

City Council Meeting Schedule October 2021

City Council temporarily designated the location for regular, special and study session meetings to a virtual location until termination of the state of emergency or until rescinded. The City broadcasts City Council meetings on the City's website https://www.go2kennewick.com/CouncilMeetingBroadcasts.

October 5, 2021

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

October 12 2021 Tuesday, 6:30 p.m.

WORKSHOP MEETING (the workshop meeting will be done via Zoom and broadcast on the City's website

https://www.go2kennewick.com/CouncilMeetingBroadcasts)

- 1. Historic Downtown Kennewick Partnership Update
- 2. 2022 TPA Budget & Marketing Plan
- 3. TRIDEC Update

October 19, 2021 Tuesday, 6:30 p.m.

REGULAR COUNCIL MEETING

October 26, 2021 Tuesday, 6:30 p.m.

WORKSHOP MEETING (the workshop meeting will be done via Zoom and broadcast on the City's website https://www.go2kennewick.com/CouncilMeetingBroadcasts)

- 1. Community Outreach Update
- 2. KMC Amendments Development Improvements and Mitigation
- 3. Closed Session RCW 42.30.140(4)(b) Collective Bargaining beginning immediately at the conclusion of the workshop

To assure disabled persons the opportunity to participate in or benefit from City services, please provide twenty-four (24) hour advance notice for additional arrangements to reasonably accommodate special needs.

Council Workshop	Agenda Item Number		10/26/2021	Info Only
Coversheet	Agenda Item Type	Presentation		Policy Review
	Subject	Community Outreach Upda	ite	. oney review
	Ordinance/Reso #	Contract	#	Policy DevMnt
	Project #	Permit	#	Other
KENNEWICK	Department	Finance		
		g Public Relations and Econonesses, residents and commu		ch efforts and tools
Through	Evelyn Lu Oct 20, 17:03:53 (Dan Le	GMT-0700 2021 egard	Attachments: Presentation	
Dept Head Approval	Oct 21, 08:23:20 (GMT-0700 2021		
City Mgr Approval	Marie M Oct 22, 08:50:09 (



Community Outreach Update

Public Relations & Economic Development 10.26.2021



Outreach to our Community



Digital Communications



Regional Partnerships



Joint Messaging





Digital Communications



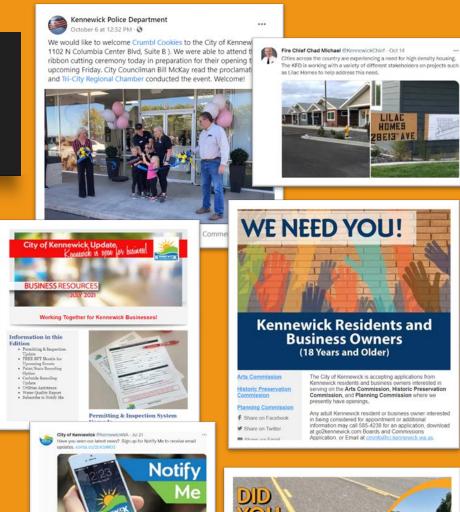
- Facebook
 - >City >Parks & Rec >Police
- LinkedIn
- YouTube
- Twitter
 - >City >Fire Chief >Police



- NewsFlash
- Alert Center
- Notify Me
- Civic Send



- Constant Contact Emails
 - >Quarterly Business Newsletter
 - >Developer/Builder Communication
 - >Citizen Communication (Utility Bill Customers)



Newsletter



Regional Partnerships

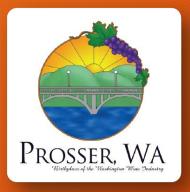






















Joint Messaging

Kennewick
News Shared
To All Partners
Newsletter
Distribution
Lists and
Websites



FTR DEC

\$6.5 million project bringing dozens of townhomes to downtown Kennewick

By Allison Stormo, Tri-City Herald August 29, 2021

As vacant lots inside city limits become all but nonexistent in Tri-Cities, a trend is emerging of replacing existing homes with multi-family projects

One of the latest in Kennewick is a 36unit townhome complex being built where a 1970's-era house, barn and outbuildings once stood

The six-building, \$6.5 million project at 911 W. Entiat Ave. is next to the BNSF Railway tracks and is just down the street from Fruitland Park.

