Ordinance No. 3050

(Amending or Repealing Ordinances)

CFN=462 – Central Business District; CFN=377 – Comprehensive Plan
Passed – 7/7/1992
Land Use and Zoning
Amends/adds: Secs. 15.04.110; 15.04.115; 15.04.116; 15.05.070; 15.05.040; 15.06.050; 15.07.060; 15.09.048

Repealed by Ord. 3409 (Secs. 15.04.115; 15.04.116; 15.04.110; 15.05.040 & 15.07.060)

Amended by Ord. 3409 (Sec. 15.09.048 now 15.09.046) & Sec. 15.06.050
Amended by Ord. 3424 (Sec. 15.09.046)
Amended by Ord. 3439 (Sec. 15.06.050)
Amended by Ord. 3457 (Sec. 15.09.046)
Amended by Ord. 3525 (Sec. 15.09.046)
Amended by Ord. 3543 (Sec. 15.06.050)
Amended by Ord. 3612 (Sec. 15.06.050(E))
Amended by Ord. 3648 (Secs. 15.06.050 & 15.07.060)
Amended by Ord. 3742 (Secs. 15.05.070 & 15.09.046)
Amended by Ord. 3770 (Sec. 15.07.060)
Amended by Ord. 3988 (Sec. 15.09.046)
Amended by Ord. 4011 (Secs. 15.05.040; 15.06.050; 15.07.060)
Amended by Ord. 4043 (Secs. 15.05.040; 15.05.070)

The date ["Beginning July 1, 1998"] has led to confusion
This date will be deleted from cover sheets of ordinance/resolution revision pages
This cover sheet will be deleted on electronic pages only, no other deletions or changes have been made to the document – 6/21/2012
ORDINANCE NO. 3050

AN ORDINANCE of the City of Kent, Washington, relating to land use and zoning, amending the Kent Zoning Code, (Ordinances 1827 and 2404), Chapter 15 of the Kent City Code, to amend the Downtown Commercial (DC) district, create a Downtown Commercial Enterprise (DCE) district and a Downtown Limited Manufacturing (DLM) district, provide a design review process for certain zoning districts, add new sections 15.04.115, 15.04.116, and 15.09.048; and amending sections 15.04.110, 15.05.040, 15.05.070, 15.06.050, and 15.07.060

WHEREAS, the Kent City Council adopted a resolution amending and updating the Kent Downtown Plan on May 2, 1989; and

WHEREAS, the City of Kent has the statutory authority to amend its Zoning Code pursuant to RCW 35A.63; and

WHEREAS, the Kent City Council approved a Planning Department Work Program to implement the goals, policies, and objectives set forth in the amended Kent Downtown Plan through revisions in the Kent Zoning Code; and

WHEREAS, the Planning Department conducted public workshops on August 2, 1990, and October 25, 1990, to solicit
comments from the public relating to downtown zoning issues; and

WHEREAS, the Kent Planning Commission held extensive public hearings on the proposed downtown zoning revisions, beginning in March of 1991, through February of 1992; and

WHEREAS, the Planning Commission voted to recommend to the City Council the Revised Downtown Zoning Program, with modifications, on February 24, 1992; and

WHEREAS, the City Council conducted workshops on the proposed downtown zoning on March 30 and May 19, 1992, and unanimously adopted the Planning Commission's recommendation, with modifications, on June 2, 1992; NOW, THEREFORE,

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

Section 1. Section 15.04.110 of the Kent City Code is amended as follows:

15.04.110 DOWNTOWN COMMERCIAL OR DC.

Purpose: It is the purpose of this district to provide a place for, and create environmental conditions which will encourage the location of, dense and varied retail, office, residential business, civic and recreational activities which will benefit and contribute to the vitality of a central "downtown" location, recognize and preserve the historic pattern of development in the area, and to implement the land use goals and policies in the Downtown Plan. In the DC area, permitted uses should be primarily pedestrian oriented and able to take advantage of on-street and structured off-street parking lots, while both auto— and
pedestrian-oriented uses may prevail in the DC-2 area.

