Ordinance No. 1827

["Beginning July 1, 1998"]

(Amending or Repealing Ordinances)

Amended by Ord. 3409;
Secs. 15.06.080, 15.08.040, 15.09.010, 15.09.020, 15.09.030, 15.09.040, 15.09.050, 15.09.060 & 15.09.070 Amended by Ord. 3424;
Secs. 15.09.042, 15.09.045, 15.09.048, 15.09.055 & 15.09.065 Added by Ord. 3424;
Sec. 15.02.135 Amended by Ord 3451; Amended by Ord. 3469;
Sec. 15.02.525 Amended by Ord. 3470;
Secs. 15.02.430 & 15.06.040(R) Amended by Ord. 3501;
Sec. 15.04.170 Amended by Ord. 3521;
ORDINANCE NO. 1827

AN ORDINANCE of the City of Kent, Washington, adopting by reference that Code known as "Kent Zoning Code - 1973 Edition"; providing for future additions and amendments to the Code; and repealing prior City of Kent Zoning and land use ordinances.

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

Section 1. There is hereby adopted upon the effective date of this Ordinance and upon the filing of three (3) copies with the Kent City Clerk, that certain code known as The Kent Zoning Code - 1973 Edition, together with all amendments and additions thereto.

Section 2. The procedures for additions or amendments to the Code shall be those provided for in the Code.

Section 3. City of Kent Ordinances 1071, 1079, 1094, 1100, 1121, 1141, 1173, 1281, 1390, 1587, 1606, 1633, 1634, 1664 and 1752, all relating to zoning and land use, be and the same hereby are repealed.

Section 4. This Ordinance shall take effect and be in force five (5) days from and after its passage, approval and publication as provided by law.

ATTEST:

ISABEL HOGAN, MAYOR

APPROVED AS TO FORM:

DONALD E. MIRK, CITY ATTORNEY

PASSED the ______ day of June, 1973.
APPROVED the ______ day of June, 1973.
PUBLISHED the ______ day of June, 1973.

I hereby certify that this is a true copy of Ordinance No. 1827, passed by the City Council of the City of Kent, Washington, and approved by the Mayor of the City of Kent as hereon indicated.

(Seal)

MARIE JENSEN, CITY CLERK
THIS ZONING CODE WAS APPROVED BY
THE KENT CITY COUNCIL ON JUNE 4, 1973
BY ORDINANCE 1827 AND BECAME EFFECTIVE
ON JUNE 20, 1973

Revised Printing
March 1983

All Zoning Code amendments to
date are noted within the
text of the Code.
# TABLE OF CONTENTS

<table>
<thead>
<tr>
<th>CHAPTER 15.01 - SHORT TITLE, PURPOSE AND DEFINITIONS</th>
<th>Page</th>
</tr>
</thead>
<tbody>
<tr>
<td>15.01.010 Short Title-----------------------------------</td>
<td>1</td>
</tr>
<tr>
<td>15.01.020 Purpose of Zoning Code------------------------</td>
<td>1</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>CHAPTER 15.02 - DEFINITIONS</th>
<th></th>
</tr>
</thead>
</table>

<table>
<thead>
<tr>
<th>CHAPTER 15.03</th>
<th></th>
</tr>
</thead>
<tbody>
<tr>
<td>15.03.010 Establishment and Designation of Districts------</td>
<td>19</td>
</tr>
<tr>
<td>15.03.020 Official Zoning Map-----------------------------</td>
<td>19</td>
</tr>
<tr>
<td>15.03.030 Interpretation of District Boundaries-----------</td>
<td>20</td>
</tr>
<tr>
<td>15.03.040 Application of District Regulations-------------</td>
<td>20</td>
</tr>
<tr>
<td>15.03.050 Minimum Requirements----------------------------</td>
<td>21</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>CHAPTER 15.04 - DISTRICT REGULATIONS</th>
<th></th>
</tr>
</thead>
<tbody>
<tr>
<td>15.04.010 Residential Agricultural - RA---------------</td>
<td>22</td>
</tr>
<tr>
<td>15.04.020 Single Family Residential Districts---------</td>
<td>24</td>
</tr>
<tr>
<td>15.04.030 Duplex Multifamily Residential-MR-D----------</td>
<td>25</td>
</tr>
<tr>
<td>15.04.040 Garden Density Multifamily Residential - MR-G--</td>
<td>27</td>
</tr>
<tr>
<td>15.04.050 Medium Density Multifamily Residential - MR-M---</td>
<td>29</td>
</tr>
<tr>
<td>15.04.060 High Density Multifamily Residential - MR-H----</td>
<td>31</td>
</tr>
<tr>
<td>15.04.070 Mobile Home Park Combining District - MHP------</td>
<td>33</td>
</tr>
<tr>
<td>15.04.080 Planned Unit Development - PUD---------------</td>
<td>34</td>
</tr>
<tr>
<td>15.04.090 Neighborhood Convenience Commercial or NCC-----</td>
<td>42</td>
</tr>
<tr>
<td>15.04.100 Community Commercial or CC-----------------</td>
<td>44</td>
</tr>
<tr>
<td>15.04.110 Downtown Commercial or DC-------------------</td>
<td>46</td>
</tr>
<tr>
<td>15.04.120 Commercial Manufacturing or CM---------------</td>
<td>48</td>
</tr>
<tr>
<td>15.04.130 Highway Commercial or HC--------------------</td>
<td>50</td>
</tr>
<tr>
<td>15.04.140 General Commercial or GC---------------------</td>
<td>52</td>
</tr>
<tr>
<td>15.04.150 Professional and Office District or O--------</td>
<td>54</td>
</tr>
<tr>
<td>15.04.160 Industrial Agricultural or MA----------------</td>
<td>56</td>
</tr>
<tr>
<td>15.04.170 Industrial Park District or M1---------------</td>
<td>59</td>
</tr>
<tr>
<td>15.04.180 Limited Industrial or M2---------------------</td>
<td>64</td>
</tr>
<tr>
<td>15.04.190 General Industrial or M3---------------------</td>
<td>69</td>
</tr>
<tr>
<td>15.04.200 Special Use Combining District or SU---------</td>
<td>76</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>CHAPTER 15.05 - OFF-STREET PARKING AND LOADING REQUIREMENTS</th>
<th></th>
</tr>
</thead>
<tbody>
<tr>
<td>15.05.010 Purpose---------------------------------------------</td>
<td>80</td>
</tr>
<tr>
<td>15.05.020 Category of Uses and Conditions of Uses Covered---</td>
<td>80</td>
</tr>
<tr>
<td>15.05.030 Location of Off-Street Parking----------------------</td>
<td>80</td>
</tr>
<tr>
<td>15.05.040 Parking Standards-----------------------------------</td>
<td>81</td>
</tr>
<tr>
<td>15.05.050 Drive-In Business-----------------------------------</td>
<td>88</td>
</tr>
<tr>
<td>15.05.060 Loading Space--------------------------------------</td>
<td>89</td>
</tr>
<tr>
<td>15.05.070 Off-Street Parking Regulations Downtown Commercial District-----------------------------------</td>
<td>90</td>
</tr>
<tr>
<td>15.05.080 Size and Design Standards---------------------------</td>
<td>91</td>
</tr>
<tr>
<td>15.05.090 Landscaping, Fencing, Lighting, Signs, Paving, Wheel Stops, and Drainage------------------------</td>
<td>92</td>
</tr>
<tr>
<td>15.05.100 Off-Street Parking Plans-----------------------------</td>
<td>93</td>
</tr>
<tr>
<td>Chapter 15.06 - Sign Regulations</td>
<td>Page</td>
</tr>
<tr>
<td>----------------------------------</td>
<td>------</td>
</tr>
<tr>
<td>15.06.010 Purpose</td>
<td>96</td>
</tr>
<tr>
<td>15.06.020 Scope</td>
<td>96</td>
</tr>
<tr>
<td>15.06.030 Prohibited Signs</td>
<td>96</td>
</tr>
<tr>
<td>15.06.040 All Districts - General Restrictions and Limitations</td>
<td>97</td>
</tr>
<tr>
<td>15.06.050 Regulations by District</td>
<td>101</td>
</tr>
<tr>
<td>15.06.060 Nonconforming Signs and Amortization</td>
<td>105</td>
</tr>
<tr>
<td>15.06.070 Structural Safety and Maintenance of Signs</td>
<td>106</td>
</tr>
<tr>
<td>15.06.080 Procedures</td>
<td>106</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>Chapter 15.07 - Landscaping Regulations</th>
<th>Page</th>
</tr>
</thead>
<tbody>
<tr>
<td>15.07.010 Purpose</td>
<td>109</td>
</tr>
<tr>
<td>15.07.020 Landscape Plan Approval</td>
<td>109</td>
</tr>
<tr>
<td>15.07.030 Landscape Performance Bonding</td>
<td>109</td>
</tr>
<tr>
<td>15.07.040 General Landscape Requirements All Zones</td>
<td>110</td>
</tr>
<tr>
<td>15.07.050 Types of Landscaping</td>
<td>112</td>
</tr>
<tr>
<td>15.07.060 Regulations by Zoning District</td>
<td>113</td>
</tr>
<tr>
<td>15.07.070 Maintenance Requirements</td>
<td>116</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>Chapter 15.08 - General and Supplementary Provision</th>
<th>Page</th>
</tr>
</thead>
<tbody>
<tr>
<td>15.08.010 Purpose</td>
<td>118</td>
</tr>
<tr>
<td>15.08.020 Special Permit Uses</td>
<td>118</td>
</tr>
<tr>
<td>15.08.030 General Conditional Uses</td>
<td>120</td>
</tr>
<tr>
<td>15.08.040 Home Occupations</td>
<td>121</td>
</tr>
<tr>
<td>15.08.050 Performance Standards</td>
<td>122</td>
</tr>
<tr>
<td>15.08.060 View Regulations on Hillside Development</td>
<td>125</td>
</tr>
<tr>
<td>15.08.070 Animals in Residential Districts</td>
<td>128</td>
</tr>
<tr>
<td>15.08.080 Parking Storage or Habitation of Major Recreational Equipment</td>
<td>128</td>
</tr>
<tr>
<td>15.08.090 Parking and Storage of Vehicles</td>
<td>129</td>
</tr>
<tr>
<td>15.08.100 Nonconforming Uses</td>
<td>129</td>
</tr>
<tr>
<td>15.08.110 Lot Provisions</td>
<td>131</td>
</tr>
<tr>
<td>15.08.120 Irregular Shaped Lots</td>
<td>131</td>
</tr>
<tr>
<td>15.08.130 Visibility at Intersections in Residential Districts</td>
<td>131</td>
</tr>
<tr>
<td>15.08.140 Visibility at Access Points for Automobiles</td>
<td>132</td>
</tr>
<tr>
<td>15.08.150 Side Yard on Corner Lot</td>
<td>132</td>
</tr>
<tr>
<td>15.08.160 Accessory Buildings</td>
<td>132</td>
</tr>
<tr>
<td>15.08.170 Projections into Required Yards</td>
<td>132</td>
</tr>
<tr>
<td>15.08.180 Structures to Have Access</td>
<td>132</td>
</tr>
<tr>
<td>15.08.190 Exceptions to Height Regulations</td>
<td>132</td>
</tr>
<tr>
<td>15.08.200 Landscaping</td>
<td>133</td>
</tr>
<tr>
<td>15.08.210 Transition Area Combining District</td>
<td>133</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>Chapter 15.09 - Administration</th>
<th>Page</th>
</tr>
</thead>
<tbody>
<tr>
<td>15.09.010 Development Plan Review</td>
<td>136</td>
</tr>
<tr>
<td>15.09.020 Zoning Permit</td>
<td>136</td>
</tr>
<tr>
<td>15.09.030 Conditional Uses</td>
<td>137</td>
</tr>
<tr>
<td>Section</td>
<td>Description</td>
</tr>
<tr>
<td>-------------</td>
<td>--------------------------------------------------</td>
</tr>
<tr>
<td>15.09.040</td>
<td>Variances</td>
</tr>
<tr>
<td>15.09.050</td>
<td>Amendments</td>
</tr>
<tr>
<td>15.09.060</td>
<td>Administrative Interpretations</td>
</tr>
<tr>
<td>15.09.070</td>
<td>Appeal of Administrative Interpretations</td>
</tr>
<tr>
<td>15.09.080</td>
<td>Revocation of Permits or Variances</td>
</tr>
<tr>
<td>15.09.090</td>
<td>Performance Standards Procedures</td>
</tr>
<tr>
<td>15.09.100</td>
<td>Violations</td>
</tr>
<tr>
<td>15.09.110</td>
<td>Severability Clause</td>
</tr>
<tr>
<td>15.09.120</td>
<td>Repeal</td>
</tr>
</tbody>
</table>
TITLE 15
ZONING
CITY OF KENT, WASHINGTON

A code relating to planning and zoning for land use and development in the City of Kent, to be known as the "Zoning Code of the City of Kent"; creating uniform districts in which compatible uses are allowed; prescribing standards for each district; prescribing density controls; prescribing procedures and standards for granting conditional uses; prescribing procedures and conditions for granting variances in hardship cases; providing off-street parking; regulating the type, height, size, lighting and location of signs; providing procedures for administration, enforcement, amendment, and appeal; providing for penalties; and repealing Ordinance No. 1071.

CHAPTER 15.01 - SHORT TITLE AND PURPOSE

15.01.010 SHORT TITLE
This title shall be known and cited as the "Zoning Code, City of Kent".

15.01.020 PURPOSE OF ZONING CODE

A. In adopting this zoning code, the City of Kent recognizes that there is a continuing need to regulate the use of land to promote the public health, safety and general welfare. The City recognizes the opportunities to obtain an urban environment of high quality without unduly high public or private expenditures for development and without unreasonably restricting private enterprise or initiative.

B. The City further recognizes that since the general welfare of the public is superior in importance to the pecuniary profits of the individual, this code may, (1) limit the use of property, (2) cause depreciation of property values, or (3) prevent the most profitable use of land. Zoning does not, therefore, constitute a vested right. Also if some reasonable use of the property is allowed by this code, the effect is not confiscatory and is a proper exercise of the police power.

C. The code, in order to obtain the greatest benefits from the opportunities which exist in the City of Kent, has been prepared in accordance with the following principles:

1. The code is based on the Kent Comprehensive Plan with respect to the general pattern of future land uses and the principles of future land development expressed in said plan.

2. The code recognizes the importance to the community of all legitimate uses of land. The code further recognizes the need of all such
uses to be protected from other uses which are unrelated or incompatible. Thus, each district is exclusive with respect to every other zoning district in the code, and industrial zoning districts are protected from encroachment by residential uses as firmly as residential districts are protected from industrial encroachment.

3. Development standards are based on the best accepted contemporary practice, rather than on past practices. Contemporary practice recognizes the need for more flexible regulation than in the past, with more administrative discretion concerning land development decisions. Review of development plans is required in many districts to obtain well designed and properly integrated developments.

4. Uses which would adversely affect adjoining uses or the public welfare, unless regulated in a particular way and meeting established standards and criteria, may be allowed as conditional uses subject to review by the Hearing Examiner.

5. Industrial uses are subject to control by performance standards. The approach allows potential nuisances to be measured factually and objectively and regulated accordingly.
CHAPTER 15.02 DEFINITIONS

For purposes of this code, certain terms or words used herein shall be interpreted as follows:

The word person includes a firm, association, organization, partnership, trust, company, or corporation as well as an individual.

The present tense includes the future tense, the singular number includes the plural, and the plural number includes the singular.

The word shall is mandatory, the word may is permissive.

The word used or occupied includes the words intended, designed, or arranged to be used or occupied.

The word lot includes the words plot and parcel.

15.02.005 ACCESSORY USE OR STRUCTURE

A use or structure on the same lot with, and of a nature customarily incidental and subordinate to, the principal use or structure.

15.02.010 AGRICULTURE

The use of land for agricultural purposes, including farming, dairying, pasturage, horticulture, floriculture, viticulture, apiaries, and animal and poultry husbandry, and the necessary accessory uses for storing produce; provided, however, that the operation of any such accessory use shall be incidental to that of normal agricultural activities and provided further that the above uses shall not include the commercial feeding of garbage or refuse to swine or other animals.

15.02.015 ALLEY OR LANE

A public or private way not more than thirty (30) feet wide affording only secondary means of access to abutting property.

15.02.020 APARTMENT

A dwelling unit in a multifamily building.

15.02.025 APARTMENT HOUSE (MULTIFAMILY DWELLING)

Any building, or portion thereof, which is designed, built, rented, leased, let, or hired out to be occupied, or which is occupied as the home or residence of three or more families living independently of each other and doing their own cooking in the said building, and shall include flats and apartments.
15.02.030 AUTOMOBILE REPAIR

Includes fixing, incidental body or fender work, painting upholstering, engine tune-up, adjusting lights, brakes, supply and installing replacement parts to passenger vehicles and trucks.

15.02.035 AUTOMOBILE SERVICE STATION OR GASOLINE FILLING STATION

A building or lot having pumps and storage tanks where fuels, oils, or accessories for motor vehicles are dispensed, sold or offered for sale at retail only; repair service is incidental and no storage or parking space is offered for rent.

15.02.040 AUTOMOBILE WRECKING OR MOTOR VEHICLE WRECKING

The dismantling or disassembling of motor vehicles or the storage, sale or dumping of dismantled, partially dismantled, obsolete or wrecked motor vehicles or their parts.

15.02.045 BASEMENT

That portion of a building between floor and ceiling, which is partly below and partly above grade, but so located that the vertical distance from grade to the floor below is less than the vertical distance from grade to ceiling.

15.02.050 BOARD OF ADJUSTMENT

The Kent Board of Adjustment created in accordance with RCW 35A.

15.02.055 BOARDING OR LODGING HOME

A dwelling or part thereof, other than a motel or hotel, where lodging with or without meals, is provided, for compensation for not more than three (3) persons.

15.02.060 BUILDING

Any structure having a roof supported by columns or walls used or intended to be used for the shelter or enclosure of persons, animals or property of any kind.

15.02.065 BUILDING HEIGHT

The vertical distance from the "grade" to the highest point of the coping of a flat roof or to the deck line of a mansard roof or to the average height of the highest gable of a pitch or hip roof.

15.02.070 CANOPY

A roof-like projection.
15.02.075 COMPREHENSIVE PLAN

The plans, maps, reports which have been adopted by the City Council in accordance with RCW 35.63 or RCW 35A.

15.02.080 COMBINING DISTRICT

District regulations superimposed on an underlying zoning district which impose additional regulations for specific uses, and which are valid for a stipulated time period. Uses permitted by the underlying zone may also be developed.

15.02.085 COMMON OPEN SPACE

A parcel or parcels of land or an area of water or a combination of land and water within the site designated for a planned unit development, and designed and intended primarily for the use or enjoyment of the residents of such development.

15.02.090 CONDITIONAL USE

A use permitted in a zoning district only after review and approval by the Hearing Examiner. Conditional uses are such that they may be compatible only on certain conditions in specific locations in a zoning district, or if the site is regulated in a certain manner.

15.02.095 CROP AND TREE FARMING

The use of land for horticultural purposes.

15.02.100 DEVELOPMENT PLAN

A plan drawn to scale, indicating the proposed use, the actual dimensions and shape of the lot to be built upon, the exact sizes and locations on the lot of buildings already existing, if any, and the location on the lot of the proposed building or alteration, yards, setbacks, landscaping, off-street parking, ingress and egress, and signs.

15.02.105 DEVELOPMENT STANDARDS

Regulations pertaining to setbacks, landscaping, height, site coverage, signs, building layout and site design and related features of the land use.

15.02.110 DISTRICT

An area designated by the Kent Zoning Code with specific boundaries in which lie specific zones which zones are described in the code.

15.02.115 DWELLING, SINGLE FAMILY

A detached residential dwelling unit other than a mobile home, designed for and occupied by one family only.
15.02.120 DWELLING, TWO FAMILY

A detached residential building containing two dwelling units, designed for occupancy by not more than two families.

15.02.125 DWELLING, MULTIPLE FAMILY

A residential building designed for or occupied by three or more families, with the number of families in residence not exceeding the number of dwelling units provided.

15.02.130 DWELLING UNIT

One room, or rooms connected together, constituting a separate, independent housekeeping establishment for owner occupancy, or rental or lease on a weekly, monthly, or longer basis, and physically separated from any other rooms or dwelling units which may be in the same structure or on the same property and containing independent cooking and sleeping facilities.

15.02.135 FAMILY

A person living alone, or two or more persons customarily living together as a single housekeeping unit and using common cooking facilities, as distinguished from a group occupying a hotel, club, boarding or lodging house.

15.02.140 FENCE - SIGHT OBSCURING

The minimum for a sight-obscuring fence is a chain-link fence with woven slats in every row or available space of the fence.

15.02.145 FENCE - 100% SIGHT OBSCURING

A fence constructed of solid wood, metal or other appropriate material which totally conceals subject use from adjoining uses at six (6) feet above the base of the fence line, at twenty (20) feet from subject property line. [Amendment - per City Council action, 8/20/79]

15.02.150 FRONTAGE, BUILDING OR OCCUPANCY

The length of that portion of a building or ground floor occupancy which abuts a street, publicly used parking area, or mall appurtenant to said building or occupancy expressed in lineal feet and fractions thereof.

15.02.155 GARAGE OR CARPORT, PRIVATE

A building, or a portion of a building principally for vehicular equipment such as automobiles, boats, etc., not more than one thousand (1,000) square feet in area, in which only motor vehicles used by the tenants of the building or buildings on the premises are stored or kept.
15.02.160 GENERAL CONDITIONAL USES

Uses described in Section 15.08.030. Such uses shall be deemed conditional uses in all districts.

15.02.165 GRADE

The lowest point of elevation of the finished surface of the ground between the exterior wall of a building and a point five feet distant from said wall, or the lowest point of elevation of the finished surface of the ground between the exterior wall of a building and the property line if it is less than five feet distant from said wall. In case walls are parallel to and within five feet of a public sidewalk, alley or other public way, the grade shall be the elevation of the sidewalk, alley or public way.

15.02.170 GROSS FLOOR AREA

The area included within the surrounding exterior walls of a building expressed in square feet and fractions thereof. The floor area of a building not provided with surrounding exterior walls shall be the usable area under the horizontal projections of the roof or floor above.

15.02.175 GROUNDCOVER

Low growing vegetative materials with a mound or spreading manner of growth that provides solid cover within two years after planting. (Examples: sod or seed lawn, ivy, junipers, cotoneaster, etc.) [Amendment - per City Council action, 8/20/79]

15.02.180 GUEST COTTAGE

An accessory, detached dwelling without any kitchen facilities designed for and used to house transient visitors or non-paying guests of the occupants of the main building.

15.02.185 HEARING EXAMINER (LAND USE)

A person appointed by the City Administrator to conduct public hearings on applications outlined in the City ordinance creating the Hearing Examiner, and who prepares a record, findings of fact and conclusions on such applications. [Amendment - per City Council action, 7/2/79]

15.02.190 HOME OCCUPATION

Any use customarily carried on within a dwelling by the inhabitants thereof which use is incidental to the residential use, and not primarily considered as a business and which complies with the conditions of Section 15.08.040.

15.02.195 HOME OWNERS ASSOCIATION

An incorporated, nonprofit organization operating under recorded land agreements through which (a) each lot owner is automatically a member and
(b) each lot is automatically subject to a charge for a proportionate share of the common property and (c) a charge if unpaid, becomes a lien against the property.

15.02.200 HOTEL

Any building containing six or more guest rooms intended or designed to be used, or which are used, rented, or hired out to be occupied, or which are occupied for sleeping purposes by guests.

15.02.205 INTERIOR COURT

A space, open and unobstructed to the sky, located at or above grade level on a lot and bounded on three or more sides by walls of a building.

15.02.210 JUNK YARD

A place where waste, discarded or salvaged materials are bought, sold, exchanged, stored, baled, cleaned, packed, disassembled, or handled, including auto and motor vehicle wrecking yards, house wrecking yards, used-lumber yards and yards for use of salvaged house wrecking and structural steel materials and equipment.

15.02.215 KENNEL

Any premises on which four (4) or more dogs, which are five-months old or older are kept.

15.02.220 LANDSCAPING

Vegetative cover including shrubs, trees, flowers, seeded lawn or sod, ivy and other similar plant material. [Amendment - per City Council action, 8/20/79]

15.02.225 LOT

For the purposes of this code a lot is a parcel of land of at least sufficient size to meet minimum zoning requirements for use, coverage, and area, and to provide such yards and other open spaces as are herein required. Such lot shall have frontage on an improved public street, or on an approved private street, and may consist of:

A. A single lot of record;
B. A portion of a lot of record;
C. A combination of complete lots of record, and portions of lots of record;
D. A parcel of land described by metes and bounds;

provided that in no case of division or combination shall any residual lot or parcel be created which does not meet the requirements of this code.
15.02.230 LOT, CORNER

A lot abutting upon two (2) or more streets at their intersection, or upon two (2) parts of the same street, such streets or parts of the same street forming an interior angle of less than one hundred thirty-five (135) degrees within the lot lines.

15.02.235 LOT FRONTAGE

The front of a lot shall be that portion nearest the street. On a corner lot the front yard shall be considered the narrowest part of the lot that fronts on a street, except in industrial and commercial zones in which case the user of a corner lot has the option of determining which part of the lot fronting on a street shall become the lot frontage. [Amendment - per City Council action, 3/17/75]

15.02.240 LOT LINES

The property lines bounding the lot.

15.02.245 LOT MEASUREMENTS

A. Depth of a lot shall be considered to be the distance between the foremost points of the side lot lines in front and the rearmost points of the side lot lines in the rear.

B. Width of a lot shall be considered to be the distance between the side lines connecting front and rear lot lines, provided, however, that width between side lot lines at their foremost points (where they intersect with the street line) shall not be less than eighty (80) percent of the required lot width except in the case of lots on the turning circle of cul-de-sacs, where eighty (80) percent requirement shall not apply.

15.02.250 LOT OF RECORD

A lot which is part of a subdivision recorded in the office of the County Assessor, or a lot or parcel described by metes and bounds, the description of which has been so recorded.

15.02.255 LOT, THROUGH

A lot that has both ends fronting on a street. Either end may be considered the front.

15.02.260 MOBILE HOME

A factory constructed residential unit with its own independent sanitary facilities, that is intended for year round occupancy, and is composed of one or more major components which are mobile in that they can be supported by wheels attached to their own integral frame or structure and towed by an attachment to that frame or structure over the public highway under trailer license or by special permit.
15.02.265 MOBILE HOME PARK

An area under one ownership designed to accommodate ten (10) or more mobile homes.

15.02.270 MOTEL, INCLUDING HOTEL AND MOTOR HOTEL

A building or group of buildings comprising individual sleeping or living units for the accommodation of transient guests for compensation.

15.02.275 NATURAL OR NATIVE AREAS

All or portions of a parcel of land undisturbed by development, and maintained in a manner which preserves the indigenous plant materials. [Amendment - per City Council action, 8/20/79]

15.02.280 NET ACRE

The buildable area after the area of street rights of way has been subtracted.

15.02.285 NONCONFORMING USE

A use of land or a building or a structure lawfully existing at the time of adoption of this code, or any amendment thereof, which does not conform with the use regulations of the district in which it is located on the effective date of such use regulations.

15.02.290 NURSERY SCHOOL OR DAY CARE CENTERS

Nurseries or day care centers shall mean any type of group day care programs, including nurseries for children of working mothers, nursery schools for children under minimum age for education in public schools, parent cooperative nursery schools, playgroups for preschool children, programs covering after-school care for school children, provided such establishment is licensed by the State and conducted in accordance with State requirements.

15.02.295 OCCUPANCY

The purpose for which a building is used or intended to be used. The term shall also include the building or room housing such use. Change of occupancy is not intended to include change of tenants or proprietors.

15.02.300 OFFICIAL MAP

Maps showing the designation, location and boundaries of the various districts which have been adopted and made a part of this code.
15.02.305 OPEN GREEN AREA

Landscaped areas and areas of natural or native vegetation. [Amendment - per City Council action, 8/20/79]

15.02.310 ORDINARY HIGH WATER MARK

Ordinary high water mark on the Green River, Lake Fenwick, streams, marshes, and swamps is that mark that will be found by examining the bed and banks and ascertaining where the presence and action of waters are so common and usual, and so long continued in all ordinary years, as to mark upon the soil a character distinct from that of the abutting upland, in respect to vegetation as that condition exists on the effective date of this Chapter, or as it may naturally change thereafter: PROVIDED, that in any area where the ordinary high-water mark cannot be found the ordinary high-water mark shall be the line of mean high water.

