

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 17, 2019
- b. Approval of Agenda
- c. Motion to enter Staff Report(s) into Record

3. PUBLIC HEARING:

- a. Change of Zone (COZ) #19-01 proposing to change the zoning district for .6887 acres located at 4311 W. Hood Street from Residential, Low Density (RL) to Residential, Medium Density (RM). Applicant and owner is Jeff Hoyer, 4311 W. Hood Avenue, Kennewick, WA 99336.
- b. Change of Zone (COZ) #19-02 proposing to change the zoning district for .797 acres located at 1620 E. 7th Avenue from Industrial, Light (IL) to Industrial, Heavy (IH). Applicant and Owner is Port of Kennewick, 350 Clover Island Drive #200, Kennewick, WA 99336.

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

- a. City Council Action Updates

6. NEW BUSINESS:

- a. Planning Commission Rules of Procedure

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

**KENNEWICK PLANNING COMMISSION
JUNE 17, 2019
MEETING MINUTES**

CALL TO ORDER

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

Vice Chairman Morris led the Pledge of Allegiance.

Recorder Melinda Didier called the roll and found the following:

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

Excused: Commissioner Anthony Moore, Chairman Eduardo Pacheco.

Unexcused: None

Staff Present: Wes Romine, Development Services Manager; Melinda Didier, Community Planning Administrative Assistant/Recorder

CONSENT AGENDA

- a. Approval of Agenda
- b. Approval of the June 3, 2019 Meeting Minutes
- c. Motion to enter Staff Reports into the Record

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

PUBLIC HEARINGS

Vice Chairman Morris opened the public hearing at 6:33 p.m. for Zoning Ordinance Amendment (ZOA) No. 19-03 proposing to amend Kennewick Municipal Code (KMC) Section 18.12.270 by adding an additional subsection to allow the placement of transportable units in all zoning districts, subject to specific restrictions.

Mr. Romine gave a brief overview of the staff report, and presented a Power Point of the staff report; Staff recommends that the Planning Commission concur with the Findings and Conditions of Staff Report ZOA 19-03, and recommend to City Council APPROVAL of the request.

Planning Commission questions included: How does that amendment answer all of the planning commission concerns; staff felt there shouldn't be a time limitation; use should be allowed in all zones; was the time period for removal different than ten days.

Testimony of Applicant/Applicant's Representative:

None

Testimony in favor:

None

Testimony neutral or against:

None

Staff final comments: None

Public Testimony for ZOA 19-03 closed at 6:38 p.m.

Vice Chairman Morris asked for a motion.

Commissioner Hempstead moved to concur with the findings and conclusions in staff report ZOA 19-03 and forward a recommendation to City Council APPROVAL of the request; Commissioner Rettig seconded the motion.

Planning Commission discussion included: Suggestion to add the word "pounds" after 10,000 in the amendment language.

VISITORS NOT ON AGENDA:

None

OLD BUSINESS:

- a. City Council Action Updates – None

NEW BUSINESS:

- a. Planning Commission Rules of Procedure – Mr. Romine said that Mr. McCormick asked that the Planning Commission delay the vote to next meeting, but jot down any concerns for him; Commissioner Rettig asked if cell phones and I-pads, rules for use of technology during meetings be put in the Rules and Procedure to be allowed to use technology devices; concerning voting, various Commissioners wondered about always calling for a "roll call vote" after a motion, instead of just "all in favor – aye, those opposed – nay". Mr. Romine said he would pass the comments along to Mr. McCormick.

REPORTS, COMMENTS, OR DISCUSSION OF COMMISSIONERS AND STAFF:

Commissioner Helgeson read the minutes from the June 3, 2019 Planning Commission meeting and appreciated the comments; he noted that looking at the conditions and motion/amended motion, it was a good discussion.

ADJOURNMENT:

The meeting was adjourned at 6:49 p.m.



COMMUNITY PLANNING DEPARTMENT

STAFF REPORT AND RECOMMENDATION TO THE PLANNING COMMISSION

FILE No: COZ 19-01/PLN-2019-01291

Staff Report Date: June 26, 2019

Hearing Date & Location: July 15, 2019, Kennewick City Hall

Report Prepared By: Steve Donovan
Planner

Report Reviewed By: Wes Romine, AIA
Development Services Manager

Summary Recommendation: The City of Kennewick Planning Staff RECOMMENDS that Change of Zone 19-01 be APPROVED.

Summary of Proposal: A Change of Zone from Residential, Low Density (RL) to Residential, Medium Density (RM) for .6887 acres.

Proposal Location: 4311 W Hood Avenue

Legal Description: THE EAST 100 FEET OF THE NORTH 360 FEET OF THE NORTHWEST QUARTER OF THE SOUTHWEST QUARTER OF THE SOUTHWEST QUARTER OF SECTION 34, TOWNSHIP 9 NORTH, RANGE 29 EAST W.M., RECORDS OF BENTON COUNTY, WASHINGTON, EXCEPT THE NORTH 20 FEET FOR ROAD, AND EXCEPT PORTION DEEDED TO CITY OF KENNEWICK BY DEED RECORDED JULY 28, 1993 UNDER RECORDING NO.93-21828.

Property Owner: Jeffrey Hoyer
4311 W Hood Avenue
Kennewick, WA 99336

Applicant: Same As Above

Regulatory Controls:

1. Comprehensive Plan – Land Use
2. KMC Title 4 – Administrative Procedures
3. KMC Title 18 – Zoning
4. Washington State Environmental Policy Act

COZ Key Application Processing Dates:

Pre-Application/Feasibility Meeting	N/A
Application Submittal	May 14, 2019
Determination of Completeness Issued	May 14, 2019
Notice of Application Mailed	May 16, 2019
SEPA Threshold Determination Issued	May 16, 2019 – Adoption of Existing DNS for CPA 18-10/PLN-2018-0120
Property Posting Sign for SEPA Determination	N/A
SEPA Appeal Period Ended	May 31, 2019
Date of Mailed Notice of Public Hearing	June 25, 2019
Property Posting Sign for Public Hearing	June 26, 2019
Date of Published Notice of Public Hearing	June 30, 2019

Exhibits:

1. Staff Report
2. Application/Supplemental Information
3. Vicinity Map
4. Comprehensive Plan Map
5. Zoning Map
6. Notice of Mailing
7. SEPA DNS Adoption

Staff Analysis of Proposal & Discussion:

As part of the 2018 Comprehensive Plan Amendment, Jeffrey Hoyer requested that the land use designation of the .6887 acre site be changed from Low Density Residential to Medium Density Residential. On October 16, 2018 the City Council approved Ordinance 5780 and amended the site's land use designation as requested by the applicant.

The proposed Change of Zone (COZ 19-01), is a request to change the zone of .6887 acres located at 4311 W Hood Avenue, from Residential, Low Density (RL) to Residential, Medium Density (RM). Pursuant to Table 1 of the Comprehensive Plan, the RM zoning district is an implementing zoning district of the Medium Density Residential land use designation. RCW 36.70A, Growth Management Act, requires that a City's development regulations implement its comprehensive plan.

Per KMC 18.03.040(3), the purpose of RM zoning district is as follows:

RM - The purpose of RM district is to establish areas for medium density single and multi-family residential buildings and to establish regulations for their development. The district is for more intensive residential use where necessary or desirable to achieve good neighborhood design and stabilize land use.

The site is adjacent to the following zoning districts:

North: Residential, High Density (RH)
 East: RM
 South: RM
 West: RM

Applicable Goals and Policies of the Comprehensive Plan:

- Goal 3: Promote a variety of residential densities with a minimum density target of 3 units per acre as averaged throughout the urban area.
- Policy 1: Establish and implement maximum densities in the City's residential zoning categories.

- 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.
- Goal 4: Provide more housing opportunities near commercial, transit and employment.
- Policy 1: Locate highest density residential areas close to shops and services and transportation hubs.

Staff Response: The proposed change to RM will allow the property to be developed at a higher density. Adjacent properties have similar housing developments to what will be allowed at the site if zoned RM.

