ORDINANCE NO. 4166

AN ORDINANCE of the City Council of the City of Kent, Washington, amending Section 12.06.070, Section 15.02.260, Section 15.03.010, Section 15.06.050, Section 15.07.060, Section 15.09.050, and Chapter 15.04 of the Kent City Code, pertaining to development regulations implementing the City of Kent Comprehensive Plan in compliance with the requirements of the Growth Management Act (CPA-2011-3/CPZ-2011-1).

RECITALS

A. Per RCW 36.70A.130(5)(a), the Growth Management Act (GMA) requires the City of Kent ("City") to review and revise its Comprehensive Plan and development regulations by June 30, 2015, to ensure compliance with the GMA.

B. Development regulations must be consistent with and implement the Comprehensive Plan as provided by RCW 36.70A.040(3).

C. At its November 10, 2014 meeting, the Economic and Community Development Committee recommended consideration of four of the 2014 docketed map and text amendments, as well as several staff-proposed map and text amendments for the 2014-15 update to the Kent Comprehensive Plan.

D. On November 18, 2014, the City Council concurred with the recommendation of the Economic and Community Development Committee, and staff presented options for docketed and staff-proposed
map and text amendments to the Land Use and Planning Board ("LUPB") at a workshop held on January 26, 2015, and at public hearings held on April 27, 2015 and May 11, 2015.

E. On April 21, 2015, the City provided via e-mail to the State of Washington Department of Commerce the required sixty-day notification under RCW 36.70A.106 regarding the proposed Map amendments.

F. On April 20, 2015, the City’s State Environmental Policy Act (SEPA) responsible official issued an Addendum to the Environmental Impact Statement that was prepared for the City of Kent Comprehensive Plan Review and Midway Subarea Planned Action Environmental Impact Statement (EIS) (#ENV-2010-3) and City of Kent Downtown Subarea Action Plan Planned Action Supplemental Environmental Impact Statement (SEIS) (#ENV-2012-30) (the “SEPA Addendum”). This SEPA Addendum analyzed the potential impact of various Comprehensive Plan amendments, including the Land Use Plan and Zoning Districts map and text amendments.

G. On June 8, 2015, the LUPB made recommendations to the City Council.

H. The Economic and Community Development Committee considered the recommendations of the LUPB on July 13, 2015, August 10, 2015, and August 24, 2015, and after holding a public hearing at the August 24, 2015 meeting the Economic and Community Development Committee recommended to the full City Council passage of the proposed code amendments.

I. At its regularly scheduled meeting on September 1, 2015, the City Council voted to adopt the amendments to Section 12.06.070, Section 15.02.260, Section 15.03.010, Section 15.06.050, Section 15.07.060,
NOW THEREFORE, THE CITY COUNCIL OF THE CITY OF KENT, WASHINGTON, DOES HEREBY ORDAIN AS FOLLOWS:

ORDINANCE

SECTION 1. - Amendment. - Section 12.06.070 of the Kent City Code is hereby amended as follows:

Sec. 12.06.070. Application procedures.

A. Existing mobile home park zones.

1. The first step in preparing an application for a recreational vehicle park involves early informal discussions with appropriate city departments to allow the developer to obtain details of city requirements and some idea of the feasibility of the proposal prior to the actual submission of development plans.

2. The second step involves the preparation and submission to the planning department of a preliminary development plan of the proposed recreational vehicle park. The plan shall be reviewed by the applicable responsible departments and any comments and required corrections resulting from this review shall be provided to the developer.

3. The third step involves the preparation and submission to the planning department of a final development plan. This plan shall be reviewed by the responsible departments for compliance with their requirements and if approved shall serve as a basis for the issuance of all permits and licenses.
4. *Residential zoned property not presently zoned for mobile home park use.* Recreational vehicle parks may be located in any residential district when recreational vehicle park combining district regulations and development plans are approved for that location. The procedure for approval of a recreational vehicle park combining district requires a public hearing before the hearing examiner and a second public hearing before the city council together with city council approval.

B. The application for a recreational vehicle park involves early informal discussions with appropriate city departments to allow a developer to obtain details of city requirements and some idea of the feasibility of his/the proposal prior to the actual submission of development plans.

C. The preliminary development plan of the proposed recreational vehicle park together with an application for a combining district shall be submitted to the planning department. Application forms for a combining district are available in the planning department office. The preliminary development plan and application for a combining district must be submitted to the planning department at least twenty-five-(25) days prior to the date the developer intends to be heard before the hearing examiner. A fee of one thousand six hundred sixteen dollars ($1,616) shall be paid at the time of application. Within two-(2) days of receipt of the application the planning department shall set a time and date for a preliminary plan meeting between the developer and the responsible departments. The comments resulting from the preliminary plan meeting, as well as any written comments received by the planning department, shall be considered in preparing the staff recommendation to be presented to the hearing examiner.
D. The planning department shall give written notice of the hearing examiner public hearing to all property owners within a radius of two hundred (200)-feet of the exterior boundaries of the property being subject of the application. Public notice shall also be posted in three—(3)—conspicuous places on or adjacent to the property which is the subject of the application at least ten—(10)—days prior to the date of the public hearing. Following the public hearing, the hearing examiner shall make a report of findings and recommendations with respect to the proposed combining district and shall forward such to the city council. The city council shall hold a public hearing within thirty—(30)—days of the date of the public hearing. If the application for a recreational vehicle combining district is denied by the city council, the application shall not be eligible for resubmittal for one—(1)—year from date of denial, unless specifically stated to be without prejudice. A new application affecting the same property may be submitted, if in the opinion of the hearing examiner circumstances affecting the application have changed substantially.

E. The final development plan shall then be submitted to the planning department. This plan shall be reviewed by the responsible departments for compliance with their requirements and if approved shall serve as a basis for issuance of all permits and licenses.

F. Any combining district shall remain effective only for one—(1)—year unless the use is begun within that time or construction has commenced.

G. General commercial zone. Recreational vehicle parks shall be permitted as a conditional use in general commercial zoned districts, pursuant to KCC 15.04.140(3)(7), and shall be subject to the development standards and procedural requirements of this chapter.
H. Recreational vehicle parks may be permitted in the MA (industrial agricultural) zone as a principally permitted use, and shall be subject to the development standards and procedures of this chapter.

**SECTION 2. - Amendment.** Section 15.02.260 of the Kent City Code is hereby amended as follows:

**Sec. 15.02.260. Mixed use development.** Mixed use development shall mean two (2) or more permitted uses or conditional uses developed in conjunction with one another on the same site. Provided that the aforementioned requirements are met, a mixed use development may include two (2) or more separate buildings. At least twenty-five (25) percent of the gross floor area, as defined in KCC 15.02.170, must be a permitted commercial use, except for mixed use in general commercial outside the downtown area, as defined in KCC 15.09.046, where at least five (5) percent of the gross floor area must be a permitted commercial use, and except for mixed use on parcels two acres or less in size in community commercial where at least five percent of the gross floor area must be a permitted commercial use. The residential component of any mixed use development cannot be permitted or occupied prior to the (permitting and/or lawful occupancy of) the commercial component.

**SECTION 3. - Amendment.** Section 15.03.010 of the Kent City Code is hereby amended as follows:

**Sec. 15.03.010. Establishment and designation of districts.** The various districts established by this title and into which the city is divided are designated as follows:

A-10 Agricultural District
The stated goal of the city is to preserve prime agricultural land in the Green River Valley as a nonrenewable resource. The agriculture zone shall actively encourage the concentration of agricultural uses in areas where incompatibility with urban uses will be minimal to aid in the implementation of those goals. Further, such classification of prime agricultural land thus recognizes and encourages farming activity as a viable sector of the local economy.

SR-1 Residential Agricultural District

The purpose of the SR-1 zone is to provide for areas allowing low density single-family residential development. SR-1 zoning shall be applied to those areas identified in the comprehensive plan for low density development, because of environmental constraints or the lack of urban services.

AG Agricultural General District

The purpose of the AG zone is to provide appropriate locations for agriculturally related industrial and retail uses in or near areas designated for long-term agricultural use. Such areas may contain prime farmland soils which may be currently or potentially used for agricultural production.

SR-3 Single-Family Residential District

SR-4.5 Single-Family Residential District

SR-6 Single-Family Residential District

SR-8 Single-Family Residential District
It is the purpose of the single-family residential districts to stabilize and preserve single-family residential neighborhoods, as designated in the comprehensive plan. It is further the purpose to provide a range of densities and minimum lot sizes in order to promote diversity and recognize a variety of residential environments.

MR-D Duplex Multifamily Residential District

It is the purpose of the MR-D district to provide for a limited increase in population density and allow for a greater variety of housing types by allowing duplex dwelling units and higher density single-family detached residential development.

MR-T12 Multifamily Residential Townhouse District

MR-T16 Multifamily Residential Townhouse District

It is the purpose of the MR-T districts to provide suitable locations for low to medium density multifamily residential development where home ownership is encouraged consistent with the comprehensive plan.

MR-G Low Density Multifamily Residential District

It is the purpose of the MR-G district to provide locations for low to medium density multifamily residential development and higher density single-family residential development, as designated in the comprehensive plan.

MR-M Medium Density Multifamily Residential District
It is the purpose of the MR-M district to provide for locations for medium density multifamily residential development and higher density single-family residential development, as designated in the comprehensive plan.

MR-H High Density Multifamily Residential District

It is the purpose of the MR-H district to provide for locations for high density residential districts suitable for urban living.

MHP Mobile Home Park Combining District

The MHP combining district is designed to provide proper locations for mobile home parks. Mobile home parks may be located in any multi-family residential district when MHP combining district regulations and development plans are approved for that location.

PUD Planned Unit Development District

The intent of the PUD is to create a process to promote diversity and creativity in site design, and protect and enhance natural and community features. The process is provided to encourage unique developments which may combine a mixture of residential, commercial, and industrial uses. By using flexibility in the application of development standards, this process will promote developments that will benefit citizens that live and work within the city.

NCC Neighborhood Convenience Commercial District
It is the purpose of the NCC district to provide small nodal areas for retail and personal service activities convenient to residential areas and to provide ready access to everyday convenience goods for the residents of such neighborhoods. NCC districts shall be located in areas designated for neighborhood services in the comprehensive plan.

CC Community Commercial District

The purpose of the CC district is to provide areas for limited commercial activities that serve several residential neighborhoods. This district shall only apply to such commercial districts as designated in the city comprehensive plan. It is also the purpose of this district to provide opportunities for mixed use development within the designated mixed use overlay boundary, as designated by the comprehensive plan.

DC Downtown Commercial District

It is the purpose of the DC district to provide a place and create environmental conditions which will encourage the location of dense and varied retail, office, residential, civic, and recreational activities which will benefit and contribute to the vitality of a central downtown location, to recognize and preserve the historic pattern of development in the area and to implement the land use goals and policies in the 1989 downtown plan, the Kent comprehensive plan, and the downtown action plan. In the DC area, permitted uses should be primarily pedestrian-oriented and able to take advantage of on-street and structured off-street parking lots.

DCE Downtown Commercial Enterprise District
The purpose of this district is to encourage and promote higher density development and a variety and mixture of compatible retail, commercial, residential, civic, recreational, and service activities in the downtown area, to enhance the pedestrian-oriented character of the downtown, and to implement the goals and policies of the 1989 downtown plan, the Kent comprehensive plan, and the downtown strategic action plan.

DCE-T. Downtown Commercial Enterprise District - Transitional Overlay

Within the downtown commercial enterprise district, a transitional overlay addresses compatibility of higher intensity mixed use development with nearby single-family residential zones through height limits and required application of certain downtown design review elements.

MTC-1 Midway Transit Community-1 District

The purpose and intent of the MTC-1 district is to provide an area that will encourage the location of moderately dense and varied retail, office, or residential activities in support of rapid light rail and mass transit options, to enhance a pedestrian-oriented character while acknowledging the existing highway corridor character, and to implement the goals and policies of the Midway Subarea Plan.

MTC-2 Midway Transit Community-2 District

The purpose and intent of the MTC-2 district is to provide a place and create environmental conditions which will promote the location of dense and varied retail, office, or residential activities, and recreational activities in support of rapid light rail and mass transit options, to ensure a primarily pedestrian-oriented character, and to implement the goals and policies of the Midway Subarea Plan.
MCR  Midway Commercial/Residential District

The purpose and intent of the MCR district is to provide area that will encourage the location of dense and varied retail, office, or residential activities in support of rapid light rail and mass transit options, to enhance a pedestrian-oriented character, and to implement the goals and policies of the Midway Subarea Plan.

CM-1 Commercial Manufacturing-1 District

It is the purpose of the CM-1 district to provide locations for those types of developments which combine some characteristics of both retail establishments and industrial operations, heavy commercial uses, and wholesale uses.

CM-2 Commercial Manufacturing-2 District

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.

GC  General Commercial District
The purpose and intent of the general commercial district is to provide for the location of commercial areas developed along certain major thoroughfares; to provide use incentives and development standards which will encourage the redevelopment and upgrading of such areas; to provide for a range of trade, service, entertainment, and recreation land uses which occur adjacent to major traffic arterials and residential uses; and to provide areas for development which are automobile-oriented and designed for convenience, safety, and the reduction of the visual blight of uncontrolled advertising signs, traffic control devices, and utility equipment. It is also the purpose of this district to provide opportunities for mixed use development within the designated mixed use overlay boundary, as designated by the comprehensive plan.

O—Office District

It is the purpose of the O district to provide for areas appropriate for professional and administrative offices. It is intended that such districts shall buffer residential districts and the development standards are such that office uses should be compatible with residential districts. It is also the purpose of this district to provide opportunities for mixed use development within the designated mixed use overlay, as designated in the comprehensive plan.

MA—Industrial Agricultural District

It is the purpose of the MA zone to identify lands which are transitional in nature and which have a combination of agricultural and warehouse/distribution characteristics. MA lands may be converted in the future to more intensive industrial zones at such time as adjoining properties become more intensively developed and urban services such as water, sewer, and improved street access become available.
M1, M1-C  Industrial Park District

The purpose of the M1M-1 district is to provide an environment exclusively for and conducive to the development and protection of a broad range of industrial, office, and business park activities, including modern, large-scale administrative facilities, research institutions, and specialized manufacturing organizations, all of a non-nuisance type, as designated in the comprehensive plan. This district is intended to provide areas for those industrial activities that desire to conduct business in an atmosphere of prestige location in which environmental amenities are protected through a high level of development standards. It is also the purpose of this zone to allow certain limited commercial land uses that provide necessary personal and business services for the general industrial area. Such uses are allowed in the M1 district, through the application of the “C” suffix, at centralized, nodal locations where major arterials intersect.

M2  Limited Industrial District

The purpose of the M2 district is to provide areas suitable for a broad range of industrial and warehouse/distribution activities. The permitted uses are similar to those of the industrial park district; except, that non-industrial uses, particularly office and retail, are restricted, in accordance with the manufacturing/industrial center designation in the comprehensive plan. Development standards are aimed at maintaining an efficient and desirable industrial area.

M3  General Industrial District
The purpose of the M3 district is to provide areas suitable for the broadest range of industrial activities, and to specify those industrial activities having unusual or potentially deleterious operational characteristics, where special attention must be paid to location and site development. Light industrial uses which require restrictive standards on the part of adjoining uses and non-industrial uses are discouraged from locating in this district, in accordance with the manufacturing/industrial center designation in the comprehensive plan.

GWC—Gateway-Commercial-District

It is the purpose of the gateway commercial district to provide retail commercial uses—appropriate along major vehicular corridors—while encouraging appropriate and unified development among the properties within the district. It is designed to create unique, unified, and recognizable streetscapes while ensuring land-use compatibility and the exclusion of inappropriate uses. It is also intended to promote flexibility in appropriate areas of site design and to encourage mixed-use developments. The gateway commercial district recognizes the significance of the automobile while simultaneously minimizing its dominance in commercially-developed areas and avoiding unsightly highway strip commercial development. The gateway commercial development standards promote land uses which minimize physical and visual impacts normally associated with highway commercial developments. Landscaping, parking, and sign standards have all been enhanced as compared to the current commercial and industrial zoning districts. These standards will promote a viable, unique, and recognizable commercial area along East Valley Highway. Moreover, the gateway commercial district will encourage the development of commercial uses capable of benefiting and ensuring the long-term enhancement of properties throughout the study area.

