ORDINANCE NO. 1633

AN ORDINANCE of the City of Kent, Washington amending specified codified sections of Kent City Ordinance 1071, as amended, making changes to the terminology of the Kent City Zoning Code and adding terminology where indicated.

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

Section 1. Kent Codified City Ordinances 10.04.03 (5); 10.5.2 (2); 10.5.12 (2); 10.5.22 (2); 10.5.42 (2); 10.5.32 (2), which all read as follows:

"Home occupations are permitted which are customarily carried on within a dwelling by a member or members of a family. Such activity shall be secondary to the use of the dwelling for living purposes. No more than twenty-five percent (25%) of the floor space of the main floor, which may be in the basement or on the first floor only of such dwelling may be used and under no circumstances more than three hundred (300) square feet. After the effective date of this Ordinance, a certification of occupancy from the City Engineer shall be required of the property owner for all home occupations established in buildings and premises not now containing such use and located in any residential district."

is hereby amended to read as follows:

"Home occupations are permitted which are customarily carried on within a dwelling by a member or members of a family. Such activity shall be secondary to the use of the dwelling for living purposes. No more than twenty-five percent (25%) of the floor space of the main floor, which may be in the basement or on the first floor only of such dwelling may be used and under no circumstances more than three hundred (300) square feet. After the effective date of this Ordinance, a certification of occupancy from the Building Official shall be required of the property owner for all home occupations established in buildings and premises not now containing such use and located in any residential district."

Section 2. Kent Codified City Ordinance 10.10.23 (2) which reads as follows:

-1-
"After the effective date of this Ordinance a certificate of occupancy from the City Engineer shall be required of the property owner for all home occupations established in buildings and premises not now containing such use and located in any residential district."

is amended to read as follows:

"After the effective date of this Ordinance a certificate of occupancy from the Building Official shall be required of the property owner for all home occupations established in buildings and premises not now containing such use and located in any residential district."

Section 3, Kent Codified City Ordinance 10.14.03 which reads as follows:

"No vacant land shall be occupied or used and no building hereafter erected (with the exception of single family dwellings) shall be occupied or used until a certificate of occupancy is issued by the City Engineer, stating that the provisions of this Ordinance have been complied with and a violation of the terms of this Ordinance shall be grounds for the revocation of the certificate of occupancy."

is amended to read as follows:

"No vacant land shall be occupied or used and no building hereafter erected (with the exception of single family dwellings) shall be occupied or used until a certificate of occupancy is issued by the Building Official, stating that the provisions of this Ordinance have been complied with and a violation of the terms of this Ordinance shall be grounds for the revocation of the certificate of occupancy."

Section 4, Kent Codified Ordinance 10.14.04 which reads as follows:

"No change in use of land or buildings shall be permitted until a certificate of occupancy is issued by the City Engineer, stating that the provisions of this Ordinance have been complied with."

is hereby amended to read as follows:

"No change in use of land or buildings shall be permitted until a certificate of occupancy is issued by the Building Official stating that the provisions of this Ordinance have been complied with."

Section 5, Kent Codified City Ordinance 10.14.05 which reads as follows:

"The City Engineer may issue a temporary certificate of occupancy for all or part of any building or
is hereby amended to read as follows:

"The Building Official may issue a temporary certificate of occupancy for all or part of any building or land for a period of time not to exceed fourteen (14) days."

Section 6. Kent Codified City Ordinance 10.14.06 which reads as follows:

"The application for a certificate of occupancy shall contain a statement of the intended use of the premises and such plans and specifications and other pertinent information as may be required by the Building Official in order to determine whether the building, structure or use is in compliance with this Ordinance."

is hereby amended to read as follows:

"The application for a certificate of occupancy shall contain a statement of the intended use of the premises and such plans and specifications and other pertinent information as may be required by the Building Official in order to determine whether the building, structure or use is in compliance with this Ordinance."

