

## CHAPTER 18.12

### ZONE DISTRICTS AND STANDARDS

#### SECTION:

- 18.12.010: Use and Standards Table
  - A.1: Residential Use Table
  - A.2: Table of Residential Site Development Standards
  - B.1: Non-Residential Use Table
  - B.2: Table of Non-Residential Development Standards
- 18.12.020: Accessory Dwelling Units
- 18.12.030: Adult Concessions
- 18.12.040: Animal Keeping
- 18.12.050: Automobile-Oriented Uses
- 18.12.055: Car Washes, Vehicular Access/Circulation/Fencing/Operation
- 18.12.060: Child Day Care Centers and Nursery Schools
- 18.12.070: Family Day Care Home
- 18.12.080: Health Facilities
- 18.12.090: Housing for People with Functional Disabilities
- 18.12.100: Junk
- 18.12.110: Kennels
- 18.12.120: Manufactured Housing Display Areas
- 18.12.130: Mini-Storage Development Standards
- 18.12.140: Motels
- 18.12.150: Outdoor Theaters
- 18.12.160: Public Parks and Playgrounds
- 18.12.170: Recreational Vehicle Park
- 18.12.180: Recreation Vehicle Storage
- 18.12.190: Rooming Houses and Boarding Houses
- 18.12.200: Satellite Dishes
- 18.12.210: Stables, Corrals, and Riding Academies
- 18.12.220: Storing of Commercial Vehicles
- 18.12.230: Subdivision Sales Area, Equipment, and Material Yards
- 18.12.240: Swimming Pools
- 18.12.250: Temporary Parking Lot Businesses
- 18.12.260: Trailers, Boats, Camper Tops, Travel Trailers, Recreational Vehicles
- 18.12.270: Transportable Units
- 18.12.280: Trash Containers
- 18.12.290: Veterinary Clinic of Hospital
- 18.12.300: Volatile Toxic and Volatile Flammable Materials Storage
- 18.12.305: Wineries
- 18.12.310: Wireless Communication Facilities
- 18.12.320: Planning Director Interpretation of Unlisted Uses
- 18.12.330: Yards – Generally
- 18.12.335: HMU Setback Standards

18.12.340: Site and Building Design Standards  
18.12.350: Additional Conditions

**18.12.010: Use and Standards Tables:**

**18.12.010 A.1: Residential Use Table:** The following table lists uses allowed by zone and the applicable City review process as follows: Review Process I = Staff review (permit counter), Review Process II = Conditional Use Permit. If a use is listed with a blank, it shall be prohibited in that zone. For certain categories of uses, additional requirements are also noted:

<b><u>Residential Use Table</u></b>	<b><u>RMH</u></b>	<b><u>RS</u></b>	<b><u>RL</u></b>	<b><u>RM</u></b>	<b><u>RH</u></b>	<b><u>RTP</u></b>	<b><u>CN</u></b>	<b><u>CO</u></b>	<b><u>CC</u></b>	<b><u>CR</u></b>	<b><u>CG</u></b>	<b><u>CM</u></b>	<b><u>HMU</u></b>	<b><u>BP</u></b>	<b><u>IP</u></b>	<b><u>IL</u></b>	<b><u>IH</u></b>	<b><u>JF</u></b>	<b><u>PF</u></b>	<b><u>OS</u></b>
Accessory Apartments (See Title 18.12.020)	I	I	I	I	I								I							
Accessory uses and structures	I	I	I	I	I	I	I	I	I	I	I	I	I	I	I	I	I	I	I	I
Animal Keeping (See Title 18.12.040)	I	I	I	I	I	I							I							
Bed and breakfast inns (5 guest rooms or less)	I	I	I	I	I								I							
Churches or religious places of worship	II	II	II	II	II	II		II	II	II	II	II	II							
Day Care Centers (See Title 18.12.060 and footnotes)	I (1,2)	I (1,2)	I (1,2)	I (1,2)	I (1,2)	I	I (2)	I (2)	I (2)	I (2)	I (2)		I (2)	I (2)	I (2)	I (2)	I (2)		I (2)	I (2)
Family Day Care Home (see Title 18.12.070)																				
Farm Animals		I (13)																		

<b><u>Residential Use Table</u></b>	<b><u>RMH</u></b>	<b><u>RS</u></b>	<b><u>RL</u></b>	<b><u>RM</u></b>	<b><u>RH</u></b>	<b><u>RTP</u></b>	<b><u>CN</u></b>	<b><u>CO</u></b>	<b><u>CC</u></b>	<b><u>CR</u></b>	<b><u>CG</u></b>	<b><u>CM</u></b>	<b><u>HMU</u></b>	<b><u>BP</u></b>	<b><u>IP</u></b>	<b><u>IL</u></b>	<b><u>IH</u></b>	<b><u>JF</u></b>	<b><u>PF</u></b>	<b><u>OS</u></b>
Group Homes - Type 1 (See footnotes)	II (5)	II (5)	II (5)	II (6)	II (6)	II (6)	II (7)	II (7)	II (7)	II (7)	II (7)		II (7)							
Group Homes – Type 2 (See footnotes)	II (8)		II (8)	II (8)	II (8)			II (9)	II (9)	II (9)	II (9)	II (9)	II (5)			II (10)	II (10)			
Home occupation	I	I	I	I	I	I	I	I	I	I	I	I	I							
Mini Storage (See 18.12.130)					I				I	I	I					I	I			
Motels (See Title 18.12.140)					II				I	I	I	I								
Mixed Use							I (15)	I (15)	I (15)	I (15)	I (15)									
Nursing homes and congregate care facilities (over 10 residents)				II	II			I	I	I	I									
Nursing homes and congregate care facilities (up to 10 residents)	II	II	II	II	II			I	I	I	I		I							
Recreational vehicle park, transient (up to 30-day stay) (See Title 18.12.170, 180) (see also, footnote 11)																			I	I
Residences, multifamily (12)				I	I		I	I	I	I	I	I	I							
Residences, single-family (12),	I	I	I	I	I	I	I	I	I	I	I	I	I							

<b>Residential Use Table</b>	<b><u>RMH</u></b>	<b><u>RS</u></b>	<b><u>RL</u></b>	<b><u>RM</u></b>	<b><u>RH</u></b>	<b><u>RTP</u></b>	<b><u>CN</u></b>	<b><u>CO</u></b>	<b><u>CC</u></b>	<b><u>CR</u></b>	<b><u>CG</u></b>	<b><u>CM</u></b>	<b><u>HMU</u></b>	<b><u>BP</u></b>	<b><u>IP</u></b>	<b><u>IL</u></b>	<b><u>IH</u></b>	<b><u>JF</u></b>	<b><u>PF</u></b>	<b><u>OS</u></b>
Rooming Houses and Boardinghouses (See Title 18.12.190)				II	II															
Swimming Pools (See Title 18.12.240) (see footnote 14)																			I	I
Trailers, Boats, Camper Tops, Travel Trailers, Recreational Vehicles (See Title 18.12.260)	I	I	I	I	I															

**FOOTNOTES for Table 18.12.010 A-1 Residential Use Table:**

- (1) Review Process I for day care home with up to 6 charges.
- (2) Review Process II for day care homes with over 6 charges, limit 12 charges.
- (3) Review Process I for day care homes with up to 12 charges.
- (4) Family Day Care Home, (See 18.12.070).
- (5) Group Home: Type I-A. Housing for up to 6 people with functional disabilities and 2 resident staff. (See 18.12.090)
- (6) Group Home: Type I-B. Housing for up to 12 people with functional disabilities and 3 resident staff. (See 18.12.090)
- (7) Group Home: Type I-C. Housing for up to 20 people with functional disabilities and 4 resident staff. (See 18.12.090)
- (8) Group Home: Type II-A. Housing for up to 6 people and 2 resident staff. (See 18.12.090)
- (9) Group Home: Type II-B. Housing for up to 10 people and 3 resident staff. (See 18.12.090)
- (10) Group Home: Type II-C. Housing for up to 20 people and 4 resident staff. (See 18.12.090)
- (11) Recreational vehicle storage in R districts shall refer to Title 18.220 and shall be subject to special provisions applicable to Master Planned subdivisions.
- (12) In Commercial zones residential use is not allowed on ground (grade level) floor.
- (13) In “RS” zones, agriculture and animal husbandry are permitted including keeping of farm animals such as horses, cows, and sheep, but maintained only on lots of at least 30,000 square feet. The keeping of farm animals must not exceed one animal per half acre.
- (14) Swimming pools considered an accessory use.
- (15) According to Land Use Permits, KMC 18.42 and the mixed use design standards, KMC 18.78. (Ord. 5262 Sec. 2, 2009: Ord. 5204 Sec. 5, 2007: Ord. 5180 Sec. 1, 2007)

**18.12.010 A.2: Table of Residential Site Development Standards:** Minimum and maximum residential standards are identified in the following table.

Residential Site Development Standards		Minimum Lot Size (Sq. Ft.)	Maximum Density (Units/Acre) See (1) Below	Minimum Density (Units/Acre) See (2) Below	Minimum Lot Width See (3) Below	Minimum Structure Street Setback See (3) and sketch Below	Minimum Garage/ Carport Street Setback See (3) and sketch Below	Minimum Side Setback	Minimum Rear Setback See (3) Below	Maximum Height	Minimum Coverage (%)
RS	Residential – Suburban Density District	10,500	3	3	60’	15’	25’	5’	15’	30’	N/A
RL	Residential – Low Density District	7,500	4	3	60’	15’	25’	5’	15’	30’	N/A
RM	Residential – Medium Density District See (2c) below	4,000	13	4	50’	15’	25’	5’	15’	30’	N/A
RH	Residential – High Density District See (2d) below	4,000	27	13	N/A	15’	25’	5’	15’	45’	N/A
RTP (5)	Residential – Trailer Park District	1 acre	13	7	N/A	15’	25’	20’	20’	N/a	N/A
RMH	Residential – Manufactured Home District	7,500	4	3	60’	20’ (5)	25’	5’	15’	30’	N/A

**NOTE: \* Additional site design and building standards are included in the *City of Kennewick Residential Design Standards manual*.  
**\*\* All RM-4, RM-6 and RM6-1 is considered to be RM.****

FOOTNOTES for Table 18.12.010 A.2 Residential Standards Table:

(1) Maximum Density – The maximum permitted number of lots 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 or next lowest whole number is the permitted maximum number of lots. In no case may any lot be less minimum lot size identified under 18.12.010. Any unused land must be designated for parks, common open space, or other conforming uses.

(2) Minimum Density - The minimum number of dwelling units per acre shall be three lots per gross acre. Density calculations are established as follows:

(a) Minimum density calculation. The calculation of the minimum density requirements under table 18.12.010 is based on the portion of the site that contains lots devoted to residential and associated uses. The following land is excluded from minimum density calculations:

- (i) Land that is required to be dedicated for public use as open space, right-of-way, or for other public use and land that is to be used for private roads;
- (ii) Land that is intended for future phases of development; and
- (iii) Land that consists of lots devoted to uses other than residential and associated uses, including but not limited to churches, schools, and support facilities (except for stormwater detention, treatment and infiltration facilities).

(b) In the event that the applicant can clearly demonstrate that due to environmental and/or physical constraints on the subject parcel that the minimum density cannot be achieved, the minimum density requirement shall not be applied.

(c) In any RM district, where more than one dwelling unit is proposed per lot, the minimum lot area must be increased by 2,200 square feet for each additional dwelling unit.

(d) In any RH district, where more than one dwelling unit is proposed per lot, the minimum lot area must be increased by 1,800 square feet for each additional dwelling unit.

