
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 February 1, 2021
- b. Approval of Agenda
- c. Motion to enter Staff Report(s) into Record

3. PUBLIC HEARING:

- a. Change of Zone (COZ) #21-02 proposing to change the zoning district for approximately 4.45 acres located at 2109 S. Washington Street from Residential, Suburban (RS) to Residential, Low Density (RL). Applicant and owner is Darrell Bussell, DDB, LLC, 6103 Balsam Court, West Richland, WA 99353.

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

- a. City Council Action Updates

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

**KENNEWICK PLANNING COMMISSION
FEBRUARY 1, 2021
MEETING MINUTES**

CALL TO ORDER

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

Chairman Morris led the Pledge of Allegiance.

Chairman Morris made the following statement:

“Tonight’s meeting will be conducted through an online, virtual meeting platform. Planning Commissioners and staff are joining us remotely in order to comply with Governor Inslee’s Proclamation 20.28.4 as it relates to the Open Public Meeting Act during the COVID-19 State of Emergency. Should an individual Planning Commissioner become unexpectedly disconnected from the Webinar, please rejoin the meeting at your first opportunity. The record will reflect your attendance. The meeting will proceed so long as a quorum of Planning Commissioners are present.”

Community Planning Administrative Assistant Melinda Didier called the roll and found the following logged into the Webinar:

Present: Commissioners Robert Rettig, James Hempstead, Ken Short, Thomas Helgeson, Anthony Moore, Vice Chairman Clark Stolle, Chairman Victor Morris.

Excused: None

Unexcused: None

Staff Present: Gregory McCormick, AICP Planning Director; Anthony Muai, AICP Development Services Manager; Chris Bowman, Assistant Planner; Melinda Didier, Community Planning Administrative Assistant.

CONSENT AGENDA

- a. Approval of Agenda
- b. Approval of the October 19, 2020 Meeting Minutes
- c. Motion to enter Staff Reports into the Record

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

PUBLIC HEARINGS

Chairman Morris opened the virtual public hearing at 6:36 p.m. for Change of Zone 20-05/PLN-2020-03528 proposing to change 0.55 acres located at 3126 W. Hood Avenue from Residential, Low Density (RL) to Residential, Medium Density (RM). Applicant and Owner is Cary and Jennifer Cole, 21 Meadow Hills Drive, Richland, WA 99352.

Mr. Bowman gave a brief overview of the staff report.

Planning Commission questions:

Besides Exhibit 6, were there any other comments from the public – Mr. Bowman said no; does staff have any comments brought up by 4 individuals from homeowners association – Mr. Bowman said that nothing can be done per code about privacy or animals; will have to meet city code parking guidelines; What is required parking per unit if 4 units built - Mr. Bowman said he has driven area and understands the parking concerns on south side of the street (res zone 2 spaces per dwelling unit), so 4 units will be 8 parking spaces; Will the existing buildings be part of parking requirement – Mr. Bowman said yes.

Testimony of Applicant/Applicant's Representative:

Cary Cole
21 Meadow Hills Drive
Richland WA 99352

Thanks for considering application; right now a single-family home with garage is on property, pretty run down, the long-term goal is for new affordable multi-family housing for this property.

Webinar Participant Comments:

None – no other participants registered.

Public Testimony for COZ 20-05 closed at 6:45 p.m.

Chairman Morris asked for a motion.

Commissioner Moore moved to concur with the findings and conclusions in staff report COZ 20-05 and forward a recommendation to City Council APPROVAL of the request.

Commissioner Rettig seconded the motion.

Planning Commission Discussion:

None

The motion passed on a unanimous roll call vote.

VISITORS NOT ON AGENDA:

OLD BUSINESS:

- a. City Council Action Updates – None

NEW BUSINESS: None.

REPORTS, COMMENTS, OR DISCUSSION OF COMMISSIONERS AND STAFF:

Commissioner Moore has question for staff: in regard to notices going out – has City considered sending out notices via Facebook, the Tri-City Herald not used as much for communication today have you considered social media. Mr. McCormick said he would pose question to City Attorney for legal vetting prior to doing anything, worthwhile to look into. Commissioner Moore asked if we are being as relevant as we can for communication purposes. Chairman Morris said it was a good point to raise, don't know how many folks see it in Tri-City Herald. Mr. McCormick said we also send out individual notices to surrounding property owners, and post a sign at each site for information regarding land use action being considered. Commissioner Rettig (and Commissioner Moore) thanked Planning staff, said he is proud of the Planning Commission and reiterated the idea of expanding communication efforts to the public. Chairman Morris said that usually in March the Planning Commission has re-applications for expiring commissioner terms, has that been postponed to City Council? Mr. McCormick said the Council appointments to boards and commissions wouldn't change.

ADJOURNMENT:

The meeting adjourned at 6:56 p.m.



COMMUNITY PLANNING DEPARTMENT

STAFF REPORT AND RECOMMENDATION TO THE PLANNING COMMISSION

FILE No: COZ 21-02/PLN-2021-00497

Staff Report Date: March 22, 2021

Hearing Date & Location: April 5, 2021, Virtual Hearing

Report Prepared By: Steve Donovan, AICP
Senior Planner

Report Reviewed By: Anthony Muai, AICP
Planning Manager

Summary Recommendation: The City of Kennewick Planning Staff RECOMMENDS that Change of Zone 21-02 be APPROVED.

Summary of Proposal: A Change of Zone from Residential, Suburban (RS) to Residential, Low Density (RL) for 4.45 acres.

Proposal Location: 2109 S Washington Street

Legal Description: Section 7, Township 8 North, Range 30 East: The southwest quarter of Lot 3, less the north 85 feet of the west 256.2 feet, and less the south 298.3 feet: west 30 feet to Benton County for road 12-10-57. Subject to easements and restrictions of record, 7-22-64.

Property Owner: DDB, LLC
Attn: Darrell Bussell
6103 Balsam Court
West Richland, WA 99353

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	February 9, 2021
Determination of Completeness Issued	February 9, 2021
Notice of Application Posted	February 10, 2021
SEPA Threshold Determination Issued	March 1, 2021
Property Posting Sign for SEPA Determination	March 1, 2021
SEPA Appeal Period Ended	March 15, 2021
Date of Mailed Notice of Public Hearing	March 18, 2021
Property Posting Sign for Public Hearing	March 18, 2021
Date of Published Notice of Public Hearing	March 21, 2021

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
8. Benton County Code Chapter 11.07 – Urban Growth Area Residential District (UGAR)
9. A portion of Kennewick Municipal Code 18.12.010 A.2
10. Cascade Natural Gas Corporation comments
11. Washington State Department of Ecology comments

Zoning adjacent to the site:

North: Residential Suburban (RS)

East: County – Urban Growth Area Residential (UGAR)

South: RS and UGAR

West: Open Space (OS)

Applicable Goals and Policies of the Comprehensive Plan:**Residential Goals and Policies:**

- Goal 1: Provide for attractive, walkable and well-designed residential neighborhoods, with differing densities and compatible with neighboring areas.
- 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 2: Residential Low Density: Place lands constrained by sensitive areas, those intended to provide transition to the rural are, or those appropriate for larger lot housing within the Residential Low Density land use designation to allow for a range of lifestyles.