Section 7. Kent Codified City Ordinance 10.11.5 which reads as follows:

"Applications together with plans and specifications shall be submitted to the City Engineer. His approval shall be required before site preparation or development work is commenced."

is hereby amended to read as follows:

"Applications together with plans and specifications shall be submitted to the Planning Director. His approval shall be required before site preparation or development work is commenced."

Section 8. Kent Codified City Ordinance 10.12.06 which reads as follows:

"Except as hereinafter provided whenever a public hearing is required by this Title, no less than three (3) notices thereof shall be posted by the City Engineer in conspicuous places on or adjacent to the tract, lot or other land or building area affected. Written notices shall be mailed to adjacent land owners or their agents or others likely to be affected. Such notices shall state the time and place of such hearing and the nature of the question to be heard and shall be posted not less than fourteen (14) days prior to the date of the hearing. Notices shall be sent to the names appearing on the tax rolls of all property within a distance of two hundred
Except as hereinafter provided, whenever a public hearing is required by this Title, no less than three (3) notices thereof shall be posted by the Planning Director in conspicuous places on or adjacent to the tract, lot or other land or building area affected. Written notices shall be mailed to adjacent land owners or their agents or others likely to be affected. Such notices shall state the time and place of such hearing and the nature of the question to be heard and shall be posted not less than fourteen (14) days prior to the date of the hearing. Notices shall be sent to the names appearing on the tax rolls of all property within a distance of two hundred (200) feet, streets and alleys excluded, of all property which is the subject of these public hearings. Notices may also be sent to other property owners who might be affected. Notices of public hearing on the proposed changes in the comprehensive plan and map of the City shall be published at least one time in the City's official newspaper prior to the date of hearing, and such notices shall contain the date, time and place of the public hearings together with the text or explanations of the proposed changes. In addition to other required data accompanying the request involving a public hearing, a check in the amount of $50.00, non-refundable and payable to the City, shall be filed to cover costs incurred in connection with the posting and mailing of notices. In the case of proposed rezones and map and textual changes of the City of Kent Zoning Ordinance (Title 10, as amended) said payment of $50.00 shall cover costs incurred in connection with the posting and mailing of notices for both the public hearing for the Kent City Planning Commission and any subsequent public hearing before the Kent City Council.

is hereby amended to read as follows:

"Except as hereinafter provided, whenever a public hearing is required by this Title, no less than three (3) notices thereof shall be posted by the Planning Director in conspicuous places on or adjacent to the tract, lot or other land or building area affected. Written notices shall be mailed to adjacent land owners or their agents or others likely to be affected. Such notices shall state the time and place of such hearing and the nature of the question to be heard and shall be posted not less than fourteen (14) days prior to the date of the hearing. Notices shall be sent to the names appearing on the tax rolls of all property within a distance of two hundred (200) feet, streets and alleys excluded, of all property which is the subject of these public hearings. Notices may also be sent to other property owners who might be affected. Notices of public hearing and proposed textual changes of this Title or proposed changes in the comprehensive plan and map of the City shall be published at least one time in the City's official newspaper prior to the date of hearing and such notices shall contain the date, time and place of the public hearing, together with the text or explanations of the proposed changes. In addition to other required data accompanying the request involving a public hearing, a check in the amount of $50.00, non-refundable and payable to the City, shall be filed to cover costs incurred in connection with the posting and mailing of notices. In the case of proposed rezones and map and textual changes of the City of Kent Zoning Ordinance (Title 10, as amended), said payment of $50.00 shall cover
costs incurred in connection with the posting
and mailing of notices for both the public
hearing for the Kent City Planning Commission
and any subsequent public hearing before the
Kent City Council."

