ORDINANCE NO. 2638

AN ORDINANCE of the City of Kent, Washington, relating to zoning, land use, and the preservation and protection of prime agricultural lands; amending Sections 15.04.005 and 15.04.015 Kent City Code.

WHEREAS, The City of Kent recognizes the value of protecting its prime agricultural soils; and

WHEREAS, the City of Kent has established the A-1, Agricultural, and AG, Agricultural General, zoning districts to provide development standards for land use in these areas; and

WHEREAS, the Planning Commission has had public hearings on April 29, 1986 and on May 20, 1986, to consider additional standards to prohibit removal of prime agricultural soils and permit only limited grade and fill operations in the A1 and AG zones; and

WHEREAS, these additional standards have been reviewed in accordance with the State Environmental Policy Act and have been determined to have no significant adverse environmental impact on May 16, 1986; NOW THEREFORE

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

Section 1. Section 15.04.005, Kent City Code, is amended as follows:

15.04.005 AGRICULTURAL - A-1

Purpose: The stated goal of the City is to preserve prime agricultural land in the Green River Valley as a nonrenewable resource. The agriculture zone shall actively encourage the concentration of agricultural uses in areas where incompatibility
with urban uses will be minimal to aid in the implementation of those goals. Further, such classification of prime agricultural land thus recognizes and encourages farming activity as a viable sector of the local economy.

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

1. 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 stands 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 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. The Height limitations shall not apply to barns and silos provided that they are not located within fifty (50) feet of any lot line.

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 building and additional standards.

c. The following uses are prohibited:

i. The removal of topsoil for any purpose.

ii. Grade and fill operations, provided that limited grade and fill may be approved as needed to construct buildings or structures as outlined in KCC 15.04.005 A, B, C, and D.

iii. All subsurface activities, including excavation for underground utilities, pipelines, or other underground installations, that cause permanent disruption of the surface of the land. Temporarily disrupted soil surfaces shall be restored in a manner consistent with agricultural uses.

iv. Dumping or storage of nonagricultural solid or liquid waste, or of trash, rubbish, or noxious materials.

v. Activities that violate sound agricultural soil and water conservation management practices.

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.

Section 2. Section 15.04.015, Kent City Code, is amended as follows:

15.04.015 AGRICULTURAL- GENERAL A-G ZONE

Purpose: The purpose of the A-G zone is to provide appropriate locations for agriculturally related industrial uses
in or near areas designated for long-term agricultural use. Such areas may contain prime farmland soils which may be currently or potentially used for agricultural production.

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.

B. Accessory Uses

Accessory uses and buildings customarily appurtenant to a permitted uses, 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 stands 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 A-G 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 A-G 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 typically required for the industrial parks areas of the City, 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.

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

10. **Additional standards.**

    a. The following uses are prohibited:

       i. The removal of topsoil for any purpose.
ii. Grade and fill operations, provided that limited grade and fill may be approved as needed to construct buildings or structures as outlined in KCC 15.04.015 A, B, and C.

iii. All subsurface activities, including excavation for underground utilities, pipelines, or other underground installations, that cause permanent disruption of the surface of the land. Temporarily disrupted soil surfaces shall be restored in a manner consistent with agricultural uses.

iv. Dumping or storage of nonagricultural solid or liquid waste, or of trash, rubbish, or noxious materials.

v. Activities that violate sound agricultural soil and water conservation management practices.

E. Signs
The sign regulations of Chapter 15.06 shall apply.

F. Off-Street Parking
The off-street parking requirements of Chapter 15.06 shall apply.

G. Performance Standards
The performance standards as provided in Section 15.08.060 shall apply.

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

Section 3. The provisions of this ordinance are declared to be separate and severable. The invalidity of any clause, sentence, paragraph, subdivisions, section or portion of this ordinance, or the invalidity of the application thereof to any person or circumstance shall not affect the validity of the remainder of the ordinance, or the validity or its application to other persons or circumstances.
Section 6. 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.

DAN KELLEHER, MAYOR

ATTEST:

MARIE JENSEN, CITY CLERK

APPROVED AS TO FORM:

P. STEPHEN DIJULIO, CITY ATTORNEY

PASSED the 16 day of June, 1986.
APPROVED the 17 day of June, 1986.
PUBLISHED the 20 day of June, 1986.

I hereby certify that this is a true copy of Ordinance No. 2638, 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