(3) Yards: (see Section 18.12.330 for City location-related standards).

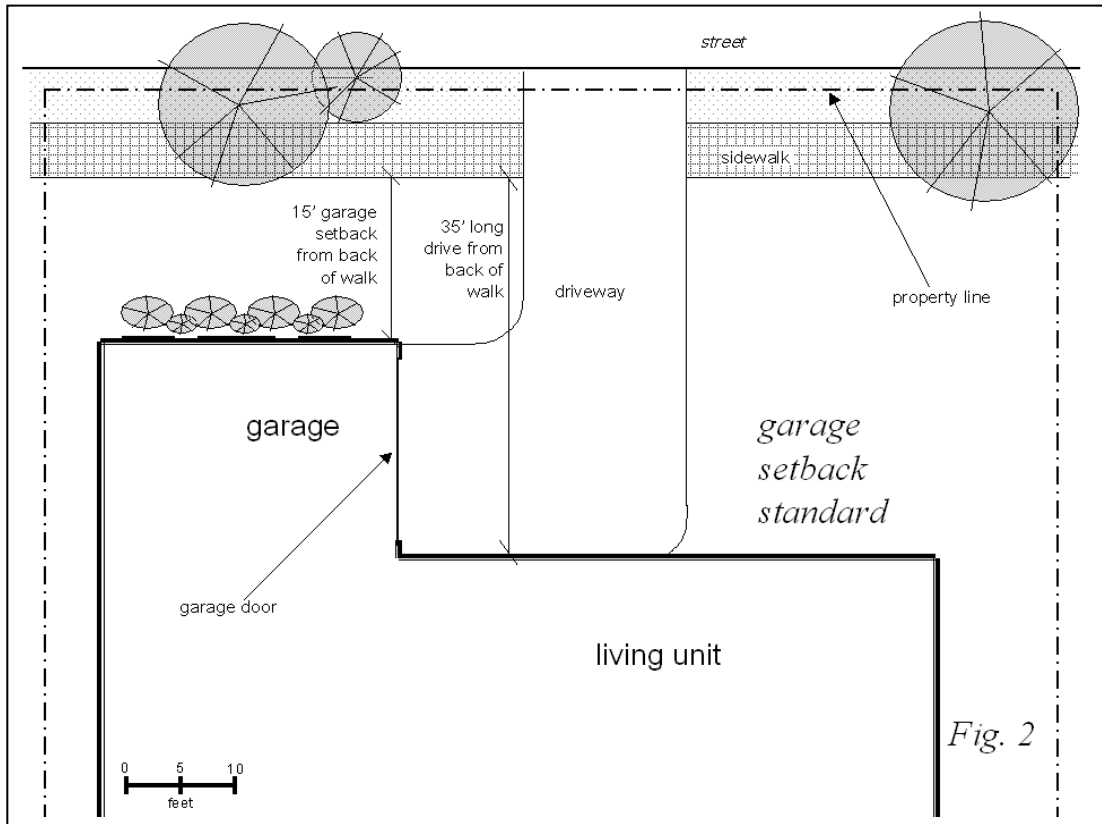
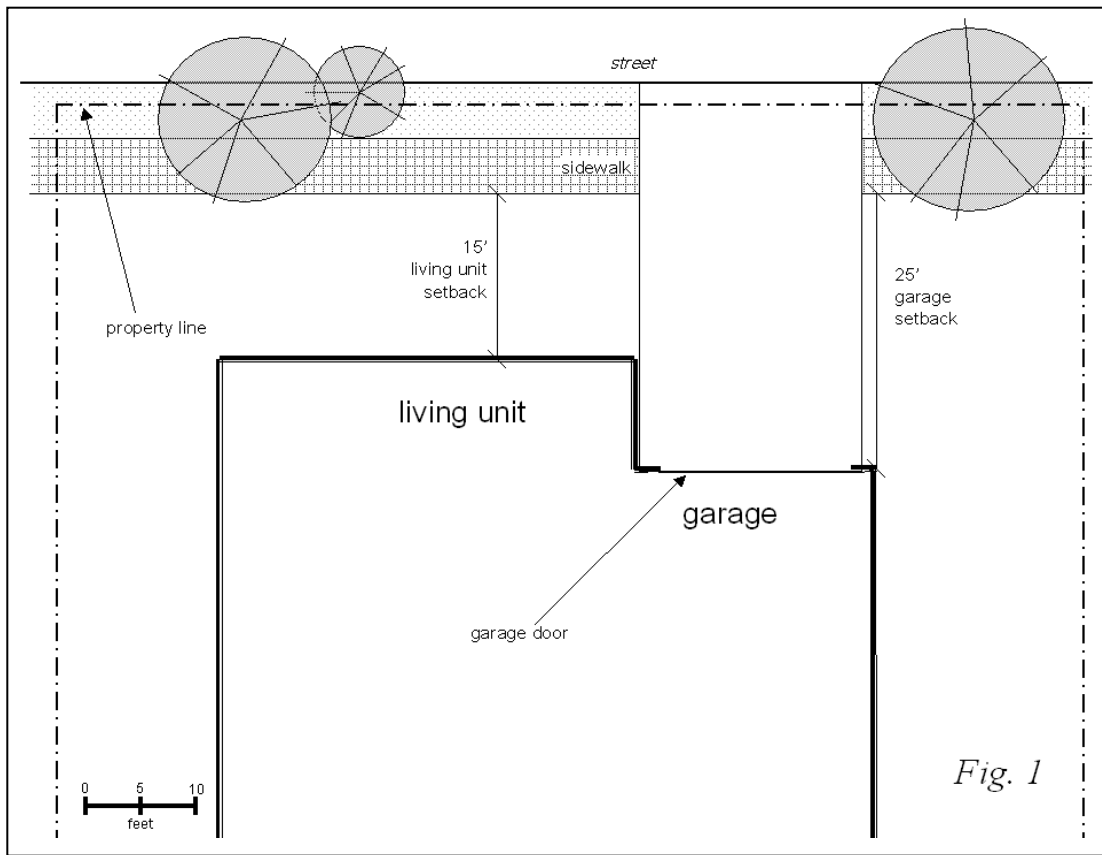
(a) Street: As measured from the back of the sidewalk. (See fig.1)

(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. 2)

(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) Minimum Street Frontage: 30 feet.



(4) Open space calculations. In residential areas, where the density exceeds 7 units per acre, the amount of required public open space shall equal or be greater than the minimum aggregate area of provided bedrooms based on the following formula: 300 square feet for the first bedroom and 200 square feet for each additional bedroom; exclusive of required street frontage setbacks and required parking areas. "Open area" is an area with average dimensions of not less than 20 feet by not less than 500 square feet. More than one open area may be provided in a given development. Any interpretation of this Section will be made by the Director.

- (a) If a proposed project may have a significant adverse impact on the environment because of inadequate public park facilities in the area, and additional park land is required or indicated by an environmental impact statement, as a mitigating measure in lieu of an environmental impact statement, or by the Comprehensive Park and Recreation Plan, the developer must provide for parks in accord with Sections 17.100.010 to 17.100.040 inclusive. If the property is too small to accommodate adequate recreational facilities for the residents and the area has inadequate park facilities, the proposed development will, in most cases, be disapproved unless other measures, which will reasonably protect the public's needs for adequate recreational areas, can be agreed upon between the developer and the City. Such agreement may be cash in lieu of on-site facilities placed in a mitigation account established by the Parks Department for use toward a park or parks within walking distance (1/4 mile straight line) from said development. Under normal circumstances the City will not accept the dedication of a park site of less than five (5) acres.
- (5) Mobile Home Park Requirements:
  - (a) New Mobile Home Parks: For Residential Trailer Parks developed after January 1, 1998, the following spacing standards may be utilized:
    - (i) When each primary structure has a 20-foot front and rear yard (18.09.1950) or open space, the following spacing standards apply: side-by-side, end-to-end and parallel - 10 feet between each primary structure; accessory structures that meet provisions of the International Building Code must have a minimum four-foot setback between the primary structure unless attached to the primary structure, and must have a minimum six-foot setback between adjacent primary and accessory structures.
    - (b) 10 feet setback from all property lines; 20 feet from an existing right-of-way line or proposed right-of-way line whichever is greater.
    - (c) Spacing: 20 feet between mobile homes located side-by-side, end-to-end and parallel. End-to-end, 10 feet if the extended outside edge does not project beyond the extended centerline of the adjacent unit. There must be 20 feet between any mobile home and any permanent structure; 10 feet between any mobile home and any accessory structure unless attached to the mobile home in accord with the State of Washington and the International Building Code; 10 feet between any occupied travel trailer and any mobile home, accessory structure or permanent building. The average distance between adjacent, angular mobile homes must not be less than 20 feet with the closest point no less than 10 feet.

- (d) Mobile Home Roadways: Each manufactured home must be served by at least one 30-foot wide roadway for 2 moving lanes of traffic and a 3 foot delineated, pedestrian walkway. If on-roadway parking is allowed, the roadway width must be increased accordingly. All roadways must be improved with asphalt, bituminous surface treatment or an equivalent.
- (6) Single-Family Homes; Manufactured Homes:
  - (a) Intent: It is the intent of the section to set forth the terms and conditions under which single-family homes may be sited, and to ensure that manufactured homes as defined herein may be sited in any zone where single-family homes are permitted. These regulations apply to all zones where single-family homes are permitted.
  - (b) Minimum siting standards: The following standards apply to the siting of all single-family homes, whether site-built homes or manufactured homes. Where any conflict arises between these regulations and the adopted building code, the stricter standard shall apply.
    - (i) Foundation: all dwellings shall be placed on permanent foundations;
    - (ii) Minimum width: a dwelling shall not be less than 14 feet in width at the narrowest point of its first story;
    - (iii) Age of dwelling (for manufactured homes only): no manufactured home more than three years old on the date of installation or previously lived in shall be permitted on any lot;
    - (iv) Roof: minimum pitch for a roof on a dwelling shall either be flat or have a minimum four-inch vertical rise for each twelve inches of horizontal run (4:12 pitch). (Ord. 5204 Sec. 6, 2007; Ord. 5180 Sec. 1, 2007)

**18.12.010 B.1: Table of Non-Residential Uses:** The following table list uses allowed by zone and the applicable City review process as follows: Review Process I = Staff review (permit counter), Review Process II = Conditional Use Permit. If a use is listed with a blank, it shall be prohibited in that zone. For certain categories of uses, additional requirements are also noted.

