Ordinance No. 2656

(Amending or Repealing Ordinances)

CFN=131-Zoning Codes & 458-Subdivision Code
Passed – 9/15/1986
Zoning and Planning

Amended by Ord. 3409 (Secs. 15.08.300 & 15.08.320)
Amended by Ord. 3561 (Sec. 12.04.260)
Amended by Ord. 3770 (Sec. 15.08.300)
Amended by Ord 3906 (Ch. 12.04)
ORDINANCE NO. 2656

AN ORDINANCE of the City of Kent, Washington, relating to Zoning and Planning; providing for Zero Lot Line development and subdivisions; creating a new subchapter within the Kent Zoning Code consisting of sections 15.08.300, 15.08.310, 15.08.320, 15.08.330 and 15.08.340; adding a new section 15.02.33b to the Kent Zoning Code; adding a new section 3.1.11 to the Kent Subdivision Code.

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

Section 1. A new subchapter consisting of sections 15.08.300, 15.08.310, 15.08.320, 15.08.330 and 15.08.340 is added to the Kent City Code as follows:

ZERO LOT LINE DEVELOPMENT.

15.08.300. Zero Lot Line Development Authorized.

A. Zero lot line development may be permitted in the following zoning 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

15.08.310. Permitted Uses.

A. Uses permitted in zero lot line developments shall be as outlined in the underlying zoning district.

A. Site Area Minimum. Five (5) acres.

B. Minimum Lot. 3,600 square feet.

C. Maximum Site Coverage. Fifty (50) percent.

D. Density. The density of the zero lot line development shall not exceed the density of the underlying zoning district.

E. Minimum Yard Requirements.

1. Front (dwelling): 15 feet
2. Front (garage): 20 feet
3. Rear: 8 feet
4. One side: 0 feet
5. Other side (dwelling): 15 feet
6. Other side (garage): 5 feet

F. Distance Between Dwellings. Fifteen (15) feet minimum.

G. Height Limitation. Two (2) stories, not to exceed thirty-five (35) feet.

H. Openings Prohibited on the Zero Lot Line Side. The wall of the dwelling located on the lot line shall have no windows, doors, air conditioning units, or any other type of opening; provided, however, that atriums or courts shall be permitted on the zero lot line side when the court or atrium is enclosed by three walls of the dwelling unit and a solid wall of at least eight feet in height is provided on the zero lot line. Said wall shall be constructed of the same material as exterior walls of the unit. Opaque openings or high level windows, above eight (8) feet in height, shall be allowed. There is no
restriction on openings where a wall is located on a zero lot line facing open space.

I. **Open Space.** Each zero lot line development shall provide not less than twenty-five (25) percent of the gross land area for common open space which shall be:

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

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

   a. Held in common ownership by all the owners of the development by means of a homeowner's association. Such homeowner's 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 homeowner's association accordingly. If unpaid, such bills shall be a lien against the homeowner's association; or,

   b. Dedicate the open space for public use if accepted by the City of Kent Legislative Authority, or other appropriate public agency.

J. **Perimeter Buffer.** A ten (10) foot minimum width buffer strip is required on all boundaries of the development. A 100 percent sight obscuring wall, fence or landscape shall be established along all boundaries. The ten foot buffer strip inside this sight obscuring screen may be part of the lots, or may be an area maintained by a homeowner's association. The buffer strip required herein may be a credit against the open space requirements of subsection I, above.

K. There shall be no contiguous walls between units.

L. The storage or parking of recreational vehicles shall be prohibited within a zero lot line development.

A. Sight Area Minimum. Five (5) acres.

B. Minimum Lot Size. 3,000 square feet.

C. Maximum Sight Coverage. Fifty (50) percent.

D. Density. The density of the zero lot line development shall not exceed the density of the underlying zoning district.

E. Minimum Yard Requirements.

1. Front (dwelling): 15 feet
2. Front (garage): 20 feet
3. Rear: 10 feet
4. One side: 0 feet
5. Other side (dwelling): 15 feet
6. Other side (garage): 5 feet

F. Distance Between Dwellings. Fifteen (15) feet minimum.

G. Height Limitation. Two (2) stories, not to exceed thirty-five (35) feet.

H. Openings Prohibited on the Zero Lot Line Side. The wall of the dwelling located on the lot line shall have no windows, doors, air conditioning units, or any other type of opening; provided, however, that atriums or courts shall be permitted on the zero lot line side when the court or atrium is enclosed by three walls of the dwelling unit and a solid wall of at least eight feet in height is provided on the zero lot line.
Said wall shall be constructed of the same material as exterior walls of the unit. Opaque openings or high level windows, above eight (8) feet in height, shall be allowed. There is no restriction on openings where a wall is located on a zero lot line facing open space.

