Ordinance No. 3647

(Amending or Repealing Ordinances)

CFN=0131 Zoning Codes
Passed – 7/1/2003
Auto Repair & Washing KCC Sec. 15.04.090 & 15.04.100

Amends Ords. 3439;3470;3543;3600;3612

Amended by Ords. 3648;3699;3770;3977;4011
ORDINANCE NO. 3647

AN ORDINANCE of the city council of the city of Kent, Washington, amending sections 15 04 090 and 15 04.100 of the Kent City Code, permitting auto repair and washing in the M3, General Industrial, zoning district when the property is also used for heavy equipment repair and/or truck repair, and abuts or is split-zoned with GWC, Gateway Commercial property

WHEREAS, Les Schwab Tire Center filed an application for a zoning code amendment (ZCA 2003-3, KIVA #2030890) to permit auto repair and washing services in the M3, General Industrial, zoning district, and

WHEREAS, after providing appropriate public notice, the city held a public hearing on this modification proposal at the regular land use and planning board meeting held on April 28, 2003, and

WHEREAS, the planning committee considered this matter at its regularly scheduled meeting on May 20, 2003, and

WHEREAS, the city council desires to amend sections 15 04 090 and 15 04.100 of the Kent City Code, to permit auto repair and washing in the M3, General Industrial, zoning district when the property is 1) also used for heavy equipment repair and/or truck repair, and abuts or is split-zoned with GWC, Gateway Commercial property.
equipment and truck repair, and 2) the property abuts or is split-zoned with GWC, Gateway Commercial property; and

WHEREAS, on April 23, 2003, the city provided the required sixty (60) day notification under RCW 36 70A 106 to the state of Washington of the city’s proposed amendment to the uses allowed in the M3, General Industrial, zoning district; and

WHEREAS, the sixty (60) day notice period has lapsed, NOW THEREFORE,

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

SECTION 1. – Amendment. Section 15.04.090 of the Kent City Code is amended as follows
### Sec. 15.04.090. Service Land Uses.

<table>
<thead>
<tr>
<th>Key</th>
<th>Zoning Districts</th>
</tr>
</thead>
</table>
| P   | Principally Permitted Uses | ![Key Image](image)
| S   | Special Uses |
| C   | Conditional Uses |
| A   | Accessory Uses |

#### Finance, Insurance, Real Estate Services
- Principally Permitted Uses (P)
- Special Uses (S)
- Conditional Uses (C)
- Accessory Uses (A)

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#### Personal Services
- Laundry, dry cleaning, barber, salon, shoe repair, laundromats
- Principally Permitted Uses (P)
- Special Uses (S)
- Conditional Uses (C)
- Accessory Uses (A)

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#### Mortuaries
- Principally Permitted Uses (P)
- Special Uses (S)
- Conditional Uses (C)
- Accessory Uses (A)

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#### Home Day Care
- Principally Permitted Uses (P)
- Special Uses (S)
- Conditional Uses (C)
- Accessory Uses (A)

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#### Day Care Centers
- Principally Permitted Uses (P)
- Special Uses (S)
- Conditional Uses (C)
- Accessory Uses (A)

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#### Business Services, Duplicating and Printings
- Principally Permitted Uses (P)
- Special Uses (S)
- Conditional Uses (C)
- Accessory Uses (A)

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#### Building Maintenance and Pest Control
- Principally Permitted Uses (P)
- Special Uses (S)
- Conditional Uses (C)
- Accessory Uses (A)

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#### Outdoor Storage (including truck, heavy equipment and contractor storage yards as allowed by Development Standards Sections 15.04.190 and 15.04.210)
- Principally Permitted Uses (P)
- Special Uses (S)
- Conditional Uses (C)
- Accessory Uses (A)

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#### Rental and Leasing Services for Cars, Trucks, Trailers, Furniture and Tools
- Principally Permitted Uses (P)
- Special Uses (S)
- Conditional Uses (C)
- Accessory Uses (A)

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#### Auto Repair and Washing Services (Including Body Work)
- Principally Permitted Uses (P)
- Special Uses (S)
- Conditional Uses (C)
- Accessory Uses (A)

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#### Repair Services
- Watch, TV, electrical, electronic, upholstery
- Principally Permitted Uses (P)
- Special Uses (S)
- Conditional Uses (C)
- Accessory Uses (A)

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#### Professional Services
- Medical, clinics and other health care related services
- Principally Permitted Uses (P)
- Special Uses (S)
- Conditional Uses (C)
- Accessory Uses (A)

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#### Heavy Equipment and Truck Repair
- Principally Permitted Uses (P)
- Special Uses (S)
- Conditional Uses (C)
- Accessory Uses (A)

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#### Contract Construction Service
- Offices, building construction, plumbing, paving and landscaping
- Principally Permitted Uses (P)
- Special Uses (S)
- Conditional Uses (C)
- Accessory Uses (A)

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#### Educational Services
- Vocational, trade, art, music, dancing, barber and beauty
- Principally Permitted Uses (P)
- Special Uses (S)
- Conditional Uses (C)
- Accessory Uses (A)

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#### Churches
- Principally Permitted Uses (P)
- Special Uses (S)
- Conditional Uses (C)
- Accessory Uses (A)