A. Principally Permitted Uses in DC Zone

A) All of the uses listed below are permitted in the DC zoning district, excepting that in the area designated on the map shown below, entitled the Ground Floor Retail/Service Area, the ground level or street level portion of all buildings must be retail or pedestrian-oriented service/repair uses.

**Ground Floor Retail/Service Area**

1. Retail establishments, including convenience goods, department and variety stores, and specialty shops such as apparel and accessories, gift shops, toy shops, cards and paper goods, home and home accessory shops, antique shops, and book shops 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. Food-related shops, restaurants (including outdoor seating areas and excluding drive-in restaurants), nightclubs, taverns.
4. Professional and administrative offices.
5. Business and technical schools.
6. Performing and cultural arts uses, such as theaters, museums, art galleries, and studios. Recreational uses such as theaters, bowling alleys, dance halls (must be enclosed).
8. Printing establishments, business services such as copy services.
9. Mortuaries
10. 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.
11. Parks. Municipal uses and buildings, except for such uses and buildings subject to Section 15.04.200.
12. Multifamily residential uses, when established in buildings with commercial or office uses, and not located on the ground floor.
15. Group Homes, Class 1-A, 1-B and 1-C.
16. 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.

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.

C. Prohibited Uses

Heavy commercial uses with outdoor storage are prohibited in this district.

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 with no more than 12 children, and with no on-site parking.
3. Gasoline service stations in DC-2 zone only

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.

F. Conditional Uses

1. Multifamily residential uses, when not combined with commercial or office uses.
2. Commercial parking lots or structures
3. Railway and bus depots, taxi stands
5. General conditional uses as listed in Section 15.08.030
6. Equipment rental and leasing services (DC-2 zone only)
7. Automotive repair services, not to include body and fender repair (DC 2 zone only)

G. Development Standards
1. Minimum Lot. Minimum lot of record or 5,000 square feet, whichever is less.
2. Maximum site coverage. One hundred (100) percent.
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. See the downtown design review criteria outlined in Section 15.09.048.
4. Height Limitation. Four (4) stories or sixty (60) feet. See the downtown design review criteria outlined in Section 15.09.048. 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.

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

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

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

K. Downtown Design Review
The downtown design review requirements of Section 15.09.048 shall apply.
Section 2. The Kent City Code is amended to establish a new Section 15.04.115 creating the Downtown Commercial Enterprise (DCE) district as follows:

Section 15.04.115. DOWNTOWN COMMERCIAL ENTERPRISE.

Purpose: The purpose of this district is to encourage and promote higher density development and a variety and mixture of compatible retail, commercial, residential, civic, recreational, and service activities in the downtown area, to enhance the pedestrian-oriented character of the downtown, and to implement the goals and policies of the Downtown Plan.

A. Principally Permitted Uses

1. Retail establishments, including convenience goods, department and variety stores, and specialty shops such as apparel and accessories, gift shops, toy shops, cards and paper goods, home and home accessory shops, antique shops, and book shops.
2. Personal services, such as barber and beauty shops, launderettes, and household repair shops.
3. Food-related shops, restaurants (including outdoor eating areas and excluding drive-through restaurants), taverns.
4. Professional and administrative offices, including medical/dental, legal, real estate, and financial services.
5. Business and technical schools, and schools and studios for photography, art, music, and dance.
6. Business service establishments, such as blueprinting, photocopying, and consulting services.
7. Multifamily residential uses, including housing for senior citizens.
8. Banks and financial institutions.
10. Drive-through businesses, excluding drive-through restaurants.
11. Performing and cultural arts facilities, including movie theaters.
12. Public facilities and uses, including regional and community facilities, such as libraries, government office buildings, and parks.
13. Existing dwellings may be rebuilt, repaired and otherwise changed for human occupancy. Accessory uses for existing dwellings may be constructed, such as garages, carports, storage sheds, and fences.
14. Preschools and daycare centers.
15. Group Homes Class 1-A, 1-B and 1-C.
16. Other uses designated by the Planning Director as consistent with the purpose of the DCE zoning district.