Kennewick Municipal Code Findings:

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

KMC 18.51.070(2): Findings:

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

1. *The proposed amendment conforms with the comprehensive plan; and*
Staff Response: The proposed Change of Zone conforms to the comprehensive plan because the Residential, Medium Density zoning district is an implementing zoning district of the Medium Density Residential land use designation.
2. *Promotes the public necessity, convenience and general welfare; and*
Staff Response: The proposed Change of Zone promotes public necessity, convenience and welfare by establishing a zoning district that is compatible with surrounding properties.
3. *The proposed amendment does not impose a burden upon public facilities beyond their capacity to serve or reduce such services to lands, which are deemed unacceptable by the City; and*
Staff Response: Staff is unaware of possible burdens on public facilities. The site has access to water lines, sewer lines and public rights-of-way.
4. *The proposed amendment is consistent with all applicable provisions of the Kennewick Municipal Code, including those adopted by reference from the Comprehensive Plan; and*
Staff Response: The proposed amendment will establish a zoning district that is in compliance with Comprehensive Plan because the RM zone is an implementing zone of the Medium Density Residential land use designation.
5. *Single Family Residential zoned properties only; Property is adjacent and contiguous (which shall include corner touches and property located across a public right-of-way) to property of the same proposed zoning classification or higher zoning classification.*
Staff Response: The property is adjacent and contiguous with properties that have the same proposed zoning classification.

Findings:

1. The applicant and owner is Jeffery Hoyer, 4311 W Hood Avenue, Kennewick, WA 99336.
2. The proposed change of zone is for the parcel, located at 4311 W Hood Avenue.
3. The request is to change the zoning from Residential, Low Density to Residential, Medium Density.

4. The City's Comprehensive Plan Land Use Designation for the subject property is Medium Density Residential.
5. The Residential, Medium Density zoning district is an implementing zone of the Medium Density Residential Comprehensive Plan Land Use Map designation.
6. The application was submitted on November 21, 2018 and declared complete for processing on November 27, 2018.
7. The application was routed for review to City Departments and outside agencies for comment on May 16, 2019.
8. Access to the site is currently provided directly from W Hood Avenue.
9. The site is not designated as a Critical Area.
10. An Environmental Determination of Non-Significance was issued on May 16, 2019 – Adoption of Existing DNS for CPA 18-10/PLN-2018-0120.
11. The Property Posting sign for the public hearing was posted on site June 26, 2019.
12. Notice of the public hearing for this application was published in the Tri-City Herald on June 30, 2019. Notices were also mailed to property owners within 300 feet of the site on June 25, 2019.
13. The proposed amendment conforms with the comprehensive plan; and
14. The proposed amendment promotes the public necessity, convenience and general welfare; and
15. The proposed amendment does not impose a burden upon public facilities beyond their capacity to serve or reduce such services to lands, which are deemed unacceptable by the City; and
16. The proposed amendment is consistent with all applicable provisions of the Kennewick Municipal Code, including those adopted by reference from the Comprehensive Plan; and
17. The property is adjacent and contiguous (which shall include corner touches and property located across a public right-of-way) to property of the same proposed zoning classification.

Conclusions:

1. Approval will implement the Comprehensive Plan Land Use Designation of Medium Density Residential.
2. Approval will not result in an increase of adverse environmental impacts.
3. Approval will implement Land Use Goals 3 and 4 of the City of Kennewick Comprehensive Plan.
4. Approval will result in the promotion of public necessity, convenience and/or general welfare.
5. The proposed Change of Zone is in compliance with KMC 18.51.070(2).

Recommendation:

Staff has reviewed the application and recommends that the Planning Commission concur with the findings and conclusions contained in staff report COZ 19-01 and recommend approval to City Council.

Motion:

I move that the Planning Commission concur with the findings and conclusions in staff report COZ 19-01 and recommend approval of the request to City Council.

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

EXHIBIT 2

PROJECT # _____ - _____ PLN- _____ - _____ FEE \$ _____

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

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

Site Plan Tier 1 Tier 2 Tier 3 Binding Site Plan
Short Plat Conditional Use Other _____

Environmental Determination PLN- _____ - _____ Pre Application Meeting PLN- _____ - _____

