

ORDINANCE NO. 2544

AN ORDINANCE of the City of Kent, Washington, relating to Planning and Zoning; adding new Sections 15.02.088, 15.02..339, 15.02.252, 15.02.529, 15.02.336, 15.02.318, 15.08.260 Kent City Code, to provide definitions, regulations and standards for the Green River Corridor Special Interest District; adding a new Section 12.12A.715 Kent City Code, to require environmental review in Environmentally Sensitive Areas.

*Secs D(7)+D(9)
Amended by
Ord. 3338*

WHEREAS, THE Shoreline Management Act, R.C.W. 90.58, and Kent's Shoreline Master Program create a shoreline district which includes lakes, streams and tidal waters and uplands within 200 feet thereof; and is intended to protect and preserve shorelines and adjacent uplands through development regulations; and

WHEREAS, the City Council of the City of Kent finds that an additional corridor along the Green River, 800 feet beyond the shoreline district is necessary and appropriate in order to protect, conserve and manage land upland of the Green River through additional development regulations; and

WHEREAS, the Green River corridor regulations will protect the land adjacent to the River and within the corridor from land uses which would adversely affect the shoreline environment; will preserve natural and/or constructed features within the corridor which have historic, cultural or educational significance; regulate land uses which produce high volumes of traffic; and implement the adopted policies of the Valley Studies Program; NOW THEREFORE

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

Section 1. A new section, Section 15.08.260, Kent City Code, is hereby established as follows:

15.08.260 GREEN RIVER CORRIDOR SPECIAL INTEREST DISTRICT REGULATIONS

A. Purpose. The Green River Corridor Special Interest District (District) is hereby created to protect, conserve and

manage areas generally located on both sides of the Green River, and to assure that urban development within the District is compatible with the open, natural configuration of the Green River and its adjacent lands.

B. Location.

1. The Green River Corridor Special Interest District is that area of the City 1000 feet from the ordinary high water line of the Green River; provided, the Shoreline Master Program shall govern development within the first 200 feet of the ordinary high water line of the river. The District is more particularly described as follows:

Two strips of lands each 800.00 feet in width which begin at the north City limit line, on March 4, 1985, and end at the south city limit line, which said south line ends in Section 30, Township 22N, Range 5E, W.M. Each strip shall be measured from each side of the Green River and the measurement shall be 200 feet from the ordinary high water line of said river, all in King County, Washington; Except any portions thereof lying outside of the Kent City Limits.

Provided, further, this District shall also include "Unique and Fragile Areas" beyond the 1000 foot corridor. The above described strips of land and the "Unique and Fragile Areas" are illustrated on the "Hazard Area Development Limitations Map", attached hereto as Exhibit A and by this reference incorporated herein.

2. Property Exemption. Property platted in accordance with the Kent Subdivision Code, Ordinance 1840, before March 2, 1981 (adoption of the Valley Studies) shall be exempt from these provisions.

C. Unique and Fragile Overlay Zone.

1. Created. There is hereby created a "Unique and Fragile" Overlay Zone. The location and boundaries of the zone to be known as "Unique and Fragile Areas, Class I" and "Unique and Fragile Areas, Class II" are more particularly described on the Hazard Area Development Limitations Map, referred to above as Exhibit A.

2. Purpose. The purpose of the overlay zone is to implement the adopted policies of the Valley Studies Program.

3. Development Limitations.

a. Unique and Fragile Areas, Class I. Uses within the "Unique and Fragile Areas, Class I" shall be limited to

agricultural uses permitted in the A-1 (Agricultural) Zone, K.C.C. 15.04.005 (Ord. No. 2488).

b. Unique and Fragile Areas, Class II.

"Unique and Fragile Areas, Class II" lie within a flood control district and are specifically designated floodways and/or floodway fringe areas. There shall be no disruption or destruction of areas identified as "Unique and Fragile Areas, Class II" except new dikes and levees constructed for public safety reasons. Such improvements shall be designed so as not to intrude within "Unique and Fragile Areas, Class II." Where Class II areas are not surrounded by Class I areas, a 100 foot buffer shall be provided between the Class II area and the allowed use.

D. Development Standards.

1. Green River Access. No building or lot within the District shall be constructed or created without providing access to the Green River via public sidewalks or a private trail system. Such sidewalks or private trail systems shall connect to riverside public trails or scenic drives at intervals of 1,000 feet or less in industrial developments, and intervals of 500 feet or less in residential developments.

2. Pedestrian Access in Residential Development. In residential developments, pedestrian access to the Green River shall be accomplished without crossing streets or roads, except scenic and recreational roads, unless clearly shown to be infeasible.

3. Parking Facilities. Parking facilities for access to the Green River shall be located as near as practicable to riverfront parks and/or historic sites and shall be clustered in lots not exceeding 30 cars. Every public parking area shall be visible from a street accessible to the public and be situated so that the public can clearly see riverfront open space and gain access to the public portion of that open space.

4. Payment in Lieu of Parking Facilities. The City may accept or require payment in lieu of providing parking facilities which are required as a condition of the issuance of development permits.

