Ordinance No. 2676

["Beginning July 1, 1998"]

(Amending or Repealing Ordinances)

Repealed by Ord. 3409
AN ORDINANCE of the City of Kent, Washington, relating to zoning and land use with the M1, Industrial Park, and M2, Limited Industrial, zoning districts; amending KCC Sections 15.04.170 A13e and 15.04.180 A13e.

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

Section 1. Section 15.04.170 A13e, Kent City Code, is hereby 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, photo-copying, 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 specialties (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. These uses are intended primarily to serve the needs of the industrial area, are compatible with the permitted types of industrial uses, and will not interfere with the orderly development of the industrial area. 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.)

Retail Trade Uses
Merchandise vending machine operators
Tire, batteries, and accessory (industrial vehicles and equipment)
Eating places (except drive-ins or those with drive-in or 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
   - Outdoor advertising services
   - Consumer and mercantile credit reporting services; adjustment and collection services
   - Direct mail advertising services
   - 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)
   - Business and management consulting services
   - Detective and protective services
   - Equipment rental and leasing 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
Counseling 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
   Carpentry 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 A12 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, Ml 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 Ml 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 near 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.
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 Al3e, Kent City Code is hereby 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, previous or semi-precious 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 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, previous or semi-precious metals or stones, putty, pumic, rubber, shell, textiles, tobacco, wire, wood, wool and yarn.
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. These uses are intended primarily to serve the needs of the industrial area, are compatible with the permitted types of industrial uses, and will not interfere with the orderly development of the industrial area. Such uses shall be limited to twenty-five (25) percent of the gross floor area of any single or multi-building 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
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)
Business and management consulting services
Detective and protective services
Equipment rental and leasing 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
Counseling services

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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
   - Carpentry 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 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 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 M2 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 15.04.180 A12 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 a 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 furnace 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.


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.

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. 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 4. 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.

Section 5. Any act consistent with the authority and prior to the effective date of this ordinance is hereby ratified and confirmed.

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:

BILL H. WILLIAMSON, ACTING CITY ATTORNEY
PASSED the 3 day of May, 1986.
APPROVED the 14 day of May, 1986.
PUBLISHED the 7 day of June, 1986.

I hereby certify that this is a true copy of Ordinance No. 2676, passed by the City Council of the City of Kent, Washington, and approved by the Mayor of the City of Kent as hereon indicated.

[Signature]
MARIE JENSEN, CITY CLERK