

Residentially zoned areas in the city comprise approximately seventy (70) percent of the total land use. These residential zoning districts include low density single-family residential zoning with minimum 7,500 square foot lots, medium density multi-family residential zones with a maximum of 13 units per acre, high density multi-family residential zones with a maximum of 27 units per acre, and manufactured homes on individual lots or in manufactured home parks. Standard planning practice is to use graduated residential densities in zoning and subdivisions to minimize conflicts associated with a wide range of densities and housing types.

Development standards are designed for individual zoning districts and establish parameters (maximum building height, building setbacks, and lot sizes) to be used in subdivisions.

TEXT – Original text from Technical Document

TEXT – Original text from Executive Document

~~The residential section of the City's land use is similar to the commercial and industrial sections in many ways. In most cases, the community "sets the stage" for residential development with public infrastructure. This infrastructure is composed of water, sewer, roads, wastewater, potable water capacity and storm drainage systems. It's also composed of public services such as parks, schools, public safety and general government that reinforce sound private investment in a community. It's this public and private investment in community infrastructure that leverages community development.~~

Census information indicates that Kennewick is mirroring national trends in terms of family composition. Two parent, multiple children households comprise approximately one- third of our population, while single parent, single child households and households with no children comprise the other two-thirds. This has profound impacts on the types of residential homes and densities we seek to provide as we look towards providing needed housing for our future.

STATUTORY REQUIREMENTS UNDER GMA

Development regulations are limits placed on land use activities by the City and include planning tools such as zoning ordinances, critical areas ordinances, shoreline master plans, subdivision ordinances and other requirements that are contained in the Kennewick Municipal Code. Development regulations are defined in WAC 36.70A.030(7) and must be consistent with the Comprehensive Plan goals and policies.

RCW 36.70A.020 (1) and (2) requires that development should only be encouraged in urban growth areas where adequate public facilities and services exist or where they can be provided in an efficient manner; and that sprawl will be discouraged in undeveloped land. Sprawl is defined as low-density residential development spread over a large area.

RCW 58.17.110 says that a proposed subdivision will not be approved unless the jurisdiction makes written findings that appropriate provisions have been made for public health, safety, and general welfare. This also includes open spaces, drainage ways, streets or roads, alleys, transit stops, potable water supplies, sanitary wastes, parks and recreation, playgrounds, schools and school grounds and all other planning features that assure safe walking conditions. The public use and interest must be served by the platting.

WAC 365-195-825 (4) validates the requirement in RCW 58.17.110 for providing written findings for adequate services and levels of service.

SUBDIVISION CODES CONSISTENT WITH COMPREHENSIVE PLAN

A GMA requirement for consistency requires that subdivision codes and regulations are consistent with the Comprehensive Plan. A GMA mandate for concurrency affects subdivision approval by requiring that water, sewer, and transportation facilities and appropriate service levels be provided at the time of development.

CONSISTENCY

GMA requires that the Comprehensive Plan must be internally consistent for objectives, goals, policies, text, and maps.

Consistency ~~can~~ ~~is~~ ~~be~~ both horizontal (external) and vertical (internal). Horizontal consistency applies to adjacent jurisdictions such as Benton County, through the County-wide Planning Policies (CWPP), the City of Richland, and the City of Pasco.

TEXT – Original text from Technical Document

TEXT – Original text from Executive Document

Vertical consistency means that all development regulations within the City of Kennewick are consistent with each other. These include the Comprehensive Plan, Zoning (Title 18), Subdivisions (Title 17), the Critical Areas Ordinance, the Shoreline Master Plan, and all other city regulations as contained in the Kennewick Municipal Code and other adopted plans such as the Park & Recreation Plan and the Wellhead Protection Plan. A complete listing of adopted plans is included in the bibliography of the Comprehensive Plan.

The following table illustrates consistency with zoning and the Comprehensive Plan Land Use Map. There are three residential density categories designated on the Comprehensive Plan Land Use Map. The zoning districts used to implement these residential land use categories are shown in the following table.

Table 1: Zoning to Implement Residential Land Use

Land Use Category – Comprehensive Plan	Zoning to Implement Land Use Category Title 18
Low Density Residential (minimum 7,500 square foot lots)	RS, RL, RMH, RTP
Medium Density Residential (up to 13 units per acre)	RM, RMH , HMU, RTP
High Density Residential (up to 27 units per acre)	RH

*Maximum density for commercial districts is 27 units per acre as part of mixed use developments.

Residential subdivisions are guided by the specific regulations for each of these zoning districts as contained in KMC, Title 18, Zoning. KMC, Title 17, Subdivisions, contains specific regulations for the design, submittal, and approval process of residential and other subdivisions. These specific regulations include general provisions, platting, design and construction, condominiums, and land dedications.

DEVELOPMENTS ENCOURAGED IN URBAN AREAS WITH ADEQUATE PUBLIC FACILITIES & SERVICES

For cities planning under GMA, there are numerous planning concepts that must be met. Two concepts apply specifically to residential development:

- Development will be encouraged only in urban areas where adequate public facilities and services exist or can be provided in an efficient manner
- Inappropriate conversion of undeveloped land into sprawling, low-density development will be reduced.

These concepts are incorporated into the Benton County-wide Planning Policies under Policy #1 and goals in the Kennewick Comprehensive Plan.

Table 2: Kennewick Goals & Countywide Planning Policies

Benton County Planning Policies #1	Kennewick Goals
1. Urban Growth. Encourage development in urban areas where adequate public facilities exist or can be provided in a cost efficient manner.	Land Use Residential Goal # 2: Provide appropriate public facilities supporting residential areas.

TEXT – Original text from Technical Document

TEXT – Original text from Executive Document

	Land Use Residential Goal # 4. Encourage residential development in urban areas where service can be provided.
2. Avoid sprawl. Avoid the inappropriate conversion of undeveloped land into low-density development, lacking adequate services, injurious to ground and surface water quality, destructive to the area's agricultural lands base, and less than cost effective relative to public service costs.	Land Use Residential Goal # 3. Provide a variety of residential densities with a minimum density target of 3 units per acre as averaged throughout the urban area.

