AN ORDINANCE of the City Council of the city of Kent, Washington, amending the City of Kent's Comprehensive Plan to include the Downtown Subarea Action Plan and make other Comprehensive Plan amendments in accord with the Downtown Subarea Action Plan. (CPZ/CPA-2012-1).

RECITALS

A. On May 14, 2012, the Economic & Community Development Committee recommended to the City Council passage of a resolution declaring an emergency under the Growth Management Act, RCW 36.70A.130(2)(b), and 12.02.010.A.1 Kent City Code, to pursue an amendment to the Kent Comprehensive Plan to revise the 2005 Downtown Strategic Action Plan. The City Council passed Resolution 1857 on June 5, 2012 declaring an emergency.

B. The Downtown Subarea Action Plan (DSAP) replaces the 2005 Downtown Strategic Action Plan, deletes the 1989 Kent Downtown Plan designated as Appendix B and amends the Land Use Element Table 4.1 included in Kent’s Comprehensive Plan. The DSAP is anticipated to:

- Promote the vision for Downtown Kent as a memorable, compact, livable community that is economically vital,
environmentally sustainable, and supported by a variety of transportation options to ensure downtown remains the heart of Kent.

- Establish new goals, policies and actionable items addressing land use, urban design, housing, transportation, parks, environmental sustainability, public safety, utilities, and economic development.
- Promote multi-modal connections to surrounding neighborhoods and urban outdoor spaces to promote healthy living.
- Expand housing and employment opportunities in Downtown to support economic development.
- Advance environmental sustainability through design of the built environment.

C. The DSAP supports the City Council’s vision statement and strategies for the creation of richly diverse neighborhood urban centers.

D. The DSAP is guided by Kent’s Comprehensive Plan Framework policies and conforms to the State’s Growth Management Act (RCW 36.70A), King County Countywide Planning Policies, and the Puget Sound Regional Council’s VISION 2040 and Transportation 2040.

E. On June 19, 2012, the Kent City Council approved the Downtown Planning Principles for the DSAP update.

F. A Downtown Steering Committee consisting of community business and property owners, local developers, citizens, and city leadership, convened seven (7) times between July 2012 and April 2013 for the purpose of advising the DSAP update.
G. Extensive community visioning was conducted through individual interviews, three neighborhood meetings, and two online surveys.

H. On June 19, 2013, the City provided via e-mail to the Washington State Department of Commerce the required sixty (60) day notification under RCW 36.70A.106 regarding the proposed Comprehensive Plan amendment for the DSAP update and associated amendments.

I. On October 9, 2012, the City’s State Environmental Policy Act (SEPA) responsible official issued a Determination of Significance (DS)/Scoping Notice for the City of Kent Downtown Subarea Action Plan Planned Action Supplemental Environmental Impact Statement, solicited public comment through a November 1, 2012, open house meeting, and invited comments during the scoping period which closed November 2, 2012. A Draft Supplemental Environmental Impact Statement (SEIS) was issued on June 21, 2013. The draft SEIS was considered during a public hearing on the DSAP which was held on July 8, 2013 and July 22, 2013. A Final Environmental Impact Statement was issued on October 4, 2013.


K. The DSAP SEIS and 2011 SEIS satisfy SEPA requirements for the DSAP Update and associated Comprehensive Plan amendments.

and June 24, 2013, to review the DSAP update and associated comprehensive plan and zoning text and map amendments.

M. On July 8, 2013, and July 22, 2013, the Land Use and Planning Board held a public hearing to consider the draft DSAP update, land use plan map amendments, rezones, comprehensive plan and zoning text amendments and the draft SEIS.

N. On August 12, 2013, the Land Use and Planning Board made recommendations to the City Council.

O. The Economic & Community Development Committee was provided information regarding the DSAP update during its meetings on June 11, 2012 and March 11, 2013.