Applicant: _____

Address: _____

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

Property Owner (if other than applicant): _____

Address: _____

Telephone: _____ Cell Phone: _____ E-mail _____

SITE INFORMATION

Parcel No. _____ Acres _____ Zoning: _____

Address of property: _____

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

Present use of property _____

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

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

[Benton County Assessor Market Improvement Value:](#) _____

Description of Project: _____

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



Applicant's Signature



Signature of owner or owner's authorized representative

Date: _____

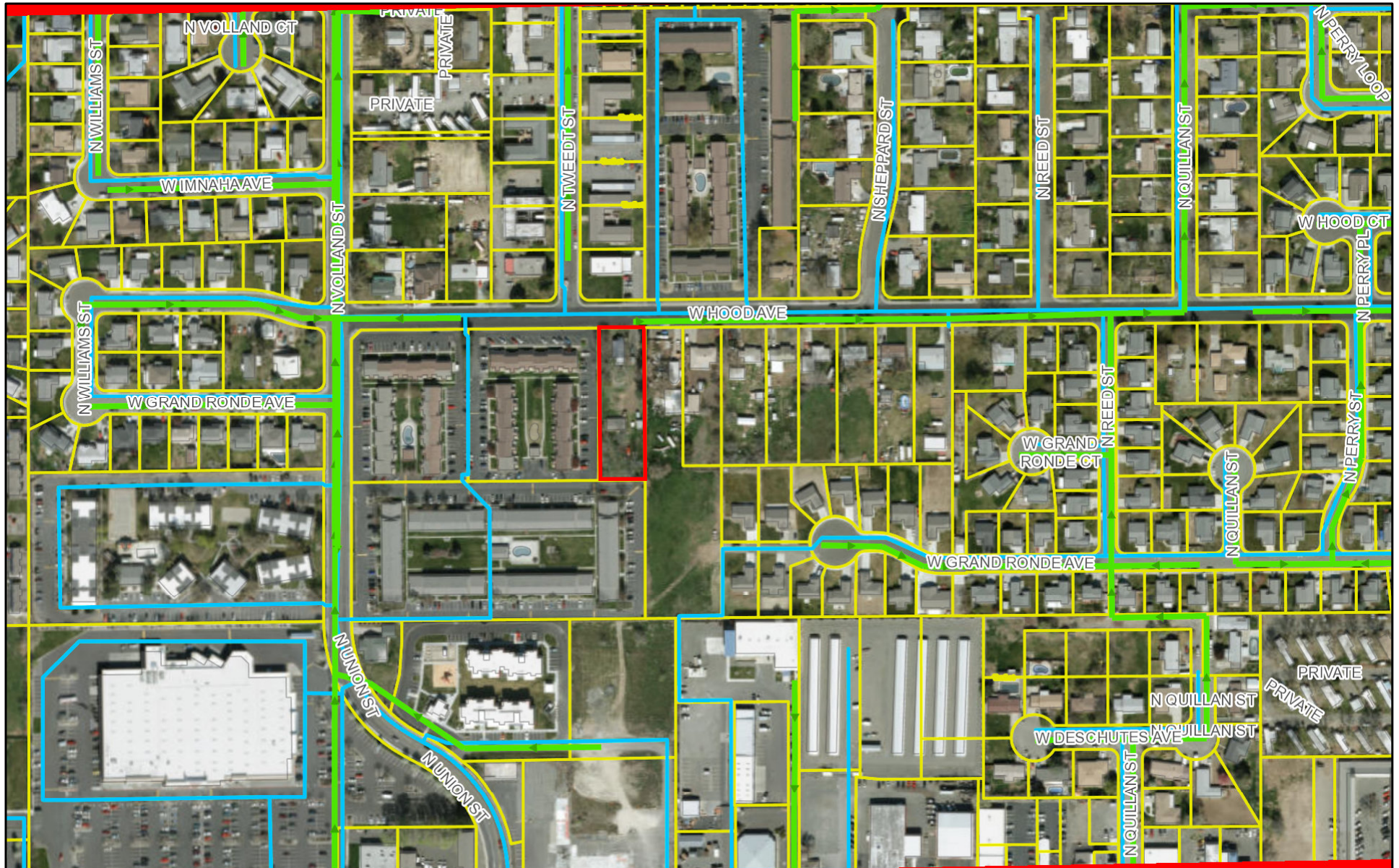
Change-of-Zone Supplemental Information

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

1. Does the public necessity, convenience, and general welfare require the adoption of the proposed amendment? Please explain:
2. Are there sites presently available on the market which are correctly zoned for the proposed use? Are these sites within a 1/2 mile of the proposed site? Within 1 mile of the proposed site? If yes, please indicate the general location of the site(s) and the reasons why these sites are not proposed to be utilized:
3. Is the proposed amendment consistent with the existing land use pattern in the area? Please explain
4. Are the existing uses, in the area, in conformance with the area's zoning classification? If no, please explain the differences:
5. Will the proposed amendment create an isolated district, or introduce a more intense land use to the area? Please explain.
6. Does the existing zoning prohibit reasonable use of the property? Please explain.

7. Will any residential character, in the immediate area, be adversely affected by the proposed amendment? If yes or maybe, please explain:
8. Will property values in the vicinity be changed by the proposed amendment? If yes or maybe, please explain:
9. Will approval of the proposed amendment set a precedent for other similar proposals or uses? Will this deter the use, improvement or development of adjacent property in accordance with the existing Zoning Districts? Please explain:
10. Will the proposed amendment encourage more private investments which will be beneficial to the redevelopment of a deteriorated area? Please explain:
11. Will the proposed amendment combat any economic segregation and allow greater choice in the market? Please explain.
12. Will the proposed amendment create conflict between potential land uses and transportation patterns? Or safety concerns? Please explain:

Vicinity Map



August 6, 2018

This plan is suitable for informational use only. City of Kennewick accepts no liability for any error whatsoever.

- | | | | | | |
|--|---------------|--|--------------------|--|-------------|
| | SewerMainline | | SurveyAddressPoint | | Building |
| | WaterMainline | | <all other values> | | Condo |
| | | | Apartment | | Mobile Home |

Parcel
SurveyAddressPointSupp

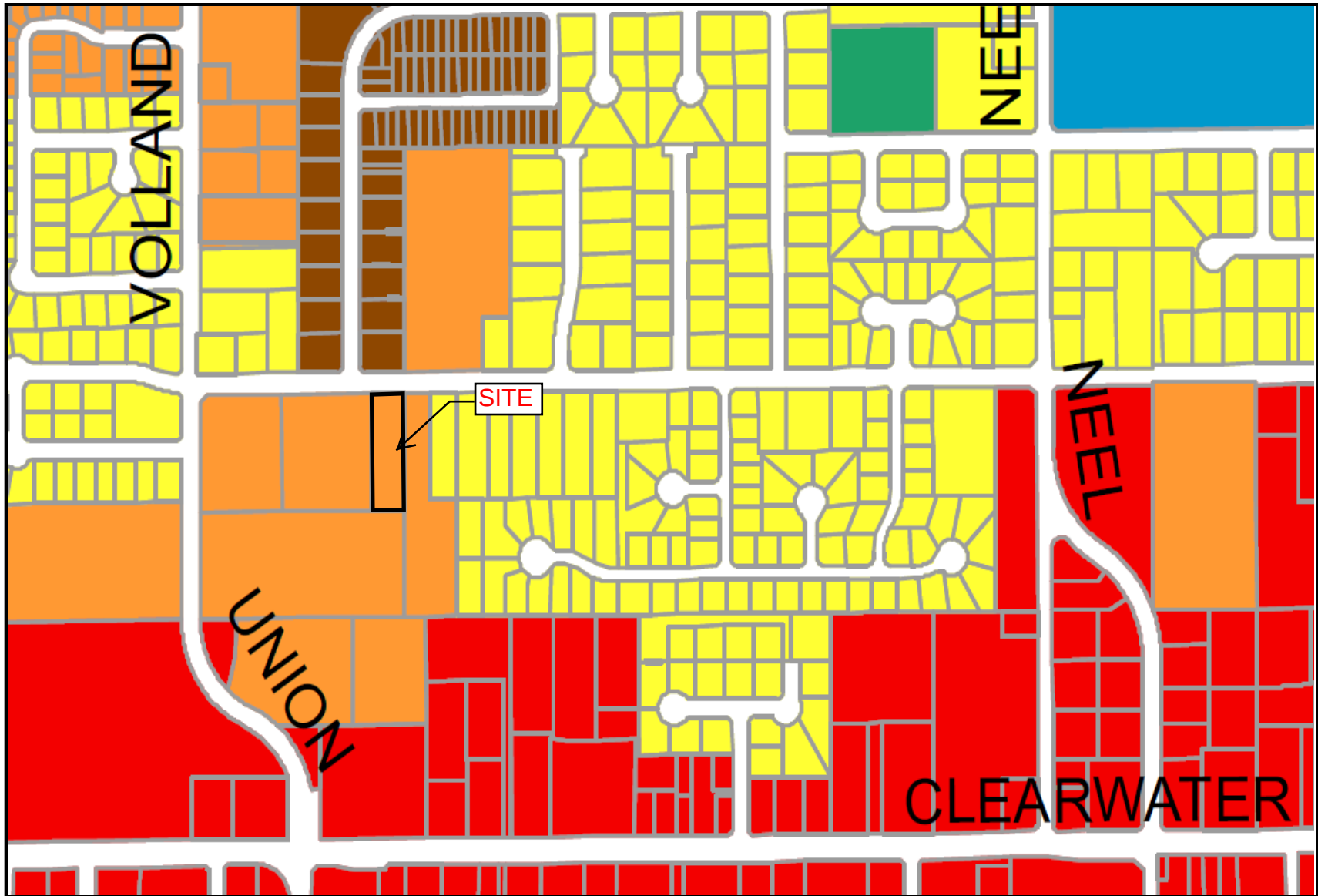


1 inch = 300 feet
0 155 310 620 ft
0 45 90 180 m

Sources: Esri, HERE, Garmin, Intermap, increment P Corp.,

ArcGIS WebApp Builder
City of Kennewick

Comprehensive Plan Map



Zoning Map



June 25, 2019

This plan is suitable for informational use only. City of Kennewick accepts no liability for any error whatsoever.

StreetName	Apartment	Mobile Home
SurveyAddressPoint	Building	Parcel
Condo	SurveyUrbanGrowthBoundary	
<all other values>		



1 inch = 100 feet
 0 0.0075 0.015 0.03 mi
 0 0.0125 0.025 0.05 km

Sources: Esri, HERE, Garmin, Intermap, increment P Corp.,

ArcGIS WebApp Builder
 City of Kennewick

**NOTIFICATION OF MAILING**

I, Melinda Didier, on 6/25, 2019
Mailed 11 copies of NDAH & map
for COZ 19-01
to owner/app/owners w/in 300'

as shown on the attached list.

Melinda Didier
Signature

COZ 19-01 / PLN-2019-01291
4311 W HOOD AVE
RL TO RM
JEFFREY HOYE

KENNEWICK PLANNING COMMISSION

NOTICE OF PUBLIC HEARING

July 15, 2019 6:30 p.m.

