ORDINANCE NO. 4011

AN ORDINANCE of the City Council of the City of Kent, Washington, amending Chapter 12.01 of the Kent City Code, and Title 15 of the Kent City Code to implement the objectives of the Midway Subarea Plan. CPZ-2007-2

RECITALS

A. On December 11, 2007, the City of Kent city council accepted a Competitive Growth Management Act Planning Grant awarded by the State of Washington Department of Community Trade and Economic Development (CTED) (now named Department of Commerce) to conduct a subarea planning effort along the Pacific Highway South transportation corridor in collaboration with the City of Des Moines. The impetus for the collaborative planning effort was the future extension of Sound Transit Link Light Rail service into Midway.

B. The Council Members of the Kent Planning & Economic Development Committee and the Des Moines Financial & Economic Development Committee established the Joint Advisory Committee and met on February 11, 2008 and February 20, 2008 to define the study area boundaries, create a mission statement, and define goals of the project.

C. On May 6, 2008, the city council authorized the Mayor to sign an Interlocal Agreement between the City of Kent and the City of Des

Midway

Moines that articulated the project mission, defined the goals and study area boundary, and contained the Growth Management Act Planning Grant's deliverables, a budget agreement, and a record keeping and reporting process.

D. The Kent Comprehensive Plan goals and policies support a land use pattern that will facilitate a multimodal transportation system and provide efficient public services.

E. The city council's vision statement and strategies support the creation of richly diverse neighborhood urban centers.

F. The Midway Subarea Plan supports the future extension of Sound Transit Link Light Rail service in the vicinity of the Pacific Highway South transportation corridor through dense, high quality, pedestrian-friendly development near transit stations.

G. Development regulations must be consistent with and implement the comprehensive plan as provided by RCW 36.70A.040(3). The development regulations implement the goals and policies of the Midway Subarea Plan.

H. On October 14, 2010, the City provided to the Washington State Department of Commerce via e-mail the required sixty (60) day notification under RCW 36.70A.106 regarding the development regulations.

I. On February 13, 2010, the City's State Environmental Policy Act (SEPA) responsible official issued a Determination of Significance (DS)/Scoping Notice for the City of Kent Comprehensive Plan Review and Midway Subarea Planned Action Environmental Impact Statement, solicited public comment through a February 22, 2010 open house meeting, and invited comments during the scoping period which closed March 8, 2010.

A Draft Environmental Impact Statement (DEIS) was issued on October 22, 2010. A public hearing regarding the DEIS was held on December 6, 2010. A Final Environmental Impact Statement was issued on September 1, 2011.

J. The Midway Subarea Plan and its implementing regulations involved extensive public participation, called Envision Midway, that was designed as an iterative process with each group's input folded into the next group's meeting in an effort to solicit ideas and comments on existing land use policies and future commercial and residential land use options, development standards, and infrastructure needs. The public outreach included the following: Stakeholders Committee meetings on May 21, 2008, June 18, 2008, September 24, 2008, and November 12, 2008; Developers Forum on July 30, 2008 and September 17, 2009; Public open house meetings on May 28, 2008 and March 18, 2009, and Public workshops on July 9, 2008 and October 15, 2008. Furthermore, staff presented the project and received comments at the Kent West Hill Neighborhood meeting on April 9, 2008.

K. City of Kent and City of Des Moines leadership were also involved in the Envision Midway public outreach in the following manner: Kent and Des Moines Joint Advisory Committee meeting on January 12, 2009; Land Use and Planning Board meetings on November 10, 2008 and September 14, 2009; Kent City Council workshops on February 17, 2009, August 18, 2009, August 17, 2010, and September 20, 2011; and Kent City Council Economic and Community Development Committee meeting on July 12, 2010.

L. The Land Use and Planning Board held a workshop on the development regulations on March 8, 2010.

M. The Land Use and Planning Board held its first public hearing on the development regulations on April 26, 2010, and following a public hearing on December 6, 2010 made a recommendation to the city council to approve amendments to Title 12 and Title 15.

N. The Economic and Community Development Committee considered the Land Use and Planning Board's recommendation and other related study area issues at a meeting on November 14, 2011.

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

ORDINANCE

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

SECTION 2. – *Amendment.* Section 12.01.040(A) of the Kent City Code is amended as follows:

Sec. 12.01.040(A). Project permit application framework.

A. *Process types*. The following table lists the process types, the corresponding applications, and parenthetically, the corresponding final decision maker and appellate body.

	Process I	Process II	Process III	Process IV	Process V	Process VI
Applications:	Zoning permit review (1) (7)	Administrative design review (1) (7)	Conditional use permit (5) (10)	Planned unit development (6) (10) with change of use	Final plat (6) (10)	Zoning of newly annexed lands (6) (10)
	Performance standards procedures (1) (7)	Shoreline substantial development permit (1) (9)	Sign variance (5) (10)	Special use combining district (6) (10)		Area-wide rezones to implement new city policies (6) (10)
	Sign permit (1) (7)	Accessory dwelling unit permit (1) (7)	Special home occupation permit (5) (10)	Rezone (6) (10)		Comprehensive plan amendments (6) (10)
	Lot line adjustment (1) (7)	Administrative variance (1) (7)	Variance (5) (10)			Development regulations (6) (10),
	Administrative interpretation (1) (7)	Downtown design review, all except for minor remodels (3) (7)	Shoreline conditional use permit (5) (9)			Zoning map amendments (6) (10)
	Application conditional certification multifamily tax exemption (1) (8), all other multifamily tax exemption (1) (7)	Downtown design review, only minor remodels (1) (7)	Shoreline variance (5) (9)			Zoning text amendments (6) (10)
	Development plan review (planning ~~manager~~ director, building official, or public works director) (7)	Midway design review (1) (7)	Preliminary plat (5) (8)			
	Administrative approval/WTF (1) (7)	Multifamily design review (1) (7)				
	Mobile home park closure (11) (7)	Binding site plan (2) (7)	Planned unit development (5) (10) without a change of use			
		Short subdivision (4)(7)				

(1) Final decision made by planning ~~manager~~ director.
(2) Final decision by binding site plan committee.
(3) Final decision made by downtown design review committee.
(4) Final decision made by short subdivision committee.
(5) Final decision made by hearing examiner.
(6) Final decision made by city council.
(7) Appeal to hearing examiner.
(8) Appeal to city council.
(9) Appeal to shoreline hearings board.
(10) No administrative appeals.
(11) Final decision made by manager of housing and human services.

SECTION 3 - *Amendment.* A new section 15.02.066 is added to Chapter 15.02 of the Kent City Code to read as follows:

Sec. 15.02.066. Build-to line.

Build-to line means the location along a designated block or right-of-way where a building must be constructed. The build-to line is the property line.

SECTION 4 - *Amendment.* A new section 15.02.224 is added to Chapter 15.02 of the Kent City Code to read as follows:

Sec. 15.02.224. Live-work unit.

Live-work unit means a structure or portion of a structure that functions predominantly as work spaces and secondarily as residences; and:

A. Combines a commercial or manufacturing activity that is allowed in the zone with a residential living space for the owner of the commercial or manufacturing business, or the owner's employee, and that person's household;

B. The resident owner or employee of the business is responsible for the commercial or manufacturing activity performed; and

C. The commercial or manufacturing activity conducted takes place subject to a valid business license associated with the premises.

SECTION 5 - *Amendment.* A new section 15.02.403 is added to Chapter 15.02 of the Kent City Code to read as follows:

Sec. 15.02.403. Sign, freestanding monument.

Freestanding monument sign means a sign above grade that is mounted or attached to a wide base or grade, and is composed of a sign face and a sign base. The base and architectural detail must be consistent with the character of the primary structure.

SECTION 6 - *Amendment.* Section 15.03.010 of the Kent City Code is 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 M-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 7 - *Amendment*. Section 15.04.020 of the Kent City Code is amended as follows:

Sec. 15.04.020. Residential land uses.

Key P = Principally Permitted Uses S = Special Uses C = Conditional Uses A = Accessory Uses	Zoning Districts																														
	A-10 Agricultural District	AG Agricultural General District	SR-1 Residential Agricultural District	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	MR-D Duplex Multifamily Residential District	MR-T12 Multifamily Residential Townhouse District	MR-T16 Multifamily Residential Townhouse District	MR-G Low Density Multifamily Residential District	MR-M Medium Density Multifamily Residential District	MR-H High Density Multifamily Residential District	MHP Mobile Home Park Combining District	NCC Neighborhood Convenience Commercial District	CC Community Commercial District	DC Downtown Commercial District	DCE Downtown Commercial Enterprise District	MTC-1 Midway Transit Community-1 District	MTC-2 Midway Transit Community-2 District	MCR Midway Commercial/Residential District	CM-1 Commercial Manufacturing-1 District	CM-2 Commercial Manufacturing-2 District	GC General Commercial District	O Office District	MA Industrial Agricultural District	M1 Industrial Park District	M1-C Industrial Park-Commercial District	M2 Limited Industrial District	M3 General Industrial District	GWC Gateway Commercial District
One single-family dwelling per lot	P		P	P	P	P	P	P	P	P	P	P	P									P	P				A (1)	A (1)	A (1)	A (1)	
One duplex per lot					P (27)	P (27)	P (27)	P																							
One modular home per lot	P		P	P	P	P	P	P	P	P	P	P	P																		
Duplexes					P (27)	P (27)	P (27)	P (22)	P	P	P	P	P																		
Multifamily townhouse units					P (27)	P (27)	P (27)		P (19) (20)	P (19) (20)	P	P	P			P (2)	P (4)C (5)	P	P	P	P			P (2)	P (2)						C (15)
Multifamily dwellings									P (26)	P (26)	P	P	P			P (2)	P (4) C (5)	P	P	P	P			P (2)	P (2)						C (15)
Multifamily dwellings for senior citizens																P (2)	P	P	P	P	P			P (2)	P (2)						C (15)
Mobile homes and manufactured homes														P																	
Mobile home parks								P (13)	P (13)	P (13)	P (13)	P (13)	P (13)	P																	
Group homes class I-A	P		P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	C	P	P	C	C	C	P						
Group homes class I-B								P	P	P	P	P	P		P	P	P	P	C	P	P	C	C	C	P						
Group homes class I-C								C	C	C	C	P	P		P	P	P	P	C	C	C	C	C	C	P						
Group homes class II-A								C	C	C	C	C	C		C	C	C	C	C	C	C	C	C	C	C						
Group homes class II-B								C	C	C	C	C	C		C	C	C	C	C	C	C	C	C	C	C						
Group homes class II-C								C	C	C	C	C	C		C	C	C	C	C	C	C	C	C	C	C						