WRITTEN FINDINGS FOR PROPOSED SUBDIVISIONS

GMA and RCW require that findings of approval for subdivisions be specifically listed in writing as part of the record of the subdivision approval process. KMC Section 17.10.080, Provisions for Public Health, Safety and Welfare, requires that the City, through the City Council “will inquire into the public use and interest proposed to be served by the establishment of the subdivision and dedication”.

Plats are reviewed to determine if they are in compliance with the Comprehensive Plan, comprehensive water plan, utilities plan, and comprehensive Park & Recreation Plan, and any other issues necessary to determine if the plat should be approved. As stated in KMC Section 17.10.080, the subdivision application should address the following issues to the satisfaction of staff and the City Council:

- Public health, safety & general welfare,
- Open spaces,
- Drainage ways,
- Streets, alleys, and other public ways,
- Transit stops,
- Potable water supplies,
- Sanitary wastes,
- Parks & recreation,
- Playgrounds,
- Schools & school grounds, and
- Sidewalks.

GOALS + POLICIES

GOAL 1: Provide for attractive, walkable, and well-designed residential neighborhoods, with differing densities and compatible with neighboring areas.

POLICIES

1. Maintain residential zoning regulations that offer a similar graduation in building scale and bulk.
2. Require multi-family housing to incorporate architectural forms and features compatible with the surrounding neighborhood. Features that promote compatibility include landscaping, setbacks, rooflines and building forms that reduce the appearance of bulk.

TEXT – Original text from Technical Document

TEXT – Original text from Executive Document

~~1-3.~~ Require that multi-family structures be located near a collector street with transit, or near an arterial street, or near a neighborhood center.

~~4.~~ Use natural and man-made features to separate different residential densities.

~~2-5.~~ Encourage adequate pedestrian connections with nearby neighborhood and transit facilities in all residential site development.

GOAL 2: Provide appropriate public facilities supporting residential areas.

POLICIES

1. ~~Provide~~Ensure provisions ~~for of~~ parks, schools, drainage, transit, water, sanitation, infrastructure, ~~and~~ pedestrian, ~~and aesthetic considerations~~ in new residential developments.

2. Encourage irrigation service throughout residential areas, when available, to support and maintain healthy landscaping.

3. Deny residential developments if concurrency is not met for transportation, water, and sewer, or appropriately condition.

GOAL 3: Promote a variety of residential densities with a minimum density target of 3 units per acre as averaged throughout the urban area.

POLICIES

1. Establish and implement ~~minimum and~~ maximum densities in the City's residential zoning categories.

2. Residential Low Density: Place lands constrained by sensitive areas, those intended to provide transition to the rural area, or those appropriate for larger lot housing within the Residential Low Density land use designation to allow for a range of lifestyles.

3. Residential Medium Density – Place areas that can support high-quality, compact, urban development with access to urban services, transit, and infrastructure, whether through new development or through infill.

~~2-4.~~ Residential High Density – Designate land for Residential High Density (HD) where access, topography, and adjacent land uses create conditions appropriate for a variety of unit types, or where there is existing multi-family development.

GOAL 4: Provide more housing opportunities near commercial, transit and employment.

POLICIES

1. Locate the highest density residential areas close to shops and services and transportation hubs.

2. Encourage residential development within commercial areas.

Orphan Policy: Ensure internal consistency with proposed residential developments.

TEXT – Original text from Technical Document
TEXT – Original text from Executive Document

COMMERCIAL

RCW 36.70A.070(1)

INTRODUCTION

~~A commercial land use section is not a GMA mandated requirement but has traditionally been a section within the Land Use Element of the Comprehensive Plan. RCW 36.70A.070(1) requires that the general distribution and location of commercial land be discussed within the Land Use Element.~~

A city needs a variety of commercial areas. In addition to large regional commercial areas, residential neighborhoods need to have an option of smaller, more convenient commercial areas available for everyday needs. These could be within a short driving distance or ideally, within walking distance.

Numerous commercial zones are provided in Kennewick. Commercial, Regional (CR) zoning districts are for commercial uses to serve the entire region. The allowed uses in a Commercial, General (CG) zoning district are to provide heavy commercial use with wholesaling and warehousing, while Commercial, Community (CC) districts are designed to provide a diverse selection of uses in new commercial areas. Commercial Business District (CBD) districts accommodate a wide variety of uses that compliment Historic Downtown Kennewick. Commercial, Neighborhood (CN) districts are planned to provide day-to-day shopping and services. Commercial, Office (CO) zoning districts are designed as ideal locations for professional and business offices, medical offices and clinics, with other uses such as research facilities and laboratories. The Commercial, Marina (CM) zoning district is designed for water-oriented commercial and recreational uses and applies only to Clover Island. The Historic, Mixed Use (HMU) zoning district, located west of Historic Downtown Kennewick, provides a stable living environment for residents and businesses choosing to locate in an historic area with small-scale commercial and non-retail uses. Business Park zoning districts (BP) are provided for technical or industrial parks with professional and technical offices, light industry, and other similar uses.

COMMERCIAL LAND INVENTORY

Kennewick's commercial land is shown in red on the Comprehensive Plan land use map. The land use inventory is updated yearly. The land use inventory includes the entire urban area. Total acres for developed and undeveloped commercial lands are shown in the following table.

