Ordinance No. 3268

["Beginning July 1, 1998"]

(Amending or Repealing Ordinances)

Repealed by Ord. 3409
AN ORDINANCE of the City Council of
the City of Kent, Washington, relating
to single family residential design
standards amending Chapter 15.04 of the
Zoning Code to establish standards for
minimum lot widths, minimum street
setbacks, maximum building coverage,
maximum impervious surface coverage,
driveway dimensions, and minimum lot
size.

WHEREAS, the City of Kent Comprehensive Plan
contains goals and policies which support a variety of
housing types and densities throughout the City, including
more single-family than multifamily residential
developments, more flexibility and innovation in terms of
building and site design and residential setbacks; and

WHEREAS, the City of Kent Comprehensive Plan
contains goals and policies which recommend expansion of
home ownership opportunities for all income groups; and

WHEREAS, the City of Kent Comprehensive Plan
contains goals and policies which recommend a revised
calculation system for determining maximum allowable single
family density; and

WHEREAS, the City of Kent Comprehensive Plan
contains goals and policies which recommend protection of
the quality and quantity of ground water used for public
water supplies; and
WHEREAS, revised Kent Zoning Code provisions for single family residential densities and development standards, consistent with the above goals and policies, have been prepared and reviewed, together with public comments obtained at two public hearings conducted by the Kent Planning Commission, and recommended for adoption by the Planning Commission and the City Council Planning Committee; and

WHEREAS, pursuant to RCW 36.70A.120, the Growth Management Act requires that jurisdictions enact development regulations which are consistent with and implement the Comprehensive Plan; NOW, THEREFORE,

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

SECTION 1. Subsection (E) of Section 15.04.005 is hereby amended as follows:

Sec. 15.04.005. Agricultural district, A-1.

The stated goal of the city is to preserve prime agricultural land in the Green River Valley as a nonrenewable resource. The agriculture zone shall actively encourage the concentration of agricultural uses in areas where incompatibility with urban uses will be minimal to aid in the implementation of those goals. Further, such classification of prime agricultural land thus recognizes and encourages farming activity as a viable sector of the local economy.

A. Principally permitted uses. Principally permitted uses are as follows:
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 (1) single-family dwelling per lot.

3. Group homes class I-A.

B. 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.

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

1. Guest cottages not rented or otherwise conducted as a business.

2. Accommodations for farm operators and employees, but not accommodations for transient labor.

3. Roadside stands not exceeding four hundred (400) square feet in floor area, and not over twenty (20) lineal feet on any side, primarily for the sale of agricultural products on the premises.
4. Customary incidental home occupations subject to the provisions of section 15.08.040.

5. Other accessory uses and buildings customarily appurtenant to a permitted use.

6. 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 do not accumulate more than twenty thousand (20,000) 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.

D. Conditional uses. Conditional uses are as follows:

1. General conditional uses as listed in section 15.08.030.

2. 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 twenty thousand (20,000) 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.
E. Development standards.

1. Minimum lot. Minimum lot area is one (1) acre thirty four thousand seven hundred square feet (34,700).

SECTION 2. Subsection (E)(2) of Section 15.04.005 is hereby amended as follows:

2. Minimum lot width. Minimum lot width is one hundred (100) Sixty (60) feet.

   a. To determine minimum lot width for irregular lots, a circle of applicable diameter (the minimum lot width permitted) shall be scaled within the proposed boundaries of the lot, provided that an access easement to another lot is not included within the circle.

3. Maximum site coverage. Maximum site coverage is thirty (30) percent.

SECTION 3. Subsection (E)(4) of Section 15.04.005 is hereby amended as follows:

4. Minimum yard requirements.

   a. Front yard. Minimum front yard is twenty (20) feet.

      (1) Porches and private shared courtyard features may be built within the front building set back line.
b. *Side yard.* Minimum side yard is fifteen (15) feet.

c. *Rear yard.* Minimum rear yard is twenty (20) feet.

d. *Side yard on flanking street of corner lot.* Minimum side yard on the flanking street of a corner lot is twenty (20) feet.