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 RL zoning district is an implementing zoning district of the site's current Low 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: Additional burdens on public facilities will not be imposed as result of the proposed Change of Zone. Future development will be required to meet applicable levels of service.
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 complies with Comprehensive Plan. The RL zone is an implementing zone of the site's Low 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: It is staff's opinion that the above finding does not require the same proposed zoning classification or higher zoning classification be a City of Kennewick zoning classification. The adjacent property to the east is in unincorporated Benton County and is zoned UGAR. The UGAR zone has a minimum lot area requirement of 7,500 square feet, which is the same as the RL zone. Additionally, the two zones permit many of the same uses.

Public Comments:

The public submitted no comments.

Agency Comments:

Cascade Natural Gas and the Washington State Department of Ecology both submitted comments on the application. The comments are more suitable for a specific project development on the site.

Staff Analysis of Proposal & Discussion:

The City annexed the site and zoned it Agricultural on December 1, 2009 via Ordinance 5282. On November 20, 2018, the City adopted Ordinance 5761, which established the RS zone for the site as part of an area-wide rezone.

The proposed Change of Zone (COZ 21-02), is a request to change the zone of 4.45 acres located at 2109 S Washington Street, from RS to RL. Pursuant to Table 1 of the

Comprehensive Plan, the RL zoning district is an implementing zoning district of the Low 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(2) the purpose of RL zoning district is as follows:

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

Staff has reviewed Benton County Code Chapter 11.07, which establishes the development regulations for the UGAR zone, see Exhibit 8. The UGAR and RL zones have the same minimum lot area requirement and permit many of the same uses. It is staff's opinion that the zones can be considered the same zoning classification even though they are in separate jurisdictions.

The proposal will implement the site's Low Density Residential Land Use Designation and promote the goals and policies of the comprehensive plan.

The appropriate findings have been made to meet the requirements of KMC 18.51.070(2).

Findings:

1. The applicant and owner is DDB, LLC, c/o Darrell Bussell, 6103 Balsam Court, West Richland, WA 99353.
2. The proposed change of zone is located at 2109 S Washington Street; Parcel No. 1-0780-300-0022-000.
3. The City's Comprehensive Plan Land Use Designation for the subject property is Low Density Residential.
4. The request is to change the zoning from Residential, Suburban to Residential, Low Density.
5. The Residential, Low Density zoning district is an implementing zone of the Low Density Residential Comprehensive Plan Land Use Map Designation.
6. The application was submitted and declared complete for processing on February 9, 2021.
7. The application was routed for review to City Departments and outside agencies for comment on February 10, 2021.
8. Access to the site is currently provided directly from S Washington Street.
9. The site is not designated as a Critical Area.
10. An Environmental Determination of Non-Significance was issued on March 1, 2021; file number ED 21-04/PLN-2021-00496.
11. The Property Posting sign for the public hearing was posted on site March 18, 2021.
12. Notice of the public hearing for this application was published in the Tri-City Herald on March 21, 2021. Notices were also mailed to property owners within 300 feet of the site on March 18, 2021.
13. The proposed amendment conforms to the comprehensive plan.
14. The proposed amendment promotes the public necessity, convenience and general welfare.

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.
16. The proposed amendment is consistent with all applicable provisions of the Kennewick Municipal Code, including those adopted by reference from the Comprehensive Plan.

Conclusions:

1. Approval will implement the Comprehensive Plan Land Use Designation of Low Density Residential.
2. Approval will not result in an increase of adverse environmental impacts.
3. Approval will implement Residential Land Use Goals 1 and 3 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 complies 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 21-02 and recommend approval to City Council.

Motion:

I move that the Planning Commission concur with the findings and conclusions in staff report COZ 21-02 and recommend approval of the request to City Council.

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

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 Change of Zone

Environmental Determination PLN- _____ - _____ Pre Application Meeting PLN- 2021_00121

Applicant: DDB LLC Contact Darrell Bussell

Address: 6103 Balsam Court, W Richland, WA 99353

Telephone: _____ Cell Phone: 509-378-7569 Fax: _____ E-mail: darrell@ddbllc.net

Property Owner (if other than applicant): same

Address: _____

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

SITE INFORMATION

Parcel No. 1-0780-300-0022-000 Acres 4.45 Zoning: RM

Address of property: 2109 S Washington St

Number of Existing Parking Spaces 0 Number of Proposed (New) Parking Spaces 0

Present use of property single family dwelling unit

Size of existing structure: 2500 sf/640 sf sq. ft. Size of Proposed addition/New structure: N/A sq. ft.

Height of building: unknown Cubic feet of excavation: N/A Cost of new construction N/A

Benton County Assessor Market Improvement Value: N/A

Description of Project: Change of Zone from RS to RL

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

Darrell Bussell
Darrell Bussell (Feb 9, 2021 08:37 PST)

Applicant's Signature

Date: 2/5/21

Darrell Bussell
Darrell Bussell (Feb 9, 2021 08:37 PST)

Signature of owner or owner's authorized representative

Hearns
4/1

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:

Affordable housing is always a public necessity. The City of Kennewick's undeveloped land is mainly in the Southridge area with higher costs of development. Available infill areas on the east side of the city with lower development costs can be utilized for more affordable housing opportunities.

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:

There is vacant land within 1/2 mile to a mile of this parcel, within the urban growth area. These parcels are currently in the county to the east. It is unknown if these vacant parcels are for sale. Some are landlocked and none have city water available. Sewer in most cases is also unavailable.

3. Is the proposed amendment consistent with the existing land use pattern in the area? Please explain

The existing land use patterns on the east side of S Washington St are mainly large residential lots with the majority within the county. The county zoning to the south and east is UGAR with a minimum lot size of 7,500 which is consistent with this change of zone request. Adjacent city zoning to the north and south is RS. The land use pattern on the west side of S Washington St consists of duplexes zoned RM-6, a single family development and apartments zoned RM-4 and Washington Elementary School with Open Space zoning. This proposal fits within the varied existing land use patterns.

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

The existing uses in the area are in conformance with the area's zoning classifications.

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

The adjacent land to the east which is within the county is zoned for 7,500 sf. lots which is consistent with this request. More Intense zoning is across S Washington St consisting of RM-4 and RM-6 zoning to the north and south of Washington Elementary School. The Residential Low Density zoning would not introduce a more intense land use to the area.

6. Does the existing zoning prohibit reasonable use of the property? Please explain.

No. It does prohibit the more efficient use of property for an infill project.

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

No, due to the area's varied character.

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

The property values in the vicinity would be enhanced by a new neighborhood with new housing. New construction and home sales provide additional comparative sales to determine housing values in an otherwise stagnant area.

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:

Residential Low Density zoning is consistent with the county parcels to the east. The extension of water and sewer to this development would allow adjacent properties to the east and south the opportunity to develop.

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 would encourage more private investment of the deteriorated area to the east with the expansion of city services.