<b>NON-RESIDENTIAL USES</b>																				
<b>18.12.010 Zoning District Permitted Uses</b>	<b>RS</b>	<b>RL</b>	<b>RM</b>	<b>RH</b>	<b>RMH</b>	<b>CN</b>	<b>CO</b>	<b>CC</b>	<b>CR</b>	<b>CG</b>	<b>CM</b>	<b>HMU</b>	<b>BP</b>	<b>IP</b>	<b>IL</b>	<b>IH</b>	<b>JF</b>	<b>PF</b>	<b>OS</b>	
Academy							I	I	I	I			I							
Adult Entertainment (1) (See Title 18.12.030)																				
Adult Retail (1) (See Title 18.12.030).								II	II	II					II	II				
Agricultural Processing, heavy																I				
Agricultural Processing, light															I	I				
Airports and airfields																			I	
Alcoholic beverage sale (packaged)						I	I	I	I	I	I	I	I							
Accessory uses	I	I	I	I	I	I	I	I	I	I	I	I	I	I	I	I	I	I	I	I
Automobile-Oriented Uses (See Title 18.12.050)						I		I	I	I	I									
Auto-Wrecking Yard																I				
Bakeries, retail						I	I	I	I	I										
Bakeries, wholesale										I				I	I	I				
Banks and financial institutions							I	I	I	I	I		I							
Barbers, beauty shops, tanning salons, and body art						I	I	I	I	I	I	I								
Bars and taverns								I	I	I	I									
Boat building and repair, commercial										I	I				I	I				
Boat marinas										I	I				I	I				
Business School							I	I	I	I			I							
Bus stations and terminals								II	II	II										

<b>NON-RESIDENTIAL USES</b>																				
<b>18.12.010 Zoning District Permitted Uses</b>	<b>RS</b>	<b>RL</b>	<b>RM</b>	<b>RH</b>	<b>RMH</b>	<b>CN</b>	<b>CO</b>	<b>CC</b>	<b>CR</b>	<b>CG</b>	<b>CM</b>	<b>HMU</b>	<b>BP</b>	<b>IP</b>	<b>IL</b>	<b>IH</b>	<b>JF</b>	<b>PF</b>	<b>OS</b>	
Car washes (See Title 18.12.050)						I	II	I	I	I										
Cemeteries	II	II	II																	
Clinics							I	I	I	I		I	I							
Commercial amusement, recreation								I	I	I										
Construction yards										I						I	I			
Convenience stores						I		I	I	I										
Commercial amusement								I	I	I	I									
Correctional institutions																		I		
Dry cleaners and laundries						I	II	I	I	I		II								
Energy facilities	II	II	II	II	II	II	II	II	II	II	II	II	II	II	II	II	II	II	II	II
Equipment Rental								I	I	I					I	I				
Espresso stands (drive-through)						II	II	II	II	II	II	II			II					
Espresso stands (sidewalk)						I	I	I	I	I	I	I								
Essential public facilities and utilities	II	II	II	II	II	II	II	II	II	II	II	II	II	II	II	II	II	II	II	II
Event Center							II	I	I	I										
Gas stations						I	II	I	I	I	I					I	I			
Golf Course								I											I	I
Golf: driving range, miniature golf,								I	I	I	I									
Grocery stores						I	II	I	I	I										
Group homes (12) or fewer persons	II	II	II	II			II	II	II	II	II	II								
Group homes (13) or more persons	II	II	II	II			II	II	II	II	II	II								
Group homes for the functionally disabled (12) or fewer			II	II			II	II	II	II	II									

<b>NON-RESIDENTIAL USES</b>																				
<b>18.12.010 Zoning District Permitted Uses</b>	<b>RS</b>	<b>RL</b>	<b>RM</b>	<b>RH</b>	<b>RMH</b>	<b>CN</b>	<b>CO</b>	<b>CC</b>	<b>CR</b>	<b>CG</b>	<b>CM</b>	<b>HMU</b>	<b>BP</b>	<b>IP</b>	<b>IL</b>	<b>IH</b>	<b>JF</b>	<b>PF</b>	<b>OS</b>	
Group homes for the functionally disabled (13) or more			I	I			I	I	I	I	I									
Hardware stores						I		I	I	I										
Hazardous waste storage facilities – off site																II				
Hazardous waste storage facilities – on site							II	II		II					II	II				
Health Facilities, see 18.12.080			I	I			I	I	I	I										
Hospitals and sanitariums (except animal clinics, hospitals)				I			I	I	I	I									I	
Industrial uses, heavy																I				
Industrial uses, light															I	I				
Junk (See Title 18.12.100)																				
Kennels (See Title 18.12.110)								I	I	I					I	I				
Laboratories for research and testing							I	I	I	I			I	I	I	I				
Lock and gunsmiths						I		I	I	I		I								
Lumber yards										I					I	I				
Manufactured Housing Display Areas (See Title 18.12.120)								I	I	I					I	I				
Mini-storage				I	I			I	I	I					I	I				
Mixed Use (See KMC 18.42 and 18.78)						I	I	I	I	I										
Museums																				
Nursery								I	I	I										
Offices, including professional offices, agencies and services							I	I	I	I	I	I	I	I	I	I	I			

<b>NON-RESIDENTIAL USES</b>																				
<b>18.12.010 Zoning District Permitted Uses</b>	<b>RS</b>	<b>RL</b>	<b>RM</b>	<b>RH</b>	<b>RMH</b>	<b>CN</b>	<b>CO</b>	<b>CC</b>	<b>CR</b>	<b>CG</b>	<b>CM</b>	<b>HMU</b>	<b>BP</b>	<b>IP</b>	<b>IL</b>	<b>IH</b>	<b>JF</b>	<b>PF</b>	<b>OS</b>	
Outdoor commercial driving ranges								I												
Parking garages and lots									I	I										
Pawnshop										I										
Pharmacy, dispensing						I	I	I	I	I			I							
Photographic studios						I	I	I	I	I	I	I	I							
Plumbing shops and yards										I					I	I				
Printing, publishing and reproduction establishments							I	I	I	I				I						
Private gymnasiums, fitness centers, dance studios, body building, and martial arts, etc.							I	I	I	I				I						
Public Parks (See Title 18.12.160)																				
Public/quasi public facilities and services	II	II	II	II	II	II	II	II	II	II	II	II	II	II	II	II	II	II	II	II
Radio, television and small electronics repair and service							I	I	I	I										
Radio, television broadcasting stations (excluding antenna)								I	I	I										
Recreational Vehicle Storage (See Title 18.12.180)	I	I	I	I	I			I	I	I										
Recreational Vehicle Park																			I	I
Recycling, high intensity															II	II			II	
Recycling, low intensity														I	I	I			I	
Repair shops (not auto)							II	I	I	I			I		I	I				
Restaurants						I	I	I	I	I	I		I	I	I					
Restaurants, fast food							II	I	I	I	I		I	I	I					

<b>NON-RESIDENTIAL USES</b>																				
<b>18.12.010 Zoning District Permitted Uses</b>	<b>RS</b>	<b>RL</b>	<b>RM</b>	<b>RH</b>	<b>RMH</b>	<b>CN</b>	<b>CO</b>	<b>CC</b>	<b>CR</b>	<b>CG</b>	<b>CM</b>	<b>HMU</b>	<b>BP</b>	<b>IP</b>	<b>IL</b>	<b>IH</b>	<b>JF</b>	<b>PF</b>	<b>OS</b>	
Retail stores not otherwise named in this list including department stores.						I	II	I	I	I		I (1)	I (1)							
Satellite Dishes (See Title 18.12.200)																				
Schools, private	II	II	II	II	II		II	II	II	II	II		II		I	II		II		
Schools, public	II	II	II	II	II		II	II	II	II	II		II		I	II		II		
Second Hand/Consignment Store								I	I	I										
Sign manufacture, painting and maintenance										I					I	I				
Skating rink									I											
Stables, Corrals, Riding Academies (See Title 18.12.210)	II																			
Storing of Commercial Vehicles (See Title 18.12.220)									I	I				I	I	I	I			
Subdivisions, Sales Area, Equipment and Material Yards (See Title 18.12.230)	I	I	I	I	I															
Temporary and Parking Lot Businesses (See Title 18.12.250)																				
Theaters movie							II	I	I	I										
Towers, antennas, and supporting structures, including amateur radio towers, 55 feet or less	II	II	II	II	II	II	I	I	I	I	I	I	I	I	I	I	I	I	I	
Transient accommodations (including hotels and motels)				I			I	I	I	I	I	I	I							

<b>NON-RESIDENTIAL USES</b>																				
<b>18.12.010 Zoning District Permitted Uses</b>	<b>RS</b>	<b>RL</b>	<b>RM</b>	<b>RH</b>	<b>RMH</b>	<b>CN</b>	<b>CO</b>	<b>CC</b>	<b>CR</b>	<b>CG</b>	<b>CM</b>	<b>HMU</b>	<b>BP</b>	<b>IP</b>	<b>IL</b>	<b>IH</b>	<b>JF</b>	<b>PF</b>	<b>OS</b>	
Transportable Units (See Title 18.12.270)																				
Trash Containers (See Title 18.12.280)			I	I	I	I	I	I	I	I	I	I	I	I	I	I	I	I	I	I
Truck stops										I					I	I				
Undertaking establishments (Mortuary)							I	I	I	I										
Vehicle sales, incidental repair and service								I	I	I										
Vehicle repair and service, body and fender shops										I					I	I				
Veterinary Clinic or Hospital (See Title 18.12.290)								I	I	I					I					
Vocational School										I			I		I					
Volatile Toxic and Volatile Flammable Material Storage (See Title 18.12.300)																II				
Warehousing										I					I	I				
Wholesale, which may include incidental retail outlets for only such merchandise as is handled at wholesale										I					I	I				
Wineries Type A (See Title 18.12.305)								I	I	I										
Wineries Type B (See Title 18.12.305)								II	II	II					II					
Wineries Type C (See Title 18.12.305)															I					
Wireless Communication Facilities (See Title 18.12.310)																				

**FOOTNOTE for Table 18.12.010 B-1 Non-Residential Use Table:**

- (1) For HMU see limitations at Title 18.12.335.
- (2) For the Clearwater Master Plan Area and BP zoning districts see Title 18.12.340.

For Rental Equipment, all items must be contained within a completely enclosed building or screened from view by a sight-obscuring fence or wall. (Ord. 5262 Sec. 3, 2009: Ord. 5244 Sec. 3, 2008: Ord. 5204 Sec. 7, 2007: Ord. 5180 Sec. 1, 2007)

**18.12.010 B.2: Table of Non-Residential Site Development Standards:** Minimum and maximum non-residential use standards are identified in the following table. Additional site design standards are included under 18.12.340, below and in the *Site Design Guidelines for Commercial, Office and Industrial Uses*:

Table of Commercial/Industrial Standards	Maximum District Size	Maximum Parcel Size	Yards	Maximum Building Height	Maximum Lot Coverage	Outdoor Storage
CN- Commercial – Neighborhood District	5 Acres	None	See (1) Below	45'	None	See (2) Below
CO-Commercial – Office District	None	None	See (3) Below	None	None	See (4) Below
CC- Commercial – Community District	None	None	See (3) Below	None	None	See (4) Below
CR-Commercial – Regional District	None	None	See (3) Below	None	None	See (4) Below
CG-Commercial – General District	None	None	See (3) Below	None	None	See (4) Below
CM-Commercial – Marina District	None	None	See (3) Below	See (14) Below	None	None
HMU-Historic, Mixed Use District (See Title 18.12.335 & 18.12.010(5))			See (6) Below			
BP-Business Park District	5 Acres	None	See 18.12.340	35'	50%	See 18.12.340
IP-Industrial Park District	20 Acres	None	See (7) Below	None	None	See (8) Below
IL-Industrial, Light District	None	None	See (9) Below	None	None	See (10) Below

<b>Table of Commercial/Industrial Standards</b>	<b>Maximum District Size</b>	<b>Maximum Parcel Size</b>	<b>Yards</b>	<b>Maximum Building Height</b>	<b>Maximum Lot Coverage</b>	<b>Outdoor Storage</b>
IH-Industrial, Heavy District	None	None	See (9) Below	None	None	See (10) Below
JF-Justice Facilities	None	None	See (11) Below	85'	None	None
PF-Public Facilities District	None	None	See (12) Below	None	None	See (13) Below
OS-Open Space District	None	None	See (12) Below	None	None	See (13) Below
<b>NOTE: *Additional site design and building standards may be included in the <i>City of Kennewick Commercial Design Standards manual</i></b>						

**FOOTNOTES for Table 18.12.010 B-2 Non-Residential Standards Table:**

(1) Street frontage: 20 feet, except for fuel island canopies, which may encroach up to five feet from the street property line with the outer edge of the canopies, provided that the canopy support pillars are at least 15 feet from the nearest street property line.