Section 9. Kent Codified City Ordinance 10.13.06
which reads as follows:

"Conversion or removal of a non-conforming
structure or use shall be commenced not
later than sixty (60) days after the date of
abandonment and shall be completed within
one (1) year thereafter except that in no
case shall a non-conforming use or structure
be required to commence conversion or removal
for a period of less than two (2) years from
the date of the first notice of non-conformance
as issued by the City Engineer. In case of
failure to complete said removal or conversion
as required, the City Engineer within ninety
(90) days after the date described herein
for completed conversion or removal of said
use shall cause the use and/or structure to be
removed and the cost shall be charged against
the property."

is hereby amended to read as follows:

"Conversion or removal of a non-conforming
structure or use shall be commenced not
later than sixty (60) days after the date of
abandonment and shall be completed within
one (1) year thereafter except that in no
case shall a non-conforming use or structure
be required to commence conversion or removal
for a period of less than two (2) years from
the date of the first notice of non-conformance
as issued by the Planning Director. In case
of failure to complete said removal or conversion
as required, the Planning Director within ninety
(90) days after the date described herein
for completed conversion or removal of said
use shall cause the use and/or structure to be
removed and the cost shall be charged against
the property."

Section 10. Kent Codified City Ordinance 10.15.08
which reads as follows:

"The Board of Adjustment may review any
interpretations of the provisions of the Zoning
Ordinance made by the City Engineer and any
order, requirement, decision or determination
relating thereto in the application of the
specific provisions of the zoning Ordinance to
any parcel of land and/or structure. The Board
of Adjustment may affirm, alter or reverse the
interpretation of the provisions of the Zoning
Ordinance made by the City Engineer, and any
order, requirement, decision or determination
relating thereto; and the Board's decision
shall be based upon the record and the findings
is hereby amended to read as follows:

"The Board of Adjustment may review any interpretations of the provisions of the Zoning Ordinance made by the Planning Director and any order, requirement, decision or determination relating thereto in the application of the specific provisions of the Zoning Ordinance to any parcel of land and/or structure. The Board of Adjustment may affirm, alter, or reverse the interpretation of the provisions of the Zoning Ordinance made by the Planning Director, and any order, requirement, decision or determination relating thereto; and the Board's decision shall be based upon the record and the finding in each case, and to that end it shall have all the powers of the Planning Director."

Section 11. Kent Codified City Ordinance 10.15.12 (2) and (3) which reads as follows:

"The Board of Adjustment shall adopt rules and regulations for its own government not inconsistent with the provisions of this and of any other Ordinance of the City.

(2) Any person or persons aggrieved or any officer, official or any department, board or commission of the City jointly or severally may be the appellant and may make a request for special exception to the board for relief from any provisions of the Zoning Ordinances or any determination of the City Engineer in the application of the provisions of the Zoning Ordinance to the appellant's land and/or structure. The appellant shall appear at the public hearing at the time and place fixed by the board in person, by agent or by an attorney.

(3) The Board may initiate a review of the City Engineer's interpretation of the provisions of the Zoning Ordinance by motion, by virtue of a vote, by a majority of the quorum or a majority of the members present if such number exceeds a quorum; it shall also review any interpretation of the provisions of the Zoning Ordinance made by the City Engineer and any order, requirement, decision or determination relating thereto upon receipt of an application or petition requesting a review of the interpretation; and it shall hear and decide all applications for exception and variances as authorized."

is hereby amended to read as follows:

"The Board of Adjustment shall adopt rules and regulations for its own government not inconsistent
with the provisions of this and of any other Ordinance of the City.

(2) Any person or persons aggrieved or any officer, official or any department, board or commission of the City jointly or severally may be the appellant and may make a request for special exception to the board for relief from any provisions of the Zoning Ordinance or any determination of the Planning Director in the application of the provisions of the Zoning Ordinance to the appellant's land and/or structure. The appellant shall appear at the Board in person, by agent or by an attorney.