Group homes class III															C (23)	C (23)	C (23)	C (23)	C (23)	C (23)	C (23)	C (23)	C (23)	C (23)	C (23)						C (24)
Rebuild/accessory uses for existing dwellings		P (6)													P (6)	P (6)	P (6)	P (6)	P(6)	P(6)	P(6)	P (6)	P (6)	P (6)	P (6)	P (6)	P (6)	P (6)	P (6)	P (6)	P (6)
Transitional housing																							P (7)	P (7)							
Guest cottages and houses	A (8) (21)	A (8) (21)	A (8) (21)	A (8) (21)	A (8) (21)	A (8) (21)	A (8) (21)																			A (8) (21)					
Rooming and boarding of not more than three (3) persons				A	A	A	A	A	A	A	A	A	A																		
Farm worker accommodations	A (17)	A (9)	A (17)																							A (9)					
Accessory uses and buildings customarily appurtenant to a permitted use	A	A	A (18)	A (18)	A (18)	A (18)	A (18)	A (18)	A (18)	A (18)	A (18)	A (18)	A (18)		A	A	A	A	A	A	A	A	A	A		A	A	A	A	A	A
Accessory dwelling units	A (10)		A (10)	A (10)	A (10)	A (10)	A (10)	A (10)	A (10)	A (10)	A (10)		A (10)					A (10)						A (10)	A (10)						
Accessory living quarters															A (14)	A (14)	A (14)	A (14)	A (14)	A (14)	A (14)	A (14)	A (14)	A (14)	A (14)	A (14)	A (14)	A (14)	A (14)	A (14)	A (14)
Live-work units																							P (28)								
Home occupations	A (11)	A (11)	A (11)	A (11)	A (11)	A (11)	A (11)	A (11)	A (11)	A (11)	A (11)	A (11)	A (11)	A (11)	A (11)	A (11)	A (11)	A (11)	A (11)	A (11)	A (11)	A (11)	A (11)	A (11)	A (11)	A (11)	A (11)	A (11)	A (11)	A (11)	A (11)
Service buildings														A																	
Storage buildings and storage of recreational vehicles	A (16)		A (16)	A (16)	A (16)	A (16)	A (16)	A (16)	A (16)	A (16)	A (16)	A (16)	A (16)	A																	
Drive-in churches; welfare facilities (including emergency shelters); retirement homes, convalescent homes, and other welfare facilities whether privately or publicly operated, facilities for rehabilitation or correction, etc.		C	C	C	C	C	C	C	C	C	C	C	C		C	C	C	C	C	C	C	C	C (12)	C (12)	C	C	C	C	C	C	C
Designated manufactured home	P (25)		P (25)	P (25)	P (25)	P (25)	P (25)	P (25)	P (25)	P (25)	P (25)	P (25)	P (25)	P (25)																	

SECTION 8. – *Amendment*. Section 15.04.030 of the Kent City Code is amended as follows:

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 use shall be permitted only in the mixed use overlay when included within a mixed use development.

3. [Reserved].

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

5. Multifamily residential uses, 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 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. Except for transitional housing, with a maximum of twenty (20) residents and four (4) staff, which are principally permitted uses.

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

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

15. Multifamily residential use shall be permitted as a conditional use only when included in a mixed use development.

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, 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 permitted only in the GWC zoning district.

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 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.

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

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 percent of the gross floor area of the live-work unit. Said working space shall be reserved for and regularly used by one or more persons residing there;

c. At least one 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.

SECTION 9 – *Amendment*. Section 15.04.040 of the Kent City Code is amended as follows:

Sec. 15.04.040. Manufacturing land uses.

Key P = Principally Permitted Uses S = Special Uses C = Conditional Uses A = Accessory Uses	Zoning Districts																															
	A-10 Agricultural District	AG Agricultural General District	SR-1 Residential Agricultural District	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	MR-D Duplex Multifamily Residential District	MR-T12 Multifamily Residential Townhouse District	MR-T16 Multifamily Residential Townhouse District	MR-G Low Density Multifamily Residential District	MR-M Medium Density Multifamily Residential District	MR-H High Density Multifamily Residential District	MHP Mobile Home Park Combining District	NCC Neighborhood Convenience Commercial District	CC Community Commercial District	DC Downtown Commercial District	DCE Downtown Commercial Enterprise District	MTC-1 Midway Transit Community-1 District	MTC-2 Midway Transit Community-2 District	MCR Midway Commercial/Residential District	CM-1 Commercial Manufacturing-1 District	CM-2 Commercial Manufacturing-2 District	GC General Commercial District	O Office District	MA Industrial Agricultural District	M1 Industrial Park District	M1-C Industrial Park-Commercial District	M2 Limited Industrial District	M3 General Industrial District	GWC Gateway Commercial District
Manufacturing, processing, blending, and packaging of food and beverage products																						(23)	P (23)				P (23)	P (23)	P (23)	P (23) C (1)	P (2) (23)
Manufacturing, processing, blending, and packaging of drugs, pharmaceuticals, toiletries, and cosmetics																						P	P				P	P	P	P C (1)	P (2)
Manufacturing, processing, blending, and packaging of dairy products and byproducts		P																				P	P				P	P	P	P C (1)	P (2)
Industrial laundry and dyeing (including linen supply and diaper services)																						P	P				P	P	P (29) C (30)		P (2)
Printing, publishing, and allied industries																	P (21)					P	P	C			P	P	P	P C (1)	P (2)
Chemicals and related products mfg.																											C (4)	C (4)	C (4)	C (1)	
Contractor shops																						P (5)	P (5) (3)						C	P C (1)	P (5) (2)
Custom arts and crafts products mfg.																											P	P	P	P C (1)	P (2)
Computers, office machines, and equipment mfg.																						P (3)	P (3)								P (2)
Manufacturing and assembly of electrical equipment, appliances, lighting, radio, TV communications, equipment, and components																						P (3)	P (3)				P	P	P	P C (1)	P (2)
Fabricated metal products mfg.; custom sheet metal mfg., containers, hand tools, heating equipment, screw products, extrusion, coating, and plating																						P	P				P	P	P	P C (1)	P (2)
Manufacturing and assembly of electronic and electrical devices, and automotive, aerospace, missile, airframe, and similar products																						P (3)	P (3)				P (25)	P (25)	P (25)	P (25) C (1)	P (2)
Hazardous substance land uses	A (7)	A (7)													A (8)	A (8)	A (8)	A (8)	A (7)			A (7)	A (7)	A (7)	A (8)	A (7)	A (12)	A (12)	A (12)	A (14) C (15)	
Offices incidental and necessary to the conduct of a principally permitted use									A	A	A	A	A						A	A	A	P	P				P	P	P	P	

Warehousing and distribution facilities		P (22) C (31)																			P (16)	P (16)				P (16)	P (16)	P (16)	P (24) C (1)	
Rail-truck transfer uses																					C (13)					C (17)	C (17)	P (18)	P (11) C (1)	
Outdoor storage (including truck, heavy equipment, and contractor storage yards as allowed by development standards, KCC 15.04.190 and 15.04.195)																					P	P	A		A	A	A	C A	P C (1)	
Miniwarehouses self-storage															C (19)						P	P	C							P
Manufacturing of soaps, detergents, and other basic cleaning and cleansing preparations																												C	P C (1)	
Manufacturing of plastics and synthetic resins																												C	P C (1)	
Manufacturing of synthetic and natural fiber and cloth																												C	P C (1)	
Manufacturing of plywood, composition wallboard, and similar structural wood products																												C	P C (1)	
Manufacturing of nonmetallic mineral products such as abrasives, asbestos, chalk, pumice, and putty																												C	P C (1)	
Manufacturing of heat-resisting or structural clay products (brick, tile, or pipe) or porcelain products																												C	P C (1)	
Manufacturing of machinery and heavy machine tool equipment for general industry and mining, agricultural, construction, or service industries																												C	P C (1)	
Manufacturing, processing, assembling, and packaging of articles, products, or merchandise made from previously prepared natural or synthetic materials																										P (20) (26) (28)	P (20) (26) (28)	P (20) (26) (28)	P C (1)	P (2)
Manufacturing, processing, treating, assembling, and packaging of articles, products, or merchandise from previously prepared ferrous, nonferrous, or alloyed metals																										P (20) (26)	P (20) (26)	P (20) (26)	P (26) C (1)	
Complexes which include a combination of uses, including a mixture of office, storage, and light manufacturing uses																					P	P								
Accessory uses and buildings customarily appurtenant to a permitted use	A	A	A (27)	A	A	A	A	A	A	A	A	A	A	A (9)	A (9)	A (10)	A (10)	A (10)	A (10)	A (10)	A (9)	A (9)	A (9)	A	A	A	A	A	A	A (6)
Impound lots																						C							C (1)	

SECTION 10 – *Amendment*. Section 15.04.060 of the Kent City Code is amended as follows:

Sec. 15.04.060. Transportation, public, and utilities land uses.