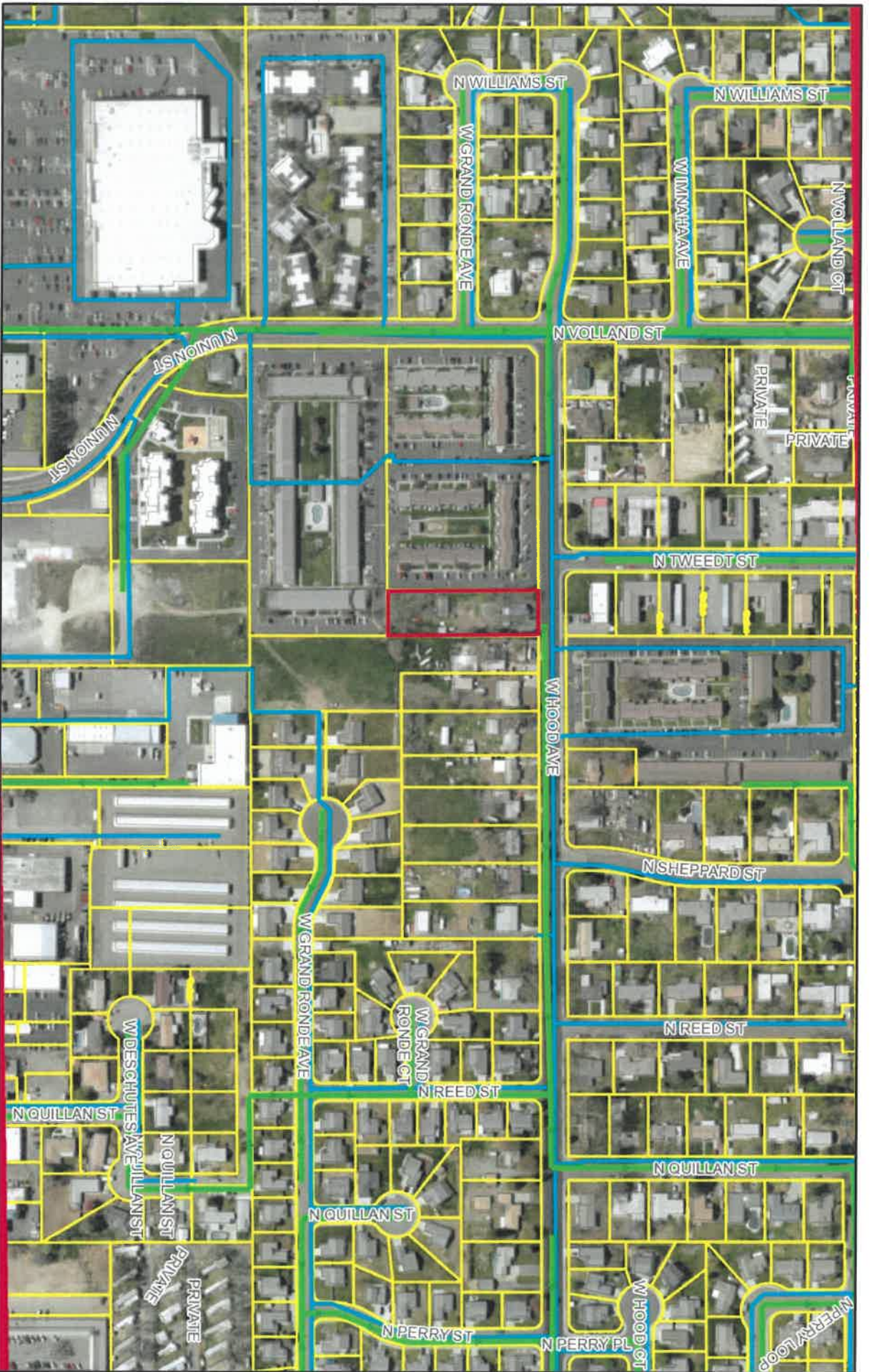
The Kennewick Planning Commission will hold a Public Hearing on Monday, July 15, 2019, at City Hall Council Chambers, 210 West 6th Avenue, at 6:30 p.m. or as soon as possible thereafter, to receive public comment on a proposed change of zoning. Staff will be presenting their analysis and the Planning Commission will make a recommendation to the City Council on the item.

Project# COZ 19-01 – Jeffery Hoye has proposed to change the zoning district for .6887 acres located at 4311 W Hood from Residential, Low Density (RL) to Residential, Medium Density (RM). The property has a comprehensive plan land use designation of Medium Density Residential. Review the vicinity map on back of this notice. For questions about this project, please call Steve Donovan (509) 585-4361.

Written comments may be addressed to Steve Donovan and submitted to steve.donovan@ci.kennewick.wa.us or mailed to PO Box 6108, Kennewick, WA 99336 no later than 4:30 p.m., July 12, 2019. All other comments should be submitted at the meeting.

The City of Kennewick welcomes full participation in public meeting by all citizens. No qualified individual with a disability shall be excluded or denied the benefit of participating in such meetings. If you wish to use auxiliary aids or require assistance to comment at this public meeting, please contact Steve Donovan at (509) 585-4361 or TDD (509) 585-4425 or through the Washington Relay Service Center TTY at #711 at least ten days prior to the date of the meeting to make arrangements for special needs.

Vicinity Map

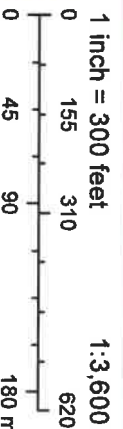


August 6, 2018

This plan is suitable for informational use only. City of Kennewick accepts no liability for any error whatsoever.

- SewerMainline
- StreetName
- WaterMainline
- SurveyAddressPoint
- <all other values>
- Apartment
- Building
- Condo
- Mobile Home

Parcel
SurveyAddressPointSupp



Sources: Esri, HERE, Garmin, Intermap, increment P Corp.,

EXHIBIT 6

37
HOYE JEFFREY M & MADISON A
4311 W HOOD AVE
KENNEWICK, WA 99336

37
EL DORADO PROPERTIES, LLC
4421 W HOOD AVE
KENNEWICK, WA 99336

37
EL DORADO PROPERTIES, LLC
4321 W HOOD AVE
KENNEWICK, WA 99336

37
EPSTEIN WENDOVER LLC
440 N VOLLAND ST
KENNEWICK, WA 99336

37
BOATSMAN ARLYN B
4303 W HOOD AVE
KENNEWICK, WA 99336

37
BOATSMAN ARLYN B
4231 W HOOD AVE
KENNEWICK, WA 99336

37
NINEMIRE HENRY A & SANDRA R
4308 W HOOD AVE
KENNEWICK, WA 99336

37
SAGE CREEK APARTMENTS, LLC
4302 W HOOD AVE
KENNEWICK, WA 99336

37
ZAVALNYUK BOGDAN A
4225 W HOOD AVE
KENNEWICK, WA 99336

37
REDDING MICHAEL
4218 W HOOD AVE
KENNEWICK, WA 99336

37
PARKE JOHN MICHAEL & LYNNE E
4324 W HOOD AVE
KENNEWICK, WA 99336

COZ 19-01 / PLN-2019-01291
4311 W HOOD AVE
RL TO RM
JEFFREY HOYE



Development Services
Community Planning
210 W 6TH Ave
Kennewick, WA 99336

**STATE ENVIRONMENTAL POLICY ACT
DETERMINATION OF NONSIGNIFICANCE
ADOPTION of EXSITING DOCUMENT**

May 16, 2019

Lead Agency: City of Kennewick

Agency Contact: Steve Donovan
Steve.Donovan@ci.kennewick.wa.us
509-585-4361

File Number: COZ 19-01/PLN-2019-01291

Description of Proposal: The applicant has proposed to rezone .6887 acres from Residential, Low Density to Residential, Medium Density.

Location of Proposal: 4311 W Hood Avenue

Applicant/Proponent: Jeffrey Hoyer
4311 W Hood Avenue
Kennewick, WA 99336

Document being adopted: CPA 18-10/PLN-2018-0120 – DNS

Description of document being adopted: Determination of Nonsignificance for a land use amendment of .6887 acres from Low Density Residential to Medium Density Residential. The lead agency was the City of Kennewick and the determination was not appealed.

The adopted document is available at: Attached

We have identified and adopted this document as being appropriate for this proposal after independent review. The document[s] meet[s] our environmental review needs for the current proposal and will accompany the proposal to the decision maker[s].