(3) The Board may initiate a review of the Planning Director's interpretation of the provisions of the Zoning Ordinance by a motion, by virtue of a vote, by a majority of the quorum or a majority of the members present if such number exceeds a quorum; it shall also review any interpretation of the provisions of the Zoning Ordinance made by the Planning Director and any order, requirement, decision or determination relating thereto upon receipt of an application or petition requesting a review of the interpretation; and it shall hear and decide all applications for exception and variances as authorized."}

Section 12. Kent Codified City Ordinance 10.15.14

which reads as follows:

"The Board of Adjustment shall decide all applications and appeals at the final hearing thereon which shall be held not later than sixty (60) days after the first hearing thereon. A certified copy of the final decision shall be transmitted to the City Engineer not later than five (5) days after said decision, which decision shall be binding and observed by him and he shall incorporate the terms and conditions of same in the permit to the applicant or appellant whenever it is authorized by the Board."

is hereby amended to read as follows:

"The Board of Adjustment shall decide all applications and appeals at the final hearing thereon which shall be held not later than sixty (60) days after the first hearing thereon. A certified copy of the final decision shall be transmitted to the Planning Director not later than five (5) days after said decision, which decision shall be binding and observed by him and he shall incorporate the terms and conditions of same in the permit to the applicant or appellant whenever a permit is authorized by the Board."

10.

Section 13. Kent Codified City Ordinance/15.15

which reads as follows:
"All actions of the Board of Adjustment shall be by resolution which shall state the reasons for each decision. The concurring vote of three (3) members of the Board shall be necessary to reverse any order, requirement, decision or determination of the City Engineer, or to decide in favor of the applicant on any matter upon which it is required to pass under this Ordinance, or to effect any variance in the requirements of this Ordinance."

is hereby amended to read as follows:

"All actions of the Board of Adjustment shall be by resolution which shall state the reasons for each decision. The concurring vote of three (3) members of the Board shall be necessary to reverse any order, requirement, decision or determination of the Planning Director, or to decide in favor of the applicant on any matter upon which it is required to pass under this Ordinance, or to effect any variance in the requirements of this Ordinance."

Section 14. Kent Codified City Ordinance 10.11.6

(B) (a) which reads as follows:

"In all districts where off-street parking facilities are permitted or required use, as an adjunct to business, and such facilities provide service to the patrons and customers patronizing such businesses, such off-street parking lot shall be established and maintained subject to the following regulations:

(a) Adequate ingress and egress shall be provided in accordance with the plans submitted in triplicate to and approved by the City Engineer. As nearly as possible ingress shall be from abutting street frontage, and egress by way of public alley in a manner approved by the City Engineer and the Chief of Police."

is hereby amended to read as follows:

"In all districts where off-street parking facilities are permitted or required use, as an adjunct to business, and such facilities provide service to the patrons and customers patronizing such businesses, such off-street parking lot shall be established and maintained subject to the following regulations:

(a) Adequate ingress and egress shall be provided in accordance with the plans submitted in triplicate to and approved by the Planning Director. As nearly as possible ingress shall be from abutting street frontage, and egress by way of public alley in a manner approved by the Planning Director and other appropriate City departments."

Section 15. Kent Codified City ORDINANCEe 10.11.7 which reads as follows:
"In addition to the basic standards and requirements established by this chapter, the Planning Commission, Board of Adjustment and/or City Engineer may make such other requirements or restrictions as shall be deemed necessary in the interests of the safety, health and general welfare of the City, including but not limited to lighting, joint development of parking facilities, entrances and exits, accessory uses and conditional exceptions. Further, performance bonds may be required in such cases where the Planning Commission, Board of Adjustment or City Council determines that such shall be necessary to guarantee proper completion of improvements within time periods specified."

is hereby amended to read as follows:

"In addition to the basic standards and requirements established by this chapter, the Planning Commission, Board of Adjustment and/or Planning Director may make such other requirements or restrictions as shall be deemed necessary in the interests of the safety, health and general welfare of the City, including but not limited to lighting, joint development of parking facilities, entrances and exits, accessory uses and conditional exceptions. Further, performance bonds may be required in such cases where the Planning Commission, Board of Adjustment or City Council determines that such shall be necessary to guarantee proper completion of improvements within time periods specified."