Key P = Principally Permitted Uses S = Special Uses C = Conditional Uses A = Accessory Uses	Zoning Districts																													
	A-10 Agricultural District	AG Agricultural General District	SR-1 Residential Agricultural District	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	MR-D Duplex Multifamily Residential District	MR-T12 Multifamily Residential Townhouse District	MR-T16 Multifamily Residential Townhouse District	MR-G Low Density Multifamily Residential District	MR-M Medium Density Multifamily Residential District	MR-H High Density Multifamily Residential District	MHP Mobile Home Park Combining District	NCC Neighborhood Convenience Commercial District	CC Community Commercial District	DC Downtown Commercial District	DCE Downtown Commercial Enterprise District	MTC-1 Midway Transit Community-1 District	MTC-2 Midway Transit Community-2 District	MCR Midway Commercial/Residential District	CM-1 Commercial Manufacturing-1 District	CM-2 Commercial Manufacturing-2 District	GC General Commercial District	O Office District	MA Industrial Agricultural District	M1 Industrial Park District	M1-C Industrial Park-Commercial District	M2 Limited Industrial District	M3 General Industrial District	GWC Gateway Commercial District
Commercial parking lots or structures																	C	C	C	C	C										
Transportation and transit facilities	C	C	C	C	C	C	C	C	C	C	C	C	C		C	C	C	C	C	C	C	C	C	C	C	C	C	C	C	P (6)	C
Railway and bus depots, taxi stands									C	C							C	C	C	C	C										
Utility and transportation facilities: Electrical substations, pumping or regulating devices for the transmission of water, gas, steam, petroleum, etc.	C	C	C	C	C	C	C	C	C	C	C	C	C		C	C	C	C	C	C	C	C	C	C	C	C	C	C	C	C	C
Public facilities: Firehouses, police stations, libraries, and administrative offices of governmental agencies, primary and secondary schools, vocational schools, and colleges	C	C	C	C	C	C	C	C	C	C	C	C	C		C	C	C	P	C	C	C	C	C	C	C	C	C	C	C	C	C
Accessory uses and buildings customarily appurtenant to a permitted use	A	A	A	A	A	A	A	A	A	A	A	A	A		A	A	A	A	A	A	A	A	A	A		A	A	A	A	A	A (7)
Wireless telecommunications facility (WTF) by administrative approval	P (2) (3)	P (2) (3)									P (2) (3)	P (2) (3)	P (2) (3)			P (2) (3)			P (1) (3)	P (1) (3)	P (1) (3)	P (1) (3)	P (1) (3)	P (1) (3)	P (2) (3)	P (1) (3)	P (1) (3)	P (1) (3)	P (1) (3)	P (1) (3)	P (1) (3)
Wireless telecommunications facility (WTF) by conditional use permit	C (5) (3)	C (5) (3)	C (8)	C (8)	C (8)	C (8)	C (8)	C (8)	C (8)	C (8)	C (5) (3)	C (5) (3)	C (5) (3)	C (8)		C (5) (3)			C (4) (3)	C (4) (3)	C (4) (3)	C (4) (3)	C (4) (3)	C (4) (3)	C (5) (3)	C (4) (3)	C (4) (3)	C (4) (3)	C (4) (3)	C (4) (3)	C (4) (3)
EV charging station	A (9)	A (9)	A (9)	A (9)	A (9)	A (9)	A (9)	A (9)	A (9)	A (9)	A (9)	A (9)	A (9)	A (9)	A (9)	A (9)	A (9)	A (9)	A (9)	A (9)	A (9)	A (9)	A (9)	A (9)	A (9)	A (9)	A (9)	A (9)	A (9)	A (9)	A (9)
Rapid charging station	A (10)	A (10)	A (10)	A (10)	A (10)	A (10)	A (10)	A (10)	A (10)	A (10)	A (10)	A (10)	A (10)		A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A

SECTION 11 – *Amendment*. Section 15.04.070 of the Kent City Code is amended as follows:

Sec. 15.04.070. Wholesale and retail land uses.

Key P = Principally Permitted Uses S = Special Uses C = Conditional Uses A = Accessory Uses	Zoning Districts																														
	A-10 Agricultural District	AG Agricultural General District	SR-1 Residential Agricultural District	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	MR-D Duplex Multifamily Residential District	MR-T12 Multifamily Residential Townhouse District	MR-T16 Multifamily Residential Townhouse District	MR-G Low Density Multifamily Residential District	MR-M Medium Density Multifamily Residential District	MR-H High Density Multifamily Residential District	MHP Mobile Home Park Combining District	NCC Neighborhood Convenience Commercial District	CC Community Commercial District	DC Downtown Commercial District	DCE Downtown Commercial Enterprise District	MTC-1 Midway Transit Community-1 District	MTC-2 Midway Transit Community-2 District	MCR Midway Commercial/Residential District	CM-1 Commercial Manufacturing-1 District	CM-2 Commercial Manufacturing-2 District	GC General Commercial District	O Office District	MA Industrial Agricultural District	M1 Industrial Park District	M1-C Industrial Park-Commercial District	M2 Limited Industrial District	M3 General Industrial District	GWC Gateway Commercial District
Bakeries and confectioneries																			P	P	P		P	P				P			P (2)
Wholesale bakery																							P	P							
Bulk retail																			P (26)		P (26)	P	P	P			P (1)	P (1)			
Recycling centers																													C	P	
Retail sales of lumber, tools, and other building materials, including preassembled products																			P			P	P	P							
Hardware, paint, tile, and wallpaper (retail)																P	P (11)	P	P	P	P	P	P	P							P (2)
Farm equipment																							P	P							
General merchandise: Dry goods, variety, and department stores (retail)																P	P (11)	P	P	P	P		P	P							P (2)
Food and convenience stores (retail)															P	P	P (11)	P	P	P	P		P	P			S (12)	P (4)	S (12)		P (2)
Automobile, aircraft, motorcycle, boat, and recreational vehicles sales (retail)																						P	P	P							
Automotive, aircraft, motorcycle, and marine accessories (retail)																P			P		P	P	P	P			P (13)	P (13)	P (5) (13)		P (2)
Gasoline service stations															S (6)	S (6)			S (6)			S (6)	S (6)	S (6)			S (6)	S (6)	S (6)		C
Apparel and accessories (retail)																P	P (11)	P	P	P	P		P	P				A (8)			P (2)
Furniture, home furnishing (retail)																P	P (11)	P	P	P	P	P	P	P							P (2)
Eating and drinking establishments (no drive-through)															P	P	P (11)	P	P	P	P	P	P	P	A (15)		P	P	P (5)		P (2)
Eating and drinking establishments (with drive-through)																S (6) (20)		C (7) (20)				P		S (6) (20)				P (20)			P (2) (3) (20)
Eating facilities for employees																			P	P	P						A	A	A	A	
Planned development retail sales																									C (14)						

Drive-through/drive-up businesses (commercial/retail – other than eating/drinking establishments)														C (22)	P (20)		P (20)	P (24)		P (24)		P (20)	P (20)							P (20)
Miscellaneous retail: Drugs, antiques, books, sporting goods, jewelry, florist, photo supplies, video rental, computer supplies, etc.														P	P	P (11)	P	P	P	P		P	P	A (15)			A (8)			P (2)
Liquor store														P	P	P (11)	P	P	P	P		P	P				P			P (2)
Farm supplies, hay, grain, feed, fencing, etc. (retail)															P							P	P							
Nurseries, greenhouses, garden supplies, tools, etc.															P			P				P	P							
Pet shops (retail and grooming)																		P		P		P	P							P (2)
Computers and electronics (retail)															P			P		P		P	P				P			P (2)
Hotels and motels																P (11)	P	P	P (25)	P		P	P				P			P
Complexes which include combinations of uses, including a mixture of office, light manufacturing, storage, and commercial uses																					P	P								
Outdoor storage (including truck, heavy equipment, and contractor storage yards as allowed by development standards, KCC 15.04.190 and 15.04.195)																					P (19)	P (19)	A (19)		A (19)	A (19)	A (19)	A (19)	P (19)	
Accessory uses and buildings customarily appurtenant to a permitted use	A	A	A (9)	A	A	A	A	A	A	A	A	A		A (16)	A (16)	A (17)	A (17)	A (17)	A (17)	A (17)	A (16)	A (16)	A (16)		A	A	A	A	A	A (18)
Agriculturally related retail		C (21)																												
Battery exchange station														S (23)	S (23)	A (23)	A (23)	A (23)	A (23)	A (23)	S (23)	S (23)	S (23)	A (23)		S (23)	S (23)	S (23)	A (23)	A (23)

SECTION 12 – *Amendment*. Section 15.04.080 of the Kent City Code is amended as follows:

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.

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.

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

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.

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 ~~manager~~ 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.

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.

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.

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.

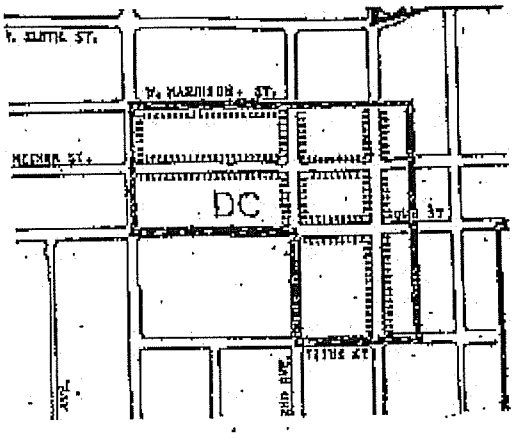
19. Reference KCC 15.07.040(C), outdoor storage landscaping.

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



Ground Floor Retail/Service Use Required

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 three (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 acre in size.

SECTION 13 – *Amendment.* Section 15.04.090 of the Kent City Code is amended as follows:

Sec. 15.04.090. Service land uses.

