

Proposed Code Changes to Title 15 for Behavioral Health Facilities

Chapter 15.02: DEFINITIONS

Add:

15.02.053: Community Based Behavioral Health Facility.

A residential facility licensed and regulated by the State of Washington, staffed to provide on-site care and that is not a hospital or a group home. Community based behavioral health facilities are considered commercial uses for the purposes of land use and zoning regulations.

15.02.131.1: Enhanced Service Facility.

A residential long-term community based behavioral health facility, licensed by the Washington State Department of Social and Health Services (DSHS), that provides support and services to persons for whom acute inpatient treatment is not medically necessary.

15.02.131.2: Essential Public Facility

Essential public facilities include public facilities that are typically difficult to site, such as airports, state education facilities, and state or regional transportation facilities as defined in RCW 47.06.140, regional transit authority facilities as defined in RCW 81.112.020, state and local correctional facilities, solid waste handling facilities, opioid treatment programs including both mobile and fixed-site medication units, recovery residences, harm reduction programs excluding safe injection sites, and inpatient facilities including substance use disorder treatment facilities, mental health facilities, group homes, community facilities as defined in RCW 72.05.020, and secure community transition facilities as defined in RCW 71.09.020.

15.02.199: Hospital

Any institution, place, building, or agency providing accommodations, facilities, and services over a continuous period of twenty-four hours or more for observation, diagnosis, or care, of two or more individuals suffering from illness, injury, deformity, or abnormality, or from any other condition for which obstetrical, medical, or surgical services would be appropriate.

15.02.203.2: Intensive Behavioral Health Treatment Facility.

A community based behavioral health facility, licensed by the Washington Department of Health, for individuals with behavioral health conditions, including individuals discharging from or being diverted from state and local hospitals, whose impairment or behaviors do not meet, or no longer meet, criteria for involuntary inpatient commitment under chapter 71.05 RCW, but whose care needs cannot be met in other community-based placement settings.

15.02.335.02: Professional services: medical, clinics, and other health care-related services

An office setting that provides medical consultants, treatments and/or services. This does not include hospitals, opioid treatment programs, or community based behavioral health facilities.

15.02.340.2: School Separation Buffer

A buffer of 880 linear feet that shall be utilized to separate specific uses from public or common schools, as defined by RCW 28A.150. Distance shall be measured in a straight line between the closest property line of the proposed facility and the closest property line of the school.

Revise:

15.02.335.3 Residential facility with health care.

Residential facility with health care means a medically staffed facility intended for the long-term residential care of more than 10 handicapped individuals who, because of age or medical condition, are incapable of independent living. This definition also includes nursing homes, as defined in RCW 18.51.010, and continuing care retirement communities as defined in RCW 70.38.025, but does not include group homes or community based behavioral health facilities.

15.04.020 Residential land uses.

Revise:

	Zoning Districts																									
Key P = Principally Permitted Uses S = Special Uses C = Conditional Uses A = Accessory Uses M = Minor Conditional Uses	A-10	AG	SR-1	SR-3	SR-4.5	SR-6	SR-8	MR-D	MR-T12	MR-T16	MR-G	MR-M	MR-H	MHP	NCC	CC	DC	DCE	MTC-1	MTC-2	MGR	CM	GC	I1	I2	I3
Residential facilities with health care				M	M	M	M	M			P (29)	P (29)	P (29)			P (2) M (3)	P (4)					P (2) M (3)				
Designated manufactured home	P (25)		P (25)																							
Isolation and quarantine facilities																								C (36)	C (36)	C (36)
Enhanced service facility																C (15)			C (15)	C (15)	C (15)		C (15)			
Intensive behavioral health treatment facility																C (15)			C (15)	C (15)	C (15)		C (15)			

15.04.030 Residential land use development conditions.

Revise:

15. ~~Reserved~~ Enhanced service facilities and intensive behavioral health treatment facilities are permitted only with a conditional use permit if they meet the following conditions:

a. No community based behavioral health facility may be located within 500 feet of an existing behavioral health facility. Distance shall be measured in a straight line between the closest property line of the proposed facility and the closest property line of the existing facility. Exceptions may be granted if the proposed facilities have the same provider and deemed appropriate by the hearing examiner.