B. Special Permit Uses

1. Churches.

C. Accessory Uses

1. Accessory uses and buildings customarily appurtenant to a permitted use, such as incidental storage facilities, which must be enclosed, 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.

3. Day care facilities operated in conjunction with a permitted use.

D. Conditional Uses

1. Commercial parking lots and structures.
2. Railway and bus depots, taxi stands.
3. Drive-through restaurants, only if located in a building having at least two stories.
5. General conditional uses as listed in Section 15.08.030.

E. Development Standards

1. Minimum Lot. 5,000 square feet.
2. Maximum site coverage. One hundred (100) percent.
3. Setbacks. No minimum setback is required. When a rear and/or side yard abuts a residential district, then a 20 foot rear and/or side yard setback may be required. See the downtown design review criteria outlined in Section 15.09.048.
4. Height Limitation. No maximum height limit. See the downtown design review criteria outlined in Section 15.09.048.

5. The landscaping requirements of Chapter 15.07 shall apply.

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

G. Off-Street Parking
The off-street parking requirements of Chapter 15.05 shall apply.

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

I. Downtown Design Review
The downtown design review requirements of Section 15.09.048 shall apply.

Section 3. The Kent City Code is amended to establish new Section 15.04.116 creating the Downtown Limited Manufacturing (DLM) district as follows:

15.04.116. DOWNTOWN LIMITED MANUFACTURING (DLM) DISTRICT

Purpose: It is the purpose of this zoning district to provide for light industrial land uses which may coexist with retail, business, residential and service land uses in the downtown area. This district is intended to provide areas for those light manufacturing activities that desire to conduct business in proximity to a variety of land uses such as is possible only in the downtown community.

A. Principally Permitted Uses

1. Retail uses intended primarily to serve the needs of the manufacturing area, such as equipment, lumber, tools, and restaurants (excluding drive-through).

2. Manufacturing, processing, assembling, and packaging of articles, products, or merchandise made from previously prepared natural or synthetic materials, including but not limited to bristles, bone, canvas, cellophane and similar synthetics, chalk, clay (pulverized only, with gas or electric kilns), cloth, cork, feathers, felt, fiber.
fiberglass, fur, glass (including glass finishing), graphite, hair, horn, leather, paper, paraffin, plastic, metals, semiprecious and precious metals or stones, putty, pumice, shell, textiles, tobacco, wire, wood, wool and yarn, which generate low levels of noise, dust, vibration, truck traffic, or odors. Prohibited are those manufacturing activities having potentially deleterious operational characteristics, such as initial processing of raw materials (forging, smelting, refining and forming).

3. Manufacture and packaging of food-related products, such as confectionery products, bakery products, fruits and vegetables, beer and wine, and prepared food specialties.

4. Printing, publishing, and allied industries, including such processes as lithography, etching, engraving, binding, blueprinting, photocopying, film processing, and similar operations; such uses may have on-site customer service.

5. Custom arts and crafts manufacturing and artist workshops, studios, and galleries.


7. Business, professional, educational, and construction services.

8. Finance, insurance, and real estate services.

9. Complexes which include a combination of uses, including a mixture of office, storage, and light manufacturing uses.

10. Public facilities and uses, including regional and community facilities, such as libraries, government office buildings, and parks.

11. Multifamily residential uses.

12. Other similar uses which the Planning Director finds compatible with the Principally Permitted uses described herein, and are consistent with the purpose of the DLM District.

B. Special Permit Uses

1. Preschools and daycare centers.

2. Gasoline service stations.

C. Accessory Uses

1. Retail uses operated in conjunction with and incidental to permitted uses, provided such uses are housed as a part of the building comprising the basic operations.
2. Accessory uses and buildings customarily appurtenant to a permitted use.
3. 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.
4. Day care facilities operated in conjunction with a permitted use.