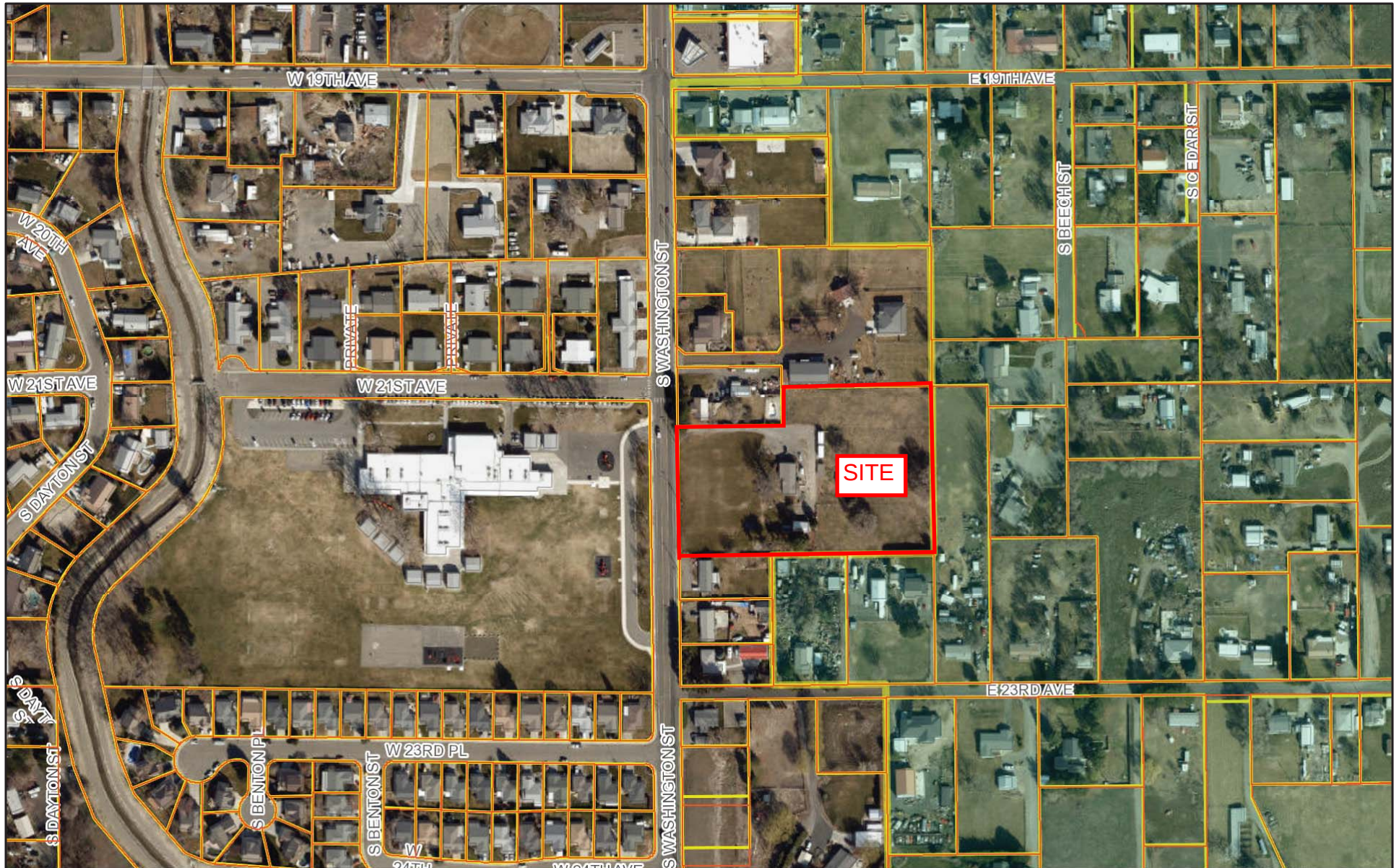
11. Will the proposed amendment combat any economic segregation and allow greater choice in the market? Please explain.

Affordable housing is always needed in any housing market. Development of this area allows more housing choices within the city which will help to combat economic segregation by providing more varied income levels for home ownership.

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

Transportation patterns would be enhanced by this amendment opening up the potential for street extensions in the area. The City of Kennewick Traffic Engineer has stated the proposal is not required to provide a trip generation and distribution letter to the City, therefore no conflicts or concerns are anticipated.

Vicinity Map



February 10, 2021 This plan is suitable for informational use only. City of Kennewick accepts no liability for any error whatsoever.