b. Adult community based behavioral health facilities shall be subject to School Separation Buffer requirements outlined in KCC 15.02.340.2.

c. All state and local licensing is required, including but not limited to a City of Kent Business License. Licensing from the Washington State Department of Social and Health Services (DHS) or the Washington Department of Health (DOH) is required prior to the City of Kent Business License approval.

d. A detailed written description of the proposed and potential services shall be provided within a narrative.

e. An operational plan is required at time of submittal that outlines facility point of contact, hours of operation, processes for communicating with neighboring residents and businesses, processes to address concerns or complaints, facility rules and regulations, number of staffing, staff details and shift times, number of residents and expected lengths of stay, safety plan, and a discharge plan providing transportation services upon discharge.

f. Off-street loading and offloading areas must be provided on site.

g. The possession or use of illegal drugs at a community based behavioral health facility or the property occupied by the facility is prohibited.

15.04.090 Service land uses.

Revise:

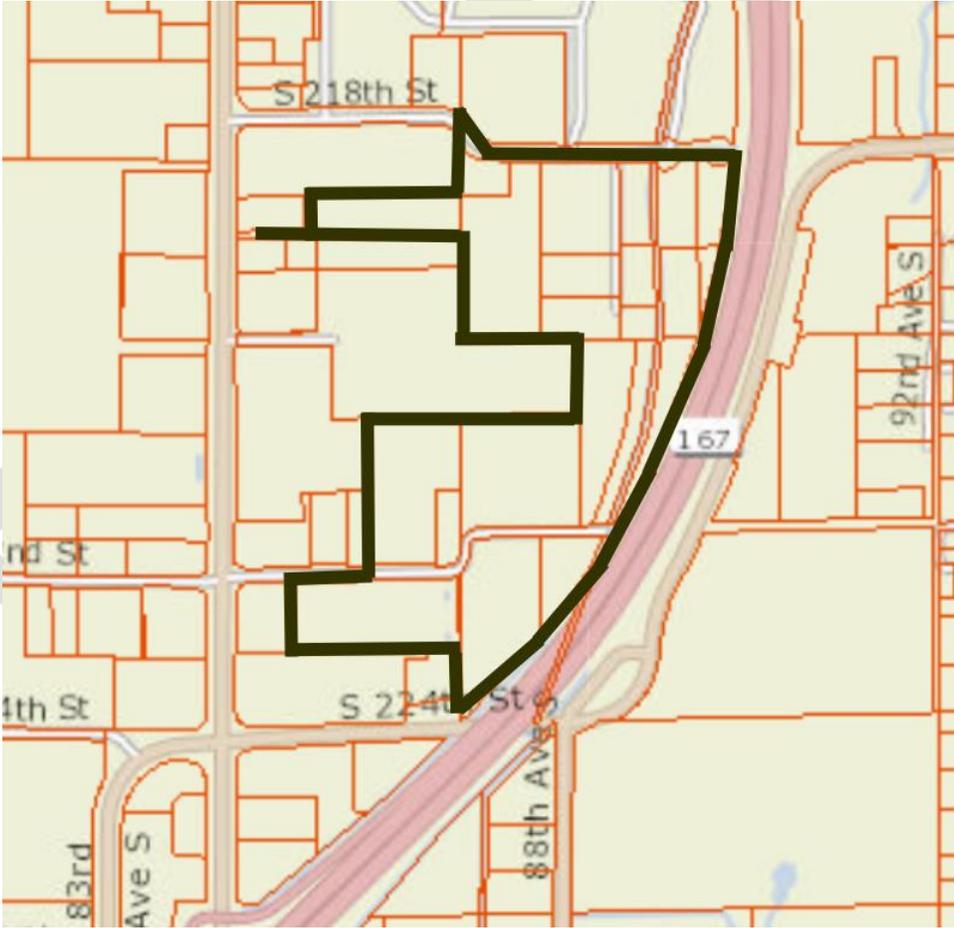
Key	Zoning Districts																									
	A-10	AG	SR-1	SR-3	SR-4.5	SR-6	SR-8	MRF-D	MRF-T12	MRF-T16	MRF-G	MRF-M	MRF-H	MHP	NCC	CC	DC	DCE	MTC-1	MTC-2	MCR	CM	GC	I1	I2	I3
Repair services: watch, TV, electrical, electronic, upholstery																P	P (12)	P	P			P	P	P (2)	P (2)	P (2)
Professional services: medical, clinics, and other health care-related services															P (20)	P		P	P	P	P	P	P	P (2)	P (2)	P (2)
Opioid treatment programs																						C (3)		C (3)	C (3)	

