

1. Agenda

Documents:

[JUNE 20, 2016 PLANNING COMMISSION MEETING AGENDA.PDF](#)

2. Packet

Documents:

[JUNE 20, 2016 PLANNING COMMISSION MEETING PACKET.PDF](#)

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 April 4, 2016
- b. Approval of Agenda
- c. Motion to enter Staff Report(s) into Record

3. PUBLIC HEARING:

- a. Zoning Ordinance Amendment (ZOA) #16-02 proposing to amend a portion of the Kennewick Municipal Code including KMC 18.12.250(3)(d), to allow Long Term Temporary Stands in the Industrial, Light (IL) zoning district.

4. VISITORS NOT ON AGENDA:**5. OLD BUSINESS:****6. NEW BUSINESS:**

- b. Open Public Meetings Act Training

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

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KENNEWICK PLANNING COMMISSION
APRIL 4, 2016
MEETING MINUTES
CALL TO ORDER

Vice Chair Ed Pacheco called the meeting to order at 6:30 p.m.

Recorder Melinda Didier called the roll and found the following:

Present: Commissioners Robert Rettig, Fraser Hawley, Victor Morris, Clark Stolle, and Vice Chair Ed Pacheco

Excused: Commissioner Anthony Moore and Chairman Beau Ruff

Unexcused: None

Commissioner Morris led the Pledge of Allegiance.

Staff Present: Wes Romine, Development Services Manager, and Melinda Didier, Administrative Assistant/Recorder

CONSENT AGENDA

- a. Approval of Minutes dated March 21, 2016
- b. Approval of Amended Agenda
- c. Motion to enter Staff Reports into the Record

Commissioner Morris moved to accept the consent agenda. Commissioner Stolle seconded the motion. The motion carried 4-1, with Vice Chair Pacheco, Commissioners Hawley, Morris & Stolle in favor and Commissioner Rettig abstaining due to arriving after the motion was made.

PUBLIC HEARINGS

Vice Chair Pacheco opened the public hearing at 6:34 p.m. for Zoning Ordinance Amendment (ZOA) #16-01, which proposes to amend a portion of the Kennewick Municipal Code including KMC 18.12.055, to remove the requirement for a Car Wash to be on the same parcel of land as a convenience store/gas station in Commercial, Neighborhood (CN) zoning districts.

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 conclusions contained in staff report ZOA 16-01 and recommend to City Council approval of the request.

Questions for staff:

Commissioner Hawley asked for clarification what is code number; Mr. Romine said it should be 18.12.055. Commissioner Morris asked when we have change in Kennewick Municipal Code, how does the public know. Mr. Romine said its city wide not site specific; is advertised in Tri-City Herald and on website. Commissioner Morris asked if this is referring to specific CN zoning

neighborhood. Mr. Romine said the applicant is interested in specific parcel of land, and is why he applied for the amendment; this change is city wide, not specific to a parcel. Vice Chair Pacheco asked if the hours have been on books for long. Mr. Romine said for at least 15 years. Vice Chair Pacheco asked if it matters between the suggested motion for approval and the alternate motion for approval; these are more detailed versus the generic motion. Mr. Romine said it's the Planning Commission's job to make recommendation to the City Council; do what you feel is appropriate. Vice Chair Pacheco said the staff report's two motion options are more detailed than the generic version from the script; Mr. Romine said he was trying to get it specific enough, the Commission should pick a motion from staff report.

Testimony of Applicant or Applicant's Representative

John Dreher
104012 Horn Rapids Dr
West Richland

Thanks to Wes and the Planning Department for all their help; yes, its specific to one property, smaller piece of property too, couple different options both are zoned same; will tear down 40-year old car wash and build new nicer one; two properties will be available for me.

Testimony in favor:

Bob Brown
3517 W 5th Ave
Kennewick

Wants to eliminate the fence, run into many times; Circle K supposed to manage it, and doesn't manage it, California company doesn't do it; had big semi's parking in there, making noise, only ones complaining about noise was the cemetery, neighbors around there didn't complain; tired of cutting weeds wants it managed; to sell and put in business.

Testimony neutral or against:

None

Staff final comments:

None

Public testimony for ZOA #16-01 closed at 6:48 pm.

Vice Chair Pacheco asked for a motion.

Commissioner Morris moved to concur with the findings and conclusions in staff report ZOA 16-01 and forward a recommendation to City Council of APPROVAL of the request to change KMC 18.12.055 per Exhibit 2, removing the requirement for a Car Wash to be located near a convenience store that may sell gas, and removing the hours of operation for automated and unmanned car washes in CN zones. Commissioner Hawley seconded the motion.

Discussion:

None

The motion passed .

Mr. Romine entered the staff Power Point presentation into record. Ms. Didier said the Power Point is Exhibit #5.

VISITORS NOT ON AGENDA:

None

OLD BUSINESS:

None

NEW BUSINESS:

Mr. Romine said that Greg McCormick, Planning Director, asked him to remind the Commissioners that there is a joint planning commission and city council workshop on April 12th; it's a kick-off meeting for the 10-year Comp Plan update, and requested that everyone that can be there attend the meeting; it's at 6:00 pm on Tuesday; asked if everyone could commit to it. Vice Chair Pacheco said he couldn't attend due to work constraints; Commissioners Stolle, Morris, Hawley and Rettig said they could attend.

REPORTS, COMMENTS, OR DISCUSSION OF COMMISSIONERS AND STAFF:

None

ADJOURNMENT:

The meeting was adjourned at 6:53 p.m.