CountyParcelLayer **SurveyAddressPoint**

StreetName  <all other values>

 Apartment

 Building

 Condo

 Mobile Home

Parcel



1 inch = 300 feet

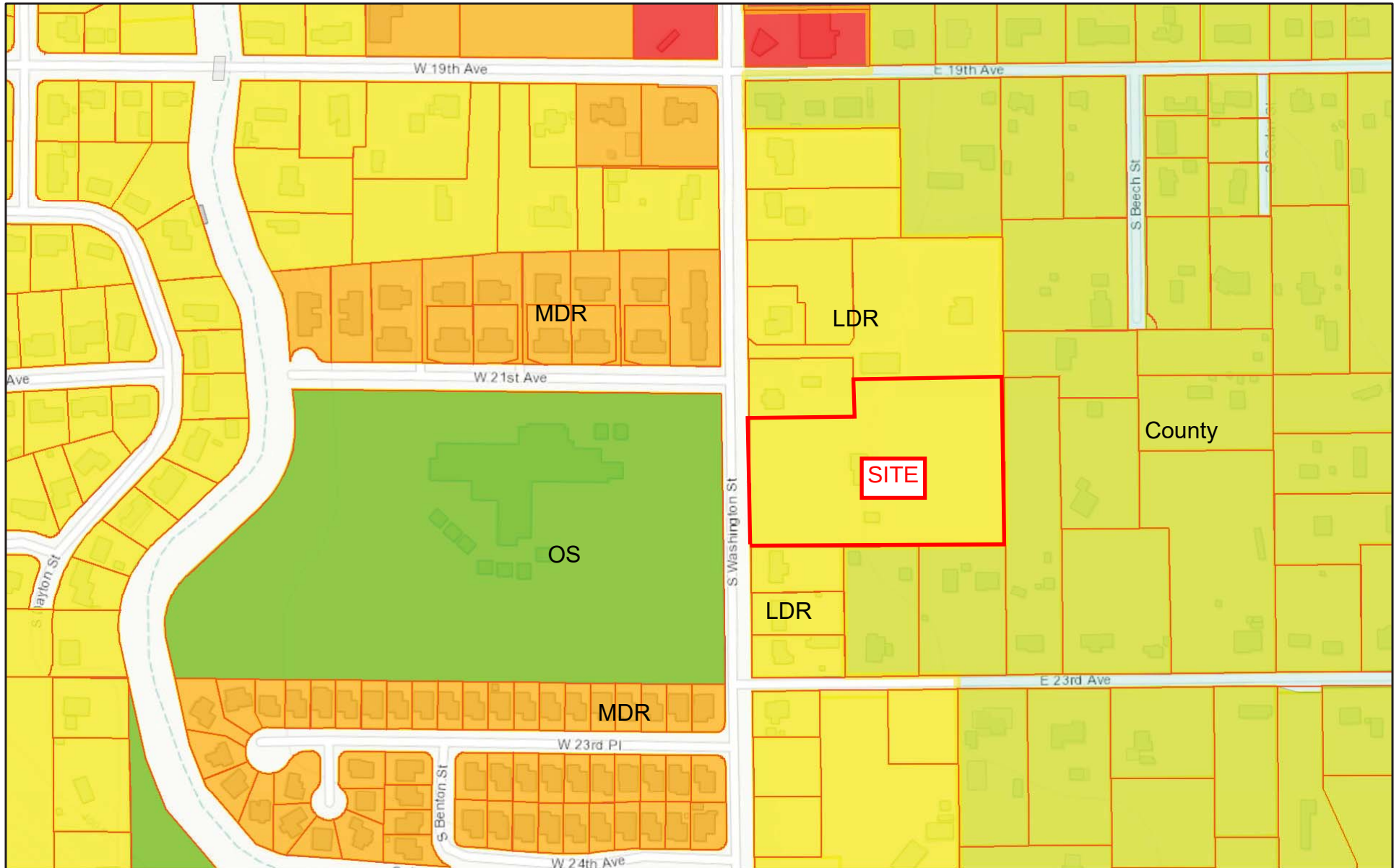
0 0.0275 0.055 0.11 mi

0 0.0425 0.085 0.17 km

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

Comprehensive Plan Map

Exhibit 4



March 16, 2021

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

CountyParcelLayer
 SurveyAddressPoint
 <all other values>

Apartment
 Building
 Condo

Mobile Home
 Parcel

SurveyCityLimits
 SV_CI_KENNEWICK_10
 SV_CI_RICHLAND_10

SV_CI_COUNTY_1



1 inch = 300 feet

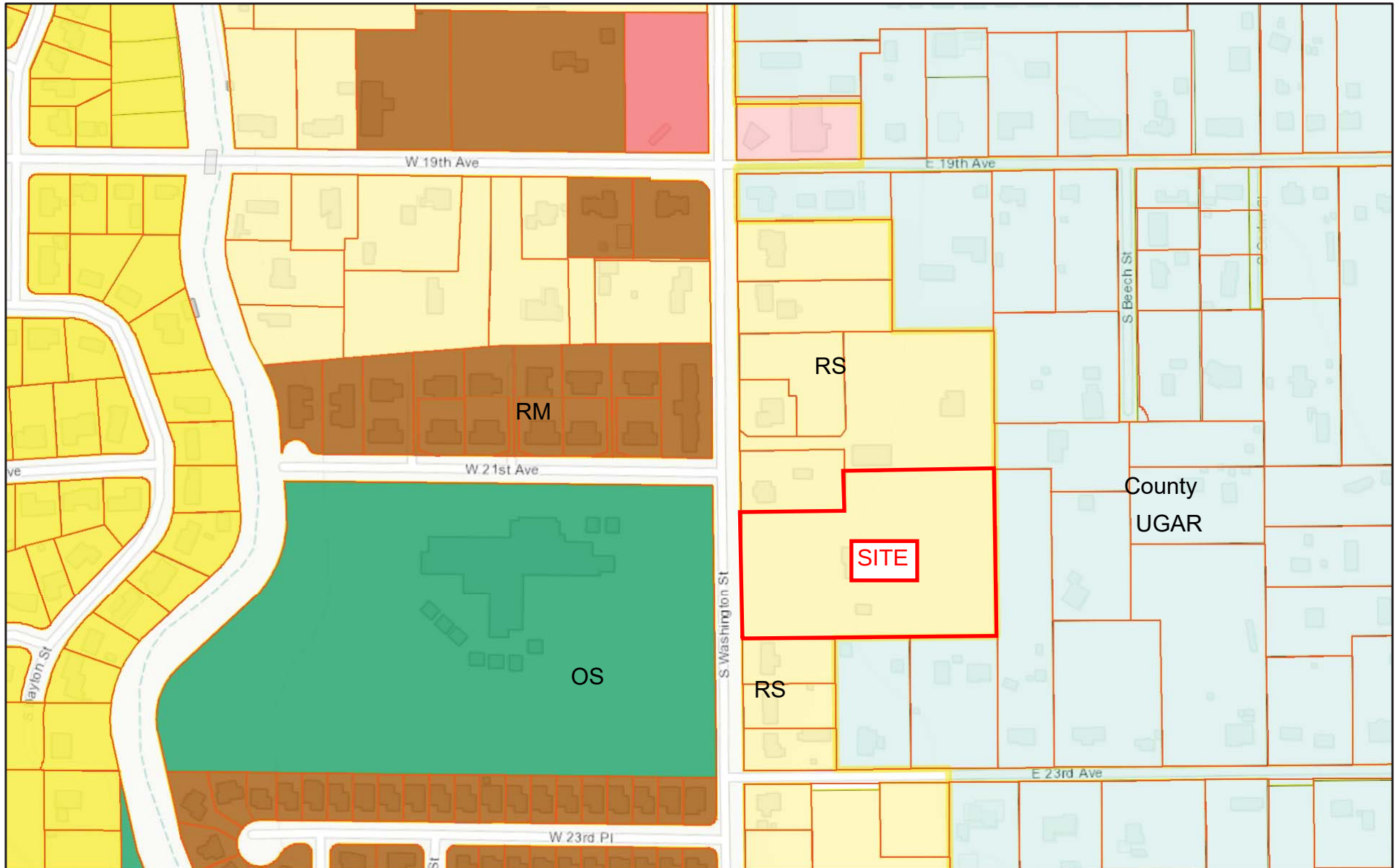
0 0.0275 0.055 0.11 mi

0 0.0425 0.085 0.17 km

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

ArcGIS WebApp Builder
 City of Kennewick

Zoning Map



March 16, 2021

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

CountyParcelLayer
 SurveyAddressPoint
 <all other values>

Apartment
 Building
 Condo

Mobile Home
 Parcel

SurveyCityLimits
 SV_CI_KENNEWICK_10
 SV_CI_RICHLAND_10

SV_CI_COUNTY_1



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.,



NOTICE OF MAILING

I, Steve Donovan, on March 18, 2021
mailed 22 copies of Notice of Public Hearing
for COZ-02/PLN-2021-00497
to all property owners within 300 feet of the proposal
as shown on the attached list.


Signature

KENNEWICK PLANNING COMMISSION

NOTICE OF PUBLIC HEARING

April 5, 2021 at 6:30 p.m.

The Kennewick Planning Commission will hold a Public Hearing on Monday, April 5, 2021, remotely at 6:30 p.m. or as soon as possible thereafter, to receive public comment/testimony on the below Change of Zone. Staff will be presenting analysis and the Planning Commission will make a recommendation to the City Council on the item. In response to the COVID-19 emergency, the hearing will be conducted online. To participate in the hearing use the link found at <https://www.go2kennewick.com/598/Planning-Commission>.