		Zoning Districts																									
Key																											
P = Principally Permitted Uses																											
S = Special Uses																											
C = Conditional Uses																											
A = Accessory Uses																											
M = Minor Conditional Uses																											
		A-10	AG	SR-1	SR-3	SR-4.5	SR-6	SR-8	MR-D	MR-T12	MR-T16	MR-G	MR-M	MR-H	MHP	NCC	CC	DC	DCE	MTC-1	MTC-2	MCR	CM	GC	I1	I2	I3
Offices incidental and necessary to the conduct of a principally permitted use										A	A	A	A	A											P (2)	P (2)	P (2)
Hospital																							C				

15.04.100 Service land use development conditions

Revise:

3. Opioid treatment programs and harm reduction programs are permitted only with a conditional use permit within the CM zone on parcels fronting Pacific Highway S or Central Avenue S and within I1 and I2 in the area depicted in the map below.



In addition to the general requirements of KCC 15.08.030, all applications shall contain and be approved by the city based on the following information:

- a. A detailed written description of the proposed and potential services to be provided, and identification of any applicable public regulatory agencies;

- b. A written statement of need, in statistical or narrative form, for the proposed project currently and over the following 10-year period;
 - c. An inventory of known, existing or proposed facilities, by name and address, within King County, or within the region, serving the same or similar needs as the proposed facility;
 - d. An explanation of the need and suitability for the proposed facility at the proposed location;
 - e. An analysis of the proposed facility's consistency with the city of Kent comprehensive plan and development regulations, and plans and policies of other affected jurisdictions, including but not limited to the King County Countywide Planning Policies;
 - f. No opioid treatment program or harm reduction program may be located within 500 feet of an existing opioid treatment program or harm reduction program.
 - g. A mobile or fixed-site medication unit may be established as part of a licensed opioid treatment program and must comply with city of Kent business license requirements and is subject to the standards outlined in this section.
 - h. All opioid treatment programs must provide indoor waiting areas of at least 15 percent of the total floor area.
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15.04.150 Special use combining district, SU.

Revise:

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

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

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

2. Uses which would involve the construction of buildings or other structures of unusual height or mass.
3. Uses which house, employ, or serve large numbers of people.
4. Uses which generate heavy traffic.
5. Uses which have unusual impact on environmental quality of the area.
6. Any use which does not lend itself to an interpretation of substantial similarity to other uses identified or described in this title.
7. Uses which, in the judgment of the planning manager, warrant review by the land use and planning board and the city council.
8. Examples of uses subject to review as described in this subsection would include but are not limited to the following:
 - a. Commercial uses: sports stadiums, rodeos, fairgrounds, exhibition or convention halls, merchandise marts, and drive-in theaters.
 - b. Special environmental problems posed by: refineries, nuclear power generating plants, airports, heliports, sanitary landfills, extractive industries, solid waste incinerators, or energy/resource recovery facilities.