5. Loading Dock Location. Loading Docks shall not be constructed on river-facing sides of buildings located on riverfront lots.

6. Building Height. Buildings located outside the 200 foot Shoreline Management Zone but within the District shall not exceed 35 feet in height.

7. Exterior Walls of Building. No building on any riverfront lot shall have an exterior wall(s) parallel to, or within 45 degrees of parallel to, the river which exceeds 200 feet in length.

8. Sufficient Area.

a. Each riverfront lot within a subdivision shall contain area sufficient to comply with minimum lot size requirements of Chapter 15.04 K.C.C. and provide a public access easement and "building setback line" as required by this section.

b. No subdivision of Professional and Office (O), General Commercial (GC), Industrial Agricultural (MA), Industrial Park (M1) and Limited Industrial (M2) zoned land shall be approved unless each lot within the subdivision has an upland boundary at least 500 feet from the ordinary high water line of the river.

9. Vegetation Buffer.

a. A permanent vegetation buffer, in accordance with Section 15.07.050C, Landscaping Type III, shall be maintained or established for each building or use within the District. Any materials storage yard, truck maneuvering area, equipment parking area, junk yard, refuse storage or similar use within the District shall install such a permanent vegetative buffer between the use and the Green River within two years of the effective date of this ordinance.

b. Landscape screening and buffer strips shall be planted in order to be harmonious with those already planted on adjacent properties and consistent with the Kent landscaping requirements, Chapter 15.07 KCC.

10. Rail Lines. No rail lines shall be permitted within 500 feet of the Green River; PROVIDED, however, rail lines shall be permitted to within 300 feet of the Green River in those locations specified on Exhibit B, attached hereto and by this reference incorporated herein, such locations having been found to be best suited to rail.

11. Road Access. All new lots and buildings shall be designed with primary street access to streets other than Scenic and Recreational Roads, unless no other access is available.

12. Street Connections. Development shall include no street connections to Scenic and Recreational Roads, unless no other access is available.

13. Utilities. Utilities shall be installed in accordance with Chapter 7.10 KCC (Ordinance 1695, as amended).

14. Surface Drainage Facilities. Surface drainage facilities such as drainage channels and retention areas shall be designed to applicable City standards and shall be integral parts, if possible, of any common trail and open space system connections to the riverfront.

E. Performance Standards.

1. Fish and Game Requirements. The applicant shall comply with applicable requirements of the State Department of Fisheries and State Department of Game for preventing and mitigating adverse impacts on fish and wildlife resources and enhancing wildlife habitat.

2. Flood Control Works. If City funds are used in the construction of flood control works (dikes, levees, flood walls), public rights-of-access to such works shall be dedicated prior to construction, where practicable.

Section 2. A new section, Section 15.02.339 is hereby established as follows:

Road, Scenic and Recreational. Russel and Frager Roads shall be designated as Scenic and Recreational Roads.

Section 3. A new section, Section 15.02.252 is hereby established as follows:

Lot, Riverfront. Any lot or land parcel which is adjacent to the Green River, a scenic and recreational road, a riverfront road or a riverfront park.

Section 4. A new section, Section 15.02.529 is hereby established as follows:

Unique and Fragile Area. An area of special environmental significance for wildlife habitat, threatened plant

communities, and/or natural scenic quality. The geographic boundaries of these areas are officially delineated on the "Hazard Area Development Limitations" map, referred to above as Exhibit A.

Section 5. A new section, Section 15.02.336 is hereby established as follows:

Revegetation. The planting of vegetation to cover any land areas which have been disturbed during construction. This vegetation shall be maintained to insure its survival and shall be consistent with planting requirements of the Kent landscape regulations, Chapter 15.07, K.C.C.

Section 6. A new section, Section 15,02.318 is hereby established as follows:

Park, Riverfront. A publicly-owned open space which lies along the Green River, along a scenic and recreational road.

Section 7. A new section, Section 12.12A.715 K.C.C. is added as follows:

12.12A.715. ENVIRONMENTALLY SENSITIVE AREAS.

A. Water Quality and Hazard Area Development Map and Hazard Area Classifications.

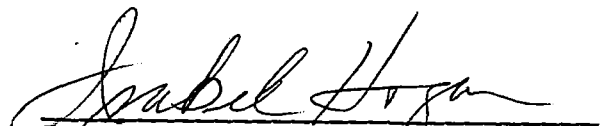
- ✓1. WAC 197-11-908 is hereby adopted by reference.
2. The map(s) filed under KCC 15.08.222, entitled "Water Quality and Hazard Area Development Map," and "Hazard Area Classifications under KCC 15.08.224" designate the location of environmentally sensitive areas within the City and are adopted by reference. Within those environmentally sensitive areas, the following exemptions of WAC 197-11-800 are inapplicable: (1), (2) (a-h), (3), (6)(a), (24) (a) through (g). Unidentified exemptions shall continue to apply within environmentally sensitive areas of the City.

Section 8. The provisions of this ordinance are declared to be separate and severable. The invalidity of any clause, sentence, paragraph, subdivisions, section or portion of this ordinance, or the invalidity of the application thereof to

any person or circumstance shall not affect the validity of the remainder of the ordinance, or the validity or its application to other persons or circumstances.