The City of Kennewick has determined that this proposal will not have a probable significant adverse impact on the environment. An environmental impact statement (EIS) is not required under RCW 43.21C.030(2)(c). This determination is based on the following findings and conclusions:

Findings:

- The proposed amendment conforms with the comprehensive plan; and
- The proposed amendment promotes the public necessity, convenience and general welfare; and
- The proposed amendment does not impose a burden upon public facilities beyond their capacity to serve or reduce such services to lands, which are deemed unacceptable by the City; and
- The proposed amendment is consistent with all applicable provisions of the Kennewick Municipal Code, including those adopted by reference from the Comprehensive Plan; and
- The property is adjacent and contiguous (which shall include corner touches and property located across a public right-of-way) to property of the same proposed zoning classification.

Conclusions:

- The Residential, Medium Density zoning district is an implementing zoning district of the Medium Density Residential Land Use Designation.
- Approval will not result in an increase of adverse environmental impacts.
- Approval will result in the promotion of public necessity, convenience and/or general welfare.
- The proposed Change of Zone is in compliance with KMC 18.51.070(2).

This DNS is issued under WAC 197-11-340(2) and the comment period will end on May 31, 2019.

Wes Romine for

Responsible Official: Gregory McCormick, AICP
Community Planning Director
210 W 6th Ave., P.O. Box 6108, Kennewick, WA 99336
(509) 585-4463

Signature _____



Date _____

May 16, 2019

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.



**ECONOMIC DEVELOPMENT AND
COMMUNITY PLANNING DEPARTMENT**

**STAFF REPORT AND RECOMMENDATION TO
THE PLANNING COMMISSION**

FILE No: COZ 19-02/PLN-2019-01331

Staff Report Date: July 8, 2019

Public Hearing Meeting Date and Location:

July 15, 2019, Kennewick City Hall

Report Prepared By: Wes Romine
Development Services Manager

Report Reviewed By: Gregory McCormick, AICP
Planning Director

Summary Recommendation: The City of Kennewick Planning Staff RECOMMENDS that Change of Zone 19-02 be APPROVED.

Summary of Proposal: A Change of Zone from Industrial Light (IL) to Industrial Heavy (IH) for a parcel of land .7907 acres in size.

Proposal Location: Near S. Oak Street and E. 7th Avenue at 1620 E. 7th Avenue.

Legal Description:

SECTION 5 TOWNSHIP 8 RANGE 30 QUARTER SW; SHORT PLAT #3002, LOT 1, RECORDED 5/10/2007, UNDER AUDITOR'S FILE NO. 2007-014679. RECORDED IN VOLUME 1 OF SHORT PLATS, AT PAGE 3002, RECORDS OF BENTON COUNTY, WASHINGTON.

Containing .7907 acres
Parcel No. 1-0580-301-3002-001

Property Owner: Port of Kennewick
101 Clover Island Drive
Kennewick, WA 99336

Applicant: Same as Property Owner

Engineer: NA

Approval Criteria:

1. Comprehensive Plan – Land Use
2. KMC Title 4 – Administrative Procedures
3. KMC Title 18 – Zoning
4. Washington State Environmental Policy Act

COZ Key Application Processing Dates:

Pre-Application/Feasibility Meeting	N/A
Application Submittal	May 16, 2019
Determination of Completeness Issued	May 16, 2019
Notice of Application Mailed	May 21, 2019
SEPA Threshold Determination Issued	June 10, 2019
Property Posting Sign for SEPA Determination	June 10, 2019
Date of Mailed Notice of Public Hearing	June 25, 2019
Property Posting Sign for Public Hearing	June 25, 2019
Date of Published Notice of Public Hearing	June 30, 2019
SEPA Appeal Period Ends	June 24, 2019
Planning Commission Public Hearing	July 15, 2019
City Council Decision Date	August 20, 2019

Exhibits:

- 1 Staff Report
- 2 Application/Supplemental Information
- 3 Notice of Application/Mailing List
- 4 Vicinity Map
- 5 Change of Zone Map
- 6 Comprehensive Plan Land Use Map
- 7 SEPA Determination

Staff Analysis of Proposal & Discussion:

The proposed Change of Zone (COZ 19-02) is a request to change the zone of one parcel of land, approximately .7907 acres in size, from Industrial Light (IL) to Industrial Heavy (IH). The subject parcel is located at 1620 E. 7th Avenue, near S. Oak Street and E. 7th Avenue.

Industrial Heavy (IH) zoning has similar development standards as Industrial Light (IL); however IH allows more intense industrial uses that include hazardous and flammable material usage. The site is currently occupied by the Western Restaurant Supply and Design business. The applicants SEPA checklist states the change of zone application is to match the current IH zoning to the west to make a boundary line adjustment possible to expand the Western Restaurant Supply and Design site. The City of Kennewick does not allow a boundary line adjustment that would create a parcel with two different zones and two different regulations that would apply to a parcel with two zones.

The Comprehensive Plan Land Use Designation for the subject property is Industrial. Both Industrial Heavy (IH) and Industrial Light (IL) are zoning designations that can be implemented in the Comprehensive Plan Industrial Land Use designation. A change of zone to IH would be consistent with the City's Comprehensive Plan.

Per KMC 18.03.040 (18 & 19), the purpose of IL and IH zoning districts are as follows:

IL – “The purpose of the IL district is to provide areas for less intensive manufacturing and industrial uses, warehousing, and distribution operations to serve the district”.

IH – “The purpose of the IH district is to provide areas for general industrial processing and manufacturing subject only to the protection of nearby uses and the required quality of the air and water”.

Staff Comment: The change of zone site is surrounded by IH zoned property to the west and will be compatible with other uses in the area.

By approving this change of zone all the findings can be made that are required to approve a change of zone that are listed in KMC 18.51.070 (2):

- (a) The proposed amendment conforms with the comprehensive plan; and
- (b) Promotes the public necessity, convenience and general welfare; and
- (c) The proposed amendment does not impose a burden upon public facilities beyond their capacity to serve or reduce such services to lands, which are deemed unacceptable by the City; and
- (d) The proposed amendment is consistent with all applicable provisions of the Kennewick Municipal Code, including those adopted by reference from the Comprehensive Plan; and
- (e) Single Family Residential zoned properties only; Property is adjacent and contiguous (which shall include corner touches and property located across a public right-of-way) to property of the same proposed zoning classification or higher zoning classification.

The above required findings to approve a change of zone have been listed below under the staff recommended findings and it is staff’s opinion those findings can be made.

Surrounding Zoning:

North: Property in the County with a single-family home.

East: Industrial Light (IL).

South: Railroad tracks and beyond that is property zoned Industrial Heavy (IH).

West: Industrial Heavy (IH).

Applicable Goals and Policies of the Comprehensive Plan:

Industrial Goal 1: *Encourage the development of a diverse industrial base with family wage jobs.*

Staff Comment: A zone change to IH will not have a negative effect on the current Restaurant Supply & Design business at the site. It will allow the current business to expand when their property boundary is expanded.

Industrial Goal 2: *Limit adverse effects associated with industrial uses.*

Staff Comment: It is staff's opinion adverse effects on adjacent properties will not be increased.

Land Use Implementation by Zoning: Per the land use implementation by zoning table on page 15 of the City's Comprehensive Plan, both Industrial Light (IL) and Industrial Heavy (IH) zoning can be implemented in the Industrial Land Use category.