5. *Height limitation.* The height limitation is two and one-half (2 1/2) stories, not exceeding thirty-five (35) feet. The height limitations shall not apply to barns and silos provided that they are not located within fifty (50) feet of any lot line.


a. Structures for feeding, housing and care of animals, except household pets, shall be set back fifty (50) feet from any property line.

b. See chapter 15.08, pertaining to general and supplementary provisions, for requirements concerning accessory buildings and additional standards.

c. The following uses are prohibited:

(1) The removal of topsoil for any purpose.
(2) Grade and fill operations, provided that limited grade and fill may be approved as needed to construct buildings or structures as outlined in subsections 15.04.005 A., B., C. and D.

(3) All subsurface activities, including excavation for underground utilities, pipelines or other underground installations, that cause permanent disruption of the surface of the land. Temporarily disrupted soil surfaces shall be restored in a manner consistent with agricultural uses.

(4) Dumping or storage of nonagricultural solid or liquid waste, or of trash, rubbish or noxious materials.

(5) Activities that violate sound agricultural soil and water conservation management practices.

SECTION 4. Subsection (E) of Section 15.04.005 is hereby amended by adding a new subsection (7) as follows:

7. Maximum impervious surface coverage. Maximum impervious surface coverage is 40% of the total parcel area.

a. Except for lots used for agricultural practices, the maximum impervious surface
area allowed shall be ten thousand (10,000) square feet when the lot is greater than one acre.

SECTION 5. Subsection (E) of Section 15.04.005 is hereby amended by adding a new subsection (8) as follows:

8. Zero lot line and clustering. Minimum lot width, building setbacks, and minimum lot size regulations may be modified consistent with provisions for zero lot line and clustering housing development.

F. Signs. The sign regulations of chapter 15.06 shall apply.

G. Offstreet parking. The offstreet parking requirements of chapter 15.05 shall apply.

SECTION 6. Subsection (E) of Section 15.04.010 is hereby amended as follows:

Sec. 15.04.010. Residential agricultural district, RA.

The city has, through its RA and MA zones, the key to assuring efficient and attractive growth. It is essential that the city avoid excessive zoning far in advance of demand. Rezoning of RA and MA lands to more intensive use shall be predicated upon the documentation of the need for additional residential, commercial or industrial land in the city. This documentation shall consist of a fiscal impact analysis showing that the other lands already zoned and accessible to municipal services are not sufficient or suitable to accommodate demand for the proposed uses and that the market demand for the proposed development is
sufficient to generate the revenues necessary to provide municipal services, including but not limited to police, fire, streets, water, drainage and sewer, required by the project.

A. **Principally permitted uses.** Principally permitted uses are as follows:

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 (1) single-family dwelling per lot.

3. Group homes class I-A.

B. **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.

C. **Accessory uses.** Permitted accessory uses are as follows:

1. Guest cottages not rented or otherwise conducted as a business.
2. Accommodations for farm operators and employees, but not accommodations for transient labor.

3. Roadside stand not exceeding four hundred (400) square feet in floor area, and not over twenty (20) lineal feet on any side, primarily for the sale of agricultural products grown on the premises.

4. Customary incidental home occupations subject to the provisions of section 15.08.040.

5. Other accessory uses and buildings customarily appurtenant to a permitted use, except for onsite hazardous waste treatment and storage facilities, which are not permitted in residential zones.

D. Conditional uses. Conditional uses are as follows: general conditional uses as listed in section 15.08.030.

E. Development standards.

1. Minimum lot. Minimum lot area is one (1) acre thirty four thousand seven hundred (34,700) square feet.

SECTION 7. Subsection (E)(2) of Section 15.04.010 is hereby amended as follows:

2. Minimum lot width. Minimum lot width is one hundred (100) sixty (60) feet.
To determine minimum lot width for irregular lots, a circle of applicable diameter (the minimum lot width permitted) shall be scaled within the proposed boundaries of the lot, provided that an access easement to another lot is not included within the circle.

3. **Maximum site coverage.** Maximum site coverage is thirty (30) percent.

**SECTION 8.** Subsection (E)(4) of Section 15.04.010 is hereby amended as follows:

4. **Minimum yard requirements.**

   a. **Front yard.** Minimum front yard is twenty (20) feet.