(a) Non-street frontage: None; unless the use abuts an R or HMU district, in which case 20 feet.

(2) All activity, other than off-street parking, loading, or gasoline sales must be kept within a completely enclosed building. However, live plant material may be stored outside if parking is not affected.

(3) Street Frontage: Only that necessary to comply with Chapters 13.12, 18.21, and 18.27. The right-of-way is determined in accord with Section 5.56.51.

(a) View obstruction setbacks must be improved with asphalt, concrete, or some other comparable dust-free and weed free material, or landscaped to prevent dust and weeds with adequate irrigation or otherwise maintained to prevent weeds, dust and rubbish.

(b) Side and Rear: None; but 20 feet on sides abutting R or HMU districts.

(4) Storage and storage areas shall be governed by the Design Standards Manual Chapter 18.78.

(5) HMU-Historic, Mixed Use District Development Standards:

(a) Floor area ratio (the amount of building surface expressed as a ratio to lot surface) is a maximum of .45;

(b) New construction of dwellings, business buildings, and exterior remodeling of existing structures (including re-roofing, re-siding, additions and similar exterior changes) require conformance with the following criteria:

(i) Maximum building height - 30 feet;

(ii) Roof pitch - not less than 4:12;

(iii) Orientation - main entranceways oriented directly or as near directly to the street as possible;

(iv) Openings - blank walls must be avoided. A combination of windows, doors, balconies, alcoves, bay windows, porches or similar architectural features must comprise a minimum of 25% of the total street wall area and a minimum of 20% of the total area of each of the remaining walls, with the exception of the rear wall;

(v) Windows - mirror or mirror-like composition or exterior finishes are prohibited;

(vi) Siding and roofing - metal, vinyl or plastic siding or roofing is allowed, provided the finish is not reflective, and in the case of metal, is anodized;

(c) The structure shall be similar in character to the surrounding residential structures.

(d) Yards:

(i) Street frontage - (see 18.12.335);

(ii) Side yards - (see 18.12.335);

(iii) Rear yards - None, provided that the Floor Area Ratio ("F.A.R.") and other setbacks are observed;

(e) Accessory structures must conform to 18.27.030;

(f) Signage shall conform with Section 18.24 with the following changes:

(i) A maximum height limit of 15 feet for freestanding signs;

- (ii) The maximum sign area for all signs is 24 square feet. Included in this total is an eight square foot maximum for signage that is attached, drawn, or installed on the structure or any portion of the structure;
  - (iii) Internally lit signage and signage utilizing flashing lights is prohibited. Lighting shall be by indirect methods;
  - (iv) Non-conforming signs having a replacement value of less than \$2,500 shall be made conforming by June 30, 2000;
  - (v) Multi-tenant businesses are permitted 24 square feet of signage for the initial business and 8 square feet per additional business to a maximum of 48 square feet;
- (g) Parking requirements in this district shall conform with Section 18.36, with the following exceptions:
- (i) Parking requirements for unlisted uses is one space per 250 square feet of building space devoted to business activities. This formula takes into account space used for retail activity, record storage, office and clerical space, or other areas normally and primarily used for business purposes;
  - (ii) Total number of off-street parking stalls required may be reduced one space for each 20 feet of linear frontage along a public street that is legal for parking purposes;
- (h) Landscaping requirements in this district shall conform with Section 18.21, with the following exceptions:
- (i) Landscaping must incorporate street frontage setback landscaping per the design requirements of Section 18.21.060(1)(a); this requirement does not use side and rear yard ratios in its calculation;
- (i) Public hours of operation for commercial uses must begin at or after 7:00 a.m. and end at or before 8:30 p.m., with the exception of Bed & Breakfasts, which by nature require 24-hour service.
- (6) Yard requirements: (see Section 18.12.330 for City location-related standards).
- (a) Front: 15 feet;
  - (b) Corner/flanking street: 10 feet;
  - (c) Side: 0 feet for the interior non-perimeter lot lines of a parent parcel. Once a parent parcel is platted or subdivided, only the internal lot lines shall be allowed to have zero foot side yards. All perimeter lot lines of the parent parcel have a ten-foot side yard setback requirement. Buildings constructed with side yards less than 10 feet shall not be longer than 300 feet. A property owner's association must be formed and a maintenance agreement executed, as approved by the Planning Director, providing for perpetual maintenance common of landscaped areas for developments with buildings with side yards of less than 10 feet. The maintenance agreement shall be recorded and run with land and shall provide for the City of Kennewick to arrange for maintenance of landscaped or common areas in the event the property owners fail to maintain these areas or their association dissolves. The agreement must be recorded prior to the land division;
  - (d) Side yards abutting R or HMU zones must be a minimum of 20 feet;
  - (e) Rear: 10 feet, unless abutting an R zone, in which case the minimum setback is 25 feet;
  - (f) Minimum street frontage: 30 feet.

- (7) Yards: (see Section 18.12.330 for City location-related standards).
- (a) Street frontage yards: 15 feet. View obstruction setbacks must be improved with asphalt, concrete, or some other comparable dust-free and weed-free material, or landscaped to prevent dust and weeds with adequate irrigation or otherwise maintained to prevent weeds, dust and rubbish.
- (b) Side and rear yards: 25 feet.
- (8) All service, processing and storage areas abutting any R district at ground floor level or within 20 feet and visible from a street, must be within a completely enclosed building or screened from view by a permanently maintained, sight-obscuring fence at least six feet high. Except for vehicles, no storage shall extend above the fence.
- (9) Street Frontage: Only that necessary to comply with Chapter 13.12 and Section 18.12.010 A-2 and B-1. The right-of-way is determined in accord with Section 5.56.51.
  - (a) View obstruction setbacks must be improved with asphalt, concrete, or some other comparable dust-free and weed-free material, or landscaped to prevent dust and weeds with adequate irrigation or otherwise maintained to prevent weeds, dust, and rubbish.
  - (b) Side and Rear: None; but 25 feet on sides abutting R or HMU districts.
- (10) All service, processing, and storage areas abutting any R or HMU districts at ground floor level must be within a completely enclosed building or screened by a permanently maintained sight-obscuring fence at least six feet high.
- (11) All yards must be a minimum of 20 feet, unobstructed by structures or accessory uses.
- (12) Street frontage: 20 feet if adjacent to an R District; Non-street frontage: none unless the use abuts an R or HMU district or use, in which case, 20 feet.
- (13) All storage areas visible from any street abutting a site or from any abutting R district at ground floor level, must be within a completely enclosed building or screened from view by a permanently maintained sight-obscuring fence at least six feet high. Except for vehicles and rolling equipment, no storage shall extend above the fence.
- (14) Building heights in the CM district shall be 35 feet with the following exceptions:
  - (a) The maximum building height for that portion of Lot 2 lying above elevation 340 feet above sea level and all of Lots 3-5, Plat of Clover Island, shall be 45 feet.
  - (b) The maximum building height for the east half of Lot 15 and all of Lots 16-19, Plat of Clover Island, shall be 65 feet.
  - (c) The maximum building height for Tracts A and B, Tract C, lying north of the north curb line of Clover Island Drive as existing on January 1, 2008, Lot 1 lying above elevation 340 feet above sea level, a strip of land 15 feet in width lying directly north of and parallel with Tract A and Lot 1 lying above elevation 340 feet above sea level, a strip of land 25 feet in width lying directly west of and parallel with Tracts A and B and Lots 10 and 11 and Lots 30-33 shall be 75 feet.
- (d) A height limitation map depicting these limits on file with the Community Planning Department. (Ord. 5212 Sec. 3, 2008; Ord. 5180 Sec. 1, 2007)

**18.12.020: Accessory Dwelling Units:** A portion of a single-family dwelling unit may be converted to one accessory apartment which may have a bathroom and kitchen. One additional improved off-street parking space must be provided for the residents of the

accessory apartment and if an attached garage is converted to an accessory unit, additional parking spaces must be improved elsewhere on the site to replace those lost. Accessory apartments may not be detached from the main living unit. One unit must be owner-occupied. (Ord. 5204 Sec. 8, 2007; Ord. 5180 Sec. 1, 2007)

**18.12.030: Adult Concessions (Entertainment and Retail):**

(1) Adult Entertainment and Retail taken together as “Concession,” and defined by Section 18.09.070, are recognized as being uses that may prove detrimental in certain circumstances to its surrounding neighborhoods and thereby the following regulations are imposed:

- (2) No adult concessions, shall be located:
  - (a) Within 500 feet of any Residential zone;
  - (b) Within 500 feet of any public or private school, or any trade or vocational school that on a regular basis has at least one student under the age of eighteen (18) years;
  - (c) Within 500 feet of any church or other religious facility or institution;
  - (d) Within 500 feet of any park or any public facility or open space zone;
  - (e) Within 1500 feet of another adult concession.
- (3) No person owning, operating or managing an adult concession or their employee or agent shall invite, allow, or permit any person under the age of 18 years to enter or remain on the premises of any adult concession.
- (4) There shall be no window, marquee, or other display of any matter depicting or portraying specified anatomical areas, or specified sexual activities.
- (5) Violation of the use provisions of this section is declared to be a public nuisance perse, which shall be abated by a civil action only and not by criminal prosecution.
- (6) Adult Retail establishments shall be identified on the exterior of the establishment with a sign baring text only and using such terms as would be expected among the general public. No advertising, text, pictures or depictions shall be permitted anywhere in the windows, on the street (tent signs), store-front, marquee, or anywhere else other than on the approved signage. Terms such as “sale” etc. and other such advertising, as associated with mainstream advertising, will be accepted, subject to the interpretation of the Planning Director or an appointed official.
- (7) Nothing in this section is intended to authorize, legalize, or permit the establishment, operation, or maintenance of any business, building or use which violates any ordinance or statute of the City of Kennewick, County of Benton, State of Washington or the United States. (Ord. 5180 Sec. 1, 2007)

**18.12.040: Animal Keeping:** In R and HMU districts, dogs and cats of the age of 10 weeks or older, rabbits, guinea pigs, fowl, pigeons, and similar small animals may be kept so long as no more than three of each kind or a combined total of six are kept. All cages, pens, and runs must be maintained in a clean and sanitary condition and meet setbacks. Animals and birds must not roam or fly to adjacent properties. Chickens (including roosters) are prohibited in all zoning districts except RS. Animals and birds and their surroundings must be maintained to prevent a nuisance due to noise or smell. An increase in the allowable number will be permitted upon issuance of a Land Use Permit in accord with Section 18.42. (Ord. 5180 Sec. 1, 2007)

**18.12.050: Automobile-Oriented Uses:** No vehicle service apparatus may be within 15 feet of a public way. Except for necessary access, automatic washing equipment, hydraulic hoists, pits, lubricating equipment, food preparation and washing equipment and the like must be kept within a completely enclosed building. All washing residue must be biodegradable and drained in accord with applicable public works standards. (Ord. 5180 Sec. 1, 2007)

