

1. **CALL TO ORDER:**

- a. Roll Call/Pledge of Allegiance

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

- a. Approval of the Minutes dated June 19, 2017
- b. Approval of Agenda
- c. Motion to enter Staff Report(s) into Record

3. **PUBLIC HEARING:**

- a. Zoning Ordinance Amendment (ZOA) 17-02 KMC 18.78 – Commercial Design Standards, Mixed-Use Standards

4. **VISITORS NOT ON AGENDA:**

5. **OLD BUSINESS:**

6. **NEW BUSINESS:**

- a. Bridge-to-Bridge Implementation

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

8. **ADJOURNMENT:**

**KENNEWICK PLANNING COMMISSION  
JUNE 19, 2017  
MEETING MINUTES**

**CALL TO ORDER**

Vice Chairman Morris called the meeting to order at 6:31 p.m.

Commissioner Moore led the Pledge of Allegiance.

Recorder Melinda Didier called the roll and found the following:

Present: Commissioners Rob Rettig, Anthony Moore, Clark Stolle, Charles Torelli, and Vice Chairman Victor Morris

Excused: Commissioner Fraser Hawley and Chairman Ed Pacheco

Unexcused: None

Staff Present: Greg McCormick, AICP Community Planning Director, Anthony Muai, AICP Senior Planner, Lisa Beaton, City Attorney, and Melinda Didier, Administrative Assistant/Recorder.

**CONSENT AGENDA**

- a. Approval of Minutes dated May 15, 2017
- b. Approval of Agenda
- c. Motion to enter Staff Reports into the Record

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

**PUBLIC HEARINGS**

**Vice Chairman Morris opened the public hearing at 6:35 p.m. for Zoning Ordinance Amendment (ZOA) #17-03, which proposes to modify the existing sign code in KMC 18.24, to remove any regulations based on the content of the sign, as per United States Supreme Court ruling *Reed v. Town of Gilbert*.**

Mr. Muai gave a brief overview of the staff report and presented a Power Point of the staff report. Staff recommends that the Planning Commission concur with the findings and conclusions contained in staff report ZOA #17-03 and recommend to City Council approval of the request.

Questions from Planning Commissioners of staff: 3 feet maximum height, 2 feet maximum width for residential signs, maximum area 4 square feet; enforcement on illegal signs, definition of professionally crafted; differences between enforcement complaint and safety related; political sign enforcement; supreme court case on political signs; severability clause; expiration of

temporary signs; maintenance and removal of signs; timing of zoning ordinance amendment; phasing of new sign code; portable signs; sign clutter.

**Testimony of Applicant or Applicant's Representative:**

City is applicant and testimony is staff report.

**Testimony in favor:**

None

**Testimony neutral or against:**

None

**Staff final comments:**

None

**Further questions from Planning Commissioners of staff:**

Commissioner questions included: Dumping as reference on page 11 of KMC 18.24; changing maximum residential sign area from 4 square feet to 6 square feet; enforcement of signs at closed businesses, post-election signs; homeowner associations.

**Public Testimony for ZOA #17-03 closed at 7:18 p.m.**

Vice Chairman Morris asked for a motion.

Commissioner Rettig moved to concur with the findings and conclusions in staff report ZOA 17-03 with the amendment to 18.24.050(6)(d)III) to increase the maximum area from four square feet to six square feet and forward a recommendation to City Council of APPROVAL of the request as AMENDED. Commissioner Moore seconded the motion.

Planning Commission discussion:

None

The motion passed unanimously on a roll call vote.

**Vice Chairman Morris opened the public hearing at 7:22 p.m. for Zoning Ordinance Amendment (ZOA) #17-01, which proposes to revise the Kennewick Municipal Code to add a new section to KMC 17.12 (Binding Site Plans), to provide an option for bonding in lieu of construction of public improvements.**

Mr. McCormick gave a brief overview of the staff report and presented a Power Point of the staff report. Staff recommends that the Planning Commission concur with the findings and conclusions contained in the staff report and recommend to City Council approval of the request.

Questions from Planning Commissioners of staff:

None

**Testimony of Applicant or Applicant's Representative:**

City of Kennewick is applicant and testimony is staff report.

**Testimony in favor:**

None

**Testimony neutral or against:**

None

**Staff final comments:**

None

Further questions from Planning Commissioners of staff:

None

**Public Testimony for changes to ZOA 17-01 closed at 7:26 p.m.**

Vice Chairman Morris asked for a motion.