	Zoning Districts																														
Key P = Principally Permitted Uses S = Special Uses C = Conditional Uses A = Accessory Uses	A-10 Agricultural District	AG Agricultural General District	SR-1 Residential Agricultural District	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	MR-D Duplex Multifamily Residential District	MR-T12 Multifamily Residential Townhouse District	MR-T16 Multifamily Residential Townhouse District	MR-G Low Density Multifamily Residential District	MR-M Medium Density Multifamily Residential District	MR-H High Density Multifamily Residential District	MHP Mobile Home Park Combining District	NCC Neighborhood Convenience Commercial District	CC Community Commercial District	DC Downtown Commercial District	DCE Downtown Commercial Enterprise District	MTC-1 Midway Transit Community-1 District	MTC-2 Midway Transit Community-2 District	MCR Midway Commercial/Residential District	CM-1 Commercial Manufacturing-1 District	CM-2 Commercial Manufacturing-2 District	GC General Commercial District	O Office District	MA Industrial Agricultural District	M1 Industrial Park District	M1-C Industrial Park-Commercial District	M2 Limited Industrial District	M3 General Industrial District	GWC Gateway Commercial District
Finance, insurance, real estate services															P (22)	P	P (1) (12)	P	P	P	P		P	P	P		P	P	P (2)		P (3)
Personal services: Laundry, dry cleaning, barber, salons, shoe repair, launderettes															P (22)	P	P (12)	P	P	P	P		P	P	C		P (10)	P (10)	P (2) (10)		P (3)
Mortuaries																	P (12)		P				P	P	C						P (3)
Home day-care	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P
Day-care center	C	C	C	C	C	C	C	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P
Business services, duplicating and blue printing, travel agencies, and employment agencies																	P (12)	P	P	P	P		P	P	P		P	P	P (2)		P (3)
Building maintenance and pest control																			P			P	P	P			P	P	P (2)		
Outdoor storage (including truck, heavy equipment, and contractor storage yards as allowed by development standards, KCC 15.04.190 and 15.04.195)																						P	P	A		A	A	A	A C (9)	P	

Rental and leasing services for cars, trucks, trailers, furniture, and tools																	P			P	P	P			P	P	P (2)		
Auto repair and washing services (including body work)															C		P			P	P	P				P		P (21) (23)	C (5)
Repair services: Watch, TV, electrical, electronic, upholstery															P	P (12)	P	P				P	P			P	P	P (2)		P (3)
Professional services: Medical, clinics, and other health care-related services														P (20)	P		P	P	P	P		P	P	P		P	P	P (2)		P (3)
Heavy equipment and truck repair																				P	P	P					C (9)	P	
Contract construction service offices: Building construction, plumbing, paving, and landscaping																		P (16)			P	P	P (16)	P (16)		P (17)	P (17)	P (2) (17)	P	P (3)
Educational services: Vocational, trade, art, music, dancing, barber, and beauty																	P	P	P	P		P	P	P		P	P	P (2)		P (3)
Churches	S (4)		S (4)	S (4)	S (4)	S (4)	S (4)	S (4)	S (4)	S (4)	S (4)	S (4)			S (4)	S (4)		S (4)	S (4)	S (4)	S (4)	S (4)	S (4)	S (4)		S (4)	S (4)	S (4)		S (4)
Administrative and professional offices – general																P	P (12)	P	P	P	P	C	P	P	P		P	P	P (2)		P (3)
Municipal uses and buildings														P (13)	P (13)		P	P (13)	P (13)	P (13)	P (13)	P (13)	P (13)	P (13)	P (13)	P (13)	P (13)	P (2) (13)	P (13)	P (13)
Research, development, and testing																		P	C	P		P	P	P		P	P	P (2)	P (14)	
Planned development retail sales																								C (6)						
Accessory uses and buildings customarily appurtenant to a permitted use	A	A	A (7)	A	A	A	A	A	A	A	A	A	A	A (18)	A (18)	A (19)	A (19)	A (19)	A (19)	A (19)	A (18)	A (18)	A (18)		A	A	A	A	A	A (15)
Boarding kennels and breeding establishments		C																C					C		C					
Veterinary clinics and veterinary hospitals		C													P (8)			P (8)		P (8)		P (8)	P (8)	P (8)	C					P (11)
Administrative or executive offices which are part of a predominant industrial operation																					P					P	P	P	P	
Offices incidental and necessary to the conduct of a principally permitted use								A	A	A	A	A																		

SECTION 14 – *Amendment*. Section 15.04.110 of the Kent City Code is amended as follows:

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

Key P = Principally Permitted Uses S = Special Uses C = Conditional Uses A = Accessory Uses	Zoning Districts																														
	A-10 Agricultural District	AG Agricultural General District	SR-1 Residential Agricultural District	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	MR-D Duplex Multifamily Residential District	MR-T12 Multifamily Residential Townhouse District	MR-T16 Multifamily Residential Townhouse District	MR-G Low Density Multifamily Residential District	MR-M Medium Density Multifamily Residential District	MR-H High Density Multifamily Residential District	MHP Mobile Home Park Combining District	NCC Neighborhood Convenience Commercial District	CC Community Commercial District	DC Downtown Commercial District	DCE Downtown Commercial Enterprise District	MTC-1 Midway Transit Community-1 District	MTC-2 Midway Transit Community-2 District	MCR Midway Commercial/Residential District	CM-1 Commercial Manufacturing-1 District	CM-2 Commercial Manufacturing-2 District	GC General Commercial District	O Office District	MA Industrial Agricultural District	M1 Industrial Park District	M1-C Industrial Park-Commercial District	M2 Limited Industrial District	M3 General Industrial District	GWC Gateway Commercial District
Performing and cultural arts uses, such as art galleries/studios																	P (3)	P	P	P	P		P	P	P			P			P (1)
Historic and monument sites																							P	P							
Public assembly (indoor): Sports facilities, arenas, auditoriums and exhibition halls, bowling alleys, dart-playing facilities, skating rinks, community clubs, athletic clubs, recreation centers, theaters (excluding school facilities)																P		P	C		C		P	P			P (2)	P (2)	P (2)		P (1) C (8)
Public assembly (outdoor): Fairgrounds and amusement parks, tennis courts, athletic fields, miniature golf, go-cart tracks, drive-in theaters, etc.																					C		P	P							
Open space use: Cemeteries, parks, playgrounds, golf courses, and other recreation facilities, including buildings or structures associated therewith	C	C	C	C	C	C	C	C	C	C	C	C	C		C	C	P (6) C	P (6) C	C (9)	C (9)	C (9)	C	P (7) C	P (7) C	C	C	C	C	C	C	C
Employee recreation areas																											A	A	A	A	
Private clubs, fraternal lodges, etc.	C	C	C	C	C	C	C	C	C	C	C	C	C		C	C	C	C	P (5) C	C	P (5) C	C	C	P (5) C	C	C	C	C	C	C	P (5) C
Recreational vehicle parks																								C		P					
Accessory uses and buildings customarily appurtenant to a permitted use	A		A	A	A	A	A	A	A	A	A	A	A		A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A (4)
Recreational buildings in MHP														A																	

SECTION 15 – *Amendment*. Section 15.04.120 of the Kent City Code is amended as follows:

Sec. 15.04.120. Cultural, entertainment, and recreational land use development conditions.

1. All sales, storage, and display occur within enclosed buildings.

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 ~~manager~~ 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.

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.

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

SECTION 16 – *Amendment.* Section 15.04.130 of the Kent City Code is amended as follows:

Sec. 15.04.130. Resource land uses.

Key P = Principally Permitted Uses S = Special Uses C = Conditional Uses A = Accessory Uses	Zoning Districts																													
	A-10 Agricultural District	AG Agricultural General District	SR-1 Residential Agricultural District	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	MR-D Duplex Multifamily Residential District	MR-T12 Multifamily Residential Townhouse District	MR-T16 Multifamily Residential Townhouse District	MR-G Low Density Multifamily Residential District	MR-M Medium Density Multifamily Residential District	MR-H High Density Multifamily Residential District	MHP Mobile Home Park Combining District	NCC Neighborhood Convenience Commercial District	CC Community Commercial District	DC Downtown Commercial District	DCE Downtown Commercial Enterprise District	MTC-1 Midway Transit Community-1 District	MTC-2 Midway Transit Communitx-2 District	MCR Midway Commercial/Residential District	CM-1 Commercial Manufacturing-1 District	CM-2 Commercial Manufacturing-2 District	GC General Commercial District	O Office District	MA Industrial Agricultural District	M1 Industrial Park District	M1-C Industrial Park-Commercial District	M2 Limited Industrial District	M3 General Industrial District	GWC Gateway Commercial District
Agricultural uses such as planting and harvesting of crops, animal husbandry (including wholesale nurseries and greenhouses)	P	P	P																							P					
Crop and tree farming	P	P	P	P	P	P	P	P	P	P	P	P	P													P	P	P	P	P	P
Storage, processing, and conversion of agricultural products (not including slaughtering or meat packing)		P																								P					
Accessory uses and buildings customarily appurtenant to a permitted use	A	A	A (1)	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A		A	A	A	A	A	A
Roadside stands	A (3)	A (2)	A (3)																							A (2)					

SECTION 17 – *Amendment*. Section 15.04.190 of the Kent City Code is amended as follows:

Sec. 15.04.190. Commercial and industrial zone development standards.