**18.12.055: Car Washes, Vehicular Access/Circulation/Fencing/Operation:**

- (1) In CN zones car washes shall be subject to the following:
  - (a) Manufacturer's specifications clearly indicating level of noise submitted to City for review.
  - (b) Noise shall be measured at receiving property in dBA to be conducted and approved by qualified professional acceptable to City.
  - (c) Abutting residential property shall receive noise level not to exceed 57 dBA (KMC 9.52).
  - (d) Noise generated by all associated equipment on site including vacuums must be designed, oriented and soundproofed to the extent that noise does not exceed that allowed in KMC 9.52.
- (2) Vehicular Access and Circulation:
  - (a) The business must front an arterial or collector street. The same access shall be used for the convenience store and the car wash.
  - (b) Stacking length shall provide at least two (2) vehicle spaces per wash line. All maneuvering area, stacking lanes, and exit aprons shall be located within the car wash parcel itself. Public streets and alleys shall not be used for maneuvering or parking by vehicles to be serviced by the car wash.
  - (c) The total number of bays shall be limited to three.
- (3) Fencing (when abutting residential property):
  - (a) Minimum 6-foot tall sight obscuring fence is required in conjunction with solid (visual) screen landscaping.
  - (b) The "Solid Screen" must be on the car wash side of the fence.
  - (c) The fence shall be constructed of masonry, wood, or tight-boards with the support of the car wash (site) side of the fence.
  - (d) The fence, solid landscape screen and other landscaping shall be permanently maintained and shall be kept structurally sound and safe.
- (4) Operation:
  - (a) Business hours shall be limited to between 6:00 a.m. through 8:00 p.m.
  - (b) All other applicable site planning standards and as required by the Kennewick Municipal Code shall apply. (Ord. 5180 Sec. 1, 2007)

**18.12.060: Child Daycare Centers and Nursery Schools:** Child daycare centers are allowed in RM-6000, RM-4000, RH, C, I, OS and PF Districts, upon approval of a Land Use Permit for Site Approval and the following additional conditions:

- (1) Meet Washington State child day care licensing requirements.
- (2) Comply with all building, fire safety, health code, and business licensing requirements.
- (3) Setbacks, screening, landscaping, lot size, building site, and lot coverage must conform with the regulations of the applicable Zoning District.
- (4) Parking requirements must conform to Chapter 18.36.

(5) Child daycare centers are also allowed in all other R Districts upon approval of a Conditional Use Permit in accord with Chapter 18.42 and the following additional conditions:

- (a) Meet Washington State child daycare licensing requirements;
- (b) Comply with all building, fire safety, health code, and business licensing requirements;
- (c) Must conform with all requirements of the zoning district;
- (6) A six-foot high solid board fence, masonry wall, or screened chain link fence must surround the outdoor play area. Note: a see-through fence of stout construction may be approved by the Planning Director (Review II) if special conditions such as good security, quiet setting and visual/aesthetic conditions merit. The site must be landscaped in a manner compatible with adjacent residences.

(7) Any license required by the State or County must be obtained before issuance of a Business License.

(8) No structural or decorative alteration is allowed which will alter the residential character of an existing residential structure used for a child daycare center. Any new or remodeled structure must be designed to be compatible with the residential character of the surrounding neighborhood.

(9) Limitations in Use of Family Residence. No child daycare center shall be located in a private family residence unless the portion of the residence where the children have access is used exclusively for the children during the hours the center is in operation, or is separate from the usual living quarters of the family.

(10) Land use permits are not required for nursery schools and daycare centers when established in conjunction with a church, school or similar public or quasi-public residential use. A six-foot (6') high solid board fence, masonry wall, or screened chain link fence must surround the outdoor play area. Any license required by the State or County must be obtained before issuance of a business license.

(11) Accessory Use. A child daycare center, if sited on the premises of a public or quasi-public use (18.09.370) shall be considered accessory to the principal use of the property concerned. (Ord. 5180 Sec. 1, 2007)

**18.12.070: Family Daycare Home:** A family daycare home shall be permitted by right in all zoning districts permitting residences and shall be subject to the following requirements:

- (1) Meet Washington State child daycare licensing requirements.
- (2) Comply with all building, fire safety, health code, and business licensing requirements.
- (3) Lot size, building size, setbacks, and lot coverage conform to the standards of the zoning district except if the structure is a legal nonconforming structure.
- (4) A safe passenger loading area must be provided.
- (5) No structural or decorative alternative, which will alter the single-family character of an existing or proposed residential structure or be incompatible with surrounding residences is permitted.
- (6) A residential use sign is permitted. (Ord. 5180 Sec. 1, 2007)

**18.12.080: Health Facilities:** Rest homes, nursing homes, congregate care, and convalescent homes, hospitals, and similar health facilities must have any required State or County license before occupancy. (Ord. 5180 Sec. 1, 2007)

**18.12.090: Housing for People with Functional Disabilities:** (See Group Homes in Use Table 18.12.010).

(1) Housing for people with functional disabilities, as defined herein, which meets the applicable Washington State licensing requirements, and City of Kennewick requirements and definitions, shall be considered a residential use of property for zoning purposes. Except as provided elsewhere, they are permitted uses in all R, HMU and C Districts.

(2) “People with Functional Disabilities” means a person who, because of a recognized chronic physical or mental condition or disease, is functionally disabled to the extent of:

- (a) Needing care, supervision or monitoring to perform activities of daily living or instrumental activities of daily living; or
- (b) Needing supports to ameliorate or compensate for the effects of the functional disability so as to lead as independent a life as possible; or
- (c) Having a physical or mental impairment which substantially limits one or more of such person's major life activities; or
- (d) Having a record of having such impairment; or
- (e) Such term does not include current, legal use of, or active addiction to, a controlled substance.

(3) “Housing for People with Functional Disabilities” means housing used, or intended for use, by persons with functional disabilities. The term includes, but is not limited to, Adult Family Homes, Residential Care Facilities, and housing for any Supported Living Arrangement, as herein defined.

(4) “Adult Family Home” means the regular family abode of a person or persons who are providing personal care, room, and board to more than one, but not more than four adults who are not related by blood or marriage to the person or persons providing the services; except that a maximum of six adults may be permitted if the Washington State Department of Social and Health Services determines that the home and the provider are capable of meeting standards and qualifications provided for by law. (RCW 70.128.010, et seq.).

(5) “Residential Care Facility” means a facility, licensed by the state, that care for at least five, but not more than fifteen people with functional disabilities, that has not been licensed as an Adult Family Home pursuant to RCW 70.128.175.

(6) “Supported Living Arrangements” means a living unit owned or rented by one or more persons with functional disabilities who receive assistance with activities of daily living, instrumental activities of daily living, or medical care from an individual or agency licensed or reimbursed by a public agency to provide such assistance. (Ord. 5180 Sec. 1, 2007)

**18.12.100: Junk:** The storage or collection of junk, scrap, licensed or unlicensed, wrecked or inoperative vehicles, and equipment or parts thereof, or abandoned sheds, buildings or the like, are not permitted in any district. (Ord. 5204 Sec. 9, 2007; Ord. 5180 Sec. 1, 2007)

**18.12.110: Kennels:** Commercial kennels and animal shelters must be located on a parcel so that all runs, pens, and cages are at least 150 feet from a residential zoning district. The kennel must be developed and maintained in accord with the provisions of Section 18.42.080 with the following additional requirements:

(1) Kennels and animal shelters must be fully enclosed without open runs, and have interior walls, ceilings, and floors which are resistant to absorption of moisture and odors. Kennels in IH zoned areas may have open runs.

(2) Kennels and animal shelters must provide for a minimum of three air changes per hour and must be constructed so that noise from the kennels meet standards contained in Section 9.52.060. (Ord. 5180 Sec. 1, 2007)

**18.12.120: Manufactured Housing Display Areas:**

(1) Manufactured housing display areas are sales areas for living units that are constructed in a factory and transported to the residential setup location. Units in the display area must be used for display purposes only and must not be moved from the site except for replacement. Areas not used for parking, and a five-foot landscaped strip along all street frontages, must be improved with any combination of lawn, shrubs, decorative rock, etc. No portion of the display area, except pedestrian walkways, may be graveled. Storage areas for trade-ins must be graveled and kept weed free. Storage areas must be surrounded by a six-foot high sight-obscuring fence. A site plan is required as is a building permit for all permanent structures and sales offices. The display units need not be installed in accord with Chapter 15.60. All units must be skirted. Site improvements must conform with Chapters 13.12 and 18.27.

(2) HUD-approved manufactured housing or Washington State Department of Labor and Industries - approved commercial coaches may be used as an office for a period not to exceed 36 months. The office must be skirted and blocked to the manufacturer's specifications and a building permit will be required. The office must be integrated into the site's overall design, including landscaping. After three years, the office must be relocated to another HUD-approved current year model or replaced by a permanent structure in conformance with the International Building Code.

(3) A statewide association representing manufactured housing dealers may use a manufactured home as an office so long as it complies with other applicable building codes, zoning, and other land use regulations. (Ord. 5180 Sec. 1, 2007)

**18.12.130: Mini-Storage Development Standards:** The following requirements are applicable to all new mini-storage complexes and to expansions of existing facilities:

(1) Access driveways to all storage units shall be paved and shall include a storm water drainage system designed by a professional engineer or architect licensed in the State of Washington and be in conformance with the City's Comprehensive Stormwater Control Plan.

(2) Each doorway shall be lighted with a minimum of one (1) foot candle of luminance. Automatic photocell or motion-activated lights can fulfill this requirement.

(3) Exterior lighting shall be shielded or hooded so that direct light does not spill to adjacent properties.

(4) In addition to the requirements of KMC Chapter 18.21, Landscaping, all mini-warehouse developments shall have a minimum five (5) foot landscaped area meeting KMC Section 18.21.060(1)(a) when adjacent to a residential zoning district.

(5) All buildings shall have an eave of at least one (1) foot.

(6) All buildings shall have a minimum of four feet of masonry wainscoting on the building exterior.

(7) A minimum offset of one (1) foot is required for building wall segment in excess of 50 linear feet.

(8) Roofing materials shall be non-reflective to minimize glare on adjacent properties and public ways.

(9) Barbed wire, razor wire and electric fences are not permitted.

(10) When located in CC and CG zoning districts, mini-warehouse complexes shall be located a minimum of 150 feet from a street frontage property line. (Ord. 5180 Sec. 1, 2007)

**18.12.140: Motels:** If the motel is in an RH district, the motel must maintain a street frontage yard that is not used for parking and must be landscaped with at least a ten-foot (10') wide strip across the entire front yard. The landscaping must be any combination of lawn, shrubs, decorative rock, trees, etc. Except for such yard, a six-foot (6') high board fence or masonry wall must separate the property from any adjoining use. (Ord. 5180 Sec. 1, 2007)

**18.12.150: Outdoor Theaters:** Outdoor theaters must have ingress and egress which minimizes traffic congestion. The screen must be at least 400 feet from any R district and so situated that light and noise in no way disturbs residential property. (Ord. 5180 Sec. 1, 2007)

**18.12.160: Public Parks and Playgrounds:** Ball courts and similar play areas adjoining developed residential property must be fenced or screened with an appropriate barrier to prevent interference with the residential uses. (Ord. 5180 Sec. 1, 2007)

**18.12.170: Recreational Vehicle Park:** Where allowed, such use shall meet the following requirements:

(1) The minimum size of the recreational vehicle park shall be ten (10) acres.

(2) The maximum gross density allowed shall be one recreational vehicle space per each 2,000 square feet of land area.

(3) No less than ten percent (10%) of the total site area shall be provided as defined recreation space. The recreation space shall be easily accessible and shall be improved and maintained in such a manner so as to provide adequate recreational facilities for the residents of the recreational vehicle park. Any three of the following list of recreational amenities must be included in the development of a recreational vehicle park:

(a) Basketball court;

(b) Tot lot/playground;

(c) Barbecue pit;

(d) Horseshoe pits;

(e) Shuffleboard court; or

(f) Pool.