Section 16. Kent Codified City Ordinance 10.14.01 which reads as follows:

"It shall be the duty of the City Engineer (or official in charge of issuing building permits and inspection of buildings) to see that this Title is enforced through the proper legal channels. He shall issue no permit for the construction or alteration of any building or part thereof unless the plans, specifications and intended use of such building conform in all respects with the provisions of this Title."

is hereby amended to read as follows:

"It shall be the duty of the Planning Director to see that this Ordinance is enforced through the proper legal channels. The Building Official shall issue no permit for the construction or alteration of any building or part thereof unless the plans, specifications and intended use of such building conform in all respects with the provisions of this Title."

Section 17. Kent Codified City Ordinance 10.15.07 (2) which reads as follows:
"Excavation Pits. Stone quarry, sand, gravel or clay pits and soil stripping: The use of premises in any zone for the excavation, mining, extraction or removal of stone, sand, gravel, clay or other natural deposits may be authorized by temporary and conditional permit by the Board of Adjustment, after public hearing for such periods as it deems consistent with the public interest and subject to the following provisions: Plans for such excavation shall consist of two (2) copies of a topographic map with such cross-sections as are necessary to adequately show the topography of the property in question and its relation to streets, alleys and surrounding property, together with two (2) copies of a similar map showing the extent of the proposed excavation and the contours of the ground after the removal of the material. A copy of each map shall be submitted to the City Engineer who shall report to the Board of Adjustment his findings regarding the effect of the intended excavations upon streets and alleys, either existing or contemplated, and upon all properties within the area of influence of such excavation. The Board may require that the excavator enter into an appropriate agreement with the City at the offset for reclamation of such areas to suitable use after completion of excavations and that adequate performance bond or other guarantee be furnished covering the cost of restoration or other work."

is hereby amended to read as follows:

"Excavation Pits. Stone quarry, sand, gravel or clay pits and soil stripping: The use of premises in any district for the excavation, mining, extraction or removal of stone, sand, gravel, clay or other natural deposits may be authorized by temporary and conditional permit by the Board of Adjustment after public hearing for such periods as it deems consistent with the public interests and subject to the following provisions: Plans for such excavation shall consist of two (2) copies of a topographic map with such cross-sections as are necessary to adequately show the topography of the property in question and its relation to streets, alleys and surrounding property, together with two (2) copies of a similar map showing the extent of the proposed excavation and the contours of the ground after the removal of the material. A copy of each map shall be submitted to the City Engineer and the Planning Director who shall report to the Board of Adjustment their findings regarding the effect of the intended excavations upon streets and alleys either existing or contemplated, and upon all property within the area of influence of such excavations. The Board may require that the excavator enter into an appropriate agreement with the City at the offset for reclamation of such areas to suitable use after completion of excavations and that
adequate performance bond or other guarantee
be furnished covering the cost of restoration
or other work."

Section 18. Kent Codified City Ordinance 10.13.13
which reads as follows:

"The (building inspector, City Engineer or
zoning administrator) shall determine by survey
the existence of non-conforming uses which may
be affected by the requirements of Section
10.13.06 and shall give written notice by
mail to the owners thereof as shown in the
County Assessor records. Such notice shall
state the purpose, provisions and expiration
date as set forth herein and shall be given
after the effective date of this Ordinance or
any amendment thereto which may cause a building
to become non-conforming. Failure to give
notice shall not invalidate the regulations
or alter the expiration date."

is hereby amended to read as follows:

"The Planning Director shall determine by survey
the existence of non-conforming uses which may
be affected by the requirements of Section
10.13.06 and shall give written notice by
mail to the owners thereof as shown in the
County Assessor records. Such notice shall
state the purpose, provisions and expiration
date as set forth herein and shall be given
after the effective date of this ordinance
or any amendment thereto which may cause the
building to be non-conforming. Failure to give
notice shall not invalidate the regulations nor alter the expiration date."

Section 19. Kent Codified City Ordinance 10.7.1 (1)
which reads as follows:

"Principal uses permitted outright in the M-1
District provided that residential uses may be
permitted only in conformance with Section
10.7.5."

is hereby amended to read as follows:

"Any manufacturing uses except those listed in
Kent Codified City Ordinance 10.7.3."