	Zoning Districts																	
	NCC Neighborhood Convenience Commercial District	CC Community Commercial District	DC Downtown Commercial District	DCE Downtown Commercial Enterprise District	MTC-1 Midway Transit Community-1 District	MTC-2 Midway Transit Community-2 District	MCR Midway Commercial/Residential District	CM-1 Commercial Manufacturing-1 District	CM-2 Commercial Manufacturing-2 District	GC General Commercial District	O Office District	MA Industrial Agricultural District	M1 Industrial Park District	M1-C Industrial Park-Commercial District	M2 Limited Industrial District	M3 General Industrial District	GWC Gateway Commercial District	AG Agricultural General District
Minimum lot area: square feet or acres, as noted	10,000 sq ft	10,000 sq ft	5,000 sq ft (1) (66)	5,000 sq ft (66)	7,500 sq ft	7,500 sq ft	7,500 sq ft	10,000 sq ft	10,000 sq ft	10,000 sq ft (66)	10,000 sq ft	1 acre	1 acre	10,000 sq ft	20,000 sq ft	15,000 sq ft	10,000 sq ft	1 acre
Maximum site coverage: percent of site	40%	40%	100%	100%	80%	100%	80%	50%	50%	40%	30%	50%	60%	60%	65%	75%	40%	60%
Minimum yard requirements: feet																		
Front yard	10 ft	15 ft	(2)	(3)	20 ft	(68)	20 ft	15 ft	15 ft	20 ft	25 ft	30 ft (4)	(5)	(5)	(6)	(7)	15 ft	(5)
Side yard	(8)	(9)	(2)	(3)	(68) (10)	(68) (10)	(68) (10)	(10)	(10)	(10)	(10)	(11)	(12)	(12)	(13)	(14)	5 ft (15) (16)	(12)
Side yard on flanking street of corner lot					The Midway Design Guidelines Shall Apply	The Midway Design Guidelines Shall Apply	The Midway Design Guidelines Shall Apply						(17)	(17)	(17)	(18)	15 ft	(17)
Rear yard	(8)	20 ft	(2)	(3)	(68) (19)	(68) (19)	(68) (19)	(19)	(19)	(19) (2)	(19)		(20)	(20)	(21)	(21)	5 ft (22)	(20)
Yards, transitional conditions													(23)	(23)	(24)	(25)		(23)
Additional setbacks												(26) (27) (28)	(29)	(29)				(29)
Height limitation: in stories/not to exceed in feet	2 stry/ 35 ft	3 stry/ 40 ft (30)	4 stry/ 60 ft (31)	(32)	5 stry/ 55 ft (69) (70)	16 stry/ 200 ft (70)	16 stry/ 200 ft (70)	2 stry/ 35 ft (30)	2 stry/ 35 ft (30)	2 stry/ 35 ft (30)	3 stry/ 40 ft	2 stry/ 35 ft (33) (34)	2 stry/ 35 ft (35)	2 stry/ 35 ft (35)	2 stry/ 35 ft (35)	2 stry/ 35 ft (37)	3 stry/ 40 ft (38)	2 stry/ 35 ft (35)
Landscaping	The landscaping requirements of Ch. 15.07 KCC shall apply.																	
													(52)	(52)				(52)
Outdoor storage	(39)	(39)						(40) (41)	(40) (41)	(40)		(42)	(43)	(43)	(44)	(45) (51)	(59)	(43)
Signs	The sign regulations of Ch. 15.06 KCC shall apply.																	
Vehicle drive-through, drive-in, and service bays	(46)	(46)		(46)	(46)		(46)		(46)	(46)							(46) (61)	

	Zoning Districts																	
	NCC Neighborhood Convenience Commercial District	CC Community Commercial District	DC Downtown Commercial District	DCE Downtown Commercial Enterprise District	MTC-1 Midway Transit Community-1 District	MTC-2 Midway Transit Community-2 District	MCR Midway Commercial/Residential District	CM-1 Commercial Manufacturing-1 District	CM-2 Commercial Manufacturing-2 District	GC General Commercial District	O Office District	MA Industrial Agricultural District	M1 Industrial Park District	M1-C Industrial Park-Commercial District	M2 Limited Industrial District	M3 General Industrial District	GWC Gateway Commercial District	AG Agricultural General District
Loading areas													(47) (48)	(47) (48)	(47) (49)	(47) (51)		(47) (48)
Off-street parking	The off-street parking requirements of Ch. 15.05 KCC shall apply.																	
	(57)	(57)							(57)	(57)			(58)	(58)	(58)	(57)		(58)
Additional standards	(50) (56) (62) (63) (64) (65)	(36) (50) (56)	(31) (50) (56)	(31) (50) (56) (67)	(50) (56) (71)	(50) (56) (71)	(50) (56) (71)	(50) (56)	(50) (56)	(31) (36) (50) (56)	(36) (50) (56)	(50) (56)	(50) (53) (54) (55) (56)	(50) (53) (54) (55) (56)	(50) (54) (55) (56)	(50) (54) (55) (56)		(50) (53) (54) (55) (56)

SECTION 18 – *Amendment*. Section 15.04.195 of the Kent City Code is amended as follows:

Sec. 15.04.195. Commercial and industrial land use development 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. 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.

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 the yard shall be not less than five (5) feet in width, unless 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 the side yard shall be not less than twenty (20) feet in width.

10. No side yard is required, except abutting a residential district, and then the side yard shall be twenty (20) feet minimum.

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.

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.

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

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 abutting a residential district, and then the rear yard shall be twenty (20) feet minimum.

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.

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.

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.

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.

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 restrictive than, but as restrictive as, the Shoreline Management Act.

30. The planning ~~manager~~ director shall be authorized to grant one (1) additional story in height, if during development plan review it is found that this additional story would not detract from the continuity of the area.

More than one (1) additional story may be granted by the ~~planning commission~~ 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.

34. The planning ~~manager~~ 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 ~~manager~~ director may impose such conditions, within a reasonable amount of time, as may be necessary to reduce any incompatibilities with surrounding uses.

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 ~~manager~~ 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(E).

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 ~~manager~~ 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 increases may be granted by the ~~planning commission~~ 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.

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.

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 a conditional use public hearing. The planning ~~manager~~ 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 ~~manager~~ 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.

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).

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.

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 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.

SECTION 19 – *Amendment*. Section 15.05.040 of the Kent City Code is amended as follows:

Sec. 15.05.040. Parking standards for specific activities.

A. Standards for the number of parking spaces for specific activities are indicated in the following chart:

SPECIFIC LAND USE	PARKING SPACE REQUIREMENT
Living activities	
Single-family	Two (2) parking spaces per single-family dwelling.
Duplex	Two (2) parking spaces per dwelling unit.
Multifamily[1,3]	One (1) parking space per unit for efficiency apartments in all sized developments; two (2) parking spaces for each dwelling unit for developments with forty-nine (49) or less dwelling units; one and eight-tenths (1.8) parking spaces per dwelling unit for developments of fifty (50) or more dwelling units. For developments of fifty (50) or more dwelling units, one (1) parking space for each fifteen (15) dwelling units for recreation vehicles.
Multiple dwellings for	One (1) parking space for each two

low-income elderly [2,4]	(2) dwelling units.
Accessory dwelling unit	One off-street parking space per accessory unit is required in addition to the required parking for the single-family home. The planning director may waive this requirement where there are special circumstances related to the property and its location. The surface of a required ADU off-street parking space shall comply with KCC 15.05.090(C).
Boardinghouses and lodging houses	One (1) parking space for the proprietor, plus one (1) space per sleeping room for boarders or lodging use, plus one (1) additional space for each four (4) persons employed on the premises.
Mobile and manufactured home parks	Two (2) parking spaces for each mobile home site, plus one (1) screened space for each ten (10) lots for recreation vehicles.
Recreational vehicle park	One (1) parking space for each site.
Hotels[5]	One (1) parking space for each guest room, plus two (2) parking spaces for each three (3) employees.
Commercial activities	
Banks[6]	One (1) parking space for each two hundred (200) square feet of gross floor area, except when part of a shopping center.
Professional and business offices[6]	One (1) parking space for each two hundred fifty (250) square feet of gross floor area, except when part of a shopping center.
Shopping centers[7]	Four and one-half (4.5) spaces per one thousand (1,000) square feet of gross leaseable area (GLA) for centers having GLA of less than four hundred thousand (400,000) square feet, and five (5.0) spaces per one thousand (1,000) square feet of GLA for centers having a GLA of over four hundred thousand (400,000) square feet.

Restaurants, nightclubs, taverns and lounges[8]	One (1) parking space for each one hundred (100) square feet of gross floor area, except when part of a shopping center.
Retail stores, supermarkets, department stores and personal service shops[9]	One (1) parking space for each two hundred (200) square feet of gross floor area, except when located in a shopping center.
Other retail establishments; furniture, appliance, hardware stores, household equipment service shops, clothing or shoe repair shops[10]	One (1) parking space for each five hundred (500) square feet of gross floor area, except when located in a shopping center.
Drive-in business[11]	One (1) parking space for each one hundred (100) square feet of gross floor area, except when located in a shopping center.
Uncovered commercial area, new and used car lots, plant nursery	One (1) parking space for each five thousand (5,000) square feet of retail sales area in addition to any parking requirements for buildings, except when located in a shopping center.
Motor vehicle repair and services	One (1) parking space for each four hundred (400) square feet of gross floor area, except when part of a shopping center.
Industrial showroom and display	One (1) parking space for each five hundred (500) square feet of display area.
Bulk retail stores	One (1) parking space for each three hundred fifty (350) square feet of gross floor area.
Industrial activities	
Manufacturing, research and testing laboratories, creameries, bottling establishments, bakeries, canneries, printing and engraving shops	One (1) parking space for each one thousand (1,000) square feet of gross floor area. For parking requirements for associated office areas, see "Professional and business offices."
Warehouses and storage buildings	One (1) parking space for each two thousand (2,000) square feet of gross floor area. Maximum office area of two (2) percent of gross floor