15.02.315 OUTSIDE STORAGE

All or part of a lot which is used for the keeping of materials or products in an open, uncovered yard or in an unwalled building. Such materials shall not be for general public consumption or viewing. Such materials shall include tractors, backhoes, heavy equipment, construction materials and other similar items which detract from the appearance of the zone in which they are located. [Amendment - per City Council action, 8/20/79]

15.02.320 PARKING SPACE OR PARKING STALL

A parking space is any off-street space intended for the use of vehicular parking with ingress or egress to the space easily identifiable.

15.02.325 PARKING, TEMPORARY

Parking facilities specifically designed to accommodate not less than 51 vehicles and intended for public use for a period of not more than five (5) years, subject to annual maintenance review by Engineering Department. Temporary parking shall not be in lieu of specified off-street parking as required in Chapter 15.05, Off-Street Parking and Loading Requirements. [Amendment - per City Council action, 1/21/80]

15.02.330 PERFORMANCE STANDARDS

Regulations for the control of "dangerous or objectionable elements" as defined in Section 15.08.050 subsection A.

15.02.335 PLANNED UNIT DEVELOPMENT

Planned Unit Development is a residential development built under those provisions of this code which permit departures from the conventional siting, setback, and density requirements of other sections of this code in the interest of achieving superior site development, creating open space, and encouraging imaginative design by permitting design flexibility.
15.02.340 ROADSIDE STAND

A temporary structure designed or used for the display or sale of agricultural products primarily produced on the premises upon which such a stand is located.

15.02.345 SHOPPING CENTER

A retail shopping area designed as a unit, which utilizes a common parking area.

15.02.350 SIGN

Any structure, device, letter, figure, character, poster, picture, trademark or reading matter which is used or designed to announce, declare, demonstrate, display or otherwise identify or advertise, or attract the attention of the public. However, a sign shall not include the following:

A. Official notices authorized by a court, public body or public officer.

B. Direction, warning, or information sign authorized by federal, state or municipal authority.

C. The official flag, emblem or insignia of a government, school or religious group or agency.

D. Memorial plaque or tablet; "cornerstones" indicating the name of a building and date of construction, when cut or carved into any masonry surface or when made of bronze or other incombustible material and made an integral part of the building or structure.

15.02.355 SIGN AREA

The total area of all faces of a sign expressed in square feet. Area is measured from the outside perimeters (including backup, molding, framing, decorative scrollwork, etc.). The area of a group of individual mounted letters or figures shall be the area of the geometric form necessary to enclose same.

15.02.360 SIGN HEIGHT

The distance from ground level to the highest point on the sign structure.

15.02.365 SIGN, ABANDONED

Any sign which has been deserted and its effective use terminated, and which no longer fulfills the purpose for which it was constructed.
15.02.370 SIGNS, ADVERTISING

A sign which directs attention to a business, commodity or service or entertainment sold or offered elsewhere than on the premises and only incidently on the premises.

15.02.375 SIGN, BUSINESS

A sign which directs attention to a business, commodity, service or entertainment conducted, sold or offered on the premises.

15.02.380 SIGN, CANOPY

A sign attached to the underside of a canopy.

15.02.385 SIGN, CONSTRUCTION

A temporary sign placed in advance of occupancy of a building or structure indicating the name of the building or structure, the architects, the contractors, and other information regarding the building or structure.

15.02.390 SIGNS, DIRECTIONAL AND INFORMATIONAL

A sign designated to guide or direct pedestrians or vehicles.

15.02.395 SIGN, FLASHING

An illuminated sign with action or motion, light or color changes.

15.02.400 SIGN, FREESTANDING

A sign standing directly upon the ground or having one or more supports standing directly upon the ground, and being detached from any building or structure.

15.02.405 SIGN, GATE OR ENTRANCE

A sign attached or adjacent to an entrance way of a residential site or subdivision which identifies the site or subdivision.

15.02.410 SIGN, IDENTIFICATION

A sign used only for the purpose of identifying the occupancy of a building, structure or property.

15.02.415 SIGN, ILLUMINATED

A sign designed to give forth any artificial light or reflect such light from an artificial source.
15.02.420 SIGN, INDIRECTLY ILLUMINATED

Illuminated nonflashing sign whose illumination is derived entirely from an external artificial source and is so arranged that no direct rays of light are projected from such artificial source into residences or street.

15.02.425 SIGN, INSTITUTIONAL

A sign used only for the purpose of identifying an institution.

15.02.430 SIGN, OFF-PREMISE

A sign not located on or supported by a structure not located on the same premises as the business, product, service or activity being identified or advertised by such sign or an advertising sign.

15.02.435 SIGN, ON-PREMISE

A sign identifying a business, product, service or activity conducted or sold on the same premises as that on which the sign is located.

15.02.440 SIGN, PAINTED

A sign which is painted on any office, wall, window, fence or structure of any kind.

15.02.445 SIGN, POLITICAL

A sign advertising a candidate for political office, or a measure scheduled for election.

15.02.450 SIGN, PORTABLE

A sign which is not permanently affixed to the ground, or to a building or structure and may be easily moved.

15.02.455 SIGN, PROJECTING

A sign affixed to the exterior wall of a building or structure with the exposed faces perpendicular to the plane of said wall.

15.02.460 SIGN, ROOF

A sign attached to a building which projects above the structure of the building. (This definition refers to the architectural unity of a building or structure.)

15.02.465 SIGN, ROTATING

A sign containing moving parts.
15.02.470 SIGN, SUBDIVISION
A sign erected and maintained within the boundaries of a recorded subdivision and indicating the name of the subdivision, the name of the contractor or subdivider, the name of the owner, or agent, and giving information regarding directions, price or terms.

15.02.475 SIGN, TEMPORARY
A sign intended to advertise community or civic projects, construction projects, real estate for sale or lease or other special events on a temporary basis.

15.02.480 SIGN, WALL
A sign affixed to the exterior wall of a building or structure with the exposed face of the sign on a plane parallel to the plane of said wall.

15.02.485 SIGN, WINDOW
A sign painted on, affixed to, or placed in an exterior window with the exposed face of the sign on a plane parallel to the plane of said window. [Amendment - per City Council action, 3/17/75]

15.02.490 SITE COVERAGE
That portion of a lot covered by buildings or structures.

15.02.495 SLOPE LINE
Defined as perpendicular to the contour lines crossing the property. The precise bearing or heading of the slope line shall be determined by the Planning Department.

15.02.500 SPECIAL PERMIT
A permit issued for uses permitted in a district provided such use meets the standards as required for such use.

15.02.505 STACKING SPACE
The space specifically designated as a waiting area for vehicles whose occupants will be patronizing a drive-in business. Such space is considered to be located directly alongside a drive-in window, facility, or entrance used by patrons and in lanes leading up to and away from the business establishment.

15.02.510 STRUCTURE
That which is built or constructed; an edifice or building of any kind or any piece of work composed of parts jointed together in some definite manner.
and includes posts for fences and signs, but does not include mounds of earth or debris.

15.02.515 STORY

That portion of a building included between the upper surface of any floor and the upper surface of the floor next above, except that the topmost story shall be that portion of a building included between the upper surface of the topmost floor and the ceiling or roof above. If the finished-floor level directly above a basement, cellar or unused underfloor space is more than six feet above grade as defined herein for more than fifty percent of the total perimeter or is more than twelve feet above grade as defined herein at any point, such basement cellar or unused underfloor space shall be considered as a story.

15.02.520 STREET

A public way thirty (30) feet or more in right-of-way width which affords a primary means of access to property.

15.02.525 TOWNHOUSE

Attached one- or two-family dwellings, having no side yard and sharing a common wall with adjacent dwelling units.

15.02.530 USE

An activity or purpose for which land or premises or a building thereon is designed, arranged, intended, or for which it is occupied or maintained, let or leased.

15.02.535 VARIANCE

A modification of regulations of this code when authorized by the Board of Adjustment after finding that the literal application of the provisions of the code would cause undue and unnecessary hardship in view of certain facts and conditions applying to a specific parcel of property.

15.02.540 VEGETATIVE AID

Bark mulch, gravel and other nonvegetative materials which promote vegetative growth by retaining moisture or preventing weeds. These materials are not a substitute for vegetative cover. [Amendment - per City Council action, 8/20/79]

15.02.545 VETERINARY CLINIC

Any premises to which animals are brought, or where they are temporarily kept, solely for the purpose of diagnosis or treatment of any illness or injury, which does not have outdoor runs.
15.02.550 VETERINARY HOSPITAL

Any premises to which animals are brought, or where they are temporarily kept, solely for the purpose of diagnosis or treatment of any illness or injury, which may have outdoor runs.

15.02.555 VIEW

An unrestricted angle of vision emanating from a location that qualifies as view property.

15.02.560 VIEW PROPERTY

Any property having a general slope of 20 percent or more and that property located immediately upslope of such property for a distance of 100 feet in R1-7.2, R1-9.6, and R1-12 zones and a distance of 200 feet in all other zones, from the contour line where the slope becomes 20% or greater. [Amendment - per City Council action, 8/15/77]

15.02.565 YARDS

The land unoccupied or unobstructed, from the ground upward, except for such encroachments as may be permitted by this code, surrounding a building site.

15.02.570 YARD, FRONT

An open space, other than the court, on the same lot with the building, between the front line of the building (exclusive of steps) and the front property line and including the full width of the lot to its side line.

15.02.575 YARD, REAR

An open space on the same line with the building between the rear line of the building (exclusive of steps, porches and accessory buildings) and the rear line of the lot including the full width of the lot to its side lines.

15.02.580 YARD, SIDE

An open space on the same lot with the building between the side wall line of the lot and the side line of the lot and extending from front yard to rear yard. No portion of a structure shall project into any side yard except cornices, canopies, eaves or other architectural features which may project 2 feet, 0 inches.

15.02.585 ZONING

The regulation of the use of private lands or the manner of construction related thereto in the interest of achieving a comprehensive plan of development. Such regulation shall also govern those public and quasi-public land use and buildings which provide for proprietary-type services for the community's benefit as contrasted with governmental
activities. Governmental activities are encouraged to cooperate under these regulations to secure harmonious city development.

15.02.590 ZONING LOT

A tract of land occupied or to be occupied by a principal building and its accessory facilities, together with such open spaces and yards as are required under the provisions of this code, having not less than the minimum area required by this code for a zoning purpose in the district in which such land is situated, and having its principal frontage on a public street of standard width and improvement. A "zoning lot" need not necessarily coincide with the "record lot" which refers to land designated as a separate and distinct parcel on a legally recorded subdivision plat or in a legally recorded deed filed in the records of the County.

15.02.595 ZONING PERMIT

A certificate, issued prior to a building permit, that the proposed use is in accordance with the requirements and standards of this code.
CHAPTER 15.03

15.03.010 ESTABLISHMENT AND DESIGNATION OF DISTRICTS

The various districts hereby established and into which the City of Kent is divided are designated as follows:

RA  Residential Agricultural
R1-20 Single Family Residential
R1-12 Single Family Residential
R1-9.6 Single Family Residential
R1-7.2 Single Family Residential
MR-D Duplex Multifamily Residential
MR-G Garden Density Multifamily Residential
MR-M Medium Density Multifamily Residential
MR-H High Density Multifamily Residential
MHP Mobile Home Park Combining District
PUD Planned Unit Development
NCC Neighborhood Convenience Commercial
CC Community Commercial
DC Downtown Commercial
CM Commercial Manufacturing
HC Highway Commercial
GC General Commercial
O Office District
MA Industrial Agricultural
M1 Industrial Park
M2 Limited Industrial
M3 General Industrial
SU Special Use Combining District

15.03.020 OFFICIAL ZONING MAP

A. The designation, location and boundaries of the various districts are shown on the Official Zoning Map. Said Official Zoning Map is hereby adopted and made a part of this code.

B. The Official Zoning Map shall be on file in the Planning Department Office. Said Map shall be identified by the signature of the City Clerk and City Attorney and bear the title, "City of Kent Official Zoning Map, Ordinance 1827".

C. Display Zoning Map. In addition to the Official Zoning Map there may be a Display Zoning Map which may be used to generally indicate the various districts, but not to locate precise boundaries.

D. Amendments. If changes are made in the district boundaries or other matters portrayed by the Official Zoning Map, such changes shall be entered on the Official Zoning Map after the amendment has been approved by the City Council. The signature of the City Clerk and the City Attorney shall be entered on the Official Zoning Map with the ordinance number of the
amendment. Each amendment shall be filed as part of the Official Zoning Record.

15.03.030 INTERPRETATION OF DISTRICT BOUNDARIES

Where uncertainty exists as to the boundaries of districts as shown on the Official Zoning Map, the following rules shall apply:

A. Boundaries indicated as approximately following the center lines of streets, highways, or alleys shall be construed to follow such lines.

B. Boundaries indicated as approximately following platted lot lines shall be construed as following such lot lines.

C. Boundaries indicated as approximately following city limits shall be construed as following city limits.

D. Boundaries indicated as following railroad lines shall be construed as to be midway between the main tracks.

E. Boundaries indicated as following shorelines shall be construed to follow such shorelines, and in event of change in the shoreline shall be construed as moving with the actual shoreline; boundaries indicated as approximately following the center lines of streams, canals, rivers, lakes, or other bodies of water shall be construed to follow such center lines.

F. Boundaries indicated as parallel to or extensions of features indicated in subsections A through E above shall be so construed. Distances not specifically indicated on the Official Zoning Map shall be determined by the scale of the map.

G. Where physical or cultural features existing on the ground are at variance with those shown on the Official Zoning Map, or in other circumstances not covered by subsections A through E above, the Planning Director shall interpret the district boundaries.

H. Where a district boundary line divides a lot which was in single ownership at the time of passage of this code, the Planning Director may permit the extension of the regulation for either portion of the lot not to exceed fifty (50) feet beyond the district line into the remaining portion of the lot.

15.03.040 APPLICATION OF DISTRICT REGULATIONS

Except as hereinafter otherwise provided;

A. No building or part thereof or other structure shall be erected, altered, added to or enlarged, nor shall any land, building, structure or premises be used, designated or intended to be used for any purpose, or in any manner other than is included among the uses hereinafter listed as permitted in the district in which such building, land or premises are located.
B. No building or part thereof or structure shall be erected, reconstructed or structurally altered to exceed in height the limit hereinafter designated for the districts in which such building is located.

C. No building or part thereof or structure shall be erected, nor shall any existing building be altered, enlarged or rebuilt or moved into any district, nor shall any open space be encroached upon or reduced in any manner, except in conformity to the yard, building site area and building location regulations hereinafter designated for the district in which such building or open space is located.

D. No yard or other open space provided about any building for the purpose of complying with provisions of this code shall be considered as providing a yard or open space for any other building; and no yard, or other open space on one building lot, shall be considered as providing a yard or open space for a building on any other building lot.

15.03.050 MINIMUM REQUIREMENTS

In their interpretation and application, provisions of this code shall be held to be minimum requirements. Where this code imposes a greater restriction than is imposed or required by other rules or regulations or ordinances, the provisions of this code shall control.
CHAPTER 15.04 - DISTRICT REGULATIONS

15.04.010 RESIDENTIAL AGRICULTURAL - RA

Purpose: The City has, through its RA and MA zones, the key to assuring efficient and attractive growth. It is essential that the City avoid excessive zoning far in advance of demand.

Rezoning of RA and MA lands to more intensive use shall be predicated upon the documentation of the need for additional residential, commercial, or industrial land in Kent. This documentation shall consist of a fiscal impact analysis showing the other lands already zoned and accessible to municipal services are not sufficient and/or suitable to accommodate demand for the proposed uses and that the market demand for the proposed development is sufficient to generate the revenues necessary to provide municipal services (including but not limited to police, fire, streets, water, drainage and sewer) required by the project. [Amendment - per City Council action, 1/19/81]

A. Principally Permitted Uses

1. Agricultural uses, including any customary agricultural building or structure, such as planting, cultivation and harvesting of crops, animal husbandry, nurseries and greenhouses and other agricultural occupations.

2. One single-family dwelling per lot.

B. Special Permit Uses

The following uses are permitted provided that they conform to the development standards listed in Section 15.08.020.

1. Churches.

2. Nursery schools and day care centers.

C. Accessory Uses

1. Guest cottages, not rented or otherwise conducted as a business.

2. Accommodations for farm operators and employees, but not accommodations for transient labor.

3. Roadside stand not exceeding four hundred (400) square feet in floor area, and not over twenty (20) lineal feet on any side, primarily for the sale of agricultural products grown on the premises.

4. Customary incidental home occupations subject to the provisions of Section 15.08.040.
5. Other accessory uses and buildings customarily appurtenant to a permitted use.

D. Conditional Uses

General Conditional Uses as listed in Section 15.08.030.

E. Development Standards

1. Minimum lot. 1 acre.

2. Minimum lot width. 100 feet.

3. Maximum site coverage. 30 percent.

4. Minimum yard requirements.
   a. Front yard. 20 feet.
   b. Side yard. 15 feet.
   c. Rear yard. 20 feet.
   d. Side yard on flanking street of corner lot. 20 feet.

5. Height limitation. Two and one-half (2-1/2) stories, not exceeding thirty-five (35) feet.

6. Additional standards
   a. Structures for feeding, housing and care of animals, except household pets, shall be set back fifty (50) feet from any property line.

   b. See Chapter 15.08, General and Supplementary Provisions, for requirements concerning accessory buildings and additional standards.

F. Signs

The sign regulations of Chapter 15.06 shall apply.

G. Off-Street Parking

The off-street parking requirements of Chapter 15.05 shall apply.

H. Development Plan Review

Development plan review is required when the property to be developed is classified as view property.
15.04.020 SINGLE FAMILY RESIDENTIAL DISTRICTS

Purpose: It is the purpose of these districts to stabilize and preserve low density, single-family residential neighborhoods. It is further the purpose to provide a range of minimum lot sizes in order to promote diversity and recognize a variety of residential environments.

A. Districts Established by Lot Area

The following single-family residential districts are established:

1. R1-20. 20,000 square feet minimum lot area.
2. R1-12. 12,000 square feet minimum lot area.
3. R1-9.6. 9,600 square feet minimum lot area.
4. R1-7.2. 7,200 square feet minimum lot area.

B. Principally Permitted Uses

1. One single-family dwelling per lot.
2. Crop and tree farming.

C. Special Permit Uses

The following uses are permitted provided they conform to the development standards listed in Section 15.08.020.

1. Churches.
2. Nursery schools and day care centers.

D. Accessory Uses

1. Accessory uses and buildings customarily appurtenant to a permitted use, such as garages, carports, minor structures for storage of personal property.
2. Rooming and boarding of not more than three (3) persons.
3. Customary incidental home occupations subject to the provisions of Section 15.08.040.

E. Conditional Uses

General Conditional Uses as listed in Section 15.08.030.

F. Development Standards

1. Minimum lot
a. R1-20. 20,000 square feet.
b. R1-12. 12,000 square feet.
c. R1-9.6. 9,600 square feet.
d. R1-7.2. 7,200 square feet.

2. Minimum lot width. 70 feet.

3. Maximum site coverage. 30 percent.

4. Minimum yard requirements.
   a. Front yard. 20 feet.
   b. Side yard. 5 feet.
   c. Rear yard. 8 feet.
   d. Side yard on flanking street of corner lot. 15 feet.

5. Height limitation. Two and one-half (2-1/2) stories, not exceeding thirty-five (35) feet.

6. Interior yards. Interior yards shall not be computed as part of the site coverage.

7. Additional standards. See Chapter 15.08, General and Supplementary Provisions, for requirements concerning accessory buildings and additional standards.

G. Signs

The sign regulations of Chapter 15.06 shall apply.

H. Off-Street Parking

The off-street parking regulations of Chapter 15.05 shall apply.

I. Development Plan Review

Development plan review is required when the property to be developed is classified as view property.

15.04.030 DUPLEX MULTIFAMILY RESIDENTIAL - MR-D

Purpose: It is the purpose of this district to provide for a limited increase in population density and allow for a greater variety of housing types by allowing duplex-dwelling units.
A. Principally Permitted Uses
1. One single-family dwelling per lot.
2. One duplex per lot.
3. Crop and tree farming.

B. Special Permit Uses
The following uses are permitted provided that they conform to the development standards listed in Section 15.08.020.
1. Churches.
2. Nursery schools and day care centers.

C. Accessory Uses
1. Accessory uses and buildings customarily appurtenant to a permitted use, such as garages, carports, minor structures for storage of personal property.
2. Rooming and boarding of not more than three (3) persons.
3. Customary incidental home occupations subject to the provisions of Section 15.08.040.

D. Conditional Uses
General Conditional Uses listed in Section 15.08.030.

E. Development Standards
1. Minimum lot
   b. Duplex (two-family dwelling unit). 8,500 square feet.
2. Minimum lot width
   a. Single-family dwelling. 70 feet.
   b. Duplex. 80 feet.
3. Maximum site coverage
   a. Single-family dwelling. 30 percent.
   b. Duplex. 40 percent.
4. **Minimum yard requirements**
   a. Front yard. 20 feet.
   b. Side yard. 5 feet.
   c. Rear yard. 8 feet.
   d. Side yard on flanking street of corner lot. 15 feet.

5. **Height limitation.** Two and one-half (2-1/2) stories, not exceeding thirty-five (35) feet.

6. **Interior yards.** Interior yards shall not be computed as part of the site coverage.

7. **Additional standards.** See Chapter 15.08, General and Supplementary Provisions, for requirements concerning accessory buildings and additional standards.

**F. Signs**

The sign regulations of Chapter 15.06 shall apply.

**G. Off-Street Parking**

The off-street parking requirements of Chapter 15.05 shall apply.

**H. Development Plan Review**

Development plan review is required when the property to be developed is classified as view property.

15.04.040 **GARDEN DENSITY MULTIFAMILY RESIDENTIAL - MR-G**

**Purpose:** It is the purpose of this district to provide locations for garden apartment densities suitable for suburban living.

**A. Principally Permitted Uses**

1. Single-family dwellings and two-family dwellings or duplexes.
2. Multiple family dwellings including apartments and townhouses.
3. Crop or tree farming.

**B. Special Permit Uses**

The following uses are permitted provided that they conform to the development standards listed in Section 15.08.020.

1. Churches.
2. Nursery school and day care centers.

C. Accessory Uses

1. Accessory uses and buildings customarily appurtenant to a permitted use, such as garages, carports, minor structures for storage of personal property.

2. Rooming and boarding of not more than three (3) persons.

3. Customary incidental home occupations subject to the provisions of Section 15.08.040.

4. Offices incidental and necessary to the conduct of a principally permitted use.

D. Conditional Uses

General Conditional Uses as listed in Section 15.08.030.

E. Development Standards

1. Single-family dwelling and duplexes. The development standards of Section 15.04.020 and Section 15.04.030 shall apply.

2. Multifamily dwelling units:
   a. Minimum lot. 8,500 square feet for the first two-dwelling units; 2,500 square feet for each additional dwelling unit.
   b. Minimum lot width. 80 feet.
   c. Density. 16 dwelling units per acre.
   d. Maximum site coverage. 45 percent.
   e. Minimum yard requirements
      i. Front yard. 20 feet.
      ii. Side yard. Each side yard shall be a minimum of ten (10) percent of the lot width; however, regardless of lot width, the yard width need not be more than thirty (30) feet.
      iii. Rear yard. 20 feet.
      iv. Side yard on flanking street of corner lot. 15 feet.
f. Distances between buildings

   i. An inner court providing access to double-row building shall be a minimum of twenty (20) feet.

   ii. The distance between principle buildings shall be at least one-half (1/2) the sum of the height of both buildings; provided, however, that in no case shall the distance be less than twelve (12) feet. This requirement shall also apply to portions of the same building separated from each other by a court or other open space.

   g. The landscaping requirements of Chapter 15.07 shall apply. [Amendment - per City Council action, 8/20/79]

   h. Height limitations. Three (3) stories, not exceeding 40 feet.

   i. Additional standards. See Chapter 15.08, General and Supplementary Provisions, for requirements concerning accessory buildings and additional standards.

F. Signs

The sign regulations of Chapter 15.06 shall apply.

G. Off-Street Parking

1. The off-street parking requirements of Chapter 15.05 shall apply.

2. Off-street parking may be located in required yards except for the front ten (10) feet abutting any public right of way which must be landscaped. No off-street parking is permitted in the required open green area.

H. Development Plan Review

Development plan review is required as provided in Section 15.09.010.

15.04.050 MEDIUM DENSITY MULTIFAMILY RESIDENTIAL - MR-M

Purpose: It is the purpose of this district to provide for locations for medium density residential districts suitable for urban-surburban living.

A. Principally Permitted Uses

1. Single-family dwellings and two family dwellings or duplexes.

2. Multiple family dwellings.

3. Crop and tree farming.
B. Special Permit Uses

The following uses are permitted provided that they conform to the development standards listed in Section 15.08.020.

1. Churches.
2. Nursery schools and day care centers.

C. Accessory Uses

1. Accessory uses and buildings customarily appurtenant to a permitted use, such as garages, carports, or minor structures for storage of personal property.
2. Rooming and boarding of not more than three (3) persons.
3. Customary incidental home occupations subject to the provisions of Section 15.08.040.
4. Offices incidental and necessary to the conduct of a permitted use.

D. Conditional Uses

General Conditional Uses as listed in Section 15.08.030.

E. Development Standards

1. Single-family dwellings and duplexes. The development standards of Section 15.04.020 and 15.04.030 shall apply.
2. Multifamily dwelling units
   a. Minimum lot. 8,500 square feet for the first two dwelling units; 1,600 square feet for each additional dwelling unit.
   b. Minimum lot width. 80 feet.
   c. Density. 23 dwelling units per acre.
   d. Maximum site coverage. 45 percent.
   e. Minimum yard requirements
      i. Front yard. 20 feet.
      ii. Side yard. Each side yard shall be a minimum of ten (10) percent of the lot width; however, regardless of lot width, the yard width need not be more than thirty (30) feet.
      iii. Rear yard. 20 feet.
iv. Side yard on flanking street of corner lot. 15 feet.

f. Distances between buildings

i. An inner court providing access to double-row building shall be a minimum of twenty (20) feet.

ii. The distance between principal buildings shall be at least one-half (1/2) the sum of the height of both buildings; provided, however, that in no case shall the distance be less than twelve (12) feet. This requirement shall also apply to portions of the same building separated from each other by a court or other open space.

g. The landscaping requirements of Chapter 15.07 shall apply. [Amendment - per City Council action, 8/20/79]

h. Height limitation. Three (3) stories, not exceeding forty (40) feet.

i. Additional standards. See Chapter 15.08, General and Supplementary Provisions, for requirements concerning accessory buildings and additional standards.

F. Signs

The sign regulations of Chapter 15.06 shall apply.

G. Off-Street Parking

1. The off-street parking requirements of Chapter 15.05 shall apply.

2. Off-street parking may be located in required yards except for the front ten (10) feet abutting any public right of way which must be landscaped. No off-street parking is permitted in the required open green area.

H. Development Plan Review

Development plan review is required as provided in Section 15.09.010.

15.04.060 HIGH DENSITY MULTI-FAMILY RESIDENTIAL - MR-H

Purpose: It is the purpose of this district to provide for locations for high density residential districts suitable for urban living.

A. Principally Permitted Uses

1. Single-family dwellings and two-family dwellings or duplexes.
2. Multiple-family dwellings.
3. Crop and tree farming.

B. Special Permit Uses

The following uses are permitted provided that they conform to the development standards listed in Section 15.08.020.

C. Accessory Uses

1. Accessory uses and buildings customarily appurtenant to a permitted use, such as garages, carports, or minor structures for storage of personal property.
2. Rooming and boarding of not more than three (3) persons.
3. Customary incidental home occupations subject to the provisions of Section 15.08.040.
4. Offices incidental and necessary to the conduct of a permitted use.

D. Conditional Uses

General Conditional Uses as listed in Section 15.08.030.

E. Development Standards

1. Single-family dwellings and duplexes. The development standards of Section 15.04.020 and Section 15.04.030 shall apply.
2. Multifamily dwelling units
   a. Minimum lot. 8,500 square feet for the first two dwelling units; 900 square feet for each additional dwelling unit.
   b. Minimum lot width. 80 feet.
   c. Density. 40 dwelling units per acre.
   d. Maximum site coverage. 50 percent.
   e. Minimum yard requirements
      i. Front yard. 20 feet.
      ii. Side yard. Each side yard shall be a minimum of ten (10) percent of the lot width; however, regardless of lot width, the yard width need not be more than thirty (30) feet.
      iii. Rear yard. 20 feet.
iv. Side yard on flanking street of corner lot. 15 feet.

f. **Distances between buildings**
   
i. An inner court providing access to double-row building shall be a minimum of twenty (20) feet.

   ii. The distance between principal buildings shall be at least one-half (1/2) the sum of the height of both buildings; provided; however, that in no case shall the distance be less than twelve (12) feet. This requirement shall also apply to portions of the same building separated from each other by a court or other open space.

h. **Height limitation.** Four (4) stories, not exceeding 50 feet.

i. **Additional standards.** See Chapter 15.08, General and Supplementary Provisions, for requirements concerning accessory buildings and additional standards.