Findings:

1. The applicant and property owner is the Port of Kennewick (350 Clover Island Drive, Suite 200, Kennewick, WA 99336).
2. The proposed change of zone is for parcel number 1-0580-3010-3002-001 (1620 E. 7th Avenue).
3. The request is to change the zoning from Industrial Light (IL) to Industrial Heavy (IH).
4. The City's Comprehensive Plan Land Use Designation for the subject property is Industrial.
5. The Industrial High (IH) zoning district is an implementing zone of the Industrial Comprehensive Plan Land Use Map designation.
6. The application was submitted on May 16, 2019 and declared complete for processing.
7. The application was routed for review to City Departments and outside agencies for comment on May 21, 2019.
8. Access to the site is currently provided from E. 7th Avenue.
9. The City of Kennewick Critical Area maps show a floodplain on the subject site. Future development will be subject to floodplain requirements.
10. An Environmental Determination of Non-Significance (ED 19-18) was issued on June 10, 2019 for this application. The appeal period for the determination ended on June 24, 2019. No appeals were filed.
11. The Property Posting sign for the SEPA Determination was posted on June 10, 2019.
12. The Property Posting sign for the public hearing was posted on site June 25, 2019.
13. Notice of the public hearing for this application was published in the Tri-City Herald on June 30, 2019. Notices were also mailed to property owners within 300 feet of the site on June 25, 2019.
14. The proposed amendment conforms with the comprehensive plan; and
15. Promotes the public necessity, convenience and general welfare; and

EXHIBIT 1

16. The proposed amendment does not impose a burden upon public facilities beyond their capacity to serve or reduce such services to lands, which are deemed unacceptable by the City; and
17. The proposed amendment is consistent with all applicable provisions of the Kennewick Municipal Code, including those adopted by reference from the Comprehensive Plan; and

Conclusions:

1. Approval will change the zoning for the subject parcel from Industrial Light (IL) to Industrial Heavy (IH).
2. Approval will implement Industrial Goals 1 & 2 of the City of Kennewick Comprehensive Plan.
3. Approval will result in the public necessity, convenience or general welfare.
4. Approval will not result in any adverse environmental impacts.

Recommendation:

Staff has reviewed the application and recommends that the Planning Commission concur with the findings and conclusions contained in staff report COZ 19-02 and recommend approval to City Council.

Motion:

I move that the Planning Commission concur with the findings and conclusions in staff report COZ 19-02 and recommend to City Council approval of the request.

Report Prepared By and Contact Person:

Wes Romine

Development Services Manager

wes.romine@ci.kennewick.wa.us

509-585-4558

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

MAY 16 2019

PROJECT # 10719-02 PLN- 2019 - 01331 FEE \$ 1003.00 BY MS CITY OF KENNEWICK

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

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

Site Plan Tier 1 ☐ Tier 2 ☐ Tier 3 ☐ Binding Site Plan ☐

Short Plat ☐ Conditional Use ☐ Other Change of Zone

Environmental Determination PLN- _____ - _____ Pre Application Meeting PLN- _____ - _____

Applicant: PORT OF KENNEWICK

Address: 350 CLOVER ISLAND DRIVE SUITE 200, KENNEWICK, WA 99336

Telephone: 509-586-1186 Cell Phone: _____ Fax: 509-586-7678 E-mail: AMBER@PORTOFKENNEWICK.ORG

Property Owner (if other than applicant): SAME

Address: _____

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

SITE INFORMATION

Parcel No. 1-0580-301-3002-001 Acres .797 Zoning: IL

Address of property: 1620 E. 7TH AVE, KENNEWICK, WA 99336

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

Present use of property INDUSTRIAL - MANUFACTURING, ASSEMBLY, WAREHOUSE

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

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

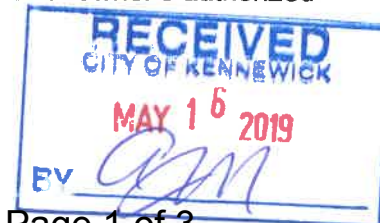
Benton County Assessor Market Improvement Value: \$50,650.00

Description of Project: The Port of Kennewick is seeking to rezone property to Industrial Heavy (IH) consistent with adjacent port-owned parcel prior to a boundary line adjustment request.

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

Applicant's Signature Port of Kennewick Signature of owner or owner's authorized representative _____

Date: 5-16-19



Change-of-Zone Supplemental Information

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

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

The subject land at 1620 E. 3rd Ave, Kennewick (PTN#: 1-0580-301-3002-001) is owned by the Port of Kennewick and leased to Western Equipment Sales, a growing Kennewick business. Western Equipment Sales owns several buildings on the parcel and the owners desire to purchase the land from the port in order to further expand their business and meet customer demands. In order to facilitate the land sale, the irregular shape of the parcel will require a boundary line adjustment taking property from a parcel with a different zoning designation. A change-of-zone is requested to match the subject parcel with an existing port parcel (1-0680-400-0002-001) in order for a boundary line adjustment request to be filed with the City.

- 2. Are there sites presently available on the market which are correctly zoned for the proposed use? Are these sites within a ½ mile of the proposed site? Within 1 mile of the proposed site? If yes, please indicate the general location of the site(s) and the reasons why these sites are not proposed to be utilized:**

According to the Tri-Cities MLS, there are no sites are on the market within ½ - 1 mile of the subject land.

- 3. Is the proposed amendment consistent with the existing land use pattern in the area? Please Explain:**

Yes. Parcels adjacent to the subject land are either Industrial Heavy (IH) or Industrial Light (IL) and therefore consistent with the existing land use pattern for the area.

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

Yes. The existing uses in the area are in conformance with the area's zoning classification. The port-owned Oak Street Industrial Park at 1426 E. 3rd Avenue is zoned Industrial Heavy (IH) and is adjacent to the subject land.

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

The proposed amendment will not create an isolated district or introduce a more intense land use. The proposed amendment is consistent with the adjacent land uses.

- 6. Does the existing zoning prohibit reasonable use of the property? Please Explain:**

The existing zoning is a reasonable use of the property. In order to complete a boundary line adjustment, the subject property will need to match the adjacent property that will be affected.

- 7. Will any residential character, in the immediate area, be adversely affected by the proposed amendment? If yes or maybe, please explain:**

Future building and land improvements proposed by Western Equipment Sales will likely be beneficial to the established character of the neighborhood.

- 8. Will property values in the vicinity be changed by the proposed amendment? If yes or maybe, please explain:**

Proposed building and land improvements by Western Equipment Sales along with the land sale from the port to the private sector will create construction sales tax and property tax revenue.

- 9. Will approval of the proposed amendment set a precedent for other similar proposals or uses? Will this deter the use, improvement or development of adjacent property in accordance with the existing Zoning Districts? Please Explain:**

The proposed amendment is consistent with similar uses in the area. It is possible that future property improvements by Western Equipment Sales may encourage other property owners to make positive improvements.

- 10. Will the proposed amendment encourage more private investments which will be beneficial to the redevelopment of a deteriorated area? Please Explain:**

The proposed amendment will satisfy the first step leading to a land sale from the public to private sector in order to facilitate economic development and business expansion in Kennewick.

- 11. Will the proposed amendment combat any economic segregation and allow greater choice in the market? Please Explain:**

As Western Equipment Sales grows they will be adding more employees for their manufacturing facility which currently is focused on kitchen equipment and food trucks customization. Growing their business will allow Western Equipment Sales to offer greater choices to consumers in their industry.

- 12. Will the proposed amendment create conflict between potential land uses and transportation patterns? Or safety concerns? Please Explain:**

The proposed amendment is consistent with land uses in the area and no additional traffic is expected. There are no safety concerns related to the proposed amendment.



NOTIFICATION OF MAILING

I, Melinda Dier, on 6/25/, 2019
Mailed 2 copies of NOPH
for COZ 19-02
to PROP. OWNERS

as shown on the attached list.

Melinda Dier
Signature

COZ 19-02 / PLN-2019-01331
ED 19-18 / PLN-2019-01332
1620 E 7TH AVE
FROM IL TO IH
PORT OF KENNEWICK

CITY OF KENNEWICK PLANNING COMMISSION**NOTICE OF PUBLIC HEARING****July 15, 2019 - 6:30 p.m.**

The City of Kennewick Planning Commission will hold a Public Hearing on Monday, July 15, 2019, at City Hall Council Chambers, 210 West 6th Avenue, at 6:30 p.m. or as soon as possible thereafter, to receive public comment on a proposed change of zoning. Staff will be presenting their analysis and the Planning Commission will make a recommendation to the City Council on the item.

Project# COZ 19-02 – Proposes to change one parcel of land approximately .797 acres in size from Industrial Light (IL) to Industrial Heavy (IH), located at 1620 E. 7th Avenue, near S. Oak Street and E. 7th Avenue.

