Ordinance No. 2958

["Beginning July 1, 1998"]

(Amending or Repealing Ordinances)

Sec. 15.04 Repealed by Ord. 3409;
Secs 15.02.135 & 15.02.173 Amended by Ord 3451
Sec. 15.02.173 Amended by Ord. 3615
ORDINANCE NO. 2958

AN ORDINANCE of the City of Kent, Washington, relating to land use and zoning; amending the Zoning Code (Ordinance 1827, 2404) by amending the definition of family (§ 15.02.135), adding a definition of Group Homes, Class I, II and III (§ 15.02.173), amending certain sections to provide for the siting of group homes within the City (§§ 15.04.005, .010, .020, .030, .040, .050, .060, .070, .090, .100, .110, .120, .130, .140, .150), adding a new section to provide separation, dispersion and registration of Class II and III Group Homes (§ 15.08.280); and amending the types of uses identified under General Conditional Uses in the Code to eliminate uses now covered by the Group Homes classifications (§ 15.08.030).

WHEREAS, Mayor Kelleher appointed an Advisory Committee in May of 1989 to review the Official Zoning Code and address the potential siting of group homes in the City of Kent; and

WHEREAS, the Advisory Committee met during May of 1989 through March of 1990 and submitted its findings to the Kent Planning Commission in the report entitled "FINAL REPORT: THE MAYOR'S ADVISORY COMMITTEE ON GROUP HOMES"; and

WHEREAS, Kent City Code (KCC) § 2.32.050 (Ordinance 2469) authorizes the Planning Commission to hear and make recommendations to the City Council on Zoning Code text amendments; and

Sec. 15.04.120 (D)
Amended by Ord. 3361
Sec. 15.04.130 (D)
Amended by Ord. 3376
Sec. 15.04.150 (A)(3)
Amended by Ord. 3377

Amended by Ord. 3386
Sec. 15.08.030 (B)(1)
WHEREAS, in accordance with the provisions of KCC § 2.32.050 and the Revised Code of Washington (RCW) 35A.63.100(2), public hearings were held before the Planning Commission of the City of Kent on May 21, June 25 and August 27, 1990 to consider the Committee's final report and its recommendations; and

WHEREAS, at a public meeting on October 2, 1990, the Kent City Council considered and voted to approve recommendations of the Planning Commission concerning text amendments to the Kent Zoning Code, establishing the definitions for and siting of group homes, with the exception of Group III classification conditions which were sent to the Planning Committee for further review and recommendations; and

WHEREAS, another public hearing was held on January 2, 1991 during which the Kent City Council considered the recommendations of the Planning Committee and the modifications proposed by the City Attorney on the text amendments, and voted to approve adoption of the recommendations and modifications as recommended; NOW, THEREFORE,

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

Section 1. Section 15.02.135 of the Zoning Code (Ordinance 1827, 2404) is amended to read as follows:

15.02.135. FAMILY.

((A-person-living-alone,-or-two-or-more-persons customarily-living-together-as-a-single-housekeeping-unit-and using-common-cooking-facilities,-as-distinguished-from-a-group

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One or more individuals related by blood or legal familial relationship or a group of not more than six (6) persons who need not be related by blood or a legal familial relationship, living together in a dwelling unit as a single, nonprofit housekeeping unit: excluding Class II and III Group Homes (as defined in Section 15.02.173).

Section 2. Chapter 15.02 of the Zoning Code (Ordinance 1827, 2404) is amended by adding a new Section 15.02.173 as follows:

15.02.173. GROUP HOME.

A. Class I Group Home: publicly or privately operated residential facilities such as state licensed foster homes and group homes for children; group homes for individuals who are developmentally, physically or mentally disabled; group homes or half-way houses for recovering alcoholics and former drug addicts; and other groups not considered within Class II or III Group Homes.