COMMUNITY PLANNING DEPARTMENT

STAFF REPORT AND RECOMMENDATION TO
THE PLANNING COMMISSION

FILE No: ZOA 16-02/AMD-2016-01344

Public Hearing Date: June 20, 2016

Proposal: Amend section 18.12.250(3)(d) of the Kennewick Municipal Code (KMC) to allow Long Term Temporary Stands in the Industrial, Light (IL) zoning district.

Applicant: Sun River Vintners, 9312 W 10th Avenue, Kennewick, WA 99336

Staff Contact: Steve Donovan, Planner

Background:

The purpose of the Industrial Light (IL) zoning district (KMC 18.03.040(17)) "is to provide areas for less intensive manufacturing and industrial uses, warehousing, and distribution operations to serve the district.

On May 5, 2016 the applicant applied to amend KMC 18.12.250(3)(d) to allow Long Term Temporary Stands on IL zoned property. Approval of the proposed amendment would allow a farmers market (Long Term Temporary Stand) at the applicant's existing winery parking lot.

Discussion and Analysis:

The proposed amendment to 18.12.250(3)(d) will be applicable to all IL lands within the City Limits of Kennewick and will state the following: "Shall locate only in the IL, CC, CG and CR zoning districts."

The majority of the land that is zoned IL has direct access to Collector Street, Minor Arterials and Principal Arterials.

The following is a list of other retail uses that are permitted in the IL Zone:

- Espresso Stand
- Gas Stations
- Restaurants
- Restaurants, Fast Food

The above permitted retail uses have the potential to generate similar vehicle trips per day and impacts as customers that will visit a Long Term Temporary Stand.

Below are two definitions from the Kennewick Municipal Code that provide guidance in regard to temporary structures and uses:

18.09.2060: Temporary Commercial and Industrial Activities and Structures: "Temporary Commercial and Industrial Activities and Structures" means those structures, facilities or uses that occur on a seasonal or sporadic basis and involve the processing and/or sale of commodities such as the sale of farm produce, firewood, fireworks, Christmas trees and temporary rock crushing activities.

18.09.2070: Temporary Use: "Temporary Use" means a use, intended for limited duration, to be located in a zoning district permitting or not permitting such a use, and not continuing a nonconforming use or building.

Regulatory Controls and Policies

- Kennewick Municipal Code – Title 18: Zoning
- Kennewick Comprehensive Plan

Findings of Fact:

1. The applicant is Sun River Vintners, 9312 W 10th Avenue, Kennewick, WA 99336.
2. The application was submitted to the City on May 5, 2016.
3. The City fulfilled the State Environmental Policy Act requirements by issuing a Determination of Non-significance (DNS) on May 25, 2016; and
4. Notice of the proposed code revision (expedited review request) was sent to the Washington State Department of Commerce on May 9, 2016 consistent with the requirements of RCW 36.70A.106; and
5. The City received confirmation of receipt confirmation of expedited review and notice the City has met the Growth Management Act notice to state agency requirements from the Washington State Department of Commerce on May 24, 2016.

Conclusions of Law:

1. The proposed amendment will promote the public health, safety, and general welfare and does not conflict with the goals and policies of the Comprehensive Plan.

Staff Recommendation:

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

Motion:

I move that the Planning Commission concur with the findings and conclusions in the staff report ZOA 16-02 and recommend to City Council approval of the request to change KMC 18.12.250(3)(d) to allow Long Term Temporary Stands in the IL zoning district.

Exhibits:

1. Staff Report
2. Application for ZOA 16-02/AMD-2016-01344.
3. Environmental Determination of Non-significance, ED 16-20.

20A 16-02 / ~~PER~~ AMD - 2016 01344



PAID

CITY OF KENNEWICK
COMMUNITY PLANNING & DEVELOPMENT SERVICES
REQUEST FOR ZONING ORDINANCE AMENDMENT

MAY 05 2016
CITY OF KENNEWICK

Applicable Filing Fee and SEPA Review Fee are due at the time of application (~~Fee~~ Schedule) *DK*

Applicant Sun River Vintners
Address 9312 W 10th Kennewick, WA 99336
Telephone 509-627-3100 Cell 509-528-0616 Fax _____ E-mail daniel@SunRiverVintners.com

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

Requested Amendment: We are requesting that you add Light industrial to subsection 3 of R.M.C.18.12.250

We are a locally owned and operated winery/cidery and have had a farmers market in our parking lot in the past. We found it to be beneficial to the neighboring housing developments as people enjoy being able to purchase fruits, veggies, meats and eggs from local farmers. We are hoping to continue the market this year as we have already received numerous requests from vendors and customers that are anxiously waiting.

Signature *[Signature]*

Date 5/2/16

Checklist:

- Application & fee
- State Environmental Policy Act checklist (SEPA) & fee

RECEIVED

MAY 05 2016 *WR*

DEVELOPMENT SERVICES



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

FILE/PROJECT NUMBER: ED 16-20/AMD-2016-01344

DESCRIPTION OF PROPOSAL: The proposal is a Zoning Ordinance Amendment to Kennewick Municipal Code Section 18.12.250(3)(d) that will allow Long Term Temporary Stands in the Industrial, Light zoning district. The properties that will be impacted by the amendment have a Comprehensive Plan Land-Use designation of Industrial with an implementing zoning district of Industrial, Light (IL).

PROPONENT: Sun River Vintners, 9312 W 10th Avenue, Kennewick, WA 99336

LOCATION OF PROPOSAL, INCLUDING STREET ADDRESS, IF ANY: Not Site Specific

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: May 25, 2016 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
ZOA 16-02 File