Ordinance No. 3132

"Beginning July 1, 1998"

(Amending or Repealing Ordinances)

Repealed by Ord. 3409
ORDINANCE NO. 3132

AN ORDINANCE of the City Council of the City of Kent, Washington, relating to land use and zoning, amending Section 15.04.130C, to add churches as a special permit use in the CM2, Commercial Manufacturing, zoning district.

WHEREAS, the City of Kent has established 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 June of 1993, which proposed that churches be allowed to locate in the CM-2 (Commercial Manufacturing) zone; and

WHEREAS, the Planning Commission reviewed the regulatory review request and found that the location of churches within the CM-2 zone was consistent with the purpose of said district and would not create incompatible relationships between land uses in said zone; and

WHEREAS, the Planning Commission held a public hearing on August 23, 1993 and voted to recommend that the Zoning Code be amended to allow churches as a Special Permit Use in the CM-2 zone; and

WHEREAS, the City Council considered the Planning Commission recommendation on September 7, 1993 and concurred with
the proposed modifications to the CM-2 zone; NOW THEREFORE,

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

Section 1. Section 15.04.130C of the Kent City Code is hereby amended to 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.

7. New single-family residences.

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.

9. Municipal uses and buildings, except for such uses and buildings subject to section 15.04.200.

B. Accessory uses. Permitted accessory uses are as follows:

1. Accessory uses and buildings customarily appurtenant to a permitted use, such as incidental storage facilities, and loading and unloading areas.

2. For permitted uses, hazardous substance land uses, including onsite hazardous waste treatment or storage facilities, which are not subject to cleanup permit requirements of chapter 11.02 and which do not accumulate more than ten thousand (10,000) pounds of hazardous substances or wastes or any combination thereof at any one (1) time on the site, subject to the provisions of section 15.08.050, except offsite hazardous waste treatment or storage facilities, which are not permitted in this district.

C. Special permit uses. Special permit uses are as follows:
D. Conditional uses. Conditional uses are as follows:

1. Offices.

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


4. 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 permit requirements of chapter 11.02 and which accumulate more than ten thousand (10,000) pounds of hazardous substances or wastes or any combination thereof at any one (1) time on the site or which handle more than twenty thousand (20,000) pounds of hazardous substances or wastes or any combination thereof on the site in any thirty-day period of time, subject to the provisions of section 15.08.050, except offsite hazardous waste treatment or storage facilities, which are not permitted in this district.

E. Development standards.

1. Minimum lot. Minimum lot area is ten thousand (10,000) square feet.

2. Maximum site coverage. Maximum site coverage is fifty (50) percent.

3. Front yard. Minimum front yard is fifteen (15) feet.
4. **Side yard.** No side yard is required, except when a side yard abuts a residential district, and then a twenty-foot side yard shall be required.

5. **Rear yard.** No rear yard is required, except when a rear yard abuts a residential district, and then a twenty-foot rear yard shall be required.

6. **Height limitation.** The height limitation is two (2) stories or thirty-five (35) feet. However, the planning director shall be authorized to grant one (1) 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 (1) additional story may be granted by the planning commission.

7. **Landscaping.** The landscaping requirements of chapter 15.07 shall apply.

8. **Outdoor storage.** Outdoor storage areas shall be fenced for security and public safety by a sight-obscuring fence unless it is determined through the development plan review that a sight-obscuring fence is not necessary. Any unfenced outdoor storage areas shall be paved with asphaltic concrete, cement or equivalent material to be approved by the city engineer.

F. **Signs.** The sign requirements of chapter 15.06 shall apply.

G. **Offstreet parking.**
   1. The offstreet parking requirements of chapter 15.05 shall apply.
   2. Offstreet parking may be located in required yards, except in areas required to be landscaped.

H. **Development plan review.** Development plan approval is required as provided in section 15.09.010.
Section 2. Severability. If one or more sections, subsections or sentences of this chapter are held to be unconstitutional or invalid, such decision shall not affect the validity of the remaining portion of this chapter and the same shall remain in full force and effect.

Section 3. 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.

DAN KELLEHER, MAYOR

ATTEST:
BRENDA JACOBER, CITY CLERK

APPROVED AS TO FORM:
ROGER A. LUBOVICH, CITY ATTORNEY

PASSED the 7 day of September, 1993.
APPROVED the 8 day of September, 1993.
PUBLISHED the 10 day of September, 1993.
I hereby certify that this is a true copy of Ordinance No. 3132, 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 (SEAL)
BRENDA JACOBER, CITY CLERK