Table 1: Commercial Land within the Urban Growth Area 2016³

Developed Land in Acres	Vacant/Underdeveloped Land in Acres	Total by Acres
<u>5321,335.1</u> (2567%)	<u>1,634,647.0</u> (7533%)	<u>2,1661,982.1</u> (100%)

PROJECTED COMMERCIAL NEEDS

A general rule of thumb is to have 12 to 15 acres of commercial land for every 1,000 people in a community. Kennewick currently has roughly 17 acres of developed commercial land for every 1,000 people in the city limits. While slightly higher than the general rule of thumb, Kennewick acts as the retail hub for close to 500,000 people reaching from SE Washington, NE Oregon and as far north as Moses Lake and southern Grant and Adams Counties. Using this Kennewick's existing figure, an anticipated population increase to 102,529 in 2034 (from 76,410 in 2016) would require commercial land available for an

TEXT – Original text from Technical Document
TEXT – Original text from Executive Document

additional ~~26,119~~32,924 people. Using the ratio of ~~15-16.9~~ acres for each 1,000 increase in population (~~26,132.924~~ X ~~15-16.87~~ = ~~391.5555.43~~), ~~392-556~~ acres of undeveloped commercial land is needed.

In ~~2013-2016~~ there are roughly ~~1,634~~647 acres of undeveloped and underdeveloped commercial land within the current Urban Growth Area. Subtracting the 20-year estimated need of ~~392-556~~ additional commercial acres from the ~~1,634~~647 undeveloped and underdeveloped commercial acres indicates that at the present rate there is adequate commercial land for new growth through the next twenty years with an anticipated surplus of ~~894~~91 acres.

COMMERCIAL ZONING TO IMPLEMENT LAND USE DESIGNATION

There are eight commercial zoning designations available to implement the commercial land use category. Each parcel of commercial land has both a land use category as shown on the Comprehensive Plan land use map and a specific zoning designation for implementation.

Table 2: Zoning to Implement Comprehensive Plan

Land Use Category Comprehensive Plan	Kennewick Municipal Code Zoning to Implement
Commercial	KMC 18.12.010 B.2: Table of Non-Residential Site Development Standards. (Commercial, Neighborhood; Commercial, Office; Central Business District; Commercial, Community; Commercial, Regional; Commercial, General; Commercial, Marina; Historic, Mixed Use; Business Park District)

DECLINING COMMERCIAL AREAS

Commercially zoned districts often exhibit a cycle of prosperity and then decline as competition for locations are developed. Contributing factors such as demographic changes, accessibility, and commercial competition are all factors that lead to declining commercial areas.

HUD financial assistance, administered through the Community Block Grant Fund, is an invaluable source for improvements in declining commercial areas. HUD establishes guidelines for assistance, and once those are met, a community is in a position to leverage additional private investments for the re-development area.

Merchant associations can be vital in revising commercial areas. A good example is the Historic Downtown Kennewick's inclusion in the Main Street program to enhance the prosperity of the downtown and preserve its history. The Main Street program, sponsored by the National Trust for Historic Preservation, has four major components of design, economic restructuring, organization, and promotion.

STRIP COMMERCIAL DEVELOPMENTS

Strip commercial developments are the consequence of America's dependence on the automobile. They cause a haphazard linear development pattern along major roads with increasing number of curb cuts. Numerous curb cuts cause conflicts between vehicles exiting and accessing from the businesses and vehicles running on the street. Research indicates a higher risk of pedestrian or bicycle crashes at curb cuts or intersections. These are not supportive of a good business environment for Kennewick.

TEXT – Original text from Technical Document
TEXT – Original text from Executive Document

With commercially zoned land lining many of the major arterials in Kennewick, it is difficult, but not impossible, to prevent the proliferation of strip malls. Kennewick's commercial land use policies are intended to promote good business environment by clustering businesses into commercial centers and reducing automobile dependence. Appropriate zoning, shared access and parking, effective landscaping, and strategic location of buildings can all be techniques for developing clustered commercial centers rather than linear strip development. Kennewick Administrative Code traffic guidelines restrict curb cuts to one per site in most cases. Shared access and shared parking reduces costs to the developer while reducing the potential for accidents.

COMMERCIAL DESIGN STANDARDS

KMC 18.78 Commercial Design Standards provides design regulations for commercial areas in Kennewick. The standards aim to establish a quality environment for businesses. Objectives of the standards are to promote quality and creativity in design, promote economic vitality with a good business environment, provide simplicity and clarity of the regulations, and offer flexibility and options for the business community.

The design principles should focus on the safety and vitality of the community in order to create a livable pedestrian friendly environment. The design should also recognize that compatibility with the surrounding area, environmental sustainability, efficiency in the delivery of public infrastructure, and variety and creativity in design are important aspects to implement the design standards.

GOALS + POLICIES

GOAL 1: Revitalize declining commercial areas.

POLICIES

1. Provide technical and financial support to commercial areas ~~using CDBG funds.~~
2. [Monitor trends in Kennewick's job centers and consider land use changes, if needed, to maintain the vitality of these centers.](#)

GOAL 2: Sustain and enhance viable commercial areas.

POLICIES

1. [Encourage a mixture of commercial, office, and residential uses within commercial centers to support day and evening activities for all ages.](#)
2. [Encourage the integration of inviting publicly accessible open spaces that enhance the character and livability of commercial and mixed use centers.](#)
3. [Integrate pathways and trails that improve linkages between Downtown and surrounding neighborhoods.](#)
- ~~1-4~~ Encourage compatible commercial activities to concentrate near each other.
- ~~2-5~~ Encourage joint-use internal and external access.

GOAL 3: Create a balanced system of commercial facilities reflecting neighborhood, community, and regional needs.

POLICIES

TEXT – Original text from Technical Document
 TEXT – Original text from Executive Document

1. Provide commercial areas sized and scaled appropriately for the neighborhood or community.
2. Enhance compatibility with adjacent residential neighborhoods with landscaping, screening, and superior building design.
3. Provide for Neighborhood Commercial centers in strategic locations to serve surrounding neighborhoods, while minimizing impacts to the surrounding residential uses.
4. Support mixed residential/commercial development in all Commercial districts in a manner that is compatible with nearby uses.
- ~~2-5.~~ Vertical mixed use should be encouraged; the location of retail sales and services should predominately be on the ground floor with residential or more retail or services above.

INDUSTRIAL

RCW 36.70A.070(1)

INTRODUCTION

It is important for Kennewick to have a supply of available and industrially zoned land in for immediate purchase or transfer. This land should be located in areas that include, suitable transportation routes, utilities and public facilities. The Capital Improvement Program is the primary means to guide the provision of transportation and public facilities for this purpose.