D. Conditional Uses

1. Retail commercial uses.
2. Hotels and motels.
4. General conditional uses listed in Section 15.08.030.

E. Development Standards

1. Minimum Lot. 10,000 square feet.
2. Maximum site coverage. Seventy five (75) percent.
3. Setbacks. No minimum setback is required. When a rear and/or side yard abuts a residential district, then a 20 foot rear and/or side yard setback may be required. See the downtown design review criteria outlined in Section 15.09.048.
4. Height Limitation. No maximum height limit is required. See the downtown design review criteria outlined in Section 15.09.048.
5. The landscaping requirements of Chapter 15.07 shall apply.

F. Signs

The sign requirements of Chapter 15.06 shall apply.

G. Off-street Parking

The off-street parking requirements of Chapter 15.05 shall apply.
H. Development Plan Review
Development plan approval is required, as
provided in Section 15.09.010.

I. Downtown Design Review
The downtown design review requirements of
Section 15.09.048 shall apply.

Section 4. Section 15.05.070 of the Kent City Code
is amended to read as follows outlined below. These
regulations are interim until such time as a Downtown Parking
Management Plan is approved by the City Council.

15.05.070 OFF-STREET PARKING REGULATIONS DOWNTOWN COMMERCIAL
AND DOWNTOWN COMMERCIAL ENTERPRISE DISTRICTS

Purpose: It is the purpose of this section to recognize the
pedestrian-oriented nature of downtown activities while also
recognizing the need for off-street parking facilities to
eliminate traffic congestion. For the purpose of regulating
off-street parking, there shall be two divisions of the
Downtown Commercial Enterprise District, one for the area west
of the Burlington Northern Railroad tracks, and one for the
area east of the tracks. DC-1 and DC-2. These divisions shall
be delineated on the official zoning map. NOTE: Subsections
15.05.070 A and B do not apply to residential development in
the DC, Downtown Commercial zoning district. See Section
15.05.040 for residential parking requirements.

A. DC-1 Division District
No off-street parking shall be required in this
division district, excepting that one parking space per unit
is required for multifamily residential development. No more
than three off-street surface parking spaces per 1,000 square
feet of gross floor area are permitted for non-residential
development. This parking maximum does not apply to
structured parking. The DC-1 Division District is the core
area of downtown which should be pedestrian oriented. In
addition, the property owners in the DC-1 Division District
have provided off-street parking through LID assessments.

B. DCE District West of the BN Tracks DC-2
Division
Off-street parking shall be provided and shall
be in accordance with the provisions of this chapter; except
there may be a fifty (50) percent reduction from the parking
standard requirements contained in Section 15.05.040; and
except that those properties in the DCE zone who paid into
Parking LID 260 shall be exempt from off-street parking requirements. One parking space per unit is required for all multifamily residential development. No more than three off-street surface parking spaces per 1,000 square feet of gross floor area are permitted for non-residential development. This surface parking maximum does not apply to structured parking.

C. DCE District East of the BN Tracks
Off-street parking shall be provided and shall be in accordance with the provisions of this chapter; except there may be a twenty-five (25) percent reduction from the parking standard requirements contained in Section 15.05.040. 1.5 parking spaces per unit are required for multifamily residential development. No more than three off-street parking spaces per 1,000 square feet of gross floor area are permitted for non-residential development. This surface parking maximum does not apply to structured parking.

Section 5. Subsection E of Section 15.05.040 of the Kent City Code is hereby repealed.