**F. Signs.**

   The sign regulations of Chapter 15.06 shall apply.

**G. Off-Street Parking**

   1. The off-street parking requirements of Chapter 15.05 shall apply.

   2. Off-street parking may be located in required yards except for the front ten (10) feet abutting any public right of way which must be landscaped. No off-street parking is permitted in the required open green area.

**H. Development Plan Review**

   Development plan review is required as provided in Section 15.09.010.

15.04.070 **MOBILE HOME PARK COMBINING DISTRICT OR MHP**

Purpose: This combining district is designed to provide proper locations for mobile home parks. Mobile home parks may be located in any residential district, except in the R-1 Single Family Residential Districts, when MHP Combining District regulations and development plans are approved for that location.
A. Principally Permitted Uses
   1. Mobile home parks.

B. Accessory Uses
   1. Service buildings.
   2. Storage buildings and storage of recreational vehicles.
   3. Recreational buildings.

C. Development Standards

   The standards and procedures of the Kent Mobile Home Park Code shall apply.

15.04.080 PLANNED UNIT DEVELOPMENT - PUD

Purpose: The purpose of this section is to encourage imaginative design and the creation of open space in residential developments by permitting greater flexibility in zoning requirements than is permitted by other sections of this code. Toward that end, it is the further purpose of this section to:

   (1) Preserve or create environmental amenities superior to those generally found in conventional developments.
   (2) Create or preserve usable open space for the enjoyment of the occupants.
   (3) Preserve to the greatest possible extent the natural characteristics of the land, including topography, vegetation, waterways, and views.
   (4) Encourage development of a variety of housing types.
   (5) Provide for maximum efficiency in the layout of streets, utility networks and other public improvements.

A. Where Permitted

   Planned Unit Development may be permitted in the following districts:

   R1-20 Single Family Residential
   R1-12 Single Family Residential
   R1-9.6 Single Family Residential
   R1-7.2 Single Family Residential
   MR-D Duplex Multifamily Residential
   MR-G Garden Density Multifamily Residential
   MR-M Medium Density Multifamily Residential
B. Permitted Uses

1. Residential developments of all types regardless of the type of building in which such residence is located; i.e. single-family dwellings, townhouses, duplexes, four-plexes, or apartment houses; provided that all residences are intended for permanent occupancy by their owners or tenants. This specifically excludes residences for transients such as hotels, motels, and travel and mobile trailer parks (recreational vehicle parks).

2. Accessory uses specifically designed to meet the needs of the residents of the PUD such as schools, churches, and recreation facilities of a noncommercial nature.

3. In Planned Unit Developments of ten (10) acres or more, commercial uses may be permitted. Commercial uses shall be limited to those uses permitted in the Neighborhood Convenience Commercial District.

C. Planned Unit Development Superimposed

Final approval of a Planned Unit Development superimposes such Planned Unit Development on the underlying zone regulations as an exception to such regulations to the extent that such Planned Unit Development shall modify and supersede the regulations of the underlying zone.

D. Site Acreage Minimum

The minimum site for a Planned Unit Development shall be three acres except as provided in Section 15.04.080 subsection 8 for in-town PUD's.

E. Location

The site shall abut, and the main internal street serving the PUD shall be connected to at least one major arterial, secondary arterial or collector as defined in the Comprehensive Plan.

F. Relationship of this Section to other Sections and Other Ordinances

1. Minimum lot. The minimum lot size provisions of other sections of the zoning code are waived in the Planned Unit Development. The number of dwelling units per net acre permitted in the underlying zone shall serve as the criteria to determine basic PUD dwelling unit density.

2. Off-street parking. Off-street parking shall be provided in a PUD in the same ratio for types of buildings and uses as required in Chapter 15.05 of this code.

3. Platting requirements. A PUD shall be exempt from the lot standards of the Kent Subdivision Code but other design standards shall be
imposed in the PUD if such standards are not in conflict with the purposes of this section. A PUD shall specifically comply with the standards for sidewalks, underground wiring, utilities, street width, and curbs and gutters. Upon final approval, filing of the PUD shall be in accordance with the procedures of the Kent Subdivision Code if any lots are to be sold, or condominiums are developed.

G. Density Standards

1. The basic density shall be the same as permitted by the underlying zone. The dwelling units per net acre for the residential zones are as listed below:
   a. RA 1
   b. R1-20 2
   c. R1-12 3.6
   d. R1-9.6 4.5
   e. R1-7.2 6
   f. MR-D 10
   g. MR-G 16
   h. MR-M 23
   i. MR-H 40

2. The Hearing Examiner may recommend and the City Council may authorize a dwelling unit density not more than twenty (20) percent greater than permitted by the underlying zone following findings that the amenities or design features which promote the purposes of this section, and listed below, are provided: [Amendment - per City Council action - 7/2/79]
   a. A variety of housing types are offered;
   b. The need for privacy indoors of each dwelling unit is recognized and private outdoor dwelling space for each unit is provided;
   c. Greenway pedestrian plan is included (trail system);
   d. Fifteen (15) percent of the natural vegetation (cluster of trees) is retained;
   e. Advantage is taken of unusual site features such as views, streams, and/or lakes;
   f. Separation of auto traffic from pedestrian and recreation areas.

- 36 -
H. Open Space

1. Common open space. Each PUD shall provide not less than thirty-five (35) percent of the gross land area for common open space which shall be:

   a. Concentrated in large usable areas and designed to provide either passive or active recreation.

   b. If under one ownership, owned and maintained by the ownership, or

      i. Held in common ownership by all of the owners of the development by means of a home owners association. Such home owners association shall be responsible for maintenance of the common open space. In the event that such open space is not maintained in a reasonable manner, the City shall have the right to provide for the maintenance thereof, and bill the home owners association accordingly. If unpaid, such bill shall be a lien against the home owners association; or,

      ii. Dedicated for public use, if acceptable to the City of Kent or other appropriate public agency.

I. Relationship to Adjacent Areas

1. The design of a Planned Unit Development shall take into account the relationship of the site to the surrounding areas. The perimeter of the PUD shall be so designed as to minimize undesirable impact of the PUD on adjacent properties and, conversely, to minimize undesirable impact of adjacent land use and development characteristics on the PUD.

2. Setbacks from the property line of the PUD area shall be comparable to or compatible with those of the existing development of adjacent properties or, if adjacent properties are undeveloped, the type of development which may reasonably be expected on such properties given the existing zoning of such properties or the projections of the Comprehensive Plan. In no event shall such setback be less than ten (10) feet.

J. Application Procedure for Tentative Review and Approval

1. Who may apply. Any owner or group of owners of contiguous property acting jointly may submit an application for a Planned Unit Development.

2. Pre-application conference. Every property owner or developer who considers developing property in accordance with this planned unit residential development section is advised and urged to confer with the Planning Department regarding the provisions of this section as they would pertain to the property under consideration. This should be done prior to submitting a formal application and prior to incurring obligations or making binding commitments in the preparation of plans, surveys, and other data necessary for the processing of a formal PUD application.
3. Documentation required with application. An application for a Planned Unit Development shall include the following:

a. Vicinity map showing the location of the site and its relationship to surrounding areas, including the land use and zoning of both the site and the surrounding areas.

b. A map of the site drawn to a scale of not less than one (1) inch representing one hundred (100) feet showing the following:

   i. Names and dimensions of streets bounding or touching the site.

   ii. Pedestrian and vehicular circulation patterns.

   iii. Existing and proposed topography at contour intervals not less than five (5) feet in areas having slopes exceeding eight (8) percent and not less than two (2) feet contour intervals in areas having slopes less than eight (8) percent.

   iv. Proposed buildings, including identification of types and number of dwelling units in each.

   v. Distance between buildings.

   vi. Off-street parking facilities.

   vii. Location, dimensions, and areas of common open space.

   viii. Tentative routing of domestic water lines, storm drains, sanitary sewers, electric, telephone, and other utilities.

   ix. Such other major features as existing streams, canals, railroads, rights of way or easements, and shorelines which may affect or be affected by the proposed Planned Unit Development.

   x. Landscape plan showing trees and ground-cover to be retained as part of full development or trees and groundcover to be planted as part of the development.

   xi. General architectural rendering of some typical building types.

c. In addition to the graphic illustrations noted above, the developer shall submit a written statement providing the following information:

   i. Program for development including staging or timing of development.
ii. Proposed ownership pattern upon completion of development.

iii. Basic content of restrictive covenants.

iv. Provisions to assure permanence and maintenance of common open space through home owners association, condominium development or other means acceptable to the City.

4. Filing of application. The application for tentative approval for the PUD shall be made on a form prescribed by the Planning Department. Said application shall be submitted at least thirty (30) days prior to the public hearing at which time the application shall be heard. [Amendment - per City Council action, 4/18/77]

5. Hearing Examiner public hearing. The Hearing Examiner shall hold at least one (1) public hearing on the proposed PUD, and shall give notice thereof in at least one publication in the local newspaper at least ten (10) days prior to the public hearing. [Amendment - per City Council action, 7/2/79]

a. Notice shall be given to all property owners within a radius of not less than two hundred (200) feet of the exterior boundaries of the property being subject to the application.

i. The failure of any property owner to receive said notice of hearing shall not invalidate the proceedings.

6. Hearing Examiner recommendation. Following the aforesaid public hearing, the Hearing Examiner shall make a report of its findings and recommendation with respect to the proposed PUD, and shall forward such to the City Council which shall cover the following points: [Amendment - per City Council action, 7/2/79]

a. Suitability of area for proposed development;

b. Applicable design standards of Kent Subdivision Code have been complied with;

c. Reasons for density bonuses as listed in Section 15.04.080 subsection 62;

d. Environmental features have been preserved;

e. All provisions of this section have been met;

f. Time limitations, if any, for the entire development and specified stages;

g. Development in accordance with the Comprehensive Plan; and

h. Public purposes have been served.
7. Within thirty (30) days of receipt of the Hearing Examiner's recommendation, the City Council shall, at a regular public meeting, consider said recommendation. Approval, disapproval, or modification of the tentative plan may be authorized by the City Council. [Amendment – per City Council action, 7/2/79]

K. Final Review and Approval

1. Time limitation. An application for review and approval shall be filed by the applicant within twelve (12) months of the date on which tentative approval was given by the City Council. An extension of time may be requested in writing by the applicant and an extension not exceeding six (6) months may be granted by the City Council. If application for final approval is not made within twelve (12) months or within the time for which an extension has been granted, the plan shall be considered abandoned, and the development of the property shall be subject to the normal requirements and limitations of the underlying zone and the Subdivision Code.

2. Application. Application shall be made on a form prescribed by the Planning Department and filed with the Planning Department.

3. Documentation required. The application shall include the information as required for tentative approval. In addition, information as required for a final plat in the Kent Subdivision Code, Section 2.3.4, and detailed plans of individual buildings and groups of buildings shall be provided. If the PUD is to be developed in stages, sureties shall be required for the complete PUD.

The various stages or parts of the PUD shall provide the same proportion of open space and same overall dwelling-unit density as provided in the final plan.

4. City Council action. The City Council shall determine that the final development plan is in compliance with and carries out the objectives of the tentative plan. The City Council shall approve or disapprove the final application. The clerk of the City Council shall thereafter file a copy of the final development plan with the official records of the City and copies shall be be filed with the Building and Planning Departments and with the King County Department of Records and Elections.

If approved, the official zoning map shall be amended to reflect the PUD by adding PUD following the designation of the underlying zone.

L. Minor and Major Adjustments

1. If minor adjustments are made following the adoption of the final development plan, such adjustments shall be approved by the Planning Director prior to the issuance of a building permit. Minor adjustments are those which may affect the precise dimensions or siting of buildings, but
which do not affect the basic character or arrangement of buildings approved in the final plan, or the density of the development or open space provided.

2. Major adjustments are those which, as determined by the Planning Director, substantially change the basic design, density, open space or other similar requirements or provisions.

If the developer wishes to make major changes, submittal of a revised preliminary plan is necessary.

M. Hearing Examiner Action on Expiration of Time Limits

1. Development of the PUD shall begin within one (1) year from the date of the final approval of the plan.

2. An extension of time for beginning construction may be requested in writing by the applicant, and such extension not exceeding six (6) months may be granted by the Hearing Examiner. [Amendment - per City Council action, 7/2/79]

3. If development does not occur within eighteen (18) months from the date of approval of the final plan, the Hearing Examiner shall recommend to the City Council that the PUD be rezoned to its underlying zone. [Amendment - per City Council action, 7/2/79]

N. Building Permits

Building permits shall be issued for construction in PUD's only in accordance with the final plan as approved by the City Council.

O. "In-Town" Planned Unit Development

1. Purpose: "In-town" PUD's shall be defined as those located in redeveloping areas as opposed to newly developed areas. In-town PUD's are provided for in order to allow older areas of the city to redevelop, taking advantage of the design flexibility permitted by PUD techniques rather than conventional lot-by-lot development.

Such PUD's shall not be considered spot zones as they are in conformance with the purposes of the underlying zone.

2. Minimum Area. One-half (1/2) acre.

3. Where and When Permitted. PUD's of one-half (1/2) acre to three (3) acres may be permitted, when the owner or his agent demonstrates and the Hearing Examiner finds: [Amendment - per City Council action, 7/2/79]

   a. That such PUD would encourage redevelopment of older in-town areas, which often contain substandard or deteriorating housing;
b. That larger parcels of land are not available due to substantial adjacent development; and

c. That such PUD is compatible with any adopted plans for inner-city redevelopment.

4. Procedures

a. The PUD shall not be developed in stages.

b. Other requirements of this section shall apply including procedures and requirements for tentative and final approval.

15.04.090 NEIGHBORHOOD CONVENIENCE COMMERCIAL OR NCC

Purpose: It is the purpose of this district to provide small nodal areas for retail and personal service activities convenient to residential areas and to provide ready access to everyday convenience goods for the residents of such neighborhoods.

A. Principally Permitted Uses

1. Any local retail business for the sale of new merchandise, such as supermarkets, food stores, drugstores, restaurants (excluding drive-in restaurants), taverns.

2. Personal services such as barber and beauty shops, launderettes, dry cleaning establishments.

3. Any other retail or personal service use that is determined by the Planning Director to be of the same general character as the above permitted local retail businesses or services and is in accordance with the stated purpose of the district.

Existing dwellings may be rebuilt, repaired and otherwise changed for human occupancy. Accessory uses for existing dwellings may be constructed. Such uses are garages, carports, storage sheds and fences. [Amendment - per City Council action, 3/17/75]

B. Special Permit Uses

The following uses are permitted provided that they conform to the development standards listed in Section 15.08.020.

1. Gasoline service stations.

2. Churches.

3. Nursery schools and day care centers.
C. **Accessory Uses**

Accessory uses and buildings customarily appurtenant to a permitted use, such as incidental storage facilities.

D. **Conditional Uses**

General Conditional Uses as listed in Section 15.08.030.

E. **Development Standards**

1. Minimum lot. 10,000 square feet.
2. Maximum site coverage. Forty (40) percent.
3. Front yard. There shall be a front yard of at least fifteen (15) feet depth.
4. Side yard. None, except when abutting a district other than MOC, and then not less than twenty (20) feet width.
5. Rear yard. There shall be a rear yard of at least twenty (20) feet depth.
6. Height limitations. Two stories, not to exceed thirty-five (35) feet.
7. The landscaping requirements of Chapter 15.07 shall apply. [Amendment - per City Council action, 8/20/79]
8. Outdoor storage. Outdoor storage areas are prohibited.

F. **Signs**

The sign requirements of Chapter 15.06 shall apply.

G. **Off-Street Parking**

1. The off-street parking requirements of Chapter 15.05 shall apply.

2. Off-street parking may be located in required yards except in areas required to be landscaped.

H. **Development Plan Review**

Development plan approval is required, as provided in Section 15.09.010.
15.04.100 COMMUNITY COMMERCIAL DISTRICT OR CC

Purpose: The purpose of this district is to provide areas for limited commercial activities that serve several residential neighborhoods. This district shall only apply to such commercial districts as designated in the Kent Comprehensive Plan.

A. Principally Permitted Uses

1. Retail establishments, selling primarily new merchandise, including convenience goods, shopping goods such as "soft lines" (clothing, shoes) and "hard lines" (hardware, furniture, paint, appliances).

2. Personal services such as barber and beauty shops, launderettes, dry cleaning establishments, television and radio repair, shoe repair.

3. Restaurants (excluding drive-in restaurants), taverns.

4. Veterinary clinics when located no closer than one hundred fifty (150) feet to any residential use, providing the animals are housed indoors (no outside runs) and the building is soundproofed. Soundproofing must be designed by competent acoustical engineers.

5. Branches of financial institutions.

6. Car washes.

7. Nurseries and greenhouses.

8. Commercial recreational facilities including theaters, bowling alleys, skating rinks, miniature golf.


10. Any other use that is determined by the Planning Director to be the same general character as the above permitted uses and is in accordance with the stated purpose of the district.

Existing dwellings may be rebuilt, repaired and otherwise changed for human occupancy. Accessory uses for existing dwellings may be constructed. Such uses are garages, carports, storage sheds and fences. [Amendment - per City Council action, 3/17/75]

B. Special Permit Uses

The following uses are permitted provided that they conform to the development standards listed in Section 15.08.020.

1. Gasoline service stations.

2. Drive-in restaurants.
3. Churches.

4. Nursery schools and day care centers.

C. Accessory Uses

Accessory uses and buildings customarily appurtenant to a permitted use, such as incidental storage facilities, loading and unloading areas.

D. Conditionally Permitted Uses

1. General Conditional Uses as listed in Section 15.08.030.

2. Apartments (either by themselves or in conjunction with commercial uses), and building supply uses.

3. Auto repair facilities. [Amendment - per City Council action, 10/5/75]

E. Development Standards

1. Minimum lot. 10,000 square feet.

2. Maximum site coverage. Forty (40) percent.

3. Front yard. There shall be a front yard of at least fifteen (15) feet depth.

4. Side yard. None except when abutting a more restrictive district, and then not less than twenty (20) feet width.

5. Rear yard. There shall be a rear yard of at least twenty (20) feet depth.

6. Height limitation. Three (3) stories or forty (40) feet. However, the Planning Director shall be authorized to grant one additional story in height, if during Development Plan Review, it is found that this additional story would not detract from the continuity of the area. More than one additional story may be granted by the Planning Commission.

7. The landscaping requirements of Chapter 15.07 shall apply. [Amendment - per City Council action, 8/20/79]

8. Outdoor storage. Outdoor storage areas are prohibited.

F. Signs

The sign requirements of Chapter 15.06 shall apply.
G. Off-Street Parking

1. The off-street parking requirements of Chapter 15.05 shall apply.

2. Off-street parking may be located in required yards except in areas required to be landscaped.

H. Development Plan Review

Development plan approval is required as provided in Chapter 15.08.

15.04.110 DOWNTOWN COMMERCIAL OR DC

Purpose: It is the purpose of this district to provide a place and create environmental conditions which will encourage the location of business, civic and recreational activities which will benefit and contribute to the vitality of a central "downtown" location. Permitted uses should be primarily pedestrian oriented, and able to take advantage of off-street parking lots.

A. Principally Permitted Uses

1. Retail establishments, including convenience goods, shopping goods such as "soft lines" (clothing, variety, shoes) and "hard lines" (hardware, furniture, appliances).

2. Personal services such as barber and beauty shops, launderettes, dry cleaning, television and radio repair, shoe repair.

3. Restaurants (excluding drive-in restaurants), nightclubs, taverns.

4. Professional, administrative and financial offices.

5. Business and technical schools.

6. Recreational uses such as theaters, bowling alleys, dance halls (must be enclosed).


8. Printing establishments, business services such as copy services.


10. Any other use that is determined by the Planning Director to be of the same general character as the above permitted uses and in accordance with the stated purpose of the district.
Existing dwellings may be rebuilt, repaired and otherwise changed for human occupancy. Accessory uses for existing dwellings may be constructed. Such uses are garages, carports, storage sheds and fences. [Amendment - per City Council action, 3/17/75]

B. Prohibited Uses

Heavy commercial uses permitted in CM, and outdoor storage uses are prohibited in this district.

C. Special Permit Uses

The following uses are permitted provided that they conform to the development standards listed in Section 15.08.020.

1. Churches.
2. Nursery schools and day care centers.

D. Accessory Uses

Accessory uses and buildings customarily appurtenant to a permitted use, such as incidental storage facilities, which must be enclosed, and loading and unloading areas.

E. Conditional Uses

1. Multifamily residential uses. [Amendment - per City Council action, 4/7/75]
2. Commercial parking lots or structures.
3. Railway and bus depots, taxi stands.
4. General Conditional Uses as listed in Section 15.08.030.

F. Development Standards

1. Minimum lot. Minimum lot of record.
2. Maximum site coverage. One hundred (100) percent.
3. Setbacks. None, except as required by landscaping, or if off-street parking is provided on site, and except when a rear and/or side yard abuts a residential district, and then a twenty (20) foot rear and/or side yard shall be required.
4. Height limitation. Four (4) stories or sixty (60) feet. However, the Planning Director shall be authorized to grant one additional story in height, if during Development Plan Review, it is found that this additional story would not detract from the continuity of the area. More than one additional story may be granted by the Planning Commission.
5. The landscaping requirements of Chapter 15.07 shall apply. [Amendment - per City Council action, 8/20/79]

G. Signs

The sign requirements of Chapter 15.06 shall apply.

H. Off-Street Parking

The off-street parking requirements of Chapter 15.05 shall apply.

I. Development Plan Review

Development plan approval is required, as provided in Section 15.09.010.

15.04.120 COMMERCIAL MANUFACTURING OR CM

Purpose: It is the purpose of this district to provide locations for those types of developments which combine some characteristics of both retail establishments and industrial operations, heavy commercial and wholesale uses.

A. Principally Permitted Uses

1. Heavy commercial uses, which often include outdoor storage, such as lumber yards, trailer and truck rentals, new and used car lots, building and contractor supply storage yards, body repair shops, auto repair, car washes.

2. Contractor shops, where most of the work is done on call, and which do not rely on walk-in trade but some storage or semi-manufacturing work is done on premise such as carpentry, heating, electrical, glass shops, printing, publishing, lithographic shops, furniture upholstery, dry cleaning, exterminators.

3. Outdoor storage such as trucking, transfer, contractor storage yards.

4. a. Manufacturing uses such as bottling, bakeries (primarily wholesale) laundry and dyeing, welding shops.

   b. Specialty manufacturing such as custom sheet metal.

5. Other retail uses that are deemed to be compatible by the Planning Director. These uses shall not be convenience or soft line commercial uses but might include furniture or appliance stores, tire stores, auto parts, as these are large, non-pedestrian oriented retail uses. Such uses shall be in accordance with the stated purpose of this district.
6. Small scale light manufacturing operations as follows: stamping, brazing, testing, electronic assembly, and kindred operations where the building, structure or total operation does not encompass more than 10,000 square feet of area. The 10,000 square foot total shall include all indoor and outdoor storage areas associated with the manufacturing operation. Only one 10,000 square foot manufacturing operation shall be permitted per lot. [Amendment - per City Council action, 5/15/78]

7. Mini-warehouses. [Amendment - per City Council action, 6/21/76]

8. Complexes which include combinations of uses, including a mixture of office, light manufacturing, storage and commercial uses. [Amendment - per City Council action, 5/15/78]

9. Restaurants. [Amendment - per City Council action, 5/15/78]

Existing dwellings may be rebuilt, repaired and otherwise changed for human occupancy. Accessory uses for existing dwellings may be constructed. Such uses are garages, carports, storage sheds and fences. [Amendment - per City Council action, 3/17/75]

B. Accessory Uses

Accessory uses and buildings customarily appurtenant to a permitted use such as incidental storage facilities, loading and unloading areas.

C. Special Permit Uses

1. Gasoline service stations.

D. Conditional Uses

1. Offices. [Amendment - per City Council action, 5/15/78]

2. Light manufacturing operations in any building regardless of size built prior to June 4, 1973. Provided, however, that in the event it should become necessary to rebuild or replace any such building, then, in that event, the light manufacturing operations permitted under this section shall not encompass an area greater than the size of said building on June 4, 1973. [Amendment - per City Council action, 12/3/73]

3. General Conditional Uses as listed in Section 15.08.030.

E. Development Standards

1. Minimum lot. 10,000 square feet.

2. Maximum site coverage. Fifty (50) percent.

3. Front yard. Fifteen (15) feet minimum.
4. Side yard. None, except when a side yard abuts a residential district, and then a twenty (20) foot side yard shall be required.

5. Rear yard. None, except when a rear yard abuts a residential district, and then a twenty (20) foot rear yard shall be required.

6. Height limitation. Two (2) stories or thirty-five (35) feet. However, the Planning Director shall be authorized to grant one (1) additional story in height, if during Development Plan Review, it is found that this additional story would not detract from the continuity of the area. More than one additional story may be granted by the Planning Commission.

7. The landscaping requirements of Chapter 15.07 shall apply. [Amendment - per City Council action, 8/20/79]

8. Outdoor storage. Outdoor storage areas shall be fenced for security and public safety by a sight-obscuring fence unless determined through the Development Plan Review that a sight-obscuring fence is not necessary. Any unfenced outdoor storage areas shall be paved with asphaltic concrete, cement, or equivalent material to be approved by the City Engineer.

F. Signs

The sign requirements of Chapter 15.06 shall apply.

G. Off-street Parking

1. The off-street parking requirements of Chapter 15.05 shall apply.

2. Off-street parking may be located in required yards except in areas required to be landscaped.

H. Development Plan Review

Development plan approval is required, as provided in Section 15.09.010.

15.04.130 HIGHWAY COMMERCIAL OR HC

Purpose: It is the purpose of this district to provide locations for commercial and amusement uses that are appropriate to major thoroughfare highway locations, especially intersections, and are dependent upon thoroughfare travel. Such areas shall be only located on major thoroughfares.

A. Principally Permitted Uses

1. New and used car sales, boat, car and trailer rentals, motels, hotels, car washes, auto repair, restaurants, taverns.
2. Commercial recreation facilities such as swimming pools, bowling alleys, skating rinks, miniature golf.

Existing dwellings may be rebuilt, repaired and otherwise changed for human occupancy. Accessory uses for existing dwellings may be constructed. Such uses are garages, carports, storage sheds and fences. [Amendment - per City Council action, 3/17/75]

B. Special Permit Uses
   1. Gasoline service stations.
   2. Drive-in restaurants.

C. Accessory Uses

Accessory uses and buildings customarily appurtenant to a permitted use, such as incidental storage facilities.

D. Conditional Uses
   1. Large commercial establishments such as discount stores.
   2. Mini-warehouses. [Amendment - per City Council action, 6/21/76]
   3. General Conditional Uses as listed in Section 15.08.030.

E. Development Standards
   1. Minimum lot. 15,000 square feet.
   2. Maximum site coverage. Forty (40) percent.
   4. Side yard. None, except when a side yard abuts a residential district, and then a twenty (20) foot side yard shall be required.
   5. Rear yard. None, except when a rear yard abuts a residential district, and then a twenty (20) foot rear yard shall be required.
   6. Height limitations. Two stories or thirty-five (35) feet. However, the Planning Director shall be authorized to grant one additional story in height, if during Development Plan Review, it is found that this additional story would not detract from the continuity of the area. More than one additional story may be granted by the Planning Commission.
   7. The landscaping requirements of Chapter 15.07 shall apply. [Amendment - per City Council action, 8/20/79]
8. **Outdoor storage.** Outdoor storage areas shall be fenced for security and public safety by a sight-obscuring fence unless determined through the Development Plan Review that a sight-obscuring fence is not necessary. Any unfenced outdoor storage areas shall be paved with asphaltic concrete, cement, or equivalent material to be approved by the City Engineer.

F. **Signs**

The sign requirements of Chapter 15.06 shall apply.

G. **Off-Street Parking**

1. The off-street parking requirements of Chapter 15.05 shall apply.

2. Off-street parking may be located in required yards except in areas required to be landscaped.

H. **Development Plan Review**

Development plan approval is required, as provided in Section 15.09.010.

15.04.140 GENERAL COMMERCIAL OR GC

*Purpose:* It is the purpose of this district to allow existing "strip" or uncontained commercial development to continue as permitted uses while not expanding these areas as contemporary planning practice recognizes the undesirable impact such development may have on traffic circulation, aesthetics, and economic welfare of the community. It is not the intent to create additional districts of this type nor to enlarge the limits of such districts.

A. **Principally Permitted Uses**

1. Retail uses, including convenience goods, shopping goods such as "soft lines" (clothing, variety, florists, books) and "hard lines" (hardware, paint, furniture, appliances).

2. Personal services such as barber and beauty shops, launderette, dry cleaners, television and radio repair, shoe repair.

