Ordinance No. 3376

["Beginning July 1, 1998"]

(Amending or Repealing Ordinances)

Repealed by Ord. 3409
ORDINANCE NO. 3276

AN ORDINANCE of the City Council of the City of Kent, Washington, amending the zoning code, to allow vehicle impound lots as a conditional use in the CM-2 zone (ZCA-97-6).

WHEREAS, on June 20, 1997, a regulatory review applicant proposed an amendment to the Kent Zoning Code, Section 15.04.130(D) to add vehicle impound lots as a conditional use in the Commercial Manufacturing (CM-2) zoning district; and

WHEREAS, under current zoning, vehicle impound is permitted only as an accessory use to an auto repair or auto service facility in the CM-2 zoning district, but not as a principal use; and

WHEREAS, on October 27, 1997 the Land Use and Planning Board conducted a public hearing to address the proposed code amendment; and

WHEREAS, the Land Use and Planning Board unanimously recommended to the City Council that Section 15.04.130(D) be changed to add "vehicle impound lots" as a conditional use in the CM-2 zoning district;

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

SECTION 1. Section 15.04.130(D) is hereby amended adding a new section No. 6 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:

2. Gasoline service stations.

2. Churches.

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.

(Ord. No. 2528, § 3, 1-21-85; Ord. No. 2801, § 9, 9-6-88; Ord. No. 2808, § 5, 10-18-88; Ord. No. 2958, § 15, 1-2-91; Ord. No. 3095, §§ 2--4, 3-2-93; Ord. No. 3132, § 1, 9-7-93)

**SECTION 2. Severability.** If any one or more sections, sub-sections, 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 and after its passage, approval and publication as provided by law.

[Signature]

JIM WHITE, MAYOR
ATTEST:

Brenda Jacober
BRENDA JACOBER, CITY CLERK

APPROVED AS TO FORM:

Roger A. Lubovich, City Attorney

PASSED 9 day of December, 1997.

APPROVED 9 day of December, 1997.

PUBLISHED 12 day of December, 1997.

I hereby certify that this is a true copy of Ordinance No. 3376, 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