ORDINANCE NO. 2993

AN ORDINANCE of the City of Kent, Washington, resulting from the Planning Department Housing Element Work Program, amending the Housing and Public Facilities and Services Elements of the East Hill Land Use Plan and City of Kent Comprehensive Plan. (Amending Resolution 972 and 1040)

WHEREAS, the City Council, by Resolution 1123, evidenced a desire to achieve reduction in the density of multifamily housing through revisions to Kent’s Comprehensive Plan and Zoning Code; and

WHEREAS, the City Council, by Resolution 1172, directed the Planning Department to conduct a study and proposed update of the housing element of the City’s Comprehensive Plan, including an area by area analysis of multifamily density for East Hill, West Hill and Valley Floor Planning Areas; and

WHEREAS, the Council directed that the results of said area-wide study are to be proposed for implementation through text and/or map zoning amendments to be presented to the Council; and

WHEREAS, the Council had directed that the Planning Department work with the City Council to develop a work program for the area by area analysis; and

WHEREAS, RCW 35A.63.020, RCW 35A.63.073 and RCW 35A.63.100(5) empowers a city council to authorize the Planning Commission to hear and make recommendations to the City Council on Comprehensive Plan Text amendments; and

WHEREAS, the City Council by Ordinance 2796 granted to the Planning Commission authority to consider and make recommendations on Comprehensive Plan text amendments, and authorized Comprehensive Plan text amendments to be made simultaneously with or prior to amendments to the zoning code; and
WHEREAS, public notice and opportunity for input on the Work Program process, procedure and results has been of the highest priority to the City Council; and

WHEREAS, amendments to the East Hill Subarea Comprehensive Plan Text, amending the East Hill Land Use Plan Housing, and Public Facilities and Services Elements were recommended to the Planning Commission; and

WHEREAS, in accordance with the provisions of Chapter 35A.63.073 of the Revised Code of Washington and the Kent City Ordinance 2796, hearings were held before the Planning Commission of the City of Kent on August 28, September 18, October 16, November 20 and November 27, 1989 to consider the proposed amendments; and

WHEREAS, after the final hearing of the Planning Commission and its final deliberations, the Planning Commission’s Findings of Fact, Conclusions of Law, and recommendations for proposed amendments were issued on December 11, 1989; and

WHEREAS, the City Council considered the Findings of Fact, Conclusions of Law and recommendations of the Planning Commission at a public meeting on January 30, 1990; NOW, THEREFORE,

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

Section 1. The Findings of Fact and Conclusions of Law and recommendations of the Kent Planning Commission dated December 11, 1989 are adopted by reference in totality.

Section 2. The Kent East Hill Subarea Land Use Comprehensive Plan, Housing Element (Resolution 972 as amended by Resolution 1040) is amended as follows:

HOUSING ELEMENT

Housing is a significant consideration for local government. Providing services for housing and its inhabitants
involve water and waste collection, police and fire protection, schools, roads, parks and social services which represent a major portion of local government expenditures.

Housing represents the predominant use of land within the East Hill area. The goals, objectives and policies of the Housing Element respond to the major concerns of East Hill residents regarding housing. Housing policies address the need to coordinate the provision of public facilities and services with residential development and to achieve a more effective transition or separation between areas of intensive land use and adjacent residential development. Other policies encourage a wide range of housing types to provide varied housing choices.

OVERALL GOAL: ASSURE PRESENT AND FUTURE EAST HILL RESIDENTS HOUSING THAT IS SAFE, OFFERS A DESIRABLE LIVING ENVIRONMENT, AND IS SUPPORTED BY ADEQUATE COMMUNITY FACILITIES AND SERVICES.

GOAL 1: Residential development that is related to the availability of community facilities and services.

Objective 1: When making decisions concerning land use, consider the adequacy of and impact upon roads and other public facilities and services including utilities, police and fire protection, public transportation, schools and parks.

Policy 1: Ensure that public facilities and services are available or will be available to support development at proposed densities.

Policy 2: Locate new single-family detached residential development in areas and at densities which permit roads, utilities, public transit, schools and other public facilities and services to be provided in an efficient and cost-effective manner.

Policy 3: To reduce congestion in residential areas, limit the number of driveways for new development located on arterial streets and provide mutual access (e.g. shared driveways, easements) where-ever possible.

Policy 4: Limit opportunities for multifamily development on East Hill, particularly in rural residential areas.
Policy 5: Provide for increased single-family residential densities as a transition between more intensive and less intensive residential uses.

GOAL 2: Development patterns that promote residential quality and provide diverse housing opportunity.