3. Restaurants, taverns.

4. Commercial uses permitted outright in CM District.

5. Uses permitted outright in HC district.

6. Office uses.

7. Veterinary clinics when located no closer than one hundred fifty (150) feet to any residential use, providing the animals are housed.
indoors (no outside runs) and the building is soundproofed. Soundproofing must be designed by competent acoustical engineers.

Existing dwellings may be rebuilt, repaired and otherwise changed for human occupancy. Accessory uses for existing dwellings may be constructed. Such uses are garages, carports, storage sheds and fences. [Amendment - per City Council action, - 3/17/75]

B. Special Permit Uses

The following uses are permitted provided that they conform to the development standards listed in Section 15.08.020.

1. Gasoline service stations.
2. Drive-in restaurants.
3. Nursery schools and day care centers.

C. Accessory Uses

Accessory uses and buildings customarily appurtenant to a permitted use such as incidental storage facilities.

D. Conditional Uses

1. Printing and publishing establishments, and accessory uses and buildings customarily appurtenant to such use. [Amendment - per City Council action, 6/21/76]
2. Mini-warehouses. [Amendment - per City Council action, 6/21/76]
3. General Conditional Uses as listed in Section 15.08.030

E. Development Standards

1. Minimum lot. 10,000 square feet.
2. Maximum site coverage. Forty (40) percent.
3. Front yard. There shall be a front yard of at least twenty (20) feet depth.
4. Side yard. None, except when a side yard abuts a residential district, and then a twenty (20) foot side yard shall be required.
5. Rear yard. None, except when a rear yard abuts a residential district, and then a twenty (20) foot rear yard shall be required.
6. Height limitations. Two (2) stories or thirty-five (35) feet. However, the Planning Director shall be authorized to grant one additional story in height, if during Development Plan Review, it is found that this additional story would not detract from the continuity of the area. More than one additional story may be granted by the Planning Commission.

7. The landscaping requirements of Chapter 15.07 shall apply. [Amendment - per City Council action, 8/20/79]

8. Outdoor storage. Outdoor storage areas shall be fenced for security and public safety by a sight-obscuring fence unless determined through the Development Plan Review that a sight-obscuring fence is not necessary. Any unfenced outdoor storage areas shall be paved with asphaltic concrete, cement, or equivalent material to be approved by the City Engineer.

F. Signs

The sign regulations of Chapter 15.06 shall apply.

G. Off-Street Parking

1. The off-street parking requirements of Chapter 15.05 shall apply.

2. Off-street parking may be located in required yards except in areas required to be landscaped.

H. Development Plan Review

Development plan approval is required, as provided in Section 15.09.010.

15.04.150 PROFESSIONAL AND OFFICE DISTRICT OR 0

Purpose: It is the purpose of this district to provide for areas appropriate for professional and administrative offices. It is intended that such districts shall buffer residential districts and the development standards are such that office uses should be compatible with residential districts.

A. Principally Permitted Uses

1. Medical and dental offices.

2. Administrative and professional offices such as lawyers, engineers, real estate, accountants, financial offices such as banks, savings and loan institutions, insurance offices.

3. Veterinary clinics when located no closer than one hundred fifty (150) feet to any residential use, providing the animals are housed
indoors (no outside runs) and the building is soundproofed. Soundproofing must be designed by competent acoustical engineers.

4. Schools and studios for art, crafts, photography, music, dance.

5. Any other use that is determined by the Planning Director to be of the same general character as the above permitted uses.

Existing dwellings may be rebuilt, repaired and otherwise changed for human occupancy. Accessory uses for existing dwellings may be constructed. Such uses are garages, carports, storage sheds and fences. [Amendment - per City Council action, 3/17/75]

B. Accessory Uses

Incidental sales and services, such as restaurants, pharmacies and retail sales to serve occupants and patrons of permitted uses, when conducted within the same building, provided there is no exterior display or advertising.

C. Conditional Uses

1. Multifamily development over office uses and multifamily developments (apartments and townhouses).

2. Mortuaries.

3. General Conditional Uses as listed in Section 15.08.030.

4. Retail sales as follows:

As part of a planned development where at least fifty (50) percent of the total development is for office use.

Drive-in restaurants, service stations, drive-in cleaning establishments and other similar retail establishments are not permitted.

D. Special Permit Uses

The following uses are permitted provided that they conform to the development standards listed in Section 15.08.020.

1. Churches.

2. Nursery schools and day care centers.

E. Development Standards

1. Minimum lot. 10,000 square feet.

2. Maximum site coverage. Thirty (30) percent.
3. **Front yard.** Setback twenty-five (25) feet minimum.

4. **Side yard.** None, except abutting a residential district and then twenty (20) feet minimum.

5. **Rear yard.** None, except abutting a residential district and then twenty (20) feet.

6. **Height limitations.** Three (3) stories or forty (40) feet.

7. The landscaping requirements of Chapter 15.07 shall apply. [Amendment - per City Council action, 8/20/79]

F. **Signs**

The sign regulations of Chapter 15.06 shall apply.

G. **Off-Street Parking**

The off-street parking requirements of Chapter 15.05 shall apply.

H. **Development Plan Review**

Development plan approval is required, as provided in Section 15.09.010.

15.04.160 INDUSTRIAL AGRICULTURAL OR MA

**Purpose:** The City has, through its RA and MA zones, the key to assuring efficient and attractive growth. It is essential that the City avoid excessive zoning far in advance of demand.

Rezoning of RA and MA lands to more intensive use shall be predicated upon the documentation of the need for additional residential, commercial, or industrial land in Kent. This documentation shall consist of a fiscal impact analysis showing the other lands already zoned and accessible to municipal services are not sufficient and/or suitable to accommodate demand for the proposed uses and that the market demand for the proposed development is sufficient to generate the revenues necessary to provide municipal services (including but not limited to police, fire, streets, water, drainage and sewer) required by the project. [Amendment - per City Council action, 1/19/81]

A. **Principally Permitted Uses**

1. Agricultural uses, including any customary agricultural building and structure, and such uses as livestock ranges, animal husbandry, field crops, tree crops, nurseries, greenhouses, and other agricultural occupations.
2. Storage, warehousing, processing and conversion of agricultural, dairy and horticultural products, but not including slaughtering or meat packing.

Existing dwellings may be rebuilt, repaired and otherwise changed for human occupancy. Accessory uses for existing dwellings may be constructed. Such uses are garages, carports, storage sheds and fences. [Amendment - per City Council action, 3/17/75]

B. Accessory Uses

Accessory uses and buildings customarily appurtenant to a permitted use, such as:

1. Farm dwellings appurtenant to a principal agricultural use for the housing of farm owners, operations or employees, but not accommodations for transient labor.

2. Guest houses, not rented or otherwise conducted as a business.

3. Roadside stand not exceeding four hundred (400) square feet in floor area exclusively for agricultural products grown on the premise.

C. Conditional Uses

1. General uses as listed in Section 15.08.030.

2. Boarding kennels, breeding establishments.

3. Veterinary clinics and veterinary hospitals.

D. Development Standards

1. Minimum lot. One (1) acre.

2. Maximum site coverage. Fifty (50) percent.

3. Front yard. There shall be a front yard of at least thirty (30) feet depth.

   a. For properties abutting on West Valley Highway, the frontage on West Valley Highway shall be considered the front yard.

4. Side yard. An aggregate side yard of thirty (30) feet shall be provided. A minimum of ten (10) feet shall be provided for each side yard. On a corner lot the side yard setback shall be a minimum of twenty (20) feet from the property line.

5. Maximum height. Two (2) stories or thirty-five (35) feet. Beyond this height, to a height not greater than either four (4) stories or sixty (60) feet, there shall be added one additional foot of yard for each additional foot of building height.
The Planning Director shall be authorized to approve a height greater than four (4) stories or sixty (60) feet, provided such height does not detract from the continuity of the area. When a request is made to exceed the building height limit, the Planning Director may impose such conditions, within a reasonable amount of time, as may be necessary to reduce any incompatibilities with surrounding uses.

6. Additional Setbacks

   a. Structures for feeding, housing, and care of animals shall be set back fifty (50) feet from any property line.

   b. Transitional conditions shall exist when an MA district adjoins a residential district containing a density of two (2) dwelling units or more per acre or a proposed residential area indicated on the Kent Comprehensive Plan. Such transitional conditions shall not exist where the separation includes an intervening use such as river, railroad mainline, major topographic differential or other similar conditions; or where the industrial properties face on a limited access surface street on which the housing does not face. When transitional conditions exist as herein defined, a yard of not less than fifty (50) feet shall be provided.

7. Setbacks, Green River. Industrial development in the MA district abutting the Green River (or Russell or Frager Roads where such roads follow the river bank) shall set back from the ordinary high water mark of said river a minimum of two hundred (200) feet. Such setbacks are in accordance with the Kent Comprehensive Plan and are in accordance with the high quality of site development required for the industrial parks area of the City, which MA areas are designated to become in the Kent Comprehensive Plan, and in accordance with the State Shoreline Management Act of 1971, and shall be no more restrictive than, but as restrictive as, said Shoreline Management Act.

8. The landscaping requirements of Chapter 15.07 shall apply. [Amendment - per City Council action, 8/20/79]

9. Outdoor storage. (Industrial Uses) Outdoor storage shall be at the rear of a principally permitted structure and shall be completely fenced.

   E. Signs

   The sign regulations of Chapter 15.06 shall apply.

   F. Off-Street Parking

   The off-street parking requirements of Chapter 15.05 shall apply.

   G. Performance Standards

   The performance standards as provided in Section 15.08.050 shall apply.
H. Development Plan Review

Development plan approval is required, as provided in Section 15.09.010.

15.04.170 INDUSTRIAL PARK DISTRICT OR M1

Purpose: The purpose of this district is to provide an environment exclusively for and conducive to the development and protection of a broad range of industrial activities including modern, large scale administrative facilities, research institutions and specialized manufacturing organizations, all of a nonnuisance type. This district is intended to provide areas for those industrial activities that desire to conduct business in an atmosphere of prestige location in which environmental amenities are protected through a high level of development standards.

A. Principally Permitted Uses

The following list is illustrative of the types of permitted uses and is not intended to be exclusive.

1. Manufacturing, processing, assembling and packaging of articles, products or merchandise from previously prepared natural or synthetic materials, including but not limited to asbestos, bristles, bone, canvas, cellophane and similar synthetics, chalk, clay (pulverized only, with gas or electric kilns), cloth, cork, feathers, felt, fiber, fur, glass (including glass finishing), graphite, hair, horn, leather, paints (except boiling processes), paper, paraffin, plastic and resins, precious or semiprecious metals or stones, putty, pumice, rubber, shell, textiles, tobacco, wire, wood, wool and yarn.

2. Manufacturing, processing, treating, assembling, and packaging of articles, products, or merchandise from previously prepared ferrous, nonferrous or alloyed metals (such as bar stock sheets, tubes, and wire and other extrusions), including light foundary casting and forging operations and other forming operations.

3. Printing, publishing and allied industries, including such processes as lithography, etching, engraving, binding, blueprinting, photocopying, film processing, and similar operations or activities.

4. Manufacturing, processing, blending, and packaging of the following:

   a. Drugs, pharmaceuticals, toiletries, and cosmetics.

   b. Food and kindred products, such as confectionary products, chocolate, cereal breakfast foods, bakery products, paste products, fruits and vegetables, beer, beverages (except fermenting and distilling), prepared food specialities (such as coffee, dehydrated and instant foods, extracts, spices and dressings) and similar products.
c. Dairy products and by-products, such as milk, cream, cheese, and butter; including the processing and bottling of fluid milk and cream and wholesale distribution.

5. Warehousing and distribution facilities and the storage of goods or products, except for those goods or products specifically described as permitted to be stored only as conditional uses in the M3 District.

6. Crop and tree farming.

7. Administrative or executive offices which are part of a predominant industrial operation.

8. Scientific research, testing and experimental development laboratories.

9. Establishments engaged in electronic, automotive, aerospace, missile, airframe, or related manufacturing and assembly activities, including precision machine shops producing parts, accessories, assemblies, systems, engines, major components, and whole electronic or electrical devices, automobiles, aircraft, missiles, aerospace, or underwater vehicles, or similar products, including research and test facilities, but specifically excluding explosive fuels and propellants.

10. Manufacturing, processing, assembling and packaging of precision components and products; including precision machine shops for products such as radio and television equipment; business machine equipment; home appliances; scientific, optical, medical, dental, and drafting instruments; photographic and optical goods; phonograph records and prerecorded audio-visual tape; measurement and control devices; sound equipment and supplies; personal accessories, and products of similar character.

11. Headquarter offices of industrial operations.

12. Other similar uses which the Planning Director finds compatible with the Principally Permitted Uses described herein; consistent with the purpose and intent of the M1 District and not of a type to adversely affect the use of adjoining properties.

Existing dwellings may be rebuilt, repaired and otherwise changed for human occupancy. Accessory uses for existing dwellings may be constructed. Such uses are garages, carports, storage sheds and fences. [Amendment - per City Council action, 3/17/75]

B. Accessory Uses

The following are the accessory uses permitted in the M1 District.

1. Limited repair operations for products described as Principally Permitted Uses and commercial sales and service incidental to a
Principally Permitted Use, provided such operations are housed as a part of the building or buildings comprising the basic operation.

2. Dwelling units, limited to not more than one per establishment, for security or maintenance personnel and their families, when located on the premises where they are employed in such capacity. No other residential use shall be permitted.

3. Employee recreation facilities and play areas.

4. Restaurant, cafe or cafeteria operated in conjunction with a Principally Permitted Use for the convenience of persons employed on the premises.

5. Temporary buildings for construction purposes for a period not to exceed the duration of such construction.

6. Other accessory uses and buildings customarily appurtenant to a Principally Permitted Use.

C. **Conditional Uses**

The following are the types of conditional uses permitted in the M1 District, subject to approval by the Hearing Examiner. The list of Conditional Permitted Uses is illustrative of the types of uses which shall be permitted and is not intended to be exclusive. [Amendment - per City Council action, 7/2/79]

1. Any Principally Permitted Use whose operations are predominately conducted out-of-doors rather than completely enclosed within a building.

2. Any type of Principally Permitted Use whose operations are predominantly for the repair of products described rather than the manufacturing or processing of such products.

3. Commercial office, retail and service type uses which are intended primarily to serve the needs of the M1 District, are compatible with the permitted types of industrial uses and will not interfere with the orderly development of the industrial area. [Amendment - per City Council action, 3/17/75]

The following types of uses are suggested as inclusive but not necessarily exclusive of the types of uses that may be permitted:

Office: Real estate, lawyers, engineers, accountants, land surveyors, dispatch offices, credit unions and insurance type offices.

Retail: Barber shops, branch banks, auto services (car wash, auto repair and body repair shops, gasoline stations), truck and auto rental and sales, electric motor repair, electronic equipment repair and
sales, forklift repair and sales, and other retail uses which serve the needs of the MI District.

4. General Conditional Uses as listed in Section 15.08.030.

5. Roadside stands for the sale of agricultural goods.

6. Carloading and distribution facilities, rail-truck transfer stations.

7. Warehousing with retail sales.

8. Manufacturing of paint. [Amendment - per City Council action, 5/17/76]

D. Development Standards

1. Minimum lot. One (1) acre.

2. Maximum site coverage. Sixty (60) percent.

3. Yards

   a. Front yard. The front yard shall be twenty (20) percent of the lot depth. Regardless of lot size the yard depth need not be more than sixty-five (65) feet.

   i. For properties abutting on West Valley Highway, the frontage on West Valley Highway shall be considered the front yard.

   b. Side yard on flanking street of corner lot. The side yards on the flanking street of a corner lot shall be twenty (20) percent of the lot width but need not be more than fifty (50) feet in width.

   c. Side yards. The side yards shall have an aggregate width of ten (10) percent of the lot width, but the aggregate width shall not be more than forty (40) feet. There shall be a minimum of fifteen (15) feet on each side.

   d. Rear yard. None required except as may be required by other setback provisions of this section.

4. Yards, transitional conditions. Transitional conditions shall exist when an Industrial Park, MI District, adjoins a residential district containing a density of two (2) dwelling units or more per acre or a proposed residential area indicated on the Kent Comprehensive Plan. Such transitional conditions shall not exist where the separation includes intervening use such as river, freeway, railroad mainline, major topographic differential or other similar conditions; or where the industrial properties face on a limited access surface street on which the housing does not face. When transitional conditions exist as herein defined, a yard of not less than fifty (50) feet shall be provided.
5. **Setbacks, Green River.** Development in the M1 District abutting the Green River (or Russell or Frager Roads where such roads follow the river bank) shall set back from the ordinary high water mark of said river a minimum of two hundred (200) feet. Such setbacks are in accordance with the State Shoreline Management Act of 1971, and shall be no more restrictive than, but as restrictive as, said Shoreline Management Act.

6. **Height limitations.** Two (2) stories or thirty-five (35) feet. Beyond this height, to a height not greater than either four (4) stories or sixty (60) feet, there shall be added one additional foot of yard for each one foot of additional building height. The Planning Director shall be authorized to approve one additional story, provided such height does not detract from the continuity of the industrial area, and may impose such conditions as may be necessary to reduce any incompatibility with surrounding uses. Any additional height increase may be granted by the Planning Commission.

7. The landscaping requirements of Chapter 15.07 shall apply. [Amendment - per City Council action, 8/20/79]

8. **Enclosure of activities.** Predominant activities and operations shall be completely enclosed within buildings or structures, except for customary appurtenances, such as loading and unloading areas, or where special conditions exist as a result of a conditional use public hearing. The Planning Director shall be authorized to determine the reasonable application of this provision in cases of operational hardship or other showing of uncommon circumstances.

9. **Outside storage or operations yard.** Outside storage or operations yards shall be confined to the area to the rear of the principal building or the rear two-thirds (2/3) of the property and reasonably screened from view from any property line by appropriate walls, fencing, earth mounds, or landscaping. Outside storage exceeding a height of fifteen (15) feet shall be so placed on the property as to not detract from the reasonably accepted appearance of the district.

10. **Loading areas.** Loading areas must be located in such a manner that no loading, unloading and/or maneuvering of trucks associated therewith takes place on public rights of way.

11. **Multitenant buildings.** Multitenant buildings shall be permitted.

12. **Improvement and maintenance of yards and open space.** All required yards, parking areas, storage areas, operations yards, and other open uses on the site shall be maintained in a neat and orderly manner appropriate for the district at all times. The Planning Director shall be authorized to reasonably pursue the enforcement of these provisions where a use is in violation and to notify the owner or operator of the use in writing of such noncompliance. The property owner or operator of the use shall be given a reasonable length of time to correct the condition.
E. Signs
The sign regulations of Chapter 15.06 shall apply.

F. Off-Street Parking
1. The off-street parking requirements of Chapter 15.05 shall apply.
2. Those areas not required to be landscaped may be used for off-street parking.

G. Performance Standards
The performance standards as provided in Section 15.08.050 shall apply.

H. Development Plan Review
Development plan approval is required, as provided in Section 15.09.010.

15.04.180 LIMITED INDUSTRIAL DISTRICT OR M2

Purpose: The purpose of this district is to provide areas suitable for a broad range of industrial activities whose characteristics are of a light industrial nature. The permitted uses are similar to those of the Industrial Park District but the development standards are not as restrictive. However, development standards are aimed at maintaining an efficient and desirable industrial area.

A. Principally Permitted Uses
The following list is illustrative of the types of permitted uses and is not intended to be exclusive.

1. Manufacturing, processing, assembling, and packaging of articles, products, or merchandise from previously prepared natural or synthetic materials, including but not limited to asbestos, bristles, bone, canvas, cellophane, and similar synthetics, chalk, clay (pulverized only, with gas or electric kilns), cloth, cork, feathers, felt, fiber, fur, glass (including glass finishing), graphite, hair, horn, leather, paints (except boiling processes), paper, paraffin, plastic and resins, precious or semiprecious metals or stones, putty, pumic, rubber, shell, textiles, tobacco, wire, wood, wool and yarn.

2. Manufacturing, processing, treating, assembling, and packaging of articles, products, or merchandise from previously prepared ferrous, nonferrous or alloyed metals (such as bar stock sheets, tubes, and wire and other extrusions), including light foundry casting and forging operations and other forming operations.
3. Printing, publishing and allied industries, including such processes as lithography, etching, engraving, binding, blueprinting, photocopying, film processing, and similar operations or activities.

4. Manufacturing, processing, blending and packaging of the following:
   a. Drugs, pharmaceuticals, toiletries, and cosmetics.
   b. Food and kindred products, such as confectionary products, chocolate, cereal breakfast foods, bakery products, paste products, fruits and vegetables, beer, beverages (except fermenting and distilling), prepared food specialities (such as coffee, dehydrated and instant foods, extracts, spices and dressings), and similar products.
   c. Dairy products and by-products, such as milk, cream, cheese, and butter; including the processing and bottling of fluid milk and cream and wholesale distribution.

5. Warehousing and distribution facilities and the storage of goods or products including rail-truck transfer facilities.

6. Crop and tree farming.

7. Administrative or executive offices which are part of a predominant industrial operation.

8. Scientific research, testing, and experimental development laboratories.

9. Establishments engaged in electronic, automotive, aerospace, missile, airframe, or related manufacturing and assembly activities, including precision machine shops producing parts, accessories, assemblies, systems, engines, major components, and whole electronic or electrical devices, automobiles, aircraft, missiles, aerospace, or underwater vehicles, or similar products, but specifically excluding explosive fuels and propellants.

10. Manufacturing, processing, assembling and packaging of precision components and products; including precision machine shops for products such as radio and television equipment, business machine equipment, home appliances; scientific, optical, medical, dental, and drafting instruments, photographic and optical goods, phonograph records and prerecorded audio visual tape, measurement and control devices, sound equipment and supplies, personal accessories, and products of similar character.

11. Headquarter offices of industrial operations.

12. Warehousing with retail sales.
13. Other similar uses which the Planning Director finds compatible with the Principally Permitted Uses described herein; consistent with the purpose and intent of the M2 District and not of a type to adversely affect the use of adjoining properties.

Existing dwellings may be rebuilt, repaired and otherwise changed for human occupancy. Accessory uses for existing dwellings may be constructed. Such uses are garages, carports, storage sheds and fences. [Amendment - per City Council action, 3/17/75]

**B. Accessory Uses**

The following are the accessory uses permitted in the M2 District:

1. Limited repair operations for products described as Principally Permitted Uses and commercial sales and service incidental to a Principally Permitted Use, provided such operations are housed as a part of the building or buildings comprising the basic operations.

2. Dwelling units, limited to not more than one per establishment, for security or maintenance personnel and their families, when located on the premises where they are employed in such capacity. No other residential use shall be permitted.

3. Employee recreation facilities and play areas.

4. Restaurant, cafe, or cafeteria operated in conjunction with a Principally Permitted Use for the convenience of persons employed on the premises.

5. Temporary buildings for construction purposes for a period not to exceed the duration of such construction.

6. Other accessory uses and buildings customarily appurtenant to a Principally Permitted Use.

**C. Conditional Uses**

The following are the types of conditional uses permitted in the M2 District, subject to approval by the Hearing Examiner. The list of Conditionally Permitted Uses is illustrative of the types of uses which shall be permitted and is not intended to be exclusive. [Amendment - per City Council action, 7/2/79]

1. Any Principally Permitted Use whose operations are predominantly conducted out-of-doors rather than completely enclosed within a building.

2. Any type of Principally Permitted Use whose operations are predominantly for the repair of products described rather than the manufacturing or processing of such products.
3. Commercial office, retail and service type uses which are intended primarily to serve the needs of the M2 District, are compatible with the permitted types of industrial uses or will not interfere with the orderly development of the industrial area.

The following types of uses are suggested as inclusive but not necessarily exclusive of the types of uses that may be permitted.

Office: Real estate, lawyers, engineers, accountants, land surveyors, dispatch offices, credit unions and insurance-type offices.

Retail: Barber shops, branch banks, auto services (car wash, auto repair and body repair shops, gasoline stations), truck and auto rental and sales, electric motor repair, electronic equipment repair and sales, forklift repair and sales, and other retail uses which serve the needs of the M2 District.

4. General Conditional Uses as listed in Section 15.08.030.

5. Principally Permitted Uses in the M3 District.

6. Roadside stands for the sale of agricultural goods.

7. Manufacturing of paint. [Amendment - per City Council action, 5/17/76]

D. Development Standards

1. Minimum lot. 20,000 square feet.

2. Maximum site coverage. Sixty-five (65) percent.

3. Yards

   a. Front yard. The front yard shall be fifteen (15) percent of the lot depth. Regardless of lot size, the yard depth need not be more than forty-five (45) feet.

   b. Side yard on flanking street of corner lot. The side yard on the flanking street of a corner lot shall be fifteen (15) percent of lot width but need not be more than thirty-five (35) feet in width.

   c. Side yard. The side yards shall have an aggregate width of ten (10) percent of the lot width, but the aggregate width need not be more than thirty (30) feet. There shall be a minimum of ten (10) feet on each side.

   d. Rear yard. None except as may be required by transitional conditions.

4. Yards, transitional conditions. Transitional conditions shall exist when an M2 District adjoins a residential district containing a
density of two (2) dwelling units or more per acre or a proposed residential area indicated on the Kent Comprehensive Plan. Such transitional conditions shall not exist where the separation includes intervening use such as river, freeway, railway mainline, major topographic differential or other similar conditions; or the industrial properties face on a limited access surface street on which the housing does not face. When transitional conditions exist as herein defined, a yard of not less than fifty (50) feet shall be provided.

5. Height limitation. Two (2) stories or thirty-five (35) feet. Beyond this height, to a height not greater than either four (4) stories, or sixty (60) feet there shall be added one additional foot of yard for each one foot of additional building height.

The Planning Director shall be authorized to approve one additional story, provided such height does not detract from the continuity of the industrial area, and may propose such conditions as may be necessary to reduce any incompatibility with surrounding uses. Any additional height increases may be granted by the Planning Commission.

6. The landscaping requirements of Chapter 15.07 shall apply. [Amendment - per City Council action, 8/20/79]

7. Outside storage. Outside storage or operation yards shall be confined to the area to the rear of a line which is an extension of the front wall of the principal building and shall be reasonably screened from view from any street by appropriate walls, fencing, earth mounds, or landscaping.

8. Loading areas. Loading areas must be located in such a manner that no loading, unloading and/or maneuvering of trucks associated therewith takes place on public rights-of-way.


10. Improvement and maintenance of yards and open areas. All required yards, parking areas, storage areas, operations yards, and other open uses on the site shall be improved as required by these regulations and shall be maintained in a neat and orderly manner appropriate for the district at all times. The Planning Director shall be authorized to reasonably pursue the enforcement of these provisions where a use is in violation and to notify the owner or operator of the use in writing of such noncompliance. The property owner or operator of the use shall be given a reasonable length of time to correct the condition.

E. Signs

The sign regulations of Chapter 15.06 shall apply.
F. Off-Street Parking

1. The off-street parking requirements of Chapter 15.05 shall apply.

2. Those areas not required to be landscaped may be used for off-street parking.

G. Performance Standards

The performance standards as provided in Section 15.08.050 shall apply.

H. Development Plan Review

Development plan approval is required as provided in Section 15.09.010.

15.04.190 GENERAL INDUSTRIAL DISTRICT OR M3

Purpose: The purpose of this district is to provide areas suitable for the broadest range of industrial activities, and to specify those industrial activities having unusual or potentially deleterious operational characteristics, where special attention must be paid to location and site development. Light industrial uses which require restrictive standards on the part of adjoining uses are discouraged from locating in this district.

A. Principally Permitted Uses

The description of Principally Permitted Uses is illustrative of the types of uses which shall be permitted in the M3 District and is not intended to be exclusive.

1. Administrative or executive offices which are part of a predominant industrial operation.

2. Scientific research, testing, and experimental development laboratories conducted in conjunction with a Principally Permitted Use.

3. Manufacturing, processing, assembling and packaging of articles, products, or merchandise from previously prepared natural or synthetic materials, including but not limited to asbestos, bristle, bone, canvas, cellophane and similar synthetics, chalk, clay, leather, paints, paper, paraffin, plastics and resin, precious and semiprecious stones, putty, pumice, rubber, shell, textiles, tobacco, wire, wood, wool, and yarn.

4. Manufacturing, processing, treating, assembling and packaging of articles, products, or merchandise from previously prepared ferrous, nonferrous or alloyed metals, excluding predominantly drop forge and drop hammer operations.
5. Printing, publishing and allied industries, including such processes as lithography, etching, engraving, binding, blueprinting, photocopying, film processing and similar operations or activities.