The dominant economic player in the Tri-City area is Hanford, with its supporting industrial, commercial and service base. Kennewick, like the other cities in the area, has identified the need to diversify its industrial base in order to lessen reliance on this potent, but highly erratic resource. In order to accomplish this, there needs to be a focus on attracting, creating, and retaining industrial areas and activity in the City. It is generally true that expansion of the existing industrial base is more cost effective and simpler than actually recruiting new industry. However, both are necessary and desirable.

STATUTORY REQUIREMENTS UNDER GMA

RCW 36.70A.070(1) requires that land for industrial use will be discussed in the categories of general distribution and location. There are no other statutory requirements.

INDUSTRIAL LAND INVENTORY

Kennewick's land use inventory is updated yearly. The land use inventory is prepared for the entire Urban Growth Area. The totals for industrial lands are shown in the following table.

Table 1: Industrial Lands in Urban Growth Area

Developed Land by Acres	Undeveloped Land by Acres	Total Industrial Land by Acres
<u>388-462.3 (4659%)</u>	<u>456-325.2 (5441%)</u>	<u>844-787.5 (100%)</u>

PROJECTED INDUSTRIAL NEEDS

TEXT – Original text from Technical Document
TEXT – Original text from Executive Document

Kennewick's current Industrial land makes up about 5% of the City's total land base. This is a significant difference when compared to Richland and Pasco who have 17% and 36% respectively. Due to the great difference between Kennewick and the other two cities, a goal of 15% of the land base to be designated as Industrial land by 2029 has been established.

A total of 15% of the City's land base designated as Industrial land would amount to ~~2,900~~2,360 acres. The land use inventory indicates there are ~~388~~462 acres of developed land and ~~456~~325 acres of undeveloped land designated for industrial use projecting a need for ~~2,010~~1,573 acres by 2029.

Industrial land shown on the Comprehensive Plan land use map is located primarily in four areas.

- Former Vista Field area
- Clearwater corridor, north side, from Columbia Center Boulevard to W. 10th Avenue
- Northeast part of Kennewick from east of SR 397 along railroad tracks north of historic downtown
- Junction of SR 395 and I-82 on north side (Southridge Area)

Land has also been identified south of Interstate 82 for future industrial growth. This area has been designated as Urban Reserve. This area has also been included in the City's Water and Sewer Comprehensive Plans for several years as part of the 50 year planning area.

INDUSTRIAL ZONING TO IMPLEMENT LAND USE DESIGNATION

There are four industrial zoning designations available to implement the industrial land use category. Each parcel of industrial land has a land use category, as shown on the Comprehensive Plan land use map, and specific zoning to implement it.

Table 2: Zoning to Implement Comprehensive Plan

Industrial Land Use Category	KMC 18.12.010 B.2 Table of Non-Residential Site Development Standards. (Business Park District; Industrial Park District; Industrial, Light District; Industrial, Heavy District)
------------------------------	---

INDUSTRY AND TRANSPORTATION

Kennewick is located where air, water, and interstate transportation modes are all readily available. Since transportation costs directly affect the economic ability of industry to market and transport goods, these systems are necessary to a viable and financially stable industrial base.

ENVIRONMENTAL REGULATIONS

Industrial uses generally require manufacturing, rendering, or chemical processes in the creation of final products. These processes can create undesirable by-products or have adverse effects on the environmental quality of the city. Implementation of SEPA is site-specific and evaluates potential effects of proposals to air quality, water quality, and land. Specific SEPA regulations are contained in KMC 4.08 State Environmental Policy Act.

TEXT – Original text from Technical Document
TEXT – Original text from Executive Document

The negative effects of noise, odor, and lighting in industrial zoning districts are additional issues that must be addressed and regulated by the City. The Kennewick Municipal Code provides the legal and regulatory guidelines for protection using locally developed standards.

GOALS + POLICIES

GOAL 1: Encourage the development of a diverse industrial base [with family wage jobs.](#)

POLICIES

1. The Capital Improvement Program will designate areas for improvement of utilities and transportation systems within industrial areas [to help attract and retain industrial development and jobs.](#)
2. Encourage industrial locations near appropriate transportation, utilities, and other public facilities.
3. [Protect industrial lands from encroachment by incompatible land uses, which would reduce the economic viability of industrial lands.](#)

GOAL 2: Limit adverse effects associated with industrial uses.

POLICIES

1. Regulate environmental consequences of industrial uses with the State Environmental Policy Act (SEPA) and the Kennewick Municipal Code.
2. Minimize adverse effects of industrial uses adjacent to less intensive zones with buffers of natural or man-made features.

GOAL 3: Maintain an adequate amount of industrial land within the City Limits and the Urban Growth Boundary.

POLICIES

1. Designate at least 15% of Kennewick's entire land base (City Limits and UGA) as Industrial land by 2029.
2. [Work with the Port of Kennewick to secure lands for industrial use consistent with the City's and Region's industrial land needs.](#)
- 2-3. [Target industrial lands that meet all industrial market sectors, including both flexible spaces for light industrial and larger spaces for heavy industry.](#)

ESSENTIAL PUBLIC FACILITIES

RCW 36.70A.200; WAC 365.195.340, WAC 365.195.840, WAC 365.195.070

Essential Public Facilities (EPF) offer important services to public and are essential for a community. Examples of EPF are, solid waste handling facilities, jails, airports, and other state and regional transportation facilities. Essential Public Facilities can be offered at local, regional, county or state government levels. It can also be operated by a private entity while offering services to the public. Each of these facilities has different types of difficulties in the siting process.