1. Group Home, Class 1-A -- a maximum of 7 residents including resident staff.

2. Group Home, Class 1-B -- a maximum of 10 residents including resident staff.

3. Group Home, Class 1-C -- the number of residents will be based upon the density of the underlying zoning district.

B. Class II Group Home: publicly or privately operated residential facilities for juveniles under the jurisdiction of the criminal justice system. These homes include state-licensed group care homes or half-way homes for juveniles, which provide residence in lieu of sentencing or incarceration, half-way houses providing residence to juveniles needing correction or for juveniles selected to participate in state operated work release.
and pre-release programs. The Planning Director shall have the discretion to classify a group home proposing to serve juveniles convicted of the offenses listed in Class III below as a Group Home Class III, and any such home shall be sited according to the regulations contained within the Group III classification.

1. Group Home, Class II-A -- a maximum of 8 residents including resident staff.
2. Group Home, Class II-B -- a maximum of 12 residents including resident staff.
3. Group Home, Class II-C -- a maximum of 18 residents including resident staff.

C. Class III Group Homes: privately or publicly operated residential facilities for adults under the jurisdiction of the criminal justice system who have entered a pre- or post-charging diversion program, or been selected to participate in state operated work/training release or other similar programs. Such groups also involve individuals who have been convicted of a violent crime against a person, a crime against property with a sexual motivation and convicted or charged as a sexual or assaultive violent predator.

Section 3. Section 15.04.005 of the Zoning Code (Ordinance 1827, 2404) is amended to read as follows:

   * * *
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 green houses and other agricultural occupations.
   2. One single-family dwelling per lot.
   3. Group Homes Class I-A.
   * * *

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Section 4. Section 15.04.010 of the Zoning Code (Ordinance 1827, 2404) is amended to read as follows:

15.04.010. RESIDENTIAL AGRICULTURAL - RA.
  * * *
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.
  3. Group Homes Class I-A.
  * * *

Section 5. Section 15.04.020 of the Zoning Code (Ordinance 1827, 2404) is amended to read as follows:

15.04.020. SINGLE FAMILY RESIDENTIAL DISTRICTS.
  * * *
D. Principally Permitted Uses
  1. One single-family dwelling per lot.
  2. Crop and tree farming.
  3. Group Homes Class I-A.
  * * *

Section 6. Section 15.04.030 of the Zoning Code (Ordinance 1827, 2404) is amended to read as follows:

15.04.030. DUPLEX MULTIFAMILY RESIDENTIAL - MR-D.
  * * *
A. Principally Permitted Uses
  1. One single-family dwelling per lot.
  2. One duplex per lot.
3. Group Homes Class I-A and I-B.

((3))4. Crop and tree farming.
  * * *

D. Conditional Uses
1. General Conditional Uses listed in Section 15.08.030.

2. Group Homes Class I-C, II-A, II-B, and II-C.
  * * *

Section 7. Section 15.04.040 of the Zoning Code (Ordinance 1827, 2404) is amended to read as follows:

15.04.040. GARDEN DENSITY MULTIFAMILY RESIDENTIAL - MR-G
  * * *

A. Principally Permitted Uses
1. Single-family dwellings and two-family dwellings or duplexes.

2. Multiple family dwellings including apartments and townhouses.

3. Group Homes Class I-A and I-B.

((3))4. Crop or tree farming.
  * * *

D. Conditional Uses
1. General Conditional Uses as listed in Section 15.08.030.

2. Group Homes Class I-C, II-A, II-B and II-C.
  * * *

Section 8. Section 15.04.050 of the Zoning Code (Ordinance 1827, 2404) is amended to read as follows:
15.04.050. MEDIUM DENSITY MULTIFAMILY RESIDENTIAL - MR-M.

* * *

A. Principally Permitted Uses
1. Single-family dwellings and two-family dwellings or duplexes.
2. Multiple family dwellings.
3. Group Homes Class I-A, I-B and I-C.

* * *

D. Conditional Uses
1. General Conditional Uses as listed in Section 15.08.030.
2. Group Homes Class II-A, II-B and II-C.