Objective 1: Promote flexible residential development approaches to:
   a) Provide a variety of housing types, densities and prices.
   b) Enhance residential development character through retention of open space and sensitive natural features (streams, lakes, wetlands, steep slopes).
   c) Encourage energy conservation opportunities.
   d) Permit maximum efficiency in the layout of streets and other public improvements.

Policy 1: Permit adjustments to residential development requirements including, but not limited to, flexible setbacks, lot size averaging and lot clustering.

Policy 2: The East Hill Plan-Land-Use-Map will serve as a general guide for future development of the East Hill. Flexible residential development means that specific development proposals at densities somewhat higher than shown on the Land-Use Map may be appropriate on certain sites where natural features are preserved and adequate buffering of lower-density development is provided.

Objective 2: Decisions concerning land use designations and development proposals shall consider surrounding residential land uses and mitigating measures necessary to minimize potential conflicts.

Policy 1: Require separation between residential and nonresidential areas and between adjacent lower and higher density residential areas through landscaping, building placement, location of off-street parking, traffic control and other measures.

Policy 2: Encourage the retention and improvement of existing residential neighborhoods on East Hill.
Section 3. The Kent East Hill Land Use Plan, Public Facilities and Services Element (Resolution 972 as amended by Resolution 1040) is amended as to add the following language:

PUBLIC FACILITIES AND SERVICES ELEMENT

The Public Facilities and Services element includes policies related to utilities, public safety and parks and recreation. East Hill has experienced considerable growth during the past ten years which has had an impact on the provision of these services. For example, the extension of water service to areas previously undeveloped can adversely affect the level of service to developments already receiving water if the system is not adequate to meet the demand of both the new and existing customers. The goals, objectives, and policies of the element emphasize the provision of adequate public facilities and services at all levels to ensure that the needs of existing residents as well as future residents are met.

OVERALL GOAL: ESTABLISH A PLANNED AND COORDINATED SYSTEM OF PUBLIC FACILITIES AND SERVICES FOR EAST HILL THAT PROTECTS THE HEALTH, SAFETY AND WELFARE OF THE COMMUNITY. THE PUBLIC FACILITIES AND SERVICES FOR EAST HILL SHOULD BE COST EFFECTIVE TO IMPLEMENT AND MAINTAIN AND SHOULD PROMOTE IN-FILL AND PHASED DEVELOPMENT FROM EXISTING DEVELOPED AREAS.

GOAL 1: Adequate sewer service for existing development and those areas adjacent to the collection system prior to expanding the system.

Objective 1: Assure intensive use of existing sewers prior to developing new trunk lines and interceptors.
   Policy 1: Promote in-fill development in and around the east side of Kent.
   Policy 2: Provide incentives for developers to build in areas where they can hook up to existing sewers.
   Policy 3: The extension of sewer service in the East Hill Study Area shall have priority over projects which extend into previously undeveloped areas.
   Policy 4: Restrict residential densities in areas unconnected to City sewer.
Section 4. The City of Kent Comprehensive Plan, East Hill Land Use Plan, Land Use Classifications Section, is amended to add a "Single Family Designated Area Overlay" as follows:

**LAND USE CLASSIFICATIONS**

The land use classifications that were utilized in the revision of the East Hill Plan contain a number of changes that make it possible to determine more specific uses and residential densities. Although the new classifications differ from previous East Hill designations (as well as other city comprehensive plans), they do not create conflicts or inconsistencies. Instead, they are essentially an expansion of previous designations combined with a few new ones that will afford easier interpretation and implementation of the revised land use plan. (As other existing area plans are revised in the upcoming years, the new designations will be incorporated.) In addition, another advantage will be increased coordination with King County because the changes will be compatible with the Soos Creek Plan designations.

**Single Family Residential**

The single-family land use category is intended to accommodate single-family homes which range in density from one unit per five acres up to six units per acre. The East Hill land use designations include five single-family densities:

1. Single Family (one dwelling unit per five acres). This designation is utilized by King County as a means to maintain rural character and to prevent premature urban development in areas without adequate roads, schools, utilities and other public facilities and services.

2. Single Family (one dwelling unit per acres). This designation provides a transition between the urban/suburban and rural areas while still allowing the rural uses and activities that are not practical in concentrated urban areas.

3. Single Family (two to three dwelling units per acre). This designation provides areas that accommodate higher residential densities while still maintaining a high degree of open space and building separation. Lot sizes of 15,000 to 20,000
square feet usually permit the use of septic systems but access to a public water system is usually necessary.

4. Single Family (three to four dwelling units per acre). This category provides for lot sizes ranging from 10,000 to 15,000 square feet. Subdivisions and short plats can be designated in areas with this density so that public facilities and services can be provided and maintained in an efficient and economic manner.