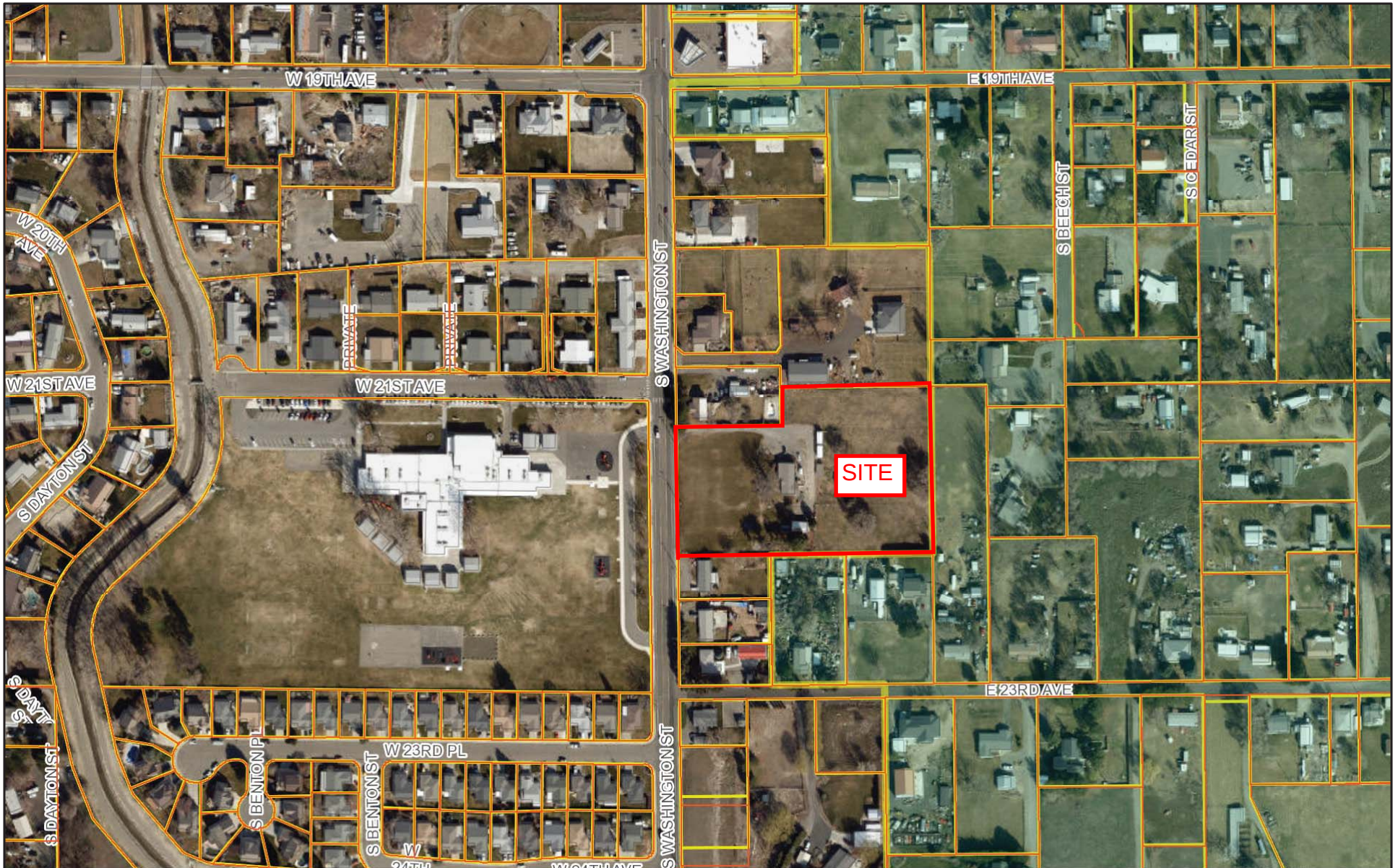
Project# COZ 21-02 – A Change of Zone for 4.45 acres from Residential, Suburban to Residential, Low Density. The proposal is located at 2109 S Washington Street. See site map on back.

Questions or 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.

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 hearing, 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.

Site Map

Exhibit 6



February 10, 2021 This plan is suitable for informational use only. City of Kennewick accepts no liability for any error whatsoever.

CountyParcelLayer **SurveyAddressPoint**

StreetName  <all other values>

 Apartment

 Building

 Condo

 Mobile Home

Parcel



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.,

Exhibit 6

37
BROWER TREVOR L & DEBORAH L
2109 S WASHINGTON ST
KENNEWICK WA 99337

37
RILEY JAMES MICHAEL & LINDA
29 E 23RD AVE
KENNEWICK WA 99337

37
ELLISON HOWARD E & BEVERLY K
33 E 23RD AVE
KENNEWICK WA 99337

37
GRIFFITH C COLLINS & VERONICA R
GEIGER-GRIFFITH
2001 S WASHINGTON ST
KENNEWICK WA 99337

37
MEISE MARVIN S
2222 S BEECH ST
KENNEWICK WA 99337

37
MAGER WILLIAM M & M PEGGY A
2004 S BEECH ST
KENNEWICK WA 99337

37
LANE BRIAN E & PENNY L
2103 S BEECH ST
KENNEWICK WA 99337

37
BARTHOLOMEW JEFFREY W &
KATHERINE
2103 S WASHINGTON ST
KENNEWICK WA 99337

37
GRIFFITH C COLLINS & VERONICA R
GEIGER-GRIFFITH
2001 S WASHINGTON ST
KENNEWICK WA 99337

37
LLAMAS JOSE A & VICTORINA
2207 S WASHINGTON ST
KENNEWICK WA 99337

37
REISCH DANIEL R & BRENDA
2213 S WASHINGTON ST
KENNEWICK WA 99337

37
RAYMOND KENNETH E & TERESA M
PO BOX 4
BURBANK WA 99323

37
THOM CHARRLEE P
199 E 23RD AVE
KENNEWICK WA 99337

37
STRONG NORMA
229 E 23RD
KENNEWICK WA 99336

37
MENDOZA MARIO & MONICA
2205 S WASHINGTON ST
KENNEWICK WA 99337

37
BARGER JACK W & LAURIE A
105 E 23RD AVE
KENNEWICK WA 99337

37
GRIFFITH DOUGLAS E
2017 S WASHINGTON ST
KENNEWICK WA 99337

37
RIVES JR HANNAH & DONALD
2100 S BEECH STREET
KENNEWICK WA 99337

37
YOUNG KATHI RENE'
112 W 21ST AVE
KENNEWICK WA 99337

37
MAGELSEN WILLIAM A & LINDA M
45205 S FREMONT RD
KENNEWICK WA 99337

37
LANE BRIAN E & PENNY L
2103 S BEECH ST
KENNEWICK WA 99337

37
KENNEWICK SCHOOL DISTRICT #17
1000 W 4TH AVE
KENNEWICK WA 99336



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

FILE/PROJECT NUMBER: ED 21-04/PLN-2021-00496

DESCRIPTION OF PROPOSAL: To change the zoning of 4.45 acres from Residential, Suburban to Residential, Low Density in order to develop an 18 lot single family housing development.

PROPOSER: DDB, LLC, c/o Darrell Bussell, 6103 Balsam Court, West Richland, WA 99353

LOCATION OF PROPOSAL, INCLUDING STREET ADDRESS, IF ANY: 2109 S Washington Street

LEAD AGENCY: City of Kennewick

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

☒ There is no comment period for this DNS.

☐ This DNS is issued after using the optional DNS process in WAC 197-11-355. There is no further comment period on the DNS.

☐ This DNS is issued under 197-11-340(2); the City will not act on this proposal for fifteen days from the date below. Comments must be submitted by _____. After the review period has elapsed, all comments received will be evaluated and the DNS will be retained, modified, or withdrawn as required by SEPA regulations.