SU Special Use Combining District
It is the purpose of the SU district to provide for special controls for certain uses which do not clearly fit into other districts, which may be due to technological and social changes, or which are of such unique character as to warrant special attention in the interest of the city’s optimum development and the preservation and enhancement of its environmental quality. A special use combining district is imposed on an existing zoning district, permitting the special use as well as uses permitted by the underlying zone. The combining district becomes void if substantial construction has not begun within a one-(1) year period, and the district reverts to its original zoning designation. It is the intent of the special use combining regulations to provide the city with adequate procedures for controlling and reviewing such uses and to discourage application for speculative rezoning.

SECTION 4. - Amendment. Chapter 15.04 of the Kent City Code is hereby amended as follows:

Sec. 15.04.010. Interpretation of land use tables.

A. Land use tables. The land use tables in KCC 15.04.020 through 15.04.140 determine whether a specific use is allowed in a zoning district. The zoning districts are located in the vertical columns and the land uses are located on the horizontal rows of these tables. A purpose statement for each zoning district is included in Ch. 15.03 KCC.
B. **Principally permitted uses.** If the letter "P" appears in the box at the intersection of the column and the row, the use is permitted in that zoning district subject to the review procedures specified in Ch. 15.09 KCC, the development conditions following the land use table, and any requirements of an overlay zone and the general requirements of the code.

C. **Special uses.** If the letter "S" appears in the box at the intersection of the column and the row, the use is permitted in that zoning district subject to the review procedures specified in Ch. 15.09 KCC, the development conditions following the land use table, the development standards stated in KCC 15.08.020, any requirements of an overlay zone and the general requirements of the code.

D. **Conditional uses.** If the letter "C" appears in the box at the intersection of the column and the row, the use is permitted in that zoning district subject to the review procedures specified in Ch. 15.09 KCC, the development conditions following the land use table, the review criteria stated in KCC 15.09.030, any requirements of an overlay zone and the general requirements of the code.

E. **Accessory uses.** If the letter "A" appears in the box at the intersection of the column and the row, the use is permitted in that zoning district subject to the review procedures specified in Ch. 15.09 KCC, the development conditions following the land use table and any requirements of an overlay zone and the general requirements of the code.

F. **Development conditions.** If a number appears next to the land use or in the box at the intersection of the column and the row, the use may be allowed subject to the appropriate review process indicated above, the general requirements of the code, and the specific conditions indicated in the development condition with the corresponding number in subsection immediately following each land use table.
G. *Multiple development conditions.* If more than one letter-number combination appears in the box at the intersection of the column and the row, the use is allowed in that zone subject to different sets of limitations or conditions depending on the review process indicated by the letter, the general requirements of the code, and the specific conditions indicated in the development condition with the corresponding number immediately following the table.

H. *Overlay zones.* Overlay districts provide policies and regulations in addition to those in the underlying zoning district. Overlay zones include the mixed use overlay and the Green River Corridor district.

I. *Applicable requirements.* All applicable requirements shall govern a use whether or not they are cross-referenced in a section.

J. *Interpretation of other uses.* Any other unnamed use shall be permitted if it is determined by the planning manager to be of the same general character as the principally permitted uses and in accordance with the stated purpose of the district, per KCC 15.09.065.

**Sec. 15.04.020. Residential land uses.**
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## Zoning Districts

**Key**
- **P** = Principally Permitted Uses
- **S** = Special Uses
- **C** = Conditional Uses
- **A** = Accessory Uses

### Homes class III

### Secure community transition facilities

### Rebuild/Accessory uses for existing dwellings

### Transitional housing

### Guest cottages and houses

### Rooming and boarding of not more than three (3) persons

### Farm worker accommodations

### Accessory uses and buildings customarily appurtenant to a permitted use

### Accessory dwelling units

### Accessory living quarters

### Live-work units

### Home occupations

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**Zoning Code Amendment Ordinance**

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### Zoning Districts

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**Service buildings**

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**Storage buildings and storage of recreational vehicles**

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**Drive-In churches**

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**Emergency housing; emergency shelter**

| C | C | C | C | C | C | P | P | P | P |

**Assisted living facilities**

| C | C | C | C | C | P | P | P | P |

**Residential facilities with health care**

| C | C | C | C | P | P | P | P | P |

**Designated manufactured home**

| P | P | P | P | P | P | P | P |

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**Sec. 15.04.030. Residential land use development conditions.**

1. Dwelling units, limited to not more than one (1) per establishment, for security or maintenance personnel and their families, when located on the premises where they are employed in such capacity. No other residential use shall be permitted.
2. Multifamily residential uses, or other residential facilities where allowed, shall be permitted only in the mixed use overlay when included within a mixed use development.

3. [Reserved].

4. Multifamily residential uses, or other residential facilities where allowed, when established in buildings with commercial or office uses, and not located on the ground floor.

5. Multifamily residential uses, or other residential facilities where allowed, when not combined with commercial or office uses.

6. 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.

7. Transitional housing facilities, limited to a maximum of twenty (20) residents at any one- (1) time, and plus up to four (4)-resident staff.

8. Guesthouses not rented or otherwise conducted as a business.

9. Farm dwellings appurtenant to a principal agricultural use for the housing of farm owners, operators, or employees, but not accommodations for transient labor.

10. Accessory dwelling units shall not be included in calculating the maximum density. Accessory dwelling units are allowed subject to the provisions of KCC 15.08.350.

11. Customary incidental home occupations subject to the provisions of KCC 15.08.040.
12. [Reserved].

13. Subject to the combining district requirements of the mobile home park code, Chapter 12.05 KCC.

14. Accessory living quarters are allowed per the provisions of KCC 15.08.359.

15. Multifamily residential use, or other residential facilities where allowed, shall be permitted as a conditional use only when included in a mixed-use development. [Reserved]

16. Recreational vehicle storage is permitted as an accessory use in accordance with KCC 15.08.080.

17. Accommodations for farm operators and employees, but not accommodations for transient labor.

18. 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.

19. The following zoning is required to be in existence on the entire property to be rezoned at the time of application for a rezone to an MR-T zone: SR-8, MR-D, MR-G, MR-M, MR-H, O-MU, NCC, CC, GC, DC, or DCE.

20. All multifamily townhouse developments in the MR-T zone shall be recorded as townhouses with ownership interest, as defined in KCC 15.02.525.1, prior to approval of a certificate of occupancy by the city.

21. Subject to KCC 15.08.160(A) and (B), Accessory buildings.
22. One (1)-duplex per lot is permitted.

23. Secure community transition facilities are only permitted in the GWC-zoning-district within the boundaries depicted on the following map, and only with a Conditional Use Permit.

24. Class II and class III group homes, other than secure community transition facilities, are not allowed in this zoning district. A secure community transition facility shall also comply with applicable state siting and permitting requirements pursuant to Chapter 71.09 RCW. Secure community transition facilities are not subject to the siting criteria of KCC 15.08.280 for class III group homes, but they are subject to a six hundred (600)-foot separation from any other class II or III group home. In no
case shall a secure community transition facility be sited adjacent to, immediately across the street or parking lot from, or within the line of sight of risk potential activities or facilities in existence at the time a site is listed for consideration. *Within line of sight* means that it is possible to reasonably visually distinguish and recognize individuals. For the purposes of granting a conditional use permit for siting a secure community transition facility, the hearing examiner shall consider an unobstructed visual distance of six hundred (600)—feet to be "within line of sight." During the conditional use permit process for a secure community transition facility, "line of sight" may be considered to be less than six hundred (600)—feet if the applicant can demonstrate that visual barriers exist or can be created that would reduce the line of sight to less than six hundred (600)—feet. This distance shall be measured by following a straight line, without regard to intervening buildings, from the nearest point of the property or parcel upon which the proposed use is to be located, to the nearest point of the parcel or property or the land use district boundary line from which the proposed use is to be separated. For the purpose of granting a conditional use permit for a secure community transition facility, the hearing examiner shall give great weight to equitable distribution so that the city shall not be subject to a disproportionate share of similar facilities of a state-wide, regional, or county-wide nature.

25. A designated manufactured home is a permitted use with the following conditions:

a. A designated manufactured home must be a new manufactured home;

b. The designated manufactured home shall be set upon a permanent foundation, as specified by the manufacturer, and the space from the bottom of the home to the ground shall be enclosed by concrete
or an approved concrete product that can be either load bearing or decorative;

c. The designated manufactured home shall comply with all city design standards applicable to all other single-family homes;

d. The designated manufactured home shall be thermally equivalent to the State Energy Code; and

e. The designated manufactured home shall meet all other requirements for a designated manufactured home as defined in RCW 35.63.160.

26. Multifamily dwellings shall be allowed only within the Kent downtown districts outlined in the Downtown Strategic Subarea Action Plan and shall be condominiums recorded pursuant to Chapter 64.32 or 64.34 RCW or similar dwelling units with ownership interest and recorded as such prior to approval of a certificate of occupancy by the city.

27. Within subdivisions, as defined by KCC 12.04.025, vested after March 22, 2007, or altered to comply with zoning and subdivision code amendments effective after March 22, 2007, twenty-five (25)-percent of the total number of permitted dwelling units may be duplex or triplex townhouse structures.

28. Live-work units; provided, that the following development standards shall apply for live-work units, in addition to those set forth in KCC 15.04.190:

   a. The unit shall contain a cooking space and sanitary facility in conformance with applicable building standards;
b. Adequate and clearly defined working space must constitute no less than fifty (50)-percent of the gross floor area of the live-work unit. Said working space shall be reserved for and regularly used by one (1)-or more persons residing there;

c. At least one (1)-resident in each live-work unit shall maintain at all times a valid city business license for a business on the premises;

d. Persons who do not reside in the live-work unit may be employed in the live-work unit when the required parking is provided;

e. Customer and client visits are allowed when the required parking is provided;

f. No portion of a live-work unit may be separately rented or sold as a commercial space for a person or persons not living on the premises, or as a residential space for a person or persons not working on the premises;

g. The multiple-family design guidelines and development standards do not apply to live-work units;

h. Construct all nonresidential space, to the maximum allowed, to commercial building standards; and

i. Provide an internal connection between the residential and nonresidential space within each unit.

29. Subject to the maximum permitted density of the zoning district.

30. Conditional use when the number of residents exceeds twenty (20) at any one (1)-time and/or more than four (4)-resident staff.
### Sec. 15.04.040. Manufacturing land uses.

| Zoning Districts | A-10 | AD | BR-1 | BR-2 | BR-3 | SS-4.5 | SS-5A | SC-6 | SC-8 | MI-D | MI-F | ZF | MI-A | MI-B | MI-G | MI-H | MI-GRC | CC | DC | DOCE | MTC-1 | MTC-2 | MGR | CH-1 | CH-2 | Q | MA | M1 | M2 | M3 | CHM | GMC |
|------------------|------|----|------|------|------|--------|-------|------|------|------|------|----|------|------|------|------|------|----|-----|------|------|------|----|-----|-----|-----|-----|-----|-----|
| Manufacturing, processing, blending, and packaging of food and beverage products | P | P | P | P | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| Manufacturing, processing, blending, and packaging of drugs, pharmaceuticals, toffees, and cosmetics | P | P | P | P | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| Manufacturing, processing, blending, and packaging of dairy products and byproducts | P | P | P | P | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| Industrial laundry and dyeing (including linen supply and diaper services) | P | P | P | P | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| Printing, publishing, and allied industries | P (21) | P | P | C | - | P | P | | | | | | | | | | | | | | | | | | | | | | | |
| Chemicals and related products mfg. | P | P | P | C | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| Contractor shops | P (9) | P | P | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| Custom arts and crafts products mfg. | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| Computers, office machines, and equipment mfg. | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| Manufacturing and assembly of electrical equipment, appliances, lighting, radio, TV communication equipment, and components | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| Fabricated metal products mfg.; custom sheet metal mfg. | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
### Zoning Districts

**Key**
- P = Principally Permitted Uses
- S = Special Uses
- C = Conditional Uses
- A = Accessory Uses

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<td>Manufacturing of plywood, composition wallboard, and similar structural wood products</td>
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<td>Manufacturing of nonferrous mineral products such as abrasives, asbestos, chalk, pumice, and putty</td>
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<td>Manufacturing of heat-resistant or structural clay products (brick, tile, or pipe) or porcelain products</td>
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<td>Manufacturing, processing, assembling, and packaging of articles, products, or merchandise made from previously prepared natural or synthetic materials</td>
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<td>Manufacturing, processing, testing, assembling, and packaging of articles, products, or merchandise from previously prepared ferrous, nonferrous, or alloyed metals</td>
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### Zoning Districts

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| Impound lots        |      |    |      |      |      |      |       |       |       |       |       |       |       |      |     |    |   |   |   |   |   |    |     |

C = Impound lots
Sec. 15.04.050. Manufacturing land use development conditions.

1. The following uses require a conditional use permit:

   a. Manufacture of such types of basic materials as follows:

      (1) Gum and wood chemicals and fertilizers, and basic industrial organic and inorganic chemicals or products such as alkalis and chlorine, industrial and liquid petroleum, gases, cellophane, coal tar products, dyes and dye products, impregnated products, tanning compounds, and glue and gelatin.

      (2) Hydraulic cement, concrete, gypsum, lime, carbon, carbon black, graphite, coke, glass, and similar products.

   b. Manufacture of products such as the following:

      (1) Ammunition, explosives, fireworks, matches, photographic film, missile propellants, and similar combustibles.

      (2) Rubber from natural, synthetic, or reclaimed materials.

      (3) Paving and roofing materials or other products from petroleum derivatives.

   c. Refining of materials such as petroleum and petroleum products, metals and metal ores, sugar, and fats and oils.

   d. Distilling of materials such as bone, coal, coal tar, coke, wood, and other similar distillates.
e. Heavy metal processes, such as ore reduction or smelting, including blast furnaces, and including drop forging, drop hammering, boiler plate works, and similar heavy metal operations:

   (1) Asphalt batching plants.

   (2) Concrete mixing and batching plants, including ready-mix concrete facilities.

   (3) Rock crushing plants and aggregate dryers.

   (4) Sandblasting plants.

f. Animal and food processing, including the following and similar operations:

   (1) Tanning, dressing, and finishing of hides, skins, and furs.

   (2) Meat and seafood products, curing, canning, rendering, and slaughtering.

   (3) Nitrating of cotton and other materials.

   (4) Rendering of animal grease or tallow, fish oil, and similar materials.

   (5) Slaughtering, stockyard, feedlot, dairy, and similar operations.

   (6) Pickling and brine curing processes.

   (7) Wholesale produce markets.
g. Salvage, wrecking, and disposal activities, including the following and similar operations:

(1) Automobile and building wrecking and salvage.

(2) Salvage of industrial waste materials such as metal, paper, glass, rags, and similar materials.

(3) Sewage disposal and treatment plants.

(4) Dump and sump operations for such uses as rubbish, garbage, trash, and other liquid and solid wastes.

h. Storage of the following kinds of goods:

(1) Bulk storage of oil, gas, petroleum, butane, propane, liquid petroleum gas, and similar products, and bulk stations and plants.

(2) Used building materials, mover's equipment, relocated buildings, impounded vehicles, and similar materials.

(3) Explosives or fireworks, except where incidental to a principally permitted use.

(4) Fertilizer or manure.

2. Small scale, light industrial, or manufacturing operations where the building, structure, or total operation does not encompass more than ten thousand (10,000) square feet of area. The ten thousand (10,000) square feet total shall include all indoor and outdoor storage areas associated with the manufacturing operation. Only one (1) of these uses shall be allowed per lot. [Reserved]
3. 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 (10,000) square foot total shall include all indoor and outdoor storage areas associated with the manufacturing operation. Only one (1) ten thousand (10,000) square foot manufacturing operation shall be permitted per lot.

4. Conditional use for manufacturing of paint, but manufacturing of paint is permitted outright in the M3 zone.

5. Contractor shops where most of the work is done on call, and which do not rely on walk-in trade, but where some incidental storage or semi-manufacturing work is done on the premises, such as carpentry, heating, electrical, or glass shops, printing, publishing, or lithographic shops, furniture, upholstery, dry cleaning, and exterminators.

6. Accessory uses shall not include vehicular drive-through, drive-in, and service bay facilities. Accessory uses include sales of product accessory to and directly related to the manufacturing or warehousing use on the site.