Section 9. Any act consistent with the authority and prior to the effective date of this ordinance is hereby ratified and confirmed.

Section 10. Effective Date. This ordinance shall take effect and be in force five (5) days from and after its passage, approval and publication as provided by law.


ISABEL HOGAN, MAYOR

ATTEST:


MARIE JENSEN, CITY CLERK

APPROVED AS TO FORM:


P. STEPHEN DIJULIO, CITY ATTORNEY

PASSED the 18 day of March, 1985.

APPROVED the 19 day of March, 1985.

PUBLISHED the 24 day of March, 1985.

I hereby certify that this is a true copy of Ordinance No. 2544, passed by the City Council of the City of Kent, Washington, and approved by the Mayor of the City of Kent as hereon indicated.


MARIE JENSEN, CITY CLERK (SEAL)

2360-100

Strip No. 1

A strip of land 50.0 feet in width, situate in the Northeast Quarter (NE $\frac{1}{4}$) of Section 15, Township 22 North, Range 4 East, of the Willamette Meridian, King County, State of Washington, bounded and described as follows:

Commencing at the north quarter corner of Section 14, Township 22 North, Range 4 East of the Willamette Meridian;
 thence along the north line of said Section, North 88 degrees 59 minutes 21 seconds West, 720.32 feet to a point on the east line of the D. A. Neely Donation Land Claim;
 thence along the east line of said Donation Land Claim, South 01 degree 05 minutes 47 seconds West, 149.32 feet to a point on the south line of that certain parcel of land conveyed to Puget Sound Power & Light Company by Statutory Warranty Deed, dated June 1, 1962, and recorded under Auditor's File No. 5436672, Records of said County;
 thence along the south deeded parcel, North 89 degrees 13 minutes 00 seconds West, 2,345.01 feet to the TRUE POINT OF BEGINNING;
 thence South 15 degrees 12 minutes 11 seconds West, 51.63 feet;
 thence North 89 degrees 13 minutes 00 seconds West, 206.51 feet;
 thence North 15 minutes 12, minutes 11 seconds East, 51.63 feet to a point on the south line of said parcel deeded to Puget Sound Power & Light Company;
 thence along said south line, South 89 degrees 13 minutes 00 seconds East, 206.51 feet to the TRUE POINT OF BEGINNING.

Strip No. 2

A strip of land 50.0 feet in width, situate in the Southeast Quarter (SE $\frac{1}{4}$) of Section 10, Township 22 North, Range 4 East, of the Willamette Meridian, King County, State of Washington, bounded and described as follows:

Commencing at the south quarter corner of Section 11, Township 22 North, Range 4 East of the Willamette Meridian;
 thence along the north-south centerline of said Section 11, North 01 degree 01 minutes 28 seconds East, 280.00 feet to a point on the northerly right-of-way line of Puget Sound Power & Light Company;

thence along said northerly right-of-way line the following three (3) courses:

- 1) South 79 degrees 23 minutes 56 seconds West, 735.24 feet;
 - 2) South 82 degrees 48 minutes 44 seconds West, 950.67 feet;
 - 3) North 89 degrees 13 minutes 00 seconds West, 1,340.95 feet to the TRUE POINT OF BEGINNING;
- thence continuing along said northerly right-of-way line, North 89 degrees 13 minutes 00 seconds West, 214.56 feet;
- thence North 22 degrees 01 minute 04 seconds East, 53.64 feet;
- thence South 89 degrees 13 minutes 00 seconds East, 214.56 feet;
- thence South 22 degrees 01 minutes 04 seconds West, 53.64 feet to the TRUE POINT OF BEGINNING.

Strip No. 3

A strip of land 50.0 feet in width, situate in the Southwest Quarter (SW $\frac{1}{4}$) of Section 11, Township 22 North, Range 4 East, of the Willamette Meridian, King County, State of Washington, bounded and described as follows:

Commencing at the center of said Section 11;

thence along the east-west centerline of said Section 11, North 89 degrees 17 minutes 53 seconds West, 1,372.95 feet;

thence South 00 degrees 51 minutes 23 seconds West, 499.06 feet;

thence North 89 degrees 08 minutes 37 seconds West, 566.84 feet to the TRUE POINT OF BEGINNING;

thence South 39 degrees 56 minutes 30 seconds West, 66.05 feet;

thence North 89 degrees 08 minutes 37 seconds West, 257.66 feet;

thence North 39 degrees 56 minutes 30 seconds East, 66.05 feet;

thence South 89 degrees 08 minutes 37 seconds East, 257.66 feet to the TRUE POINT OF BEGINNING.

6A - ORD. 2544



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CITY OF KENT
CITY CLERK

**STATE
ENVIRONMENTAL
POLICY
ACT
RULES**

**CHAPTER 197-11
WASHINGTON ADMINISTRATIVE CODE**

EFFECTIVE APRIL 4, 1984

State of
Washington

John Spellman
Governor

Department
of Ecology

Donald W. Moos
Director

EXHIBIT "A"

CITY OF KENT

HAZARD AREA DEVELOPMENTS LIMITATIONS