Written comments may be addressed to Wes Romine and submitted to wes.romine@ci.kennewick.wa.us or mailed to PO Box 6108, Kennewick, WA 99336 no later than 4:30 p.m., July 1, 2019 to be included in the staff report. Comments after July 1, 2019 can be submitted at the Public Hearing on July 15, 2019. For questions, please call Wes Romine at (509) 585-4558.

The City of Kennewick welcomes full participation in public meeting by all citizens. No qualified individual with a disability shall be excluded or denied the benefit of participating in such meetings. If you wish to use auxiliary aids or require assistance to comment at this public meeting, please contact Wes Romine at (509) 585-4558 or TDD (509) 585-4425 or through the Washington Relay Service Center TTY at #711 at least ten days prior to the date of the meeting to make arrangements for special needs.

PUBLISH: 06-30-19

Utilities Map



May 20, 2019 This plan is suitable for informational use only. City of Kennewick accepts no liability for any error whatsoever.

- | | | | | | |
|--|---------------------------------|--|----------------------|--|---------------------------------|
| | SewerManhole | | Valve | | WaterMainline |
| | <all other values> | | SewerMainline | | SurveyAddressPoint |
| | Manhole | | StreetName | | <all other values> |

Project Site
COZ 19-02

1 inch = 300 feet
1:3,600

0 0.0275 0.055 0.11 mi
0 0.0425 0.085 0.17 km

Sources: Esri, HERE, Garmin, Intermap, increment P Corp.,
ArcGIS WebApp Builder
City of Kennewick

37
PORT OF KENNEWICK
350 CLOVER ISLAND DR
KENNEWICK WA 99336

37
GARY & SHIRLEY BRANSON
5105 E RAILROAD
SPOKANE WA 99212

EXHIBIT 3
COZ 19-02 / PLN-2019-01331
ED 19-18 / PLN-2019-01332
1620 E 7TH AVE
FROM IL TO IH
PORT OF KENNEWICK

Utilities Map



This plan is suitable for informational use only. City of Kennewick accepts no liability for any error whatsoever.

1 inch = 300 feet
1:3,600

0 0.0275 0.055 0.11 mi
0 0.0425 0.085 0.17 km

Sources: Esri, HERE, Garmin, Intermap, increment P Corp.,

Project Site
COZ 19-02

- | | | |
|--|--|--------------------|
| | | WaterMainline |
| | | SewerMainline |
| | | StreetName |
| | | Manhole |
| | | <all other values> |
| | | <all other values> |

May 20, 2019
SewerManhole



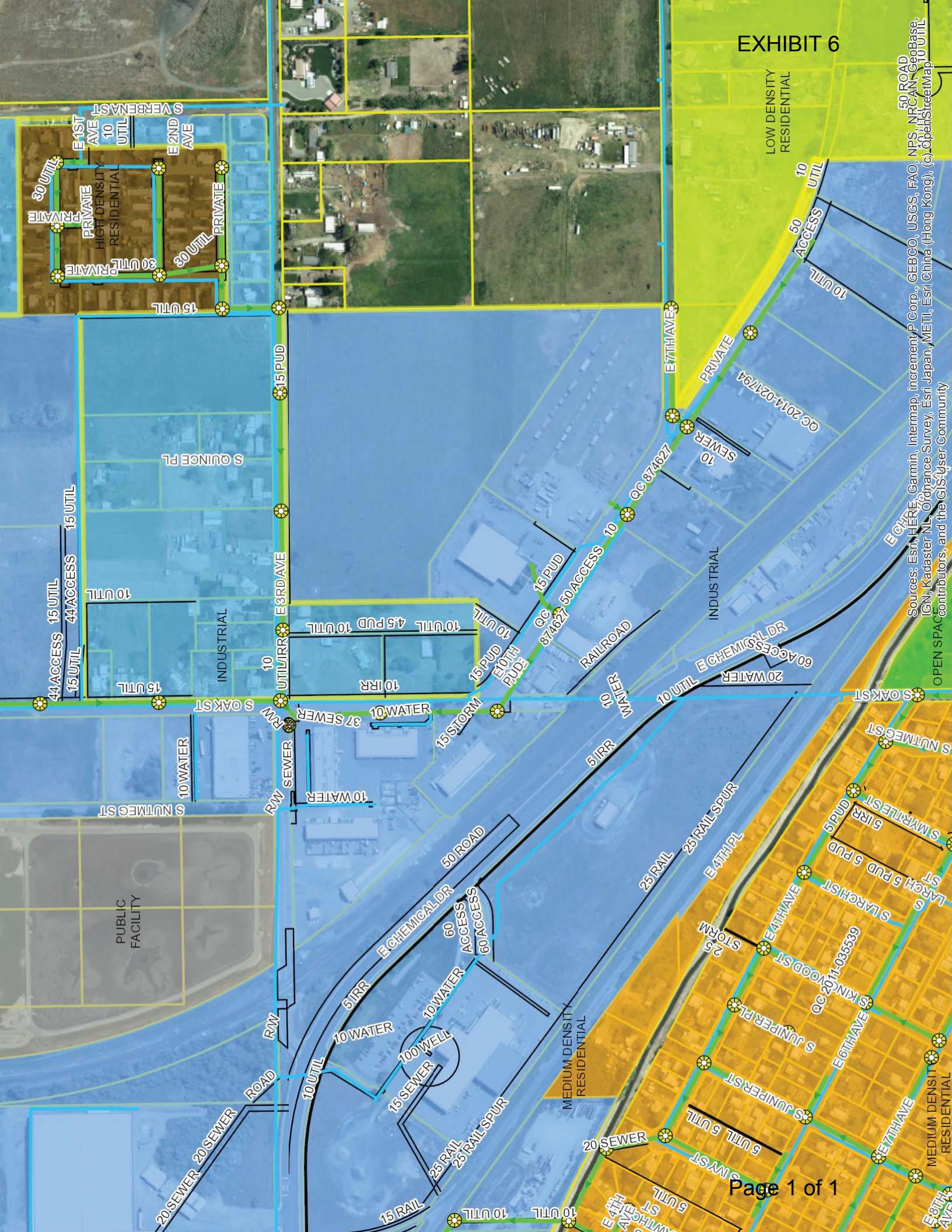
Project Location
COZ 19-02

Industrial
Light

Industrial
Heavy

50 ROAD
Sources: Esri, HERE, Garmin, Intermap, increment P Corp., GEBCO, USGS, FAO, NPS, NRCAN, GeoBase, IGN, Kadaster NL, Ordnance Survey, Esri Japan, METI, Esri China (Hong Kong), Swisstopo, U.S. Geological Survey, AeroGRID, IGN, Esri, the Swisstopo, the Esri User Community contributors, and the Esri User Community contributors.

Sources: Esri, HERE, Garmin, Intermap, increment P Corp., GEBCO, USGS, FAO, NPS, NRCAN, GeoBase, IGN, Kadaster NL, Ordnance Survey, Esri Japan, METI, Esri China (Hong Kong), (c) OpenStreetMap contributors, and the GIS User Community



ED #19-18

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



FILE/PROJECT NUMBER: ED 19-18

DESCRIPTION OF PROPOSAL: CHANGE OF ZONE FROM INDUSTRIAL LIGHT (IL) TO INDUSTRIAL HEAVY (IH), COZ 19-02.

PROPONENT: PORT OF KENNEWICK

LOCATION OF PROPOSAL, INCLUDING STREET ADDRESS, IF ANY: EAST OF CHEMICAL DRIVE NEAR S. OAK STREET AND E. 7TH AVENUE AT 1620 E. 7TH AVENUE.

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.

X 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

X 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:

X No conditions.