P. The Committee considered the Land Use and Planning Board’s recommendations at a meeting on October 14, 2013 and forwarded its recommendation to the full City Council.

Q. Prior to a final vote on the DSAP update and associated map and text amendments, the full City Council held a workshop on September 17, 2013.

R. At its regularly scheduled meeting on November 19, 2013, the City Council voted to adopt amendments to the DSAP update, Land Use Plan Map and Zoning Districts Map amendments, and comprehensive plan and zoning text amendments.

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

4 Downtown Subarea Action Plan CPZ/CPA-2012-1
ORDINANCE

SECTION 1. - Incorporation of Recitals. The preceding recitals are incorporated herein by this reference and constitute the council’s findings on this matter.

SECTION 2. - Amendment. The Kent Comprehensive Plan is hereby amended to replace the 2005 Downtown Strategic Action Plan with the Downtown Subarea Action Plan, as set forth in Exhibit “A” attached and incorporated by this reference.

SECTION 3. - Amendment. The Kent Comprehensive Plan is hereby amended to delete the 1989 Kent Downtown Plan designated as Appendix B, as set forth in Exhibit “B” attached and incorporated by this reference.

SECTION 4. - Amendment. The Kent Comprehensive Plan Land Use Element Table 4.1; 2004 City of Kent Land Use Designations is hereby amended, as set forth in Exhibit “C” attached and incorporated by this reference.

SECTION 5. - 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 6. - Corrections by City Clerk or Code Reviser. Upon approval of the City Attorney, the City Clerk and the code reviser are authorized to make necessary corrections to this ordinance, including the correction of clerical errors; references to other local, state or federal laws,
codes, rules, or regulations; or ordinance numbering and section/subsection numbering.

**SECTION 7. - Effective Date.** This ordinance shall take effect and be in force thirty (30) days from and after the date of passage as provided by law.

Suzette Cooke  
SUZETTE COOKE, MAYOR

ATTEST:  
RONALD F. MOORE, CITY CLERK

APPROVED AS TO FORM:  
ARThUR "PAT" FITZPATRICK, ACTING CITY ATTORNEY

PASSED:  19th day of November, 2013.  
APPROVED:  19th day of November, 2013.  
PUBLISHED:  22nd day of November, 2013.

I hereby certify that this is a true copy of Ordinance No. 4090 passed by the city council of the City of Kent, Washington, and approved by the Mayor of the City of Kent as hereon indicated.

RONALD F. MOORE, CITY CLERK

P:\Civil\Ordinance\DSAP 2013\Attachment A - Kent Downtown Subarea Plan Ordinance.docx

Downtown Subarea Action Plan  
CPZ/CPA-2012-1
Appendix B consists of the 1989 Kent Downtown Plan goals, objectives and policies. One page 4-30 of the Comprehensive Plan the statement is made:

Because the 1989 Downtown plan establishes policy direction which is consistent with the Growth Management Act and Countywide Planning Policies, the goals, policies, and objectives in that plan are incorporated herein (see appendices).

1989 DOWNTOWN KENT PLAN LAND USE GOALS AND POLICIES

Kent’s Comprehensive Plan incorporates by reference, the goals, objectives and policies of the 1989 Downtown Kent Plan. This reference is made under Chapter Four of the Comprehensive Plan which is titled the Land Use Element and is located on page 4-30 in the Plan. In addition to the Downtown goals and policies found on pages 4-30 through 4-32, the following goals, objectives and policies from the 1989 Downtown Kent Plan are relevant and should be consulted and used as policy guidelines for Downtown development and activities.

LAND-USE ELEMENT

Overall Goal: Promote the planned use of the Kent Downtown area for the present and future needs of the citizens of Kent for living, recreation, working, and shopping and create an environment for future growth and development.
Goal 1:
Promote and maintain an attractive and functional shopping, living, working and playing environment.

**Objective 1:** The Planning Area should continue to contain a mixture of compatible uses all of which contribute to the vitality of the area.

