Ordinance No. 2524

["Beginning July 1, 1998"]

(Amending or Repealing Ordinances)

Secs. 15.04.170 & 15.04.180 Repealed by Ord. 3409

Sec. 15.08.020 Amended by Ord. 3409

Sec. 15.08.020 Amended by Ord. 3439
ORDINANCE NO. 2394

AN ORDINANCE of the City of Kent, Washington, relating to zoning and land use, implementing Ordinance 2396, amending Sections 15.04.170 and 15.04.180 to clarify the status of certain uses, and amending Section 15.08.020 to permit convenience grocery sales in conjunction with Gasoline Service Stations as a Special Permit Use.

WHEREAS, the Kent City Council passed Ordinance 2396 on April 4, 1983 amending the Kent City Code relating to alcohol processing including distilling and fermenting; and

WHEREAS, due to codification changes in the Kent Zoning Code the amendment approved by Ordinance 2396 was not included in the Code; and

WHEREAS, the passage of this Ordinance will implement Ordinance 2396 with the proper codification of the amendment;

NOW, THEREFORE

THE CITY COUNCIL OF THE CITY OF KENT, WASHINGTON DOES HEREBY RESOLVE AS FOLLOWS:

Section 1. Section 15.04.170 of the Kent City Code is amended as follows:

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 semi-precious 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 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, 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. Alcoholic beverage processes, such as distilling and fermenting.

13. Retail and service uses as listed below. Such uses shall be limited to twenty-five (25) percent of the gross floor area of any single or multibuilding development. Retail and service uses which exceed the twenty-five (25) percent limit on an individual or cumulative basis shall be subject to review individually through the Conditional Use Permit process. (See Subsection 15.04.170 D3.)

<table>
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<td>b. Personal services</td>
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<td>Linen supply and industrial laundry services</td>
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<td>Diaper services</td>
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</table>
Rug cleaning and repair services
Photographic services
Beauty and barber services
Fur repair and storage services

c. Business services
Advertising services
Outdoor advertising services
Consumer and mercantile credit reporting services: adjustment and collection services
Direct mail advertising services
(Blueprinting and photocopying services)
Photocopying services (including self-service)
Stenographic services and other duplicating and mailing services
Window cleaning services
Disinfecting and exterminating services
News syndicate services
Employment services
Food lockers (with or without food preparation facilities)
(Warehousing and storage (mini-warehouse)
Research, development, and testing services)
Business and management consulting services
Detective and protective services
Equipment rental and leasing services
(Photofinishing services)
Automobile and truck rental services
Motion picture distribution services
Travel agencies

d. Repair services
Electrical repair services
Radio and television repair services
Reupholstery and furniture repair services
Armature rewinding services

e. Professional services
Medical and dental laboratory services
Legal services
Engineering and architectural services
Educational and scientific research services
Accounting, auditing, and bookkeeping services
Urban planning services

f. Contract construction services
Building construction - general contractor services
Plumbing, heating, and air conditioning services
Painting, paperhanging and decorating services
Electrical services
Masonry, stonework, tile setting, and plastering services
Carpentering and wood flooring
Roofing and sheet metal services
Concrete services
Water well drilling services

g. Educational services
Vocational or trade schools
Business and stenographic schools
Driving schools - truck

h. Miscellaneous services
Business associations and organizations
Labor unions and similar labor organizations

Other retail trade and service uses which may be deemed by the Planning Director to be of the same general character and compatible with those uses listed.

14. 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.

15. 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.

B. Special Permit Uses

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

1. Gasoline service stations (with or without retail convenience grocery sales)

2. Nursery schools and day care centers.

C. Accessory Uses

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

1. Repair operations for products as described as Principally Permitted Uses and 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. Nursery schools and day care facilities operated in conjunction with a permitted use.

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

D. 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.

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. Retail and service uses as listed in Subsection 15.04.170 Al2 which individually or on a cumulative basis exceed twenty-five (25) percent of the gross floor area of any single or multibuilding development. Conditional Use Permits shall be required on an individual tenant or business basis and shall be granted only when it is demonstrated that the operational characteristics of the use will not adversely impact on or off site conditions on either an individual or cumulative basis.

4. General Conditional Uses as listed in Section 15.08.030.

5. Carloading and distribution facilities, rail-truck transfer station.


E. 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, M1 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.

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.


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.

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

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

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

Section 2. Section 15.04.180 of the Kent City Code is amended as follows:
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. Alcoholic beverage processes, such as distilling and fermenting.

13. Retail and service uses as listed below. Such uses shall be limited to twenty-five (25) percent of the gross floor area of any single or multibuilding development. Retail and service uses which exceed the twenty-five (25) percent limit on an individual or cumulative basis shall be subject to review individually through the Conditional Use Permit process. (See Subsection 15.04.180 D3.)

