ORDINANCE NO. 3360

AN ORDINANCE of the City Council of the City of Kent, Washington, amending Section 15.08.030 of the Kent Zoning Code, to authorize private schools to locate in all zoning districts by general conditional use permit.

WHEREAS, private schools are increasingly popular as an alternative to public schools; and

WHEREAS, under the Kent City Code, private schools are not currently required to submit to a regulatory process; and

WHEREAS, the Kent Land Use and Planning Board held a public hearing on July 28, 1997, and considered allowing private schools to locate in all zoning districts by general conditional use permit; and

WHEREAS, the Land Use and Planning Board recommended approval of a zoning code amendment authorizing private schools to locate in all zoning districts by general conditional use permit; NOW THEREFORE,

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

SECTION 1. Section 15.08.030 of the Kent City Code is hereby amended as follows:

Sec. 15.08.030. General conditional uses.
A. Purpose. It is the purpose of this section to identify certain types of land uses that
usually require relatively greater freedom of location than other uses restricted to certain districts by this title. General conditional uses may be allowed in the various zoning districts following the procedures in this section 15.09.030. General conditional uses may have one (1) or all of the following characteristics:

1. Public necessity requires such use in all or several districts.
2. Their technical, operating or service characteristics are such as to make it impractical to restrict their location only to certain districts.
3. Although they fit the description in subsections 1. and 2. of this section, their impact or effect on the immediate neighborhood or vicinity in which they are located may be detrimental in the absence of adequate performance standards, development controls or good site planning.

It is, therefore, the purpose of this section to reconcile potential conflicts between public necessity of certain uses and their possible detrimental effects on other uses.

B. Types of uses identified. The uses identified for the purpose of this section will generally fall into several broad categories, as follows:

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 firehouses, 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; welfare facilities. 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), whether privately or publicly operated, facilities for rehabilitation or correction, private clubs, fraternal lodges, etc.
5. **Schools.** Primary and secondary schools, vocational schools and colleges, whether privately or publicly operated.

**SECTION 2. - Severability.** If any one or more sections, subsections, or sentences of this Ordinance are held to be unconstitutional or invalid, such decision shall not affect the validity of the remaining portion of this Ordinance and the same shall remain in full force and effect.

**SECTION 3. - Effective Date.** This Ordinance shall take effect and be in force five (5) days from the time of its final approval and passage as provided by law.

ATTEST:

[Signature]

BRENDA JACOBER, CITY CLERK

APPROVED AS TO FORM:

[Signature]

ROGER A. LUBOVICH, CITY ATTORNEY

PASSED: 2 day of September, 1997.

APPROVED: 2 day of September, 1997.

PUBLISHED: 5 day of September, 1997.
I hereby certify that this is a true copy of Ordinance No. 3360, 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, CITY CLERK