_____ See attached condition(s).

Date: **June 10, 2019**

Signature: _____

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

Copies of this DNS were mailed to: Dept. of Ecology, WA Dept of Fish & Wildlife, WSDOT, Yakima Nation, CTUIR, & ED 19-18 File

CITY OF KENNEWICK PLANNING COMMISSION RULES OF PROCEDURE

WE, THE MEMBERS of the Planning Commission of the City of Kennewick State of Washington, pursuant to Ordinance Number 856, passed on October 18, 1955, by the City of Kennewick, do hereby adopt, publish and declare the following Rules of Procedure:

I. NAME

The Official name shall be "The Kennewick Planning Commission"

II. MEETINGS

1. All meetings shall be held in the City Hall of Kennewick, Washington, unless otherwise directed by the Planning Commission.
2. The Commission shall hold at least one regular meeting or workshop in each month for not less than nine months, in each year. Regular meetings shall be held on the first and third Mondays of the month. Additional special meetings may be scheduled as directed by the Chairman.
3. If the first or third Monday of the month is a legal holiday, then that meeting may be canceled or held on a date as determined by the Chairman.

III. MEMBERSHIP

The Planning Commission is a seven-member body appointed by the Mayor with the consent of Council to serve in an advisory role on all matters relating to the growth and development of the City. Terms will be 4 years in length ~~for anyone appointed after 4/22/00~~, expiring on March 31 or until such time as their successor is selected.

IV. ELECTION OF OFFICERS

1. The officers of the Commission shall consist of the Chairman, Vice-Chairman, and such other officers as the Commission may, by majority vote, approve and appoint.
2. The officers shall serve for a period of ~~one year~~ two years, provided, however, that any officer may be removed at any time by vote of a majority of the Commission entered on record. The election of officers shall take place once each odd numbered year, on the occasion of the first meeting of the month of April year.

V. CHAIRMAN

1. The Chairman shall preside over the meetings of the Commission and may exercise all the powers usually incidental to the office retaining, however, to himself as a member of the Commission, the full right to have his own vote recorded in all deliberations of the Commission.
2. The Chairman shall have full power to create standing or temporary committees of one or more members, charged with such duties, examinations, investigations and inquiries relative to one or more subjects of interest to the Commission, as it may, by motion or resolution, determine. No standing or temporary committee shall have the power to commit the Commission to the endorsement of any plan or program without its submission to the body of the Commission.

VI. VICE - CHAIRMAN

The Vice-Chairman shall, in the absence of the Chairman from any meetings, perform all the duties incumbent upon the Chairman. The Chairman and Vice-Chairman, both being absent, the members present may elect for the meeting a temporary chairman who shall have full powers of the Chairman during the absence of the Chairman and Vice-Chairman.

VII. SECRETARY

The Secretary to the commission shall be the executive director of Community Planning or his/her designee. The Secretary shall keep a record of all meetings of the Commission and of its committees when requested to do so, and these records shall remain the property of the Commission and be retained at such office as the Commission may direct. In the absence of the Secretary from any meeting, a Secretary pro-tem shall be appointed.

The Secretary shall have no voting privileges.

VIII. QUORUM

A majority of the membership of the Commission, being not less than four members, shall constitute a quorum for the transaction of business. Any action taken by a majority of those present, when those members constitute a quorum at any regular meeting of the Commission, shall be deemed and taken as the action of the Commission.

IX. ABSENCE OF MEMBERS

The Commissioner shall notify the Chairman or Secretary as soon as possible regarding an absence due to a bona fide emergency situation: a situation where in good faith prevents the prior notification to the Chairman or Secretary. The Chairman will advise the Recorder the status of the absence.

All members of boards, commissions or agencies shall be removed from their appointment if they have two or more unexcused absences in any calendar year. An unexcused absence is defined as a failure to notify the Chairperson or Secretary of their absence prior to the meeting, unless for a bona fide emergency. (Ord. 3915 Sec. 18, 2000)

X. APPLICATION AND PETITION

Petitions and applications will be accepted by the Planning Commission only when properly filed with the Planning Commission on those application forms furnished by the office of the Community Planning Executive Director.

XI. AGENDA

An agenda shall be prepared for each regular meeting, consisting of the following order of business:

1. Call to Order
2. Roll Call
3. Consent Agenda
4. Public Hearings
5. Visitors not on agenda
6. Old business
7. New business
8. Reports, comments or discussion by Commissioners and Staff
9. Adjournment

XII. CONSENT AGENDA

The consent agenda may contain items which are of a routine and non-controversial nature which may include, but are not limited to, the following: Approval of minutes; Approval of the Agenda; Accepting the staff report for the record; Communications; Memos and reports for information of the Commission; Resolutions; and Petitions. This item will be accepted by consent of the Commission by as single vote, without reading, unless a member of the Commission or any person attending a Planning Commission meeting should request such reading. Any item on the Consent Agenda shall be removed and considered separately as an agenda item at the request of any Commissioner or person attending a Planning Commission meeting.

XIII. AMENDMENT PROCEDURE

The Rules of Procedure may be amended at any regular meeting of the Commission by a majority vote of the entire membership.

XIV. MOTIONS

Motions shall be restated by the Chairman before a vote is taken. The name of the members making and seconding a motion shall be recorded in the minutes of the meeting.

XV. VOTING

Any action by a majority of those present, when those present constitute a quorum, at any regular, recessed or special meeting of the Planning Commission shall be deemed and taken as the action of the Commission. A voting quorum is required for all items. Abstaining or withdrawal is not considered a vote.

XVI. PARLIAMENTARY PROCEDURES

Parliamentary procedures in Planning Commission meetings shall be governed by Roberts Rules of Order, Revised, unless it is specifically provided otherwise in these Rules, in other Planning Commission Resolutions, in City Ordinances, or in the State of Washington Planning Enabling Act (RCW 35.63).

XVII. CONFLICT OF INTEREST/APPEARANCE OF FAIRNESS

Any member of the Commission who in the Commission's opinion has an interest or a potential conflict of interest related to any matter before the Commission shall so publicly indicate, shall step down leaving the hearing room, and shall abstain from all proceedings, deliberations and voting on the matter.

Except at a public meeting, no member of the Planning Commission shall discuss with any citizen any matter which will be coming to the Planning Commission for action. If a Planning Commission member receives such communication, the member should immediately inform the citizen that they may not discuss the matter while the matter is pending before the Commission and terminate the conversation. If a Planning Commission member has been lobbied by a particular group, the member may continue to participate in the matter, so long as the Commission member completely discloses the extent and nature of the ex parte communication, and is of the opinion that the member's objectivity has not been influenced.

XVIII. PROCEDURE FOR PUBLIC HEARINGS

The following procedure shall be utilized for all public hearings, and any other Agenda item, as determined by the Chairman:

1. Staff Report.
2. Questions of staff.
3. Chairman open public hearing and ask for ~~comments~~ testimony from applicant.
4. Chairman asks for ~~comments~~ testimony in favor.

5. Chairman asks for ~~comments~~ testimony in either neutral or in opposition.
6. Applicant rebuttal.
7. Close public hearing.
8. Motion for recommendation / 2nd.
9. Discussion and deliberation.
10. Voice ~~V~~vote. Chair will ask all in favor signal by saying "aye"; opposed "nay". Chair will declare result of vote.
11. Item will go to next applicable City Council.

XIX. EXHIBITS SUBMITTED TO THE COMMISSION

All petitions, letters, date, photographs, sketches, drawings, documents, study reports or results, architectural and engineering renderings, and any item submitted by any persons, companies, agencies, and City Officials or staff prior to and/or during public hearings in order to qualify for consideration by the Commission, shall become exhibits for the related matter and shall be numbered, upon receipt, by the Secretary or recorder. ~~Further, in accordance with RCW 17.020, all~~ All such exhibits and items shall become part of the record for said matter and be retained on file, and kept available for public inspection by the Community Planning Department.

AMENDED: March 8, 1971
 June 25, 1973
 September 27, 1976
 December 4, 1978
 November 1, 1982
 March 4, 1985
 November, 1987
 April 17, 1995
June 17, 2019

March 19, 1973
 April 28, 1975
 June 27, 1977
 April 21, 1980
 July 16, 1984
 November 3, 1986
 January 9, 1995
 August 2, 2004