6. Manufacturing, processing, blending and packaging of products such as the following:
   a. Drugs, pharmaceuticals, toiletries, and cosmetics.
   b. Soaps, detergents, and other basic cleaning and cleansing preparations.
   c. Plastics and synthetic resins.
   d. Synthetic and natural fiber and cloth.
   e. Prepared and basic food, beverage and kindred products, including ice manufacture and storage and cold storage plants, but excluding meat and seafood products.
   f. Plywood, composition wallboard and similar structural wood products.
   g. Nonmetallic mineral products such as abrasives, asbestos, chalk, pumice and putty.
   h. Heat resisting or structural clay or cement products (brick, tile, pipe) or porcelain products (bath fixtures, tanks).
   i. Machinery and heavy machine tool equipment for general industry and mining, agriculture, construction, or service industries.
   j. Transportation machinery and equipment, such as motor vehicles, aircraft, trucks and trailers, mobile homes, boats, missiles, railroad rolling stock, and other transportation-oriented apparatus, but excluding explosive fuels and propellants.
   k. Business and domestic machinery, equipment and supplies.

7. Basic wood processing, including such operations as sawmills, planing mills, and the primary preserving, veneering or laminating of wood.

8. Alcoholic beverage processes, such as distilling and fermenting.


10. Warehousing and distribution facilities (this may include limited retail sales) and the storage of goods and products, except for those goods or products specifically described as permitted to be stored as Conditional Uses. [Amendment - per City Council action, 3/17/75]
11. Contractors' service yards and shops and construction suppliers.

12. Truck storage yards.


14. Public utility service yards and shops and major public utility facilities, including steam electric generating stations, electric transmission substations and attendant microwave facilities incorporated as part of such uses.

15. Transportation and transit terminals, including repair and storage facilities and rail-truck stations, except classification yards in the category of "hump yards".


17. The reasonable expansion or evolution of a legally established use whose expanded or altered sphere of activity may include uses normally considered M1 and M2 types of operations, whose standards of operation shall not be affected by the reasonable level of performance expected in the M3 district.

18. Other similar uses which the Planning Director finds compatible with the Principal Permitted Uses described herein, and consistent with the purpose and intent of the M3 District.

19. Manufacturing of paint. [Amendment - per City Council action, 5/17/76]

Existing dwellings may be rebuilt, repaired and otherwise changed for human occupancy. Accessory uses for existing dwellings may be constructed. Such uses are garages, carports, storage sheds and fences. [Amendment - per City Council action, 3/17/75]

B. Accessory Uses

1. Limited repair operations for products described as Principally Permitted Uses and commercial sales and service incidental to a Principally Permitted Use, provided such operations are housed as a part of the building or buildings comprising the basic operations.

2. Dwelling units, limited to not more than one per establishment, for security or maintenance personnel and their families, when located on the premises where they are employed in such capacity.

3. Employee recreation facilities and play areas.

4. Restaurant, cafe, or cafeteria operated in conjunction with a Principally Permitted Use for the convenience of persons employed on the premises.
5. Temporary buildings for construction purposes for a period not to exceed the duration of such construction.

6. Other accessory uses and buildings customarily appurtenant to a Principally Permitted Use.

C. Conditional Uses

The following are the types of conditional uses permitted in the M3 District, subject to approval by the Hearing Examiner. The list of conditional uses is illustrative of the types of uses which shall be permitted and not intended to be exclusive. [Amendment - per City Council action, 7/2/79]

1. Manufacture of such types of basic materials as follows:
   a. Gum and wood chemicals and fertilizers, and basic industrial organic and inorganic chemicals or products such as alkalies and chlorine, industrial, and liquid petroleum, gases, cellophane, coal tar products, dyes and dye products, impregnated products, tanning compounds, and glue and gelatin.
   b. Hydraulic cement, concrete, gypsum, lime, carbon, carbon black, graphite, coke, glass, and similar products.

2. Manufacture of products such as the following:
   a. Paints, varnishes, turpentine, lacquers, enamels, and similar products.
   b. Ammunition, explosives, fireworks, matches, photographic film, missile propellants, and similar combustibles.
   c. Rubber from natural, synthetic, or reclaimed materials.
   d. Paving and roofing materials or other products from petroleum derivatives.

3. Refining of materials such as petroleum and petroleum products, metals and metal ores, sugar, and fats and oils.

4. Distilling of materials such as bone, coal, coal tar, coke, wood, and other similar distillates.

5. Heavy metal processes, such as ore reduction or smelting, including blast furnaces, and including drop forging, drop hammering, boiler plate works, and similar heavy metal operations.
   a. Asphalt batching plants.
   b. Concrete mixing and batching plants, including ready-mix concrete facilities.
c. Rock crushing plants and aggregate dryers.

d. Sandblasting plants.

6. Animal and food processing, including the following and similar operations:

   a. Tanning, dressing, and finishing of hides, skins, and furs.

   b. Meat and seafood products packaging, freezing, curing, canning and processing.

   c. Nitrating of cotton and other materials.

   d. Rendering of animal grease or tallow, fish oil, and similar materials.

   e. Slaughtering, stockyard, feed lot, dairy, and similar operations.

   f. Pickling and brine curing processes.

   g. Wholesale produce markets.

7. Salvage, wrecking, and disposal activities, including the following and similar operations:

   a. Automobile and building wrecking and salvage.

   b. Salvage of industrial waste materials, such as metal, paper, glass, rag, and similar materials.

   c. Sewage disposal and treatment plants.

   d. Dump and sump operations for such uses as rubbish, garbage, trash, and other liquid and solid wastes.

8. Storage of the following kinds of goods:

   a. Bulk storage of oil, gas, petroleum, butane, propane, liquid petroleum gas, and similar products, and bulk stations and plants.

   b. Used building materials, mover's equipment, relocated buildings, impounded vehicles, and similar materials.

   c. Explosives or fireworks, except where incidental to a Principally Permitted Use.

   d. Fertilizer or manure.
9. Commercial office, retail and service-type uses which are intended primarily to serve the needs of the M3 District, are compatible with the permitted types of industrial uses or will not interfere with the orderly development of the industrial area.

The following types of uses are suggested as inclusive but not necessarily exclusive of the types of uses that may be permitted:

**Office:** Real estate, lawyers, engineers, accountants, land surveyors, dispatch offices, credit unions, and insurance-type offices.

**Retail:** Barber shops, branch banks, auto services (car wash, auto repair and body repair shops, gasoline stations), truck and auto rental and sales, electric motor repair, electronic equipment repair and sales, forklift repair and sales, and other retail uses which serve the needs of the M3 District.

10. General Uses as listed in Section 15.08.030.

11. Roadside stands for the sale of agricultural goods.

D. Development Standards

1. **Minimum lot.** 15,000 square feet.

2. **Maximum site coverage.** Seventy-five (75) percent.

3. **Yards**
   
a. **Front yard.** The front yard shall be ten (10) percent of the lot depth. Regardless of lot size, the yard depth need not be more than thirty-five (35) feet.

   b. **Side yard on the flanking street of a corner lot.** The side yard on the flanking street of a corner lot shall be at least ten (10) percent of the lot width unless the ten (10) percent figure would result in a side yard of greater than twenty (20) feet in which case the side yard need not be more than twenty (20) feet.

   c. **Side yard.** The side yards shall have an aggregate width of ten (10) percent of the lot width but the aggregate width need not be more than twenty-five (25) feet. There shall be a minimum of ten (10) feet on each side.

   d. **Rear yard.** None required except as may be required by transitional conditions.

4. **Yards, transitional conditions.** Transitional conditions shall exist when a M3 District adjoins a residential district containing a density of two (2) dwelling units or more per acre or a proposed residential area indicated on the Kent Comprehensive Plan. Such transitional conditions shall not exist where the separation includes an intervening use such as
river, railroad mainline, major topographic differential or other similar conditions; or where the industrial properties face on a limited access surface street on which the housing does not face. When transitional conditions exist as herein defined, a yard of not less than fifty (50) feet shall be provided.

5. Height limitation. Two (2) stories or thirty-five (35) feet. Beyond this height to a height not greater than either four (4) stories or sixty (60) feet there shall be added one additional foot of yard for each two (2) feet of additional building height.

The Planning Director shall be authorized to approve one (1) additional story, provided such height does not detract from the continuity of the industrial area, and may impose such conditions as may be necessary to reduce any incompatibility with surrounding uses. Any additional height increases may be granted by the Planning Commission.

6. The landscaping requirements of Chapter 15.07 shall apply. [Amendment - per City Council action, 8/20/79]

7. Outside storage. Outside storage or operations area shall be fenced for security and public safety at the property line.


9. Loading areas. Loading areas must be located in such a manner that no loading, unloading and/or maneuvering of trucks associated therewith takes place on public rights-of-way.

10. Improvement and maintenance of yards and open areas. All required yards, parking areas, storage areas, operations yards, and other open uses on the site shall be improved as required by these regulations and shall be maintained in a neat and orderly manner appropriate for the district at all times. The Planning Director shall be authorized to reasonably pursue the enforcement of these provisions where a use is in violation and to notify the owner or operator of the use in writing of such noncompliance. The property owner or operator of the use shall be given a reasonable length of time to correct the conditions.

E. Signs

The sign regulations of Chapter 15.06 shall apply.

F. Off-Street Parking

1. The off-street parking requirements of Chapter 15.05 shall apply.

2. Off-street parking may be located in required yards, except where landscaping is required.
G. Performance Standards

The performance standards as provided in Section 15.08.050 shall apply.

H. Development Plan Review

Development plan approval is required as provided in Section 15.09.010.

15.04.200 SPECIAL USE COMBINING DISTRICT OR SU

Purpose: It is the purpose of this district to provide for special controls for certain uses which do not clearly fit into other districts, which may be due to technological and social changes, or which are of such unique character as to warrant special attention in the interest of the City's optimum development and the preservation and enhancement of its environmental quality.

A special use combining district is imposed on an existing zoning district, permitting the special use as well as uses permitted by the underlying zone. The combining district becomes void if substantial construction has not begun within a one (1) year period and the district reverts to its original zoning designation.

It is the intent of the Special Use Combining Regulations to provide the City with adequate procedures for controlling and reviewing such uses and to discourage application for speculative rezoning.

A. Uses Subject to Special Use Combining District Regulations

The following list is illustrative of the types of uses subject to Special Use Combining District Regulations and is not intended to be exclusive.

1. Occupy or would occupy large areas of land;
2. Would involve the construction of buildings or other structures of unusual height or mass;
3. House, employ, or serve large numbers of people;
4. Generate heavy traffic;
5. Have unusual impact on environmental quality of the area;
6. Any use which does not lend itself to an interpretation of substantial similarity to other uses identified or described in this code;
7. Uses which, in the judgment of the Planning Director, warrant review by the Planning Commission and the City Council;
8. Examples of uses subject to review described above would include, but are not limited to, the following:

   a. Commercial uses: sports stadiums, rodeos, fairgrounds, exhibition or convention halls, merchandise marts, drive-in theaters.

   b. Special environmental problems posed by: refineries, nuclear power generating plants, airports, heliports, sanitary land fills, extractive industries.

B. Application Procedures

The application procedure for a Special Use Combining District shall be the same as for an amendment to this code as provided in Section 15.09.050 except that Development Plan approval is concurrent with the combining district.

C. Documentation Required

1. A vicinity map drawn to a scale not smaller than 1,000 feet to the inch showing the site in relation to its surrounding area, including streets, roads, streams, or other bodies of water, the development characteristics and zoning pattern of the area, and a scale and north arrow. Said vicinity map may be in sketch form but shall be drawn with sufficient accuracy to reasonably orient the reader to the vicinity, and to adequately convey the required information.

2. A map or drawing of the site drawn to a scale acceptable to the Planning Department (generally 100 feet to the inch). Said map or drawing shall show the following information:

   a. Dimensions and names of streets bounding or touching the site.

   b. Such existing or proposed features as streams or other bodies of water, rights of way, easements, and other physical or legal features which may affect or be affected by the proposed development.

   c. Existing and proposed topography at contour intervals not more than five (5) feet in areas having slopes exceeding three (3) percent, and not more than two (2) feet in areas having slopes of less than three (3) percent.

   d. Accurate legal description of the property.

   e. Existing and proposed structures or buildings, including the identification of types and proposed use of said structures. All uses must be compatible with the major use.

   f. Off-street parking and loading facilities.
g. Dimensions of the site, distances from property lines, and space between structures.

h. Tentative routing of domestic water lines, storm drains, sanitary sewers, and other utilities, including an identification of planned disposal or run-off.

i. The Planning Department may also require the developer to submit elevations, perspective renderings, or such other graphic material or evidence to illustrate affect on the view enjoyed by and from other properties in the vicinity.

j. Architectural renderings of buildings.

k. A written statement providing the following information:
   i. Program for development, including staging or timing.
   ii. Proposed ownership pattern upon completion of development.
   iii. Basic content of restrictive covenants, if any.
   iv. Provision to assure permanence and maintenance of open space through means acceptable to the City of Kent.
   v. Statement or tabulation of number of persons to be employed, served, or housed in the proposed development.
   vi. Statement describing the relationship of the proposed development to Kent's Comprehensive Plan.
   vii. Statement indicating availability of existing or proposed sanitary sewers.

3. Such other data or information as the Planning Department may require.

D. Development Standards

In reviewing and approving proposed developments falling under the purview of this section, the Hearing Examiner and City Council shall make the following findings: [Amendment - per City Council action, 7/2/79]

1. That the location for the proposed use is reasonable;

2. That existing or proposed traffic ways are adequate to serve new development;

3. That setback, height, and bulk of buildings are acceptable for the proposed use and for the vicinity in which it is located;
4. That landscaping and other site improvements are comparable to the highest standards set forth for other developments in this code;

5. That the performance standards pertaining to air and water pollution, noise levels, etc., are comparable to the highest standards specified for other uses in this code;

6. That the proposed development is in the public interest and serves a need of community-wide or regional importance.

In reviewing and approving special uses, the Hearing Examiner and the City Council may impose such conditions as it deems necessary in the interest of the welfare of the City and the protection of the environment. [Amendment - per City Council action 7/2/79]

E. One-Year Validity

Any Special Use Combining District shall remain effective only for one year unless the use is begun within that time or construction has commenced. If not in use or construction has not commenced within one year of the granting of the Special Use Combining District, the combining district shall become invalid, and the original zoning designation of the land shall apply.

F. Minor and Major Adjustments

1. If minor adjustments are made following the adoption of the final development plan and approval of the Combining District, such adjustments shall be approved by the Planning Director prior to the issuance of a building permit. Minor adjustments are those which may affect the precise dimensions or siting of buildings approved in the final plan, or the density of the development or open space provided.

2. Major adjustments are those which, as determined by the Planning Director, substantially change the basic design, density, open space uses or other similar requirements or provisions.

Authorization for major adjustments shall be made by the Kent City Council.

3. The provisions above pertaining to minor and major adjustments shall apply to various parts of a staged development.
CHAPTER 15.05 - OFF-STREET PARKING AND LOADING REQUIREMENTS

[Amendment - per City Council action, 11/82]

15.05.010 PURPOSE

It is the purpose of this section to specify the off-street parking and loading requirements for all uses permitted in this code, and to describe design standards and other required improvements.

15.05.020 CATEGORY OF USES AND CONDITIONS OF USES COVERED BY THIS CHAPTER

A. New Construction

1. Buildings constructed, or enlarged.
2. Other structures or use areas constructed or enlarged.
3. Parking lots constructed or enlarged as follows:
   a. If new or adding the equivalent of 50 percent or more of the existing parking lot area -- entire parking facility must meet the standards of this code.
   b. If adding less than 50 percent of the existing parking lot area, only the new portion must meet the standards of this code.

B. Change in Use

When the occupancy of any land use, structure, and/or building or any part of a building, structure and/or land use is changed to another use, parking shall be provided to meet the parking requirements of the new use.

15.05.030 LOCATION OF OFF-STREET PARKING

A. Single-family Dwelling

Required parking shall be located on the same lot as the building it is to serve.

B. Multifamily Dwelling

Required parking may be on a contiguous lot if located within five hundred (500) feet of dwelling units. The lot shall be legally encumbered by an easement or other appropriate means to insure continuous use of the parking facilities. Documentation shall require review and approval of the City Attorney.

C. Other Uses

May be in areas other than on the premises if the required amount of parking area is set aside for a particular use in such a lot, and such
area is not located more than five hundred (500) feet from the premises. The lot or area to be utilized shall be legally encumbered by an easement or other appropriate means to insure continuous use of the parking facilities. Documentation shall require review and approval of the City Attorney.

15.05.040 PARKING STANDARDS

<table>
<thead>
<tr>
<th>ACTIVITY</th>
<th>NUMBER OF PARKING SPACES</th>
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<tbody>
<tr>
<td>A. Living Activities</td>
<td></td>
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<tr>
<td>1. Dwellings:</td>
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<tr>
<td>a. Single family</td>
<td>Two (2) parking spaces per single-family dwelling.</td>
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<tr>
<td>b. Two family</td>
<td>Two (2) parking spaces per dwelling unit.</td>
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<tr>
<td>c. Multifamily and apartment houses</td>
<td>One parking space per unit for efficiency apartments in all sized developments; Two parking spaces for each dwelling unit for developments with 49 or less dwelling units; 1.8 parking spaces per dwelling unit for developments of 50 or more dwelling units. For developments of 50 or more dwelling units, one parking space for each 15 dwelling units for recreation vehicles. Recreational vehicle parking spaces shall be in a defined, fenced, and screened area with a minimum of a six-foot (6) high, sight-obscuring fence and/or landscaping as determined by the Planning Department. One parking space for each four dwelling units.</td>
</tr>
<tr>
<td>d. Multiple dwellings for low-income</td>
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<td>elderly</td>
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<tr>
<td>e. Multifamily and apartment houses</td>
<td>One parking space per dwelling unit. This requirement supersedes Section 15.05.070, Off-Street Parking Regulations Downtown Commercial District.</td>
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<tr>
<td>in the Central Business District</td>
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2. Boarding & Lodging Houses

One parking space for the proprietor plus one space per sleeping room for boarders and/or lodging use plus one additional space for each four persons employed on the premises.

3. Mobile Homes

Two parking spaces for each mobile home site plus one screened space for each ten lots for recreation vehicles.

4. Travel Trailers

One parking space for each trailer site.

5. Hotels

One parking space for each guest room plus two parking spaces for each three employees.

B. Commercial Activities

1. Banks

One parking space for each two hundred (200) square feet of gross floor area except when part of a shopping center.

2. Professional and Business Offices

One parking space for each two hundred and fifty (250) square feet of gross floor area except when part of a shopping center.

3. Shopping Centers

4.5 spaces per 1,000 square feet of gross leasable area (GLA) for centers having GLA of less than 400,000 square feet; and 5.0 spaces per 1,000 square feet of GLA for centers having a GLA of over 400,000 square feet.

4. Restaurants, Night Clubs, Taverns, and Lounges

One parking space for each one hundred (100) square feet of gross floor area except when part of a shopping center.

5. Retail Stores, Supermarkets, Department Stores, and Personal Service Shops

One parking space for each two hundred (200) square feet of gross floor area except when located in a shopping center.
### 6. Other Retail Establishments;
- Furniture, Appliance, Hardware Stores, Household Equipment Service Shops, Clothing or Shoe Repair Shops

One parking space for each five hundred (500) square feet of gross floor area except when located in a shopping center.

### 7. Drive-In Business

One parking space for each one hundred (100) square feet of gross floor area except when located in a shopping center.

### 8. Uncovered Commercial Area,
- New and Used Car Lots,
- Plant Nursery

One parking space for each five thousand (5,000) square feet of retail sales area in addition to any parking requirements for buildings, except when located in a shopping center.

### 9. Motor Vehicle Repair
- and Services

One parking space for each four hundred (400) square feet of gross floor area except when part of a shopping center.

### 10. Industrial Showroom
- and Display

One parking space for each five hundred (500) square feet of display area.

### C. Industrial Activities

#### 1. Manufacturing, Research
- and Testing Laboratories,
- Creameries, Bottling
- Establishments, Bakeries,
- Canneries, Printing, and
- Engraving Shops

One parking space for each one thousand (1,000) square feet of gross floor area. For parking requirements for associated office areas, see Professional and Business Office.

#### 2. Warehouses and Storage
- Buildings

One parking space for each two thousand (2,000) square feet of gross floor area. Maximum office area of 2 percent of gross floor area may be included without additional parking requirements.

#### 3. Speculative Warehouse and
- Industrial Buildings with
- Multiple Use or Tenant
- Potential

One parking space for each 1,000 square feet of gross floor area if building size is less than 100,000 square feet; or one parking space for each 2,000 square feet gross floor area for buildings which exceed 100,000 square feet gross floor area.
Important Note: This is a minimum requirement and valid for construction permit purposes only. Final parking requirements will be based upon actual occupancy.

D. Recreation - Amusement Activities

1. Auditoriums, Theaters
   Places of Public Assembly, Stadiums and Outdoor Sports Area
   One parking space for each four (4) fixed seats or one parking space for each one hundred (100) square feet of floor area of main auditorium or of principal place of assembly not containing fixed seats, whichever is greater.

2. Bowling Alleys
   Five (5) spaces for each alley except when located in a shopping center.

3. Dance Halls and Skating Rinks
   One parking space for each two hundred (200) square feet of gross floor area, except when located in a shopping center.

4. Golf Driving Ranges
   One parking space for each driving station.

5. Miniature Golf Courses
   One parking space for each hole.

6. Recreational Buildings
   (whether independent or associated with a multifamily complex)
   One parking space for each two hundred (200) square feet gross floor area. Such spaces shall be located adjacent to the building and shall be designated for visitors by signing or other special markings.

E. Educational Activities

1. Senior High Schools, Public, Parochial, and Private
   One space for each employee plus one space for each ten students enrolled. In addition, if buses for the transportation of children are kept at the school, one off-street parking space shall be provided for each bus of a size sufficient to park each bus.
2. Colleges and Universities and Business and Vocational Schools.

One additional parking space for each one hundred (100) students shall be provided for visitors in the vicinity or adjacent to the administration portion of the building or complex. Such parking spaces shall be so designated by signing or other special marking as approved by the Traffic Engineer.

Two and one-half (2-1/2) for each employee plus one space for each three students residing on campus, plus one space for each five day student not residing on campus. In addition, if buses for transportation of students are kept at the school, one off-street parking space shall be provided for each bus of a size sufficient to park each bus.

3. Elementary and Junior High

One additional parking space for each one hundred (100) students shall be provided for visitors in the vicinity or adjacent to the administration portion of the building or complex. Such parking spaces shall be so designated by signing or other special marking as approved by the Traffic Engineer.

Two and one-half (2-1/2) parking spaces for each employee. In addition, if buses for transportation of students are kept at the school, one off-street parking space shall be provided for each bus of a size sufficient to park each bus.
4. Libraries and Museums

One parking space for each two hundred and fifty (250) square feet in office and public use.

5. Nursery Schools and Day Care Centers

One parking space for each employee plus loading and unloading areas.

F. Medical Activities

1. Medical and Dental Offices

One parking space for each two hundred (200) square feet of gross floor area except when located in a shopping center.

2. Convalescent, Nursing, and Health Institutions

One parking space for each two employees plus one parking space for each three beds.

3. Hospitals

One parking space for each three beds plus one parking space for each staff doctor plus one parking space for each three employees.

G. Religious Activities

1. Churches

One space for each five (5) seats in the main auditorium, provided that the spaces for any church shall not be less than ten (10). For all existing churches enlarging the seating capacity of their auditoriums, one additional parking space shall be provided for each five (5) additional seats provided by the new construction. For all existing churches making structural alterations or additions which do not increase the seating capacity of the auditorium, no additional parking need be provided.

2. Mortuaries or Funeral Homes

One parking space for each one hundred (100) square feet of floor area of assembly rooms.
H. Other Uses

For uses not specifically identified herein, the amount of parking required shall be determined by the Planning Department, based on staff experience, parking required for similar uses, and if appropriate, documentation provided by the applicant.

I. Mixed Occupancies or Mixed Use if One Occupancy

In the case of two or more uses in the same building, the total requirements for off-street parking facilities shall be the sum of the requirements for the several uses computed separately, except in shopping centers. Off-street parking facilities for one use shall not be considered as providing required parking facilities for any other use except as permitted in Section 15.05.040 subsection J, Joint Use.

J. Joint Use

The joint use of parking facilities may be authorized only for: Those uses which have dissimilar peak-hour parking demands or parking facilities in excess of code requirements.

1. The following conditions must be fulfilled before a joint-use facility is allowed:
   a. The facility must be located within a radius of five hundred (500) feet of the buildings or use areas it is intended to serve;
   b. Documentation of dissimilar peak hour parking demands must be provided by the applicant; and
   c. The subject property shall be legally encumbered by an easement or other appropriate means which provides for continuous joint use of the parking facilities. Documentation shall require review and approval of the City Attorney.

K. Employee Parking

Where employee parking will be maintained separately and in addition to parking for the general public, the regulations of this section shall apply:

1. Minimum parking stall sizes, aisle widths, and percentage of compact car stalls shall be as per other requirements in this chapter.

2. Employee parking must be clearly identified as such and not become parking for the general public.

3. In the event the employee parking is changed to parking for the general public, the normal regulations for off-street parking shall be in force.

4. Employee parking shall not be in lieu of parking requirements per activity as stated in Section 15.05.040.
L. **Temporary Parking Facilities**

Temporary parking facilities may be permitted by the Planning Director when it has been shown that:

1. The existing use of the subject property has adequate legal nonconforming parking or that existing parking conforms to the applicable standards of the Kent Zoning Code.

2. The temporary parking facility is primarily intended to serve the public at large and not the existing use on the property.

3. The temporary parking facility serves a public need.

4. The temporary facility meets the following minimum standards:
   a. 285 square feet gross area per stall minimum.
   b. Pavement Section: Minimum 4 inches of 5/8 inch minus C.R. crushed rock with Bituminous surface treatment, subject to Engineering Department review.
   c. On-site drainage control and detention per drainage ordinance.
   d. Ingress and egress and interior circulation and perimeter control subject to Traffic Engineer approval.

M. **Compact Car Parking**

1. Parking stall size shall be minimum 8 feet by 17 feet. Aisle width shall be per requirements of Section 15.05.080 and Diagram #1.

2. Compact car parking spaces shall be clearly identified by signing or other marking as approved by the City Engineer.

3. Compact car parking spaces shall not exceed thirty (30) percent of the total required parking and shall be interspersed equally throughout the entire parking area.

4. See Section 15.05.080 Diagram #2 for typical compact car stall arrangements.

5. No more than four (4) compact car parking stalls shall be placed side-by-side or eight (8) head-to-head.

15.05.050 **DRIVE-IN BUSINESS**

All banks, savings and loans associations, cleaning establishments, food dispensing establishments, and other businesses which maintain drive-in facilities which are intended to serve customers who remain in their motor vehicles during the business transactions, or are designed in such a manner
that customers must leave their automobiles temporarily in a driving line located adjacent to the facility, shall provide stacking space for the stacking of motor vehicles as follows.

A. **Stacking Space**

The drive-in facility shall be so located that sufficient stacking space is provided for the handling of motor vehicles using such facility during peak business hours of such a facility.

B. **Driveway Location**

Entrances and exits shall not be so located as to cause congestion in any public right of way.

C. **Shopping Centers**

When located in a shopping center, drive-in facilities shall provide sufficient stacking space to handle peak business demands and shall not, in any way, obstruct the normal circulation pattern of the shopping center.

15.05.060 **LOADING SPACE**

For all buildings hereafter erected, reconstructed, or enlarged, adequate permanent off-street loading space shall be provided if the activity carried on is such that the building requires deliveries to it or shipments from it of people or merchandise. Such space shall be shown on a plan and submitted for approval by the Planning Department and the City Engineer. No portion of a vehicle taking part in loading, unloading or maneuvering activities shall project into a public street, alley, or interior pedestrian area. Loading space or maneuvering areas shall be in addition to required off-street parking spaces.

A. **Relationship of Loading Space to Residential Areas**

Loading berths shall be located not closer than fifty (50) feet to any residential district, unless wholly enclosed within a building, or unless screened from such residential area by a wall or uniformly painted fence not less than six (6) feet in height.

B. **Relationship to Open Space**

Space for loading berths may occupy all or any part of any required setback, or open space as long as the loading berth is uncovered. A covered loading area shall comply with the minimum setback requirements for the district.

C. **Types of Uses for Which Loading Space Shall be Provided**

Loading space shall be provided for the following types of buildings or businesses: warehouses, supermarkets, department stores,
office buildings with a floor space in excess of twenty thousand (20,000) square feet, industrial or manufacturing establishments, freight terminals, railroad yards, mortuaries, and such other commercial and industrial buildings which, in the judgment of the Planning Director, are similar in nature in regard to loading space requirements.

D. Buildings which utilize dock-high loading doors shall provide a minimum 100 feet of clear maneuvering area in front of each door. See following diagram.

E. Buildings which utilize ground level service or loading doors shall provide a minimum 45 feet of clear maneuvering area in front of each door. See following diagram.