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

C. Documentation required. Required documentation is as follows:

1. A vicinity map drawn to a scale not smaller than 1,000 feet to the inch showing the site in relation to its surrounding area, including streets, roads, streams, or other bodies of water, the development characteristics and zoning pattern of the area, and a scale and north arrow. The vicinity map may be in sketch form but shall be drawn with sufficient accuracy to reasonably orient the reader to the vicinity, and to adequately convey the required information.
2. A map or drawing of the site drawn to a scale acceptable to the planning services, generally 100 feet to the inch. The map or drawing shall show the following information:
 - a. Dimensions and names of streets bounding or touching the site.
 - b. Such existing or proposed features as streams or other bodies of water, rights-of-way, easements, and other physical or legal features which may affect or be affected by the proposed development.

- c. Existing and proposed topography at contour intervals of not more than five feet in areas having slopes exceeding three percent, and not more than two feet in areas having slopes of less than three percent.
- d. Accurate legal description of the property.
- e. Existing and proposed structures or buildings, including the identification of types and proposed use of the structures. All uses must be compatible with the major use.
- f. Off-street parking and loading facilities.
- g. Dimensions of the site, distances from property lines, and space between structures.
- h. Tentative routing of domestic water lines, storm drains, sanitary sewers, and other utilities, including an identification of planned disposal or runoff.
- i. Elevations, perspective renderings, or such other graphic material or evidence to illustrate effect on the view enjoyed by and from other properties in the vicinity, if required by the planning department.
- j. Architectural renderings of buildings.
- k. A written statement providing the following information:
 - i. Program for development, including staging or timing.
 - ii. Proposed ownership pattern upon completion of development.
 - iii. Basic content of restrictive covenants, if any.
 - iv. Provisions to ensure permanence and maintenance of open space through means acceptable to the city.
 - v. Statement or tabulation of number of persons to be employed, served, or housed in the proposed development.
 - vi. Statement describing the relationship of the proposed development to the city comprehensive plan.
 - vii. Statement indicating availability of existing or proposed sanitary sewers.
- 3. Such other data or information as the planning department may require.

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

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

3. That setback, height, and bulk of buildings are acceptable for the proposed use and for the vicinity in which it is located.
4. That landscaping and other site improvements are comparable to the highest standards set forth for other developments as set out in this title.
5. That the performance standards pertaining to air and water pollution, noise levels, etc., are comparable to the highest standards specified for other uses as set out in this title.
6. That the proposed development is in the public interest and serves a need of community-wide or regional importance. In reviewing and approving special uses, the hearing examiner and the city council may impose such conditions as they deem necessary in the interest of the welfare of the city and the protection of the environment.

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

F. Minor and major adjustments.

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

G. Essential Public Facilities. If the proposed use is an essential public facility as defined by RCW 36.70A.200, and not specifically listed in this chapter, it shall be subject to the provision of this section. In addition, a notice of application shall be required pursuant to KCC 12.01.140. The city's final decision may be appealed pursuant to KCC 12.01.200. The application shall require the following materials:

1. A plan for removal of individuals who present a threat to other individuals, the site, or other nearby properties, to the maximum extent permitted by the law;
2. A plan for addressing reported concerns and documenting resolution, and making this information publicly available; and

3. Documentation of public involvement efforts to date, including public and agency comments received, and plans for future public participation.

15.04.170 Agricultural and residential zone development standards.

Revise:

	Zoning Districts																						
	A-10 Agricultural	SR-1 Residential Agricultural	SR-3 Single-Family Residential	SR-4.5 Single-Family Residential	SR-6 Single-Family Residential	SR-8 Single-Family Residential	MR-D Duplex Multifamily Residential		MR-T12 Multifamily Residential Townhouse			MR-T16 Multifamily Residential Townhouse			MR-G Low Density Multifamily Residential			MR-M Medium Density Multifamily Residential		MR-H High Density Multifamily Residential			MHP Mobile Home Park Combining
							SF	Duplex	SF	Duplex	MF	SF	Duplex	MF	SF	Duplex	MF	SF	Duplex	MF	SF	Duplex	MF
Maximum density: dwelling units per acre	1 du/10 ac	1 du/ac	3.63 dus/ac	4.53 dus/ac	6.05 dus/ac	8.71 dus/ac	8.71 dus/ac	10.89 dus/ac	12.0 dus/ac		12.0 dus/ac	16.0 dus/ac		16.0 dus/ac		16.0 dus/ac	23.0 dus/ac		23.0 dus/ac	40.0 dus/ac		40.0 dus/ac	(2)