Section 20. In addition to those uses permitted as
conditional exceptions in Kent Codified City Ordinance 10.7.3
the following additional uses may be permitted in an M-2 zoning
district only when the location of such use shall have been
approved by the Board of Adjustment after public hearing and
examination of the location:

Service Stations
Motels
Restaurants
Section 21. Kent Codified City Ordinance 10.7.02
(A) which reads as follows:

"Principal uses permitted outright in the C-3
district, provided that residential uses may be
permitted only in conformance with Section
10.7.06."

is hereby repealed.

Section 22. In addition to those principal uses
permitted outright in Kent Codified City Ordinance 10.7.02 (B)
there is herewith added to said list the following use:

"Auto dismantling and storage and sales of auto
parts when conducted wholly within an enclosed
structure and without any outside storage of any
nature."

Section 23. Kent Codified City Ordinance 10.7.051
which reads as follows:

"The following uses may be permitted in an M-1
zoning district only when the location and said
use shall have been approved by the Board of
Adjustment after public hearing and examination
of the location:

Auto and truck wrecking.
Sanitary Land fill."

is hereby amended to read as follows:

"The following uses may be permitted in an M-1
zoning district only when the location of said
use shall have been approved by the Board of
Adjustment after public hearing and examination
of the location:

Auto and truck wrecking.
Sanitary Land fill.
Service stations.
Moteis.
Restaraunts."

Section 24. Kent Codified City Ordinance 10.6.12 (1)
which reads as follows:

"Those uses permitted outright or as conditional
exceptions in the C-2 zoning district."

is hereby repealed.

Section 25. Kent Codified City Ordinance 10.6.12 (4)
which reads as follows:

"Automobile sales and services, used car lots,
and storage (ground or otherwise) of vehicles
for sale or hire, auto reconditioning, painting,
upholstering, motor rebuilding, body and fender
works and farm equipment repair. Automobile
wrecking, salvage, or storage relating thereto
shall not be permitted."

is hereby amended to read as follows:

"Automobile sales and services, used car lots, and storage (ground or otherwise) of vehicles for sale or hire, auto reconditioning, painting, upholstery, motor rebuilding, body and fender works and farm equipment repair. Automobile wrecking, salvage, or storage related thereto shall not be permitted, except auto dismantling and storage and sales of auto parts when conducted wholly within an enclosed structure and without any outside storage of any nature."

Section 26. Kent Codified City Ordinance 10.6.12 (5) which reads as follows:

"All types of buildings, supplies, sales and ware-housing."

is hereby amended to read as follows:

"All types of buildings, supplies, sales. All types of retail sales uses, service stations, restaurants, motels. All types of office, professional and institutional uses."

Section 27. Kent Codified City Ordinance 10.6.14 (2) which reads as follows:

"Truck terminals."

is hereby amended to read as follows:

"Residential uses."

Section 28. There is herewith added to Kent Codified City Ordinance 10.6.16 a new sub-paragraph (8) which shall read as follows:

"Densities for residential uses permitted under Section 10.6.14 shall be the same as densities for single-family, duplex and multi-family districts and Ordinance 1071, except that for multi-family residential use the applicant may follow the density requirements of either the R-3 or R-4 multi-family district density regulations of Ordinance 1071."

Section 29. Kent Codified City Ordinance 10.6.1 which reads as follows:

"In the C-2 zoning district it is intended that structures, premises and facilities will provide a major shopping, business, and transportation center serving the community and its trading area. The range of services to be provided would extend from the sales of "convenience goods" to include "shopping goods" such as "soft lines" (apparel); "hard lines", (hardware, furniture, equipment); banking, professionals, business
and commercial services; commercial recreation facilities; and transportation services and facilities."

is hereby amended to read as follows:

"C-2, limited commercial district. In the C-2 zoning district the range of services to be provided would extend from the sales of "convenience goods" to include "shopping goods" such as "soft lines" (apparel); "hard lines" (hardware, furniture, equipment); banking, professional, business and commercial services; commercial recreation facilities; and transportation services and facilities."