(4) When more than three of these amenities are provided and approved by the Planning Director, the recreation space requirement may be reduced by a total of ten percent.

(5) Each recreational vehicle space shall have a minimum width of 25 feet.

(6) Interior private streets shall observe the following minimums:

(a) Twenty feet of width per each travel lane and eight feet of width per each parking lane;

(b) Improvement with paved surface treatment in accordance with the specifications of the city engineer. In addition, all streets shall be well drained, well lighted, and continuously maintained in operable condition.

(c) A minimum turning radius of 35 feet.

- (7) Spacing Between Units. There shall be a minimum side-to-side dimension of 12 feet between units and a minimum end-to-end dimension of 10 feet between units.
- (8) Minimum Setbacks Required. The following setback requirements shall apply:
- (a) Twenty-five feet from a public street;
  - (b) Fifteen feet from the park boundary.
- (9) Off-street Parking. A minimum of one off-street parking space shall be required for each recreational vehicle space. It shall be located within the recreational vehicle space. In addition, one off-street parking space per each eight recreational vehicle spaces shall be required for guest parking. The guest parking spaces shall be grouped and distributed evenly throughout the park.
- (10) Pedestrian Walkways. Pedestrian walkways having a width of not less than three feet shall be provided from the recreational vehicle spaces to all service buildings and facilities, including guest parking areas, refuse collection areas, and along all interior streets and recreation areas. The walkways shall be hard-surfaced, designed to drain storm water from the walkway and prevent pooling of water, and be well lighted.
- (11) Landscaping. On-site landscaping to enhance and beautify the recreational vehicle park as well as minimize noise and visual impact of the park shall be provided in accordance with KMC 18.21. Additionally, one two-inch caliper shade tree is required per space. Shade tree planting must include at least three species.
- (12) Limit of Stay. No recreational vehicle shall remain in place in a recreational vehicle park for more than 120 days in any calendar year period.
- (13) Solid Waste Disposal. The storage, collection, and disposal of solid waste in recreational vehicle parks shall be so conducted as to create no health hazards, rodent harborage, insect breeding areas, or accident, or fire hazards. Individual or grouped refuse containers must be screened from view except on collection day. All solid waste receptacles shall be enclosed with a fence or masonry wall of at least six feet in height.
- (14) Utilities. The following requirements for utilities shall apply:
- (a) A water supply system shall be provided in the recreational vehicle park for each recreational vehicle space designed to accommodate the park user occupying a self-contained recreational vehicle or a dependent recreational vehicle and shall be connected to a public water supply system.
  - (b) The water system shall be constructed and maintained in accordance with all applicable state and local codes and regulations.
  - (c) Watering Stations. Each recreational vehicle park shall be provided with one or more easily accessible water supply outlets for filling recreational vehicle water storage tanks.
  - (d) Sewage Disposal System. An adequate and safe sewage disposal system shall be provided in a recreational vehicle park for each recreational vehicle space designed to accommodate the park user occupying a self-contained vehicle and shall be connected to public sewerage system. The sewage disposal system in a recreational vehicle park shall be constructed and maintained in accordance with all applicable state and local codes and regulations.
  - (e) Sanitary Stations. Each recreational vehicle park shall be provided with sanitary dumping stations in the ratio of one for every one hundred recreational vehicle spaces or fractional part thereof. Sanitary stations shall consist of at least a trapped four-inch sewer riser pipe with a two-inch screened grate connected to the sewage disposal system and surrounded at the inlet end by a concrete apron sloped to the drain and provided with a suitable lockable cover;

and, a water outlet, with the necessary appurtenances connected to the water supply system to permit periodic wash-down of the immediate adjacent areas. A sign shall be posted near the water outlet indicating that this water is for flushing and cleaning purposes only. Sanitary stations shall be screened from other activities by a visual barrier such as fences, walls, or natural growth and shall be separated from any recreational vehicle space by a distance of not less than 50 feet.

- (f) Electrical Supply System. Each recreational vehicle space shall be provided with an underground electrical system providing a minimum of fifty (50) amperes and shall be installed and maintained in accordance with all applicable state and local codes and regulations.
- (g) Other Utility Systems. If other utility systems such as natural gas, television cable, or telephone are installed in a recreational vehicle park, such installation shall be in accordance with state and local codes and regulations.
- (15) All recreational vehicle parks shall comply with rules and regulations of the Washington State Board of Health.
- (16) All recreational vehicle spaces shall be marked and numbered in conformance with KMC Title 15.
- (17) Direct light from the interior of the park cannot be visible from outside the park. Interior lighting shall be shielded or hooded to prevent light spillage outside the park. Interior streetlights shall be no higher than eight feet above ground. One interior streetlight is required for every two spaces.
- (18) An eight-foot high vegetative landscape buffer in accordance with KMC 18.21.030 (2) is required on all sides of the park that abut property with a less intense zoning district.
- (19) All spaces must be within 300 feet of an ash disposal receptacle.
- (20) Storage sheds are not permitted.
- (21) There may be a dwelling for the park manager on site.
- (22) Campfires are not allowed, except in established barbecue pits.
- (23) Enclosed bathroom/laundry/shower facilities are required.
- (24) All non-impervious (non-concrete/asphalt) areas in a space shall be planted with irrigated lawn or landscape stone and native plantings.
- (25) Cable and telephone service are required on at least 50% of sites in a park.
- (26) Campers detached from pickup trucks must be lowered and blocked, and may only be detached for periods not exceeding five days.
- (27) Tents are permitted only if an area has been set aside for their use and is supported by dedicated parking and permanent shower and restroom facilities. The total area for such secondary use may not be more than 10% of the total gross site.
- (28) Recreational Vehicle Park Site Plan Requirements:
  - (a) Application Fee. The application for approval of a recreational vehicle park shall be accompanied by a site plan review application fee in accordance with the City's fee schedule;
  - (b) Site Plan. The application shall be accompanied by the number of copies dictated at the permit counter of a site plan, which shall contain, but not necessarily be limited to the following:
    - (i) Name of the owner and operator, with address and phone numbers; and the name of the proposed recreational vehicle park;
    - (ii) Legal description of the subject tract of land;

- (iii) Name, address, and phone number of the person or firm preparing the site plan;
- (iv) Scale of the drawing and north arrow;
- (v) The area and dimensions of the tract of land;
- (vi) The number, size, and location of all recreational vehicle spaces;
- (vii) The number, location, and size of all off-street automobile parking spaces;
- (viii) The location and width of all streets and walkways;
- (ix) The location of service buildings, sanitary stations, recreation area, and any other proposed facilities or structures;
- (x) Location of all utility lines and easements;
- (xi) Specifications of the water supply, sewage disposal, electrical supply, and refuse collection systems;
- (xii) Specifications of all buildings, recreation uses, and other facilities to be constructed;
- (xiii) Landscaping specifications of sufficient detail to assure effectiveness of purpose;
- (xiv) Topography at five 15-foot contour intervals;
- (xv) A vicinity map indicating the names and location of all streets within at least a quarter-mile radius of the subject site;
- (xvi) Location and specifications of the manager's office and dwelling unit; and
- (xvii) The site plan map shall be drawn at a scale of not larger than 30 feet to the inch, nor smaller than 100 feet to the inch, and shall be clear and precise. If necessary the site plan can consist of more than one drawing. (Ord. 5180 Sec. 1, 2007)

**18.12.180: Recreational Vehicle Storage:** The following requirements are applicable to all new recreational vehicle storage areas and to expansions of existing facilities:

(1) Access driveways shall be paved; and storage areas shall be paved or prepared with three inches of 5/8 minus gravel topped by one-inch of one-inch rolled rock and shall include a storm water drainage system designed by a professional engineer or architect licensed in the State of Washington; maintained in a weed free condition; be regravelled as necessary to eliminate dust; and must be subject to a designated and approved customer parking plan that includes physical markers for storage areas and barriers for access drives.

(2) Exterior lighting shall be shielded or hooded so that direct light does not spill to adjacent properties.

(3) In addition to the requirements of KMC 18.21, Landscaping, all storage complexes shall have a minimum five (5) foot landscaped area meeting KMC 18.21.060(1)(a) when adjacent to a residential zoning district.

(4) Roofing materials shall be non-reflective to minimize glare on adjacent properties and public ways.

(5) All outdoor storage areas shall be screened with an eight (8) foot high sight-obscuring fence.

(6) Barbed wire, razor wire, and electric fences are not permitted.

(7) When located in CC and CG zoning districts, recreational vehicle complexes shall be located a minimum of 150 feet from a street frontage property line. (Ord. 5180 Sec. 1, 2007)

**18.12.190: Rooming Houses and Boarding Houses:**

- (1) A rooming house or boarding house must have at least one and one-half (1½) off-street parking spaces for each individual unit bedroom.
- (2) Only one sign not exceeding six square feet, indicating the name of the establishment, and a one square foot sign indicating room for rent are permitted.
- (3) Cooking and sanitary facilities for all rooming houses and boarding houses must be in accord with regulations of the Benton-Franklin District Health Department. (Ord. 5180 Sec. 1, 2007)

**18.12.200: Satellite Dishes:** Satellite dishes must observe all setbacks. The setback will be measured to the nearest point on the satellite structure. (Ord. 5180 Sec. 1, 2007)

**18.12.210: Stables, Corrals, and Riding Academies:** Public and private stables, corrals, and riding academies must be located on a parcel of at least five acres in a Residential, Suburban (RS) zone. Stables and barns may be no closer than 75 feet to the property line or to a dwelling unit on abutting property. Corrals, exercise yards and riding rings, and open-air storage of hay, straw, shavings, and other such material must be at least 35 feet from the property line or 45 feet from a dwelling unit on abutting property. (Ord. 5180 Sec. 1, 2007)

**18.12.220: Storing of Commercial Vehicles:** No commercial vehicles may be stored in public rights-of-way. No commercial vehicles may be parked overnight or routinely, in any R district except as allowed in a home occupation permit issued in accord with Section 18.42.090 and if the commercial vehicle does not exceed 12,000 pounds gross weight. (Ord. 5180 Sec. 1, 2007)

**18.12.230: Subdivision Sales Areas, Equipment, and Material Yards:** Neat and orderly subdivision sales areas, equipment and material yards and other appurtenant uses are permitted for not more than one year. The Planning Director may grant extensions or limit this time for good cause shown. (Ord. 5180 Sec. 1, 2007)

**18.12.240: Swimming Pools:** Swimming pools may not be within five feet of a property line nor have less than three feet of continuous unobstructed access. Water from a swimming pool may not drain onto adjacent property. The swimming pool, or the property on which it is located, must be enclosed by a four-foot fence or wall to prevent uncontrolled access from the street or adjacent properties. (Ord. 5180 Sec. 1, 2007)

**18.12.250: Temporary and Parking Lot Businesses:**

- (1) General requirements:
  - (a) A City of Kennewick business license is required;
  - (b) The use of City property requires approval of a lease, background check, a hold harmless agreement and an insurance policy naming the City of Kennewick as an additional insured in the amount of one million dollars; or
  - (c) The use of City property requires approval of a lease, background check, a hold harmless agreement, and an insurance policy naming the City of Kennewick as an additional insured in an amount approved by the City Attorney;
  - (d) Operation in a city park also requires approval of a concessionaires permit;