	Zoning Districts																							
	A-10 Agricultural	SR-1 Residential Agricultural	SR-3 Single-Family Residential	SR-4.5 Single-Family Residential	SR-6 Single-Family Residential	SR-8 Single-Family Residential	MR-D Duplex Multifamily Residential		MR-T12 Multifamily Residential Townhouse			MR-T16 Multifamily Residential Townhouse			MR-G Low Density Multifamily Residential			MR-M Medium Density Multifamily Residential		MR-H High Density Multifamily Residential			MHP Mobile Home Park Combining	
Maximum site coverage: percent of site	30%	30%	45% (5)	45% (5)	50% (5)	55% (5)	55% (5)	40% (5)	55% (5)	40% (5)	45% (5)	55% (5)	40% (5)	45% (5)	55% (5)	40% (5)	45% (5)	55% (5)	40% (5)	45% (5)	55% (5)	40% (5)	50%	
Minimum yard requirements: feet	(22)																							
Front yard	20 ft (6)	20 ft (6)	10 ft (8)	10 ft (8)	10 ft (8)	10 ft (8)	10 ft (8)	10 ft (8)	10 ft (8)	10 ft (8)	10 ft (8)	10 ft (8)	10 ft (8)	10 ft (8)	10 ft (8)	10 ft (8)	10 ft (8)	10 ft (8)	10 ft (8)	10 ft (8)	10 ft (8)	10 ft (8)	10 ft (8)	10 ft
Side yard	15 ft	15 ft	5 ft	5 ft	5 ft	5 ft	5 ft (30)	5 ft	5 ft (30)	5 ft	(11)	5 ft (30)	5 ft	(11)	5 ft (30)	5 ft	(11)	5 ft (30)	5 ft	(11)	5 ft (30)	5 ft	(11)	(11)
Side yard on flanking street of a corner lot	20 ft	20 ft	10 ft (9)	10 ft (9)	10 ft (9)	10 ft (9)	10 ft (9)	10 ft (9)	10 ft (9)	10 ft (9)	15 ft (9)	10 ft (9)	10 ft (9)	15 ft (9)	10 ft (9)	10 ft (9)	15 ft (9)	10 ft (9)	10 ft (9)	15 ft (9)	10 ft (9)	10 ft (9)	15 ft (9)	(3)
Rear yard	20 ft	15 ft	5 ft	10 ft	10 ft	10 ft	5 ft	8 ft	5 ft	8 ft	20 ft	5 ft	8 ft	20 ft	5 ft	8 ft	20 ft	5 ft	8 ft	20 ft	5 ft	8 ft	(3)	(3)

	Zoning Districts																		
	A-10 Agricultural	SR-1 Residential Agricultural	SR-3 Single-Family Residential	SR-4.5 Single-Family Residential	SR-6 Single-Family Residential	SR-8 Single-Family Residential	MR-D Duplex Multifamily Residential	MR-T12 Multifamily Residential Townhouse	MR-T16 Multifamily Residential Townhouse	MR-G Low Density Multifamily Residential	MR-M Medium Density Multifamily Residential	MR-H High Density Multifamily Residential	MHP Mobile Home Park Combining						
Off-street parking	The off-street parking requirements of Chapter 15.05 KCC shall apply.																		
Landscaping	The landscaping requirements of Chapter 15.07 KCC shall apply.																		
Design review	(26) (39) (40)	(25) (26) (39) (40)	(25) (26) (39) (40)	(25) (26) (39) (40)	(25) (26) (39) (40)	(25) (26) (39) (40)	(25)(40)	(25)(40)	(25)(34)(40)	(25)(26)(40)	(25)(26)(34)(40)	(25)(26)(40)							
Additional standards	Additional standards for specific uses are contained in Chapters 15.08 and 15.09 KCC.																		
	(20) (41)	(31) (33) (36) (41)	(33) (36) (41)	(33) (36) (41)	(33) (36) (41)	(33) (36) (41)	(36) (36)	(28) (29) (36)	(28) (29) (36)	(36) (41)	(36) (41)	(36) (41)	(36) (41)	(36) (41) (3)	(36) (36)	(36) (36)	(36) (36)	(36) (36)	(36) (36)

15.04.180 Agricultural and residential land use development standard conditions

Revise:

2. ~~Reserved~~ Enhanced service facilities are not subject to a maximum density per acre.