Section 6. Subsection C of Section 15.06.050 of the Kent City Code is amended as follows:

C. Signs Permitted in Downtown Commercial and Downtown Commercial Enterprise Districts

Section 7. Subsection E(1) of Section 15.06.050 of the Kent City Code is amended as follows:

E. Signs Permitted in Industrial Districts
1. Aggregate sign area. The aggregate sign area for lots in MA and M1 shall not exceed one-half (1/2) square foot for each foot of street frontage, in M2 and DLM shall not exceed three-fourths square foot of street frontage; and in M3 shall not exceed one (1) square foot for each foot of street frontage; in no case shall the aggregate sign area exceed one-half (1/2) square foot for each foot of street frontage on a corner lot. The permitted signs enumerated below shall be subject to the total aggregate sign area.

Section 8. Subsection J of Section 15.07.060 of the Kent City Code is amended as follows:
J. Downtown Commercial, DC
1. The perimeter of properties abutting a residential district shall be landscaped to a minimum depth of ten (10) feet.
2. A minimum of three (3) feet of landscaping to screen off-street parking areas, placement of which shall be determined through the downtown design review process outlined in Section 15.09.048, between the sidewalk and the building front shall be landscaped with groundcover, shrubs or flowers;
3. Street trees in accordance with the Official Tree Plan shall be planted.

Section 9. The Kent City Code is amended to add Subsections R and S to Section 15.07.060 as follows:

R. Downtown Commercial Enterprise, DCE
1. The perimeter of properties abutting a residential district shall be landscaped to a minimum depth of ten (10) feet.
2. A minimum of three (3) feet of landscaping to screen off-street parking areas, placement of which shall be determined through the downtown design review process outlined in Section 15.09.048.
3. Street trees in accordance with the Official Tree Plan shall be planted.

S. Downtown Limited Manufacturing, DLM
1. The perimeter of properties abutting a residential district shall be landscaped to a minimum depth of ten (10) feet.
2. A minimum of three (3) feet of landscaping to screen off-street parking areas, placement of which shall be determined through the downtown design review process outlined in Section 15.09.048.
3. Street trees in accordance with the Official Tree Plan shall be planted.

Section 10. The Kent City Code is amended to establish a new Section 15.09.048, Downtown Design Review to read as follows:

15.09.048 DOWNTOWN DESIGN REVIEW

A. Purpose and Scope.
1. Downtown Design Review is an administrative process, the purpose of which is to implement and give effect
to the Downtown Plan, its policies or parts thereof, through the adoption of design criteria for development within the Downtown Planning Area, which is bounded by State Route 167 to the west, James Street to the north, Jason/Titus/Central Avenue to the east, and Willis Street to the south. The area is shown on the map below:

Downtown Planning Area

It is the intent of the City that this process will serve to aid applicants in understanding the principal expectations of the City concerning development in the Downtown Planning Area and encourage a diversity of imaginative solutions to development through the review and application of the design criteria described herein. These criteria have been formulated to ensure that the design, siting and construction of development will provide a quality pedestrian oriented urban environment in a manner consistent with established land use policies, the Comprehensive Plan, and Zoning Code of the City.

2. The adoption of design criteria is an element of the City's regulation of land use, which is statutorily authorized. The downtown design review process adopted herein is established as an administrative function delegated to the Planning Department pursuant to RCW 35A. Therefore, in implementing the Downtown Design Review process, the Planning Director may adopt such rules and procedures as are necessary to provide for review of proposed projects.
3. Development in the Downtown Commercial (DC), Downtown Commercial Enterprise (DCE) and Downtown Limited Manufacturing (DLM) zoning districts within the Downtown Planning Area shall be subject to the provisions of this section.

4. Applications for multifamily development in the DC, DCE and DLM zoning districts shall not be subject to the provisions of Section 15.09.045 - Administrative Design Review.

5. The downtown design review process is distinct from the Multifamily Design Review process set forth in Section 15.09.047. Applications for multifamily development within the DC, DCE and DLM zoning districts shall be subject to the provisions of Section 15.09.047 in addition to the provisions of this section, except as provided in 15.09.047 (3). However, the provisions of this section shall prevail in cases where a conflict may arise between the requirements of these sections.