	area may be included without additional parking requirements.
Speculative warehouse and industrial buildings with multiple use or tenant potential	One (1) parking space for each one thousand (1,000) square feet of gross floor area if building size is less than one hundred thousand (100,000) square feet, or one (1) parking space for each two thousand (2,000) square feet of gross floor area for buildings which exceed one hundred thousand (100,000) square feet gross of floor area. This is a minimum requirement and valid for construction permit purposes only. Final parking requirements will be based upon actual occupancy.
Recreation-amusement activities	
Auditoriums, theaters, places of public assembly, stadiums and outdoor sports areas[12]	One (1) parking space for each four (4) fixed seats, or one (1) parking space for each one hundred (100) square feet of floor area of main auditorium or of principal place of assembly not containing fixed seats, whichever is greater.
Bowling alleys[13]	Five (5) spaces for each alley, except when located in a shopping center.
Dance halls and skating rinks[14]	One (1) parking space for each two hundred (200) square feet of gross floor area, except when located in a shopping center.
Golf driving ranges	One (1) parking space for each driving station.
Miniature golf courses	One (1) parking space for each hole.
Recreational buildings, whether independent or associated with a multifamily complex	One (1) parking space for each two hundred (200) square feet of gross floor area. Such spaces shall be located adjacent to the building and shall be designated for visitors by signing or other special markings.
Educational activities	
Senior high schools, public, parochial and private	One (1) space for each employee plus one (1) space for each ten (10) students enrolled. In addition, if buses for the transportation of children are kept at the school, one (1) off-street parking space shall be

	provided for each bus, of a size sufficient to park each bus. One (1) additional parking space for each one hundred (100) students shall be provided for visitors in the vicinity of or adjacent to the administration portion of the building or complex. Such parking spaces shall be so designated by signing or other special marking as approved by the traffic engineer.
Colleges and universities and business and vocational schools[15]	Two and one-half (2 1/2) parking spaces for each employee, plus one (1) space for each three (3) students residing on campus, plus one (1) space for each five(5) day student not residing on campus. In addition, if buses for transportation of students are kept at the school, one (1) off-street parking space shall be provided for each bus, of a size sufficient to park each bus. One (1) additional parking space for each one hundred (100) students shall be provided for visitors in the vicinity of or adjacent to the administration portion of the building or complex. Such parking spaces shall be so designated by signing or other special marking as approved by the traffic engineer.
Elementary and junior high	Two and one-half (2 1/2) parking spaces for each employee. In addition, if buses for transportation of students are kept at the school, one (1) off-street parking space shall be provided for each bus, of a size sufficient to park each bus. One (1) additional parking space for each one hundred (100) students shall be provided for visitors in the vicinity of or adjacent to the administration portion of the building or complex. Such parking spaces shall be so designated by signing or other special marking as approved by the traffic engineer.
Libraries and museums	One (1) parking space for each two hundred fifty (250) square feet in office and public use.
Day-care centers	One (1) parking space for each employee, plus loading and unloading areas.
Medical activities	

Medical and dental offices[16]	One (1) parking space for each two hundred (200) square feet of gross floor area, except when located in a shopping center.
Convalescent, nursing and health institutions	One (1) parking space for each two (2) employees, plus one (1) parking space for each three (3) beds.
Hospitals	One (1) parking space for each three (3) beds, plus one (1) parking space for each staff doctor, plus one (1) parking space for each three (3) employees.
Religious activities	
Churches[17]	One (1) space for each five (5) seats in the main auditorium; provided, that the spaces for any church shall not be less than ten (10). For all existing churches enlarging the seating capacity of their auditoriums, one (1) additional parking space shall be provided for each five (5) additional seats provided by the new construction. For all existing churches making structural alterations or additions which do not increase the seating capacity of the auditorium, no additional parking need be provided.
Mortuaries or funeral homes	One (1) parking space for each one hundred (100) square feet of floor area of assembly rooms.
Other uses	For uses not specifically identified in this section, the amount of parking required shall be determined by the planning department, based on staff experience, parking required for similar uses, and, if appropriate, documentation provided by the applicant.

1. Recreational vehicle parking spaces shall be in defined, fenced and screened areas with a minimum of a six (6) foot high sight-obscuring fence or landscaping as determined by the planning department, or the developer may provide areas of usable open space equal to that area that would be required for recreational vehicle parking. A vehicle less than twenty (20) feet long that is

used as primary transportation is not subject to recreational vehicle parking regulations. If open space in lieu of recreational vehicle parking is provided, its appropriateness will be determined at the time of development plan review by the planning department. Where enclosed garages are utilized to provide parking required by this title, an eighteen (18) foot stacking space shall be provided in front of such garage units. Provided, however, the planning director shall have the authority to approve alternative plans where the developer can assure that such garage units will continue to be available for parking purposes and will not cause onsite parking or circulation problems. These assurances include but are not limited to: (1) covenants that run with the land or homeowners' association that require garages to be utilized for the storage of vehicles, (2) maintenance of drive aisle widths of twenty-six (26) feet in front of each garage unit, and (3) maintenance of minimum clearances for fire lanes on the site.

2. Exceptions for senior citizen apartments in multifamily buildings in the central business district:

a. Approved building plans must show one and eight-tenths (1.8) spaces per dwelling unit and also shall show which spaces are not to be initially installed. The additional spaces, plus any required landscaping, shall be installed if at any time the structure is not used for senior citizen apartments or if the facility shows a continued shortage of parking.

b. The requirement of one (1) space per dwelling unit may be reduced to no less than one (1) space for every two (2) dwelling units plus employee parking as determined by the planning director. The planning director shall base his decision on the following:

(1) Availability of private, convenient, regular transportation services to meet the needs of the tenants;

(2) Accessibility to and frequency of public transportation;

(3) Pedestrian access to health, medical and shopping facilities;

(4) Minimum age requirement to reside in subject apartments;

(5) Special support services offered by the facility.

c. Special parking for recreational vehicles will not be required as long as the facility does not permit recreational vehicles other than campers or vehicles that will fit into a normal-sized parking stall. If recreational vehicles are to be permitted on the development, they must be screened and fenced.

d. Compact stalls will not be permitted except for one-third (1/3) of the required employee parking.

3. In MTC-1, MTC-2, and MCR zoning districts, a minimum of 0.75 parking space per dwelling unit, or conduct a parking feasibility study to determine need. No spaces provided for recreation vehicles.

4. In MTC-1, MTC-2, and MCR zoning districts, one (1) parking

space for every four (4) dwelling units, or conduct a parking feasibility study to determine need.

5. In MTC-1, MTC-2, and MCR zoning districts, one (1) parking space for each guest room, plus two (2) parking spaces for every five (5) employees, or conduct a parking feasibility study to determine need.

6. In MTC-1 and MCR zoning districts, one (1) parking space for every four hundred (400) square feet of gross floor area, except when part of a shopping center, or conduct a parking feasibility study to determine need; in MTC-2 zoning district, one (1) parking space for every five hundred (500) square feet of gross floor area, or conduct a parking feasibility study to determine need.

7. In MTC-1 and MCR zoning districts, one (1) parking space for every four hundred (400) square feet of gross floor area, or conduct a parking feasibility study to determine need.

8. In MTC-1 and MCR zoning districts, one (1) parking space for every two hundred (200) square feet of gross floor area, or conduct a parking feasibility study to determine need; in MTC-2 zoning district, a minimum of one (1) parking space for every three hundred (300) square feet of gross floor area, or conduct a parking feasibility study to determine need. No parking is required if use is 3,000 square feet or less and with a parking supply of at least twenty (20) spaces within five hundred (500) feet or 1,000 feet of a public garage.

9. In MTC-1 and MCR zoning districts, one (1) parking space for every four hundred (400) square feet of gross floor area, or conduct

a parking feasibility study to determine need; in MTC-2 zoning district, one (1) parking space for every five hundred (500) square feet of gross floor area, or conduct a parking feasibility study to determine need. No parking is required if use is eight hundred (800) square feet or less and with a parking supply of at least twenty (20) spaces within five hundred (500) feet or 1,000 feet of a public garage.

10. In MTC-1, MTC-2 and MCR zoning districts, one (1) parking space for every 1,000 square feet of gross floor area, or conduct a parking feasibility study to determine need. No parking is required if use is eight hundred (800) square feet or less and with a parking supply of at least twenty (20) spaces within five hundred (500) feet or 1,000 feet of a public garage.

11. In MTC-1 and MCR zoning districts, one (1) parking space for every four hundred (400) square feet of gross floor area, except when located in a shopping center.

12. In MTC-1 and MCR zoning districts, conduct a parking feasibility study to determine need.

13. In MTC-1 and MCR zoning districts, three (3) parking spaces for each alley, except when located in a shopping center.

14. In MTC-1 and MCR zoning districts, one (1) parking space for every five hundred (500) square feet of gross floor area, or conduct a parking feasibility study to determine need.

15. In MTC-1, MTC-2, and MCR zoning districts, conduct a parking feasibility study to determine need.

16. In MTC-1, MTC-2, and MCR zoning districts, a minimum of one (1) parking space for every four hundred (400) square feet of gross floor area, or conduct a parking feasibility study to determine need.

17. In MTC-1, MTC-2, and MCR zoning districts, one (1) parking space for every ten (10) seats in the main auditorium; provided, that the spaces for any church shall not be less than ten (10). For all existing churches enlarging the seating capacity, one (1) additional parking space shall be provided for every ten (10) seats provided by the new construction.

B. Mixed occupancies or mixed use if one (1) occupancy. In the case of two (2) or more uses in the same building, the total requirements for off-street parking facilities shall be the sum of the requirements for the several uses computed separately; except in shopping centers, and except as provided in the mixed use overlay KCC 15.04.200. Off-street parking facilities for one (1) use shall not be considered as providing required parking facilities for any other use, except as permitted in subsection (C) of this section pertaining to joint use.

C. Joint use. The minimum amount of off-street parking required by KCC 15.05.040(A) may be reduced by the planning director when shared parking facilities for two (2) or more uses are proposed if:

1. The total parking area exceeds five thousand (5,000) square feet;

2. The parking facilities are designed and developed as a single onsite common parking facility, or as a system of onsite and offsite facilities if all facilities are connected with improved pedestrian facilities and located within five hundred (500) feet of the buildings or use areas they are intended to serve;

3. The amount of reduction in off-street parking does not exceed ten (10) percent per use unless it is documented that the peak parking demand hours of two (2) or more uses are separate by at least one (1) hour;

4. The subject properties are legally encumbered by an easement or other appropriate means which provide for continuous joint use of the parking facilities. Documentation shall require review and approval by the city attorney; and

5. The total number of parking spaces in the shared parking facility is not less than the minimum required by any single use.