3. ~~Reserved~~ For enhanced service facilities, the following shall apply:

a. Front, side, side yard and rear setbacks shall be 10 feet.

b. Designated smoking areas shall be provided on site and be located the furthest away from any adjacent residential use. Smoking areas shall be consistent with building code requirements.

c. Thirty (30) square feet per bed shall be provided towards outdoor recreational space. Outdoor recreational space should have a minimum dimension of 15 feet to provide functional leisure or recreational activity. This space may be partially located within the setback.

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

25. Assisted living facilities, independent senior living facilities, enhanced service facilities and residential facilities with health care are subject to multifamily design review as provided for in KCC 15.09.045(D), except when located within downtown or along Meeker Street from 64th Avenue South to Kent-Des Moines Road, where development is subject to downtown design review pursuant to KCC 15.09.046.

Only the building and materials standards of multifamily design review requirements of KCC 15.09.045(d) shall apply for enhanced service facilities.

26. The requirements of KCC 15.09.045(D) for multifamily design review shall apply to any multifamily dwelling or transitional housing of three or more units, including triplex townhouse structures, except when located within downtown or along Meeker Street from 64th Avenue South to Kent-Des Moines Road (where development is subject to downtown design review pursuant to KCC 15.09.046), or when located in a single-family plat or short plat, where residential design review applies pursuant to KCC 15.09.045(C). Only the building and materials standards of multifamily design review requirements of KCC 15.09.045(d) shall apply for enhanced service facilities.

15.04.190 Commercial and industrial zone development standards.

Revise:

DRAFT

	Zoning Districts												
	NCC	CC	DC	DCE	MTC-1	MTC-2	MCR	CM	GC	I1	I2	I3	AG
Side yard	(8)	(9) (5)	(2)	(3)	(68) (10) (5)	(68) (10) (5)	(68) (10) (5)	(10)	(10) (5)	10 ft	10 ft	15 ft	(12)
Side yard on flanking street of corner lot		(5)			(5)	(5)	(5)		(5)	15 ft	15 ft	20 ft	
Rear yard	(8)	20 ft (5)	(2)	(3)	(68) (19) (5)	(68) (19) (5)	(68) (19) (5)	(19)	(19) (2) (5)	(20)	(20) (21)	(20) (21)	(20) (21)
Yards, transitional conditions										(24)	(24)	(24)	(24)
Additional setbacks										(29)	(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	(32)	7 stry/65 ft (69) (70)	16 stry/200 ft (70)	16 stry/200 ft (70)	2 stry/ 35 ft (30)	2 stry/ 35 ft (30)	8 stry/ 85 ft	8 stry/ 85 ft	8 stry/ 85 ft	2 stry/ 35 ft (35)

	Zoning Districts												
	NCC	CC	DC	DCE	MTC-1	MTC-2	MCR	CM	GC	I1	I2	I3	AG
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 (66)	10,000 sq ft	15,000 sq ft	15,000 sq ft	1 acre
Maximum site coverage: percent of site	40%	40%	100%	100%	80%	100%	80%	50%	40%	60%	65%	75%	60%
Minimum yard requirements: feet													
Front yard	10 ft	15 ft (5)	(2)	(3)	20 ft (5)	(68) (5)	20 ft (5)	15 ft	20 ft (5)	15 ft	15 ft	25 ft	(5)