Commissioner Torelli moved to concur with the findings and conclusions in the staff report and forward a recommendation to City Council of APPROVAL of the request. Commissioner Rettig seconded the motion.

Planning Commission discussion:

None

The motion passed unanimously on a roll call vote.

**Vice Chairman Morris opened the public hearing at 7:28 p.m. for Zoning Ordinance Amendment (ZOA) #17-04, which proposes to revise the Kennewick Municipal Code to regarding Park Impact Fees for Mixed Use Developments.**

Ms. Beaton gave a brief overview of the staff report and presented a Power Point of the staff report. Staff recommends that the Planning Commission concur with the findings and conclusions contained in the staff report and recommend to City Council approval of the request.

Questions from Planning Commissioners of staff: Timing of park impact fee; commissioners lose track of the issue; two separate ordinances to address two separate sections of the municipal code; 1996 state law regulating impact fees.

**Testimony of Applicant or Applicant's Representative:**

City of Kennewick is applicant and testimony is staff report.

**Testimony in favor:**

None

**Testimony neutral or against:**

None

**Staff final comments:**

None

Further questions from Planning Commissioners of staff:

None

**Public Testimony for changes to ZOA 17-04 closed at 7:39 p.m.**

Vice Chairman Morris asked for a motion.

Commissioner Moore moved to concur with the findings and conclusions in the staff report ZOA 17-04 and forward a recommendation to City Council of APPROVAL of the request.

Commissioner Torelli seconded the motion.

Planning Commission discussion:

None

The motion passed unanimously on a roll call vote.

**VISITORS NOT ON AGENDA:**

None

**OLD BUSINESS:**

None

**NEW BUSINESS:**

Commissioner Torelli said the July 3<sup>rd</sup> Planning Commission meeting is cancelled and at least two Commissioners will be absent for the July 17<sup>th</sup> Planning Commission meeting due to a candidate forum conflict. Mr. McCormick said another poll will be sent out to determine if we will have a quorum of four for the July 17<sup>th</sup> meeting; there is a code revision that was to be heard at the July 3<sup>rd</sup> meeting, but that meeting was cancelled due to lack of quorum.

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

Vice Chairman Morris commented on the Comprehensive Plan Update, and Mr. McCormick invited the Planning Commissioners to the City Council celebration of the update on June 27, 2017 in the City Council chambers.

**ADJOURNMENT:**

The meeting was adjourned at 7:45 p.m.



## COMMUNITY PLANNING DEPARTMENT

STAFF REPORT AND RECOMMENDATION TO  
THE PLANNING COMMISSION

FILE No: ZOA 17-02/AMD-2017-01150

**Public Hearing Date:** July 19, 2017

**Proposal:** Amend Chapter 18.78 – Commercial Design Standards: Mixed Use Standards, of the Kennewick Municipal Code (KMC) in regard to minimum density requirements.

**Applicant:** Knutzen Engineering, 5453 Ridgeline Drive, Suite 120, Kennewick, WA 99338

**Staff Contact:** Steve Donovan, Planner

### **Background:**

On May 12, 2017 the applicant applied to amend KMC Chapter 18.78 – Commercial Design Standards in order to establish new minimum density requirements for Mixed-Use Developments.

The City was granted Expedited Review for the proposed amendment by the Department of Commerce on June 1<sup>st</sup>.

### **Discussion and Analysis:**

The proposed amendment will decrease the minimum density requirement for mixed-use developments subject to the Commercial Design Standards from 13.1 units per acre to 7 units per acre.

It is staff's opinion that the proposed amendment will make it more feasible to develop mixed-use projects. To date, no mixed-use development has been constructed to the current Commercial Design Standards. Staff is not aware why the current regulations have a minimum density requirement of 13.1 units per acre.

As proposed, the amendment is in compliance with the Comprehensive Plan. The plan does not contain minimum density requirements for lands with a land use designation of Commercial.

### **Regulatory Controls and Policies**

- Kennewick Municipal Code Chapter 18.78 – Commercial Design Standards
- Kennewick Comprehensive Plan

### **Findings of Fact:**

1. The applicant is Knutzen Engineering, 5453 Ridgeline Drive, Suite 120, Kennewick, WA 99338.
2. The application was submitted to the City on May 12, 2017.
3. The City fulfilled the State Environmental Policy Act requirements by issuing a Determination of Non-significance (DNS) on June 8, 2017.