Difficulties in siting are associated with finding the suitable and appropriate location due to the perceived or real environmental, economic, or social impacts. Some common issues are the

TEXT – Original text from Technical Document

TEXT – Original text from Executive Document

size of the facility, location, adverse impact such as noise, odor, pollution, traffic impact, aesthetics and health and safety concerns. Locating the facilities in areas consistent with the Comprehensive Plan would address many of the adverse impacts. For instance, some facilities would not be allowed to be located in the known hazardous areas such as in the flood plains, or environmentally sensitive areas. However, perceived impacts, if not substantiated by real facts, cannot be the sole reason for not locating a facility where it is most suitable.

In Kennewick, siting of such facilities will be based on careful review of the facility, its necessity, impact mitigation, regional fair share and consistency. If appropriate land use designations and zoning are not in place, Comprehensive Plan Amendment and Change of Zone processes will take place in order to review and address land use and zoning issues. Appropriate land use and zoning for each use type has been indicated in the facilities table in the Technical document. A strong public involvement and notification process will take place in conjunction with the location process of the Essential Public Facilities within a community.

DEFINITIONS

Essential Public Facility (EPF) can be defined as a public or privately operated facility providing public services or publicly funded services that is difficult to site due to, but not limited to its environmental, economic, or social impacts; and that meets the Growth Management Act definition of Essential Public Facility (EPF) at RCW 36.70A.200.

According to RCW 36.70A.200, Essential Public Facilities include those facilities that are typically difficult to site, such as airports, state education facilities and state or regional transportation facilities as defined in RCW 47.06.140, state and local correctional facilities, solid waste handling facilities, and in-patient facilities including substance abuse facilities, mental health facilities, group homes, and secure community transition facilities as defined in RCW 71.09.020.

State or regional transportation facilities as defined in RCW 47.06.140 includes the interstate highway system, interregional state principal arterials including ferry connections that serve statewide travel, intercity passenger rail services, intercity high-speed ground transportation, major passenger intermodal terminals excluding all airport facilities and services, the freight railroad system, the Columbia/Snake navigable river system, marine port facilities and services that are related solely to marine activities affecting international and interstate trade, and high-capacity transportation systems serving regions as defined in RCW 81.104.015.

DIFFICULTIES IN SITING

Difficulties in siting are associated with finding the suitable and appropriate location due to the “perceived” or real environmental, economic, or social impacts. Some common issues for the difficulties in siting are the size of the facility, location, adverse and adverse impact such as noise, odor, pollution, traffic impact, aesthetics and health and safety concerns.

Most of the time, the perception of adverse impacts raises public opposition when service providers consider locating such type of facilities. However, in *Department of Corrections v. City of Kennewick*, 86 Wn. App. 521 (1997), court inferred that unsubstantiated fears are not relevant to the siting issues. No local comprehensive plan or development regulation may preclude the siting of Essential Public Facilities (RCW 36.70A.200(5)).

IDENTIFY FACILITIES

TEXT – Original text from Technical Document

TEXT – Original text from Executive Document

The City will identify Essential Public Facilities based on the definition mentioned in this document and the services these facilities provide to public. Services to the public provided by the government, substantially funded by the government, contracted for by the government, or provided by private entities subject to public service obligations will be considered for identifying Essential Public Facilities.

Cities can establish their own local criteria for the identification of Essential Public Facilities, focusing on the public need for the services involved. There are three sources Kennewick will consider to identify and update its list for Essential Public Facilities – the City, the County and the State.

(A) The City list. This is a list of local essential facilities, adopted by the City of Kennewick. According to the Revised Code of Washington, it is irrelevant to this listing that a facility may be funded by or operated by the state or another public or private entity other than the City. The critical concern is that the facility be needed locally. The local listing would include the following facilities:

- Substance abuse facilities
- Mental health facilities
- Group homes providing inpatient care
- Solid waste handling facilities

(B) The Countywide list. This is a list of Essential Public Facilities of a countywide or regional nature, made part of or pursuant to the countywide planning policies adopted by counties in consultation with cities.

The county listing would include the following:

- Correctional facilities
- Solid waste management facilities of regional nature

Benton County comprehensive plan and County Wide Planning Policy (CWPP) does not indicate any new county Essential Public Facilities to be located within the Kennewick city limits.

(C) The State list. This is the list of essential state public facilities that are required or likely to be built within the next six years maintained by the Office of Financial Management (OFM).

The Office of Financial Management's list does not indicate any new Essential Public Facility planned within the City's Urban Growth Area (UGA). The only mention is the Kennewick Crime Laboratory operated under Forensic Laboratory Services Bureau (FLSB) of the Washington State Patrol. This is located outside the UGA, south of Kennewick near SR 395.

In general, the following State essential facilities are identified in RCW 36.70A.200 and RCW 47.06.140:

- State education facilities
- State airports
- State or regional transportation facilities such as:
 - o Interstate highway system
 - o Interregional state principal arterials
 - o Intercity passenger rail services
 - o Freight railroad system
 - o Marine port facilities and services that are related solely to marine activities affecting international and interstate trade, and

TEXT – Original text from Technical Document

TEXT – Original text from Executive Document

- o Columbia/Snake navigable river system.
- State correctional facilities
- Secure Community Transition Facilities (SCTF)

INVENTORY OF EXISTING ESSENTIAL PUBLIC FACILITIES

Based on the definition of Essential Public Facilities, following facilities are currently existing and operating within the city limits.

CITY FACILITIES

1. Solid Waste Management Facilities

Kennewick works jointly with Benton County and the Cities of Richland, West Richland, Prosser and Benton City to address solid waste issues. Solid waste issues are addressed in the **2006 Benton County Comprehensive Solid Waste Management Plan**, which provides a long-term approach to solid waste management in the region. The Plan Update was prepared under the direction and guidance of the Benton County Solid Waste Advisory Committee (SWAC). The SWAC was formed in 1994. The SWAC draws its membership from elected county and city officials, other public and private entities within the Benton County area. The current plan was adopted in ~~mid-2007~~[mid-2007](#).

City of Kennewick maintains its solid waste management system mainly through Waste Management Kennewick (WMK). Waste Management Kennewick provides solid waste and recycling services. Kennewick does not have any solid waste landfill within the City limits. The City's solid waste is transferred through Waste Management Kennewick to Columbia Ridge Landfill in Arlington, Oregon.