RESPONSIBLE OFFICIAL: Gregory McCormick, AICP

POSITION/TITLE: Community Planning Director

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

PHONE: (509) 585-4463

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

This DNS is subject to the attached conditions:

☒ No conditions.

☐ See attached condition(s).

Date: March 1, 2021

Signature: *Gregory J. McCormick*

Appeal: An appeal of this determination must be submitted to the Community Planning Department within fourteen (14) calendar days after the date issued and no later than 5 p.m. 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 21-04 File

CHAPTER 11.07**URBAN GROWTH AREA RESIDENTIAL DISTRICT (UGAR)****SECTIONS:**

11.07.010	Purpose
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11.07.010 PURPOSE. The Urban Growth Area Residential District (UGAR) are lands within Urban Growth Areas (UGAs) that have been designated to accommodate the land use needs of a city's projected future population growth. The UGAR District allows higher densities and a variety of uses similar to those typically found in the adjacent cities. The densities, uses and development provisions allowed within this district assure that development prior to annexation by a city results in densities, land uses and development patterns that are consistent with that city's Comprehensive Plan.
[Ord. 611 (2018) § 21]

11.07.020 APPLICABILITY. Provided all applicable code provisions are satisfied, the provisions of this chapter shall apply to the areas designated as an Urban Growth Area Residential

District (UGAR) on the official zoning maps of Benton County and located within an Urban Growth Area of unincorporated Benton County.

[Ord. 611 (2018) § 22]

11.07.030 ALLOWABLE USES. Provided all applicable code provisions are satisfied, the following uses are allowed within the Urban Growth Area Residential District (UGAR) on a single parcel of record:

- (a) Single Family Dwelling (SFD).
- (b) Duplex, subject to the provisions of BCC 11.07.080(a).
- (c) On any tract of land having an area of one (1) acre or more, the keeping of one animal unit equivalent per one-half acre of ground, exclusive of suckling animals.
- (d) Church.
- (e) Adult Family Home.
- (f) Crisis residential center.

[Ord. 611 (2018) § 23]

11.07.040 ACCESSORY USES. Provided all applicable code provisions are satisfied, the following uses are allowed as an accessory/ancillary use within the Urban Growth Area Residential District (UGAR) on a single parcel of record:

- (a) One (1) or more accessory buildings and uses (commonly appurtenant to a single family dwelling).
- (b) Yard Sales occurring for no more than three (3) consecutive days on two (2) different occasions during a calendar year.
- (c) Kennel, Private.

(d) Solar Power Generator Facility, Minor

(e) Uses subject to Planning Administrator review and approval, specified in BCC 11.07.050(b) (c) (d) .
[Ord. 611 (2018) § 24]

11.07.050 USES SUBJECT TO PLANNING ADMINISTRATOR REVIEW AND APPROVAL. The following uses may be allowed within the Urban Growth Area Residential District (UGAR) on a single parcel of record upon the review and approval of the Planning Administrator:

(a) Temporary Dwelling, subject to BCC 11.42.110.

(b) Home Occupation, subject to the provisions of Chapter 11.49 BCC, involving business activities not otherwise expressly allowed or requiring a permit under BCC 11.07.060.

(c) Child Day Care Facility, Type A, subject to the provisions of BCC 11.42.050.

(d) Accessory dwelling unit (within or attached to a single family home), subject to the provisions of BCC 11.42.020.
[Ord. 611 (2018) § 25]

11.07.060 USES REQUIRING A CONDITIONAL USE PERMIT. The following uses may be permitted on a single parcel of record within the Urban Growth Area Residential District (UGAR) if a conditional use permit is issued by the Hearings Examiner after notice and public hearing as provided in BCC 11.50.040.

(a) School, library, community clubhouse, grange hall, senior center and/or other non-profit organizational hall.

(b) Fire department facility, law enforcement facility, and/or medical facility.

(c) Child Day Care Facility, Type B, subject to the provisions of BCC 11.42.060.

(d) Public transit center.

(e) Bed and Breakfast Facility, subject to the provisions in BCC 11.42.030.

(f) Home occupation involving the display and/or sale of products on the premises; provided, a home occupation permit is also required under Chapter 11.49 BCC.

(g) Nursery.

(h) A Park.

(i) Hiking and non-motorized biking trails.

(j) Utility substation facility.

[Ord. 611 (2018) § 26]

11.07.070 USES PROHIBITED. Any use not authorized or approved pursuant to BCC 11.07.030, BCC 11.07.040, BCC 11.07.050 or BCC 11.07.060 is prohibited within the Urban Growth Area Residential District (UGAR).

[Ord. 611 (2018) § 27]

11.07.080 PROPERTY DEVELOPMENT STANDARDS--GENERAL STANDARDS. All lands, structures and uses in the Urban Growth Area Residential District (UGAR) shall conform to the following general standards, and if applicable, to the standards set forth in Chapter 15.02 BCC, Chapter 15.04 BCC, Chapter 15.06 BCC, Chapter 15.08 BCC, Chapter 15.12 BCC, and Chapter 15.14 BCC.

(a) Minimum parcel size. Except as otherwise set forth herein, the minimum parcel size that may be created in the UGAR District is seven thousand five hundred (7,500) square feet; provided, the Benton-Franklin Health District may require a larger parcel size as necessary to meet on-site sanitary well and sewer provisions. Duplexes may only be located on parcels of at least fifteen thousand (15,000) square feet; provided, the Benton-Franklin

Health District may require a larger parcel size as necessary to meet on-site sanitary well and sewer provisions.

(b) Lot Width. Each parcel shall have an average lot width of no less than seventy (70) feet.

(c) Maximum Lot Coverage. Sixty (60) percent.
[Ord. 611 (2018) § 28]

11.07.090 PROPERTY DEVELOPMENT STANDARDS--SETBACK REQUIREMENTS. All lands, structures, and uses in the Urban Growth Area Residential (UGAR) shall meet the following setback requirements, and if applicable, the setback requirements set forth in Chapter 15.02 BCC, Chapter 15.04 BCC, Chapter 15.06 BCC, Chapter 15.08 BCC, Chapter 15.12 BCC, and Chapter 15.14 BCC.

(a) Setback Requirements. The following minimum setbacks shall apply:

(1) Each dwelling unit, accessory building, and accessory use on a parcel shall have a setback of twenty (20) feet from the property line bordering any public road right-of-way; and a setback of twenty (20) feet from the closest edge of any legally-established boundary line of a private access easement.

(2) Each dwelling unit shall have a setback of fifteen (15) feet from the rear parcel lines.

(3) Each accessory building and accessory use shall have a setback of ten (10) feet from all alleys and the rear parcel lines.

(4) Each dwelling unit, accessory building, and accessory use on a parcel shall have a setback of ten (10) feet from the side parcel lines.

(5) All shelters, coops, or other structures used for the

habitation of livestock shall have a setback of at least thirty (30) feet from every property line of the parcel on which it is located, unless a greater setback is otherwise required under the Benton County Code.

(6) All dwelling units and swimming pools shall have a setback of one hundred fifty feet (150) from any parcel located partially or wholly within the Growth Management Act Agricultural District (GMAAD) and from any adjacent orchard, hop yard, or vineyard (or combination thereof) of ten (10) acres or more on one parcel or on contiguous parcels under common ownership.