D. Employee parking. Where employee parking will be maintained separately and in addition to parking for the general public, the regulations of this subsection shall apply:

1. Minimum parking stall sizes, aisle widths and percentage of compact car stalls shall be as per other requirements in this chapter.

2. Employee parking must be clearly identified as such and not become parking for the general public.

3. If the employee parking is changed to parking for the general public, the normal regulations for off-street parking shall be in force.

4. Employee parking shall not be in lieu of parking requirements per activity as stated in this section.

E. Temporary parking facilities. Temporary parking facilities may be permitted by the planning director when it has been shown that:

1. The existing use of the subject property has adequate legal nonconforming parking or that existing parking conforms to the applicable standards of this title.

2. The temporary parking facility is primarily intended to serve the public at large and not the existing use on the property.

3. The temporary parking facility serves a public need.

4. The temporary facility meets the following minimum standards:

a. There shall be a minimum of two hundred eighty-five (285) square feet gross area per stall.

b. The pavement section shall be a minimum of four (4) inches of five-eighths (5/8) inch minus C.R. crushed rock with bituminous surface treatment, subject to engineering department review.

c. Onsite drainage control and detention shall be provided per the drainage ordinance.

d. Ingress and egress and interior circulation and perimeter control shall be subject to traffic engineer approval.

F. Compact car parking.

1. Parking stall size shall be a minimum of eight (8) feet by seventeen (17) feet. Aisle width shall be per the requirements of KCC 15.05.080 and diagram No. 1 following this chapter.

2. Compact car parking spaces shall be clearly identified by signing or other marking as approved by the city engineer.

3. Compact car parking spaces shall not exceed thirty (30) percent of the total required parking, and shall be interspersed equally throughout the entire parking area.

4. See KCC 15.05.080 and diagram No. 2 following this chapter for typical compact car stall arrangements.

5. No more than four (4) compact car parking stalls shall be placed side-by-side, or eight (8) head-to-head.

G. Transit and rideshare provisions.

1. The planning director may reduce the minimum number of off-street parking stalls for businesses which have a commute trip reduction program filed with the city. Based upon a review of this program and input from other staff members, a reduction of up to twenty (20) percent of the minimum standard may be approved. Any reduction in the amount of required parking is only valid for as long as the approved CTR program is in effect. An invalidated program or a change in use or operations would result in the application of the underlying standards per KCC 15.05.040(A) of the zoning code.

2. The planning director may reduce the number of required off-street parking stalls for businesses which do not have a commute trip reduction program by one (1) stall for every two (2) car pool stalls, and/or one (1) stall for every one (1) van pool staff if:

(a) Reserved rideshare parking is located convenient to the primary employee entrance;

(b) Reserved areas are clearly marked by signs for use by approved and qualified rideshare vehicles;

(c) The use of reserved areas for rideshare parking is actively enforced by the employer; and

(d) The total reduction in the number of parking stalls does not exceed ten (10) percent of the required stalls.

SECTION 20 – *Amendment*. Section 15.06.050 of the Kent City Code is amended as follows:

Sec. 15.06.050. Regulations for specific districts.

In all districts the planning ~~manager~~ 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 (1) identification sign shall be permitted for each occupancy. The sign shall not exceed an area of three (3) square feet, shall not exceed a height of six (6) 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 (1) identification sign shall be permitted for each development, except that multiple-family dwellings with more than one (1) 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 (25) square feet, may be a wall or freestanding sign, shall be unlighted or indirectly lighted, and shall not exceed a height of six (6) 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 (1 1/2) feet for each foot of street frontage. 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 occupancies.* Each business establishment may have one (1) 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) 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)(2) 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) 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, S 240th Street, S 246th Street, or S 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, S 240th Street, S 246th Street, or S 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) 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) 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, 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 (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 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.

GD. *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.

HE. *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) 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 ~~(E)(1)(a)~~ (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~~F~~. *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 ~~manager~~ director.

J~~G~~. *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~~H~~. *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 21 – *Amendment.* Section 15.07.060 of the Kent City Code is amended as follows:

Sec. 15.07.060. Regulations for specific districts.

Landscaping regulations for specific zoning districts are as follows:

A. *Residential agricultural,* SR-1. None.

B. *Single-family residential,* SR-3 through SR-8. None.

C. *Duplex multifamily residential,* MR-D. None.

D. *Low density multifamily residential,* MR-G.

Multifamily residential townhouse, MR-T.

Medium density multifamily residential, MR-M.

High density multifamily residential, MR-H.

1. A minimum of ten (10) feet of landscaping shall be provided abutting a public right-of-way.

2. Open green area shall occupy no less than twenty-five (25) percent of the area of the lot.

3. The side and rear perimeters of properties shall be landscaped to a minimum depth of ten (10) feet.

4. A minimum of five (5) feet of foundation landscaping shall be placed along the perimeter of any multifamily structure. Foundation landscaping consists of shrubbery or some other combination of landscape materials that helps to reduce the visual bulk of structures and buffer dwelling units from light, glare, and other environmental intrusions.

E. *Mobile home park combining district,* MHP. Requirements shall be per the mobile home park code.

F. *Community commercial,* CC.

Commercial manufacturing, CM.

General commercial, GC.

Professional and office district, O.

1. The perimeter of property abutting a residential district shall be landscaped to a minimum depth of ten (10) feet.

2. A planting strip not less than five (5) feet in depth shall be provided along all property lines abutting public rights-of-way.

G. *Downtown commercial,* DC.

1. A minimum of three (3) feet of landscaping to screen off-street parking areas, placement of which shall be determined through the downtown design review process outlined in KCC 15.09.046.

2. Street trees in accordance with the official tree plan shall be planted.

H. *Downtown commercial enterprise,* DCE.

1. The perimeter of properties abutting a residential district shall be landscaped to a minimum depth of ten (10) feet.

2. A minimum of three (3) feet of landscaping to screen off-street parking areas, placement of which shall be determined through the downtown design review process outlined in KCC 15.09.046.

3. Street trees in accordance with the official tree plan shall be planted.

I. Midway transit community-1 district, MTC-1.

1. *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, building elevations and separate:

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

b. The perimeter of properties abutting a multifamily residential land use shall be landscaped with minimally five (5) feet of Type II landscaping.

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

i. 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.

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

iii. 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 2009 Design & Construction Standards, or as the same may be subsequently amended.

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

J. Midway transit community-2 district, MTC-2.

1. *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, building elevations and separate:

a. The perimeter of properties abutting public parks, plazas, open space, or multi-purpose trails shall be landscaped with minimally ten (10) feet of Type III landscaping.

b. When vehicular parking area abuts a public right-of-way, a Type III landscaping strip minimally five (5) 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.

K. Midway commercial/residential, MCR.

1. *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, building elevations and separate:

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.

L~~I~~. *Industrial agricultural*, MA (industrial uses) and *Agricultural general district*, AG.

Industrial park district, M1.

1. *Front yard*. The front twenty (20) feet shall be improved with appropriate permanently maintained landscaping.

2. *Side yard*. At least fifteen (15) feet of the side yard shall be landscaped as provided in subsection (I)(1) of this section.

M~~J~~. *Limited industrial district,* M2.

1. *Front yard.* The front fifteen (15) feet shall be improved with appropriate permanently maintained landscaping.

2. *Side yard.* At least ten (10) feet of the side yard shall be landscaped as provided in subsection (J)(1) of this section.

N~~K~~. *General industrial district,* M3.

1. *Front yard.* The front ten (10) feet shall be improved with appropriate permanently maintained landscaping.

2. *Side yard.* At least five (5) feet of the side yard shall be landscaped as provided in subsection (K)(1) of this section.

O~~L~~. *Gateway commercial district,* GWC.

1. *Additional landscaping requirements.* Landscaping requirements shall include the following:

a. 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, with an earth berm at least thirty-six (36) inches in height, shall be provided.

b. A landscape strip at least five (5) feet in depth shall be provided along the side property lines of all independent development sites. 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. Where the side property line of a commercial use abuts a residential district, a landscape strip at least ten (10) feet in depth shall be provided.

c. A landscape strip of at least fifteen (15) feet in depth shall be provided along side property lines flanking the street of a corner lot. Where vehicular parking areas abut the required side yard, an earth berm at least twenty-four (24) inches in height shall be provided.

d. A landscape strip of at least five (5) feet in depth shall be provided along all rear property lines. Where the rear property line of a commercial use abuts a residential use, a landscape strip of at least ten (10) feet in depth shall be provided.

PM. *Neighborhood convenience commercial,* NCC.

1. *Additional landscaping requirements*. Landscaping requirements shall include the following:

a. A landscape strip of at least ten (10) feet in depth shall be provided in the front yard. If a drive or parking aisle abuts the front yard, the required landscaping shall be augmented by an earth berm of at least thirty-six (36) inches in height.

b. A landscape strip of at least five (5) feet in depth shall be provided along the side property lines of all independent development sites. 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. Where the side property line of a commercial use abuts a residential district or use, a landscape strip of at least ten (10) feet in depth shall be provided.

c. A landscape strip of at least ten (10) feet in depth shall be provided along side property lines flanking the street of a corner lot. Where vehicular drive aisles or parking areas abut the required side yard, an earth berm of at least twenty-four (24) inches in height shall be provided.

d. A landscape strip of at least five (5) feet in depth shall be provided along all rear property lines. Where the rear property line of a commercial use abuts a residential district or use, a landscape strip of at least ten (10) feet in depth shall be provided.