Section 30. Kent Codified City Ordinance 10.6.2 (3) which reads as follows:

"C-2 District -- Principal Uses Permitted Outright. The principal uses permitted outright in the C-2 zoning district are the uses as specified in the C-1 District, and sales, service or business establishments necessary to supply the retail needs of residents in an area such as described in Section 10.6.1 such as, but not limited to, the following uses:

(3) garage, minor auto repair but no service stations; refrigerated locker; shoe repair, book store; fruit and vegetable market; bakery, self-service laundry, printing establishments"

is hereby amended to read as follows:

"C-2 District -- Principal Uses Permitted Outright. The principal uses permitted outright in the C-2 zoning district are sales, service, or business establishments necessary to supply the retail needs of residents in an area such as described in Section 10.6.1 such as, but not limited to, the following uses:

(3) garage, minor auto repair, service stations; refrigerated locker; shoe repair, book store; fruit and vegetable market; bakery, self-service laundry, printing establishments."

Section 31. Kent Codified City Ordinance 10.6.2 (6) which reads as follows:

"Uses permitted outright or as conditional exceptions in R-2, R-3, R-4 and R-5 districts, provided they are located so as to serve as transition uses between business and more restrictive residential uses."

is hereby repealed.
Section 32. There is herewith added to Kent Codified City Ordinance 10.6.4 a new sub-paragraph (6) which will allow residential uses as a conditional exception which may be authorized by the Board of Adjustment in C-2 zoning districts.

Section 33. There is herewith added to Kent Codified Ordinance 10.6.6 the following new sub-paragraph (9) pertaining to density provisions for the C-2 zoning district and which will read as follows:

"Densities for residential uses permitted under Section 10.6.4 shall be the same as densities for single family, duplex and multi-family districts in Ordinance 1071, except that for multi-family residential use the applicant may follow the density requirements of either the R-3 or R-4 multi-family district density regulations of Ordinance 1071."

Section 34. Kent City Ordinance 10.6.02 (2) which reads as follows:

"Uses permitted outright or as conditional exceptions in residential districts R-1, R-2, R-3, R-4 and R-5."

is hereby repealed.

Section 35. Kent Codified City Ordinance 10.5.13 (10); 10.5.23 (10); 10.5.33 (10) all of which identically read as follows:

"Office buildings for professional type services such as physicians, surgeons, dentists, architects, accountants, artists, authors, engineers, lawyers, and similar occupations; provided the property is planned, built and operated as a unit and adjoins or abuts a business or industrial district within the same block and/or borders or fronts on a street which is a continuation of a street in the business or industrial zone bordering the same block; provided that a determination is made that the character of the residential district shall not be materially affected."

are hereby amended to read as follows:

"Office buildings for services for physicians, surgeons, dentists, chiropractors, architects, accountants, engineers, attorneys, and other office type uses where retail trade is not carried on, subject to the following conditions:

The office use is planned, built and operated in one building. Office uses may occupy the ground floor of multi-family dwelling structures.

A determination is made that such use will not be detrimental to the character of the
surrounding area.

The property is fronting on a city street, proposed or existing, but not on an easement.

That there are not more than five (5) separate offices.

The applicant shall submit to the Planning Department five (5) copies of the plot plan and elevations for the proposed use at the same time the conditional exception application is made."

Section 36. This Ordinance shall take effect five (5) days from and after its passage, approval and publication as provided by law.

Attest:

MARIE JENSEN, City Clerk

Approved as to form:

JOHN B. BERETTER, City Attorney

Passed this ___ day of ___, 1970.
Approved this ___ day of ___, 1970.
Published this ___ day of ___, 1970.

I hereby certify that this is a true copy of Ordinance No. ___, passed by the City Council of the City of Kent and approved by the Mayor of the City of Kent as hereon indicated.

(SEAL)

MARIE JENSEN, City Clerk