   (1). Porches and private and shared courtyard features may be built within the front building setback line.

   b. **Side yard.** Minimum side yard is fifteen (15) feet.

   c. **Rear yard.** Minimum rear yard is twenty (20) feet.

   d. **Side yard on flanking street of corner lot.** Minimum side yard on the flanking street of a corner lot is twenty (20) feet.
5. **Height limitation.** The height limitation is two and one-half (2 1/2) stories, not exceeding thirty-five (35) feet.

6. **Additional standards.**

   a. Structures for feeding, housing and care of animals, except household pets, shall be set back fifty (50) feet from any property line.

   b. See chapter 15.08, pertaining to general and supplementary provisions, for requirements concerning accessory buildings and additional standards.

**SECTION 9.** Subsection (E) of Section 15.04.010 is hereby amended by adding a new subsection (7) as follows:

7. **Maximum impervious surface coverage.** Maximum impervious surface coverage is 40% of the total parcel area.

   a. Except for lots used for agricultural practices, the maximum impervious surface area allowed shall be ten thousand (10,000) square feet when the lot is greater than one acre.

**SECTION 10.** Subsection (E) of Section 15.04.010 is hereby amended by adding a new subsection (8) as follows:

8. **Zero lot line and clustering.** Minimum lot width, building setbacks, and minimum lot size regualtions may be modified consistent
with provisions for zero lot line and clustering housing development.

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

G. **Offstreet parking.** The offstreet parking requirements of chapter 15.05 shall apply.

H. **Development plan review.** Development plan review is required when the property to be developed is classified as view property.

**SECTION 11.** Subsection (A) of Section 15.04.020 is hereby amended as follows:

Sec. 15.04.020. Single-family residential districts.

It is the purpose of the single-family residential districts to stabilize and preserve low density, single-family residential neighborhoods. It is further the purpose to provide a range of minimum lot sizes in order to promote diversity and recognize a variety of residential environments.

A. **Districts established by lot area.** The following single-family residential districts are established:

1. R1-20: Twenty thousand (20,000) Sixteen thousand (16,000) square feet minimum lot area.
2. **R1-12:** Twelve thousand (12,000) **Ninety six hundred** (9,600) square feet minimum lot area.

3. **R1-9.6:** Nine thousand six hundred (9,600) **Seventy six hundred** (7,600) square feet minimum lot area.

4. **R1-7.2:** Seven thousand two hundred (7,200) **Fifty seven hundred** (5,700) square feet minimum lot area.

5. **R1-5.0:** Five thousand (5,000) **Four thousand** (4,000) square feet minimum lot area.

**B. Minimum zoning area.** Minimum zoning area for the **R1-5.0** district is fifteen thousand (15,000) square feet (three (3) lots).

**C. Maximum zoning area.** Maximum zoning area for the **R1-5.0** district is eight (8) acres.

**D. Principally permitted uses.** Principally permitted uses are as follows:

1. One (1) single-family dwelling per lot.

2. Crop and tree farming.

3. Group homes class I-A.

**E. Special permit uses.** The following uses are permitted provided they conform to the development standards listed in section 15.08.020:

1. Churches.
2. Nursery schools and day care centers.

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

1. Accessory uses and buildings customarily appurtenant to a permitted use, such as garages, carports and minor structures for storage of personal property.

2. Rooming and boarding of not more than three (3) persons.

3. Customary incidental home occupations subject to the provisions of section 15.08.040.

G. Conditional uses. Conditional uses are as follows: General conditional uses as listed in section 15.08.030.

SECTION 12. Subsection (H) of Section 15.04.020 is hereby amended as follows:

H. Development standards.

1. Minimum lot. Minimum lot area is as follows:

   a. R1-20: Twenty thousand (20,000) Sixteen thousand (16,000) square feet.

   b. R1-12: Twelve thousand (12,000) Ninety six hundred (9,600) square feet.
c. R1-9.6: Nine thousand six hundred (9,600) Seventy six hundred (7,600) square feet.

d. R1-7.2: Seven thousand two hundred (7,200) Fifty seven hundred (5,700) square feet.

e. R1-5.0: Five thousand (5,000) Four thousand (4,000) square feet.