- (e) Any business-related discharge into the sanitary or storm sewer systems requires the written approval of the Public Works Director;
- (f) Written approval from the Benton-Franklin County Health District is required if food is served or if restrooms are required;
- (g) Buildings must be on a permanent perimeter foundation or otherwise fastened and designed to secure the structure for a minimum of a 70-mile per hour wind load;
- (h) The Fire Marshall must review and approve the use of a tent for applicable requirements of the Uniform Fire Code;
- (i) No structure or temporary use may be within five feet of any right-of-way. Sight distance triangles must be observed;
- (j) There must be adequate off-street parking provided in accord with KMC 18.36. The site must be paved or graveled;
- (k) If on the same parcel as an existing business the minimum off-street parking for the primary business must be maintained;
- (l) The temporary business must submit an accurate site plan drawn to scale depicting the following:
  - (i) The parcel lines and right-of-way lines;
  - (ii) The boundaries of the portion of the property to be used by the temporary business;
  - (iii) The parking area, which is to be used by the temporary business and the driveways to be used for access;
  - (iv) Drive areas must remain open and all pedestrian walkways must remain passable;
  - (v) The location and dimension of existing structures as well as the location and dimension of all structures, vehicles, and signs to be used by the temporary business;
  - (vi) How any temporary on-site residency and sanitation is to be accommodated;
  - (vii) Proposed operating hours.
- (m) The business license must list the Washington state tax number including the City's location code number;
- (n) All signs, circulars, and other advertising material must be removed within three days of the termination of the business;
- (o) There must be adequate provisions made for dust and litter control;
- (p) The applicant must submit the property owner's written consent for the use of premises;
- (q) All electrical facilities must be inspected and approved by the Washington State Department of Labor and Industries;
- (r) Temporary businesses must conform to the noise standards set forth in KMC 9.52;
- (s) The applicant must show evidence of any required State licenses with the application for a business license;
- (t) No business shall be located in the parking area immediately adjacent to the entrance to another business without the written permission of the affected business owner;

- (u) All temporary and parking lot businesses that cannot demonstrate legal non-conforming status must be in compliance with the requirements of the section within one year from the date of adoption;
- (v) No vision obstructions within the vision clearance triangle are permitted.
- (2) Permanent small building businesses:
  - (a) Must meet all applicable regulations including but not limited to: parking, landscaping, and signage;
  - (b) Businesses with drive through windows must have a minimum of six (6) stacking stalls per KMC 18.36.060;
  - (c) Businesses with outdoor (or under-tent) seating must meet the applicable requirements of the International Building Code for employee and customer restrooms;
  - (d) The business must be connected to public water and sewerage systems.
- (3) Long term temporary stands:
  - (a) Shall locate in Kennewick for a maximum of 180 consecutive days annually;
  - (b) The structure used must be removed within 10 days of the business closing for the year;
  - (c) The business must operate from a structure;
  - (d) Shall locate only in the CC, CG and CR zoning districts.
- (4) Short term temporary stands:
  - (a) The business must operate from a structure;
  - (b) The structure used must be removed within three days of the business closing for the year;
  - (c) The business shall locate for no more than two non-consecutive 30-day periods within one calendar year at any one location;
  - (d) All short term temporary businesses must be on the same parcel and secondary to a principle permitted use, locate within a zone that allows public and quasi-public uses and must comply with all regulations, including permitted use, appertaining to that district except as modified by this section.
- (5) Vehicle based food businesses:
  - (a) Allowed in CO, CC, CG, CM, CR, BP, IL, IH, OS, and PF zoning districts;
  - (b) Standing. No vehicle based business operator shall stand or allow their vehicle to stand upon any public way for more than one hour in any one place;
  - (c) Outdoor seating is not permitted;
  - (d) A vehicle-based business shall operate in the same location for a maximum of 30 days in addition to the requirements of subsection (b) above;
  - (e) The business shall not function as a drive-through.
- (6) Cart businesses:
  - (a) The cart must be stored indoors or off-site when not open for business;
  - (b) Allowed in CN, CO, CC, CG, CM, CR, BP, IL, IH, OS, and PF zoning districts;
  - (c) Operation in a city park also requires approval of a concessionaires permit;
  - (d) Standing. No cart-based business operator shall stand or allow their vehicle to stand upon any public way for more than two hours in any one place;
  - (e) The business shall not function as a drive through.
- (7) Trade shows, circuses, carnivals, outdoor concerts, bazaars, festivals, or similar temporary uses including religious meetings, rallies, and revival tents must obtain a permit in accord with Chapter 6.47. The use must comply with the following:

- (a) The use will be allowed for no more than two non-consecutive ten (10) day periods annually;
- (b) No structure or activity shall be within 300 feet of a residential district. The activity must not seriously interfere with traffic, emergency services, or other normal City operations. Adequate off-street parking as well as access must be provided;
- (c) Residential districts must be shielded from disruptive sounds and noises;
- (d) Provisions must be made for the control of dust and litter;
- (e) Parking Facilities. The applicant shall submit a plan showing adequate parking facilities on or adjacent to the location where the event is to be held. At least one (1) parking space for every four (4) persons expected to attend shall be provided. All parking facilities shall be off the public right-of-ways and adequate ingress and egress shall be provided to and from the area to facilitate the movement of vehicles. If non-adjacent parking facilities are approved, the permittee shall provide shuttle bus service on a no-charge basis;
- (f) Traffic Control. The License Officer shall ensure that adequate traffic and crowd control has been provided.
- (g) Traffic and crowd control personnel shall be approved by the License Officer. One (1) traffic control officer and one (1) crowd control officer may be required if more than two hundred (200) people can reasonably be expected to attend the event, and more may be required if conditions warrant. The cost of crowd and traffic control must be borne by the permittee. If at any time the size of the crowd exceeds by twenty percent (20%) the number of people represented by the permittee to be in attendance, the License Officer may require the permittee to limit further attendance;
- (h) Temporary Accommodations. If temporary campsites, trailer parks, or other accommodations are provided, adequate sanitary facilities must be provided and minimum fire safety standards must be met. Adequate access and parking must be established, and provisions made for the maintenance of order and security at all times; and
- (i) No outdoor musical assembly or similar activity shall be conducted between the hours of 12:00 A.M. and 9:00 A.M., nor circus or carnival between 2:00 A.M. and 9:00 A.M., and permittee shall clear the licensed area no later than 1:00 A.M. or 3:00 A.M. respectively.
- (8) Seasonal and non-seasonal merchandise in conjunction with an existing

business:

- (a) Outdoor display and sales of general merchandise are allowed for no more than three non-consecutive ten (10) day periods annually when conducted in the parking area;
- (b) Outdoor display and sales of automobiles, recreational vehicles, boats, and similar vehicles are allowed for no more than six (6) non-consecutive ten (10) day periods annually when conducted in the parking area;
- (c) Where vehicles are displayed for sale the transaction must occur within the City of Kennewick;
- (d) Outdoor display and sales of seasonal merchandise is allowed for a maximum of 90 consecutive days annually; and
- (e) Merchandise display areas must meet minimum required setbacks in conformance with the Uniform Fire Code. (Ord. 5180 Sec. 1, 2007)

**18.12.260: Trailers, Boats, Camper Tops, Travel Trailers, and Recreational Vehicles:**

(1) Trailers, boats, camper tops, travel trailers, recreational vehicles and the like owned by a person residing on the premises may be stored in an R (all), and HMU district but not within a public way. All such storage must comply with street frontage setbacks.

(2) Construction offices may be located on any premises for which a building permit is issued and may remain in place up to the time the applicable building permit expires.

(3) Temporary quarters for laborers on construction sites for the duration of construction may be permitted in any zoning district except for residential construction and except in “CN”, “CO”, “CM”, “IP”, “PF”, and “OS” zones, through approval of a Land Use Permit (18.42.110).

(4) Any structures placed under this Title must comply with Single Family design standards. (Ord. 5180 Sec. 1, 2007)

**18.12.270: Transportable Units:** Transportable units may be used for storage purposes when ancillary to a permitted use in C, I, PF, and OS zones, provided, that all setbacks and access requirements are met.

(1) Transportable units that are uniformly painted and in good repair may be used for temporary storage in subdivision sales areas and equipment yards (18.12.270) and in C, I, PF, and OS zones for storage during construction and/or remodeling after a building permit has been issued. The units shall be removed from the site once the permit expires or at the end of twelve months, whichever occurs first. Screening is not required in these instances.

(2) Transportable units may also be used for temporary storage in “R” and “HMU” zones for new residential construction or remodeling after a building permit has been issued. The units shall be removed from the site at the expiration of the building permit. In no case shall the units remain on the site for more than twelve months. (Ord. 5180 Sec. 1, 2007)

(3) Transportable units, railroad boxcars and freight cars in “R” districts that are visible and less than 125 feet from a public street must be completely surrounded by a sight-proof fence and/or landscaping (18.21.060(2)) or removed before October 31, 2004. (Ord. 5180 Sec. 1, 2007)

**18.12.280: Trash Containers:** All garbage cans, bins, dumpsters, containers and other garbage receptacles within C, I, PF, and OS Districts or serving multi-family dwellings must be within a completely enclosed building or screened from view by a sight-obscuring wall or fence at least six feet high and with a gate or door or similar sight-obscuring material to provide access. All enclosures must be at least 20 feet from any residential use. No garbage, trash, waste or other refuse may be allowed to accumulate around or within the enclosure. (Ord. 5180 Sec. 1, 2007)

**18.12.290: Veterinary Clinic or Hospital:** All animals must be confined inside the veterinary clinic or hospital; except animals may be kept in exterior pens and runs upon approval of a Land Use Permit for a conditional use issued in accord with Section 18.42. Dead animals must be disposed of in accord with all applicable regulations. (Ord. 5180 Sec. 1, 2007)

**18.12.300: Volatile Toxic and Volatile Flammable Material Storage:** The bulk storage, as defined by the Uniform Fire Code, of such material will only be permitted in the IH district

upon approval of a conditional use in accord with Section 18.42.100. Such storage must be provided with adequate safety devices to guard against the hazard of over-pressurization or heating caused by sunlight, fire or heating equipment. Adequate fire suppression and firefighting equipment and devices are to the approval of the City Fire Chief. Review of the conditional use will include a review of all routes for transport of the material. (Ord. 5180 Sec. 1, 2007)

**18.12.305: Wineries:** In addition to the general review criteria in 18.42.100 for Conditional Uses and 18.42.110 for Site Plans, the following standards shall apply:

- (1) Wineries with primary processing and on-site fermentation (Type B) are permitted in the CC, CR and CG zones only when it can be shown that they significantly contribute to the continuing pedestrian-oriented commercial development of the area.
- (2) Traffic and material handling activities are of a scale typical of commercial deliveries in the area and zone within which the use is proposed.
- (3) Traffic and material handling activities do not disrupt vehicle and pedestrian traffic operations normally conducted in the area and zone within which the use is proposed.
- (4) Crushing and fermentation operations shall be managed such that by-products are contained and disposed of in a manner that does not generate spillover effects onto adjacent property, public spaces, or public right-of-way. A waste management plan needs to be submitted for approval that specifies the storage, collection and disposal of wine by-products. Approval of connection to the City sanitary sewer system including any required pre-treatment system shall be submitted as part of the Conditional Use or Site Plan applications.
- (5) Mitigation of environmental effects including but not limited to noise, odors, insects, and reuse of water resources shall be addressed.
- (6) If events are planned within the winery, they shall be specified during the permit approval process with regards to proposed hours, days and frequency of events. Maximum number of participants shall be restricted according to the capacity of the building, available parking and street improvements. (Ord. 5244 Sec. 2, 2008)

**18.12.310: Wireless Communication Facilities:** The purpose of this section is to provide predictability to service providers in the permitting process and to allow for site development issues to be addressed through clear and objective siting criteria and development standards. Collocation on existing structures is strongly encouraged to allow for the increased need for wireless communication facilities while minimizing the adverse visual impacts of such facilities.