4. Notice of the proposed code revision (expedited review request) was sent to the Washington State Department of Commerce on May 17, 2017 consistent with the requirements of RCW 36.70A.106.
5. The City received confirmation of expedited review and notice that the City has met the Growth Management Act notice to state agency requirements from the Washington State Department of Commerce on June 2, 2017.

**Conclusions of Law:**

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

**Staff Recommendation:**

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

**Motion:**

I move that the Planning Commission concur with the findings and conclusions in the staff report ZOA 17-02 and recommend to City Council approval of the request to change KMC Chapter 18.78 – Commercial Design Standards: Mixed Use Standards as proposed.

**Exhibits:**

1. Staff Report
2. Application
3. Proposed Amendments to KMC Chapter 18.78 – Commercial Design Standards: Mixed-Use Standards
4. Environmental Determination of Non-significance for ZOA 17-02.



210 West 6th Avenue  
Kennewick, WA 99336  
Phone: (509) 585-4280  
[cedinfo@ci.kennewick.wa.us](mailto:cedinfo@ci.kennewick.wa.us)

## REQUEST FOR AMENDMENT TO ZONING OR SUBDIVISION CODE

Applicable Filing Fee and SEPA Review Fee are due at the time of application ([Fee Schedule](#))

Applicant Knutzen Engineering  
Address 5453 Ridgeline Drive, Suite 120, Kennewick, WA 99338  
Telephone 509.222.0959 Cell 509.579.1887 Fax \_\_\_\_\_ E-mail nathan@knutzengineering.com

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

Requested Amendment: See Attached

Signature

Date

Checklist:

Application &amp; fee

X State Environmental Policy Act checklist (SEPA) & fee

RECEIVED

MAY 12 2017

CITY OF KENNEWICK

The proposed zoning code amendment is requesting a reduction to the minimum density of 13.1 units per acre to 7.0 units per acre in the mixed-use standards referenced in KMC 18.12, KMC 18.75 and KMC 18.78. The overall intent of the mixed-use standards as stated on page 36 is to “increase economic return, reduce transportation costs..., create a more sustainable development pattern, and increase development opportunities.” Reducing the minimum density requirement accomplishes this in several ways.

1. Increase economic return. Since the inception of the mixed-use code, no new development has utilized these standards. There may be many reasons for the lack of mixed use development, but the burdensome residential component does not allow flexibility in the design parameters of potential development sites. By reducing the minimum density, the developers will be able to utilize a mixed use of commercial and residential development that is more readily achievable through standard development practices. For example, the current requirement of 13.1 dwelling units per acre on our sample site plan would require 3 story apartments and 2 stories of residential above the bottom level commercial. With the parking requirements and 1% open space requirement, the sample site plan gives almost no flexibility in design alternatives to accommodate slope, rock, natural features or preservation of Critical Areas.
2. Create a more sustainable development pattern. KMC 18.03.020 requires the promotion of “orderly, compatible use of land” and “to establish various zones respecting the location, height, and use of buildings, the use of land, the size of yards..” Introducing such a high density use with 3-story buildings next to 1 and 2 story Single Family Residential creates a in-compatibility with the adjacent zone. Reducing the minimum density to 7.0 would allow 2 story commercial and residential mixed use buildings, thereby more closely matching the surrounding residential neighborhoods.
3. The residential development code KMC 18.12 was revised several years ago to eliminate the minimum units per acre requirement which allowed more flexibility while designing single family residential sites. This is especially helpful when dealing with sites that have slope or sensitive area restrictions which could not meet a minimum standard density and would previously require a re-zone to accommodate a development that met the intent of the code. This minimum density is a carry-over from the residential portion of the code and should be brought up to date to meet the current residential zoning standards.
4. Reduce Transportation costs. The decrease in minimum density directly correlates to a decrease in the number trips for a site and impact to the adjacent roadways and intersection. The change would also decrease demand on utilities and public services by reducing the number of tenants and residents.
5. Other mixed use jurisdictional requirements. Pasco and West Richland do not have mixed use districts. Richland has business districts that allow single family residential including Business Research (BR), which requires a minimum density of 6 du/acre and an average of 8 du/acre, Waterfront (WF) and Central Limited Business (CLB) does not have a minimum DU/Acre requirement and a maximum 1/1500 units per SF. Other comparable requirements from the City of Colorado Springs, Knoxville and Oregon have similar density requirements to the 7.0 units per acre proposed. Colorado Springs has 3 mixed use designations, Neighborhood commercial (NC), Commercial Center (CC) and Regional Employment Center (R/EC). The NC most closely matches the City of Kennewick design intent. The Colorado Springs mixed use design manual: Table 3, development standards mixed use zone notes no minimum residential density requirement. The