7. For permitted uses, accessory hazardous substance land uses, including onsite hazardous waste treatment or storage facilities, which are not subject to cleanup permit requirements of Ch. 11.02 KCC, subject to the provisions of KCC 15.08.050, except offsite hazardous waste treatment or storage facilities, which are not permitted in this district. Fuel farm facilities are not allowed in AG or A-10 zones.
8. For permitted uses, hazardous substance land uses, including onsite hazardous waste treatment or storage facilities, which are not subject to cleanup permit requirements of Ch. 11.02 KCC and which do not accumulate more than five thousand (5,000) pounds of hazardous substances or wastes or any combination thereof at any one-time on the site, subject to the provisions of KCC 15.08.050, except offsite hazardous waste treatment or storage facilities, which are not permitted in this district.

9. Includes incidental storage facilities and loading/unloading areas.

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

11. Including transportation and transit terminals with repair and storage facilities, and rail-truck stations, except classification yards in the category of “hump yards.”

12. For permitted uses, accessory hazardous substance land uses, including onsite hazardous waste treatment or storage facilities, which are not subject to cleanup permit requirements of Ch. 11.02 KCC, subject to the provisions of KCC 15.08.050. Offsite hazardous waste treatment or storage facilities are not permitted in this district, except through a special use combining district.

13. Conditional use permit required for trucking terminals and rail-truck transfer uses.
14. For permitted uses, accessory hazardous substance land uses, including onsite hazardous waste treatment or storage facilities, which are not subject to cleanup permit requirements of Ch. 11.02 KCC, subject to the provisions of KCC 15.08.050, except offsite hazardous waste treatment or storage facilities, which require a conditional use permit in this district.

15. The following require a conditional use permit:

   a. Offsite hazardous waste treatment or storage facilities, subject to the provisions of KCC 15.08.050.

   b. Any hazardous substance land use that is not an accessory use to a principally permitted use.

16. Warehousing and distribution facilities and the storage of goods or products, except for those goods or products specifically described as permitted to be stored only as conditional uses in the M3 district.

17. Conditional use for car loading and distribution facilities, and rail-truck transfer stations.

18. Warehousing and distribution facilities and the storage of goods or products, including rail-truck transfer facilities.

19. Miniwarehouses; provided, that the following development standards shall apply for miniwarehouses, superseding those set out in KCC 15.04.190 and 15.04.200. For purposes of this Title, "miniwarehouses" means any real property designed and used for the purpose of renting or leasing individual storage space to occupants who are to have access to the space for the purpose of storing and removing personal property on a self-service basis, but does not include a garage or other storage area in a private residence. No occupant may use a miniwarehouse for residential purposes.

37 Zoning Code Amendment Ordinance
a. Frontage use. The first one hundred fifty (150) feet of lot depth, measured from the property line or right-of-way inward from the street frontage, shall be reserved for principally permitted uses for this district, defined by the provisions of KCC 15.04.100(A)(1), or for the office or onsite manager’s unit, signage, parking, and access. A maximum of twenty-five (25) percent of the frontage may be used for access to the storage unit area; provided, that in no case shall the access area exceed seventy-five (75) feet in width. No storage units or structures shall be permitted within this one hundred fifty (150) feet of commercial frontage depth.

b. Lot size. Minimum lot size is one (1) acre; maximum lot size is four (4) acres.

c. Site coverage. Site coverage shall be in accordance with the underlying zoning district requirements.

d. Setbacks. Setbacks shall be as follows:

(1) Front yard: Twenty (20) feet.

(2) Side yard: Ten (10) feet.

(3) Rear yard: Ten (10) feet.

e. Height limitation. The height limitation is one (1) story.

f. Outdoor storage. No outdoor storage is permitted.

g. Signs. The sign requirements of Ch. 15.06 KCC shall apply.

h. Off-street parking.

(1) The off-street parking requirements of Ch. 15.05 KCC shall apply.
(2) Off-street parking may be located in required yards, except in areas required to be landscaped.

i. Development plan review. Development plan approval is required as provided in KCC 15.09.010.

j. Landscaping. Landscaping requirements are as follows:

(1) Front yard: Twenty-\( (20) \) feet, type III (earth berms).

(2) Side yard: Ten-\( (10) \) feet, type II abutting commercial uses or districts; type I abutting residential uses or districts.

(3) Rear yard: Ten-\( (10) \) feet, type II abutting commercial uses or districts; type I abutting residential uses or districts.

For maintenance purposes, underground irrigation systems shall be provided for all landscaped areas.

k. Onsite manager. A resident manager shall be required on the site and shall be responsible for maintaining the operation of the facility in conformance with the conditions of the approval. The planning department shall establish requirements for parking and loading areas sufficient to accommodate the needs of the resident manager and the customers of the facility.

l. Drive aisles. Drive aisle width and parking requirements are as follows:

(1) Fifteen-\( (15) \) foot drive aisle and ten-\( (10) \) foot parking aisle.

(2) Parking for manager’s quarters and visitor parking.

m. Building lengths. The horizontal dimension of any structure facing the perimeter of the site shall be offset at intervals not to exceed
one hundred (100) feet. The offset shall be no less than twenty-(20) feet in the horizontal dimension, with a minimum depth of five-(5) feet.

n. Building materials. If abutting a residential use or zone, residential design elements such as brick veneer, wood siding, pitched roofs with shingles, landscaping, and fencing shall be used. No incompatible/uncomplimentary building colors should be used when abutting a residential use or zone.

o. Prohibited uses. Use is restricted to dead storage only. The following are specifically prohibited:

(1) Auctions (other than tenant lien sales), commercial, wholesale or retail sales, or garage sales.

(2) The servicing, repair, or fabrication of motor vehicles, boats, trailers, lawn mowers, appliances, or other similar equipment.

(3) The operation of power tools, spray painting equipment, table saws, lathes, compressors, welding equipment, kilns, or other similar equipment.

(4) The establishment of a transfer and storage business.

(5) Any use that is noxious or offensive because of odor, dust, noise, fumes, or vibration.

(6) Storage of hazardous or toxic materials and chemicals or explosive substances.

p. Fencing. No razor wire is allowed on top of fences.

20. Prohibited are those manufacturing activities having potentially deleterious operational characteristics, such as initial processing of raw materials (forging, smeltering, refining, and forming).
21. The ground level or street level portion of all buildings in the pedestrian overlay of the DC district (as shown in KCC 15.04.080) must be retail or 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 director 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.

22. Permitted uses are limited to storage, warehousing, processing and conversion of agricultural, dairy, and horticultural products, but not including slaughtering, meat packing, and fuel farm facilities.
23. Excluding slaughtering, rendering, curing, or canning of meat or seafood products.

24. Except for those goods or products specifically described as permitted to be stored as conditional uses.

25. Excluding explosive fuels and propellants.

26. Excluding predominantly drop forge and drop hammer operations.

27. 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.


29. Limited to twenty-five–(25) percent of gross floor area. Reference KCC 15.04.080(5).

30. Retail or services 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.

31. Reuse or replacement of existing structures for non-agricultural uses is allowed where it is shown that the existing structures are obsolete for agricultural use and will have no viable economic use unless they can be put to non-agricultural use. Any replacement structures must maintain or enhance the agricultural appearance of the property. Signs shall be limited to not more than one hundred–(100) square feet in area per business, and of that amount, freestanding signs shall not exceed forty (40) square feet in area. No increase in the area of existing impervious surface shall be allowed in connection with a non-agricultural use.
Sec. 15.04.060. Transportation, public, and utilities land uses.
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**Zoning Districts**

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- **EV charging station**
- **Rapid charging station**

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45  Zoning Code Amendment Ordinance
Sec. 15.04.065. Transportation, public, and utilities land use development conditions.

1. For WTF towers ninety-(90) feet or less for a single user and up to one hundred twenty-(120) feet for two (2) or more users.

2. For WTF towers that are within the allowable building height for the district in which they are located.

3. All WTFs are subject to applicable portions of KCC 15.08.035.

4. A conditional use permit for a WTF is required if it is greater than ninety-(90) feet for a single user or one hundred twenty-(120) feet for two (2) or more users.

5. A conditional use permit is required if the WTF exceeds the allowable building height of the district.

6. Transportation and transit terminal, including repair and storage facilities and rail-truck stations, except classification yards in the category of “hump yards.”

7. Accessory uses shall not include vehicular drive through, drive-in, or service bay facilities. [Reserved]

8. If on property owned, leased or otherwise controlled by the city or other government entity subject to KCC 15.08.035(1).

9. Level 1 and 2 charging only.

10. Only as part of a general conditional use identified in KCC 15.08.030.
# Sec. 15.04.070. Wholesale and retail land uses.

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47 **Zoning Code Amendment Ordinance**
| Zoning Districts | A-10 | A5 | SB-1 | SB-2 | SB-4.5 | SS-5 | SS-6 | SR-5 | SR-6 | SR-8 | SB-R-1 | SB-R-2 | MTC-1 | MTC-2 | MCR | CH-1 | CH-2 | CC | DC | DOE | MTC-1 | MCR | CH-1 | CH-2 | CC | MA | MG-C | M2 | M3 | GM-2 |
|-----------------|------|----|------|------|--------|------|------|------|------|------|--------|--------|--------|--------|------|-----|-----|-----|----|----|------|------|-----|-----|-----|----|-----|
| Apparel and accessories (retail) | P | P | P | P | P | P | P | - | - | A | P | (8) | &P | (2) | | | | | | | | | | | | | | | | |
| Furniture, home furnishing (retail) | P | P | P | P | P | P | P | A | (4) | P | P | P | P | (5) | (3) | | | | | | | | | | | | | | | | |
| Eating and drinking establishments (no drive-through) | P | P | P | P | P | P | P | A | (4) | P | P | P | P | (5) | (3) | | | | | | | | | | | | | | | | |
| Eating and drinking establishments (with drive-through) | S | C | C | P | S | - | - | P | (2) | P | (2) | (2) | (2) | | | | | | | | | | | | | | | | |
| Eating facilities for employees | P | P | P | - | - | A | A | A | | | | | | | | | | | | | | | | | | | | | |
| Planned development retail sales | G | - | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| Drive-through/Drive-up businesses (commercial retail -- other than eating/drinking establishments) | C | P | P | P | P | P | P | A | (4) | A | (8) | | | | | | | | | | | | | | | | |
| Miscellaneous: retail | P | P | P | P | P | P | - | - | P | (8) | | | | | | | | | | | | | | | | |
| Liquor store | P | P | P | P | P | P | - | - | P | (8) | | | | | | | | | | | | | | | | |
| Farm supplies, hay, grain, feed, fencing, etc. (retail) | P | P | P | P | P | P | - | - | - | | | | | | | | | | | | | | | | | | |
| Nurseries, greenhouses, garden supplies, tools, etc. | P | P | P | P | P | P | - | - | - | | | | | | | | | | | | | | | | | | |

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**48 Zoning Code Amendment Ordinance**
Zoning Districts

| Key               | A-10 | AG | SS-1 | SS-2 | SS-3 | SS-4 | SS-5 | SS-6 | SS-7 | SS-8 | SS-9 | SS-10 | MF-1 | MF-2 | MF-3 | MF-4 | MF-5 | MF-6 | MF-7 | MF-8 | MF-9 | MF-10 | NDC | DC | DCIE | MTC-1 | MTC-2 | MCR-1 | CKM-2 | CKM-G | CO | CO | MA | MA | MA | MA | MA | MA | MA | MA | MA | MA | M3 | MNC |
|-------------------|------|----|------|------|------|------|------|------|------|------|------|-------|------|------|------|------|------|------|------|------|------|------|------|------|------|------|------|------|------|------|------|------|------|------|------|------|------|------|------|------|------|------|
| Pet shops (retail and grooming) |       |    |      |      |      |      |      |      |      |      |      |       |      |      |      |      |      |      |      |      |      |      |      |      |      |      |      |      |      |      |      |      |      |      |      |      |      |      |      |      |      |
| Computers and electronics (retail) |       |    |      |      |      |      |      |      |      |      |      |       |      |      |      |      |      |      |      |      |      |      |      |      |      |      |      |      |      |      |      |      |      |      |      |      |      |      |      |      |      |      |      |
| Hotels and motels |       |    |      |      |      |      |      |      |      |      |      |       |      |      |      |      |      |      |      |      |      |      |      |      |      |      |      |      |      |      |      |      |      |      |      |      |      |      |      |      |      |      |      |
| Complexes which include combinations of uses, including a mixture of office, light manufacturing, storage, and commercial uses |       |    |      |      |      |      |      |      |      |      |      |       |      |      |      |      |      |      |      |      |      |      |      |      |      |      |      |      |      |      |      |      |      |      |      |      |      |      |      |      |      |      |      |      |
| Outdoor storage (including truck, heavy equipment, and contractor storage yards as allowed by development standards, KCC 15.04.190 and 15.04.195) |       |    |      |      |      |      |      |      |      |      |      |       |      |      |      |      |      |      |      |      |      |      |      |      |      |      |      |      |      |      |      |      |      |      |      |      |      |      |      |      |      |      |      |      |
| Accessory uses and buildings customarily appurtenant to a permitted use |       |    |      |      |      |      |      |      |      |      |      |       |      |      |      |      |      |      |      |      |      |      |      |      |      |      |      |      |      |      |      |      |      |      |      |      |      |      |      |      |      |      |      |      |
| Agriculturally related retail |       |    |      |      |      |      |      |      |      |      |      |       |      |      |      |      |      |      |      |      |      |      |      |      |      |      |      |      |      |      |      |      |      |      |      |      |      |      |      |      |      |      |      |      |
| Battery exchange station |       |    |      |      |      |      |      |      |      |      |      |       |      |      |      |      |      |      |      |      |      |      |      |      |      |      |      |      |      |      |      |      |      |      |      |      |      |      |      |      |      |      |      |      |

Sec. 15.04.080. Wholesale and retail land use development conditions.
1. Bulk retail uses which provide goods for regional retail and wholesale markets; provided, that each use occupy no less than forty-three thousand five hundred sixty (43,560) square feet of gross floor area.

2. All sales, storage, and display occur within enclosed buildings. [Reserved]

3. Provided that any restaurant with drive-in or drive-through facilities shall be located a minimum of one thousand (1,000) feet from any other drive-in restaurant use. [Reserved]

4. Convenience and deli marts are limited to a maximum gross floor area of three thousand (3,000) square feet. [Reserved]

5. 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. For example, in the case of a business park with several buildings, twenty-five percent of the buildings' combined floor area may be devoted to these retail and service uses. For single building parcels, twenty-five percent of the floor area of the single building may be devoted to these retail and service uses.

6. Special uses must conform to the development standards listed in KCC 15.08.020.
7. Drive-through restaurants, only if located in a building having at least two (2)-stories.

8. Accessory uses are only allowed in cases where development plans demonstrate a relationship between these uses and the principal uses of the property.

9. 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.

10. Retail uses operated in conjunction with and incidental to permitted uses, provided such uses are housed as a part of the building comprising the basic operations.

11. 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 retail or 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 director 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.

12. Retail convenience grocery sales are allowed in conjunction with a gasoline service station as a special permit use subject to the development standards listed in KCC 15.08.020.

13. Retail sales are limited to tires, batteries, and accessories for industrial vehicle and equipment, except in the M1-C zoning district where retail sales of tires, batteries, and accessories are allowed for industrial or personal vehicles and equipment.

14. 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.[Reserved]

15. Incidental sales and services, such as restaurants, pharmacies, and retail sales, to serve occupants and patrons of permitted uses when conducted within the same building, provided there is no exterior display or advertising.[Reserved]
16. Includes incidental storage facilities and loading/unloading areas.

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

18. Accessory uses shall not include vehicular drive-through, drive-in, and service bay facilities. [Reserved]

19. Reference KCC 15.07.040(C), outdoor storage landscaping.

20. Whenever feasible, drive-up/drive-through facilities shall be accessed from the rear of a site and run along an interior lot line or building elevation. Landscaping, sufficient to soften the visual impact of vehicle stacking areas, may be required.

21. Retail use must be for sale of agricultural or horticultural produces, at least twenty-five\(^{(25)}\) percent of the gross sales value of which are grown within Washington State. Up to fifty\(^{(50)}\) percent of the gross sales value may be for seed, gardening equipment and products, private label foods, and locally hand-made products. Any structures must be designed to maintain or enhance the agricultural appearance of the area.

22. Any drive-up/drive-through facility shall be accessory to the principal use to which it is attached.
Ground Floor Retail/Service Area

23. All battery exchange activities and associated storage shall take place within an enclosed building. The development standards listed in KCC 15.08.020(B) shall apply, except that number threesubsection (B)(3) shall not apply.