Section 9. Section 15.04.060 of the Zoning Code (Ordinance 1827, 2404) is amended to read as follows:

15.04.060. HIGH DENSITY MULTIFAMILY RESIDENTIAL - MR-H.

* * *

A. Principally Permitted Uses
1. Single-family dwellings and two-family dwellings or duplexes.
2. Multiple-family dwellings.
3. Group Homes Class I-A, I-B and I-C.

* * *

D. Conditional Uses
1. General Conditional Uses as listed in Section 15.08.030.
2. Group Homes Class II-A, II-B and II-C.

* * *

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Section 10. Section 15.04.070 of the Zoning Code (Ordinance 1827, 2404) is amended to read as follows:

15.04.070. MOBILE HOME PARK COMBINING DISTRICT OR MHP.
* * *
A. Principally Permitted Uses
  1. Mobile Home parks.
  2. Group Homes Class I-A.
* * *

Section 11. Section 15.04.090 of the Zoning Code (Ordinance 1827, 2404) is amended to read as follows:

15.04.090. NEIGHBORHOOD CONVENIENCE COMMERCIAL OR NCC.
* * *
A. Principally Permitted Uses
  1. Any local retail business for the sale of new merchandise, such as supermarkets, food stores, drugstores, restaurants (excluding drive-in restaurants), taverns.
  2. Personal services such as barber and beauty shops, launderettes, dry cleaning establishments.
  3. Any other retail or personal service use that is determined by the Planning Director to be of the same general character as the above permitted local retail businesses or services and is in accordance with the stated purpose of the district.
  4. Municipal uses and buildings, except for such uses and buildings subject to Section 15.04.200.
  5. Group Homes Class I-A, I-B and I-C.
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.

* * *

D. Conditional Uses

1. General Conditional Uses as listed in Section 15.08.030.

2. Group Homes Class II-A, II-B, II-C and III.

* * *

Section 12. Section 15.04.100 of the Zoning Code (Ordinance 1827, 2404) is amended to read as follows:

15.04.100. COMMUNITY COMMERCIAL DISTRICT OR CC.

* * *

A. Principally Permitted Uses

1. Retail establishments, selling primarily new merchandise, including convenience goods, shopping goods such as "soft lines" (clothing, shoes) and "hard lines" (hardware, furniture, paint, appliances).

2. Personal services such as barber and beauty shops, launderettes dry cleaning establishments, television and radio repair, shoe repair.

3. Restaurants (excluding drive-in restaurants), taverns.

4. Veterinary clinics when located no closer than one hundred fifty (150) feet to any residential use, providing the animals are housed indoors (no inside runs) and the building is soundproofed. Soundproofing must be designed by competent acoustical engineers.

5. Branches of financial institutions.
6. Car washes.
7. Nurseries and greenhouses.
8. Commercial recreational facilities including theaters, bowling alleys, skating rinks, miniature golf.
10. Group Homes Class I-A, I-B and I-C.

11. Any other use that is determined by the Planning Director to be the same general character as the above permitted uses and is in accordance with the stated purpose of the district.

12. Municipal uses and buildings, except for such uses and buildings subject to Section 15.04.200.

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.

* * *

D. Conditionally Permitted Uses.
1. General Conditional Uses as listed in Section 15.08.030.

2. Apartments (either by themselves or in conjunction with commercial uses), and building supply uses.

3. Auto repair facilities.

4. Mini-warehouses. Provided: that the following development standards shall apply for mini warehouses, superseding those set out in 15.04.100(E), below.

   a. Frontage Use Reserved: The first 150 feet of lot depth (measured from the property line or right of way inward from the street frontage) shall be reserved for principally permitted uses for this district, defined by the provisions of 15.04.100 A-1, and/or for office/on-site manager’s unit, signage, parking and access. A maximum of 25% of the frontage may be used
for access to the storage unit area, provided that: in no case shall the access area exceed 75 feet in width. No storage units/structures shall be permitted within this 150 feet commercial frontage depth.