F. Ingress and egress points from public right of way (driveways) shall be designed and located in such a manner as to preclude off-site or on-street maneuvering of vehicles.

15.05.070 OFF-STREET PARKING REGULATIONS DOWNTOWN COMMERCIAL DISTRICT

Purpose: It is the purpose of this section to recognize the pedestrian-oriented nature of downtown activities while also recognizing the need for off-street parking facilities to eliminate traffic congestion. For the purpose of regulating off-street parking, there shall be two divisions of the Downtown Commercial District, DC-1 and DC-2. These divisions shall be delineated on the official zoning map. NOTE: Sections 15.05.070 subsection A and 15.05.070 subsection B do not apply to residential
development in the DC, Downtown Commercial zoning district. See Section 15.05.040 for residential parking requirements.

A. DC-1 Division

No off-street parking shall be required in this division. The DC-1 Division is the core area of downtown which should be pedestrian oriented. In addition, the property owners in the DC-1 Division have provided off-street parking through LID assessments.

B. DC-2 Division

Off-street parking shall be provided and shall be in accordance with the provisions of this chapter; except there may be a fifty (50) percent reduction from the parking standard requirements contained in Section 15.05.040

15.05.080 SIZE AND DESIGN STANDARDS

A. Parking Stall Size

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Note:

1. Dimensions may include overhang. See Section 15.05.090 subsection F for exceptions.

2. See Diagram #2 for typical compact stall placement with required landscape area.

3. Parking stall length may be reduced by a maximum two (2) feet with corresponding increases in aisle width.

B. Minimum Design Standards and Typical Parking Stall Arrangements - (See diagrams at the end of this chapter)

C. Units of Measurements

1. Benches. In stadiums, sports arenas, churches, and other places of assembly in which patrons or spectators occupy benches, pews, or other similar seating facilities, each twenty (20) inches of width of such seating facilities shall be counted as one seat for the purpose of determining requirements for off-street parking facilities under this code.

2. Fractions. When a unit of measurement determining the number of required parking spaces results in the requirement of a fractional space, any fraction up to but not including one-half (1/2) shall be disregarded and fractions one-half (1/2) and over shall require one parking space.
15.05.090 OVERHANG EXCEPTION, LANDSCAPING, PAVING, WHEELSTOPS, DRAINAGE, LIGHTING, AND CURBING

A. Landscaping requirements of Chapter 15.07 and Diagram #2 of this chapter shall apply.

B. Landscape Islands

Landscape islands (minimum size - 100 square feet) shall be located in the following areas to protect vehicles and to enhance the appearance of parking areas:

1. At the ends of all parking rows.

2. Where loading doors or maneuvering areas are in close proximity to parking areas or stalls.

C. Paving

All vehicular maneuvering areas, including but not limited to, off-street parking areas, truck and mobile equipment loading, unloading, storage and maneuvering areas, and related accesses to and from public right of way shall be paved with asphalt or equivalent material, to be approved by the City Engineer.

D. Wheel Stops

Wheel stops, minimum two (2) feet from obstruction or end of parking stall, shall be required in the following locations:

1. Where the parking stall abuts a building or vehicles may overhang a property line.

2. Where the parking stall abuts a pedestrian walkway of less than six (6) foot width or one which is not raised creating its own barrier.

3. Where a parking stall abuts any physical object which may be impacted (i.e. light standards, fire hydrants, fences, power vaults, utility poles, etc.).

4. Where a hazardous grade difference exists between the parking area and the abutting property.

5. Where other hazardous situations may exist as determined by the City Engineer.

E. Lighting

Any lighting of a parking lot or storage area shall illuminate only the parking lot or storage area. All lighting shall be designed and located so as to avoid undue glare or reflection of light onto adjoining properties.
or public right-of-way. Light standards shall not be located so as to interfere with parking stalls, maneuvering areas, or ingress and egress areas.

F. Vehicle Overhang Exception

Where sufficient area is available to allow safe and efficient overhang of a vehicle, the Planning Department may permit the standard parking stall length to be reduced by two (2) feet with corresponding increase in adjacent walkway or landscaping width. (See Diagram #2).

G. Concrete Curb Placement

In addition to wheel stop requirements (Section 15.05.090 subsection D). All landscape areas within or abutting parking areas shall be separated from the paved area by concrete curbing or other acceptable method as approved by the Planning Director and the City Engineer.

15.05.100 OFF-STREET PARKING PLANS

A. Off-street parking plans shall be subject to review and approval by the Planning Department and City Engineer. Approval shall be based upon the following criteria:

1. Compliance with Zoning Code requirements.
3. Safety of ingress and egress points.
4. Effects of access on public streets with regard to street capacity, congestion and delay.

B. All plans must be complete with the information as requested by the Planning Director.
### Diagram 1

**Minimum Parking Design Standard**

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CHAPTER 15.06 - SIGN REGULATIONS

15.06.010 PURPOSE

The purpose of this chapter is to establish regulations of signs in order to promote the public health, safety and general welfare. It is further the intention of this chapter to harmonize the legitimate private purposes of signs; that is the identification and promotion of the seller to the buyer, with public purposes. Public purposes include considerations of traffic safety, economic and aesthetic welfare. Unregulated signs may divert the driver's attention from the road, causing a traffic hazard. In addition, conflicts between private signs and traffic control signs result in unsafe traffic conditions. The economic base of the city is, to some extent, dependent upon maintaining an attractive area, both as to natural and manmade features, in which to visit, live and work.

Regulations of signs also serve to promote the private purposes of signs. Signs have become larger, more numerous and more expensive as a result of competition for attention. This competition of signs has, in some cases, defeated the very purposes for which they were created. The elimination of destructive competition between signs thus enhances the private purposes of signs as well as promotes the public health, safety and general welfare.

15.06.020 SCOPE

This chapter applies to all existing and future signs within the corporate boundaries of the City of Kent, but does not apply to signs located within a building or structure.

15.06.030 PROHIBITED SIGNS

The following signs are prohibited in all districts within the municipal boundaries of the City of Kent except as specifically allowed as temporary signs:

A. Banners, streamers, pendants, balloons.

B. Any sign using the words "stop", "look", "danger", or any other word, symbol or character which might confuse traffic or detract from any legal traffic control devices.

C. Stationary motor vehicles, trailers, and related devices to circumvent the intent of this chapter.

D. Signs which are pasted or attached to utility poles, trees, fences, or other signs, rocks or natural features.

E. Signs within 75 feet of the public right of way which are animated, revolving more than eight (8) revolutions per minute, blinking and/or flashing, except public service signs such as those which give the time, temperature and/or humidity. [Amendment - per City Council action, 3/17/75]
F. Roof signs. [Amendment - per City Council action, 7/5/78]

G. All lighted signs which are adjacent to and directed toward a residential district and which detract from the welfare of the residential district. [Amendment - per City Council action, 7/5/78]

H. Portable signs except temporary signs as permitted under Section 15.06.040 subsection B. [Amendment - per City Council action, 7/5/78]

15.06.040 ALL DISTRICTS - GENERAL RESTRICTIONS AND LIMITATIONS

A. Signs in Street Right of Way or Future Street Right of Way

No sign shall be located in or project into the present or future right of way of any public street unless such locations or projection is specifically authorized by other provisions of this section.

B. Signs Interfering with Sight Distance

No sign shall be so designed or constructed as to interfere with the sight distance of motorists proceeding on or approaching adjacent streets, alleys, driveways, or parking areas, or of pedestrians proceeding on or approaching adjacent sidewalks or pedestrian ways.

C. Signs Over Driveways

No sign suspended over or projecting into the area above a driveway located on private property shall be situated at a height of less than fifteen (15) feet above the surface of the said driveway.

D. Signs Over Public Sidewalks and Pedestrian Ways

No sign suspended over or projecting into the area above a public sidewalk or pedestrian way shall be situated at a height of less than eight and one-half (8-1/2) feet above the surface of the said sidewalk or pedestrian way and no sign may project more than 75 percent of the distance between the property line and the curb line except for signs attached to the underside of a canopy or other architectural projection.

E. Directional Signs

Directional signs and signs indicating entrances, exits, service areas and parking areas shall be excluded from the sign provisions of this code, and may be erected on private property upon approval of the Building Director, Traffic Engineer and Planning Director. These signs shall not contain advertising or promotional information and may be restricted in size. [Amendment - per City Council action, 3/17/75 & 7/5/78]
F. Closure of Business

Upon the closure and vacation of business or activity, the owner of said business or activity shall have one hundred twenty (120) days from the date of closure to remove all signs related to said business or activity.

G. Window Signs

Such signs shall be considered as a sign and computed as part of the aggregate sign area and number of signs. Any painted-over window shall be considered as a wall. The following signs, if used in the specified manner, are not computed as part of the aggregate sign area and do not require a permit:

1. Decals indicating credit cards honored.

2. Banners or posters on inside of windows--such signs may be used in conjunction with national advertising programs, or as weekly marketing specials, or as decorations customary for special holidays.

H. Painted Signs

Signs painted on exterior wall, window, or structure of any kind shall be computed as part of the aggregate sign area and number of signs.

I. Barber Poles

In addition to any other signs authorized by the provisions of this chapter, any barber shop shall be entitled to display a barber pole. The design the pole, its location and manner of erection shall be subject to the approval of the Building Director.

J. Credit Cards Honored

Signs indicating credit cards honored may be displayed in window areas only. Such signs are not computed as part of the aggregate sign area and do not require a permit.

K. Institutional Signs

For churches, schools, hospitals, public facilities, and institutional uses, one double-faced, freestanding or wall identification sign is permitted for each street frontage. Said sign may have an aggregate area of one (1) square foot for each ten (10) lineal feet of street frontage. However, each use is guaranteed a minimum sign area of twelve (12) square feet per display face regardless of street frontage. The sign may be illuminated. Freestanding symbols of sculpture used as identification may be permitted with the approval of the Planning Department. Wall signs, lettering or symbols may also be approved by the Planning Department. [Amendment - per City Council action, 7/5/78]
L. Gate or Entrance Sign

Gate or entrance signs may be permitted, and may be located in public rights of way, if approved by the Planning Department.

M. Community Bulletin Board

Subdivisions and residential communities may be allowed to erect a permanent structure as a community bulletin board if approved by the Building and Planning Directors.

N. Hour Signs

Signs stating business hours shall be excluded from the provisions of this code, and may be erected upon private property upon the approval of the Building Director and Planning Director. These signs shall not contain advertising or promotional information. Maximum number permitted shall be one (1) per entrance, maximum size four (4) square feet. [Amendment - per City Council action, 3/17/75]

O. Nonadvertising or nonpromotional signs may be erected as a public service to the community by public service clubs or other nonprofit organizations. Such signs may be located in any zone upon approval by the Building and Planning Directors. [Amendment - per City Council action, 3/17/75]

P. Real Estate Signs

Real estate signs are permitted as follows. No sign permit is required. [Amendment - per City Council action, 3/17/75]

1. Residential uses

   a. Single-family dwellings and duplexes: One (1) real estate sign shall be permitted for each street frontage of a lot. Said sign may have two (2) faces, shall not exceed a height of five (5) feet above the surface of the street unless placed in a window, shall not exceed an area of four (4) square feet per face, and shall be unlighted. [Amendment - per City Council action, 7/5/78]

   b. Multiple family dwelling: One (1) real estate sign shall be permitted for each street frontage of a development. The said sign shall not exceed an area of twelve (12) square feet, shall be attached flat against a principal building, shall not project above the eave of the roof or the top of the parapet of the said building and shall be unlighted. [Amendment - per City Council action, 7/5/78]

2. Commercial and industrial uses. One (1) real estate sign shall be permitted for each public entrance but there shall not be more than four (4) signs per lot. The said sign shall not exceed an area of eight (8) square feet, shall be attached flat against the building or freestanding, shall not project above the eave of the roof or the top of the parapet of
the said building and shall be unlighted. [Amendment - per City Council action, 3/17/75]

3. Unimproved acreage. One (1) real estate sign shall be permitted for each lot. The sign shall not exceed an area of one-fourth (1/4) of a square foot for each foot of lot frontage and shall not, in any event, exceed fifty (50) square feet. It shall not exceed a height of ten (10) feet above the surface of the nearest street and shall be unlighted.

Q. Temporary Signs

Temporary signs may be authorized by the Planning Department for a time period specified for each type of temporary sign. [Amendment - per City Council action, 3/17/75]

1. Temporary subdivision or apartment signs. A temporary real estate sign declaring a group of lots, dwellings, or occupancies within a subdivision or apartment complex for sale or rent shall be permitted subject to the following conditions:

a. One (1) such sign shall be permitted for each street frontage of the premises being sold or leased. The said sign shall be located on the premises being sold or leased. [Amendment - per City Council action, 7/5/78]

b. The area of said signs shall not exceed an area of twenty-five (25) square feet each. [Amendment - per City Council action, 7/5/78]

c. Said signs shall not exceed a height of ten (10) feet above the level of the street.

d. Said signs shall be unlighted.

e. Said signs shall not interfere with the sight distance of pedestrians and motorists proceeding on or approaching adjacent streets.

f. Said signs may remain as long as the project remains unsold or unleased, or for one (1) year, whichever period shall be lesser, provided, however, that the Planning Director shall have the authority to extend the time period one (1) year. [Amendment - per City Council action, 7/5/78]

2. Nonpolitical campaign signs. Temporary nonpolitical signs announcing a campaign, drive or event of a civic, philanthropic, educational or religious organization may be allowed upon any lot. Such signs may be posted thirty (30) days prior to the event, drive, campaign, etc. All such signs shall be collectively subject to the fifty (50) dollar deposit. Such signs shall be removed within seven (7) days after the event, drive, campaign, etc.
3. Construction signs. One (1) sign identifying a project under construction shall be permitted for each street frontage of the building or structure under construction. The said sign may contain the name of the building contractor and his subcontractors, the architect, and the engineer. The said sign shall be permitted during the period of construction and not exceed fifty (50) square feet total of all faces. [Amendment – per City Council action, 7/5/78]

4. Grand openings and special events signs. Special permits may be issued by the Planning Department for a period not to exceed thirty (30) days for banners, streamers and temporary or portable signs for special events such as carnivals, outdoor affairs and sales, grand openings and events of a similar nature. [Amendment – per City Council action, 7/5/78]

R. Off-Premise Signs

1. Not more than four (4) sign structures per one thousand (1,000) lineal feet are permitted.

2. Off-premise signs are permitted in M1, M2, M3 and HC districts. They are not permitted in any other district.

3. Standards
   a. Maximum size: 300 square feet.
   b. Maximum height: 35 feet.
   c. Distance from any intersection: 300 feet.
   d. Back-to-back and V-type sign structures shall be considered one sign structure.

15.06.050 REGULATIONS BY DISTRICT

In all districts the Planning Director shall have the option to waive type requirements in unique and special cases where due to building design or other special circumstance the development is unable to conform to stated standards. [Amendment – per City Council action, 3/17/75]

A. Signs Permitted in Residential Districts

1. Identification signs: Single-family dwellings and duplexes. One (1) identification sign shall be permitted for each occupancy. The said sign shall not exceed an area of three (3) square feet, shall not exceed a height of six (6) feet above the surface of the street, shall be attached directly to a building, fence, standard or mailbox, and shall be unlighted or provided with indirect illumination. Home occupations shall not be allowed additional sign area.

2. Identification signs: Multifamily dwellings. One (1) identification sign shall be permitted for each development except that
multiple-family dwellings with more than one street frontage may be allowed an additional sign for each street frontage of such lot. Each sign shall not exceed an area of twenty-five (25) square feet, may be a wall or freestanding sign, shall be unlighted or indirectly lighted, and shall not exceed a height of six (6) feet above the ground if freestanding. [Amendment - per City Council action, 7/5/78]

3. Farm product identification signs. No permit is required but said signs may not be located in the public right of way.

B. Signs Permitted in Neighborhood Convenience Commercial, Community Commercial, General Commercial, Highway Commercial, and Commercial Manufacturing Districts
[Amendment - per City Council action, 3/17/75 & 7/5/78]

1. Aggregate sign area. The aggregate sign area for any lot shall not exceed one and one-half (1-1/2) feet for each foot of street frontage. Aggregate sign area for corner lots shall not exceed one (1) square foot for each foot of street frontage. The permitted signs enumerated below shall be subject to the total aggregate sign area.

a. Identification signs: Occupancies. Each business establishment may have one (1) freestanding sign for each street frontage if not located in a shopping center and three (3) additional signs. [Amendment - per City Council action, 7/5/78]

   i. Freestanding sign. The freestanding sign shall not exceed a height of thirty (30) feet. The maximum sign area permitted is two hundred (200) square feet for the total of all faces. No one face shall exceed one hundred (100) square feet. Said sign may be illuminated.

   ii. Three additional signs. [Amendment - per City Council action, 7/5/78] Three additional signs shall be permitted subject to the following restrictions:

       The total area of all signs, graphics, or other advertising shall not be more than ten (10) percent of the building facade to which they are attached or displayed.

       On properties where a pole sign cannot be erected due to setback requirements or building placement, a projecting sign may be allowed in lieu of the permitted freestanding sign. Said projecting sign may not exceed fifteen (15) square feet (outside dimension).

2. Identification signs: Shopping centers. One (1) freestanding identification sign which may list the names of the occupants of the shopping center shall be permitted for each street frontage of each shopping center. The maximum sign area permitted for a freestanding sign is two hundred (200) square feet for the total of all faces. No one face shall exceed one hundred (100) square feet. A freestanding sign shall not exceed a height of thirty (30) feet and may be illuminated.
3. Automobile service station signs. The aggregate sign area for any lot shall not exceed one (1) square foot for each foot of lot frontage and the permitted signs enumerated below shall be subject to the total aggregate sign area.

   a. One (1) freestanding, lighted double-faced identification sign, not exceeding one hundred fifty (150) square feet for the total of all faces with no one face exceeding seventy-five (75) square feet, is permitted. Such sign shall not exceed a height of thirty (30) feet. The sign shall be lighted during business hours only.

   b. For each occupancy one wall identification sign is permitted for each street frontage and shall not exceed twenty (20) percent of the building facade to which it is attached. Said sign may be illuminated.

   c. Two (2) unlighted double-faced signs not exceeding a total of thirty (30) square feet in combined display face are permitted, subject to the following restrictions:

      i. Such signs shall be nonportable and shall be permanent in nature.

      ii. Such signs may identify prices.

4. Farm product identification signs. No permit is required but said signs may not be located in the public right of way.

C. Signs Permitted in Downtown Commercial District - DC

   [Amendment - per City Council action, 3/17/75 & 7/5/78]

1. Aggregate sign area. The aggregate sign area for any lot shall not exceed one and one-half (1-1/2) square feet for each foot of street frontage. The aggregate sign area for corner lots shall not exceed one (1) foot for each foot of street frontage. The permitted signs enumerated below shall be subject to the total aggregate sign area.

   a. Identification signs: Multitenant buildings. Each multi-tenant building may have one (1) identification wall sign for the building's identification for each street frontage. Said sign shall not exceed a total of five (5) percent of the facade to which it is attached. Said sign shall not name or advertise the individual tenants of the building. Aggregate sign area shall apply.

   b. Identification signs: Occupancies. Each occupant of a multi-tenant building shall be permitted two (2) wall signs. Said signs shall not exceed ten (10) percent of the facade of the individual business unit. Aggregate sign area shall not apply. No freestanding sign shall be permitted.

   c. Identification signs: Single tenant building. Each building may have one (1) freestanding sign for each street frontage. Said
sign may not exceed a height of thirty (30) feet. The maximum sign area permitted for the freestanding sign is one hundred (100) square feet for the total of all faces; no one face shall exceed fifty (50) square feet.

Three additional signs shall be permitted. All signs are subject to the aggregate sign area allowed. The total area of all signs, graphics, or other types of signs shall not exceed ten (10) percent of the facade to which they are attached or displayed.

D. Signs Permitted in Office District
[Amendment - per City Council action, 7/5/78]

1. One (1) freestanding double-faced identification sign shall be permitted for each lot. The said sign shall not exceed a maximum area of fifty (50) square feet for the total of all faces. No one face shall exceed twenty-five (25) square feet. A freestanding sign shall not exceed a height of fifteen (15) feet and shall be unlighted or provided with indirect illumination.

2. Identification signs: Buildings. One (1) identification sign shall be permitted for each principal building. The said sign shall not exceed an area of five (5) percent of the facade to which it is attached, shall be attached flat against the said building, shall not project above the eave of the roof or the top of the parapet, and shall be unlighted or provided with indirect illumination. Said signs shall not advertise or name individual tenants of the building.

3. Occupancy. Signs not exceeding a total of five (5) percent of the facade of the business unit to which they are attached shall be permitted for each occupancy in a multitenant building when the occupancy has outside frontage.

E. Signs Permitted in Industrial Districts
[Amendment - per City Council action, 7/5/78]

1. Aggregate sign area. The aggregate sign area for lots in MA and MI shall not exceed one-half (1/2) square foot for each foot of street frontage, in M2 shall not exceed three-fourths (3/4) square foot for each foot of street frontage; and in M3 shall not exceed one (1) square foot for each foot of street frontage; in no case shall the aggregate sign area exceed one-half (1/2) square foot for each foot of street frontage on a corner lot. The permitted signs enumerated below shall be subject to the total aggregate sign area.

a. Identification Signs. One (1) identification sign shall be permitted for each lot on each street frontage, which may be a freestanding sign or a wall sign. The maximum sign area permitted for a freestanding sign is two hundred (200) square feet for the total of all faces. No one face shall exceed one hundred (100) square feet. If the sign is a wall sign its size shall not exceed twenty (20) percent of the building facade. A freestanding sign shall not exceed a height of twenty (20) feet. The sign may be illuminated.
b. Identification signs: Occupancies. One (1) identification sign shall be permitted for each occupancy on each street frontage and shall be a wall sign. The maximum size of the sign shall be ten (10) percent of the building facade. This sign may be illuminated. If the identification sign permitted under (i) above is a wall sign, an additional wall sign may be permitted on a building facade not facing a street frontage.

2. Farm product identification signs. No permit is required but said sign may not be located in the public right of way.

F. Signs Permitted in Planned Unit Developments, Special Use Combining Districts, Mobile Home Park Districts and for Conditional Uses

All signs in Planned Unit Developments, Special Use Combining Districts, Mobile Home Parks and for Conditional Uses shall be incorporated as part of the developmental plan and approved with the developmental plan. Subsequent changes which conform to the adopted signing program may be granted by the Planning Director.

G. Signs Permitted in Shopping Centers
[Amendment - per City Council action, 3/17/75 and 7/5/78]

1. Aggregate Sign Area. The aggregate sign area for each occupant of a shopping center shall not exceed twenty (20) percent of the front facade of the unit. Wall signs are permitted on each exterior wall of the individual business unit. A minimum of thirty (30) square feet shall be permitted for any occupancy. No combination of signs shall exceed ten (10) percent of the facade to which they are attached.

If there is an attached canopy or overhang a ten (10) square foot sign may be attached to said canopy or overhang in addition to the other permitted signs. Such sign shall be at least eight (8) feet above any pedestrian walkway.

15.06.060 NONCONFORMING SIGNS AND AMORTIZATION

A. Nonconforming Signs

1. Signs that are existing as of the effective date of this code that do not conform to its regulations shall be considered nonconforming signs. Nonconforming signs may not be altered or added to without receiving approval from the Planning Department. Nonconforming signs must be modified to conform or be removed according to the schedule listed in Section 15.06.060 subsection 2 below.

2. No sign permit shall be issued to allow legal signs on property having a nonconforming sign until such time as the nonconforming sign(s) is modified to conform to this code. [Amendment - per City Council action, 3/17/75]
B. Amortization Period of Nonconforming Signs

1. Abandoned signs. Must be removed within ninety (90) days from the date of adoption of this code.

2. Signs in public right of way. Must be removed within ninety (90) days from the date of adoption of this code.

3. Banners, pendants. Must be removed within ninety (90) days from the date of adoption of this code.

4. Number of signs per occupancy. The number of allowable signs per occupancy must conform to the regulations of this code within three (3) years from the date of adoption of this code.

15.06.070 STRUCTURAL SAFETY AND MAINTENANCE OF SIGNS

All parts, portions, units and materials composing the sign, together with the frame, background, supports or anchorage, thereto, shall be maintained in proper state of safety, repair and state of preservation. The surface of all signs shall be kept neatly painted.

15.06.080 PROCEDURES

A. Permits

1. To insure compliance with the regulations of this chapter, a permit shall be required for all signs hereinafter installed or altered within the corporate boundaries of the City of Kent except those signs enumerated in subsection 2 below. No sign shall be erected, installed, applied, affixed, altered or relocated without a permit from the Building Department and the Planning Department. The sign permit shall certify that the sign, as represented by plans, drawings, or statements, is in conformance with the regulations of this chapter. [Amendment - per City Council action, 3/17/75]

2. The following signs must conform with the regulations of this chapter but may be erected, installed, affixed, altered or relocated without a sign permit.
   
   a. For sale, lease or rent signs.
   b. Farm signs.
   c. Residential signs for single-family dwellings.

3. The following information must be provided as part of the application for a sign permit:
   
   a. Name, address and phone number of the applicant.
b. Name and address of the activity for which the sign is intended and parcel number of land on which it is to be placed.

c. Three copies of a dimensional drawing showing type of sign as designated in this chapter; if lighted, method of illumination and height of sign. [Amendment - per City Council action, 7/5/78]

d. Four copies of a dimensional plot plan, accurate as to scale, showing all structures, the abutting right-of-way line of each street, and location of proposed sign and each existing sign on the property.

e. If the sign is a wall sign, four copies of an elevation of the building facade. This elevation shall be fully dimensional and accurate as to scale. It shall show the proposed sign and each existing sign.

f. One or more photographs (snapshots are adequate) showing the location of the proposed sign and its relationship to the remainder of the property.

g. A minimum of two (2) copies of a plot plan showing the location of the proposed sign with computations, diagrams and other data sufficient to show proper structural stability of the installation.

B. Fees and Deposits
[Amendment - per City Council action, 3/17/75]

1. Fees shall be governed by the fee schedule contained in the City of Kent Adopted Building Code.

C. Appeals

In order to provide for a system of appeals from administrative decisions in the interpretation of this section, the Board of Adjustment shall, upon proper application, render a decision as to whether the administrative decision was a reasonable interpretation and application of the provisions of this chapter.

D. Abatement of Illegal Signs

Any sign that violates the provisions of this chapter shall be deemed a public nuisance and shall be in lien against the property on which the sign was maintained and a personal obligation against the property owner. Said property owner shall first be served with a notice to abate the nuisance, except in the case of portable signs. Illegal portable signs may be immediately removed by the City and the owner given notice that the sign will be destroyed if not claimed within ten (10) days. Appeal of the abatement notice may be made to the Board of Adjustment. If, after such a hearing, the Board of Adjustment orders agents of the City to remove said nuisance, they shall have authority to enter upon private property to remove said nuisance. [Amendment - per City Council action, 7/5/78]
E. Variances

Variances from the terms of this chapter may be granted by the Hearing Examiner upon proper application. Variances may be granted when, because of special circumstances applicable to the property including size, shape, topography, location or surroundings, the strict interpretation of the regulations of this chapter deprives such property of privileges enjoyed by other property in the vicinity and under identical zoning classifications.

The variance shall not constitute a grant of special privilege inconsistent with a limitation upon uses of other properties in the vicinity and zone in which such property is situated.
15.07.010 PURPOSE

A. Provisions of this chapter are to provide minimum standards for landscaping in order to maintain and protect property values and enhance the general appearance of the City.

B. The Planning Director shall have the authority to waive specific requirements or impose additional requirements in unique or special circumstances to assure the fulfillment of the stated purpose of this chapter and to allow for flexibility and innovation of design. Special circumstances or unique conditions shall be reviewed with the Planning Director prior to submittal of a landscape plan. Examples of special conditions might include:

- Preservation of unique wildlife habitat
- Preservation of natural or native areas
- Compliance with special easements
- Renovation of existing landscaping
- Unique site uses

15.07.020 LANDSCAPE PLAN APPROVAL

A. A building permit shall not be issued until the landscaping plan has been approved.

B. At the time of Development Plan Review, the Planning Department shall review specific landscape requirements with the owner or their representative.

15.07.030 LANDSCAPE PERFORMANCE BONDING

A. A bond shall be required to guarantee the completion of the landscaping per the approved plan. The bond shall be posted with the City of Kent prior to issuance of the building permit. The bond shall be in the amount of $1.50 per square foot of the required landscape areas.