It's an area where single-family homes dominate the housing landscape.

Read More

Million-dollar makeover starts at former Pier One store for new Kennewick retail outlet

By Allison Stormo, Tri-City Herald September 28, 2021

The former Pier One Imports store on Columbia Center Boulevard is getting a \$1 million makeover.

The property prominently located across from Columbia Center mall will soon reopen as a new <u>Ulta Beauty</u> store

Read More





Kennewick Development Projects There are over 30 different development projects happening around

Rennewick and you can learn all about them on this cool, interactive map hosted by the City of Kennewick. Click the button below to view completed, under construction, and upcoming projects

Check out the Interactive Map





Photo Gallery - Amistad Elementary Ribbon Cutting

> hank you to everyone who came to the ribbon utling at Amistad Elementary School on Vednesday, September 29, 2021! The school is ccated at 123 S. Kent St. In Kennewick.

iew the Gallery





Kennewick News & Updates Shared Across Partner Social Media Channels



Council Workshop Coversheet	Agenda Item Number Agenda Item Type	2. Meeting Date 10/26/2021 Presentation	Info Only	
	Subject	KMC Amendments - Dev. Improvements/Mitigation	Policy Review	
	Ordinance/Reso #	Contract #	Policy DevMnt	X
	Project #	Permit #	Other	
KENNEWICK	Department	Public Works		

Summary

On October 5, 2021 the City Council approved text amendments to the Comprehensive Plan, incorporating the tenants of nexus and rough proportionality into the Comp Plan as they relate to appropriate development requirements, along with a new transportation goal that states:

Goal 5: Provide for implementation of planned transportation corridors by establishing predictable and appropriate methods to mitigate impacts from growth.

POLICIES

- 1. Assure adequate right-of-way is preserved and dedicated for existing and future planned corridors to accommodate growth, including corridors established in the Transportation System Plan.
- 2. Assure that street improvements be completed along existing and future planned corridors concurrent with development that abuts or encompasses corridors established in the Transportation System Plan.
- 3. Clearly define appropriate mitigation measures to address impacts from growth and provide flexibility to achieve this.

On October 26, staff will present related proposed amendments to the Kennewick Municipal Code that will:

- 1. Consolidate development mitigation requirements into new chapter 4.13
- 2. Codify specific development requirements related to right-of-way and street improvements in new section 5.56.065.

Proposed ordinances with the specifics of these changes - modeled after the City of Federal Way code - are included with this presentation.

Through	Bruce Mills Oct 19, 10:47:57 GMT-0700 2021	Attachments:	Presentation KMC 5.56.065
Dept Head Approval	Cary Roe Oct 19, 16:55:08 GMT-0700 2021		KMC 4.13
City Mgr Approval	Marie Mosley Oct 22, 08:55:45 GMT-0700 2021	'	

KMC CODE AMENDMENTS:

DEVELOPMENT IMPROVEMENTS AND MITIGATION

City Council Workshop

October 26, 2021

Two proposed new chapters

- 4.13 Mitigation of Development Impacts
- 5.56.065 Required Public and Private Improvements
- ▶ Both modeled after City of Federal Way
 - Positively applied for several years

PROPOSED NEW CODE

I. NEW CHAPTER 4.13:

MITIGATION OF DEVELOPMENT IMPACTS

Recommended by Planning Commission 4-0 on October 18

- Proposed amendment provides:
 - A consolidated KMC section on mitigation of direct impacts from development
 - Creates reasonable and consistent expectations for the developer
 - > Sets limitations and factors for mitigation
 - Assures a fair and proportionate share of mitigation improvements - attributed to development

SUMMARY OF AMENDMENTS

1. Lists possible development impacts that must be addressed, including:

- Pre/Post development needs
- Cumulative effect in vicinity
- Existing facilities affected
- Capital improvements needed & benefits to new development
- Environmental impacts
- Consistency with transportation & comprehensive plan
- Public health, safety, welfare

PROPOSED CHANGES

2. Assures that investigations, analysis and reports are borne by developer

Necessary to determine impacts per standards

3. Development approval is based on acceptable mitigation improvements

 Considering acceptable costs and land requirements attributable directly to development

4. Establishes Methods of Mitigation

- Dedication of land, off-site improvements, on-site improvements that reduce direct impacts of development
- Voluntary payment is an allowed alternative, to fund an acceptable mitigation alternative. Must have a defined time limit.