b. Lot Size. Minimum - 1 acre
   Maximum - 4 acres

c. Site Coverage. Underlying zoning district requirements.

d. Setbacks. Front Yard - 20 feet
   Side Yard - 10 feet
   Rear Yard - 10 feet

e. Height Limitations. One story in height.

f. Outdoor Storage. No outdoor storage is permitted.

g. Signs. The sign requirements of Chapter 15.06 shall apply.

h. 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 in areas required to be landscaped.

i. Development Plan Review. Development plan approval is required as provided in Section 15.08.

j. Landscaping.
   Front Yard - 20 feet: Type III (earth berms)
   Side Yard - 10 feet: Type II abutting commercial, Type I abutting residential uses or districts.
   Rear Yard - 10 feet: Type II abutting commercial uses or districts, Type I abutting residential uses or districts.

Note: For maintenance purposes, underground irrigation systems shall be provided for all landscaped areas.
k. On Site Managers. A resident manager shall be required on the site and shall be responsible for maintaining the operation of the facility in conformance with the conditions of the approval. The Planning Department shall establish requirements for parking and loading areas sufficient to accommodate the needs of the resident manager and the customers to the facility.

l. Drive Aisles. Drive aisle width and parking requirements are as follows:
   a. 15 foot drive aisle and 10 foot parking aisle.
   b. Parking for manager’s quarters and visitor parking.

m. Building Lengths. The horizontal dimension of any structure facing the perimeter of the site shall be offset at intervals not to exceed 100 feet. The offset shall be no less than 20 feet in the horizontal dimension, with a minimum depth of 5 feet.

n. Materials Used. If abutting a residential use or zone, residential design elements such as brick veneer, wood siding, pitched roofs with shingles, landscaping and fencing. No uncomplimentary building colors should be used when abutting a residential use or zone.

o. Prohibited Uses. Restrict use to "dead storage" only. Specifically prohibit the following:
   i. Auctions (other than tenant lien sales), commercial, wholesale, or retail sales, or garage sales.
   ii. The servicing, repair, or fabrication of motor vehicles, boats, trailers, lawn mowers, appliances or other similar equipment.
   iii. The operation of power tools, spray painting equipment, table saws, lathes, compressors, welding equipment, kilns or other similar equipment.
iv. The establishment of a transfer and storage business.

v. Any use that is noxious or offensive because of odor, dust, noise, fumes, or vibration.

vi. Storage of hazardous or toxic materials and chemicals, or explosive substances.

p. Fencing. No razor wire allowed on top of fences.

5. Group Homes Class II-1A, II-B, II-C and III.

Section 13. Section 15.04.110 of the Zoning Code (Ordinance 1827, 2404) is amended to read as follows:

15.04.110. DOWNTOWN COMMERCIAL OR DC.

A. Principally Permitted Uses.

1. Retail establishments, including convenience goods, shopping goods such as "soft lines" (clothing, variety, shoes) and "hard lines" (hardware, furniture, appliances).

2. Personal services such as barber and beauty shops, launderettes, dry cleaning, television and radio repair, shoe repair.

3. Restaurants (excluding drive-in restaurants), nightclubs, taverns.

4. Professional, administrative and financial offices.

5. Business and technical schools.

6. Recreational uses such as theaters, bowling alleys, dance halls (must be enclosed).

8. Printing establishments, business services such as copy services.


10. Any other use that is determined by the Planning Director to be of the same general character as the above permitted uses and in accordance with the stated purpose of the district.

11. 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.

12. Municipal uses and buildings, except for such uses and buildings subject to Section 15.04.200.

13. Group Homes Class I-A, I-B and I-C.

B. Principally Permitted Uses in DC-2 Zone

1. All of the principally permitted uses in the DC-1 zone.

2. Automobile wash services.

3. Food lockers (with or without food preparation facilities).

4. Automobile rental services.

5. Sales of tire and auto accessories with on-site installation.

6. Marine craft sales and accessories.

7. Motor vehicle sales (new and used).

8. Motion picture distribution and services.

9. Upholstery and furniture repair services.

10. Group Homes Class I-A, I-B and I-C.

((B))C. Prohibited Uses. Heavy commercial uses with outdoor storage are prohibited in this district.