24. Drive-through/drive-up businesses are permitted only under the following conditions:

   a. The development must be within a strip-mall or shopping center.

25. The ground floor or street level must be retail or pedestrian-oriented following the Midway Design Guidelines. The main ground floor entry shall open to a public street with accessory retail uses accessible by pedestrians.

26. Bulk retail is permitted only when single-tenant building is over one (1)-acre in size.
### Sec. 15.04.090. Service land uses.

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**Key: P = Principally Permitted Uses, S = Special Uses, C = Conditional Uses, A = Accessory Uses**
| Zoning Districts | A-1.0 | B-1.0 | B-2.3 | B-4.0 | B-6.0 | B-8.0 | B-10 | B-12 | B-14 | B-16 | B-18 | B-20 | B-22 | B-24 | DC | DCN | MTC-1 | MTC-2 | MCR | CM-1 | CM-2 | GC | MA | M1 | M1-C | M2 | M3 | GNC |
|-----------------|-------|-------|-------|-------|-------|-------|-------|-------|-------|-------|-------|-------|-------|-------|-----|-----|-------|-------|-----|-----|-----|-----|-----|-----|-----|
| **P** Principally Permitted Uses |       |       |       |       |       |       |       |       |       |       |       |       |       |       |       |       |       |       |       |       |       |       |       |       |       |
| **S** Special Uses |       |       |       |       |       |       |       |       |       |       |       |       |       |       |       |       |       |       |       |       |       |       |       |       |       |
| **C** Conditional Uses |       |       |       |       |       |       |       |       |       |       |       |       |       |       |       |       |       |       |       |       |       |       |       |       |       |
| **A** Accessory Uses |       |       |       |       |       |       |       |       |       |       |       |       |       |       |       |       |       |       |       |       |       |       |       |       |       |
| **Rental and leasing services for cars, trucks, trailers, furniture, and tools** |       |       |       |       |       |       |       |       |       |       |       |       |       |       |       |       |       |       |       |       |       |       |       |       |       |
| **Auto repair and washing services (including body work)** |       |       |       |       |       |       |       |       |       |       |       |       |       |       |       |       |       |       |       |       |       |       |       |       |       |
| **Repair services: Watch, TV, electrical, electronics, upholstery** |       |       |       |       |       |       |       |       |       |       |       |       |       |       |       |       |       |       |       |       |       |       |       |       |       |
| **Professional services: Medical, clinics, and other health care-related services** |       |       |       |       |       |       |       |       |       |       |       |       |       |       |       |       |       |       |       |       |       |       |       |       |       |
| **Heavy equipment and truck repair** |       |       |       |       |       |       |       |       |       |       |       |       |       |       |       |       |       |       |       |       |       |       |       |       |       |
| **Contract construction service offices: Building construction, plumbing, paving, and landscaping** |       |       |       |       |       |       |       |       |       |       |       |       |       |       |       |       |       |       |       |       |       |       |       |       |       |
| **Educational services: Vocational, trade, art, music, dancing, barber, and beauty** |       |       |       |       |       |       |       |       |       |       |       |       |       |       |       |       |       |       |       |       |       |       |       |       |       |
| **Churches** | S     | S     | S     | S     | S     | S     | S     | S     | S     | S     | S     | S     | S     | S     | S     | S     | S     | S     | S     | S     | S     | S     | S     | S     | S     |

56  Zoning Code Amendment Ordinance
### Zoning Districts

**Key**

- **P** = Principally Permitted Uses
- **S** = Special Uses
- **C** = Conditional Uses
- **A** = Accessory Uses

<table>
<thead>
<tr>
<th>Administrative and professional offices - general</th>
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<th>C</th>
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<td>Municipal uses and buildings</td>
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<td>Planned development and retail sales</td>
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**Zoning Code Amendment Ordinance**
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.[Reserved]

4. Special uses must conform to the development standards listed in KCC 15.08.020.

5. Excluding auto-body repair.[Reserved]

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.[Reserved]

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, provided the animals are housed indoors, with no outside runs, and the building is soundproofed. Soundproofing must be designed by competent acoustical
9. Those uses that are principally permitted in the M3 zone may be permitted in the M2 zone via a conditional use permit.

10. Personal services uses limited to linen supply and industrial laundry services, diaper 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. [Reserved]

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 director 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 include vehicular drive-through, drive-in, or service bay uses. [Reserved]

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.

22. Any associated drive-up/drive-through facility shall be accessory and shall require a conditional use permit.

Ground Floor Retail/Service Area

23. Auto repair, including body work, and auto washing services shall be allowed in the general industrial (M3) zoning district as follows:

a. For adaptive reuse of existing site structures, all of the following conditions must apply:

   i. The site is not currently served by a rail spur; and

   ii. Existing site structures do not have dock high loading bay doors, where the finished floor is generally level with the floor of freight containers; and

   iii. All ground-level bay doors of existing structures have a height of less than fourteen (14) feet, which would generally impede full access to freight containers; and
iv. Existing site structures have a clear height from finished floor to interior roof trusses of less than twenty-(20) feet; and

v. Maximum building area per parcel is not greater than forty thousand (40,000)-square feet.

b. For proposed site development, all of the following conditions must apply:

i. The site is not currently served by a rail spur; and

ii. Based on parcels existing at the time of the effective date of the ordinance codified in this section, the maximum parcel size is no greater than forty thousand (40,000)-square feet.

Sec. 15.04.110. Cultural, entertainment, and recreation land uses.

<table>
<thead>
<tr>
<th>Zoning Districts</th>
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<tr>
<td>Key</td>
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<tr>
<td>P = Principally Permitted Uses</td>
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<td>S = Special Uses</td>
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<tr>
<td>C = Conditional Uses</td>
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<tr>
<td>A = Accessory Uses</td>
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</tbody>
</table>

- Performing and cultural arts uses, such as art galleries/studios: P (3)
- Historic and recreational uses: P P . . . . .
- Public assembly (outdoor): Fairgrounds and amusement parks, tennis courts, athletic fields, miniature golf: C P P - -
### Sec. 15.04.120. Cultural, entertainment, and recreation land use development conditions.

1. All sales, storage, and display occur within enclosed buildings-[Reserved]

2. Principally permitted uses are limited to indoor paintball, health and fitness clubs and facilities, gymnastic schools, and other similar uses deemed compatible with the general character and stated purpose of the district.

3. The ground level or street level portion of all buildings in the pedestrian overlay of the DC district (as shown in KCC 15.04.080) must be retail or 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 director 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, Use interpretations.

4. Accessory uses shall include vehicular drive through, drive-in, or service bay facilities. [Reserved]

5. Business, civic, social, and fraternal associations and service offices
are principally permitted uses.

6. Principally permitted uses are limited to parks and playgrounds.

7. Principally permitted uses are limited to golf driving ranges.

8. Public assembly facilities such as amphitheaters, arena, auditoriums, and exhibition halls allowed as a conditional use: [Reserved]

9. Conditionally permitted uses are limited to parks and playgrounds.

Sec. 15.04.130. Resource land uses.

<table>
<thead>
<tr>
<th>Zoning Districts</th>
<th>A-10</th>
<th>AG</th>
<th>SR-1</th>
<th>SR-3</th>
<th>SR-6</th>
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<th>MIR-T12</th>
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<tr>
<td>Agricultural uses such as planting and harvesting of crops, animal husbandry (including wholesale nurseries and greenhouses)</td>
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<td>Crop and tree farming</td>
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<td>Storage, processing, and conversion of agricultural products (not including slaughtering or meat packing)</td>
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Sec. 15.04.140. Resource land use development conditions.

1. 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.

2. Roadside stand not exceeding four hundred—(400) square feet in
floor area exclusively for agricultural products grown on the premises.

3. Roadside stands not exceeding four hundred (400) square feet in floor area, and not over twenty-(20) lineal feet on any side, primarily for sale of agricultural products on the premises.

Sec. 15.04.150. Special use combining district, SU. It is the purpose of the SU district to provide for special controls for certain uses which do not clearly fit into other districts, which may be due to technological and social changes, or which are of such unique character as to warrant special attention in the interest of the city's optimum development and the preservation and enhancement of its environmental quality. A special use combining district is imposed on an existing zoning district, permitting the special use as well as uses permitted by the underlying zone. The combining district becomes void if substantial construction has not begun within a one-year period, and the district reverts to its original zoning designation. It is the intent of the special use combining regulations to provide the city with adequate procedures for controlling and reviewing such uses and to discourage application for speculative rezoning.

A. Uses subject to special use combining district regulations. The following list is illustrative of the types of uses subject to special use combining district regulations and is not intended to be exclusive:

1. Uses which occupy or would occupy large areas of land.

2. Uses which would involve the construction of buildings or other structures of unusual height or mass.

3. Uses which house, employ, or serve large numbers of people.

4. Uses which generate heavy traffic.
5. Uses which have unusual impact on environmental quality of the area.

6. Any use which does not lend itself to an interpretation of substantial similarity to other uses identified or described in this title.

7. Uses which, in the judgment of the planning manager, warrant review by the land use and planning board and the city council.

8. Examples of uses subject to review as described in this subsection would include but are not limited to the following:

   a. Commercial uses: sports stadiums, rodeos, fairgrounds, exhibition or convention halls, merchandise marts, and drive-in theaters.

   b. Special environmental problems posed by: refineries, nuclear power generating plants, airports, heliports, sanitary landfills, extractive industries, solid waste incinerators, or energy/resource recovery facilities.

   c. Hazardous wastes: offsite hazardous waste treatment or storage facilities in M1 and M2 districts only, subject to the provisions of KCC 15.08.050.

B. Application procedures. The application procedure for a special use combining district shall be the same as for an amendment to this title as provided in KCC 15.09.050, except that development plan approval is concurrent with the combining district.

C. Documentation required. Required documentation is as follows:

   1. A vicinity map drawn to a scale not smaller than one thousand—(1,000) feet to the inch showing the site in relation to its surrounding area, including streets, roads, streams, or other bodies of water, the development characteristics and zoning pattern of the area,
and a scale and north arrow. The vicinity map may be in sketch form but shall be drawn with sufficient accuracy to reasonably orient the reader to the vicinity, and to adequately convey the required information.

2. A map or drawing of the site drawn to a scale acceptable to the planning services, generally one hundred-(100) feet to the inch. The map or drawing shall show the following information:

a. Dimensions and names of streets bounding or touching the site.

b. Such existing or proposed features as streams or other bodies of water, rights-of-way, easements, and other physical or legal features which may affect or be affected by the proposed development.

c. Existing and proposed topography at contour intervals of not more than five-(5) feet in areas having slopes exceeding three-(3) percent, and not more than two-(2) feet in areas having slopes of less than three-(3) percent.

d. Accurate legal description of the property.

e. Existing and proposed structures or buildings, including the identification of types and proposed use of the structures. All uses must be compatible with the major use.

f. Off-street parking and loading facilities.

g. Dimensions of the site, distances from property lines, and space between structures.

h. Tentative routing of domestic water lines, storm drains, sanitary sewers, and other utilities, including an identification of planned disposal or runoff.

i. Elevations, perspective renderings, or such other
graphic material or evidence to illustrate effect on the view enjoyed by and from other properties in the vicinity, if required by the planning department.

j. Architectural renderings of buildings.

k. A written statement providing the following information:

   (1) Program for development, including staging or timing.

   (2) Proposed ownership pattern upon completion of development.

   (3) Basic content of restrictive covenants, if any.

   (4) Provisions to ensure permanence and maintenance of open space through means acceptable to the city.

   (5) Statement or tabulation of number of persons to be employed, served, or housed in the proposed development.

   (6) Statement describing the relationship of the proposed development to the city comprehensive plan.

   (7) Statement indicating availability of existing or proposed sanitary sewers.

3. Such other data or information as the planning department may require.

D. Development standards. In reviewing and approving proposed developments falling under the purview of this section, the hearing examiner and city council shall make the following findings:

1. That the location for the proposed use is reasonable.
2. That existing or proposed trafficways are adequate to serve new development.

3. That setback, height, and bulk of buildings are acceptable for the proposed use and for the vicinity in which it is located.

4. That landscaping and other site improvements are comparable to the highest standards set forth for other developments as set out in this title.

5. That the performance standards pertaining to air and water pollution, noise levels, etc., are comparable to the highest standards specified for other uses as set out in this title.

6. That the proposed development is in the public interest and serves a need of community-wide or regional importance. In reviewing and approving special uses, the hearing examiner and the city council may impose such conditions as they deem necessary in the interest of the welfare of the city and the protection of the environment.

E. Period of validity. Any special use combining district shall remain effective only for one-(1)-year unless the use is begun within that time or construction has commenced. If not in use or construction has not commenced within one-(1)-year of the granting of the special use combining district, the combining district shall become invalid, and the original zoning designation of the land shall apply.

F. Minor and major adjustments.

1. If minor adjustments are made following the adoption of the final development plan and approval of the combining district, such adjustments shall be approved by the planning manager prior to the issuance of a building permit. Minor adjustments are those which may affect the precise dimensions or siting of buildings approved in the final plan, or the density of the development or open space provided.
2. Major adjustments are those which, as determined by the planning director, substantially change the basic design, density, open space uses, or other similar requirements or provisions. Authorization for major adjustments shall be made by the city council.

3. The provisions of this subsection pertaining to minor and major adjustments shall apply to various parts of a staged development.

Sec. 15.04.160. Development standards. The development standards tables in KCC 15.04.170 and 15.04.190 determine the specific development standards for a zoning district. The development standards are located on the horizontal rows and the zoning districts are located on the vertical columns of these tables. The minimum dimensional requirements are located in the box at the intersection of the column and the row. The parenthetical numbers in the boxes identify specific requirements applicable either to a special use or the entire zone. The parenthetical numbers correspond to numbers in the subsection immediately following each table.

Sec. 15.04.170. Agricultural and residential zone development standards.

| Zoning Districts | A-10 | SR-1 | SR-3 | SR-4.5 | SR-5 | SR-6 | SR-8 | M-1 Duplex Residential | M-1.5 Two-Story Residential | M-2.5 Multifamily Residential | M-3.5 Condominium | M-4.5 Multi Unit Residential | M-5.5/6.5 Mixed Use | M-6.5/7.5 Medium Density Residential | M-7.5/8.5 High Density Residential | Park
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<td>10.8 du/acre</td>
<td>12.7 du/acre</td>
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71 Zoning Code Amendment Ordinance
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<td>2.5 s/f</td>
<td>2.5 s/f</td>
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Sec. 15.04.180. Agricultural and residential land use

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development standard conditions.

1. Minimum lot area is eight thousand five hundred (8,500) square feet for the first two- (2) dwelling units, and two thousand five hundred (2,500) square feet for each additional dwelling unit.

2. Minimum lot area is eight thousand five hundred (8,500) square feet for the first two- (2) dwelling units, and one thousand six hundred (1,600) square feet for each additional dwelling unit.

3. Minimum lot area is eight thousand five hundred (8,500) square feet for the first two-(2) dwelling units, and nine hundred-(900) square feet for each additional dwelling unit.

4. To determine minimum lot width for irregular lots, a circle of applicable diameter (the minimum lot width permitted) shall be scaled within the proposed boundaries of the lot; provided, that an access easement to another lot is not included within the circle.

5. Interior yards shall not be computed as part of the site coverage.

6. Porches and private shared courtyard features may be built within the front building setback line.

7. For properties abutting on West Valley Highway, the frontage on West Valley Highway shall be considered the front yard.

8. Proposed front yards less than twenty (20) feet in depth are subject to approval by the planning manager, based on review and recommendation from the public works department relative to the existing and future traffic volumes and right-of-way requirements as specified in the city comprehensive transportation plan and city construction
9. At least twenty-(20) linear feet of driveway shall be provided between any garage, carport, or other primary parking area and the street property line with the exception of an alley property line.

10. An aggregate side yard of thirty-(30) feet shall be provided. A minimum of ten-(10) feet shall be provided for each side yard. On a corner lot the side yard setback shall be a minimum of twenty-(20) feet from the property line.

11. Each side yard shall be a minimum of ten-(10) percent of the lot width; however, regardless of lot width, the yard width need not be more than thirty-(30) feet. For multifamily townhouse developments that attach three-(3) units or less, in the MRT-12 or MRT-16 zoning districts the aggregate yard width need not be more than thirty-(30) feet, but in no case shall a yard be less than ten-(10) feet.

12. Structures for feeding, housing, and care of animals, except household pets, shall be set back fifty-(50) feet from any property line.