PROPOSED CHANGES

QUESTIONS?

for Chapter 4.13-

Mitigation of Development Impacts

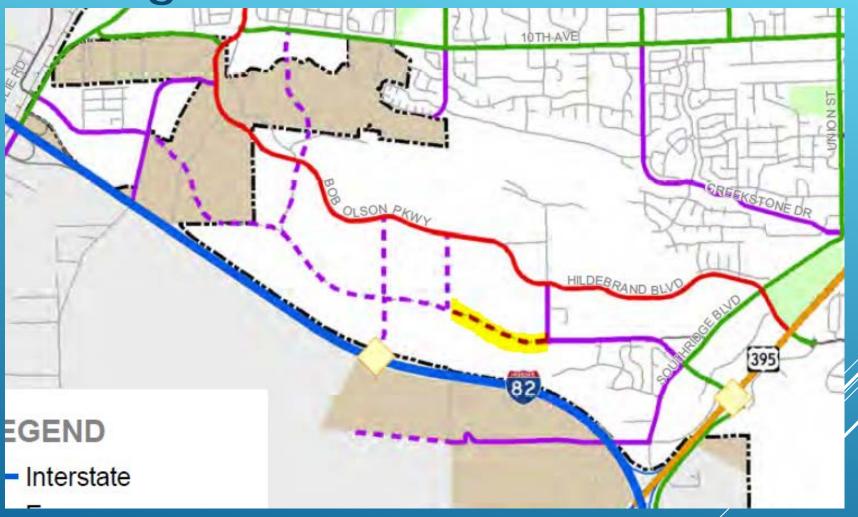
II. NEW CHAPTER 5.56.065:

REQUIRED PUBLIC AND PRIVATE IMPROVEMENTS

- Proposed amendment provides:
 - More specific direction for required <u>right-of-way</u> <u>dedication</u> and <u>street improvements</u> attributable to development
 - Creates reasonable and consistent expectations for the developer
 - Assures dedication and construction of established corridors adopted in the long-range Transportation System Plan
 - Provides flexibility to administer program

SUMMARY OF AMENDMENTS

Ridgeline Drive



EXAMPLE FOR CHANGE

- 1. Right-of-way dedicated for adopted corridors that abut or transverse property
- Maximum 300 sf of ROW dedication per daily trip generated (meets rough proportionality test)
- 2. Easements dedicated for sidewalks, street lighting and traffic control devices
- 3. Construct half-street for corridor frontages
- With flexibility based on site conditions

PROPOSED CHANGES

- 4. Option to pay prorata share if construction is not feasible or timely
- 5. Construct certain offsite improvements such as traffic signals, channelization, and turn lanes if necessary based on impacts
- 6. EXCEPTIONS to requirements:
- Improvements done in past four years along frontage
- Façade & tenant improvement applications
- If scheduled in adopted Six-Year TIP (can pay prorata portion)

PROPOSED CHANGES

QUESTIONS?

for Chapter 5.56.065-

Required Public and Private Improvements

CITY OF KENNEWICK ORDINANCE NO. ____

AN ORDINANCE RELATING TO REQUIRED PUBLIC AND PRIVATE IMPROVEMENTS ADDING SECTION 5.56.065 TO THE KENNEWICK MUNICIPAL CODE

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

<u>Section 1</u>. Section 5.56.065 of the Kennewick Municipal Code, be, and the same hereby is, added to read as follows:

5.56.065: - Required Public and Private Improvements

- (1) The developer shall provide the improvements required by this section if the developer engages in any activity that requires a development permit, except as noted in subsection (11) below.
- (2) Right-of-way adjacent to and within proposed development must be dedicated and improved consistent with the requirements of this section, unless different requirements are imposed by the city as part of the development application process.
- (3) Ingress/egress and utilities easements, tracts or alleys may be permitted subject to the conditions established in the city of Kennewick Public Works Standard Specifications.
- (4) The Standard Specifications in KMC 5.56.040 establish the improvements that must be installed, based on the classification of the various rights-of-way within the city. The developer shall, consistent with the provisions of this section, install all improvements established in KMC 5.56.040 along the frontage of each right-of-way that abuts and traverses the subject property, commensurate with the impacts of the development, including all corridors adopted in the City's Transportation System Plan and the City's Comprehensive Plan. At a minimum, half-street improvements shall be required on the abutting side of the right-of-way and a minimum 10-foot lane on the side of the right-of-way opposite the frontage.
- (5) The Public Works Director shall have the authority to adopt and modify standards for ingress/egress and utilities easements, tracts or alleys which may be determined subject to the conditions and standards established in the Standard Specifications.
- (6) Additional dimensions and improvements. The developer may increase the dimensions of any required improvement or install additional improvements within the right-of-way with the written consent of the Public Works Director.

- (7) Authority to require dedication. If a right-of-way abutting the subject property has inadequate width based on the requirements in KMC 5.56.040, the developer shall dedicate a portion of the subject property parallel to the right-of-way and equal in width to the difference between the present right-of-way width and the width required by KMC 5.56.040 for that right-of-way required per the functional classification of the street. The Public Works Director may waive additional dedication or may permit dedication of a lesser amount of the subject property for additional right-of-way width if:
 - (a) It is likely to anticipate that, within the near future, the property across the right-of-way from the subject property will be required to dedicate property for public right-of-way; or
 - (b) The reduction in the required right-of-way width will nonetheless provide adequate room for all improvements, infrastructure and functions within the right-of-way. For the purpose of determining the rough proportionality of right-of-way dedication to the development's impacts, the city may require up to 300 square feet of right-of-way dedication per average daily trip generated by the development. Interior streets to the developments are not part of this calculation. Dedicated right-of-way is in addition to the required easements for utilities and sidewalks. All dedications under this subsection shall be by conveyance through a statutory warranty deed or plat or binding site plan.
- (8) Partial right-of-way improvements. Where a right-of-way abutting the subject property does not, even after dedications required under subsection (7) of this section, contain adequate width to install all of the improvements required within that right-of-way under this section, the developer shall install improvements within the right-of-way which will provide a safe and efficient right-of-way and which will facilitate completion of all right-of-way improvements required in this section at a later date. The specific extent and nature of improvements, where full right-of-way width is not available, will be determined by the Public Works Director on a case-by-case basis.
- (9) Easements. The Public Works Director may require the developer to grant such easements over, under and across the subject property as are reasonably necessary or appropriate under the circumstances, including but not limited to easements for the following:
 - (a) Pedestrian access and sidewalks.
 - (b) Street lighting.
 - (c) Traffic control devices.

- (10) The city may require the developer to pave or install additional improvements within rights-of-way, either abutting or not abutting the subject property. This may include traffic signals, channelization, turn lanes, and other improvements necessary or appropriate to improve traffic circulation and safety, the need for which is directly attributable to development of the subject property. Where appropriate, the Public Works Director may permit the developer to fulfill the developer's obligation under this section by paying to the city the pro rata share of the costs of the required improvements attributable to development of the subject property, as determined by the Public Works Director. The city may also require the developer to provide traffic studies and other data describing the traffic impacts of the proposed development, the need for improvements under this section, and the reasonable pro rata share of the costs of these improvements to be borne by the developer.
- (11) Exceptions to the requirements of this section include the following:
 - (a) The developer need not comply with the provisions of this section if, within the immediately preceding four years, public improvements were installed along the subject property as part of any subdivision or discretionary land use approval under this or any prior zoning code.
 - (b) The developer need not comply with the provisions of this section if the proposal is to locate a personal wireless services facility (PWSF) on the subject property.
 - (c) The developer need not comply with the provisions of this section if the proposal is for facade improvements only.
 - (d) Tenant improvements, unless the proposed improvements add additional floor area.
 - (e) If the required improvement is part of a larger project that has been scheduled for construction in the city's adopted six-year transportation improvement plan, the Public Works Director may permit the developer to fulfill the developer obligation under this section by paying to the city the pro rata share of the costs of the required improvements attributable to the development of the subject property, as determined by the Public Works Director. For purposes of determining the developer's pro rata share, funds received by the city from any federal, state, or local grant for the project shall be excluded from the total cost of the planned six-year transportation improvement.