The WMK transfer station is located at 2627 S. Ely Street in Kennewick. The facility is open to the public Monday through Saturday. There is solid waste disposal at the transfer station as well as a recycle buyback center. Recyclables are also collected from residences and businesses, as well as debris from construction and demolition projects. All recyclables are taken to Clayton Ward Recycling in Kennewick. All other waste is taken to Columbia Ridge. No sorting is done.

Kennewick's household hazardous wastes have been disposed of at the Richland Landfill Household Hazardous Waste (HHW) Facility near Highway 240 (Vantage Highway) through an inter-local agreement signed in 1993 between the cities of Kennewick and Richland, and Benton County. A fire at the Richland landfill on July 4, 2010 burned this facility which has ended acceptance of HHW at this facility. The facility does accept used motor oil and antifreeze. This shared permanent facility stored, sorted and properly disposed of household hazardous wastes. The household hazardous wastes received in this facility included paints, polishes, cleaning products, thinners, solvents, pesticides, herbicides, fertilizers, household batteries, aerosols, used motor oil, antifreeze, drain openers, car batteries, brake fluid, gasoline, car wax, transmission fluids and any product with a caution and warning label. The WMK transfer station also has a satellite household hazardous waste collection site that takes waste to the Richland Landfill, however, the satellite facility only accepts paint, used motor oil and antifreeze.

Inert Landfill

[The](#) City of Kennewick operates a street and storm waste decontamination facility at S. Ely Street and West 19th Avenue and an inert landfill located at 1300 S. Yew, immediately

TEXT – Original text from Technical Document

TEXT – Original text from Executive Document

east of the Benton-Franklin Fairgrounds. Both the decontamination facility and the inert landfill are operated through permits issued by the Department of Ecology and the Benton-Franklin Health Department.

The decontamination facility is where street sweepings and vector wastes from storm drain cleaning are taken. After the waste has been decontaminated and tested, the then inert waste is taken to the City's inert landfill. The waste is screened at that time to remove general litter, such as paper, plastic bags, etc., that would be collected during street sweeping and cleaning activities. The litter waste is taken to the Waste Management Transfer Station or the Richland Landfill for normal disposal. The remaining inert waste, which is mainly sand and gravel, is separated (with the screening process). Much of the sand material is recycled into road sanding product for the following winter weather. Excess materials are used to fill the inert landfill.

The City has an agreement with the Benton County Road Department and the Washington State Department of Transportation to let them use the facilities for their street waste programs (WSDOT - local highways only). The City has chosen not to offer the use of these facilities and services to any private parties or other activities to keep the source of materials coming into the site controlled. This greatly reduces the possibility of a serious contamination being introduced.

2. In-Patient Facilities

- o Mental health facilities – Kennewick General Hospital (KGH) does not provide inpatient facilities for mental health patients.

Department of Social Health Service's (DSHS) Mental Health Service Division offers mental health care facilities through their authorized community mental health agencies. For Greater Columbia region, the services are coordinated through the Greater Columbia Behavioral Health's regional office. The office is located on Edison Street at the intersection of Canal Drive (101 N. Edison).

In Kennewick, community mental health agencies authorized by DSHS are, Department of Human Services (7202 W Deschutes Ave.), Lutheran Community Services Northwest (3321 W. Kennewick Ave., Kennewick, WA) and Benton-Franklin Counties Crisis Response Unit (2635 W Deschutes Ave.). The Crisis Response Unit coordinates with Carondelet in Richland, Detox Center at Pasco, and KGH ER regarding transfer or medical evaluation of a person.

- o Substance abuse facilities – Kennewick General Hospital does not provide inpatient facilities for substance abuse. In Kennewick, they are usually offered in group-homes or are coordinated with facilities mentioned above.
- o Group homes offering inpatient facilities such as substance abuse facilities and mental health facilities are randomly distributed throughout the city. They are permitted as a residential use according to the Zoning Ordinance of KMC and state regulations.

TEXT – Original text from Technical Document

TEXT – Original text from Executive Document

COUNTY FACILITIES

Benton County already has the following county-wide facilities in Kennewick. No new facilities have been mentioned or determined to be located in Kennewick according to the planning policies of Benton County.

3. *Justice Facilities (District Court and Jail) – 7320 W Quinault*
4. *Juvenile Justice Center – 5606 W. Canal Place*

STATE FACILITIES

5. *Interstate Hwy, I-82 borders the southwest edge of the City.*
6. *Interregional State Principal Arterials SR 240, SR 395 and SR 397.* SR 240 runs from the northwest city limits to SR 395, SR 395 runs from the southern city limits to the Franklin County line, and SR 397 runs on the northeast and the east sides of the City.

These also fall under the category of Highways of Statewide Significance (HSS). Improvements to the HSS routes are to be considered priority for funding by the Washington State Transportation Commission.

7. *Intercity Passenger Rail Service*

The Amtrak station is located in Pasco. Amtrak shares the track with BNSF. The westbound route between Pasco and Portland goes through the northeast part of Kennewick on the Washington side of the Columbia River.

8. *The Freight Railroad System (BNSF, Union Pacific).*

Kennewick's mainline rail freight service is provided by the Burlington Northern Santa Fe (BNSF) and Union Pacific railroads.

The BNSF railway maintains approximately eight miles of mainline track within Kennewick and a complex of side tracks. Each intersection of mainline track with a city street is either signalized or grade separated. Most side track intersections are not signalized. The BNSF currently has an average of six trains per day. With the improvement of the Stampede Pass and increased shipping at the Ports of Tacoma and Seattle the number of trains using this corridor could increase to as high as 20 trains per day.