**Policy 1:** Encourage mixed-use development as a means of diversifying and revitalizing downtown.

**Policy 2:** Recognize that the existing manufacturers are a vital part of the Planning Area and should be encouraged to participate in the development and growth of the Planning Area.

**Policy 3:** Create linkages between areas of downtown which are bisected by the railroad tracks.

**Objective 2:** The pedestrian oriented commercial area shall be preserved and enhanced.

**Policy 1:** New development and expansion of existing development in the retail core should be designed to promote pedestrian orientation.

**Policy 2:** All governmental actions within the pedestrian areas should be reviewed in light of potential impacts to pedestrian circulation and convenience.

**Implementation**

Recognize the six uses within the Planning Area (pedestrian-oriented commercial, auto-oriented commercial, office, mixed-use designation, existing manufacturing and public uses).

Vacate alleys (where appropriate) in the Planning Area to permit continuous development.
Examine the feasibility of constructing a pedestrian underpass or overpass at Meeker Street between Railroad Avenue South and First Avenue South adjacent to the Burlington Northern Railroad Depot.

Clearly identify through landscaping and signage the edges or corners of the Planning Area.

Utilize this plan in review of Planning Area land use actions.

**Objective 3:** The Planning Area should be visually attractive.

**Policy 1:** The visual appearance of all buildings and properties within the Planning Area should be enhanced, upgraded and maintained.

**Goal 2:** Establish uses in the Kent Downtown Planning Area which attract people to the area both day and night.

**Objective 1:** Encourage entertainment, cultural, recreational and civic activities and facilities to locate within the Planning Area.

**Policy 1:** The city, in conjunction with others, should sponsor entertainment/cultural events on a continuing basis in the Planning Area.

**Policy 2:** Preserve and develop and expand multi-use, park-type green belts and open space around the fringes of and within the Planning Area.

**Policy 3:** Support efforts to rehabilitate the railroad depot.

**Objective 2:** Encourage office use and multi-use development in the Planning Area.

**Policy 1:** A vigorous program should be formulated which points out the advantages of the Planning Area as an office, retail and multi-use area.
Policy 2: The City should support and promote the establishment and expansion of the medical/dental office district in the Planning Area.

Implementation

The city should work with community groups and the private sector to enhance, upgrade and maintain the visual appearance of the Planning Area.

The City should continue to provide support for Canterbury Faire, Saturday Market and Cornucopia Days and other community events.

Plan, acquire and develop passive pedestrian-oriented parks with specific emphasis on the downtown core area.

Develop additional railroad parks along both Burlington Northern and United Pacific tracks where appropriate.

Rehabilitate the Burlington Northern Depot as a city-sponsored centennial project.

Analyze existing zoning districts within the Planning Area in light of encouraging office use development and those factors discouraging such development.

Designate an area for expanding the existing medical/dental district.

Designate this expansion area on the Planning Area plan map.

Goal 3:
The land area within the Downtown Planning Area should be as intensively used as possible, without creating adverse environmental effects.

Objective 1: Promote good design to aid in overcoming poor site development.

Policy 1: Require proper site design for all new structures.
Policy 2: Encourage redevelopment of existing “dead space”.

Policy 3: Provide off-street parking in areas of the Planning Area that do not disrupt established, vital-use patterns.

Policy 4: Site design should take into consideration existing environmental amenities, preventing environmental deterioration.

Goal 4:
All buildings within the Downtown Kent Planning Area should be safe for their intended use. The City’s codes and ordinances should be diligently enforced in the Downtown Planning Area.

Objective 1: Achieve compliance with the standards of the Uniform Fire Code, National Electrical Code-Zoning Code, and other ordinances and regulations.

Policy 1: Establish a program to make all buildings meet the “no deficiency” standard of the Fire Code.

Policy 2: The City shall take all legal steps necessary to eliminate buildings not brought up to codes within a specified period of time.