higher level density CC and R/EC standard requires 8 dwelling units per acre minimum. The Knoxville Town Center Mixed Use Development Standards table 2 requires a residential minimum density of 7.5 dwelling units per acre to a maximum of 17 dwelling units per acre.

## Standards for Mixed-Use Development

### **Objectives and Applicability**

Standards in this section are intended to guide horizontal and vertical mixed-use developments. In Kennewick, mixed-use developments are allowed in all commercial districts except for Commercial, Marina (CM).

All applicable commercial and multi-family design standards (KMC 18.12, KMC 18.75, KMC 18.78,) shall apply to mixed-use developments. The standards of the underlying zoning districts shall also apply. In case of a conflict between KMC zoning district standards and Design Standards, the Design Standards shall take precedence. The Director of Community Planning shall have the final administrative authority to interpret this section.

### **Overall Intent**

To offer specific guidelines for mixed uses in commercial districts. The intent is also to encourage more efficient use of land and public services, increase economic return, reduce transportation costs, encourage human interaction, create place-making with day and evening activities, create a more sustainable development pattern, and increase development opportunities.

### **General Development Standards**

#### **Mandatory:**

#### **Density (units/ acre) and Lot Coverage**

1. Minimum density of ~~13.1~~ 7 units per acre and maximum density of 27 dwelling units per acre. (See High Density Residential and Medium Density Residential standards for density calculations, Section 18.12.010)).
2. Lot coverage is limited to a minimum of 60% for a single building mixed-use project and a minimum of 50% for a multiple building/multiple site mixed-use project and a maximum of 80% for both types of mixed-used projects.

### **Height Limitation**

#### **Mandatory:**

1. Height shall be in accordance with KMC 18.12 for each zoning district. If residential uses are on the ground floor (horizontal mixed use scenario) of a newly constructed building/project, the minimum height for residential buildings shall be 25 feet and the space shall be built to allow for potential future conversion to non-residential uses.

### **Multiple Building / Multiple Site Mixed-Use Development Projects**

(These standards are in addition to the mandatory site design standards listed above)

#### **Mandatory:**

1. **Ground floor requirement.** At least 50% of lineal street front of the ground floor or a portion as identified in parking standards 3.d below of a mixed use development must be dedicated to commercial uses that are pedestrian-oriented



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

**FILE/PROJECT NUMBER:** ED 17-11/AMD-2017-01150

**DESCRIPTION OF PROPOSAL:** The proposal is to amend Kennewick Municipal Code Section 18.78 – Commercial Design Standards, to decrease the minimum density requirement for mixed-use projects from 13.1 units per acre to 7 units per acre.

**PROPONENT:** Knutzen Engineering, 5453 Ridgeline Drive, Suite 120, Kennewick, WA 99338

**LOCATION OF PROPOSAL, INCLUDING STREET ADDRESS, IF ANY:** The update is not site specific; it is applicable area wide in the City Limits of Kennewick.

**LEAD AGENCY:** City of Kennewick

**DETERMINATION:** The City of Kennewick has determined that this proposal does not have a probable significant adverse impact on the environment. An Environmental Impact Statement (EIS) will not be required under RCW 43.21C.030(2)(c). This decision was made after review of a completed environmental checklist and other information on file with the City. This information is available to the public on request. Application for other required permits may require further review under SEPA procedures.

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

**RESPONSIBLE OFFICIAL:** Gregory McCormick, AICP

**POSITION/TITLE:** Community Planning Director

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

**PHONE:** (509) 585-4463

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

This DNS is subject to the attached conditions:

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

*Gregory J. McCormick*

Date: June 8, 2017

Signature: \_\_\_\_\_

\*\*\*\*\*

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

Copies of this DNS were mailed to:

Dept. of Ecology  
WA Dept. of Fish & Wildlife  
WSDOT  
Yakama Nation  
CTUIR  
ED 17-11 File