Ordinance No. 3521

(Amending or Repealing Ordinances)

CFN=131 – Zoning Codes
Passed – 8/15/2000
Duplex Multifamily Zoning District Density
Amending Sec. 15.04.170 & Adding Sec. 15.08.100(E)(2)(a)(4)

Amends Ords 1827;3439;3470;3508;2468;2905

Amended by Ords. 3523;3551;3600;3612;3663;3742;3770;3792;3830;4003
ORDINANCE NO. 3521

AN ORDINANCE of the City Council of the City of Kent, Washington, amending section 15.04.170 of the Kent City Code by defining the maximum density of duplexes at 10.89 dwelling units per acre, but allowing duplexes on nonconforming lots of record as of June 20, 1973, that are a minimum 7,200 square feet in size and that do not meet the minimum lot width of 80 feet.

WHEREAS, Kent’s duplex multifamily zoning district (MR-D) does not specify a maximum allowable density, rather it specifies a minimum lot size for both a duplex and a single family development within the MR-D district; and

WHEREAS, the minimum lot size for a duplex is twice the minimum lot size for Kent’s highest density allowed under the single-family zoning districts; and

WHEREAS, given the minimum lot size, the density in the MR-D zoning district in effect becomes 10.89 dwelling units per acre; and

WHEREAS, the Land Use and Planning Board held a public hearing on July 24, 2000, and voted to recommend to the City Council that the minimum lot size for duplexes be kept at 8,000 square feet and that the maximum density be defined at 10.89 dwelling units per acre. The Land Use and Planning Board further voted to recommend that duplexes on nonconforming lots of record as of June 20, 1973, that are a minimum

Duplex Multifamily Zoning District Density
7,200 square feet in size and that do not meet the minimum lot width of 80 feet, be allowed. All other development standards would remain the same; NOW THEREFORE,

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

SECTION 1. Chapter 15.04.170 of the Kent City Code is hereby amended as follows:
### Sec. 15.04.170. Agricultural and Residential Zone Development Standards.

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<tbody>
<tr>
<td>Maximum density: dwelling units per acre</td>
<td>1 d/ha</td>
<td>1 d/ha</td>
<td>2.16 d/ha</td>
<td>3.63 d/ha</td>
<td>4.53 d/ha</td>
<td>6.05 d/ha</td>
<td>8.71 d/ha</td>
<td>10.85 d/ha</td>
<td>12.0 d/ha</td>
<td>12.0 d/ha</td>
<td>16.0 d/ha</td>
<td>16.6 d/ha</td>
<td>16.0 d/ha</td>
<td>23.6 d/ha</td>
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<tr>
<td>Minimum lot area: square feet or acres, as noted</td>
<td>34,700 sq ft</td>
<td>1 ac</td>
<td>34,700 sq ft</td>
<td>16,000 sq ft</td>
<td>9,600 sq ft</td>
<td>7,500 sq ft</td>
<td>4,900 sq ft</td>
<td>4,000 sq ft</td>
<td>none</td>
<td>8,000 sq ft</td>
<td>9,500 sq ft (27)</td>
<td>none</td>
<td>8,000 sq ft</td>
<td>9,500 sq ft (27)</td>
<td>none</td>
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<tr>
<td>Minimum lot width: feet (4)</td>
<td>60 ft</td>
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<td>Maximum site coverage: percent of site</td>
<td>30%</td>
<td>50%</td>
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<td>30%</td>
<td>45%</td>
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<td>Minimum yard requirements: feet</td>
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<tr>
<td>Front yard</td>
<td>20 ft (6)</td>
<td>30 ft (7)</td>
<td>20 ft (6)</td>
<td>10 ft (6)</td>
<td>10 ft (6)</td>
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<tr>
<td>Side yard</td>
<td>15 ft (10)</td>
<td>15 ft (10)</td>
<td>5 ft (9)</td>
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<tr>
<td>Side yard on flanking street of a corner lot</td>
<td>20 ft (12)</td>
<td>15 ft (12)</td>
<td>5 ft (5)</td>
<td>5 ft (5)</td>
<td>5 ft (5)</td>
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<tr>
<td>Rear yard</td>
<td>20 ft (12)</td>
<td>15 ft (12)</td>
<td>5 ft (5)</td>
<td>5 ft (5)</td>
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<td>Additional setbacks/disliste nces between buildings</td>
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<td>Height limitation: in stories/not to exceed in feet</td>
<td>2.5 stry 35 ft</td>
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<td>Maximum impervious surface: percent of total parcel area</td>
<td>40%</td>
<td>40%</td>
<td>40%</td>
<td>55%</td>
<td>50%</td>
<td>60%</td>
<td>70%</td>
<td>75%</td>
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<td>Zero lot line and clustering (24)</td>
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The provisions in Sections 15.08.300, 310, 320, and 330 shall apply.