	Zoning Districts												
	NCC	CC	DC	DCE	MTC-1	MTC-2	MCR	CM	GC	I1	I2	I3	AG
	(57)	(57)						(57)	(57)	(57)	(57)	(57)	(57)
Design review		(4)(11) (15)	(31)	(31)	(71)	(71)	(71)	(4)(72)	(4)(11) (15) (72)	(73)	(73)	(73)	
Additional standards	(50)	(50)	(50)	(50)	(50)	(50)	(50)	(50)	(50)	(50)	(50)	(50)	(50)
	(56)	(56)	(56)	(56)	(56)	(56)	(56)	(56)	(56)	(54)	(54)	(54)	(53)
	(62)	(5)		(67)	(5)	(5)	(5)		(5)	(55)	(55)	(55)	(54)
	(63)									(56)	(56)	(56)	(55)
	(64)									(59)	(59)	(59)	(56)
	(65)									(63) (16)	(63)	(63)	(59)

15.04.195 Commercial and industrial land use development standard conditions.

Revise:

4. Assisted living facilities, independent senior living facilities, enhanced service facilities, intensive behavioral health treatment facilities, and residential facilities with health care are subject to multifamily design review as provided for in KCC 15.09.045(D), except when located within downtown or along Meeker Street from 64th Avenue South to Kent-Des Moines Road, where development is subject to downtown design review pursuant to KCC 15.09.046. Only the building and materials standards of multifamily design review requirements of KCC 15.09.045(d) shall apply for enhanced service facilities and intensive behavioral health treatment facilities.

5. ~~[Reserved]~~ For enhanced service facilities and intensive behavioral health treatment facilities, the following shall apply:

a. Front, side, side yard and rear setbacks shall be 10 feet.

b. Designated smoking areas shall be provided on site and be located the furthest away from any adjacent residential use. Smoking areas shall be consistent with building code requirements.

c. Thirty (30) square feet per bed shall be provided towards outdoor recreational space. Outdoor recreational space should have a minimum dimension of 15 feet to provide functional leisure or recreational activity. This space may be partially located within the setback.

15.04.200 Mixed use overlay development standards.

Revise:

Overlay Districts	GC-MU	CC-MU
Floor area ratio	Not applicable	<p>0.40 for commercial uses.</p> <p>0.50 for commercial uses combined with residential uses; provided, that commercial floor area may be increased by one square foot for each square foot of residential floor area provided up to a maximum commercial FAR of 0.5.</p> <p>1.0 for residential uses; provided, that residential FAR may be increased by 0.5 if parking is provided below grade, up to a maximum of 1.5.</p>
Minimum commercial	<p>At least five percent of the gross floor area must be a permitted commercial use. The residential component of any mixed use development cannot be permitted or occupied prior to the permitting or lawful occupancy of the commercial component.</p>	<p>At least 25 percent of the gross floor area must be a permitted commercial use, except for mixed use on parcels two acres or less where at least five percent of the gross floor area must be a permitted commercial use. The residential component of any mixed use development cannot be permitted or occupied prior to the permitting or lawful occupancy of the commercial component.</p>
Site coverage	<p>40 percent for commercial uses.</p> <p>60 percent for commercial uses with residential uses; provided, that five percent of the gross floor area is commercial use, except within the downtown area (as defined in KCC 15.09.046), where 25 percent of the gross floor area must be commercial use.</p>	<p>40 percent for commercial uses.</p> <p>60 percent for commercial uses with residential uses; provided, that 25 percent of the gross floor area is residential use.</p>