Policy 3: All necessary steps shall be taken by the City to eliminate land use violations in the area of safety and aesthetics.

Implementation

Establish design standards criteria for the Planning Area that encourage a common theme to guide future development.

Encourage utility agencies to locate overhead wire underground.

Establish a mixed-use zoning district which allows higher-density multifamily development in conjunction with office and limited retail uses.
Establish a program for the enforcement of current city codes.

Encourage the use of the PUD ordinance in downtown development.

Maintain code enforcement program to reduce zoning violations in the Planning Area.

Goal 5:
Provide incentives for good development.

Objective 1: Encourage development to higher-than-minimum standards.

Policy 1: Amend City codes and recommend the modification of State and Federal codes where possible to include such incentives.

Policy 2: Provide City staff when necessary to coordinate development in the Planning Area to maintain the integrity of existing plans, ordinances and codes.

Goal 6:
Follow this document as the overall plan for the Planning Area.

Objective 1: Use this document to guide decision-making for the Planning Area’s growth and development.

Policy 1: Adopt and implement this Planning Area plan as an amendment to the Kent Comprehensive Plan.

Policy 2: Coordinate existing plans and codes to eliminate conflicts with this plan.

Policy 3: Familiarize all Planning Area merchants and property owners with this plan.
Implementation

Review this document at least every five years. Certain sections of this document may be reviewed every year or at the discretion of the Planning Commission.

Make necessary revisions in a timely manner to other sub-area plans and the comprehensive plan land use map to reflect changes in and complement the Downtown Plan.

Streamline the permit process to provide for new development and remodeling. Issue permits in a timely manner.

CIRCULATION ELEMENT

Overall Goal: Provide for safe, efficient and identifiable access to and movement within the planning area by planned routes for pedestrian and vehicular traffic, recognizing the necessity of relating circulation to land use and associated activities.

Goal 1:
Provide for safe and efficient vehicular traffic and other modes of transportation to and within the Planning Area:

Objective 1: Recognize and accommodate both “local” and “through” traffic.

Policy 1: Provide necessary improvements as needed to accommodate the separation of “local” and “through” traffic.

Policy 2: Promote and support efforts to integrate the use of the railroad lines into the overall transportation network serving downtown.

Policy 3: Support and encourage public transportation to link the Planning Area to adjacent commercial and industrial areas, as well as residential areas.
Policy 4: Periodically review the functioning of the “local” and “through” systems to determine their safety and effectiveness.

Policy 5: Separate vehicle traffic from other movement modes.

Objective 2: Provide and maintain safe, marked bicycle routes in Downtown Kent.

Policy 1: Provide and maintain a safe, east-west bicycle route to link the Downtown Planning Area with adjacent recreational facilities and neighborhoods.

Implementation

Clearly identify through appropriate signage vehicular thoroughfares, bicycle routes and pedestrian walkways.

Encourage the implementation of car pooling, flex time, public transportation and other transportation measures for new development that reduce vehicular traffic but not the overall number of shoppers and/or employees in the Planning Area.

Provide opportunities for both light rail and heavy rail commuter transportation to locate within the Planning Area.

Install signs, light fixtures, bicycle lane striping, sidewalks and curbs where appropriate to facilitate the orderly flow of pedestrian, bicycle and vehicular traffic.

Policy 2: Complete the Interurban Trail through Kent.

Objective 3: Maintain a supply of on-street parking for downtown users in addition to an adequate supply of convenient off-street parking.
Implementation

Retain at a minimum existing levels of convenient office and retail off-street public parking.

Encourage structured parking for new development both for employees and the public.

Provide lighting for mid-block connectors.

Ensure safe pedestrian sight distances at corners and driveways from vehicular traffic.

Establish mid-block connectors to facilitate pedestrian traffic downtown (such as First and Second Avenues, between West Titus and West Gowe; and West Meeker and West Gowe between Second and Fourth Avenues).