SECTION 22 – *Amendment*. Section 15.09.045 of the Kent City Code is amended as follows:

Sec. 15.09.045. Administrative design review.

A. Purpose and scope. Administrative design review is an administrative process, the purpose of which is to implement and give effect to the comprehensive plan, its policies or parts thereof through the adoption of design criteria for development relative to site layout, landscape architecture, and exterior structure design. It is the intent of the city that this process will serve to aid applicants in understanding the principal expectations of the city concerning design, and encourage a diversity of imaginative solutions to development through the planning services division review and application of certain criteria. These criteria have been formulated to improve the design, siting, and construction of development projects so as to be compatible, both visually and otherwise, with the topographic, open space, urban, or suburban characteristics of the land or adjacent properties, while still maintaining allowable densities to be applied in a manner consistent with established land use policies, the

comprehensive plan, this title, and community development goals of the city.

The adoption of design criteria is an element of the city's regulation of land use, which is statutorily authorized. Application of the multifamily design process to the design criteria adopted in this section is established as an administrative function delegated to the planning services division pursuant to RCW Title 35A; therefore, in implementing the administrative design review process, the planning ~~manager~~ director may adopt such rules and procedures as are necessary to provide for expeditious review of proposed projects. Further rules may be promulgated for additional administrative review.

B. Application and review process. Administrative design review process is classified as a Process II application and shall be subject to the applicable requirements of Ch. 12.01 KCC. The applicant must make application for the design review process on forms provided by the planning services division. Upon receipt of an application for design review, the planning ~~manager~~ director shall circulate the application to the public works director, building official, and the city administrator for review. Prior to making a final decision, the planning ~~manager~~ director shall review any comments submitted for consideration. In the administration of this process, the planning ~~manager~~ director may develop supplementary handbooks for the public, which shall pictorially illustrate and provide additional guidance on the interpretation of the criteria set forth in subsections (C) and (D) of this section, as well as a detailed explanation of the design review process.

C. Residential design review. In order to diminish the perception of bulk, and provide visual interest along residential home facades that face public areas, architectural design considerations shall be applied. Homes located within subdivisions and short subdivisions vested after March 22, 2007, or

altered to comply with code amendments effective after March 22, 2007, shall be subject to residential design review. This design review shall be applied administratively as part of the building permit review process for each new home.

1. Orientation of homes. The entry facade of each dwelling unit shall be generally oriented toward the highest classification street from which access to the lot is allowed.

2. Attached units. A building that contains a grouping of attached units shall not exceed a two hundred (200) foot maximum length and shall be separated from other groups of attached units by a minimum fifteen (15) feet.

3. Architecture. Each dwelling unit facade that faces a public area shall, at a minimum, incorporate architectural elements as follows:

a. Two (2) elements of facade modulation and/or roofline variation;

b. The maximum horizontal facade length without one (1) element of either facade modulation or roofline variation shall be twenty (20) feet; and

c. Three (3) architectural detail elements.

4. Garages. Dwelling units within subdivisions and short subdivisions shall provide diminished garage doors according to the percentage and locations approved with the subdivision and short subdivision.

D. Multifamily design review. The planning services division shall use the following criteria in the evaluation and/or conditioning of applications under the multifamily design review process:

1. Site design.

a. The site plan for the development should be integrated with the surrounding neighborhood.

b. The site plan should take into consideration significant environmental considerations and the lay of the land.

c. The site plan should provide an open space network which will accommodate a wide variety of activities, both semipublic and private.

d. The site plan should accommodate vehicular access and parking in a manner which is convenient, yet does not allow the automobile to dominate the site.

e. The site plan should provide safe and convenient pedestrian circulation.

2. Landscape design.

a. The landscape plan should integrate with and enhance the surrounding neighborhood landscape.

b. The landscape plan should incorporate existing natural features of significance.

c. The landscape plan should enhance the planned open space network.

d. The landscape plan should enhance the parking and utility areas on the site.

e. The landscape plan should enhance building forms and orientation.

f. The landscape plan should indicate the use of plant species suited to the microclimate of the site and should provide for maintenance of these plants.

3. Building design.

a. The buildings in the development should, where appropriate, maintain neighborhood scale and density.

b. The buildings in the development should be oriented to provide for privacy of residents.

c. The exterior design of all buildings in the development should provide for individual unit identity.

E. Multifamily transition areas. Through the administrative design review process, specific multifamily transition area requirements may be waived or modified where the applicant demonstrates an alternative site plan which fulfills an equivalent function to the multifamily transition area requirements. Elements which may be evaluated under this process include general site layout, building placement and orientation, parking and maneuvering arrangements, landscaping, and other screening and buffering provisions.

1. Required findings. In order to modify or waive any multifamily transition area requirement, the planning ~~manager~~ director must find that all of the following criteria have been met:

a. The proposal will accomplish the same or better protection of an abutting single-family district from impacts of noise, traffic, light, and other environmental intrusions caused by the multifamily development.

b. The proposal will accomplish the same or better transition between the multifamily development and abutting streets, including adequate buffering of the multifamily development from the street, and vice versa.

c. The proposal is compatible with surrounding uses. Compatibility includes but is not limited to site layout, size, scale, mass, and provisions for screening and buffering. The planning ~~manager~~ director shall issue a report of his findings, conclusions, and determination for each proposal under this section.

F. Mixed use design review. The planning services division shall use the following criteria in the evaluation and/or conditioning of applications under the mixed use design review process when a project includes residential use:

1. The following criteria should apply to all mixed use with a residential component development:

a. Some common recreation space roofs, terraces, indoor rooms, courtyards.

b. Lighting features that are shielded, directing light downwards.

c. The residential portion of the building should incorporate residential details, such as window trim, trellises, balconies, and bay windows.

d. The residential component should have an obvious, generous entrance, within features suggesting a "front door" for example, a lobby, trellis, gate, archway, or courtyard.

2. The following criteria shall apply to mixed use development:

a. If the residential component is located away from the main street, a landscaped pedestrian path should be provided between the entrance and public sidewalk.

b. Although the commercial and residential components may have different architectural expressions, they should exhibit a number of elements that produce the effect of an integrated development.

c. Surface parking should be generously landscaped to serve as an amenity. Lighting fixtures should not exceed the height of the first floor.

3. The following criteria shall apply to mixed use buildings with a residential component:

a. Parking lots, if used, should be divided into small increments, separated by landscaping and structures, so that parking does not dominate the site.

b. Articulated by use of different materials, generous windows with low sill heights, "store" doors, canopies, and planters.

c. Residential floors should be expressed in an obvious manner, with stepbacks, change in materials or color, and overhangs.

d. Commercial signs should be contained within the first floor commercial base and not extend up into the residential floor facades.

G. Transit oriented community design review. The planning services division shall use the following criteria in the evaluation or conditioning of applications under the transit oriented community design review process:

1. The Midway Design Guidelines as an adopted element of the city's regulation of land use, which is statutorily authorized, shall apply to all development with a land use plan map designation of transit oriented community.

2. Residential use design review. In addition to the Midway Design Guidelines, the following design requirements apply to residential uses and development.

a. Openings from the build-to line. When a residential unit has direct access to the public domain, a ten (10) foot front yard shall be provided. When residential units have access

through a main location, such as an atrium, courtyard or other main entryway, said access shall be at the build-to line.

b. Open space. Residential development shall provide not less than twenty (20) percent of the gross land area for common open space, which shall be:

i. Designed to provide either passive or active recreation;

ii. If under one (1) ownership, owner shall be responsible for maintenance;

iii. If held in common ownership by all owners of the development by means of a home-owners' association, said association shall be responsible for maintenance. If such open space is not maintained in a reasonable manner, the city shall have the right to provide for the maintenance thereof and bill the homeowners' association accordingly. If unpaid, such bills shall be a lien against the homeowners' association; or

iv. Dedicated for public use if accepted by the city legislative authority or other appropriate public agency.

c. Storage of recreational vehicles. The storage or parking of recreational vehicles shall be prohibited.

H~~G~~. Appeals. The decision of the planning ~~manager~~ director to condition or reject any application under the administrative design review process is final unless an appeal is made by the applicant or any party of record to the hearing examiner within fourteen (14) calendar days of either the

issuance of the director's conditional approval under this section of any application, or the director's written decision rejecting any application under this section. The appeal shall be conducted by the hearing examiner as an open record appeal hearing in accordance with the requirements of Ch. 2.32 KCC and Ch. 12.01 KCC. The decision of the hearing examiner shall be final unless an appeal is made to the superior court within twenty-one (21) calendar days after the hearing examiner's notice of decision.

SECTION 23 - *Severability*. If any one or more sections, subsections, or sentences of this ordinance are held to be unconstitutional or invalid, such decision shall not affect the validity of the remaining portion of this ordinance and the same shall remain in full force and effect.

SECTION 24 – *Corrections by City Clerk or Code Reviser*. Upon approval of the City Attorney, the City Clerk and the code reviser are authorized to make necessary corrections to this ordinance, including the correction of clerical errors; references to other local, state or federal laws, codes, rules, or regulations; or ordinance numbering and section/subsection numbering.

SECTION 25 – *Effective Date*. This ordinance shall take effect and be in force thirty (30) days from and after its passage as provided by law.

SUZETTE COOKE, MAYOR

ATTEST:

BRENDA JACOBER, CITY CLERK

APPROVED AS TO FORM:

TOM BRUBAKER, CITY ATTORNEY

PASSED: 13 day of December, 2011.

APPROVED: 14 day of December, 2011.

PUBLISHED: 16 day of December, 2011.

I hereby certify that this is a true copy of Ordinance No. 4011 passed by the City Council of the City of Kent, Washington, and approved by the Mayor of the City of Kent as hereon indicated.

(SEAL)
BRENDA JACOBER, CITY CLERK

P:\Civil\Ordinance\Midway_DevRegs.FINAL.docx