Ordinance No. 3095

["Beginning July 1, 1998"]

(Amending or Repealing Ordinances)

Repealed by Ord. 3409
ORDINANCE NO. 3095

AN ORDINANCE of the City of Kent, Washington, relating to land use and zoning, amending Section 15.04.120(A) and Section 15.04.130(A)(7) of the Kent Zoning Code to allow the construction of new single family residences as a principally permitted use in the CM-1 and CM-2 zone.

WHEREAS, the City of Kent maintains a regulatory review process wherein citizens may petition, and the City Council may endorse, amendments to the City's Zoning Code; and

WHEREAS, a regulatory review request was filed by a citizen in 1992, which proposed that the construction of new single family residences be allowed as a principally permitted use in the CM (Commercial Manufacturing) zone; and

WHEREAS, the Planning Commission reviewed the regulatory change and found that the addition of single family residences in the CM-1 and CM-2 zones was consistent with the purposes of said districts, and consistent with recent zoning policy decisions of the Kent City Council to encourage the construction of single family dwellings; and

WHEREAS, the Planning Commission held a public hearing on January 25, 1993 and voted to recommend that the Zoning Code be amended to allow new single family residences as a principally permitted use in CM-1 and CM-2 zones; and
WHEREAS, City Council considered the Planning commission recommendation on February 16, 1993 and concurred with the proposed modifications to the CM-1 and CM-2 zones; NOW THEREFORE,

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

Section 1. Kent City Code (KCC) sub-section 15.04.120(A) (as amended by Ord. No. 2801 §8; Ord. No. 2808 §4; Ord. No. 2958 §14) is hereby amended by adding thereto a new sub-section 15.04.120(A)(11) to be read as follows:

Sec. 15.04.120. Commercial manufacturing-1 district, CM-1

It is the purpose of the CM-1 district to provide locations for those types of developments which combine some characteristics of both retail establishments and industrial operations, heavy commercial uses and wholesale uses.

A. Principally Permitted Uses. Principally permitted uses are as follows:

1. Heavy commercial uses, which often include outdoor storage, such as lumberyards, trailer and truck rentals, new and used car lots, building and contractor supply storage yards, body repair shops, auto repair and carwashes.

2. Contractor shops where most of the work is done on call, and which do not rely on walk-in trade, but where some storage or semi-manufacturing work is done on the premises, such as carpentry, heating, electrical or glass shops, printing, publishing or lithographic shops, furniture upholstery, dry cleaning and exterminators.
3. Outdoor storage such as trucking, transfer or contractor storage yards.

4. Manufacturing uses as follows:
   a. Manufacturing uses such as bottling, breweries (primarily wholesale), laundry and dyeing, and welding shops.
   
   b. Specialty manufacturing such as custom sheetmetal.

5. Other retail uses that are deemed to be compatible by the planning director. These uses shall not be convenience or soft line commercial uses but might include furniture or appliance stores, tire stores or auto parts, as these are large, nonpedestrian oriented retail uses. Such uses shall be in accordance with the stated purpose of this district.

6. Small scale light manufacturing operations as follows: stamping, brazing, testing, electronic assembly and kindred operations where the building, structure or total operation does not encompass more than ten thousand (10,000) square feet of area. The ten-thousand-square-foot total shall include all indoor and outdoor storage areas associated with the manufacturing operation. Only one (1) ten-thousand-square-foot manufacturing operation shall be permitted per lot.

7. Miniwarehouse.

8. Complexes which include combinations of uses, including a mixture of office, light manufacturing, storage and commercial uses.

9. Restaurants.

10. 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.

Section 2. Kent City Code (KCC) Chapter 15.04.130(A) (as last amended by Ord. No. 2528 §3; Ord. No. 2801 §9; Ord. No. §2808 §5; Ord. No. 2958 §15) is amended by adding thereto a new sub-section 15.04.130(A)(7) to be read as follows:

Sec. 15.04.130. Commercial Manufacturing-2 District, CM-2.

It is the purpose of the CM-2 district to provide locations for those types of developments which combine some characteristics of both retail establishments and small-scale, light industrial operations, heavy commercial and wholesale uses, and specialty manufacturing.

A. Principally Permitted Uses. Principally permitted uses are as follows:

1. Any principally permitted use in the GC general commercial zone.
2. Outdoor storage such as trucking, transfer or contractor storage yards.
3. Manufacturing uses as follows:
a. Manufacturing uses such as bottling, bakeries (primarily wholesale) laundry and dyeing, and welding shops.
b. Specialty manufacturing such as custom sheetmetal.

4. Small scale light manufacturing operations as follows: stamping, brazing, testing, electronic assembly and kindred operations where the building, structure or total operation does not encompass more than ten thousand (10,000) square feet of area. The ten-thousand-square-foot total shall include all indoor and outdoor storage areas associated with the manufacturing operation. Only one (1) ten-thousand-square-foot manufacturing operation shall be permitted per lot.

5. Miniwarehouses.

6. Complexes which include combinations of uses, including a mixture of office, light manufacturing, storage and commercial uses.


Section 3. Kent City Code (KCC) sub-section 15.04.130(A)(7) is hereby renumbered as 15.04.130(A)(8) to be read as follows:

7-8. 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.

Section 4. Kent City Code (KCC) sub-section 15.04.130(A)(8) is hereby renumbered as 15.04.130(A)(9) to be read as follows:

8-9. Municipal uses and buildings, except for such uses and buildings subject to Section 15.04.200.
Section 5. Severability. The provisions of this ordinance are declared 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 6. Effective Date. This ordinance shall take effect and be in force (30) thirty days from the time of its final passage as provided by law.

ATTEST:

BRENDA JACOBER, CITY CLERK

APPROVED AS TO FORM:

ROGER A. LUBOVICH, CITY ATTORNEY

PASSED the 2 day of March, 1993.
APPROVED the 3 day of March, 1993.
PUBLISHED the 5 day of March, 1993.
I hereby certify that this is a true copy of Ordinance No. 3095, 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