### Signs

The sign regulations of Chapter 15.06 shall apply.

### Offstreet parking

The off-street parking requirements of Chapter 15.05 shall apply.

### Landscaping

The landscaping requirements of Chapter 15.07 shall apply.

### Multi-family Transition Area

| (25) |

### Multi-family design review

| (26) |

### Additional standards

Additional standards for specific uses are contained in Chapter 15.08 and Chapter 15.09

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Agricultural and Residential Zone Development Standards.
SECTION 2. Section 15.08.100(E) of the Kent City Code is hereby amended by adding a new subsection (E)(2)(a)(4) as follows:

E. Nonconforming lots.

1. Applicability of restrictions. Regulations applicable to nonconforming lots are in addition to the regulations applicable to nonconforming uses, structures and signs, and, in the event of conflict, the most restrictive provisions shall apply.

2. Nonconforming lots of record.
   a. Residential districts.
      (1) In any district in which single-family dwellings are permitted, a single-family dwelling and customary accessory buildings may be erected on any single lot of record as of June 20, 1973, notwithstanding limitations imposed by other provisions of this title. Such lot must be in separate ownership and not of continuous frontage with other lots in the same ownership. This provision shall apply even though such lot fails to meet the requirements for area or width that are generally applicable in the district; provided, that yard dimensions and requirements other than those applying to area or width of the lot shall conform to the regulations for the district in which such lot is located.

      (2) In all single-family zoning districts, with the exception of the SR-8 zoning district, if two (2) or more lots or combinations of lots and portions of lots with continuous frontage in single ownership are of record prior to June 20, 1973, and if all or part of the lots do not meet the minimum requirements established for lot width and area, the land involved shall be considered to be an undivided parcel for the purposes of this title, and no portion of the parcel shall be used or sold in a manner which diminishes compliance with lot width and area requirements established by this title, nor shall any division of any parcel be made which creates a lot with width or area below the requirements stated in this title.

      (3) In the SR-8 zoning district, if two (2) or more single-family zoned lots or combination of lots and portions of lots with continuous frontage in single
ownership are of record prior to June 20, 1973, and if all or part of the lots do not meet
the following minimum requirements established for lot width, lot area and topography,
the land involved shall be considered to be an undivided parcel for the purposes of this
title, and no portion of the parcel shall be used or sold in a manner which diminishes
compliance with lot width and area requirements established by this title, nor shall any
division of any parcel be made which creates a lot with width or area below the
requirements stated in this title.

(a) Minimum lot area: Four thousand six hundred
(4,600) square feet.

(b) Minimum lot width: Forty (40) feet.

c) Maximum site slope: Fifteen (15) percent.

(4) In any district in which duplex dwellings are permitted, a
duplex dwelling and customary accessory buildings may be erected on any single lot of
record as of June 20, 1973 with a minimum area of 7,200 square feet, notwithstanding
limitations imposed by other provisions of this title. Such lot must be in separate
ownership and not of continuous frontage with other lots in the same ownership. This
provision shall apply even though such lot fails to meet the requirements for area or width
that are generally applicable in the district; provided, that yard dimensions and
requirements other than those applying to area or width of the lot shall conform to the
regulations for the district in which such lot is located.

b. Other districts. In any other district, permitted building and
structures may be constructed on a nonconforming lot of record, provided site coverage,
yard, landscaping and off-street parking requirements are met. Such lots must be in
separate ownership and not of continuous frontage with other lots in the same ownership
prior to June 20, 1973, and if all or part of the lots do not meet the minimum requirements
established for lot width and area, the land involved shall be considered to be an
undivided parcel for the purposes of this title, and no portion of the parcel shall be used
or sold in a manner which diminishes compliance with lot width and area requirements
established by this title, nor shall any division of any parcel be made which creates a lot

5 Duplex Multifamily Zoning District Density
SECTION 3. 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 4. Effective Date. This Ordinance shall take effect and be in force five (5) days from and after the date of publication as provided by law.

ATTEST:

BRENDA JACOBER
BRENDA JACOBER, CITY CLERK

APPROVED AS TO FORM:

ROGER A. LUBOVICH, CITY ATTORNEY
APPROVED: 16 day of August, 2000.

I hereby certify that this is a true copy of Ordinance No. 3521, 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