Objective 4: Regularly identify, analyze and integrate with the adopted Planning Area Plan and any other adopted plan, all proposed circulation and traffic projects which will affect circulation within the Planning Area.

Policy 1: Complete such analyses prior to adoption of any circulation or traffic proposal.

Goal 2:
Provide for safe, efficient pedestrian movement into and within the Planning Area.

Objective 1: Locate pedestrian pathways where they are compatible with surrounding uses.

Policy 1: Provide for safe, convenient and lighted pedestrian access from municipal parking areas to downtown businesses.

Policy 2: Provide pedestrian linkages within the Planning Area and with the adjacent areas.
Policy 3: Establish mid-block pedestrian connections where conditions warrant to enhance foot traffic between uses in the Planning Area.

Goal 3:
Establish and maintain a close coordination between all state, regional, county, city and private planning and construction activities.

Objective 1: Coordination of all circulation and traffic planning which affects the Planning Area.

Policy 1: Inform State, Regional, County and private concerns of this objective and establish a continuing communication between all groups.

Policy 2: Actively pursue and support the City's and Planning Area's interest in circulation and traffic projects and policies with State, Regional and County agencies, and private groups.

Policy 3: Promote interjurisdictional cooperation to solve transportation issues.

HOUSING ELEMENT

Overall Goal: Acknowledge the importance of creating and maintaining sound, viable attractive residential neighborhoods within and around the planning area.

Goal 1:
Encourage the retention of residential areas in and around the Planning Area.

Objective 1: Increase the residential population in and around the Planning Area.

Policy 1: Encourage attractive and quality residential development.

Policy 2: Encourage the mixing of residential and commercial and/or office uses where appropriate.
Policy 3: Encourage rehabilitation of designated residential areas by offering incentives for such activity.

Policy 4: Improve all public rights-of-way and utility services as needed.

Objective 2: Discourage and prohibit where possible, uses incompatible with residential activities from locating in the residential areas or adjacent to residential areas without a buffer.

Policy 1: Provide City staff when necessary to review proposed residential development to insure proper site design, the retention or replacement of natural vegetation, etc.

Goal 2:
Encourage a high quality living environment for residential areas in and around the Planning Area:

Objective 1: Encourage and require that all structures be in good physical condition.

Policy 1: All necessary steps shall be taken by the City to eliminate land use violations in the area of safety and aesthetics.

Policy 2: Encourage rehabilitation of existing housing (rather than new construction) where economically feasible.

Objective 2: Encourage development which provides environmental amenities.

Goal 3:
Encourage the provision of housing units for individuals and families of varied income levels:

Objective 1: Provide a residential area in and around the Planning Area which is accessible and attractive to people.
Policy 1: Encourage a variety of housing types, including senior citizens' housing.

Policy 2: Support State, Regional, and Federal housing programs which provide housing for all income groups.

Policy 3: Permit flexible, innovative development standards which, while protecting the public interest, permit a variety of building types.

Policy 4: Provide City services as required and encourage the provision of needed private services.

Policy 5: Become familiar with new technology in residential construction activities and amend existing codes, if necessary, to accommodate new technology which serves the public interest.

Policy 6: The City should investigate and promote incentives for development of housing in the Planning Area.

Implementation

Establish suitable locations for senior citizen housing through appropriate zoning. Modify Zoning Code to allow greater density in senior housing through development incentives.

Continue housing repair program in the Planning Department.

Encourage multi-story, mixed-use development with adequate parking.

Conduct a zoning study to encourage the retention of existing residential areas, such as the South of Willis and North Park areas.
ECONOMIC ELEMENT

Overall Goal: Promote the economic health and planned growth and development of downtown Kent, through joint private/public partnerships, encourage innovative options for downtown development of retail-office, financial and governmental activities while at the same time recognizing the need to support the unique specialty uses in the area.