(7) Cornices, eaves, belt courses, sills, fireplace chimneys, and open, unenclosed stairways or balconies not covered by a roof or canopy may extend or project from a building three (3) feet into any required setback area. However, none of these architectural features may be located within any easements.

(8) Ground floor uncovered, unenclosed porches, platforms, or landings may extend or project from a building six (6) feet into the setback area but no closer than five (5) feet from any parcel line; provided, none of these architectural features may be located within any easements.

[Ord. 611 (2018) § 29]

11.07.100 SEVERABILITY. If any provision of this chapter is declared unconstitutional, or the applicability thereof to any person or circumstance is held invalid, the constitutionality of the remainder of the chapter and the applicability thereof to other persons and circumstances shall not be affected thereby.

[Ord. 611 (2018) § 249]

11.07.110 EFFECTIVE DATE. This chapter shall take effect and be in full force upon its passage and adoption.

[Ord. 611 (2018) § 250]

Exhibit 9

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

Minimum and maximum residential standards are identified in the following table.

	RS ⁵	RL ⁵	RM ^{3, 4, 5, 6}	RH ^{3, 4, 5, 6}	RTP ^{3, 4, 5}	RMH ⁶	UMU ^{3, 7}
Max. Density ¹	N/A	N/A	<u>13</u>	27	<u>13</u>	4	N/A
Min. Lot Size	10,500	7,500	4,000	4,000	1 acre	7,500	N/A
Min. Lot Size (Rowhouse/ Townhouse)	N/A	N/A	1,800	1,600	N/A	N/A	N/A
Min. Lot Width ²	60'	60'	50'	N/A	N/A	60'	N/A
Min. Lot Width ² (Rowhouse/ Townhouse)	N/A	N/A	24'	24'	N/A	N/A	N/A
Min. Front Yard/ Street Setback ²	15'	15'	15'	15'	15'	20'	See KMC <u>18.80</u>
Min. Garage Setback ²	20'	20'	20'	20'	20'	20'	N/A
Min. Side Yard Setback ²	5'	5'	5'	5'	5'	5'	0'
Min. Rear Yard Setback ²	15'	15'	15'	15'	15'	15'	5'
Max. Height	35'	35'	35'	45'	N/A	30'	N/A

Min. Lot Frontage ²	30'	30'	30'	30'	30'	30'	20'
Min. Lot Frontage ² (Rowhouse/ Townhouse)	N/A	N/A	20'	20'	N/A	N/A	N/A

FOOTNOTES for Table 18.12.010 A.2 Residential Standards Table:

- (1) Maximum Density - The maximum permitted number of lots/units is determined by dividing the gross area of the parcel in square feet by 43,560 square feet, multiplied by the allowed maximum density under table 18.12.010. The closest whole number is the permitted maximum number of lots/units.
- (2) Yards:
 - (a) Street: Building setback lines will be measured from the back of the sidewalk. Where no sidewalk exists and in the UMU district, building setback lines will be measured from the right-of-way line. (See fig.1a-b)
 - (i) For garages that face a no-street abutting property line (side-entry garages,) the garage setback may be reduced to 15' from the back of the sidewalk. The street facing façade of the garage shall be treated with windows, modulations and/or architectural design elements and features that mimic the remainder of the house. Landscaping shall also be required along the street-facing façade. (See fig. 2a-b)
 - (ii) In no instance shall a vehicle or any other object be allowed to obstruct a pedestrian walkway/sidewalk.
 - (b) Rear: As measured from an existing lot line or alleyway.
 - (c) Side: Shall be five feet from the nearest side yard property line.
 - (i) Single-family attached and zero-lot line housing shall have no setback on the side where the property line follows a common or zero-lot line wall.
 - (ii) End units shall have a five-foot setback from the nearest side yard property