I. Open Space. Each zero lot line development shall provide not less than twenty (20) percent of the gross land area for common open space which shall be:

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

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

   a. Held in common ownership by all the owners of the development by means of a homeowner's association. Such homeowner's 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 homeowner's association accordingly. If unpaid such bills shall be a lien against the homeowner's association; or,

   b. Dedicate the open space for public use if accepted by the City of Kent Legislative Authority, or other appropriate public agency.

J. Perimeter Buffer. A ten (10) foot minimum width buffer strip is required on all boundaries of the development. A 100 percent sight obscuring wall, fence or landscape shall be established along all boundaries. The ten foot buffer strip inside this sight obscuring screen may be part of the lots, or may be an area maintained by a homeowner's association. The buffer strip required herein may be a credit against the open space requirements of subsection I, above.

K. One wall may be contiguous between buildings.
L. The storage or parking of recreational vehicles shall be prohibited within a zero lot line development.

15.08.340. Plating Requirements. Zero lot line subdivisions are subject to the procedures outlined in the Kent Subdivision Code, Section 3.1.11, entitled Zero Lot Line Subdivisions.

Section 2. A new section 3.1.11 is added to the Kent Subdivision Code as follows:

Section 3.1.11 Zero Lot Line Subdivisions

1. Zero lot line subdivisions shall be subject to the development standards outlined in the Kent zoning code. These standards include minimum lot size, width, depth, etc.

2. The following standards shall apply to zero lot line subdivision. In addition, the regulation of Section 3.1.1 through 3.1.11 shall apply unless specifically excepted.

a. Streets, Curbs and Sidewalks

i. Public Streets. In certain areas due to existing or planned circulation systems it may be necessary for the City of Kent to require public rights-of-way to be provided within the development. When the provision of such rights-of-way is necessary the right-of-way width, paving width, and other standards shall be the same as would otherwise be required. The perimeter buffering requirement shall be applied along these rights-of-way.

ii. Nonpublic Streets. Ownership of private streets not open to public circulation shall remain with a homeowners association and shall
be their responsibility to maintain. These streets shall have asphaltic or concrete surface, and concrete or asphalt curbing shall be provided along both sides of all streets except where curb cuts are necessary for driveways. The minimum paving width for all collector streets within the zero lot line development shall be twenty-four (24) feet. The minimum paving width for all residential access streets shall be twenty (20) feet. A four (4) foot wide sidewalk shall be provided on one side of the street, as a minimum. However, a sidewalk is not required on limited access streets serving two or less dwellings. In addition, guest parking shall be provided at a rate of .5 guest parking spaces per dwelling unit beyond the normal parking provided at the dwelling.

b. **Installation of Utilities.** All utilities designed to serve the development shall be placed underground. Any utilities located in a planting strip shall be placed in such a manner and depth to permit the planting of trees.

Those utilities to be located beneath paved surfaces shall be installed, including all service connections, as approved by the Public Works Department; such installation shall be completed and approved prior to the application of any surface material. Easements may be required for the maintenance and operation of utilities as specified by the Engineering Department.

i. **Sanitary Sewers.** Sanitary sewers shall be provided at no cost to the City and designed in accordance with City standards.

ii. **Storm Drainage.** An adequate drainage system shall be provided for the proper drainage of
all surface water. Cross drains shall be provided to accommodate all natural water flow and shall be of sufficient length to permit full width roadway and required slopes. The size openings to be provided shall be determined by Talbot's formula, but in no case shall be less than twelve (12) inches. All mobile home parts must comply with City drainage ordinances.

iii. **Water System.** The water distribution system including the location of fire hydrants shall be designed and installed in accordance with City standards as defined by Engineering and Fire Department ordinances and requirements.

iii. **Electrical Hook-ups.** All electrical hook-ups shall comply with the National Electrical Code. Permits shall be obtained from the Washington State Electrical Inspection Division.

Section 3. A new section 15.02.338 is added to the Kent City Code as follows:

15.02.338. RECREATIONAL VEHICLES

Motorized vehicles that include a cabin for living accommodations and are commonly used for recreational travel and touring. Vehicles included in this category come in several forms; travel trailers, tent trailers and camping trailers, all of which must be towed by a car; and truck campers, motor homes and camper vans, all of which have the motor within the body of the vehicle.

Recreational vehicles may also include any motorized or nonmotorized vehicle, boat, boat trailer, or other vehicle to be used for recreational purposes.

Section 4. Any act consistent with the authority and prior to the effective date of this ordinance is hereby ratified and confirmed.
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.

ATTEST:

DAN KELLEHER, MAYOR

APPROVED AS TO FORM:

P. STEPHEN DIJULIO, CITY ATTORNEY

PASSED the 15 day of Sept., 1986.
APPROVED the 16 day of Sept., 1986.
PUBLISHED the 19 day of Sept., 1986.

I hereby certify that this is a true copy of Ordinance No. 2656, 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

MARIE JENSEN, CITY CLERK (SEAL)