5. Single Family (four to six dwelling units per acre). This designation represents the highest single-family residential density. Developments at this density are usually subdivisions with lots ranging from 7,000 to 10,000 square feet. A full range of public services are provided.

Single Family Designated Area Overlay

The Single-Family Designated Area approach is intended to foster the following objectives through the individual area plans. The goals of this overlay area are to: a) conserve existing single-family neighborhoods, b) to protect single-family neighborhoods from incompatible uses, and c) to promote new single-family development.

The single family designated areas are intended to encompass large areas of contiguous, existing single-family development. They may also include small existing neighborhood commercial sites which serve the single-family neighborhood.

Multi-family Residential

The multi-family land use categories are intended to provide areas for the development of apartments, condominiums, townhouses and row houses at densities ranging from seven to 48 units per acre. Multi-family developments should occur adjacent to commercial centers or near arterials or collector streets that provide direct access to needed urban services. The East Hill land use classifications provide a range of three multi-family land use densities.
1. Multi-Family (7 to 12 dwelling units per acre). This designation is intended to provide areas for low density attached dwelling units such as duplexes, townhouses, low rise apartments and condominiums. Properly designed, low-density multi-family developments can serve as transition areas between commercial areas or high density multi-family developments and single-family neighborhoods.

2. Multi-Family (12 to 24 dwelling units per acre). This is a popular density due to increasing development costs. If designed properly, developments of this density can accommodate more people while still maintaining a quality environment.

3. Multi-Family (24 to 48 dwelling units per acre). As the highest density shown on the land use map alternatives, this designation recognizes existing developments in the study area.

Commercial

This category includes several commercially related land uses as follows:

1. Community Retail. This use is intended to provide areas for the provision of personal goods and services such as supermarkets, hardware stores, drugstores, restaurants, etc. These uses generally provide the day-to-day shopping needs of the community.

2. Commercial Manufacturing. The uses along Central Avenue in the study area are represented by this classification which includes some retail establishments, light industrial operations, commercial and wholesale uses.

3. Neighborhood Business. This designation includes limited retail and office development compatible with adjacent residential uses. Neighborhood businesses are intended to serve residents living within a radius of one mile.

4. Office. This designation allows for a number of activities that constitute the general uses found in professional offices, such as medical, legal and counseling services.
5. Limited Commercial/Office. This designation applies to the area on either sides of 104th Avenue Southeast between the two commercial centers. The Limited Commercial/Office designation is intended to permit a more intense use of this area while providing a transition between community retail uses and residential uses. Office use and smaller commercial businesses having a lower potential for traffic generation are examples of uses with this designation.

**Community Facility**

This designation is applied to all public schools, utilities, fire and police stations and public lands (such as county and state land).

**Open Space**

These areas are defined by King County in the Soos Creek Plan as public watersheds and steeply sloped lands that are generally not developable. The slopes are greater than 40 percent.

**Constrained Areas**

This description is applied to all "wetland/unique and fragile areas" greater than one acre in size following the general criteria from the Kent Valley Studies program. These areas are illustrated in the Draft Environmental Impact Statement for the East Hill Plan. Constrained Areas also include Class III Critical Areas as defined by King County. These lands include areas classified as environmentally sensitive due to natural hazards (landslide, seismic, erosion, and flooding potential) and areas which support unique, fragile or valuable resources.

**Parks**

This description includes all public parks as well as a few private parks such as the Meridian Valley Country Club and the Lake Meridian resort.
Section 5. The City of Kent Comprehensive Plan, East Hill Land Use Plan and their appendices are amended to provide that all references to the Single Family Designated Area Overlay, Housing, Public Facilities and Services Elements be in conformity with the changes in the text as set out in Sections Two, Three and Four.

Section 6. The amendments to the Comprehensive Plan and East Hill Land Use Plan, shall be filed with the City Clerk and in the office of the Planning Department and made available for public inspection upon request.

Section 7. Any act consistent with the authority and prior to the effective date of this ordinance is hereby ratified and confirmed.

Section 8. Effective Date. This ordinance shall take effect and be in force thirty (30) days from and after its passage, approval and publication as provided by law.

ATTEST:

BRENDA JACOBER, DEPUTY CITY CLERK

APPROVED AS TO FORM:

SANDRA DRISCOLL, CITY ATTORNEY

DAN KELLEHER, MAYOR
PASSED the 20 day of Feb., 1990.
APPROVED the 21 day of Feb., 1990.
PUBLISHED the 23 day of Feb., 1990.

I hereby certify that this is a true copy of Ordinance No. 2903, passed by the City Council of the City of Kent, Washington, and approved by the Mayor of the City of Kent as hereon indicated.

BRENDA JACOBER, DEPUTY CITY CLERK