<u>Section 2</u>. This ordinance shall be in full force and effect five days from and after its passage, approval and publication as required by law.

PASSED BY THE CITY COUNCIL OF THE CITY OF KENNEWICK, WASHINGTON, this 16th day of November, 2021, and signed in authentication of its passage this 16th day of November, 2021.

Attest:	DON BRITAIN, Mayor
TERRI L. WRIGHT, City Clerk Approved as to Form:	ORDINANCE NO filed and recorded in the office of the City Clerk of the City of Kennewick, Washington this 17 th day of November, 2021.
LISA BEATON, City Attorney	TERRI L. WRIGHT, City Clerk
DATE OF PUBLICATION	

CITY OF KENNEWICK ORDINANCE NO. ____

AN ORDINANCE RELATING TO MITIGATION OF DEVELOPMENT IMPACTS ADDING SECTION 4.13 TO THE KENNEWICK MUNICIPAL CODE

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

<u>Section 1</u>. Section 4.13 of the Kennewick Municipal Code, be, and the same hereby is, added to read as follows:

4.13.010: - Purpose

The purpose of this Chapter is to address mitigation for development impacts in a consistent manner.

4.13.020: - Definitions

- (1) Development is as defined in KMC 18.09.540.
- (2) *Mitigation* is as defined in KMC 18.09.1300.

4.13.030: - Determination of Direct Impact

Before any development is given the required approval or is permitted to proceed, the official or body charged with deciding whether such approval should be given shall determine direct impacts, if any, that are a consequence of the proposed development and which require mitigation, considering, but not limited to, the following factors:

- (1) Predevelopment versus post-development need for services such as city streets, sewers, water supplies, drainage and stormwater retention facilities, parks, playgrounds, recreational facilities, schools, police services, fire services and other municipal facilities or services;
- (2) Likelihood that a direct impact of a proposed development would require mitigation due to the cumulative effect of such impact when aggregated with the similar impacts of future development in the immediate vicinity of the proposed development;
- (3) Size, number, condition and proximity of existing facilities to be affected by the proposed development;
- (4) Nature and quantity of capital improvements reasonably necessary to mitigate specific direct impacts identified as a consequence of the proposed development;
- (5) Likelihood that the users of the proposed development will benefit from any mitigating capital improvements or programs;

- (6) Any significant adverse environmental impacts of the proposed development identified in the process of complying with the environmental policy, KMC Chapter 4.08, or the State Environmental Policy Act, RCW 43.21C.010 et seq.;
- (7) Consistency with the city's transportation system plan, comprehensive plan and any of its subparts;
- (8) Likelihood of city growth by annexation into areas immediately adjacent to the proposed development;
- (9) Appropriateness of financing necessary capital improvements by means of local improvement districts;
- (10) Whether the designated capital improvement furthers the public health, safety or general welfare; and
- (11) Any other facts deemed by the city to be relevant.

4.13.040: - Costs

The cost of any investigations, analysis or reports necessary for a determination of direct impact shall be borne by the developer.

4.13.050: - Mitigation of Direct Impacts

The official or body charged with granting the necessary approval for a proposed development shall review a developer's proposal for mitigating any identified direct impacts and determine whether such proposal is an acceptable mitigation measure considering the cost and land requirements of the required improvement and the extent to which the necessity for the improvement is attributable to the direct impacts of the proposed development. No official or body shall approve a development unless provisions have been made to mitigate identified direct impacts that are consequences of such development.