13. Additional setbacks for the agriculture general AG zoning district.

   a. Structures for feeding, housing, and care of animals shall be set back fifty-(50) feet from any property line.

   b. Transitional conditions shall exist when an AG district adjoins a residential district containing a density of two-(2) dwelling units or more per acre or a proposed residential area indicated on the city comprehensive plan. Such transitional conditions shall not exist where the separation includes an intervening use such as a river, railroad main line, major topographic differential, or other similar conditions, or where the
Industrial properties face on a limited access surface street on which the housing does not face. When transitional conditions exist as defined in this subsection, a yard of not less than fifty-\((50)\) feet shall be provided.

c. Setbacks, Green River. Industrial development in the AG district abutting the Green River, or Russell Road or Frager Road where such roads follow the river bank, shall be set back from the ordinary high-water mark of the river a minimum of two hundred-\((200)\) feet. Such setbacks are in accordance with the city comprehensive plan and in accordance with the high quality of site development typically required for the industrial park areas of the city and in accordance with the State Shoreline Management Act of 1971, and shall be no more or less restrictive than, but as restrictive as, the Shoreline Management Act.

14. An inner court providing access to a double-row building shall be a minimum of twenty-\((20)\) feet.

15. The distance between principal buildings shall be at least one-half \((1/2)\) the sum of the height of both buildings; provided, however, that in no case shall the distance be less than twelve-\((12)\) feet. This requirement shall also apply to portions of the same building separated from each other by a court or other open space.

16. The height limitations shall not apply to barns and silos; provided, that they are not located within fifty-\((50)\) feet of any lot line.

17. Beyond this height, to a height not greater than either four-\((4)\) stories or sixty-\((60)\) feet, there shall be added one-\((1)\) additional foot of yard for each additional foot of building height.

18. The planning manager shall be authorized to approve a height greater than four-\((4)\) stories or sixty-\((60)\) feet, provided such height does
not detract from the continuity of the area. When a request is made to exceed the building height limit, the planning manager may impose such conditions, within a reasonable amount of time, as may be necessary to reduce any incompatibilities with surrounding uses.

19. Except for lots used for agricultural practices, the maximum impervious surface area allowed shall be ten thousand (10,000) square feet when the lot is greater than one- (1) acre.

20. The following uses are prohibited:
   a. The removal of topsoil for any purpose.
   b. Grade and fill operations; provided, that limited grade and fill may be approved as needed to construct permitted buildings or structures.
   c. All subsurface activities, including excavation for underground utilities, pipelines, or other underground installations, that cause permanent disruption of the surface of the land. Temporarily disrupted soil surfaces shall be restored in a manner consistent with agricultural uses.
   d. Dumping or storage of nonagricultural solid or liquid waste, or of trash, rubbish, or noxious materials.
   e. Activities that violate sound agricultural soil and water conservation management practices.

21. Outdoor storage for industrial uses shall be located at the rear of a principally permitted structure and shall be completely fenced.

22. Mobile home park combining district, MHP. The standards and procedures of the city mobile home park code shall apply. General
requirements and standards for mobile home park design, KCC 12.04.055; mobile home parks, Ch. 12.05 KCC.

23. Except for lots used for agricultural practices, the maximum impervious surface area allowed shall be ten thousand (10,000) square feet.

24. Minimum lot width, building setbacks, and minimum lot size regulations may be modified consistent with provisions for zero lot line and clustering housing development.

25. The requirements of KCC 15.08.215 shall apply in any multifamily transition area, which includes any portion of a multifamily district within one hundred-(100) feet of a single-family district or within one hundred (100) feet of a public street right-of-way.

26. The requirements of KCC 15.09.045 for multifamily design review shall apply to any multifamily dwelling of three-(3) or more units.

27. Minimum lot area is eight thousand five hundred (8,500) square feet for the first two-(2) dwelling units, and three thousand five hundred (3,500) square feet for each additional dwelling unit.

28. The following zoning is required to be in existence on the entire property to be rezoned at the time of application of a rezone to an MR-T zone: SR-8, MR-D, MR-G, MR-M, MR-H, Θ, Θ-MU, NCC, CC, GC, DC, or DCE.

29. All multifamily townhouse developments in the MR-T zone shall be townhouses with ownership interest only.

30. As an option to the five-(5) foot side yard requirement for single-
family development in all multifamily zoning districts as set forth in KCC 15.04.170, a side yard width of no less than three-(3) feet may be utilized under the following conditions:

a. Fire hydrants for the development, as required by the fire code set forth in KCC Title 13, will be placed a maximum of three hundred (300) feet in separation;

b. The required fire hydrants shall have a minimum fire flow of one thousand five hundred (1,500) gallons per minute; and

c. Emergency vehicle access roads shall be provided to the development, which includes an improved road accessible within one hundred fifty–(150) feet of all portions of the exterior first floor of the structure.

This option is subject to the approval of the Washington State Building Council. Application of this option shall be effective upon receipt by the city of Kent of such approval.

31. Where lands are located wholly or partially within the urban separator, as designated on the City of Kent Comprehensive Land Use Plan Map, dwelling units shall be required to be clustered, subject to the provisions of Ch. 12.04 KCC, entitled “Subdivisions, Binding Site Plans, and Lot Line Adjustments.” The density in a cluster subdivision shall be no greater than the density that would be allowed on the parcel as a whole, including all critical areas (creeks, wetlands, geological hazard areas), and buffers, using the maximum density provisions of the zoning district in which it is located.

The common open space in a cluster subdivision shall be a minimum of fifty–(50) percent of the nonconstrained area of the parcel. The
nonconstrained area of the parcel includes all areas of the parcel, minus critical areas, as defined in RCW 36.70A.030(5) as currently and hereinafter amended, and buffers. The remainder of the nonconstrained area of the parcel shall be the buildable area of the parcel. The common open space tracts created by clustering shall be located and configured in the manner that best connects and increases protective buffers for environmentally sensitive areas, connects and protects area wildlife habitat, creates connectivity between the open space provided by the clustering and other adjacent open spaces as well as existing or planned public parks and trails, and maintains scenic vistas. Critical areas and buffers shall not be used in determining lot size and common open space requirements in a cluster subdivision. All natural features (such as streams and their buffers, significant stands of trees, and rock outcroppings), as well as sensitive areas (such as steep slopes and wetlands and their buffers) shall be preserved, as open space in a cluster subdivision.

Future development of the common open space shall be prohibited. Except as specified on recorded documents creating the common open space, all common open space resulting from lot clustering shall not be altered or disturbed in a manner that degrades adjacent environmentally sensitive areas, rural areas, agricultural areas, or resource lands; impairs scenic vistas and the connectivity between the open space provided by the clustered development and adjacent open spaces; degrades wildlife habitat; and impairs the recreational benefits enjoyed by the residents of the development. Such common open spaces may be retained under ownership by the owner or subdivider, conveyed to residents of the development, conveyed to a homeowners’ association for the benefit of the residents of the development, conveyed to the city with the city’s consent and approval or to another party upon approval of the city of Kent.

The minimum lot size of individual lots within a clustered subdivision is two thousand five hundred (2,500)–square feet, and the minimum lot
width is thirty\-(30) feet. In the event that common open space prohibits development of one\-(1) single-family residence on the parcel, the common open space will be reduced by the amount necessary to meet the minimum two thousand five hundred (2,500) square foot lot size. New lots created by any subdivision action shall be clustered in groups not exceeding eight\-(8) units. There may be more than one\-(1) cluster per project. Separation between cluster groups shall be a minimum of one hundred twenty\-(120) feet. Sight-obscuring fences are not permitted along cluster lot lines adjacent to the open space area.

32. For multifamily townhouse developments that attach three\-(3) units, the minimum building to building separation shall be ten\-(10) feet. For duplex and single-family condominium townhouse developments, the minimum building to building separation shall be established through the International Building Code (IBC) or International Residential Code (IRC), as may be applicable.

33. Where lands are located wholly outside the urban separator, as designated on the City of Kent Comprehensive Land Use Plan Map, dwelling units may be clustered, subject to the applicable provisions of Ch. 12.04 KCC.

34. The downtown design review requirements of KCC 15.09.046 shall apply.

35. Minimum lot area requirements do not apply to multifamily development in the Kent downtown planning area identified in KCC 15.09.046.

36. Cargo containers proposed to be located in a residential zone must be located completely within a stick-built structure with a peaked roof and building materials similar to that of the principal residence on the site. No
containers greater than ten-(10) feet by twenty-(20) feet may be placed in residential districts. This restriction does not apply to containers collecting debris or accepting household goods for moving that are located on residential property for less than seventy-two-(72) hours. Additionally, institutional uses are exempt from these requirements except when a shipping container is proposed to be located adjacent to or within sight of a residential use.

37. For subdivisions and short subdivisions created after March 22, 2007, or altered to comply with zoning and subdivision code amendments effective after March 22, 2007, the minimum lot size shall be three thousand (3,000) square feet. Minimum lot width shall be measured by scaling a thirty-(30) foot diameter circle within the boundaries of the lot; provided, that easement areas may not be included in the required thirty (30) foot diameter circle. The lot frontage along private or public streets shall be a minimum twenty-(20) feet in width. Minimum driveway separation shall be ten-(10) feet. Shared driveways are permitted.

38. Subdivisions and short subdivisions created on or before March 22, 2007, may have minimum five-(5) foot side yards. Fifty-(50) percent of the lots within subdivisions and short subdivisions created after March 22, 2007, or altered to comply with zoning and subdivision code amendments effective after March 22, 2007, may have minimum five-(5) foot side yards when special life safety measures are provided. The sum total of both side yards for the remaining fifty-(50) percent of the lots shall be a minimum sixteen-(16) feet; any individual side yard less than eight-(8) feet may require special life safety measures.

39. The residential design review standards of KCC 15.09.045(C) shall apply to subdivisions and short subdivisions created after March 22, 2007, or altered to comply with zoning and subdivision code amendments effective after March 22, 2007.
Sec. 15.04.190. Commercial and industrial zone development standards.

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<th>Zoning Districts</th>
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<td>Height limitation: in stories not to exceed in feet</td>
<td>3 story</td>
<td>2 story</td>
<td>4 story</td>
<td>6 story</td>
<td>8 story</td>
<td>10 story</td>
<td>12 story</td>
<td>14 story</td>
<td>16 story</td>
<td>18 story</td>
<td>20 story</td>
<td>22 story</td>
<td>24 story</td>
<td>26 story</td>
<td>28 story</td>
<td>30 story</td>
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<tr>
<td>Landscaping</td>
<td>The landscaping requirements of Chapter 15.07 KCC shall apply.</td>
<td>-</td>
<td>-</td>
<td>-</td>
<td>(52)</td>
<td>(55)</td>
<td>(58)</td>
<td>(61)</td>
<td>(64)</td>
<td>(67)</td>
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<td>(73)</td>
<td>(76)</td>
<td>(79)</td>
<td>(82)</td>
<td>(85)</td>
</tr>
<tr>
<td>Signs</td>
<td>The sign regulations of Chapter 15.06 KCC shall apply.</td>
<td>-</td>
<td>-</td>
<td>-</td>
<td>(63)</td>
<td>(64)</td>
<td>(65)</td>
<td>(66)</td>
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<td>(68)</td>
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<td>(70)</td>
<td>(71)</td>
<td>(72)</td>
<td>(73)</td>
<td>(74)</td>
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<tr>
<td>Loading areas</td>
<td>-</td>
<td>-</td>
<td>(47)</td>
<td>(47)</td>
<td>(47)</td>
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<tr>
<td>Off-street</td>
<td>The off-street parking requirements of Chapter 15.05 KCC shall apply.</td>
<td>-</td>
<td>-</td>
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</table>
Sec. 15.04.195. Commercial and industrial land use development standard conditions.

1. Minimum lot of record or five thousand (5,000) square feet, whichever is less.

2. None, except as required by landscaping, or if off-street parking is provided onsite. See the downtown design review criteria outlined in KCC 15.09.046.

3. No minimum setback is required. If a rear and/or side yard abuts a residential district, a twenty (20) foot rear and/or side yard setback may be required for any yard abutting a residential district. See the downtown design review criteria outlined in KCC 15.09.046.

4. For properties abutting on West Valley Highway, the frontage on West Valley Highway shall be considered the front yard. [Reserved]

5. The minimum front yard setback shall be related to the classification of the adjacent street. This classification shall be determined by the city transportation engineer. The setbacks are as follows:

   a. Properties fronting on arterial and collector streets shall have a minimum setback of twenty (20) feet.
b. Properties fronting on local access streets shall have a minimum setback of twenty-(20) feet.

6. The minimum front yard setback shall be related to the classification of the adjacent street. This classification shall be determined by the city transportation engineer. The setbacks are as follows:

a. Properties fronting on arterials and collector streets shall have a minimum setback of forty-(40) feet.

b. Properties fronting on local access streets shall have a minimum setback of thirty-(30) feet.

7. The front yard shall be ten-(10) percent of the lot depth. Regardless of lot size, the yard depth need not be more than thirty-five-(35) feet.

8. No side or rear yard is required, except when abutting a district other than NCC, and then in which case the yard shall be not less than five (5) feet in width; unless provided, however, that if the abutting district or use is residential, and then the yard shall be ten-(10) feet in width and fully landscaped.

9. No side yard is required, except when abutting a more restrictive district, and then in which case the side yard shall be not less than twenty (20) feet in width.

10. No side yard is required, except when abutting a residential district, and then in which case the side yard shall be not less than twenty-(20) feet minimum in width.

11. An aggregate side yard of thirty (30) feet shall be provided. A
minimum of ten (10) feet shall be provided for each side yard. On a corner lot the side yard setback shall be a minimum of twenty (20) feet from the property line. [Reserved]

12. The side yards shall have an aggregate width of ten (10)-percent of the lot width, but the aggregate width need not be more than forty (40) feet. There shall be a minimum of fifteen (15) feet on each side.

13. The side yards shall have an aggregate width of ten (10) percent of the lot width, but the aggregate width need not be more than thirty (30) feet. There shall be a minimum of ten (10) feet on each side.

14. The side yards shall have an aggregate width of ten (10) percent of the lot width, but the aggregate width need not be more than twenty-five (25) feet. There shall be a minimum of ten (10) feet on each side.

15. A side yard of at least five (5) feet in depth shall be provided along the side property lines, except no side yard shall be required between adjacent properties where a common, shared driveway with a perpetual cross access easement is provided to serve the adjoining properties. [Reserved]

16. Where a side yard abuts a residential district, a side yard of at least twenty (20) feet shall be provided. [Reserved]

17. The minimum side yard on the flanking street of a corner lot shall be related to the classification of the adjacent street. This classification shall be determined by the city transportation engineer. The setbacks are as follows:

   a. Properties fronting on arterial and collector streets shall have a minimum setback of forty (40) feet.
b. Properties fronting on local access streets shall have a minimum setback of thirty- (30) feet.

18. The side yard on the flanking street of a corner lot shall be at least ten- (10) percent of the lot width, unless the ten- (10) percent figure would result in a side yard of greater than twenty- (20) feet, in which case the side yard need not be more than twenty- (20) feet.

19. No rear yard is required, except when abutting a residential district, and then in which case the rear yard shall be not less than twenty- (20) feet minimum in width.

20. No rear yard is required, except as may be required by other setback provisions of this section.

21. No rear yard is required, except as may be required by transitional conditions.

22. A rear yard of at least five- (5) feet in depth shall be provided, except when a rear yard abuts a residential district, and then a rear yard of at least twenty- (20) feet in depth shall be provided. [Reserved]

23. Transitional conditions shall exist when an industrial park M1 or M1-C district and AG district adjoins a residential district containing a density of two- (2) dwelling units or more per acre or a proposed residential area indicated on the city comprehensive plan. Such transitional conditions shall not exist where the separation includes intervening use such as a river, freeway, railroad main line, major topographic differential, or other similar conditions, or where the industrial properties face on a limited access surface street on which the housing does not face. When transitional conditions exist as defined in this subsection, a yard of not less
than fifty- (50) feet shall be provided.

24. Transitional conditions shall exist when an M2 district adjoins a residential district containing a density of two- (2) dwelling units or more per acre or a proposed residential area indicated on the city comprehensive plan. Such transitional conditions shall not exist where the separation includes an intervening use such as a river, freeway, railway main line, major topographic differential, or other similar conditions, or where the industrial properties face on a limited access surface street on which the housing does not face. When transitional conditions exist as defined in this subsection, a yard of not less than fifty- (50) feet shall be provided.