SECTION 13. Subsection (H)(2) of Section 15.04.020 is hereby amended as follows:

2. Minimum lot width. Minimum lot width is as follows:

a. R1-20: Seventy (70) Fifty (50) feet.

b. R1-12: Seventy (70) Fifty (50) feet.

c. R1-9.6: Seventy (70) Fifty (50) feet.

d. R1-7.2: Seventy (70) Fifty (50) feet.

e. R1-5.0: Fifty (50) Forty (40) feet.

f. To determine minimum lot width for irregular lots, a circle of applicable diameter (the minimum lot width permitted) shall be scaled within the proposed boundaries of the lot, provided that an access easement to another lot is not included within the circle.
SECTION 14. Subsection (H)(3) of Section 15.04.020 is hereby amended as follows:

3. Maximum site coverage. Maximum site coverage is as follows:

a. R1-20: Thirty (30) percent.

b. R1-12: Thirty (30) Forty five (45) percent.

c. R1-9.6: Thirty (30) Forty five (45) percent.

d. R1-7.2: Thirty (30) Fifty (50) percent.

e. R1-5.0: Forty (40) Fifty five (55) percent.

SECTION 15. Subsection (H)(4) of Section 15.04.020 if hereby amended as follows:

4. Minimum yard requirements.

a. Front yard. Minimum front yard is twenty (20) ten (10) feet.

1. At least 20 linear feet of driveway shall be provided between any garage, carport or other primary parking area and the street property line with the exception of an alley property line.
2. Porches and private and shared courtyard features may be built within the front building setback line.

3. Proposed front yards less than twenty feet in depth are subject to approval by the Planning Director, based on review and recommendation from the Public Works Department relative to the existing and future traffic volumes and right-of-way requirements as specified in the City of Kent Comprehensive Transportation Plan and City of Kent Construction Standards.

   b. Side yard. Minimum side yard is five (5) feet.

   c. Rear yard. Minimum rear yard is eight (8) feet.

   d. Side yard on flanking street of corner lot. Minimum side yard on the flanking street of a corner lot is fifteen (15) feet.

5. Height limitation. Height limitations are as follows:

   a. R1-20: Two and one-half (2 1/2) stories, not exceeding thirty-five (35) feet.
b. R1-12: Two and one-half (2 1/2) stories, not exceeding thirty-five (35) feet.

c. R1-9.6: Two and one-half (2 1/2) stories, not exceeding thirty-five (35) feet.

d. R1-7.2: Two and one-half (2 1/2) stories, not exceeding thirty-five (35) feet.

e. R1-5.0: Two and one-half (2 1/2) stories, not exceeding thirty (30) feet.

6. Interior yards. Interior yards shall not be computed as part of the site coverage.

7. Additional standards. See chapter 15.08, pertaining to general and supplementary provisions, for requirements concerning accessory buildings and additional standards; provided that solar access setback requirements of sections 15.08.230 through 15.08.234 shall not apply to the R1-5.0 zone.

SECTION 16. Subsection (H) of Section 15.04.020 is hereby amended by adding a new subsection (8) as follows:

8. Maximum impervious surface coverage. Maximum impervious surface coverages are as follows:

a. R1-20: Forty (40) percent.

b. R1-12: Fifty (50) percent.
c. R1-9.6: Sixty (60) percent.

d. R1-7.2: Seventy (70) percent.

e. R1-5.0: Seventy five (75) percent.

f. Except for lots used for agricultural practices, the maximum impervious surface area allowed shall be ten thousand (10,000) square feet.

SECTION 17. Subsection (H) of Section 15.04.020 is hereby amended by adding a new subsection (9) as follows:

9. Zero lot line and clustering. Minimum lot width, building setbacks, and minimum lot size regulations may be modified consistent with provisions for zero lot line and clustering housing development.

I. Signs. The sign regulations of chapter 15.06 shall apply.

J. Offstreet parking. The offstreet parking regulations of chapter 15.05 shall apply.

K. Development plan review. Development plan review is required when the property to be developed is classified as view property.

SECTION 18. Subsection (E) of Section 15.04.030 is hereby amended as follows:

Sec. 15.04.030. Duplex multifamily residential district, MR-D.
It is the purpose of the MR-D district to provide for a limited increase in population density and allow for a greater variety of housing types by allowing duplex dwelling units.

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

1. One (1) single-family dwelling per lot.

2. One (1) duplex per lot.

3. Group homes class I-A and I-B.


B. 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.

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

1. Accessory uses and buildings customarily appurtenant to a permitted use, such as garages, carports and minor structures for storage of personal property.