((E))D. Special Permit Uses. 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.
3. Gasoline service stations in DC-2 zone only.

((B)E). **Accessory Uses.**
1. Accessory uses and buildings customarily appurtenant to a permitted use, such as incidental storage facilities, which must be enclosed, and loading and unloading areas.

2. For permitted uses, hazardous substance land uses, including on-site hazardous waste treatment and/or storage facilities, which are not subject to cleanup permit requirements of Kent City Code Chapter 4.19 and which do not accumulate more than 5,000 pounds of hazardous substances or wastes or any combination thereof at any one time on site, subject to the provisions of Section 15.08.050, except off-site hazardous waste treatment and/or storage facilities which are not permitted in this district.

((B))F. **Conditional Uses.**
1. Multifamily residential uses.
2. Commercial parking lots or structures.
3. Railway and bus depots, taxi stands.
4. General Conditional Uses as listed in Section 15.08.030.
5. Equipment rental and leasing services (DC-2 zone only).
6. Automotive repair services, not to include body and fender repair (DC-2 zone only).
7. **Group Homes Class II-A, II-B, II-C and III.**

((F))G. Development Standards.
1. Minimum lot. Minimum lot of record.
2. Maximum site coverage. One hundred (100) percent.

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3. **Setbacks.** None, except as required by landscaping, or if off-street parking is provided on site, and except when a rear and/or side yard abuts a residential district, and then a twenty (20) foot rear and/or side yard shall be required.

4. **Height limitation.** Four (4) stories or sixty (60) feet. However, the Planning Director shall be authorized to grant one additional story in height, if during Development Plan Review, it is found that this additional story would not detract from the continuity of the area. More than one additional story may be granted by the Planning Commission.

5. The landscaping requirements of Chapter 15.07 shall apply.

   ((G))H. **Signs.** The sign requirements of Chapter 15.06 shall apply.

   ((H))I. **Off-Street Parking.** The off-street parking requirements of Chapter 15.05 shall apply.

   ((I))J. **Development Plan Review.** Development plan approval is required, as provided in Section 15.09.010.

Section 14. Section 15.04.120 of the Zoning Code (Ordinance 1827, 2404) is amended to read as follows:

15.04.120. **COMMERCIAL MANUFACTURING-1 OR CM-1.**

   *(*)

   D. **Conditional Uses**

   1. Offices.

   2. Light manufacturing operations in any building regardless of its size built prior to June 4, 1973. Provided, however, that in the event it should become necessary to rebuild or replace any such building, then, in that event, the light manufacturing operations permitted under this section shall not
encompass an area of greater than the size of the buildings on June 4, 1973.

3. For permitted uses, accessory hazardous substance land uses which are not subject to cleanup permit requirements of Kent City Code Chapter 4.19 and which accumulate more than 10,000 pounds of hazardous substances or wastes or any combination thereof at any one time on site or which handle more than 20,000 pounds of hazardous substances or wastes or any combination thereof on site in any 30 day period of time, subject to the provisions of Section 15.08.050, except off-site hazardous waste treatment and/or storage facilities which are not permitted in this district.


((4)) 5. General Conditional Uses as listed in Section 15.08.030.

* * *

Section 15. Section 15.04.130 of the Zoning Code (Ordinance 1827, 2404) is amended to read as follows:

15.04.130. COMMERCIAL MANUFACTURING-2 OR CM-2.

* * *

D. Conditional Uses.

1. Offices.

2. Light manufacturing operations in any building regardless of size built prior to June 4, 1973. Provided, however, that in the event it should become necessary to rebuild or replace any such building, then, in that event, the light manufacturing operations permitted under this section shall not encompass an area greater than the size of said building on June 4, 1973.