25. Transitional conditions shall exist when an M3 district adjoins a residential district containing a density of two- (2) dwelling units or more per acre or a proposed residential area indicated on the city comprehensive plan. Such transitional conditions shall not exist where the separation includes an intervening use such as a river, railroad main line, major topographic differential, or other similar conditions, or where the industrial properties face on a limited access surface street on which the housing does not face. When transitional conditions exist as defined in this subsection, a yard of not less than fifty- (50) feet shall be provided.

26. Structures for feeding, housing, and care of animals shall be set back fifty- (50) feet from any property line.[Reserved]

27. Transitional conditions shall exist when an MA district adjoins a residential district containing a density of two- (2) dwelling units or more per acre or a proposed residential area indicated on the city comprehensive plan. Such transitional conditions shall not exist where the separation includes an intervening use such as a river, railroad main line, major topographic differential, or other similar conditions, or where the
industrial properties face on a limited access surface street on which the housing does not face. When transitional conditions exist as defined in this subsection, a yard of not less than fifty (50) feet shall be provided. [Reserved]

28. Industrial development in the MA district abutting the Green River, or Russell Road or Frager Road where such roads follow the river bank, shall be set back from the ordinary high-water mark of the river a minimum of two hundred (200) feet. Such setbacks are in accordance with the city comprehensive plan and are in accordance with the high quality of site development required for the industrial parks area of the city, which MA areas are designated to become in the city plan, and are in accordance with the state Shoreline Management Act of 1971, and shall be no more restrictive than, but as restrictive as, the Shoreline Management Act. [Reserved]

29. Development in the M1 or M1-C district and AG district abutting the Green River, or Russell Road or Frager Road where such roads follow the river bank, shall be set back from the ordinary high-water mark of the river a minimum of two hundred (200) feet. Such setbacks are in accordance with the state Shoreline Management Act of 1971, and shall be no more or less restrictive than, but as restrictive as, the Shoreline Management Act.

30. 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 land use and planning board.

31. The downtown design review requirements of KCC 15.09.046 shall apply.
32. No maximum height limit is required, except for parcels located within a downtown commercial enterprise – transitional overlay (DCE-T), where the height limit is thirty-five (35) feet. See also the downtown design review criteria outlined in KCC 15.09.046.

33. Beyond this height, to a height not greater than either four (4) stories or sixty (60) feet, there shall be added one (1) additional foot of yard for each additional foot of building height. [Reserved]

34. The planning director shall be authorized to approve a height greater than four (4) stories or sixty (60) feet, provided such height does not detract from the continuity of the area. When a request is made to exceed the building height limit, the planning director may impose such conditions, within a reasonable amount of time, as may be necessary to reduce any incompatibilities with surrounding uses. [Reserved]

35. Beyond this height, to a height not greater than either four (4) stories or sixty (60) feet, there shall be added one (1) additional foot of yard for each one (1) foot of additional building height. The planning director shall be authorized to approve one (1) additional story, provided such height does not detract from the continuity of the industrial area, and may impose such conditions as may be necessary to reduce any incompatibility with surrounding uses. Any additional height increase may be granted by the land use and planning board.

36. Design review for mixed use development is required as provided in KCC 15.09.045(F).

37. The height limitation is two (2) stories or thirty-five (35) feet. Beyond this height, to a height not greater than either four (4) stories or sixty (60) feet, there shall be added one (1) additional foot of yard for each two (2) feet of additional building height. The planning director shall
be authorized to approve one additional story, provided such height does not detract from the continuity of the industrial area, and may impose such conditions as may be necessary to reduce any incompatibility with surrounding uses. Any additional height increases may be granted by the land use and planning board.

38. The height limitation is three (3) stories or forty (40) feet. An additional story or building height may be added, up to a maximum of five (5) stories or sixty (60) feet, with one (1) additional foot of building setback for every additional foot of building height over forty (40) feet. [Reserved]

39. Outdoor storage areas are prohibited.

40. 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.

41. Any unfenced outdoor storage areas shall be paved with asphaltic concrete, cement, or equivalent material to be approved by the city engineer.

42. Outdoor storage (for industrial uses) shall be at the rear of a principally permitted structure and shall be completely fenced. [Reserved]

43. Outside storage or operations yards in the M1 or M1-C district and AG district shall be permitted only as accessory uses. Such uses are incidental and subordinate to the principal use of the property or structure. Outside storage or operations yards shall be confined to the area to the rear of the principal building or the rear two-thirds (2/3) of the property and reasonably screened from view from any property line by appropriate walls, fencing, earth mounds, or landscaping. Outside storage
exceeding a height of fifteen-(15) feet shall be so placed on the property as to not detract from the reasonably accepted appearance of the district.

44. Outside storage or operations yards shall be confined to the area to the rear of a line which is an extension of the front wall of the principal building, and shall be reasonably screened from view from any street by appropriate walls, fencing, earth mounds, or landscaping.

45. Outside storage or operations areas shall be fenced for security and public safety at the property line.

46. Wherever feasible, drive-up/drive-through facilities shall be accessed from the rear of a site and run along an interior lot line or building elevation. Landscaping, sufficient to soften the visual impact of vehicle stacking areas, may be required.

47. Loading areas must be located in such a manner that no loading, unloading, or maneuvering of trucks associated therewith takes place on public rights-of-way.

48. Earth berms and landscaping shall be provided along street frontages as necessary to screen dock-high loading areas from public rights-of-way. Berms shall be a minimum of thirty-six-(36) inches and a maximum of forty-two-(42) inches in height. Landscaping located on the berm shall conform to type III landscaping as described in KCC 15.07.050.

49. Earth berms and landscaping shall be provided along street frontages as necessary to screen dock-high loading areas from public rights-of-way. Berms shall be a minimum of thirty-(30) inches in height. Landscaping located on the berm shall conform to type III landscaping described in KCC 15.07.050 pertaining to visual buffers.
50. Development plan approval is required as provided in KCC 15.09.010.

51. Earth berms and landscaping shall be provided along street frontages as necessary to screen dock-high loading areas from public rights-of-way. Berms shall be a minimum of twenty-(20) inches in height. Landscaping located on the berm shall conform to type III landscaping described in KCC 15.07.050 pertaining to visual buffers.

52. Where building walls face adjacent streets and are unfenestrated for more than forty—(40) feet at any point along the facade, additional landscaping shall be required to reduce visual impacts. In such circumstances, type II landscaping, as defined in KCC 15.07.050, shall be required; provided, that evergreen trees shall be at least ten—(10) feet in height and deciduous trees shall be a minimum of two—(2) inch caliper at the time of planting.

53. Predominant activities and operations shall be completely enclosed within buildings or structures, except for customary appurtenances such as loading and unloading areas, or where special conditions exist as a result of are imposed pursuant to the approval of a conditional use public hearing permit. The planning director shall be authorized to determine the reasonable application of this provision in cases of operational hardship or other showing of uncommon circumstances.

54. Multitenant buildings shall be permitted.

55. All required yards, parking areas, storage areas, operations yards, and other open uses on the site shall be maintained in a neat and orderly manner appropriate for the district at all times. The planning director shall be authorized to reasonably pursue the enforcement of this subsection where a use is in violation, and to notify the owner or operator of the use...
in writing of such noncompliance. The property owner or operator of the use shall be given a reasonable length of time to correct the condition.

56. The performance standards as provided in KCC 15.08.050 shall apply.

57. Off-street parking may be located in required yards except in areas required to be landscaped.

58. Those areas not required to be landscaped may be used for off-street parking.

59. Outdoor storage is allowed only as an accessory use to small-scale, light industrial, or manufacturing operations where the building, structure, or total operation, including all indoor and outdoor storage areas, does not encompass more than ten thousand (10,000) square feet of total area.[Reserved]

60. Signage on commercial uses in the M1-C zone shall be as specified in KCC 15.06.050(B). Signage on industrial uses in the M1-C zone shall be as specified in KCC 15.06.050(E)(H).

61. Any eating establishment with a drive-through/drive-in facility shall be located a minimum of one thousand (1,000) feet from any other restaurant with a drive-through/drive-in facility.[Reserved]

62. Parking should be located either next to or behind the building. Parking should not be placed between the street and the building.

63. A direct pedestrian connection shall be provided from the street to the building.
64. Screening by either an enclosure and/or evergreen landscaping shall be provided for mechanical equipment, service doors, and garbage areas. Rooftop equipment shall be enclosed with a parapet or similar design feature.

65. Structures shall be designed to maintain the residential character of the surrounding neighborhood. Modulating the building mass, adding dormer windows, covered entryways, or porches are ways to enhance the human scale and provide a residential dimension to structures.

66. Minimum lot area requirements do not apply to multifamily development in the Kent downtown planning area identified in KCC 15.09.046.

67. Within the downtown commercial enterprise - transitional overlay (DCE-T), downtown design review guidelines regarding balconies and/or upper floor setbacks (sections III.B and III.C) are required elements, not optional elements.

68. No yard, except as required by landscaping, or if surface parking is provided onsite. See the Midway Design Guidelines and KCC 15.09.045.

69. The height limitation of new construction in MRT-1 zoning district abutting a residential district shall be thirty-five-(35) feet in height within twenty-(20) feet from the residential district and forty-five-(45) feet in height within forty-(40) feet from the residential district.

70. New construction shall conform to applicable Federal Aviation Administration regulations, including 14 C.F.R. Part 77, Federal Aviation Regulations, Objects Affecting Navigable Airspace, as presently constituted or as may be subsequently amended.
71. The transit-oriented community design review requirements of KCC 15.09.045 shall apply.

72. Design review for multifamily development is required as provided in KCC 15.09.045(D).

**Sec. 15.04.200. Mixed use overlay development standards.**

<table>
<thead>
<tr>
<th>Overlay Districts</th>
<th>O-MU</th>
<th>CC-MU</th>
</tr>
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<tbody>
<tr>
<td>Floor area ratio</td>
<td>Not applicable</td>
<td>.40 for commercial uses. .50 for commercial uses combined with residential uses; provided, that commercial floor area may be increased by one (1) square foot for each square foot of residential floor area provided up to a maximum commercial FAR of .5. 1.0 for residential uses; provided, that residential FAR may be increased by .5 if parking is provided below grade, up to a maximum of 1.5.</td>
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<tr>
<td>Site coverage</td>
<td>Forty (40)-percent for commercial uses. Sixty (60)-percent for commercial uses with residential uses; provided, that five (5)-percent of the gross floor area is commercial use, except within the downtown area (as defined in KCC 15.09.046), where twenty-five (25)-percent of the gross floor area must be commercial use.</td>
<td>Forty (40)-percent for commercial uses. Sixty (60)-percent for commercial uses with residential uses; provided, that twenty-five (25)-percent of the gross floor area is residential use.</td>
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Sec. 15.04.205. Mixed use land use development standard conditions.

1. The following height modifications shall apply:

   a. Five-(5) foot increases for developments containing residential uses; provided, that twenty-five-(25) percent of gross floor area is in residential use.
b. Five-(5) foot increases for parking under the building.

c. Five-(5) foot increases for using a pitched roof form.

d. Five-(5) foot increase for stepping back from the top floor (minimum of five-(5) feet).

2. The first three hundred-(300) square feet of retail or office space that is a part of an individual residential unit is exempt.

3. The following parking requirements shall apply:

   a. Studio: .75 per dwelling unit (du) without commercial uses; .50/du with commercial uses; provided, that twenty-five-(25) percent of overall gross floor area is in commercial uses.

   b. One-bedroom: 1.5/du without commercial uses; 1.0/du with commercial uses; provided, that twenty-five-(25) percent of overall gross floor area is in commercial uses.

   c. Two-bedroom: 2.0/du without commercial uses; 1.25/du with commercial uses; provided, that twenty-five-(25) percent of overall gross floor area is in commercial uses.

   SECTION 5. - Amendment. Section 15.06.050 of the Kent City Code is hereby amended as follows:

Sec. 15.06.050. Regulations for specific districts. In all districts the planning director shall have the option to waive sign type requirements in unique and special cases where, due to building design or other special circumstance, the development is unable to conform to stated standards.
A. Signs permitted in residential districts.

1. Identification signs for single-family dwellings and duplexes. One identification sign shall be permitted for each occupancy. The sign shall not exceed an area of three square feet, shall not exceed a height of six feet above the surface of the street, shall be attached directly to a building, fence, standard, or mailbox, and shall be unlighted or provided with indirect illumination. Home occupations shall not be allowed additional sign area.

2. Identification signs for multifamily dwellings. One identification sign shall be permitted for each development, except that multiple-family dwellings with more than one street frontage may be allowed an additional sign for each street frontage of such lot. Each sign shall not exceed an area of twenty-five square feet, may be a wall or freestanding sign, shall be unlighted or indirectly lighted, and shall not exceed a height of six feet above the ground if freestanding.

3. Farm product identification signs. No permit is required, but such signs may not be located in the public right-of-way.

B. Signs permitted in community commercial, general commercial, and commercial manufacturing districts. The aggregate sign area for any lot shall not exceed one and one-half square feet for each foot of street frontage. Aggregate sign area for corner lots shall not exceed one square foot for each foot of street frontage. The permitted signs enumerated in this subsection shall be subject to the total aggregate sign area.

1. Identification signs for occupancies. Each business establishment may have one freestanding sign for each street frontage.
if not located in a shopping center, and three (3) additional signs.

a.  **Freestanding sign.** The freestanding sign shall not exceed a height of thirty-(30) feet. The maximum sign area permitted is two hundred-(200) square feet for the total of all faces. No one-(1) face shall exceed one hundred-(100) square feet. The sign may be illuminated.

b.  **Additional signs.** Three-(3) additional signs shall be permitted subject to the following restrictions:

   i.  The total area of all signs, graphics, or other advertising shall not be more than ten-(10) percent of the building facade to which they are attached or on which they are displayed.

   ii. On properties where a pole sign cannot be erected due to setback requirements or building placement, a projecting sign may be allowed in lieu of the permitted freestanding sign. The projecting sign may not exceed fifteen-(15) square feet in outside dimension.

2.  **Identification signs for shopping centers.** One-(1) freestanding identification sign, which may list the names of the occupants of the shopping center, shall be permitted for each street frontage of each shopping center. The maximum sign area permitted for a freestanding sign is two hundred-(200) square feet for the total of all faces. No one-(1) face shall exceed one hundred-(100) square feet. A freestanding sign shall not exceed a height of thirty-(30) feet, and may be illuminated.

3.  **Automobile service station signs.** The aggregate sign area for any corner lot shall not exceed one-(1) square foot for each foot of lot frontage, and the aggregate sign area for any interior lot shall not exceed one and one-half-(1 1/2) square feet for each foot of lot frontage; and the
permitted signs enumerated in this subsection shall be subject to the total aggregate sign area.

a. **Freestanding signs.** One—(1) freestanding lighted double-faced identification sign, not exceeding two hundred—(200) square feet for the total of all faces, with no such face exceeding one hundred—(100) square feet, is permitted. Such sign shall not exceed a height of thirty—(30) feet. If on a corner lot, two—(2) monument signs not exceeding one hundred—(100) square feet per sign for the total of all faces are permitted. Such monument signs shall not exceed a height of fifteen—(15) feet. Freestanding signs shall be lighted during business hours only.

b. **Additional signs.** Three—(3) additional signs shall be permitted subject to the following restrictions: the total area of all signs, graphics, or other advertising shall not be more than ten—(10) percent of the building facade to which they are attached or on which they are displayed.

c. **Fuel price signs.** Fuel price signs shall be included in the aggregate sign area.

4. **Farm product identification signs.** No permit is required, but such signs may not be located in the public right-of-way.

C. **Signs permitted in downtown commercial and downtown commercial enterprise districts.** The aggregate sign area for any lot shall not exceed one and one-half—(1 1/2) square feet for each foot of street frontage. The aggregate sign area for corner lots shall not exceed one—(1) square foot for each foot of street frontage. The permitted signs enumerated in this subsection shall be subject to the total aggregate sign area.
1. **Identification signs for multitenant buildings.**

   a. **Wall sign.** Each multitenant building may have one (1) identification wall sign for the building's identification for each street frontage. The sign shall not exceed a total of five (5) percent of the facade to which it is attached. The sign shall not name or advertise the individual tenants of the building. Aggregate sign area shall apply. A multitenant building will have the option of the sign described in this subsection (C)(1)(a) or the identification sign described in subsection (C)(1)(b) of this section.

   b. **Freestanding sign.** Each building may have one (1) freestanding sign on each street frontage. The sign may not exceed fifteen (15) feet in height. The maximum sign area permitted for the freestanding sign is one hundred (100) square feet for the total of all faces. No one (1) face shall exceed fifty (50) square feet. Multitenant freestanding signs shall not name or advertise the individual tenants of the building.