This impacts the six remaining at-grade crossings in Kennewick. Columbia Center Boulevard crossing was the one expected to have greater impact due to the existing heavy vehicular traffic. To reduce the impact, City of Kennewick worked with BNSF ~~and to raise~~ secured funding from several state agencies in order to undertake a project to separate the grades between the railroad and the Columbia Center Boulevard. The project is known as "Columbia Center Boulevard BNSF Grade Separation Project" and was finished in 2005. The project creates a below grade track for the BNSF at this crossing. There are two other potential grade separation projects, one at Edison Street and the other one in the Downtown area.

BNSF owns two buildings in Kennewick. The old depot building (in the old Downtown Kennewick area) is used by railroad train crews, but has no public use. The other building is leased to a non-railroad related private business. BNSF also owns and maintains the Columbia River Railroad Bridge (between Pasco and Kennewick).

The Port of Kennewick owns one track segment in Kennewick. This segment, from Bruneau St. to the Harvest States property on Columbia Drive is a dual track segment located in the east side of the Cable Bridge. The port maintains the track lines and ties, along with switches and crossing. According to the Port of Kennewick, currently rail

TEXT – Original text from Technical Document

TEXT – Original text from Executive Document

cars visiting the site supply their needs with barge potentials; Ash Grove Cement Company is one of the major users of this facility.

The Union Pacific Railroad has approximately eight miles of industrial track in the City, with seven signalized crossings. There are no maintenance shops or storage buildings inside the City.

The Port of Benton owns approximately 1-1/2 mile of industrial track and siding within the City of Kennewick limits. Rail cars are currently exchanged at the junction of the UPRR lead and the Port of Benton lead between Tri-City and Olympia Railway and BNSF and UPRR. The Port of Benton provides no rail service to customers in Kennewick.

9. *The Columbia/Snake Navigable River System*

The Columbia-Snake River System is an important inter-modal commercial transportation network for the state extending to the Pacific Ocean. The system includes eight dam and lock complexes allowing the numerous barge lines serving the river system to transport commodities to and from locations throughout the world. Several barge companies currently offer service to the Tri-Cities area with specialized barges that handle a wide variety of cargo. A fully operational container-handling terminal is operated at the Port of Pasco. The terminal is also served by BNSF railroad.

There is a single (private) barge service within the city limits that is located to the southeast of the cable bridge near the Port of Kennewick track segment. This marine terminal accommodates grain shipments to Portland which are reloaded onto ocean bound vessels serving the Pacific Rim. This is served by Shavers Transportation. Tidewater Barge Lines does not own or operate facilities in Kennewick. Grain-grower and supplier, Harvest States Cooperatives is one of the main users of this barge facilities.

10. *Marine Port Facilities and Services* that are related solely to marine activities affecting international and interstate trade are integrated with the Columbia/Snake navigable river system. Clover Island, owned by the Port of Kennewick has US Coast Guard's Aids to Navigation station.

11. *Secure Community Transition Facilities (SCTF).*

Benton County and its jurisdictions are currently not subject to state preemption requiring locating more SCTF. Currently Washington State Department of Correction's (DOC) Tri-Cities Work release site is located at 524 E Bruneau Ave.

It is a minimum-security facility with a capacity for 24 male and 6 female offenders. This was opened in June of 1999. It is the only state owned work release that is solely staffed by Department of Corrections employees. It is a single level, 12,500 square foot building on 1.37 acres, located one block south of the Columbia River in east downtown Kennewick.

SITING PROCESS

The Planning Director, based on the criteria below, will determine if the facility is an Essential Public Facility. Some Essential Public Facilities may not pose any siting difficulties beyond those associated with commercial or public developments. If the facility does not present siting

TEXT – Original text from Technical Document

TEXT – Original text from Executive Document

difficulties, it will be relegated to the normal siting process applicable to a facility of its type. If the facility does present siting difficulties, it should be subjected to the siting process as discussed below.

1. DETERMINING ESSENTIAL PUBLIC FACILITIES

A facility shall be considered as Essential Public Facilities for review and siting if one or more of the following characteristics apply:

- a. Facility meets the Growth Management Act definition of Essential Public Facilities.
- b. The facility is in the city, county or state list of Essential Public Facilities as described in the Comprehensive Plan's Essential Public Facilities element.
- c. It provides services to the public, there is a need for the service and there are difficulties in siting due to one or more of the following:
 - i. The facility requires a type of site for which there are few sites available.
 - ii. The facility can only be located near another public facility.
 - iii. The facility has proven or anticipated adverse environmental and economic impacts to the surrounding community.
 - iv. There have been difficulties in the past in siting these types of facilities.

If the facility does not present siting difficulties, and does not fit to the criteria above, it should be relegated to the normal siting process.

2. REVIEW CRITERIA

Review shall be combined with the permitting process. However, some review shall be required prior to the permitting process, such as finding the appropriate location for the facility.

- a. **Applicability.** Review shall determine the need of the facility in the light of established level of service. It shall review whether such facility already exists and the service level is adequate or can be accommodated in an existing facility.
- b. **Consistency with the Comprehensive Plan.** Facilities shall be consistent with the Comprehensive Plan land use map and policies. Facilities, if provided through a special district plan, the special districts plan must also be consistent with the Comprehensive Plan.
- c. **Multi-jurisdictional approach and CWPP.** The facility needs to be consistent with the County-Wide Planning Policies. Inter-agency review shall be required if the facility is of a statewide, countywide or regional nature.
- d. **Location.** Review of alternative sites for appropriate location and regional fair share considerations.
 - i. Facilities shall be allowed in the zoning districts according to the Essential Public Facilities table.
 - ii. Review and compare between several alternative sites within the City if it is a City provided Essential Public Facility.
 - iii. Consider several alternative sites in other jurisdictions as well if the facility is a state or county Essential Public Facility providing services of regional nature.