2. Rooming and boarding of not more than three (3) persons.
3. Customary incidental home occupations subject to the provisions of section 15.08.040.

D. Conditional uses. Conditional uses are as follows:

1. General conditional uses listed in section 15.08.030.

2. Group homes class I-C, II-A, II-B and II-C.

E. Development standards.

1. Minimum lot. Minimum lot area is as follows:

   a. Single-family dwellings: Seven thousand two hundred (7,200) Fifty seven hundred (5,700) square feet.

   b. Duplex (two-family dwelling unit): Eight thousand five hundred (8,500) square feet.

SECTION 19. Subsection (E)(2) of Section 15.04.030 is hereby amended as follows:

2. Minimum lot width. Minimum lot width is as follows:

   a. Single-family dwelling: Seventy (70) Fifty (50) feet.

      1. To determine minimum lot width for irregular lots, a circle of applicable diameter (the minimum lot width permitted) shall be

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scaled within the proposed boundaries of the lot, provided that an access easement to another lot is not included within the circle.

b. Duplex: Eighty (80) feet.

SECTION 20. Subsection (E)(3) of Section 15.04.030 is hereby amended as follows:

3. Maximum site coverage. Maximum site coverage is as follows:


b. Duplex: Forty (40) percent.

SECTION 21. Subsection (E)(4)(a) of Section 15.04.030 is hereby amended as follows:

4. Minimum yard requirements.

a. Front yard. Minimum front yard is twenty (20) ten (10) feet.

1. At least 20 feet of driveway shall be provided between any garage, carport or other primary parking area and the street property line with the exception of an alley property line.
2. Porches and private and shared courtyard features may be built within the front building setback line.

3. Proposed front yards less than twenty feet in depth are subject to approval by the Planning Director, based on review and recommendation from the Public Works Department relative to the existing and future traffic volumes and right-of-way requirements as specified in the City of Kent Comprehensive Transportation Plan and City of Kent Construction Standards.

b. Side yard. Minimum side yard is five (5) feet.

c. Rear yard. Minimum rear yard is eight (8) feet.

d. Side yard on flanking street of corner lot. Minimum side yard on the flanking street of a corner lot is fifteen (15) feet.

5. Height limitation. The height limitation is two and one-half (2 1/2) stories, not exceeding thirty-five (35) feet.

6. Interior yards. Interior yards shall not be computed as part of the site coverage.
7. Additional standards. See chapter 15.08, pertaining to general and supplementary provisions, for requirements concerning accessory buildings and additional standards.

SECTION 22. Subsection (E) of Section 15.04.030 is hereby amended by adding a new subsection (8) as follows:

8. Maximum impervious surface. Maximum impervious surface is seventy (70) percent of the total lot area.
   a. Except for lots used for agricultural practices, the maximum impervious surface area allowed shall be ten thousand (10,000) square feet when the lot is greater than one acre.
   b. Porches and private and shared courtyard features may be built within the front building setback line.

SECTION 23. Subsection (E) of Section 15.04.030 is hereby amended by adding a new subsection (9) as follows:

9. Zero lot line and clustering. Minimum lot width, building setbacks, and minimum lot size regulations may be modified consistent with provisions for zero lot line and clustering housing development.
   F. Signs. The sign regulations of chapter 15.06 shall apply.
G. Offstreet parking. The offstreet parking requirements of chapter 15.05 shall apply.

H. Development plan review. Development plan review is required when the property to be developed is classified as view property.

**SECTION 24. Severability.** If any section, sentence, clause or phrase of this ordinance should be held to be invalid or unconstitutional by a court of competent jurisdiction, such invalidity or unconstitutionality shall not affect the validity or constitutionality of any other section, sentence, clause or phrase of this ordinance.

**SECTION 25. 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.


JIM WHITE, MAYOR

ATTEST:

BRENDA JACOBER, CITY CLERK
APPROVED AS TO FORM:

[Signature]
ROGER A. LUBOVICH, CITY ATTORNEY

PASSED 19 day of December, 1995.
APPROVED 20 day of December, 1995.
PUBLISHED 24 day of December, 1995.

I hereby certify that this is a true copy of Ordinance No. 3268, 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 J. Jacober (SEAL)]
BRENDA JACOBER, CITY CLERK

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