B. Types of landscape bonds which are acceptable:

1. Cash bonds
2. Assignment of savings accounts
3. Insurance company performance bond
4. Letter of guarantee from lender with attached approved plan
C. Bonding forms shall be as follows:

1. Cash bond: City of Kent cash bond form

2. Assignment of savings: City of Kent bond form

3. Insurance company performance bond: Bond form as prescribed by the bonding company. This form must include the following:
   a. The amount of the bond.
   b. The name of the project and address as assigned by the Kent Building Department.
   c. The following statement of purpose:
      "Landscaping required by the City of Kent Zoning Code and in accordance with approved landscape plan on file with the City of Kent."
   d. All applicable signatures.
   e. Name, address and telephone number of the party to whom the bond is to be released.

4. City of Kent lender guarantee form

D. Failure to complete all of the required landscaping or any part of it within six (6) months of the building occupancy shall constitute a zoning violation and the city shall use the bond to complete the required landscaping.

E. It shall be the responsibility of the project manager or business owner to contact the Planning Department upon completion of the landscaping work and request an inspection.

15.07.040 GENERAL LANDSCAPE REQUIREMENTS - ALL ZONES

A. All parking areas of over 20,000 square feet shall have a minimum of ten (10) percent of the parking, maneuvering area, and loading space landscaped as a means to reduce the barren appearance of the lot and to reduce the amount of storm water runoff. Perimeter landscaping, required adjacent to property lines, shall not be calculated as part of the ten (10) percent figure.

B. All ingress/egress easements which provide corridors to the subject lot not adjacent to a public right of way, shall be considered the same as public right of way. Landscape requirements for easement corridors shall be the same as those required adjacent to public rights of way.

C. All outside storage areas shall be screened by fencing and landscaping a minimum of five (5) feet in depth unless determined by Development Plan Review that such screening is not necessary because stored
materials are not visually obtrusive. The five-foot deep landscaped area can occur within the street right of way abutting the property line.

D. All portions of a lot not devoted to building, future building, parking, storage or accessory uses shall be landscaped in a manner appropriate to the stated purpose of this chapter.

E. All required landscaping areas shall extend to the curb line or the street edge. A crushed rock path in lieu of landscaping shall be required where appropriate as determined by the Planning Department.

F. Required landscape areas which are inappropriate to landscape due to the existence of rail lines or other features shall be relocated first to another lot line, or second, to an equal-sized area in another portion of the lot--to be determined by the Planning Department upon review with the owner or developer.

G. Bark mulch, gravel, or other nonvegetative material shall only be used in conjunction with landscaping to assist vegetative growth and maintenance or to visually complement plant material. Nonvegetative material is not a substitute for plant material.

H. Required landscape areas shall be provided with adequate drainage.

I. Slopes shall not exceed a 3 to 1 ratio (width to height) in order to decrease erosion potential and assist in ease of maintenance.

J. The perimeter of all parking areas which abut residential zones or uses shall be landscaped to a minimum depth of five (5) feet, unless a larger use separation is required by other sections of this chapter.

K. Landscaping shall not conflict with the safety of those using adjacent sidewalks or with traffic safety. Safety features of landscaping shall be discussed at the time of Development Plan Review, if necessary.

L. Quantity, arrangement and types of plants installed shall be appropriate to the size of the required landscape area and purpose of planting area as noted in Section 15.07.050 "Types of Landscaping".

M. All trash containers shall be screened from abutting properties and/or streets by one hundred (100) percent sight-obscuring fence or wall and appropriate landscaping.

N. Landscaping shall be placed outside of sight-obscuring or one hundred (100) percent sight-obscuring fences unless determined by the Planning Department that such arrangement would be detrimental to the stated purpose of this chapter.

O. All property abutting Highway 167 or Interstate 5 shall be landscaped to a minimum depth of ten (10) feet unless a larger area is required elsewhere in this chapter.
15.07.050 TYPES OF LANDSCAPING

A. Type I: Solid Screen

Purpose: Type I landscaping is intended to provide a solid sight barrier to totally separate incompatible uses.

Description: Type I landscaping shall consist of evergreen trees or tall shrubs with a minimum height of six (6) feet at planting, which will provide a one hundred (100) percent sight-obscuring screen within two (2) years from the time of planting; or a combination of evergreen and deciduous trees and shrubs backed by one hundred (100) percent sight-obscuring fence.

B. Type II: Visual Screen

Purpose: Type II landscaping is intended to create a visual separation that is not necessarily one hundred (100) percent sight-obscuring between incompatible uses.

Description: Type II landscaping shall be evergreen or a mixture of evergreen and deciduous trees with large shrubs and groundcover interspersed with the trees. A sight-obscuring fence will be required unless determined by Development Plan Review that such a fence is not necessary. The plantings and fence must not violate the sight area safety requirements at street intersections.

Evergreen trees shall be an average height of six (6) feet at planting. Deciduous trees shall be the following sizes based on their spacing:

- 1-inch caliper/10 feet on center
- 2-inch caliper/20 feet on center
- 3-inch caliper/30 feet on center
- 3-1/2 to 5-inch caliper/40 feet on center

Groundcover shall be of sufficient size and spacing to form a solid cover within two (2) years from the time of planting.

C. Type III: Visual Buffer

Purpose: Type III landscaping is intended to provide visual separation of uses from streets and main arterials and between compatible uses so as to soften the appearance of streets, parking lots and building facades.

Description: Type III landscaping shall be evergreen and deciduous trees planted not more than thirty (30) feet on center interspersed with large shrubs and groundcover. Where used to separate parking from streets, plantings must create a visual barrier of at least forty-two (42) inches in height at time of planting and form a solid screen two (2) years after planting. The planting shall not violate the sight area safety requirements at street intersections or driveways.
Evergreen trees shall be an average height of six (6) feet at planting. Deciduous trees shall be the following sizes based on their spacing:

- 1-inch caliper/10 feet on center
- 2-inch caliper/20 feet on center
- 3-inch caliper/30 feet on center
- 3-1/2 to 5-inch caliper/40 feet on center

Groundcover shall be of sufficient size and spacing to form a solid cover within two (2) years after the time of planting.

D. Type IV: Low Cover

Purpose: Type IV landscaping is intended to provide visual relief where clear sight is desired or as a complement to larger, more predominant planting materials.

Description: Type IV landscaping shall consist of a mixture of evergreen and deciduous shrubs, and/or groundcover, to provide solid covering of the entire landscaping area within two (2) years of planting and to be held to a maximum height of 3-1/2 feet (see Groundcover definition).

E. Type V: Open Area Landscaping

Purpose: Type V landscaping is primarily intended to visually interrupt large open spaces of parking areas.

Description: Type V landscaping shall consist of trees planted with supporting shrubs or groundcover. Each landscape area shall be of sufficient size to promote and protect growth of plantings, one hundred (100) square foot minimum (see Section 15.07.040, subsection A).

Evergreen trees shall be an average height of six (6) feet at planting. Deciduous trees shall be the following sizes based on their spacing:

- 1-inch caliper/10 feet on center
- 2-inch caliper/20 feet on center
- 3-inch caliper/30 feet on center
- 3-1/2 to 5-inch caliper/40 feet on center

Groundcover shall be of sufficient size and spacing to form a solid cover within two (2) years from the time of planting.

15.07.060 REGULATIONS BY ZONING DISTRICT

A. Residential Agricultural, RA

1. None.
B. Single-Family Residential, R1
   1. None.

C. Duplex Multifamily Residential, MR-D
   1. None.

D. Garden Density Multifamily Residential, MR-G
   1. Minimum of ten (10) feet abutting public right of way.
   2. Open green area shall occupy no less than twenty-five (25)
      percent of the area of the lot.

E. Medium Density Multifamily Residential, MR-M
   1. Minimum of ten (10) feet abutting public right of way.
   2. Open green area shall occupy no less than twenty-five (25)
      percent of the area of the lot.

F. High Density Multifamily Residential, MR-H
   1. Minimum of ten (10) feet abutting public right of way.
   2. Open green area shall occupy no less than twenty-five (25)
      percent of the area of the lot.

G. Mobile Home Park Combining District, MHP
   1. Requirements per Mobile Home Park Code.

H. Neighborhood Convenience Commercial, NCC
   1. The perimeter of properties abutting a residential district
      shall be landscaped to a minimum depth of ten (10) feet.
   2. A planting strip not less than five (5) feet in depth shall be
      provided along all abutting public rights of way and ingress/egress
      easements.

I. Community Commercial, CC
   1. The perimeter of properties abutting a residential district
      shall be landscaped to a minimum depth of ten (10) feet.
   2. A planting strip not less than five (5) feet in depth shall be
      provided along all properties abutting public rights of way and
      ingress/egress easements.
J. Downtown Commercial, DC

1. The perimeter of properties abutting a residential district shall be landscaped to a minimum depth of ten (10) feet.

2. A minimum of three (3) feet of landscaping between the sidewalk and the building front shall be landscaped with groundcover, shrubs or flowers; or

3. Street trees in accordance with the Official Tree Plan shall be planted.

K. Commercial Manufacturing, CM

1. The perimeter of property abutting a residential district shall be landscaped to a minimum width of ten (10) feet.

2. A planting strip not less than five (5) feet in depth shall be provided along all property abutting public rights of way.

L. Highway Commercial, HC

1. The perimeters of property abutting a residential district shall be landscaped to a minimum depth of ten (10) feet.

2. A planting strip not less than five (5) feet in depth shall be provided along all property abutting public rights of way.

M. General Commercial, GC

1. The perimeter of property abutting a residential district shall be landscaped to a minimum width of ten (10) feet.

2. A planting strip not less than five (5) feet in depth shall be provided along all property abutting public rights of way.

N. Professional and Office District, "O"

1. The perimeter of property abutting a residential district shall be landscaped to a minimum depth of ten (10) feet.

2. A planting strip not less than five (5) feet in depth shall be provided along all property lines abutting public rights of way.

O. Industrial Agricultural, MA (Industrial Uses)

1. Front yard: The front twenty (20) feet shall be improved with appropriate permanently maintained landscaping.

2. Side yard: At least fifteen (15) feet of the side yard shall be landscaped as in subsection 1 above.
P. Industrial Park District, M1

1. Front yard: The front twenty (20) feet shall be improved with appropriate permanently maintained landscaping.

2. Side yard: At least fifteen (15) feet of the side yard shall be landscaped as in subsection 1 above.

Q. Limited Industrial District, M2

1. Front yard: The front fifteen (15) feet shall be improved with appropriate permanently maintained landscaping.

2. Side yard: At least ten (10) feet of the side yard shall be landscaped as in subsection 1 above.

R. General Industrial District, M3

1. Front yard: The front ten (10) feet shall be improved with appropriate permanently maintained landscaping.

2. Side yard: At least five (5) feet of the side yard shall be landscaped as in subsection 1 above.

15.07.070 MAINTENANCE REQUIREMENTS

A. Whenever landscaping is or has been required in accordance with the provisions of this code, any addition or amendments hereto, or in accordance with the provisions or any previous code or ordinance of the City, the landscaping shall be permanently maintained in such a manner as to accomplish the purpose for which it was initially required.

B. The Planning Director or his designated representative is hereby authorized and empowered to notify the owner of any property required to be landscaped or the agent of any such owner that said landscaping is not being adequately maintained and the specific nature of such failure to maintain. The notice shall specify the date by which said maintenance must be accomplished and shall be sent by registered mail, addressed to the owner at his last known address.

C. Action Upon Noncompliance. Upon the failure, neglect or refusal of any owner or agent so notified to perform the required maintenance within the time specified in the written notice, or within fifteen (15) days after the date of such notice in the event the same is returned to the City by the Post Office Department because of inability to make delivery thereof, provided the same was properly addressed to the last known address of said owner or agent, the Planning Director or his designated representative is hereby authorized and empowered to cause the required maintenance to be done and provide for payment of the cost thereof, with said cost to be collected or taxed against the property affected as hereinafter provided.
D. Charge Included in Tax Bill. When the City has performed landscape maintenance or has paid for such maintenance, the actual cost thereof, plus accrued interest at the rate of eight (8) percent per annum from the date of the completion of work, if not paid by such owner prior thereto, may be charged to the owner of such property on the next regular tax bill forwarded to such owner by the City, and if so charged shall be due and payable by said owner at the time of payment of such bill.

E. Recorded Statement Constitutes Lien. If the full amount due the City is not paid by such owner within thirty (30) days after performance of the maintenance, as provided for in Subsection 3 above, then, in that case, the Planning Director, or his designated representative may cause to be recorded in the office of the Supervisor of Treasury Accounting, a sworn statement showing the cost and expense incurred for the work, the date the work was done and the legal description of the property on which said work was done. The recording of such sworn statement shall constitute a lien and privilege on the property, and shall remain in full force and effect for the amount due in principal and interest, plus court costs if any, until final payment has been made. Said costs and expenses shall be collected in the manner fixed by law for the collection of taxes and further shall be subject to a delinquent penalty of eight (8) percent per annum in the event the same are not paid in full on or before the date the tax bill upon which said charge appears become delinquent. Sworn statements recorded in accordance with the provisions hereof shall be prima facie evidence that all legal formalities have been complied with and that the work has been done properly and satisfactorily, and shall be full notice to every person concerned that the amount of the statement plus interest constitutes a charge against the property designated or described in the statement and that the same is due and collectible as provided by law.

F. Alternative Methods of Collection of Charges. In addition to, or in lieu of the provisions of subsection D and E, the City may, at its option, commence a civil action in any court of competent jurisdiction to collect for any charges incurred by the City for performance of maintenance as provided in subsection C.
CHAPTER 15.08 - GENERAL AND SUPPLEMENTARY PROVISIONS

15.08.010 PURPOSE

Provisions of this chapter are of general application to several or all zoning districts unless otherwise noted.

15.08.020 SPECIAL PERMIT USES

The following uses are permitted in the several districts in which they are listed as special permit uses provided that they conform to the development standards listed below in addition to conforming to the development standards of the zoning district in which the use is located.

A. Churches

Excluding drive-in churches which are conditional uses.

1. Minimum lot. One (1) acre.

2. Front yard. There shall be a front yard of at least twenty (20) feet depth.

3. Side yard. Each side yard shall be a minimum of fifteen (15) feet width.

4. Rear yard. There shall be a rear yard of at least twenty (20) feet depth.

5. Ingress and Egress. A separate entrance and exit shall be provided. Loading and unloading areas shall be provided and shall be located off public streets.

6. Landscaping. All yard areas must be landscaped.

7. Day care centers in churches must also provide the required play area, as provided in Section 15.08.020 subsection B.

8. Off-street parking and sign regulations shall be observed.

B. Nurseries and Day Care Centers

1. Minimum lot. Ten thousand (10,000) square feet.

2. Front yard. There shall be a front yard of at least twenty (20) feet minimum depth.

3. Side yard. Each side yard shall be a minimum of eight (8) feet width.
4. **Rear yard.** The rear yard shall be at least twenty (20) feet minimum depth.

5. **Play area.** A fenced and screened play lot on or adjoining the premise shall be provided with a minimum area of four hundred (400) square feet plus an additional forty (40) square feet for each child in excess of ten (10).

6. **Ingress and egress.** A separate entrance and exist shall be provided. Loading and unloading areas shall be provided and shall be located off the public street.

7. **Landscaping.** Landscaping shall be provided to a minimum width of eight (8) feet along property line abutting residential uses. Landscaping shall be in a manner assigned by the Planning Department at the time of the Development Plan Review.

8. **Off-street parking and sign regulations shall be observed.**

C. **Gasoline Service Stations**

Gasoline pumps shall not be considered incidental or secondary to a principally permitted use, and must conform to the requirements of this section.

1. **Minimum lot area.** Fifteen thousand (15,000) square feet.

2. **Lot frontage.** There shall be at least one hundred twenty (120) feet frontage on a public street.

3. **Pump setbacks.** The pump island shall be set back fifteen (15) feet from the public right of way and any property lines.

4. **Lubrication.** Lubrication shall be done within an enclosed building.

5. **Buffer of adjacent property.** A solid or woven fence, free of advertising, shall be maintained along property lines which flank residential districts.

6. **Lighting.** Lighting devices shall be shaded so as not to glare into residential districts.

7. **Hours.** Gasoline service stations abutting residential districts shall limit their hours of operation from 6 a.m. to 9 p.m. Signs shall not be lit when the service station is closed.

8. **Landscaping.** A planting strip of not less than five (5) feet wide shall be provided along all property lines abutting public rights of way. Landscaping shall be in a manner assigned by the Planning Department at the time of Development Plan Review.
9. **Ingress and egress.** Driveway widths shall not be greater than thirty (30) feet nor closer together than twenty-five (25) feet, no closer than five (5) feet to a property line; there shall be not more than two (2) driveways per public right of way.

D. **Drive-In Restaurants**

1. **Minimum lot area.** Fifteen thousand (15,000) square feet.

2. **Front yard.** There shall be a front yard of at least twenty (20) feet depth.

3. **Side yard.** Each side yard shall be at least twenty (20) feet width.

4. **Rear yard.** There shall be a rear yard of at least twenty (20) feet depth.

5. **Ingress and egress.** Driveway widths shall not be greater than thirty (30) feet nor closer together than twenty-five (25) feet, nor closer than five (5) feet to a property line; there shall be not more than two (2) driveways per public right of way.

6. **Landscaping.** Ten (10) foot strip along street rights of way except at points of ingress and egress to the property. Five (5) foot strip of landscaping along side lot lines shall be provided. Landscaping shall be in a manner assigned by the Planning Department at the time of Development Plan Review.

7. **Off-street parking and sign regulations** shall be observed.

### 15.08.030 GENERAL CONDITIONAL USE

**A. Purpose**

It is the purpose of this section to identify certain types of land uses that usually require relatively greater freedom of location than other uses restricted to certain districts by this code. General Conditional Uses may be allowed in the various zoning districts following the procedures in Section 15.09.030. General Conditional Uses may have one or all of the following characteristics.

1. Public necessity requires such use in all or several districts.

2. Their technical, operating, or service characteristics are such as to make it impractical to restrict their location only to certain districts.

3. Although they fit the description in subsections 1 and 2 above, their impact or effect on the immediate neighborhood or vicinity in which they are located may be detrimental in the absence of adequate performance standards, development controls, or good site planning.
It is, therefore, the purpose of this section to reconcile potential conflicts between public necessity of certain uses and their possible detrimental effects on other uses.

B. Type of Uses Identified

The uses identified for the purpose of this section will generally fall into several broad categories:

1. Utility, transportation, and communication facilities. Includes electrical substations, pumping or regulating devices for the transmission of water, gas, steam, petroleum, etc., bus stops, transit stations, etc.

2. Public facilities. Includes fire houses, police stations, libraries, and administrative offices of governmental agencies; primary and secondary schools, vocational schools and colleges.

3. Open space uses. Includes cemeteries, parks, playgrounds, golf courses and other recreation facilities, including buildings or structures associated therewith.

4. Drive-in churches, retirement homes, convalescent homes, and other welfare facilities, whether privately or publicly operated; facilities for rehabilitation or correction, private clubs, fraternal lodges, etc.

15.08.040 HOME OCCUPATIONS

Home occupations may be permitted, provided that they meet the following conditions:

A. Types of Use. Such activity shall be secondary to the use of the dwelling for living purposes. Home occupations are limited to those which are customarily carried on within a dwelling by members of the family, such as handicrafts, dressmaking, millinery, laundering, preserving and home cooking, music lessons (one pupil at a time). Home occupations shall not include beauty shops, barber shops, television and radio repair shops, stable or kennels, real estate offices or restaurants.

B. Do not require nonresident employees in the RA, R1 or MR-D districts; and do not exceed one nonresident employee in the MR-G, MR-M and MR-H districts.

C. Do not occupy more than twenty-five (25) percent of the floor space of the main floor of the residence, and in no event, more than three hundred (300) square feet.

D. Are not conducted in accessory buildings detached from the main structure.
E. Do not require the storage, exchange, or transfer of merchandise in such buildings or premises, except for franchise parties, where minor storage or transfer of goods is made.

F. Do not create a disturbing or objectionable condition in the neighborhood, such as excess traffic generation, noise, glare, dust, etc.

G. Do not require exterior modification of the structure which would suggest use other than residential.

H. A business license for the home occupation is issued by the City of Kent.

15.08.050 PERFORMANCE STANDARDS

A. Performance Standards Defined

Performance standards deal with the operational aspects of land uses. While performance standards shall apply to all land uses within the City, they are primarily concerned with the impact of industrial development upon the environment. Continued compliance with the performance standards shall be required of all uses, except as otherwise provided for in these regulations.

No land or building in any district shall be used or occupied in any manner so as to create any dangerous, injurious, noxious, or otherwise objectionable condition. The following elements, if created, may become dangerous, injurious, noxious or otherwise objectionable under the circumstances, and are then referred to as "dangerous or objectionable elements":

1. Noise, vibration or glare.
2. Smoke, dust, odor or other form of air pollution.
3. Heat, cold or dampness.

B. Nonconforming Uses

Uses established before the effective date of this code and nonconforming as to performance standards shall be given three (3) years in which to conform therewith.

C. Locations Where Determinations are to be Made for Enforcement of Performance Standards

The determination of the existence of any dangerous and objectionable elements shall be made at the location of the use creating the same and at any points where the existence of such elements may be more apparent (herein referred to as "at any point"); provided, however, that the measurement of performance standards for noise, vibration, odors, or glare, shall be taken at the following points of measurement:
1. In all districts: at the property lines or lot lines.

D. Dangerous and Objectionable Elements

1. Noise. At the points of measurement specified in Section 15.08.050 subsection C, the maximum sound pressure level radiated in each standard octave band by any use or facility (other than transportation facilities or temporary construction work) shall not exceed the values for octave bands lying within the several frequency limits given in Table I after applying the corrections shown in Table II. The sound pressure level shall be measured with a sound level meter and associated octave band analyzer conforming to standards prescribed by the American Standards Association. (American Standard Sound Level Meters for Measurement of Noise and Other Sounds Z24.3-1944 American Standard Specification for an Octave Band Filter Set for the Analysis of Noise and Other Sounds, Z24.10-1953, or latest approved revision thereof, American Standards Association, Inc. New York, N.Y., shall be used.) (See Table I and II on Page 124.)

2. Vibration. No vibration shall be permitted which is discernible without instruments at the points of measurement specified in Section 15.08.

3. Odors. No emission shall be permitted of odorous gases or other odorous matter in such quantities so as to exceed the odor threshold at the parts of measurements listed below. The odor threshold shall be defined as the concentration in the air of a gas or vapor which will just evoke a response in the human olfactory system.

   a. Industrial Park District - M1. Odorous matter released from any operation or activity shall not exceed the odor threshold beyond lot lines.

   b. Limited Industrial District - M2. Odorous matter released from any operation or activity shall not exceed the odor threshold beyond lot lines.

   c. General Industrial District - M3. Odorous matter released from any operation or activity shall not exceed the odor threshold beyond the district boundary or five hundred (500) feet from the lot line, whichever distance is shortest.

4. Glare. No direct or sky-reflected glare, whether from floodlights or from high temperature processes such as combustion or welding or otherwise, so as to be visible at the points of measurement specified in Section 15.07.050 subsection C shall be permitted. This restriction shall not apply to signs or floodlighting of buildings for advertising or protection otherwise permitted by the provisions of this code.

5. Radioactivity or electrical disturbance. The regulations of the Federal Occupational Safety and Health Standards shall apply for all radioactivity and electrical disturbance unless local codes and ordinances supersede this federal regulation.
TABLE I

Sound Pressure Levels in Decibels

<table>
<thead>
<tr>
<th>Octave Bank, Cycles Per Second</th>
<th>Maximum Permitted Sound Pressure Level, Decibels</th>
</tr>
</thead>
<tbody>
<tr>
<td>20-75</td>
<td>75</td>
</tr>
<tr>
<td>75-150</td>
<td>70</td>
</tr>
<tr>
<td>150-300</td>
<td>64</td>
</tr>
<tr>
<td>300-600</td>
<td>59</td>
</tr>
<tr>
<td>600-1,200</td>
<td>53</td>
</tr>
<tr>
<td>1,200-2,400</td>
<td>47</td>
</tr>
<tr>
<td>2,400-4,800</td>
<td>40</td>
</tr>
<tr>
<td>4,800-10KC</td>
<td>34</td>
</tr>
</tbody>
</table>

TABLE II

Correction in Maximum Permitted Sound Pressure Level in Decibels to be Applied to Table I

<table>
<thead>
<tr>
<th>Type of Operation or Character of Noise</th>
<th>Correction in Decibels</th>
</tr>
</thead>
<tbody>
<tr>
<td>Noise source operates less than 20 percent of any one hour period.</td>
<td>Plus 5*</td>
</tr>
<tr>
<td>Noise source operates less than 5 percent of any one hour period.</td>
<td>Plus 10*</td>
</tr>
<tr>
<td>Noise source operates less than 1 percent of any one hour period.</td>
<td>Plus 15*</td>
</tr>
<tr>
<td>Noise of impulsive character (hammering, etc.)</td>
<td>Minus 5</td>
</tr>
<tr>
<td>Noise of periodic character (hum, screech, etc.)</td>
<td>Minus 5</td>
</tr>
</tbody>
</table>

*Apply one of these corrections only.

6. Fire and explosion hazards. The relevant provisions of federal, state and local laws and regulations shall apply.

7. Smoke, fly ash, dust, fumes, vapors, gases and other forms of air pollution. The standards of the Puget Sound Air Pollution Control Agency, Regulation I, or those regulations as may be subsequently amended, shall apply.
8. Liquid or solid wastes. No discharge of any materials of such nature or temperature as can contaminate any water supply, interfere with bacterial processes in sewage treatment, or otherwise cause the emission of dangerous or offensive elements shall be permitted, at any point into any public sewer, private sewage disposal system, or stream, or into the ground, except in accord with standards approved by the Washington State Department of Ecology or other appropriate state agencies.

15.08.060 VIEW REGULATIONS ON HILLSIDE DEVELOPMENT

A. Purpose

The purpose of these view regulations is to regulate the height and location of buildings on hillsides in order to protect the external appearance of hillsides which are on the visual forefront of the City with a significant impact on the quality of the visual environment and to protect views themselves which are a visual amenity which ought to be protected and enhanced.

The criteria of this section establishes procedures for determining heights and locations of buildings on hillsides so that views will not be destroyed by site development plans that fail to consider adjacent properties and the right of those properties to a view. These regulations shall be interpreted and enforced at the time of Development Plan Review. These regulations shall not, however, prohibit construction of any building one story in height or less, as measured from finished grade, on any legal lot of record. [Amendment per City Council action, 8/15/77]

B. View Regulations Defined

Any projected development located within two hundred (200) feet downslope from an RA, R1, MR-D zoned area or five hundred (500) feet downslope from an MR-G, MR-M, MR-H zoned area when such area qualifies as view property, must allow for the protection of the view from such property as follows:

1. Protection of view of large tracts of land. If the property which has a view to be protected exceeds either twenty thousand (20,000) square feet in area or 200 feet in length or width, the restriction on height of the building to be erected on the adjacent downslope property shall be determined as follows:

   Two lines shall be drawn parallel to the slope line, one such line on either side of the building. "Side" in this instance shall be defined as the furthest point of the building measured outward perpendicular from a line through the center of the building parallel to the slope line. These two lines shall extend upslope continuing parallel to the slope line until they meet the property line. No part of the proposed building shall exceed in height by more than ten feet the mean elevation along the property line between these two parallel lines.
2. Protection of view of smaller tracts of land. Those tracts of land measuring less than twenty thousand (20,000) square feet in area and less than two hundred (200) feet in both length and width as well as the erection of more than one residential building on the same piece of property will be covered by the following regulations.

a. View property in RA, R1 and MR-D zones.

1. View is an unobstructed field of vision comprising a horizontal angle of not more than 90 degree and a vertical angle of not more than 5 degree below the horizontal.

2. The horizontal view angle shall have as its origin a vertical axis passing through the geographic center of the lot whose view is to be protected. The 90 degree angle shall be oriented with 45 degrees on either side of the slope line which shall be laid out perpendicular to the mean contour of the area as contrasted to the slope of the particular lot in question.

3. The vertical view angle shall have as its origin a point six (6) feet above the ground surface on a lot prior to any excavation for a foundation or basement.
iv. No building constructed within five hundred (500) feet of the point of origin of the view angle and located beneath the air space located within that angle shall rise above the lower extent of the vertical angle.


i. View is an unobstructed field of vision comprised of a horizontal view angle of 60 degrees and a vertical view angle extending from the horizontal upward to the vertical line.

ii. The horizontal view angle shall have as its origin a vertical axis passing through the geographic center of the lot whose view is to be protected or in the case of an existing apartment building, the vertical axis should pass through the geographical center of those units whose view is to be protected. The 60 degree angle may be shifted to the extent that no less than 20 degrees of the 60 degrees lies on either side of the slope line which shall be laid out perpendicular to the mean contour of the area as contrasted to the slope of the particular lot in question.
iii. The vertical angle shall originate on a horizontal line extending from the intersection of the vertical line forming the axis for the horizontal view angle and the original slope, or in the case of an existing apartment building, the floor level of the lowest residential floor.

iv. No building constructed within five hundred (500) feet of the point of origin of the view angle and located beneath the air space located within the angle shall rise above the lower extent of the vertical angle.