TEXT – Original text from Technical Document

TEXT – Original text from Executive Document

- e. **Impact and mitigation.** Identify the potential impacts of the proposed facility. Impacts shall be identified in the most comprehensive manner to include social, environmental and economic impacts. Measures shall be taken to mitigate the adverse impacts such as noise, odor, pollution, traffic, aesthetics and health and safety concerns.
- f. **Cost-benefit analysis.** The facility's financial impact on the City shall be analyzed. If analysis shows that it would cause a disproportionate financial burden for the community, an agreement shall be required among jurisdictions to mitigate the adverse financial burden when the facility offers regional services.
- g. **Case-by-case approach.** Director of the Community Planning or person of a similar responsibility may add additional review process if required due to the unique nature of the facility. Conditions shall be added in each case to mitigate the adverse impacts and to make the facility compatible with the affected area. All the issues that make the specific facility difficult to site shall be appropriately addressed and mitigated.
- h. **Public involvement.** The public shall be notified according to the statutory requirements. Public meetings shall be conducted by the applicant before the public hearing to address public concerns.

3. PERMITTING

Permitting process will begin only after the Director of ~~the~~ Community Planning or person of a similar ~~responsibilities~~ responsibility reviews and determines that the facility meets the requirements mentioned in the first two steps of the siting process.

Fundamental land use planning choices in the comprehensive plan and development regulations shall serve as a foundation of the project review. The facility needs to be in conformance with the Comprehensive Plan land use designation and zoning code prior to the permitting process.

Comment [WU2]: Create new KMC Section 18.12.065 for EPF siting process requirements.

Comment [WU3]: Move to KMC

TEXT – Original text from Technical Document

TEXT – Original text from Executive Document

ESSENTIAL PUBLIC FACILITIES TABLE¹

DOE - Dept. of Ecology; DOH - Dept. of Health; DOC - Dept. of Correction; DSHS - Dept. of Social Health Services; WSDOT - Washington State Department of Transportation; RTPo - Regional Transportation Planning Organization; FAA - Federal Aviation Authority; HECB - Higher Education Coordinating Board; SBCTC - State Board for Community and Technical Colleges.

<i>Facility Use</i>	<i>Specific zoning</i>	<i>Comp. Plan Land use</i>	<i>SEPA</i>	<i>Other jurisdictions involved</i>	<i>Special Criteria</i>
Local					
Solid waste handling facilities	PF, IL, IH	Public Facility, Industrial	Yes	DOE, DOH	According to the City's adopted Solid Waste Management Plan
Wastewater treatment facilities	PF, IL, IH	Public Facility, Industrial	Yes	DOE, DOH	According to the City's adopted Water and Sewer Plan
In-patient facilities in hospitals - Mental Health and/or Substance Abuse	PF, CO, CC, CR, CG	Public Facility, Commercial	Yes	DOH, DSHS	
Group homes (as in-patient facilities)	Per zoning code matrix	Per zoning district	TBD	DOH, DSHS	Must be in compliance with the category definition
State and County					
State and local correctional facilities (i.e. jail, juvenile detention center).	JF	Public Facility	Yes	DOC, DOH, DSHS, Benton County	Distance from school
Secure community transition facilities (i.e. work release)	JF	Public Facility	Yes	DOC, DSHS	- 3 ESSB 6151 criteria - Distance from risk potential² activities, facilities and sites. - DSHS to work with local government to provide equitable distribution of SCTF. (Section 201 (8) not to cause a disproportionate grouping in one county or jurisdiction)
State or regional transportation facilities	Zoning does not apply	N/A	Yes	WSDOT, DOE, RTPo	
Airports	PF	Public Facility, Industrial	Yes	FAA, WSDOT, DOE, RTPo	Land use compatibility
State education facilities (2 and 4 yr college)	BP, PF, OS	Public Facility, Open Space	Yes	HECB, SBCTC	
Others listed by OFM	TBD	TBD	TBD	TBD	TBD

¹ Essential Public Facilities shall be allowed only in the designated zoning districts as indicated in the Essential Public Facilities table and according to the process in the Comprehensive Plan Essential Public Facilities Element.

² Public and private schools; school bus-stops; licensed day care and licensed pre-school facilities; public parks, trails and sports fields; recreational and community centers, churches, synagogues, temples, and mosques, public libraries.

TEXT – Original text from Technical Document

TEXT – Original text from Executive Document

GOALS + POLICIES

Goal 1: The comprehensive plan or development regulations shall not preclude the siting of Essential Public Facilities.

POLICIES

1. Follow the procedures for siting of Essential Public Facilities ~~as discussed in consistent with the technical document~~ Land Use Element of the Comprehensive Plan.
2. ~~Develop a cooperative regional process to site~~ Allow Essential Public Facilities of regional and statewide importance ~~in order where they are demonstrated~~ to promote efficiency and environmental protection, and distribute economic benefits/burdens throughout the region or county.

Goal 2: The location of Essential Public Facilities shall be compatible with the land use plan and policies.

POLICIES

1. Siting of Site Essential Public Facilities in Kennewick ~~shall be~~ consistent with the County Wide Planning Policies (CWPP).
2. Social, environmental and economic impacts shall be identified and mitigated. Measures shall be taken to limit the adverse impacts of noise, odor, pollution, traffic, aesthetics, and health and safety concerns. An application shall be denied if it fails to mitigate the impacts.
3. Essential public facilities should be equitably located throughout the City, county and state. No jurisdiction should absorb a disproportionate share.

Goal 3: Identify and site Essential Public Facilities in coordination with local and regional planning goals.

POLICIES

1. Identify, review and update the Essential Public Facilities list periodically based on local, county and state lists and definitions.
2. Coordinate among jurisdictions in order to develop consistent and cost-effective programs that avoid duplication of effort and gaps in program activities.
3. Participate in the Benton Franklin Council of Governments to facilitate planning regional transportation facilities and infrastructure improvements that serve Essential Public Facilities.



City Council Meeting Schedule June 2017

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

June 13, 2017
Tuesday, 6:30 p.m. WORKSHOP MEETING
1. Golf Course Update

June 20, 2017
Tuesday, 6:30 p.m. REGULAR COUNCIL MEETING

June 27, 2017
Tuesday, 6:30 p.m. WORKSHOP MEETING
1. Code Enforcement Update
2. Committee Updates

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

June 2017
Updated 5/2/17