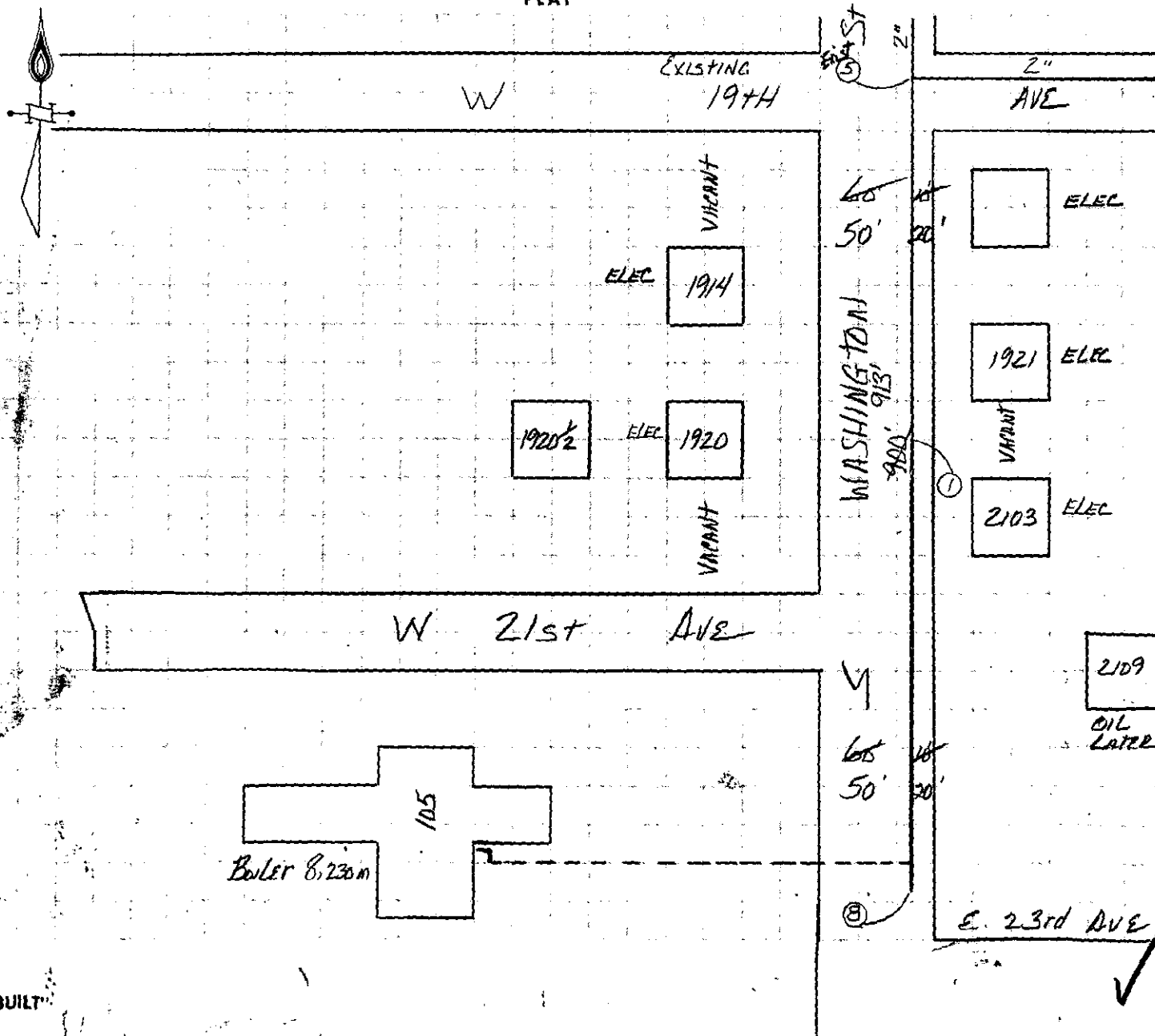
DISTRIBUTION LINE REPORT

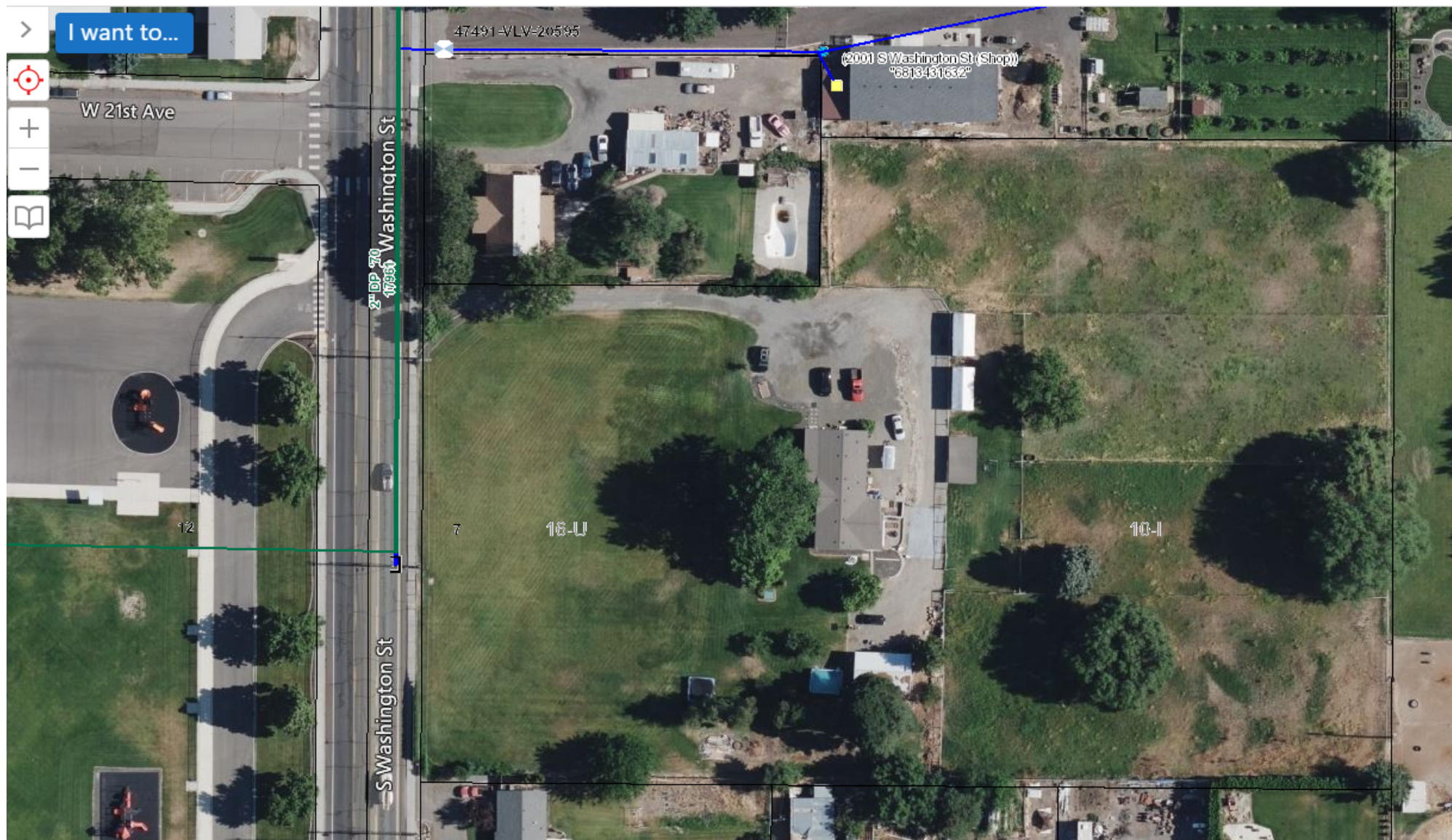
MATERIAL LIST				DESCRIPTION	
Item No.	Quantity Proposed	Quantity "As Built"	Stock No.	Description	
1.	900'	913'	PWX-350	2" X-TRU COAT PIPE	E. R. No. 1070-491-17961 City KENNEWICK
2.			EL-360	2" 90° Weld ell.	State WA Grid No. 10-IE 104
3.			NP-213	1" Save-A-Valve nipple	Ft. Blacktop 22' Ft. Concrete
4.			SP-352	2" Weld line stopper fitting	Ft. Gravel, Rock Ft. Sod, Dirt 878'
5.			SP-354	2" Extension stopper fitting	Initiated by Lee Orc Date 5-15-70
6.			TE-351	2" x 2" x 2" Weld tee	Prepared by Sales Representative Date 5-15-70
7.			NONE	2" End plate	Approved by Distribution Clerk Date 5-19-70
8.	1	1	H-41	2" TERMINATION FITTING	Constructed by D CRANE Head Serviceman Date 7-13-70
9.					Test pressure 120 # by D CRANE
10.					"As - Built" by Distribution Clerk Date 7-14-70
11.					Checked by Head Serviceman Date 7-24-70
12.					Const. problems
13.					
14.					

FOR GENERAL OFFICE USE ONLY

Diagram No. 10-2 E Date 7-16-70 by SKE
 Posted Grid ☒ Operating ☒ Overall ☐

PLAT







STATE OF WASHINGTON
DEPARTMENT OF ECOLOGY
1250 West Alder Street • Union Gap, Washington 98903-0009 • (509) 575-2490

February 23, 2021

Steve Donovan
Kennewick Development Services
PO Box 6108
Kennewick, WA 99336

Re: 202100674, COZ 21-02/PLN-2021-000497 – ED 21-04/PLN-2021-00496

Dear Steve Donovan:

Thank you for the opportunity to comment on the Pre-Threshold Consultation for the DB Subdivision; DDB, LLC submitted a Change of Zone Application to change the zoning district for 4.45 acres located at 2109 S Washington Street, from Residential, Suburban (RS) to Residential, Low Density (RL). We have reviewed the environmental checklist and have the following comment.

TOXIC CLEAN-UP PROGRAM

Based upon the historical agricultural use of this land, there is a possibility the soil contains residual concentrations of pesticides. Ecology recommends that the soils be sampled and analyzed for lead and arsenic, and for organochlorine pesticides. If these contaminants are found at concentrations above the Model Toxics Control Act cleanup levels Ecology recommends that potential buyers be notified of their occurrence. If you have any questions or would like to respond to these Toxics Clean-up comments, please contact **Valerie Bound** at (509) 454-7886 or email at valerie.bounds@ecy.wa.gov.

Sincerely,

Tricia Sawyer

Tricia Sawyer on behalf of Gwen Clear
Environmental Review Coordinator
Central Regional Office
(509)575-2012 (Gwen)
crosepacoordinator@ecy.wa.gov