Height	65 feet.	25 feet; provided, that basic heights may be increased up to the maximum height of 40 feet. (1)
Front Yard	Zero feet; provided, that some setback may be required in the front yard to accommodate a sidewalk which shall be at least 10 feet in width. (4)	Zero feet; provided, that some setback may be required in the front yard to accommodate a sidewalk which shall be at least 10 feet in width. (4)
Rear and side yard	Zero feet; provided, that setbacks of at least 20 feet will be required in any rear or side yards that are adjacent to a residential zoning district. (4)	Zero feet; provided, that setbacks of at least 20 feet will be required in any rear or side yards that are adjacent to a residential zoning district. (4)
Off-street parking	The off-street parking requirements of Chapter 15.05 KCC shall apply.	Retail/office uses: four spaces per 1,000 square feet of floor area. (2) Residential uses. (3) <u>Enhanced service facilities and intensive behavioral health treatment facilities shall follow the parking requirements of Chapter 15.05 KCC.</u>
Design review	Design review requirements of KCC 15.09.045(F) shall apply for all mixed use development in GC-MU zones, except for the following: a. Developments along Meeker Street from 64th Avenue South to Kent-Des Moines Road and in downtown are subject to downtown design review requirements of KCC 15.09.046. b. Independent senior living facilities, assisted living facilities, enhanced service facilities, intensive behavioral health treatment	Design review requirements of KCC 15.09.045(F) shall apply for all mixed use development in CC-MU zones, except for the following: a. Developments along Meeker Street from 64th Avenue South to Kent-Des Moines Road and in downtown are subject to downtown design review requirements of KCC 15.09.046. b. Independent senior living facilities, assisted living facilities, enhanced service facilities, intensive behavioral health treatment facilities, residential facilities with health care or transitional housing of three or more families located outside of

	<p>facilities, residential facilities with health care or transitional housing of three or more families located outside of downtown and Meeker Street from 64th Avenue South to Kent-Des Moines Road are subject to multifamily design review as provided for in KCC 15.09.045(D).<u>Only the building and materials standards of multifamily design review requirements of KCC 15.09.045(d) shall apply for enhanced service facilities and intensive behavioral health treatment facilities.</u></p>	<p>downtown and Meeker Street from 64th Avenue South to Kent-Des Moines Road are subject to multifamily design review as provided for in KCC 15.09.045(D).<u>Only the building and materials standards of multifamily design review requirements of KCC 15.09.045(d) shall apply for enhanced service facilities and intensive behavioral health treatment facilities.</u></p>
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15.04.205 Mixed use land use development standard conditions.

Add:

4. Minimum setbacks for enhanced service facilities and intensive behavioral health treatment facilities shall be 10 feet for front, side and rear.

15.05.040 Parking standards for specific activities.

Add:

Medical Activities

Specific Land Use	Parking Space Requirement
<u>Community Behavioral Health Facilities (including enhanced service facilities and intensive behavioral health treatment facilities.)</u>	<u>One off-street parking space per staff member on the largest shift, plus one parking space per three beds.</u>

15.07.060 Regulations for specific districts.

Revise:

Zones	Minimum Perimeter Landscape Planter Width and Type				Additional Requirements
	Abutting Street	Side Yard	Rear Yard	Abutting Residential District or Use	
SR-1 through SR-8	N/A (see also KCC 12.04.245)				
MR-D	N/A				
MR-G MR-T MR-M [§] MR-H [§]	10' Type III	10' Type II or III	10' Type II or III	N/A, except for parking lots per KCC 15.07.040(B)(2)	Open green area shall occupy no less than 25 percent of the total lot area. A minimum of five 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. Additional requirements may apply through multifamily design review, KCC 15.09.045(D).
MHP	Requirements per Chapter 12.05 KCC				
CC [§] CM GC [§]	5' Type III	N/A	N/A	10' Type II, and for parking lots per KCC 15.07.040(B)(2)	N/A

Zones	Minimum Perimeter Landscape Planter Width and Type				Additional Requirements
	Abutting Street	Side Yard	Rear Yard	Abutting Residential District or Use	
DCE	N/A			10' Type II, and for parking lots per KCC 15.07.040(B)(2)	A minimum of three 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. Additional landscaping or alternative methods of screening may be approved through downtown design review.
MTC-1 ¹ §					
MTC-2 ² §					
MCR ³ §					

Add:

8. For enhanced service facilities and intensive behavioral health treatment facilities, a minimum 5 foot Type II landscaping and sight-obscuring fencing shall be provided around the perimeter of the property. Fencing shall be a minimum of 5 feet in height and constructed of solid wood, iron, masonry, or other suitable materials approved by the planning manager. Additional perimeter landscape planter strips are not required.