B. Application and Review Process. The Downtown Design Review process is administrative and is conducted as part of the permit review process. The applicant must make application for the design review process on forms provided by the Planning Department. Upon receipt of an application for design review, the Planning Director shall circulate the application to the Public Works Director, Building Official, and the City Administrator for review. Prior to issuing a final decision, the Planning Director shall review any comments submitted for consideration. In the administration of this process, the Planning Department may develop supplementary handbooks for the public, which shall pictorially illustrate and provide additional guidance on the interpretation of the criteria set forth in subsection C herein.

C. Design Review Committee. There is hereby established the Downtown Administrative Design Review Committee, which shall make all final decisions on applications for downtown design review. The Committee shall be comprised of 3 members, who shall be appointed by the City's Planning Director under the authority delegated to him/her under RCW 35A and shall serve at the pleasure of the Director. The Planning Director shall, by administrative rule, establish the rules of procedure for the Committee, which shall be made available to the public upon publication.
D. Design Review Criteria. The Downtown Administrative Design Review Committee shall use the following criteria in the evaluation and/or conditioning of applications under the downtown design review process:

1. Site Design

   a. The site plan conforms with the Pedestrian Plan Overlay frontage requirements for Class A and Class B streets as included in the Administrative guidelines of the Planning Department.

   b. The site plan conforms with the maximum setback requirements as specified by the Pedestrian Plan Overlay.

   c. The site plan provides for a zero setback for properties abutting Meeker Street and First Avenue within the DC zoning district.

   d. The site plan restricts the number of curb cuts necessary to meet automobile circulation requirements.

   e. Off street parking areas are located to the rear or side of buildings and are well lit.

   f. The site plan provides for sidewalks and pedestrian corridors in both public rights of ways and privately owned areas.

   g. Pedestrian corridors outside of buildings are clearly marked and well lit.

   h. Pedestrian throughways are provided in long buildings.

   i. The site plan provides for semi private and/or private useable open space for any development with a residential component.

2. Landscape Design

   a. The landscape plan provides for extensive landscaping of large parking areas or other open areas which can be seen from the street or other pedestrian oriented area.
b. The landscape plan enhances pedestrian activities for any setback or other open space areas which are being provided on the site.

c. The landscape plan enhances any private and/or semiprivate open spaces which are being provided for multifamily residential units.

3. Building Design

a. Building floor area above four (4) stories in height is setback as appropriate to maintain human scale.

b. Buildings in the DC zoning district are designed to be compatible with the existing historic buildings in terms of bulk, scale, and cornice line.

c. Buildings in the DC zoning district provide cover for pedestrians such as awnings along the length of any facade abutting a sidewalk.

d. Building facades facing a public right of way or other pedestrian oriented space minimize blank walls by providing windows and/or providing an interesting design feature.

e. Windows make up the greatest percentage of the street level facade area to minimize blank walls in the DC zoning district.

E. APPEALS. The decision of the Downtown Administrative Design Review Committee to approve, condition or reject any application under the downtown design review process is final unless an appeal is made to the Hearing Examiner within ten (10) days of either the issuance of the Committee's conditional approval or rejection of any application under this Section. Appeals to the Hearing Examiner shall be as set forth in K.C.C. Chapter 2.54. The decision of the Hearing Examiner shall be final, unless an appeal is made to the City Council within ten days after the Hearing Examiner's decision. Said appeal shall be in writing to the City Council and filed with the Clerk.
Section 11. This ordinance shall take effect and be in force thirty (30) days from and after its passage, approval and publication as provided by law.

DAN KELLEHER, MAYOR

ATTEST:

BREnda Jacober, CITY CLERK

APPROVED AS TO FORM:

ROGER LUBOVICH, CITY ATTORNEY

PASSED the 7th day of July, 1992.
APPROVED the 8th day of July, 1992.
PUBLISHED the 10th day of July, 1992.
I hereby certify that this is a true copy of Ordinance No. 3050, 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
CITY CLERK