((9)) 4. General Conditional Uses as listed in Section 15.08.030.

((4)) 5. For permitted uses, accessory hazardous substance land uses, which are not subject to cleanup permit requirements of Kent City Code Chapter 4.19 and which accumulate more than 10,000 pounds of hazardous substances or wastes or any combination thereof at any one time on site or which handle more than 20,000 pounds of hazardous substances or wastes or any combination thereof on site in any 30 day period of time, subject to the provisions of Section 15.08.050, except off-site hazardous waste treatment and/or storage facilities which are not permitted in this district.

* * *

Section 16. Section 15.04.140 of the Zoning Code (Ordinance 1827, 2404) is amended to read as follows:

15.04.140. GENERAL COMMERCIAL OR GC.

* * *

A. Principally Permitted Uses.
1. Trade
   a. Wholesale
      Bakery
   b. Retail - general merchandise
      Department stores
      Dry goods and general merchandise
      Electrical supplies
      Farm equipment
      Hardware
      Heating and plumbing equipment
      Lumberyards
      Mail order houses
      Merchandise vending machine operators
Paint, glass and wallpaper
Variety stores
c. Retail - food
Bakeries (with accessory manufacturing)
Candy, nut, and confectionery (with accessory manufacturing)
Dairy products
Fruits and vegetables
Groceries
Meat, fish, and poultry
d. Retail - automotive, marine craft, aircraft and accessories
Aircraft and accessories
Marine craft and accessories
Motor vehicles (new and/or used cars and recreation vehicles)
Tires, batteries, and accessories
e. Retail - apparel and accessories
New and/or used apparel and accessories
f. Retail - furniture, home furnishings and equipment
New and/or used and finished and/or unfinished furniture, home furnishings and equipment
g. Retail - eating and drinking establishments
Drinking establishments (taverns and cocktail lounges)
Eating establishments (restaurants) without drive-in or drive-through facilities.
h. Retail - other
Antiques
Bicycles
Books
Bottled gas
Cameras and photographic supplies
Cigars and cigarettes
Computers and software
Drug and proprietary items
Florists
Fuel and ice dealers
Fuel oil
Gifts, novelties, and souvenirs
Hay, grains, and feeds
Jewelry
Liquor
Newspapers and magazines
Optical goods
Pets and pet supplies
Secondhand merchandise
Sporting goods
Stationery
Video cassette sales and rentals

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

b. **Personal services**
Beauty and barber services
Diaper services
Funeral and crematory services
Laundering and dry cleaning (self-service)
Laundering, dry cleaning, and dyeing services
Linen supply and industrial laundry services
Photographic services
Pressing, alteration, and garment repair
Rug cleaning and repair services
Shoe repair, shoe shining, and hat cleaning services

c. **Business services**
Advertising services
Automobile and truck rental
Blueprinting and photocopying services
Business and management consulting services
Consumer and mercantile credit reporting services; adjustment and collection services
Detective and protective services
Disinfecting and exterminating services
Employment services
Equipment rental and leasing services
Food lockers (without food preparation facilities)
Motion picture distribution and services
News syndicate services
Other dwelling and business services
Outdoor advertising services
Photofinishing services
Research, development, and testing services
Stenographic services and other duplicating and mailing services
Trading stamp services
Window cleaning services
d. Repair services
Armature rewinding services
Automobile repair services
Automobile wash services
Electrical repair services
Fleet vehicle maintenance
Radio and television repair services
Reupholstery and furniture repair services
Small engine repair
Truck repair
Watch, clock and jewelry repair services
e. Professional services
Accounting, auditing, and bookkeeping services
Educational and scientific research services
Engineering and architectural services
Hospital services
Legal services
Medical and dental laboratory services
Medical and dental services
Medical clinic - out-patient services
Sanitarium, convalescent, and rest home services
Urban planning services
f. Contract construction services
Building construction - general contractor services
Carpentering and wood flooring
Concrete services
Electrical services
Masonry, stonework, tile setting, and plastering services
Painting, paperhanging and decorating services
Plumbing, heating, and air conditioning services
Roofing and sheet metal services
Water well drilling services