Goal 1:
Create an atmosphere conducive to developing and maintaining a viable retail trade function which provides the goods and services required by the area residents and specialty uses which attract shoppers from the larger region.

Objective 1: Continue to assess what level and type of retail activity is viable for the Kent Planning Area.

Policy 1: Conduct an economic analysis of the Planning Area retail market on a continuing basis.

Objective 2: Encourage the continuation of the Planning Area's neighborhood convenience-center function.

Policy 1: Encourage the retention and rehabilitation of residential areas adjacent to the Planning Area through zoning and other land-use regulations as well as providing economic incentives.

Policy 2: Make the Planning Area easily accessible from residential areas.

Policy 3: Encourage redevelopment of appropriately zoned, mixed-use land.

Objective 3: Establish and maintain a Planning Area that is competitive with other sub-regional shopping areas by recognizing its uniqueness and specialty shop orientation.

21 Downtown Subarea Action Plan
CPZ/CPA-2012-1
Policy 1: Encourage merchants to be competitive concerning the quality and quantity of merchandising and provide professional/technical assistance when requested.

Policy 2: Encourage City property owners and merchants to cooperate to develop a physical environment which enhances shopping activities.

Policy 3: Encourage the development of specialty stores as well as offices.

Policy 4: Provide technical support to property owners and merchants as needed.

Goal 2:
Create an atmosphere conducive to developing and maintaining an entertainment, cultural and civic function.

Objective 1: Encourage uses and activities which attract people to the Planning Area.

Policy 1: Actively recruit the permanent location of entertainment, cultural and civic facilities in the downtown area.

Policy 2: Promote and support community events for cultural entertainment in the downtown area, i.e., music festivals, art shows, plays, etc.

Goal 3:
Create an atmosphere conducive to continuance and expansion of the financial, office, business, governmental and other service functions.

Objective 1: Continue to locate government facilities and services in the Planning Area.

Policy 1: Actively recruit financial and other service facilities and functions.

22 Downtown Subarea Action Plan CPZ/CPA-2012-1
Objective 2: Plan for the appropriate location of offices within the Planning Area.

Policy 1: Provide economic incentives for the appropriate location of offices.

Goal 4: Provide for the most appropriate use of the land in the Planning Area.

Objective 1: Permit and encourage development which provides an acceptable economic return and serves the public interest.

Policy 1: Encourage buildings of two or more stories.

Policy 2: Encourage double-frontage of structures on all blocks were practical.

Policy 3: Encourage the use of established off-street parking areas rather than creating more small-private lots.

Policy 4: Encourage and support the formation of a Business Improvement Area and/or Economic Development Corporation or a similar body.

Objective 2: Create and maintain flexible, land-use regulations which, while protecting the public welfare and the character of the Planning Area, do not foreclose innovative options for downtown development.

Implementation

Publish a biennial economic report and community profile of the Planning Area. This includes, but is not limited to, residential, office, commercial, retail and manufacturing activities.

Encourage mixed-use development in the downtown Planning Area.

23 Downtown Subarea Action Plan CPZ/CPA-2012-1
Establish pedestrian linkages to the adjacent residential areas.

Develop pedestrian-oriented streets (where appropriate), and upgrade public utilities, sidewalk right-of-way, street rights-of-way and proposed park areas to keep up with development.

Continue to support the Kent Downtown Association.

Encourage, support and work with community organizations interested in the downtown area.

Retain the library facility in the downtown area.

Investigate the feasibility of a performing arts center.

Retain the church, governmental and school uses in the Planning Area; continue supporting events such as:

• Canterbury Faire
• Cornucopia Days
• Saturday Market
• Park and recreational activities and programs

The City will continue to work with the private sector to promote the growth and development of the Planning Area.

Develop strategies for business recruitment and retention.
Table 4.1
2004 CITY OF KENT LAND USE DESIGNATIONS

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Land Use Element 4-9

Downtown Subarea Action Plan
CPZ/CPA-2012-1