Retail Trade Uses
Merchandise vending machine operators
Tire, batteries, and accessory (industrial sales)
Eating places (except drive-ins or those with drive-through facilities)

Service Uses

a. Finance, insurance and real estate services
Banking and related services
Security broker, dealers and related services
Commodity brokers, dealers and related services
Insurance carriers
Insurance brokers, agents and related services
Real estate operators, lessors and management services
Real estate agents, brokers and related services
Real estate subdividing and developing services
Housing and investment services

b. Personal services
Linen supply and industrial laundry services
Diaper services
Rug cleaning and repair services
Photographic services
Beauty and barber services
Fur repair and storage services

c. Business services
Advertising services (general)
Outdoor advertising services
Consumer and mercantile credit reporting services; adjustment and collection services
Direct mail advertising services
(Blueprinting and photocopying services)
Photocopying services (including self-service)
Stenographic services and other duplicating and mailing services
Window cleaning services
Disinfecting and exterminating services
News syndicate services
Employment services
Food lockers (with or without food preparation facilities)
(Household goods warehousing and storage
Warehousing and storage
Research, development, and testing services)
Business and management consulting services
Detective and protective services
Equipment rental and leasing services
(Photofinishing services)
Automobile and truck rental services
Motion picture distribution services
Travel agencies

d. Repair services
Electrical repair services
Radio and television repair services
Reupholstery and furniture repair services
Armature rewinding services

e. Professional services
Medical and dental laboratory services
Legal services
Engineering and architectural services
Educational and scientific research services
Accounting, auditing, and bookkeeping services
Urban planning services

f. Contract construction services
   Building construction - general contractor services
   Plumbing, heating, and air conditioning services
   Painting, paperhanging and decorating services
   Electrical services
   Masonry, stonework, tile setting, and plastering services
   Carpentering and wood flooring
   Roofing and sheet metal services
   Concrete services
   Water well drilling services

g. Educational services
   Vocational or trade schools
   Business and stenographic schools
   Driving schools - truck

h. Miscellaneous services
   Business association and organizations
   Labor unions and similar labor organizations

Other retail trade and service uses which may be deemed by the Planning Director to be of the same general character and compatible with those uses listed.

((())) 14. 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.

((())) 15. 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.

B. Special Permit Use

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

1. Gasoline service stations (with or without retail convenience grocery sales)

2. Nursery schools and day care centers.

C. Accessory Uses
The following are the accessory uses permitted in the M2 District:

1. Repair operations for products described as Principally Permitted Uses and 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. Nursery schools and day care facilities operated in conjunction with a Permitted Use.

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

D. 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.

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. Retail and service uses as listed in Subsection 15.04.180 Al2 which individually or on a cumulative basis exceed twenty-five (25) percent of the gross floor area of any single or multibuilding development. Conditional Use Permits shall be required on an individual tenant or business basis and shall be granted only when it is demonstrated that the operational characteristics of the use will not adversely impact on or off site conditions on either an individual or cumulative basis.

4. General Conditional Uses as listed in Section 15.08.030.

5. Principally Permitted Uses in the M3 Districts.

E. 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.

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.

9. Multitenant buildings. Multitenant
buildings shall be permitted.

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 noncompli­
ance. The property owner or operator of the use shall be
given a reasonable length of time to correct the condition.

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

H. Performance Standards

The performance standards as provided in Section
15.08.050 shall apply.

I. Development Plan Review

Development plan approval is required as
provided in Section 15.09.010.

Section 3. Section 15.04.190 of the Kent City Code is
amended as follows:

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 activi­
ties, and to specify those industrial activities having
unusual or potentially deleterious operational character­
istics, 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 semi-precious 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.

((9. Alcoholic beverage processes, such as distilling and fermenting.))

((8.)) 8. Machine shops and specialty job shops.

((10.)) 9. Warehousing and distribution facilities and the storage of goods and products, except for those goods or products specifically described as permitted to be stored as Conditional Uses.

((11.)) 10. Contractors' service yards and shops and construction suppliers.

((12.)) 11. Truck storage yards.


((14.)) 13. 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.)) 14. Transportation and transit terminals, including repair and storage facilities and rail-truck classification yards in the category of "hump yards".

((16.)) 15. Crop and tree farming.

((17.)) 16. 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.)) 17. Truck repair and service facilities.
18. Other similar uses which the Planning Director finds compatible with the Principally Permitted Uses described herein, and consistent with the purpose and intent of the M3 District.

19. Manufacturing of paint.

20. 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.

B. Accessory Uses

1. Repair operations for products described as Principally Permitted Uses and 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. 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.

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 alkalis 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. Ammunition, explosives, fireworks, matches, photographic film, missile propellants, and similar combustibles.

b. Rubber from natural, synthetic, or reclaimed materials.

c. 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. General Uses as listed in Section 15.08.030.

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.

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 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.

Section 4. Section 15.08.020 of the Kent City Code is amended as follows:

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 Subsection 15.08.020 B.

8. Off-street parking and sign regulation 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 premises 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 exit 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 lines 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 (with or without retail convenience grocery sales)

The provision of gasoline pumps shall not be considered incidental or secondary to a 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.)))

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8. 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.

9. Off-street parking shall be provided in compliance with Chapter 15.05.

10. The sign regulations of Chapter 15.06 shall apply.

11. Convenience grocery sales facilities shall be limited to a maximum size of 3,000 square feet gross floor area in zones which do not allow retail grocery sales as a principally permitted use.

12. Development standards and criteria of the underlying zoning district shall apply unless otherwise noted in this section.

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.

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

[Signature]

ISABEL HOGAN, MAYOR

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ATTEST:

MARIE JENSEN, CITY CLERK

APPROVED AS TO FORM:

P. STEPHEN DIJULIO, CITY ATTORNEY

PASSED the ___ day of ___, 1986.
APPROVED the ___ day of ___, 1986.
PUBLISHED the ___ day of ___, 1986.

I hereby certify that this is a true copy of Ordinance No. 2524, passed by the City Council of the City of Kent, Washington, and approved by the Mayor of the City of Kent as hereon indicated.

MARIE JENSEN, CITY CLERK
(SEAL)