g. Educational services
Art and music schools
Barber and beauty schools
Business and stenographic schools
Correspondence schools
Dancing schools
Driving schools - auto
Driving schools - truck
Vocational or trade schools

h. Miscellaneous services
Animal grooming parlors
Business associations and organizations
Civic, social, and fraternal associations
Labor unions and similar labor organizations
Veterinary clinics and animal hospital services when located no closer than one hundred fifty (150) feet to any residential use, providing the animals are housed indoors (no outside runs) and the building is soundproofed. Soundproofing must be designed by competent acoustical engineers.
Welfare and charitable services
3. **Residential**
   a. **Lodgings**
      Hotels
      Motels
   b. 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.
   c. Transitional housing facilities, limited to a maximum of 20 residents at any one time and 4 resident staff.

4. **Cultural, entertainment and recreational**
   a. **Cultural activities and nature exhibitions**
      Art galleries
      Historic and monument sites
   b. **Public assembly**
      Amphitheaters
      Arenas and field houses
      Auditoriums
      Drive-in movies
      Exhibition halls
      Legitimate theaters (live)
      Motion picture theaters
      Stadiums
   c. **Amusements and recreation**
      Amusement parks
      Athletic clubs
      Bowling
      Fairgrounds
      Go-cart tracks
      Golf driving ranges
      Minature golf
Skating (roller or ice)
Tennis
Video arcades

5. Other uses
   a. Other retail trade, service, or entertainment/recreational uses that are of the same general character as those listed; which are deemed compatible with other permitted uses in this district and which operate in accordance with the stated purpose of this district.
   b. Municipal uses and buildings, except for such uses and buildings subject to Section 15.04.200.

* * *

D. Conditional Uses.
   1. Printing and publishing establishments, and accessory uses and buildings, customarily appurtenant to such use.
   2. Mini-warehouses and self-service storage
   3. General Conditional Uses as listed in Section 15.08.030.
   5. For permitted uses, accessory hazardous substance land uses which are not subject to cleanup requirements of Kent City Code Chapter 4.19 and which accumulate more than 10,000 pounds of hazardous substances or wastes or any combination thereof at any one time on site or which handle more than 20,000 pounds of hazardous substance and wastes on site in any 30 day period of time, subject to the provisions of Section 15.08.050, except off-site hazardous waste treatment and/or storage facilities which are not permitted in this district.
Section 17. Section 15.04.150 of the Zoning Code (Ordinance 1827, 2404) is amended to read as follows:

15.04.150. PROFESSIONAL AND OFFICE DISTRICT OR O.

A. Principally Permitted Uses.

1. Medical and dental offices; medical and dental laboratory services.

2. Administrative and professional offices such as lawyers, engineers, real estate, accountants, financial offices such as banks, savings and loan institutions, insurance offices, auditing, bookkeeping, architectural and urban planning services, business and management consulting services, advertising services.

3. Veterinary clinics when located no closer than one hundred fifty (150) feet to any residential use, providing the animals are housed indoors (no outside runs) and the building is soundproofed. Soundproofing must be designed by competent acoustical engineers.

4. Schools and studios for art, crafts, photography, music, dance. Educational and scientific research, research and development services.

5. Blueprinting and photocopying services.

6. Consumer and mercantile credit reporting services, adjustment and collecting services.

7. Detective and protective services.

8. Stenographic services and other duplicating and mailing services.


10. Employment services.

11. Group Homes Class I-A, I-B, and I-C.

12. Any other use that is determined by the Planning Director to be of the same general character as the above permitted uses.
((#)) 13. Municipal uses and buildings, except for such uses and buildings subject to Section 15.04.200.

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.