4.13.060: - Methods of Mitigation

- (1) The methods of mitigating identified direct impacts required as a condition of any development approval may include, but are not limited to, dedication of land to any public body, off-site improvements, on-site improvements, and other capital or noncapital methods that may effectively reduce direct impacts.
- (2) In lieu of a dedication of land or to mitigate a direct impact that has been identified as a consequence of a proposed development, the city may approve a voluntary payment agreement with the developer, provided no such agreement shall be required as a condition of approval, and shall be subject to the following provisions:
 - (a) The official or body approving development must find that the money offered will mitigate or is a satisfactory alternative to mitigate the identified direct impact, and is adequate to allow the City to perform the mitigation improvements if necessary.

- (b) The payment shall be held in a reserve account and may only be expended to fund a capital improvement or program agreed upon by the parties to mitigate the identified direct impact.
- (c) The payment shall be expended or encumbered in all cases within applicable time limitations of Chapter 82.02 RCW, unless otherwise agreed to by the developer.
- (d) Unless the property owner elects to defer payments authorized in KMC 13.16.140 and 3.90.110, any payment not expended or encumbered within applicable time limitations shall be refunded to the property owners of record at the time of the refund with interest at the rate earned in the city's reserve account applicable at the time of refund. If the payment is not expended or encumbered within the applicable time limitations due to delay attributable to the developer, the payment shall be refunded without interest.
- (e) Property owners entitled to a refund and/or interest under the provisions of this chapter may voluntarily and in writing waive their right to a refund for a specified period of time in the interest of providing the designated capital improvement or other capital improvement or program identified by the property owner and acceptable to the city.
- (f) The developer may voluntarily and in writing waive on behalf of the developer and subsequent purchasers the right to interest and/or a refund in order to facilitate completion of an improvement. Under no condition shall such a waiver be required as a condition of approval. Such waiver shall be recorded with the county where the property is situated and shall be binding on subsequent owners.

<u>Section 2</u>. This ordinance shall be in full force and effect five days from and after its passage, approval and publication as required by law.

PASSED BY THE CITY COUNCIL OF THE CITY OF KENNEWICK, WASHINGTON, this 16th day of November, 2021, and signed in authentication of its passage this 16th day of November, 2021.

Attest:	DON BRITAIN, Mayor
TERRI L. WRIGHT, City Clerk	ORDINANCE NO filed and recorded in the office of the City Clerk of the City of Kennewick, Washington this 17 th day of November, 2021.

ORDINANCE - Page 3

Approved as to Form:	
LISA BEATON, City Attorney	TERRI L. WRIGHT, City Clerk
DATE OF PUBLICATION	



City Council Meeting Schedule November 2021

City Council temporarily designated the location for regular, special and study session meetings to a virtual location until termination of the state of emergency or until rescinded. The City broadcasts City Council meetings on the City's website https://www.go2kennewick.com/CouncilMeetingBroadcasts.

November 2, 2021

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

November 9, 2021 Tuesday, 6:30 p.m.

WORKSHOP MEETING (the workshop meeting will be done via Zoom and broadcast on the City's website

https://www.go2kennewick.com/CouncilMeetingBroadcasts)

- 1. Fire Department Strategic Plan
- 2. City Manager's Strategic Plan Update
- 3. Mid-Biennium Review and Budget Adjustment
- 4. 2022 Property Tax Levy

November 16, 2021 Tuesday, 6:30 p.m.

REGULAR COUNCIL MEETING

November 23, 2021 Tuesday, 6:30 p.m.

WORKSHOP MEETING (the workshop meeting will be done via Zoom and broadcast on the City's website https://www.go2kennewick.com/CouncilMeetingBroadcasts)

- 1. Council Meeting Policy Updates
- 2. Public Works Capital Update
- 3. WWTP Phase II Update
- 4. Executive Session RCW 42.30.110(g) City Manager's Performance Review

November 30, 2021 Tuesday, 6:30 p.m.

NO MEETING SCHEDULED

To assure disabled persons the opportunity to participate in or benefit from City services, please provide twenty-four (24) hour advance notice for additional arrangements to reasonably accommodate special needs.