2. **Identification signs for occupancies.** Each occupant of a multitenant building shall be permitted two (2) wall signs. Such signs shall not exceed ten (10) percent of the facade of the individual business unit. Aggregate sign area shall not apply.

3. **Identification signs for single-tenant buildings.**

   a. Each building may have one (1) freestanding sign for each street frontage. The sign may not exceed a height of fifteen (15) feet. The maximum sign area permitted for the freestanding sign is one hundred (100) square feet for the total of all faces. No one (1) face shall exceed fifty (50) square feet.
b. Three-(3) additional signs shall be permitted. All signs are subject to the aggregate sign area allowed. The total area of all signs, graphics, or other types of signs shall not exceed ten-(10) percent of the facade to which they are attached or on which they are displayed.

D. Signs permitted in midway transit community-1 district. The aggregate sign area for any lot shall not exceed one-(1) square foot for each linear foot of street frontage. Aggregate sign area for corner lots shall not exceed three-fourths-(3/4) of a square foot for each linear foot of street frontage. The permitted signs enumerated in this subsection shall be subject to the total aggregate sign area and may be permitted subject to Midway Design Guidelines.

1. Identification signs for occupancies. Each single business property may have one-(1) freestanding monument sign per street frontage or one-(1) projecting sign per street frontage if located along or at the intersections of SR 99, SR 516, South 240th Street, South 246th Street, or South 272nd Street, if not located in a multitenant building, and one-(1) wall sign and one-(1) suspended sign per street frontage.

a. Freestanding monument signs. Freestanding monument signs shall not exceed a height of fifteen-(15) feet. The maximum sign area permitted is eighty-(80) square feet for the total of all faces. No one (1) face shall exceed forty-(40) square feet. The sign may be internally illuminated; provided, that it shall be constructed using individual letters/characters, or sign cabinets with an opaque field or background so that only the individual letters/characters are illuminated. Freestanding monument signs shall not rotate, blink, flash, or be animated. Freestanding monument signs shall include landscaping and curbing around the base of the sign to prevent vehicles hitting the structure and improve the visual appearance of the sign structure. Landscaping shall be in proportion to the structure, with a minimum of one-half-(1/2) square
foot of landscaping for each square foot of sign area, and shall be maintained throughout the life of the sign.

b.  *Projecting or suspended signs.* Projecting or suspended signs shall not protrude less than eight (8) feet above the surface of the sidewalk. The following are recognized projecting signs:

i.  *Blade signs.* Blade signs shall be double-faced, may be non-illuminated, internal or internal indirect illuminated, or neon tube illuminated. Internal illumination shall be constructed using individual letters/characters, or sign cabinets with an opaque field or background so that only the individual letters/characters are illuminated. The maximum sign area permitted is eighty (80) square feet. No one- (1-) face shall exceed forty (40) square feet. The maximum sign height permitted is twenty (20) feet. Blade signs shall not rotate, blink, flash, or be animated.

ii. *Hanging signs.* Hanging signs shall be double-faced and shall be non-illuminated.

c.  *Wall signs.* Wall signs shall not exceed an area of ten (10) percent of the building first floor facade to which they are attached, or twenty-four (24) square feet, whichever is greater. Wall signs shall be attached flat against the building, and placement shall not exceed thirty-five (35) feet above median sidewalk grade measured from the top of the sign. Wall signs may be non-illuminated, internally or indirectly illuminated. Internal illumination shall be constructed using individual letters/characters, or sign cabinets with an opaque field or background so that only the individual letters/characters are illuminated.

2.  *Identification signs for multitenant buildings.* Each multitenant property may have one (1) freestanding monument sign per street frontage or one (1) projecting sign per street frontage if located along or at the intersections of SR 99 and SR 516, South 240th Street, South 246th
Street, or South 272nd Street and each occupancy may have one-(1) wall sign and one-(1) suspended sign per occupancy, except the anchor tenants with a business frontage of at least one hundred-(100) linear feet shall be allowed two-(2) wall signs. The aggregate wall sign area shall not exceed ten-(10) percent of the first floor building facade to which the signs are attached.

a. Freestanding monument signs. Each multitenant property may have one-(1) freestanding monument sign on each street frontage. The sign may not exceed a height of fifteen-(15) feet. The maximum sign area permitted is eighty-(80) square feet for the total of all faces. No one-(1) face shall exceed forty-(40) square feet. The sign may be internally illuminated; provided, that it shall be constructed using individual letters/characters, or sign cabinets with an opaque field or background so that only the individual letters/characters are illuminated. Freestanding monument signs shall not rotate, blink, flash, or be animated. Freestanding monument signs shall include landscaping and curbing around the base of the sign to prevent vehicles hitting the structure and improve the visual appearance of the sign structure. Landscaping shall be in proportion to the structure, with a minimum of one-half-(1/2) square foot of landscaping for each square foot of sign area, and shall be maintained throughout the life of the sign.

b. Wall signs. Each multitenant building may have one-(1) identification wall sign for the building’s identification for each street frontage. The sign shall not exceed a total of five-(5) percent of the first floor facade to which it is attached. The sign shall not name or advertise the individual tenants of the building. The sign may be internally illuminated; provided, that it shall be constructed using individual letters/characters, or sign cabinets with an opaque field or background so that only the individual letters/characters are illuminated. Aggregate sign area shall apply. A multitenant building shall have the option of the sign
described in this subsection (D)(2)(b) or the identification sign described in subsection (D)(2)(c) of this section.

c. Identification signs for occupancies. Each occupant of a multitenant building with street frontage shall be permitted two-(2) wall signs and one-(1) projecting or suspended sign. Each occupancy shall be allowed at least twenty-four-(24) square feet of sign area. The aggregate wall sign area shall not exceed ten-(10) percent of the first floor facade to which the signs are attached. The wall sign may be internally illuminated. Internal illumination shall be constructed using individual letters/characters, or sign cabinets with an opaque field or background so that only the individual letters/characters are illuminated. The projecting or suspended sign shall be non-illuminated.

E. Signs permitted in midway transit community-2 district. The aggregate sign area for any lot shall not exceed one-(1) square foot for each linear foot of street frontage. Aggregate sign area for corner lots shall not exceed three-fourths-(3/4) of a square foot for each linear foot of street frontage. The permitted signs enumerated in this subsection shall be subject to the total aggregate sign area and may be permitted subject to Midway Design Guidelines.

1. Identification signs for occupancies. Each single business property may have one-(1) freestanding monument sign per street frontage or one-(1) projecting sign per street frontage, if not located in a multitenant building, and two-(2) wall signs and one-(1) suspended sign per street frontage.

   a. Freestanding monument signs. Freestanding monument signs shall not exceed a height of five-(5) feet. The maximum sign area permitted is thirty-(30) square feet for the total of all faces. No one-(1) face shall exceed fifteen-(15) square feet. The sign may be illuminated
indirectly. Freestanding monument signs shall include landscaping and curbing around the base of the sign to prevent vehicles hitting the structure and improve the visual appearance of the sign structure. Landscaping shall be in proportion to the structure, with a minimum of one-half (1/2) square foot of landscaping for each square foot of sign area, and shall be maintained throughout the life of the sign.

b. Projecting or suspended signs. Projecting or suspended signs shall not protrude less than eight-(8) feet above the surface of the sidewalk. The following are recognized projecting signs:

i. Blade signs. Blade signs shall be double-faced, may be non-illuminated, indirect illuminated, or neon tube illuminated. The maximum sign area permitted is thirty-(30) square feet. No one-(1) face shall exceed fifteen-(15) square feet. The maximum sign height permitted is fifteen-(15) feet. Blade signs shall not rotate, blink, flash, or be animated.

ii. Hanging signs. Hanging signs shall be double-faced and shall be non-illuminated.

c. Wall signs. Wall signs shall not exceed an area of five (5) percent of the building first floor facade to which they are attached, or twenty-four-(24) square feet, whichever is greater. Wall signs shall be attached flat against the building, and placement shall not exceed fifteen (15) feet above median sidewalk grade measured from the top of the sign. If a single business building is greater than sixty-five-(65) feet in height, one-(1) building identification wall sign for each street frontage may be placed on the parapet. Wall signs may be non-illuminated, internally or indirectly illuminated, or neon tube illuminated. Internal illumination shall be constructed using individual letters/characters, or sign cabinets with an opaque field or background so that only the individual letters/characters
are illuminated. Wall signs shall not blink, flash, or be animated.

2. Identification signs for multitenant buildings. Each multitenant property may have one-(1) freestanding monument sign or one-(1) projecting sign and each occupancy with street frontage may have two-(2) wall signs and one-(1) suspended sign. The aggregate wall sign area shall not exceed five-(5) percent of the first floor building facade to which the signs are attached.

a. Freestanding monument signs. Each multitenant property may have one-(1) freestanding monument sign on each street frontage. The sign may not exceed a height of five-(5) feet. The maximum sign area permitted is thirty-(30) square feet for the total of all faces. No one-(1) face shall exceed fifteen-(15) square feet. The sign may be illuminated indirectly. Freestanding monument signs shall include landscaping and curbing around the base of the sign to prevent vehicles hitting the structure and improve the visual appearance of the sign structure. Landscaping shall be in proportion to the structure, with a minimum of one-half-(1/2) square foot of landscaping for each square foot of sign area, and shall be maintained throughout the life of the sign.

b. Projecting or suspended signs. Projecting or suspended signs shall not protrude less than eight-(8) feet above the surface of the sidewalk. The following are recognized projecting signs:

i. Blade signs. Blade signs shall be double-faced, may be non-illuminated, internal indirect illuminated, or neon tube illuminated. The maximum sign area permitted is thirty-(30) square feet. No one-(1) face shall exceed fifteen-(15) square feet. The maximum sign height permitted is fifteen-(15) feet. Blade signs shall not rotate, blink, flash, or be animated.
ii. *Hanging signs.* Hanging signs shall be double-faced and shall be non-illuminated.

c. *Wall signs.* Each multitenant building may have one (1) identification wall sign for the building's identification for each street frontage. The sign shall not exceed a total of five (5) percent of the first floor facade to which it is attached, or twenty-four (24) square feet, whichever is greater. Wall signs shall be attached flat against the building, and placement shall not exceed fifteen (15) feet above median sidewalk grade measured from the top of the sign. If the multitenant building is greater than sixty-five (65) feet in height, one (1) building identification wall sign for each street frontage may be placed on the parapet. The sign shall not name or advertise the individual tenants of the building. Wall signs may be non-illuminated, internally or indirectly illuminated, or neon tube illuminated. Internal illumination shall be constructed using individual letters/characters, or sign cabinets with an opaque field or background so that only the individual letters/characters are illuminated. Wall signs shall not blink, flash, or be animated. Aggregate sign area shall apply. A multitenant building shall have the option of the sign described in this subsection (E)(2)(c) or the identification sign described in subsection (E)(2)(d) of this section.

d. *Identification signs for occupancies.* Each occupant of a multitenant building with street frontage shall be permitted two (2) wall signs and one (1) projecting or suspended sign. Each occupancy with street frontage shall be allowed at least twenty-four (24) square feet of sign area. The aggregate wall sign area shall not exceed five (5) percent of the first floor facade to which the signs are attached. The wall sign may be internally illuminated. Internal illumination shall be constructed using individual letters/characters, or sign cabinets with an opaque field or background so that only the individual letters/characters are illuminated. The projecting or suspended sign shall be non-illuminated. Wall signs shall
not blink, flash, or be animated.

F. **Signs permitted in midway commercial/residential district.** The aggregate sign area for any lot shall not exceed one-(1) square foot for each linear foot of street frontage. Aggregate sign area for corner lots shall not exceed three-fourths-(3/4) of a square foot for each linear foot of street frontage. The permitted signs enumerated in this subsection shall be subject to the total aggregate sign area and may be permitted subject to Midway Design Guidelines.

1. **Identification signs for occupancies.** Each single business property may have one-(1) freestanding monument sign per street frontage or one-(1) projecting sign per street frontage, if not located in a multitenant building, and two-(2) wall signs and one-(1) suspended sign per street frontage.

   a. **Freestanding monument signs.** Freestanding monument signs shall not exceed a height of fifteen-(15) feet. The maximum sign area permitted is eighty-(80) square feet for the total of all faces. No one (1) face shall exceed forty-(40) square feet. The sign may be internally illuminated; provided, that it shall be constructed using individual letters/characters, or sign cabinets with an opaque field or background so that only the individual letters/characters are illuminated. Freestanding monument signs shall not rotate, blink, flash, or be animated. Freestanding monument signs shall include landscaping and curbing around the base of the sign to prevent vehicles hitting the structure and improve the visual appearance of the sign structure. Landscaping shall be in proportion to the structure, with a minimum of one-half-(1/2) square foot of landscaping for each square foot of sign area, and shall be maintained throughout the life of the sign.

   b. **Projecting or suspended signs.** Projecting or suspended
signs shall not protrude less than eight-(8) feet above the surface of the sidewalk. The following are recognized projecting signs:

i. **Blade signs.** Blade signs shall be double-faced, may be non-illuminated, internal or internal indirect illuminated, or neon tube illuminated. Internal illumination shall be constructed using individual letters/characters, or sign cabinets with an opaque field or background so that only the individual letters/characters are illuminated. The maximum sign area permitted is eighty-(80) square feet. No one-(1) face shall exceed forty-(40) square feet. The maximum sign height permitted is twenty-(20) feet. Blade signs shall not rotate, blink, flash, or be animated.

ii. **Hanging signs.** Hanging signs shall be double-faced and shall be non-illuminated.

c. **Wall signs.** Wall signs shall not exceed an area of ten-(10) percent of the building first floor facade to which they are attached, or twenty-four-(24) square feet, whichever is greater. Wall signs shall be attached flat against the building, and placement shall not exceed thirty-five-(35) feet above median sidewalk grade measured from the top of the sign. Wall signs may be non-illuminated, internally or indirectly illuminated. Internal illumination shall be constructed using individual letters/characters, or sign cabinets with an opaque field or background so that only the individual letters/characters are illuminated.

2. **Identification signs for multitenant buildings.** Each multitenant property may have one-(1) freestanding monument sign or one-(1) projecting sign and each occupancy with street frontage may have two-(2) wall signs and one-(1) suspended sign per street frontage, except the anchor tenants with a business frontage of at least one hundred-(100) linear feet shall be allowed three-(3) wall signs. The aggregate wall sign area shall not exceed ten-(10) percent of the first floor building facade to
which the signs are attached.

a. Freestanding monument signs. Each multitenant property may have one (1) freestanding monument sign on each street frontage. The sign may not exceed a height of fifteen (15) feet. The maximum sign area permitted is eighty-nine (89) square feet for the total of all faces. No one (1) face shall exceed forty (40) square feet. The sign may be internally illuminated; provided, that it shall be constructed using individual letters/characters, or sign cabinets with an opaque field or background so that only the individual letters/characters are illuminated. Freestanding monument signs shall not rotate, blink, flash, or be animated. Freestanding monument signs shall include landscaping and curbing around the base of the sign to prevent vehicles hitting the structure and improve the visual appearance of the sign structure. Landscaping shall be in proportion to the structure, with a minimum of one-half (1/2) square foot of landscaping for each square foot of sign area, and shall be maintained throughout the life of the sign.

b. Wall signs. Each multitenant building may have one (1) identification wall sign for the building’s identification for each street frontage. The sign shall not exceed a total of five (5) percent of the first floor facade to which it is attached. The sign shall not name or advertise the individual tenants of the building. The sign may be internally illuminated; provided, that it shall be constructed using individual letters/characters, or sign cabinets with an opaque field or background so that only the individual letters/characters are illuminated. Aggregate sign area shall apply. A multitenant building will have the option of the sign described in this subsection (F)(2)(b) or the identification sign described in subsection (F)(2)(c) of this section.

c. Identification signs for occupancies. Each occupant of a multitenant building with street frontage shall be permitted two (2) wall
signs and one-(1) projecting or suspended sign. Each occupancy shall be allowed at least twenty-four-(24) square feet of sign area. The aggregate wall sign area shall not exceed ten-(10) percent of the first floor facade to which the signs are attached. The wall sign may be internally illuminated. Internal illumination shall be constructed using individual letters/characters, or sign cabinets with an opaque field or background so that only the individual letters/characters are illuminated. The projecting or suspended sign shall be non-illuminated.