* * *

C. Conditional Uses.
1. Multifamily development over office uses and multi-family developments (apartments and townhouses).
2. Mortuaries.
3. Beauty and barber services.
4. Tanning salons.
5. Nail manicuring services.
6. General Conditional Uses as listed in Section 15.08.030.
7. Retail sales as follows:
   As part of a planned development where at least fifty (50) percent of the total development is for office use.
   Drive-in restaurants, service stations, drive-in cleaning establishments and other similar retail establishments are not permitted.

8. Group Homes Class II-A, II-B, II-C and III.

* * *

Section 18. The Zoning Code (Ordinance 1827, 2404) is amended to add the following new section:
15.08.280. GROUP HOMES -- CLASS II AND III.

A. Purpose.

It is the purpose of this section to outline general conditions with which Class II and III Group Homes (as defined in section 15.02.173 of this Code) must comply when applying for a conditional use permit to locate in the City of Kent.

B. Dispersion Requirements.

A Class II and III Group Home must locate a minimum of 600 feet from any other Class II or III Group Home. This distance will be measured by following a straight line, without regard to intervening buildings, from the nearest point of the property or parcel upon which the proposed use is to be located, to the nearest point of the parcel or property or the land use district boundary line from which the proposed use is to be separated.

C. Separation Requirements.

A 1,000 foot separation requirement will apply to Class II and III Group Homes to separate such facilities from sensitive land uses such as public or private schools, churches or other religious facilities or institutions, parks and playgrounds, and other such uses that are deemed to be sensitive. In addition to the above sensitive uses, Class III Group Homes must be separated at least 1,000 feet from all residential areas. This distance would be measured by the same method as that for the dispersion requirements described in B above.

D. Registration and Licensing.

Group Homes must obtain all licenses necessary for operation by state and/or federal agencies. Class II and III Group Homes must also register with the City of Kent by supplying information pertinent to the validity, update and renewal status of the Home's state and/or federal license. Accuracy of all information contained in any state and/or federal license shall be
verified to the extent possible by the City of Kent. and any applicant for a Group Home Conditional Use Permit shall have the responsibility to ensure that any changes made to the license prior to its renewal are immediately provided to the City.

Section 19. Section 15.08.030 of the Zoning Code (Ordinance 1827, 2404) is amended to read as follows:

15.08.030. GENERAL CONDITIONAL USE.

* * *

B. Type of Uses Identified. The uses identified for the purpose of this section will generally fall into several broad categories:

1. Utility, transportation, and communication facilities. Includes electrical substations, pumping or regulating devices for the transmission of water, gas, steam, petroleum, etc., bus stops, transit stations, etc.

2. Public facilities. Includes fire houses, police stations, libraries, and administrative offices of governmental agencies; primary and secondary schools, vocational schools and colleges.

3. Open space uses. Includes cemeteries, parks, playgrounds, golf courses and other recreation facilities, including buildings or structures associated therewith.

4. Drive-in churches, retirement homes, convalescent homes, and other welfare facilities, (excluding Group Homes Class I, II and III as defined in Section 15.02.173 of this code) whether privately or publicly operated; facilities for rehabilitation or correction, private clubs, fraternal lodges, etc.
Section 20. Severability. The provisions of this ordinance are declared to be separate and severable. The invalidity of any clause, sentence, paragraph, subdivision, section or portion of this ordinance, or the invalidity of the application thereof to any person or circumstance shall not affect the validity of its application to other persons or circumstances.

Section 21. Effective Date. This ordinance shall take effect and be in force thirty (30) days from the time of its final passage as provided by law.

DAN KELLEHER, MAYOR

ATTEST:

BRENDA JACOBER, DEPUTY CITY CLERK

APPROVED AS TO FORM:

ROGER A. LUBOVICH, CITY ATTORNEY

PASSED the _2_ day of _Jan_ , 199_.
APPROVED the _3_ day of _Jan_ , 199_.
PUBLISHED the _6_ day of _Jan_ , 199_.

- 30 -
I hereby certify that this is a true copy of Ordinance No. 2958, 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]

BRENDA JACOBER, DEPUTY CITY CLERK