15.08.070 ANIMALS IN RESIDENTIAL DISTRICTS

Animals, (excluding household pets such as cats and dogs) especially horses, cows, sheep, goats, shall not be permitted in residential districts on lots smaller than twenty thousand (20,000) square feet.

15.08.080 PARKING STORAGE OR HABITATION OF MAJOR RECREATIONAL EQUIPMENT

Recreational Equipment: For purposes of these regulations, major recreational equipment is defined as including boats and boat trailers and travel trailers. No more than two (2) pieces of recreational vehicle equipment shall be parked in the required front yard and no such equipment shall be used for living purposes.
15.08.090 PARKING AND STORAGE OF VEHICLES

No more than one (1) vehicle of any kind in inoperable condition shall be stored or parked on any residentially zoned property for more than thirty (30) days.

15.08.100 NONCONFORMING USES

A. Established Nonconforming Use

To benefit from the protection given to a nonconforming use, such use must have been legitimately and lawfully established prior to the adoption of this ordinance and amendments thereto or a county resolution in effect at the time of annexation which rendered it nonconforming.

B. Nonconforming Uses

No existing buildings, structure or land devoted to a use not permitted by this chapter in the district in which such building, structure, or land is located shall be enlarged, extended, reconstructed, substituted or structurally altered, unless the use thereof is changed to a use permitted in the district in which such building, structure or land is located, and except as permitted in the following sections.

C. Substitution or Extension

1. When authorized by the Planning Director, a nonconforming use may be changed to a use of a like or more restricted nature.

2. Whenever a nonconforming use has been changed to a conforming use, such use shall not thereafter be changed to a nonconforming use.

3. When authorized by the Planning Director, a nonconforming use of a building may be extended throughout those parts of a building which were manifestly designed or arranged for such use prior to the date when such use of such building became nonconforming, if no structural alterations, except those required by law are made therein.

D. Discontinuance

1. If the nonconforming use of a building, structure or premises ceases for a period of six (6) months or more, said use shall be considered abandoned; and the said building, structure or premises shall thereafter be used only for uses permitted in the district in which it is located.

2. The nonconforming use of a conforming building, structure, or land may be continued for a period of five (5) years from the effective date of this chapter, or five (5) years from the date the use becomes nonconforming, whichever date is later, at the end of which period such nonconforming use shall be changed to a conforming use or be terminated, except that hardship cases may be appealed for time extensions to the Board of Adjustment.
3. All uses nonconforming at the time of adoption of this chapter, by reason of noncompliance with performance standards stipulated, shall adopt necessary measures and conform therewith within three (3) years of the adoption of this chapter.

4. Any nonconforming building or structure damaged, where cost of restoration exceeds fifty (50) percent of the fair market value of the structure at the time of the damage by fire, flood, explosion, wind, earthquake, war, riot, or other natural disaster shall not be restored or reconstructed and used as before such happening; but, where cost of restoration does not exceed fifty (50) percent of the fair market value of the structure at the time of the damage, it may be restored, reconstructed or used as before, provided that it be completed within one (1) year of such happening.

5. Such repairs and maintenance work as required to keep it in sound condition may be made to a nonconforming building or structure, provided no structural alterations shall be made except such as are required by law or ordinance or authorized by the Planning Director. Except as otherwise provided elsewhere in this chapter, the total structural repairs and alterations that may be made in a nonconforming building or structure shall not, during its life subsequent to the date of its becoming a nonconforming building or structure, exceed fifty (50) percent of its fair market value at the time it became a nonconforming building or structure.

6. The nonconforming use of a nonconforming building, structure or land may continue indefinitely, except where otherwise noted in this code.

7. Any nonconforming building or structure damaged in excess of fifty (50) percent of fair market value due to natural disaster may be appealed to the Board of Adjustment for time extension.

E. Residential Districts - Existing Residential Uses of Greater Density Not Nonconforming

Residential uses located in any residential zoning district and in existence at the time of adoption of this code shall not be deemed nonconforming in terms of density provisions of this code.

F. Rehabilitation of Nonconforming Dwellings

Existing dwellings located in any zone in which they are not a permitted use, may be rebuilt after a fire or natural disaster or brought up to building standards after review by the Board of Adjustment.

G. Nonconforming Lots of Record.

1. Residential districts. In any district in which single-family dwellings are permitted, a single-family dwelling and customary accessory buildings may be erected on any single lot of record at the effective date of adoption or amendment of this code, notwithstanding limitations imposed by other provisions of this code. Such lot must be in separate ownership.
and not of continuous frontage with other lots in the same ownership, except that the Board of Adjustment can consider lots that are in common ownership and common frontage. This provision shall apply even though such lot fails to meet the requirements for area or width, or both, that are generally applicable in the district, provided that yard dimensions and requirements other than those applying to area or width, or both, of the lot shall conform to the regulations for the district in which such lot is located. Variance of yard requirements shall be obtained only through action of the Board of Adjustment.

If two or more lots or combinations of lots and portions of lots with continuous frontage in single ownership are of record at the time of passage or amendment of this code, and if all or part of the lots do not meet the requirements established for lot width and area, the land involved shall be considered to be an undivided parcel for the purposes of this code, and no portion of said parcel shall be used or sold in a manner which diminishes compliance with lot width and area requirements established by this code, nor shall any division of any parcel be made which creates a lot with width or area below the requirements stated in this code.

2. Other districts. In any other district permitted buildings and structures may be constructed on a lot of record, provided that site coverage, yard, landscaping and off-street parking requirements are met. Such lots must be in separate ownership and not of continuous frontage with other lots in the same ownership. Variance of these requirements shall be obtained only through action of the Board of Adjustment.

15.08.110 LOT PROVISIONS

A. Lot Reduction to Violation

No land may be so reduced in area that it would be in violation of minimum lot size, yard provisions, lot coverage, off-street parking, or any other requirements of the zoning district or use.

15.08.120 IRREGULAR-SHAPED LOTS

On irregular shaped lots, the average distance from the building line to the lot line shall be no less than the minimum yard provision, provided however, that no part of the structure shall be located so that one-half the minimum yard provision occurs at any point along such averaged alignment.

15.08.130 VISIBILITY AT INTERSECTIONS IN RESIDENTIAL DISTRICTS

On a corner lot in any residential district, nothing shall be erected, placed, planted, or allowed to grow in such a manner as materially to impede vision between a height of two and one-half (2-1/2) and ten (10) feet above the centerline grades of the intersecting streets in the area bounded by the street lines of such corner lots and a line joining points along said street lines twenty (20) feet from the point of the intersection.
15.08.140 VISIBILITY AT ACCESS POINTS FOR AUTOMOBILES

Areas for ingress and egress for automobiles shall be designed in such a manner that adequate visibility is insured.

15.08.150 SIDE YARD ON CORNER LOT

The side yard along a side street on a corner lot shall have a minimum yard of ten (10) feet, except where a larger yard may be required.

15.08.160 ACCESSORY BUILDINGS

A. An accessory building can be located anywhere on a lot if it conforms with the setbacks required by this code for a principal building. In the rear one-half of a lot the accessory building can be built to within two (2) feet of the side and rear lot lines except when attached to a principal building, in which case it must have the same setbacks as the main building.

B. Guest house accessory buildings shall be located on the rear half of the building site. There shall be not more than one (1) guest house on any one building site which, together with other accessory buildings, shall not exceed thirty (30) percent of the area of the rear yard on which it is built. No kitchen or cooking facilities shall be permitted in any guest house.

15.08.170 PROJECTIONS INTO REQUIRED YARDS

Certain architectural features may project into required yards or courts as follows:

A. Cornices, canopies, eaves or other architectural features may protrude up to a distance of two (2) feet into any required yard.

15.08.180 STRUCTURES TO HAVE ACCESS

Every building hereafter erected or moved shall be on a lot adjacent to a public street, or with access to an approved private street, and all structures shall be so located on lots as to provide safe and convenient access for servicing and required off-street parking.

15.08.190 EXCEPTIONS TO HEIGHT REGULATIONS

The height limitations for the various districts shall not apply to spires, flag poles, belfries, cupolas, noncommercial antennas, ventilators, chimneys, or other appurtenances usually required to be placed above the roof level and not intended for human occupancy. The height limitations shall not apply to barns and silos provided that they are not located within fifty (50) feet of any lot line. Elevated reservoirs, water tanks and standpipes are exempt from height restrictions. [Amendment - per City Council action 2/2/81]
15.08.200 LANDSCAPING

A. A bond shall be posted payable to the City of Kent in an amount equal to the bid of a responsible landscape construction contractor for development that takes place in any zone calling for landscaping.

B. All landscape construction shall be complete as per approved plans filed with the Kent Planning Department within twelve (12) months of the approval of the landscape plans.

15.08.210 TRANSITION AREA COMBINING DISTRICT

[Adopted - by City Council, 7/19/81]

Purpose: The purpose of this section is to provide a transition area between industrial and residential zoning districts or commercial and residential zoning districts. The transition area provides both a physical and visual buffer between residential districts and other land uses.

Transition area regulations shall be superimposed over those of the underlying zones. Buildings and setback areas within industrial or commercial districts shall be affected by these regulations if they are less than three hundred (300) feet from a property line in a single-family residential district, or are less than one hundred fifty (150) feet from a property line in a multifamily residential district. Transition area regulations shall apply to those areas designated as Transition Area Combining Districts on the official zoning code map.

A. Building Height. Shall not exceed two (2) stories or thirty-five (35) feet. Beyond this height, to a height not greater than either three (3) stories or forty-five (45) feet, two (2) feet of yard space beyond that required for a particular district shall be added to compensate for each foot of additional building height allowed at the Planning Director's finding that such heights will not be detrimental to their surroundings.

B. Building Setback. Shall be a minimum of fifty (50) feet from the nearest residential property line.

C. Building Length. Building frontage adjacent to residential zones shall not exceed two hundred (200) feet.

D. Principal Access. Wherever possible, access to any use in a transition area shall be such that traffic does not travel through or past residential districts.

E. Sight Screening. Screening equivalent to Type I (solid screen) specified in the City's landscape regulations shall apply in a transition area directly adjacent to a residential zone. Where a transition area occurs along a street that separates industrial or commercial uses from residences, Type III (visual buffer) planting shall apply.
F. Parking. Parking and internal circulation of vehicles shall occur along boundaries with residential districts only if sight screened according to Type III requirements of the City's landscape regulations.

G. Building Size. No building shall exceed one (1) acre in size.

H. Glare. Highly reflective building materials shall be avoided in transition areas unless it can be shown that it will not adversely impact any other private or public property.

I. Noise. Truck traffic and other noise normally associated with an operation or use in the transition area shall be limited to the hours between 7 a.m. and 10 p.m.

J. Separation of Buildings. Buildings shall be separated by no less than twenty (20) feet. Variations in this standard may be approved by the Planning Director if more usable configuration of open space is obtained, while still protecting visual transition to residential uses.
TRANSITION AREA COMBINING DISTRICT

Boundary lines — --- —

3 inch = 1,000 feet
CHAPTER 15.09 - ADMINISTRATION

15.09.010 DEVELOPMENT PLAN REVIEW

A. Review of development plans shall be carried out by the Planning Department for all buildings and structures hereinafter erected, constructed, structurally altered, repaired or moved within or into any district requiring development plan review and whenever a city permit is required, and for the use of vacant land or for a change in the character of the use of land and/or buildings, within any district requiring development plan approval.

B. The Development Plan Review is an administrative review, the primary purpose of which is to define and describe the needs of the particular site, covered by a development plan, in reference to the requirements of this code. In addition to the requirements of this code, the Planning Department shall approve a development plan only after the following standards (as a minimum), when applicable, have been incorporated into the development plan.

1. Storm drainage must be handled by each proposed development in conformance with existing storm drainage plans and in conformance with city policies for storm drainage.

2. A planned street system is a primary element of any development plan proposed within the City and must be compatible with the city's circulation plans. Development which is proposed in areas of the City which have a planned street system which is a part of the Comprehensive Plan, or the City's Six-Year Plan, and any other street plan, shall make provisions for such streets and must not cause implementation of such street plans to become unattainable because the street plan is considered secondary to the development plan.

3. Pedestrian circulation system must become a part of any development plan when the proposed development will generate or attract pedestrians.

4. The proposed development shall be compatible with existing development adjacent to or within five hundred (500) feet of the property line of the proposed development. Compatibility shall not refer to architectural design features but to siting of building and location of off-street parking.

5. Efforts have been made to preserve trees, natural vegetation, creeks or other environmental amenities.

15.09.020 ZONING PERMIT

A. Zoning permits shall be required for all grading permits, buildings and structures hereinafter erected, constructed, altered, repaired or moved within or into any district established by this code, and for the use of
vacant land or for a change in the character of use of land or buildings within any district established by this code.

8. Said zoning permit shall certify that the proposed use is in accordance with the requirements and standards of this Code. A zoning permit shall not be issued until the development plan has been approved.

15.09.030 CONDITIONAL USES

A. Purpose

1. Conditional use permits, revocable, conditional or valid for a time period may be issued by the Hearing Examiner for any of the uses or purposes for which such permits are required or permitted by the terms of this Code. The purpose of the conditional use permit is to allow the proper integration into the community of uses which may be suitable only on certain conditions in specific locations in a zoning district, or if the site is regulated in a particular manner. [Amendment - per City Council action, 7/2/79]

2. Any use existing at the time of adoption of this code which is within the scope of uses permitted by a conditional use permit in the district in which the property is situated shall be deemed a conforming use without necessity of a conditional use permit.

3. Any expansion of an existing conditional use may be required to apply for a new conditional use permit if the Planning Director finds that there is a change in the nature of the use by such expansion.

B. Application

The owner or his agent may make application for a conditional use permit which shall be on a form prescribed by the Planning Department and filed with the Planning Department. Said application shall be submitted at least forty-five (45) days prior to the next regularly scheduled public hearing date, and shall be heard by the Hearing Examiner within one hundred (100) days of the date of said application—provided, however, that this period may be extended in any case for which an environmental impact statement is required. [Amendment - per City Council action, 3/19/79 & 7/2/79]

1. Development plans shall be submitted drawn to scale, showing the actual dimensions and shape of the lot to be built upon; the exact sizes and locations on the lot of buildings already existing, if any, and the location on the lot of the proposed building or alteration. Said plans shall show proposed landscaping, off-street parking, signs, ingress and egress and adjacent land uses. The plan shall include other information as may be required by the Planning Department.
C. Public Hearing

The Hearing Examiner shall hold a public hearing on any proposed conditional use, and shall give notice thereof in at least one (1) publication in the local newspaper at least ten (10) days prior to the public hearing. [Amendment - per City Council action, 7/2/79]

1. Notice shall be given to all property owners within a radius of at least two hundred (200) feet and, when determined by the Planning Director, a greater distance of the exterior boundaries of the property subject of the application. Such notice to be sent ten (10) days prior to the public hearing.

   a. The failure of any property owner to receive said notice of hearing will not invalidate the proceedings.

2. Public notices shall be posted in three conspicuous places on or adjacent to the property subject of the application at least ten (10) days prior to the date of the public hearing.

D. Standards and Criteria for Granting a Conditional Use Permit

A conditional use permit shall only be granted after the Hearing Examiner has reviewed the proposed use to determine if it complies with the standards and criteria listed below. A conditional use permit shall only be granted if such finding is made. [Amendment - per City Council action, 7/2/79]

1. The proposed use in the proposed location will not be detrimental to other uses legally existing or permitted outright in the zoning district.

2. The size of the site is adequate for the proposed use.

3. The traffic generated by the proposed use will not unduly burden the traffic circulation system in the vicinity.

4. The other performance characteristics of the proposed use are compatible with those of other uses in the neighborhood or vicinity.

5. Adequate buffering devices such as fencing, landscaping, or topographic characteristics protect adjacent properties from adverse effects of the proposed use, including adverse visual or auditory effects.

6. The other uses in the vicinity of the proposed site are such as to permit the proposed use to function effectively.

7. The proposed use complies with the performance standards, parking requirements and other applicable provisions of this code.

8. Any other similar considerations that may be appropriate to a particular case.
E. **Action of Hearing Examiner**

Special conditions may be imposed on the proposed development to insure that the proposed use will meet the standards and criteria of Section 15.09.030 subsection D in granting a conditional use permit. Guarantees and evidence that such conditions are being complied with may be required. [Amendment - per City Council action, 7/2/79]

F. **Appeal**

The decision of the Hearing Examiner shall be final, unless an appeal is made to the City Council within ten days after the Hearing Examiner's decision. Said appeal shall be in writing to the City Council and filed with the City Clerk. [Amendment - per City Council action, 7/2/79]

G. **One Year Validity**

Any conditional use permit granted by the Hearing Examiner shall remain effective only for one year unless the use is begun within that time or construction has commenced. If not in use or construction has not commenced within one year, the conditional use permit shall become invalid. [Amendment - per City Council action, 7/2/79]

15.09.040 **VARIANCES**

The Board of Adjustment shall have the authority to grant a variance where practical difficulties, unnecessary hardships and results inconsistent with the general purposes of this code might result from the strict application of certain provisions. A variance may not be granted to allow a use that is not in conformity with the uses specified by this code for the district in which the land is located. (NOTE: Sign variances are heard by the Kent Hearing Examiner.)

A. **Application**

The owner or his agent may make application for a variance which shall be on a form prescribed by the Planning Department and filed with the Planning Department. Said application shall be submitted at least forty-five (45) days prior to the next regularly scheduled public hearing date, and shall be heard by the Board of Adjustment within one hundred (100) days of the date of said application—provided, however, that this period may be extended in any case for which an environmental impact statement is required. [Amendment - per City Council action, 3/19/79]

B. **Public Hearing**

The Board of Adjustment shall hold a public hearing on any proposed variance, and shall give notice thereof in at least one publication in the local newspaper at least ten (10) days prior to the public hearing.

1. Notice shall be given to all property owners within a radius of at least two hundred (200) feet and, when determined by the Planning
Director, a greater distance of the exterior boundaries of the property subject of the application. Such notice to be sent ten (10) days prior to the public hearing.

   a. The failure of any property owner to receive said notice of hearing will not invalidate the proceedings.

   2. Public notices shall be posted in three conspicuous places on or adjacent to the property subject of the application at least ten (10) days prior to the date of the public hearing.

C. Conditions for Granting Variance

Before any variance may be granted, it shall be shown and the Board of Adjustment shall find:

1. The variance shall not constitute a grant of special privileges inconsistent with a limitation upon uses of other properties in the vicinity and zone in which the property, on behalf of which the application was filed, is located.

   2. Such variance is necessary, because of special circumstances relating to the size, shape, topography, location or surroundings of the subject property, to provide it with use rights and privileges permitted to other properties in the vicinity and in the zone in which the subject property is located; and

   3. That the granting of such variance will not be materially detrimental to the public welfare, or injurious to the property or improvements in the vicinity and zone in which the subject property is situated.

D. Board of Adjustment Action

The decision of the Board of Adjustment shall be final and conclusive, unless within ten (10) days from the date of action, the original applicant or an adverse party makes application the King County Superior Court for a writ of certiorari, writ of prohibition, or a writ of mandamus.

E. One Year Validity

Any variance authorized by the Board of Adjustment shall remain effective only for one year, unless the use is begun within that time or construction has commenced. If not in use or construction has not commenced within one year, the variance shall become invalid.
A. **Purpose**

This code may be amended by the City Council by changing the boundaries of zoning districts (rezones which change the official zoning map) or by changing any other provisions thereof (text amendments which add, delete or otherwise modify the text of the zoning code) wherever the public necessity and convenience and the general welfare require such amendment, by following the procedures of this section.

1. **An amendment may be initiated by:**

   a. Zoning code text and official zoning map amendments may be initiated by resolution of intention by the City Council. (Text amendments are heard by the Planning Commission and City Council; zoning map amendments are heard by the Hearing Examiner.)

   b. Zoning code text amendments may be initiated by resolution of intention by the Planning Commission.

   c. Official zoning map amendments (rezones) may be initiated by application of one or more owners, or their agents, of the property affected by the proposed amendment, which shall be made on a form prescribed by the Planning Department and filed with the Planning Department. Said application shall be submitted at least forty-five (45) days prior to the next regularly scheduled public hearing date, and shall be heard by the Hearing Examiner within one hundred (100) days of the date of said application--provided, however, that this period may be extended in any case for which an environmental impact statement is required. [Amendment - per City Council action, 3/19/79 & 7/2/79]

2. **Public hearing**

   The Hearing Examiner shall hold at least one public hearing on any proposed amendment, and shall give notice thereof in at least one publication in the local newspaper at least ten (10) days prior to the public hearing. [Amendment - per City Council action, 7/2/79]

   a. Notice shall be given to all property owners within at least two hundred (200) feet and, when determined by the Planning Director, a greater distance of the exterior boundaries of the property subject of the application. Such notice to be sent ten (10) days prior to the public hearing.

   The failure of any property owner to receive said notice of hearing will not invalidate the proceedings.

   b. Public notices shall be posted in three conspicuous places on or adjacent to the property subject of the application at least ten (10) days prior to the date of the public hearing.
3. **Recommendation of the hearing examiner**

Following the aforesaid public hearing, the Hearing Examiner shall make a report of findings and recommendations with respect to the proposed amendment and shall forward such to the City Council, which shall have the final authority to act on said amendment. [Amendment - per City Council action, 7/2/79]

4. **City Council Action**

Within thirty (30) days of receipt of the Hearing Examiner's recommendation, the City Council shall, at a regular public meeting, consider said recommendation. [Amendment - per City Council action, 7/2/79]

If the application for an amendment is denied by the City Council, said application shall not be eligible for resubmittal for one year from date of said denial, unless specifically stated to be without prejudice. A new application affecting the same property may be submitted if, in the opinion of the Hearing Examiner, circumstances affecting the application have changed substantially.

B. **Zoning Annexed Lands**

Lands annexed to the City after the effective date of this code shall be classified into zoning districts after the Planning Commission has held at least one hearing to consider the Comprehensive Plan land use designation for the annexed area and forwarded a recommendation to the City Council who shall hold at least one public hearing on the Comprehensive Plan designation; and after the Hearing Examiner has held at least one public hearing to consider the initial zoning district classification and made a recommendation to the City Council. The City Council shall hold at least two public hearings to be held at least thirty days apart upon the recommended zoning. The City Council shall give notice of the time and place thereof by publication in a newspaper of general circulation in the annexing city and the area to be annexed. [Amendment - per City Council action, 7/2/79]

15.09.060 **ADMINISTRATIVE INTERPRETATION**

The Planning Director may make interpretations of the provisions of this code. Such administrative interpretations shall include determinations of uses permitted in the various districts, approval or disapproval of development plans, and zoning permits. Other interpretations may be made as specific circumstances arise which require such interpretations. The purpose of such administrative interpretations is to provide a degree of flexibility in the administration of this code while following the intent of the City Council.

15.09.070 **APPEAL OF ADMINISTRATIVE INTERPRETATIONS**

Any appeal of administrative decisions relating to the enforcement or interpretation of this code, unless otherwise specifically provided for in
this chapter, shall be in writing, and shall be filed with the City Clerk and the Planning Department within ten (10) days after such decision stating the reasons for such appeal.

A. Said appeal shall be heard by the Board of Adjustment and the Board of Adjustment shall render its decision within sixty (60) days after the filing of such appeal with the City Clerk and Planning Department.

15.09.080 REVOCATION OF PERMITS OR VARIANCES

Any zoning permit, planned unit development permit, conditional use permit or variance granted in accordance with the terms of this code may be revoked if any of the conditions or terms of such permit or variance are violated, or if any law or ordinance is violated in connection therewith.

15.09.090 PERFORMANCE STANDARDS PROCEDURES

The Planning Director shall have the power to authorize the following procedures prior to the issuance of a zoning permit for industrial uses, as provided in the several industrial districts.

A. Application

An application for a zoning permit for a use subject to performance standard procedures shall be submitted by the owner or his agent in duplicate on a form prescribed by the Planning Department. The applicant shall also submit in duplicate a plan of the proposed machinery, processes and products, and specifications for the mechanisms and techniques to be used in restricting the creation or emission of dangerous and objectionable elements as set forth in Section 15.08.050 subsection D. Applicant shall also provide such supporting scientific, technical or other data or information as is necessary to establish that said use will comply with the performance standards set forth in Section 15.08.050.

B. Report to Expert Consultants

The Planning Director, upon obtaining approval of the costs by the City Council, may refer the application for review and report to one or more expert consultants qualified to advise as to whether a proposed use will conform to the applicable performance standards specified in Section 15.08.050 in a manner set forth in the application. A copy of such report shall be filed with the Planning Department for inspection by interested persons.

C. Review by Planning Director

Within thirty (30) days after the Planning Department has received the aforesaid application, or within such period as agreed to by the applicant, the Planning Director shall decide whether the proposed use will conform to the applicable performance standards, and on such basis shall authorize or refuse to authorize issuance of a zoning permit, or require a modification of the proposed equipment or operation. Any zoning permit so
authorized and issued shall be conditioned upon, among other things, the applicant’s completed buildings and installations conforming in operation to the applicable performance standards.

D. **Continued Enforcement**

The Planning Department shall investigate any purported violation of performance standards. For the purpose of investigating such violations, the Planning Director may employ qualified experts.

After investigation, on due notice to the alleged violator, the Planning Director may order the violations corrected within a prescribed period of time, and in the event such violations are not so corrected, may order the violator to cease and desist from carrying on that portion of the operation or process causing a violation.

E. **Violations**

In the event a violation has occurred, the Planning Director shall report to the City Attorney if the violation was willful, or likely to occur again and the City Attorney may order the violator to take such steps as are necessary to insure future compliance with this chapter. The procedure herein provided shall not be exclusive, and in the event the violator has been willful or without reasonable justification, the violator may be prosecuted as for a misdemeanor.

15.09.100 VIOLATIONS

A. **Complaints Regarding Violations**

Whenever a violation of this Code occurs, or is alleged to have occurred, any person may file a written complaint. Such complaint stating fully the causes and basis thereof shall be filed with the Planning Department. The Planning Department shall record properly such complaint, immediately investigate, and take action thereon as provided by this Code.

B. **Penalties for Violation**

Violation of the provisions of this Code or failure to comply with any of its requirements (including violations of conditions and safeguards established in connection with grants of variances or special exceptions) shall constitute a misdemeanor. Any person who violates this code or fails to comply with any of its requirements shall upon conviction thereof be fined not more than one hundred (100) dollars or imprisoned for not more than thirty (30) days, or both, and in addition, shall pay all costs and expenses involved in the case. Each day such violation continues shall be considered a separate offense.

The owner or tenant of any building, structure, premises, or part thereof, and any architect, builder, contractor, agent or other person who commits, participates in, assists in, or maintains such violation may each...
be found guilty of a separate offense and suffer the penalties herein provided.

Nothing herein contained shall prevent the City from taking such other lawful action as is necessary to prevent or remedy any violation.

15.09.110 SEVERABILITY CLAUSE

Should any section or provision of this Code be declared by the courts to be unconstitutional or invalid, such decision shall not affect the validity of the code as a whole, or any part thereof other than the part so declared to be unconstitutional or invalid.

15.09.120 REPEAL

Ordinance #1071 and all amendments thereto be and the same are hereby repealed.
TO: All City Council Members  
FROM: Mayor Isabel Hogan  
SUBJECT: Kent Zoning Code Ordinance and Council Salary Ordinance

As Chief Executive Officer, I am required to sign ordinances passed by the council, veto them or allow them to become law without my signature. The Kent Zoning Code Ordinance will become effective without my signature. The sign section of this ordinance, primarily the off-premise sign portion, is not in the best interests of the community. There have been many improvements made to the community's appearance at considerable expense and inconvenience to individual citizens. Their efforts have benefited the entire community. Off-premise signs are a form of visual pollution that many communities have prohibited.

The ordinance increasing council members' compensation will also become law without my signature. The council has indicated that the increase is being made for the work now being done by the council with no commitment of additional participation in public meetings. The public is only aware of the combination committee meeting-workshop sessions on the second and fourth Mondays and the regular council meetings on the first and third Mondays. Any other official participation by the council members has been limited to occasional attendance at Planning Commission and Board of Adjustment meetings. There is an increasing need for "coverage" of a variety of meetings involving the city; this need apparently will not be met by this across-the-board salary increase. A more equitable arrangement would be to compensate those members for actual time spent in representing the city.

A comment at a recent finance meeting indicated the administration would be required to justify all employee salaries. A number of employees have been required to assume additional responsibilities and a report of these activities will be given to the council by the Personnel Director. Salaries of employees as well as compensation of elected officials represent the investment of the taxpayers money and should be defensible.

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