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#### Administrative and Professional Offices - General
- Principally Permitted Uses (P)
- Special Uses (S)
- Conditional Uses (C)
- Accessory Uses (A)

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#### Municipal Uses and Buildings
- Principally Permitted Uses (P)
- Special Uses (S)
- Conditional Uses (C)
- Accessory Uses (A)
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**Key:**
- "a" = Accessory Uses
- "C" = Commercial Uses
- "S" = Special Uses
- "A" = Accessory Uses
SECTION 2. Amendment Section 15.04.100 of the Kent City Code is amended as follows

Sec. 15.04.100. Service land use development conditions.
1. Banks and financial institutions (excluding drive-through)
2. Uses shall be limited to twenty-five (25) percent of the gross floor area of any single- or multi-building development. Retail and service uses which exceed the twenty-five (25) percent limit on an individual or cumulative basis shall be subject to review individually through the conditional use permit process. A conditional use permit shall be required on an individual tenant or business basis and shall be granted only when it is demonstrated that the operating characteristics of the use will not adversely impact onsite or offsite conditions on either an individual or cumulative basis.
3. All sales, storage and display occur within enclosed buildings.
4. Special uses must conform to the development standards listed in KCC 15.08.020.
5. Excluding auto body repair
6. Retail sales are permitted as part of a planned development where at least fifty (50) percent of the total development is for office use. Drive-in restaurants, service stations, drive-in cleaning establishments and other similar retail establishments are not permitted.
7. 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.
8. Veterinary clinics and animal hospitals when located no closer than one hundred fifty (150) feet to any residential use, providing the animals are housed indoors, with no outside runs, and the building is soundproofed. Soundproofing must be designed by competent acoustical engineers.
9. Those uses that are principally permitted in the M3 zone may be permitted in the M2 zone via a conditional use permit.

Auto Repair and Washing Section 15.04.090 and 15.04.100
10. Personal services uses limited to linen supply and industrial laundry services, draper services, rug cleaning and repair services, photographic services, beauty and barber services and fur repair and storage services.

11. Veterinary clinics and animal hospital services when located no less than one hundred fifty (150) feet from any residential use, provided the animals are housed indoors and the building is soundproofed.

12. The ground level or street level portion of all buildings in the pedestrian overlay of the DC district, set forth in the map below, must be pedestrian-oriented. Pedestrian-oriented development shall have the main ground floor entry located adjacent to a public street and be physically and visually accessible by pedestrians from the sidewalk, and may include the following uses.

   a. Retail establishments, including but not limited to, convenience goods, department and variety stores, specialty shops such as apparel and accessories, gift shops, toy shops, cards and paper goods, home and home accessory shops, florists, antique shops and book shops,

   b. Personal services, including but not limited to, barber shops, beauty salons and dry cleaning,

   c. Repair services, including but not limited to, television, radio, computer, jewelry and shoe repair;

   d. Food-related shops, including but not limited to, restaurants (including outdoor seating areas and excluding drive-in restaurants) and taverns,

   e. Copy establishments,

   f. Professional services, including but not limited to, law offices and consulting services, and

   g. Any other use that is determined by the planning manager to be of the same general character as the above permitted uses and in accordance with the stated purpose of the district, pursuant to KCC 15 09 065, Interpretation of uses.

13. Except for such uses and buildings subject to KCC 15 04 150

14. Conducted in conjunction with a principally permitted use.
15 Accessory uses shall not include vehicular drive-through, drive-in or service bay uses

16 Contract construction services office use does not include contractor storage yards, which is a separate use listed in KCC 15.04.040.

17 Outside storage or operations yards are permitted only as accessory uses. Such uses are incidental and subordinate to the principal use of the property or structure.

18 Includes incidental storage facilities and loading/unloading areas.

19 Includes incidental storage facilities, which must be enclosed, and loading/unloading areas.

20 Shall only apply to medical and dental offices and/or neighborhood clinics.

21 Auto repair, including body work, and washing services are permitted only under the following conditions:

   a the property is also used for heavy equipment repair and/or truck repair, and

   b the property abuts or is split-zoned with real property in the Gateway Commercial district.

Gasoline service stations that also offer auto repair and washing services are not permitted in the M3, General Industrial zoning district.

SECTION 3. — Savings. The existing sections 15.04.090 and 15.04.100 of the Kent City Code, which are amended by this ordinance, shall remain in full force and effect until the effective date of this ordinance.

SECTION 4. — Severability. If any one or more section, subsections, or sentences of this ordinance are held to be unconstitutional or invalid, such decision shall not affect the validity of the remaining portions of this ordinance and the same shall remain in full force and effect.

Auto Repair and Washing
Section 15.04.090 and 15.04.100
SECTION 5. – Effective Date  This ordinance shall take effect and be
in force thirty (30) days from and after passage as provided by law.

JIM WHITE, MAYOR

ATTEST:

BRENDA JACOBER, CITY CLERK

APPROVED AS TO FORM:

TOM BRUBAKER, CITY ATTORNEY

PASSED  1st day of July, 2003
APPROVED  1st day of July, 2003
PUBLISHED:  6th day of July, 2003

I hereby certify that this is a true copy of Ordinance No 3647
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, CITY CLERK

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