- (1) Collocation of wireless antennas on existing structures is allowed in all zoning districts. The parent structure can be a cellular tower, building, public power line, light pole, other public utility structure, or any multiple-family structure of four units or more. Approval is subject to the following:
  - (a) The addition of a wireless facility with antenna cannot extend more than 20 feet above the highest point of the parent structure.
  - (b) The property owner must provide written permission and the total height of the parent structure must be provided to and approved by the city.
  - (c) Location on single family, duplex and triplex dwellings is not permitted.
  - (d) License agreements must be obtained if in a public right-of-way.
  - (e) All antennas must be painted a neutral, non-reflective color that will blend with the surrounding landscaping and parent facility. Recommended shades are

gray, beige, sand, taupe, or light brown. A color chip or other sample of the proposed color must be approved by the Planning Director.

- (f) All collocations of wireless antenna must comply with the noise standards contained in KMC 9.52.
- (g) The parent structure shall have been occupied or completed at least six (6) months prior to installation of the subject wireless facility and/or antenna.
- (2) Applications for collocations must include:
  - (a) The type and dimensions of proposed antenna.
  - (b) Written confirmation that upon abandonment of the site, the City of Kennewick will receive a copy of the notice supplied to FCC. The owner of the wireless facility will be responsible for removing the facility and accessory structures within 60 days of the receipt of that notice by the city. Written confirmation for each operational site is required by February 1<sup>st</sup> of every calendar year
- (3) New wireless communication facilities, as defined in KMC 18.09.2220 up to 55 feet in height, are permitted uses in all Commercial, Industrial, and Public Facility Districts except "CN" (Commercial, Neighborhood) Districts. The only type of tower allowed for wireless communication facilities are monopoles. New guyed towers or latticed towers are prohibited. New wireless communication facilities, other than collocated facilities, are prohibited in all other zoning districts. A site plan must be approved in accord with KMC 18.42.
- (4) An application for site plan approval of a new wireless telecommunication facility must include the following information in addition to that required as per KMC 18.42.110:
  - (a) The type and dimensions of proposed antenna.
  - (b) Written confirmation that upon abandonment of the site, the City of Kennewick will receive a copy of the notice supplied to FCC. The owner of the wireless facility will be responsible for removing the facility and accessory structures within 60 days of the receipt of that notice by the city. Written confirmation for each operational site is required by February 1<sup>st</sup> of every calendar year.
  - (c) A hold harmless agreement indemnifying the City of Kennewick from damage caused by structure failure of a wireless communication facility must be filed with the City for each new wireless communication facility site by the telecommunication provider.
- (5) The following development standards are required for site plan approval for new monopoles. These development standards do not apply to collocated facilities:
  - (a) No wireless communication facility may be located within 100 feet of any residential zoning district as measured from the base of the monopoles. Monopoles in Commercial, Industrial and Public Facility zones need only to comply with the setbacks required in the specific zone.
  - (b) All mechanical and technical appurtenances visible from a public street must be screened with a sight-obscuring fence at least six feet in height. Fencing must be provided around the base of the facility and any accessory buildings. The fencing material must be wood or masonry. Chain link fencing with inserted slats does not fulfill the sight-obscuring requirement. Electric fences and barbed wire are not permitted. A locking gate is required.

- (c) When wireless communication facilities are located on parcels of land that abut residentially-zoned parcels, a five-foot landscaped area is required outside of the fenced area of the site when there is an above-ground accessory building provided. Trees are to be provided at the ratio of one for each ten feet of fencing distance. Climbing evergreen shrubs or vines can be substituted for the required trees and must be planted at the ratio of one for each three feet of fencing distance. The ground cover must be live vegetative planting. All landscaping must be maintained as per KMC 18.21.
- (d) All wireless facilities must comply with the noise standards contained in KMC 9.52. (Ord. 5180 Sec. 1, 2007)

**18.12.320: Planning Director Interpretation of Unlisted Uses:** If a proposed use is not specifically listed in table 18.12.010 in a specific zone, the Planning Director may promulgate an interpretation as to whether or not such use is to be a permitted use. The Planning Director shall determine whether it closely resembles another listed use. Any use which is determined not to fit in the zone shall not be permitted. In determining whether a proposed use closely resembles a use expressly authorized in the applicable zoning district(s), the Planning Director shall determine whether the proposed use meets the following criteria:

- (1) The use resembles or is of the same basic nature as a use or uses expressly authorized in the applicable zoning district or districts in terms of the following:
  - (a) The activities involved in or equipment or materials employed in the use;
  - (b) The effects of the use on the surrounding area, such as traffic impacts, noise, dust, odors, vibrations, lighting and glare, and aesthetic appearance;
  - (c) The use is consistent with the stated purpose of the applicable district or districts; and;
  - (d) The use is compatible with the goals and policies of the Kennewick Comprehensive Plan.
- (2) The Planning Director's determination may be appealed as provided for in this title. (Ord. 5180 Sec. 1, 2007)

**18.12.330: Yards - Generally:**

- (1) In the case of irregular lots where yard requirements cannot literally be applied, the Planning Director will establish yard areas to conform with the intent of this Title.
- (2) Except for fences, front, side and rear yards must be unoccupied and unobstructed by any building or structure.
- (3) Building setback lines will be measured from the back of the sidewalk. Lot frontage lines will be measured from the right-of-way line. Where no street or street frontage exists, building setback and lot frontage lines will be addressed during the site plan or plat review process and must be approved by the Planning Director.
- (4) Certain architectural features may project into a required yard: Cornices, canopies, cantilever roofs, eaves, bay windows, balconies, or similar architectural features may project no more than three feet. Fire escapes may project no more than four and one-half feet if all projections are at least eight feet above ground level. (Ord. 5204 Sec. 10, 2007: Ord. 5180 Sec. 1, 2007)

**18.12.335: HMU Setback Standards:** For the HMU zone, the following setbacks shall apply:

Location	Front Yard	Side Yard	Location	Front Yard	Side Yard
South Side W. 1st Avenue			North Side W. Kennewick Avenue		
400 Block	15'	6'	400 Block	27'	8'
500 Block	16'	15'	500 Block	25'	5'
North Side W. 1st Avenue			600 Block	5'	34'
400 Block	15'	5'	South Side Albany Avenue		
500 Block	15'	8'	400 Block	26'	6'
South Side W. Kennewick Avenue			500 Block	24'	8'
400 Block	15'	35'	North Side Albany Avenue		
500 Block	30'	9'	500 Block	18'	15'
600 Block	25'	13'	West Side Fruitland Street		

(Ord. 5180 Sec. 1, 2007)

**18.12.340: Site and Building Design Standards:** (For Clearwater Master Plan Areas and BP Zoning Districts).

- (1) Building design:
  - (a) Wall planes shall not run in one continuous direction for more than 50 feet without a minimum offset of three feet, except where not visible from any public right-of-way or adjacent residentially zoned property;
  - (b) Buildings shall avoid blank front and sidewall elevations on street frontages;
  - (c) Twenty-five percent of the wall area along street frontages should be occupied with windows, alcoves, canopies, cornices, cupolas, or similar architectural features.
- (2) Materials:
  - (a) Metal building exteriors are not allowed in the BP zone. Street side facades will be of brick, concrete, or masonry in the BP zone;
  - (b) Exterior building materials shall be selected for suitability and a high degree of permanence. e.g., brick, concrete masonry.
- (3) Setbacks and Landscape Area Requirements:
  - (a) Each building site shall be landscaped 15 feet inside the property boundary behind the sidewalk along any major street and 10 feet along side streets. The area shall have a berm with an approximate rise of three feet;
  - (b) Side yard landscaping areas (other than street frontage) measured from property lines shall be five feet;
  - (c) Rear yard landscaping areas (other than street frontage) measured from property lines shall be 10 feet. (No setback required abutting railroad right-of-way).
- (4) On-site landscaping:
  - (a) All landscaping shall meet the requirements set forth in KMC Chapter 18.21;
  - (b) All site areas not covered by buildings or paved parking or service/storage areas shall be landscaped;

- (c) Xeriscape landscaping is encouraged. The required landscape area may be reduced by planting additional trees in accordance with the provisions of KMC 18.21.060 (4)(g);
- (d) Access to designated open space and pathways are encouraged by providing pedestrian pathways through lots that are located directly adjacent to these areas.
- (5) Parking Areas:
  - (a) No on-street parking is allowed;
  - (b) Parking areas with greater than 4,000 square feet of paved area shall include landscaped islands at the ends of each parking aisle. Each landscaped island shall have a minimum average width of five feet;
  - (c) Buildings shall be separated from parking by landscaping and walkways.
- (6) Loading and service areas:
  - (a) Loading and service areas shall be located at the rear of the site;
  - (b) Loading areas shall be separated from public entrances and shall not interfere with pedestrian and vehicular circulation.
- (7) Refuse Areas:
  - (a) Trash areas shall be enclosed and completely screened from view;
  - (b) Trash enclosures shall be three walls no less than six feet high and constructed of masonry materials in earth tone colors that are compatible with the site buildings.
- (8) Screening:
  - (a) All ground level and rooftop mechanical equipment, storage tanks and similar building appurtenances must be screened from view from the street and adjacent properties;
  - (b) Ground level screening shall be a minimum of six feet and a maximum of 12 feet high and be at least six inches above that of the materials or equipment being stored;
  - (c) Screening elements include solid masonry walls, berms, or landscaping. Chain link fencing with slating may be utilized when it is not visible from adjacent sites, streets, sidewalks, parking areas or public open spaces.
- (9) Site lighting:
  - (a) The placement of lights shall not cause glare or direct light spillage off-site;
  - (b) Lighting should be shielded to point down and used to provide illumination for the security and safety of on-site areas such as parking, loading, shipping, and pathways.
- (10) Site utilities:
  - (a) All site utilities shall be underground;
  - (b) All above-ground utility appurtenances including pedestals, utility meters, transformers, cross connection devices etc., shall be screened. Materials and earth tone colors for screening shall be compatible with building architecture and/or landscaping materials.
- (11) Signage Standards:
  - (a) All signs shall be building-mounted or monument signs;
  - (b) Masonry is the preferred background material for monument signs;
  - (c) Metal and plastic may be used for business identification signs, and incorporated within a masonry background unless a building-mounted sign;
  - (d) The maximum sign size for a monument sign is 32 square feet;

- (e) Signs are not permitted in adjoining street right-of-way.
- (12) Tenant Identification Signage:
  - (a) One freestanding monument sign is allowed to identify each building and its tenants. If there is more than one business in a building, a multi-tenant directory sign may be used;
  - (b) Monument signs shall be incorporated into landscaping when possible;
  - (c) Monument signs shall not exceed six feet in height;
  - (d) Individual businesses with separate building entrances may each have an identification sign no larger than 20 square feet to identify their business. This sign shall be mounted on the building near the entrance or on the door.
- (13) Sign Illumination:
  - (a) External light sources shall be utilized. Internal illumination is prohibited;
  - (b) All light sources shall be concealed from view from the street. (Ord. 5180 Sec. 1, 2007)

**18.12.350: Additional Conditions:** Additional conditions to mitigate adverse environmental impacts and to provide consistency with the City of Kennewick Comprehensive Plan Goals and Policies may be imposed in addition to or in place of those set out in this title, as determined by the Planning Director where conflicts arise. (Ord. 5180 Sec. 1, 2007)