G. Signs permitted in office-and-neighborhood convenience commercial districts.

1. Generally. One-(1) freestanding double-faced identification sign shall be permitted for each lot. The sign shall not exceed a maximum area of fifty-(50) square feet for the total of all faces. No one-(1) face shall exceed twenty-five-(25) square feet. A freestanding sign shall not exceed a height of fifteen-(15) feet and shall be unlighted or provided with indirect illumination.

2. Identification signs for buildings. One-(1) identification sign shall be permitted for each principal building. The sign shall not exceed an area of five-(5) percent of the facade to which it is attached, shall be attached flat against the building, shall not project above the eave of the roof or the top of the parapet, and shall be unlighted or provided with indirect illumination. Such signs shall not advertise or name individual tenants of the building.

3. Identification signs for occupancies. Signs not exceeding a total of five-(5) percent of the facade of the business unit to which they are attached shall be permitted for each occupancy in a multitenant building when the occupancy has outside frontage.
H. Signs permitted in industrial districts.

1. Aggregate sign area. The aggregate sign area for lots in the MA, M1, and AG districts shall not exceed one-half \((1/2)\) square foot for each foot of street frontage. The aggregate sign area for lots in the M2 district shall not exceed three-fourths \((3/4)\) of a square foot for each foot of street frontage. The aggregate sign area for lots in the M3 district shall not exceed one \((1)\) square foot for each foot of street frontage. In no case shall the aggregate sign area exceed one-half \((1/2)\) square foot for each foot of street frontage on a corner lot. The permitted signs enumerated in this subsection shall be subject to the total aggregate sign area.

   a. Identification signs for buildings. One \((1)\) identification sign shall be permitted for each lot on each street frontage, which may be a freestanding sign or a wall sign. The maximum sign area permitted for a freestanding sign is two hundred \((200)\) square feet for the total of all faces. No one \((1)\) face shall exceed one hundred \((100)\) square feet. If the sign is a wall sign, its size shall not exceed twenty \((20)\) percent of the building facade. A freestanding sign shall not exceed a height of twenty \((20)\) feet. The sign may be illuminated.

   b. Identification signs for occupancies. One \((1)\) identification sign shall be permitted for each occupancy on each street frontage and shall be a wall sign. The maximum size of the sign shall be ten \((10)\) percent of the building facade. This sign may be illuminated. If the identification sign permitted under subsection (H)(1)(a) of this section is a wall sign, an additional wall sign may be permitted on a building facade not facing a street frontage.

2. Farm product identification signs. No permit is required, but the sign may not be located in the public right-of-way.
I. **Signs permitted in planned unit developments, special use combining districts, and mobile home park districts and for conditional uses.** All signs in planned unit developments, special use combining districts, and mobile home parks and for conditional uses shall be incorporated as part of the developmental plan and approved with the developmental plan. Subsequent changes which conform to the adopted signing program may be granted by the planning director.

J. **Signs permitted in shopping centers.** The aggregate sign area for each occupant of a shopping center shall not exceed twenty-(20) percent of the front facade of the unit. Wall signs are permitted on each exterior wall of the individual business unit. A minimum of thirty-(30) square feet shall be permitted for any occupancy. No combination of signs shall exceed ten-(10) percent of the facade to which they are attached. If there is an attached canopy or overhang, a ten-(10) square foot sign may be attached to the canopy or overhang in addition to the other permitted signs. Such sign shall be at least eight-(8) feet above any pedestrian walkway.

K. **Signs permitted in GWC zoning district.**

   1. **Aggregate sign area.** The aggregate sign area for any lot shall not exceed one (1) square foot for each foot of street frontage. Aggregate sign area for corner lots shall not exceed three-fourths (3/4) square foot for each foot of street frontage. The permitted signs enumerated in this subsection shall be subject to the total aggregate sign area:

      a. **Identification signs for occupancies.** Each business establishment may have one (1) freestanding sign per street frontage, if not located in a shopping center, and one (1) wall sign per street frontage.

      i. **Freestanding signs.** Freestanding signs shall not exceed a height of fifteen (15) feet. The maximum sign area permitted is
one hundred (100) square feet for the total of all faces. No one (1) face shall exceed fifty (50) square feet. The sign may be illuminated. Freestanding signs shall not rotate.

ii. Wall signs. One (1) wall sign per street-frontage shall be permitted. The total area of all signage, graphics, or other advertising shall not exceed ten (10) percent of the building facade to which it is attached.

b. Identification signs for shopping centers. One (1) freestanding or one (1) wall shopping center identification sign shall be permitted for each street-frontage of the shopping center. The maximum sign area permitted for a freestanding sign is one hundred (100) square feet. No one (1) face shall exceed fifty (50) square feet. Freestanding signs shall be limited to fifteen (15) feet in height. The sign may be illuminated. Freestanding signs shall not rotate. One (1) wall sign shall be permitted per occupancy, except that anchor tenants (business establishments with a store-frontage of at least one hundred (100) feet in length) shall be allowed two (2) wall-signs. The aggregate wall-sign area shall not exceed ten (10) percent of the building facade to which the signs are attached.

SECTION 6. Amendment. Section 15.07.060 of the Kent City Code is hereby amended as follows:

15.07.060 Regulations for specific districts.

<table>
<thead>
<tr>
<th>Zones</th>
<th>Minimum Perimeter Landscape Planter Width and Type</th>
<th>Additional Requirements</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>Abutting Street</td>
<td>Side Yard</td>
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<tr>
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</tr>
<tr>
<td>N/A</td>
<td>MR-G MR-T MR-M MR-H</td>
<td>10’ Type III</td>
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<tr>
<td>N/A</td>
<td>10’ Type II or III</td>
<td>10’ Type II or III</td>
</tr>
</tbody>
</table>
| N/A       | N/A, except for parking lots per KCC 15.07.040(B)(2)| Open green area shall occupy no less than twenty-five (25) percent of the total lot area.

Zoning Code Amendment Ordinance
<table>
<thead>
<tr>
<th>Zones</th>
<th>Minimum Perimeter Landscape Planter Width and Type</th>
<th>Additional Requirements</th>
</tr>
</thead>
<tbody>
<tr>
<td>Abutting Street</td>
<td>Side Yard</td>
<td>Rear Yard</td>
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<tr>
<td>MHP</td>
<td>Requirements per Chapter 12.05 KCC</td>
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<td>CC CM GC</td>
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<td>Zones</td>
<td>Minimum Perimeter Landscape Planter Width and Type</td>
<td>Additional Requirements</td>
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<tr>
<td></td>
<td>Abutting Street</td>
<td>Side Yard</td>
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<tr>
<td>DCE</td>
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<td>10' Type II, and for parking lots per KCC 15.07.040(B)(2)</td>
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<td>MTC-2(^2)</td>
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<td>M2</td>
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<td>10' Type II or III</td>
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<tr>
<td>M3</td>
<td>10' Type III in front yard</td>
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<tr>
<td>GWC</td>
<td>5'-or-20'</td>
<td>5'-or-15'</td>
</tr>
</tbody>
</table>
Zones | Minimum Perimeter Landscape Planter Width and Type | Additional Requirements
---|---|---
| | Abutting Street | Side Yard | Rear Yard | Abutting Residential District or Use |
| Type III* | Type II or III** | | | |
| NCC | 10' Type III | 5' or 10' Type II or III** | 5' Type II or III | 10' Type II |

* Additional landscaping requirements. Landscaping requirements shall be determined through the midway design review process outlined in KCC 12.01.040 and shall include the following to soften the appearance of parking areas and building elevations, and to provide separation between uses:

(A) The perimeter of properties abutting a single-family residential or mobile home park land use shall be landscaped with a minimum of ten (10) feet of Type I landscaping.

(B) The perimeter of properties abutting a multifamily residential land use shall be landscaped with a minimum of ten (10) feet of Type I landscaping.

(C) The perimeter of properties abutting a public right-of-way shall be landscaped with a minimum of ten (10) feet of Type III landscaping. The following exceptions apply:

(1) When a vehicular parking area abuts such setback, a Type III landscape strip with an average of twenty (20) feet in depth shall be provided.

(2) When such setback is utilized as a public open space plaza and not accompanying parking, no perimeter landscaping strip shall be required.

(3) When such setback is utilized as a public open space plaza and exceeds thirty (30) linear feet, street trees shall be provided as set forth in the 2009 Design and Construction Standards, or as may be subsequently amended.

(D) The perimeter of side property lines shall be landscaped with a minimum of five (5) feet of Type III landscaping, unless the building is constructed at the build-to line or property line.

** Additional landscaping requirements. Landscaping requirements shall be determined through the midway design review process outlined in KCC 12.01.040 and shall include the following to soften the appearance of parking areas; and building elevations, and to provide separation between uses:

(A) The perimeter of properties abutting public parks, plazas, open space, or multipurpose trails shall be landscaped with a minimum of ten (10) feet of Type III landscaping.

(B) When a vehicular parking area abuts a public right-of-way, a Type III landscaping strip a minimum of five (5) feet in depth shall be provided.

(C) When a vehicular parking area abuts the side property lines, a Type III landscaping strip a minimum of ten (10) feet in depth shall be provided.

** Additional landscape requirements. Landscaping requirements shall be determined through the midway design review process outlined in KCC 12.01.040 and shall include the following to soften the appearance of parking areas and building elevations, and to provide separation between uses:

(A) When buildings abut the required front yard, a Type III landscaping strip minimally ten (10) feet in depth shall be provided.

(B) When vehicular parking area abuts a public right-of-way, a Type III landscaping strip minimally fifteen (15) feet in depth shall be provided.

(C) When vehicular parking area abuts the side property lines, a Type III landscaping strip minimally ten (10) feet in depth shall be provided.

Where buildings abut the required front yard, a landscape strip at least fifteen (15) feet in depth shall be provided. Where vehicular parking areas abut the required front yard, a landscape strip at least twenty (20) feet in depth shall be provided.

No landscaping along the side property lines shall be required between adjacent properties where a common, shared driveway with a perpetual cross-access easement is provided to serve the adjoining properties.

A Type III landscape strip of at least fifteen (15) feet in depth shall be provided.
Zones | Minimum Perimeter Landscape Planter Width and Type | Additional Requirements
---|---|---
Abutting Street | Side Yard | Rear Yard | Abutting Residential District or Use

alongside property lines flanking the street of a corner lot. [Reserved]

A Type III landscape strip of at least ten-ten (10) feet in depth shall be provided alongside all property lines flanking the street of a corner lot of a corner lot that abut public rights-of-way.

**SECTION 7. - Amendment.** Section 15.09.050 of the Kent City Code is hereby amended as follows:

**Sec. 15.09.050. Amendments.** This title may be amended by the city council by changing the boundaries of zoning districts (rezones which change the official zoning map) or by changing any other provisions thereof (text amendments which add, delete or otherwise modify the text of this title) whenever the public necessity and convenience and the general welfare require such amendment, by following the procedures of this section.

A. Initiation. An amendment may be initiated as follows:

1. Amendments to the text of this title and official zoning map amendments may be initiated by resolution of intention by the city council. Text amendments are heard by the land use and planning board and city council; zoning map amendments are heard by the hearing examiner. In the case of area-wide zoning or rezoning, both text amendments and zoning map amendments may be heard by the land use and planning board and city council in accordance with Ch. 12.01 KCC.

2. Amendments to the text of this title may be initiated by resolution of intention by the land use and planning board.

3. Official zoning map amendments (rezones), including the application of the “C” suffix, may be initiated by application of one-1 or more owners, or their agents, of the property affected by the proposed
amendment, which shall be made on a form prescribed by the planning department and filed with the planning department. The application shall be submitted in the manner required for Process IV applications. The hearing examiner shall consider the application in an open record predecision hearing in accordance with Chs. 2.32 and 12.01 KCC.

B. Public hearing. The hearing examiner shall hold an open record predecision hearing on any proposed amendment, and shall give notice thereof in accordance with the requirements of Ch. 12.01 KCC.

C. Standards and criteria for granting a request for rezone. The following standards and criteria shall be used by the hearing examiner and city council to evaluate a request for rezone. Such an amendment shall only be granted if the city council determines that the request is consistent with these standards and criteria and subject to the requirements of Ch. 12.01 KCC.

1. The proposed rezone is consistent with the comprehensive plan.

2. The proposed rezone and subsequent development of the site would be compatible with development in the vicinity.

3. The proposed rezone will not unduly burden the transportation system in the vicinity of the property with significant adverse impacts which cannot be mitigated.

4. Circumstances have changed substantially since the establishment of the current zoning district to warrant the proposed rezone.

5. The proposed rezone will not adversely affect the health,
safety and general welfare of the citizens of the city.

6. Furthermore, for rezones to M1-C:

a. The proposed rezone is in close proximity or contiguous to major arterial intersections identified on the comprehensive plan land use map as being appropriate locations for commercial-type land uses.

b. Except for city-wide mapping proposals, rezoning to M1-C shall not be speculative in nature, but shall be based on generalized development plans and uses.

D. [Reserved] Rezoning to M1-C. The hearing examiner and the city council shall use the standards and criteria provided in subsection (C) of this section to evaluate a request for rezone to M1-C. In addition, the hearing examiner and city council shall evaluate a request for M1-C on the basis of the following standards and criteria. Such an amendment shall only be granted if the city council determines the request is consistent with these standards and criteria and subject to the requirements of Ch. 12.01 KCC.

1. The proposed rezone is in close proximity or contiguous to major arterial intersections identified on the comprehensive plan map as being appropriate locations for commercial-type land uses.

2. Rezoning to M1-C shall not be speculative in nature, but shall be based on generalized development plans and uses.

E. Rezone to mixed use overlay. The hearing examiner and the city council shall use the standards and criteria provided in subsection (C) of this section to evaluate a request for expanding the boundaries of the mixed use overlay boundary which is located in the GC, and CC, and O zoning districts. In addition, the hearing examiner and city council shall evaluate a request for expanding the mixed use overlay on the basis
ofusing the following standards and criteria as well. Such an amendment shall only be granted if the city council determines the request is consistent with these standards and criteria and subject to the requirements of Ch. 12.01 KCC.

1. The proposed rezone is contiguous to an existing mixed use overlay area, or is at least one-(1) acre in size.

2. The proposed area is located within close proximity to existing residential uses and existing commercial uses which would support residential use.

3. The proposed area is located in close proximity to transit stops, parks, and community facilities.

F. Rezoning to MR-T. The hearing examiner and the city council shall use the standards and criteria provided in subsection (C) of this section to evaluate a request for rezone to MR-T. In addition, the hearing examiner and city council shall evaluate a request for MR-T on the basis of using the following standards and criteria as well. Such an amendment shall only be granted if the city council determines the request is consistent with these standards and criteria and subject to the requirements of Ch. 12.01 KCC.

1. The proposed rezone site is adjacent to or has convenient access to an arterial street to ensure that the traffic accessing the MR-T development minimizes the disruption to single-family residential neighborhoods.

G. Recommendation of hearing examiner. Following the public hearing provided for in this section, the hearing examiner shall make a report of findings and recommendations with respect to the proposed amendment and shall forward such to the city council, which shall have the final
authority to act on the amendment.

H. City council action/appeal.

1. The city council shall, at a regular public meeting, consider the recommendation and issue a final decision. The decision of the city council is appealable to the King County superior court within twenty-one (21) calendar days from the issuance of a notice of decision and in accordance with the requirements of Ch. 12.01 KCC and Chapter 36.70(C) RCW.

2. If the application for an amendment is denied by the city council, the application shall not be eligible for resubmittal for one- (1-) year from date of the denial, unless specifically stated to be without prejudice. A new application affecting the same property may be submitted if, in the opinion of the hearing examiner, circumstances affecting the application have changed substantially.

SECTION 8. - 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; ordinance, section, or subsection numbering; or references to other local, state or federal laws, codes, rules, or regulations.

SECTION 9. - Severability. If any one or more section, subsection, or sentence of this ordinance is held to be unconstitutional or invalid, that decision shall not affect the validity of the remaining portion of this ordinance and that remaining portion shall maintain its full force and effect.

SECTION 10. - Effective Date. This ordinance shall take effect and be in force thirty days from and after its passage, as provided by law.
I hereby certify that this is a true copy of Ordinance No. 1166 passed by the City Council of the City of Kent, Washington, and approved by the Mayor of the City of Kent as hereon indicated.